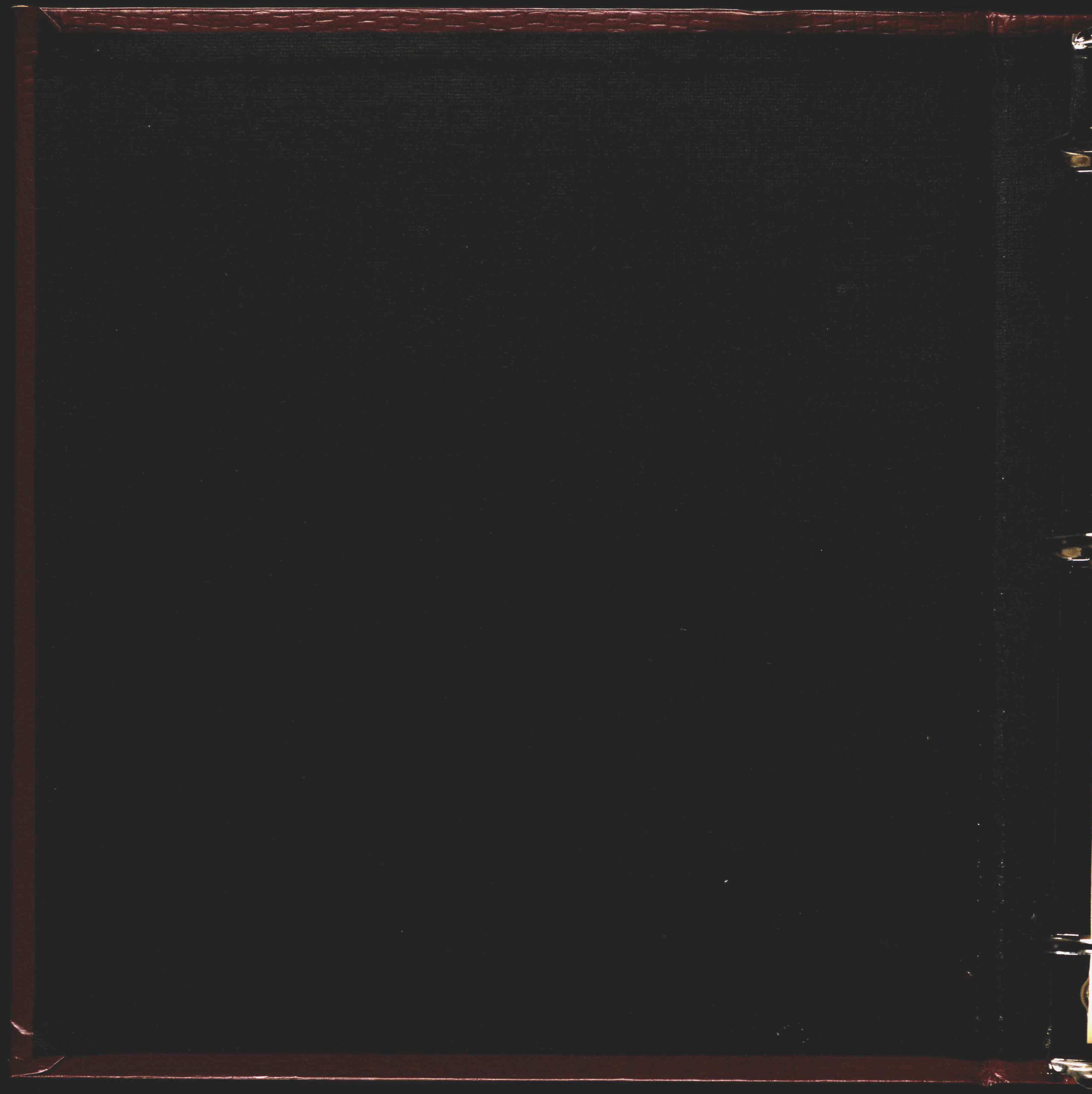


Photos



# Tarrant jails cited by state

## Improvements seen despite violations

BY KEN DILANIAN  
Fort Worth Star-Telegram

FORT WORTH — Last week's annual state inspection of Tarrant County's jails found several code violations but an improved situation, state and county officials said yesterday.

"They were so low several years ago, but things have improved a lot," said Bob Dearing, an official with the state Commission on Jail Standards. "So while we're concerned, we're not overly concerned."

An inspector who visited Tarrant's four facilities last week cited the county for seven violations of state jail standards, Dearing said. Some of the infractions are new, and some have been problems for several years, he said.

In one case, the county did not rectify a violation it was told to correct last year, Dearing said, adding that it built 142 bunks at its Cold Springs facility without state approval.

"We wrote them up last year and told them to do something about it, and they didn't," Dearing said. "We're really going to get on them this year."

Dearing was not specific about what actions the state may take over the bunks.

The county was also cited for not having enough staff members in the corrections center, where more than 650 additional bunks were recently added using emergency state money.

The Belknap facility, the county's oldest, drew citations for inadequate air conditioning, not enough cells and bunks, inadequate separation of first offenders awaiting trial from convicted prisoners, and not enough recreation time for prisoners.

"It's going to be very difficult to get Belknap passed the way it is used now," said Chief Deputy Savala Swanson, who spoke yesterday for the Sheriff's Department, which operates the jails. Sheriff David Williams was out of town.

Swanson said he was generally pleased with the inspection results, and he said the county will try to address the infractions.

"It's not as good as I would have hoped, but it's a whole lot better than last year," he said.

Swanson said the additional bunks in the corrections center have allowed the county to move more than 400 people off the floor of the Belknap facility.

"We can already feel the relief," he said.

When the new bunks are filled, 200 prisoners will be left sleeping on the floor, down from a high of more than 800, Swanson said.

Although the new bunks eased overcrowding, they spelled the end of the new jail's vaunted "direct supervision" design, based on the concept of one guard supervising a "pod" of single-cell inmates, officials said. Direct supervision has been touted as a deterrent to inmate violence.

# Jailers watched nude inmates, caller alleges

BY KEN DILANIAN  
Fort Worth Star-Telegram

FORT WORTH — The Tarrant County Sheriff's Department is investigating an allegation that male jailers were called in to watch while female inmates were stripped and disinfected for body parasites Friday night at the Belknap Street jail.

Chief Deputy Hank Pope said the allegation was made in an anonymous

complaint yesterday. He said he referred the complaint to Warden John Smedley for investigation.

The *Fort Worth Star-Telegram* received an anonymous phone call yesterday making the same allegation. The caller said the incident occurred in cellblock 25A on the fifth floor of the Belknap facility.

Pope said that an outbreak of body parasites was diagnosed in the

30-woman cellblock and that jailers ordered the women to undress to be treated with a disinfectant.

A female jailer then invited male jailers to watch as the women were disinfected, according to the allegation.

"If it happened, that's definitely no good," Pope said. "If there's anything to this, I'm going to turn it over to internal affairs."

# County adds beds at new jail

**Improvements will help to relieve some overcrowding but 200 inmates will still have to sleep on the floor.**

By **KEN DILANIAN**  
Fort Worth Star-Telegram

FORT WORTH — The inmates, hurriedly ushered out of their cell pod by insistent jailers, stood peering through thick glass at the scene before them.

They watched intently as Tarrant County Sheriff David Williams led a troop of reporters and photographers into their day room, cameras whirring and notebooks at the ready.

The sheriff held a media tour yesterday of the county's state-of-the-art corrections center — an event designed to show off a 648-bed expansion that has already dramatically reduced the number of county jail inmates sleeping on the floor.

Joined by Jack Crump, the executive director of the Texas Commission on Jail Standards, and County Commissioner J.D. Johnson, a jail standards commission member, Williams proclaimed that Tarrant County has turned the corner in its jail-overcrowding crisis. He scarcely mentioned the fact that an inspection last week found the county's jails, including the corrections center, out of compliance with state standards.

Williams and Johnson offered reporters a show-and-tell view of the new bunks, which were paid for under a state emergency plan to relieve overcrowding.

"We felt like the citizens needed to really see what's behind the bars," Johnson said.

They noted that instead of placing prisoners in temporary tents or barracks, as most other counties are doing, Tarrant built permanent beds more cheaply. The state gave

the county \$1.57 million for 396 beds; the county built 648, at a cost of less than \$300,000.

When all the new bunks are filled, about 200 inmates will still have to sleep on the floor in Tarrant County, down from 850, Williams said.

"Tarrant County is well-managed, and working toward a solution of their problem," Crump said.

But the solutions aren't without flaws. Crump's agency cited the county last week for not having enough jailers to monitor the additional inmates in the new jail.

"We see ways that we can deal with that matter," Crump said, adding that he was negotiating with county officials over a plan to add more staff.

The new arrangement also represents a significant change in the correction center's original design, which included mostly single-bed cells to deter violence.

With the added bunks, most of the single cells are now doubles. But officials said that situation was less dangerous than continuing to have inmates sleep on the floor.

"The opportunity for violence always exists — that's just a given," said Williams.

But the sheriff stressed that the jail was still operating under the "direct supervision" principle — meaning, he said, that during the day the inmates still mingle in a common room with no bars between them and a guard.

"This is pretty much the Cadillac, when you get right down to it," Williams said of the corrections center, finished in 1990.

The proverbial Edsel, officials agreed, is the Belknap facility, the county's oldest, which was cited for several jail standards violations last

week and will be very difficult to ever bring into full compliance, Williams said.

As they have in the past at Belknap, inspectors found inadequate air conditioning, inadequate recreational facilities, inadequate sorting of different kinds of inmates and not enough bunks at the old jail, where most of the inmates who must sleep on the floor are held.

Nevertheless, said Bob Dearing, another jail standards commission official, Tarrant County has come a long way in providing humane shelter for its exploding population of inmates — more than half of whom are sentenced felons awaiting transfer to state prison.

The cost has been high. The county spent about \$11 million on jails with a capacity of 1,668 prisoners in 1987, according to the budget office; this year, it will spend more than \$36 million to house 5,228 inmates daily.

During that time, the county property tax rate more than doubled while most county services remained flat, said County Budget Director Debbie Schneider.

"It's difficult to deal with any new programs, no matter how valid they are, when you're sinking all your money into criminal justice," Schneider said.



**Tarrant County Sheriff David Williams shows off two of the new beds at the county's main jail. The 648 bunks were built and were paid for with state funds.**

TARRANT COUNTY SHERIFF'S DEPARTMENT  
CONFINEMENT BUREAU  
INTEROFFICE MEMO

DATE: June 20, 1994  
TO: All Personnel  
FROM: Chief Hamp Scruggs/Confinement-Housing  
SUBJECT: Daily Memo

Effective immediately. Cynthia Marks has resigned her employment with the Tarrant County Sheriff's Office and is not allowed access into any Tarrant County Jail facility.

\*\*\*\*\*  
WEAPONS QUALIFICATIONS-PERSONNEL WHO HAVE NOT QUALIFIED:  
Personnel who have not reported to the Tarrant County Water Board Gun Range to perform weapons qualifications have one last chance to qualify. The following personnel are to report to the Water Board Gun Range Wednesday, June 22, 1994 at 8:30 AM to qualify :

Judy Sue Moreland	Susan Bailey	Floyd Clark
Nancy Foster	Joseph Jones	Lt. Wm. Casto
Ada Cunningham		

The following personnel are to report at 12:30 Pm Wednesday, June 22, 1994 at the Water Board Range:

Benjamin Farmer	Evelyn Hart	Kurt Freed
Audra Runnels	Joseph Lawshe	Charlotte Grady
Pamela Burd	Melissa Baker	

\*\*\*\*\*  
OFF DUTY/BACK UP WEAPONS QUALIFICATION: The firearms Range will be open June 20, 1994 to June 23, 1994, from 8:30 AM to 2:30 PM for off duty/back up weapons qualifications.

OFFICERS MUST FURNISH THEIR OWN AMMUNITION! Qualification cards will be available at the range. Range is closed from 11:30 AM to 12:30 PM.

\*\*\*\*\*  
The following personnel have been enrolled in the Mandatory Training for Peace Officers class beginning 6/27/94 and continuing through 7/1/94. Selection was based on the date of request received at the Training Division. Class will begin promptly at 0800 - Greenbay Facility - Training Division Classroom. Appropriate civilian attire is permitted - accompanied with Departmental clip on ID.

Harry Ballard	Ronald Barker	Vance Barnes
Gerald Bradburn	Mark Canales	William Casto
Michael Castro	Walter Caywood	Carrie Ceasar
Floyd Clark	Laurie Cook	Kelli Creed
Wesley Curry	Barbara Dodd	Erin Driscoll
Larisa Ellis	Houston Enos	Buster Fulton

# Death penalty stand of father is an enigma

BY LINDA P. CAMPBELL  
Fort Worth Star-Telegram

Jack Koslow's testimony that Kristi Koslow should get the death penalty reflects an unusually fractured father-daughter relationship, specialists in law and psychology said yesterday.

But it might also make no difference in the outcome of the capital murder case.

John Vincent, a psychology professor at the University of Houston, said the circumstances of the Koslow case are so uncommon that "there's hardly any precedent for how to understand" the dynamics that led Jack Koslow

(More on PENALTY on Page 7)

to endorse the death penalty for his daughter.

Outside the jury's presence Wednesday, defense attorney Tim Evans asked Koslow whether he would recommend the death penalty.

The questioning came during cross-examination designed to show that he and his daughter had a troubled history.

Kristi Koslow, now 19, is accused of masterminding the 1992 attack that killed her stepmother, Caren Koslow, and left her father severely beaten and slashed. The motive, prosecutors say, was money.

The teen-ager contends that years of cruelty and rejection from the father who adopted her at birth prompted her to joke with her boyfriend about wanting him and his wife dead, but she says she never intended for them to be hurt.

"Someone who's been betrayed to the level that he has . . . I can certainly understand where he might get himself to the point of believing she's a despicable person and deserves to die," Vincent said.

Other factors that might play into it include the bond the two established when she was young and the problems they encountered during Kristi Koslow's adolescence.

"It's not the sort of thing that just comes out of the blue," Vincent said.

Some psychologists say adopted children have a feeling of rejection they never overcome. Joel Rifkin, who has admitted killing 17 women and was convicted Monday in New York in one slaying, reportedly



Fort Worth Star-Telegram File

**Kristi Koslow in court Monday with her attorney, Tim Evans.**

plans to use an "adopted child syndrome" defense for his second trial.

Vincent said "some small minority" of troubled individuals have difficulty dealing emotionally with their adoption. But he noted that parent-child bonds do not always fully develop even with blood relatives.

James Marquart, a criminal justice professor at Sam Houston State University, called Koslow's statement "awfully retributive."

"I don't know of too many parents who would want their children executed, no matter what," he said.

Hazel Korol, who works with the Fort Worth-based National Victim Center, said homicide victims' relatives "respond very individually" to the crime, based on the circumstances and their own history.

In this case, "he's dealing with the death of his wife and the loss, in a different sense, of his own child," she said.

"Mr. Koslow is in an incredibly stressful circumstance right now."

It is unlikely that Koslow will be allowed to offer his opinions before jurors even if they convict Kristi Koslow and decide her sentence.

The Texas Court of Criminal Appeals said in 1990 that evidence about long-term effects of a crime can be introduced during the punishment phase of noncapital cases, but not during death-penalty sentencing.

Capital cases were excluded because the U.S. Supreme Court ruled in 1987 and 1989 that juries deciding punishment in such cases cannot hear about the family's grief or the victim's character.

The Supreme Court reversed itself in 1991, saying that capital juries can hear victim-impact evidence, but Texas courts have not allowed it.

# Jury hears Koslow talk about slayings on tapes

BY THOMAS KOROSEK  
Fort Worth Star-Telegram

FORT WORTH — Jurors heard the voice of Kristi Koslow yesterday describing the first conversation she had with her boyfriend after he and another young man attacked her stepmother and father.

"I just said, 'Are they dead?' And he said, 'I think so,'" Koslow is heard saying in a tape-recorded statement she made to police.

In the first statement, Koslow acknowledges that she helped plan a robbery of the house, but she insists that she was joking and had no intention of having her father and stepmother hurt or killed.

In the second statement, she says four times that she enlisted her boyfriend, Brian Salter, and his friend Jeffrey Dillingham to kill Jack and Caren Koslow in return for a portion of an inheritance she believed would amount to as much as \$15 million.

Koslow, now 19, could face the death penalty if she is found guilty of helping orchestrate the March 12, 1992, attack on the Koslow couple in the bedroom of their elegant Rivercrest home.

Caren Koslow, 40, was bludgeoned to death and her throat was cut in the attack. Her husband, businessman Jack Koslow, now 51, was also slashed and beaten, but he survived and has testified against his daughter.

The assault was so ferocious that the walls of the Koslows' bedroom were spattered with blood.

Among the evidence photos admitted in the trial is one of a sketch of Kristi Koslow that had hung in the bedroom. It is spattered with blood.

The sweetly rendered sketch of the 8-year-old had been made for a pastel portrait that Caren Koslow gave her husband shortly after their 1983 marriage.

A second photo shows a snapshot of Caren and Kristi Koslow taken when she was perhaps 10. It too is

"He said it was kind of messy. . . . He said it didn't happen like we planned it, like they had planned for it to happen," the teen-ager says on the tape.

Prosecutors, presenting the heart of their case in Koslow's capital murder trial, played that recording and the recording of a second statement, both made to Fort Worth police detectives in the hours after her arrest March 25,

(More on KOSLOW on Page 7)

blood-spotted.

Nearly two weeks after the attack, acting on a telephone tip from a young man whom Dillingham had entrusted with knowledge of the murder, police arrested Koslow, Dillingham and Salter.

Salter has pleaded guilty to the slaying in exchange for a life sentence and is expected to testify against his former fiancée.

Dillingham was convicted of capital murder and sentenced to death in a trial in August.

After her arrest, Koslow was taken directly to the third floor of the police station and was first interviewed by Fort Worth police Detective Danny LaRue.

In the 40-minute interview, Koslow admitted only to kidding about a robbery.

"Oh, we joke around about, you know, a year ago. We just joked around about it," she said in the tape of the conversation that was played for the jury. "Cause I'd always be upset because my dad, my dad would upset me or something and I would be upset at him. It was just a joke."

During the interview, however, Koslow acknowledged that she gave Salter the code to disarm the extensive security system at the house on Clarke Avenue.

She also said she drew a map of the house and told Salter the location of valuables.

"I wouldn't say she confessed; she implicated herself in some planning," LaRue told jurors.

After that interview, Detective Curt Brannan, the lead investigator

on the case, took over the interrogation, the detectives testified.

Brannan told the jury that he had gathered a much different picture of Koslow's role during his questioning of Salter and Dillingham.

"I explained to her that there was no purpose in lying any longer because I knew, Detective LaRue knew, the whole world would know exactly what happened," Brannan said.

"I accused her of setting up this whole tragedy, pulling the trigger on this tragedy," Brannan said. "I accused her of being a rich girl. . . . I accused her of being spoiled and having absolutely no concern for her parents or anyone else."

Brannan said that his words turned the conversation around and that he began tape-recording Koslow's confession.

The damaging statement begins with Brannan asking Koslow if she asked Salter to kill her parents.

"Yes," she replied.

"You did?" Brannan asked.

"Yes," she said again.

In the somewhat confused, 13-minute statement, Koslow at times says she was motivated by resentment and at other times by a wish to get money for her mother, Paula Koslow, who was Jack Koslow's first wife.

Asked how much money she offered Salter, Koslow replied, "I, I never specifically said I would give . . . just if, if I got any money, they could have it."

Later in the statement she said she thought the amount might be as much as \$15 million.

## *Convicted killer provoked fight, jailer testifies*

BY KEN DILANIAN  
Fort Worth Star-Telegram

FORT WORTH — Elkie Lee Taylor, who was convicted of capital murder yesterday, attacked Brian Salter, a convicted capital murderer and key upcoming witness in the Kristi Koslow trial, in a Tarrant County jail in the fall, according to court testimony.

The intersection of Tarrant County's two capital murder trials emerged during Taylor's punishment phase, as prosecutors called witnesses intended to persuade a jury to give the 32-year-old parolee a death sentence. Both the Taylor and Koslow trials are taking place on the fifth floor of the Tarrant County Justice Center.

Salter, who pleaded guilty to murdering socialite Caren Koslow, is expected to testify that Kristi Koslow promised him money to do it.

Jailer Edmund Choice recounted a beating Salter took at the hands of Taylor sometime in November or December.

Choice said he heard Taylor tell Salter something like "I'll kick your \_\_\_\_\_."

While the two were going up a staircase out of Choice's view, he said, Taylor apparently hit Salter. When he got there, Taylor had grabbed Salter's leg, and Salter was bleeding from cuts on his face.

When Choice looked in Taylor's cell, he found that his things were already packed as if ready for a transfer to a different pod. "I felt like . . . he made up his mind that was he was going to have a fight," Choice said.



# Detective says Jack Koslow was primary suspect

An investigator in the case concluded after Caren Koslow was slain that her husband was "deceitful."



Jack Koslow: A suspect early in investigation

BY THOMAS KOROSEC  
Fort Worth Star-Telegram

FORT WORTH — The lead detective in the Caren Koslow murder investigation testified yesterday that he concluded on the day after her slaying that her husband was "guilty but deceitful."

Detective Curt Brannan, in seven hours of cross-examination by Kristi Koslow's attorney in her capital murder trial, testified that a number of signposts led him to focus his suspicions on Jack Koslow, who insisted from the outset of the investigation that he and his wife were attacked by two intruders.

"I had to be concerned about the possibility of family violence," Brannan told the jury. "Two people alone in a house and one survives and the other doesn't. . . . We want to know all the details."

Defense attorney Tim Evans, who is attacking the quality of police work in the case, read a portion of the detective's case notes from March 13, 1992, the day after the attack, that characterize Jack Koslow as "a guilty but deceitful person."

"I did believe he was being deceptive at the time," Brannan told the jury. "I believed Mr. Koslow was a suspect in the crime, but I was trying to keep an open mind."

Speculation and gossip about the possibility of Jack Koslow's involvement was thick in west Fort Worth social circles and beyond in the days after the attack.

The rumors paralleled police suspicions, although authorities did not acknowledge that at the time.

On the same day that Brannan labeled Jack Koslow "guilty" in his notes, Police Chief Thomas Windham told reporters that he was not a focus of the investigation, according to news accounts at

(More on KOSLOW on Page 5)

the time.

Much of Evans' questioning yesterday involved Brannan's suspicions, but the attorney also asked the detective several questions about his taking of Kristi Koslow's confession, a more crucial issue in the trial.

"You did not indicate to her in any way that if she did not come around that she'd be faced with the death penalty?" Evans asked in the brisk exchange.

"In no way did I even mention the death penalty to Kristi Koslow," Brannan replied.

Evans placed his hand on his client's shoulder while Brannan testified that he never discussed possible charges during the questioning and that he made no promises when he taped her admission that she helped set the murder plot in motion.

Tarrant County prosecutor Alan Levy said at the end of the day that the state is roughly halfway through its case after four days of calling witnesses.

Kristi Koslow, 19, could face the death penalty if found guilty of orchestrating the attack on her father and stepmother in the bedroom of their Rivercrest home.

Oil heiress Caren Koslow, 40, was bludgeoned to death and her throat was cut. Jack Koslow, now 51, was also beaten and cut.

Kristi Koslow is accused of hiring her boyfriend, Brian Salter, 22; and his friend Jeffrey Dillingham, 21, to do the killing in return for a share of an expected multimillion-dollar inheritance. Salter and Dillingham have been convicted of capital murder.

Several things aroused his suspicions about Jack Koslow, Brannan told the packed courtroom.

They included forensic dental evidence indicating that cuts on Koslow's hands were teeth marks and that they matched a mold made of his wife's teeth.

There were also discrepancies in Koslow's various recollections of the attack, which left him with

memory and vision problems for months.

As examples, Brannan said, at one time Koslow said it was dark in the room and then said it was light; he initially said he was awakened by the security alarm, and then said it was the sound of a door being kicked

in.

Evans tried to show that Brannan was so focused on Jack Koslow that he made only cursory attempts to follow other suspects. Brannan said that he took no notes during his first interview with Kristi Koslow, who voluntarily submitted to ques-

tioning at police headquarters a week before her arrest.

Brannan also testified that earlier the same day that Dillingham's friend came forward, he conducted a videotaped interview of Jack Koslow at Koslow's home. The interview began with Brannan informing

Koslow of his right against self-incrimination.

During his testimony, Brannan revealed that he had entered into a \$10,000 agreement with a Hollywood production company for his story about his work on the Koslow case.

That agreement was made six months after the investigation was completed and will not be affected by the trial verdict, the detective said.

Testimony is scheduled to resume at 9 a.m. today.

*'She said something about making it as painless as possible'*

# Kristi Koslow approved attack, former boyfriend tells jurors



Brian Salter

By THOMAS KOROSEC  
Fort Worth Star-Telegram

FORT WORTH — As Kristi Koslow dabbed back tears, her former boyfriend told jurors yesterday how he slashed the throats of her wealthy stepmother and father in a murderous scheme that he said she spurred on and worked to hide.

"She was like, 'Get this done or

forget about it,'" said Brian Salter, describing Koslow's anger after one postponement of the attack.

When she learned that her father, businessman Jack Koslow, had survived the slashing and bludgeoning, Salter said, "She asked me, 'What went wrong?'"

Through two hours of explosive testimony, Salter described how the

attack grew from talk of a burglary in which Koslow was to get her stepmother's clothes to a plan in which their accomplice, Jeffrey Dillingham, was promised \$500,000 from Koslow's expected \$14 million inheritance.

"She approved it," Salter told the jury.

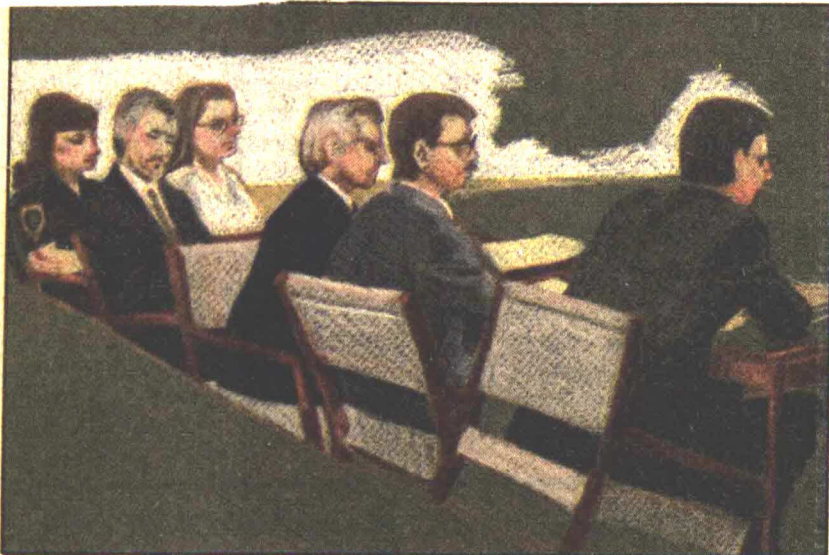
"She said to do it quietly," he

said. "She said something about making it as painless as possible."

He also testified: "She said both of them had to be killed because if only one of them were killed, she wouldn't get anything."

The 22-year-old Salter, who recounted the crime in a near-monotone, testified under a plea

(More on TRIAL on Page 3)



Fort Worth Star-Telegram / JIM AHERTON

At left, a bailiff sits behind murder defendant Kristi Koslow. To Koslow's right is attorney Mark Daniel. Center from left are defense attorneys Tim Evans and Robert Mayfield, and prosecutor Alan Levy.

agreement with Tarrant County prosecutors that yielded him the promise of a life sentence for a capital murder conviction, but spared him from facing the prospect of a death sentence.

The plea bargain required him to testify against Koslow, whom he had dated for five months before his arrest.

Koslow, 19, could be sentenced to death if found guilty of playing a role in the March 12, 1992, attack on her father, Jack Koslow, now 51, and stepmother, Caren Koslow, 40.

Caren Koslow was slashed and bludgeoned to death; her husband was beaten and cut but survived the bloody onslaught in the second-story bedroom of their elegant Rivercrest home.

Dillingham, who rejected a plea offer similar to Salter's, was sentenced to death in a trial last year.

Kristi Koslow's defense attorney, Tim Evans, told jurors in his opening statement last week that Salter set the fatal plot in motion and that he is lying to save his life.

Sunday, June 26, 1994 / Fort W

thought the ideas were "crazy."

At another point, Salter said he and Kristi Koslow browsed at a car lot and in several wealthy neighborhoods and planned what to buy with her inheritance. She picked out a red BMW 325i; he, a Toyota Land Cruiser, Salter said.

They also drove through Westover Hills, Rivercrest and Monticello looking at houses, he said.

Salter, peering through wire-rim glasses, recounted Koslow telling him within the first month of their relationship about her "extreme dislike" of her stepmother and father.

"She said she wished they were dead," Salter said. "She said Caren had tried to take [her mother] Paula's place . . . and tried to turn her into a snob. She thought Caren took her dad's relationship from her."

Salter told the jury that he once considered killing his own parents, and that Koslow had suggested that "maybe two years down the line, we could kill her parents, too."

Salter said his discussions about robbing and killing the Koslows intensified after he and Kristi Koslow became engaged around Christmas 1991.

During the planning of what eventually became a plot to kill her parents and loot the house, Salter said, Koslow drew a three-page map of the spacious home, described where she thought money and other valuables were kept and gave him the code to deactivate the alarm system.

