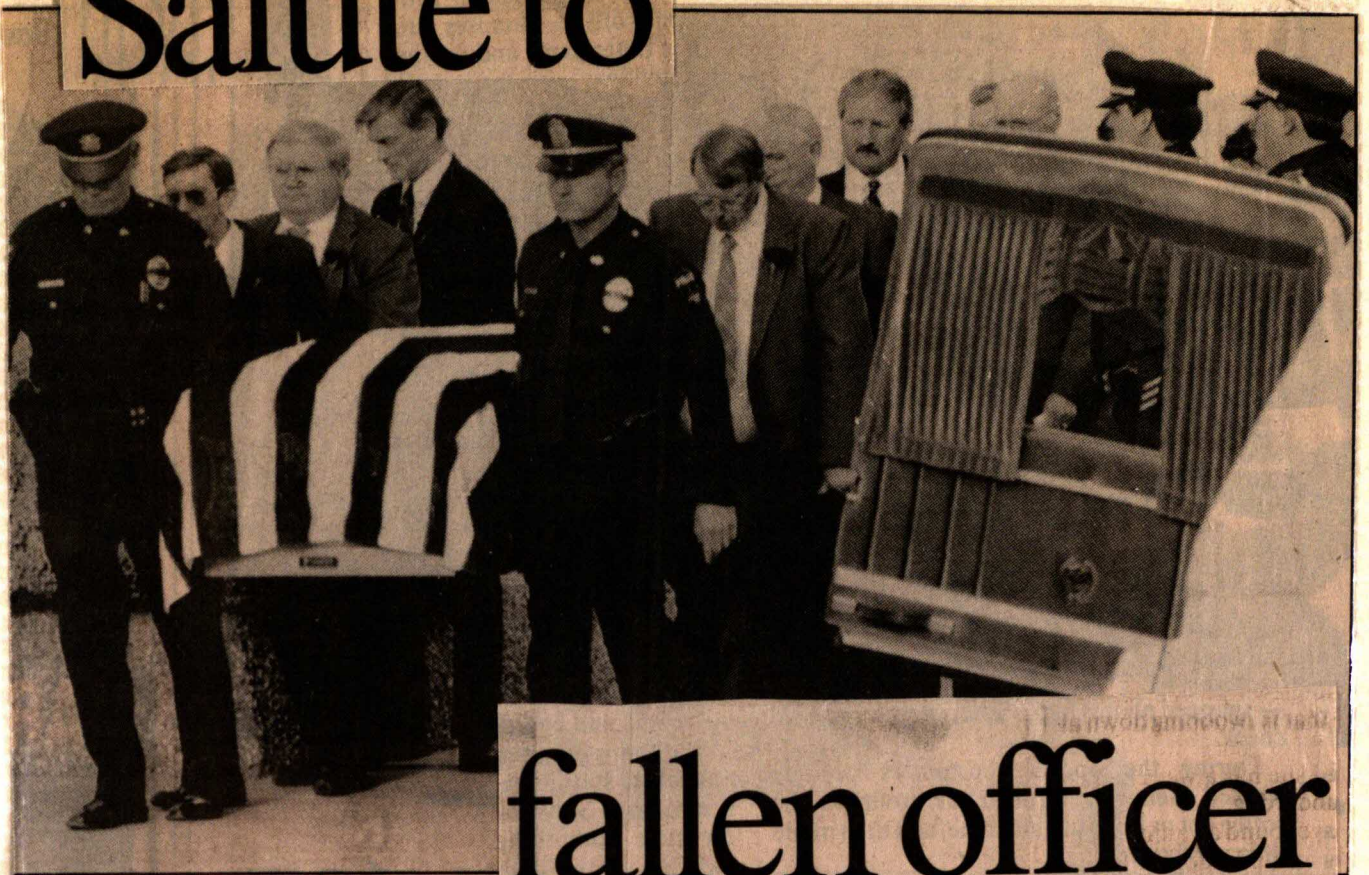


Salute to



fallen officer

Fort Worth Star-Telegram / MARK ROGERS

Pallbearers carry the casket of Haltom City officer Gary Hires out of the church after his funeral.

By JOHN COUNCIL
Fort Worth Star-Telegram

HALTOM CITY — The uniforms and patrol cars of the hundreds of police officers at Bethesda Community Church varied, but the reason they came together yesterday was the same.

In one way or another, they had been touched by Haltom City police officer Gary Hires, as had others in the crowd of 1,600 attending his funeral.

"What a joy to know someone touched so many lives," said the Rev. Gary Wyatt, pastor of Trinity Christian Church, where the Hires family worshipped.

Hires, 48, was killed by sniper fire Saturday from 14-year-old Juan Ramon, son of a Hurst police officer. Ramon was killed when police returned fire.

Hires is believed to be the first Haltom City officer killed in the line of duty.

As tears came to the eyes of officers — some who knew Hires, others who came from as far as Oklahoma to pay their

respects to a fallen colleague — the pastor gave the mourners a message from Hires' wife, Stephanie.

"Stephanie wanted me to make sure that something was said about her grieving not only for Gary, but for the Ramon family," Wyatt said.

"We have a unique prospect today because we as a community and as a city have all been brought together by a common purpose," Wyatt said. "We can take the love and friendship that is present with us today and make sure it goes beyond these few days."

The church parking lot wasn't big enough, so cars and trucks of mourners

spilled out onto vacant lots adjacent to the church.

When not one more could sit inside the church, they stood against the back wall and on stairs leading to a balcony.

After a 21-gun salute, Hires was laid to rest at Mount Olivet Cemetery in Fort Worth.

While Haltom City police attended Hires' funeral, Tarrant County sheriff's deputies, Texas Department of Public Safety troopers and North Richland Hills police patrolled the city.

Many of the mourners who remembered Hires yesterday wore no uniforms. They were the people he met and helped during his 18 years with the Haltom City Police Department.

**1,600 pay their
last respects to
slain policeman**

Cindy Kras said she met Hires last year when a stalker harassed her at her home. Hires' compassion impressed her, she said. "He said, 'I'm here for you.' He even said, 'I want to help you,'" Kras said.

WEDNESDAY, MARCH 10, 1993

Haltom police believe teen was shot as officers tried to rescue colleague

By JOHN COUNCIL
Fort Worth Star-Telegram

HALTOM CITY — Police believe 14-year-old Juan Ramon died in an early exchange of gunfire with six Haltom City police officers who sprayed the teen's house with bullets Saturday in an attempt to rescue a fallen colleague.

Officers fired 30 to 50 rounds into the small single-story house at 6333 N. Solona Circle around 5:30 p.m. in an attempt to prevent the teenage sniper, who was heavily armed

and wearing a bulletproof vest, from firing at two officers trying to rescue Haltom City patrolman Gary Hires.

"In my personal opinion, when we laid down the line of fire to remove Gary, personally I think [Ramon] was hit at that time," said Haltom City police commander Wayne McQueary, who ordered the shooting.

"I'm not a medical examiner, but we didn't have any movement [from inside the house] after that."

McQueary said police came to

those conclusions after wrapping up their investigation of Saturday's shootings.

Police surrounded and watched the house, waiting almost six hours before entering at 11 p.m. to find Ramon, son of Hurst police officer Jesus Ramon, dead from police gunfire.

Ramon's family could not be reached for comment yesterday.

Ramon, who had stocked at least six guns in his bedroom, according to crime scene photos, opened fire

between 4 and 4:30 p.m., first striking Chris Greenwood, 22, in the rib cage as he tried to rescue his Dalmatian, Domino, from the hail of gunfire.

Chris Greenwood was in critical condition in the surgical intensive-care unit at John Peter Smith Hospital today.

Bobby Greenwood, 26, was hit when he ran into the street to help his brother Chris. Kham Douangsavanh, 17, was shot in the shoulder as
(More on SHOOTING on Page 24)

Shooting

From Page 21

he stood inside the glass front door of his home down the street.

Bobby Greenwood was in fair condition at Harris Methodist Fort Worth while Douangsavanh was in good condition at JPS.

Hires, the first officer on the scene, was killed as he drove his marked police car straight toward the gunfire coming from Ramon's front bedroom window shortly before 5 p.m.

Hires was trapped in his car for almost an hour before two Haltom City officers pulled his body from the patrol car around 6 p.m. Hires died at the scene, officials said.

"We believe [Hires] was dead the whole time, shortly after he got there. But we didn't know that until we got to him," McQueary said.

The six Haltom City police officers providing cover were in three locations: Three officers were on a rooftop across the street from Ramon's house, two were firing from beside a house and one officer was firing from behind a fence at the end of South Solona Circle.

Meanwhile, two officers covered their patrol car's windows with blankets and backed it in front of Hires' car.

The two officers quickly ducked into Hires' vehicle and pulled his body to a stretcher, and placed Hires in an ambulance.

Police then repeatedly tried to call Ramon's house to negotiate, but kept getting the answering machine. They never reached the teen.

"The first telephone contact was not made until after the barrage of fire," McQueary said.

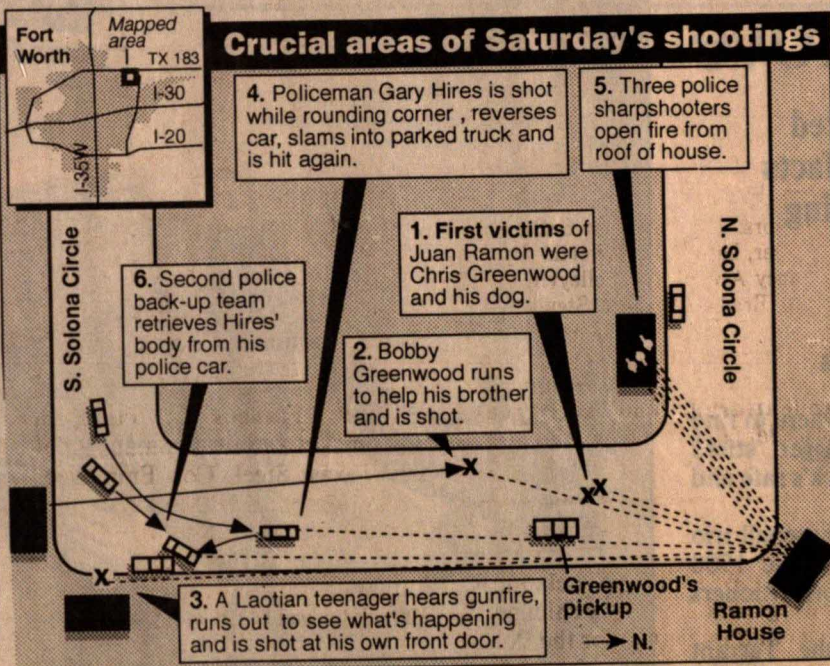
A Fort Worth police tactical team then set up listening devices to detect noise from inside the house.

"They'll pick up anything and they didn't pick up any sounds whatsoever," McQueary said.

Police, with the help of Ramon's father, spent hours trying to contact the sniper. They also prepared to enter the house.

About 10:50 p.m., police set off a flash bomb inside the house, igniting a bright light and concussion intended to stun Ramon. Five minutes later, the flashlights of North Richland Hills police tactical officers could be seen inside the house.

"North Richland Hills tactical made the entry for us and, of course, we discovered the little boy in there



Fort Worth Star-Telegram / FRANK PONTARI

dead," McQueary said.

Officers didn't know that they had been firing at a 14-year-old until they entered the house, McQueary said.

While Haltom City has almost wrapped up the detective work of the tragic shooting and will soon turn the case over to the Tarrant County district attorney's office to

present to a grand jury, almost every question is answered except one, McQueary said.

"Now we're wondering — like everybody else — why," he said.

"If we could find out what set this boy off, then maybe we could offer that information to someone else so it won't happen to another little boy," McQueary said.

Officials back smoking ban in facilities

BY STEFANI GAMMAGE KOPENEC
Fort Worth Star-Telegram

FORT WORTH — Score another victory for nonsmokers.

Tarrant County commissioners agreed yesterday to support a smoking ban in all county buildings except areas of the jail.

They voted unanimously to have county staff draft a smoking policy and could approve it as early as next week. However, enforcing a ban could require creativity because the county has no ordinance-making authority regarding smoking and thus no ability to fine or punish violators.

Although sheriff's deputies might ask people to put out cigarettes, Assistant District Attorney Marvin Collins has reservations about whether repeat offenders could be excluded from county buildings.

The county's actions are the latest in a string of local decisions to promote smoke-free environments.

Already, the Fort Worth and Dallas city councils have voted to ban smoking in buildings at Dallas/Fort Worth Airport. The airport board is awaiting action by the Grapevine City Council, which is needed to

establish a court of record in which to try violators.

Today, the Fort Worth City Council was scheduled to vote on whether to tighten the city's policy, which limits smoking to private offices and designated buildings. The proposal would ban all smoking in city-owned buildings.

And the Arlington City Council plans to vote next week on a proposal to ban smoking in workplaces in the city. The proposal would require that most businesses in Arlington provide a smoke-free workplace for nonsmoking workers.

Businesses such as bars and adult-entertainment establishments would be exempt. Other businesses, such as restaurants, are covered by other ordinances.

Tarrant commissioners' decision affects all county buildings except jail

Arlington recently banned smoking in any outdoor waiting line, including lines at Six Flags Over Texas, Wet'N Wild and the new Texas Rangers ballpark. The ban also covers outdoor theaters and outdoor athletic facilities that seat more than 400, including all school district fields and Maverick Stadium at the University of Texas at Arlington.

Yesterday, county commissioners received petitions signed by almost 200 county employees and others seeking a smoke-free environment in all Tarrant County facilities as soon as possible.

Two speakers cited the health risks from secondhand smoke.

In pleading his case, Gil Flores of the Texas Department of Health cited the threat of lawsuits, increases in medical insurance and workers compensation costs for smoking-related issues, as well as increased productivity and less absenteeism in smoke-free environments.

"Let us recognize this is not a hate-smoke campaign, it is rather a pro-health issue," he said.

Commissioners agreed to exempt the confinement area of the jail from the policy because Sheriff David Williams is responsible for the jail's control and management.

Requests for voluntary compliance with no-smoking rules in county buildings has met with varying response. Commissioner Dionne Bagsby said that she has had no complaints since no-smoking signs went up at the subcourthouse where she works.

"If you smoked in our building, we'd all die," she said, explaining that the building lacks windows and has a frequent problem with the air conditioner.

Commissioner Marti VanRaven-swaay, who two weeks ago asked

that signs saying 'Thank You for Not Smoking' be placed throughout the county Justice Center on a trial basis, expressed frustration that more people aren't taking heed.

Although the county has limited enforcement ability, a bill pending in the Legislature would give the county ordinance power over smoking rules. It would also make an offense a Class C misdemeanor.

Currently, the county does not have an overall policy on smoking, although the Justice Center opened with rules banning smoking except in designated areas or offices.

Some employees there, smokers and nonsmokers alike, don't like the changes.

Ray Stewart, a liaison in the Victims Assistance Office, said he disagrees with a smoking ban.

"When they [the victims] are thrust into this legal system because of some violent crime that's happened to them, when they sit in a courtroom, the tension and emotional stress, they need to have a cigarette," he said. "... We should be allowed to have a smoking area for them."

Stephanie Hennes, a deputy clerk in the district clerk's office, said that she should be able to smoke in at least one area of the building.

