

# Defendant suffered epileptic seizure during attack, expert says

By MELODY McDONALD  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — A neuropsychologist testified Wednesday that Alphonso Nickerson suffers from a rare form of epilepsy and was having a



NICKERSON

seizure — an electrical storm in his brain — when he sexually assaulted a 64-year-old retired nurse who suffocated under the weight of his body.

Defense expert Clifford Hopewell based his opinion, in part, on a videotape that he viewed of a naked Nickerson masturbating and rambling obscenities for hours inside the Tarrant County Jail on Jan. 8,

**TRIAL** Defense experts testify that Nickerson was in the midst of a psychotic episode when he sexually assaulted a retired nurse and killed her.

1999 — nearly two years after his arrest in the death of Maxine Nash.

Hopewell testified that he believes that Nickerson has an organic brain defect and was having a psychotic episode, similar to the one depicted in the jail tape, when police officers burst into Nash's home on June 4, 1997, and found the naked, 6-foot-6, 300-pound man sexually assaulting her, repeating an obscene phrase over and over.

After officers pulled Nickerson off Nash, they found her crumpled in a chair, dead.

Nickerson is on trial this

week in state district Judge James Wilson's court, accused of raping and killing Nash, a mother of five and grandmother of 12.

In 1999, Nickerson was sentenced to life in prison for murder and 99 years for aggravated sexual assault for the crimes, but an appeals court later threw out those convictions and ordered a new trial.

The appeals court ruled that the state failed to disclose in a timely manner the tape of Nickerson's aberrant behavior in the county jail. The defense maintained that had their psychiatrists seen the tape earlier, they might have employed an insanity defense and the outcome might have been different.

Defense attorneys Ray Waddell and Leslie Johns are arguing that Nickerson is not guilty by reason of insanity.

To successfully argue an insanity plea in Texas, defense attorneys must prove that the defendant had a severe mental disease or defect at the time of the incident and did not know that his conduct was wrong.

On Wednesday, Hopewell testified that Nickerson, whose father had schizophrenia, has a severe mental defect and believes that he did not know his conduct during that psychotic episode in jail was wrong. The doctor stopped short, however, of saying that Nickerson did not know right from wrong on the day Nash was sexually assaulted and smothered.

Another psychiatrist, Dr. Allen Childs, however, told jurors that he believed that Nickerson was in a state of "catatonic excitement" — repeating the same things over

and over, oblivious to his surroundings and out of touch with reality — during the episodes in jail and at Nash's home. When he is in that state, Childs said, Nickerson does not know that his conduct is wrong.

"I wasn't there, and there are no tapes to say when the episode started, but we have no indication that any of his behavior in that house was sane," Childs said.

During their cross-examination of the doctors, prosecutors Lisa Callaghan and James Cook suggested that much of the behavior Nickerson displayed in jail was an organized plan by the defendant, a former jailer who knows how to get what he wants.

For example, they said, three days before the incident, Nickerson had asked to be moved to

a medical floor, a nicer, quieter area. When his request was denied, he commented that he knew of a way to get what he wanted.

On the day of the "episode," he caused the toilets in his cell to overflow, and began masturbating and rambling in his cell until he was pepper-sprayed. Afterward, he began rolling around in the water on the floor, possibly in an attempt to wash off the pepper spray he knew was coming, they suggested.

The state suggested that there were several other things that Nickerson had done, including faking injuries and complaining about other inmates, to manipulate the system and make his stay in jail more comfortable.

Testimony is expected to resume at 9 a.m.

# Woman testifies murder defendant tried to rape her

By MELODY McDONALD  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — A longtime friend of Alphonso Nickerson Jr. testified Thursday that it was only by the "grace of God" that she was not a victim, too.

The woman told jurors that Nickerson tried to rape her just 10 hours before police officers burst into a Fort Worth home and discovered Nickerson babbling obscenities and

**TRIAL** The defense rested its case Thursday in the murder trial of Alphonso Nickerson, and prosecutors began calling rebuttal witnesses.

sexually assaulting retired nurse Maxine Nash, who suffocated under his weight.

After Nickerson did not respond to orders to stop, it took several officers to pull the 6-foot-6, 300-pound man off

the dead woman, officials said.

Prosecutors called the friend, who is not being identified, to the stand Thursday to try to show that Nickerson, 52, is not insane but is an angry rapist who knew that his conduct on June 4, 1997, was wrong.

Defense attorneys Ray Waddell and Leslie Johns are arguing that Nash is not guilty by reason of insanity, meaning that Nickerson had a mental



NASH



NICKERSON

disease or defect and, at the time of the crime, did not know his conduct was wrong.

The defense rested its case Thursday after calling Kelly Goodness, a psychologist who testified that she believes Nickerson was insane when Nash was assaulted.

Like two defense experts before her, Goodness based her opinion, in part, on a Tarrant County Jail videotape showing Nickerson masturbating, rambling, rolling around and licking the floor of his cell on Jan. 8, 1999.

Goodness testified that she believes that Nickerson has an organic brain defect and was in a state of catatonic excitement — seizurelike activity and psychosis — on the jail tape and during the assault on Nash.

After Nickerson comes out of a psychotic episode, he does not remember his behavior and does not realize that what he is doing is wrong, Goodness said.

Prosecutors Lisa Callaghan and James Cook attempted to counter the testimony by presenting evidence about the hours before the assault on Nash.

Jurors heard that on June 3, 1997, Nickerson was arrested and a restraining order was issued after he beat his wife. A former girlfriend testified that Nickerson called about midnight, saying he had no place to go. She told him he could not come over.

Sometime afterward, a longtime friend testified, Nickerson appeared at her apartment door, knocking and yelling her name. He told her about the argument with his wife, although his stories changed as he talked, she testified. After she rejected his sexual advances, he threatened to rape her and she ordered him to leave.

As she turned to go inside the apartment, Nickerson grabbed her in a choke-hold and covered her mouth to stifle her screams, she testified.

He dragged her to the bedroom, threw her on the bed and began pulling off her clothes.

"I was begging him," she said. "I said, 'Please, please don't do this' ... All of a sudden, he just got up and said, 'I've got to go.' By the grace of God, he stopped."

When prosecutor Callaghan asked how she felt when she learned that Maxine Nash died several hours later, she replied: "Totally in disbelief, shock. I almost fainted."

The trial will resume at 9 a.m. Monday in state district Judge James Wilson's court.

# Jurors reject insanity defense

**TRIAL** Jurors deliberate about 3 1/2 hours before finding a former Tarrant County jailer guilty of raping and killing a 64-year-old retired nurse.

By **MELODY McDONALD**  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — It was a different trial and a different panel of jurors, but the verdict for 52-year-old Alphonso Nickerson Jr. was the same as before: guilty of murder and aggravated sexual assault.

A jury of nine men and three women deliberated about 3 1/2 hours Monday before rejecting the former Tarrant County jailer's insanity defense and convicting him of raping and killing 64-year-old Maxine Nash, a retired nurse who suffocated under his weight.

It was the second time in five years — almost to the day — that Nickerson was convicted in the death of Nash, a deeply religious person who left behind five children and 12 grandchildren. In March 1999, another panel reached the same verdict and sentenced Nickerson to life in prison for murder and 99 years for aggravated sexual assault — convictions that later were overturned by an appeals court, which ordered the new trial.

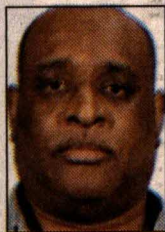
State District Judge James Wilson is expected to sentence Nickerson within the next two weeks.

For Nash's children, the verdict brought relief and tears. Still, their anger at Nickerson for taking their mother away and for having to go through another trial is fresh.



NASH

"We got you, you sap-sucking [string of expletives]," Jeannette Nash



NICKERSON

on TRIAL on 4B

said, repeating the same obscene phrase Nickerson was heard saying when officers caught him raping her mother. "He wasn't crazy when he did it, and maybe he is crazy now after killing someone, but he got what was coming to him. I'm [angry] that he made us go through this a second time, knowing what he did was wrong."

According to testimony, when officers burst into Nash's Fort Worth home on June 4, 1997, they found a partially nude Nickerson rambling obscenities and sexually assaulting Nash. When Nickerson, 6-foot-6 and 300 pounds, ignored officers' demands to stop, they pulled him off. Nash was dead.

On Jan. 8, 1999, the Tarrant County Sheriff's Department videotaped a naked Nickerson masturbating and rambling obscenities, rolling around and licking his wet jail cell floor. Deputies ordered him to stop and repeatedly sprayed him with pepper spray.

Two months later, Nickerson was tried and convicted and sent to prison. An appeals court later overturned those convictions and ordered a new trial, saying the state was not timely in giving defense attorneys the tape showing Nickerson's behavior in jail.

That tape was a focal point in Nickerson's retrial. Defense attorneys Ray Waddell and Leslie Johns argued that the behavior proved that Nickerson was not guilty by reason of insanity. To successfully argue an insanity plea in Texas, the defense must prove that at the time of the offense, the defendant had a severe mental illness or defect and didn't know his conduct was wrong.

During the weeklong trial, two defense experts — psychiatrist Allen Childs and psychologist Kelly Goodness — testified that the tape depicted Nickerson

in a state of "catatonic excitement," marked by seizure-like behavior and psychosis. They testified that the tape was indicative of his behavior during the assault on Nash and that, in their opinion, he was legally insane at the time.

Prosecutors Lisa Callaghan and James Cook, meanwhile, did not dispute that Nickerson was mentally ill but maintained

that he is a violent sex offender, a predator who knew at the time of Nash's assault that rape and murder is wrong.

Their expert witness, psychologist Tim Proctor, testified that Nickerson suffers from bipolar disorder in addition to anti-social and paranoid personality disorders. In his opinion, Nickerson was not insane and knew his assault on Nash was wrong.

Proctor pointed to an incident 10 hours before Nash's death in which Nickerson went to a longtime friend's house and attempted to rape her, but stopped and left, realizing that his conduct was wrong.

After the trial, Johns acknowledged that it's tough in Texas to win an insanity case.

"People need to get better educated about mental illness," Johns said. "No matter what kind of experts you bring, people still have doubts, they still think it's a ploy. We had the best experts who deal with the criminal mind and they didn't believe them."

Jury foreman John Nichols, 32, said that when deliberations began, the majority were convinced that Nickerson was not insane. However, they methodically went over the law and the evidence until the entire group was completely comfortable with the verdict.

Afterward, Nichols said he was surprised to hear that Nickerson's initial convictions had been thrown out and that they reached the same verdict as the first set of jurors.

"It gave me faith in the system," Nichols said.

For prosecutor Callaghan, who teared up after judge announced the verdict, the pressure of the trial had been immense.

"I have been convinced, since the first time I laid eyes on the case, that if he ever got out, he would kill again," Callaghan said. "He has a taste for killing now, and that's a big burden — to realize that someone will die if you don't do your job."

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# DA drops case against fired jailers

By DEANNA BOYD  
and MELODY McDONALD  
STAR-TELEGRAM STAFF WRITERS

FORT WORTH — Charges have been dismissed against two former Tarrant County jailers accused of sneaking drugs to an inmate in exchange for money.

Ollie King, 31, and Joey Janice Jr., 23, had faced third-degree felony charges of bringing a prohibited substance into a correctional facility. The charges were dismissed March 18, court records show.

King and Janice were arrested Oct. 8,

## CHARGES

The Tarrant County jailers will not be prosecuted after being arrested in front of their colleagues and accused of sneaking drugs in to an inmate.

2002, after sheriff's officials accused them of trying to deliver a little more than 5 grams of marijuana to an inmate after accepting money from a visitor.

Sheriff Dee Anderson has said that the transaction was a sting operation by sheriff's officials and that an undercover officer from another police agency witnessed the episode.

Anderson, who has been out of town for two weeks, said Tuesday that he was unaware the charges had been dropped and called the turn of events "disappointing."

"I think we have to take a stance where we send the strongest message possible in those circumstances," Anderson said.

Anderson said he plans to discuss the matter with Tarrant County District Attorney Tim Curry.

"There was no doubt that it happened, because we caught one of the

More on CHARGES on 9B

## CHARGES

Continued from 1B

gentlemen red-handed bringing it into the jail," Anderson said. "I don't understand why that couldn't be prosecuted. We'll visit the DA and try to get some explanation."

Assistant District Attorney James Cook said the Sheriff's Department conducted an extensive investigation but that "at this point, we felt this was the best course of action."

"We just determined not to pursue any further prosecution," Cook said. "I don't anticipate that the charges will be refiled."

He declined to elaborate.

Mike Ware, who was defending Janice with Leonard Schilling, said he reviewed the case carefully and considered it weak.

"I can't speculate as to why they dismissed the case, but, evidently, they came to the same conclusion I did. I'm glad for Joey. He is really a good kid, and I'm glad this



JANICE



KING

chapter in his life has come to a close."

Steve Gordon, King's attorney, said his client was excited that the case had been dropped.

"I think they investigated the case as best they can and decided it was the better option," Gordon said.

Before their arrests, King had worked as a jailer for more than four years and Janice for two years. Both men were fired.

Gordon said that since King was fired, he has been working odd jobs unrelated to law enforcement.

"Certainly this opens up more avenues for him," Gordon said.

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## Obituaries

Published in the Fort Worth Star-Telegram 3/31/04

Walterine Jackson "Wally" Walker

1941 - 2004

Walterine "Wally" Jackson Walker, 63, a beloved mother and grandmother, passed away on Sunday, March 28, 2004, at a Fort Worth hospital.

Memorial Service: 1 p.m. Friday in Guardian Funeral Chapel in Fort Worth.

Memorials: Northeast Dialysis Center, 4121 Denton Highway, Haltom City, Texas 76117

She was born March 26, 1941. She retired from the Tarrant County Sheriff's Office.

Survivors: daughter, Stacy Michelle Walker Loerwald; grandchildren, Samantha Page Grable of Watauga, Garth Warren Grant Grable of Watauga, Michael Gurrso of New York, Ryan Michael Loerwald of Bedford and Alisha Jordan Allen of Watauga; brother, Olin Ray Sanders and wife; brother, Leslie Warren "Shorty" Long Jr.; and sister, Marla Sue Long.

# Sheriff upset jailers not prosecuted

**DISMISSAL** He says the decision by the district attorney's office to drop charges of smuggling drugs into the jail could hurt the morale of other employees.

By DEANNA BOYD  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — Tarrant County Sheriff Dee Anderson fired off a strongly worded letter to District Attorney Tim Curry on Wednesday, requesting an investigation into why his office dropped charges against two former jailers accused of smuggling drugs to inmates.

"As Sheriff, I field a number of complaints from citizens who are complaining about the lack of aggressive prosecution by your office," Anderson wrote in the letter, a copy of which was obtained by the *Star-Telegram*.

"I always vigorously defend your actions and decisions.

Today, I feel like one of those citizens, and must admit the next call I get I will find it a little more difficult to maintain my position."

Ollie King, 31, and Joey Janice Jr., 23, had faced third-degree felony charges of bringing a prohibited substance into a correctional facility.

The two jailers were arrested Oct. 8, 2002, accused of trying to deliver a little more than 5 grams of marijuana to an inmate after accepting money from a visitor. The transaction was a sting operation by sheriff's officials, Anderson has said.

The charges against Janice and King, who were subsequently fired, were dismissed March 18.

Assistant District Attorney James Cook said Tuesday that although the Sheriff's Department conducted an extensive investigation, his office decided not to prosecute.

"At this point, we felt this was the best course of action," Cook said, declining to elaborate.

Anderson confirmed that he wrote the letter obtained by the newspaper.

He said Alan Levy, chief of the district attorney's criminal division, called him to explain the decision to drop the charges after the letter was hand-delivered to Curry.

"I wasn't completely satisfied with the explanation that I got," Anderson said. "I didn't necessarily agree with their analysis of the case, that it wasn't worthy of sending to a jury."

Anderson declined to disclose Levy's explanation.

"They promised to revisit it and look at refileing some type of case, maybe not the same kind of case," Anderson said.

Levy and Curry did not return phone calls seeking comment. David Montague, spokesman for the district attorney's office, said he did not know enough about the incident to comment.

In his letter, Anderson said he believed the case against Janice and King was a "slam dunk."

Anderson stated that an undercover officer from an outside agency saw the money exchange hands, found the money on the two jailers and caught one suspect "red-handed" taking the drugs into an elevator to go upstairs for delivery.

"On top of that we had a confession on the spot from one suspect who admitted knowing he was breaking the law by bringing anything into the facility," Anderson wrote.

Anderson said the prosecutors' decision not to take the case before a jury is a disservice to the county and stained the hard-working, honest employees of the Sheriff's Department.

Anderson said he plans to have the letter read aloud to jailers during jail briefings.

"I do feel like our morale is going to suffer," Anderson said. "We've got a lot of people over there that work hard every day, honest people. To have people engage in this dishonest behavior and not be punished for it is disheartening, to say the least."

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# County officials say food at jail now passes taste test



SPECIAL TO THE STAR-TELEGRAM/JESSICA KOURKOUNIS

The Tarrant County Jail's food-service contract is back in the hands of Mid-States Services, which took over operations in March after months of problems with Aramark.

**JAIL** Inmates are getting their appetites back as a former contractor returns to the Tarrant County Jail kitchen.

By **AMIE STREATER**  
STAR-TELEGRAM STAFF WRITER

At the Tarrant County Jail, a meal's worth of cheese enchiladas arrives on a forklift.

Feeding an average of 3,800 inmates three hot meals a day takes a lot of food, and frozen enchiladas are pretty heavy.

Hence the forklift, and cooking vats the size of a Ford Festiva.

County officials say those vats are now filled with appetizing food, after the Commissioners Court gave the jail food contract back to Hurst-based Mid-States Services last month.

Only inmates assigned to cleanup duty witness all the work that goes on in the jail kitchen, and the precise timing and coordi-

nation required to deliver all those meals on time.

But when things don't go right, the rest of the jail population takes notice.

When Mid-States was outbid for the contract late last year, Tarrant County officials say things went south pretty quickly.

"It didn't work out too well," said Jack Beacham, the county's purchasing director.

Under Philadelphia-based Aramark, there were food shortages, spoiled food and odd combinations of items served together, like peanut butter and jelly sandwiches served with coleslaw.

Beacham once found 17 pans of rancid pinto beans at the jail's Green Bay facility. The smell was so bad it clung to his suit.

"I didn't think I would ever eat beans again," he said Monday as he and other county workers sampled the food in the kitchen of the main jail downtown.

Beacham did have beans again, as well as beef pot pie, rice, orange wedges and a biscuit as officials showed off the new staff and the old contractor again running the jail kitchen.

The food was as good as what might be found in any public school cafeteria.

"We're not here to make inmates happy, but we are here to keep the staff safe," said Terry Grisham, executive administrator of the Tarrant County Sheriff's Department.

Mid-States is feeding inmates at a cost of about \$1.04 a meal, so fine dining this isn't.

But that cost adds up to about \$3.6 million a year, and county officials want to make sure taxpayers are getting their money's worth.

The food also has to be palatable enough to keep inmates from rioting, and they were on the verge of doing just

that after weeks of meals with Aramark, Sheriff Dee Anderson has said.

Even with Aramark gone, inmates, of course, are still complaining.

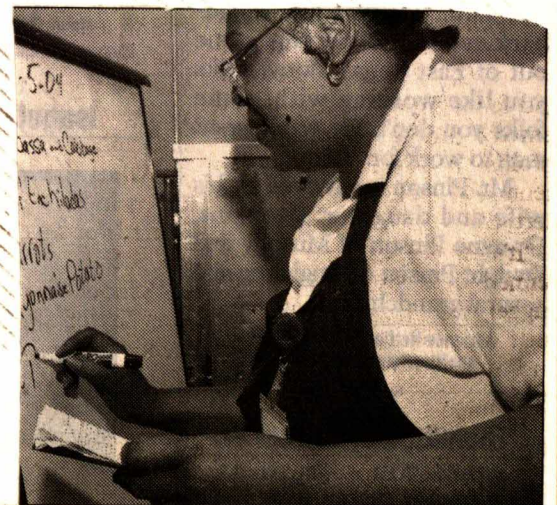
"It's cheap food," said inmate Greg Sherrill, 26.

But Anderson and Grisham say most inmates are happy that Mid-States is back in the kitchen.

"The quality of food is better, no doubt, and the variety is better," said inmate Don Moore, 46. "County employees are down here all the time trying the food. They are trying to make a difference."

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Tuesday, April 6, 2004



SPECIAL TO THE STAR-TELEGRAM/JESSICA KOURKOUNIS

Mid-States employee Brenda Walker, who supervises the Officer's Dining Room, writes out the day's menu. Inmates say the jail now offers a better variety of foods.

## Former jailer gets two life sentences

A former Tarrant County jailer is sentenced to two life sentences for raping and killing a retired nurse who suffocated under the weight of his 6-foot-6, 300-pound body. Alphonso Nickerson Jr., 52, towering above his attorney Leslie Johns, stood stoically when state District Judge James Wilson sentenced him to life in prison for murder and life for aggravated sexual assault.

Star-Telegram | Tuesday, April 6, 2004

# Defendant gets two life terms

By **MELODY McDONALD**  
STAR-TELEGRAM STAFF WRITER

**FORT WORTH** — A former Tarrant County jailer was sentenced on Monday to two life sentences for raping and killing a retired nurse who suffocated under the weight of his 6-foot-6, 300-pound body.

Alphonso Nickerson Jr., 52, towering above his attorney Leslie Johns, stood stoically when state District Judge James Wilson sentenced him to life in prison for murder and life for aggravated sexual assault.

The sentences will run concurrently.

Last week, jurors rejected defense attorneys' argument that Nickerson was insane when he raped and suffocated 67-year-old Maxine Nash, and they found him guilty of both crimes.

The sentences were essentially the same punishment he received at a March 1999 trial when jurors gave him 99 years for aggravated sexual assault and life for murder.

Those convictions, however, were overturned by an appeals court, which ordered the new trial.

Prosecutors Lisa Callaghan and James Cook did not dispute

### PUNISHMENT

Alphonso Nickerson Jr. is headed back to prison for raping and killing a retired nurse almost seven years ago.



NICKERSON



NASH

that Nickerson was mentally ill, but contended that he is a violent sex offender who knew that rape and murder was wrong at the time of the offense.

After the sentencing Monday, attorneys from both sides, as well as Nash's loved ones, said they were not surprised by the judge's punishment.

"We expected that," defense attorney Johns said. "We're going to appeal."

Nash's daughter, Jeannette Nash, said that she was "silently satisfied" with the two life sentences.

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# Accidental gunshot in courtroom leads to internal affairs query

By ALEX BRANCH  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — A gunshot rang out in a Tarrant County courtroom Wednesday morning when a handgun being inspected by a sheriff's deputy discharged, a sheriff's official said.

The bullet harmlessly struck the carpet, Chief Deputy Mike Simonds said. Court was not yet in session, although some people were in the courtroom.

"It was just an accident," said Lt. R. Bannister, who supervises the department's 122 deputies who handle courthouse security.

The shot was fired about 9 a.m. in Judge Sherry Hill's fifth-floor criminal courtroom near the gun locker where bailiffs secure their guns, Bannister said.

Sheriff's Deputy André Mulinax, 37, was inspecting a gun at the request of Jackie Burns, a bailiff for the judge, Simonds said. For unknown reasons, the gun discharged.

"We're not exactly sure why she gave him the gun," Simonds said. "When we have something like this, we have an internal affairs investigation. That's part of our investigation."

**SHOOTING** A handgun fired into the carpet Wednesday while a sheriff's deputy was inspecting it in a Tarrant County courtroom.

A woman who answered the phone in Hill's office Wednesday afternoon said the judge had left for the day.

Craig Driskell, Mulinax's attorney with the Combined Law Enforcement Associations of Texas, said Mulinax is an 11-year veteran assigned to Judge James Wilson's courtroom.

Mulinax followed safety procedures while examining the gun, Driskell said. The weapon might have malfunctioned.

No one was injured and no court business was delayed, he said.

"It's unfortunate it occurred in a courtroom setting, but this is where bailiffs work," Driskell said. "I doubt you could show me one local police or sheriff's department where an accidental discharge has not happened."

Sheriff's officials said Mulinax will resume his normal duties during the investigation.

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## CORRECTIONS

■ Tarrant County pays 96 cents per meal for food served to jail inmates. The cost per meal was incorrect in an article on Tuesday about the jail food service.

## LETTERS, FAXES AND E-MAILS TO THE EDITOR

### Thanks, doctor

Many patients and the local medical community as a whole are noticeably poorer with the closing of the office of Dr. Richard L. Shepherd.

The doctor decided reluctantly that economic factors made it impossible for him to continue his practice in Fort Worth.

Shepherd is a skilled cardiovascular surgeon and a man whose ethics reached far beyond the oath he took in his chosen profession.

In 1996, Shepherd surgically opened a blockage in my right internal carotid artery, an operation that unquestionably extended my life.

I'd just like to say, "Thanks, Dr. Shepherd, with these few words that fall exceedingly short in voicing my deepest gratitude. You will be sorely missed."

Floyd F. Clark, Fort Worth

Thursday, April 15, 2004

## City, county clash on jail construction

**DISPUTE** Sheriff's officials say more cell doors are not needed and that they pose security risks.

By AMIE STREATER  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — Sheriff's officials planning new jail construction say city building codes require they add the one element that jailers seek to limit: access.

Architects designing the expansion of Tarrant County's Green Bay facility originally had only one exit for each of the four dormitory-style cell units, each of which houses 24 inmates.

Bob Riley, director of development for the city of Fort Worth, said the city follows the International Building Code, which requires more than one exit for cells containing 10 or more inmates.

"You have to provide two exits," Riley said. "That is so in case of a fire, you can get those folks out of there."

Sheriff Dee Anderson said, "That's understandable if you're building a restaurant, but if you're building a jail, there is a public interest in not adding any more doors."

Terry Grisham, executive administrator for the sheriff's department, said it was a matter of "common sense."

"More doors in a jail are more opportunities for mischief for people who have nothing but time on their hands to come up with ways to defeat the system that confines them," Grisham said.

"It's another thing to mess with," he said of the doors. "They're nothing but trouble."

Architects working on the jail design for the county have added an additional door to each cell unit on the plans in order to get a building permit, which county officials hope the city will approve in the next few days.

But Grisham said late Wednesday that he and Anderson had not reviewed those plans, and that they were not sure the design would be approved by the Texas Commission on Jail Standards.

There is no cost estimate for adding the additional doors. Sheriff's officials hope to break ground on the \$11 million expansion project in May. The expansion also will include 54 multiple-occupancy cells housing eight inmates each, county officials said.

"It's frustrating," Anderson said of the door requirement. "It's an extra cost to the taxpayers."

Anderson said he hopes the county will be able to get a variance to omit the extra doors before construction begins.

"If the proper appeal is made to the city, surely cooler heads will prevail," he said.

It may not be that easy.

The Texas Commission on Jail Standards requires compliance with local codes.

Brandon Wood, director of facility planning for the commis-

# DISPUTE

Continued

sion, said officials in Lubbock and Galveston counties have already had to make changes to their jail plans that are similar to the changes designers here have been asked to make.

"If the code requires them to put in an additional door or secondary exit, most of the time they accommodate those needs," Wood said.

But, he added, "Any door in a jail is a security issue."

Riley said corrections officers could keep the secondary doors locked except in emergencies. Riley offered a scenario where an inmate could stack mattresses against the main exit and set them on fire.

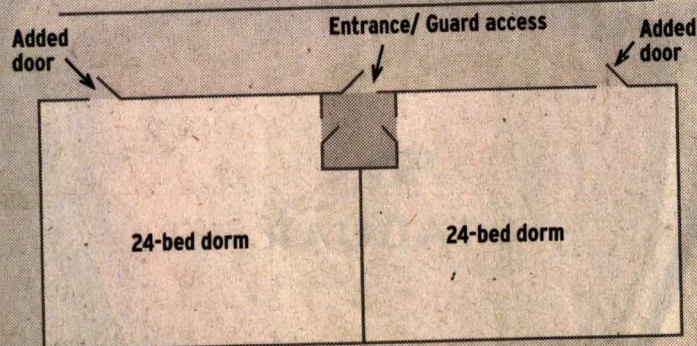
"Those two additional exits would allow a guard or someone to unlock the door and get those occupants out," Riley said.

"It's not like it's an open exit. Those other exits can stay locked down. If the main exit to the vestibule was ever blocked, they would still be able to get those prisoners out in a timely manner."

Grisham said Riley's scenario would never happen.

## Door dispute

The design of the Green Bay jail expansion calls for one exit per dorm. Fort Worth building codes require an additional door.



SOURCE: Tarrant County

STAR-TELEGRAM/DEWUAN X. DAVIS

"They have tried worse stuff than that," Grisham said of inmates. "We're going to get in if we want in."

"You have to understand the mentality of a pod. You can't get 24 people in jail or on the street, for that matter, to all agree on anything. If you've got two or four or 10 who want to start trouble, you have 10 more who don't and are going to fight them."

Grisham said all jail staff members are trained to fight

fires and a ventilation system in the jail would immediately pull the smoke from the cell and help extinguish the fire.

Even a fire within a cell would be quickly extinguished without inmates ever being removed, Grisham said.

David Phillips, the county's assistant director of facilities management, said he is trying to work with the city and the sheriff's department to get the project built.

"My philosophy is we work

with the city of Fort Worth to work through building code issues.

"This amounts to an interpretation of the building code and like any law, there are interpretations and we just have to work through it."

Phillips said officials constructing the main jail were originally told that all the doors would have to unlock whenever the fire alarms went off.

"That is not practical in a jail. There are 1,400 smoke detectors in that building and the fire alarm goes off on a daily basis. Those doors do not unlock."

"It took a while, but we worked through that issue," Phillips said.

"We will work with the city of Fort Worth any way we need to make everyone happy, most of all the sheriff; he is responsible for keeping the jail."

"He has a valid concern about those doors, no doubt. It's just how we go about handling it. We are not going to let those doors hold up this project."

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# Breezy riders

This dynamic law-enforcement duo double-DAREs ya to live life to the fullest, whether it's in the saddle or on the back of a Harley

By **ALYSON WARD**  
STAR-TELEGRAM STAFF WRITER

**T**hey say the average person changes careers at least three times. Which means Lt. Sue Maddock and Deputy Marvella Bailey are just about average — but only by U.S. Department of Labor standards.

Maddock, 58, and Bailey, 63, work together in the Tarrant County Sheriff's Office — partners, friends and kindred spirits. Their personalities couldn't be more distinct, but each has a maverick streak built up over life's many twists and turns.

Thelma and Louise, except with badges.

It didn't start out this way for either woman. In 1965, Maddock was a 20-year-old flight attendant, new to Texas and hoping to see the world. Bailey was 25, married to her high school sweetheart and working as a hairdresser in Kansas. Neither could have imagined the road ahead.

But nearly 40 years later, the women have woven together rich histories, full of change and upheaval and unexpected adventure. Both started out with vastly different plans. And both have second careers, almost double lives: Bailey's a horse trainer who gently turns wild animals into companions. And on weekends, Maddock zips across the state on a 700-pound Harley named Thunder Pumpkin.

How do any of us end up where we are? How much of our lives — and the direction they take — can we really control?

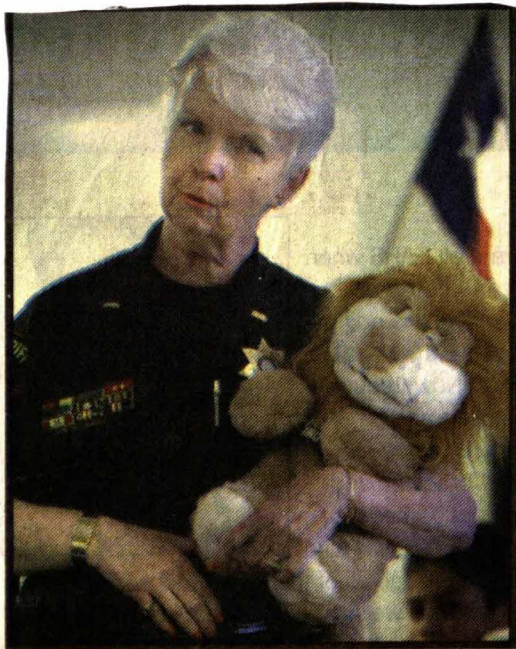
To Maddock, life is a motorcycle ride. She grabs the handlebars and tries to steer it exactly where she wants to go — engine roaring, full speed ahead.

For Bailey, life has been as unpredictable as a wild colt. She may have the reins in hand, but this horse has a mind of its own and she's just along for the ride.

## Today's lesson: assertiveness training

On a sunny Friday afternoon in northwest Tarrant County, Deputy Marvella Bailey has the full attention of about 20 fifth-graders at Elkins Elementary. In black uniform, her hair pulled back with a black ribbon, she looks imposing but kind; the severity of her appearance is tempered by an occasional smile. The students of Mrs. Sellers' class, their desks arranged in pods of four and six, gaze up at her.

Maddock and Bailey handle community relations for the sheriff's office. In addition to speaking to groups of all ages on topics ranging from identity theft to terrorism, the women teach DARE classes at nine elementary schools, most in the Eagle Mountain-Saginaw school district. The 10-week sessions teach preteens how to avoid the pitfalls of growing up, with a focus on the prevention of drug and alcohol abuse.



STAR-TELEGRAM/RODGER MALLISON

Lt. Sue Maddock is also a DARE officer. She ran for Tarrant County sheriff in 1996, the first woman to run for a countywide office.



Today's DARE lesson: assertiveness and handling disagreements constructively. Bailey finds a student sitting on crossed legs and demonstrates an assertive request: "I would like you to uncross your legs, please." A reasonable request in a reasonable tone.

Then Bailey offers a what-not-to-do demonstration; she leans down into the boy's face and yells at top volume: "I WANT YOU TO UNCROSS YOUR LEGS!"

The class jumps and giggles nervously. Two girls standing in the hallway snap to attention. Students on the other side of the room quickly uncross their own legs. Bailey is genial but intimidating — especially now — and the kids aren't quite convinced she won't take them into custody at any moment.

A second later, Bailey is back to her affable self, taking questions, jotting notes on the board.

"You are going to have disagreements all your life," she tells them. "The choices you make are going to affect the way your life turns out, whether that's a good thing or a bad thing."

A little boy with freckles and a blue T-shirt joins the gaggle of kids surrounding Bailey after class. He told his mom what Bailey said about smoking, he says — and she quit.

Later, Bailey says that almost every semester, students report that their parents have stopped drinking or smoking because their kids put pressure on them, armed with information they got from Bailey and Maddock.

"Sometimes [parents] say, 'We sat at the supper table and never got to say a word because [the kids] were teaching DARE to us,'" Bailey says.

If the 10-week DARE program makes a lasting impression, perhaps it's because the women themselves make an impression.

On a Tuesday morning at Gilliland Elementary, Mrs. Dietz turns her class over to Maddock. The first order of business? The question box. The kids can submit any question, anonymously. They can ask about peer pressure, fights with friends, problems with parents, but today's question is typical: "Have you ever used your gun?" Just once, Maddock says, but she has never shot anyone. The kids are fascinated by the seriousness of it all, the

cops-and-robbers intrigue, the uniform. Have you ever been shot? they often ask. Is your gun real, with real bullets in it? What's the scariest thing you've ever done as a police officer? Is this your favorite job?

### Deep-six the good-ol'-boy stuff

Maddock started her work life in another uniform, as a flight attendant. Twenty years old, she joined the now-defunct Braniff Airlines just as flight attendants were becoming showier. Braniff had done away with its demure, charcoal-gray uniforms and hired Emilio Pucci to design eye-popping pink outfits. Flight attendants — "stewardesses" then — wore go-go boots and zipped off removable parts of their uni-

"I have visitation rights to the horses. If I go there and the horses are not being treated correctly, I write them out a check for the amount they gave me, and [the horses] go back home with me."

— Deputy Marvella Bailey

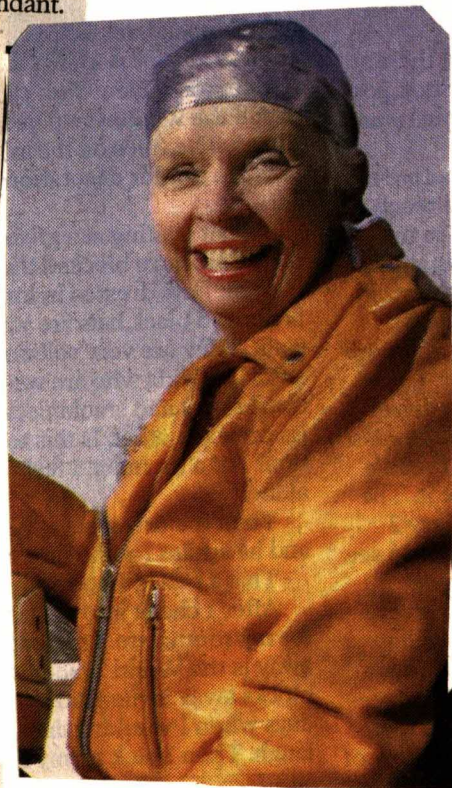
forms (suit to serving dress!) to enthusiastic passenger applause.