"I told her we were going to do it this day. She said, 'That's good,'" Salter said.

He said Koslow was present for many of his conversations as he tried to find guns and was with him when he drove to his father's house the evening of the attack and took two pistols from his parents' home while they were at church.

The final plan, he said dispassionately, was to break into the Koslow house, disarm the alarm, knock the couple out after confronting them in their bedroom, and cut their throats. The guns were needed for self-protection, he said.

Around midnight on the night of the attack, just before he left his house to meet Dillingham, he said, he called Koslow and told her they were leaving to carry out the assault. "She said, 'OK, be careful,'" he recounted.

Carrying two pistols, a pry bar and a backpack containing glass cutters, extra ammunition and two knives, Salter and Dillingham climbed over the back fence of the Koslow property, Salter said.

Then, after working 15 to 20 minutes to quietly weaken and pry open the back door, "We hit the door running," he recalled.

While he deactivated the alarm system, Dillingham bolted up the stairs to the master bedroom and ordered the Koslow couple to lie at the foot of their bed.

"Jeff went to beating on them," Salter said, explaining that the couple did not pass out after one or two blows with the pry bar, as planned.

As the beating continued, Salter said, he began searching Jack Koslow's walk-in closet for the money Kristi Koslow had told him he could find there.

Instead he found a lock-blade knife in a drawer.

"I offered Jeff the knife, and he said, no, he wasn't going to do it. I went and I stood over Caren, lifted her chin and cut, left to right. I did the same thing to Jack," Salter said.

When they returned to the closet, Salter said, he was startled to see

Evans said yesterday that he expects Salter's testimony to be "a little less prepared" when cross-examination begins this afternoon.

Because the jury is sequestered, District Judge Bob Gill scheduled sessions through the weekend.

In his testimony yesterday, Salter led jurors through moments both preposterous and chilling.

He recalled how Dillingham offered a list of "exotic" ideas about how to kill the Koslow couple. The video store clerk suggested blowing up their car, or poisoning them or setting up the crime to look like a murder-suicide. Salter said he

Jack Koslow on his feet.

"Jack got up and went after Jeff," he said.

As Dillingham hit his victim three or four more times and Jack Koslow slumped to the floor, Salter said, the gun he was holding "went off in my hand."

Scared, they made a hasty search for the Koslows' car keys and ran from the house.

After returning home around 4 a.m., Salter said, he called Koslow. "I told her I waited outside the room while Jeff did it. I was covering my own actions," he told the hushed courtroom.

After daybreak, Salter said, he and Koslow went to the hospital to see her father. As they prepared to go, he said: "She asked me if her dad had seen me. I said, 'No.'"

During the drive she told him, "Don't worry, you won't get caught," he said.

In the days that followed, he said, Koslow decided to give a group of reporters gathered outside her father's house an interview "to keep the guilt from falling on her."

Salter said she laughed when he told her afterward, "You should be an actress."

In other testimony yesterday, a relative said Kristi Koslow was one of the first two people to visit Jack Koslow in his hospital room.

Pam Giffin, Jack Koslow's sister, also recalled for the jury a conversation with Kristi Koslow at the hospital that struck her then as "bizarre."

"She said she was particularly tired because the night before she had been up all night," Giffin said.

"She said she was nervous and upset until she got a phone call at 4 in the morning. She said, 'After I got that phone call, I fell asleep.'"

# Koslow's lawyer grills witness on changing story

By THOMAS KOROSEC  
Fort Worth Star-Telegram

FORT WORTH — In a rare Sunday court session, Kristi Koslow's defense attorney challenged her former boyfriend yesterday and his testimony that she was an eager participant in a plot to kill her well-to-do father and stepmother.

Although 22-year-old Brian Salter admitted lying to prosecutors last year about how the plan was hatched, he did not retreat from the damaging testimony he gave on Saturday.

As a star prosecution witness in Koslow's capital murder trial, he said that his one-time fiance urged, helped plan and covered up blame for the crime.

In an exchange typical of yesterday's questioning, defense attorney Tim Evans asked Salter: "Jeff Dillingham came up with [the idea of the killing] while Kristi was still

talking about burglarizing the place?"

"No, sir," responded Salter, a former student at All Saints Episcopal School and the son of a Fort Worth accountant.

More forcefully, Evans asked: "This whole crazy plan was something you and Jeff Dillingham cooked up and spun off of the fact that Kristi Koslow said, when she was mad, that she'd just like to take a lot of [her stepmother's] stuff, isn't that true?"

Again Salter replied, "No." Because the jury is sequestered, state District Judge Bob Gill scheduled testimony throughout the weekend in the high-profile trial.

Koslow, 19, could face the death penalty if found guilty of participating in the March 12, 1992, attack that left her stepmother, oil heiress Caren Koslow, dead and her father,

(More on TRIAL on Page 3)

Jack Koslow, severely injured.

Caren Koslow, 40, was slashed and bludgeoned to death in the furious early morning attack that began when two intruders stormed into the bedroom of their home in the upscale Rivercrest section of west Fort Worth.

Kristi Koslow is accused of assisting in the planning of the crime and promising to give Salter and his friend Dillingham a share of a multimillion-dollar inheritance she mistakenly expected to receive.

Salter and Dillingham have been convicted of capital murder.

In September, a month after a jury in Wichita Falls gave Dillingham the death penalty, Salter entered into a plea agreement with Tarrant County prosecutors, netting him a life sentence in return for testimony about Koslow's role.

Evans made much of the plea bargain in his questioning yesterday, underlining for jurors that his sentence would not be finalized until he completed his testimony for the state.

"If you don't live up to the agreement the whole thing's void?" Evans asked. "Yes," Salter responded.

Before Salter pleaded guilty last September, he gave prosecutors a 23-page statement that contained a different account of how the plan was hatched than the one he gave on the witness stand over the weekend.

In Salter's testimony, he said that conversations moved from talk of burglarizing the Koslow house, to Salter and Dillingham talking about killing Salter's parents, to Salter and Koslow talking about killing his parents and her father and stepmother two years later. Finally, he said, the

plan evolved into killing just the Koslows.

In his earlier statement, Salter made it appear as if the idea of killing the Koslows arose in conversations between him and Dillingham.

"I told Jeff during this phone conversation that I knew she didn't like [Caren Koslow] but I didn't think she wanted them killed," Salter said in the statement.

Salter said during Evans' questioning yesterday that those comments and several other parts of the statement were lies.

Tarrant County prosecutor Alan Levy explained to reporters at the end of the day that Salter's statement last year left out any mention that Salter had talked about killing his parents.

"It's a normal instinct not to want to say, 'Not only have I committed a capital crime but I was also thinking about killing my own parents,'" Levy said.

The prosecutor said Salter provided the new information in recent weeks. His plea bargain will not be jeopardized, because it hinged on the truthfulness of his testimony, not his earlier statement, Levy said.

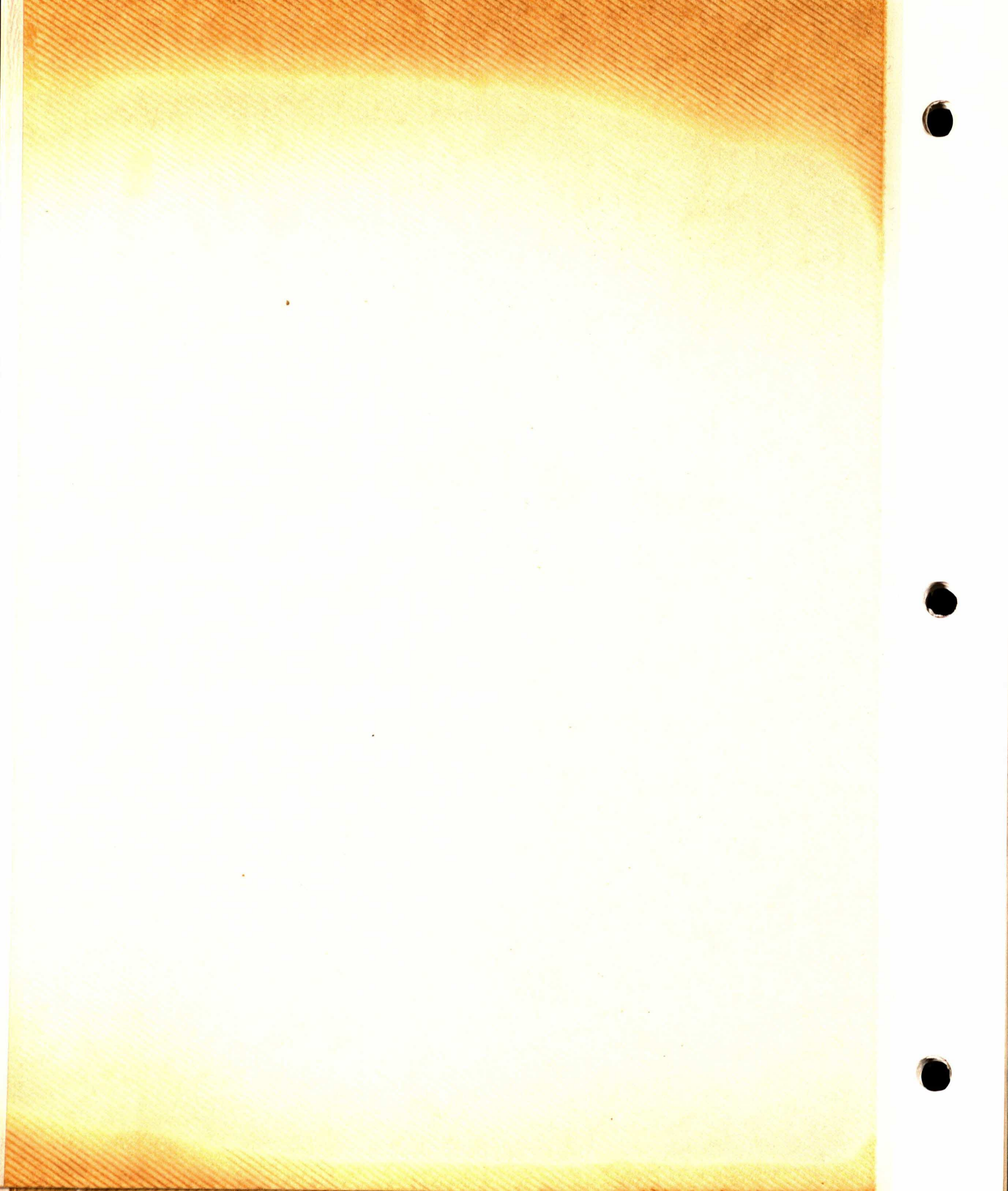
In other testimony, Salter told the jury that a Fort Worth police detective twice turned off his tape recorder when he asked to have a lawyer present during questioning following his arrest on March 23, 1992.

Salter said that at the outset of questioning by homicide Det. Curt Brannan, he invoked his right to have an attorney present, but Brannan stopped his tape recorder and backed up the tape.

He said Brannan told him that "things would go better" if he cooperated with the investigation.

Salter then gave Brannan a confession in which he placed himself at the Koslow house during the attack.

Testimony by prosecution witnesses is scheduled to resume today at 9 a.m.



THURSDAY, JUNE 30, 1994

# Kristi Koslow found guilty



Defense attorney Mark Daniel sits as Kristi Koslow, right, hugs her mother, Paula Koslow, after the 19-year-old is convicted yesterday of capital murder.

# She faces life term or death

By THOMAS KOROSEC  
Fort Worth Star-Telegram

FORT WORTH — After hearing Kristi Koslow described as either the hate-filled "boss" of a murder-for-hire plot, or a naive teen-ager given to idle words of spite, a Tarrant County jury convicted her of capital murder yesterday in the slaying of her wealthy stepmother.

Jurors are expected to begin hearing evidence today to help them decide whether to place Koslow among the four women now on Texas' Death Row or to give her a life sentence — the only choices under the law.

Koslow, 19, wiped back tears in the minutes after state District Judge Bob Gill announced the verdict, which came after three hours and 15 minutes of jury deliberation.

A few minutes later, as Koslow was given several minutes alone with her mother, Paula Koslow, both cried openly as they hugged at the back of the courtroom.

At the center of the room, among the stack of evidence used in the case, sat a large, gold-framed pastel portrait of the defendant wearing a white dress and an unaffected smile. Her stepmother commissioned the portrait when the defendant was 8.

Jack Koslow, her father, sat dispassionately as the verdict was read and left the courthouse without comment.

The 50-year-old businessman was also a victim of the attack that killed his wife, oil heiress Caren Koslow. He testified last week outside the jury's presence that he would

(More on KOSLOW on Page 16)

recommend that his daughter receive the death penalty.

Tarrant County prosecutor Alan Levy huddled with Jack Koslow after the verdict and later described Koslow's reaction as "reserved."

"He's not a person given to big displays. . . . It's not a happy time," Levy said.

Mark Daniel, one of two defense attorneys Koslow's mother hired, said: "We plan to be a lot more successful tomorrow. . . . There are a lot of significant issues; a great deal will come out about her and her background."

Asked what could save his client from the death penalty, lead defense attorney Tim Evans said: "This is just not the kind of person I think juries generally sentence to death. She is a young girl with no past criminal history, and there is a lot of mitigating evidence that has come out during this trial."

Levy said the planning that went into the murder-for-hire plot will be among his most persuasive evidence as he turns his efforts to seeking a sentence of death by injection.

"The thought process that went into it, the premeditation, that may be the most persuasive thing for a jury," said Levy, who has asked juries 10 times before to deliver death sentences and has never been denied.

Levy conceded that the defendant's age and gender could work in her favor. "It's always hard to sell the jury on the death penalty, and it should be," he said.

Koslow was convicted of orchestrating the fatal March 12, 1992, attack on her stepmother and father, who were startled from their sleep when two intruders broke into their stately Rivercrest home.

Caren Koslow, 40, was fatally bludgeoned and her throat was cut in the early-morning attack. Her husband was beaten and his throat was also cut.

Prosecutors called 23 witnesses in their attempt to show that Koslow hired Brian Salter, who was her boyfriend, and his friend Jeffrey Dillingham to do the killing in return for a share of what she expected would be as much as a \$14 million inheritance.

The judge instructed jurors to determine whether Koslow hired the killers and therefore was guilty of capital murder.

They also were told to find Koslow guilty of capital murder if they found that she acted as an accomplice in what became a murder during a burglary of the Koslow home.

Salter, 22, and Dillingham, 21, have been convicted of capital murder after both admitted to authorities that they carried out the bloody

attack.

During testimony, jurors heard a taped statement in which Koslow admitted offering inheritance money for her father's and stepmother's deaths.

Salter testified that Koslow helped plan and cover up the crime, and an array of physical evidence supported both accounts.

"There was a variety of things, mutually supporting each other, that when you add them up, it's a compelling case," Levy said after the verdict.

Said Evans, "We knew it was a rough case from the beginning. . . . Alan's also a very good lawyer."

In closing arguments, Levy and Tarrant County prosecutor Robert Mayfield portrayed Koslow as "the boss" behind the murder plot, a deceptive teen-ager who was filled with hatred for her stepmother.

"She was consumed with this malignancy — it always grows; it always needs feeding," Levy said.

He labeled as ridiculous defense contentions that Salter and Dillingham acted on Koslow's idle threats that she wanted her stepmother and father killed.

"You'd have to be levitated to another solar system with another system of logic," Levy said, adding at another point, "How stupid do

they think we are?"

Mayfield cast Koslow as the mastermind of the murder-for-hire scheme.

Citing testimony that Salter telephoned Koslow minutes after he returned home from the attack, Mayfield told jurors: "When an employee finishes an assignment, what do they do? They check with the boss."

Defense attorney Daniel, on the other hand, told jurors that Koslow

"does not have the intellect or the maturity to organize a rock fight."

Evans, who told the jury that Koslow was given to mouthing threats "out of spite formed by years of family turmoil," told the jury that prosecutors failed to prove their case beyond a reasonable doubt.

He closed his rousing summation with his hand on Koslow's shoulder.

"I give you the life of Kristi Koslow," he said, choking back tears. "I wish you godspeed."





Paula Koslow, mother of Kristi Koslow, sits crying in the cleared courtroom yesterday after the verdict. Fort Worth Star-Telegram / RONT ENNIS

**Koslow**



Alan Levy: Prosecutor portrayed Koslow as "the boss" behind plot.



Tim Evans: Says Koslow isn't the type juries sentence to death

# Life term for Kristi Koslow



Paula Koslow, Kristi Koslow's mother, cries as she pleads with the jury that convicted her daughter to spare her life.

## *Death penalty rejected*

BY THOMAS KOROSEC  
Fort Worth Star-Telegram

FORT WORTH — Jurors in the Kristi Koslow capital murder trial sentenced the teen-ager to life in prison yesterday, rejecting prosecutors' demands for the death penalty during an emotionally charged final day in court.

The 19-year-old Koslow, convicted Wednesday of orchestrating the murder for hire of her wealthy stepmother, breathed an audible sigh of relief when state District Judge Bob Gill read the jury's decision.

The panel of six men and six women, which deliberated for one hour and 20 minutes, found that Koslow had acted intentionally but that prosecutors had not proven beyond a reasonable doubt that Koslow presents a future danger to society.

Under Texas law, their answer to the question of future dangerousness automatically ruled out the death penalty.

Juror Keri Glyn Gill said in an interview that the jury decided on its first vote for a life sentence.

"We never thought she would ever be a continuing threat to society," the juror said.

Jack Koslow, who was injured in  
(More on KOSLOW on Page 4)

the March 12, 1992, attack that killed his wife, Caren Koslow, showed no emotion as the decision was read. The 50-year-old businessman said earlier in the trial, outside the presence of the jury, that his daughter deserved the death penalty. He and about a dozen other family members left the courthouse without comment.

Will Courtney, the victim's uncle, said later: "We're not so much disappointed as we're glad this trauma is over. We feel our lives must go on."

There was no comment either from Paula Koslow, the defendant's mother, who took the stand earlier in the day and tearfully asked the jury: "Please don't give her the death penalty; that's all I have to say. Please."

Hilary Tomlinson, 19, who testified earlier in the day as a childhood friend of Kristi Koslow's, said after the sentencing: "We're relieved. . . I hoped I helped."

Tarrant County prosecutor Alan Levy said, "We thought we'd get the maximum penalty but this is not a penalty that's unacceptable."

He said he thought that Koslow's age and lack of criminal record worked for the defense.

The prosecution presented no witnesses during the morning's punishment hearing because Kristi Koslow had no prior criminal history.

Said defense attorney Tim Evans: "Virtually any jury in this state would have reached the same decision on this issue. Anybody who listened to every word would have come to the same decision."

He added, "It would serve no purpose to give Kristi Koslow the death penalty."

Under Texas law, his client must serve a minimum of 35 years in prison before she is eligible for parole.

"It certainly was not anything that I'd call a lenient sentence," Evans said.

Mark Daniel, who emphasized his client's emotionally troubled childhood during his summation at the daylong sentencing hearing, said he was not surprised that the jury spared his client's life.

"This was not a crime that showed she would be a danger to society," he said. "It is a crime that was focused on a family member."

Only four women are on Death Row in Texas and, historically, the death penalty has rarely been assessed against women.

Kristi Koslow was convicted Wednesday of helping plan the fatal attack on her stepmother and father in their home in the well-to-do Rivercrest section of west Fort Worth.

Caren Koslow, 40, was fatally bludgeoned and her throat was cut. Her husband, Jack Koslow, was beaten and cut but survived.

Prosecutors established during the eight days of testimony in the trial's first phase that Kristi Koslow hired her boyfriend, Brian Salter, 22; and Jeffrey Dillingham, 21, to kill the couple in return for shares of an expected multimillion-dollar inheritance.

Salter pleaded guilty to capital murder and accepted a plea bargain for a life sentence in return for his testimony in his ex-fiancee's trial.

Dillingham rejected a similar plea offer and a jury sentenced him in August to death.

Daniel and Evans portrayed their client as the product of a dysfunctional family who was raised by a permissive mother and developed deep resentment against her father and his second wife, Caren.

During his emotional summation, Daniel made much of the prosecutors' decision to give Salter, who admitted cutting the victims' throats, a life sentence.

"What did the state bring to you to help you peer into the future?" he asked rhetorically.

"Our law lets you decide whether she was 17 years old, a child, at the time this occurred, a child who did not have a positive stable adult influence throughout her life."

Daniel continued, "I am not saying she sits in the chair [that] she does because of her parents, but she had Paula Koslow, who provided a lot of warmth but a lot of misguided parenting.

"She had Jack Koslow, who had some structure, but warmth and compassion simply wasn't part of the package. She had Caren Koslow. In all respect to her, she was placed in the impossible position of a step-parent."

Levy, whom Daniel described to jurors as "the only lawyer in this state who could talk a jury into killing this girl," took aim at Daniel's mention of the victim as he paced and talked in his closing.

"What greater crime can occur than for this defendant to steal from Caren Koslow her life, her hopes, her dreams . . . and then come into court and blame the victim?" Levy asked.

Levy, whose rousing jury arguments have led to death sentences in 10 previous trials, told the panel: "It will not do to say my stepmother was mean to me and therefore I sent two people to kill her. It will not do to say I will kill my father because he was stern and uncaring."

The prosecutor continued: "The philosophy that someone's parents or one's schools or environment should diminish their moral responsibility is a bankrupt philosophy. It is the philosophy that turned the Koslow home on March 12 into a slaughterhouse."

Earlier, in his closing, Tarrant County prosecutor Robert Mayfield, waved a videotape cassette of the news conference Kristi Koslow gave on the lawn of her stepmother's house the day after the attack.

"What manner of person could give a press conference on the lawn of 4100 Clarke Avenue while behind her the blood of her father and stepmother was drying on the walls?" he asked quietly.

During the morning punishment hearing, the defense team brought seven witnesses, including three Tarrant County jailers who described Kristi Koslow as a model inmate.

"She is one of the most respectful and considerate people I've ever had in my pod," said Norma Sue Cook, who supervised Koslow for 20 months. "If I had 71 more like her, I wouldn't have any problems."

The defense also questioned Hilary Tomlinson, 19, a student at the University of Texas at Austin who said she has known Koslow since they were 2 years old.

She recounted how the defendant had been deeply affected by her parents' divorce when she was 7 years old, and how she would plead with her mother not to send her off to weekend visits with her father and stepmother.

"She'd be a nervous wreck, tying knots in her hair, sucking her thumb," Tomlinson said.

Kenny Pannell, a former psychologist at Charter Hospital of Fort Worth, told jurors that Kristi Koslow was caught in the middle of a deep rift between her divorced parents.

He said she "enmeshed" herself with her mother, a woman he described as "a little flaky" and a lax parent, and sided with her mother against her father and stepmother.

During meetings at the psychiatric hospital, where Koslow was a patient for several months at age 13, Pannell said he could see there was little emotional contact between Kristi Koslow and her father.

"There was a lack of warmth and affection you'd expect to see between a father and a daughter," he said.

Staff writer Mike Menichini contributed to this report.



Fort Worth Star-Telegram / PAUL MOSELEY

**Kristi Koslow, alongside her attorney Mark Daniel, listens as the life sentence is pronounced.**

## *Trial deliberations were tough for jurors, panelist says*

BY MIKE MENICHINI  
AND THOMAS KOROSEC  
Fort Worth Star-Telegram

FORT WORTH — For the sequestered jurors in the Kristi Koslow murder case, finding her guilty and sentencing her to life in prison came at a personal price paid in stress and consternation.

"I think it was more tough than anyone could imagine," juror Keri Glyn Gill of Fort Worth said in a telephone interview last night. "We had the life of a 19-year-old girl in our hands, and we had to make certain we made the right decision."

Gill, only three years older than the defendant, was the only one of 10 jurors contacted who agreed to comment on the delib-

erations. Several declined entirely. Others, citing the stress of serving on the jury, said they might talk at a later date.

Jurors took little time to dispense with the question of whether Koslow should receive the death penalty, Gill said. A vote shortly after deliberations began was unanimously in favor of the life sentence, she said.

"We never thought she would ever be a continuing threat to society," Gill said.

Outside the courthouse, legal professionals questioned whether jurors would be willing to sentence a teen-age woman to death, but Gill said the jurors concentrated solely on the facts of the case.

"In my opinion, one death is not worth

another," she said. "But if the evidence had been there, we would have voted for [the death penalty]. But the evidence wasn't sufficient for the death penalty."

Prosecutors had asked for the death penalty, saying Koslow engineered the death of her stepmother, Caren Koslow, 40, in hopes of inheriting the family fortune. Her boyfriend, Brian Salter, 22, and another friend, Jeffrey Dillingham, 21, carried out the attack on March 12, 1992.

Salter received a life sentence in exchange for his testimony against Koslow. Dillingham rejected a similar offer, and in August a jury sentenced him to death.

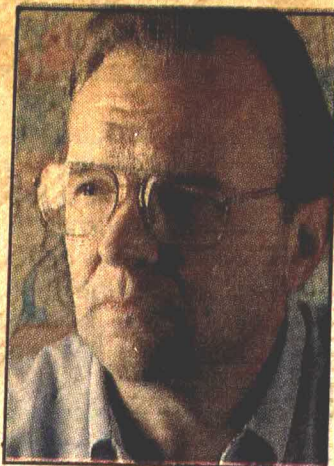
"I think what we did was the right decision," Gill said, adding that she hopes "the

public, which did not see or have to hear what we did, does not hold it against any of us, because she did not deserve the death penalty."

In the Rivercrest area where the murder occurred, a couple out for their evening walk stopped briefly to look at the former Koslow home and said they are relieved that the trial is over.

"I don't know that she deserved the death penalty or not," said the woman, who did not want her name used. "But I do know it will be good for this area to put it behind them. Maybe we can go back to being a quiet neighborhood again."

Staff writer Bill Hanna contributed to this report.



David Williams: Pledges to seek donations, grants

# Tarrant sheriff asks county for copters

BY KEN DILANIAN  
Fort Worth Star-Telegram

FORT WORTH — Tarrant County Sheriff David Williams, who this year got county commissioners to buy his department four souped-up Camaros for high-speed chases, will come to them today proposing a different kind of horsepower:

## Helicopters.

Williams is asking commissioners to accept a donation from the Defense Department of three 1960s-vintage Army OH-6 helicopters to create — as far as Williams knows — the only sheriff's department in Texas with a copter fleet.

(More on SHERIFF on Page 3)

## Sheriff

From Page 1

"They will be a force multiplier that can enhance our officers," said the sheriff, who pledged to seek federal grants and private donations for the aircraft's upkeep and repair, rather than ask county taxpayers to foot the bill — at least for now.

Williams said he envisions the helicopters as law enforcement

birds of prey, swooping down on fugitives fleeing down dark county roads — or catching drug smugglers trying to dispose of contraband. And he said he will make the copters available for other law agencies in the county which now rely on the city of Fort Worth's 24-hour helicopter division.

Fort Worth's aircraft primarily support the city's police, but they also aid the county drug task force and other cities with which the department has agreements, police Lt. David Ellis said.

The OH-6 helicopter manufactured by Hughes Aircraft is a "light observation helicopter . . . primarily designed to carry one pilot and one observer," said Lt. Maurice Hendrix, spokesman for the Sheriff's Department and a licensed pilot.

Only two of the copters are airworthy, with the third to be used for spare parts, Hendrix said.

Dwight Tiller, a local spokesman for the Combined Law Enforcement Associations of Texas (CLEAT) — which represents

sheriff's deputies and has criticized Williams' department for understaffing its jails — expressed bewilderment at the proposal.

"Does he have any idea what these things cost to maintain?" Tiller said.

Tiller didn't know, and Williams said he didn't have an estimate.

The Fort Worth Police Department operates two helicopters for about \$800,000 a year, including maintenance, pilots and support, Ellis said.

Williams wouldn't rule out seek-

ing taxpayer funding at some point.

"I can't see into the future that far," he said.

The sheriff said he received positive responses to the copter brigade when he briefed individual county commissioners. Commissioner Marti VanRavenswaay said yesterday that she will support the plan as long as it doesn't cost taxpayers.

Asked if having the aircraft could create pressure on commis-

sioners to help fund their operation, she said, "Not on me it doesn't."

Helicopters are great law-enforcement tools, Tiller said, but, "I think this is a misplacement of priorities. This is a proposal that would be nice if they were taking care of all the other needs of the Sheriff's Department. I've never heard a complaint from other departments that they couldn't get access to Fort Worth's helicopters."

## Sheriff to take crime-fighting to new heights

BY KEN DILANIAN  
Fort Worth Star-Telegram

FORT WORTH — Lawbreakers with fast cars or rural hideaways, beware: The Tarrant County Sheriff's Department is going airborne.

For the second time in its history.

County commissioners, after noting that it won't cost Tarrant taxpayers anything, voted unanimously yesterday to accept three small, 1960s vintage Hughes Aircraft helicopters donated by the Defense Department and place them under the command of Sheriff David Williams.

"I'm telling you, it's a great day for law enforcement," said Lt. G.M. Hendrix, the sheriff's public

relations officer, who flew Hueys in Vietnam. Hendrix will be the main pilot of what Williams said will become the only sheriff's air force in Texas.

It won't be the first time a Tarrant County sheriff secured air power. In 1976, at the behest of Sheriff Lon Evans, the commissioners spent \$78,000 on a Hughes helicopter that was intended to help catch burglars and armed robbers, according to a newspaper account.