"We do respect the rights of the nonsmokers, we really do," she said. "In return, they should have a place for us."

Elections Administrator Robert Parten, whose three offices have separate smoking policies, said he would like to see any smoking ban phased in.

● DAVE BRYANT'S PEOPLE 'N PLACES

Sheriff Ha Ha: You can't converse with Tarrant County High Sheriff David Williams and not grin at some point. Just can't be done.



The high sheriff was informed the other day that he was the subject of a spoof in an upcoming edition of a "newspaper" put out each year by the Fort Worth journalism community. Now, some folks (lemon suckers and lime lickers) probably can't imagine that there was anything funny about the rather curious way that David started his first term. Recall that he dis-deputized three top-ranking deputies, then deputized them, then reassigned them. The high sheriff caught high holy heck over that business, but it's all water under the jaihouse now. "I want to be as open and accessible to the media as possible," David said when he returned a call. "But it would really help if your questions were multiple choice." He followed that witticism up by remembering "that last week I had a reporter ask what it would take for me to give better answers. I said better questions." When informed that it had started to rain, he drawled: "Is it a real toad strangler yet?" Folks, there's a side to the high sheriff that's beginning to

emerge, and Tarrant County is going to be better for it. An aside: The high sheriff is as right-thinking a patriot as you could hope to encounter. He's also a fellow member of Bedford's American Legion Post 379, the largest and friendliest in Texas. (Just ask Terry Gibbs, who snuck over the tracks this week for a surreptitious sarsaparilla. Terry, who just happens to be the big cheese club manager of the Veterans of Foreign War Post 4695 at Hurst, probably could've gotten away with his visit but he bumped into the post's resident blabbermouth er, columnist.) The Legion is a family enterprise, with memberships open to spouses and kids of veterans. Bedford's post, 1245 N. Industrial Blvd., is collecting canned goods and foods for its March 28 food drive. Pop in, drop off a can and say hidy. You'll be enriched.

New Tarrant court opens to crack down on auto crime

BY THOMAS KOROSEK
Fort Worth Star-Telegram

FORT WORTH — A Tarrant County criminal court dedicated to hearing only auto theft and auto burglary cases opened for business yesterday as some lawyers praised the idea of cracking down on these often-low-priority crimes and others pointed out potential problems.

As workmen tinkered with doors and bailiffs carted in supplies, prosecutors and defense lawyers worked out three plea bargains in yesterday's short session. Visiting Judge George Kredell scheduled a jury trial to begin today in a fourth case.

The three plea bargains were all

relatively small fry. One defendant pleaded guilty to auto theft in exchange for a one-year sentence in Tarrant County Jail; another pleaded guilty to driving a stolen car and received a year in jail; and a third got two years' probation after pleading guilty to driving a stolen car.

But prosecutors are promising that the court and a related, yet-to-be-organized auto-theft police task force will help them come down on the big guys: the auto theft rings, chop shops and habitual offenders who have made Tarrant County the third-worst county in Texas for auto theft.

"It'll take some time, but you're going to see an impact," said Assistant District Attorney Steve Bosser. "We're not here to go after joy riders, although we're going to handle them, too."

Last week, Tarrant County commissioners approved two grant agreements with the state for a total of \$1.2 million to pay for the court and the multi-agency auto-theft task force. The Texas Legislature, prodded by the insurance industry to address the auto theft problem, set up the program in 1991.

Bosser said the new court, which has been dubbed "car court" by defense attorneys, will push auto thieves into the criminal justice system faster and perhaps lead to tougher sentences.

As nonviolent, third-degree felonies — punishable by two to 10 years in prison — auto theft cases are usually given low priority in most criminal courts.

"With robberies and rapes and murders, you have a victim who has suffered, and, of course, those cases are going to be handled first," Bosser said. "That doesn't negate the fact that these are crimes, too, and that someone has been victimized."

By moving the auto theft cases more quickly and certainly to trial, Bosser explained, "it should filter out to the criminal on the street that we're serious about prosecuting these crimes."

More technically, a new round of auto theft trials will probably set new benchmarks for plea bargain-

ing in such cases.

"I don't know what a Tarrant County jury would give an auto thief. I'm interested in finding out," Bosser said.

In any event, prosecutors' hands are likely to be strengthened because the possibility of an auto theft case going to trial has been increased.

Some of the defense lawyers who wandered by the auto court yesterday questioned the wisdom of cracking down on auto thieves while Texas prisons are too crowded to hold murderers for more than a fraction of their sentences.

"We don't have space for [murder convict] Kenneth McDuff, but we're going to toughen our approach to third-degree felons. Tell me the sense of that," said Danny Burns, a Fort Worth defense lawyer.

He said the auto insurance industry's desire to increase restitution payments, not a comprehensive plan to control crime, is mostly responsible for the new auto theft courts, which are being set up in the state's largest counties.

Defense lawyer Joe Johnson said he could not see any practical reason for creating the new court.

"These cases are going to be plea-bargained anyway," Johnson said. "This court isn't going to change that."

Bosser, fresh from working on another specialized unit charged with prosecuting drug dealers, said he believes the court will change the status quo.

As for whether there will be room for more prisoners in Huntsville, Bosser said: "We don't control that. The best we can do is take the tools we're being given and use them effectively."

Lott request for new trial denied

From Staff and Wire Reports

AMARILLO — A state judge yesterday denied a new trial request by George Lott, who was convicted of capital murder last month for his shooting rampage at a Tarrant County courthouse.

State District Judge Sharen Wilson denied Lott's request, which he based on a claim of insufficient evidence.

Lott filed his motion in Potter County, where the case was moved because of heavy news coverage in Tarrant County. Lott, who represented himself, was convicted Feb. 12 and sentenced to death.

Prosecutor Alan Levy called Lott's request and rationale ludicrous.

Witnesses testified that they saw Lott quietly stand in a courtroom last summer and begin firing. Two lawyers were killed and three other men wounded.

Lott's case now will automatically be appealed to the state Court of Criminal Appeals.

Lott, who remains in Potter County, told Wilson he would continue to represent himself.

"It is not helping him any," Levy said after the hearing. "He would probably be better served if he would allow the judge to appoint him an attorney."

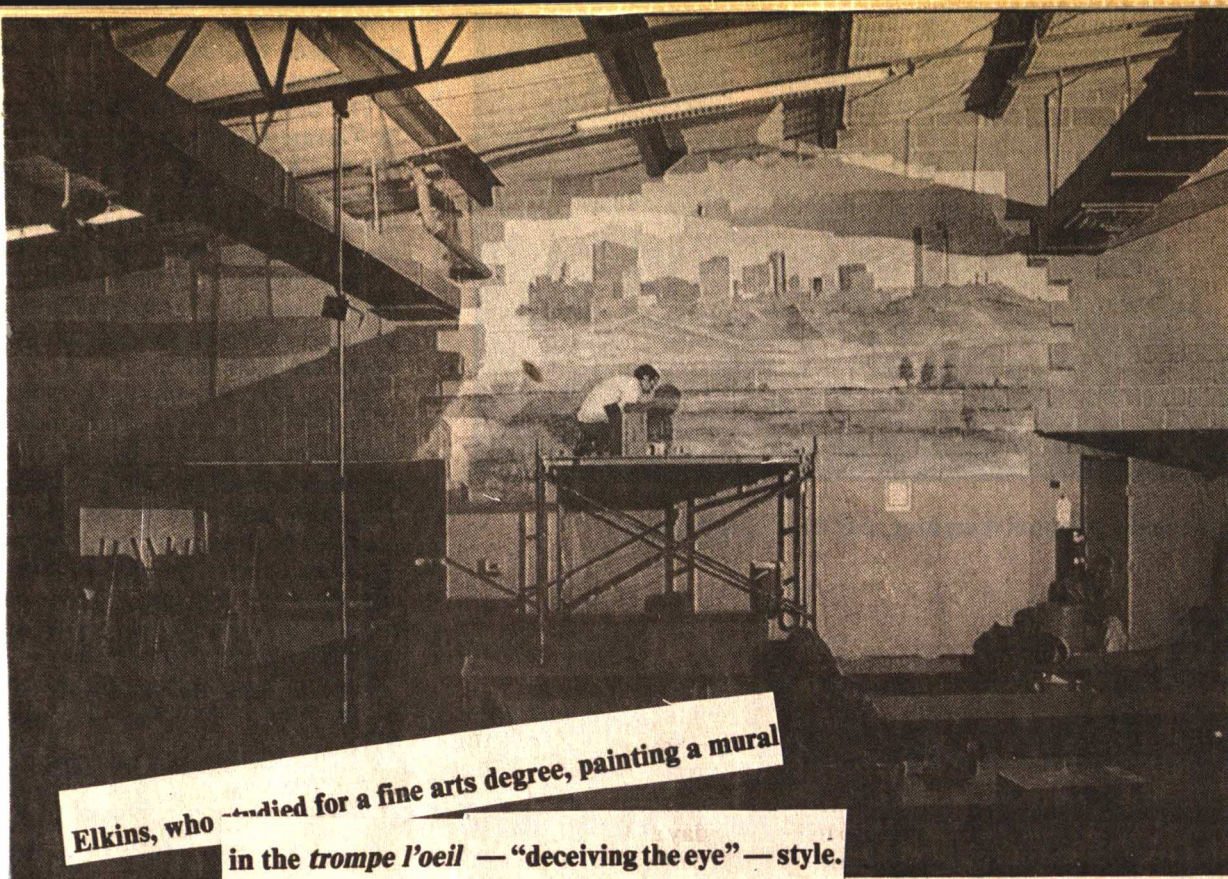
WEDNESDAY, MARCH 17, 1993

BRUSH WITH LAW INSPIRES PAINT PAROLE



A depiction of downtown Fort Worth by parolee Richard Elkins graces a wall of the Presbyterian Night Shelter.

Fort Worth Star-T



Elkins, who studied for a fine arts degree, painting a mural in the *trompe l'oeil* — “deceiving the eye” — style.

cops-and-robbers shootouts.

The works are not the usual jail-house art. Their perspectives are accurate, the shadows and textures realistic and the moods calm and reflective. They showcase Elkins' native talent — he began drawing at age 9 — and his three years' training in painting at an Arizona university before his fall into crime.

In the building's cafeteria, a large south wall is covered with a huge mural of a bald eagle grabbing a trout from a stream — Elkins' allegory of crime and punishment.

“I saw that picture as a picture of my life,” Elkins said. “The eagle

represents the long arm of the law that is swooping down and nabbing the fish that made a wrong turn in its life and, as a result, is now history.”

Elkins, a native of Phoenix, said he left college in 1971 needing only 20 hours for a degree in fine arts with an emphasis on painting.

A failed love affair devastated him, he said, and he began to drift, supporting himself with a string of temporary jobs in computer data processing. Ultimately, he turned to crime. But all that is behind him now, he said.

“I now want only to make something of my life and, if I am successful at overcoming the cocaine, pursuing making a living with my art,” Elkins said.

In a sense, he is making such a living now. He is being paid by the hour to paint a 20-foot-by-12-foot mural on the south wall of the din-

ing hall in the Presbyterian Night Shelter.

The painting is in the *trompe l'oeil* or “deceiving the eye” style, using what appears at first glance to be a large, ragged hole in the cinder-block wall to frame a view of downtown Fort Worth. A second glance reveals that the blocks outlining the “hole” are painted as well.

John Suggs, the shelter's executive director, said Elkins' work is brightening up the stark walls of the shelter and offering the residents some entertainment as well.

“He is just terrific,” Suggs said yesterday. “The residents and staff really get a kick out of seeing him literally start with just a blank cinder-block wall and then create these paintings on it. He's really brightened up the place.”

Although his larger paintings can

be seen by anyone at Greenbay or the night shelter, his favorite work is a bit more private.

On a grubby scrap of carefully folded, lined notebook paper kept in his billfold is a delicate pencil study of a shyly smiling child named Sarah Incharrique. The drawing is a copy of a color photo of the child, whom Elkins calls “Sarrie-berry.”

“She is the daughter of a friend of mine, now living in Washington state. Sarrie-berry is like my daughter I've never had,” Elkins said.

But he intends to share her likeness with others.

“I'm going to paint her surrounded by butterflies on the north wall of the cafeteria” in the night shelter, Elkins said. “I am hoping she can light up some others' lives like she has lit up mine.”

INS agent found shot inside car

Father of 3 in hospital with serious head wound

BY CLARA G. HERRERA
Fort Worth Star-Telegram

FORT WORTH — A 45-year-old Immigration and Naturalization Service agent who survived a neck wound in a 1991 drive-by shooting was critically wounded in the head last night as he sat in his car, police said.

Scott F. Cummings, an INS agent for 20 years, was discovered in the driver's seat of his 1989 Toyota Tercel after a resident in the 800 block of Myrtle Street reported hearing gunshots about 7 p.m., police said.

He was in critical condition this morning at John Peter Smith Hospital.

As in the 1991 incident, police said he was off-duty at the time of last night's shooting.

Cummings, who lives in North Richland Hills, has been based out of the Dallas INS office since 1979 and is in charge of locating and apprehending illegal aliens, said Ronald C. Chandler, the district director for the Dallas INS office.

The father of three children, Cummings was shot in the neck by a passing motorist as he sat in his car in Bedford in 1991, Chandler said.

"He was in critical condition and the bullet went through his neck but did not damage the spinal cord," recalled Chandler.

No arrest has been made in that case, Chandler said.

Chandler said the two shootings involving Cummings are the only two of an INS agent in the Dallas-area in the last nine years.

In last night's incident, police said that Cummings was hit in the head by a bullet fired into his car through an open window.

After the shooting, Cummings' car traveled across the yard of one residence, crossed a street and stopped on a sidewalk at the intersection of Missouri Avenue and Myrtle Street. The motor of the vehicle was still running when police arrived.

The location is part of a 15-square-mile area where additional money has been funded to reduce the high crime rate.

A witness told police that Cummings was sitting in his car when two females approached the vehicle. Two shots were fired, one hitting Cummings, and the two women ran in a southeast direction, cutting through a yard and a vacant lot.

Police are not ruling out robbery as the motive for the shooting, said police Sgt. Paul Kratz. Cummings' wallet was not located when police arrived.

"He was off-duty and we're still checking why he was in the area," Kratz said.

No weapon had been located, although INS agents are issued them.

Judge won't delay fining state over inmates

The Associated Press

HOUSTON — A federal judge has refused to delay implementing stiff fines against the state next month for housing Texas prison inmates in the overcrowded Harris County Jail.

The fines, which would begin April 1 and could total more than \$130,000 a day, were ordered last year by another federal judge.

U.S. District Judge James DeAnda, who is now retired, levied the fines against the state because the jail is crowded with inmates awaiting transfer to Texas prisons.

"The county jail is barbaric and it has been barbaric for a number of years," said U.S. District Judge Norman Black of Houston, who denied the state's motion to stay the fines.

Lt. Gov. Bob Bullock said that faced with the federal ruling, the state may have to consider activating the controversial Prison Management Act, which has the effect of speeding up the parole eligibility dates, or potential releases, of hundreds of prison inmates.

The Prison Management Act was used several times by former Govs. Mark White and Bill Clements to keep the state in compliance with court-ordered population limits on the prison system in the early 1980s.

A few years ago, the Legislature gave the Board of Criminal Justice the authority to invoke the law.