"We had a ball — you talk about a fun airline," says Maddock, who eagerly stands up to twirl when describing her airline-issued reversible coat.

You don't expect this Harley-riding law enforcement officer to have such a girlish side, but Maddock doesn't dwell on other people's expectations and doesn't wait for life to give her cues.

When she wanted her first car, at age 21, she just went ahead and ordered it.

"I wanted a Mustang so bad I couldn't stand it," she says, "so I ordered it from the factory just the way I wanted it. I just had a ball in



that thing," Maddock says, laughing. Still does — 38 years later, she drives and shows the car.

And when, in 1966, she met a good-looking Braniff pilot named Frank during a layover in Denver, she asked him out.

"There was Frank, standing there" in the lobby of the hotel she recalls. "I said, 'I'm

going to the movies. My flight crew doesn't want to go with me. You want to go?'"

He did. They were married a year later and celebrated their 37th anniversary last month.

Maddock left the airline when she and Frank decided to start a family. She stayed home with her son, Shawn, until he was a teen-ager, then started work as a patrol officer for the Euless Police Department in 1981.

Maddock grew up watching police shows on TV, *Dragnet* and *Adam-12*. Like her job with the airline, the pace and the excitement of police work

appealed to her.

"That's what I liked," she says — "going to work and not knowing what was going to happen."

There weren't a lot of women in law enforcement at the time, and for two years, Maddock was the only woman on patrol.

"It was wild, and it was not a real pleasant experience," she says. "A lot of guys took the attitude 'Stay home, get pregnant, that's where you belong.' I had one guy tell me — look me right in the eye! — and say, 'Lady, if you want to play lumberjack, carry your end of the log.'"

A friend in the sheriff's office encouraged her to go to work for the county, and she was hired by the sheriff's office in 1984.

"I guess coming over here with some experience under my belt and proving to them I could do the job — they quickly had respect for me," Maddock says. "I blended in and carried my end of the log, and the guys saw it and couldn't have been nicer to me."

Maddock has bounced from department to department in the past two decades. She has handled personnel. She has been a spokeswoman for the sheriff's office. She has worked on an auto theft task force. She has worked as a jail supervisor. She has handled inmate complaints.

In 1996, Maddock ran for Tarrant County sheriff. She wasn't just the first Tarrant County woman to run for sheriff; she was the first woman to run for *any* countywide office.

"Things were really, really bad here at the department," Maddock says. "So I decided to put my money where my mouth was instead of complaining."

So she ran against her boss — then Sheriff David Williams — in the 1996 Republican primary. She lost, but her ideas for the sheriff's department — a 24-hour day-care center for county employees, banning *Baywatch* on jail televisions — are the sort of plans designed to, as Maddock put it when she announced her candidacy, make sure "the good-ol'-boy system is dead and buried."

### Wild horses and homeless kids

Bailey never planned for a career in law enforcement, either. Instead, she married at 16, got her beautician's license and became a hairdresser. She was living in Kansas — "we never, ever liked Kansas" — when she told her supervisor she'd like to move up in the company.

"I called the boss," Bailey remembers, "and he said, 'I've got an opening in Fort Worth, Texas. Would you like to go?' I said, 'Honey, give me 10 minutes. I can be packed.'"

When she moved to Fort Worth, she began to volunteer in the Tarrant County Sheriff's Posse, which gave her a chance to ride her horse.

"PR was all we did — nothing official. That's all I wanted, was to ride my horse," says Bailey. "That's the only reason I went to peace officer school." In her training, though, a couple of Bailey's instructors told her she should consider working in law enforcement.

"[They] said, 'You don't need to be doing hair — you have the right attitude to be a cop,'" Bailey says. "I didn't ask what that meant, because I didn't think I wanted to know. But one day I went down and put an application in."

Bailey says she usually sleeps only two or three hours a night. It's the reason she managed to enroll at Tarrant County College at age 52 and take a full load of courses while working full time, raising children, caring for a dozen horses and volunteering for the Sheriff's Posse and the fire department. She got her degree in two years.

"When she puts her mind to some thing," Maddock says, "Katie bar the door."

"It will happen," Bailey agrees. "That's what I tell everybody — if I tell you it's going to happen, it *will* happen. Don't get in my way, though."

Bailey has also bounced around in the sheriff's office. She's worked as a jailer, at the release desk and in extradition. She was an identification officer. She got her job in community relations when Maddock

hired her a couple of years ago.

"The gentleman who had been in her position became a bailiff, so my chief left it up to me to decide who was going to come in here," Maddock says. "I had worked with Marvella before; I was her supervisor out at one of the jail facilities."

So once again, Maddock went after what she wanted — and Bailey went off on a new adventure.

About the same time, Bailey's husband — her high school sweetheart — decided he wanted to move back to Kansas.

"He said, 'I want a divorce,'" Bailey says. "I said, 'Honey, I'll pay for it. Get your stuff packed.'"

"And she did!" cries Maddock, clearly delighted by her friend's gumption.

Now Bailey alone runs the Melody Acres stable in northwest Tarrant County. She keeps horses and offers riding lessons — English or Western

style — and specializes in training horses that have been abused or neglected.

Better than gumption, Bailey has a quiet compassion and often portrays her acts of generosity as accidents, things that just sort of *happened*.

For instance, she offers horseback riding lessons to children who struggle with low self-esteem or emotional problems. The children who need her seem to find her, and the offer spreads by word of mouth. "People will tell other people and then they just hunt me up," she says. "They just gravitate to me."

When Bailey was young and newly married, her parents and her sister began to adopt children and raise foster children. But Bailey was raising three kids of her own — and she had a full-time job.

On her son's first birthday, Bailey says, her sister and her parents came over to celebrate, with their many adopted and foster children in tow.

"There was this real nice little 16-year-old girl with them, but I didn't think anything about it," Bailey says. But after the party, Bailey's sister and her husband started carrying boxes into the house. The 16-year-old girl was moving in.

"Nobody ever asked me, 'Do you want another child?'" Bailey says (she lived in Kansas then, and the foster care system wasn't as well-organized). But she agreed to take the girl. And within a year, Bailey had five teen-age foster daughters. She adopted a 3-year-old boy next. All told, she raised 11 children.

The children are grown now, but the caretaker in Bailey hasn't gone away. Today, she takes in and trains horses.

"They think she's their mother," Maddock says. "She can take a horse that's just wilder than a March hare and within weeks turn it into the most loving, docile animal you've ever seen."

And when Bailey sells a horse, it's "like they're buying one of my babies."

"I have visitation rights to the horses," she says in a no-nonsense tone. "If I go there and the horses are not being treated correctly, I write them out a check for the amount they gave me, and [the horses] go back home with me."

### Away we go

In 1975, Maddock and her husband discovered motorcycles. They were mopeds, actually. The motorized slice of Americana was gaining in popularity at the time, and a shop opened near the Maddocks' home.

"We walked in and just fell in love with the moped," she says.





STAR-TELEGRAM/RODGER MALLISON

Bailey teaches a DARE class at Elkins Elementary School.



STAR-TELEGRAM/RODGER MALLISON

At the end of their workday, both women trade their police uniforms for another: Bailey for her Western clothes and Maddock for a getup that matches her bright orange Harley.

So Maddock, again, went after what she wanted. "We started graduating up to motorscooters, and then big motorscooters, and small motorcycles, and big motorcycles."

Now Maddock rides a bright orange hog that "sounds like thunder and looks like a pumpkin."

The couple have traveled all over the country this way, riding to rallies, benefits and shows.

"We've seen a lot of the world," she says. They've traveled by plane in their careers — Maddock herself had a commercial pilot's license and the couple owned their own airplane. They've traveled by ship, on 14 cruises they've taken over the years. But "now we just enjoy getting on these motorcycles," she says, "and taking off for parts unknown."

Thunder Pumpkin has won more than a few contests, and just as she did in her flight attendant days, Maddock has exactly the right clothes for the motorcycling life: white chaps, a white leather jacket and a helmet custom-painted to match her Harley — with her name written across the back.

"It's funny, because people see me every day wearing my [police] uniform," Maddock says. "My DARE kids, for example — I'll come out and ride the Harley up to their school, and they say, 'Lt. Maddock?!' It's fun, it really is fun, to kind of lead a double life."

The lessons that Maddock and Bailey teach their DARE students come from their lives as much as they do any police handbook. They teach about making choices, dealing with challenges and about finding your way — even if you don't always know where the road is leading.

Maddock and Bailey have no plans to retire anytime soon, so who knows — they may each have another career before their work is through.

"No rocking chairs for us, for sure," Maddock says. "Give us a leather saddle and that's our rocking chair. I'll put my leathered butt on that leathered seat and away I go."

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"No rocking chairs for us, for sure. Give us a leather saddle and that's our rocking chair. ..."

— Lt. Sue Maddock

# Workers forbidden to help at event

## POLITICS

Constable Jack Allen says in a memo that he will fire anybody who works at a fund-raiser for Commissioner J.D. Johnson.

By AMIE STREATER  
STAR-TELEGRAM STAFF WRITER

Outgoing Precinct 4 Constable Jack Allen is threatening to fire any employee who works at a fund-raiser for a county commissioner who supported his political rival.

In an April 30 memo, Allen prohibited deputies and other workers from participating in an annual golf tournament to raise campaign funds for Precinct 4 Commissioner J.D. Johnson, one of several elected officials who backed Dub Bransom's successful bid to unseat Allen.

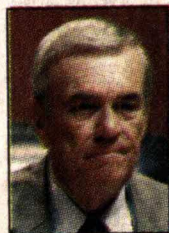
"This is to inform you that the Tarrant County Constable Precinct 4 office will not be providing security or any other service to the J.D. Johnson Golf Tournament which takes place in June of 2004," the memo states. "Anyone that violates this direct order will be subject to termination."

The tournament, which Johnson said has raised \$30,000 to \$40,000 a

More on POLITICS on 6B



ALLEN



JOHNSON

year in the past, is scheduled June 14.

Johnson said Wednesday that reserve officers and deputy constables who work for Allen have volunteered in the past to work security at the tournament.

"We have gotten letters from him saying he would handle security at my golf tournament," Johnson said. "It was a voluntary deal, but his officers may not say that because they are all under threat of losing their jobs."

Allen, however, said he provided free security for the tournament in years past "per the commissioner's request."

"He's the commissioner; he does the mandates," Allen said.

He denied that the order was politically motivated.

"I'm no longer obligated to J.D.," Allen said. "There is no hammer hanging over my head anymore."

When asked what he meant by that, Allen said, "He is the county commissioner. He is getting my budget controlled."

Johnson angrily denied that allegation.

"He is a liar; that is not true," Johnson said. "I have never used the budget with him. He is just a bitter, little, small-man-syndrome person."

Allen, 60, whose height is listed on his driver's license as 5-foot-7, has been the Precinct 4 constable for 13 years.

Allen also has prohibited those who work for him from talking to newspaper reporters, according to one employee.

Whether Allen has the authority to issue such edicts is not clear.

"On an employee's own time, an elected official has very little control over the purely personal activities of the employee," said Ray Rike, deputy chief of the district attorney's civil division.

"However, since there may be a potential for litigation on this issue, we must decline to comment further," he said.

Rike stopped short of saying that the written order makes the county vulnerable to lawsuits.

"We are going to try to prevent litigation if we can," he said.

Johnson said Allen's memo is clearly a political payback.

"He's not too happy with me because he lost the election and I supported his opponent," Johnson said. "I don't have the authority to order him to do anything. He is his own elected official."

Allen's time in public office, which will come to an end Dec. 31, has often been tumultuous.

In 2002, the county paid \$27,500 to settle a lawsuit by one of Allen's former employ-

ees who accused him of using racial slurs, allegations that Allen still denies.

In 1998, Allen accused Fort Worth police officers of trying to kidnap a prisoner from his car.

And earlier this year, Allen broke up a schoolyard skirmish at Castleberry Elementary School, carting one 8-year-old boy to the principal's office. That boy was Bransom's grandson.

Bransom beat Allen in the Republican primary election with 60 percent of the vote. No Democrat filed for the \$67,000-a-year seat.

Bransom, a former federal marshal and one-time River Oaks police chief, expressed outrage Wednesday over the memo.

"These people have the right like every other citizen to support the candidate of their choice," Bransom said. "As long as it's not on duty or in their official capacity, they have the right of every other citizen."

"That is still the American flag flying out there."

Bransom pledged to hire back any employees fired solely for supporting a political candidate or talking to the media on their own time.

"I just wonder what he is afraid of," Bransom said. "It sounds like he is elevating sour grapes to a new height."

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# Sheriff's raid brings in scores of eight-liners

By MITCH MITCHELL  
STAR-TELEGRAM STAFF WRITER

Tarrant County sheriff's deputies descended on two game rooms on Jacksboro Highway and confiscated 106 eight-liner machines and an estimated \$16,000 in cash Friday.

Deputies also seized one handgun and found a used hypodermic needle in a parking lot. The eight-liners, slot-machinelike devices that can legally pay out noncash prizes, were paying out illegal amounts, according to a Sheriff's Department investigation.

Authorities noted a growing number of machines in operation after a slowdown in their investigations and decided to turn up the heat on operators, Sheriff Dee Anderson said.

"We've basically drawn a line in the sand," Anderson said. "We've tried to be fairly nice about this and sent out letters asking for voluntary compliance, then seen the number of these operations creep back up to 30 or 35. This is illegal gambling no matter how you dress it up."

Anderson said there will be more raids if the illegal activity does not stop immediately. The district attorney's office is considering filing organized crime and money-laundering charges.

The potential penalties will become more severe until the risk becomes greater than the reward, Anderson said.

Texas law allows the operation of gaming machines as long as winnings are limited to

## GAMES

Game rooms on Jacksboro Highway lock their doors after sheriff's deputies close two suspected gambling operations nearby.

items costing \$5 or less, or no more than 10 times the amount of money inserted into the machine, up to \$5. Cash prizes are not allowed.

The machines are called eight-liners because players win points by lining up three icons horizontally, vertically or diagonally on a screen — allowing eight ways to win.

The machine operators "are making a tremendous amount of money at this, and most of it is tax-free," Anderson said.

Sheriff's deputies entered Lone Star Amusements and the Tropical Oasis about 11:15 a.m. Friday in the 7700 block of Jacksboro Highway and ran warrant checks on 15 patrons.

No one was arrested, sheriff's spokesman Terry Grisham said. The Tarrant County district attorney's office may file charges against the operators, Grisham said.

Steve Dales drove into the Lone Star Amusements parking lot just as deputies were taking inventory of the machines.

"I fed two families off the winnings I made from the eight-liners," said Dales, 60.

"We've gotten groceries, coupons for Lowe's. I won a trip to Shreveport and \$500 in coupons and came back with \$200 in my pocket. You can't beat that."

"We've basically drawn a line in the sand. We've tried to be fairly nice about this and sent out letters asking for voluntary compliance, then seen the number of these operations creep back up to 30 or 35."

—Dee Anderson, Tarrant County sheriff

Just across the highway, the Mardi Gras Game Room had an open sign in the window, but its doors were locked. Eight-liners lined the walls of the darkened room inside. In the 7100 block of Jacksboro Highway, Whitehouse Gameroom was in the process of closing to its lunch crowd at about noon. A closed sign was taped to the door as one man gathered aluminum cans in the parking lot.

Most of the confiscated machines are being held in decommissioned jail space until they are either sold or destroyed, Anderson said. Two covered trucks were used to haul the machines away. Between 100 and 150 machines and \$30,000 were confiscated in three previous raids, Grisham said.

"The tolerance level of the Sheriff's Department for this type of thing has just about reached its breaking point," Grisham said.



STAR-TELEGRAM/RON JENKINS

Workers load an eight-liner machine from the Tropical Oasis game room onto a Tarrant County sheriff's truck. Citing gambling concerns, the sheriff's office served two warrants Friday and seized 106 games from two businesses on Jacksboro Highway.

# Holding cells overcrowded, officials say

**COURTS** Holding cells at the Tarrant County Justice Center went uninspected for years, officials say.

By **MAX B. BAKER**  
STAR-TELEGRAM STAFF WRITER

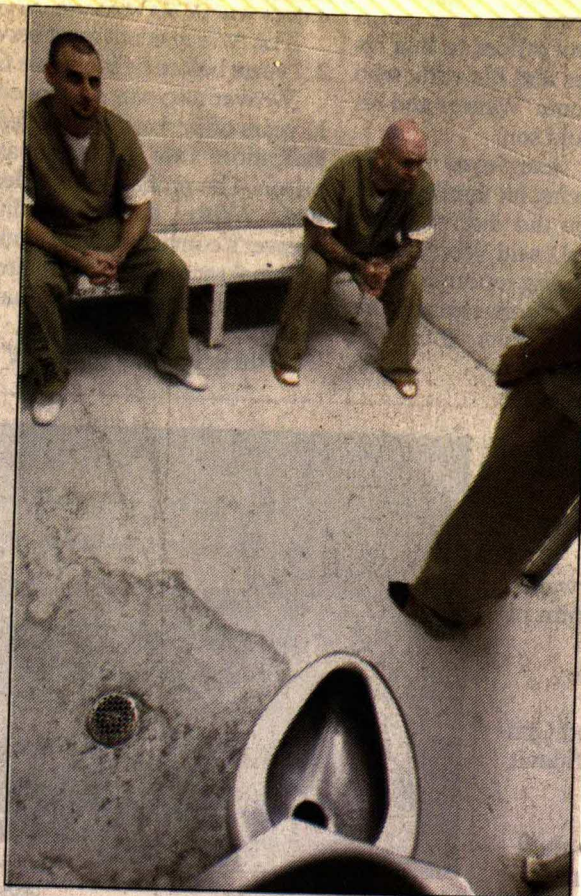
FORT WORTH — Ever since the Tarrant County Justice Center opened in 1991, criminal court judges have been jamming inmates waiting for their day in court into small holding cells at the courthouse.

So county officials were shocked when they discovered this year that the holding cells had never been inspected by the state and that judges had routinely violated state jail standards on overcrowding.

"Sometimes it's hard to close the gate once the horse is out," said Terry Julian, executive director of the Texas Commission on Jail Standards. He said inspectors first examined the cells in March.

"They never told us as they built the building

More on COURTS on 4B



STAR-TELEGRAM/RALPH LAUER

Inmates wait in a holding cell at the Tarrant County Justice Center. County officials learned that the cells had not been inspected by the state.

Tuesday, May 11, 2004

that there would be holding cells ... It just never was brought to our attention," Julian said.

While inspectors found that the 36 holding cells largely complied with state standards, there were reports that judges routinely exceeded the capacity of the temporary lockups by up to 50 percent.

State District Judge George Gallagher said it is not uncommon for him and state District Judge Elizabeth Berry, whose courtroom shares the same holding area, to have up to 28 prisoners in the cells, about double their capacity.

"By the time I get clerks, district attorneys, probation officers in the courtroom, that is the time to work," Gallagher said, "and it doesn't work unless you can get the prisoners there."

The noninspection of the cells recently surfaced as officials began looking at ways to handle overcrowding in the Tarrant County Jail, which is next door to the Justice Center, court officials said.

Since early this year, judges have been looking for ways to

quickly move defendants through the system, for example by lowering bail amounts on some misdemeanors and holding hearings on charges before grand jury indictments.

When a bailiff complained about too many prisoners in the holding cells, court officials said, the county apparently asked the state for permission to exceed capacity standards in temporary holding cells.

That's when the jail standards commission discovered that the cells were not even mentioned in their documents, Sheriff Dee Anderson said.

"There was a big collective, 'Whoops!'" Anderson said. "We just assumed that when the building was built, they would have taken care of that."

According to jail standards for remote jail cells, there must be 40 square feet for the first prisoner and 18 additional feet for each additional prisoner in the cell, plus two feet of bench space per prisoner, Julian said.

There also must be one toilet for every eight prisoners in a cell.

For example, three rooms — two larger cells and one small cell — are in the holdover area behind Gallagher and Berry's court. Each cell has a stainless

steel toilet and metal benches attached to the floor.

Under jail standards, each of the two larger rooms can hold six prisoners. The smaller cell's capacity is two, Gallagher said. The judge said he previously didn't believe that jail standards applied to courtroom holdover cells.

"I told them the other day to find some chains and I'll chain them in the courtroom jury box," Gallagher said. "Now the jail's overcrowded, and we can't bring them to court."

"They are not crowded for any length of time," said state District Judge Sharen Wilson. "I think there is plenty of blame to go around on this one."

Chief Deputy Hank Pope said that bailiffs have been told to abide by the occupancy limits set by the state, even if the judges are demanding that more prisoners be brought over from the jail.

Expanding the size of the cells would be cost-prohibitive, officials said.

Prisoners will have to be shuttled back and forth between the jail more often, sometimes creating delays in court proceedings, Gallagher said. They also may use cells in other courtrooms when necessary, he said.

# Sheriff: Store hid gambling operation

**GAMES** What is believed to be a highly sophisticated gambling operation using phone cards is raided by sheriff's deputies.

By AMAN BATHEJA  
STAR-TELEGRAM STAFF WRITER

It's called Liberty Communications, a store that sells cellphone accessories and phone cards.

After buying a card, a customer can go to a large back room where dozens of video gaming machines line the walls.

The games have names like Prospector's Gold, King's Ransom and Charity Sweepstakes.

The customer inserts his phone card into the machines and plays the games.

At the end of his stay, the customer's card is scanned and, if luck was on his side, he leaves with more money than when he came in.

Tarrant County sheriff's deputies raided Liberty Communications on Crowley Road near Fort Worth on Thursday in what they described as the most sophisticated eight-liner machine operation they've ever seen.

Authorities confiscated 82 machines and found thousands of dollars in a safe, said Sheriff's Department spokesman Terry Grisham.

It was likely the second-largest raid since the Sheriff's Department began raiding game rooms for illegal eight-liners last year.

"This one's very deceptive. It looks like

nothing on the outside, but it's got more machines than most of the places we've gone to," said Michael Johnston, executive chief deputy.

Eight-liners, basically video slot machines, can legally pay out noncash prizes. There are dozens of game rooms in Tarrant County that have eight-liners paying out illegal cash prizes, Grisham said.

Liberty Communications' owners weren't present at the raid but in their place was Frank Hughes, who said he was their lawyer. Hughes strongly defended his clients and what he said was a legal establishment.

Hughes said Liberty Communications was technically not a gambling operation but a sweepstakes. The distinction, Hughes said, is that customers came to the store to buy a product, usually the phone cards, and then were entered into the store's sweepstakes, which was conducted through the eight-liners.

There was also a system that allowed customers to enter the sweepstakes without buying anything, which is a legal requirement to be classified as a sweepstakes, Hughes said.

"No compensation is required to play," Hughes said.

Signs at the front of the store described how customers could enter into the "Hello Money Prepaid Phone Card Sweepstakes" with their purchase of a phone card. One sign said entrants could "validate" their entry at a "validation terminal," which was a phrase used to describe the eight-liners on signs in the gaming room.

Sheriff Dee Anderson wasn't buying Hughes' argument.

"We believe this is gambling, and there's no doubt in my mind about what's going on here," Anderson said.

Liberty Communications has been under investigation for several weeks, according to Lt. Alan Dennis of the Sheriff's Department's criminal investigation division.

In April 2003, the Texas Supreme Court ruled that eight-liners that offer cash, cash-equivalent certificates or prizes worth more than a token amount are illegal gambling de-

vices. In June, the sheriff gave 68 game rooms in the county a two-week warning that he would shut them down if they did not close. Many have complied, Grisham said.

Texas law allows the operation of gaming machines as long as winnings are limited to items costing \$5 or less, or no more than 10 times the amount of the cost to play, whichever is less. Cash prizes are not allowed.

The machines are called eight-liners because players have eight ways to win points by lining up three icons horizontally, vertically or diagonally on a screen.

The game room was closed and deserted Thursday afternoon when the raid occurred, although it had usually been

open at that time in the past few weeks, authorities said.

No one was arrested, but the Tarrant County district attorney's office may file charges against the operators, Grisham said.

Grisham said the confiscated eight-liners would be stored, and if a judge orders the owners to forfeit the machines, they would either be sold or destroyed.

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# FBI: As vote nears, terrorism possible

**SECURITY** A bulletin warns police nationwide, including in Tarrant County, to be on the alert.

By JACK DOUGLAS JR.  
STAR-TELEGRAM STAFF WRITER

The FBI recently issued an intelligence bulletin for police throughout the nation, including in Tarrant County, to be on the lookout for terrorism as the Nov. 2 elections draw nearer.

The FBI, working with the Department of Homeland Security, routinely dispatches alerts to law-enforcement agencies to keep them vigilant for potential terrorist targets.

May 5 intelligence bulletin No. 126, a copy of which was obtained by the *Star-Telegram*, offered no specifics. But it said recent events suggest that al Qaeda "may be interested in conducting terrorist attacks in the United States, or against U.S. interests overseas" before the election.

Local law officers say they have been trained to remain vigilant for signs of terrorism because the area offers such potentially attractive targets as military bases, Dallas/Fort Worth Airport, Texas Motor Speedway and Six Flags Over Texas.

"We're mindful, with the elections coming up, that that is a concern," Tarrant County Sheriff Dee Anderson said. "I don't know that we can do more than what we're already doing. Everybody pretty much stays in a high-alert capacity."

Anderson said there have been no changes in the way deputies guard against terrorism.

At FBI headquarters in Dallas, Special Agent Marjorie Poche said she could not comment on terrorism bulletins.

"We take all information that we receive about terrorism seriously," Poche said. "We are alert to actions in our community, and we hope the citizens are alert as well and will call us if they see something suspicious."



"I don't know that we can do more than what we're already doing. Everybody pretty much stays in a high-alert capacity."

— Dee Anderson,  
Tarrant County sheriff

Lt. Abdul Pridden, spokesman for the Fort Worth Police Department, said, "We have not lowered our guard and are always on the lookout for potential terrorists or terrorist activity."

Bulletin 126 said authorities were most concerned about an audio recording, attributed to al Qaeda leader Osama bin Laden, that referred to the deadly commuter-train bombings in Madrid that occurred three days before national elections in Spain.

The tape included "pledges to punish" the United States for Israel's March 22 assassination of Sheik Ahmed Yasin, founder of the Hamas terrorist group, according to the bulletin.

It also said that on May 1, "five Westerners were killed and over 30 Saudis were injured or killed when four suspected terrorists forced their way into a petrochemical plant in Yanbu, Saudi Arabia, and opened fire with automatic weapons."

The shooting may have been in retaliation for the earlier seizure of several vehicle bombs and the arrest of at least eight al Qaeda members, the bulletin said.

"In addition," it said, "authorities in Amman, Jordan, recently reported disrupting an al-Qaeda plot to carry out attacks against the U.S. embassy and other targets in Jordan."

Law-enforcement officers were told to watch for suspicious activity in and around government and military installations, utility and power plants and other high-profile sites, including those where crowds gather.

Examples of suspicious behavior, the bulletin said, could be as seemingly harmless as taking notes or using binoculars near key facilities, or as serious as "attempts to improperly acquire explosives, weapons, ammunition, dangerous chemicals [or] flight manuals."

Meanwhile, in Washington, Attorney General John Ashcroft announced the formation of the National Criminal Intelligence Sharing Plan, which he said will "ensure that the dots are connected" among federal, state and local authorities working together to thwart terrorists.

The initiative will include information from groups representing 1.2 million law-enforcement officials at all levels of government. Under the plan, the Justice Department and FBI will share information more routinely with state and local officials than they do now.

In addition, it will open paths for state and local police to provide intelligence about terrorism and major crime suspects to the FBI and other federal law-enforcement agencies.

The failure of federal, state and local agencies to share information about terrorist threats has been cited repeatedly as a prime reason that plans for 9-11 were not detected or disrupted.

This report includes material from The Associated Press.

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# An unwise gamble that didn't pay off in the end



**Bud Kennedy**  
IN MY OPINION

RENO — In a tiny town with a high-rolling name, the boldest illegal gambling hall in Tarrant County has cashed out.

Or maybe I should say the most foolish gambling hall in Tarrant County. Ten months and \$1 million in lost bets ago, the volunteer fire chief in nearby Briar sold his department's name to a video slot gambling "club." Then he dared law officers to raid it.

**KENNEDY** Getting a percentage off eight-liners may ultimately save lives, but it seems that firefighters should obey the law.

The fire chief said the Texas Supreme Court could "go bite themselves." He said the county sheriff could go to, well, blazes.

Sheriff Dee Anderson took another direction.

"Instead," he said, smiling Thursday as deputies emptied the slot machines, "I came to Azle."

Reno, to be exact. The commercial gambling hall bought the name of the Briar Volunteer Fire Department and opened in a former catfish restaurant on Boyd Road north of Azle, barely across the city limit into Reno.

More on KENNEDY on 9B

Reno Police Chief Phillip Barker has been on the job for only three months. But he said he had no idea anybody was gambling in his city, although cars and trucks constantly surrounded the building, labeled only "Private Club."

"I haven't had any complaints," he said dryly.

I guess not.

The firefighters were paid \$150,000 to rent out their name. That bought a lot of new equipment, including a Ford Excursion and a \$15,000 "jaws" tool. They already used it to rescue someone trapped in a car wreck.

Obviously, selling your name for illicit gambling — when the Texas Legislature is only beginning to debate legalizing slot machines — makes a much quicker buck than a "fill the boot" drive or a chili cook-off.

Of course, the Briar firefighters would have even more money if folks had given them the \$1 million directly instead of losing most of it to some phantom owner.

Deputies said they do not know who actually owns the gambling hall. A manager declined to comment Thursday.

The big-talking Briar volunteer fire chief, Larry Reed of nearby Pelican Bay, was nowhere in sight during the raid. In an interview last July, he said he would "call Channel 5 and make a big stink" if deputies busted the gambling hall.

In an interview last month in the weekly *Azle News*, he paraded his new equipment for photographers and said he was

"100 percent confident" that "private" gambling is legal in Texas. The newspaper didn't dispute his delusion.

Gosh. Let's think about this.

If membership-club slot machine gambling were legal in Texas, would it exist only along

a forlorn farm road of junky shacks and used-car lots between Azle and Boyd?

Would the sign outside read "Harrah's" or "Horseshoe"? Or "Briar V.F.D. Auxiliary"?

At the very least, would there be slot machines in, say, the Fort Worth Boat Club or the country clubs or the downtown private clubs? Or only in the Reno Mini-Casino?

Here's the way it works: If you and your friends play poker or bet in your office or your living room, that's generally legal. But if you keep a cut for the "house" — even in your own house or any "private" location — that's illegal gambling.

Players from Azle, Boyd and the communities along the west shore of Eagle Mountain Lake earned back a few dollars for their firefighters. But they left \$850,000 for the "house."

That's money that went to gambling instead of milk or shoes or used pickup trucks — something that genuinely supports stores and small businesses around Azle and Reno.

That's why Texas lawmakers want to be careful where and how casinos open. They don't want us spending too much money on games.

Randy Martin, 47, of Reno looks at it differently. He said he rented property to another gambling hall that closed, one

of at least seven that had opened along Boyd Road.

"When people spend money here, at least we know that part of it goes right here to benefit this community," he said. "It'll help put out a fire at your house or at your neighbor's house."

"Down in Fort Worth, people pay their school taxes and then somebody takes \$10 million and then they go lose it at the casinos in Bossier City."

That's a pointed, although not exactly accurate, reference to a \$10 million federal contracting-fraud scandal.

"This way, our money stays right here."

It's a tough argument.

Anderson, the sheriff stuck with the job of closing down the illegal gambling halls in his jurisdiction, rolled his eyes.

"That's just an example of how they convinced the people, this was all OK," he said. "It's offensive to me that public servants — firefighters — would be involved in breaking the law. ... If they want to raise more money for their fire department, there are plenty of legal ways."

Maybe they thought they were in the other Reno. Easy mistake.

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SPECIAL TO THE STAR-TELEGRAM/RICHARD W. RODRIGUEZ  
Deputy Ennis Eakin helps load eight-liners seized during a raid in Reno, near Azle. More than 80 machines were taken from the gaming parlor.

Wednesday, May 26, 2004

## Sheriff touts benefits of applicant testing service

By AMIE STREATER  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — Lots of people want to work for the Sheriff's Department. Unfortunately, some of them are convicted felons, power-tripping misfits or crooks with outstanding warrants.

While background checks will weed out the felons, the checks cost time and money. Sheriff Dee Anderson said he is hoping that a new online testing system will help identify the misfits and slackers so they can be eliminated from consideration early in the application process.

Each test, administered by Georgia-based Qwiz Inc., would cost the department \$10.

The Tarrant County Commissioners Court was briefed on the program during its meeting Tuesday. The Sheriff's Department Civil Service Commission would have to approve the testing, then the matter would return to the Commissioners Court for final ap-

proval.

Anderson said the testing would save money in the long run by eliminating costly background checks on unqualified applicants.

Currently, there is no testing for applicants other than an assessment of basic writing skills.

"It's a baseline measure of skills and abilities," Anderson said. "It will give us an idea if they are able to do the job they are applying for."

Civil Service Coordinator Ann Smith told commissioners Tuesday that the test can evaluate a candidate on skills ranging from spelling and organizing to team-working, communication and handling confrontation.

"We've been looking for ways to streamline the process," Anderson said. "This will allow us to quickly identify the people who we want to move forward through the process."

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STAR-TELEGRAM/RODGER MALLISON

## Crushing blow for eight-liners

Tarrant County workers use heavy equipment to smash eight-liner machines into the ground Wednesday. Two track loaders, above, destroyed 16 eight-liner machines at a county-owned maintenance facility next to the Windy Ryon Arena in Saginaw. After trying several ways to demolish the eight-liners, workers found the best way to get the job done was to run over the machines, at right. About 80 of the machines seized in gambling raids were recently forfeited to the county. "We're trying to make a graphic display of the money that goes down the drain in this illegal activity," Tarrant County Sheriff Dee Anderson says.

STORY ON 2B



# County smashes illegal 8-liners

By AMAN BATHEJA  
STAR-TELEGRAM STAFF WRITER

SAGINAW — Ray Hatton's job was simple: Crush eight eight-liner machines into dust.

Determining the best method involved some trial and error.

Hatton first tried picking up one of the machines with the bucket of his bulldozerlike track loader and letting it fall to the ground. The eight-liner still

**GAMBLING** More than a dozen machines are reduced to rubble by order of the Tarrant County Sheriff's Department.

He then tried smashing it with the side of the bucket, but it only crumpled like a soda can.

Finally, he ran over the machines until they were rubble.

Authorities stood by Wednesday as two track loaders destroyed 16 eight-liner machines at a county-owned maintenance facility next to the Windy Ryon Arena.

About 80 of the machines were recently forfeited to the county by a district civil court judge, said Terry Grisham, a spokesman for the Tarrant County Sheriff's Department.

Worried that selling the machines would lead to their being used illegally again, the department decided to destroy them, he said.

"It's the same principle why we don't sell guns we seize. We destroy anything that can't be safely auctioned," Grisham said.

Sheriff's deputies have seized about 600 eight-liners in raids on game rooms in the last year, Sheriff Dee Anderson said.

Anderson, standing in front of a small pile of wood, sheet metal and electric wiring, said the dramatic way in which the machines were destroyed sends a message to other game-room owners.

"We're trying to make a graphic display of the money that goes down the drain in this illegal activity," he said.

Eight-liners — basically video slot machines — can legally pay out noncash prizes. There are dozens of game rooms in Tarrant County that have eight-liners illegally paying out money, Grisham said.

Last June, the sheriff gave 68 game rooms in the county a two-week warning that he would shut them down if they did not close. The order was in response to a Texas Supreme Court ruling that eight-liners that give cash, cash-equivalent certificates or prizes worth more than a token amount are illegal.

Many game rooms have complied, Grisham said.

Texas law allows the operation of gaming machines as long as winnings are limited to items costing \$5 or less, or no more than 10 times the amount of money inserted into the machine, whichever is less. Cash prizes are not allowed.

All 600 of the machines that have been seized so far will probably be destroyed when they are forfeited, Anderson said.

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# Fire auxiliary plans to reopen gaming room

By DON CHANCE  
SPECIAL TO THE STAR-TELEGRAM

RENO — Less than a week after its game room was shut down and its 8-liner gambling machines confiscated, the Briar Volunteer Fire Department Auxiliary plans to open a newly restocked game room today at the same Boyd Road address near Reno.

Larry Reed, the department's chief, declined to comment, but the organization's attorney said that the game room's legal problems are a big misunderstanding, and the Sheriff's Office is overreacting. The Sheriff's Office had determined that the fire department's 8-liners were making illegal cash payouts.

"I think that [Tarrant County Sheriff] Dee Anderson has made a mistake in

**8-LINERS** The auxiliary's lawyer says the closure was a misunderstanding, but a Sheriff's Office spokesman warns it could happen again.

judgment," attorney Trey Loftin said. "He's probably got some misinformation on what this enterprise is and what this organization is."

Loftin said that 8-liner machines operated by gas stations and other businesses for customer entertainment are different from those operated by legal charities and private clubs.