Williams said he will rely on federal grants to operate the copter. So did Evans, but his grants dried up a year later, Hendrix said. "It was poorly managed. The sheriff just said, 'Scrap it.'"

Hendrix said the aircraft will add a new dimension to the fight against drug trafficking. "As everyone knows, the Dallas-Fort Worth area is a crossroads of intense drug traffic. We're going to provide support to local law-enforcement agencies," he said.

Officials credited U.S. Rep. Pete Geren with helping Tarrant secure the four-seat observation copters, two of which will be used while the other is kept for parts.

But before the OH-6 birds fly, Williams will have to find the money to pay for their insurance, upkeep and operating costs. He's also looking to private donations, he said.

The sheriff didn't have a figure on what that might cost. But he said comparisons with Fort Worth's \$800,000-a-year budget for their two-helicopter operation probably aren't valid. "We're talking about the difference between a Dodge and a Mercedes," he said.

Fort Worth uses Bell's Jet Ranger. Tarrant's OH-6s, which are coming from the Pennsylvania Army National Guard, have about a year of life before they will need an overhaul, Hendrix said. But he said he has already secured six new engines valued at \$167,000 each from the Defense Department. "That's over a million in assets free, right there."

Officials from both unions that represent deputies criticized the helicopter plan, saying the sheriff should be boosting the jail staff instead.

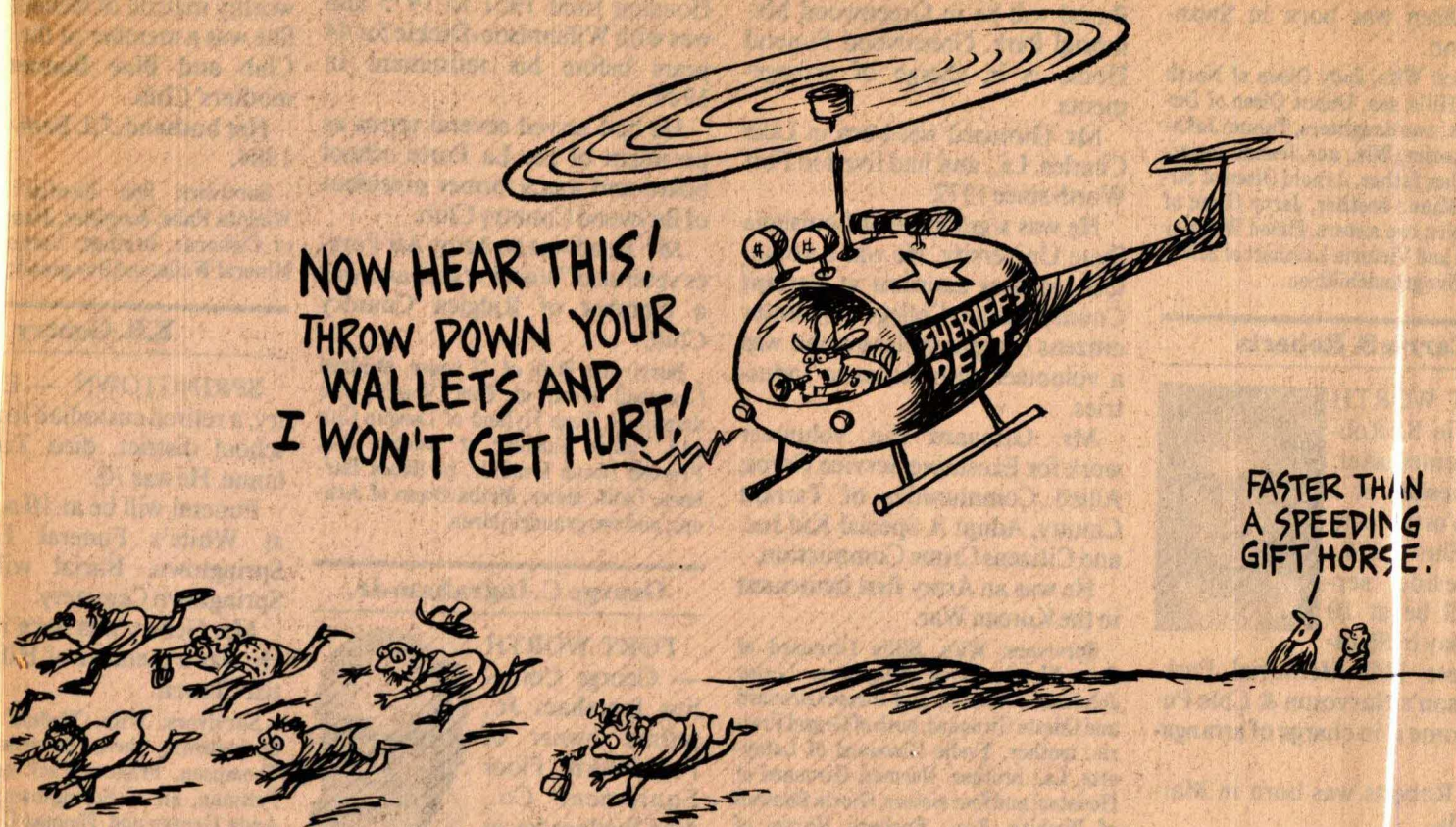
Williams said the helicopters have no bearing on the jails.

During his session with reporters, the sheriff, who acknowledges that he sometimes drives one of the four souped-up Camaros that the county purchased for high-speed chases, said there will be no personal or administrative trips on the helicopters.

Referring to a recent White House mini-scandal in which an aide had to resign after he hopped a Marine helicopter to get to a golf course, Williams said: "No golf trips. Definitely none of that stuff."

Thursday, July 14, 1994

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HULME



THE SHERIFF IN HOT PURSUIT OF DONATIONS TO RUN HIS FREE HELICOPTERS

## LETTERS TO THE EDITOR

### Set the record straight

The helicopter that Sheriff Lon Evans had from 1976 to 1977 was not lost because "it was poorly managed," in the words of Lt. G.M. Hendrix, Sheriff David Williams' public relations officer.

The helicopter cost \$78,000, but the craft was not paid for by the Tarrant County Commissioners Court. It was purchased with state and federal grants to assist law enforcement programs. The first year's operating cost was also paid through state and federal grants. Every penny spent was monitored and paid through the auditor's office, with monthly reports and quarterly audits by the state. The unit operated within the budget as set forth in the grants.

Evans *did not* say "scrap it." The money was being cut back. They would only pay for half of the second year's operating cost, and the commissioners would not pay for the other half. The commissioners had the auditor's office do a cost study and found out that the county could hire 12 to 14 jailers for the county's part of the helicopter operating cost. The state gave the helicopter to the Pasadena Police Department outside Houston.

Yes, there were problems. The helicopter was too slow to respond to calls of assistance, and properly trained mechanics for that helicopter model were not available.

I do not believe this program will fly. I believe I am qualified to comment because I did the research, wrote the grants, was flight trained at Hughes Aircraft factory, flew the helicopter for a year and was a supervisor.

Sheriff Williams, please have your public relations assistant get the facts straight before he speaks.

BUDDY SOLLIE  
Keller



FORT WORTH STAR-TELEGRAM

July 30, 1994



Tarrant County Sheriff David Williams, left, smiles yesterday after inspecting a helicopter donated to his department.

# Anti-crime copter arrives

By **KEN DILANIAN**  
Fort Worth Star-Telegram

FORT WORTH — Lt. G.M. Hendrix, Tarrant County Sheriff's Department spokesman and pilot, touched down at Carswell Air Reserve Base yesterday at the helm of his department's latest crime-fighting tool: a 1960s-era helicopter.

Hendrix, who piloted choppers in Vietnam, flew the small Hughes OH-6 observation aircraft, one of three donated to the

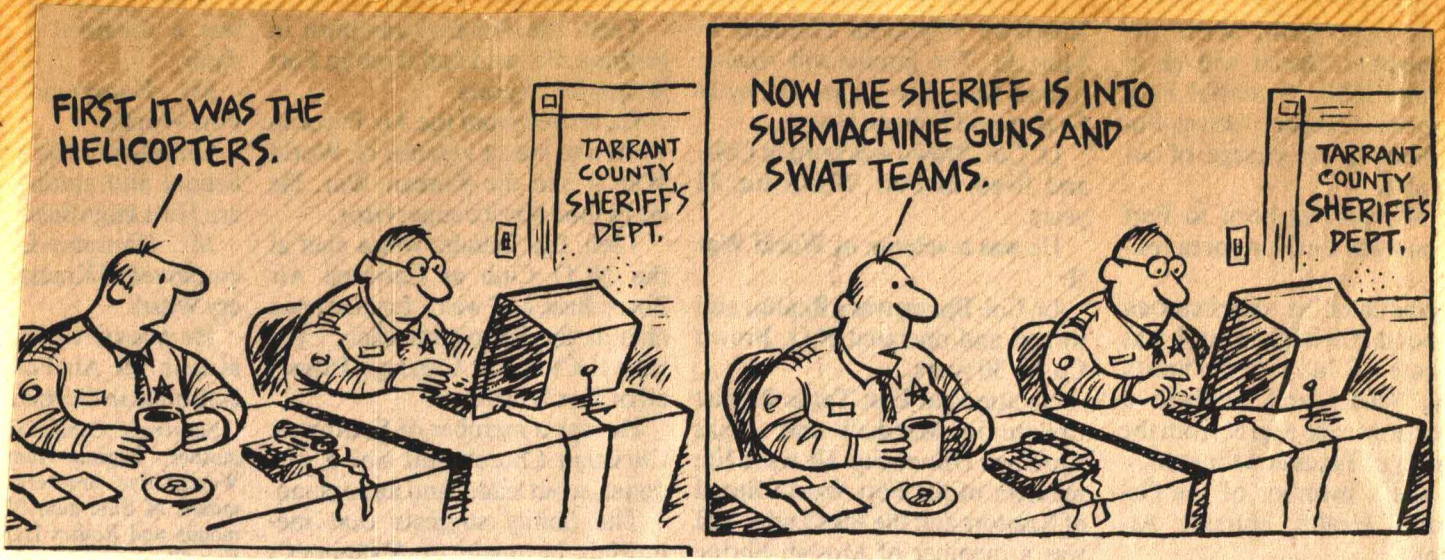
## *Whirlybirds will help, sheriff says*

Sheriff's Department last month by the Defense Department, from Harrisburg, Pa., where it had been used by that state's Army National Guard. Hendrix got to Harrisburg via a commercial flight.

The two other helicopters donated to Tarrant County, only one of which is airworthy, are being trucked to Texas.

Sheriff David Williams' announcement this month that he will assemble what is thought to be the only sheriff's copter fleet in Texas was criticized by two law enforcement associations that represent deputies, which called the plan a misplaced priority.

But Williams, who says the copters will  
(More on COPTER on Page 37)



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## EDITORIALS

# Whoa, Sheriff!

TARRANT COUNTY COMMISSIONERS have granted two major requests recently from Sheriff David Williams for crime-fighting hardware, decisions that lacked sufficient scrutiny. The latest request — for automatic weapons — should not be so casually considered.

First, Williams asked for four Camaros, noting the need to apprehend speeders and perhaps deter high-speed chases on long stretches of rural roads. The request was granted.

Then he asked for permission to accept two donated helicopters, saying that federal grants and donations, not taxpayer dollars, would pay for their maintenance. Permission was granted speedily.

Now that Williams wants eight submachine guns to help outfit an 18-person county SWAT team, Tarrant County commissioners need some answers.

How much will maintenance of the helicopters actually cost? Will the grants and donations to maintain the helicopters last indefinitely? The maintenance money lasted only a year when the county purchased helicopters in the mid-1970s. Will taxpayers get the bill a year from now?

Commissioners also need to grade the sheriff's homework on the SWAT team. How much will a team cost to train, equip and maintain? The sheriff's department says it would use the automatic weapons in case of a jail riot, a courtroom hostage-taking or protection of a deputy while serving a warrant.

Is an automatic weapon necessary, effective or even advisable in restoring order in those situations? Besides, Williams should explain how the lack of these weapons has hindered his department's past effectiveness.

Most important, Williams must demonstrate need. To what degree is the department actually involved in law enforcement — the investigation, surveillance and the apprehension of criminals?

This infatuation with fast cars, helicopters and firepower suggests a desire to depart from the sheriff's primary responsibilities: maintaining county jails and issuing warrants.

Williams needs to justify the weapons *and* his department's competence to handle them. Otherwise, the commissioners should deny the gun request.

# Anti-drug staff doesn't add up on copter bid

BY KEN DILANIAN  
Fort Worth Star-Telegram

FORT WORTH — The Tarrant County Sheriff's Department, on a competitive application for surplus military helicopters, told the Pentagon that it has 60 officers involved in full-time drug enforcement.

But that figure has been brought into question by county budget records and by some sheriff's personnel.

One high-ranking official in the department said that only two sheriff's investigators work full time on drug cases. But the lieutenant who wrote the application justified the count, saying he included 60 officers who do at least some drug enforcement work.

Sheriff David Williams said he briefly reviewed the helicopter application and found it "reasonable" before approving it. He said he was under the impression that the number 60 referred to all the

full-time counter-drug officers countywide.

The Sheriff's Department obtained three OH-6 military helicopters last month under a Defense Department program that gives priority to agencies that can demonstrate the means to mount serious anti-drug operations. Based on the information it provided, Tarrant County ranked 10th of 66 applicants nationwide, Pentagon officials said.

The program application asks for the "Number of sworn officers in the agency making the request which are involved full-time in counter drug activity."

Sheriff's Lt. G.M. Hendrix, the department's spokesman and the man who will fly the copters, wrote: "Sixty (60) sworn officers, including investigators, task force and tactical strike force members, are directly involved in full-time counter-drug activities."

(More on COPTERS on Page 32)



Fort Worth Star-Telegram File

Sheriff David Williams speaks to the media July 29 in front of one of the helicopters his department has acquired.

# Copters

From Page 29

But Chief Deputy Hank Pope said two sheriff's investigators work full time on drug cases. Pope, who supervises the sheriff's law enforcement operations and was not involved in the helicopter application, said both are assigned to outside task forces.

County Budget Director Debbie Schneider questioned the figure on the application.

"Sixty?" Schneider said. "You've got to be kidding."

Hendrix said he did not misrepresent the facts.

In an interview, he initially said the number 60 includes not just Sheriff's Department personnel, but officers from other jurisdictions throughout the county, including those on the 60-member Tarrant County Narcotics Intelligence and Coordination Unit, known as the drug task force.

The application Hendrix filled out contains a separate question about the number of officers from all jurisdictions involved in drug cases countywide. Hendrix answered that one with a different number: 120.

In a subsequent interview, Hendrix changed his explanation, saying: "I guarantee you that I have close to 60 people within the Sheriff's Department involved in counter-drug activities."

Hendrix said he counted officers who do not work exclusively on drug cases, explaining that his use of the term "full-time," meant that enforcing drug laws is among those officers' full-time missions.

County budget records show that only a small portion of the arrests made by sheriff's deputies involve drugs. Most employees of the 1,300-member department are assigned to the jails.

"It really seems like you're splitting hairs," Williams said in an interview. "Did you find any spelling errors on there, too?"

The Fort Worth Police Department has 40 officers assigned full time to counter drug activity, according to spokeswoman Pat Kneblick. That includes 22 people loaned out to the drug task forces.

Brian Sheridan, the Defense Department official in charge of the surplus equipment program, said he did not know what role the perceived number of full-time counter-drug officers played in the awarding of the helicopters to Tarrant County. An officer involved in "full-time counter-drug activity" would work roughly 40 hours a week on drug cases, Sheridan's assistant said.

"We do not have the means to go out fact-checking," Sheridan said.

But Sheridan downplayed the significance of possible misrepresentation, and said Tarrant County probably would have gotten the copters anyway.

"Keep in mind, these assets would be scrapped if we didn't give them away," he said.

Since taking office last year, Williams has sought to emphasize and expand his department's law enforcement capabilities. Before obtaining the helicopters, the sheriff got county commissioners to pay for four high-performance patrol cars. This month, he asked for eight submachine guns for the response team.

Friday, August 5, 1994

## LETTERS TO THE EDITOR

### **Of arms and the deputies**

Tuesday's paper had a story about the Tarrant County sheriff asking commissioners for the money to buy submachine guns for his department.

A few weeks ago, the sheriff's department staged what amounted to a SWAT raid at a couple of reputable establishments on Eagle Mountain Lake, on a Friday night at the height of the evening's festivities, which included live music outdoors. A neighbor complained of the noise.

Had the deputies had 9mm submachine guns in evidence during the lake raid, they could have put down the noise-making without a shot being fired.

By all means, give 'em their guns. They'll fit nicely in the new helicopters.

QUENTIN MCGOWN  
Fort Worth

# Tarrant copter acquisition part of federal examination

BY KEN DILANIAN  
Fort Worth Star-Telegram

FORT WORTH — The Defense Department inspector general's office will examine the Tarrant County Sheriff's Department's application for military helicopters as part of a nationwide investigation of the program that awards surplus equipment to law enforcement agencies, a federal agent said yesterday.

Sheriff David Williams' application for helicopters "will be one of many we are looking at," said John Hall, special agent in charge of the Fort Worth-based

inspector general's field office. "We're not singling him out."

Hall said he is not aware of any impropriety on the part of the Sheriff's Department.

He said his office will examine the helicopter acquisition mainly because the aircraft are considered a major item and because the defense reutilization program, as it is known, has been rife with abuse across the country.

The inspector general's office, the Pentagon's independent investigative arm, has targeted the program as an investigative priority (More on SHERIFF on Page 4)

this year, Hall said.

"We're finding a lot of graft, crud and corruption," said Hall, whose office has jurisdiction over the Southwest.

In one instance being investigated, he said, a police department of 20 secured 60 cars.

In another, a program billed as "anti-gang" was awarded a piano.

Investigators are also looking into instances where law enforcement officials are said to have used the military equipment for private gain, Hall said.

Williams, whose department ac-

quired three Army helicopters last month from the Pentagon under the reutilization program, said, "I welcome the federal government or anybody else that wants to look at this application that we prepared with the gracious assistance of congressman Pete Geren and his assistant."

A spokeswoman for Geren said the Fort Worth Democrat was on his way from Washington to Texas and was unavailable for comment.

The *Fort Worth Star-Telegram* reported yesterday that in its application for the surplus helicopters, the Sheriff's Department told the Pentagon that the department has 60 officers involved in full-time counter-drug activity.

But county records do not support that number, and an official

high in the department said that only two investigators work drug cases full time. Each is assigned to outside task forces.

Sheriff's officials said the number is justified, however, because they included officers who make drug arrests as part of their general duties in the count.

A Defense Department official in charge of the surplus-equipment program said that full-time drug activity is defined as 40 hours per week devoted to drug enforcement.

According to county records, only a few hundred cases from among nearly 100,000 service calls made in the last year by sheriff's deputies involved drugs.

Williams said he thinks the issue is one of semantics and hair-splitting.

Hall said he does not have enough information to draw a conclusion about whether there was misrepresentation.

"There probably isn't a problem. When you get into definitions, you get into a sticky area — what is full time."

Although intentionally making false statements on a federal document is a felony, Hall said such cases are rarely prosecuted because "you've got to prove intent, and that's hard to do."

Hall said his office will monitor how the Sheriff's Department uses the helicopters and what happens to them if the copter program is canceled.

Surplus defense items have be-

come increasingly available to local governments because of cut-backs in the military. Applications to the program have outpaced the staff's ability to verify them, Hall said.

"We might look at the sheriff's situation to see if the Defense Department is doing things according to their regulations," Hall said.

Brian Sheridan, in charge of the Pentagon program under which the sheriff got the helicopters, could not be reached yesterday for comment.

In another development related to the helicopters, County Commissioner Bob Hampton said he will propose next week that the commissioners require Williams to set up a nonprofit corporation to fund the helicopter operation.

The commissioner said such an arrangement will insure that "we don't slip up and pay for anything through the county."

Williams has pledged not to use taxpayer money to fund what could be an expensive operation, as well as maintenance bills for the aircraft.

A nonprofit corporation could also insulate the county from liability, Hampton said.

He said he will propose that only employees of the corporation, not county employees, be allowed to pilot the helicopters because of the risk of lawsuits if there is an accident.

"I want to separate totally the helicopter business from the county," Hampton said.

Fort Worth Star-Telegram / Saturday, August 6, 1994



# Sheriff, can we talk a minute?

The new high sheriff of Tarrant County is not satisfied with just being a jailer. He wants to be a law enforcement officer — in fact, “the top law enforcement official in the county,” as outlined in state statute more than 100 years ago.



**BOBRAY  
SANDERS**

Of course, things have changed in the past 100 years, including the fact that most of the county is urban with incorporated cities operating their own police departments. So, the sheriff's role has become one of, basically operating the county jail.

The sheriff's office is the most expensive county department. With a budget of more than \$44.3 million annually, 80 percent to 85 percent of that is for jail operations, said Chief Deputy Hank Pope.

But Sheriff David Williams is rapidly expanding the mission and responsibilities of the office, with very little discussion about this major policy shift.

The sheriff has received approval for a number of new law enforcement tools to carry out his new crime-fighting agenda. Tarrant County commissioners granted his requests for a canine narcotics patrol, four new souped-up sports cars for high speed chases and three old donated helicopters to assist in fighting crime.

Williams now wants commissioners to approve the purchase of eight submachine guns for his new 18-member SWAT team, and there's even talk of adding an armored personnel carrier.

It would be easy to criticize the sheriff, as many have, for wanting to be the Rambo of Tarrant County and for having watched too many Arnold Schwarzenegger movies. What war is he really preparing for?

One could argue that the sheriff has not proved sufficient need for this new gung-ho direction and there are unanswered questions about the costs of these new operations and equipment.

The sheriff's department, however, would say that it has a mammoth job few people understand. The sheriff is responsible for law enforcement in 100 square miles of unincorporated territory, Pope said, where there are about 50,000 people.

Because these areas are scattered all over the county, the long distances require a helicopter, he said. Plus, there are some emergencies in smaller cities where aircraft would be useful, and Williams ran on a platform of cooperating more with those towns' police departments.

I don't have an argument with the sheriff; he's doing what he thinks is right. But I do have a question for commissioners: Do they support this policy change or not?

The commissioners have been much too passive on this issue, basically nodding approval of the sheriff's plans, especially for things that supposedly won't cost the county money (such as the helicopters).

What the commissioners must know is when they voted to accept the helicopters, the county also accepted responsibility and liability. It is hard to believe private financing will be sufficient to maintain this equipment even on a short-term basis.

Perhaps the smaller cities could use a helicopter and more backup officers, but should the county pay for it or should those cities contract for this added police protection?

The commissioners owe it to county residents, and to the sheriff, to fully study this significant shift in policy. If they agree it is desirable and/or necessary, then back the sheriff all the way.

If, on the other hand, commissioner think the sheriff is overstepping his bounds, it's time to reel him in.

Bob Ray Sanders' column

# Sheriff has about 2 years to show that copters aren't a flight of fancy

Sheriff David Williams has landed three used Army helicopters. He has two years to decide whether to keep or get rid of them.

In 1996, if our helicopters have turned into foolish or expensive toys, we can decide whether to keep or get rid of Sheriff Williams.

Two years ago, voters promoted a young detective from the streets

of Haltom City all the way to the top job running our \$44 million county law enforcement agency.

You've heard of turning a kid loose in a candy store.

We made a kid CEO of the candy company.

So far, Williams has decided that our sheriff's patrol — a countywide police force and also the only police for 36,650 residents



## Bud Kennedy

### COMMENTARY

outside city limits — needs drug-sniffing dogs, fast Camaro  
(More on KENNEDY on Page 2)

patrol cars and a trained, automatic weapon-equipped SWAT team.

He is totally right about urban deputies needing special weapons and SWAT training. He may be right about Camaros and dogs, though he has yet to prove it. (The dogs are provided and fed with gifts, not our tax money.)

He will need to prove that he is right about helicopters.

In an abandoned hangar at the old Carswell Air Force Base two deputies are tinkering with three hand-me-down Hughes OH-6A Cayuse whirlybirds, two airworthy and one for spare parts. Since the Vietnam War, the 1960s-era copters have only been driven on Sundays by little old — uh, make that by the Pennsylvania National Guard.

"We've been way behind the power curve on professional law enforcement equipment for many, many years," said sheriff's spokesman Lt. G.M. "Copter" Hendrix, 48, also the very proud helicopter pilot.

"Fort Worth has two helicopters. Why do we have to be on the hot seat about this?"

Williams is on the hot seat for several reasons. For one, our new/used helicopters are conditionally given for drug enforcement, not for routine tasks like chases and searches.

Hendrix says we need the old birds to "help us fight the war on

drugs."

But our deputies have not waged much of a ground war. Last year, they averaged one drug arrest per week.

That led County Commissioner Bob Hampton of Hurst, in one of five yea-or-nay votes over our county taxes, to ask whether we can afford deputies to rebuild and fly helicopters on new anti-drug missions. (The sheriff has agreed to round up \$100,000 in gift money to pay gas, upkeep and insurance.)

"I don't want to wake up and read that the sheriff has a helicopter department of 40 people, or 15," Hampton said at the commissioners' meeting last week.

Afterward, Hendrix muttered: "He must be for the drug dealers."

Hampton is not for the drug dealers. Hampton is for the taxpayers. Those are our helicopters, not the sheriff's. We are the people who pay the bills, and we must decide whether we can afford vintage helicopters, more drug enforcement and possible liability claims.

But Williams deserves a chance to prove that he can make our old war birds pay off, tracing shipments of killer crack cocaine or busting up labs that cook brain-frying methamphetamines.

"We're going to find out what kind of impact we can make on crime," Hendrix said.

The sheriff has two years to prove that he is spending our money on tools, not toys.

Then the voters can make an impact on the sheriff.

Bud Kennedy's column appears Sundays, Mondays, Wednesdays and Saturdays, and Fridays in Star Time. Phone (817) 390-7538, fax 390-7789, StarText ID 120087.

## Sheriff's deputy poses in uniform for political ad

If that police officer in George W. Bush's TV commercial looks familiar, there is a reason.

He is a Tarrant County sheriff's deputy.

Kneeling in front of one of our Tarrant County patrol cars.

And he is standing on our public jail property — posing for a scene staged to promote Bush's campaign for Texas governor.

In the TV ad, shot in what appears to be grainy black-and-white news footage, an officer covers a child's body with a sheet while Bush says, "Texas is

considered the third most dangerous state in the nation."

A Bush spokesman identified the officer yesterday as a volunteer reserve sheriff's deputy, acting in a scene approved by Tarrant County Sheriff David Williams. Williams could not be reached for comment.

The county personnel policy reads, "Employees must not use county equipment, vehicles, uniforms or other property in any way for political service."

County Judge Tom Vandergriff, a local co-chairman of Bush's campaign, said he has not seen the commercial.

But he called the use of the county's car and uniform as props "reprehensible."

Bush spokesman Reggie Bashur said he does not know the deputy's name. Bashur added that as a reserve, the deputy is not an "employee" and that the deputy was off-duty when the scene was

staged on the grounds of the county's Green Bay jail in north Fort Worth.

"We got permission from the Sheriff's Department and the officer volunteered," Bashur said.

Bashur said the scene was shot alongside a parked patrol car, so no public money was spent to move the car.

That may take care of the legal questions.

But why would Williams let our county patrol car and uniform become props in one party's political campaign?

Tom Wilder, a former campaign manager and frequent unofficial spokesman, said the sheriff will issue a statement today.

Wilder declined to comment further, adding, "Why don't you call Judge Vandergriff? He's a campaign chairman."

Vandergriff was not so reluctant

to comment.

"I am dismayed," he said.

"If it had been a clip from the [TV] news, that would be different," he said. "But if our officers in effect posed for a political campaign — I find that reprehensible."

Many certified peace officers volunteer their time to work as reserve deputies or police officers in Tarrant County, the city of Fort Worth and other county and city police agencies.

The commercial ends with Bush staking his platform to what he calls "one basic principle":

"That individuals should be responsible, and accountable, for their actions."

Bud Kennedy's column appears Sundays, Mondays, Wednesdays and Saturdays, and Fridays in Star Time. Phone (817) 390-7538, fax 390-7789, StarText ID 120087.

## LETTERS TO THE EDITOR

### Sheriff's responsibilities

Whoa, *Star-Telegram*! The paper believes, according to an Aug. 4 editorial, that the sheriff has a desire to "depart from the sheriff's primary responsibilities: maintaining county jails and issuing warrants." Time for a legal lesson, guys.

The sheriff and deputies have two primary responsibilities. Article 2.18 of the Texas Code of Criminal Procedure states that "when a prisoner is committed to jail . . . he shall be placed in jail by the Sheriff." This outlines the jail responsibility.

However, Article 2.17 clearly states that "each Sheriff shall be a conservator of the peace in his county." It goes on to state that the sheriff "shall arrest all offenders against state law, quell and suppress all assaults and batteries, affrays, insurrections and unlawful assemblies. He shall apprehend all offenders and put them in jail until trial."