Black ruled the state's fines would be placed in the federal courts registry and used to ameliorate overcrowding problems.

Javier Aguilar, a special assistant attorney general, unsuccessfully argued before Black that the deadline should be extended to Jan. 1, 1994. The state penitentiary system, Aguilar said, simply doesn't have the space at this time to hold the backlogged prisoners.

Attorney Harold Striker, representing Harris County Sheriff Johnny Klevenhagen, said that as of Monday evening, the jail's population was 12,530 inmates. Striker said half are convicted felons awaiting transfer to state prisons.

Last September, DeAnda ruled the state would have to pay \$50 a head for each inmate above a population level of 9,800. If the fines go into effect April 1, they would total \$136,500 a day, based on Monday's population figure.

Teen says INS agent wanted sex

Woman's friend sought in shooting of man

BY M.C. MOEWE
Fort Worth Star-Telegram

FORT WORTH — An 18-year-old woman jailed in the killing of a federal agent said yesterday that she shot the man after he grabbed her and demanded to have sex with her for \$15.

Ines B. Williams, 18, was charged yesterday with the murder of Immigration and Naturalization Service agent Scott F. Cummings a week ago today.

Cummings, who was found in the 800 block of East Myrtle Street with a gunshot wound in the head, died Saturday.

Williams said she was afraid of the agent, who stopped his car to talk to her and a friend. Williams and her friend were walking in the neighborhood shortly before 7 p.m. She said her friend at first thought she recognized Cummings.

"He grabbed my arm and asked if I would have sex with him for \$15," she said in an interview from the (More on AGENT on Page 21)

A witness told police that Cummings was in his car when two females approached the vehicle, authorities said. Two shots were fired, one hit Cummings, and the two women ran southeast, cutting through a yard and vacant lot, police said.

A witness also told police that Cummings' car had been seen driving around the neighborhood for several hours before the incident. He was off duty, officials said.

INS officials said that they will conduct a preliminary inquiry to determine whether the shooting was somehow related to his work as an INS agent.

A woman who answered the phone at Cummings' house and identified herself as his wife declined to comment on the teenager's story. "If you publish something, you better make sure [it's right]. I have three children," she

said.

Last week's shooting was the second that Cummings has been involved in, police said. The North Richland Hills resident was shot Sept. 15, 1991, in Bedford as he drove his car on a secluded road.

In the 1991 incident, Cummings first told Bedford police that he had no idea why anyone would want to shoot him, investigators said. But later, he said he had been involved in a traffic altercation shortly before the shooting.

Officials have said they do not believe that the shootings are related.

Williams, accompanied by her church pastor and father, turned herself in to police Monday, Swearingin said. Williams said yesterday that she does not have an attorney. She said her father is looking for one to hire because they don't want to use a court-appointed attorney.

Agent

From Page 19

Tarrant County Jail last night. "I said no. He said, 'Yes, you're going to have sex with me; you're going to go to a motel and have sex with me.' He kept pulling me down. I hit my head on the car. I kept saying, 'Let me go, let me go.'"

"I said, 'I got something for you; let me go.' I had the gun in my hand. I just shot him. I was scared."

Police confirmed that Williams gave them a statement about the shooting, but they declined to reveal further details yesterday.

Williams said that the gun she pulled from the right pocket of her jacket had been given to her by a friend for safe keeping. "He asked me to hold it for him," she said. "He left with some friends to go riding

around and didn't want to carry it."

Before grabbing her, Cummings offered the 16-year-old friend \$2 to touch her, Williams said.

After shooting Cummings once, Williams said, she backed away from the car and fired again. Then she and her friend ran from the scene.

Lt. Ralph Swearingin said last night that police are searching for Williams' friend. "What information we obtain from her we hope to corroborate the statement given to us by Ms. Williams," he said.

But Swearingin declined to comment on the statement Williams gave to police. "She did give a statement confessing to be the shooter that resulted in the murder of the INS agent," he said. "Since she did give us a voluntary confession, we believe it to be in the department's and her best interest not to confirm or deny any statement she's made."

The Brosky sentence

How could such an injustice happen?

The outrage over the sentence issued Tuesday in the Christopher Brosky trial crosses all racial lines. No matter their color, people throughout the county are reacting with disbelief in what amounts to a terrifying travesty of justice.

Confusion surrounds what actually happened in the courtroom this week. Brosky, an avowed member of a skinhead hate group, was found guilty of murder as an accomplice in the premeditated killing of Donald Thomas, who was black. The same jury that issued the verdict placed the white supremacist on 10 years' probation after suspending a five-year prison term.

But some jury members claim that they thought they were giving Brosky a five-year prison term in addition to the probation. They said Judge Everett Young changed the sentence and they were just as shocked as everyone

else when the judge read aloud the terms. Prosecutors, attorneys and reporters are trying to straighten out fact from fiction as protest mounts.

It is inconceivable to anyone who has never served on a jury to think that 12 men and women could be so confused as to pass a suspended sentence in a murder trial by mistake. But the legalistic mumbo jumbo that makes up the instructions, charges and sentencing forms that juries must work with are confusing. And that is just one of the many areas of the justice system that desperately needs attention.

We are in no way making excuses for what occurred, merely searching for some understandable explanation for an unbelievable scenario. In the meantime, justice will continue to be thwarted if Brosky becomes a free man after doing no more than 180 days in jail.

Thursday, March 25, 1992



Result could boost hate crime bill

The lone redeeming feature of the puzzlingly lenient sentence issued by the jury in the Christopher William Brosky trial is that it could provide an unintended boost for a bill awaiting action in the state Senate that seeks to enhance punishment for hate crimes.

Senate Bill 456, co-sponsored by state Sens. Rodney Ellis, D-Houston, and Florence Shapiro, R-Plano, would not create a new class of crimes. Rather, it would increase the penalties if it is determined that crimes were committed "because of the actual or perceived race, color, ethnicity, national origin, sexual orientation or religion of the victim."

The legislation would elevate punishment under those circumstances by one degree. That means, for example, that a case of aggravated assault, which is a third-degree felony carrying a maximum penalty of 10 years in jail, would be elevated to a second-degree felony, which carries a maximum sentence of 20 years, should the offense be determined to have been a hate crime.

That a bill of this nature is necessary is sad commentary on the deterioration of civility in modern Amer-

ican society, but the raw hatred behind much of today's criminal behavior — such as that clearly exemplified in the Brosky case — cannot be ignored.

According to testimony during Brosky's trial, he and two other youths — both of whom have pleaded guilty — participated in the fatal shooting of Arlington resident Donald Thomas simply because Thomas was black.

Had a hate-crime law been in effect, probation might well have been an option not available, which means Brosky would have had to serve some prison time and justice would have been better served.

Unfortunately, the Thomas tragedy is not an isolated incident. Hardly a week goes by without accounts of various types of assaults being committed because the victim was black or Hispanic or Oriental or perhaps homosexual.

Senate Bill 456 is motivated by a desire to deter such behavior. We wish it weren't needed, but we know it is, and if lawmakers don't understand the need, all they have to do is read the chilling transcript of the Brosky trial.

Crime on credit

I find it hard to believe that someone who is a "strong advocate of the separation of church and state," as Mark Warnock describes himself in his March 20 letter, could approve of Sheriff David Williams' plan to indoctrinate the prisoners of his jails with what he takes to be the Christian religion.

Warnock's contention that what's going on in the jail's "Christian pod" is more effective at reforming criminals is totally without evidence. It doesn't even make sense that telling prisoners that they're sinners who can't help themselves but who can be saved by faith will make them better people. The message is "sin all you want as

Friday, March 26, 1993

long as you repent and believe the Jesus myth." If this is a Christian nation, as Warnock and Williams believe, maybe that's why we have so much crime and lawlessness. It's nothing but crime on credit.

Let's suppose that religious indoctrination does decrease recidivism. How do we know that Williams' Christianity is the best means of realizing "the state's sociological ideals"? Maybe some other brand of Christianity, or Islam or Buddhism or Mormonism, would be better. We should definitely give the Hare Krishnas, the Moonies and the transcendental meditators a chance, too. Let's have some scientific investigation here, and let the best superstition win. Then we can force everyone to be indoctrinated with the religion that's proved best at encouraging good citizenship.

When you're through laughing, you can start shivering. That's why our founders did intend for church and state to be mutually exclusive.

Bree Eubanks
Arlington

March leaders fault sheriff's preparations

BY BOB MAHLBURG
Fort Worth Star-Telegram

As a solemn, mostly black crowd marched peacefully in downtown Fort Worth this week protesting a probation sentence for a racial murder, police intentionally stayed in the background.

Amid a national spotlight over the case of Christopher William Brosky, an estimated crowd of 10,000 people marched in the demonstration, and march organizers praised Fort Worth police for their cooperation, which they

say contributed to there being not a single arrest.

"All in all, I think they did an excellent job," said Deborah Peoples of the African-American Summit For Peace, Justice and Equality. "I think it was very important the crowd not sense anything antagonistic from the police."

But march leaders are angry with Tarrant County Sheriff David Williams for what they call a lack of faith.

Though they didn't know it at the time, within feet of where march leaders were speaking

(More on MARCH on Page 3)

"I think it was very important the crowd not sense anything antagonistic from the police."

— Deborah Peoples

from the courthouse steps, dozens of sheriff's officers in bulletproof vests assembled along a row of riot shields, helmets and a pair of drug-sniffing dogs.

Behind the courthouse doors, the sheriff had ordered riot gear to guard against damage to county buildings.

Williams says the measures were a "defensive" precaution to guard against damage from "criminal elements and gang members."

But Peoples blasted Williams' thinking as a throwback to the civil-rights struggle of the early 1960s, and march leaders are angry that the sheriff didn't tell them his plans.

By contrast, march leaders had little but praise for city police officials.

"The basic strategy was just to let the people have the space and time to do what they set out to do," said police Capt. Don Gerland, commander over the downtown march route. "It was set out to be a peaceful protest, and our intent was to facilitate that. I think a lot of the credit goes to the organizers of this event."

Police met with march leaders and worked out security plans. They coordinated traffic and parking routes so that busloads of churchgoers could get to the march conveniently.

Officers drove a bus to shuttle marchers from the Tandy Parking Lot to the Water Gardens. Along the march route, the Summit's own green-shirted security "monitors" helped guide marchers, with men walking along the outside.

Police also made plans in case of violence against the marchers, stationing observers armed with rifles

atop buildings and posting the city's 18-member special weapons and tactics team nearby.

City riot gear was available but was locked in a nearby truck, authorities say. But Police Chief Thomas Windham said he was confident that the march would stay peaceful.

"You always have to prepare for a certain level of contingency," he said. "Frankly, when you get that many people together, I don't believe there's any way a police department can handle it. But I don't worry about things like that happening in Fort Worth. Some people may think I have a false sense of security but I have confidence in this community."

Windham and other officials said they were unaware that the sheriff had riot gear, dogs and three dozen men in county buildings. March leaders were angry that the sheriff

did not tell them of his orders.

Peoples accused Williams of a "Bull Connor mentality," a reference to the early 1960s police commissioner in Birmingham, Ala., who took no action when police dogs and fire hoses were turned on black children.

"There are still people in 1993 who don't see us as intelligent people," Peoples said. "You had dogs reminiscent of the '60s — what was it for? Mob control? It means you have no faith in the citizens. They were so shortsighted they thought that was the only way they could control a crowd of African-Americans."

March leaders also denounced the sheriff's statement that he ordered the measures partly because Dallas County Commissioner John Wiley Price was attending.

"We had good information that he was in Fort Worth and he was

going to march but it was not going to be a silent march," Williams said. Price marched but was not among the speakers.

The sheriff said he also had information that gang members might cause problems, suggestions that city police officials dismissed as unfounded rumors.

The sheriff says, in hindsight, that he should have met with organizers but that there was little time. March leaders have asked Williams to explain his actions at a meeting April 10 at Carter Metropolitan CME Church. Williams said yesterday that he doesn't know whether he can attend.

With Fort Worth police overseeing march security on city streets, the sheriff said, he was concerned about county buildings. The dogs on hand, Williams said, were not for crowd control but were the department's drug-sniffing animals.

Capt. Pat Howell said the dogs were assigned to officers who had been called in for security. The officers had to bring the dogs, he said, because they were needed immediately after the march for another assignment.

But Howell agreed with Peoples that any dogs in such a racially charged situation might have sparked problems. He said he ordered one dog back inside after an officer walked it out on the courthouse steps about noon, when up to 1,000 marchers had gathered downtown.

"I wouldn't want anyone to think we had an attack dog there," Howell said. "I mean, what would you think if you walked by and saw an attack dog on the front porch of the courthouse under those conditions?"

Overall, the sheriff said he considered his planning "prudent."

"I think anyone with half a brain would see we had an outrageous sentence involving a racist who killed a black man. It doesn't take a rocket scientist to figure out the potential for violence existed," he said.



Fort Worth Star-Telegram / PAUL MOSELEY

There were no arrests at the march, which drew about 10,000 people; leaders credit police cooperation.

Cultural training planned

Sheriff, DA agree to sensitivity program

BY STEFANI GAMMAGE KOPENEC
AND THOMAS KOROSEC
Fort Worth Star-Telegram

FORT WORTH — Heeding calls for sensitivity training from the NAACP and other groups upset over the sentence in the racially motivated murder of a black man, District Attorney Tim Curry and Sheriff David Williams agreed yesterday to let their departments participate in such a program.

Also yesterday, an angry Commissioner Dionne Bagsby strongly criticized the Sheriff's Department for having drug-sniffing dogs at a peaceful march in downtown Fort Worth. The march drew 10,000 people to protest the probation sentence an all-white jury gave Christopher William Brosky, an avowed white supremacist, for killing Donald Thomas.

Local leaders of the National Association for the Advancement of Colored People and a group of Tarrant County ministers appeared before commissioners and met with Curry later to press a number of recommendations. The recommendations include changes in the judicial system, hiring of more minorities and multicultural sensitivity training that would begin with department heads.

Nelda Harris, a vice president of the Arlington NAACP and a representative of the Tarrant County Black Bar Association, said the dogs reminded protesters of the days of Bull Connor, the police commissioner in Birmingham, Ala., in the early 1960s. Connor took no action when police dogs and fire hoses were turned on black children.

"We are appalled that we could have that type of representative, an elected official, mind you, who would display that type of contempt for the greatest democracy that exists anywhere in the world, that allows for peaceful assembly," she said.

The two dogs were kept inside county buildings during the march and organizers learned of their presence later. A department official has said they were there because their handlers were scheduled to go on duty with them after the march.

In an interview, Williams said, "Hindsight being 20-20, I think we probably made a mistake in bringing those dogs out there.

"Maybe we did over prepare, but we didn't overreact," he said.

The sheriff agreed to allow his department to undergo sensitivity training, saying he had participated in a similar program in 1972 when he entered law enforcement.

"I think there's enough misrepresentation between the races, I think that is something we definitely need more of," he said.

District Attorney Tim Curry, whose office has come under fire for its handling of the Brosky case, said

after a meeting with about 15 representatives of area NAACP chapters that he agreed to start sensitivity training for his department.

"I don't think we need it, but then again I don't think it would do any harm," he said.

Harris said the NAACP will monitor the program and act as a go-between for the district attorney's office and people at Paul Quinn College whom the group wants to do the training.