"A private country club can have gambling. Churches have raffles for thousands of dollars in prizes, and the state has the lottery," Loftin said. "This group has taken pains to become a private

More on 8-LINERS on 9B

raid will be subject to prosecution, Grisham said.

"Everybody inside is guaranteed to go to jail," he said. "If it turns out that they are operating the machines illegally, after about four or five efforts on our part to get them to voluntarily comply, then the next time we go, everyone there — including customers — will be placed on full-custody arrest, and their bonds will have to be set."

Grisham said that he thought that the new set of machines, probably costing between \$1,500 to \$2,000 and up depending on their features, came from another shutdown Briar fire department game room facility north of the current location.

## Game room reopens



STAR-TELEGRAM

## 8-LINERS

Continued from 1B

business identical to any other country club."

Terry Grisham, executive administrator for the Tarrant County Sheriff's Office, said that his department clearly understands the Briar fire department's position and status as a charitable organization. And, he said, deputies are keeping a close eye on the operation.

"We're monitoring these things every day," Grisham said. "We're certainly not going to harass anybody, but if they operate illegally again, we will certainly

take that as getting our attention."

Grisham said that the fact that the fire department has 8-liner slot machines is not illegal, but their payout is. An 8-liner's payout cannot be greater than 10 times the bet, or five dollars, whichever is less, he said, and it cannot pay cash under any circumstances. It must pay in merchandise or something else of value, and the house — in this case, the Briar Volunteer Fire Department — cannot keep any cash proceeds.

If the reopened game room operation is found to be illegal and its operators refuse to comply with state law, everyone inside the facility at the time of a

# Gaming facility reopens

**GAMING** A raided game room reopens about a week after deputies confiscated all its machines.

By **DON CHANCE**  
SPECIAL TO THE STAR-TELEGRAM

RENO — The Briar Auxiliary eight-liner game room, shut down last week by deputies who confiscated all its machines, reopened Friday morning with new machines and a full house of players.

A few people waited in the parking lot as someone arrived at 7:20 a.m. to open the business, and by 9:30 a.m., the parking lot was full and players were seated at machines throughout the building.

The man who opened the game room declined to comment or allow a *Star-Telegram* photographer inside.

Briar Volunteer Fire Department attorney Trey Loftin said Thursday that although the



SPECIAL TO THE STAR-TELEGRAM/RICHARD W. RODRIGUEZ  
A game room run by the Briar Volunteer Fire Department reopened Friday morning. All its eight-liners were seized in a raid last week.

## GAMING

*Continued from 1B*

game room would open Friday morning, the act was not intended to attract gamblers as much as to make potential customers aware that it was back in operation.

Tarrant County Sheriff's Department executive administrator Terry Grisham said Thursday that if the facility did open at 7 a.m., as a sign on the door indicated, "We won't be there at 7:01."

Grisham said deputies will monitor the game room to make sure that it is operating legally and that cash prizes are not being awarded.

An eight-liner's payout cannot exceed 10 times the bet or \$5, whichever is less, and it cannot be in cash. It must pay in merchandise or something else of value.

Grisham said that if the game room is not operating legally, the Sheriff's Department will give the Briar VFD several opportunities to comply with state gambling laws before confiscating its machines again.

Starting May 19, Grisham said, the operation of eight-liner game rooms found to be conducting business illegally is being investigated and prosecuted as an organized crime. Everyone inside the facility at the time of a raid will be jailed, he said.

Briar VFD officials declined to comment.

# 8-liner patrons arrested in raid

By **BILL TEETER**

STAR-TELEGRAM STAFF WRITER

RENO — Seven people were arrested on gambling charges and gaming machines were confiscated Wednesday when sheriff's deputies, for the second time in less than three weeks, raided an eight-liner game room benefiting the Briar Volunteer Fire Department.

Two employees were charged with promotion of gambling, a Class A misdemeanor punishable by a \$4,000 fine and up to a year in jail, said Terry Grisham, a sheriff's spokesman.

The other people, who were playing in the game room, received Class C gambling citations carrying \$500

**GAMING** The Tarrant County Sheriff's Department continues its clampdown on eight-liner parlors.

But in a new twist in the sheriff's eight-liner raids, they, too, were taken to the Tarrant County Jail to be booked, fingerprinted and photographed, Grisham said.

The raid occurred as the Fire Department was pursuing a lawsuit seeking an injunction to prevent deputies from seizing more eight-liners after a May 20 raid.

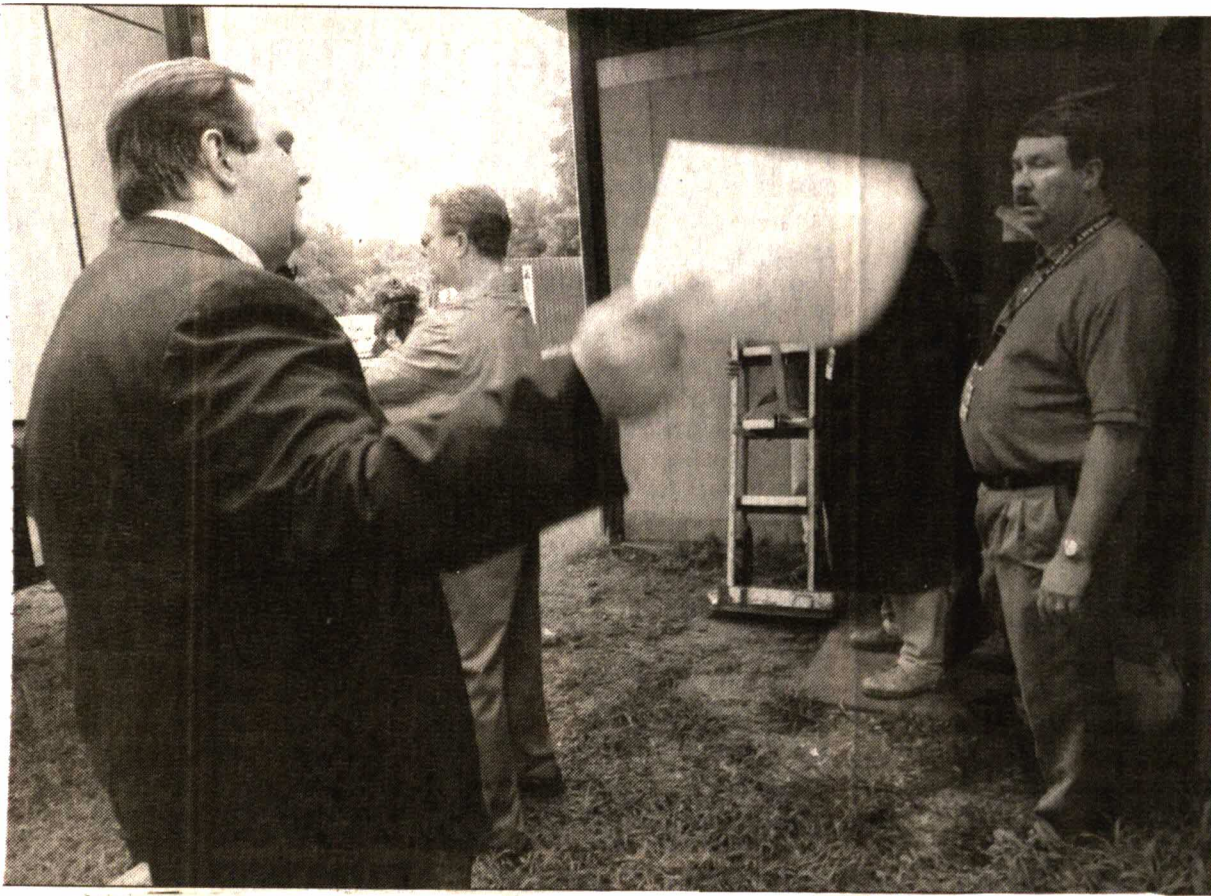
The lawsuit asks for the return of machines taken in the first raid and asserts that the Fire Department is

More on GAMING on 8B



STAR-TELEGRAM/RALPH LAUER

Tarrant County workers move confiscated eight-liner games onto county trucks after a Sheriff's Department raid in Reno. The game room raises money for the Briar Volunteer Fire Department, which was pursuing a lawsuit after a May 20 raid.



Briar Volunteer Fire Department attorney Trey Loftin speaks with Tarrant County Sheriff Dee Anderson after a raid on the department's eight-liner parlor in Reno.

# GAMING

*Continued from 1B*

being treated unlawfully and is immune from certain actions, such as being sued.

Wednesday's operation was the latest in a series of raids aimed at stopping what the Sheriff's Department terms illegal and unregulated gaming activities.

Sheriff Dee Anderson said that the patrons were arrested because the game room reopened and was being operated illegally so soon after being shut down for alleged gambling violations in the first raid.

"If they're just going to open up again, it's time to ratchet up the enforcement," he said.

State law requires that players can win amounts of no more than 10 times the value of the money they put into a machine, or \$5, whichever is less. The game room was allowing players to accumulate the small, legal prizes normally awarded individually and to redeem several for more expensive prizes not allowed under the law because of their value, Grisham said.

Players were also allowed to win credits on one machine that could be transferred and played on another, which is also prohibited, he said.

Trey Loftin, the attorney for the game room, called the sheriff's actions "deplorable," because most of those arrested were elderly people and because the raid occurred as many emergency agencies were straining to help people affected by flooding.

"He did it on a day when people are fighting for their lives and their properties, and he is out arresting people on heart medicine," Loftin said. "All they are doing is playing machines to win the same stupid toys that we would win at the state fair."

Loftin said he had no knowledge of the violations described by Grisham and other deputies at the site on Boyd Road. He said however that enforcement against the game room is un-

necessary.

Anderson said his department had plenty of manpower to handle any weather emergency. He said that the unregulated, illegal gambling had to be stopped.

"Obviously, our undercover people witnessed illegal gambling going on or he [a judge] wouldn't have signed the warrant," Anderson said.

Anderson suggested the Fire Department find another way to raise money.

"If they just will quit breaking the law in the name of public service, we won't have to have this debate any longer," Anderson said.

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# Inmate in restraining chair beaten

**JAIL** The Tarrant County Sheriff's Department opens an inquiry into how an inmate under suicide watch was assaulted by a fellow inmate.

By **MAX B. BAKER**  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — The Tarrant County Sheriff's Department is investigating how an inmate slipped into an isolation cell and beat another inmate who had been strapped into a chair after a suicide attempt.

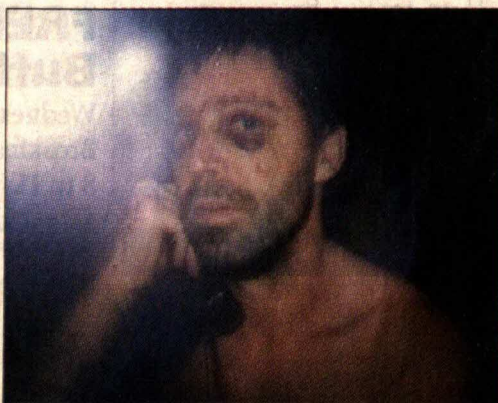
Brady Hicks Jr. suffered cuts and bruises on his head and face after fellow Tarrant County Jail inmate Leslie Wardwell made it past a jailer, put the defenseless man into a headlock and pummelled him with his fists for 30 seconds, officials said.

The incident occurred May 9. The Sheriff's Department initiated an internal investigation after the *Star-Telegram* made inquiries this month.

"He was in horrible condition," said Sue Hicks, Brady's wife. "His temple was swollen like it had a washrag stuck under his skin, and it ran from his right temple to the center of his forehead."

The restraining chairs have hooks and straps that secure a person's arms and legs. In 1999, a mentally ill man died after he was

More on JAIL on 8B



SUE HICKS

Brady Hicks Jr. is shown four days after he was beaten by a fellow Tarrant County Jail inmate while Hicks was strapped into a restraining chair.

strapped into one of the chairs for several hours.

Sue Hicks secretly took pictures of her husband's face four days after he was beaten. Those pictures show deep purple marks under his eyes.

"This should have never, never happened," Sue Hicks said. "Dogs are treated better in the pound at the Humane Society."

Tarrant County Sheriff Dee Anderson said he thinks the investigation will show that the incident was caused by "human error" on the part of the jailer.

"It wasn't anything intentional on the jailer's part, and he tried to stop it," Anderson said.

At the time of Hicks' suicide attempt, he was being held in a cellblock for difficult inmates after hurling racial slurs at minority inmates.

Executive Chief Deputy Bob Knowles said the jailer could be disciplined if the investigation finds he violated department policies.

"We'll look at it from all angles," Knowles said.

Jailed on a sexual assault charge, Hicks, 38, is now in a cellblock for inmates requiring routine medical treatment.

Wardwell, 48, was being held on a charge of aggravated assault with a deadly weapon and had previously attacked another inmate, officials said.

The Sheriff's Department has asked the Tarrant County district attorney's office to file additional charges against Wardwell in the attack on Hicks.

## Suicide attempt

The May 9 incident began after Hicks tried to hang himself with a towel from his cell door, said Chief Deputy Cedric Simon. Agitated, his neck red and swollen, Hicks was immediately taken to a restraint chair in a suicide prevention cell, Simons said.

Restraining agitated or aggressive inmates is a standard procedure at the jail, Simon and Knowles said. The chair Hicks was strapped into is on the fifth floor near the jail's infirmary.

A jailer who was watching Wardwell in a day room also kept an eye on Hicks through a window to his room. Other jailers were monitoring Hicks through a video camera, Simon said.

With Hicks jerking at his restraints and shouting, the jailer briefly opened the isolation room's door, Simon said. Wardwell rushed past the jailer into Hicks' cell and began beating him on the head, Simon said.

The jailer called for help, and it took five or six jailers to remove Wardwell, Simon said.

In a letter to the *Star-Telegram*, Brady Hicks wrote, "Leslie Wardwell, aka Dutch, tried to kill me and I could not defend myself. I am constantly reliving the assault in my mind."

Hicks received first aid from a jail nurse. Sue Hicks said her husband was taken to John Peter Smith Hospital on May 11.

She said her husband still suffers from headaches and blurred vision.

## Racial slurs

It's not clear why Hicks was attacked.

Hicks' family said Wardwell was mad at Hicks because he had refused to surrender a newspaper and other items that he bought at the jail commissary. The family said that Wardwell threatened Hicks.

Hicks has filed grievances against fellow inmates, saying that they have harassed him and thrown feces and urine into his cell.

Simon said he does not know why Hicks was attacked, but he said Hicks has been a difficult inmate.

He said Hicks made a makeshift Ku Klux Klan hood by cutting holes in his T-shirt, then pulled it over a plastic Coke bottle he had placed on his head.

"To say that he has trouble with one inmate is an understatement," Simon said. "He has all of the inmates in that housing area upset with his racial slurs."

Hicks is now in a cell where he receives routine medical treatment and visits from a mental health caseworker, Simon said. He is closely guarded outside of his cell to guarantee his safety, Simon and Knowles said.



“Any time something like this happens, it concerns us because of the breach of safety for the inmates as well as the officer.”

— Bob Knowles, Tarrant County executive chief deputy

Knowles said the internal review will help the department determine whether policies need to be changed to protect inmates.

“Any time something like this happens, it concerns us because of the breach of safety for the inmates as well as the officer,” Knowles said.

He said the jail is properly staffed and meets the guidelines set by the Texas Commission on Jail Standards. He also defended the use of the chair.

“If it is properly used and monitored, it is a good management tool,” Knowles said.

Anderson said the department has drastically reduced the use of the chairs. It is not used for punishment, he said, adding that the jailers are trained to use it as a “last resort” and are not supposed to leave anyone in the chair longer than necessary.

“I think our policies are good,” Anderson said. “I think the proper precautions are being taken.”

James Arthur Livingston died in 1999 after being strapped in a chair in the jail’s booking area for more than four hours and being sprayed with pepper spray. Livingston was a schizophrenic who became combative after his arrest.

In 2002, inmate Walter B. Forrest had a fatal seizure in a restraining chair at the Mansfield Jail.

An Amnesty International report from 2002 said that in the previous two years, at least four inmates nationwide had died after being subdued in restraining chairs. In May 2000, the U.N. Committee Against Torture also recommended abolishing the chairs as a method of restraining people.

Larry Moore, president of the Tarrant County Defense Lawyers Association, said he opposes any use of the chairs.

“I think they are barbaric,” Moore said. “I thought we were a little bit beyond using the chair.”

Geneva Hicks, Brady Hicks’ mother, says that her son “doesn’t have a good track record, but it shouldn’t have anything to do with this mess.”

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# No prize for you

Sheriff Dee Anderson apparently isn't going to let up in his pursuit of people who are operating illegal eight-liner game parlors in Tarrant County.

Nor should he.

In fact, Anderson and his deputies escalated the campaign this week when they arrested seven people, including two employees and five patrons, in a raid on a game room on Boyd Road that was set up to benefit the Briar Volunteer Fire Department.

It was the second raid on that establishment in less than three weeks. Some people never learn.

The two game-room employees could face fines of up to \$4,000 and as much as a year in jail. The patrons, besides suffering the indignity of a trip to the Tarrant County Jail, could be fined \$500 each.

Raids on eight-liner game rooms have been controversial for years. Many people seem to believe that this type of gambling is just harmless fun and that the authorities should back off.

But in April 2003, the Texas Supreme Court ruled unanimously that eight-liners are clearly illegal gambling devices if they award prizes with any-

## GAMBLING

If you run or play in an illegal eight-liner game room in Tarrant County, there's a good chance you could be arrested.

thing more than token value. And that law was indeed being broken at the Boyd Road game room, said Sheriff's Department officials.

People can break the law if they want, but it's Anderson's job to make sure they suffer the consequences.

In fact, discussions about illegal eight-liners have become part of the current gambling debate in Austin.

Gov. Rick Perry and lawmakers who support authorizing video lottery terminals (some people call them slot machines) at horse and dog race tracks, Indian casinos and possibly other locations in the state say that these legal machines would be a good way to dry up the illegal eight-liner activity.

This Editorial Board has generally opposed the expansion of legal gambling in Texas, and we don't approve of illegal eight-liners, either.

Anderson and his deputies are right to enforce the law.

# Tarrant jail's food provider quits

By AMIE STREATER  
STAR-TELEGRAM STAFF WRITER

Here comes another food fight.

The company that prepares meals for Tarrant County Jail inmates is quitting, leaving the county 60 days to find another contractor to take over the extensive operation.

Because the feeding of some 3,500 inmates a day is a chief responsibility

**JAIL** The county is scrambling to determine how it will find a new contractor within 60 days.

of the county, officials were scrambling late Monday to get the issue down as an emergency agenda item for today's meeting of the Tarrant County Commissioners Court.

"We are all kind of shocked and trying to absorb it all," Sheriff Dee Anderson said. "We haven't been given a good explanation. The letter doesn't really say anything. We will see what the court wants to do next."

John Sammons, chief executive of Mid-States Services of Hurst, gave no reason for the departure in a letter Monday to county Purchasing Director Jack Beacham.

Sammons also declined to offer any specific reasons in a telephone interview.

"We just decided to put our assets into other areas," Sammons said.

Beacham said Monday that he will recommend that the commissioners allow him to put out a request for proposals to solicit a new contractor.

Mid-States' departure is the latest blow in six months' of headaches over jail food.

Mid-States ran the jail kitchens last year, but lost out for this year's contract when the county solicited new bids last fall. The low bidder was Philadelphia-based Aramark Correctional Services, which took over jail food preparations in December.

But after county officials cited repeated problems with the quality and quantity of food being served, Aramark resigned from the contract in March.

Mid-States, which was the second-lowest bidder and had been designated as the back-up provider, was left to take over the services. Sheriff's officials praised the transition.

Then came Mid-States' unexplained departure.

Beacham said that he had been at the jail only 10 days ago to sample the food and check on the operations and that he was told by Mid-States and jail workers that there were no problems.

"We heard no negative comments at all from either party," Beacham said.

The third-highest bidder for the contract last year was Mid-America, a company created by Jack Madera.

Madera was indicted this

year on charges of using forged documents to win a 1997 food-service contract at the Kaufman County Jail, but the charges were dropped.

Madera could not be reached for comment Monday. He owned Mid-States before selling it in 1999 to a group of investors including Sammons.

In neighboring Johnson County, commissioners renewed Mid-America's jail food contract Monday for the third year of a three-year contract. Last month, commissioners talked about other options but said they couldn't beat Mid-America's price.

Staff writer Martha Deller contributed to this report.

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## TARRANT COUNTY | REGION

# Food-service politics questioned

By AMIE STREATER  
STAR-TELEGRAM STAFF WRITER

Amid questions about possible inside politics, Tarrant County commissioners voted Tuesday to seek yet the jail's third food-service contractor in as many months.

Commissioner Glen Whitley, however, questioned Tuesday whether rejected bidder Mid-America Services might have the inside track for the latest contract.

"I find it hard to believe that we have two companies doing this all over the state and all over the country and they can't do it in our jail," Whitley said.

"It seems to me as if the sheriff's department is intent upon getting Mid-America back, and I think they are going to get them back. I'll be surprised if anybody else bids on the job."

Sheriff Dee Anderson said Tuesday it doesn't matter to him who runs the jail kitchens, as long as the food is good quality at a fair price.

**JAIL** County commissioners are expected to decide next month on a food-service provider for the Tarrant County Jail.

"They [Mid-America] are providing food service for several counties around here, and I haven't heard of any problems at all," Anderson said. "He certainly has the track record. He has worked in this jail before, and he has the background and the knowledge of how we do business."

Commissioners are expected to select a new food-service contractor next month to provide three daily meals for about 3,500 jail inmates.

The current contractor, Mid-States Services, notified county officials Monday of its intention to leave by Aug. 15 but gave no explanation. The Hurst-based company had been the county's jail food provider for years but was underbid by Philadelphia-based

Aramark Correctional Services last year.

Aramark resigned from its contract in March after months of complaints from county officials about food quality and service, and Mid-States was rehired.

Mid-America and Canteen Correctional Services also submitted losing bids last year. A Mid-America representative, Jack Madera, was later indicted on charges of using forged documents to win a 1997 food-service contract in Kaufman County, but the charges were dropped.

Madera, who declined to comment Tuesday, has close connections to some county officials. His company now holds the contract to provide the jail's commissary operations, selling snacks and personal items to inmates.

And he previously ran the jail's food-service operations as the then-head of Mid-States, which he later sold.

Anderson and Commission-

er J.D. Johnson have acknowledged socializing with Madera, and last month, Madera received a commendation from commissioners for donating pastries and ice cream for the county's employee appreciation day.

Anderson said his friendship with Madera will have no bearing on who gets the food-service contract.

"I think we have gone out of our way to be neutral and unbiased," Anderson said. "We certainly didn't expect this to happen. We certainly didn't ask Mid-States to resign."

In other action Tuesday, commissioners approved tax breaks worth up to \$4 million for General Motors' Arlington assembly plant. The incentives are expected to help the plant convince GM officials to invest \$169 million for improvements and retooling to assemble the next generation of sport utility vehicles.

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# Waiver will save jail costs

**JAIL** Having only one exit door per 24 inmates will save the county \$30,000 to \$40,000 in construction costs.

By **MAX B. BAKER**  
STAR-TELEGRAM STAFF WRITER

The Tarrant County sheriff will be allowed to expand the Green Bay jail without installing additional doors as previously recommended by Fort Worth building officials.

Tarrant County Commissioners approved plans Tuesday with only one exit door for each 24 inmates, saving the county \$30,000 to \$40,000.

The Fort Worth Construction and Fire Prevention Board of Appeals agreed June 10 to allow the county to deviate from city building codes that would have required extra doors.

Plans submitted to the city emphasized that a sprinkler

system and smoke-purging equipment would be installed in the building and that jailers would be trained to contain any fire before firefighters arrive.

"The city codes were never meant for a jail," said Terry Grisham, the sheriff's executive administrator. "They were meant for office buildings where they wait for the Fire Department to respond."

The flap over putting in extra doors surfaced earlier this year after the Fort Worth Development Department, which issues building permits, raised concerns that there wasn't

enough access to the jail cells.

City officials said the International Building Code requires more than one exit for any cell holding 10 or more inmates. County officials said they could have been forced to add up to 12 doors.

Jail officials said each additional door would pose a security risk.

The Texas Commission on Jail Standards had already approved the plans, but the state also requires that building projects meet local codes.

In opposing the county's plans for safety reasons, city building officials said the building code requires that all areas of restraint have more than one exit, city records show.

The Fire Marshal supported

building officials.

But building officials said they would not oppose the board of appeals decision if the board was comfortable with the jail's firefighting capabilities and other security measures.

"I think that is why they approved it. They felt comfortable," said David Phillips, assistant director of the county facilities management department.

The county broke ground on the \$11 million expansion in north Fort Worth late last month. It will accommodate 576 additional beds for housing medium-security inmates, Grisham said. It is expected to open in September 2005.

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# Former Tarrant County jailers hit with charges of drug smuggling

By ALEX BRANCH  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — Two former Tarrant County jailers accused of smuggling drugs to prisoners were indicted this week, more than 1½ years after they were first arrested.

A grand jury indicted Ollie L. King, 31, and Joey Janice Jr., 23, Thursday on counts of bribery, a second-degree felony, and reckless possession of a controlled substance or dangerous drug in a correctional facility, a third-degree felony.

Warrants have been issued for their arrests, but neither man was in custody late Friday. King and Janice were first arrested Oct. 8, 2002, after sheriff's officials accused them of attempting to deliver a little more than 5 grams of marijuana after accepting money from a visitor. They were later fired.

On March 18, prosecutors dismissed charges accusing King and Janice of bringing a prohibit-

**INDICTMENT** Two former Tarrant County jailers are indicted three months after similar charges were dismissed.

ed substance into a correctional facility. Sheriff Dee Anderson wrote a letter to District Attorney Tim Curry criticizing prosecutors' decision to drop the case, calling it a "slam dunk."

Of the decision to take the case to the grand jury after all, Assistant District Attorney David Hudson said Friday, "The way the charges were filed before was not the best legal theory to fit the facts.

"We needed to take a fresh look at the facts and do something a little different."

Anderson was out of town Friday, but his executive administrator, Terry Grisham, said sheriff's officials were pleased by the indictments.

"There was a large feeling of disappointment in the Sheriff's

Department when the charges were dismissed," he said.

King and Janice were arrested during a sting witnessed by undercover officers from another agency, sheriff's officials have said. Investigators had been alerted to possible wrongdoing by the jailers by an inmate that August, they said.

Before their arrests, King had worked as a jailer for four years; Janice, for two years.

Janice's lawyer, Mike Ware, said Friday afternoon he had not yet read the indictment, but he called it a surprise since the similar charges were dismissed months ago.

"Since the Sheriff's Department set him on this deal over a year and half ago, and they're still trying to figure out what in the heck he supposedly violated. Something is obviously wrong with this picture," Ware said.

King's lawyer did not return a message left at his office Friday afternoon.

# Scores of 8-liners seized in raids

**GAMBLING** Tarrant County sheriff's officers conduct their first eight-liner raid in an incorporated city.

By **ALEX BRANCH**  
STAR-TELEGRAM STAFF WRITER

Tarrant County sheriff's officers seized almost 100 eight-liner machines and arrested three people Tuesday during raids at two Blue Mound businesses, authorities said.

It was the first such raid in an incorporated city since Sheriff Dee Anderson announced a crackdown on the illegal gambling machines last summer. Previous raids were at businesses in unincorporated areas of the county.

"Blue Mound police contacted us and said they had received citizens complaints about these locations," said Terry Grisham, a sheriff's spokesman. "They don't have the resources to deal with this sort of operation, and they invited us to participate."

Sheriff's officers and Blue Mound police officers removed 60 machines and arrested two employees at The Double Duece in the 200 block of Blue Mound Road, he said. They confiscated 37 machines and arrested one employee at Texas Mobile and More at Watauga and Blue Mound roads.

The three people arrested face misdemeanor gambling charges, he said.

Unlike a recent eight-liner raid in Reno, no patrons were arrested, except for one person taken into custody on an unrelated warrant, Grisham said.

Patrons of the Reno establishment had been warned repeatedly that they were breaking the law, but patrons present during Tuesday's raids had not, he said.

Blue Mound police referred all questions to the Sheriff's Department on Tuesday night.

Eight-liners are similar to slot machines in that players win prizes if three icons match vertically, horizontally or diagonally. In April 2003, the Texas Supreme Court ruled that the machines are illegal gaming devices if their operators reward winners with cash or credit to continue playing.

Employees at both businesses were rewarding customers with cash, Grisham said.

The machines are valued between \$1,500 and \$3,000.

The sheriff commended Blue Mound police for taking action, Grisham said.

"They saw a problem and took the initiative to get in touch with us and ask for our cooperation," Grisham said. "We worked on it together."

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# Unified action bails out full jail

**TEAMWORK** Judges, court clerks and others worked together after the Tarrant County Jail's occupancy reached an all-time high in May.

By AMIE STREATER  
STAR-TELEGRAM STAFF WRITER

There is more elbow room at the Tarrant County Jail since judges, prosecutors, clerks and other court workers rallied behind a push to ease overcrowding.

In late May, jail occupancy reached an all-time high of 3,649 inmates in 3,800 available beds, said Bob Knowles, executive chief of the Tarrant County Sheriff's Department.

On paper, that left 151 beds, but that wasn't really the case. Because of a complex classification system for assigning prisoners to jail cells, only about 10 general-population beds were available, Sheriff Dee Anderson said.

"I knew we were in trouble," Anderson said. "We were literally full at that point."

Jail officials assign prisoners by sex, level of violence, health and other categories. They also have to separate gang members, co-defendants, inmates who are witnesses in the same case and relatives.

"If I have 50 empty female bunks, I can't put males in them," Knowles said.

"Classification is an art," said Anderson.

On the jail's worst day, sheriff's officials averted closing the jail or turning away inmates because enough prisoners posted bail or were otherwise scheduled for release or transfer.

But the situation was still dire. Anderson alerted the Tarrant County Commissioners Court and other county officials with an e-mail May 27.

"We are at a critical point," he wrote. "We should begin the discussion of available options if and when we go over the breaking point."

Commissioners responded by reactivating a committee that had helped expedite the release of inmates in the early 1990s, officials said.

The committee — comprising judges and representatives from the district attorney's office, the district clerk's office and other county departments — devised ways to speed up court cases and streamline other judicial processes to clear cell space.

State district Judge Sharen Wilson, one of the 19 judges who have been working to clear cases, said the county hired a consultant who helped the judges re-examine their caseload management.

"We have taken a fresh look at what we have been doing," she said. "One of the things the judges realized is that the things we do and the way we set cases impacts the rest of the county, and that is an important realization."

The reassessment has moved many cases through the system much faster. On Friday, the jail population was down to 3,238.

"That has got to make it safer over there for the staff," Wilson said. "It's got to make you feel good."

Anderson said judges also rescinded a

previous order that inmates serving time to offset court fines had to serve that time consecutively with their regular sentence. Now, that time can be counted concurrently so inmates will be released faster.

Knowles credited the fast results to teamwork among the county offices.

"I don't think anyone was dragging their feet before, but I'm not sure they were aware of the jail population problem," he said. "The sheriff made them aware and asked for their help in dealing with it. The individual courts are used to looking at their case dockets, but not necessarily looking at the bigger picture."

Commissioner J.D. Johnson said that in this case, a little bit of communication made all the difference.

"A lot of times, communication is so important," he said. "A lot of times paperwork bogs things down and releases are delayed because of that."

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# Jail food contract expected to go to Mid-America

By AMIE STREATER  
STAR-TELEGRAM STAFF WRITER

Tarrant County commissioners are expected to award a jail food-service contract today — the third time they will have done so in less than a year.

Mid-America Services is the recommended contractor to provide three daily meals for about 3,300 inmates. The contract is worth about \$3.79 million a year.

Mid-America already runs the jail commissary, which sells snacks and personal items to inmates. Mid-America's chief executive is Jack Madera, a controversial businessman with long-running ties to several local politicians, including Sheriff Dee Anderson and Commissioner J.D. Johnson.

Both officials have said Madera is a friend but have pledged that the friendship will in no way color their decisions about the contract.

Madera was indicted this year on charges of using forged documents to win a 1997 food-service contract in Kaufman County, but the

**JAIL** The recommended contractor already runs the Tarrant County Jail commissary, which sells items to inmates.

charges were dropped.

"We are ready to take over, and that is all I will say," Madera said Tuesday.

County Administrator G.K. Maenius said Madera's past difficulties do not affect his ability to compete for the contract.

"Mr. Madera was indicted, but those indictments were dropped," he said. "Since it appears there are no other issues before the state court, as far as we are concerned, he can bid for this thing and do this just as anyone else could."

Madera formerly ran Mid-States Services, which previously held the county's jail food services contract.

Madera sold the business in 1999, but Hurst-based Mid-States continued operating the jail kitchens until its contract with the county expired last year.

With the expiration date

looming, county officials requested proposals for a new contract, which was ultimately awarded to Aramark Correctional Services.

But inmates and county officials alike had many complaints about Aramark, which is based in Philadelphia. Aramark resigned its contract, and Mid-States, the back-up contractor, resumed providing food service at the jail.

In June, Mid-States unexpectedly notified the county that as of Aug. 15, it was stepping out of the contract.

So county officials again requested proposals and received responses from two companies, Mid-America and Canteen Correctional Services.

While price was only one factor on which the two companies were assessed, Mid-America's bid was lower than Canteen's by \$583,304 a year, said county Purchasing Director Jack Beacham.

"They turned in a better proposal than Canteen did, overall," Beacham said.

The scores for the two companies were very close in the county's evaluation. Mid-America's experience in the jail gave it an edge, officials said.

"I think they have shown in the past they can do a good job for Tarrant County," Beacham said.

Mid-America's price is higher than what Aramark was charging the county. County officials have suggested that the quality of food Aramark was providing was affected by

the fact that it may have bid too low on the contract to make a profit.

Susan Kober, regional vice president of sales for Canteen, said she wasn't surprised that her company lost to Mid-America.

"At the price they are going in at, he is going to lose a half a million dollars a year," Kober said of Madera. "I can't imagine how he's doing it."

Kober said Canteen is the world's largest contract food-services company.

"The commissioners are on record saying you can't do this for this low price," she said. "Unless Mid-America knows something about operating that we don't, which I doubt, I

don't see how they can do it."

"We feed over 300,000 inmates a day, so it is not like we don't know what we are doing," she said.

Kober said, however, that she believes the proposal request process was fair, and she praised Beacham and senior contracts administrator Danny Roberson.

"Jack and Danny did everything to make this absolutely an even playing field, but I am not sure about the rest of

them," Kober said of county officials.

"I don't know how they are evaluating this."

She said Canteen will accept a secondary bidder position if it is offered by the county, in which case Canteen would take over food operations, at its higher price, if for some reason the county and Mid-America part ways.

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# Tarrant gets another jail food source

**JAIL** County commissioners approve a new food contractor, the third in a year.

By **AMIE STREATER**  
STAR-TELEGRAM STAFF WRITER

Once again, the Tarrant County Jail is getting a new chef for its kitchens.

On Tuesday, Tarrant County commissioners unanimously awarded a contract worth an estimated \$3.79 million a year to Mid-America Services, whose chief executive is controversial Dallas businessman Jack Madera.

Mid-America is the third jail food contractor in a year. The only other company to submit a proposal for the job was Colorado-based Canteen Correctional Services, which Madera underbid by an estimated \$583,304.

Mid-America will charge the county just under 92 cents per meal. Canteen's proposed price was almost \$1.06 per meal.

Madera did not appear at the commissioners court meeting Tuesday. Commissioners approved the new contract 4-0, with Commissioner Glen Whitley absent.

Madera was indicted this year on charges that he used forged documents to win a 1997 food-service contract in Kaufman County, but the charges were later dropped.

Madera's attorney, Karl Rupp, defended Madera's actions in a letter to county officials in support of the jail food bid.

"It was unclear even to us, as Mr. Madera's lawyers, just exactly what Mr. Madera was supposed to have done which was illegal, other than to have



STAR-TELEGRAM/RALPH LAUER

Commissioner Dionne Bagsby, left, said Tuesday that Mid-America's bid did not address recent food quality concerns, since it seeks about 5 cents less per meal than the previous contract.

owned the company in question at the time the menus, with an allegedly forged dietitian's signature, were submitted as part of a bid package," he said.

Tarrant County's 14-month contract with Mid-America includes the remaining two months of this fiscal year and a yearly renewal option for up to four years.

Before making a motion in support of the deal, Commissioner J.D. Johnson asked county staff to start working now on a new request for proposals.

He said the staff should "decide how many people we need where, what kind of food service we want and then let's bid it and see what the vendors come up with and see if we can afford to pay for it."

"The way we are going about it now it is still lacking somewhere," Johnson said. "This contract may last six months or it may last six years, I don't know, but I would like for us to be ready when and if we need it again."

Commissioners have also expressed concern that past problems with food quality were linked to a low bid that may not have allowed enough margin for the company to

make a profit and still provide good food.

Commissioner Dionne Bagsby said Tuesday that Mid-America's bid did not address that concern, since the county will be paying about 5 cents less per meal than under the previous contract.