The sheriff is the backup for all the cities. The department is responsible for 100 square

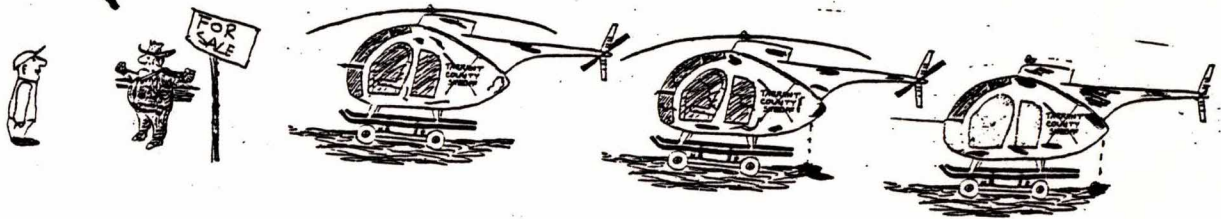
miles of unincorporated area with tens of thousands of residents and more than a few drug labs. We run thousands of assists to cities each year and serve tens of thousands of warrants.

Helicopters are a real necessity to help Tarrant County's 37 municipalities. The weapons will be necessary as the department goes along. Luckily, no guns have been needed for jail riots. So far riots and disturbances have been hands-on affairs, although weapons do appear now and then. Courthouse hostage situations are another thing. More accurate weapons are needed to compliment shotguns and pistols.

The sheriff is the top cop in every county. The Legislature made it that way. It's about time that Tarrant County realized this.

GARY M. SMITH  
Fort Worth

"THEY WERE ONLY FLOWN ON SUNDAYS;  
AND, IF YOU'RE SHORT ON CASH—I'LL  
TAKE SIX MACHINE GUNS AS A DOWN PAYMENT."



## Helicopter program not being investigated

BY KEN DILANIAN  
Fort Worth Star-Telegram

FORT WORTH — The Tarrant County Sheriff's Department's acquisition last month of three former Army National Guard OH-6 helicopters does not warrant examination by the regional Defense Department Inspector General's Office, the federal agent in charge of that office said yesterday. "It does

(More on SHERIFF on Page 7)

not raise any red flags," Special Agent Dave Hall said of the acquisition.

The *Fort Worth Star-Telegram* incorrectly reported Aug. 6 that the Inspector General's Office is conducting a nationwide investigation of the program that awards surplus equipment to law enforcement

agencies and other institutions.

Hall said yesterday that there is no such investigation.

The Inspector General's Office has issued a national directive calling for "aggressive investigative efforts" concerning the program, but the agency has not opened a formal criminal investigation, he said.

To carry out the directive various field offices will conduct preliminary inquiries into large numbers of surplus equipment acquisitions, looking for evidence of criminal wrongdoing, he said.

Hall, who heads a Fort Worth field office that covers the Southwestern United States, said last week that Sheriff David Williams' application for helicopters "will be one of many we are looking at. . . . We're not singling him out."

He said yesterday: "I fully intended that we would get around to looking at all of them. I've since learned that there are too many. The volume is too big for us to do that."

Williams could not be reached for comment.

Hall said the national directive covers surplus equipment acquisitions by all eligible institutions, not just by law enforcement agencies.

Universities can obtain items under the program, for example. But he said he intends to focus on law enforcement agencies in particular.

Hall said he is aware of past abuses in the nationwide program.

"In the past we've found problems," he said, "and we have no reason to believe they have halted."

The acquisition of donated helicopters by the Sheriff's Department has sparked a lively debate over whether the department's chief priority should be maintaining the jails, where most of its employees and resources are concentrated, or expanding its law enforcement capability. One county commissioner has called the helicopters a bad idea.

Williams has defended the helicopters vigorously, saying the county can only benefit if his department augments its crime-fighting power.

The Sheriff's Department secured the helicopters through a competitive application process designed to reward agencies that demonstrate drug-fighting capabilities.

# What is Tarrant County's sheriff supposed to do?

The Tarrant County Sheriff's Department has been criticized recently for advocating an increased law enforcement capability.

The questions raised by the *Star-Telegram* were within the legitimate realm of debate.

But the answers to questions of "expanding the need and responsibilities of the office, with very little discussion about this major policy shift" — in

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**DAVID WILLIAMS**

My main opponents . . . wanted to be only the "keeper of the keys."

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the Aug. 7

words of columnist Bob Ray Sanders — totally ignore the issues and results of the last election for sheriff, as well as what the law says about the sheriff's duties.

During the 1992 election season, there was a lively debate about the role of the sheriff in our urban county. My main opponents in the primary and general elections wanted to be only the "keeper of the keys" for the jail. That contrasted sharply with my contention that the Sheriff's Department was a countywide law enforcement entity as well as the administrator for the jail system.

Article 2.17 of the Texas Code of Criminal Procedure describes the sheriff as the "conservator of the peace in his county [who] shall arrest all offenders against the laws of the State . . . quell and suppress all assaults and batteries, affrays and insurrections and unlawful assemblies . . . apprehend and commit to jail all offenders."

I proposed a specific plan for increased law enforcement that included aircraft patrol, drug dog units, a Violent Repeat Offender Program Enforcement unit — which is on line and targets violent career criminals for arrest — as well as a plan for more efficient use of jail space. I began to execute that plan after taking office in 1993, and I continue to do so.

Although I was the only candidate to advocate a specific program to improve the crime-fighting activities of the Sheriff's Department, my main opponents criticized my programs and vigorously contested every one of them.

My campaign mailings laid out my plans, and news stories repeatedly contrasted the views of the candidates. It is inconceivable that the public was unaware of the candidates' positions.

As the candidate the people elected from a field of seven in the Republican primary and the winner in the general election against a Democrat who outspent

me, should I then renege on my campaign promises and drop the plan that the people apparently preferred?

The public is sick and tired of political promises not kept. Therefore, it is somewhat disconcerting that these programs have been criticized as unneeded and perhaps too costly.

During the campaign, I pledged to raise the money for these new initiatives from private grants and through seizures of illegal drug money and forfeitures of assets, which by law are to be used for law enforcement hardware.

This has been the case with the helicopters, which were obtained with the able assistance of Rep. Pete Geren, D-Fort Worth, and his staff from surplus military equipment, and the drug dogs, which were purchased with funds from a private foundation.

Both of these proven enhancements to law enforcement will benefit our battle with crime. The helicopters would be a great help in disaster situations, such as tornadoes, floods, lost children, train derailments and many other instances.

In addition, the Sheriff's Department would make available the helicopters, drug dogs and tactical unit to suburban cities on request. After all, these people pay county taxes and deserve the benefit from the economies of scale available

through the department as opposed to each city having its own units.

It should be noted that I have not ignored the jail situation.

In the last election, I pledged to end the practice of closing the jails, which the previous administration did when the prisoner population reached the design capacity.

I have made good on that pledge, and during the last year we have had more than 1,000 prisoners sleeping on the floor. The total number of prisoners we keep in the jail system has floated between 4,700 and 5,400 during the last 12 months.

All the while, mapping out innovative and cost-efficient ways to house prisoners, I proposed to the Tarrant County Commissioners Court and the state Jail Standards Commission an aggressive jail expansion program, which has resulted in an additional 1,700 new beds at a very modest cost to our taxpayers. The state provided some of the funds, and the county utilized some of our existing jail facilities more efficiently.

In addition, we will receive more than \$26 million from the state this year as reimbursement for our housing the state's felons until beds are available at the penitentiary.

After offsetting this amount and other grants from the state against our \$44 mil-

lion budget, we are down to about a \$17 million cost to the local taxpayer. From that amount should be deducted other revenue generated by the Sheriff's Department in service fees. A final accounting will be made public after this fiscal year is completed in September.

As for the total budget, we appear to be coming in under budget for the first time in the department's recent history.

I appeal to the residents of Tarrant County who supported me through the campaign and elected me to provide an aggressive law enforcement capability: Voice your continued approval of what has been started with such promise. The *Star-Telegram* carried two stories last week regarding the public concern that crime remains the No. 1 issue in our community and in the nation.

If you, the people, want a stronger, crime-fighting department that will augment your cities' capabilities, please speak out and help me answer the critics who seem to think that the sheriff should be only a glorified jailer and need not use his position as the only duly elected countywide law enforcement officer to serve and protect all of the people of Tarrant County. I remain committed to the betterment of our community.

David Williams is sheriff of Tarrant County.



## LETTERS

### I have a question

Let me see if I got this right: The *Star-Telegram* wants a ban on civilian ownership of semi-automatic militia rifles because the police are outgunned, but it doesn't want the Sheriff's Department to have eight submachine guns.

The editors question the deputies' ability to handle submachine guns but trusts the deputies to be able to protect residents who are required to be unarmed in courthouses.

It may be news to the *Star-Telegram*, but submachine guns are not as complicated to operate as automobiles. Tens of millions of American servicemen, including draftees, have learned to safely operate machine guns during the last century; it's absurd to believe that any deputy sheriff is unable to learn to operate a submachine gun safely.

If the Tarrant County commissioners don't want to spend the money on brand-new, state-of-the-art submachine guns, the federal gov-

ernment is currently destroying millions of dollars' worth of perfectly serviceable M-2 carbines and M-3 submachine guns that could be given to civilian law enforcement officials. Although there are legitimate reasons for the sheriff to prefer new submachine guns, criminals would be just as impressed with guns that helped to defeat the troops of the war criminals of imperial Japan and Nazi Germany.

EDWIN T. LEE  
Fort Worth

### Why the furor?

The recent criticism directed at Sheriff David Williams regarding his efforts to fulfill his campaign promises for increased law enforcement must raise serious questions in the minds of Tarrant County residents about the motivations behind such attacks.

The July issue of *Texas, Where We Stand*, published by Texas Comptroller John Sharp, reveals the following facts about the rankings of Texas vs. the 49 other states on crime statistics.

Texas ranks first in adults under state parole supervision; second in crime rate and in state inmates as a percent of adult population; third in burglary rate, murder rate, property crime rate and percentage of highway fatalities involving a drunken driver; fourth in motor vehicle theft rate; sixth in larceny and theft rate; ninth in robbery rate and incidence of rape; and tenth in hard-core cocaine users.

In addition, FBI statistics for 1991 showed Fort Worth to have the worst crime rate in Texas and the second-worst in the entire United States, ranking worse than such perceived high-crime cities such as New York, Detroit, Los Angeles and Washington. Although this rate came down somewhat last year, our area still has a serious problem.

Why, then, are the hounds baying about the sheriff's attempts to use proven, effective methods such as helicopter patrols, drug dogs and more to combat the crime wave swamping us?

The public has repeatedly stated that it wants stronger law enforcement, with more patrols and visibility, and has voted that way for some years. Why, then, the furor about Williams' intentions to do what the people want?

When the will of the people is clear, isn't it time to overlook the politically driven critics who constantly carp about Williams' crime-fighting policies?

Tom Wilder  
North Richland Hills

# Sheriff concedes Bush ads 'an error'

## Tarrant County personnel, facilities used for TV spots

BY MAX B. BAKER  
Fort Worth Star-Telegram

FORT WORTH — Tarrant County Sheriff David Williams allowed Republican gubernatorial candidate George W. Bush's campaign to shoot footage of county employees in a county jail for a political advertisement in violation of the Sheriff's Department's

civil service rules and code of conduct.

Williams said he was unaware that the use of county property, employees and equipment in the July 19 filming at the Belknap Street Jail would violate department policies.

Several deputies said in written statements that they participated

in some of the filming segments, although one said he believed the footage was being shot by a news crew rather than a political campaign. Other deputies said they did not know until after the filming that it was political.

Pictures were taken of cell doors being closed, of the catwalk areas  
(More on BUSH on Page 20)

## Bush

From Page 1

of the jail and of deputies leading a camera crew member — who had been issued a green inmate jumpsuit — to a cell, according to reports filed by several jailers after the filming.

The footage is not used in a Bush TV spot about his criminal justice policies.

"We made an error. We made an error," said Williams, a Republican who has endorsed Bush in his race against Democratic Gov. Ann Richards. "I thought we were following all the rules and regulations. . . . I'm the guy to correct it. I've talked to the Bush campaign and in no future advertisements will there be any footage from the county jail."

The Sheriff's Department civil service rules state: "Tarrant County employees shall not be allowed to perform or be involved in political services, campaigning or related activities during their normal working hours or while directly on the payroll at the specific time such other activities are being performed. Employees must not use county equipment, vehicles, uniforms or other property in any way for political service or involvement in political service."

A code of conduct in a new personnel manual approved by Williams in June and distributed to employees July 27 — eight days after the filming — also prohibits employees from engaging in political activity.

Bush's spokesman Reggie Bashur said the campaign went through the proper channels to secure the use of the jail as a backdrop. He said everyone who was filmed signed a release voluntarily.

"We secured the permission of the sheriff," Bashur said. He said the footage in the jail will not be used in any future commercials.

Bush's advertisement on his criminal justice policies does include footage of an off-duty, uniformed Tarrant County reserve deputy posing in front of a county squad car. That footage, which Williams said he also authorized, was shot at the county's Green Bay Jail in north Fort Worth.

Williams said he did not believe that using the off-duty reserve officer and a patrol car in an ad violated any county policies for these reasons: because the reserve deputy volunteered, because the deputy is not covered by the same policies as full-time employees and because the car was not moved from its usual parking spot.

County Judge Tom Vandergriff, local co-chairman of Bush's campaign, criticized using county employees and equipment for political activities.

"I don't believe county or publicly owned property or personnel should be utilized in political advertisements for me or for anyone else," Vandergriff said. "That is unwise even if it is legal."

County Commissioner Bob Hampton, a Republican, said that using employees and equipment in staged situations for political purposes crosses the line of propriety.

"It is the height of something; I'm not sure what," Hampton said. "I've heard of dumb stunts, but this is about the top."

Williams acknowledged that the filming at the downtown jail involved county equipment and full-time, on-duty jailers.

Several of the jailers filed reports afterward, which the *Fort Worth Star-Telegram* obtained.

Although the deputies said they signed releases agreeing to be filmed, some said they did not initially know the film crew's affiliation. One deputy said the "release form to my recollection was very general in nature and did not identify who they were filming for."

Another deputy said that after she was videotaped putting handcuffs and leg irons on a film crew member posing as an inmate, she was told that they were filming a commercial for Bush's gubernatorial campaign.

Chief Deputy Hank Pope escorted the camera crew to the jail at Williams' request, the sheriff said. The reports indicate that Pope gave directives to the deputies on duty, and he is quoted as telling one of the deputies that "they are making a commercial for George Bush for governor; he and the sheriff are from the same Republican Party."

# Raid yields cocaine valued at \$24 million

By JACK DOUGLAS JR.  
Fort Worth Star-Telegram

FORT WORTH — Acting on a tip, federal agents raided a south Fort Worth house Thursday and seized 240 kilograms of cocaine estimated to be worth \$24 million in street sales, the Drug Enforcement Administration said.

David Mattingley, DEA's resident agent-in-charge in Fort Worth, said Randel Cervantes, 24, was taken into custody after the 528 pounds of cocaine was recovered from a bedroom of a house in the 1200 block of Cameron Street.

Cervantes was charged yesterday with possession of cocaine with the intent to distribute. He appeared

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***"We had some citizen information that led us to that house."***

— David Mattingley  
DEA's resident agent-in-charge in Fort Worth

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before U.S. Magistrate Alex McGlinchey, who ordered Cervantes held without bail pending a hearing on Monday.

If convicted of the charge, Cervantes could face up to \$4 million in fines and a life prison term, the U.S. Attorney's Office said.

Four other adults in the house were not arrested, Mattingley said. Two children also were in the home when DEA agents arrived about 5 p.m. Thursday.

A federal search warrant was executed about four hours later, Mattingley said.

"We had some citizen information that led us to that house," Mattingley said.

Authorities were attempting to determine how long the drug operation had been in existence.

Mattingley said the raid included about a dozen agents with the DEA task force, with assistance from Fort Worth police.

# Deputy says he was punished

## after stopping sheriff's aide for speeding

By Jacquelyn Floyd

Fort Worth Bureau of The Dallas Morning News

FORT WORTH — A veteran Tarrant County sheriff's deputy filed a grievance Friday, claiming he was unfairly punished after he stopped Sheriff David Williams' top aide for speeding on Aug. 12.

Deputy Mark Hoop said that after he pulled Chief Deputy Pat Howell over for driving 49 mph in a 30 mph zone, Chief Howell refused to show his driver's license and drove off.

In a sworn affidavit, Deputy Hoop said that later the same day, a

patrol lieutenant ordered him to never stop Chief Howell's car again and reassigned him to a beat on the opposite side of the county.

Chief Howell, who is Sheriff Williams' second-in-command, did not return calls about the incident Friday. Sheriff Williams and his public information officer also did not return calls.

Deputy Hoop's attorney, Leonard Schilling, said his client is asking that the sheriff investigate the incident and return him to his former patrol beat in northern Tarrant

County.

Mr. Schilling is president of the Police Protective League of Texas, a state association of law enforcement officers.

"He was doing his job, which he took an oath to the people of Tarrant County to do," Mr. Schilling said. "All he wanted to do was log the information down that he did make the traffic stop, and he's being harassed."

According to his affidavit, Deputy Hoop said he clocked Chief Howell's county-issued blue Chevrolet

just after noon Aug. 12 while he was working radar duty along a county road in far northwest Tarrant County.

After pulling over, Chief Howell asked, "Boy, can't you identify a county unit?" and "What the hell you stopping me for?" the affidavit said.

"I then asked him if he was above the law, to which he replied, 'Yes, I think I am,'" the statement said.

Deputy Hoop said in the statement that he then asked Chief How-

ell for his driver's license. Chief Howell refused, got back in his car, and told Deputy Hoop to "find some real bad guys to chase" before driving away, the statement said.

The deputy, a nine-year department veteran, said he was ordered to a patrol lieutenant's office later that day, where he was reprimanded and ordered to obtain a supervisor's approval before stopping other county-owned vehicles in the future.

Lt. Ray Bell "added that my attitude and judgment toward supervisors better change or he would not

be hearing from me any more," according to the statement. "I feel I have been retaliated against for doing my job and trying to treat everyone equally under the law."

Lt. Bell could not be reached for comment Friday.

In a telephone interview Friday, Deputy Hoop said he was following routine procedure when he stopped Chief Howell and asked for his license.

"I'd like to see him treated as any other deputy, and make him see he's not above the law," he said.

# Sheriff's Department reviews deputy's protest

## Officer says he stopped Williams' aide

BY MAX B. BAKER  
Fort Worth Star-Telegram

FORT WORTH — The Tarrant County Sheriff's Department is conducting an internal review after a deputy said he was unfairly disciplined for a traffic stop involving one of Sheriff David Williams' top aides.

Deputy Mark Hoop filed a grievance last week saying he was verbally reprimanded and transferred from his beat after he stopped Chief Deputy Pat Howell on Aug. 12. He said Howell was driving 49 mph in a 30 mph zone. Hoop issued no ticket.

Howell was not using the siren or the emergency lights on his unmarked patrol car, according to Hoop. He said Howell — Williams' second in command — declined to show his driver's license.

Capt. Pat Byrnes said the department is reviewing the allegations made by Hoop in a sworn affidavit filed with his grievance. He said a decision will be made later about conducting a full investigation.

Byrnes, head of the professional standards division, or internal affairs, would not comment on the speeding allegation. But he said he

(More on DEPUTY on Page 18)

understood that Howell was en route to a meeting and that he did not have to display his license if no ticket was being issued.

Byrnes also said that Hoop's transfer from north side to south side patrols should not be considered punishment.

Williams said it is too early for him to comment. However, he said he asked Byrnes to look into the incident.

Howell was unavailable to comment.

Leonard Schilling, Hoop's attorney, said he does not believe the Sheriff's Department will fully investigate the incident.

"It's a joke," said Schilling, who also represents the Tarrant County Deputy Sheriffs Association and who is president of the Police Protective League of Texas. "The investigation is already done."

Hoop said in a sworn affidavit that the incident occurred at about noon Aug. 12 when he pursued a blue Chevrolet sedan for speeding near Dido Hicks Road in northern Tarrant County.

Hoop, who has been a deputy for

nine years, said in his statement that he did not at first recognize the car as a county-owned vehicle until he saw the radio antenna and that he did not know it was Howell driving until he pulled off the road.

At that time, according to Hoop's affidavit, Howell said: "Boy, can't you recognize a county unit?" and, "What the hell you stopping me for?"

Hoop's statement said Howell also said that he had no right to stop him.

In the affidavit, Hoop said he asked Howell if he was above the law and that Howell replied, "Yes, I think I am."

Howell would not show Hoop his driver's license, despite the deputy's request, the affidavit states.

Two hours later, Hoop was called back into the patrol office where he was quizzed and reprimanded by Lt. Ray Bell about the traffic stop involving Howell, according to Hoop's grievance.

Bell requested that Hoop be transferred to patrol another section of the county, and Hoop was told by another supervisor "never to stop that blue Chevy, under any circumstances," according to the documents filed by Hoop.

# LETTERS TO THE EDITOR

## Kudos to Williams

I want to commend Sheriff David Williams for the outstanding job he is doing for Tarrant County. I know he was not the *Star-Telegram's* man, but he has proved to be an effective, efficient and intelligent official with high moral standards and integrity. Would that all our elected officials had the same character traits. His ability to obtain helicopters for the county without cost proves his resourcefulness and ability to cut costs for the taxpayers. We need more officials like him.

Give Williams a chance to perform the duties for which he was elected without your constant nitpicking and belittling. Columnists Bill Thompson and Bud Kennedy have shown great vindictiveness against Williams, and I'm getting tired of their harassment. As busy as Williams is, it's too bad that he has had to use his valuable time to respond to criticisms of him in your newspaper.

No one can hold such a responsible position without making some mistakes. But when Williams makes a mistake, such as the Bush political advertisement, he has the integrity to admit the error.

It's time for you to stop criticizing Williams and start recognizing the excellent job he is doing for Tarrant County.

ROSEMARY BONDS  
Fort Worth

## Sheriff warns of cost of lack of workers

+ BY BOB MAHLBURG  
Fort Worth Star-Telegram

Tarrant County Sheriff David Williams clashed yesterday with county commissioners over his request to hire hundreds of extra employees, a recent lawsuit and alleged security lapses at county buildings.

Williams, who has proposed boosting his staff by 18 percent, told commissioners during a county budget session that he will use whatever number of jail officers commissioners approve. But he warned that they will pay — one way or another.

"If I don't have enough [jailers] to meet state standards, I'll have to use overtime," he said.

Williams has proposed hiring 243 more employees, including 208 more for the jail. Despite a recent drop in prisoners and a pledge by state officials to take more inmates, Williams said the

## County

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jail count is certain to climb.

County Budget Director Debbie Schneider recommended no new sheriff's employees in her \$141 million spending proposal for the year that begins Oct. 1. And some commissioners yesterday questioned the need for added staff. The Sheriff's Department, the biggest department in county government, employs more than one-third of all county workers.

In a testy exchange with Commissioner Bob Hampton of Hurst, the sheriff defended a plan to hire several investigators to do background checks for new sheriff's employees. Williams noted that he must personally certify that sheriff's officers have no criminal background.

"I can't have confidence and faith in people unless I have some control over the process," Williams said.

But Hampton said that investigators would duplicate current sheriff's staff and that the county

personnel office is more qualified to do testing and recruiting.

"I think we should impose some expertise and knowledge about federal labor standards into the Sheriff's Department," Hampton added. He blamed the sheriff's staff for two lawsuits in recent years accusing the sheriff of illegally denying overtime pay to employees.

Williams said, "Anyone can read federal labor standards and my people have the ability to read."

Hampton, a Republican like Williams, shot back: "If they could, we wouldn't have monstrous lawsuits over and over again."

Williams also argued that sheriff's employees have special credentials, adding, "There's a greater amount of knowledge required for sheriff's deputies than a city police officer because of the process serving."

County Judge Tom Vandergriff also expressed concern that the sheriff's jail staffing may be "trying to gear up for something far and above our needs."

Williams said the 18 percent expansion in staff is needed to keep

pace with growing prisoner population and that 98 percent of the added jobs are required by state jail standards.

"The Sheriff's Department has been operated more efficiently in the past year than any time in history," Williams said in an interview.

Commissioners also questioned security at county buildings, saying sheriff's officers routinely allow some county workers to avoid the metal detectors installed after several fatal shootings in the courthouse.

"I have some real concerns," Commissioner Marti VanRaven-swaay said. "I think we have a false sense of security." Commissioner Dionne Bagsby echoed the concern, saying some employees avoid detectors after going outside to smoke.

Williams pledged to look into the matter and "redouble our efforts."

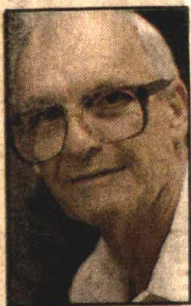
Commissioners took no final action on the requests yesterday. With \$20 million in reserves, they are hoping for a second straight year with no tax hike, and Commissioner J.D. Johnson has suggested that taxes could be cut.

# Ed Max: A booster for law and order

**Shadow sheriff? Selfless volunteer? He doesn't quite fit into either category. But he doesn't like crooks.**

BY MAX B. BAKER  
Fort Worth Star-Telegram

FORT WORTH — Waiting to talk privately with the Tarrant County commissioners, Sheriff



Ed Max

David Williams and two of his top deputies pace like inmates trapped in one of their jails. Hanging around with Williams and his deputies is an older man with thick glasses, thin gray hair and rumpled clothes. He isn't wearing a badge or a gun, but he counsels Williams and visits with the deputies.

Meet Ed Max, a 66-year-old salvage-yard owner, auto-parts dealer and real estate investor who is so involved in Tarrant County Sheriff's Department operations that he goes on patrol with the sheriff, sits in on departmental budget

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## Max

From Page 1

meetings and lobbies commissioners for additional jail beds and helicopters.

A self-made multimillionaire who never made it through high school, Max is subsidizing Williams' fleet of crime-fighting helicopters, and his nonprofit foundation bought and maintains the department's \$20,000 in drug-sniffing dogs.

Max was deputized in January 1993 and received badges, a bulletproof vest and a pistol-grip shotgun, but returned them when it was discovered that the action was illegal. He also returned a police radio and office keys. He said he never wore the badges, kept the shotgun in his car trunk and never performed the duties of a peace officer when he rode with Williams or other deputies.

County Commissioner Bob Hampton called Max a "shadow sheriff." On an organizational chart passed around county government as a joke, Williams shared top billing with Max.

Tarrant County Commissioner J.D. Johnson compared Max with a volunteer firefighter who comes to the rescue, free of charge, whenever asked.

"I can only tell you good things about Ed Max," Johnson said. "He has poured his heart, soul and money into helping the county and I find it hard to knock that."

Wise County Sheriff Phil Ryan, a former Texas Ranger who has known Max for more than a decade, said: "Ed is unique people. If you start to categorize him with other people in society, he won't fit."

Max's passion for law and order goes back to the 1940s and 1950s, when he said corruption in the Tarrant County Sheriff's Department allowed illegal slot machines in every beer joint and gambling

punchboards behind every cafe counter.

He also said he is tired of seeing county government waste tax dollars by being inefficient and not running the operation like a business. As a semiofficial quality control adviser to Williams, Max keeps an eye on the bottom line.

"What's wrong with having efficient government?" Max asked. "What's wrong with putting in input? When you tell people you



**"I can only tell you  
good things about  
Ed Max.**

— J.D. Johnson  
Tarrant county commissioner

can do this, this and this and save taxpayers thousands of dollars, is that a sin?"

But Max has been criticized for his deep involvement in the Sheriff's Department, and Williams' critics want to know who is running the department.

When the sheriff dismissed three top deputies immediately after taking office in January 1993, only to reinstate them a few days later, Max negotiated a contract with the trio that prevented them from suing Max.

"My theory was that Ed Max had taken over as personnel director for the Sheriff's Department," said Jim Lane, a Fort Worth lawyer who represented one of the three deputies.



"He is able to exercise influence that he can't have had without giving money to a sheriff," Lane said. "I don't know if that is wrong. That is how people gain access to the White House. But it is suspect."

In his nine years on the Commissioners Court, Hampton said he has not seen a similar politician-contributor relationship.

"I certainly would not be comfortable with a contributor, a big contributor, being my constant companion," Hampton said.

### A buddy and adviser

Williams said that way too much is being made of his relationship with Max. The sheriff said that Max is his "buddy" but that Max is only one of a handful of people who give him advice, including Johnson.

"He's definitely an extra-mile person," Williams said. "The things that he brings are the methods and skills utilized in operating a venture on a cost-efficient basis. I've had the benefit of his counsel."

Max defends his role as Williams' partner and patron, saying that "the things I've done I've been asked to do. I certainly didn't impose myself on no one." He said all he is trying to do is save the taxpayers money.

"I guess I don't understand. I ought to be able to spend my money how I want. I paid taxes on it and I ought to be able to do what the hell I want to do with it," he said.

Max's fingers are often covered in grease from hours spent working in the shop alongside his employees. A wad of money, cinched with a rubber band, is usually in his shirt pocket.

When he gets mad, he waves his arms and does an odd up-and-down pacing dance that ends with his face in that of his adversary. His conversation is sprinkled with strong opinions, curse words and sometimes racial slurs.

Beneath his rough exterior is a cunning businessman, friends

said. One of his business partners said that Max "is a natural-born counter" who can keep inventory in his head.

Max said the chain of Discount Auto Parts Exchange stores he started in 1985 has locations in Fort Worth, Grand Prairie, Houston, San Antonio and Waco and will generate \$6.5 million in sales this year. Besides Discount Auto, Max also owns a real-estate investment firm with holdings throughout the state. He still owns an auto salvage yard in Johnson County partly for what Max called sentimental reasons.

It is an empire that Max and his wife, Catherine, command by rising at 4 a.m. every day. Ed is out the door by 5 a.m. Catherine, wearing clothes bought at the Salvation Army thrift store, keeps the books at their home.