Bagsby said that if sensitivity training had been undertaken earlier, perhaps there would have been no dogs at the march because "they would have understood the very negative messages that bringing the drug dogs" had.

"I think that was a very, very illogical move to have been made for that particular demonstration when you knew how desperately so many people in this community had worked to make that demonstration a peaceful one," Bagsby told Chief Deputy Hank Pope, who represented the Sheriff's Department at the commissioners' meeting. "I lived through the 1960s, and I will not be a party to that kind of thing again."

Bagsby had backed the formation of the drug-sniffing canine unit but said she was withdrawing her support until specific policies about the use of the dogs are in place.

County Judge Tom Vandergriff said, "I would like to echo Commissioner Bagsby's sentiments."

Pope told commissioners that sheriff's officials were concerned because they had heard that splinter groups might show up at the protest and that "some skinheads were driving around in carloads" at an earlier protest the day after Brosky was sentenced to 10 years' probation.

Besides sensitivity training, Harris asked commissioners to do what they can to expand the pool from which jurors are selected. She recommended that juries receive more education and different forms for assessing punishment in light on the confusion expressed by some members of the Brosky jury.

Harris specifically called for a look at hiring practices and the composition of court coordinators, court reporters, prosecutors, district attorney's investigators and court clerks.

Although commissioners do not control hiring in departments headed by other elected officials, they can bring influence through the budget process.

Vandergriff said he hopes before the month is out to call a summit of county department heads to discuss employment policies and practices. Bagsby said she thinks the meeting will include such issues as sensitivity, communication, accountability and affirmative action.

Both the Sheriff's Department and district attorney's office, the two largest departments, were cited in a 1991 study as needing more minorities in higher-level positions.

Williams said that although there's no question more minorities are needed in the upper ranks of the Sheriff's Department, he cannot promote at will because of civil service rules.

However, since taking office Jan. 1, Williams has promoted two black officers: Savala Swanson to assistant chief deputy and James Moore to captain.

"I've done more for promoting African-Americans in my first 100 days in positions of rank and authority than has been done in the history of the Sheriff's De-

partment," he said, adding that he has also promoted a woman and a Hispanic.

Curry said that the NAACP representatives raised several general issues about his office's treatment of minorities, in addition to asking about the Brosky case.

The group asked Curry to increase minority hiring, install sensitivity training and loosen standards for admission to a program that lets certain nonviolent adult offenders aged 18 to 21 go through an informal probation, the district attorney said.

The group pledged to help him recruit more minority prosecutors, said Curry, who has said his office is behind its goals in hiring minority lawyers. However, he said the problem rests with his office's relatively low salaries.

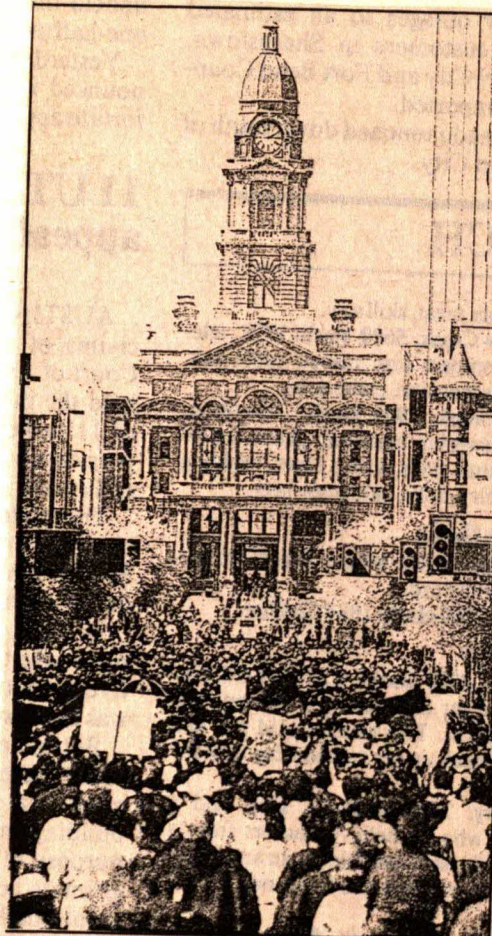
Asked if the group had praised or otherwise commended his effort to bring Brosky to a second trial on conspiracy and organized crime charges, Curry said: "I don't think we're in the commending stage. . . . I do think they appreciate our efforts."

He added, "A lot of time dealing with single-interest groups, there is never enough you can do."

He also said that he agreed to look into the deferred prosecution program, which the group believes tends to exclude African-American teens and young adults through its admission rules.

Curry said that the NAACP officers, led by Harry Gudger, president of the NAACP Arlington chapter, and Harris, a defense attorney, told him that they believe that his office offers African-American defendants tougher plea-bargains than whites.

"I don't agree," he said. "I know it's a perception, not a fact."



Fort Worth Star-Telegram

Salute to the sheriff

This is in response to the April 3 story, "March leaders fault sheriff's preparations." I commend Tarrant County Sheriff David Williams for being prepared just in case there had been outbursts of violence at the March 28 march by the black community over the Christopher William Brosky verdict.

If the sheriff had not been prepared and sheriff's deputies had been needed, the public would have asked why the Sheriff's Department was not ready for trouble, especially in light of the recent outburst of violence in Dallas after the Dallas Cowboys victory parade. An ounce of prevention is worth a pound of cure. Williams does not owe an explanation to anyone.

**Richard Livingston
Burlison**

COMMENTARY

Nobody wants to talk about killing in jail

The other day an incident report came in the mail from the Tarrant County Corrections Center. Anonymously, of course.

It concerned a death at the jail and one which, I'm sorry to say, had gone unreported in the pages of this newspaper.

The report was brief and to the point.

"At approximately 0500, 1 Mar 93, a small grey mouse leaped out of a loaf of unopened bread while the servers were handing out breakfast trays. The mouse died on impact when one of the inmates nailed him with a 10½ slide. Mouse and loaf of bread disposed. Called Sgt. Brinkman and he requested a report be written. End of Report."

Under "correctional procedures taken," it was noted that the bread loaf was replaced.

What a relief. But what about justice?

A gray mouse is dead.

He or she — the report notes the sex of the "actor"

(More on PRICE on Page 8)



DEBBIE M. PRICE

(mouse) was "undetermined" — was executed without due process. No trial. No hearing. No arraignment. No grand-jury indictment. Not even an arrest, as far as we know. Just incarceration and then, wham, the back side of a size 10½ slide.

Slides, by the way, are jailhouse shoes. They're meant to be soft and pliable and no good as weapons, unless you're a mouse that has the bad luck to get caught up in a loaf of bread at breakfast.

The report was signed by an officer and then by the shift commander and reviewed by Maj. J.A. Smedley. It was all so official and routine that I couldn't help wonder, how often do mice meet their death at mealtime in the jail?

I figured Smedley would know.

"I don't want you to think I'm being evasive or anything like that," Smedley said, "but we're under orders, of course, to refer all media questions to the public information officer."

Lt. Sue Maddock, the public information officer, said she hadn't heard about the mouse but would be happy to find out what she could. But first she had some questions for me.

"Do you have the actor's date of birth?" Maddock asked. "You know there is not much we can do without a date of birth."

I told her that no one even knew its name.

"Well, in that case, can you tell me, was it a fat mouse or a skinny mouse? That would determine how much bread it had eaten and how long it had been on the premises," Maddock said. "Was he finger-

printed? All inmates are supposed to be fingerprinted."

As far as I knew, the mouse was a visitor.

In that case, Maddock said, we might never know where it came from.

The mouse could have done a B&E at the bakery or it could have hitched a ride on the truck from the food supplier to the jail. The mouse popped out of the bread when it was opened, so that meant it had gained entry into the jail under false pretenses.

One might even say the mouse was trespassing.

Trespassing isn't usually a capital offense, but then this *is* Texas. And when the jails are as crowded as they are, there is hardly room for a mouse. If you have a good lawyer or a weak case, the district attorney will be happy to arrange a plea bargain.

If you have a misdemeanor charge, your own recognizance is generally good enough to get you out of jail.

But if you're a mouse, you're vermin. And the law does not like vermin.

"We exterminate regularly to keep things like this from happening," Maddock said.

She suggested I call the food supplier: "It was probably their mouse."

Not so, said the food supplier. Call the baker.

A woman at the bakery gasped and said, "Oh my goodness," and promised to have a sales manager call back with an explanation, but no one ever did.

Which isn't surprising.

Neither food suppliers nor jailers like to be asked about mice in bread. And that could explain why the mouse was summarily executed.

Dead mice don't rat.

Debbie M. Price's column appears Sunday, Tuesday and Thursday.

Sheriff, let's not have here a failure to communicate

Some years ago, a sheriff here summoned news types to his office for a hurry-up press conference.

Such summonses usually meant the high sheriff wanted to talk about some big case his office had cracked, so the people with the teevee cameras, the tape recorders, the note pads would come a-runnin'.

To miss such a calling would be to miss a big story.

And editors back at the office are not amused when reporters miss big stories.

So we were there, out of breath, near deadline, collectively saying by our presence:

What's up?

The sheriff introduced us to a dog.

The dog, the sheriff said, was a gift from a civic club. It would form the basis of a canine corps upon which the sheriff's department would build. The dog would be sent for training. In a matter of weeks, it would return, ready to join the force, ready to do its part to fight crime.

Off went the dog.

Off went the press corps to tell of this start on a canine corps.

Weeks later, the sheriff summoned the news types again.

We rushed in. The sheriff was smiling. It was a proud moment.

The dog was back, expertly trained, ready for assignment.

The sheriff was having his say about it all.



Roger Summers

But we were having trouble paying full attention to him. We kept looking at the dog. Something seemed different.

Finally, it dawned on us. It wasn't the same dog.

We said as much to the sheriff.

The sheriff came clean. When the dog got to the training place, it turned out the dog was friendly as a hound-dog pup.

And that friendly as a hound-dog pup wouldn't make the kind of police dog wanted.

No problem.

A good family was found for the friendly-as-a-hound-dog-pup dog and a new, suitable dog was found to undergo training.

So the replacement dog was here, ready for duty. From what we know, it worked out just fine.

Dogs can be a big help in police work. We've seen them in action.

But unless great care is taken, there also can be an ugly side to their use, and, as we have seen here recently, even their out-of-sight, unknown-at-the-time presence.

In the aftermath of the trial outcome of a hate crime here recently, protesters

marched and rallied to show their outrage. Their actions were reasonable and justifiable, and they were peaceful. Their careful aim was to work within the system to change a system that does not function as it should.

Only later did it become generally known that some dogs — dogs from the current sheriff's newly instituted drug-sniffing canine corps — were inside county buildings while protesters were gathered not far away outside.

At first, there seemed to be some attempts to justify the dogs being there.

Then the sheriff said, well, in hindsight probably a mistake was made in bringing the dogs there.

Probably?

We would not pretend to speak for African-Americans, but with thoughts of the days when dogs were used to viciously track down slaves, the days when dogs viciously were used to control those who went in peaceful protest and assembly seeking nothing more than that to which they were and are entitled, we'd say damned right a mistake was made.

We applaud this sheriff for establishing this drug-sniffing dog unit and early reports of its effectiveness in its originally intended use are good.

But with it comes the responsibility to make sure it operates properly.

Obviously, some sort of clear, written

policy — one completely understood and vigorously adhered to — is required.

Some members of Commissioners Court called for such guidelines during a discussion of the issue Tuesday.

The sheriff, of course, being directly elected by the people, has enormous independence in deciding how the sheriff's department operates, and that includes the canine unit.

But Commissioners Court is not without power in explaining to the sheriff what it thinks is right and not right, what it thinks is proper and not proper.

That power comes through the county budget, which Commissioners Court must approve.

It is, if you will, the big stick.

If it takes it to make sure there is an official, lucid, explicit policy on how this canine unit operates — so clear that there is not even the remotest possibility that even a perception will be raised that dogs might be used when anybody exercises their right to dissent and protest — that big stick must be used.

In unanimity, Commissioners Court must say in unmistakable language and with unswerving, forceful tongue:

No canine unit policy that is completely acceptable to Commissioners Court, no money.

Roger Summers is a *Star-Telegram* columnist and editorial writer.

Saturday, April 10, 1993 / Fort Worth Star-Telegram

Sensitivity training will benefit county

It is appropriate that Sheriff David Williams and District Attorney Tim Curry have agreed to let their departments participate in multicultural sensitivity training. It is appropriate because these two departments are in close, constant contact with many in this community and thus need to be fully aware of how their conduct in performing their public duties might affect others.

The push for the sensitivity training came in the aftermath of a hate crime murder trial in which an avowed white supremacist got off with a wrist slap. That outraged African-Americans and others, who have been pushing for changes in the system. The training is part of what they are seeking.

One example of the need for this step

was the presence — although out of sight and not generally known until later — of some of the sheriff's department drug-sniffing dogs near a protest rally following the murder trial verdict.

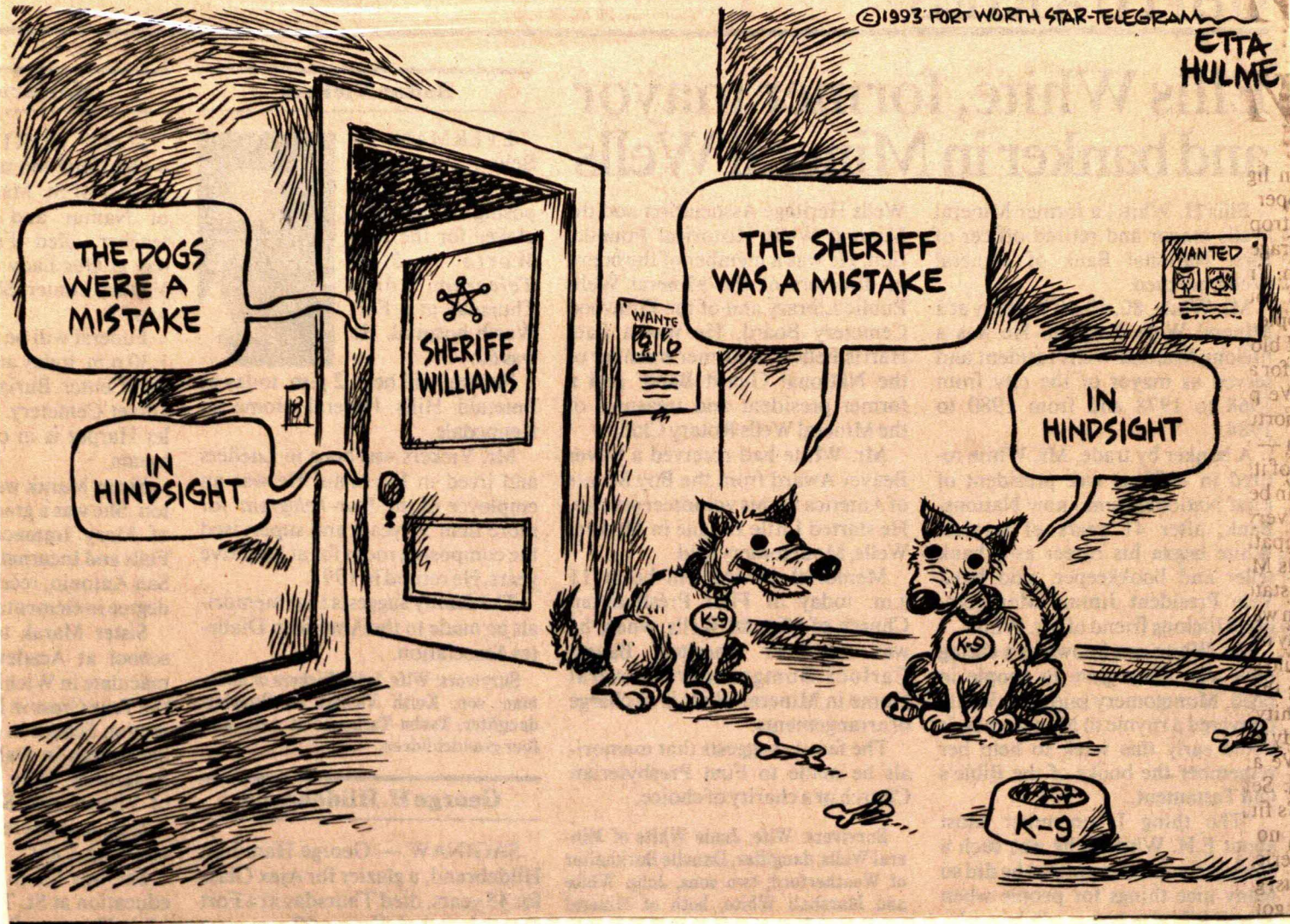
As County Commissioner Dionne Babsby said, if sensitivity training had been undertaken earlier, perhaps there would have been no dogs nearby because those in charge of the dogs "would have understood the very negative messages that bringing the drug dogs" sent.