"I am all for taking the bid that is the most financially positive for the county, but you run into issues of quality," she said. "We've had three vendors in less than a year. And this is even cheaper than the last one?"

After the meeting, Sheriff Dee Anderson said he hoped the vote meant that he could spend the next 14 months not thinking about food service at the jail, which has been an ongoing issue since the county's food contract expired last year.

Anderson said he did not believe that Madera's past legal difficulties would affect Mid-America's performance.

"I'm not the least bit troubled about their ability to provide the service, and the bottom line for us is someone that will provide the service," Anderson said.

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## Nathan Laurie



### WHITE SETTLEMENT

— Nathan Laurie, 43, passed away Thursday, July 29, 2004.

**Funeral:** 11 a.m. Monday at Birchman Baptist Church, Chaplain Harry Mayes officiating. Visitation: 3 to 5 p.m. Sunday at Greenwood Funeral Home. A procession will take Mr. Laurie to Greenwood Memorial Park, where his casket will be transferred to a horse-drawn carriage which will be led into the cemetery accompanied by bagpipers. He will then receive military honors from the U.S. Marine Corps color guard.

**Pallbearers:** Chief Daniel Chisholm, Lt. Avin Carter, Sgt. Christopher Spieldenner, Sgt. Steve de Cento, Sgt. Rick Schoon and Sgt. Chuck Stewart. **Honorary pallbearers:** remaining staff of the River Oaks Police Department.

Nathan was born Nov. 10, 1960, in Visalia, Calif. He was a 21-year veteran of the U.S. Marine Corps. He had worked for the Tarrant County Sheriff's Department. In 2002, he joined the River Oaks Police Department. Nathan was an avid outdoorsman.

**Survivors:** Wife, Shirlene Laurie; sons, Nicholas Laurie and Bryan Laurie and wife, Sue; daughter, Katy Laurie; son, Chris Cook and wife, Cameron and their son, Benjamin, all of White Settlement; grandchildren, Jeffrey Kennedy, Zoe Laurie and Ethan Evans; sister, Sabrina Robinson of California; and mother, Shirley Winters.

Greenwood Funeral Home  
3100 White Settlement Road, (817) 336-0584

"It's all you think about. You don't know what it's like thinking you might go to jail for something you didn't do." —Larry Brantley

# An accusation's long shadow

By ALEX BRANCH  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — Larry Brantley's pride in being a lawyer is evident in the plastic sleeves of a white binder, where he keeps his certificates and commendation letters.

On those pages, supervisors praise him as a Tarrant County jailer for following every rule and needing no supervision.

**LAW** A former Tarrant County Sheriff's Department officer says he is still rebuilding his life after spending 17 days in jail, accused of a crime he did not commit.

His work as a court bailiff is rated "clearly outstanding."

Since leaving the Sheriff's Department, he has provided

security for the city's upper echelon at the Fort Worth Club. He has never called in sick since taking the job in the summer of 2002.

That's why, he says, speaking of the day he was handcuffed and called a robber still brings tears of anger to his eyes.

Brantley, 51, was arrested

More on LAW on 14A



STAR-TELEGRAM/JEFFERY WASHINGTON

Former Tarrant County bailiff Larry Brantley was arrested in July 2003 and charged with a holdup at a Fort Worth store. In December, a grand jury declined to indict him.

last summer in connection with the robbery of a beauty supply store after the clerk picked his photo out of a lineup.

He spent 17 days in jail and, even though numerous witnesses said he was at work when the robbery occurred, it took five months to clear his name.

In the meantime, he said, his finances were drained, he lost a business, and his marriage grew strained.

"He was a nervous wreck," said Brantley's supervisor, JoAnn Floor. "It seemed like it he would be OK for a while, and then he would suddenly sit down and start crying."

Steven King, the lawyer who defended Brantley, said the case underscores the risk of relying too heavily on one witness.

"There are a lot of false IDs made across the country every year," he said. "You can't always put too much stock in them."

Debra Mello, the store manager, said the clerk didn't waffle when she picked Brantley's photo.

"I remember her being pretty sure it was him," she said.

The clerk, who has moved to South Texas, could not be reached for comment.

Authorities said they began looking at Brantley after a car registered to him was seen leaving the area.

"A warrant was issued, so a judge decided that there was enough evidence to arrest him," said Lt. Abdul Pridgen, a Fort Worth police spokesman. "People don't always like the circumstances of their arrest."

## Arrested at work

On the morning of July 22, 2003, Brantley put on his white uniform shirt and badge and went to his job at

the Fort Worth Club.

He had worked security there in 1983 before taking a loss-prevention job at Montgomery Ward. In 1986, he joined the Tarrant County Sheriff's Department and worked as a bailiff and jailer. He left the department in 2001.

He was rehired at the club in July 2002 and spent his days monitoring 64 security cameras and checking on guests.

That afternoon, Brantley saw two Fort Worth police officers outside and stepped out to see if he could help them.

"They looked at my nameplate and asked if I was Larry Brantley," he said. "I said I was and asked what I could do for them."

"They started smiling and told me I was under arrest for robbery."

A third officer grabbed his arms from behind and put handcuffs on him, he said.

The officers walked him past club

guests and co-workers, he said.

He was taken to the security office, where he was allowed to leave the club keys and radio, said Floor, his supervisor.

"I said, 'You've got to be joking,'" she recalled. "He's well-respected and well-liked here. He's a good person. I knew he wasn't a robber."

Brantley was put into a downtown holding cell, then taken in a van with other prisoners to the Mansfield Jail, he said. His bail was set at \$50,000.

Seventeen days later, his lawyer got his bail lowered to \$25,000.

Brantley's wife pawned her wedding ring, he said, and he went home.

## The investigation

Out on bail, Brantley learned more about the crime, which had occurred seven months earlier.

On Dec. 21, 2002, an employee at Sally Beauty Supply, 3518 Altamesa Blvd., told police that a man entered the store and passed her a napkin with

the words "I have a gun. Put the money in the bag" written on it, according to police reports.

The man pointed a handgun at her and gestured outside to a white car in which he said his brother was waiting.

The clerk said she stuffed \$200 into a bag.

An officer responding to the robbery said that as she pulled into the parking lot, she passed a white car pulling out, the report states.

The officer jotted down the license plate because she saw two men inside deliberately look away, according to an arrest affidavit.

Later, investigators found that the car was registered to Brantley.

Brantley said police had his photograph on record from one previous arrest, made on suspicion of family violence. In 1997, his 14-year-old nephew told police that Brantley had hit him in the eye. Brantley said he struck the boy in self-defense; no charges were filed.

After he clerk picked out Brantley's photo from a lineup, detectives took the evidence to Justice of the Peace Guy Ritchie. On Dec. 31, Ritchie signed a warrant for Brantley's arrest, the affidavit shows. A police spokesman said it may have taken so long to arrest Brantley because fugitive officers were busy with other cases.

Asley Johnson, a prosecutor who presented cases to grand juries at the time, said she believes that police handled the investigation well.

"I thought they followed the leads," Johnson said. "Someone specifically picked his picture as the man who committed the crime."

Rob Warden, executive director of the Center on Wrongful Convictions at Northwestern University in Evanston, Ill., said studies indicate that erroneous witness identifications are not unusual.

"It is unquestionably the single biggest cause for the conviction of innocent people," he said. "Studies show

that if the actual perpetrator is not in the lineup, the victim has the tendency to choose the person who most closely resembles them. It's really an amazing phenomenon."

David Montague, a Tarrant County assistant district attorney, said that the validity of each eyewitness identification must be evaluated carefully but that it is an important investigative tool.

"Eyewitness identification is a critical piece of evidence in criminal cases," Montague said.

### 'An airtight alibi'

Brantley was incredulous.

To begin with, club records indicate that he was at work the night of

the crime. The records, which Brantley obtained as he prepared his defense, show that he clocked in at 3:28 p.m. Dec. 21, 2002, and clocked out at 11:26 p.m.

Security guards are not permitted to leave the club during their shifts, even for meals, Floor said. If Brantley had left, some of the club's 64 cameras would have captured it.

Nine witnesses — security workers and maitre d's — signed notarized statements saying that Brantley was at work that night and was seen inside the club throughout his shift.

His wife, Alwanda, said she later realized that she could explain why Brantley's car, a white Chevrolet Cavalier, was near the beauty shop.

She had spent the day shopping with her children and then picked up a friend at the Kmart at Altamesa and McCart Avenue, she said.

A receipt from the 2002 Coats for Kids Drive at Charity Church, 501 W. Seminary Drive, shows that Alwanda Brantley visited the church Dec. 21.

Alwanda Brantley said she remembered passing police cars as she left the parking lot but didn't look away as the officer suggested.

"I looked right at her because we could tell she was looking at the car," she said. "I don't know how they could mistake two women in a car with two kids in the back for two men leaving a robbery."

Fort Worth Club security officials signed a notarized statement verifying that Brantley drove a beige four-door Nissan Maxima to work, not the two-door white Cavalier.

"He had an airtight alibi," said King, Brantley's attorney. "It doesn't seem like it would have taken a lot of legwork for them to figure out he couldn't have done it."

### Struggles followed

But Brantley couldn't present his defense until a grand jury considered the case in December 2003, five months later.

Johnson said that prosecutors still had good evidence that he was the robber, that memories can be mistaken and that timerecords can be altered.

In the meantime, Brantley said, he felt as if his life was caving in.

His security officer's and peace officer's licenses were suspended. He could no longer work security.

The Fort Worth Club allowed him to stay on as a clerk, a job paying less than what he earned working security — because his employers knew he was innocent, Brantley said.

He was forced to close Q T Pie's Retail, a dollar-store-type business that he opened in 2001 with branches on South Riverside Drive and in Everman.

He said he struggled to make his house payments.

Word spread among former colleagues and friends that Brantley was accused of robbery. Many who knew him were disbelieving.

"His job performance was always excellent," said Magistrate Judge Gene Grant, for whom Brantley served as a bailiff. "He was a hard worker, always cheerful and easy to be around. Something didn't sound right."

As stress built and money tightened, Brantley's relationship with his wife frayed. He was afraid he was going to jail.

He no longer wanted to go anywhere. He was embarrassed that people knew he was accused of sticking a gun in a woman's face for \$200.

"It's all you think about," he said. "You don't know what it's like thinking you might go to jail for something you didn't do."

### A cleared name

On Dec. 8, 2003, a grand jury heard the case against Brantley and declined to return an indictment. No one else was ever arrested in the case.

Brantley's lawyer, King, said Johnson handled the case fairly. She allowed Brantley to present his evidence, even though prosecutors are not bound to do so before the grand jury.

Brantley got his security officer's license back. He's back at the Fort Worth Club in his white security uniform with a badge stuck to his chest.

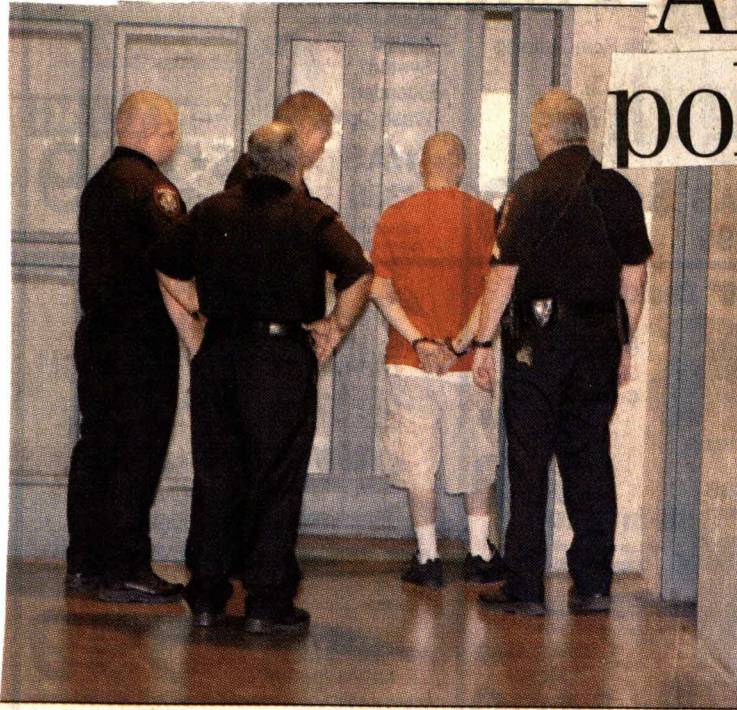
But he's bitter about what he said authorities put him through.

"I felt like they walked on my integrity," he said. "My children had to visit me in jail."

He has filed complaints with Fort Worth police internal affairs and the FBI, alleging that he was arrested without probable cause and that his civil rights were violated.

Alwanda Brantley said that her husband seems hurt mostly because, after his years in law enforcement, he was so quickly treated like a criminal.

# Arrest made in police chase that killed officer



SPECIAL TO THE STAR-TELEGRAM/MIKE ZUKERMAN

## Man arrested in police chase

Andrew Loyd Grams, 20, is escorted by sheriff's deputies on Tuesday in the Tarrant County Jail after his arrest on a burglary warrant. Authorities believe that he drove a stolen pickup involved in a nighttime police chase last month that ended in the death of River Oaks officer Nathan Laurie, 43. Grams was arrested on a burglary warrant about 6 p.m. Tuesday at a residence on Yale Street in River Oaks, said authorities, who added that Grams could face additional charges.

By ALEX BRANCH  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — The man suspected of driving a stolen pickup involved in a pursuit that ended in the death of a River Oaks police officer last month was arrested Tuesday evening, a sheriff's department official said.



GRAMS

Andrew Loyd Grams, 20, was taken to the Tarrant County Jail, where he was held without bail because he was wanted on a warrant for a state parole violation, said Terry Grisham, a

spokesman for the Tarrant County Sheriff's Department.

Grams was arrested on a burglary warrant about 6 p.m. at a residence on Yale Street in River Oaks, near where the pursuit that led to officer Nathan Laurie's death began, Grisham said.

**ARREST** Authorities believe that a 20-year-old man picked up on a warrant for a state parole violation was the driver of a stolen pickup involved in the fatal pursuit.

"This case has been at the top of our list since the tragedy occurred," Grisham said. "We developed some valuable information from people with firsthand knowledge of this suspect."

Grams was convicted in 2001 of burglary of a vehicle and in 2002 of theft of a vehicle, according to Tarrant County court records, which show an Azle address for him.

A River Oaks police dispatcher said the department was still gathering information about the arrest and would not comment.

Laurie, 43, was killed July 29 when his patrol vehicle and another officer's vehicle collided while they pursued the pickup, which had been stolen from a

car lot, authorities said.

The driver had rammed the pickup into the front of Laurie's Jeep Cherokee during a traffic stop and then sped away.

Laurie, a former Tarrant County jailer, had been with the River Oaks Police Department for less than two years. He was married and had two sons and a daughter.



LAURIE

The warrant on which Grams was arrested involves a burglary that occurred in the car-lot office when the pickup was stolen, Grisham said. But

Grams could face more serious charges.

"There are some felony charges that deal with deaths that occur when someone is fleeing from the police," he said. "The district attorney's office will have to sort through the facts and the way accident occurred."

Laurie chased the pickup until his Jeep collided with a Jeep Cherokee driven by officer Juan "Jesse" Rios, who was responding to Laurie's call for backup, at Tulane Avenue and Yale Street in River Oaks.

The pickup was later found in an apartment complex parking lot in the 5900 block of Calloway Drive South in Fort Worth.

Grisham said investigators are still trying to determine whether another person had a role in the incident.

A \$10,000 reward offered by Dallas-based Schepps Dairy for information leading to the arrest and indictment of the driver may have helped investigators obtain crucial information, he said.

"If this individual is indicted, we expect the reward will probably be paid out," Grisham said. "Schepps has again showed that they are a very good friend of law enforcement."

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abbranch@star-telegram.com

# Jail to change restraint policy

**JAIL** The Sheriff's Department is investigating an incident in which an inmate strapped to a chair was beaten by another inmate at the Tarrant County Jail.

By **MAX B. BAKER**  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — A Tarrant County jailer is being reprimanded — and new policies are being drafted for the Sheriff's Department — after a jail inmate was beaten by another inmate while strapped to a chair after a suicide attempt.

Brady Hicks Jr. suffered cuts and bruises on his head and face after fellow inmate Leslie Wardwell made it past the jailer and into an isolation room where Hicks was immobilized in May.

"I think it was a case of human error on the part of a relatively inexperienced jailer," said Sheriff Dee Anderson. "It was an error in judgment and nothing premeditated on his part."

A letter of reprimand will be put into the jailer's employment file, but no other disciplinary action will be taken against him because the department lacked clear guidelines on when the isolation room door should remain closed, Executive Chief Deputy Bob Knowles said.

"He's not entirely at fault since there wasn't a policy," Knowles said. The jailer has worked for the department for about a year, he said.

A policy is being written to require that the door of the isolation room remain closed unless two jailers are present, Knowles said. The isolation room

has a chair with hooks and straps to restrain an inmate's arms and feet.

The Sheriff's Department initiated its internal investigation after the *Star-Telegram* made inquiries about the incident in June.

Geneva Hicks, Brady Hick's mother, was not pleased with results of the investigation. The Hicks family has hired two attorneys to represent them in a possible lawsuit against the county, she said.

"You've got to be kidding," she said. "I don't think that is enough of an investigation at all. My son still looks like a raccoon."

The May 9 incident began after Hicks tried to hang himself with a towel from his cell door, jail officials said. He was immediately taken to the restraint chair — a standard procedure for restraining agitated or aggressive inmates, officials said.

A jailer who was watching

Wardwell in a day room also kept an eye on Hicks through a window to the room. Other jailers were monitoring Hicks through a video camera.

After Hicks began jerking at his restraints and shouting, the jailer briefly opened the isolation room door. Wardwell rushed past the jailer into the room and began beating Hicks on the head. The jailer called for help, and it took several jailers to remove Wardwell.

Hicks initially received first aid from a jail nurse and was later taken to John Peter Smith Hospital for treatment. Hicks' family says he still suffers from headaches and blurred vision.

Hicks' family said Wardwell was angry at Hicks because he had refused to surrender a newspaper and other items he had bought at the jail commissary. Members of Wardwell's family contend that Hicks had threatened to harm Wardwell's family when he got out of jail.

Jail officials said Hicks was being held in a cellblock for difficult inmates after directing racial slurs at minority inmates.

"I think, obviously, the ac-

ions of the victim made him a likely victim," Anderson said. "This person brought a lot of his misery upon himself."

Wardwell eventually pleaded guilty to a misdemeanor assault charge and received a 90-day sentence. He is serving time in a Texas prison for aggravated assault with a deadly weapon, Knowles said.

Hicks remains in jail on a sexual assault charge.

The department's use of the restraint chair has been controversial for years. In 1999, a mentally ill man died after he was strapped into the chair for several hours.

"There is no excuse to leave somebody tied up to get their eyes gouged. That's absurdity," said attorney Jerry Loftin, who along with Danny Burns has been hired by the Hicks family.

"If they can't appropriately defend someone in one of these chairs ... even if it's for their own safety, they're not doing a very good job of protecting them," he said. "It should not happen."

Max B. Baker, (817) 390-7714  
maxbaker@star-telegram.com

## Not the best decision

Dee Anderson's tenure as Tarrant County sheriff is noteworthy largely because of how unremarkable it has been.

He's done a commendable job of avoiding the footsteps of the previous sheriff, a man ill-equipped for elected office who was constantly in the headlines for controversial decisions.

In delightful contrast, Anderson has been a competent department head and conscientious steward of taxpayer dollars who has gone about the business of running the county jail with quiet efficiency.

All of which makes his decision to allow his portrait — in uniform and in front of the official seal of Tarrant County — in a brochure for a high-profile civil trial attorney quite puzzling.

Anderson gives personal testimony, lauding the lawyering skills of Frank Branson, a courtroom attorney who touts his multimillion-dollar "post-verdict recoveries" in a slick, 12-page promotional piece.

Joining the Republican sheriff in praise for Branson and his firm are professional golfer David Frost, former Democratic Gov. Mark White and former Republican state Sen. Bill Ratliff, who briefly served as acting lieutenant governor.

White and Ratliff are no longer serv-

**PUBLICITY** The Tarrant County sheriff's help with a promotional brochure for a civil attorney was ill-advised.

ing in public office, so one supposes they can lend their faces to endorse whomever they choose. Anderson is another story.

One doesn't have to imagine a scenario in which the sheriff might be called to testify in a civil case leveled against him, his deputies or the county by someone who may be in need of Branson's services. Such a case — a restrained inmate left unattended and subjected to a beating by another inmate — is under investigation at the Tarrant County Jail.

When questioned about his inclusion in the booklet, Anderson was unapologetic.

"I am his client and his friend," Anderson said this week. "He helped me out in a time of need, and I was just being very honest about how I felt."

That sentiment coming from a private citizen about someone who assisted his family is understandable, but Anderson is a sitting elected official.

He is a representative of all the residents of Tarrant County. It may have been a heart-felt decision on Anderson's part, but it wasn't a mindful one.



# Tarrant tribute

Tarrant County residents may not give much thought to the branch of government responsible for mundane issues like keeping track of vital records and court cases and patrolling streets in unincorporated areas.

But they should take pride in knowing that their county ranks as the best in Texas when it comes to innovation and using new technology to save time and taxpayers' money.

County Clerk Suzanne Henderson, District Clerk Tom Wilder, Sheriff Dee Anderson, Tax Assessor-Collector Betsy Price and the county's Public Health Department all brought home top honors at this month's Texas Association of Counties awards ceremony.

■ The county clerk's office received accolades for its eRecording program that catalogues land records electronically.

■ The district clerk's office was rec-

**GOVERNMENT** Kudos to county officials for finding ways to save time and money.

ognized for its Web-based records access system.

■ The Sheriff's Department's eye-scan technology, used to identify inmates more quickly and accurately, put the local law enforcement agency at the top rank of innovative departments.

■ The tax assessor-collector instituted a faster tax refund processing system that reaped commendation.

■ The public health department was praised for its West Nile virus mosquito surveillance program.

Tarrant County garnered more recognition than any other Texas county.

Congratulations to the department heads, and to all the county employees who make Tarrant the best in Texas.

# Train collision injures deputy and prisoners

HOUSTON CHRONICLE

HOUSTON — A Tarrant County sheriff's deputy and three prisoners were hurt Friday in a collision between their van and a MetroRail train in Houston, authorities said.

Two deputies had driven the van to Southeast Texas to pick up three prisoners from jails in Beaumont and Houston, sheriff's spokesman Terry Grisham said.

The van had just left the Harris County Jail shortly before noon when the wreck occurred at Main and Commerce streets. The van, southbound on the Main Street bridge, attempted an illegal right turn on red, said Tom Lambert, chief of the Metropolitan Transit Au-

thority Police.

A lighted sign displays a "no right turn over tracks" icon when the signal is red, he said.

The deputy driving the van, who was not injured, will receive a citation, a Houston police spokesman said.

Houston police identified the injured people as Deputy Sherry Willyerd, 52, riding in the front passenger seat; and prisoners Ludivina Ayala, 37; Willie Wilson, 38; and Tony Morales, 42.

"The last report I received was that the deputy and all three prisoners were in good condition and were expected to be released soon," Grisham said.

Two people on the train

who said they were hurt declined medical treatment, police said.

Wilson was being brought from Beaumont to testify in a trial. Ayala and Morales had been in the Harris County Jail on Tarrant County warrants.

Harris County sheriff's personnel escorted the ambulances carrying the prisoners, who were to return to the jail after being discharged from the hospital.

The collision, the 57th involving a MetroRail train since the Main Street line was completed in October, knocked off the train's front skirt and damaged a side panel.

Staff writer Alex Branch contributed to this report.

## What they do

### Sheriff

The Sheriff is the chief law enforcement officer for the county and the Sheriff's Department is the single largest component of the County's budget.

The Sheriff is elected to a four-year term and is responsible for operating the jail and providing support and specialized technical expertise to area municipal police agencies. About two-thirds of the Sheriff's budget goes toward operating the County's four jail facilities, which house about 3,500 inmates.

Other responsibilities include investigating crimes, serving criminal warrants, providing court security and maintaining communication with federal, municipal and state law enforcement agencies. Although the Sheriff has countywide jurisdiction, in practice he concentrates the department's investigative and patrol efforts in unincorporated areas outside cities' limits.

## Jail expansion begins this month




The expansion of the Green Bay Jail in North Fort Worth is expected to begin this month as the Tarrant County jail population continues to grow. In May, the Commissioners Court awarded an \$11 million contract to Cadence-McShane Corporation to build the addition, which will provide for 576 additional beds. Voters approved funding the expansion in the 1998 Capital Improvement Bond Program. Construction on the project is expected to be completed by September 2005, with inmates moving in by October.

## OBITUARIES

Wednesday, September 8, 2004

### Farris Smith Jr.



 **FORT WORTH** — Farris Smith Jr., 66, a retired technical sergeant for the U.S. Air Force, passed away Saturday, Sept. 4, 2004, at his home in Fort Worth.

**Funeral:** 11:30 a.m. Thursday at Shiloh Missionary Baptist Church, Pastor Albert E. Chew officiating. Burial: Dallas-Fort Worth National Cemetery. Visitation: 6 to 8 p.m. Wednesday at Laurel Land Funeral Home of Fort Worth.

Farris retired from the U.S. Air Force after 23 years of service. He later retired from the Tarrant County Sheriff Department.

**Survivors:** Wife of 44 years, Earnestine Smith; children, Clay, Eric and wife, Colette, and Tony Smith; daughter-in-law, Debra Donald; grandchildren, Eric Jr., Ashley, Jade, Nicolette and Eris Smith; best friends, Earl and Lucinda Griffin; and a host of other relatives.

Laurel Land Funeral Home  
7100 Crowley Road, (817) 293-1350

## RENO

**Fire department sues sheriff over eight-liners**

The Briar Volunteer Fire Department sued Tarrant County Sheriff Dee Anderson this week, asking for an injunction to stop the sheriff from confiscating more eight-liner game machines.

On May 20, sheriff's officers raided the Fire Department's game room on Boyd Road and confiscated more than 80 eight-liners.

The hall reopened May 28 with new machines.

Trey Loftin, the attorney for Briar volunteer firefighters, said the group sued because it needs the income from the game room to pay for fire-protection services.

"We are asking the judge to give us our stuff back and let us go on about the business of lawfully raising money with our games for the Fire Department," Loftin said.

The lawsuit, filed Thursday in 348th District Court, maintains that the Fire Department's Briar Auxiliary created the game room as a legal private club and hired a management company to run it.

The auxiliary gets 15 percent of the revenue from the games, the lawsuit says.

Also, the lawsuit says, the Fire Department "enjoys quasi-governmental immunity," which means the department is protected from being sued and treated unlawfully, Loftin said.

Anderson said the lawsuit's premise is "laughable."

"They're using all the usual arguments about it being a private club, but no private clubs are allowed to have casino gambling in Texas," Anderson said.

Loftin said that only small, inexpensive items are being given as jackpot prizes. Anderson said the game room took in about \$1 million last year, and the Fire Department kept \$150,000 of that.

**James C. Newton**

**IRVING** — James C. Newton, 76 of Irving, passed away Monday Sept. 20, 2004.

**Funeral:** 10 a.m. Friday at Brown's Memorial Funeral Home Chapel. Interment to follow in Dallas-Fort Worth National Cemetery.

Mr. Newton was born Sept. 15, 1928, in West Plains, Mo., to Christopher and Lucille Newton. Jim began his career as a radio air personality in the 1950s and '60s at stations throughout Texas and Oklahoma, including Dallas radio stations WFAA and KPCN. He later operated his own advertising agency, Newton Advertising Agency, and in 1959 worked with University Advertising Company helping to get Dallas radio station KVIL on the air. His television career included two years in Hollywood, Calif., doing bit parts for various movie studios, master-of-ceremonies for children's programs, variety shows, country music shows, and narrating special events of all kinds. Eventually Jim had his own television program, The Jim Newton Show, on Channel 11, where talented performers and out-of-town stars made guest appearances.

In the last seven years of his career, Jim was a deputy sheriff for the Tarrant County Sheriff's Department. He was also an Army veteran and member of The American Legion, The Press Club and Dallas Ad League.

**Survivors:** His son, Chris Newton of Irving; granddaughter, Jessica Cain; and grandson, James Christopher Newton III.

Brown's Memorial Funeral Home  
Irving, (972) 254-4242

# 39 gambling machines are seized in raid

■ The Tarrant County Sheriff's Department shuts down an eight-liner game room southeast of Fort Worth.

By **BILL TEETER**  
STAR-TELEGRAM STAFF WRITER

The Tarrant County Sheriff's Department pressed ahead with its campaign to make operating an eight-liner game room a losing proposition with a raid Wednesday in southeast Tarrant County, where they seized 39 gaming machines and cited patrons.

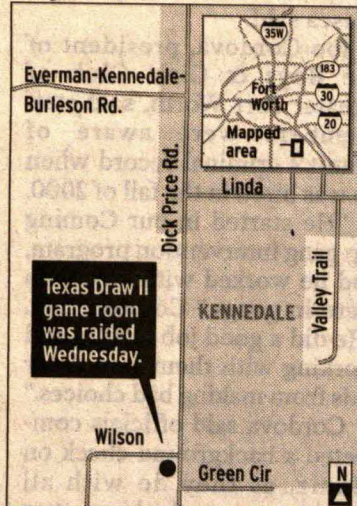
Deputies went to the Texas Draw II game room, 4540 Dick Price Road, with a search warrant after undercover officers spotted violations of laws regulating eight-liners, said Terry Grisham, executive administrator for the Sheriff's Department.

No one was arrested, but six patrons received Class C misdemeanor gambling citations. Investigators will pursue more serious gambling promotion charges against the operators, Grisham said.

Eight-liners are electronic gaming machines that operate by a player putting money into a machine. The player wins when three icons line up vertically, horizontally or diagonally.

The machines are not illegal as long as patrons are allowed to win a prize worth no more than 10 times the

## Eight-liner raid



STAR-TELEGRAM/PAULA TREVIÑO

value of money put into the machine or \$5, whichever is less, on a play. The machines may not pay cash, and players may not accumulate credits from play to play.

Lupe Delarosa, 39, of Burlleson, manager of the Texas Draw II, said the game room was not transferring credits and was paying only in small gifts.

Delarosa said she thought that she was operating legally. "It was just playing for some stuff," she said.

Detectives believe that players at the Texas Draw were paid in cash, Grisham said. The possibility that credits were being transferred is also being investigated, Grisham said.



STAR-TELEGRAM/JEFFERY WASHINGTON

The game rooms are scattered throughout the county, and the Sheriff's Department since late last year has been clamping down on gambling violations. The seized machines, which can cost as much as \$3,000 each, are destroyed.

Bill Teeter, (817) 390-7757  
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Thursday, September 30, 2004

## Crucial election

Americans are faced again with the task of electing a president.

I've read and watched on television all the discourse of character assassination from the camp of each candidate, and the time has come to make a decision. And such a choice surely has been influenced by questionable stands on taxes, child care, gay rights, assistance for veterans, the needs of the elderly and our freedoms — all topics that seem to be pulled from the shelf only at election time.

Our forefathers asserted that only a people strong in Christian values can make themselves and

others free. And we must prove that our own faith is equal to that of today's tyranny.

Virulent challenges are made almost daily to the American way of life and shake the very foundation on which our freedoms are based: the Ten Commandments, social prayers and the thought behind the motto "In God we trust."

Politics aside, I believe it's now time for a change and a spiritual awakening in America. Voters should be guided by reason, not rhetoric, come Nov 2.

*Floyd F. Clark, Fort Worth*

# Man on trial in deputy's shooting

■ The defendant was shot seven times by sheriff's deputies who broke down a door to try to arrest him.

By **MELODY McDONALD**  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — Korey Demain Walker was a wanted man. Sheriff's Deputy Mike Tatsch had been after him for months, narrowly missing him several times.

On Sept. 12, 2003, the cat-and-mouse game ended inside a southwest Fort Worth apartment.

Both men almost lost their lives.

Walker is on trial this week in state District Judge Sharen Wilson's court, accused of shooting Tatsch once in the abdomen after he and four other Tarrant County sheriff's deputies forced their way into the apartment to try to arrest him.

In return, Walker was shot seven times by officers, according to court testimony.

If convicted of attempted capital murder, Walker, 32, faces a sentence of 15 years to life in prison.

During opening statements

Wednesday, prosecutor Ben Leonard, who is trying the case with Shawn Paschall, told jurors that Tatsch had been looking for Walker for nine months.

In May 2002, Walker had pleaded guilty to felony possession of a controlled substance



WALKER

and, because a relative was ill with cancer, was to receive a six-year prison sentence later. When Walker didn't appear at his sentencing hearing in January 2003, the judge issued a warrant for his arrest.

Prosecutor Leonard said Tatsch, who is assigned to the fugitive unit, had been getting calls with tips about Walker's whereabouts.

Still, Walker always seemed to stay one step ahead, Leonard said.

On Sept. 12, 2003, Tatsch finally caught up with Walker after learning that he was staying in apartment No. 1701 at the Enclave at City View apartments, 5401 Overton Ridge Blvd.

When deputies arrived, they announced themselves and

knocked loudly on the doors and windows, Leonard said. No one came to the door, but the deputies noticed the blinds moving, he said.

Maintenance workers brought a key, but a deadbolt was locked, Leonard said.

At that point, Tatsch picked up a battering ram and broke the door. As deputies entered the apartment, they discovered a closed bedroom door. The moment Tatsch kicked it open, he was "right on top" of Walker, who began firing, Leonard said.

"He shot Mike Tatsch through and through," Leonard said.

Deputies fired back, hitting Walker, he said.

"At the conclusion of the trial, you'll know this defendant knew darn good and well that they were police officers, authorities of the law," Leonard said. "He tried to kill a peace officer in the state of Texas, someone working for you right here in Tarrant County."

Defense attorney Tiffany Lewis, who is working with Leon Reed Jr., reserved her right to make an opening statement until later in the trial. The defense team, however, cross-examined each of the 11 prose-

cution witnesses called Wednesday.

In their questioning, they suggested that Walker believed that someone was trying to hurt or kill him and that, when deputies burst in, their client fired in self-defense. The defense team implied that the deputies handled the situation recklessly and got their story straight before being interviewed about what happened.

They also questioned witnesses about the feeling of brotherhood law enforcement officers share, especially when one is shot. They suggested that, when an officer is injured, investigators go to great lengths to see that someone is charged.

Detectives with the Fort Worth Police Department's major case unit, who investigated the shooting, denied that.

"It's not about putting charges on people. It's about investigating the facts and reporting them accurately," testified Detective Bryan Jameson, who said the deputies were doing their job.

Testimony is expected to resume at 8:30 a.m. Thursday in Criminal District Court No. 1.

Melody McDonald, (817) 390-7386  
mjmcDonald@star-telegram.com

# Deputy testifies about gunbattle with suspect

■ Testimony is scheduled to resume Monday morning in the trial of a man accused of intentionally shooting and wounding a sheriff's deputy.

By **MELODY McDONALD**  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — Sheriff's Deputy Cliff Johnston thought he was going to die.

After fellow Deputy Mike Tatsch kicked in the bedroom door of an apartment to arrest a man wanted on a felony warrant for drug possession, a barrage of gunfire erupted, he said.

He heard Tatsch say he had been hit and saw the armed suspect, Korey Demaine Walker, come out of the bedroom and move toward the front door.

"His head turned and he looked at me," Johnston said. "... I thought I was going to die."

"What did you do?" asked prosecutor Shawn Paschall.

"I fired."

Johnston took the stand

Thursday morning in state District Judge Sharen Wilson's court, where Walker — who was shot by deputies seven times — is being tried on a charge of attempted capital murder.

Walker, 32, is accused of opening fire on the deputies, striking Tatsch once in the abdomen.

Prosecutors Paschall and Ben Leonard maintain that Walker knew that Tatsch had been trying to arrest him for months when a sergeant and four deputies caught up with him Sept. 12, 2003, at the Enclave at City View apartments.

They said that Walker peeked out the blinds and knew that deputies were outside. Despite their loud knocking and repeated orders to come out, Walker refused to open the door.

Prosecutors also contend that, after deputies broke the door with a battering ram and kicked open the locked bedroom door, Walker intentionally tried to kill them.

Defense attorneys Tiffany Lewis and Leon Reed Jr., meanwhile, have suggested that Walker believed that someone was trying to hurt or kill him and, when the officers burst in, he fired in self-defense.

Their questioning has suggested that Walker stopped shooting when he realized the men inside the apartment were deputies.

The defense has also suggested that the deputies handled the situation recklessly, firing through a closed bed-

room door and shooting Walker numerous times, including in the back.

Much of Thursday was dominated by testimony from crime-scene investigator Jim Varnon, who recovered numerous shell casings and bullets from the small apartment, which was riddled with bullet holes.

Firearms examiner Ron Fazio later testified that he matched the recovered casings and bullets with the weapons of the deputies and Walker. According to court testimony, the defendant fired three times and may have attempted to fire a fourth time when the gun misfired.

Deputy Robert Hernandez, meanwhile, fired at least twice, while deputy Johnston fired at least six times. Tatsch, the wounded officer, fired at least seven times.