The only notable signs of wealth are their home and Ed's Mercedes-Benz. The couple, who do not like to borrow money, said they paid cash for their 5,400-square-foot, \$450,000 home on Eagle Mountain Lake.

Privately, they have also shared their good fortune by anonymously giving thousands of dollars to charities such as the Southwestern Exposition and Livestock Show, the Salvation Army and the United Methodist Church's home for children in Waco, according to officials of

the charities, business associates and friends.

Catherine, who describes herself as "an extremist with animals," also has singled out the Humane Society of North Texas as a favorite charity. The couple donated and maintain the air-conditioned van that the agency uses, according to the humane society.

"I don't have much education. ... We came up in pretty hard times. But there is no substitute for the education of hard knocks," said Ed Max. "Where I don't have an education, I've had to do by the sweat of my brow. That's all I've ever

(More on MAX on Page 11)

known."

Ryan, the Wise County sheriff, describes himself as a surrogate son to the Maxes, and just about every Sunday, he shows up at their home for breakfast.

"They remind you of the Beverly Hillbillies," Ryan, 49, said with a chuckle. "To know them is to love them."

### Father was a lawman

Max was born in south Fort Worth, where his father eked out a living first as an electrician and a mechanic, then as a U.S. marshal, and eventually as a Tarrant County deputy from 1947 to 1960.

During those years, Max got his first taste of law enforcement and politics. He said he saw how loose operations of the Sheriff's Department allowed illegal gambling and that he often smelled liquor on the breath of top county law enforcement officials.

Max also knew how tough it was to make a living as a deputy. And when he dropped out of Paschal High School at age 17 to marry Catherine — who was two years older and a nursing student — he had to sell a shotgun to pay the justice of the peace.

First, Max worked for the Southern Pacific Railroad in the telegraph office, living in Ennis and Corsicana before returning to Fort Worth to run a cut-rate liquor store at East 15th and Calhoun streets. He opened for business on May 13, 1949 — three days before the great Fort Worth flood, which almost wiped out his business.

For about nine years, the Maxes watched their business grow until they owned a small chain of liquor stores. The Maxes put all of the money they made back into the stores. Max eventually sold out to the current owners of Majestic Liquors.

In 1958, Max went to work for the Good Luck Oil Co. and worked there until 1963 when he bought his first salvage yard near downtown Dallas. Max said he did not know much about cars or the wrecking business, but he had made up his mind never to be poor again. And he invested in other businesses and profitable real estate ventures.

At this time Phil Ryan met the Maxes, who were then living near Boyd. Ryan said he was called into investigate threats against Ed Max's life. Max had helped several federal and state investigations into auto theft rings.

During those years, they became so close that Ryan eventually became a business partner with Max and his wife. His 20 percent interest in some of the Discount Auto Exchange stores has made his life much easier, Ryan said.

## Family tragedy

Ryan also discovered that the most painful part of their life is the drug addictions and convictions of their own sons.

Although not proud of what has happened, the Maxes do not hide the troubles and heartache that their family has endured. Their older son, William, is 43 and in a Texas prison on a parole violation. Gary, 41, lives at home.

Ryan said that after he was elected Wise County sheriff in 1992, he arrived at work one day and found Max's younger son in his jail on a cocaine charge. Ed Max had driven to Decatur from his home at Eagle Mountain Lake to pick up his grandson, who was with his father at the time of the arrest.

But Max never called Ryan, his partner, the sheriff.

"I've never made a bond for 'em," Max said. "If they get in here, they can get out. You don't practice one thing and preach another."

Described as loving parents, the Maxes said the illegal drug culture caught them by surprise and that their experience with drugs is part of the reason for their generosity in helping law enforcement agencies.

In 1988, the Maxes established the nonprofit Ed and Catherine Max Foundation, which is expected to receive a portion of their estate for donation to their causes.

Sitting near portraits of her sons when they were younger men, full of promise, Catherine Max held back tears.

"Drugs has eaten up our society and, as you know, it has ruined our family," Catherine Max said. "Maybe we want to help someone

else keep from going through what we have. . . ."

"We worked all of our lives, built a business, a multimillion-dollar business, thinking our children were going to be in it. We've had to go to outsiders [as business partners] to run our business because of drugs. . . . Ed has no relationship with his children. I don't either. . . ."

■

Max's role at the Tarrant County Sheriff's Department is unusual for a major campaign contributor, political analysts said. Most contributors give their money and never get involved in day-to-day office operations.

In 1992, Max and his family provided Williams with 46 percent of his \$120,000 campaign financing. His other large contributors included the late Eddie Chiles, who donated \$6,000; Rep. Joe Barton, R-Ennis, \$2,000; and the Bass family's Good Government political action committee, \$3,500.

"Some people collect baseball cards. Some people collect stamps. But Ed Max collects down-ballot politicians. . . ." said Bryan Eppstein, a Fort Worth political consultant. "It is an expensive hobby."

## Reluctant to talk

Several elected county officials were reluctant to say too much

about Max. They were concerned about his willingness to pump so much money into a single campaign. In the last week of Williams' campaign, he lent him \$10,000.

But a close friend of the family, the Rev. Don Pike of the First United Methodist Church in Arlington, said Max is misunderstood because he so adamantly supports his causes with his time and his money.

"I don't think people appreciate him the way they should," said Pike, who has known the Maxes since he was their pastor in Richland Hills 20 years ago. "He is a person of strong principles. . . . If he believes something is right, he sticks with it."

Commissioner Marti VanRavenswaay said Max is someone who believes so strongly in Williams and his causes that he is willing to "risk the ire of some members of the community and county government."

Steve Hollern, chairman of the Tarrant County Republican Party, said that despite all of Max's money, he does not consider him to be a power broker. That would imply that Max is looking to gain personally.

"He just thinks that crooks ought to be caught and punished," Hollern said. "He is like the old-time Texan who focuses on what needs to be done and goes out and does it."

# Lott dies for court murders

The Arlington attorney's execution, only 18 months after his conviction, sets a record in modern Texas history.

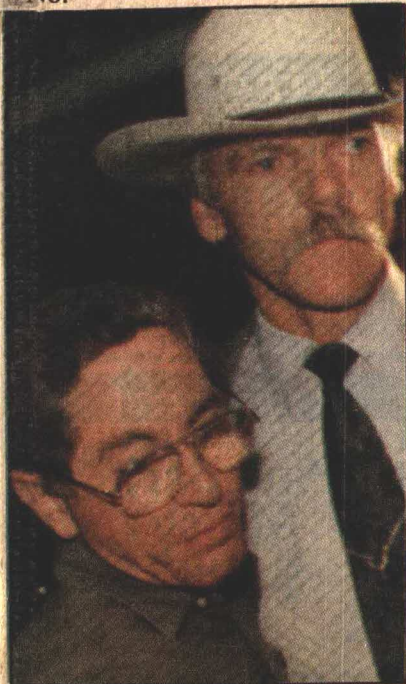
BY JOHN GONZALEZ

Fort Worth Star-Telegram Austin Bureau

HUNTSVILLE — George Douglas Lott, whose shooting spree in the Tarrant County Courthouse killed two fellow attorneys and wounded three others, was executed early today after he refused to appeal his conviction.

Lott, 47, of Arlington, was declared dead from injection at 12:19 a.m. He was put to death for the slayings of attorneys Chris Marshall and John Edwards in a July 1992 handgun attack. Also wounded in the courtroom of the 2nd Court of Appeals were two judges and a third attorney.

Asked by prison officials if he had any final comment, Lott said, "No."



Fort Worth Star-Telegram File

George Lott, left, is escorted by Fort Worth police detective Kurt Brannan after his arrest in Dallas in 1992.

## Victim hopes his forgiveness helped Lott

BY CHRISTOPHER EVANS

Fort Worth Star-Telegram

FORT WORTH — When he hears the name George Lott, District Judge Clyde Ashworth says he sees the face of the man who, having already shot him once, bent over to tell Ashworth that the next shot would kill him.

But the anger is "all gone," Ashworth said yesterday as Lott awaited execution in Huntsville.

And Ashworth, 71, repeated earlier statements that he forgives the man who limited his mobility if not his independence. "That still is my feeling, but perhaps at first I did it for selfish reasons," the judge said. "You're hurting no one but

yourself carrying around hatred and recrimination."

Ashworth said that after "having some time to think about it," he hopes that his forgiveness in some way helped Lott "recover from what he did."

"I think I'm sincere when I say that," Ashworth said.

The families of Chris Marshall and John Edwards, the men who died in the July 1, 1992, shooting spree by Lott at the Tarrant County Courthouse, declined to comment yesterday on the gunman.

David Stanton, stepson of Marshall, who was an assistant district attorney, said neither he nor his mother, Betty Marshall, will discuss the execution.

Cecil Edwards Jr., brother of slain Dallas attorney John Edwards, said his family has made a pact to not comment on the execution.

"I don't have any comment to make," he said.

John Hill, chief justice of the 2nd Court of Appeals, was out of town and could not be reached for comment yesterday. Hill was shot once in the lower shoulder by Lott and

hospitalized for several days.

"All I could say is that the whole thing is just a tragedy, I wouldn't want to comment any more than that," said Hill's wife, Lynda, reached by phone at the couple's Fort Worth home.

Assistant District Attorney Steve Conder, whose chest was grazed by a bullet from Lott's pistol, said that he believes Lott's execution "is justified, and I feel he has had every opportunity of appeal and hasn't taken those opportunities.

"I don't believe it's altered my life a great deal," said Conder, 30, who is still a prosecutor. "I don't have flashbacks or anything like that because I was just grazed across the lower chest, which was nothing compared to what happened to the judges and the other lawyers. . . I do have a scar, a small scar, but it's practically gone."

Not so Ashworth, who maintains a frenetic schedule despite paralysis to his chest and legs that "affects everything I do."

Ashworth said the first bullet "hit my right buttock, hit my sciatic nerve and went out." The second, fired after Lott told Ashworth that he planned to kill him, "went in my lower left back, through my pelvis and sacrum and ended up in my mid-chest," the judge said.

"I try to present a picture of strength and health, which is what I believe people in my profession should try to do," Ashworth said. "I wear a brace on the right lower leg. I wear a corset-type thing on my chest. I have to sit down to take a shower. I did have a cane but I've given up using it."

Ashworth said he knows now that Lott "wasn't really out to get me.

"I do know that George Lott didn't have anything personal against Clyde Ashworth," the judge said. "I was a symbol, that's all.

"I personally will receive no satisfaction or relief by the carrying out of Mr. Lott's death," Ashworth said. "I feel it was a waste, not just in terms of what he did to me and to all these families [of victims], but in terms of [Lott], who had physical and mental abilities he could have used for good, but just wasted."

# Lott

From Page 1

hours after the attack, which he said was prompted by bitter divorce and child-custody proceedings. The court that Lott attacked had upheld a lower court ruling that awarded custody of Lott's son to his ex-wife.

Lott's chances for a reprieve faded yesterday when the Texas Court of Criminal Appeals refused to force him into a new round of competency examinations. In April, the same court upheld his 1993 conviction.

Lott spent part of yesterday visiting with his mother, Nancy Lott, his sister, Pam Lott, and a minister, said Texas Department of Criminal Justice spokesman David Nunnelee. His last meal consisted of an egg, French toast, sausage and baked sweet potato, Nunnelee said.

Lott's interval from conviction to execution was the most rapid in modern Texas history. He has spent just 18 months on Death Row when eight and a half years is the typical wait. In 1986, a prisoner was executed after waiting 2.1 years on Texas' Death Row, said Charles Brown, spokesman for the Texas Department of Criminal Justice.

Richard Dieter, executive director of the Death Penalty Information Center in Washington, said two years is the average time to execution for Death Row inmates who will not appeal their sentences.

Lott became the fourth Tarrant County inmate to be put to death since 1982, and the first since 1985, when Henry Martinez Porter was executed.

Brian Webb, a Dallas attorney who represents Lott's ex-wife, Margo Z. Best of Peoria, Ill., said that Lott's punishment was justified.

"No matter what you think about the death penalty, if anybody deserves it, George Lott does," he said. "I'm relieved for the families, as well as Mr. Lott's wife and boy.

"It just seems to me it's good this guy's out of the way."

Lott represented himself in trial before District Judge Sharen Wilson and declined to challenge his death warrant. He could have halted his execution yesterday by filing his first federal appeal. Lott, a graduate of Southern Methodist University and the University of Texas School of Law, practiced from 1981 to 1988, when he went on inactive status, according to the State Bar of Texas.

In not filing an appeal, Lott bypassed several courts that could have considered his case, including the U.S. district court, the Fifth U.S. Circuit Court of Appeals and the U.S. Supreme Court, said Edward Wilkinson, a Tarrant County assistant district attorney who helped handle Lott's case at the appellate level.

He said Lott was transferred yesterday afternoon from Death Row to the Walls Unit at Huntsville, site of the death chamber. His death sentence stated he was to be executed "on or before sunrise" today.

Not counting Lott, there have been 80 Texas executions since the death penalty was reinstated in 1976 and almost all have been conducted shortly after midnight.

As Lott's final appointment approached, death-penalty opponents said there was nothing they could do to stop the proceedings, given Lott's refusal to appeal.

"Thus far he has essentially refused to participate in the system. There is obviously no doubt about Lott's guilt, but I think the courts and our legal system have a very vested interest in determining his competency," said Texas Resource Center spokesman Steve Hall, whose group helps Death Row inmates find appellate lawyers.

The court, in a one-page order yesterday, turned down the intervention efforts of the Texas Criminal Defense Lawyers Association. The group asked the court to halt the execution so that Lott's competency could undergo "a meaningful determination."

But Tarrant County prosecutors argued that Lott was competent when he chose to be his own law-

yer, and noted that the appellate court had already upheld his conviction knowing that Lott represented himself.

Lott had no history of professional disciplinary action at the state bar, but friends and associates said he became obsessed with the belief that corruption permeated the judicial and legal professions. He claimed the judge who ruled against his child-custody claim was corrupt, and confessed that he then took out his rage on the appellate court, which ruled against him on Jan. 3, 1992, six months before the shootings.

Questions about Lott's mental state figured in all his court proceedings. The defense lawyers' petition, citing news accounts and testimony from Lott's trial, said Lott's demeanor suggested he was mentally incompetent to present a complex legal defense. The group asserted that Lott uttered irrelevant and sometimes obscene comments during his Amarillo trial, made bizarre sexual references to his prosecutors and put on an inadequate 15-minute defense.

Even so, the trial and appellate courts said Lott was well enough to stand trial and to represent himself.

Hall said Lott never acknowledged the resource center's offer to find him an appellate lawyer.

"That's a very troubling aspect of this case," Hall said.

"I don't know of any other capital murder case in which the individual accused of the crime has represented himself at both the trial and the direct appeal. And the nature of this case begs for a very high degree of the appearance of justice, as well as justice," Hall said.

Shortly before 10 a.m. on Wednesday, July 1, 1992, Lott walked into the fourth-floor courtroom of the 2nd Court of Appeals, produced a 9 mm pistol, randomly shot four of the dozen people in the room and pursued the fleeing Edwards into a stairwell.

Slain were Marshall, 41, and Edwards, 33. Wounded were Judges John Hill and Clyde Ashworth, along with Assistant District Attorney Steve Conder.

# Ex-interim Tarrant sheriff quits after being reassigned

BY MIKE MENICHINI  
AND MAX BAKER  
Fort Worth Star-Telegram

FORT WORTH — Capt. Jim Minter, who served as interim Tarrant County sheriff for nearly a year in 1992, has resigned, ending a tempestuous year of employment with Sheriff David Williams.

"I can no longer work for a man whose word I cannot trust," Minter said in his letter of resignation delivered to Williams on Monday.

In an interview yesterday, Minter said he has not ruled out the possibility of running against Williams in the 1996 Republican primary.

"I am moving in that direction, but I'm not ready to announce," the 24-year department veteran said.

His last day with the department will be Oct. 2.

Williams, who was elected in 1992 and took over from Minter, said: "I'm sure he's got some bitterness about that. In any transition in public life, there are going to be people from the outgoing administration who don't share the same goals as the incoming administration. He could not accept me from the beginning."

Minter was finishing the unexpired term of Sheriff Don Carpenter when Williams was elected to head the 1,300-member department.

"In 1992, the voters said to me that they wanted me to provide stronger law enforcement," Williams said. "However, this employee seems to believe that the sheriff is just a glorified jailer."

In his letter of resignation, Minter said "the main directive of the sheriff's office is the orderly and safe confinement of prisoners."

Within minutes of his swearing-in Jan. 1, 1993, Williams fired Minter and two other top deputies. Eleven days later, after threatening a lawsuit, they were rehired at lower positions and salaries. Minter was named captain in charge of training.

Both sides signed an agreement that specified the type of work the men would do.

In February, Williams reassigned Minter to oversee booking and release. Minter successfully appealed the reassignment, saying the required weekend and night work would interfere with him attending law school.

Then, in June, he was reassigned to the low-risk Cold Springs jail facility and ordered to start July 1. Minter again appealed but the ap-

peal was denied.

He has been on vacation and sick leave since at least June 27.

Minter said yesterday that he considers the reassignment a breach of a "written contract of employment" and "political retaliation."

"I still contend that our agreement was to leave me in a captain's position in training," Minter said.

Williams said he believes that Minter is giving the agreement too much strength.

"I never viewed that as a contract, although I did see it as a legally and mutually agreed-to settlement," Williams said.

Williams said Minter was reassigned because the training division — consisting of two instructors, a sergeant and a lieutenant — did not need a captain in charge.

"It's way too top-heavy," Williams said.

# Deputy sheriff quits over speeding stop

BY MAX B. BAKER  
Fort Worth Star-Telegram

FORT WORTH — A Tarrant County deputy who says he was unfairly disciplined after stopping one of Sheriff David Williams' top aides for speeding has quit over the handling of the incident.

Deputy Mark Hoop's resignation comes at the same time that the internal affairs division says he improperly stopped Chief Deputy Pat Howell on Aug. 12 for driving

49 mph in a 30-mph zone.

Capt. Pat Byrnes, who heads the department's professional standards division, has repeatedly disputed Hoop's assertions that he was disciplined. Although the deputy was reassigned afterward to another sector of the county, it was a routine administrative decision, officials have said.

Hoop, whose resignation takes effect Monday, has been on the  
(More on DEPUTY on Page 15)

*"After long and careful consideration, I have come to the decision that I can no longer work for a Law Enforcement agency that condones (through inaction) criminal activity."*

— Deputy Mark Hoop  
letter of resignation

## Deputy

From Page 11

force for nine years.

"After long and careful consideration, I have come to the decision that I can no longer work for a Law Enforcement agency that condones (through inaction) criminal activity," Hoop says in his letter of resignation, which was submitted Friday. He describes his working environment since the incident as "hostile, at best."

Williams defended his department's handling of the matter. He said yesterday that Hoop should not have stopped Howell but that the deputy's reassignment was unrelated.

"He was moved to a different work assignment, and that is not something that is uncommon, and I reserve the right to move staff" to operate the department more efficiently, Williams said.

Hoop filed a grievance with the department after the Aug. 12 incident, saying he was reprimanded and unfairly transferred.

According to a sworn affidavit by Hoop, the deputy did not initially recognize Howell's unmarked, blue Chevrolet sedan as he pursued it near Dido Hicks Road in northern Tarrant County.

Hoop says that he realized the sedan was a county vehicle when he saw the radio antenna but that he did not know it was Howell driving until he pulled over. Howell was not using the siren or emergency lights, according to Hoop.

In Hoop's statement, Howell is quoted as saying that the deputy had no right to stop him. In the affidavit, Hoop says that he asked Howell if he was above the law and that Howell replied, "Yes, I think I am."

Howell also declined to show Hoop his driver's license, although state law requires that he do so, the deputy said. Hoop did not issue Howell a ticket.

Two hours after the traffic stop, Hoop said, his supervisor reprimanded him about it. Hoop also said another supervisor told him never to stop Howell again.

Byrnes said that Hoop tried to handle the traffic stop as if it involved a private citizen in a private car.

"Chief Howell is not above the law, but when he is responding to a call in an authorized emergency vehicle, attempting to meet with a

confidential informant at a specific and necessary time, he is exempt from the speed law," Byrnes says in a news release.

Because Hoop recognized Howell and no ticket was issued, Howell did not have to produce his license, Byrnes added.

But attorney Leonard Schilling, who represents Hoop and other members of the Tarrant County Deputy Sheriffs Association, said Howell's unmarked patrol car is not the type of emergency vehicle normally permitted to exceed the speed limit. He also said that there was no mention of an emergency at the time.

Schilling has asked Tarrant County District Attorney Tim Curry to seek an independent review of the incident. Curry said yesterday that he has reviewed Byrnes' internal investigation and considers that to be adequate.

When the incident occurred, the Sheriff's Department did not have a policy on responding to calls without emergency lights or sirens on.

According to Fort Worth Police Department policies, only marked police units with their emergency lights and sirens on can exceed the speed limit. And the police dispatcher must be notified.

E D I T O R I A L S

## Holding the Line

WE'RE GLAD to see that the Tarrant County Commissioners Court has begun to rein in the Sheriff's Department a notch.

During the budget process, instead of passing the department's annual budget, the court passed a three-month budget, approving only a fraction of the positions that Sheriff David Williams was seeking.

Of the hundreds of positions that Williams requested, he got 38 — 36 of them jailers. The court voted to revisit this issue because although they might be necessary today, it might not be necessary to have them all on payroll all year to maintain a 48-1 prisoner-jailer ratio, as required by state jail standards. The state has promised to remove its prisoners from county jails by 1995. By January, we might have a clearer picture of what our jail employee needs will be.

While they were at it, the commissioners also changed two of the sheriff's recruiters into personnel clerks. Their job descriptions remain vague enough so that their jobs essentially remain the same, but instead of solely answering to the sheriff, they'll answer directly to the court.

Some outside control of that department's human resource management appears necessary. The Sheriff's Department has been unable to come up with a table of organization, requested weekly for the last seven weeks by Commissioner Bob Hampton. It shouldn't have taken this long to fill such a simple request.

The court's persistence in holding the Sheriff's Department accountable is overdue. After all, it is the court that is ultimately responsible to the taxpayers for how that department is run.

## LETTERS TO THE EDITOR

### We're losing deputies

I read "Tarrant deputy sheriff resigns," in your Oct. 18 edition. How many more good deputies must leave the Sheriff's Department before someone realizes what is going on down there? But, then, it has been going on for so many years that people just consider it the norm.

Wake up, Tarrant County residents. The "good ol' boy system" is alive and well at our Sheriff's Department. Four years ago, this same "different work assignment" touched my family. My son was transferred from his position as juvenile investigator to jailer because the sheriff said, "Transfer him."

In my son's case, he went up against the sheriff and won his job back. He resigned after being reinstated because of disillusionment over the whole process. It resulted in Tarrant County's losing one of its finest deputies. It is too bad that Deputy Mark Hoop did not choose to consider this process before he resigned. Are we going to stand for this to happen again and again?

Hoop was reprimanded and unfairly transferred because he dared to challenge one of his bosses. We've lost one more good, honest law enforcement officer to the "good ol' boy system." If we don't stop this from happening, we deserve what we will get. We had better stand up today and be counted in this fight for right.

MARGUERITE D. UTLEY  
North Richland Hills



# Female chaplain sought for Tarrant County Jail

BY GRACIE BONDS STAPLES  
Fort Worth Star-Telegram

FORT WORTH — For almost 15 hours each week, the Rev. Lemarian Wallace Jr. trades his pastoral duties at his small southeast Fort Worth church to counsel and teach the Bible to those behind the bars of the Tarrant County Jail.

It is not unusual for him to see as many as 25 men. Some are depressed about conditions that led to their imprisonment; some are angry over the way they perceive they are being mistreated by the system. All, Wallace said, are problems that he feels equipped to handle.

But it can be awkward when he tries to talk to female inmates. Their concerns are often different from those of men, and they might even ask if a woman were available, said the pastor of Greater St. Paul Baptist Church.

Wallace and other ministers said a female chaplain, preferably an African-American, is badly needed at the jail.

"They worry about such things as child care, and, sometimes pregnant, whether they'll still be confined when their babies are born," Wallace said. "The female popula-

tion is growing, and their needs and concerns, men aren't always as sensitive to."

And so, tomorrow, when the Fort Worth Interdenominational Ministerial Alliance and the Baptist Ministers Union come together again to raise funds for Wallace's salary, the groups will also try to raise enough money to pay for a female chaplain at the jail.

Although the two groups, along with the Tarrant Area Community of Churches, have financed Wallace's jail ministry for the past seven years, this is the first time they will hold a joint fund-raiser, said the Rev. Robert L. Swain Sr., president of the alliance and pastor of the Wayside Christ Holy Sanctified Church.

Up to 1,000 people are expected to attend tomorrow's fund-raiser, which is set for 6:30 p.m. in the Roundup Inn at Will Rogers Memorial Center, Swain said. Tickets cost \$30 each. A female chaplain has not been selected, but several women have applied, and a woman is expected to be named next week, Swain said.

"Women feel more comfortable confiding in another woman," said Henry Smith, executive director of

the Tarrant Area Community of Churches. "And many times women who are in situations where they need counseling, need support and need advice, they are more receptive to someone who can speak to them more bluntly without having to worry about gender problems or other barriers that might be there."

Of the 732 female inmates, 310 are African-American, said Hugh Atwell, the director of chaplaincy for the Tarrant County Sheriff's Department.

"It would be so much better if we did have an African-American female, not only because of the gender issues, but also because of the various ethnic issues that arise," Atwell said.

There are five paid chaplains at the county jail, Atwell said. All of them are male, and only one, Wallace, is African-American. Except for Atwell, all of their salaries are paid by religious organizations. Atwell, an unpaid volunteer until about 20 months ago, declined to say how much the part-time chaplains are paid.

Said Smith: "I don't know if anyone familiar with jail ministry would question the need for more female jail chaplains."

FORT WORTH STAR-TELEGRAM

# Commissioners hug budget as sheriff widens office's role

BY MAX B. BAKER  
Fort Worth Star-Telegram

FORT WORTH — Sheriff David Williams promised voters two years ago that he would be more than “keeper of the keys” at the Tarrant County Jail.

Two helicopters, two drug dogs and a tactical team later, his reinvention of his department into a

comprehensive, countywide, crime-fighting force is well under way.

But Williams' stated intentions to become the county's top cop, and his attempts to get the money to pay for it, are colliding with some Tarrant County commissioners' concerns about cost.

On Tuesday, two months after

approving a \$46.9 million annual budget for Williams, the commissioners will take the highly unusual step of revisiting how the sheriff runs his department. During that review, commissioners may question whether the county can afford a Sheriff's Department that goes beyond the care of inmates.

(More on REVIEW on Page 35)



Fort Worth Star-Telegram / PAUL MOSELEY

During his two years in office, Tarrant County Sheriff David Williams has added several crime-fighting capabilities to his department, including air surveillance and drug-sniffing dogs.

# Review

From Page 33

Williams agreed to the review, saying that he does not want to burden the taxpayers any more than is necessary.

"I think they are asking legitimate questions that are in the realm of public debate," Williams said of the commissioners. "It's part of the checks-and-balance system."

The sheriff can expect tough scrutiny of his plans, notably from Commissioner Bob Hampton, his most vocal critic on the county's governing body.

When a person makes a statement during a campaign and they get elected, I personally don't think that is a mandate for the whole county to be turned upside down," Hampton said. "It's still the responsibility of the commission to control costs."

What has caused the most stir among Williams' critics is his devotion to a long-standing provision of the Texas Code of Criminal Procedures that describes the sheriff as the "conservator of the peace in his county" who shall "apprehend and commit to jail all offenders."

Traditionally, the Tarrant County Sheriff's Department and most of its urban counterparts run the county jail but are not as involved in investigating or fighting crime as are the local municipal police departments. As an example, the Dallas County sheriff's primary job is to provide jail and courtroom security services.

But when Williams ran for sheriff in 1992, he had a specific plan



Fort Worth Star-Telegram / PAUL MOSELEY

**In an unusual review Tuesday, Tarrant commissioners will take a second look at how Sheriff David Williams' department is run.**

for using aircraft patrols, drug dog units and tactical teams to ferret out repeat violent offenders. Williams said he could do it at no additional cost to the taxpayers — and so far, apparently, he has.

"I am the one the people elected from a specific platform, and that is what I am doing," Williams said. "I believe that's clear. I think the law clearly supports what the sheriff is responsible for."

As part of his mission to expand operations, Williams accepted free surplus military helicopters this year from the federal government. He did not consult with commis-

sioners beforehand, even though the aircraft are expected to cost \$130,000 a year to operate and maintain.

He has also created a tactical weapons team with up to 18 members to handle courtroom hostage crises, quell riots in jail facilities, serve warrants in dangerous situations and support police departments.

Williams said he plans to pay for the helicopter program and for the tactical team's machine guns with drug-forfeiture money. In fiscal 1994, the county took in \$86,952 from that source, according to county budget records.

Ed Max, Williams' chief campaign contributor, has also pledged money to support the helicopter program, and Max underwrites the drug-sniffing canine units. He paid about \$20,000 to purchase and train the dogs and is paying their food and veterinary bills. He has said he will continue to do so even if Williams is no longer sheriff.

During his campaign, Williams also vowed never to shut the jail's doors. Former Sheriff Don Carpenter's administration had done so in 1988, 1989 and 1991, when the state's prisons refused to accept any more inmates from the county jail because of overcrowding.