There is enormous benefit in cultural diversity. But there also must be keen understanding and awareness of each group represented. Individually and collectively, that takes effort, commitment. This planned sensitivity training should help in that regard.

Saturday, April 10, 1993

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ETTA
HULME



Sheriff makes apology to minority summit

By JACK DOUGLAS JR.
Fort Worth Star-Telegram

FORT WORTH — Tarrant County Sheriff David Williams met with leaders in the African-American community yesterday to mend a rift caused when the Sheriff's Department brought its dogs to a racially charged protest March 28.

Members of Fort Worth's minority communities expressed outrage after they learned that Williams had two drug-sniffing dogs inside the courthouse during the event, which drew an estimated 10,000 people

into downtown streets.

The march protested the probation sentence given to a Dallas County teen-ager convicted of murder in the June 1991 hate-slaying of an Arlington black man. The dogs and a contingent of 36 officers were inside the county buildings while the march went on outside.

The dogs, Sheriff's Department officials said, were on hand only because their trainers, assigned for security, needed the dogs immediately afterward for another as-

(More on MEETING on Page 14)



Fort Worth Star-Telegram / DALE BLACKWELL

Capt. James Moore, right, of the Sheriff's Department visits with McRee Lester, summit member.

Meeting

ignment.

Nothing happened during the march and organizers did not know the sheriff's officers were present until after the march. But the presence of the dogs, protest organizers said, signaled the Sheriff's Department's mistrust for what the crowd was trying to do, and seemed a throwback to the early 1960s when police used snarling canines to keep African-Americans at bay.

In a letter to the *Fort Worth Star-Telegram*, published Sunday, Williams said: "The dogs were a mistake."

He carried that same message to his meeting with members of the African-American Summit for Peace, Justice and Equality. Those attending seemed satisfied with the apology and with other topics discussed with the sheriff.

"We had an outstanding, great meeting," said appellate court

Judge Maryellen Hicks, an African-American, as she emerged from the hourlong meeting at the Tarrant County Civil Courthouse.

Summit members said that Williams was "very receptive" to their proposals to strengthen affirmative action in the department, establish advisory councils made up of equal numbers of Anglos, Hispanics and African-Americans, and develop a community outreach program to bridge the gap between the Sheriff's Department and the minority communities.

Williams said he is troubled that so few minorities work at the Sheriff's Department, especially in key positions. There are only 52 Hispanics and 128 African-Americans in a work force of 1,256, he said.

The patrol division has 45 Anglos, two African-Americans and two Hispanics and the administration division has 31 Anglos, two African-Americans and one Hispanic.

Williams said he recently promoted Savala Swanson, an African-American, from major to assistant chief deputy. Raul Pena was pro-

moted from detention officer to a supervising sergeant and an African-American lieutenant, James Moore, recently became a captain.

Moore accompanied Williams during yesterday's meeting with summit members.

The summit also wants a cultural diversity training program for the Sheriff's Department, something Williams said he is already working on, though funding for a coordinator remains in question.

The group also asked for an additional African-American chaplain for the county jail and pushed for a review and revision of health care for prisoners "to improve the quality and process" for medical attention.

Williams said he has already begun a state-funded drug-rehabilitation housing pod for jail inmates.

There were "no stumbling blocks" during yesterday's meeting, said summit member McRee Lester. "I think it was a very positive meeting; we learned a lot of things

... He was very receptive to change."

The Rev. LeRoy Haynes, senior pastor of the Carter Metropolitan Christian Methodist Episcopal Church, said, "We're cautiously optimistic about the sheriff's responses to our proposals to correct some critical issues in the Sheriff's Department beyond the protest."

Haynes said he hopes it's the beginning of "a new relationship between the Sheriff's Department, the African-American people and the minority community in general."

Williams said he will work to break down racial barriers in the department, but he said "it's not going to come overnight."

The Sheriff's Department "has to function as a team" with other area law enforcement agencies. It must also become more sensitive to cultural differences and build a line of communication with the community, Williams said.

"We began opening those lines today," he said.

The sheriff and the group scheduled another meeting in a month.

Inmates

Tuesday, April 13, 1993 / Fort Worth Star-Telegram

Prison exodus is feared

Officials deny review will spur mass release

The Associated Press

HOUSTON — Cases of up to 20,000 Texas prison inmates are under review in what could be a mass exodus of inmates in an effort to eliminate prison overcrowding, according to a published report today.

State officials deny that parole floodgates are poised to open. But critics say it's "open season" on the public, the *Houston Post* reported.

The 18-member Texas Board of Pardons and Paroles on Friday began reviewing the cases of state prisoners eligible for parole, panel chairman Jack Kyle told the newspaper.

Kyle said yesterday that the board will review 16,000 to 20,000 cases — at least double its normal caseload — over the next six weeks.

But Kyle and parole spokesman Dan Guerra said they had no idea how many would actually be paroled.

A former parole board member and crime victims' groups said the

large number of parole reviews will lead to a mass exodus of prisoners — some dangerous.

"What they are doing is hanging signs on every law-abiding citizen saying, 'Open season,'" said Nan Gurski, president of Houston's Parents of Murdered Children.

But parole officials hope to reduce the number of state prisoners in county jails. Those inmates now in county jails would likely be released or moved to state prisons so the state could avoid paying millions of dollars each week in fines.

But a spokesman for Gov. Ann Richards said public safety was a top priority and no such exodus would occur.

"[Richards] has consistently stated that we're not going to jeopardize public safety," said Chuck McDonald. "If the choice is between public safety and paying a fine, we're going to pay the fine."

Since April 1, the state has been required by federal court order to pay a \$50 daily fine for each Texas inmate housed in the county jail. Because of overcrowded state prisons, Texans are paying an estimated \$2.2 million in fines each week.

Kyle said inmates to be considered for parole are those who would be eligible for release in the "next several months" anyway.

Texas Senate nears passage of prison bills

By ED SILLS

Special to the Star-Telegram

AUSTIN — Hoping to force murderers and child molesters to serve more of their prison sentences while burglars and thieves do time in a new system of state jails, the Texas Senate yesterday neared approval of a criminal justice package.

The changes would depend on a proposed \$1 billion in new state borrowing to build more corrections buildings.

Backers of the bills said the jails would be built in urban areas and become the cornerstone for a revised penal code that would attempt to rehabilitate nonviolent offenders and guarantee that the most violent ones serve at least half of their prison sentences.

The proposals would also accelerate the most massive lockup expansion in the state's history, leading as

soon as 1995 to 140,000 spots for convicts, including 109,000 in prisons. Texas now has space for nearly 60,000 prisoners, and voters have previously authorized bonds to build a regional prison system adding thousands more.

Meeting as a committee, the Senate approved the measures on a 22-7 vote and planned a floor debate for tomorrow.

"It has literally become a joke to get a prison sentence in the state of Texas," said Sen. John Whitmire, D-Houston, who sponsored the bills. "Because we are attempting to send everyone to prison, what we end up with is no one goes to prison for any length of time."

Whitmire said it is common for a convict in Texas to serve just one month in prison for every year of the sentence. He said witnesses before the Senate Criminal Justice Committee, which he leads, have said that they prefer prison time, knowing they will get out early, to probation, which carries fees and longer periods of monitoring.

The proposal, which is being prepared in the House in a similar format, would require voter approval of \$1 billion in proposed bonds, half for the jail system and half to be held

in reserve for more prison space. It would result in 10,000 "transfer facilities" aimed at removing convicted felons from county jails, plus 20,000 spaces in the state jail system.

The new jail facilities, some of which would fall under county control, are to include drug and educational programs and free prison space for hard-core felons, Whitmire said. "The most violent ones will be the ones we have to lock up and throw away," he said.

Another provision increases the minimum time served for capital murder from 35 to 45 years, with no possibility of parole or time off for good behavior.

The liveliest portion of yesterday's debate focused on an unsuccessful effort by Sen. Royce West, D-Dallas, to include a ban on assault weapons in the package.

Senators rejected the amendment, saying it could prevent passage of the overall package and should stand as a separate bill.

Another anticipated debate over the rarely enforced sodomy law, which prohibits "deviant sexual intercourse" between same-sex partners, did not materialize yesterday, but it is expected to produce heated debate and a close vote tomorrow.

Whitmire and most Democrats want to keep the law out of the proposed penal code, saying it serves only to discriminate against homosexuals.

FRIDAY, APRIL 23, 1993

Legal bids of teen convicted in '91 hate killing rejected

BY THOMAS KOROSEC
Fort Worth Star-Telegram

FORT WORTH — A Dallas teen convicted in the 1991 hate slaying of a black man in Arlington lost several legal skirmishes yesterday, including a bid to be released from jail.

The main issue — whether white supremacist Christopher William Brosky will stand trial again on new state charges related to the killing or whether double jeopardy protections would bar a second trial — was argued by attorneys, but state District Judge Bill Burdock said no decision will be made for at least two weeks.

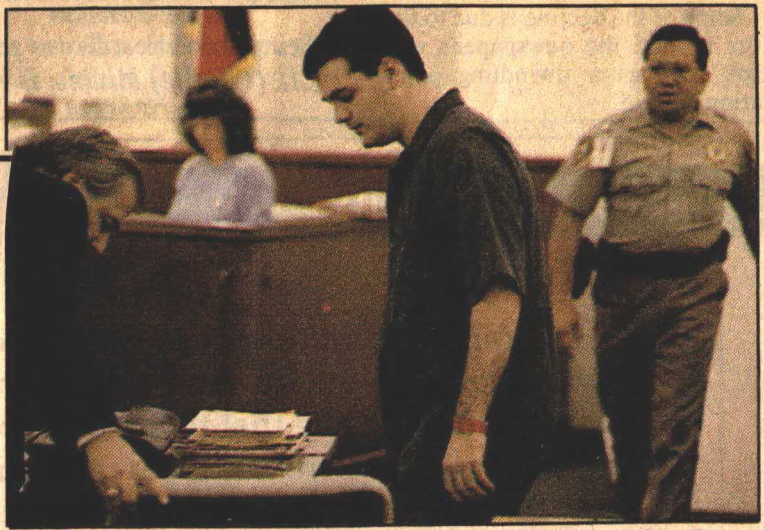
If Brosky is tried on the new two-count indictment of conspiracy to commit murder and engaging in organized crime, prosecutors will attempt to show that he was "involved in various neo-Nazi groups" and had "a formative role" in several of those groups, Assistant District Attorney Alan Levy told the court.

Brosky, 18, is one of three youths convicted in the drive-by murder of warehouse worker Donald Thomas, 32.

When an all-white jury sentenced Brosky to 10 years' probation a month ago, the light punishment set off a wave of protests and outrage through Tarrant and Dallas counties and garnered national interest.

During yesterday's three-hour hearing, Burdock quadrupled Brosky's bail on the organized crime and conspiracy charges to \$100,000.

As reporters, attorneys, African-American leaders and others watched, Burdock blocked a defense move that would have released Brosky from jail while he appeals the 180-day sentence a judge imposed as a condition of his probation.



Fort Worth Star-Telegram / GLEN ELLMAN

Christopher Brosky arrives for a hearing on new state charges. His lawyers say a second trial would violate his rights.

Burdock decided to let Brosky, a Canadian citizen who moved to Dallas in 1986, continue to be represented by defense lawyers Ward Casey and Earl "Ernie" Bates, but now as court-appointed counsel. Brosky, whose family had been paying the two attorneys, testified that

he was all but broke and could no longer pay.

"I'm tapped out," said the defendant, dressed in jail-issue green overalls and tan sandals.

Brosky testified that he dropped out of school in the 10th grade, has worked as a busboy or counter help at several restaurants, trained to sell vacuum cleaners, and now counts as his chief possession "5 pairs of jeans and about 20 shirts."

Burdock, finding Brosky indigent, said he will save taxpayers money by letting him retain Casey and Bates instead of appointing new court-appointed attorneys.

At the start of the hearing, attorneys argued over the subtle legal issue of whether a second state trial would violate Brosky's constitutional protection against standing trial twice for the same criminal conduct.

"They're attempting to prosecute him for the same crime twice," Bates argued. He said that Brosky, who did not fire the shotgun blast that killed Thomas, was convicted for being a party to the crime. Trying him now for conspiring to commit murder is trying him twice for

the same actions, Casey said.

Levy, head of the district attorney's criminal section, told the judge that conspiracy to commit a crime and the crime itself are two separate offenses and can be tried separately.

He said a recent U.S. Supreme Court ruling allows a second trial on conspiracy charges. At the same time, he said, "it has not been addressed in Texas law specifically."

Burdock, who took over the case last week after state District Judge Everett Young transferred it from his court, said he will accept further written arguments from the lawyers and make a ruling sometime after May 7.

He explained after the hearing that if he rules to go forward with a new trial, only a ruling by the Texas Court of Criminal Appeals specifically blocking proceedings could stop it.

After the hearing, Casey said, "I really feel he [Brosky] is getting a raw deal on double jeopardy. I feel he's getting a little extra because of the public outrage."

OBITUARIES

■ **Fort Worth:** The Tarrant County Sheriff's Department is investigating the apparent suicide of a county jail inmate early Sunday.

A jailer found Sergio Rodriguez, 23, of Decatur dead in his cell in the Tarrant County Correctional Center, said Lt. Sue Maddock of the Sheriff's Department. "He was found dead in his bunk with strips of blanket around his neck. The shift commander was on the scene at 5:43 in the morning, Sunday morning," Maddock said. "It's under investigation at this time."

Rodriguez had been booked into the jail April 29 on a charge of felony repetition/driving while intoxicated because he has been convicted on DWI charges before, Maddock said. His body was taken to the Tarrant County Medical Examiner's Office for an autopsy, which had not been completed yesterday, a spokesman said. A provisional ruling on the cause of death was as ligature strangulation, a spokesman said.