The final witness of the day was a woman with whom Walker had a prior romantic relationship, which had turned sour.

Prosecutors called the woman to bolster their position that Walker knew that it was deputies — and not someone else — trying to enter the apartment that morning.

The woman testified that Walker left her a phone message asking, "Did you send the police?"

The trial will resume at 9 a.m. Monday in Criminal District Court No. 1.

Melody McDonald, (817) 390-7386  
mjmcDonald@star-telegram.com



WALKER

# Man convicted of shooting deputy

■ Korey Demaine Walker faces 15 years to life in prison after being found guilty of attempted capital murder.

By **MELODY McDONALD**  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — A 32-year-old Fort Worth man was convicted Monday of attempted capital murder for shooting a sheriff's deputy who was trying to arrest him on a felony drug warrant.

Jurors deliberated about an hour and 20 minutes Monday before deciding that, on Sept. 12, 2003, Korey Demaine Walker tried to kill Tarrant County Sheriff's Deputy Mike Tatsch.

Walker, who testified that he was shot nine times by Tatsch and deputies accompanying him, dipped his head and wiped his eyes after state District Judge Sharen Wilson announced the verdict.

Tatsch, who was shot once in the abdomen and has since returned to work with the sheriff's fugitive unit, sat quietly in the

gallery when the verdict was read.

The 10 men and two women in the jury will begin hearing testimony in Criminal District Court No. 1 at 8:30 this morning to decide Walker's punishment. He faces 15 years to life in prison.

According to court testimony, Walker pleaded guilty in May 2002

## CONTINUED FROM 1B

to possession of a controlled substance, but because his wife was dying of cancer, his sentencing hearing was delayed. When he didn't appear at the hearing in January 2003, Wilson issued an arrest warrant, which was assigned to Tatsch.

For both the prosecution and defense, the case against Walker came down to whether Walker knew when he pulled the trigger that he was firing at sheriff's deputies inside an apartment at a City View complex.

During their final summation to the jury, defense attorneys Tiffany Lewis and Leon Reed Jr. argued that Walker had had an ongoing dispute with a man who had threatened him and that Walker believed he was under attack by him.

Lewis and Reed reminded jurors that Walker testified that he awoke to unusual noises. He later called two women to ask them whether they were outside and, when they said no, he took a shower, brushed his teeth and got dressed. The

next thing he knew, there was a loud boom, the defense attorneys said.

It was the deputies breaching the front door with a battering ram, but Walker, in the bedroom, believed it was a gunshot, the defense attorneys said.

Walker grabbed a weapon from a dresser and fired at least three times toward the bedroom door, striking Tatsch, they said.

"He didn't see the sheriff's officers," Lewis told jurors. "He didn't know they were there. He was under attack, he just didn't know it was the sheriff's deputies that were attacking him."

After the deputies returned fire through the bedroom door and the shooting stopped, Walker emerged from the bedroom.

"He realizes it's the Sheriff's Department," Lewis said. "When he saw them there, he never raised his weapon toward them."

Lewis told the jury that the deputies used excessive force and lied about it in court.

"That's how innocent people get railroaded every day and why they send innocent people to the penitentiary for crimes they don't commit," she said. "Korey Walker is guilty of a misjudgment."

During his final summation to the jury, prosecutor Shawn Paschall, who is trying the case with Ben Leonard, told jurors that Walker knew that five deputies were outside and fired at them because Walker, an ex-convict, didn't want to go back to prison.

He reminded jurors that one of the women Walker called that morning testified that Walker left a message asking her whether she had sent for the police. Paschall also cited the testimony of an officer who talked to the other woman Walker called that morning.

According to court testimony, that woman advised Walker to shoot at the deputies and told him that they were not allowed to enter the apartment.

The defense team's suggestion that the incident was a conspiracy is "ridiculous," Paschall said.

"None of these guys had ever been involved in a shooting before," Paschall said. "They shot as a last resort because this man had a pistol and he shot one of them."

"Clearly, this was not Deputy Tatsch's time. The bullet passed within centimeters of his spinal cord."

Paschall told jurors that Walker was waiting with a firearm when Tatsch kicked in the bedroom door. Walker, co-owner of the record company Nothing To Lose, intentionally shot him, Paschall said.

"He was going out with a bang," Paschall said. "Why? Because he has nothing to lose. Nothing to lose."

Motioning toward the sheriff's deputies seated in the gallery, he said, "They protect us each day by cleaning up Tarrant County and don't ask for much in return. Today is your opportunity to pay them back with a guilty verdict of attempted capital murder."



# Man who shot deputy gets 83 years

■ Korey Demaine Walker is sentenced to a total of 83 years in prison Tuesday after the judge stacks a six-year prison sentence on top of the 77-year term jurors assessed.

By **MELODY McDONALD**  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — Last year, Korey Demaine Walker almost lost his life trying to avoid a return to prison.

On Tuesday, jurors made sure that he probably will spend the rest of his life there.

After 2 1/2 hours of deliberations, the panel sentenced Walker to 77 years for shooting and wounding Tarrant County Sheriff's Deputy Mike Tatsch inside a City View apartment on Sept. 12, 2003.

"It was a very strong verdict," pros-

ecutor Shawn Paschall said. "It sends a message to people like the defendant that this behavior won't be tolerated in Tarrant County."

Tatsch was not available to comment, but prosecutor Ben Leonard said the deputy was pleased with the sentence.

"He said he felt like the jury spoke for him," Leonard said.

Attorney Leon Reed Jr., who defended Walker with Tiffany Lewis, said that Walker, who was shot between seven and nine times after deputies returned fire, believes that God had a hand in it all.

"With respect to his being shot that many times, and still being alive, he doesn't believe it was by accident," Reed said. "What God's purpose is, he doesn't know, but he does recognize the fact that a higher power was involved. He will try and make the

best use of his time."

Tatsch and four other deputies had forcibly entered the apartment to arrest Walker, 32, on a felony warrant for drug possession — a warrant that state District Judge Sharen Wilson issued after Walker failed to appear in her court to receive a six-year prison term.

After the deputies breached the front door of the apartment with a battering ram, Tatsch kicked in a closed bedroom door and was met by gunfire.

Tatsch, hit once in the abdomen, and the other deputies returned fire.

On Monday, jurors convicted Walker of attempted capital murder, rejecting the defense team's argument that Walker thought he was under attack by an enemy and did not know he was firing at deputies.

Because Walker had a prior felony

conviction, he faced from 15 years to life in prison.

After Judge Wilson sentenced Walker to 77 years, she asked him if he remembered pleading guilty to possession of a controlled substance in her court and then not showing up to receive his six-year term.

After he told her he did, she informed him that she was stacking the six-year prison term on top of the 77-year sentence, bringing his total sentence to 83 years.



WALKER



TATSCH

Melody McDonald, (817) 390-7386  
mjmcDonald@star-telegram.com

Deputy was shot trying to serve warrant

# Candidates differ on officer visibility issue

■ The candidates for Tarrant County Precinct 1 constable disagree on whether officers should wear uniforms and drive marked cars.

By **ALEX BRANCH**  
STAR-TELEGRAM STAFF WRITER

The election for Precinct 1 constable may hinge on whether voters want their constable officers to stand out in a crowd.

Incumbent Jerry Crowder, a Republican, says his officers work more efficiently in plain clothes and unmarked cars.

His opponent, Democrat Burk Burnett "Blackie" Barkley says he thinks that those officers could better deter crime in uniforms and traditional police cars.

"People in Precinct 1 want a police presence," Barkley said. "People want to see officers in their neighborhood."

Crowder, 60, who has held the office since 1996 and was named Constable of the Year in Texas in 2002, said making officers more visible would hurt their ability to perform one of their most important duties: serving civil papers.

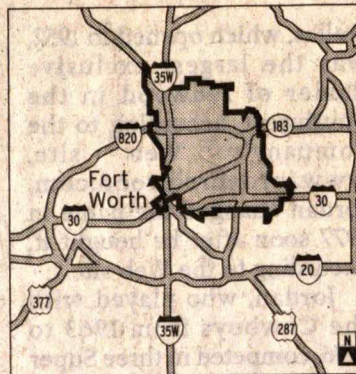
"If you're looking for someone for not paying child support and they look out the window and see a uniformed officer there, they aren't going to open the door," he said.

Having officers in plain clothes can also make the encounter less humiliating for those they are serving.

"Not all of the people we serve papers to are hardened criminals," he said. "We serve a lot of people downtown. Some people appreciate that we do it in a low-key way."

Barkley, 57, a Tarrant County sheriff's deputy, said he believes that uniforms give officers an advantage in dealing with people in the streets.

## Precinct 1 constable



STAR-TELEGRAM

"It gives you an edge," he said. "If you look like you're going to the rodeo or the fair, you don't have that edge."

If he is elected, he said his officers would almost always be recognizable. He also said he would try to curb truancy and help neighborhood associations set up crime watches.

"I think the constable has to be more involved in the community," he said.

### IN THE KNOW

## Tarrant County constable, Pct. 1

**Term:** Four years  
**Salary:** \$67,127 annually

### Jerry Crowder

Incumbent

**Age:** 60

**Party:** Republican

**Residence:** Haltom City

**Occupation:** Precinct 1 constable

**Background:** Precinct 1 constable since 1996; deputy constable, 1989-95; Southlake Department of Public Safety officer, 1983-89; ran a fence-building business, 1981-83; Haltom City police officer, 1970-80; Sansom Park police officer, 1969-70; Constable of the Year in Texas in 2002; past president of the North Texas Justices of the Peace and Constables Association.

**Priorities:** Ensure that legal papers are served in a timely manner.



CROWDER

### Burk Burnett "Blackie" Barkley

**Age:** 57

**Party:** Democratic

**Residence:** Fort Worth

**Occupation:** Tarrant County sheriff's deputy; also owns a safe company.

**Background:** Tarrant County sheriff's deputy since 1998; reserve deputy constable in Precinct 1, 1992-98; worked at his safe company, 1987-91; Haltom City police officer, 1982-87; sales manager with Oklahoma National Insurance, 1976-82; security worker at Kmart, 1972-76; worked at General Dynamics, 1966-72; former reserve officer in North Richland Hills and with the Watauga Department of Public Safety.

**Priorities:** Crime prevention, truancy, professionalism and effectiveness.



BARKLEY

The constable's office handles evictions and the service of lawsuits, subpoenas and other court papers. Precinct 1 encompasses northeast and

east Fort Worth and Northeast Tarrant County, including North Richland Hills, Richland Hills, Haltom City and Watauga.

Constables serve four-year terms and earn \$67,127 a year.

Alex Branch, (817) 390-7689  
abranch@star-telegram.com

October 23, 2004

## FORT WORTH AREA BRIEFS


### Death of prisoner, 35, is under investigation

**FORT WORTH** — A prisoner in the Tarrant County Jail was pronounced dead at a hospital late Thursday after she was found unresponsive in her cell, said Terry Grisham, spokesman for the Tarrant County Sheriff's Department. The Tarrant County medical examiner identified the woman as Christi Ball, 35, of Fort Worth. The cause and manner of her death were undetermined. Ball had recently undergone psychiatric care at John Peter Smith Hospital, and there were no obvious signs of trauma to her body, Grisham said. The death is under investigation.

Friday, October 29, 2004

### Ray Harold Bates



 **SPRINGTOWN** — Ray Harold Bates, 73, a retired jailer, passed away Wednesday, Oct. 27, 2004, in Springtown.

**Funeral:** 2 p.m. Saturday at Poolville United Methodist Church. Burial: Springtown Cemetery. Visitation: 6 to 8 p.m. Friday at White's Funeral Home.

Ray Harold Bates was born June 21, 1931, in Omaha, Neb., to Charles and Nellie Rummery Bates. He graduated from Omaha South High School. Ray was a member of the Tarrant County Sheriff's Association, the Lone Star Bulldog Club and the American Boer Goat Association and was associated with the Springtown Legends Museum. Ray was a member of Poolville United Methodist Church.

**Survivors:** Wife, Ann Medford Bates of Springtown; stepson, Mike Medford and Belinda of Springtown; stepdaughter, Margaret Medford Bridges of Azle; brother, Harry L. Bates and wife, Judy, of Longmont, Colo.; sisters, Patricia Anderson and husband, Bill, of Barnes, Wis., Clara Jensen of Omaha, Neb., and Vicki Bates and Merle of Friendswood; and several grandchildren and great-grandchildren.

White's Funeral Home  
Springtown, (817) 220-7111

# Obituaries

## **Duane Marvel Dykstra** 1941 - 2004

 [View/Sign Guest 1](#)

Duane Marvel Dykstra, 63, a probation officer, died Friday, Oct. 22, 2004, at a local hospital.

Funeral: noon Thursday in Dallas-Fort Worth National Cemetery.

Duane Marvel Dykstra was born June 14, 1941, in South Haven, Mich., to J and Mary Dykstra. He was a deputy sheriff for two years with the Tarrant County Sheriff's Office and currently was a probation officer for Tarrant County. He retired from the U.S. Army after 22 years of service. His memberships included Trail Lodge Masonic Lodge and Tabernacle Lodge Masonic Lodge #1195.

Duane was preceded in death by his parents; two sons, Dwight David and Ernest Sung Dykstra; and a brother, Dale Dykstra.

Characteristic of Duane's warm personality and genuine concern for others allowed another human being to receive a donation of his kidney, thus allowing Duane Marvel Dykstra to live on.

Survivors: Wife of 28 years, Sue Dykstra of Fort Worth; son, Kevin Duane Dykstra of El Reno, Okla.; daughters, Deloris Ann Sheffield of New Kent, Va., and Jane Leigh Dykstra of King William, Va.; brothers, Merriett Dykstra of Detroit, Mich., Melvin Dykstra of Michigan; sisters, Della Hasty of California and Joyce Dykstra of Michigan; and six grandchildren.

Published in the Star-Telegram on 10/26/2004.

Guest Book • Funeral Home

# Obituaries

## **Luis Jose Hermosillo** 1955 - 2004

 [View/Sign Guest 1](#)



Luis Jose "Hermie" Hermosillo, 48, a security officer, passed away on Friday, Oct. 22, 2004, in Fort Worth.

Funeral: 3:30 p.m. Wednesday in Greenwood Chapel. Rosary: 6 p.m. Tuesday in Greenwood Chapel. Burial: Greenwood Memorial Park.

Luis was born Nov. 17, 1955, in Fort Worth. He was a security officer for Methodist Hospital Southwest. Luis was a beloved husband, father, grandfather, son and brother. He will be missed by his family and friends.

Luis was preceded in death by his father, Abelardo "Lalo" Hermosillo.

Survivors: Wife, Rosa Maria Hermosillo of Fort Worth; daughters, Olivia Sa Hermosillo and husband, Nicholas Oniszko, and Melissa Hermosillo-Flores and husband, Jonathon; son, Luis Jose Hermosillo Jr., all of Fort Worth; grandchild Marissa and Nicholas Oniszko and Valerie, Jonathon and Victoria Flores, all of Fort Worth; mother, Flora Hermosillo; brothers, Armando, Ernest, Paul and Jesus Hermosillo Jr.; sisters, Carmen Garcia, Katherine Patino, Juanita Martin, Rosanna Frias and Stella Lopez; and several nieces, nephews and other extended family members.

Published in the Star-Telegram on 10/26/2004.

Guest Book • Funeral home info • Flowers & gifts

### AMERICAN INDIAN HERITAGE PROFILE

## Ben Tahmahkera

**Age:** 57

**Hometown:** Cache, Okla.

**Tribe/Nation:** Comanche

**Occupation:** Retired captain with the Tarrant County Sheriff's Department and the great-great-grandson of Quanah Parker, the last Comanche war chief.

**Organization:** Tahmahkera serves on the Comanche Nation's board of director's economic development committee and heads the tourism division. The board is headquartered in Lawton, Okla. He also does some part-time work for the Fort Worth Convention & Visitors Bureau, representing the American Indian community.



"Being Native American, you know what you are. My granddaddy told me before, 'Son, you'll have to work harder than most persons in order to accomplish what others do.' This was back in the days when things weren't real equal with respect to nationalities."

- Anna M. Tinsley

Friday, November 12, 2004

# Inmates' data going online is debated

■ The system would give people another way to get information that the Tarrant County Sheriff's Department already gives out by telephone, Sheriff Dee Anderson says.

By **BILL TEETER**  
STAR-TELEGRAM STAFF WRITER

A Tarrant County Sheriff's Department plan to place inmate information on the Internet has sparked a debate over legal concerns that could delay the debut of the system.

Because of a 1995 court order governing the electronic release of the county's judicial records, District Clerk Tom Wilder refuses to release information online about bail amounts and criminal charges on inmates after formal charges are filed or an inmate has been indicted.

Subsequent judicial orders have backed the 1995 order, Wilder said.

"I have a court order not to release information other than what was on the initial order," he said.

Sheriff Dee Anderson, however, said the information is public and should be included on the online inmate look-up system he wants operating by the end of the year.

The system would give people another way to get information that the Sheriff's Department already gives out by telephone, Anderson said. The system would reduce telephone calls from the public, he said.

Other counties across the state put bail and criminal charge information online, he said.

"Everyone but a small handful of people agree that this should be readily available," Anderson said. "Denton County, Arlington police and their city jail, and Parker County, they all have this."

"I'm hoping that the public interest is served here and we can move forward beyond this."

Wilder said that after formal charges are filed, or after an indictment, the information

open records law. Information that is part of the Sheriff's Department is subject to open records laws.

Bails set by district courts or magistrates under the district courts can be considered judicial records, which are subject to tight controls for electronic release, Wilder said.

The clerk's office makes court records available on the Internet, but through a subscriber system in which clients pay a monthly fee. The subscriber system holds down casual browsing by people with shady reasons for getting information, Wilder said.

The dispute surfaced this week at a meeting of the county's Information Technology Steering Committee, where state District Judge Sharen Wilson said some judges had expressed support for releasing the information online. Wilder told the group that it cannot be done unless he receives new direction from the courts.

State District Judge Bob Gill, the local administrative judge with oversight of the county's district courts, said the bail and charge information should not be released at this time.

A number of committees across the state are looking at releasing records online, including the Texas Supreme

Court's Advisory Committee, Gill said. Tarrant County is watching for the advisory committee's recommendation before making changes.

Parker County District Clerk Elvera Johnson said bond and charge information on criminal cases in Parker County is readily available online. She considers the information public and had not heard of any legal problems with doing so, she said.

That other counties in Texas offer the information online does not mean Tarrant County should, Gill said.

"Frankly, it's not a lot of interest to me if you are trying to follow the law," Gill said.

**ONLINE:** [www.tarrantcounty.com](http://www.tarrantcounty.com)

Bill Teeter, (817) 390-7757  
[bteeter@star-telegram.com](mailto:bteeter@star-telegram.com)



"Everyone but a small handful of people agree that this should be readily available. Denton County, Arlington police and their city jail, and Parker County, they all have this."

— Sheriff Dee Anderson

## BURGLARIES

# Subcourthouse intruder captured on videotape

■ Sheriff's officials are asking for the public's help to identify a woman suspected of breaking into the Southwest Subcourthouse four times since November 2003.

By DEANNA BOYD  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — She could pass for a county employee.

But the well-dressed woman with the pinned-up hairstyle who was caught on surveillance tape early Halloween morning at a Tarrant County subcourthouse was neither a worker nor a customer.

She's a burglar, investigators said.

Tarrant County sheriff's officials believe that the woman, probably with the help of accomplices, has targeted the Southwest Subcourthouse at 6551 Granbury Road four times in the past year, most recently on Oct. 31.

In each of the burglaries, investigators believe the woman gained entry by breaking and crawling through a window, then unlocking a rear door.

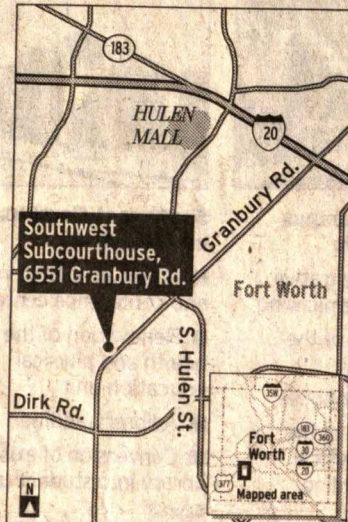
The other burglaries occurred last year on Nov. 6 and Dec. 7, and this year on Jan. 17.

Surveillance cameras installed by the county after the January burglary caught the most recent break-in on tape.

"She's very calm and collected," Detective Lloyd Riddle said. "Anybody else would have been kind of nervous and looking all around. It's like she's just strolling through the mall."

Released to the media Thursday, the video shows a slender black woman walking

## Repeated burglaries



STAR-TELEGRAM/DEWUAN X. DAVIS

through the courthouse lobby at 1:41 a.m. Riddle estimates the woman is about 5-foot-3 to 5-foot-5 and 125 to 135 pounds.

She appears to be wearing black leather pants, presumably to protect herself while crawling through the broken window, said Terry Grisham, executive administrator for the Sheriff's Department.

"You can clearly see her talking on a cellphone as she walks across the lobby of the building," Grisham said. "We believe she was talking to an accomplice or accomplices outside telling them that she was on her way to open the door."

Another camera caught the woman cautiously peeking into one office before walking outside the camera's range.

The subcourthouse contains the offices of Tarrant County Commissioner Precinct 1, Justice of the Peace Precinct 6 and Constable Precinct 6, as well as a tax office.

In the four burglaries, the intruders have stolen several

thousand dollars in cash and checks, a .38-caliber revolver, laptops and other computer equipment.

"When they took the laptop, they didn't get the power cord," Riddle said. "When they came back in January, they took the power cord that they missed the previous trip."

Riddle said the burglars also tried to take an automated teller machine.

"They broke three of the four bolts loose from the floor and actually turned the machine around," Riddle said, adding that the ATM has since been reinforced.

Grisham said investigators hope to catch the crooks before the designated Texas partial tax payment day on Nov. 30.

"We know that the tax offices are all going to start accumulating funds," Grisham said. "We really want to catch these people before that deadline."

Anyone with information about the identity of the burglars is asked to call Riddle at (817) 884-1274. Crime Stoppers is offering up to a \$1,000 reward for information leading to an arrest in the burglaries. Callers to (817) 469-TIPS (8477) may remain anonymous.


Deanna Boyd, (817) 390-7655  
dboyd@star-telegram.com

Friday, November 19, 2004

Thursday, November 25, 2004

### James B. Adcock Jr.



 **SAGINAW** — James B. Adcock Jr., 61, a devoted husband, father and grandfather, also known as "Pop," passed away Wednesday, Nov. 24, 2004, at home.

**Funeral:** 11:30 a.m. Friday in Mount Olivet Chapel. Burial: Mount Olivet Cemetery.

Jim was born June 29, 1943, in Mineral Wells. He graduated from TCU in 1976 with a degree in criminal justice. Jim served in the U.S. Navy during Vietnam and served as a deputy sheriff for 20 years in the Tarrant County Sheriff's Department.


**Survivors:** Wife of 25 years, Mary Jane Adcock; daughters, Paula Wright and husband, Asher, Joy Gray and husband, Larry, Angie Mackey; grandchildren, Dianna and husband, Sean, Justus, Amanda and husband, David, Jessica and Chad; five great-grandchildren; sisters, Toy and Bonnie; and a host of loving family members and friends.

Mount Olivet Funeral Home  
2301 N. Sylvania Ave., (817) 831-0511

Sunday, November 28, 2004

### Anthony "Tony" John Endlicher



 **ARLINGTON** — Anthony "Tony" John Endlicher, 62, passed away Friday, November 26, 2004, in Arlington.

**Funeral:** 11:30 a.m. Tuesday at Moore Funeral Home Chapel. Burial: Moore Memorial Gardens. Visitation: 4 to 9 p.m. Monday at the funeral home.

Anthony (Tony to all who knew and loved him) was a wonderful husband and father who loved to hunt and fish.

He served in the Army and fought in Vietnam, where he earned several medals, including a Bronze Star and Purple Heart.

He was dedicated to his family and to Tarrant County Sheriffs Department before retiring.

In his spare time he was an amateur wood craftsman. He loved to joke around with his only granddaughter and watch golf on TV.

He spent his last days being taken care of by his family and guarded by his lovable dog Tipper.

He was preceded in death by his father, Anton V. Endlicher.

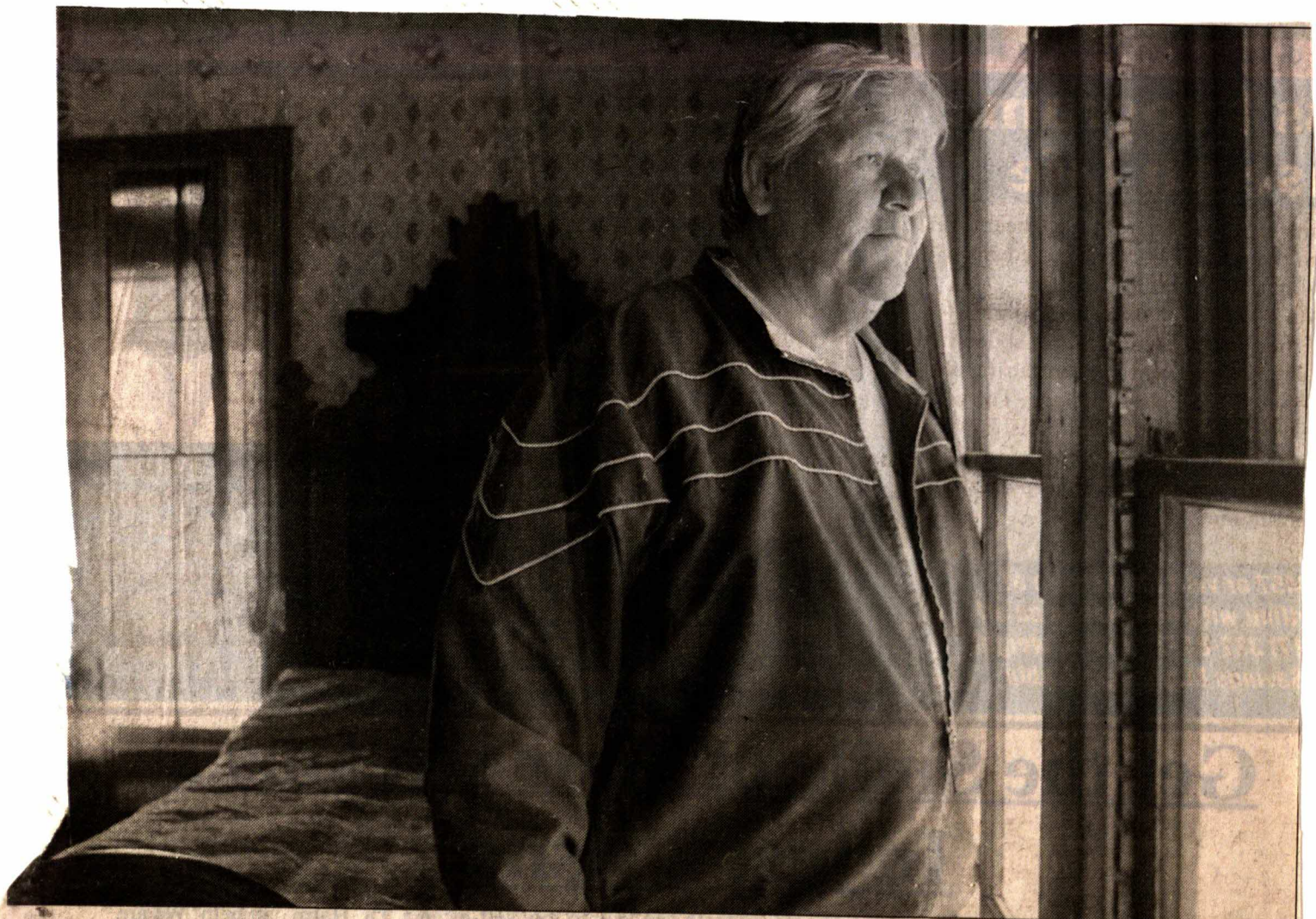
**Survivors:** Wife of 40 years, Diane Endlicher; mother, Elizabeth Endlicher; daughter, Marcy Able and husband, Chris; sister, Betty Oppenheimer and husband, Glen; granddaughter, Nicole Able; sisters-in-law, Donna McDade and husband, Gilbert and Cecilia Ankerberg; and many nieces and nephews.

Moore Funeral Home-N. Davis Drive  
Arlington, (817) 275-2711

Sunday, November 28, 2004



Ben Tahmahkera, left, of Fort Worth, and his aunt, Leatrice Tahmahkera Cable, are descendants of Quanah Parker.



Ben Tahmahkera, great-great-grandson of Quanah Parker, stands in the bedroom of Quanah's first wife, Ben's great-great-grandmother, at Quanah's Star House. Below is Quanah's bedroom in the house, which was almost razed in the 1950s to make way for an artillery field.

STAR-TELEGRAM/JILL JOHNSON



**JACK MADERA** | 1928-2004

# Businessman's company provided food services to Tarrant County Jail

■ The jail contractor won friends with his business style.

By **JACK DOUGLAS JR.**  
STAR-TELEGRAM STAFF WRITER

Elbert Morris "Jack" Madera, the food contractor for the Tarrant County Jail whose business style earned



MADERA

him praise and controversy, died Monday night following an illness. He was 76.

Mr. Madera was the owner and chief executive officer for Dallas-based Mid-America Services, which won a contract in July with the county jail to provide food for inmates.

The contract was estimated to be worth about \$3.79 million a year.

Mr. Madera, who lived on a ranch near Mabank, was known as a close friend to some of the highest-ranking government officials in Tarrant and surrounding counties. Some of those relationships led to a now-closed grand jury investigation in Dallas

## Funeral information

2 p.m. Thursday at Sparkman/Hillcrest Chapel on Northwest Highway in Dallas. Visitation will be from 6 to 8 p.m. today at Sparkman/Hillcrest Funeral Home.

into his dealings with Dallas County Sheriff Jim Bowles, who was not re-elected this year.

Pallbearers will include Tarrant County Sheriff Dee Anderson, Tarrant County Commissioner J.D. Johnson, Bowles and Denton County Sheriff Weldon Lucas.

"We lost a giant businessman as far as I'm concerned," Johnson said. "He had a heart as big as Texas and helped more people than anyone will ever know."

Anderson described Mr. Madera as an "old-school type of guy" who was a friend as well as a business associate.

"He was very loyal," Anderson said. "But Jack was a businessman, a shrewd businessman. He made friends with the people he did business with.

"He was a friend to me and to a lot of people. I hope he is remembered for the good things he did in his life."

Anderson said he expects no changes in the county's arrangement with Mid-America Services, now led by company President Bob Austin.

Born July 14, 1928, in Dallas, Mr. Madera grew up "on the streets" around downtown Dallas, where he honed his survival skills before enlisting in the Navy, his family said.

After being discharged, Mr. Madera went to work as a salesman for a large food service company in Dallas. He eventually started his own business, Mid-States Services, which grew into a government commissary business with contracts throughout the Southwest, according to his family.

He later sold Mid-States and eventually formed Mid-America Services.

Survivors include his wife, Sue Madera; a sister, Billie Smith; daughter, Deborah Lynn Hanson; two grandchildren; and two great-grandchildren.

Jack Douglas Jr., (817) 390-7700  
jld@star-telegram.com

# Opinions

## Wonderful feast

I'd like to express my gratitude to the Lake Worth Police Department for the wonderful luncheon that was so warmly received by seniors at the Lake Worth Senior Center on Nov. 24.

Law enforcement personnel don't always receive plaudits to which they are justly entitled, including those for benevolent expressions like this. These people are so often taken for granted.

However, please let this memorandum echo the resounding voices of ovation to Chief Brett McGuire and his comrades, who so eloquently demonstrated their concern for the health and well-being of the aging residents of this community by furnishing a wonderful feast of Thanksgiving.

*Floyd F. Clark, Fort Worth*

**COUNTY FACILITIES**

# Plan proposes razing 2 old courts buildings

■ Tarrant County officials propose taking down two outdated courts buildings and restoring the historic County Courthouse's western edge.

By **BILL TEETER**  
STAR-TELEGRAM STAFF WRITER

Two downtown buildings would be demolished and a new one likely constructed for the Sheriff's Department under a proposal to better use Tarrant County property.

The old Civil Courts Building — known for its painted foam facade — would be torn down in 2007, and the nine-story Criminal Courts Building on West Belknap Street would be imploded in 2009.

The Sheriff's Department would take up residence in a new building in 2008 at a new undetermined location. Planned expansions of Juvenile Services and the Tarrant County Medical Examiner's office are also part of the plan.

The projects are among those included in an update to the county's Facility Space Master Plan that was presented Tuesday to the Commissioner's Court.

The latest proposals, which will be approved individually by commissioners as needed, would give employees and residents more room for doing business in an urban county with a rapidly growing population, said David Phillips, the county's facilities management director.

"We have about 4 million square feet," Phillips told commissioners. "The plan adds about 500,000 square feet for a total of 4.5 million square feet by fiscal year 2009."

The five-story Civil Courts Building was built in 1958 and adjoins the south end of the 1895 courthouse. The Criminal Courts Building was built in 1963 and houses the Sheriff's Department.

"These '60s-era spaces are something we would love to be a fond memory."

— Terry Grisham, executive administrator for the Sheriff's Department

The demolition would allow restoration of the western side of the historic courthouse to its original configuration.

The plan calls for about \$160 million in projects over four years.

Much of the money is paid for by money from a 1998 bond issue and another bond issue that is being developed for presentation to voters, County Administrator G.K. Maenius said.

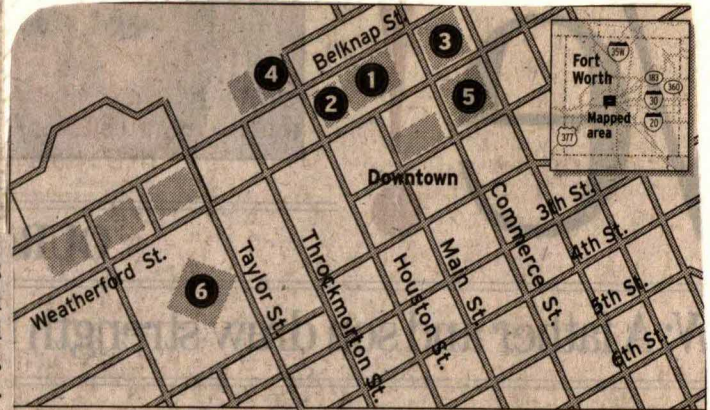
Other funding sources could include a downtown tax increment finance district and the sale of certificates of obligation.

Under the plan, the Tarrant County Historical Commission would also relocate its archives to the Tarrant County Plaza building from the old Civil Courts Building.

The Sheriff's Department needs additional high-security cell space, Phillips said. Currently, 528 cells are being constructed at the county's Green Bay facility and plans call for 416 more cells within four years, a 24 percent increase in beds for the Sheriff's Department, Phillips said.

Terry Grisham, executive administrator for the Sheriff's Department, said the plan to take down the old criminal courts building would be welcome.

"That would be wonderful," Grisham said. "These '60s-era spaces are something we would love to be a fond memory. We have to turn on a TV to see if it is raining. It has no windows, and it was built prior to things like computers and satellites. It is just a building whose time has come and gone."



## Tarrant County Facility Plan

The facilities plan for the county will expand and renovate a number of buildings, move offices around and demolish two downtown buildings.

- 1 1895 Courthouse**  
2005-2007 • Move out several courts and offices, including the elections office.  
2008-Restore the western side of the building.
- 2 Existing Civil Courts Building**  
2005-2006 • Relocate courts and offices including the Historical Commission.  
2007 • Demolition
- 3 New Civil Courts Building**  
2006 • Design new building  
2007-2009 • Construction of new building
- 4 Criminal Courts Building**  
2005-2009 • Relocate offices, including the Sheriff's Department  
2009 • Demolition.
- 5 Family Law Center**  
2005: • Construction complete
- 6 Plaza Building**  
2006: • Relocate Historical Commission archives to fifth floor  
• Relocate some County Administrator staff to fifth floor

## RETIREMENT

“There was never any doubt that she could take control in the courtroom if the situation ever came up.”

— Judge Bob McCoy



# Bailiff's bailing out

By **MAX B. BAKER**  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — Big hair. Big gun. Big heart. For 22 years, Tarrant County Bailiff Cindy Parten has guarded the 48th state district court, her mound of blond hair and her Texas twang as much a courtroom fixture as the judge's black robe.

But early next year, Parten — one of the first women in Tarrant County to hold what had traditionally been a man's job — will supervise her last jury.

Parten is retiring from a post that has given her a ringside view of the lives of the county's poor and the powerful.

“She looked perfect for a dumb blonde joke, but she is far from that,” said William Hughes, the former judge who first hired Parten for the courtroom job in 1983. “She's dumb like a fox.”



STAR-TELEGRAM/RON T. ENNIS  
When Judge David Evans took over 48th District Court last year, the first thing he did was ask Parten to stay.