To make good on his promise, Williams said, he expects to have added 1,700 beds to the county jail system by January. One thousand of those are already in use.

The sheriff said that with the addition of 36 jailers authorized in the new budget, the jail is now complying with state standards on staffing ratios for the first time in more than a decade.

The county jail in recent weeks has held 4,300 to 4,500 inmates, about half of whom are awaiting a transfer to prison. In the past, as many as 80 percent of the jail's inmates were awaiting transfers.

Williams has also reorganized his 1,350-employee department, 1,100 of whom are assigned to the confinement division, to provide what he considers proper supervision and manpower 24 hours a day.

Previously, top management worked 8 a.m. to 5 p.m. weekdays, he said.

Even with the changes, cost-saving programs implemented by Williams allowed the department to come in about \$300,000 under budget last year, Chief Deputy Hank Pope said.

Commissioners Marti VanRavenswaay and J.D. Johnson praise Williams for reallocating his work force and bringing order to a

department where his predecessor, Carpenter, once decided a promotion with the flip of a coin.

But VanRavenswaay remains cautious about the sheriff's plans.

"I'm willing to be open-minded and listen," she said. "He does have a vision, and we need to see if we can afford to go in the same direction."

That sentiment is what led commissioners in September to adopt what basically was a 90-day budget for the Sheriff's Department.

At the time, Williams had asked for 200 new employees, many of them jailers. Commissioners balked, saying that they needed better projections of how prison overcrowding and changes in the state penal code would affect the jail's population. They authorized 36 new employees instead.

The changes, which took effect in September, were adopted to help manage the size of the state prison population and make more room for violent offenders. County prosecutors said the new penal code will result in criminals serving more time in county jails.

At Hampton's suggestion, the commission also changed two of the sheriff's recruiters into personnel clerks who report directly to the commission. Hampton said this

will help county leaders monitor Williams' personnel needs.

Hampton and county Budget Director Debbie Schneider said it is hard to determine whether people hired as jailers are actually working as such because Williams assigns all new employees to the confinement division and then transfers some. As a result, Schneider and Hampton said, it is extremely difficult to assess whether the various Sheriff's Department divisions are being run safely and efficiently.

"It gives one reason to question how the sheriff is running his department," Hampton said. "I suspect when we comb this thing out, it will have a lot of cockleburs."

Johnson said Williams inherited a "nightmare" when he was elected and that some of the criticism of him is unfair. He praised the sheriff for agreeing to additional budget oversight.

Williams said he will continue to cooperate, up to a point. But above all, he said, he intends to fulfill his campaign promises.

"The people voted. They said they wanted a Sheriff's Department that is a strong advocate for law and order and for it to take a more expanded role," Williams said.

# Sheriff says Hampton is 'nit-picking'

BY MAX B. BAKER

Fort Worth Star-Telegram

FORT WORTH — Tarrant County Sheriff David Williams defended the operation and expanded mission of his department yesterday, while criticizing Commissioner Bob Hampton as "nit-picking" on his budget.

Williams appeared before the Tarrant County Commissioners Court to answer questions about Sheriff's Department operations as the commissioners tried to determine whether they need to pump more money into Williams' \$46.9 million budget.

In the past two years, Williams has created a dog team to sniff out drugs and accepted free surplus military helicopters as part of an effort to transform the department into a comprehensive, county-wide crime-fighting force.

Hampton has criticized Williams' plans to expand his responsibilities beyond the traditional role of running the county jail.

"It is awful nit-picking by its appearance," Williams said of Hampton's questions about several jobs in a 1,350-employee department. "If he is serious about running the Sheriff's Department, there is an election in 1996."

Hampton said he is not picking on Williams. As a commissioner, he said he wants to make sure that tax dollars are being spent wisely as Williams expands the department's operations.

"I don't care who is sheriff. What is good is good and what is cost-efficient is cost-efficient," Hampton said. "I don't mind spending the money if it will do the job, if it really contributes."

The commissioners approved the sheriff's budget in September. But they took the unusual step of saying they will review the budget again in December or January to see whether the county needs to hire more employees to run the county jails.

During a review of department operations, Williams said the jail population has recently hovered at about 4,500 in-

mates. In recent years, it has exceeded 5,000. Williams said he does not expect to need more jailers.

But because deputies are answering an increasing number of calls, Williams said he may ask for money to hire 10 more dispatchers and six more deputies to patrol rural areas.

"I'm not going to come over here and get egg on my face and ask for more than I need," Williams said. "If the need is there, I'll ask for it."

Commissioner J.D. Johnson defended Williams, saying he has no problems with the sheriff's management and that he would support hiring dispatchers.

But Hampton, along with County Budget Director Debbie Schneider, said Williams may already have enough authorized positions within his department.

"I can't say I have a problem with the expanded mission," Schneider said. "But it is something the governing body needs to be presented and they need to say yes to."

## **Sheriff doing a great job**

After reading Max Baker's Sunday story about Sheriff David Williams' record in office, I must conclude that the sheriff has been successful in improving service to Tarrant County residents.

He has made needed changes and has kept his operation under budget — a real accomplishment for any business organization and certainly for a government agency handling thousands of inmates.

I think the county commissioners should support and encourage any department that is doing well in its mission rather than finding fault and picking apart its achievements.

Is it jealousy on the part of some commissioners who cannot believe that a person can promise improvements and then actually do what he promised, or is it just plain old resistance to innovation and change?

Let's give Williams our encouragement to continue in his endeavors to provide the high quality of law enforcement and jail management that he seems capable of producing.

EDWARD A. BIANCHI

*Eules*

# Funeral Notices

## Larry Edgmon

### FORT WORTH —

Larry Edgmon, 35, a self-employed paint contractor, died Monday at home.

**Funeral:** 2 p.m. today at First Baptist Church in Benbrook, where he was a member. Graveside service: 4:30 p.m. today in Evergreen Cemetery in Lipan.



Mr. Edgmon was born in Granbury and lived in Fort Worth most of his life. He was a member of the Tarrant County Sheriff's Department for five years. Mr. Edgmon attended Western Hills High School.

**Survivors:** Wife, Jo Clark Edgmon of Fort Worth; two daughters, Lacy Lee Edgmon of Waco and Mariah Jo Edgmon of Fort Worth; mother and stepfather, Rosa Lee and William Hawkins of Fort Worth; brother, Gary Wayne Edgmon of Lipan; two sisters, Terri Gail Edgmon of Mesquite and Melinda Pond of Fort Worth; stepbrother, Michael Hawkins of Lewisville; and grandmother, Ervie Edgmon of Lipan.

Wednesday, January 18, 1995 / Fort Worth Star-Teleg.

January 19, 1995

Memo To: Colonel Savala Swanson,  
My Friends, and Fellow Officers

From: Deputy Floyd F. Clark, 1491

Ref: Retirement

I find it almost ineffable to place, on cold white paper without impersonal tones, my deepest appreciation for the "surprise" retirement party which you hosted in my honor. Long will I remember your kind words and introduction. There is really nothing "special" about me; but, you and others are to be truly blessed for making me feel and appear so.

I never gave any thought of retiring from the world until I sensed the workplace would be sorry for my absence. Your words last evening convinced me I had chosen the appropriate time.

I have enjoyed every phase of my law enforcement career, and trust any progressive flame I may have ignited will smoulder long in the ashes of memory.

As I stand on the threshold of retirement, I look back with much love and humility to my many friends and associates who have allowed me the privilege to trespass in their lives along the way.

So, may I please just say "thank you;" but with a heart-felt expression far greater than these mere words placed on paper.

Sincerely,



FLOYD F. CLARK

cc: Sheriff David Williams  
Chief Hank Pope



Office (817) 884-1966  
Fax (817) 884-3040

FLOYD F. CLARK  
DEPUTY SHERIFF  
"1993 DEPUTY OF THE YEAR"

EMERGENCY 911

TARRANT COUNTY CORRECTIONAL CENTER  
100 N. LAMAR  
FORT WORTH, TEXAS 76196-2084



Thursday, March 30, 1995 / Fort Worth Star-Telegram

# Civil-rights trial of jailer

By DAVE HARMON

Fort Worth Star-Telegram

FORT WORTH — A jury in the 372nd District Court is expected to decide this week whether Tarrant County jailer Todd Hamilton beat two inmates in 1993 or merely did his job to quell jailhouse violence.

The incidents, captured on videotape, led to Hamilton's arrest in December 1993. He is accused of violating the civil rights of inmates Neal Sharkey and Tony Blacklock.

During the incidents in October and November 1993, Hamilton, then 32, was a member of the Primary Emergency Response Team, a squad of jailers assigned to handle potentially troublesome inmates and quell violence.

In a four-count indictment, Hamilton was charged with hitting and kicking Sharkey on Oct. 21, 1993, and striking Blacklock in the head a month later. Other jailers told investigators that Hamilton

slammed Sharkey into an elevator, slapped him in the head and kned him twice.

Under questioning from prosecutor Andrew Stover, a lawyer with the attorney general's office, Blacklock told the jury that he returned to his cell in the Isolation Row of the old Belknap jail after a shower to find his things strewn around. He said Hamilton told him that jailers were conducting a "routine" search.

## expected to end this week

"I was real upset about it; I was cursing," said Blacklock, who was awaiting trial on aggravated robbery charges and is serving a 50-year prison sentence. He said Hamilton then "grabbed me from behind and hit me," and then began choking him.

Blacklock said he was thrown to the floor and sprayed with pepper gas. Blacklock said that the spray blinded him and that he could not see the person who then punched

him repeatedly in the face.

Hamilton's attorneys, Leonard Schilling and Michael Ware, said the convicted felon was lying and pointed out to the jury that Blacklock has a long felony record.

"You took a swing at [Hamilton,] didn't you?" Ware asked Blacklock in cross-examination. Blacklock replied, "No."

Charges against PERT member Dale Motes, who was also arrested

in December 1993 and accused of violating Blacklock's civil rights, were dropped.

According to an arrest affidavit, jail warden Major John Smedley was reviewing a videotape of Blacklock's handling when he discovered the October incident involving Sharkey. Smedley later told investigators that he did not recognize Blacklock because he was beaten so badly.

# Former jailer not guilty of violating inmate rights

## Taped '93 incidents resulted in charges

By DAVE HARMON  
Fort Worth Star-Telegram

FORT WORTH — After more than three hours of deliberation yesterday, a jury found former Tarrant County jailer Todd Hamilton not guilty of violating two inmates' civil rights in videotaped incidents in 1993.

The verdict, delivered in Judge Scott Wisch's 372nd District Court, brought tears to some of Hamilton's family and a vow from former jailer Dale Motes — who

was arrested, indicted and fired with Hamilton after the incidents — to fight for their reinstatement to the Sheriff's Department.

"We've got the verdict now, but we're still out of work," said Motes, who was not rehired after charges against him were dropped in July. "People have to see that when you go through something like this, you can get your job back."

Motes, who worked with Hamilton, (More on JAILER on Page 9)

## Jailer

From Page 1

ilton on the jail's anti-violence Primary Emergency Response Team, is director of security for a South American-based gold and diamond exploration company.

"It's a big victory for the officers," said Hamilton, who faced two to 10 years in prison on each of four felony counts. Hamilton now lives in Michigan and works in his father-in-law's auto body shop.

Prosecutor Andrew Stover of the state attorney general's office argued that Hamilton beat inmates Neal Sharkey and Tony Blacklock in separate 1993 incidents at the old Belknap Jail. Stover quickly left the courtroom after the verdict was read and could not be found for comment.

"Justice was served," said attorney Leonard Schilling, who teamed with attorney Michael Ware in defending Hamilton. "An innocent man was found not guilty, and that's got to make you happy."

Schilling, president of the Police

Protective League of Texas, a year-old Tarrant County peace officers' association, called on Sheriff David Williams to "do the right thing now; reinstate these men right now, immediately."

Maj. James Skidmore, a Sheriff's Department spokesman, said, "Any questions regarding possible reinstatement of Mr. Hamilton would most likely be determined by Civil Service rules and regulations governing such matters."

Schilling, a vocal critic of the sheriff, contends that the incidents should have been handled internally to spare Hamilton the indictment and the seven-day trial.

"The sheriff said he didn't want to be just the keeper of the keys, but if I was him, I would go looking for them," Schilling said. "He needs to find out what's going on in that jail. It might save the taxpayers a lot of money."

Hamilton and his lawyers would not say if a lawsuit will be filed.

"We'll just take it a step at a time," attorney Ware said. "It was outrageous that Todd got indicted in the first place. He's gone through 16 months of hell, and so has his family."

In an emotional closing statement, Schilling said Hamilton "was doing what he knew to be right and what he was trained to do" in restraining Sharkey and Blacklock.

Gesturing toward Maj. John Smedley, the former warden who discovered the incidents and reported them to his superiors, Schilling told the jury that Smedley gave misleading information to the grand jury to "purposely get a man indicted."

"It was an abuse of the grand jury process," Schilling said after the verdict.

Smedley had testified that Hamilton used excessive force when he struck Sharkey in the head with his forearm, kned him in the leg and used a small baton on a pressure point in Sharkey's neck. Smedley also said his conversation with Blacklock, and the inmate's bloodied face, persuaded him that Blacklock was truthful when he said Hamilton beat him.

"We're not supposed to comment without permission from the sheriff," Smedley said after the verdict.

# LETTERS TO THE EDITOR

## I N S I G H T

"Americans have always managed to rally behind our president when danger signals have appeared on the horizon. I firmly believe that . . . we have enough reason and understanding to work toward restoring a semblance of patriotism in this country."

**Floyd F. Clark**  
Fort Worth

### **I'm not pessimistic**

One need only turn to the radicals on talk radio and television or read the biased philosophy of many columnists to learn of a new extremism in our land: the publicity given to the spokesmen of violence and irrationality. Such voices, few in number but strong in volume, create the impression that this country no longer heeds reason and tolerance.

Although I am a staunch Democrat, I still refuse to become pessimistic about our future. Most Americans, I feel certain, want to see President Clinton succeed against the critical problems confronting our nation — whether they voted for him or not. And I still believe that not every member of the opposition party is a villain; many are dedicated politicians who want to be constructive and help remedy grievous national ills.

Given some reason, persuasion and a little compromise, an opposing Congress should not become an impossible handicap. Although some members of Congress believe that compromise is a form of entrenched weakness, it is often the only way to reach successful solutions within one's principles.

Americans have always managed to rally behind our president when danger signals have appeared on the horizon. I firmly believe that, whether Democrat or Republican, we

have enough reason and understanding to work toward restoring a semblance of patriotism in this country.

**FLOYD F. CLARK**  
Fort Worth

# OBITUARIES

Fort Worth Star-Telegram / Sunday, August 6, 1995

## George Campbell, 66, veteran lawman

BY KRISTIN N. SULLIVAN

Fort Worth Star-Telegram

Retired Chief Deputy George W. Campbell, whom friends and family remember as a rough and tough lawman dedicated to the Tarrant County Sheriff's Department, died at his Lake Worth home Friday after a bout with pancreatic cancer. He was 66.

Campbell's law enforcement career spanned more than four decades beginning in the Texas Panhandle towns of Pampa and Borger and culminating with Campbell being named chief deputy for operations under former Tarrant County Sheriff Don Carpenter. He also served as police chief in Lake Worth from 1958 to 1968 and in Richland Hills from 1968 to 1977.

"I considered him not as an employee, but as a friend and a buddy," said Carpenter, who lost his re-election bid in 1992. "I loved the boy. He was one of my true friends. He was a man who had a lot of dignity."

Relatives recalled that Campbell moved his family from California to Texas in 1954, lured by the Lone Star state's wide-open spaces and booming law enforcement career opportunities. He had served in the Navy during World War II and in the Army in postwar Japan.

"He basically had a desire to do something to make a difference for people, and law enforcement always interested him," said Gary L. Campbell of Arlington, Campbell's eldest son. "Wherever he went, he tried to improve the technology."

As Lake Worth police chief, Gary Campbell said, his father was known for his efforts to clean up petty crime around nightclubs on the Jacksboro Highway strip.

Local news media attention focused on Campbell in early 1993 when he was relieved of his position by incoming Sheriff David Williams. Campbell was eventually reinstated as a captain and then arrested June 14, 1993, on suspicion of drunken driving, a charge that was dismissed for lack of evidence. Campbell sued the county over the incident, then dropped the case in exchange for a \$25,000 settlement.

Campbell retired from the department in June 1994 after he was found to have cancer.

Gary Campbell said his father's last years were particularly difficult because of the friction with the Sheriff's Department, where he had been employed 17 years.

"That really hurt him," Gary Campbell said. "He had done nothing but serve law enforcement all his life. . . He was one of the good guys out there trying to right wrongs."

Campbell is survived by his wife, Barbara, three sons and two daughters.

The Pelican Bay Police Department, where Campbell worked after retiring from the Sheriff's Department, is recruiting police honor guard volunteers for funeral services scheduled at 11 a.m. Tuesday at First Baptist Church of Lakeside. Graveside services will be at Azleland Memorial Park.

## George W. Campbell

LAKE WORTH — George Wendell

Campbell, 66, a retired law enforcement officer, died Friday at home.

**Funeral:** 11 a.m. Tuesday at First Baptist Church of Lakeside. Masonic graveside service: Azleland Memorial Park, under the auspices of Lake Worth Lodge 1410. Military honors provided by Veterans of Foreign Wars Honor Guard. Visitation: 6 to 8 p.m. Monday at Biggers Funeral Chapel.

Mr. Campbell was born in Wetumka, Okla. He had lived in the Lake Worth area since 1955. He served in the Navy during World War II, in the Army Airborne in postwar Japan and in the Texas Army National Guard through the 1970s.

He devoted his life to law enforcement. He worked for police departments in Benbrook, River Oaks, Haltom City, Sansom Park, Lake Worth and Richland Hills. He served as police chief in Lake Worth and Richland Hills for 10 years, respectively, before joining the Tarrant County Sheriff's Department in 1978. He became Tarrant County's chief deputy of operations. He retired in 1994 due to illness.

Mr. Campbell was a charter member and past master of Lake Worth Masonic Lodge 1410 and a member of Scottish Rite. He was a life member and Past Commander of Veterans of Foreign Wars, Post 708. He was also a member of Texas Police Office Association, Combined Law Enforcement Association and Deputy Sheriffs Association.

**Survivors:** Wife of 49 years, Mrs. Barbara N. Campbell of Lake Worth; sons, Gary L. Campbell of Arlington, Curtis R. Campbell of Fort Worth and Larry D. Campbell of Lake Worth; daughter, Darlene Daugherty Campbell of Corpus Christi; brother, Ernest Campbell of National City, Calif.; sisters, Mrs. Ann Pietila of National City and Mrs. Patricia Ann Fisher of Las Cruces, N.M.; grandchildren, Kerri Campbell of Corpus Christi and Tanya Campbell of Lake Worth; and a number of nieces and nephews.

Biggers Funeral Home

7139 Jacksboro Hwy., 237-3341



# Sheriff deactivates Green Bay jail



Fort Worth Star-Telegram

**BY DAVE HARMON**  
Fort Worth Star-Telegram

**FORT WORTH** — Sheriff David Williams said yesterday that he has temporarily deactivated the Green Bay jail — the second county facility mothballed in the past two weeks — and wants to rent the now-empty beds to other states.

Williams said he cleared out the jail, which had held the maximum 480 prisoners for years, after the population dwindled to about 225. The last 97 prisoners were sent to the county's two remaining jails Thursday.

Of the 120 employees assigned to Green Bay, only a small crew remains to provide security and make the building presentable for out-of-state suitors.

"It's in mothballs, but we could reactivate in two weeks," Williams said.

The sheriff, who emptied the

Cold Springs jail on Aug. 1, said he has temporarily reassigned Green Bay's employees and will discuss his long-term plans for them when he briefs county commissioners this morning.

Mack West, president of the Tarrant County Deputy Sheriff's Association, said the employees have been divided among the two remaining jails, the warrants division, the patrol division and the district courts.

"It does leave them in limbo; some of them are worried, and I don't blame them," he said. "But they still have jobs; I'm for anything to keep these people working."

Tarrant County turned the former Green Bay Packaging Inc. warehouse into an emergency maximum-security jail in 1989. A recently completed \$3.5 million addition added 672 beds, pushing the jail's capacity to 1,056.

Williams said his department has talked to several states that have shown a desire to lease between 300 and 1,000 beds and want to tour Green Bay.

As the state reclaims the felons who have clogged county jails for years, sheriffs in Denton, Dallas and other Texas cities have also begun marketing their rapidly emptying jails.

A little more than a year ago, Tarrant County's four jails held more than 5,300 inmates, and 3,300 of them were state-sentenced felons. Today, the two remaining jails are at 72 percent of capacity with only 71 transfer-ready state felons among a popula-

tion of 2,231.

Williams said he will put the leasing option before the county commissioners, who have the authority to rent jail beds and close jails. Williams is under pressure to downsize his confinement division, which employs nearly 1,000

people, because of the dramatic drop in prisoners.

"I'm comfortable with the [leasing] concept to the point now where we can seriously market that facility and compete with the best of them and still do it at a profit," Williams said.

Although the sheriff expressed

mixed feelings about leasing beds only a few weeks ago, he seemed eager yesterday to embrace the growing rent-a-cell movement.

"I'm going to push the issue of location, location, location," he added. "We're right off an interstate; we're easy to get to."

# Jail

Tuesday, August 15, 1995



Fort Worth Star-Telegram / JIM DOMKE

Tarrant County's Green Bay jail stands idle after being mothballed by Sheriff David Williams.

*Williams wants county to approve  
renting cell space to other states*

# Sheriff hopes he can avert jailer layoffs

BY DAVE HARMON  
Fort Worth Star-Telegram

FORT WORTH — Seeking to avoid layoffs in his rapidly emptying jails, Sheriff David Williams has reassigned more than 100 jailers to law enforcement posts and unveiled a plan yesterday to rent empty beds.

Although Williams said the staff moves give the county more crime-fighting capability for the same money, several Tarrant County commissioners said the transfers probably will not save the county's largest department from layoffs.

"I think it's time to face up to the possibility of people being laid off," Commissioner (More on SHERIFF on Page 20)

## Sheriff

From Page 1

sioner Bob Hampton said. "And I don't like that prospect either."

A year after authorizing 1,068 confinement positions — when the county's four jails held more than 5,000 prisoners — commissioners must now adjust Williams' budget to reflect a new reality: Two jails have been mothballed this month, and the remaining two jails hold only 2,200 prisoners.

"Realistically, when you are staffed for 5,000 prisoners, you cannot maintain that staffing when you get down to the numbers we are down to," Commissioner Dionne Bagsby said.

"I can't hold out false hope that we can find a place for everybody," Commissioner Marti VanRaven-

sway said. "I don't think it can happen."

Williams said he has assigned 22 officers to a security detail at the deactivated Green Bay and Cold Springs jails and transferred 94 employees from the jails to other departments.

The 13-person warrants division, with its backlog of 20,000 warrants, got 31 new people and extended its hours. Eleven are assigned to "criminal profiling" to help locate wanted criminals.

Thirty-nine jailers were reassigned to security in county buildings, and another 24 were transferred to the patrol division to begin yearlong field training.

"This isn't make-work stuff, these are positions that we can easily justify," Williams said, adding that staffing in the law enforcement side of his department has remained virtually the same for two decades.

He also proposed reducing the staff through attrition, which has left more than 100 vacancies since a hiring freeze began in May.

Williams said the Green Bay jail could employ 142 people and generate a \$7.5 million annual profit if his department can lease its 1,056 beds to another state at \$35 per prisoner per day.

Commissioners said they were receptive to leasing but would not make a firm decision until they see a contract.

Commissioner J.D. Johnson said he will not support keeping employees who have nothing to do but added that the law enforcement side of the Sheriff's Department is long overdue for help.

"We've got a lot of backlogged work that needs to be done," he said. "I would hope that we would [accept Williams' proposals] and not have to lay off."

# Inmates in Tarrant jail to serve their full terms

By DAVE HARMON  
Fort Worth Star-Telegram

FORT WORTH — A yearlong sentence in the Tarrant County Jail used to mean about four months.

But a year will mean a year now that Sheriff David Williams has virtually eliminated a practice of giving all inmates three days' credit for every day served regardless of their behavior.

Williams said he changed the 6-year-old policy Aug. 5 to bring "realism and truth in sentencing" and to simplify punishment.

The head of the district attorney's misdemeanor section said it will make sentencing easier.

"Now we won't have to do the math," said Assistant District Attorney Richard Alpert. "When we wanted someone to get 10 days, we had to ask for 30 days."

Misdemeanors make up the bulk of arrests in Tarrant County. Between Jan. 1 and July 31, more than 14,000 Class A and Class B misdemeanor cases were filed, compared with almost 5,500 felony cases.

(More on JAIL on Page 21)

## Jail

From Page 1

Prosecutors and police applauded the move, which gives two-for-one credit only to prisoners who work as trusties in the jails. Good time can be taken away if a trusty breaks the rules, said Cmdr. James Skidmore, a spokesman for the Sheriff's Department.

River Oaks Police Chief Dub Bransom, the Democratic candidate who lost to Williams in the 1992 general election, said: "I support him 150 percent on that. Obviously it's going to create a deterrent if people know they're going to serve their time."

Others criticized the policy change as an attempt to save jailers' jobs or as a financial burden on taxpayers.

But Lt. Pat Kneblick, a Fort Worth Police Department spokeswoman, said eliminating good time might actually result in fewer misdemeanor arrests by keeping habitual criminals off the streets.

Drunkenness, assault, drug offenses, disorderly conduct and theft top the list of misdemeanor arrests by Fort Worth police, Kneblick said.

The timing of the policy change — just days before county budget

hearings — caused some skepticism. Williams' policy could increase jail population at a time when county commissioners are considering laying off jailers.

After the county's jail population dropped from last year's peak of 5,300 to 2,200 this month, Williams closed two jails and began negotiating with other states to lease some of the county's approximately 2,000 empty beds.

"I really doubt it's an attempt by David Williams to control crime," said criminal defense lawyer Mark Daniel. "I think it's an attempt to justify the existence of the personnel he's stockpiled. Nobody's fooled or should be fooled."

Skidmore, however, said the policy simply ends Tarrant County's position as the only Texas county giving three-for-one credit and brings back "progressive punishment" to deter serious crime.

"The misdemeanor system that would have resulted in meaningful jail terms has been nonexistent in Tarrant County," he said. "That's what the county jail was designed for in the first place — it was designed for misdemeanors."

But since state prisons began backing up into county jails a decade ago, state prisoners have made up as much as 98 percent of Tarrant County's jail population. Skidmore said those felons, once seen as a burden, became more at-

tractive when Texas began reimbursing counties to keep them locked up.

Now that the state has taken back almost all its felons, the Sheriff's Department can return to "a normal county jail operation," he said.

Longer misdemeanor sentences will put more burden on local taxpayers because they pay for housing the prisoners, said attorney Jim Minter, who ran the Sheriff's Department for a year before he was fired and reinstated and then resigned after Williams took office.

Minter said he has seen no evidence that offering good time affected the crime rate.

"I think it's just going to impact on people's taxes," Minter said. "It will necessarily increase the amount of time people stay in jail, and if the taxpayers think that's a good idea, it's a good idea."

The policy will increase misdemeanor trials, he added, because criminal defense attorneys will have less incentive to plea bargain.

Judge Brent Carr said he has not seen an increase in misdemeanor cases set for trial in County Criminal Court No. 9.

But Carr said he has noticed that defense lawyers are asking for shorter sentences while prosecutors are holding to their usual sentencing requests — without adjusting for the new good-time policy.



# Sheriff's fund started to aid officers in crises

BY DAVE HARMON  
Fort Worth Star-Telegram

FORT WORTH — On Aug. 5, hours after a sheriff's deputy received the phone call telling him that his daughter had died in a car accident, Deputy Mark A. Mapes Sr. was making phone calls to get a safety net in place.

The net came in the form of the Tarrant County Deputy Sheriff's Association, which recently started a benevolent fund to help officers through deaths, illnesses and other unexpected crises.

By the end of the day, Mapes and others in the 520-member association had rounded up a small army to help the deputy who was preparing to move when the news of his daughter's death arrived.

While the deputy handled funeral arrangements, they pulled a

## MAKING A Difference

donated Ryder truck up to the house and rounded up volunteers to haul boxes.

Three local stores donated food and drinks for the volunteers. A local dry cleaner, at Mapes' request, cleaned the deputy's clothes for the funeral. Someone called a minister, who came to pray with them. Others came through with donations.

Mapes said they hope the benevolent fund will replace this pass-the-hat system.

The association, made up of Sheriff's Department employees, launched the benevolent fund in June as a "safety net for members of our organization, to help them in times of great burden," he said.

Those times seem to come regularly.

Two officers have terminal cancer. Two others recently had children born with birth defects. The association has also helped two members in the aftermath of house fires.

"When officers are, say, injured in a car accident or injured at home, when their sick leave benefits run out, there is no safety net," association President Mack West said. "We can be there with something so the family doesn't have to worry."

"They need help right then and there," said Frank Wilson, the association's director of special services and projects.

Before the benevolent fund, the association held special fundraisers or dipped into its general

fund to help fellow officers. Wilson said they soon realized the need for a permanent, stable fund like the \$6 million "Foundation Blue" fund established in 1991 for Dallas officers.

Although the benevolent fund is in its infancy, Mapes said they are pleased by the response thus far from the American Legion, the Veterans of Foreign Wars, and local businesses and citizens.