Sheriff says overtime budget was unrealistic

Williams says he'll need an extra \$1 million

BY STEFANI GAMMAGE KOPENEC
Fort Worth Star-Telegram

FORT WORTH — In his first fiscal showdown with county commissioners, Sheriff David Williams defended his department's overtime costs yesterday and pointed a finger at the previous keeper of his job.

To cover overtime this year, Williams said he expects to need an additional \$1 million above the budgeted \$1.6 million. He said that would be a 13 percent increase above the \$2.3 million spent last year.

Budget Director Debbie Schnei-

der told commissioners that based on the trends she has seen since Williams took office, the department will need less to cover costs — an estimated \$520,000. Schneider said she based her estimates on trends in the confinement division, where 85 percent of the department's overtime is used.

Either way, money to pay for the additional overtime will come from the county's undesignated fund, which has approximately \$3 million, she said.

Last week, commissioners approved a \$190,000 adjustment to cover the department's May 15 pay-

roll, which included the Good Friday holiday.

Williams said that increases in the jail population, state-mandated jail standards and federal labor laws have contributed to overtime costs. But he also said that former Acting Chief Deputy Jim Minter did not leave him with a realistic budget.

After comparing last year's overtime expenditures with this year's appropriations, Williams said, "We find the former administration grossly miscalculated the amounts that should have been requested."

Minter, now a captain, said that
(More on BUDGET on Page 20)

Budget

From Page 17

under department guidelines he cannot comment on the controversy.

County Commissioner Bob Hampton questioned why Williams expects to need 13 percent more than was spent on overtime last year when his department gained 127 new employees.

"What in the world would the overtime requirements look like if we hadn't added 100 new positions?" Hampton asked. "My God, it'd be off of this planet."

Sheriff's Department officials said that the new employees were phased in and were not all hired and trained until March or April. Other personnel covered the load, with many working overtime and accruing compensatory time — time off instead of pay.

In addition, Williams said when he took office, well over 50 percent of his employees had accrued the maximum amount of comp time and had to be paid overtime. Currently, about 40 percent of the department employees have reached

the cap, he said.

The discussion was mostly non-confrontational. But when Hampton accused Williams of not being lean, the sheriff's voice rose in defense. He pointed to an increase in the jail population and said he was working within required jail standards.

"That's something that's out of my control," Williams said. "Now if you've got a way that we can close the jail when we reach a certain point, or tell jail standards that

we're sorry we can't meet the overtime, so we can't have these confinement people in here, I'm more than receptive to hear it. But that ain't reality."

Also cited as contributing to overtime were the department's turnover rate and increases in training requirements.

Williams said he has a strict overtime policy, but he pledged to cooperate with commissioners on next year's budget for the benefit of taxpayers.

Diversity training plans under review

BY STEFANI GAMMAGE KOPENEC
Fort Worth Star-Telegram

FORT WORTH — Tight financial times have Tarrant County commissioners taking a close look at a \$40,000 cultural diversity training proposal for the Sheriff's Department.

Commissioner Dionne Bagsby, who delivered an informal committee's recommendation to her colleagues Tuesday, has asked budget officials to estimate how much the program will cost, including the salaries of participating employees.

The recommended program, chosen from among several offered to the committee, comes from Diversity Advantage Co. of Dallas and would put all 1,300 members of the Sheriff's Department through training by July at a cost of \$35 each.

However, officials said they now want to know how much it will cost if they have to pay overtime to members of the department to attend the program. For most employees it is a one-day session.

"It may well be it has to be a phased-in thing. I don't want to second-guess this, but cost will drive how comprehensive the program can be."

— Dionne Bagsby
county commissioner

In light of budget constraints, Bagsby said several options may have to be considered.

"It may well be it has to be a phased-in thing," she said. "I don't want to second-guess this, but cost will drive how comprehensive the program can be."

Commissioners could vote on the proposal as early as next week.

Bagsby met with Sheriff David Williams yesterday to gauge his commitment to diversity training. Bagsby questioned his commitment after Commissioner J.D. Johnson mentioned a \$700 diversity training film he had heard about through sheriff's officials.

Williams said he is committed to diversity training and wants it and sexual harassment issues revisited regularly, possibly as part of in-service training.

He added, however, that he has



Dionne Bagsby: Questioned sheriff's commitment to program

no money available this year to pay for the training but will cooperate with county commissioners if they provide it.

Sheriff's officials found out about the \$700 film, endorsed by the Equal Employment Opportunity Commission, Williams said. The cost does not include people to conduct the training. He said he asked them to look into the matter before he became aware of the committee's formation.

During a Commissioners Court meeting, Bagsby cautioned fellow colleagues that "you get what you pay for" and called the \$700 program a cursory one. She reminded commissioners that the proposal by Diversity Advantage Co. was picked by a five-member committee consisting of a judge and members of the Sheriff's Department, the district attorney's office, the Personnel Department and her staff.

Last month, Williams and District Attorney Tim Curry agreed to let their staffs participate in cultural diversity training after heeding calls from the National Association for the Advancement of Colored People and other groups upset over the sentence in the racially motivated murder of Donald Thomas.

Thomas, a black man, was gunned down in 1991 by three white supremacists. Two agreed to plea bargains and the third, Christopher William Brosky, received a sentence of probation after a trial in March.

The sentence sparked widespread protests, including a Sunday march through downtown that drew 10,000 people.

FRIDAY, MAY 21, 1993

Ricky Lee Green receives stay of execution

The Associated Press

HUNTSVILLE — U.S. Supreme Court Justice Antonin Scalia granted a stay of execution yesterday for a Texas Death Row inmate scheduled to die June 4 for the sexual mutilation slaying of a Fort Worth man.

Scalia postponed the execution of Ricky Lee Green, 32. He was condemned to death for the Dec. 26, 1986, slaying of Steven Fefferman, a TV advertising executive with KXAS-TV in Fort Worth.

Fefferman, 28, was castrated and stabbed repeatedly in his town home after meeting Green and having sex with him on a beach near Lake Worth, according to court testimony.

A brief order issued by Scalia said the enforcement of Green's sentence "is stayed pending the disposition by this court" of a formal appeal filed on the inmate's behalf.

The stay will be lifted automatically if the full court turns down the appeal, Scalia noted, but will continue if review is granted.

Inmate's death is a mystery

A 23-year-old man told law officers and his relatives that he would be killed before he got out of Tarrant County Jail.

BY JACK DOUGLAS JR.
Fort Worth Star-Telegram

FORT WORTH — Two days before a prisoner was found dead in his Tarrant County Jail cell, a state mental health agency evaluated him and examined his assertions that guards were attempting to kill him.

After predicting to law officers and his family that he would be murdered before getting out of jail on a DWI-related case, Sergio Alberto Rodriguez committed suicide May 2 while in solitary confinement, officials believe.

The Texas Rangers were called in last week to help investigate. Chief Deputy Hank Pope, head of jail administration, and Sheriff David Williams said they wanted an independent state investigation to complement inquiries by the criminal investigations division and internal affairs division of the Sheriff's Department.

"I just don't want someone to say this is some big cover-up," Pope said.

Rodriguez, 23, died from ligature strangulation, caused by a strip of a bed sheet wrapped tightly around his neck, according to the Tarrant County Medical Examiner's Office.

No formal ruling has been made, however, on whether he was the victim of a suicide or homicide, or died accidentally or from natural causes.

The Decatur resident was not considered a suicide risk after Tarrant County Mental Health-Mental Retardation Services evaluated him

(More on JAIL on Page 26)

Jail

From Page 23

April 30, Pope said.

"He was perceived as more of a threat to other people than he was to himself at the time," Pope said.

Jail administrators asked MH-MR to interview Rodriguez because "he kept saying the guards were going to kill him," Pope said.

MH-MR spokeswoman Shelley Buttgen said she could not comment about the agency's involvement. Buttgen said, however, that the agency does not have enough people to adequately serve all the needs at the county jail.

"We receive 600 written requests a month from the jail system identifying people who need to be evaluated," she said, adding, "We have nowhere near the manpower we would need to service 600 people."

In interviews this month, Rodriguez's family said he expressed a fear of being harmed by someone in the jail. They said Rodriguez called from jail and predicted that he would be dead before they had a chance to raise bail.

An aunt, Rosa Vasquez, said Rodriguez called her about 10 p.m. April 30. "He said: 'Bail me out of here. They want to kill me! They want to kill me!'" Vasquez said through an interpreter.

She said she told Rodriguez that bail would be raised for his release by May 3, a Monday. Vasquez quoted him as responding: "I won't make it until then."

Rodriguez was in the county jail from Feb. 28 to March 22 on a charge of driving while intoxicated, records show. He was rearrested outside his home in Decatur by Wise County authorities and transferred to the Tarrant County Jail on April 29 for revocation of probation

on a DWI conviction, according to the records.

"He was a good brother," said a solemn Orlando Rodriguez, 20, of Decatur. "The only problem he had was that he liked to drink."

Pope said that during Rodriguez's last two stays in the county jail, he repeatedly said that guards were attempting to kill him. At the time of his death, he was in a "special management pod" for prisoners who need especially close supervision, the chief deputy said.

No evidence had been found that Rodriguez was harmed by anyone other than himself, Pope said.

Rodriguez was found dead at 5:43 a.m. May 2 inside his fifth-floor cell by a jailer who was waking prisoners for breakfast.

He was last known to be alive about midnight May 1, when he talked to a trusty on cleanup duties, Lt. Sue Maddock said.

Rodriguez was checked about every half-hour by a jailer who peered through a jail-cell window. Each time, Rodriguez was seen in a "sleeping position" on his bunk, Maddock said.

"Since he was in a sleeping position," she said, "it was virtually impossible to see if he was sleeping or dead." But Maddock added that there was nothing to arouse suspicion because, "in a typical suicide," the victim is found hanging, while "in this case, he was not hanging. So everything looked normal."

Officials with the Sheriff's Department and the medical examiner's office said they believe that Rodriguez killed himself in a "rare" way.

"In all my years of being here, we haven't had anything like this," said Maddock, who has been with the Sheriff's Department for nine years, including a stint as shift commander for the jail.

Maddock said Rodriguez was locked in the cell by himself and was not within reach of other prisoners.

Family refuses to believe inmate killed himself

Tarrant sheriff, Texas Rangers investigating death

By Nora Lopez

Mid-Cities Bureau of The Dallas Morning News

FORT WORTH — About the only thing that distinguished quiet and unassuming Sergio Alberto Rodriguez from the rest of his family was his near-fanatical fear of death.

As family members put it, he was a "big chicken," with an extremely low threshold for pain. It wasn't unusual for him to rouse family members from bed to take

him to the hospital for minor cuts or injuries.

Those images sprang to Elizabeth Rodriguez's mind May 2, when Tarrant County Sheriff's Department officials told her that her brother had committed suicide in solitary confinement.

They were followed by another, more vivid image of her brother just two days

before his death. That was the day she said Mr. Rodriguez begged her to raise the money for his release because he feared he would be killed in jail.

"We didn't believe him; nobody in the family believed him," Ms. Rodriguez said. "Now, we don't know what to believe."

Chief Deputy Hank Pope said Wednesday that the department was investigating

the incident. Texas Rangers have also been called in to investigate at the sheriff's request.

"At this point, everything indicates it was a suicide," Deputy Pope said. "We've called in an outside agency because we don't want anyone to think there is any kind of a cover-up."

The Tarrant County medical examiner's office has ruled that Mr. Rodriguez
Please see FAMILY on Page 38A.

Thursday, May 27, 1993

Family believes man was incapable of killing himself

Continued from Page 33A.

died of ligature strangulation. No ruling has been made whether he was the victim of suicide or homicide.

The 23-year-old Decatur resident had been in jail for five days on a charge of driving while intoxicated when he was discovered by a jailer. A strip of cloth, apparently from a blanket, was wrapped around his neck.

Sheriff's officials believe Mr. Rodriguez committed suicide. His family believes he was incapable of harming himself.

"He just didn't have the courage to kill himself," Ms. Rodriguez said. "He was so scared of dying. He just wouldn't be able to do it."

She recalled that her brother, after stepping on a nail, "was crying that he thought he was going to die."

Ms. Rodriguez said that two nights before her brother's death, he called an aunt and refused to hang up until he had extracted a promise that if anything happened to him, she would demand an investigation.

"He called about four or five family members and told them all the same thing — that the guards were trying to kill him," Ms. Rodriguez said. "I told him that I'd have the bail by Monday, to just wait two more days. He told me it would be too late."

Deputy Pope said Mr. Rodriguez's assertions were taken seriously enough that he was placed in a special management pod for prisoners

"At this point, everything indicates it was a suicide. We've called in an agency because we don't want anyone to think there is any kind of a cover-up."

— Hank Pope,
Tarrant County
Sheriff's Department

who need close supervision. Also, the Texas Department of Mental Health and Mental Retardation was asked to evaluate Mr. Rodriguez two days before his death.

He was not considered a suicide risk, Deputy Pope said.

"When a ward of the state dies, we are mandated by law to investigate," Deputy Pope said. "This is pretty serious, and we don't want anyone to think that the investigation is tainted.

"That's why we requested an outside agency. But so far, everything indicates it was a suicide."

Ms. Rodriguez said her family anxiously awaits an autopsy to determine its course of action.

"I don't know what to believe," she said. "I can't believe he would kill himself, and that only leaves the possibility that someone else killed him.

"We just want to know what happened."

'Boot camp' inmate says she was often sexually harassed

BY LISA BLACK
Fort Worth Star-Telegram

MANSFIELD — An inmate at the Mansfield 'boot camp' for first-time offenders said that she repeatedly rejected requests for sex from a drill instructor and that she saw other inmates and officers engaging in sex during work duty outdoors.

Michelle Jacobs of Arlington, in a telephone interview from the Mans-

field Community Corrections Facility, said she has reported her allegations to the Tarrant County district attorney's office, which has begun an inquiry into sexual harassment complaints at the facility.

"The first time I saw him [drill instructor], he said, 'Damn, you're pretty good-looking,'" said Jacobs, 27, who is serving seven months for credit card abuse. "Three weeks

later he told [another inmate] he wanted to have sex with me. I said 'no.'"

The drill instructor, reached at home yesterday, declined to comment.

Ron King, director of the privately run military-style facility operated by Esmor Texas Inc., said he has found nothing to support Jacobs' accusations or others that

have been made.

King released a copy of the correctional facility's policy in handling such accusations: "We consider any act of harassment to be a gross and major violation of our principles. We investigate any and all allegations of harassment brought to our attention."