Monday, December 27, 2004

**Peggy Rawlinson Taylor**



**FORT WORTH** — Peggy Rawlinson Taylor, 74, a retired Tarrant County deputy sheriff, died Friday, Dec. 24, 2004.

**Memorial service:** noon Tuesday at Laurel Land Chapel of Chimes.

**Memorials:** In lieu of flowers, donations may be made to the American Cancer Society; or American Lung Association.

Peggy was born Dec. 26, 1929, in Cushing. She was voted Sweetheart of Beta Sigma Phi in 1959.

Peggy was with the Tarrant County Sheriff's Department for 20 years. She also clerked for the 17th District Court.

Peggy was a pilot in the late 1940's and early 50's.

She played the piano and was her family's historian.

She was a very adventurous person, who loved her family and will be missed by all.

She was preceded in death by her parents, Birdie and Frazier Rawlinson; grandson, Thomas Garrett; and granddaughter, Ronda Watkins.

**Survivors:** Son, Dan Sanders and wife, Shawn of Huffman; daughters, Deborah Gillies and husband, John of Beaufort, S.C. and Didi Dotson; grandsons, Damon Dotson and wife, Anisa, all of Fort Worth, Roger L. Ellis and wife, Tracy of Myrtle Beach, S.C., Christopher L. Ellis and wife, Nikki of Beaufort, S.C., Micah Sanders and wife, Lori of Truckee, Calif.; granddaughters, Cheri Dickerson and husband, Nick of Myrtle Beach, S.C., Danessa Sanders of New Caney; and great-grandson, Tommy L. Garrett of Beaufort, S.C.

Laurel Land Funeral Home  
7100 Crowley Road, (817) 293-1350

**PEGGY RAWLINSON TAYLOR | 1929-2004**

**Ex-county worker had wide-ranging interests**

By **NEIL STRASSMAN**  
STAR-TELEGRAM STAFF WRITER

ARLINGTON — Whether flying an airplane, riding on a Harley-Davidson, playing jazz piano, singing the blues or booking inmates into the Tarrant County Jail, Peggy Rawlinson Taylor was a dynamic 100-pound woman.

A longtime Tarrant County employee, Ms. Taylor died on Christmas Eve, two days before her 75th birthday.

The second of Birdie and Frazier Rawlinson's six children, Ms. Taylor was born in the East Texas town of Cushing, where her father was a rural route postman.

As a child, Ms. Taylor saw a plane land in a farm field. She told her grandfather that she would learn to fly, and she did, said her son, Dan Sanders of Huffman.

She moved to Austin after graduating from high school and worked for a state representative at the Capitol. In 1951, she married Tom Dotson, a big-band musician, which sparked an interest in playing the piano and singing.

Ms. Taylor moved to southwest Fort Worth in 1954, where she raised her son and two daughters.

She worked as a clerk in Judge Charles Murray's 17th District Court and for the Tarrant County fire marshal, and ran a convenience store in Everman.

"For some of her life, she was a single parent who raised three of us," said daughter Deborah Gillies, now of Beaufort, S.C. "She worked whatever job she had to work, and some-

**Service**

■ A memorial service for Peggy Rawlinson Taylor will be at noon today at Laurel Land Chapel of Chimes, Laurel Land Funeral Home, 7100 Crowley Road in Fort Worth. (817) 293-1350

■ In lieu of flowers, donations may be made to the American Cancer Society or the American Lung Association.

times two jobs, to provide for us."

In the 1960s, she often played and sang at a Fort Worth piano bar, her children said.

"She liked Ray Charles, Etta James, Jo Stafford and all kinds of big-band music," said daughter Didi Dotson of Fort Worth. "And she was so adventurous that she went parasailing in Acapulco, Mexico, when she was 50 years old."

Ms. Taylor went to work for the Tarrant County Sheriff's Department in about 1979 and retired as a deputy sheriff after 20 years of working second shift in the jail's intake area.

"She loved to play bridge, cards and dominoes and loved the people working at the jail," Dotson said. "They were like her family."

Other survivors include grandsons Damon Dotson of Fort Worth, Roger L. Ellis of Myrtle Beach, S.C., Christopher L. Ellis of Beaufort, S.C., and Micah Sanders of Truckee, Calif.; granddaughters Cheri Dickerson of Myrtle Beach, S.C., and Danessa Sanders of New Caney; and great-grandson Tommy L. Garrett of Beaufort, S.C.

## TARRANT COUNTY JAIL

# Medical treatment changes proposed

■ A report has outlined deficiencies in inmate medical care in Tarrant County jails and recommendations for improvement.

By **BILL TEETER**  
STAR-TELEGRAM STAFF WRITER

Tarrant County Jail inmates sometimes wait days for critical medications and weeks for doctor visits because of shortages of qualified staff, shoddy record-keeping and other administrative problems, according to a consultant's study of inmate medical care.

In one incident witnessed by consultants in October, a jail dentist initially refused to see an inmate in "excruciating pain" because he had already fulfilled his requirement to see 20 inmates that day, according to the report released Thursday.

The report outlines 25 recommendations for improving inmate medical treatment, which is provided through an agreement with the county's John Peter Smith Health Network.

Sheriff Dee Anderson said the study evolved from discussions about improving inmate care.

"It was as serious, in my opinion, as it could be," Anderson said Thursday. "When you've got an inmate who waits six weeks from the time of his request until somebody reads his request, that is serious."

County Administrator G.K. Maenius said most of the recommendations should be put into place within six months. Some have already been adopted, he said.

JPS Chief Executive David Cicero said that despite the deficiencies, inmates are receiving good medical treatment.

"Our physicians feel they are giving quality medical care," Cicero said. "There are some issues of access and there are some issues of volume, and I guess there is always an opportunity for something negative to happen. I don't think we are practicing unsafe medicine."

The review was conducted in October by consultants provided by the American Jail Association. Recommendations include hiring a medical director and other staff, buying new equipment, raising the minimum qualifications for key staff and having more administrative oversight.

The report also recommends that the jail maintain stocks of medications to ensure that inmates do not go without.

Inmates frequently wait three to five days to receive medications, delays that could be fatal for diabetics or AIDS patients dependent on daily medications, according to the report.

Officials say they have not yet put a price tag on the consultants' recommendations. The county refused a *Star Telegram* request last month for a copy of the draft report.

"This report is a snapshot that critically identifies our needs," Maenius said.

Among the concerns cited by consultants, for example were the use of licensed vocational nurses instead of registered nurses to do medical evaluations and refer inmates for treatment.

Cicero said that five RNs and an LVN were recently added to the staff, and a full-time dentist will also be added. Efforts to hire a jail medical director are under way.

"We have a temporary medical director on site, and we're hoping he will accept the position in the next two weeks," Cicero said.

Cicero said JPS Hospital has also changed the way it handles prisoners to reduce the number of jail workers needed to escort and guard inmates who are hospitalized or need advanced treatment.

Before, one jail worker was needed to escort and guard each inmate, according to the report.

# Jail: Many county inmates have to wait weeks before seeing a doctor

About 30,000 inmates annually use the jail's medical services with needs ranging from minor scrapes to infectious diseases such as tuberculosis or AIDS.

County officials said JPS has brought steady improvements since taking over jail medical services in 1991. Typically, five to six lawsuits a year have been filed over jail health care since JPS took over, said Marvin Collins, chief of the civil division of the Tarrant County district attorney's office. Before, about 25 lawsuits were filed each year, he said.

The consultants' report noted numerous problems with the triage system, in which inmates are evaluated for medical needs. Problems were also cited with the jail's system of having inmates file a request, known as a "kite," to see a physician.

"Health care personnel have confirmed the current wait for initial triage after receiving a kite is six weeks," the report says.

Moreover, because of a lack of clerical staff and problems with record-keeping, nurses often have trouble finding medical records and determining whether an inmate is even still in custody weeks after a request is made.

Consultants found the records area in "a state of chaos," with loose paperwork and unfiled inmate records despite a recent effort to sort through the mess.

Using LVNs for triage is bad administrative practice, according to the report.

"Not only are these nurses working outside the scope of their license, but they also jeopardize their continued licensure and put the county at great liability," the report notes.

County commissioners said the study provides a framework for making improvements to inmate medical care.

"I think the most important thing about the report is that it gave us an independent set of eyes about how to deliver jail health care and set parameters, and it sets out a minimum standard of care," Commissioner Roy Brooks said.

Commissioner J.D. Johnson said the report raises concerns that need to be addressed by JPS and the Sheriff's Department.

"Ninety-five percent of the items we've already begun to process, and I think it is a real healthy report," Johnson said. "We will end up with the best of two worlds when it is all over."

**ONLINE:** [www.tarrantcounty.com](http://www.tarrantcounty.com)

Bill Teeter. (817) 390-7757  
[bteeter@star-telegram.com](mailto:bteeter@star-telegram.com)

Friday, January 7, 2005 | 7B

## LAW

# Deputy bitten in court recovering

By **MELODY McDONALD**  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — The sheriff's deputy who was bitten on the forehead by a defendant who erupted in a courtroom Wednesday is at home recuperating, officials said.

The bailiff, whose name was not released, received a large cut on his head, caused by a bite and impact injuries, as well as numerous bruises and scrapes, said Terry Grisham, executive administrator of the Tarrant County

Sheriff's Department.

"He is understandably in a little discomfort, but we are hopeful he will heal quickly," Grisham said.

The bailiff was injured while trying to subdue Lonnie Bee Howard, 28, who exploded in anger after jurors found him guilty of two counts of indecency fondling.

Officials said Howard threw a water pitcher across state District Judge Elizabeth Berry's courtroom at the victim's family, shattering it.

Then, witnesses said, Howard tried to jump over the railing to attack them before being pushed back by prosecutor Robert Foran.

During the melee, the defendant's mother, Veronica Howard, 58, attacked a victim's family member, witnesses said. Afterward, she was taken to a hospital complaining of chest pains.

She and her son were in the Tarrant County Jail on Thursday night and facing assault charges.

Friday, January 14, 2005

### Wayne Harris



**FORT WORTH** — Wayne Harris, 78, died Thursday, Jan. 13, 2005.

**Funeral:** 2 p.m. Saturday at Shannon Rose Hill Funeral Chapel. **Burial:** Zion Hill Cemetery in Weatherford. **Visitation:** 5 to 7 p.m. Friday at Shannon Rose Hill Funeral Chapel.

Among many things he had done in his life, Wayne was a horseshoer for 60 years, and he liked what he did. He was a member of the White Settlement Riding Club and Tarrant County Sheriff's Posse. He loved trail riding and wagon train trips. He enjoyed working with horses and mules all of his life. The family wishes to thank Wayne's friends and customers over the years.

**Survivors:** Wife of 24 years, Carolyn Harris; daughters, Alice Vanlandingham, Judy Nicholson and Deanna DeNigris; son, Ronnie Webb; sister, Opal Wade; and several grandchildren and great-grandchildren.

Shannon Rose Hill Funeral Chapel  
7301 E. Lancaster, (817) 451-3333

Saturday, January 15, 2005

Saturday, January 15, 2005

## FORT WORTH & AREA BRIEFS

### Suspect in courtroom melee gets 50 years

**FORT WORTH** — A man accused of biting a court bailiff and throwing a water pitcher at his victim's family last week when he was convicted of indecency with a child stood quietly Friday as he was sentenced to 50 years in prison. Extra security, including three deputies wearing what looked like riot gear, lined the courtroom as District Judge Elizabeth Berry sentenced Lonnie Bee Howard, 28, for fondling his former girlfriend's 11-year-old daughter. Howard was wearing a shock belt, which would allow deputies to press a button and administer an electric shock. Howard listened quietly, shook his head and told his family he loved them as he left the courtroom. He still faces charges of aggravated assault on a peace officer in connection with the outburst.

### WAYNE HARRIS | 1927-2005

# True cowboy had many friends

By **JOHN GUTIERREZ-MIER**  
STAR-TELEGRAM STAFF WRITER

**FORT WORTH** — Wayne Harris was a regular old-time cowboy who loved country music, his horses and mules, and cowboy hats and boots.



HARRIS

"He loved trail riding, and he'd be gone for three or four days at a time," said his wife of

### Funeral

2 p.m. today at Shannon Rose Hill Funeral Home, 7301 E. Lancaster Ave. in Fort Worth. Burial in Zion Hill Cemetery in Weatherford.

24 years, Carolyn Harris. "He was a friendly guy, and you couldn't go anywhere without Wayne running into a few friends."

Mr. Harris, who lived in Fort Worth, died Wednesday after

suffering a stroke. He was 78.

Born in Gainesville on Jan. 4, 1927, Mr. Harris was an all-around outdoorsman who owned several businesses in the Fort Worth area before deciding to be a full-time farrier, or horseshoer, his wife said.

"He stuck with his horseshoeing and raised cows, horses and mules," she said.

Mr. Harris was a longtime member of the White Settlement Riding Club and the Tarrant County Sheriff's Posse.

Carolyn Harris said her husband was always busy during January when the Fort Worth Stock Show and Rodeo rolled into town.

In addition to his wife, Mr. Harris is survived by three daughters, Alice Vanlandingham of Plainview, Judy Nicholson of Corpus Christi and Deanna DeNigris of Fort Lauderdale, Fla.; a son, Ronnie Webb of Arlington; a sister, Opal Wade of Oklahoma City; and several grandchildren and great-grandchildren.



### L.F. "Lem" Worthy



**SAGINAW** — L.F. "Lem" Worthy, 70, an industrial manager, passed away Sunday, Jan. 16, 2005, in Fort Worth.

**Funeral:** 12:30 p.m. Wednesday at Saginaw United Methodist Church. **Burial:** Dallas-Fort Worth National Cemetery. **Visitation:** 6 to 8 p.m. Tuesday at Mount Olivet Funeral Home.

**Memorials:** In lieu of flowers, memorials may be made to the SPCA.

L.F. "Lem" Worthy was born Dec. 15, 1934, in Roxton. He served in the U.S. Army and the U.S. Air Force.

**Survivors:** Wife, Dorothy Worthy of Saginaw; son, Larry Worthy and wife, Sue of San Antonio; grandchildren, Lauren and Matthew Worthy of San Antonio; brothers, Lawrence Worthy and wife, Linda of Missouri; Jimmy Worthy and wife, Linda of Tenaha; sister, Angie Stroud of Alvarado; stepsons, Kenneth Whitley and wife, Maria Ann of Crowley, Lawrence Whitley, of Florida, James Paul Whitley of Fort Worth; stepdaughters, Patricia Munio and husband, Lloyd of Saginaw, Donna Wilson and husband, Mike of Weatherford; eight grandchildren; and four great-grandchildren.

Mount Olivet Funeral Home  
2301 N. Sylvania Ave., (817) 831-0511

### SICK

# Deputy falls ill, in critical condition

By **DEANNA BOYD**  
STAR-TELEGRAM STAFF WRITER

**FORT WORTH** — A Tarrant County sheriff's deputy was in critical condition Friday after becoming seriously ill while transporting mentally ill inmates to the North Texas State Hospital's Wichita Falls campus.

Deputy Letitia L. Wilbourn, 43, and another deputy were traveling with eight inmates in a van on U.S. 287, just north of Saginaw, when Wilbourn began having a migraine and feeling nauseated about 9 a.m., said Terry Grisham, the sheriff's executive administrator.

Grisham said the other

deputy pulled over the van and radioed for help.

Wilbourn was taken by ambulance to Harris Methodist Fort Worth hospital, where she was listed in critical but stable condition Friday afternoon.

Sheriff's officials said they were told that the deputy had suffered some kind of neurological disorder. Tests were pending.

"Doctors are unsure right now exactly what caused this unfortunate event," Grisham said. "We hope that she recovers quickly."

Deanna Boyd, (817) 390-7655  
dboyd@star-telegram.com

**ILLEGAL GAMBLING**

# Sheriff's deputies seize 70 eight-liner machines

**By AMAN BATHEJA**  
STAR-TELEGRAM STAFF WRITER

HASLET — The fun ended abruptly Thursday morning for patrons of the Haslet Amusement Center when Tarrant County sheriff's deputies raided the facility looking for illegal gambling devices.

"They're not amused today," said Terry Grisham, spokesman for the department.

Seventy eight-liners, a video blackjack machine and several slot machines were confiscated from the building in the Blue Mound-287 Busi-

ness Centre on Blue Mound Road near U.S. 287.

After getting warning citations regarding gambling, the seven customers left in a hurry.

"We were just killing time on a rainy day," said one Haslet man who refused to give his name. "What's wrong with that?"

Texas law allows the operation of gaming machines as long as winnings are limited to items costing \$5 or less, or no more than 10 times the amount of money inserted into the machine, whichever is

**IN THE KNOW**

**By the numbers**

- **15** — Number of eight-liner raids by the Tarrant County Sheriff's Department in the past 18 months.
  - **1,000** — A rough estimate of the number of machines confiscated in those raids.
- Source: Tarrant County Sheriff's Department

less. Cash prizes are not allowed.

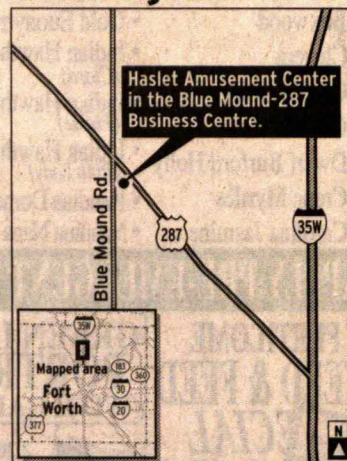
Eight-liners — basically, video slot machines — can legally pay out noncash prizes.

The Sheriff's Department had investigated the Haslet Amusement Center for several months but put off the raid until Thursday because the county had run out of space to store confiscated machines, Grisham said.

Eventually, once the cases against the owners of the eight-liners are completed, the machines will likely be destroyed, Grisham said.

In the meantime, the

**Gambling raid**



STAR-TELEGRAM/DEWUAN X. DAVIS

county recently secured a second facility on county property that should be able to hold another 1,000 machines, Grisham said.

The added storage space means there will be more gambling raids soon, Grisham said.

Since 2003, the Sheriff's Department has raided 15 establishments and confiscated about 1,000 machines, Grisham said.

"It's kind of like when the

exterminator comes around. The roaches go away for a little while, but then they come back," he said.

The Blue Mound-287 Business Centre is owned by investor Ron Sturgeon of Colleyville. Sturgeon did not return a phone call Thursday seeking comment.

Grisham said that the public may have the misperception that the Haslet Amusement Center and other establishments raided in the past are small operations.

"Make no mistake: This is no mom-and-pop operation," he said. "The operators of these machines are making millions in Tarrant County illegally."

He pointed to the video blackjack game and the casino-style slot machines that were seized.

"Those aren't even eight-liners. That's straight up Las Vegas-style gambling," he said.

Aman Batheja, (817) 390-7752  
abatheja@star-telegram.com

Monday, January 31, 2005

**MARSHAL'S OFFICE**

# City, deputy settle lawsuit

■ Fort Worth will pay Herman "Clay" Smith \$21,000 and remove two reprimands from his personnel file; Smith will drop the suit.

By **MIKE LEE**  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — A deputy has settled his lawsuit against the city marshal's office, closing one chapter in the small department's troubled history.

Under the agreement, the city will pay Herman "Clay" Smith \$21,000 and remove two reprimands from his personnel file.

Smith will keep his job and drop the suit, including his request that the deputy marshals get the same civil-service protection as firefighters and police officers.

Two other deputies who had filed federal complaints against the department no longer work for the city.

"We are pleased that the case has been resolved," Assistant City Attorney Elizabeth Dierdorf said.

More on MARSHALS on 9B+

## Marshals: 2 deputies still pressing claims

CONTINUED FROM 1B

"Since Mr. Smith still works for the city, the relationships among people in the department are important."

Smith's attorney, Jason Smith, no relation, said the civil-service issue will come up again. Under the civil service, an independent commission controls hiring, promotion and discipline of city employees.

"Until they get civil service, they're going to keep having problems," Jason Smith said.

Clay Smith filed his first complaint with the city in 2003 after his supervisor changed his timecard. The department's supervisors retaliated by, for example, reprimanding him for missing work when his wife was hospitalized for an emergency Caesarean section, he

said.

Mick Kimbrow and David Henley, who were deputies at the time, said they were retaliated against after being passed over for promotion. They are continuing to press their claims with the U.S. Equal Employment Opportunity Commission, although they both taken jobs with other law enforcement agencies.

The city's 47 deputies typically serve misdemeanor warrants, patrol Lake Worth and provide security at city buildings.

Three other deputies have accused the city of retaliation and mistreatment in the last decade. The city has paid more than \$500,000 in settlements and legal fees.

Mike Lee, (817) 390-7539  
mikelee@star-telegram.com

## FORT WORTH AREA BRIEFS

### Officers confiscate 54 eight-liners in raid

**TARRANT COUNTY** - Two Arlington brothers were arrested Monday afternoon when Tarrant County sheriff's deputies raided the Pot of Gold game room for a second time in less than a year and seized several thousand dollars' worth of property. Deputies reported confiscating 54 eight-liners from the building in the 7200 block of U.S. Business 287 near the Kennedale-Arlington border. They also seized two Mercedes-Benz cars with an estimated value of \$90,000 each. Owners Michael Long, 49, and Stephen Long, 46, were arrested and face charges of promoting gambling. Michael Long also may be charged with assaulting a Tarrant County deputy and resisting arrest. "He tried to get away and struck an officer," Lt. Alan Dennis said. Since 2003, the sheriff's department has reported raiding 16 establishments and confiscating about 1,000 machines, including 70 eight-liners seized Thursday from a Haslet business.



STAR-TELEGRAM/JEFFERY WASHINGTON

Two brothers were arrested Monday after Tarrant County sheriff's deputies raided the Pot of Gold game room on the Kennedale-Arlington border and seized 54 eight-liners. Michael and Stephen Long face charges of promoting gambling.

**STRANDED MOTORISTS**

# Tarrant Sheriff's Department may take over, expand Courtesy Patrol

■ The change would make it possible to double the number of Courtesy Patrol pickups on the road over the next couple of years.

By **GORDON DICKSON**  
STAR-TELEGRAM STAFF WRITER

The group responsible for helping stranded motorists with flat tires, empty gas tanks and other problems on Tarrant County freeways may be moving to a new agency.

The Courtesy Patrol, run by the Texas Department of Transportation since 1973, soon may be turned over to the Tarrant County Sheriff's Department, a move that officials believe will make it easier to dramatically expand the program and to respond more quickly to calls for help.

Officials from both agencies are informally discussing the idea and could make a decision by summer. The Tarrant County Commissioners Court would have to approve such a change.

The Courtesy Patrol is limited to 19 employees in Tarrant County because of state-imposed hiring limits.

Moving the operation to the Sheriff's Department would make it possible to double the number of Courtesy Patrol

## IN THE KNOW

### A closer look

■ The Courtesy Patrol makes the rounds on Tarrant County freeways 7 a.m. to midnight on weekdays and 6:30 a.m. to midnight on weekends.

■ Patrollers can fix flat tires, fill gas tanks and add engine coolant. They can also help stranded drivers make cell-phone calls or arrange for wreckers.

■ There is no on-site charge for the help. State and federal transportation funds pay for the patrol.

■ If your vehicle breaks down and you need the Courtesy Patrol, call 911 and report your location. Be sure the dispatcher understands it's not a police or medical emergency. Stay in your car until help arrives.

■ For more information, visit [www.dfwtraffic.org/courtesy.asp](http://www.dfwtraffic.org/courtesy.asp).

SOURCE: Texas Department of Transportation

pickups on the road over the next couple of years.

Increasing the staff could help reduce the patrol's average response time of 21 minutes per call.

And there would be little sting for Tarrant County taxpayers, Transportation

Department officials said. Federal and state transportation funds would still cover most of the costs.

Dallas County and Houston have already turned over roadside assistance to law enforcement. In Dallas County, the number of employees has doubled to 40 in less than two years.

"They can put emergency lighting on vehicles and get through traffic quicker," said Chief Deputy Gary Lindsey of the Dallas County Sheriff's Department.

In Tarrant County, the Courtesy Patrol helped 6,445 stranded motorists in 2004, state figures show. The patrol also removed 2,550 pieces of freeway debris and responded with police to 348 accidents, helping with such tasks as directing traffic.

But, officials say, the Courtesy Patrol could do even more if it had a larger staff.

"Certainly, the Dallas program has been a success," said Jodi Hodges, spokeswoman for the Transportation Department in Fort Worth. "We'd like to mirror it and make it even better."

Gordon Dickson, (817) 685-3816  
[gdickson@star-telegram.com](mailto:gdickson@star-telegram.com)

# Judges object to law on bailiff residency

■ In Tarrant County, court bailiffs are limited as to where they can hang their hats.

By JENNIFER AUTREY  
STAR-TELEGRAM STAFF WRITER

Every now and then, legislators change a law in hopes of straightening out one mess, only to create a new one.

That appears to have happened with the state law that applies to bailiffs.

For many years, that law required the bailiff for the 297th state District Court to live in Tarrant County. The rule didn't apply to any other court, however, so local judges asked legislators to fix the disparity.

In 1997, Sen. Chris Harris, R-Arlington, and Rep. Glenn Lewis, D-Fort Worth, stepped in. They pushed through a

change that made the residency requirement apply to all Tarrant County criminal court and grand jury bailiffs.

Now the judges want the law fixed — again.

A new disparity had been created. The 1997 change meant that court bailiffs were required to live in Tarrant County, while Sheriff's Department bailiffs, who perform similar jobs, were free to live wherever they wanted.

"That's a dopey statute," state District Judge Sharen Wilson said.

State District Judge James Wilson said his bailiff bought a house in Tarrant County even though he found better deals outside the county.

"He just wouldn't do it, because he didn't want it to reflect on me," James Wilson said.

Sharen Wilson said her bailiff has not lived in Tarrant County for the past 12 years. She believes he was grandfathered in when the law changed in 1997 — although the law does not say whether the change applied to bailiffs already on the job.

The residency requirement came up again recently when the criminal court judges hired a Tarrant County sheriff's deputy to be a grand jury bailiff, Sharen Wilson said.

The man lives outside Tarrant County — fine when he was working for the sheriff. Not fine now.

What will happen to him if the requirement isn't removed?

"Oh, I don't know," Sharen Wilson said. "We probably won't do anything to him."

Thursday, February 17, 2005

## Gary Gene McCombs

**WEATHERFORD** — Gary Gene McCombs, 54, a law enforcement officer with the Tarrant County Sheriff's Department, died Monday, Feb. 14, 2005.

**Funeral:** 2 p.m. Thursday at Galbreath Pickard Funeral Chapel. Burial: 11 a.m. Friday in San Angelo.

**Survivors:** Wife, Barbara McCombs; daughter, Karen Springer; stepson, Joe Jackson; stepdaughter, Sherie Jackson; grandchildren, Britany Jackson and Dennis and Kelsie Springer; seven brothers; and three sisters.

Galbreath-Pickard Funeral Chapel  
Weatherford, (817) 594-2747

Monday, February 21, 2005 | 5B

## IMMIGRATION

# 37 migrants hid in boxcar

By SCOTT STREATER  
STAR-TELEGRAM STAFF WRITER

**FORT WORTH** — Union Pacific Railroad employees in Fort Worth were startled late Friday when they opened a railroad boxcar to find 37 illegal immigrants hiding in covered containers.

The men, believed to be migrant workers from Mexico, were arrested by the Union Pacific Railroad police, said Terry Grisham, executive administrator for the Tarrant County Sheriff's Department.

Grisham said the men were charged Saturday with interfering with railroad property, a Class B misdemeanor. They were being held late Saturday at the Tarrant County Jail until immigration officials decide what to do.

Illegal immigrants are usually detained at the INS facility in Euless, Grisham said, but there was not enough room.

Grisham said the men, who apparently boarded the train in El Paso, were in good shape.

Scott Streater, (817) 390-7657  
sstreater@tar-telegram.com

Tuesday, March 1, 2005

## ACCIDENTAL SHOOTING

# Handgun used by boy was left on nightstand

■ The owner of the gun says he usually keeps it locked up.

By **DEANNA BOYD**  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — The father of a 5-year-old boy who accidentally shot his mother Sunday told police that he usually keeps the gun locked up but had inadvertently left it out on a nightstand.

Shawn J. Barker, a jailer with the Tarrant County Sheriff's Department, told detectives that he has a concealed-handgun license and had carried the gun the day before the shooting,

homicide Sgt. J.D. Thornton said.

Barker told police that after hearing a gunshot about 5:40 p.m. Sunday, he realized that he had left the 9 mm semiautomatic handgun out in his home in the 1600 block of Whispering Cove Trail.

April Dawn Barker, 29, was working at her computer when, police say, the boy discharged the handgun. The bullet struck April Barker in the back and exited the front of her body.

She was taken by helicopter ambulance to John Peter Smith Hospital, where she was listed in serious condition Monday.

The boy, who suffered a lac-

eration to the forehead when the gun recoiled, was treated at Cook Children's Medical Center and released.

Thornton said that whether the boy's parents will face any charges in connection with the case is under investigation.

The Tarrant County Sheriff's Department is conducting an internal investigation into the shooting, said Terry Grisham, executive administrator.

Grisham said Barker has recently been on family medical leave from the department due to the birth of a child last month.

Friday, March 4, 2005

## CRIME

# Jailer accused of negligence in shooting

By **DEANNA BOYD**  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — A Tarrant County jailer was arrested Thursday during an investigation of the shooting of his wife by their 5-year-old son.

The jailer, Shawn Barker, told police his child picked up a handgun that Barker had left on a nightstand.

Barker, 29, surrendered Thursday morning at the Tarrant County Jail after a warrant was issued accusing him of

making a firearm accessible to a child, homicide Sgt. J.D. Thornton said.

He posted \$500 bail and was immediately released, Thornton said.

April Barker, 29, was working at her computer Sunday in their home in the 1600 block of Whispering Cove Trail when she was shot in the back by the boy, police said.

She remained in serious condition Thursday at John Peter Smith Hospital.

Shawn Barker told detectives that he has a concealed-handgun license and had carried the gun the day before. Instead of locking it up, he inadvertently left it on a nightstand in his bedroom, he told police.

Making a firearm accessible to a child is a Class A misdemeanor punishable by up to one year in jail.

The Tarrant County Sheriff's Department is conducting an internal investigation to determine whether Barker violated

any departmental policy, said Terry Grisham, a spokesman for the department.

Sheriff's officials have said Barker is on family leave because of the birth of another child in February.

Because he is a civilian jailer rather than a peace officer, Barker will be allowed to return to his job pending the disposition of the criminal case, Grisham said.

Staff writer Alex Branch contributed to this report.

### COUNTY COMMISSIONERS

# Downtown eyed for new jail site

■ Building a tunnel to the courthouse would increase security, the sheriff says.

By MAX B. BAKER  
STAR-TELEGRAM STAFF WRITER

Two sites in downtown Fort Worth are emerging as prime contenders for a new \$40 million maximum-security jail for Tarrant County.

Although county commissioners aren't expected to make a decision until later this year, they discussed Tuesday the possibility of

building the jail across the street from the Tarrant County Corrections Center or on nearby land now occupied by the abandoned county jail.

The new jail is expected to cost at least \$40 million and would be included in a multimillion-dollar bond package that commissioners want to take to voters in the fall.

The bond package also would likely include money

More on JAIL on 7B

# Jail: City, county also discuss joint project

CONTINUED FROM 1B

for a new civil courts building and expanded juvenile and medical examiner facilities.



ANDERSON

Sheriff Dee Anderson said Tuesday that a downtown jail is the most economical option, not only because of its proximity to the courtrooms at the justice center but because it would be safest, since deputies could avoid transporting possibly dangerous inmates over long distances.

"I need maximum-security cells for the worst of the worst," Anderson said. "And inmates don't escape from jails, they escape when they are outside of the jails."

Commissioner Roy Brooks expressed reservations about building yet another jail in downtown Fort Worth. Brooks has said he favors putting additional

jail space outside of the central business district where land may be cheaper and easier to build on.

"I'm going to have a great deal of difficulty in wrapping my mind around taking two blocks of downtown to build a jail on," said Brooks, whose precinct includes downtown Fort Worth.

Discussions about where to build a new jail have become increasingly important in recent weeks as commissioners worked to pull together a proposed bond package.

County officials have estimated that a new civil courts building and expansion of the county's juvenile justice center and the medical examiner's office would cost about \$93 million.

The \$40 million price tag for the jail could change depending on what building site is chosen.

Commissioners are also considering whether to include up to \$200 million in transportation projects in the bond package.

On Tuesday, Anderson said he prefers to build a maximum-security jail across the street from the corrections center where the county's Mueller Building is located. The facility is used for storage and by the Tarrant County Elections Office.

A jail there would include about 336 maximum-security cells and 96 medical beds, sheriff's officials said. The cells would be on three floors, but officials also have talked about including a floor for office space and for expansion, said Terry Grisham, the sheriff's executive administrator.

Anderson said inmates would be taken through tunnels from that facility to the courtrooms in the Tarrant County Justice Center. Deputies make up to 700 trips a week with prisoners to the courthouse, he said.

Commissioners also dis-

day that "building on the old jail site could be a compromise."

Commissioner Marti VanRavenswaay said last week that building at the Belknap site should be considered.

Commissioner Glen Whitley said he wants to make sure that downtown leaders understand that the county may build its new jail there. If they don't like the idea, they need to speak up soon, he said.

"I don't want them to wake up one morning and decide they don't want it there," he said.

Maenus said his staff also will give commissioners the cost of building a 40,000-square-foot jail outside of downtown as an option.

The county could also work in partnership with Fort Worth to build a new jail, officials said.

Anderson and other county officials have met with Mayor Mike Moncrief and are scheduled to meet again Friday to discuss the possibility.

Fort Worth started sending its prisoners to the Mansfield Jail in 2001 after it was unable to sign a contract with the county to house its prisoners.

"It's an option we need to explore," Moncrief said. "We did it once and it worked for a while."

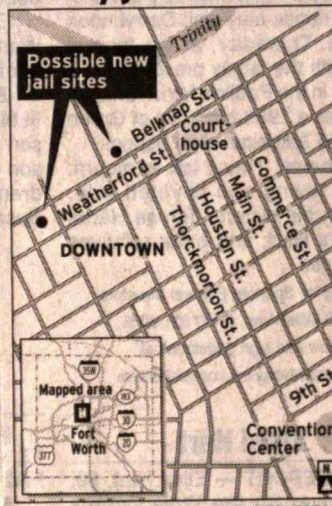
Anderson said his ability to handle Fort Worth prisoners will depend on the bond package.

"I'm for whatever serves the county best," he said.

Staff writer Anna M. Tinsley contributed to this report.

Max B. Baker, (817) 390-7714  
maxbaker@star-telegram.com

### County jail sites



cussed tearing down the old county jail at 300 W. Belknap.

That jail was closed in March 2001 because it was too costly to operate and not as safe as other facilities, Grisham said.

The old jail could potentially be replaced with a seven-story structure with about 300 cells on six floors, said David Phillips, the county facilities manager.

It would also be connected to the courts by tunnels under the street.

County Administrator G.K. Maenius said the Belknap idea was "catching on," and Brooks indicated Tues-



Sunday, April 3, 2005

### Christopher H. Bell

**HURST** — Christopher H. Bell, 49, passed away Thursday, March 31, 2005, at a local hospital.

**Funeral:** 11 a.m. Tuesday at Brown's Memorial Funeral Home. Visitation: The family will receive friends 6 to 8 p.m. Monday at the funeral home.

Christopher was born Jan. 6, 1956, in Dallas. He was a Tarrant County Sheriff's officer for eight years. He was preceded in death by his father, T.L. Bell; and brothers, Dennis Bell and Elwood Bell.

**Survivors:** Mother, Melba Bell of Hurst; aunts, Jody Tebay of White Settlement and Martha Berry of Blountstown, Fla.; uncle, Buddy Moseley of Grapevine; and numerous cousins.

Brown's Memorial Funeral Home  
Irving, (972) 254-4242

View and sign...

Monday, April 4, 2005

### Smoke causes concern at Tarrant County Jail

**FORT WORTH** — Smoke in the Tarrant County Jail downtown caused some anxiety Sunday, but it was believed to be from a faulty mechanical device.

The Fire Department was sent to the jail about 3 p.m. after smoke was detected, said fire Battalion Chief Tim Johns. Preliminary indications pointed to a bad electrical water heater on the second floor, but no fire, he said.

No inmates were evacuated,

said Sheriff's Department Deputy Chief Bob Knowles, who commands the jail.

Because the jail is a high-rise, 14 fire vehicles were sent to the site as a precaution, Johns said.

Although firefighters said they thought the problem was in a water heater, jail staff remained unsure of the cause early Sunday night and were still looking at other possible sources of a light haze and smell similar to burning oil that had permeated some areas of the jail during the incident, Knowles said.

— Bill Teeter

Wednesday, April 6, 2005

### GOVERNMENT

# Bond election delayed

■ Despite Sheriff Dee Anderson's dire predictions about jail safety and capacity, Tarrant County commissioners delay a bond election.

By **MAX B. BAKER**  
STAR-TELEGRAM STAFF WRITER

Tarrant County commissioners agreed Tuesday to postpone a bond election until next year that would include a new maximum-security jail despite warnings that the existing jail is becoming increasingly dangerous from overcrowding.