The fund was established as a nonprofit organization, and a 12-member committee must approve all expenditures, Mapes said.

And while the safety net only covers association members now, Mapes said, "We really believe that in six months, we're going to be able to make this [money] available to any officer."

# TARRANT COUNTY SHERIFF

## Confinement Bureau Options Menu

August 15, 1995

### A Jail Contract

To contract for housing out of state prisoners for a profit. Utilizing the Greenbay facility, the two housing units at this location offer efficient operation, and modern updated housing to accommodate 384 prisoners in the main building and 672 prisoners in the annex. Total prisoner capacity at the Greenbay unit will be 1,056.

The projected budget for the Greenbay unit for FY96 is approximately \$5,300,000.

If a contract can be secured for 1,000 prisoners at \$35 for each inmate housed per day, the funds generated would be \$12,775,000 annually. Offsetting the budget by approx. \$7,475,000.

We are aggressively pursuing this market, and have several prospects.

### B Law Enforcement Enhancements

Expanded Law Enforcement program. By expanding the Warrants Division by 20 transfer officers we are working down the 20,000 + criminal warrants outstanding in Tarrant County. By providing these additional officers, rapid transfer can be provided to each unit therefore eliminating extra unit downtime. 11 additional officers are assigned to criminal profiling, a new function in our Warrants Division, but not in Law Enforcement. These officers provide the background research information to the officers serving the criminal warrants. By researching addresses known, physical descriptions, mug shots, known relatives, etc. the field officers are picking up packets and serving warrants continually.

Assigning 39 officers to Court Security has allowed for enhanced security in all county buildings. These officers have also allowed us to schedule more coverage hours of service.

We could have both Law Enforcement enhancements (Plan B) and contract prisoners (Plan A) with the positions held open from the Cold Springs unit and still have extra revenue enhancing the Tarrant County Budget.

Assigning 24 officers to the Patrol Division for completion of a field training cycle, will provide a standing cadre of trained and qualified personnel fully prepared to serve as Tarrant County Sheriff's Patrol Deputies. These personnel while in training are known as (CPO's) Candidate Patrol Officers (Rookies).

The taxpayers have shown they will pay more taxes for more Law Enforcement, they will be elated if you approve more proven law enforcement through crime fighting capabilities and not asking for more taxes to fund it because they have already paid for it.

### C Attrition Vacancies

By approving the Greenbay officers to an overtime elimination pool the Confinement Bureau could virtually eliminate already reduced overtime. Any staff overages would be reduced by attrition. I feel that this is a far better plan than a sudden reduction in force. Staff can be reduced in the same manner as the Cold Springs unit. Over a period of months once positions are vacated they would not be refilled until the Greenbay unit was reactivated. This would avoid the costly expense of approximately \$60,000 in benefits pay off, \$315,000 in training expenses for employees returning if the jail population were to rise in 12 to 18 months, and not to mention the added burden to the taxpayers for unemployment compensation for over 100 employees that could extend up to 6 months.

Because of accelerated changes in staff prisoner removal, the budget submitted in May probably requires revision. Therefore I recommend a temporary postponement of the Sheriff's Office budget review until final plans can be attained.

### Summary

With the early projections of a \$20,000,000 shortfall in reimbursement and other revenues, it did not seem prudent to request additional personnel for Law Enforcement at the time of the budget deadline in May. Now that \$21,000,000 or more has been found by the Auditor, I feel that cutbacks in public safety crime fighting programs should not be necessary or appropriate. Coupled with a revenue generating jail and filling the posts for that facility with the positions I have held open totaling over 100 since January and the Taxpayers win two in a row.

# A Report From TARRANT COUNTY SHERIFF

Thursday, August 17, 1995 COMMERCIAL RECORDER—3

## WHAT IS A COUNTY JAIL SUPPOSED TO BE?

by Commander James F. Skidmore

Recent events have again focused considerable attention on the Tarrant County Jail system. After a decade of continual jail overcrowding, the problem has reversed itself and now forces the County to deal with a temporary surplus of empty beds. Sheriff David Williams feels the public should be provided a complete explanation of how we have arrived at this point in order to understand the direction we should now take in order to best resolve the situation.

The intended purpose of a county jail within the state of Texas is rather simple and straight forward. First and foremost, a county jail is supposed to securely contain criminal offenders which have been charged with, or convicted of, misdemeanors. The misdemeanor population of the average county jail should be approximately 60-70%. Pre-trial misdemeanors should be processed quickly with the majority of the population being convicted misdemeanors actually serving meaningful sentences of up to one year in the county jail.

Second, a county jail should provide secure custody of criminal offenders charged with, or convicted of, felonies. A typical county jail felony population should be no more than 30-40% with about 5% being State prison ready convicted felons. Pre-trial felons should be short term inmates with convicted felons placed into State custody within 45 days of conviction.

The facts and statistics presented are the norm for the county jails within both Texas and the nation. The problem is that Tarrant County has not operated a "normal" jail for nearly ten years. In fact, for all practical purposes, Tarrant County has been operating a prison system which in 1994, contained nearly 5,300 inmates of which 95-98% were felons. During the peak of the jail overcrowding crisis, Tarrant County was providing safe and secure housing for more than 3,000 paper ready State inmates.

Considerable financial relief from the State imposed backlog of convicted felons arrived in the form of a lawsuit settlement. Counties were reimbursed for a percentage of the expenses associated with housing State felons which, in one year alone, returned more than 30 million dollars to Tarrant County. Obviously, housing State felons took on a new complexion once they were capable of creating considerable revenue while misdemeanors were viewed as a financial burden.

Tarrant County's transition from a "normal" county jail to a 98% felon prison system became a reality in 1989, and resulted in both positive and negative aspects. The positives could be described as largely financial. Larger reimbursements from the State and minimal jail building expenditures were realized by maintaining the highest level of felony inmates possible. The negative results were more complex and generally ignored by both politicians and the media.

The County's decision to make more room for felons by decreasing the percentage of misdemeanors effectively defeated the primary purpose for which county jails were created. If the public had been made aware of the fact that the majority of arrests are made for misdemeanor violations, and programs were deliberately implemented to exclude jail sentences as appropriate punishment, they might have voiced considerable opposition to such policies.

It must be remembered that punishment for criminal offenses was intended to begin at the lowest (misdemeanor) level possible in an attempt to deter an offender from progressing to more serious (felony) crimes. The decision to delay meaningful punishment (county jail time) until an offender is convicted of a felony shows either a lack of knowledge of the criminal justice system or a deliberate indifference to civic responsibility.

Finally, the Tarrant County Jail has reached a point where normal operations could be resumed if adequate bedspace and staff are maintained. Taxpayers could rest more easily with the knowledge that all criminal offenders in Tarrant County would, at last, face the prospect of actually going to jail for Class A, B and C misdemeanors. The free ride to a felony record would be longer with more opportunities for a young person to get off. In short, the Sheriff's Confinement Bureau personnel would be able to perform their duties in accordance with State law and the public's expectations.

Sheriff David Williams has presented proposals to Commissioners' Court which would allow the jail to do the job for which it was intended without a budget increase. In fact, contract jail operations could result in a return of more than 7 million dollars to the County general fund. However, budget hearings loom on the near horizon and public statements made by various elected officials indicate a desire to step backwards with large reductions of confinement personnel. The financial necessity to do so does not exist, but the tendency to restrict resources and do as little as possible (rather than accomplish even more without increasing either budget or personnel) is a very real possibility. The ability to win a major battle in the war on crime may be lost due to political short-sightedness and the refusal to authorize available funding.

# Spokesman for sheriff gets warning, raise

BY DAVE HARMON  
Fort Worth Star-Telegram

FORT WORTH — County commissioners approved a 10 percent raise for the Sheriff's Department's main spokesman yesterday but also delivered a stern warning to tone down his message in the contentious jail population issue.

In an opinion piece circulated among county officials, Commander James Skidmore defended Sheriff David Williams' plan to re-

tain most of his jail staff even though the jail population has dropped by more than half in the past year. Several commissioners have indicated that layoffs may be required.

Skidmore wrote that the county "defeated the primary purpose for which the jails were created" by making room for state felons — who generate state reimbursement money — while jailing fewer misdemeanor offenders.

"I just think it was inaccurate and in my mind is irresponsible," Commissioner Dionne Bagsby said. The editorial "indicated we just politically did things because we were trying to make money off the [state] prisoners, and that was false."

Skidmore, who was not present when the commissioners made their remarks, declined later to comment.

Vandergriff voted in favor of

raising Skidmore's salary 10 percent to \$50,318, but told Chief Deputy Hank Pope to relay "my personal displeasure at Commander Skidmore's most recent column. I would look for a more responsible position from someone in that particular position."

Bagsby said commissioners worked hand in hand with the law enforcement community when they voted to add jails and add jailers.

## Fort Worth Star-Telegram

Thursday, August 31, 1995

### Give us a jail break

Poor Sheriff David Williams! He no sooner gets a good start on building his empire than along comes a decrease in jail space requirements. A good emperor will never be stymied by such a trivial problem, though; the sheriff simply did away with jail "good time" — three days' credit for each day served.

The district attorney's office had learned how to manipulate the sentencing of miscreants. If the district attorney's office wanted 10 days' jail time, it asked for and got 30; therefore, the wrongdoer was released in 10 days with "good time." To handle the new "no good time" rule, one would expect the district attorney to simply modify his jail-time request to mesh with the new policy — that is, if the district attorney wanted 10 days' jail time, 10 days would be requested.

Oh, if only life were so simple! Instead of adjusting to the new environment, the district attorney has not modified his sentencing procedures to ask for realistic jail time, thereby avoiding the appearance of being "soft on crime."

So what's the bottom line? We taxpayers are expected to subsidize a jail system that refuses to downsize to the level required to enforce our laws; we are subsidizing a make-work system for the excess jail employees on the county payroll.

County commissioners, where are you?

JOE A. MOAKE

Bedford

# Man jailed for 5 weeks uncharged

**Dismayed Tarrant County officials authorize the release of Michael Alan Rowland, who had been held since Aug. 8.**

BY KEN DILANIAN  
Fort Worth Star-Telegram

FORT WORTH — The district attorney's office authorized the release of a man yesterday who was arrested by the Tarrant County Sheriff's Department and jailed for five weeks without being formally charged, officials said.

"In our jail? . . . That's not supposed to happen," said Tarrant County Assistant District Attorney Alan Levy, chief of the felony section.

Both prosecutors and defense lawyers expressed surprise and dismay at the length of the man's jail stay, saying they had never heard of anyone being incarcerated in Texas for so long without being charged.

Under Texas law, an arrested person is supposed to be charged within "a reasonable time" after being booked into jail. According to legal precedent, that period is no more than 72 hours, several law-

(More on JAIL on Page 19)

## Jail

From Page 1

yers said.

"I've never known anybody to be in jail that long without being charged with something," said Bill Wischkaemper, president of the Texas Criminal Defense Lawyers Association, who said the inmate could sue the county on grounds of civil-rights violations.

The inmate, Michael Alan Rowland, 31, was scheduled to be released from jail yesterday after prosecutors declined to proceed with any charges against him, Assistant District Attorney Bob Hester said.

Rowland's father, Robert Rowland, said he was told by jail officials last night that his son had

ment issue," Skidmore said.

But Bob Hester, chief of the district attorney's intake division, said it is up to the police agency to file a case or release an arrested person within a reasonable time.

After his arrest, Rowland was taken before a magistrate, who found probable cause to hold him, Skidmore said. Three days later, on Aug. 11, the Sheriff's Department presented the case to the intake section of the district attorney's office.

That's when the case began to depart from the usual procedure, officials said.

The district attorney's office rejected the Sheriff's Department's case for lack of evidence, Hester said. Instead of releasing Rowland, the Sheriff's Department held him while they gathered further evidence. And although they talked informally with intake prosecu-

been released. "Somebody screwed up," the elder Rowland said about his son's plight.

Efforts to reach the younger Rowland for comment were unsuccessful.

Rowland was arrested Aug. 8 in Crowley on suspicion of aggravated assault with a vehicle, said Cmdr. James Skidmore, a Sheriff's Department spokesman. Skidmore declined to release the arrest report but said the arrest stemmed from an altercation with another man at a Crowley skating rink. The other man had a knife, Skidmore said.

Skidmore said the Sheriff's Department held Rowland so long without charges because investigators were gathering information requested by the district attorney's office.

"If he can't make bond and can't get out of jail, that's not a depart-

tors, they didn't file the case with the district attorney's office again until yesterday, Hester said.

"At that point we looked at it, and our response was, 'Nice fry, but that's not going to fly,'" Hester said, explaining that the district attorney's office found insufficient evidence to prosecute Rowland.

"I am not pleased somebody was kept in our jail for five weeks without being charged," Hester said.

Skidmore said it is his understanding that an arresting agency can hold someone longer than 72 hours without a charge if it can demonstrate that an investigation requires it. Such delays are not uncommon, Skidmore said.

Wischkaemper disagreed.

"They're blowing smoke," he said. "They're terribly wrong."

Staff writers Dave Harmon and Mary Ann Roser contributed to this report.

## OBITUARIES

### Wayne B. Boggus



**FORT WORTH** — Wayne B. Boggus, 67, a criminal investigator, died Friday at a Fort Worth hospital.

**Funeral:** 2 p.m. Monday at Mount Olivet Funeral Home. Masonic graveside service: Mount Olivet Cemetery by Tarrant Masonic Lodge No. 942. **Visitation:** 1 to 4 p.m. Sunday at the funeral home.

Officiating: Chaplain Bob Cox and the Rev. H. Jay Atwood.

Honor guard and pallbearers: The Tarrant County Sheriff's Department.

Mr. Boggus was born Sept. 30, 1927, in Fort Worth. In 1993, he retired from the Tarrant County Sheriff's Department and the Texas Department of Public Safety-Narcotics Division after 40 years of service.

He was a member of the Tarrant Masonic Lodge No. 942.

**Survivors:** Wife, Wanda Boggus of Fort Worth; daughter, Sondra Celeste Hutsell of Arlington; son, Ricky Blake Boggus of Willow Park; three stepdaughters, Diane, Deborah and Sandra; three stepsons, Donnie, Ricky and Randy; and six grandchildren.

Mount Olivet Funeral Home  
2301 North Sylvania, 831-0511



# Man held 5 weeks without charge says he lost his job, house

By BOB MAHLBURG  
Fort Worth Star-Telegram

A Crowley man who was locked up for five weeks in the Tarrant County Jail without being formally charged with a crime says that being held prisoner so long has cost him more than time.

"I just lost everything: job, house, car," Michael Rowland said yesterday.

Rowland, 31, said he is upset, but he declined to discuss the incident in detail, saying that he needs

"some time to rest and recoup."

Rowland, who is living with his father and stepmother, said he does not know whether he will file a lawsuit over his treatment. He said he will have more to say later this week.

Rowland's father, Robert, who said he picked his son up at the downtown Fort Worth jail about 11 p.m. Friday, also hesitated to discuss his son's jailing.

Rowland was arrested Aug. 8 in  
(More on ROWLAND on Page 33)

release an arrested person within a reasonable period if no charges are filed. That generally amounts to no longer than 72 hours, attorneys said.

Prosecutors and defense attorneys expressed surprise and dismay at the length of Rowland's jail stay. They said they have never heard of anyone being incarcerated in Texas for so long without being charged.

Sheriff's Department officials said they held Rowland while they gathered more evidence against him..

"If he can't make the bond and can't get out of jail, that's not a department issue," Skidmore said. But prosecutors said it is up to the police agency either to file formal charges or release an arrested person within a reasonable time.

Yesterday, James Harrington, legal director of the Texas Civil Rights Project in Austin, called Skidmore's statements "outrageous."

"I've heard of it where it happens by mistake, with a computer glitch or something, but I've never ever heard of it where they defend it as a policy," Harrington said. "That's rather amazing to me."

"To say that's not a department deal is crazy because they're not exempt from the Constitution," Harrington added. "That's the very reason we have it in the Constitution, is so the police can't arrest you and hold you in jail until they find something on you, like in other countries."

## Rowland

From Page 29

Crowley on suspicion of aggravated assault with a vehicle after an altercation with another man at a Crowley skating rink, said Cmdr. James Skidmore, a spokesman for Sheriff David Williams. The other man had a knife, Skidmore said. Sheriff's officials have declined to release the arrest report.

Jail records indicate that Rowland was released at 10:20 p.m. Friday after being held on suspicion of aggravated assault with a deadly weapon, a jail employee said.

"He's been there before," Rowland's father said, declining to elaborate.

Tarrant County court records list a felony conviction for conspiracy to commit arson stemming from a 1984 incident, and two misdemeanor hot check convictions. Records also show that Rowland was sentenced to four years in prison in 1987 after his probation was revoked, officials said.

The district attorney's office authorized releasing Rowland from jail Friday after learning that he had been arrested by the Sheriff's Department Aug. 8 but never was formally charged.

"That's not supposed to happen," said Tarrant County Assistant District Attorney Alan Levy, chief of the felony section.

Texas law requires authorities to

# 2 Tarrant jails may open again

## Prison space is also shrinking, state says

BY JOHN GONZALEZ  
AND DAVE HARMON  
Fort Worth Star-Telegram Austin Bureau

AUSTIN — Tarrant County's jails are taking in almost 90 new inmates per week, and the department is "in great need of reopening the Green Bay unit and perhaps the Cold Springs unit," Sheriff David Williams told county commissioners yesterday.

Williams deactivated both jails in August after the state reclaimed thousands of its felons.

Savala Swanson, chief deputy in charge of the jails, said two 48-bed sections of the Green Bay jail will probably be reopened this week as Fort Worth police and the Sheriff's Department warrants division increase their arrests. The department is cracking down on a 20,000-warrant backlog.

Williams said the two downtown jails — the Belknap Street jail and the 2,156-bed Corrections Center — are now at 79 percent and 92 percent of capacity, respectively.

Meanwhile, the state's temporary abundance of prison space is dwindling faster than expected, the state's leading analyst of capacity said yesterday.

Rather than meeting state needs through 1997, prison space will become tight by the end of 1996, said Tony Fabelo, executive director of the Texas Criminal Justice Policy Council.

For years, Tarrant and other county jails housed a backlog of prison-ready inmates the state couldn't accommodate. A five-year prison building program has already absorbed the backlog and by late 1998 will yield a capacity of 151,814 prison bunks, up from the current 131,568.

But tougher new sentences that lawmakers

(More on JAILS on Page 20)

# Jails

From Page 15

ers authorized in 1993 and 1995 will soon eat up excess capacity, Fabelo said.

A dramatic reduction in the rate of parole approval — from 79 percent in 1990 to 15 percent this year — adds to the pressure, Fabelo said.

But local and state officials have time to brace for the fluctuations.

"The intention of this projection is to forewarn state leaders of what's coming in the future, and hopefully we will plan for it and we

will not have a crisis," Fabelo said. "We have a year to plan ahead, and we also have a year to monitor those trends.

"The local people should look very carefully at their own trends and then try to keep an eye on what we are projecting, because the system is in the middle of a lot of changes," he said.

The next state projection is set for September 1996, in time for the next legislative session in January 1997. A year ago, Fabelo projected a short phase in which the state could meet rising demand for prison spaces.

"The issue now is how long can that capacity last. At the beginning

of the [1995 legislative] session, the capacity was projected to last close to two years. Now it's projected to last one year," he said.

"The reason for that is we have taken into consideration new toughening of laws by the Legislature, and decreasing parole rates over the last year," he said.

The 15 percent parole approval rate is a record low for the state, he added.

Another backlog of jail transfers is possible because of rising demand for the new "state jail" facilities, Fabelo said. Within a year, the population in those jails will approach 6,000 inmates, and by August 1998, it will exceed 15,000, he said.

# Man dies after arrest by Fort Worth police

## Autopsy report on drug suspect pending

BY LISA BLACK  
Fort Worth Star-Telegram

FORT WORTH — A 31-year-old Fort Worth man died less than 24 hours after being taken into custody during a violent confrontation with a police officer in Fairmount last weekend, authorities reported.

The Tarrant County Medical Examiner's Office has issued a preliminary ruling that John F. Benson, 31, died of cardiopulmonary arrest Sunday. Benson, whose blood tested positive for cocaine, was pronounced dead at John

Peter Smith Hospital at 12:33 p.m. Sunday, according to the medical examiner's office.

Officers sought to question Benson on Saturday afternoon after seeing what appeared to be a drug deal, police said. Benson led a plainclothes police officer on a foot chase about 3 p.m. Saturday and then drew a semiautomatic handgun on the officer, according to a police report. The two wrestled in the back yard of a home in the 1900 block of Alston Ave., the report says.

(More on BENSON on Page 25)

The Fort Worth Police Department's major case section is investigating and will forward its results to a grand jury, said Lt. Pat Kneblick, a police spokeswoman. The police are awaiting the medical examiner's final autopsy report, which is pending toxicology tests that should determine whether cocaine contributed to the death, officials said.

Police believe that the cocaine contributed to his death, Kneblick said.

"With any in-custody death or in-custody injury, we routinely forward the results to a grand jury," Kneblick said. "Usually these investigations take several weeks."

Kneblick said officer M.C. Haley drew his gun and at one point struck Benson in the head with a fist. Benson had a wound on his head but did not appear to have died from a beating, a source said. Haley was treated for cuts, police said.

"The officer did fight with him and did hit him," said Kneblick, who said that the officer's bloodied and torn shirt will be considered as evidence.

Benson's wife, Savannah Benson, declined to comment but referred questions to an attorney, Joseph E. Ashmore, who did not return several phone calls yesterday.

Two of Benson's neighbors, Johnny and Kathy Blair, said they saw the fight and that Johnny Blair was pressed into helping the officer make the arrest.

The Blairs said yesterday that they didn't see any unnecessary use of force.

The Blairs, who have been Benson's neighbors for a month, said they were startled last Saturday to see a man with a gun chasing Benson.

Johnny Blair said he called 911, then went back outside and "heard someone holler, 'Help me, help me.'"

Then, Blair said, he spotted the armed man holding Benson on the ground at gunpoint. Blair said he was afraid to move, fearing he could get shot.

"The man had the gun right by

John's head," Blair said. "Then he looked right up at me and made eye contact and said, 'I'm a police officer. You need to come back here and assist me.'"

Blair, who delivers flowers for a florist, said the officer told him to get the officer's handcuffs from his pocket and place them on Benson. The officer was holding Benson down with one hand and had his gun in the other, Blair said.

"I looked at John and said you might as well better settle down," Blair said. "I told him, I don't want to do what I'm doing."

Benson lifted his arm and allowed his neighbor to handcuff him, Blair said.

"It all happened so quickly . . . I'm sorry what happened to him," he said.

Haley and officer L.K. Creighton originally confronted Benson on Saturday afternoon as he stood in the 1900 block of Hemphill

Street, the police report says.

"The location, a carwash, is known for narcotics activity," Kneblick said. "They observed Mr. Benson leaning into a passenger door, appearing to be [participating in] a hand-to-hand delivery. His behavior was consistent with narcotics sales."

The officers showed their badges and then asked Benson for identification, the police report says. Benson stepped toward them and said, "Why should I?"

Both officers drew their guns,

and then Benson grabbed at Haley's gun but stopped when Creighton grabbed his arm the report says. Benson fled with Haley in pursuit, it says. According to police, Benson stopped in a back yard next to his house and pointed a gun at Haley. The two struggled, both holding their guns, before Blair stepped in to help, according to the report.

Police said they retrieved from Benson a 40-caliber semiautomatic gun that contained one round.

# 2 fired jailers file suit against sheriff, county

*Lawyer says warden threatened him*

BY DAVE HARMON  
Fort Worth Star-Telegram

FORT WORTH — A grand jury indicted them on charges of violating inmates' civil rights. The sheriff fired them from their jobs as jailers. Then charges were dropped against one, and a jury acquitted the other.

Now that Todd Hamilton and Dale Motes have been cleared of wrongdoing, the former Tarrant County jailers and their lawyers are firing back.

The men have sued Sheriff David Williams and the county to get their jobs back. They have accused their former boss, Maj. John Smedley, of lying to the grand jury to get them indicted. One of their lawyers has filed a police complaint against Smedley, saying the warden threatened him.

The tangled dispute, which began when Williams fired the jailers in April 1994 after watching videotapes of scuffles with two inmates, is far from over.

The men's lawyers say that Smedley lied to the grand jury about previous violence by Tony Blacklock, an inmate involved in two 1993 altercations with Hamilton, Motes and other members of the anti-riot Primary Emergency Response Team.

Leonard Schilling, Motes' lawyer, said Smedley told the grand jury "that in no shape, form or fashion . . . was [Blacklock] physically violent, and we have documentation that he signed showing [Blacklock] was violent."

Blacklock was bloodied in the struggle, and Smedley and Wil-

(More on SUIT on Page 16)

## Suit

From Page 13

liams concluded that the jailers crossed the line. But prosecutors with the state attorney general's office dropped charges against Motes in July 1994, and lost their case against Hamilton in April when a jury acquitted him of charges of civil-rights abuses.

Smedley has said he did not mislead the grand jury or the trial jury, adding that the prisoner was not classified as violent in jail files. Williams, who has refused to rehire Hamilton and Motes, has stood firm with Smedley.

"He has confidence in Maj. Smedley's honesty and intends to stand by him through any allegations made by Schilling," said the sheriff's spokesman, Cmdr. James Skidmore.

Schilling and Michael Ware, Hamilton's lawyer, filed twin lawsuits Tuesday, trying to persuade a judge to overrule Williams and the Civil Service Board, which recently upheld the jailers' termination.

Andrew Trusevich, an employment/Constitutional lawyer aiding in the suits, said Hamilton and Motes were deprived of a fair hearing because the sheriff did not attend the civil service hearing to explain why he will not reinstate them with back pay and benefits.

"Under the rules, the sheriff was supposed to testify, and when we subpoenaed him, he didn't show up," Trusevich said. "When you take a man's job away, the least you can do is tell the commission the reason."

Schilling called the civil service hearing "a joke" and said the sheriff has closed his eyes to accusations of perjury against Smedley: "Williams chooses

to ignore a serious violation of his own rules, or he's too incompetent to realize a violation has taken place."

Marvin Collins, head of the district attorney's civil division, said the office has decided to let the attorney general's office investigate. In a Sept. 21 letter to Ware, the sheriff said he would ask the attorney general's office to investigate the allegations and take "whatever action that he feels is appropriate."

But Ward Tisdale, spokesman for the attorney general's office, said: "We've not gotten any request by Tarrant County to do any kind of investigation. It's pretty clear that we need a request from the DA" because the allegations against Smedley would be a separate case.

Skidmore said the sheriff will re-submit the request through the district attorney's office.

Schilling, meanwhile, filed a complaint against Smedley on Sept. 22, saying that Smedley told another Sheriff's Department employee to "make sure you tell [Schilling] that the next time I see him I'm going to beat his ever livin' \_\_\_\_\_."

Schilling said he takes the alleged threat "very seriously. It bothers me to be threatened by a man who can carry a gun legally."

Fort Worth Police Lt. Pat Kneblick said the department is investigating Schilling's complaint.

Skidmore said Smedley will not comment directly, but said he did not threaten the lawyer. The department's administration is aware of the alleged threat, but Skidmore said Schilling has not taken his complaint to the department's internal Professional Standards Division and "we have no factual knowledge to support these allegations."

# Tarrant sheriff to seek re-election

## *Williams cites record of crime-fighting improvements*

By JACK DOUGLAS JR.  
Fort Worth Star-Telegram

FORT WORTH — Saying he had fulfilled all of his previous campaign promises to boost crime-fighting efforts and improve the local jail, Tarrant County Sheriff David Williams announced yesterday that he will seek re-election to another four-year term.

Williams, a Republican, said he is most proud of fine-tuning the department's abilities to catch crooks and fugitives. In addition, he said, the department has initiated an ethics code for deputies, and improved the effectiveness of the Tarrant County Jail by adding 648 more beds for prisoners.

So far, Williams has only one opponent in the March 12 Republican primary, and that is one of his own employees — sheriff's Lt. Sue Maddock, a watch commander in the county jail system. Maddock said during a news conference last

week that she saw a "better way" to run the department, and that she would make inmate confinement her top priority.

Maddock could not be reached yesterday for comment; Williams said he will not comment about his opponent.

Before his first run to become the county's top lawman in 1992, Williams was a Haltom City police detective with no political resume. He took over a department plagued with troubles under the administration of former Sheriff Don Carpenter.

Yesterday, Williams stood on a platform at Tarrant County's Republican Party headquarters and introduced his wife and three children to a crowd of followers, many of them civil leaders and Republican heavyweights.

"Looking at my family and thinking about the kind of community I want to raise my family in

was the compelling force that drove me to seek this office in 1992," Williams said.

Under his direction, he said, the number of outstanding arrest warrants for fugitives has dwindled from a backlog of 40,000 to 17,000. The Sheriff's Department also formed a three-deputy squad that has targeted and arrested more than 500 people considered to be dangerous repeat offenders, Williams said.

The sheriff said that when he added permanent bunks to the county jail, he spent only \$600,000 of a \$1.6 million state grant, and that the department was able to keep the change.

"I guess the bottom line is 'promises made, promises kept,'" Williams said, adding: "Everything that I've committed to, that I promised the voters of Tarrant County, I've delivered on, and delivered in spades."