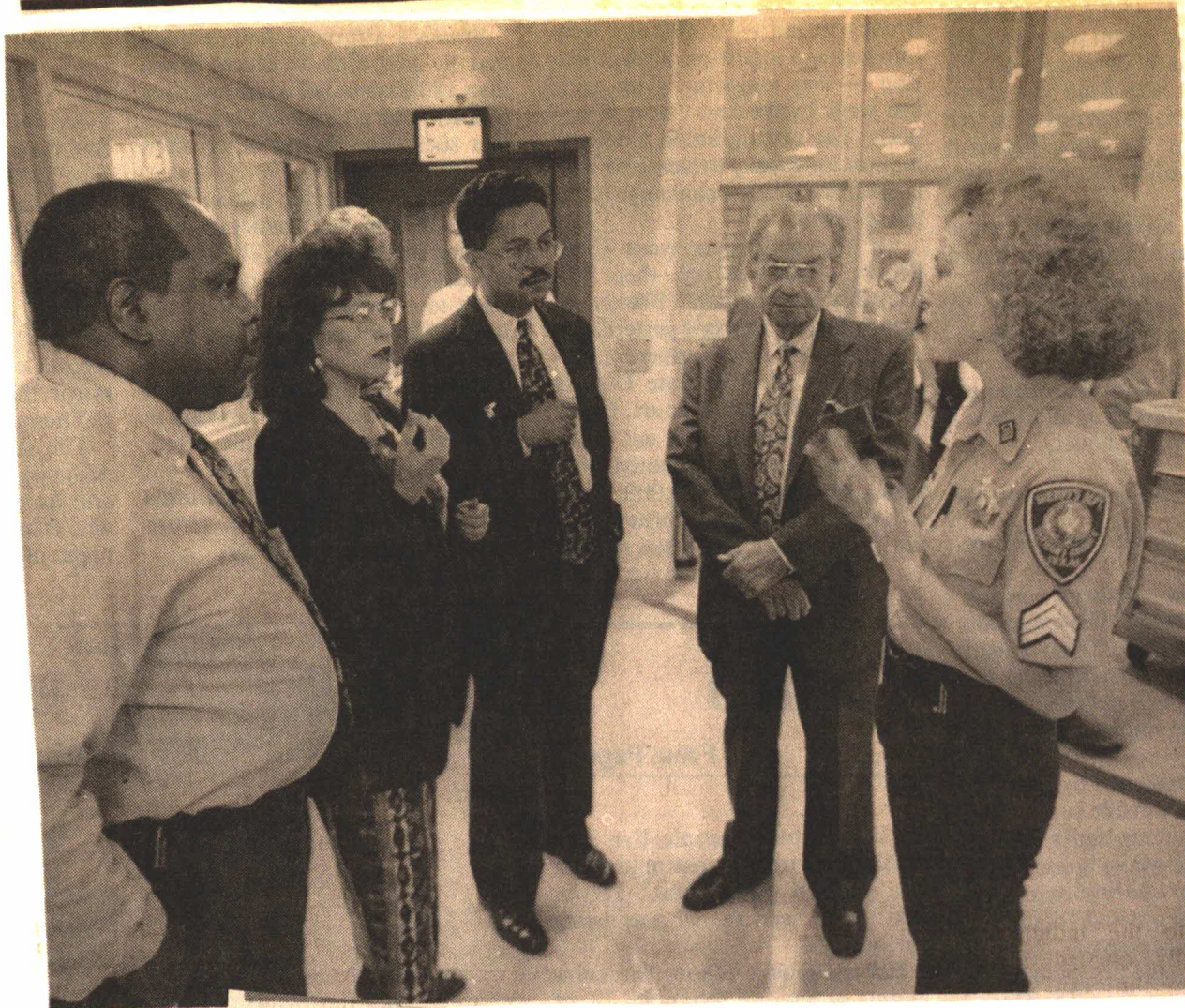
Jacobs, whose criminal record will be cleared if she completes the

deferred-adjudication program, said the drill instructor asked whether they could meet for a drink after her release from the facility. She said he also made lewd comments and said he could arrange for the two to have sex during the weekends when training is less intense.

"The reason I never went to anybody with it is, you can argue and argue with staff, but they always

win," Jacobs said. "I found out this DI has had other allegations against him, and I don't know why he hasn't been fired."

Jacobs said a female inmate told her that the same drill instructor allowed her to have sex with a male inmate because they were friends. The incident occurred in a cleaning closet, she said.



Tarrant County sheriff's Sgt. Kelley Meyer, right, talks about

the jail yesterday with county officials touring the facility.

Fort Worth Star-Telegram / PAUL MOSELEY

Sheriff says jail

conditions dangerous

BY JACK DOUGLAS JR.
Fort Worth Star-Telegram

FORT WORTH — Extreme heat and overcrowding have sparked trouble in the Tarrant County Jail system and pose further danger for both prisoners and guards, Sheriff David Williams said yesterday.

Williams made the comments while leading government leaders through the oldest, most dilapidated lockup facility in the county jail system. He said he was hoping to show the need to expand detention facilities by at least 1,000 jail beds.

Several million dollars has been set aside for jail expansion, but the Tarrant County Commissioners Court has delayed spending any of that money until they know what state assistance they will get.

Stacking prisoners shoulder-to-shoulder at the facility in the 300 block of Belknap Street has resulted in the spread of minor health problems — mainly colds — among prisoners, jail administrators said.

In addition, nerves have been frayed and fights have been triggered among prisoners packed in sweltering cell blocks.

Conditions are considerably better at the new, larger jail facility, which is part of the Tarrant County Criminal Justice Center two blocks away. In that 13-story jail, prisoners are kept in spacious, well-air-conditioned pods, including “day rooms” and recreational areas.

At the old jail house, the situation is “deplorable and dangerous, not just for the prisoners, but for the officers that work there,” Williams said.

“They’re jammed in there so close together . . . It’s just a recipe for disaster,” he said.

“I needed another thousand beds yesterday,” he said.

The sheriff led a government delegation, including County Judge Tom Vandergriff, Pct. 2 County Commissioner Marti VanRavenswaay and County Administrator G.K. Maenius, through

“They’re jammed in there so close together . . . It’s just a recipe for disaster,” he said. I needed another thousand beds yesterday.”

— Sheriff David Williams

the county detention facilities in downtown Fort Worth.

He said he hopes that he will receive funding to expand the Green Bay jail facility on the northeast side, so that he can reroute prisoners there. The Green Bay facility currently houses no more than 480 inmates.

As of yesterday, 1,884 inmates were in the Belknap facility, which was built in 1961 with the intention of holding no more than 1,288 prisoners. During the tour, some cell blocks held twice the number of prisoners they were supposed to.

Although the new jail is much larger, its inmate population was 1,466, less than its capacity load of 1,496 prisoners. County officials said that facility cannot surpass its maximum population because of its design.

Vandergriff and VanRavenswaay said they were distressed — but not surprised — by the overcrowding at Belknap. “It’s a matter of great concern to the entire [commissioners] court,” Vandergriff said.

In approving the last budget, commissioners set aside \$4 million for jail expansion, Vandergriff said. But he said the court has been waiting to see what the state will do to ease the county’s burden by accepting more prisoners who have already been sentenced to state prison.

Of the 4,532 inmates in Tarrant County jails yesterday, 2,093 had already been sentenced and were ready to be sent to state prisons, according to records.

Although the county is reimbursed \$20 a day for each state prisoner in its custody, that pays for only half the cost of housing each inmate, officials said.

Vandergriff acknowledged that something will have to be done before November, when state voters will be asked to approve a \$1 billion plan to expand the state prison system by 20,000 beds.

VanRavenswaay said few of her constituents would be willing to pay more taxes to make life easier for prisoners. “There’s not a great deal of compassion . . . given the economy and how it’s affecting everybody,” she said.

“It’s not like we invited them [the prisoners] to a party to have a good time,” the commissioner added.

Attorneys ask judge

to lower Brosky's bail

By THOMAS KOROSEC
Fort Worth Star-Telegram

FORT WORTH — Attorneys for convicted murderer Christopher William Brosky asked a judge yesterday to lower the Dallas teenager's bail after an appeals court ruling last week giving the former skinhead a chance to be released from jail.

Brosky, who was convicted of murder and given probation in March for the 1991 hate-slaying of Donald Thomas of Arlington, remains in Tarrant County jail in lieu of \$100,000 bail. He awaits a possible second trial on conspiracy and organized crime charges.

However, even if Brosky's bail is reduced to the \$25,000 figure that his lawyers are asking, he cannot go free. The U.S. Immigration and Naturalization Service has filed an order that Brosky, 18, a Canadian citizen, be held because they want to deport him to his native country if he is released from state custody. If he is released from jail, he would go to a federal facility.



Christopher Brosky: Faces a possible conspiracy trial

Brosky's attorneys said they want the taped deposition now because Hendry's life could be in danger in the adult penitentiary.

Casey said that an opinion piece written by *Fort Worth Star-Telegram* columnist Debbie Price "invited all the minorities to do something to them, too."

In the column, Price wrote that officials should "send Hendry to the adult prison and then make sure that the parole board never forgets why he is there."

"It wouldn't be a bad idea to make sure a few of the prisoners know, too," she wrote.

Price has called Casey's remarks "absurd" and said that in no way did she intend to condone murder.

Collins, the prosecutor, said the state is opposing Casey's motion because Brosky's attorneys have already cross-examined Hendry during their client's trial.

Casey, on the other hand, said new evidence from files at the Giddings youth detention facility gives him new ammunition to attack Hendry's truthfulness as a witness.

BOOT CAMP

ON TRIAL

Mansfield's shock incarceration at close

quarters leads to investigation



Fort Worth Star-Telegram / BRUCE MAXWELL

A trainee walks down a hallway in the men's wing of the substance-abuse boot camp in Mansfield.

BY LISA BLACK
Fort Worth Star-Telegram

MANSFIELD — Sherrill Samples Fischer thought she was entering a rehabilitation hospital when a court sent her to the new Mansfield Community Correctional Facility's substance abuse program 14 months ago.

So the 25-year-old Arlington woman says she was shocked when men in uniforms sheared her long hair to her shoulders, confiscated her hair dryer, makeup and \$2,000 worth of jewelry, and unleashed a barrage of sexually explicit comments and behavior.

Sometimes they entered the rooms of female inmates while they were showering. Once a drill instructor tucked a female inmate into bed for the night.

"I had a guard come up to me during recreation, and he said he and some other drill instructors had a bet going on what color underwear I was wearing," said Fischer, 25, who served time at the camp from April through July 1992. "One of them would come in our [dorm] room and flat out say sexual things. When I was in the shower, he'd walk in the rooms."

The publicly funded, privately managed facility for young men and women who are first-time offenders and drug users opened in February 1992.

Tarrant County District Attorney Tim Curry began an inquiry into the facility several weeks ago after receiving complaints of sexual misconduct. Curry, who said the inquiry would determine whether a



'I had a guard come up to me ... and he said he and some other drill instructors had a bet going on what color underwear I was wearing.'

—Sherrill Samples Fischer, former inmate

Camp

From Page 1

full investigation is necessary, has since declined to comment. Results of the inquiry are expected this week.

Fischer and 12 other former inmates and former employees described the military-style boot camp as a place where the goals of discipline, self-esteem and hard work are undermined by sexual harassment and physical abuse.

They say drill instructors asked female inmates to have sex with them, engaged in sex with inmates and arranged for inmates to have sex with each other. Former employees accuse drill instructors of beating and verbally abusing inmates.

The women who allege sexual harassment have named at least six drill instructors, one of whom recently resigned without notice. At least two instructors are still employed at the facility.

The accusations of physical abuse focus on four former and current employees, and include the facility's top administrators. Those instructors and officials contacted denied the allegations or declined to comment.

Policy at the facility forbids employees from entering into personal relationships with the inmates or their relatives. Inmates, too, are prohibited from touching, kissing or holding hands. Force is forbidden except in cases of self-protection or protection of others.

The state and county pay Esmor Texas Inc., a New York-based company, \$2.5 million annually to run the facility and supply security and drill instructors.

Director Ron King, questioned about sexual harassment allegations

in an earlier interview, said he found no substantiation for the complaints. He later referred all questions to Esmor officials in New York who did not return reporters' phone calls.

The Tarrant County Community Supervisions and Corrections Department, known as the probation department, is responsible for overseeing Esmor and providing on-site educational training for inmates.

One county Criminal Court judge, who helps oversee the probation department, said the allega-

tions were alarming.

"That kind of conduct will not be tolerated by me nor the other judges," District Judge Bill Burdock said. "At this time these are just complaints. But if they are numerous they must be thoroughly investigated."

"You've got me sufficiently interested in it, and if it means convening a meeting of district judges to thoroughly explore this, I think we ought to do that."

The 60,000-square-foot compound with its drill area and obstacle course sits on 10 rural acres off U.S. 287. It includes three programs: the boot camp, a rehabilitation center for substance abusers and a program for other nonviolent inmates and probation violators.

The former employees say one or two boot camp guards struggle to control 120 inmates at a time, herding them from dorm rooms to classrooms in groups or overseeing them during work outdoors. When inmates disobeyed orders, some were thrown against walls or slammed onto floors before being handcuffed

and shackled at the ankles, the former employees say.

Even former drill instructors who said camp management is well-intentioned agreed that there isn't enough supervision to keep inmates from sneaking off for sex in closets and restrooms or during work outdoors.

"It's hard to keep up with people. Everyone's moving around," said Allen Williby, a Cedar Hill police officer who quit his job as drill instructor last year because he said he could not afford to feed his family

on the \$6.97 hourly wage.

Williby said he caught male and female inmates trying to sneak into a cleaning closet to have sex.

"It was right by the control station," Williby said.

Smith, head of the probation department, said his staff allows Esmor to handle most complaints. Esmor and the county declined to release information about the number, nature and source of complaints that they have received.

But Michelle Jacobs, 27, a boot camp inmate; her sister, Donnell Jacobs, 30, of Arlington, who visits her weekly; and former inmate Sharla Prettyman, 28, of Azle, say they have given statements to the district attorney's investigators. At least two former drill instructors say they have complained to the district attorney. One said he was told that the scope of the district attorney's investigation has been expanded.

The American Civil Liberties Union is offering legal counsel to the Jacobs sisters, said Joe Cook of Dallas, northern regional director.

Former drill instructor Travis McCalister, now a carpenter in Buffalo, N.Y., said he complained to state correctional officials and to Gov. Ann Richards' office in May 1992 after working at the boot camp for two months.

"I complained about inmate abuse. I complained about security. I complained about the fire alarms and communications not being up to par," said McCalister, who said he was fired after he complained to Esmor supervisors and refused to take a drug test. "I never heard any more about it."

10

GENERAL ORDERS

1. I will follow ALL ORDERS GIVEN BY STAFF AT ALL TIMES.
2. I will REFRAIN FROM THE USE OF VIOLENCE AND THREATS OF VIOLENCE.
3. I will NOT USE DRUGS AND/OR ALCOHOL.

4. I will TELL THE TRUTH WITH Compassion.
5. I will SPEAK AND ACT WITH GOOD PURPOSE.
6. I will REMAIN ALERT AND PARTICIPATE IN NETWORK AT ALL TIMES.

7. I will ADHERE TO THE NETWORK Group CONTRACT AT ALL TIMES.

8. I will MAINTAIN A POSITIVE ATTITUDE AT ALL TIMES.

9. I will MAINTAIN A MILITARY BEARING AT ALL TIMES.

10. I will REMAIN ALERT AND PARTICIPATE IN SUBSTANCE ABUSE EDUCATION PROGRAM AND RECREATION DURING ALL SESSIONS.

Fort Worth Star-Telegram / BRUCE MAXWELL

A list of rules and regulations is posted on barracks walls of the Mansfield facility.

"We didn't see him for about a month after that, and we assumed he'd been fired," she said. "He had been transferred to another section."

The drill instructor was reassigned to Fischer's group, and other female inmates began threatening Fischer and her friend because of the man's attention, Fischer said.

"It was disgusting," she said. "I think they were getting special privileges, like fingernail polish and cosmetics. I personally don't find anything attractive about someone who's incarcerating me."