Commissioners supported postponing the September election, probably until fall 2006, to give them time to decide where to build the jail and to examine the other proposed projects in a bond package expected to reach about \$300 million.

Sheriff Dee Anderson told commissioners that to delay building the high-security jail is "dangerous to us — literally."

He said he was disappointed that the jail is being further delayed.

"I'm frustrated and puzzled by the lack of direction," Anderson said in reference to the commissioners' not reaching consensus on the bond proposals. "The county staff is like a rudderless ship. It's tough on them."

Commissioner Glen Whitley supported postponing the election and admitted that there has been a "lack of direction"

More on ELECTION on 7B



"I'm frustrated and puzzled by the lack of direction. The county staff is like a rudderless ship. It's tough on them." — Sheriff Dee Anderson

# Election: New date may be in fall 2006

CONTINUED FROM 1B

by the commissioners — not only on the jail but on a proposed civil courts building and possible transit bonds.

"No one has taken the bull by the horns to move it forward," Whitley said. He said the court must take its time to make decisions with such long-lasting effects.

County Administrator G.K. Maenius said he knew the fall bond election was off when commissioners said Tuesday that they wanted staff to develop a suggested list of transportation projects.

"I'm not surprised," Maenius said. "I honestly believed they would delay this simply because the transportation piece is so important."

Since January, commissioners have struggled to reach a consensus on the bond program, often changing their long-standing support for some projects. The last bond

election in 1998 raised about \$94.5 million.

Among the proposed projects being considered are a new civil courts building and expansion of juvenile services and the medical examiner's offices. The price tag for those facilities is estimated at \$101 million.

In February, Whitley began leading a drive to add \$100 million to \$200 million for unspecified transportation projects. Commissioners were split on the road bonds, particularly over how much money might be spent at the new Dallas Cowboys stadium or the Texas Motor Speedway. They were told it could take a year to draft a list of proposed projects.

And commissioners are still at odds over where to build a jail for the county's most dangerous prisoners. For security reasons, the sheriff wants it next door to the Tarrant Coun-

ty Justice Center and the criminal courts.

and Whitley questioned whether a new civil courts building is essential, and Johnson suggested the criminal courts and jail could be built next door to the Green Bay jail northeast of downtown.

"There are beaucoup questions that are not answered right now," Johnson said.

A clearly disappointed Anderson said he warned commissioners two years ago that a jail crisis was imminent, especially where it concerned the need for additional maximum-security cells and medical facilities.

If the bond election is postponed until fall 2006, it could be five years before a new maximum-security jail is opened, sheriff's officials said. The jail system is averaging about 80 percent of its capacity.

"We need relief, and we need it now," Anderson said. "The medical situation is critical. ... We are walking a tightrope."

A report released in January said that inmates sometimes wait days for critical medications and weeks for doctor vis-

its because of shortages of qualified staff, shoddy record-keeping and other administrative problems.

About 30,000 inmates a year use the jail's medical services with a variety of needs, from minor scrapes to infectious diseases such as tuberculosis or AIDS, officials said. Eight prisoners died in the jail last year, sheriff's officials said.

Last week, the commissioners approved hiring a jail medical liaison officer for the Sheriff's Department to oversee delivery of health care to prisoners. The new employee's salary will be about \$80,000.

The jail Anderson wants to build on the Mueller Building site would include about 336 maximum-security cells and 96 medical beds. The cells would be on three floors, with additional space available for offices.

But on Tuesday, Anderson<sup>+</sup> wondered whether the jail would ever be built.

"If this continues, I'm not sure we'll ever come to a consensus," he said.

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## IN THE KNOW

### Bond package

A bond package being discussed by Tarrant County commissioners could include several key projects:

■ Construction of a civil courts building on the northwest corner of Weatherford and Calhoun streets near the new family courts building in downtown Fort Worth. The building would also house support services, including the civil district clerk and jury services. Estimated cost: \$49 million.

■ Expansion of juvenile services to provide additional bed space and a site for an alternative school for juvenile offenders. It would also provide an additional courtroom and beefed-up security. Estimated cost: \$30 million.

■ Expansion of the Medical

Examiner's Office to include a new crime lab, more space for new equipment and a new bio-hazard morgue. Estimated cost: \$22 million.

■ Building a maximum-security jail that would also include medical facilities. At least three sites are being discussed: the old County Jail at 300 W. Belknap St., the Mueller Building at 600 W. Weatherford St., and the Green Bay unit at 5136 Northeast Parkway. Estimated cost: \$40 million to \$50 million.

■ Transportation work approved by local cities to leverage money provided by the state. It would take up to a year to develop a list of projects county-wide. Estimated cost: \$100 million to \$200 million.

ty Justice Center and the criminal courts.

After downtown business leaders balked at building a jail across from the new RadioShack headquarters, commissioners began looking at two other sites: another one downtown and one on the

city's edge.

A jail built outside downtown would cost about \$40 million, county officials estimate. A jail in the central business district — because of construction costs — would be more costly, they said.

Commissioners J.D. Johnson

TARRANT COUNTY JUSTICE CENTER

# Firearm discharges, sends bullet into courtroom

By **MELODY MCDONALD**  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — A bailiff's personal handgun discharged inside the Tarrant County Justice Center on Tuesday morning while he was showing it to a potential buyer, sheriff's officials said.

No one was struck by the bullet, which entered an empty courtroom, said Terry Grisham,

a spokesman for the Tarrant County Sheriff's Department.

Tommy Jack McMeans, a 13-year veteran who is assigned to Judge Daryl Coffey's court, brought a .380-caliber handgun to work Tuesday morning to show someone who was thinking about buying it, Grisham said.

McMeans and the potential buyer were inspecting the

weapon in the bailiff's office on the seventh floor of the justice center at 401 W. Belknap St. when the gun discharged, Grisham said.

"The round penetrated the sheet rock and exited the wall in the courtroom," Grisham said. "The bullet ricocheted off a couple of walls, lost momentum and then came to rest on the floor."

Grisham said that neither the

judge, nor any spectators, jurors or county employees were in the courtroom when the gun went off.

An internal investigation is already under way, he said.

"Depending on what the investigation reveals, we will take appropriate action," Grisham said.

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## COURTS

# Ex-jailer sentenced in inmate drug case

By **ALEX BRANCH**  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — A former Tarrant County jailer accused more than two years ago of sneaking drugs to inmates for money was sentenced Friday to 30 days in jail and two years' probation.

Joey Janice Jr., 24, pleaded guilty to having a prohibited substance and items in a correctional facility, a third-degree felony.

If Janice violates his probation, he could face two years in prison, said District Judge Elizabeth Berry.

Janice must also testify in any trial against Ollie L. King, a former jailer also accused of smuggling drugs into the jail.

Janice, who now lives in Georgia, will serve his jail time there.

Prosecutor Richard Alpert called the plea agreement a good resolution.

"We think the punishment that was assessed fits the

crime," Alpert said. "He's agreed to testify if we need to try his co-defendant."

Janice and King were arrested Oct. 8, 2002, after Tarrant County sheriff's officials accused them of trying to deliver a little more than 5 grams of marijuana after accepting money from a visitor.

Charges had been dropped against the men, prompting Sheriff Dee Anderson to fire off a strongly worded letter to District Attorney Tim Curry. A prosecutor later said that the way the charges were filed was not the best legal theory to fit the case.

A grand jury indicted Janice and King on June 24, 2004.

Janice's attorney, Mike Ware, said his client is ready to put the incident behind him.

"This was the last unfinished business as far as this case goes," Ware said.

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**GAMBLING**

# Sheriff vows gaming crackdown

■ Tarrant County Sheriff Dee Anderson says a raid on a club near Rendon should serve as a warning to illegal gambling establishments.

By **PAUL BOURGEOIS**  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — Now that the Legislature has decided not to approve eight-liners and other gambling devices, the Tarrant County Sheriff's Department has declared open season on illegal gaming clubs.

Deputies raided Becki's Magic Games, a club near Rendon, on Wednesday and confiscated 30 illegal gaming machines, an automated teller machine and an undetermined amount of money.

No arrests were made. The manager and seven customers were issued warnings, said Terry Grisham, a spokesman for the Sheriff's Department.

The manager declined to comment.

Sheriff Dee Anderson said the raid was in effect a warning to other establishments.

"We will continue to push

"We will continue to push until we have shut down this illegal activity in the unincorporated areas of the county."

— Sheriff Dee Anderson



ANDERSON

until we have shut down this illegal activity in the unincorporated areas of the county," Anderson said.

Anderson said written warnings were hand-delivered to 28 gaming operators in recent weeks, reminding them that they are breaking the law.

He said the first step is to remind the public and business owners and operators that the activity is still illegal. The second step is to enforce the law.

He said Wednesday's raid

was the first of many that could come in days, weeks or months, and future raids could bring more than a warning.

Anderson said offenders could face charges ranging from a simple misdemeanor punishable by a fine to charges of organized crime and jail time.

Enforcement was put on hold during the recent legislative session as bills were proposed that would have changed the rules for the gaming devices.

Anderson said cases could have been difficult to prosecute if the law had changed between the arrest and the trial.


Grisham said the lure of fast, easy, untaxed money has created a "speak-easy environment" in which the establishments pop up, shut down, move and pop up again.

He said that even a small gaming club can easily turn a profit of \$500 a day.

Paul Bourgeois, (817) 390-7796  
bourgeois@star-telegram.com

## Virgil Franklin Sheridan



 **AZLE** — Virgil Franklin Sheridan, 78, a retired Church of God minister, retired Tarrant County sheriff's deputy and beloved husband, father, grandfather, great-grandfather and brother, met his Lord Sunday, June 12, 2005, in Azle.

**Celebration of life:** 10 a.m. Tuesday in Hilltop Assembly of God Church in Boyd. His son, the Rev. Randy Sheridan, and the Rev. Billy Fitch will officiate.

**Interment:** Tuesday in D-FW National Cemetery. Pallbearers: his grandsons. Honorary pallbearers: Tarrant County Sheriff's Department Honor Guard. Visitation: A special viewing will be 6 to 8 p.m. Monday at the Mountain Valley Funeral Home in Burleson.

**Memorials:** may be made to the American Diabetes Association, 1307 8th Ave., Suite 311, Fort Worth 76104.

Virgil Franklin Sheridan was born July 31, 1926, in Alexandria, La., the son of Newton Barnett and Mary Alice McClammy Sheridan.

During World War II, he served in the U.S. Navy.

It was in El Dorado, Ark., that Virgil met the love of his life, his future wife, Gloria Williams. They were wed Feb. 28, 1948.

He was Pentecostal in faith, a member of the Assemblies of God Church. He spent many years pastoring for his Lord.

In 1986, Virgil began working as a deputy sheriff at the Tarrant County Sheriff's Department and worked many years as a court bailiff until he retired in 2001.

Virgil is now with his beloved Lord and loved ones who preceded him. He will be long remembered and greatly missed by his family and friends left behind.

**Survivors:** Beloved wife of 57 years, Gloria; daughters, Martitia and husband, Sheriff Bob Alford of Alvarado, Rene' and husband, Mark McClung of Azle; sons, Wayne Sheridan of Fort Worth, Keith and wife, Janet Sheridan of Broomfield, Colo., and the Rev. Randy Sheridan and wife, Cindy of Burleson; 14 grandchildren; 11 great-grandchildren; sister, Trudy Stefani of Exeter, Calif.; and several nieces and nephews.

Cleburne Funeral Home  
Cleburne, (817) 648-0522

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[www.star-telegram.com/obituaries](http://www.star-telegram.com/obituaries)

**UPDATE**

# Tarrant agencies get a hand

## from electronic fingerprinting

**By PAUL BOURGEOIS**  
STAR-TELEGRAM STAFF WRITER

**FORT WORTH** — Fingerprinting suspects now is easier, cleaner, more efficient and cheaper.

Terry Grisham, spokesman for the Tarrant County Sheriff's Department, said electronic printing requires less manpower, but the big payoff comes in more accurate identification and less chance for lawbreakers to beat the system.

The prints now are electronically scanned into a computer linked with

local, state and federal law enforcement agencies, allowing faster checks on who's who.

The time it took to process fingerprints the old way sometimes allowed lawbreakers to make bail and skip town.

A \$500,000 federal grant was approved a year ago to help pay for new electronic fingerprinting and employee training across Tarrant County.

The system has been running for several months.

"It's going great," Grisham said. "One of the biggest challenges in the jail is positive identification."

The Texas Department of Corrections still requires traditional prints on paper for incoming prisoners, but electronic fingerprinting is often the rule, Grisham said. "It's another tool in the arsenal of identification," he said.

He said it also complements new equipment that scans the eyes of everyone booked into the jail. Anyone being transferred or leaving gets

another eye scan that instantly ensures that the correct people are being transferred or allowed to leave.

The Tarrant County Jail takes prisoners from most area police departments.

City departments in Arlington, Azle, Benbrook, Crowley, Euless, Fort Worth, Haltom City, Hurst, North Richland Hills and White Settlement also have electronic fingerprinting.

*Paul Bourgeois, (817) 390-7796  
bourgeois@star-telegram.com*

**GAMBLING**

# Court denies challenge to sheriff's eight-liner raids

■ An appeals court ruling spurns volunteer firefighters' efforts to have gambling machines.

By **MAX B. BAKER**  
STAR-TELEGRAM STAFF WRITER

The 2nd Court of Appeals tossed aside a local volunteer fire department's challenge to Tarrant County Sheriff Dee Anderson's authority to raid private gaming rooms that include eight-liners and other gambling machines.

Anderson's deputies raided the Big 7 Game Room in Reno twice in 2004, confiscating machines and arresting seven people. The Briar Voluntary Fire

Department — as a charitable group — was getting a percentage of the room's proceeds.

Reno is northwest of Fort Worth on the Tarrant and Parker county line.

Attorneys for the Fire Department argued that the game room was a private club and did not violate the state's gambling laws.

"We were not surprised but gratified" by the court's decision, said Terry Grisham, the sheriff's executive administrator. "Private club status does not absolve someone from criminal activity."

John Gamboa, the attorney for the Fire Department, said he could not

comment until he has read the decision, which was released Thursday. Briar Voluntary Fire Department officials did not return calls seeking comment.

State law does not expressly prohibit game rooms from having casino-style, eight-liner machines, including those that award gift certificates or tokens for inexpensive merchandise such as toys or novelties.

Operating an eight-liner becomes illegal only when the payout is greater than 10 times the bet, or \$5, whichever is less. The machine can't pay cash under any circumstances.

Anderson's deputies determined during raids in May and June 2004 that

the Big 7's Game Room was operating illegally. In the second raid, two employees and five patrons were arrested.

The Fire Department filed a lawsuit in Tarrant County seeking to define the game room as a "private place" that is exempt from state gambling laws. An injunction to stop Anderson's raids was also sought.

State District Judge Dana Womack threw the lawsuit out of court, claiming she didn't have jurisdiction because it was a criminal matter.

The Fort Worth appeal court's ruling upheld Womack's decision but didn't delve into the constitutionality of

the state's gambling laws or if the Fire Department was running a private gaming room.

Grisham, however, said the court's ruling should make it clear that such operations cannot legally operate.

If the Briar firefighters were allowed to operate the game room, he said, then the "Colonial Country Club could have slot machines in the grill, and the Ridglea Country Club could have craps tables.

"That argument is almost laughable on its face."

Max B. Baker, (817) 390-7714  
maxbaker@star-telegram.com

PLEA BARGAIN

# Ex-jailer draws time, probation in drug case

■ Sheriff Dee Anderson says he is pleased that the two jailers involved in the case are going to spend time in jail for their crimes.

By **MELODY McDONALD**  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — A second Tarrant County jailer accused of smuggling drugs to inmates for money 2 ½ years ago has been sentenced to two years' probation and 30 days in jail.

Ollie King, 32, reached an agreement with prosecutors Thursday and pleaded guilty to recklessly having a prohibited substance in a correctional facility.

King was also fined \$500.

Prosecutor David Hudson, who handled the case with Richard Alpert, said King will serve his jail time in the evenings. It should take him about six weeks, Hudson said.

King's defense attorney, Steve Gordon, could not be reached late Thursday afternoon.

This month, former jailer

Joey Janice Jr., 24, also accused of smuggling drugs to inmates, received much the same punishment in an agreement with prosecutors. The only difference is that Janice was not fined \$500, Hudson said.

"He pleaded first and gave us some information that helped us with King," Hudson said.

Janice and King were arrested Oct. 8, 2002, after Tarrant County sheriff's officials accused them of trying to deliver a little more than 5 grams of marijuana after accepting money from a visitor.

Charges against the men were later dropped, and Sheriff Dee Anderson fired off a strongly worded letter to District Attorney Tim Curry.

A prosecutor said later that charges were filed in a way that was not the best legal procedure for the case.

Hudson explained Thursday that the jailers were initially charged with intentionally or knowingly possessing a controlled sub-

stance in a correctional facility. Officials later determined, however, that the package was sealed and that no one told Janice or King that it contained marijuana.

Accordingly, they were charged with recklessly — rather than intentionally or knowingly — possessing drugs in a correctional facility.

"They knew they were smuggling something in and taking money for it, but no one represented to them that they were taking marijuana in, so 'recklessly' fit very well," Hudson said.

Anderson said he appreciates the work of the prosecutors, who considered his request for jail time in the plea negotiations.


"It was very important for us to send a message that if you smuggle narcotics into our jails as an employee, then you are going to spend time in the jail you used to guard," Anderson said.

Melody McDonald, (817) 390-7386  
mjmcDonald@star-telegram.com



## Willie Williams



 **FORT WORTH** — Willie Williams, 80, passed away Monday, June 27, 2005, in Fort Worth.

**Mass of Christian Burial:** 11 a.m. Saturday at Our Mother of Mercy Catholic Church. Burial: Laurel Land Memorial Park. Rosary: 7 p.m. Friday at Laurel Land Funeral Home.

Willie was born Nov. 5, 1924, in Fort Worth to Sam and Lizzie Williams. He served in the U.S. Army during World War II and retired from the U.S. Postal Service and Tarrant County Sheriff's Department.

Willie was preceded in death by his wife, Lucille Williams; parents, Sam and Lizzie Williams; and three brothers.

**Survivors:** Brother, Cornelius Williams and wife, Ada, of Leavenworth, Kan.; sister, Eva Young of Fort

Worth; nieces and nephews; loyal friends, Anna James Blackmon and Virgetta Pyles, both of Fort Worth; and church family.

Laurel Land Funeral Home  
7100 Crowley Road, (817) 293-1350

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COUNTY JAIL

# Costs of jail plans concern some officials

■ A nearly \$40 million difference in opposing plans for a new jail has county commissioners considering yet another alternative.

By AMAN BATHEJA  
STAR-TELEGRAM STAFF WRITER

Construction of a new downtown jail would cost more than \$82 million, nearly twice as much as the cost of expanding the Green Bay jail northeast of downtown, according to a study released Tuesday.

A third option, building a jail on the site of the county's old facility on Belknap Street, would cost more than \$81 million, according to the study.

The sharp difference in the proposals drew renewed

concerns from Tarrant County commissioners Tuesday about building a jail downtown, which has already been opposed by key downtown business leaders.

"It's pretty obvious that the capital costs between these three proposals is pretty compelling," Commissioner Roy Brooks said.

Sheriff Dee Anderson, however, said moving the jail out of downtown would pose safety hazards for deputies and the public. The county's most dangerous prisoners would have to be regularly transported to and from the criminal courts downtown, he said.

"My concern is still the  
More on JAIL on 5B

maximum-security facility there, at a cost of \$81.4 million, the study said.

Another proposal calls for building a jail at 600 W. Weatherford St., where the Mueller Building now sits across the street from the existing downtown jail and the new RadioShack headquarters. The Mueller proposal, which Anderson has said he prefers, would cost about \$82.3 million.

Local business leaders have said that a new maximum-security jail would hamper development in downtown Fort Worth.

Downtown Fort Worth Inc., a nonprofit group that represents central-city business interests, sent a letter to Tarrant County commissioners this year voicing concerns about a downtown jail. Officials for the group were unavailable for comment Tuesday.

Mark Hill, a senior vice

"Ultimately, it's about the best use of downtown property for the long term."

— Mark Hill, a senior vice president at RadioShack

president at RadioShack, said commissioners should weigh the cost differences carefully.

"Ultimately, it's about the best use of downtown property for the long term," Hill said.

In light of the varying costs, a fourth option that had long been considered too expensive was brought back to life Tuesday.

County officials suggested a combined proposal that would concentrate maximum-security inmates in the current downtown Correctional Center, at 100 N. Lamar St., while expanding the Green Bay facility for all other inmates.

Renovations to increase the number of high-security cells at the jail on Lamar should be less costly than new construction, officials said.

An earlier, brief look at the idea by researchers suggested that such renovations

would cost between \$6 million and \$9 million, Phillips said, although he stressed that it could be significantly more.

Commissioners agreed informally to study that option further. Phillips said an evaluation of the cost should be ready in about three months.

The additional delay should not prevent commissioners from being able to include a jail project in a bond package scheduled to go before county voters in May, County Administrator G.K. Maenius said.

Anderson expressed surprise at again seeing a plan that had rejected long ago for being too expensive. He said he hadn't formed an opinion on the new proposal yet.

"Right now, I'm taking a wait-and-see attitude," Anderson said.

Anderson said his staff, meanwhile, will further evaluate the consultants' study. He said earlier meetings with those behind the study made him believe that the costs for each plan would be fairly close.

"For there to be that wide a gap was certainly a shock to my staff," Anderson said.

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CONTINUED FROM 1B

number of murderers [and] rapists ... driving down North Main Street every day," he said.

The study's release at a commissioners workshop Tuesday sharpened the debate over how the county should handle its rising jail population, and it brought back a fourth option that could combine the different approaches by renovating the downtown jail for only the highest-security prisoners.

The study — by Burns Fletcher Gill Architects of Fort Worth and Hellmuth, Obata/Kassabaum, which has an office in Dallas — analyzed the county's current detention system and the costs for three different expansion plans.

One of the proposals, expanding the Green Bay jail to include new units for maximum security and medical beds, would cost about \$44 million, the study said.

County Facilities Manager David Phillips said the open space around the Green Bay facility would also allow future expansion, perhaps into a full-fledged "correctional district."

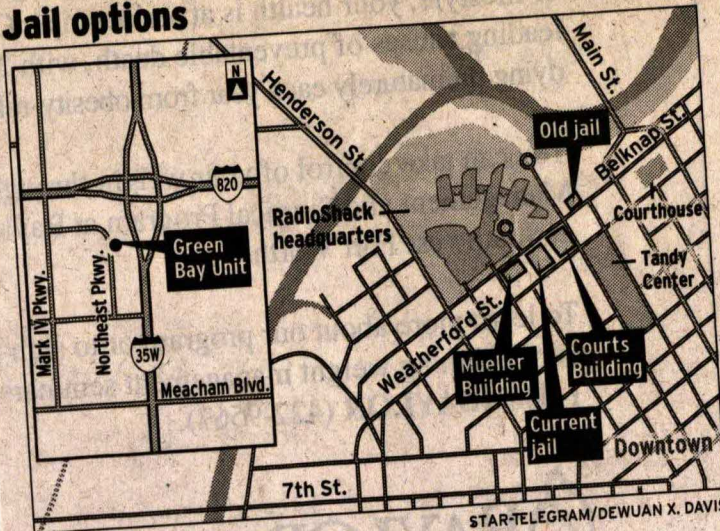
"We would have plenty of acres around there," Phillips said.

The other two options call for construction of facilities downtown as well as expanding the Green Bay facility to a lesser extent.

One plan would involve tearing down the old county jail at 300 W. Belknap St., which no longer houses inmates, and building a new

# Jail: A rejected plan is now back in play

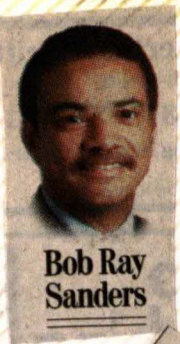
## Jail options



STAR-TELEGRAM/DEWUAN X. DAVIS

IN MY OPINION

# This indecision about jail has us locked up



Bob Ray Sanders

■ It is time for Tarrant County commissioners to make a decision about a new jail and then sell their decision to those who elected them.

Tarrant County faces a major dilemma.

It is running out of jail space and, according to Sheriff Dee Anderson, the county desperately needs more cells to house prison-

ers.

No one seems to question the need for additional maximum security detention facilities, but major concerns have been raised about where a new jail ought to

be built. In addition, projected costs of a new building have so startled county commissioners that they simply don't know what to do now.

First, the location of a new jail, if one is to be built. Anderson thinks it ought to be downtown.

He is right for several reasons. It would be safer for deputies and

the public, and more convenient to get prisoners from their cells to courtrooms for trial.

But there is major opposition from some of the city's most powerful leaders to building another jail downtown.

In case you haven't noticed, downtown Fort Worth is booming

More on SANDERS on 7B

CONTINUED FROM 1B

now, with brand new residential development, commercial expansion and the recent dedication of not one but two new corporate headquarters — RadioShack and Pier 1 — all near the place where we lock up criminals.

The land on the north end of downtown near the Trinity River has become a lot more valuable in recent years. There's no doubt about that.

RadioShack's new headquarters, for example, replaced a public housing development that had been there for decades.

There was a time, of course, when river bottoms seemed the appropriate place to locate poor people and nontaxable public facilities. Now, with a new vision for the river, there are those who can't imagine attracting developers who want to build in the vicinity of another huge public housing project — a county jail.

Business leaders talk of "the best use of downtown property," tax bases and compatible neighbors.

Tarrant County has spent decades developing a campus of governmental and justice buildings that complement each other, not only in design but in functionality.

The centralized government facilities make it easier on the courts, lawyers, jailers, the public and, yes, the prisoners who have to be taken to and from court appearances.

Some people downtown simply don't like the idea of those "dangerous criminals" being so close by, even if they are locked up. The truth is many others are not so concerned about the presence of the convicts as they are about the people who come down to see them on jail visiting days.

Commissioners, who earlier this year postponed indefinitely a bond election which would have included money for a new jail, have had several options presented to them.

One is to spend \$44 million expanding the Green Bay detention facility on the north side to include maximum-security cells and medical beds. Another suggestion is to

renovate the Correction Center downtown to house all maximum security inmates while expanding Green Bay at a cost of \$6 to \$9 million.

Then there are plans for a new jail, with two possible sites downtown.

One location, at 600 Weatherford St. across from RadioShack and the current jail, would cost \$82.3 million, according to consultants' estimates. To tear down the old county jail at 300 Belknap and build a new facility would cost \$81 million.

Commissioners have a right to be worried about the money. That's part of their job, one of the things we elected them to do.

They have to ask, "Can we afford to do this?"

In this case, they must also ask, "Can we afford not to do this?"

There are other needs in the county, including transportation needs, that are also costly. But the costs will only rise the longer decisions are delayed.

If we need a new jail, let's build it.

Let's build it downtown. And, let's build it right, with an architectural design that obviously meets the needs of the Sheriff's Department, but that also does not detract from the new corporate headquarters.

It's time for the commissioners to make the tough decisions, set a plan in motion, call a bond election and then sell us citizens on the need to approve it.

Bob Ray Sanders' column appears Sundays, Wednesdays and Fridays. (817) 390-7775 bobray@star-telegram.com

Sanders: Downtown facility is county's best choice

# Court administrator proposal stirs up debate

■ The first draft of a court study pits District Clerk Tom Wilder and others against the county's criminal court judges.

By **MAX B. BAKER**  
STAR-TELEGRAM STAFF WRITER

**FORT WORTH** — Tarrant County officials are deeply divided over a consultant's preliminary recommendations to hire a criminal court administrator and to have the judiciary manage the pretrial release program instead of commissioners.

The National Center for State Courts said a criminal court administrator could monitor jail populations and attend to day-to-day operations, leaving the county's criminal court judges more time to serve on the bench.

The administrator, under the guidance of the judiciary, also could help oversee pretrial release — an agency that helps first-time offenders and poor criminal defendants get out of jail faster, according to the draft report.

Pretrial release is now under the control of the commissioners court.

Tarrant County commissioners tentatively approved the court administrator's position Monday during a budget workshop session, but said they want to review the job description and the idea of moving pretrial release back to the judiciary.

Judges praised the national center's findings, saying the recommendations made in the report coincide with suggestions they've recently made to county officials on how to streamline the local criminal justice system.

"I think [the recommendations] are necessary for the efficient administration of justice," said Criminal District Court Judge Daryl Coffey, who has long advocated a more centralized court management system.

Critics say the group's pre-

liminary report is faulty and advocates creating additional, costly bureaucracy. They point out that when judges ran pretrial release more than a decade ago, "the wheels had fallen off the thing."

District Clerk Tom Wilder openly opposes hiring a court administrator, calling it wasteful, and fears that possible expansion of the pretrial release agency will lead to an even greater loss of money.

The state Office of Court Administration reports show that Tarrant County has the best clearance rate, and the lowest case backlog index, when compared to Texas' other large counties, all of them with administrators, Wilder said.

Disagreeing with the judges, Wilder has said his office can pick up some of the duties of the proposed administrator.

Wilder also chastised the criminal judges — all of them fellow members of the Republican Party — for wanting to waste taxpayers' money.

"Republicans are not sup-

posed to be building bureaucracies," he said.

State District Judge Scott Wisch defended hiring an administrator given their growing case loads and administrative duties. He also said Wilder needs to remember that he does not speak for the judges.

"That's his bureaucracy versus ours," Wisch said. "This is a separation of powers issue. They have more on their plate than they can deal with now."

## Consistency, stability

The county commissioned the \$32,000 study in June to find ways to improve criminal court efficiency and relieve jail overcrowding. Consultants talked to prosecutors, defense attorneys, judges and bail bond agents.

In recent months the county's criminal court judges have taken a number of steps to move cases more quickly, including the adoption of a case management system that categorizes cases based on the seriousness of the crime.

In February, using a state

grant, the county also hired a part-time magistrate and four financial advisers to evaluate the indigence claims of poor criminal defendants requesting a court-appointed attorney.

The national center's report recommended hiring the magistrate full time and having the county absorb the cost of the advisers once the grant expires.

It also suggested a county-wide, centralized magistrate system be developed to establish a controlled and consistent process for determining probable cause, setting bail and advising defendants of their rights.

But the report supports a court administrator, an idea that's been recommended on several other occasions and that 15 of the 19 county and district court judges endorsed during the consultants visit to town.

In May, judges proposed hiring a court administrator to monitor attorney appointments, drug and mental-health services while also serving as a liaison to the sheriff and commissioners.

The report said the other five large counties in Texas have at least one court administrator who serves at the pleasure of the judges and keeps monthly statistics, handles budget matters and works on obtaining grants.

"This position would bring a level of consistency and stability to the criminal court system in Tarrant County that has not previously been achievable," the report states.

Shifting control of pretrial release back to the judiciary is the report's other major, and controversial, finding.

Pretrial release was created in 1979 with the express purpose of expeditiously releasing low-flight risk defendants from custody, thereby reducing pretrial detention costs and jail overcrowding.

Under the program, defendants charged with minor crimes such as shoplifting and writing bad checks can get out



SPECIAL

A criminal court administrator could, among other things, monitor jail population at lockups such as the Green Bay facility on Northeast Parkway, a consultant says.

jail by putting down \$20, or 3 percent of their bond, whichever is larger, instead of paying a bail bond agent.

In the past three years, about 3,000 defendants a year have avoided spending a night in jail. About 9,400 bonds, or about 16 percent of the total, were written through the program.

Giving it back to the judiciary may be more responsive to the county's needs in terms of jail populations and public safety. They also said a new court administrator could help oversee the agency.

Initially, the agency was overseen by the judges. But in 1992, after complaints that employees weren't coming to work and weren't helping with jail overcrowding, County

Administrator G.K. Maenius said the commissioners took control.

"It was not only not run successfully, the wheels had fallen off the thing," Maenius said.

### Political hot potato

Wilder has written a lengthy rebuttal to their draft report, finding fault with several their characterizations, including how well the pretrial release program ran when the judges initially ran it.

The report fails to recognize that the county collects about \$2 million a year from bail-bond agents whose clients don't appear in court, he said. With pretrial release, the county gets nothing, Wilder added.

"I have great difficulty in believing that pretrial release should be the first option given its costs to the taxpayer," he said.

Commissioner J.D. Johnson was the only commissioner Monday to vote against tentatively creating the \$85,000-a-year job. Commissioners supporting the motion said they wanted to review the job description.

"I feel that is a post that we really don't need," Johnson said. "I don't think pretrial release will go with that post."

Commissioner Glen Whitley, who generally supports hiring an administrator, said he wants whoever is hired to report to the judges and commissioners.

"I feel that this is an appropriate position," Whitley said. "And my guess is that over time, this administrator will do things that cross all lines and help all of the courts."

Commissioners did not talk about shifting control of pretrial release.

## Commissioners expect higher security at the same tax rate

■ Although the tax rate may not change, many property owners will have higher tax bills in October because of increased property values.

By AMAN BATHEJA  
STAR-TELEGRAM STAFF WRITER

Tarrant County's property tax rate for next year is likely to stay the same even as officials add employees and boost security at the main administration building in downtown Fort Worth, the county's budget director said Monday.

Commissioners tentatively approved a \$380.4 million budget for next year that would create more than 120 new positions, including a sheriff's deputy to be posted at the County Administration Building. The decision to boost security came just one week after a shooting at Fort Worth City Hall.

Commissioners are likely to maintain the tax rate of 27.3 cents per \$100 of assessed property value, said Debbie Schneider, director of the county's budget office. The first of two public hearings on the tax rate is scheduled for Aug. 23, and the budget is expected to be wrapped up by mid-September.

The tax rate for the Tarrant County Hospital District is also likely to remain at 23.5 cents.

Nonetheless, most property owners can still expect to see higher tax bills in October because of increased property values throughout the county.

The increased valuations along with new construction mean that the county will have more money to work with next fiscal year.

Most of the new positions are assigned to the Sheriff's Department for the expansion at the Green Bay jail, scheduled to be reopened in November. Commissioners approved 46 new positions for the jail, as well as funding for an additional 40 employees if the jail population increases more than expected.

"I thought we got the positions that were crucial," Sheriff Dee Anderson said.

Regarding the hiring of a deputy sheriff to provide security at the administration building, Anderson said he had proposed the position in several previous budgets after receiving requests from county employees who work in the building.

Last week, a gunman shot at City Development Director Bob Riley. No one was injured.

Anderson said he suspected that the incident influenced the court's approval.

"I'm sure that was fresh on everyone's minds when the decision came up," Anderson said.

Commissioner Roy C. Brooks said the commissioners' decision to remove all security from the administration building several years ago was a mistake.

"I think when we removed the security completely, we went a little bit overboard," Brooks said. "There's a perception from some of the employees in the building that we are a bit naked here."

Brooks called having a single deputy in the administration building a good compromise between having no security and going as far as the courthouses, where all visitors must pass through metal detectors before entering the building.

Schneider presented commissioners with a 537-page balanced budget Monday morning. The court spent the day hearing from county department heads about items they believed worth adding to the final budget.

By the end of the day, the budget was \$1.145 million overdrawn, Schneider said.

While approving some of the extra spending, Commissioner Marti VanRavenswaay questioned how many added items would remain in the final budget.

"If we put everything back in that Debbie took out, we're not going to have a budget soon," VanRavenswaay said.

County officials may rebalance the budget by lowering the county's reserves rather than cutting spending, Schneider said.

Schneider said several unfunded state mandates this year contributed to the difficulty of creating a balanced budget without increasing the tax rate. Adding to the challenge were rising gas prices and an expected increase in postage.

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TARRANT

# County plans security boost

STAR-TELEGRAM

FORT WORTH — Tarrant County commissioners tentatively approved a \$380.4 million budget Monday that includes new positions for the sheriff's department, including a deputy who would be posted at the County Administration Building.

Commissioners removed all security from the building several years ago.

A week ago at the other end of downtown, a man carried a gun into Fort Worth City Hall and fired at Development Director Bob Riley. The shot missed.

"I'm sure that was fresh on everyone's minds," Sheriff Dee Anderson said.

STAFF WRITER AMAN BATHEJA  
REPORTS | 3B



Sheriff Dee Anderson: "I thought we got the positions that were crucial."

### INSIDE

■ Tarrant County officials are divided over a consultant's preliminary recommendations. 3B

### JAIL DEATH

Wednesday, August 17, 2005

# Prisoner dies hours after returning from hospital

By ALEX BRANCH  
STAR-TELEGRAM STAFF WRITER

FORT WORTH — A 46-year-old prisoner at the Tarrant County Jail died early Tuesday after complaining of breathing problems, authorities said.

Christopher Waller of Fort Worth was pronounced dead at 3:43 a.m. in the emergency room at John Peter Smith Hos-

pital.

The Tarrant County medical examiner had not ruled a cause of death Tuesday night.

Waller was booked into the jail March 19 on charges of aggravated sexual assault and sexual assault, said Terry Grisham, spokesman for the Tarrant County Sheriff's Department.

On Monday afternoon, Waller said that his asthma was affecting his breathing and



WALLER

the hospital.