Tuesday, November 14, 1995 / Fort Worth Star-Telegram



David Williams: Says he fulfilled 1992 campaign promises

Pct. 4 County Commissioner J.D. Johnson, a veteran Democrat who only recently defected to the Republican Party, was there to cheer Williams, as were the sheriffs of Wise and Denton counties. TV star Chuck Norris did not show despite a report that he was expected to attend.

## Sheriff's copters see little action in war on crime

BY LAURA VOZZELLA  
Fort Worth Star-Telegram

FORT WORTH — When three surplus military helicopters touched down at the Tarrant County Sheriff's Department in July 1994, they kicked up a cloud of controversy.

But Sheriff David Williams' high-profile aviation program quickly dropped off the radar screen. Today, even critics within the department wonder what, if anything, Williams' choppers have been up to.

The answer, according to the sheriff's top deputies, is not much.

Until three weeks ago, when one of two replacement helicopters was brought on line, the copter fleet that Williams had touted as a vital

weapon in the war on drugs had flown only about a half-dozen times.

But the sheriff is far from backing away from his foray into aviation. He recently sought a surplus airplane for transporting prisoners extradited from out of state.

At least one county commissioner also expressed interest in using the plane to transport officials to and from Austin.

Only recently has the helicopter program gotten off the ground — and briefly, at that.

Just one of the three 1960s-era Hughes OH-6 helicopters acquired by the county was airworthy, and even that was grounded by a tug of war between Williams and the county auditor, who both claimed control of the drug forfeiture money the sheriff wanted to use for the aircraft. Williams won.

But the OH-6 flew only a handful of times before the sheriff swapped all three for two Bell Helicopter OH-58s. Both of those choppers, which Williams described as superior equipment, had to be adapted for the Sheriff's Department's use. Work on one helicopter was completed early this month.

Finally, on Nov. 6, the department got one of the two OH-58s in the air for the first time. The craft

was used fewer than 20 hours over nine days before it was grounded Nov. 17 to install a searchlight.

Department officials expect to have the helicopter back in action next week and to get the second one up within a year.

"It's already been successful, and we know it will be in the future," said Chief Deputy Pat Howell, who oversees aviation for the department. "We didn't expect to just jump up and start flying. . . . In government, you learn not to get in a hurry for anything."

The helicopters are funded with money and assets seized in drug cases, which totaled \$101,000 last year, county budget officer Debbie Schneider said.

The hangar space is donated by Texas Jet; the primary pilot is a volunteer, and the backup pilot is a jailer. The jailer's salary is reimbursed to the county from the seized funds when he flies, Howell said.

The department has \$70,000 of the drug money budgeted for the helicopter program for the fiscal year that began in October. About \$33,000 of that has been spent so far, mostly on retrofits, said Maj. Scott Ramsey, the department's director of financial services.

So far, the newly retrofitted OH-58 has assisted with a \$25,000 marijuana seizure in Fort Worth, hovered over a suspected drug lab in Northwest Tarrant County, swooped two deputies to the aid of third, visited Benbrook elemen-

tary school, chased a car from Fort Worth to Irving and back, and enabled officials to take aerial crime scene photos for the district attorney's office, Howell said.

Only the drug bust and lab surveillance helped fulfill the program's anti-drug mission, Howell acknowledged. But he said the other flights were useful to the county.

If the helicopter has come in handy in a variety of ways, that versatility makes the craft look all the more valuable to some. For others, that just looks like trouble.

"We have no policies or procedures about who uses the helicopter for what purpose," said County Commissioner Bob Hampton, who was out of town when the

other four commissioners voted unanimously to accept the aircraft. He said the county could be held liable in the event of an accident.

Hampton expressed similar reservations about the sheriff's recent plan to acquire one of several twin-engine planes being given away by the federal Drug Enforcement Administration.

"I don't think we can go into the business of creating an air force without defining what its mission is and what limits we're going to put on it," Hampton said. "It's either very tightly controlled or it's open to abuse."

Interviewed about the plane last month, Williams stressed that it had nothing to do with the helicopter program. He did not respond to

several subsequent requests to discuss the helicopters.

Williams' critics see his aviation program as proof that he is unduly enamored of law-enforcement hardware. The sheriff previously acquired souped-up Camaros, drug-sniffing dogs and submachine guns for a tactical weapons team, bolstering his deputies' duties as law officers over their traditional role as jailers.

The helicopters have already become a campaign issue. Sue Maddock, a sheriff's lieutenant challenging her boss in the March 12 Republican primary, said the money could be better spent, even if no county funds are involved.

Williams said the plane would have been used primarily for extraditing prisoners, but County Commissioner Marti VanRavenswaay said it also might have shuttled commissioners or other county officials to Austin for official business. Both Williams and VanRavenswaay said the plane would have been less expensive than the commercial flights often taken for such trips.

The federal government, which in the past five years has donated 24 surplus aircraft to county sheriff's departments in 15 states, opted not to award a plane to Tarrant County last month. Howell said the department would be interested if more planes become available but said he wasn't expecting that to happen any time soon.

## Flight log

Flight log for the Tarrant County Sheriff's Department helicopter:

**Nov. 6:** First flight after retrofitting. Assisted the Department of Public Safety with a car chase from Fort Worth to Irving and back again. (2 hours)

**Nov. 7:** Pilot familiarized himself with county landmarks. (2.5 hours)

**Nov. 8:** Visited Benbrook Elementary School. (2 hours)

**Nov. 9:** Tactical team training. (2 hours)

**Nov. 10:** Provided backup for deputy who pulled over three felony suspects in Northern Tarrant County.

Took aerial photos of Lake Worth bridge for the district attorney's office. (2.5 hours)

**Nov. 13:** Surveillance of suspected drug lab in northwest Tarrant County. Pilot familiarized himself with landmarks at night. (2 hours)

**Nov. 14:** Assisted with \$25,000 marijuana seizure in Fort Worth. (1.5 hours)

**Nov. 15:** Flight officer and observer training classes. (3 hours)

**Nov. 16:** Flight officer and observer training classes. (2.2 hours)

**Nov. 17:** Grounded for installation of searchlight.

# Frost, Williams among first candidates to file

**The Tarrant County sheriff and two Democratic challengers enter the race on opening day.**

BY CHRISTOPHER AVE  
AND MAX B. BAKER  
Fort Worth Star-Telegram

Rep. Martin Frost, targeted for defeat by Republicans at home as he campaigns nationally for fellow Democrats, was among the early filers yesterday as both major parties began processing applications to compete in the March 12 primaries.

Tarrant County Sheriff David Williams also filed yesterday for a

second term in what is expected to be a spirited political season in which everyone from constables to members of Congress — as well as presidential candidates — will be on local ballots.

At least four other candidates, including former Chief Deputy Jim Minter, are expected to run for sheriff.

Candidates can enroll until Jan. 2 for the Super Tuesday primaries in March.

Frost, a Dallas Democrat who mailed his forms yesterday to register to run for his 10th term, won with 53 percent of the vote last year, bucking a nationwide Repub-

(More on PRIMARIES on Page 13)

# Primaries

From Page 1

lican tide to beat home builder Ed Harrison of DeSoto. Harrison plans to challenge Frost again but faces a Republican primary opponent in first-time candidate Olivia Coggin Eudaly of Fort Worth.

Both Republicans have said they plan to run in the primary, but neither had completed paperwork yesterday, the first day candidates were allowed to file.

Frost's congressional district includes southeast Fort Worth, south Arlington, southwest Dallas County, part of Ellis County and all of Navarro County. The district boundaries are being reviewed by the U.S. Supreme Court, which is studying the tactics state lawmak-

ers use to design election districts that benefit racial minorities.

Frost, 53, chairman of the Democratic Congressional Campaign Committee, scoffed yesterday at the notion that his national appointment will make it more difficult to win in the general election in November.

"You don't turn down a leadership opportunity," he said, adding that "Dick Armey [R-Irving] certainly didn't turn down the opportunity to be House majority leader."

Also filing yesterday was Rep. Eddie Bernice Johnson, also a Dallas Democrat whose district is being reviewed by the Supreme Court.

Locally, state Sen. Mike Moncrief, D-Fort Worth, was among the first-day filers, saying he is seeking a third term in the Texas Senate to protect hometown inter-

ests as Congress shifts financial responsibility to the states for health and social programs.

In the sheriff's race, Williams, a Republican, and two Democrats — Euless police Lt. Bill McLendon and Tarrant County Deputy Sheriff Glen Allison of Azle — filed yesterday.

Williams will be a primary target of the Democratic Party, which hopes to begin rebuilding during 1996 elections after suffering large losses at the polls and defections of some of its top candidates.

"I love this sheriff's race. This is my favorite race so far," said Tarrant County Democratic Chairman Evelyn Parmer. "I think David Williams is vulnerable, and I think he is controversial."

Minter, a 24-year-veteran of the Sheriff's Department until he resigned last year, considered running in the Republican primary.

He said he decided to run as a Democrat because he didn't like the GOP's swing to the far right.

Minter has not announced when he will officially file for office.

But Minter's decision not to run in the GOP primary indicates how strong the support for Williams is in particular and the GOP as a whole, said Tarrant County Republican Chairman Steve Hollern.

"I think it is unlikely that a Democrat can win a countywide election in Tarrant County," Hollern said.

Tarrant County has been a Republican stronghold for the past two election cycles. The GOP controls most of the offices elected countywide, including district attorney, district and county clerks, and tax assessor/collector.

Staff writer John Gonzalez in Austin contributed to this report.



# Guard investigated after inmate alleges assault

## Woman in Tarrant County Jail interviewed

BY JACK DOUGLAS JR.  
Fort Worth Star-Telegram

FORT WORTH — A Tarrant County Jail guard is under criminal investigation after a female prisoner told authorities he sexually assaulted her on Christmas Day.

"We're investigating the allegations, yes," said Commander James Skidmore, spokesman for the Tarrant County Sheriff's Department and the acting chief over the jail.

The investigation was incomplete and officials had not determined what happened, Skidmore said.

He said officers have interviewed the woman, a 22-year-old

who is in the downtown jail on drug possession charges. The guard, who was not identified, was to be questioned yesterday, once he returned to work after two days off.

At that time, Skidmore said, the guard will be notified of his "administrative status," which could be suspension with or without pay, pending completion of the investigation.

The commander declined to detail the allegations. He also declined to say whether the prisoner was given a physical examination to determine whether she was sexually assaulted. Skidmore added, however, that such an exam is

(More on JAIL on Page 19)

# Jail

From Page 17

"routine" in a criminal investigation.

It is not unusual for male guards to watch over female prisoners in the county jail, Skidmore said, adding that the Sheriff's

Department is prohibited by law from pairing guards with prisoners based on gender.

Once the inquiry is complete, the Sheriff's Department will likely issue a statement or call a news conference, Skidmore said.

The case had not reached the Tarrant County district attorney's office by late yesterday, officials in that office said.

# Jail guard on paid leave during inquiry

Fort Worth Star-Telegram

FORT WORTH — A Tarrant County Jail guard has been placed on paid leave pending an investigation into allegations that he sexually assaulted a female prisoner Christmas Day.

The guard, who is assigned to the jail in downtown Fort Worth, was questioned Wednesday when he returned to work after two days off, said Commander James Skidmore, a spokesman for the Tarrant County Sheriff's Department and the acting chief over the jail. The guard was then relieved of duty, which Skidmore said is routine in internal investigations.

December 29, 1995 / Fort Worth Star-Telegram /

Meanwhile, officers were awaiting the results of medical tests conducted to determine whether the prisoner was assaulted, Skidmore said. The woman, 22, who is being held on drug possession charges, has been moved to a different part of the jail, and counseling will be available at her request, Skidmore said.

He predicted that the investigation will continue for about a week and then be turned over to the Tarrant County district attorney's office.

# Eules police lieutenant to run for Tarrant County sheriff post

By DOMINGO RAMIREZ JR.  
Fort Worth Star-Telegram

**EULESS** — A political novice and 20-year veteran of the Eules Police Department has joined the race for Tarrant County sheriff.

Eules police Lt. W.F. "Bill" McLendon, 41, filed as a Democratic candidate for the March 12 primary. McLendon, who has 22 years of law enforcement experience, is a watch commander in the patrol division of the Eules Police Department. He joined the department in 1975.

"I filed because I believe I can do a better job," McLendon said. "Because of my law enforcement experience."

Another Democrat, sheriff's Deputy Glen Allison, has also announced his candidacy. Tarrant County Sheriff David Williams, a Republican, has filed for reelection. In addition, Sue Maddock, a lieutenant in the Sheriff's Department, has filed to run in the Republican primary.

McLendon said his top priorities would be running the county jail, providing more

service to unincorporated areas of the county and improving the integrity of the Sheriff's Department.

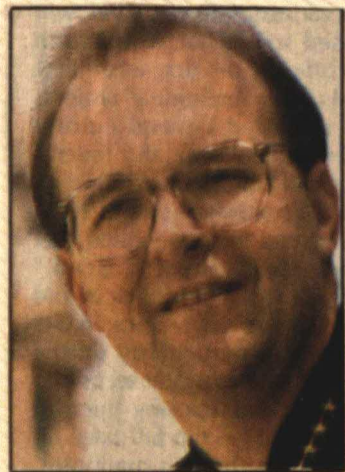
As sheriff, McLendon said he would also focus on courtroom and county facility security, and work on improving employee relations in the department.

"I've got name recognition in Northeast Tarrant County, but I've got to get my name out there to the rest of the county," McLendon said of the upcoming race. "It will be an uphill battle."

McLendon, a native of Northeast Tarrant County and a graduate of Trinity High School, began his police career as a dispatcher and reserve police officer with the Bedford Police Department.

As a Eules police officer, McLendon has worked as a supervisor in patrol and criminal investigation. He was the department's Outstanding Police Officer of the Year in 1979 and he was co-recipient of Supervisor of the Year in 1986.

From 1989 to 1991, McLendon served



David Williams: Passing out three-page list of backers

as commander of the Northeast sector of the Tarrant County Narcotics Intelligence and Coordination Unit. Under his direction, he said, the local drug task force seized almost \$20 million in illegal drugs, closed 31 clandestine drug laboratories and recovered about \$1.3 million cash.

"My family is ready to commit to this campaign," said McLendon, who is married to Suzanne McLendon, a registered nurse. They have six children. "I don't have any special-interest groups that I have to answer to in this race."

# Sheriff's race starts to heat up

## *Williams' four opponents chock full of ideas for department*

BY LAURA VOZZELLA  
Fort Worth Star-Telegram

FORT WORTH — The three Democrats and one Republican gunning for Tarrant County Sheriff David Williams' job have come armed with suggestions for running a safer, more efficient jail.

They are also toting plans for helicopters, SWAT teams and in-

mate abortions.

Spiked by some of the more unusual controversies of Williams' tenure, the race for sheriff is shaping up as one of the more interesting local contests this year, political observers say.

Williams, who was a Haltom City police detective when he became sheriff in 1992, faces sheriff's

Lt. Sue Maddock of Pantego in the March 12 GOP primary.

Democrats vying for the post are Euleus police Lt. W.F. "Bill" McLendon, sheriff's Deputy Glen Allison of Azle and Jim Minter of Fort Worth, a 24-year veteran of the Sheriff's Department who resigned last year to start a law prac-

(More on SHERIFF on Page 19)

tice.

The race has already inspired a few ideas. Maddock would set up a 24-hour day-care center for county employees, charge inmates for toilet paper and soap, and ban *Baywatch* on jail televisions. A watch commander in the jails, Maddock said inmates get too riled up by the series' women in brief outfits.

"They're whistling, whooping and hollering. . .," Maddock said.

Minter would get rid of jail televisions as inmates break them.

"Look at the bill of rights and see if it says television anywhere in there," he said.

More central to the campaign is the issue of how each candidate views the role of sheriff. Since taking the agency's reins, Williams, 41, has transformed the traditional role of jailer into that of top county cop. Some of the challengers say they, too, would concentrate on law enforcement. Others say they would refocus on the jails.

"An issue that seems to be surfacing a little bit deals with the concept of what the sheriff's office is and what it should do," Tarrant County Republican Party Chairman Steve Hollern said.

But Hollern, who has endorsed Williams, said the race will turn on whether voters believe the incumbent has done his job well.

Williams has been passing out a three-page list of supporters, including U.S. Rep. Joe Barton, R-Ennis, numerous statewide officials and the mayors of Colleyville, Benbrook, Southlake and Haltom City.

Evelyn Parmer, Tarrant County Democratic chairwoman, said she is optimistic because the race attracted a large number of qualified Democratic candidates.

"It told me that people out there in the know think either Williams is vulnerable or should be vulnerable," she said.

As part of his crime-fighting effort, Williams added drug-sniffing dogs, surplus military helicopters and a SWAT team to the department. He also bolstered efforts to serve outstanding arrest warrants for fugitives, slashing a backlog of 40,000 to 17,000, he said.

Two challengers — Allison, 49, and McLendon, 41 — stand more or less in Williams' camp when it comes to their philosophy toward the agency. Minter, 50, said his first priorities would be staffing the

jails and serving warrants. Maddock, 50, said she would proudly wear the badge of "keeper of the keys."

"I think the Sheriff's Department's responsibility is far more than just maintaining the jail," Allison said. "We do have an obligation to the citizens out here."

McLendon said he would use the office to promote countywide law enforcement efforts, attempting to link local agencies' radio and patrol car computer systems for better crime-fighting efforts. He also advocates a number of "community policing" initiatives, such as youth activities, a citizens' sheriff's academy and a system of checking on senior citizens.

"I see the role of the sheriff being that of a facilitator and that of a

coordinator to establish some true countywide law enforcement efforts," McLendon said.

All of Williams' opponents say his emphasis on crime-fighting has taken a toll on the jails, where they say the inmate-jailer ratio far exceeds the state-mandated 48-1. Williams said he was not sure what the current inmate-to-jailer figure is, but disputed his challengers' contention that jailers' lives are endangered.

"If you didn't have people in helicopters and running out on SWAT teams you could put some of these people in the jails," Minter said.

All of the challengers said they would restore the 48-1 ratio, which Williams said the jails attained for the first time during the summer

before he reassigned some jailers to the warrants division and other areas of the department.

The helicopter program, which is financed with drug forfeiture money, would not fare well under most of the challengers. McLendon, Minter and Maddock said they would scrap it. Allison questioned the need for it, but said he would need to study the cost and effectiveness before making a decision.

All of the candidates had a slightly different take on Williams' newly adopted policy concerning elective medical treatment, which was prompted by an inmate seeking an abortion. The policy prohibits jail personnel from transporting inmates for medical care, except in life-threatening situations.

If a judge were to order jail personnel to transport an inmate for an abortion, Williams said he would consult a legal expert to determine such an order were "lawful."

McLendon agreed with the policy, but criticized Williams for not fulfilling a court order to transport the inmate. A judge later withdrew

the order and allowed the inmate to be furloughed for the procedure, which she eventually decided not to undergo.

Allison said he would have sought a legal opinion on the issue. Maddock said she would be required under the law to transport any patient who requested an abortion.

Friday, January 19, 1996

## Sheriff nabs top spot on GOP ballot

**Sue Maddock says her name should appear first because the incumbent, David Williams, drew when her name was called.**

BY LAURA VOZZELLA  
Fort Worth Star-Telegram

FORT WORTH — Sheriff David Williams had more than luck on his side when he drew the top spot in the sheriff's race on the GOP primary ballot this week, an aide to challenger Sue Maddock says.

He also had sensible shoes.

Aide Karen Dyson was in high heels and, she says, was quickly outrun by Williams when it was her turn to draw Maddock's ballot position at a meeting of Tarrant County Republicans on Tuesday night.

Following alphabetical order, County GOP Chairman Steve Hollern called Maddock's name first to pick one of two numbered pingpong balls from a plastic hat. Maddock, a sheriff's lieutenant, is Williams' only challenger in the March 12 Republican primary.

"I raised my hand and I started down the stairs," said Dyson, who filled in because Maddock was at work. "I got maybe one-third of the way down and David bolted by me."

Williams drew pingpong ball No. 1, earning a ballot position that many candidates consider at least mildly advantageous.

Dyson filed a letter of complaint yesterday with County Elections Administrator Robert Parten, Texas GOP Chairman Tom Pauken and Attorney General Dan Morales.

Williams said he drew first because Maddock was not present, which, he said, is standard procedure.

"I figured if she wanted to draw herself, she would have been there," he said.

But Hollern, who held the hat and has endorsed Williams, acknowledged that his policy was to allow stand-ins to draw when their candidates' names were called. He said Dyson lost her turn simply because she did not make herself known in the bustling Fort Worth school board chambers.

"I frankly don't remember that anyone stepped up for Sue," Hollern said. Maddock acknowledged that, statistically, her aide would still have had a 50-50 chance of drawing No. 2, had she gone first. But she says her name ought to appear above Williams' on the ballot because "technically, he was grabbing for me."

# Inmate abortions blocked

## Sheriff's rule targets elective procedures

BY GABRIELLE CRIST  
Fort Worth Star-Telegram

FORT WORTH — The Tarrant County Sheriff's Department issued a new policy yesterday prohibiting its personnel from transporting inmates except in life-threatening situations, in effect prohibiting inmates from having elective abortions.

Experts on both sides of the abortion issue questioned whether the policy violates a woman's right to seek an abortion.

"The government probably doesn't have the right to stop a person from getting medical attention," said Kelly Shackelford, an attorney at the Dallas office of the Rutherford Institute, which provides legal assistance on anti-abortion issues.

The new policy adheres with the code of criminal procedure, said Tarrant County Sheriff's Commander James Skidmore.

The new policy was established just one day after a Tarrant County Jail inmate returned to jail after being released so she could decide if she wanted an abortion. Kristie Ann Brown, 29, had requested that jail personnel take her to get an abortion, but Tarrant County Sheriff David Williams declined.

State District Judge Don Leonard avoided a ruling on the issue by releasing the woman on bail, a move that was recommended by Williams' and Brown's attorneys. When he told Brown she could leave jail, he said it was to give her time to think about what she wanted to do.

## Woman found hanged in Tarrant jail

BY KATHY SANDERS  
Fort Worth Star-Telegram

FORT WORTH — A Fort Worth woman arrested Wednesday night after a fight with her boyfriend was found hanged with a telephone cord in a holding cell at the Tarrant County Jail early yesterday morning, officials said.

Jennifer Merriman, 36, was pronounced dead at John Peter Smith Hospital at 5:58 a.m., just hours after she was treated there for injuries she suffered in the fight, officials said.

Her death has been provisionally ruled a suicide, pending toxicology tests, according to the Tarrant County Medical Examiner's Office.

Commander James Skidmore, spokesman for the Tarrant County Sheriff's Department, said in a statement that Merriman was found about 5:15 a.m. "slumped against a holding cell wall with an Inmate Collect Call Phone cord looped around her neck."

The statement said she was found during "a routine safety and security check," but it was not clear when she was last checked or whether she had been considered a suicide risk. Skidmore did not return calls seeking further comment.

Relatives have hired an attorney and may have a second autopsy performed, said Merriman's sister-in-law, Sandra Merriman.

"I don't think she would kill herself," Merriman said. "She's never attempted suicide. She was real high-strung but not suicidal."

She said her sister-in-law had been taking Prozac and may have been drinking, which could have influenced her mood.

"Her boyfriend had told them to watch her and they said they would," she said. "But we don't believe she killed herself and how she would have obtained a telephone cord. We have a lot of questions."

Fort Worth Police spokesman Lt. Mark Krey said Fort Worth police were called to a home in the 4400 block of Longmeadow Way in south Fort Worth shortly before 9 p.m. Wednesday regarding a fight.

Merriman told police that she and her boyfriend, Carl Wayne Edmondson, 38, were drinking wine in their home when he suggested they participate in three-way sex and she vehemently disagreed, a police report said.

Edmondson told police the fight began when she wanted to earn money by stripping and he told her she couldn't, the report said.

However the fight started, Edmondson was cut on the hand by a pocket knife and Merriman was hit in the eye and head, the report said.

"It should be noted that [Merriman and Edmondson] were extremely intoxicated," the report said. Merriman, under the name Jennifer Merriman Ehlinger, was arrested on suspicion of aggravated assault with a deadly weapon. Edmondson was arrested on suspicion of assault bodily injury/family violence. Both were taken to jail after their injuries were treated at the hospital, the reports said.

Officials said Merriman was turned over to sheriff's deputies at 12:23 a.m. and was booked into jail, according to records, at about 3:30 a.m. She was placed in a holding cell

with other women, but soon became confrontational and violent with them, officials said.

At 4:15 a.m., she was put in a holding cell by herself and at 5:13 a.m., deputies found her unconscious, sources said.

Skidmore said jail personnel administered cardiopulmonary resuscitation until a MedStar ambulance arrived at 5:20 a.m. Merriman was taken to the hospital 15 minutes later.

# Attorney calls sheriff's statement slanderous

## Lawyer for pregnant inmate fires back

Fort Worth Star-Telegram

FORT WORTH — Attorney B.C. Cornish objected yesterday to a statement by Tarrant County Sheriff David Williams that described her as "a pro-abortionist" who "is associated with several militant political organizations."

Williams, a Republican allied with abortion opponents, made the comments in a prepared statement about a pregnant county jail inmate represented by Cornish. On Thursday, a judge ordered the prisoner released on bail after the sheriff declined to allow guards to

transport her to an abortion clinic.

Cornish said yesterday that she supports a woman's right to an abortion. But she said Williams' statement that she is associated with "militant" groups is "really off the wall."

"He has slandered me, and I want it clear that his unwarranted attack on me was false," Cornish said. "The most radical political thing I've done in five years is to agree to vote in the Republican primary."

Cornish said she once escorted



B.C. Cornish: Sheriff's statement linked her to militant groups

women through picket lines at a west Fort Worth abortion clinic, but she added, "I don't call that militant. If that's militant, the sheriff is, too."



Sheriff David Williams: Opposed release of prisoner for abortion

"It's the word *militant* that's so troublesome to me," she said. "In this day and age, that implies gun-toting molls or people who explode fertilizer, and that's wrong."

Dear Fellow Senior Citizen,

I am writing to ask for your support of my son, Lon Burnam, in his campaign for State Representative in District 90.

A little over thirty years ago, when Lon was in 5<sup>th</sup> grade, he asked his dad to take him to hear Jim Wright speak. He was very impressed by Congressman Wright. He became a role model for Lon and inspired him to become politically involved. Lon has wanted to help people by working in public life ever since that night.

Lon started helping in campaigns for democratic candidates while he was still in elementary school. He

handed out bumper stickers for L.B.J. when he was in the 6<sup>th</sup> grade. He has worked for the Democrats in every election since then. Lon will always be a Democrat!

Lon worked with two different legislators during his college years, including the late Honorable Chris Miller. Lon is knowledgeable of the legislative process in Austin, and is familiar with state agencies. In fact, Lon worked at the Dept. of Human Services, helping seniors with Medicaid benefits, visiting nurses and adult care.

Lon has earned a Bachelor of Arts degree with honors from the University of Texas in Austin, and a master's degree in urban planning from U.T. A. in Arlington. Even though his education would



qualify him for employment opportunities with more economic benefits, he has always chosen to work where he believed he could be of more help to the people of Fort Worth. He has always put the needs of others before his own well being.

Lon also works long hours as a volunteer to help social causes. One of his accomplishments was working with a group of parents, teachers and other local residents to rebuild and relandscape a neighborhood park.

Lon and his wife have lived in District 90 for the 16 years they have been married. They live in an older house they have worked together to restore.

Your support of my son,

4  
Lon Burnam, in his campaign  
for State Representative for  
District 90 would be greatly  
appreciated. If you have  
questions concerning Lon or  
the election, please call me  
at 877-5577, the campaign  
office. I will be happy to  
hear from you.

Sincerely,  
Alma Burnam

February 17, 1996

Dear Mrs. Burnam:

This will acknowledge receipt of your letter soliciting my vote for your son in his race for State Representative for District 90.

May I preface my remarks by stating I am a 68-year old Peace Officer, having retired in January, 1995, from the Tarrant County Sheriff's Department, where I was honored by being chosen "Deputy of the Year of the Confinement Division" in 1993.

Like Lon, I also have tried to assist deserving individuals all my life; and, in law enforcement, I got more than a "bird's eye" view of people needing help.

Being born a child of the Depression, I can readily attest to the struggles stemming from that era.

Although my father was a disabled veteran from World War I, drawing only a \$50 monthly disability compensation, he managed through odd jobs to provide the necessities essential toward maintaining a home for his wife and family.

However, let me state, we were no different from a vast number of others whose lives and future held little promise in a war-torn world except when a compassionate government was controlled by Democrats.

Yes, I am a proud Democrat.....and, a staunch supporter of the principles of a platform that, in my eyes, has never diverted from the fundamental direction of attempting to help the less fortunates against a dreadful wave of political indifference which prevails throughout this country.

Now in failing health and on fixed income, I have little to offer in the political arena except that which I believe counts the most-my vote.

Lon Burnam epitomizes those virtues under which I was raised, and thereby placing an unbridled faith in his efforts to fully represent ALL his constituents, you will be happy to learn I have, this date, cast my ballot by mail for your son.

Sincerely,

FLOYD F. CLARK  
1116 CAMERON  
FORT WORTH, TEXAS 76115-4309

**Thank You! Thank You! Thank You!**

Mr. Clark,

It sounds like you and Lon's father have very similar backgrounds. We all come from a time when we appreciated a caring government.

Thank you for your \$25 contribution. Most of Lon's supporters have limited incomes and Lon really appreciates every donation.

Alma Burnam