Grisham said that privacy

laws restrict what hospital officials can tell sheriff's officials but that the guard who accompanied Waller said the prisoner had received treatment at the hospital and was waiting for more when he asked to return to jail.

"It sounds like, as he waited for further treatment, he grew impatient as time passed and said he wanted to leave," Grisham said.

After returning to jail, Waller complained again of breathing

problems about 2 a.m., Grisham said. He was taken to the jail clinic, where he stopped breathing, and clinic workers called an ambulance.

Jamie Brown, a JPS spokeswoman, said that privacy laws prevented her from discussing Waller's case but that "the situation is currently being reviewed."

Grisham said the Sheriff's Department is also investigating, as is customary after in-custody deaths.

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**TARRANT COUNTY**

# Jail food service contract is approved for another year



**ANDERSON**

By **ANTHONY SPANGLER**  
STAR-TELEGRAM STAFF WRITER

Beans — even three days a week — will have to do.

Tarrant County commissioners on Tuesday approved the second year of a five-year contract for jail food service with Dallas-based Mid-America Services, the third contractor in a year to have taken over the job.

Sheriff Dee Anderson said inmate complaints about food quality and quantity under Mid-America have dropped from about 100 per month to

about five.

“The worst of our complaints now are that they get beans three times a week,” Anderson said. “It’s not going to be gourmet food. We spent too much time in the past worrying about jail food. Now we’re in a situation where we can concentrate on more important matters.”

Mid-America will provide meals at 94 cents a meal — about \$4.1 million for fiscal 2006, which starts Oct. 1. The cost of meals increased about 3 cents each.

The contract, which provides three meals a day for inmates, also allows for reduced meal costs based on the jail population. About 3,450 inmates are housed in Tarrant County jails.

Mid-America’s founder and CEO, Jack Madera, died months after the agreement was signed in 2004. Bob Austin, Madera’s second in command, is now president of the company.

Mid-America took over the contract after the county rejected two other companies.

# Van carrying inmates hits truck; 10 injured

Thursday, September 29, 2005

## Vehicle was carrying county jail prisoners

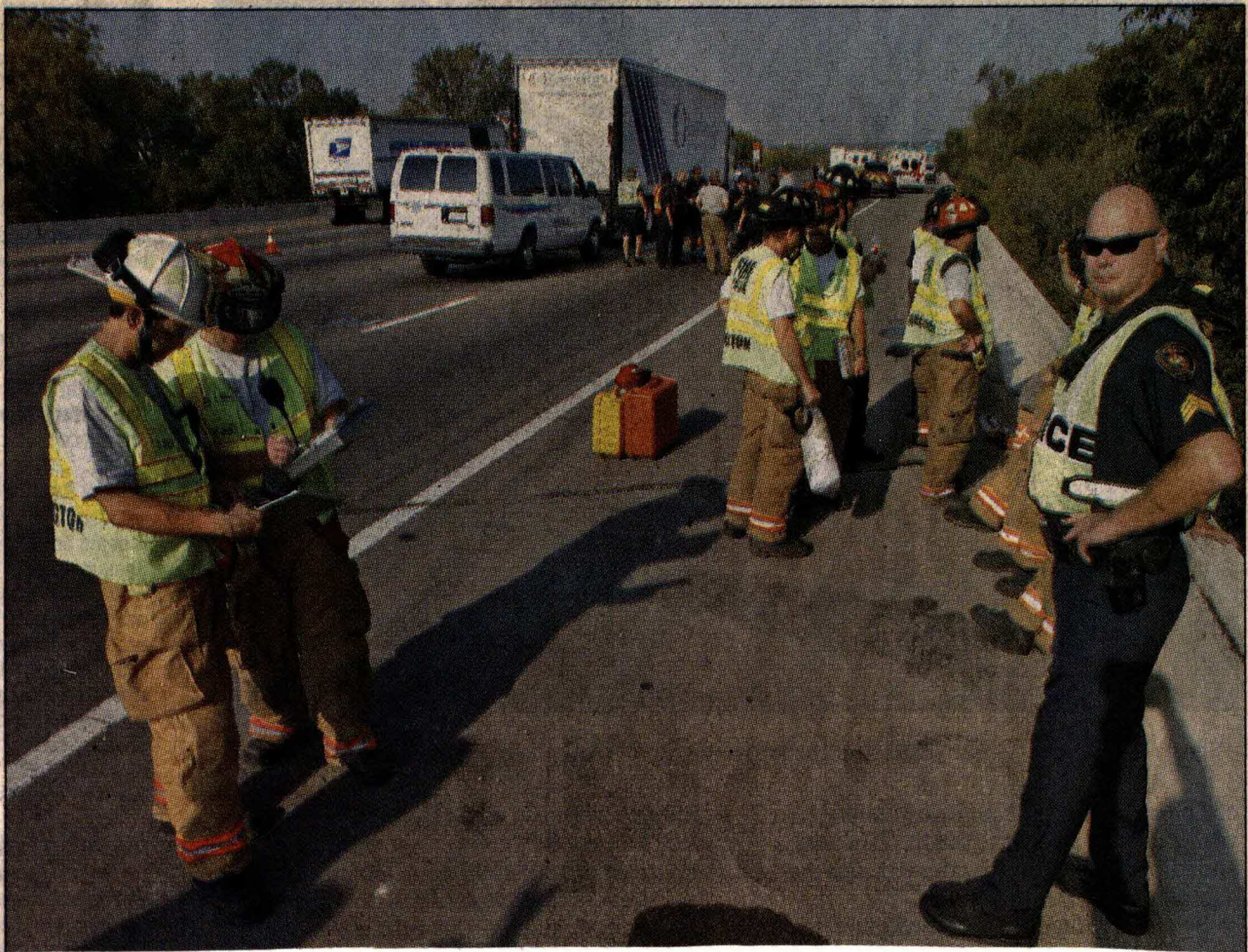
A Tarrant County Sheriff’s Department van carrying two deputies and 10 prisoners during a jail transfer struck a semitrailer truck Wednesday morning on Interstate 20 in Arlington. Ten people were taken to area hospitals, but none of the injuries were life-threatening, officials said. Lt. Blake Miller, Arlington police spokesman, said traffic in the west-bound lanes had slowed to a standstill before the crash. At right, the van is shown still wedged into the truck. Above, two Arlington Fire Department commanders, left, compare notes at the accident site. **3B**



STAR-TELEGRAM/PAUL MOSELEY



# 10 injured in van crash



■ The sheriff says the accident illustrates the danger of transporting prisoners from Mansfield to downtown Fort Worth.

By **BILL MILLER**  
and **MARK AGEE**  
STAR-TELEGRAM STAFF WRITERS

ARLINGTON — A Tarrant County deputy and several prisoners were injured Wednesday morning when a county van crashed into a semitrailer truck during a jail transfer run.

Ten people were taken to hospitals after the 8:30 a.m. crash on westbound Interstate 20 near the U.S. 287/Loop 820 split at the Arlington-Fort Worth border, officials said.

"None of them had life-threatening injuries," Battalion Chief Don Hartz said. A sheriff's officer accompanied each ambulance, Hartz said.

A Tarrant County Sheriff's Department van was carrying two deputies and 10 prisoners, county officials said.

A deputy, who was not driving, appeared to be the most seriously hurt, said Terry Grisham, executive administrator for the Sheriff's Department.

Sheriff Dee Anderson said the deputy had not been released from the hospital as of 5:30 p.m. because doctors were making sure he didn't have any broken ribs.

"He was conscious and talking," Anderson said. "He's going to be OK."

Lt. Blake Miller, Arlington police spokesman, said traffic in the westbound lanes, including a tractor-trailer rig, had slowed to standstill before the crash. He said the van "came up from the rear and struck the 18-wheeler."

Only one lane of westbound I-20 was open after the accident, and traffic stacked

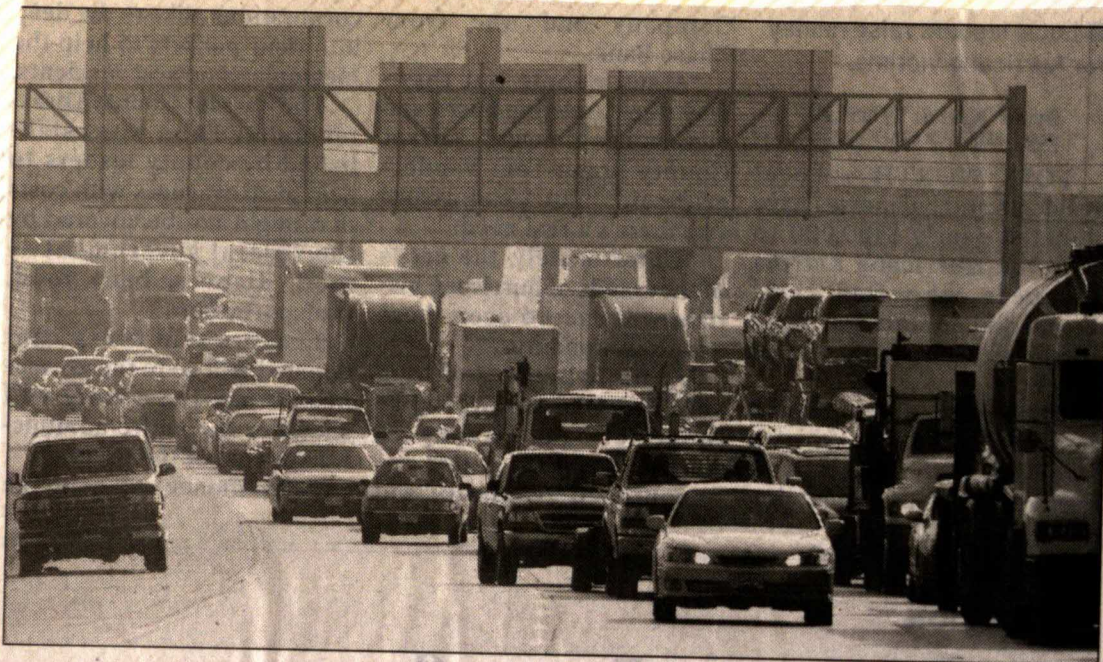
up past Green Oaks Boulevard. Emergency workers cleared the scene and released traffic at 10 a.m.

Anderson said the accident illustrates his longtime concerns about transporting prisoners from the Mansfield Jail, which has a contract to hold prisoners for the city of Fort Worth.

Anderson wants the Tarrant County Commissioners Court to approve plans for a new maximum-security jail downtown, which could be included in a bond package that's expected to be decided by voters in an election next May.

Commissioners have resisted the idea because the projected cost for a new downtown jail is about \$82 million, nearly twice as much as the cost of expanding an existing jail north of downtown.

Anderson's plan is also opposed by key downtown



STAR-TELEGRAM/PAUL MOSELEY

Traffic in the westbound lanes of Interstate 20 was backed up for miles after the freeway was reduced to one open lane because of a wreck involving a county van and a truck.

business leaders who assert in the central business district. Commissioners Court about that a downtown jail would be inconsistent with the high-rise residential properties and corporate headquarters that a downtown jail would be inconsistent with the high-rise residential properties and corporate headquarters

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# For jail's sick inmates, a regimen of neglect

Sunday, October 2, 2005

BY JENNIFER AUTREY  
STAR-TELEGRAM

After James Wright had a brain abscess removed, he didn't always get his antibiotics.

When he asked to have his incision cleaned, he was placed in an unsanitary waiting room where gnats dived into his oozing wound. He couldn't get a doctor's appointment even though he said his headaches were killing him.

By the time a doctor finally saw him, another pus-filled abscess had developed.

His struggle to obtain health care was not unique. Wright was an inmate at the Tarrant County Jail, where nightmare medical experiences happened all too often, a *Star-Telegram* investigation has found.

JPS Health Network, the same



STAR-TELEGRAM/RODGER MALLISON

A report assailed conditions at the jail's medical facility. Medical records were "in a state of chaos," and some inmates couldn't count on life-sustaining treatments.

organization... grant County's public hospital, operated a jail health-care system that by 2004 was in tatters. But administrators overlooked numerous tell-tale signs of the medical crisis, the *Star-Telegram* found during a review of JPS documents.

One teen-ager with a known heart defect was given Pepto-Bismol for chest pain, only to collapse and die from a split heart valve. An AIDS patient sobbed in his cell, saying he couldn't get his medication. He, too, died in custody.

Relatives of inmates who died last year are left to wonder whether their loved ones were given the right treatment or medication.

More on JAIL on 19A



Watchdog Journalism

Find out more about the *Star-Telegram's* watchdog role. 20A

**INMATE DEATH**

# Woman died in jail after JPS refused admission

■ Those who loved Christi Ball are tormented by the thought that she was put at risk by her arrest and the minimal care provided by JPS.

By **JENNIFER AUTREY**  
STAR-TELEGRAM STAFF WRITER

Jailers had watched her frantic distress for five days.

Stopping up the toilet to flood her cell. Trying to hang herself with her gown. Announcing that she was pregnant

with Jesus' child.

At 10:15 p.m. that Thursday, though, Christi Ball was resting, snoring even, with her back against the door. Things were finally peaceful in cell 24, pod 63D, of the Tarrant County Correction Center.

But when a sheriff's officer checked on Ball a half-hour later, the snoring had ceased. Another officer opened the cell door. Ball slumped into the doorway.

Blood oozed from her mouth. She was naked, soaked in urine, not breathing.

An ambulance was summoned, but doctors pronounced Ball dead at John Peter Smith Hospital at 11:45 p.m. on Oct. 21, 2004. She became a statistic: one of 10 Tarrant County Jail inmates to die that year.

Ball had no criminal record. She was accused of only one crime: refusing to leave JPS, where she was seeking help.

Could she have been saved? Her family says there were so many chances that slipped away. If only JPS had committed her, rather than arrested her. If only Mental Health Mental Retardation of Tarrant County had put her back on her medication.

Perhaps even with the best of care, she would have died. An autopsy found that Ball, who was 35, died of an inherited heart defect that had never been detected.

But those who loved Ball are tormented by the thought that she was put at risk by her arrest and the minimal care provided by JPS. At the least, they say, she might have been spared the anguish of her final days. Instead, she was isolated from her family, unable to even ask for them because she was in the grip of the mania that comes with bipolar disorder.

"JPS put a bond against her," said her sister, Tiffany Dean. "Somebody there made that call. Somebody made the ultimate call to turn her away."

Because Ball's father, Michael Wayne Dean, consulted an attorney to look into his daughter's death, JPS officials would not discuss the hospital's treatment of Ball.

But JPS spokeswoman Drenda Witt said that every person, regardless of what he or she may have done, receives medical care. Someone is arrested only if the person refuses to leave after receiving medical care, she said.

## The October spiral

Ball, born Christi Michele Dean, had just finished her freshman year at Texas Wesleyan University when she first showed signs of mental illness in 1989.

Her younger sister, Tiffany, was the first to notice. Her parents didn't believe her. Christi had always been the

perfect child: smart, organized. She had graduated seventh in her class at Richland High School just two years before.

But as time wore on, the symptoms became too powerful to ignore. Her manic phases were punctuated with combative moments, wild spending and grandiose ideas of what might be accomplished.

With medication, Ball was able to complete her college degree in biology, get married and hold down a job in a food lab.

But every few years, the sickness would wreck her life. In one cycle, her marriage shattered.

Each time, doctors would stabilize her, and Ball's mother and grandmother would help her rebuild her life. But with each recovery, a little bit of the sweet Christi they knew as a child would be gone.

Ball's relatives could tell she was getting sick whenever she started calling around the clock.

The pattern churned up again in early October. Ball began hinting that she might stop taking her psychiatric medication so she could get pregnant, even though her

relatives counseled her against ever having a child.

On Oct. 4, she visited MHMR's Mid-Cities office in Bedford, complaining of lightheadedness, irritability and mood swings. Doctors adjusted her medication. Three days later she was back, and her meds were adjusted again.

By then, Ball was in full manic mode. On Oct. 11, she sent her relatives into an uproar when she announced that she was getting married and having a child. She told them she had moved in with a 73-year-old who lived in a retirement community.

She had also gone on a \$6,000 credit-card spree at Neiman Marcus for the wedding and charged hundreds more at a day spa where she had her armpits waxed and her eyebrows shaped.

On Oct. 12, MHMR adjusted her meds a third time.

### Seeking help

Ball began her odyssey to area hospitals with a visit to Harris Methodist H.E.B. that same day, complaining of lightheadedness.

She looked disheveled. When a doctor hinted that she was manic, Ball got angry, said her mother, Connie Jaynes.

"She was wanting the doctors to convince us that there was nothing wrong with her," said Jaynes, who met her at the emergency room. "Well, we knew when she was sick."

The next day, Ball sought help at Baylor Regional Medical Center at Grapevine for the lightheadedness. Her blood pressure and heart rate were up. A nurse noted "hypermania." Ball refused treatment and left.

The next evening, Ball arrived at hospital No. 3: Baylor Medical Center at Southwest Fort Worth.

Ball refused treatment but also refused to leave. Just after midnight, the hospital called Fort Worth police. When Officer M. Kuzenka arrived, he urged Ball to go — and to take the plants she had brought to the emergency room.

Ball's reply: "I will kill you and the people inside this hospital."

Kuzenka shot her legs with his Taser to get her into his squad car. Then he took her to yet another facility: John Peter Smith, the county's public hospital. In the early hours of Friday, Oct. 15, she was sent to the psychiatric unit on the 10th floor.

### First appeal to JPS

"I am Jesus Christ Almighty and you will burn in hell. You don't know who you are detaining," Ball screamed.

At JPS, Ball charged a nurse, pinched a mental health technician and attempted to wrestle police to the floor, according to medical records.

JPS staff injected her with medicine in her right hip to try to control her, then placed her in seclusion.

After about 90 minutes, doctors told Ball she could be released from seclusion. Apparently, she was supposed to leave, although terms of her release were not included in paperwork the *Star-Telegram* obtained from the hospital.

Instead of going home, Ball got on the phone. Then she took off her clothes. Less than three hours later, she was back in seclusion.

A little before 9 a.m., the hospital discharged her again — even though Ball told JPS officials that she wanted to be in a hospital somewhere and that she had no place to live.

To make sure she stayed away, an officer with the JPS Police Department escorted her from the psychiatric unit and gave her a warning ticket for criminal trespassing.

### 5 hospitals in 2 days

Fort Worth police gave Ball a ride to her mother's office

that Friday morning. But her mother was home in Decatur. Co-workers called her, but they also called an ambulance.

Ball was taken to her fifth hospital in two days: Baylor All Saints Medical Center at Fort Worth.

"I can speak all languages," Ball told the Baylor staff.

Once again, Ball refused the offered treatment and left sometime that afternoon.

In the meantime, Jaynes was frantically trying to get her daughter committed to a psychiatric hospital. She failed. Ball's relatives were told that all the judges had already left for the weekend. What's more, Jaynes was told, it wasn't obvious that Ball could hurt herself or others — the criteria for involuntary commitment.

At JPS, "they treated her just enough to get her stabilized a little bit. That's what hurt us as far as getting a mental health warrant," Jaynes said.

At about 8 p.m., Ball was picked up by a MedStar ambulance at a hotel that had complained about a psychotic woman. MedStar took Ball back to Baylor All Saints at Fort Worth.

Within 90 minutes, Baylor called Fort Worth police to report that Ball was threatening other patients. When an officer arrived, Ball told him that if she was not seen by the hospital staff, she would punish him.

"I'll kick your ass, too," she said.

Fort Worth police took her into custody, transported her to JPS hospital and filled out an application for her mental detention there.

For the third time that day, JPS ordered Ball into seclusion. A note in the medical record explained what happened: "Patient attempted to wrestle staff to floor. Pt. charged toward staff in search room, then sat down on floor, refusing to dress after disrobing."

Later that night, the hospital discharged Ball again, with advice to follow up with MHMR. Apparently, she again refused to leave.

At 1:33 a.m. Saturday, Oct. 16, almost 24 hours after she had first visited JPS, the hospital's police force gave her another warning ticket for criminal trespass and showed her the door.

### A trip to jail

At 6:30 a.m. Saturday, an ambulance was called to a Fort Worth department store. MedStar employees found Ball inside, next to a broken glass door. She said she was pregnant and needed to get clothing for the baby God

gave her. MedStar took her back to JPS.

Not long after, Fort Worth and JPS police were called to the emergency room to deal with a combative woman. JPS officer Christopher Jolly wrote that he found a woman "that was yelling and cursing at the officer and stating, 'I'm having God's baby and that I need to leave.'"

The officers took Ball to the psychiatric unit, this time for a voluntary commitment, Jolly wrote. That might have saved her, her relatives believe.

But the staff turned her away, telling Jolly that she had just been released.

"The subject was then escorted off the property and advised that she was not to return to this location unless it was for medical attention," Jolly wrote.

Ball whipped around. "I am 12 months pregnant," she said. God informed her to have her baby sometime that night at JPS, she told them.

At that, Jolly arrested Ball, citing her with criminal trespass.

He took her to the Tarrant County Jail and filled out a referral form for MHMR of Tarrant County, which has the mental health contract for inmates.

Hospital officials declined to comment on why Ball wasn't committed. But Witt described the circumstances that the hospital might con-

sider committing patients against their will:

"The involuntary admission criteria to the inpatient psychiatric unit is based on the determination by a physician that the patient has a valid psychiatric diagnosis that cannot be managed in an outpatient setting and is dangerous to self or others," she wrote.

### **Naked in a single cell**

Ball was booked and taken before a magistrate judge, who advised her of her rights and set bail at \$2,500. Ball refused to sign the paperwork.

A second form, Request for Appointed Counsel, was also not signed. It had a notation: "unable to understand."

At the jail, Ball went through a medical screening that JPS conducts as part of its contract to provide medical care for inmates. Scrawled across the form's boxes is this note: "Unable to get any answers from patient."

Ball was assigned to an individual cell in general population, with a recommendation that MHMR follow up.

That afternoon, during the hour inmates can visit the day room, Ball came out of her cell — naked — and went to the phone.

Sheriff's officers told her to put her uniform on.

She cried, "Never!"

The next day, logs show that Ball was yelling incoherently. The sheriff's jail staff

filled out another request for mental health services.

On Monday, Oct. 18, Ball's relatives — panicked that they hadn't heard from her in 48 hours — tried to file a missing persons report. Fort Worth police checked the jail logs and found her name.

Ball's sister called the jail and talked with an MHMR caseworker. She told the caseworker that Ball had probably been off her medication for at least four days and that her relatives wanted to help her.

The caseworker said that Ball would have to sign a signature card before relatives could see her — something she had so far been unable to do. But he assured Dean that Ball would be safe, that she would see a doctor and get her medications.

"The only reason we did not take her out is because we thought she would get the help she needed," Jaynes said.

Later that day, jailers found Ball lying faceup on the floor with blood coming out of her mouth, the result of a 20-second seizure.

### **Her last day**

On Tuesday, Oct. 19, Ball was moved to the jail infirmary — run by JPS — for evaluation. The next day, she was sent back to her pod.

"Doesn't need medical, per Dr. Green," was a notation on her patient history.

Medical records also say that she appeared disoriented.

"Doesn't know why she is here," the history said.

Back in her pod, Ball started tearing her paper uniform and wrapping the pieces around her neck, abdomen and ankles. Sheriff's officers called the code for a suicide attempt and placed her on enhanced supervision.

Later that day, Ball was visited by a MHMR psychiatrist, who wrote a prescription to address the mania. A psychiatrist saw her again Thursday, Oct. 21, after she was found with feces all over her bed.

"Staff reports that she has been refusing Psych meds," someone noted in her chart.

The psychiatrist wrote more prescriptions for agitation and a prescription for Haldol — a medicine that Ball's relatives said she was allergic to.

"Though disorganized, appears less confused, improving," the MHMR doctor noted.

Caseworkers didn't force medication on her — they only do that in extreme circumstances, a spokesman said.

A few hours later, Ball was found lifeless.

### **The what-ifs**

Ball's relatives cannot help but wonder what might have happened had she received the help she needed.

They learned from the coroner's report that she died of hypertrophic cardiomyopathy, an inherited defect that causes thickening in the lining of the heart. But they wondered whether her uncontrolled mania added to the stress on her heart.

Dr. Eric Popjes, a cardiologist at Penn State Heart and Vascular Institute in Hershey, Pa., said that stress can exacerbate symptoms of the disorder. Stress can also cause abnormal rhythms.

But no one knows whether a link exists between manic behavior and the likelihood of death from the condition, said Dr. Barry Maron, director of Hypertrophic Cardiomyopathy Center at the Minneapolis Heart Institute Foundation.

"Whether that did it or not, you know, anything is possible. Is it probable? There would be no way to know," Maron said.

Ball's relatives also wonder why MHMR didn't work to get her out of jail and into a psychiatric facility.

But that process requires a lawyer, and Ball was never assigned one.

Sonja Gaines, chief of mental health services at MHMR of Tarrant County, said she doesn't know what else could have been done for Ball.

"This is not to minimize her death," Gaines said. "We were dismayed with her death. But we have psychotic people in the jail, especially with such limited state hospital space. On any given day, you might have several psychotic people there. She's not the sickest person we've seen."

In the end, Ball's relatives believe that her fate was sealed by JPS' decision not to keep her in the psychiatric ward.

Ball was sick enough to deserve help, her relatives said, and she never got it.



STAR-TELEGRAM/TOM PENNINGTON



COURTESY CHRISTI BALL'S FAMILY

Christi Ball, above in her high school graduation photo, died in the Tarrant County Jail. "Somebody made the ultimate call to turn her away" from John Peter Smith Hospital, said her sister, Tiffany Dean, left.

"This is not to minimize [Christi Ball's] death. We were dismayed with her death. But we have psychotic people in the jail, especially with such limited state hospital space. On any given day, you might have several psychotic people there. She's not the sickest person we've seen."

— Sonja Gaines, chief of mental health services at MHMR of Tarrant County



Tiffany Dean and her mother, Connie Jaynes, are still looking for answers after Dean's sister, Christi Ball, died in the Tarrant County Jail last October.

## TARRANT COUNTY JAIL

# JPS overlooked signs of a health-care crisis, even though inmates and their families cried out for assistance



STAR-TELEGRAM/RALPH LAUER

Ronnie Thompson suffered from ailments related to colorectal cancer while he was in the Tarrant County Jail. He said his medical needs were not met by the JPS Health Network, which operates the jail health-care system.

## Health care: Sheriff pressed county to take action on jail

CONTINUED FROM 19A

been told that I would see the doctor the following Monday, and I don't," he wrote.

A week later he wrote: "What is wrong with me is a very serious illness, and I feel that if they would have seen me from the beginning, things wouldn't be as bad, because I would have my meds."

The *Star-Telegram* couldn't determine how JPS responded because Brown's family members declined to authorize the release of his medical records.

Kendric Carter's death might have shown JPS that things weren't working properly in the medical records department.

On June 17, 2004, a doctor realized he had recently treated Carter, but Carter's medical chart was missing.

"I cannot adequately [treat] patient without chart!" the doctor wrote in Carter's clinic notes. "Find chart and show me — today!!"

Carter, 30, died from hepatitis B on Aug. 5, 2004, while still in custody.

Late that month, he started vomiting and developed a searing pain in his chest and abdomen. Williams, the nurse, first guessed that Paschall had flatulence, then later suggested that the inmate might have gall bladder problems and sent him to JPS.

But doctors there did not determine the cause of the pain. They sent him back to jail a few hours later with a prescription to help combat nausea. The next night, when Paschall said he was still hurting, a licensed vocational nurse at the jail gave him Pepto-Bismol.

Paschall was found on the floor of his cell the next morning. A nurse called for a defibrillator. It didn't work.

Mario Paschall's death could have shown JPS that equipment was broken or obsolete — and might have called medical judgment into question.

John Peter Smith Hospital had monitored Paschall since age 5 because he had Marfan syndrome, an inherited condition that, among other things, causes the aortic valve to enlarge, similar to the bulge in a defective tire.

One serious risk of Marfan syndrome is aortic dissection, a ripping in the layers of the aortic wall that allows blood to leak. This tearing causes excruciating pain in the chest and can be fatal.

When Paschall, 19, arrived at the jail in August 2004, he told the medical staff about his heart valve.

The teen-ager was pronounced dead at the hospital a few hours later. Cause of death: aortic dissection from Marfan syndrome.

### A 'Nazi atmosphere'

First one jail doctor threatened to quit. Then another. Then the third.

So in the summer of 2004, Wayne Williams, their supervisor, decided to spend two weeks at the jail to find out what was going on.

His diagnosis: JPS didn't have enough employees to do the job.

Turnover was rapid — among the highest of any JPS department. Williams said that when employees left, JPS often didn't fill those positions but eliminated them.

Anderson said he found the same problem. But Lassiter, who served as JPS senior vice president for operations until leaving for a hospital in California, says that's not true and that the health network never reduced jail staffing.

Nonetheless, doctors said they saw jobs left unfilled, pinching every part of the operation.

The sheer volume of inmates needing medicine overwhelmed a dwindling nursing staff, so the prescriptions weren't always faxed to the pharmacy, said Dr. Matt Loewen, formerly an acting medical director at the jail.

The medical records department couldn't keep up with its workload. It had one part-time and two full-time employees to maintain charts and provide them to doctors before appointments.

"These individuals have been left without supervision for the past year, following the departure of the medical records supervisor," consultants later found.

The job of screening new inmates was left to licensed vocational nurses, who did not have adequate training. The jail had one nurse to sort through all the inmates' requests for medical care.

Making matters worse, doctors believed that Anderson asked his staff to spy on them and instilled a "Nazi atmosphere," Wayne Williams wrote in a memo.

As fed-up doctors left, their shifts were left unfilled. At one point, there were two doctors to treat 3,200 inmates.

In his frustration, Anderson lashed out. He blamed doctors for showing up late and taking long lunches.

Anderson blamed JPS for not reining in the doctors' group, and he didn't understand why Cecero wasn't

jumping on all the problems.

Inmates' families believed they knew why JPS didn't correct shoddy medical services.

"They didn't give a damn," said Geneva Thompson.

Her son, Ronnie, was left incontinent after several surgeries related to colorectal cancer. But he wasn't allowed to take his adult diapers when he was booked in jail in February 2004, and the jail medical department didn't provide him any.

When his mother went to visit him, she found him sitting wet from his own waste.

Geneva Thompson called the jail medical staff. Its explanation? The jail was out of diapers.

She said she called JPS for 10 days, but nothing changed. She finally called the sheriff. His chief deputy allowed Thompson to provide her son's supplies.

Ronnie Thompson said that a supervisor belittled him.

When he saw a doctor after several requests, Thompson said she told him: "You can go call your mommy and tell her you've seen the doctor now."

### Major changes needed

By summer 2004, the sheriff decided to take control.

He notified the county that he had contacted a company that said it could greatly improve jail health services. County commissioners were upset with Anderson's move.

They feared public embarrassment if the *Star-Telegram* found out.

"If this communication reaches the FWST, there will be a lot of finger pointing — and explanations required," Commissioner Marti Van-Ravenswaay wrote to Cecero in a July 15, 2004, e-mail.

JPS reassured commissioners that any deficiencies were being addressed. And several commissioners believed that inmates could be manipulating the system.

"Incarcerated people don't have much else to do besides file lawsuits," Commissioner Roy Brooks said.

When Anderson wouldn't relent, commissioners hired experts in correctional health care to sort it all out. Consultants with the American Jail Association quickly warned that dramatic changes would be needed.

Cecero told commissioners that they should not be alarmed by the findings because some problems detailed in the report had already been corrected.

The major items, though, "will take time and money, if we all feel the suggestions are necessary," Cecero wrote in a Nov. 30 e-mail to Van-Ravenswaay.

Even though the report chided Anderson for his role in the problems — such as moving inmates without notifying JPS so their charts could accompany them — the sheriff ballyhooed it.

Saying he hadn't realized the extent of the dangers uncovered by the consultants, he sent Cecero a list of changes that he demanded be addressed within 30 days.

Behind the scenes, Cecero and top administrators derided Anderson's threat. "More games by the Sheriff and his staff," Cecero e-mailed one hospital board member.

"Frankly, I'd love to assist in getting him in so much 'hot water' with commissioners that they will let us drop the jail," Harold Samuels, the chairman of the hospital board, wrote to Cecero.

Regardless, JPS stepped up its efforts. By the time the consultant's report was made public Jan. 8, JPS administrators could say that solutions were in the works.

### IN THE KNOW

### ONLINE EXCLUSIVE

See for yourself some of the e-mails and other correspondence the *Star-Telegram* obtained for this project.

Candid messages by doctors, nurses, JPS officials and representatives of the Sheriff's Department are on the *Star-Telegram* Web site. The complete documents are presented so that readers can see the full context.

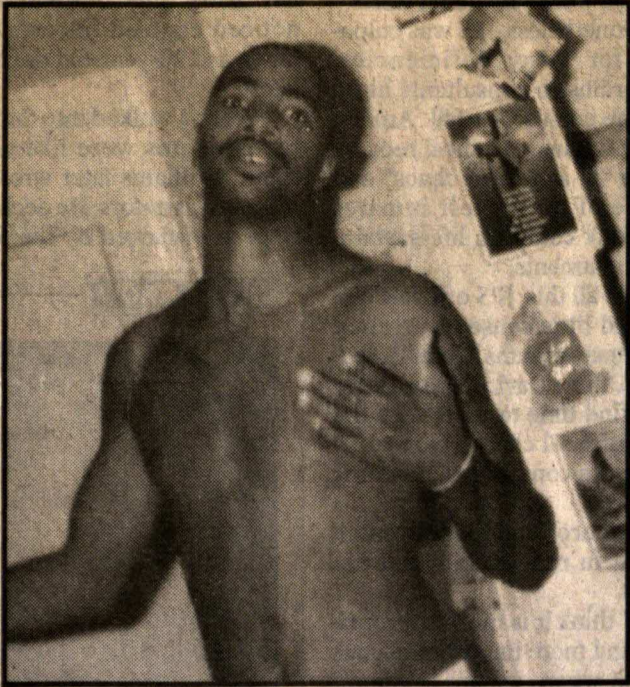
To view them, log on to [www.star-telegram.com](http://www.star-telegram.com) and click on the links to the jail health-care coverage.



# TARRANT COUNTY JAIL



Nurse Vickie Bruce checks on a patient in the Tarrant County Jail's medical unit as he waits in a hallway to see a doctor in September 2004. At one time only two doctors were available to treat 3,200 inmates.



FAMILY PHOTO

# KENDRIC CARTER

No autopsy was performed on Kendric Carter, even though he died within two days of being transferred from the jail to John Peter Smith hospital.

On Aug. 2, 2004, sheriff's officers became concerned about Carter, 30, when they could see "severe jaundice," a yellowing of the skin and eyes.

The next day, Carter was transferred to the hospital.

Carter died Aug. 5, 2004. His death certificate says he died of acute hepatitis B, which can be spread by transmission of blood and bodily fluids. It is known to be a particular problem in jails and other close quarters.

When Carter's mother, Effie Gladney, went to retrieve her son's body at the Tarrant County Medical Examiner's Office, she said, she pleaded for an autopsy to be performed on her son. She was unaware that he had even been sick. But the medical examiner's office told her she would have to pay for it.

"It cost \$2,500," she said. "I didn't have that kind of money."

Nizam Peerwani, the county's medical examiner, said his office does not perform an autopsy if the doctor who treated a patient is willing to sign the cause-of-death certificate. Autopsies were not performed on four of the 10 inmates who died in custody in 2004.

But a consultant who recently examined medical care at the Dallas County Jail said that every inmate death should prompt a thorough examination that could identify any problems with the patient's care.

All inmate deaths should result in an autopsy, according to the report issued by Health Management Associates.

# DONALD GILLEN

Leah Gillen Hasty's ex-husband was extradited from California for not paying child support.

She's appalled by the harsh treatment the father of her children received from some jailers.

Until Donald Gillen, 53, arrived in the Tarrant County Jail in March 2004, Hasty didn't know that he was sick. But he was so ill that the other inmates complained about his open sores.

"He was ashamed and embarrassed. He hadn't seen us in a long time. He didn't really want us to see him in his condition," Hasty said.

Sheriff's documents say he had cirrhosis of the liver.

In the jail, Gillen's health deteriorated rapidly. By July, he was moved to the hospital. His liver and kidneys were failing. Doctors began to discuss the possibility of hospice care.

Some sheriff's officers were compassionate, but some were heartless, Hasty said.

On the day Gillen died, the chaplain came in. Hasty asked the chaplain to pray, and he placed his hand on Gillen's. The sheriff's officer standing guard threw a fit that they had touched Gillen — even though he was comatose, Hasty said.

"He was very nasty," she said of the officer. "This was not a man who could escape from custody. He couldn't be violent. He couldn't do anything."

Terry Grisham, a spokesman for Sheriff Dee Anderson, explained that inmates are not allowed contact visits. Even in a hospital, only medical staff are allowed to touch inmates.

Because Hasty didn't file a formal complaint, her accusation cannot be verified.

"However, if true, the reaction was inappropriate and insensitive," Grisham said. "Even if a policy was violated, there would be a more compassionate way to correct the breach of policy."