Inmate Michelle Jacobs said in a telephone interview last week that a drill instructor asked her to have sex with him in a closet. Prettyman said she gave the district attorney's office a four-page letter that came from a drill instructor and describes sexual acts he said he wanted to perform with her.

Fischer said the harassment continued after Fischer was released. Donnell Jacobs and Fischer say one drill instructor called them at home and asked them for dates.

"He called me before I had been home for 24 hours," said Fischer, who was sent to the boot camp after her probation. "I could not figure out for the life of me how he got my phone number."

Other former inmates and employees said many female inmates are sexually aggressive toward drill instructors, writing letters and seeking favors, such as snacks, books and telephone privileges.

"The girls do it to get what they want," said Kath-e Ott, 35, of Fort Worth, who was in the facility's sub-



Fort Worth Star-Telegram / BRUCE MAXWELL

Sherrill Samples Fischer was surprised at the way she was treated at the boot camp.

stance abuse program last year. "It's not the guard's fault. You get what you ask for. If you're going to tease, you'll get teased back."

The 120 inmates in the boot camp, or "shock incarceration unit," wear blue coveralls. Men receive burr haircuts; women inmates receive shoulder-length haircuts. Uniformed, militarylike guards impose strict discipline, from marching duties to in-your-face confrontations.

The substance abuse program allows its 92 residents to dress in civilian clothes. The 40 prisoners in the

intermediate program are assigned to classes and work detail.

Female and male inmates work, exercise and attend classes alongside each other but sleep in separate dorms at night. Despite strict schedules, inmates found it easy to sneak around guards to meet others for sex, they said.

"The program is not as tight as it's hyped up to be," said Arthur E. Williams, 23, who served time there for possession of a controlled substance.

"I know inmates are having sex with each other," said Williams. "... One of the females would ask



Fort Worth Star-Telegram / BRUCE MAXWELL

Donnell Jacobs talks about the treatment of her sister, Michelle, who is at the boot camp.

the drill instructor if she could go to the bathroom. He would say, 'Yeah,' knowing he was going to pull out one of the male inmates in the hall like he was going to talk to him and let him go."

Williams, another former inmate and at least five former drill instructors said they saw excessive force used to subdue unruly inmates.

Former drill instructor Robert Greer said he saw one of his superiors slam an inmate against a dormitory wall for disobeying.

"He moved some of these beds,

he picked this kid up off the ground, shoved him into one of the lieutenant's offices inside the dorm and started talking to him," said Greer, who now works at a Grand Prairie print company. "All of a sudden I see this kid's feet in the air and his head going down. I saw his head hit the wall and him go down on the ground. I saw the bruise on his head."

Greer was fired in October after county officials said they found no basis for his complaints. Williams and Williby said they witnessed the same incident. Williby, however, said he didn't consider it excessive



Michelle Jacobs: In photo taken before her incarceration

force because the inmate appeared ready to fight.

"I saw [a boot camp administrator] push him in the office," Williby said. "The next thing I heard was, 'Boom, boom, boom, boom!' and he came out in handcuffs. Greer said, 'That's a shame.' I said, 'If we would have done that, we'd be fired.'"

The former employees say the problems stem from mismanagement, low staffing and the integration of female and male inmates.

"In principle, it is an excellent program," said one former drill instructor who spent 21 years with the U.S. Air Force. "If [administrators] would allow us to treat the trainees the way we were trained to treat them, it would be an excellent program."

"I told Ron King [the director] they were setting themselves up for something like that. We'd have to take 120 of them out on public road — when we didn't have adequate staff."

'This is not a whodunit. ... It's more of a whydunit.' — Alan Levy, prosecutor

Defendant's greed is focus of Koslow trial

BY THOMAS KOROSEC
Fort Worth Star-Telegram

FORT WORTH — The decisive moment came when they reached the wooden fence in back of the stately pink-brick home at 4100 Clarke Ave. At least that is what they told police.

Would Jeffrey Dillingham and Brian Salter go forward with the murder-for-hire scheme and its promise of \$500,000 to \$1 million each? Or would other thoughts, perhaps other values, prevail?

A half-hour passed as the 19-year-old high school friends stood outside the home of Caren and Jack Koslow in the early-morning hours of March 12, 1992, Dillingham would later tell a detective.

The socially prominent couple — he a 48-year-old former bank executive, she a 40-year-old patron of the arts and civic causes — lay asleep in a second-floor bedroom.

"I asked Brian on more than one occasion if he was sure if he wanted to do this,"

recalled Dillingham, a former honor student and the only child of a comfortably middle-class, professional couple.

Finally, Dillingham recounted to police, "I jumped over; then he jumped over."

In the next several minutes, the two teens forced open the back door, disarmed the alarm system with a code provided by Caren Koslow's 17-year-old stepdaughter, Kristi Koslow, and ran up to the Koslows'



Jeffrey Dillingham is the first of three defendants to face trial on charges of capital murder and attempted capital murder.

bedroom, he said.

When it was over, Caren Koslow lay dead on the floor, bludgeoned 27 times with a pry bar, her throat slit. Jack Koslow, although stabbed and beaten, survived.

Blood was everywhere — pooled around the victim and splattered on the walls.

There was blood, too, on the pry bar that Dillingham said he turned over the next day to his best friend, Paul Carrillo, now 20, who 11 days later handed it to Fort Worth police.

The day after that, police arrested Dillingham, Salter and Kristi Koslow. Authorities say she masterminded the plan to kill the couple for her inheritance.

Indicted on charges of capital murder and attempted capital murder, they have been held in Tarrant County Jail in lieu of bail ranging from \$350,000 to \$1 million.

Jury selection in Dillingham's trial, the first of the three, is scheduled to begin today in Wichita Falls, where the case was moved because of extensive pretrial publicity. The other two trials have not been scheduled.

Testimony will begin after the exhaustive questioning of prospective jurors, a process expected to run to the last week of July.

"This is not a whodunit," said Alan Levy, Tarrant County's lead criminal prosecutor.

Dillingham's statement in which he describes hitting Caren Koslow in the throat with the metal bar — a blow that forensic experts say killed her — was ruled admissible evidence last week. And there is considerable physical evidence, including two pistols and other items that the two teens said they carried to the



Fort Worth Star-Telegram / RALPH LAUER

In March 1992, a police officer guards the home on Clarke Avenue where Caren Koslow died.

house.

Veteran courthouse attorneys say the chief issue in the trial will probably be whether defense attorneys Jack Strickland and Michael Ware can persuade a jury to give Dillingham a life sentence, or whether prosecutors will succeed in getting the death penalty,

"It's more of a whydunit," Levy said. "How do these three people come together and commit a crime as vicious as this? The psychology of it is fascinating."

To varying degrees, prosecutors are expected to highlight greed as a motive for all three defendants. For Dillingham, it was the only motive, prosecutors say.

In his statement, he said he never met Kristi Koslow before the crime. His only contact with her, Dillingham said, had been through Salter, Kristi's boyfriend and his friend from White Settlement, where the two went to C.F. Brewer High School.

"Brian said it was approved by Kristi that I was supposed to get \$1

million from the deal," Dillingham told Fort Worth police Detective Curt Brannan.

In his statement to police, Salter said Dillingham was "real excited" about carrying through with the plan because he "stood to make a lot of money." Added Salter, "He planned to retire."

Around White Settlement, the western Tarrant County suburb where Dillingham grew up, those close to him have differing views on whether that picture of cold-blooded avarice fits the young man they knew.

"Everybody who knows us, our friends, our family, they say it's inconceivable he'd be involved in a crime, let alone one as horrible as this," said his father, Ray Dillingham, an engineer and supervisor at Lockheed Fort Worth.

The younger Dillingham, who had never been arrested before, had graduated from Brewer while holding a 40-hour-a-week job. He made it into the top fifth of his class and

the National Honor Society his junior year. He had set an August date to marry his high school sweetheart, Cassandra Force.

Every Monday evening during the spring of the Koslow attack, Dillingham and his fiancée went to St. Peter The Apostle Catholic Church for classes — in advance of her converting to Roman Catholicism and premarital religious training, said his mother, Antonette Dillingham.

Even as a teen-ager, "Son," as his father calls him, went along for family dinner night at the Knights of Columbus hall. Living at home, the younger Dillingham moved with the family to Aledo about three years ago.

"When people would talk about trouble with their kids, I thought, 'Well, I've never had to go through that,'" his mother said.

He was the kind of teen who would drive his fiancée's 12-year-old sister to baseball practice, or let her tag along on a date, said Janet Force, who was sewing a matron-of-



Caren Koslow: Was struck 27 times with a metal bar



Jack Koslow: Survived bloody attack in the couple's bedroom

honor dress at her home the day she saw her would-be son-in-law's arrest flash up on television.

"We're pretty picky, and he passed the test," said Ralph Force, Cassandra's father, who along with his wife lost faith in Dillingham after authorities played them a tape of his statement.

From the time he was 16, Dillingham had a job — through his junior and senior years at a Putt Putt miniature golf center near Ridgmar Mall, and after graduation at a Blockbuster Video Store in Arlington. He was working as an assistant manager there the night of his arrest.

He was planning to register the next day for a work-study program in advanced auto mechanics at junior college, his father said.

Matt Quinn, a former manager at Putt Putt who described Dillingham as friendly and outgoing, said the teen-ager was fond of saying he wanted to get a degree, get married and get rich.

The "get rich" part struck Quinn as what any teen-ager might say.

But to Mark Wood, another Putt

Putt manager, Dillingham seemed very much caught up in money and fitting in with the wealthy crowd.

"My impression was his goal in life was money, whatever it took," Wood said. "He talked about money a lot."

Dillingham's friends struck Wood as a bit wild as well.

A low-level manager, Dillingham was let go because of suspicions that he was spending too much time on his car phone, conducting some sort of business on the side, Wood said.

At home, he didn't seem obsessed with money, his father said.

"He had worked out a budget for their marriage," Ray Dillingham recalled. "He would make this much, and she was working. . . . He knew it was going to be tough, but he knew we'd be there to help."

At the Koslow house, the younger Dillingham told police, he expected to find jewelry and several thousand dollars in cash — in addition to his share of the fortune that Kristi Koslow expected to inherit.

He ended up with \$120 he said he took out of Jack Koslow's wallet — and a seat at today's proceedings.

Jury selection starts in Koslow death trial

BY THOMAS KOROSEC
Fort Worth Star-Telegram

WICHITA FALLS — Jury selection began here yesterday in the capital murder trial of Jeffrey Dillingham, accused in the March 1992 bludgeoning attack on Caren Koslow in her home in posh Rivercrest.

Dillingham, 20, of Aledo is on trial for his alleged role in what authorities say is a murder-for-hire scheme orchestrated by Kristi Koslow, 18, the victim's stepdaughter.

Jack Koslow, a former bank executive like his late wife, was injured and knocked unconscious in

the attack but survived.

Addressing the pool of potential jurors who were called to the Wichita County Courthouse, state District Judge Bob Gill made no mention of the plot allegations, but instead described the crime as a slaying committed during a home burglary and robbery of the couple.

Judge rejects request for lower bail for Brosky

A taped deposition of Joshua Hendry, an accomplice in the killing of Donald Thomas of Arlington, will be allowed.

BY JACK DOUGLAS JR.
Fort Worth Star-Telegram

FORT WORTH — State district Judge Bill Burdock refused to lower the \$100,000 bail for convicted murderer Christopher William Brosky yesterday, hurting the white supremacist's chances for freedom while awaiting another trial.

Requesting that his bail be lowered to \$25,000, Brosky told the judge last week that he had received death threats from black inmates in

the Tarrant County Jail.

The 18-year-old received a probation sentence in the June 7, 1991, hate killing of Donald Thomas, a black Arlington resident. After a furor arose over the sentence, new charges of organized crime and conspiracy to commit murder were filed against the teen-ager, who was 16 when Thomas was slain.

Defense attorneys have said that a second trial on the new charges

(More on BROSKY on Page 14)

Brosky

From Page 13

would violate Brosky's constitutional protection against double jeopardy.

Yesterday, Burdock said there was no reason to lower the bail. But he did grant a request from Brosky's attorneys, Ward Casey and Ernie Bates, to videotape a deposition with one of the accomplices in the shooting, Joshua Hendry.

The lawyers have said the taped deposition would be used in the event that Hendry is not available to testify during Brosky's second trial. Hendry has been convicted and is in prison for Thomas' murder.

Chief prosecutor Marvin Collins

said Burdock's order allowing Hendry's deposition to be taped was "an unusual step, but this is an unusual case."

Casey has contended that Hendry's life is in danger in prison and that he may be killed before trial begins. Hendry received a 15-year sentence after agreeing to serve as a prosecution witness in Brosky's trial.

Casey said that *Fort Worth Star-Telegram* columnist Debbie Price helped fuel that danger when she wrote in an April 27 column that Hendry should remain behind bars and added, "It wouldn't be a bad idea to make sure a few of the prisoners know" why.

Price has called Casey's allegations absurd.

Burdock also rejected Casey's assertions, saying yesterday that the

column was "not persuasive" in encouraging violence against Hendry.

The judge said, however, that he was allowing the taped deposition in an "abundance of caution" against the "remote possibility" that Hendry would be unavailable to testify in a trial.

After yesterday's ruling, Casey said that he wasn't surprised that his client's bail was not lowered. "It doesn't tear me up that much," he said.

Brosky likely would not have had enough money to get out of jail even if bail had been lowered to \$25,000, Casey said.

As for the reported jailhouse threats, Casey said his client had been hoping to be freed on his own recognizance so that he could "take his chances on the outside, where he can protect himself."

Changes planned at 'boot camp'

Owner cites allegations at Mansfield facility

By LISA BLACK
AND KRISTIN N. SULLIVAN
Fort Worth Star-Telegram

MANSFIELD — Officials of the private firm that runs the Mansfield prison "boot camp" admitted yesterday that problems exist between female inmates and men at the facility and announced a series of changes to improve the situation.

Russell S. Rau, a vice president of Esmor Inc., a New York-based security firm, said the company decided to announce the changes in response to published accounts of alleged sexual harassment from at least six former inmates and one inmate's sister. Tarrant County District Attorney Tim Curry has said that he is conducting an inquiry into the complaints.

"I think there are steps we can take to better coordinate the female population at the facility," said Rau, Esmor's vice president for special projects. "We're cooperating with the district attorney any way we can. Any problems we have at the facility, we're going to fix them and fix them swiftly."

Rau said the company will create a separate women's barracks and a women-only platoon and begin full-time supervision of female inmates by female supervisors.

But officials in the county's adult probation department cautioned that any Esmor announcement should be considered only a proposal because the department and the county's criminal court judges hold the purse strings at the corrections facility.

"I will take that as a proposal. But we're the contracting authority," said Jim Sinclair, assistant director of the county's community supervision and corrections department.

Esmor officials did not contact Sinclair directly, he said. But three vice presidents, including Rau, flew in from Houston, Austin and Nashville, Tenn., to re-evaluate the Mansfield facility and be accountable to the public, they said.

Former inmates and employees have described the military-style boot camp, formally called the Mansfield Community Corrections Center, as a place where sexual encounters and sexual harassment flourish. Several women complained that they were propositioned by drill instructors. Others said sexual encounters with other inmates were arranged by drill instructors at the minimum-security camp for probationers.

Esmor's proposed changes include:

- Plans to open a separate, 16-bed housing unit for female shock incarceration boot camp inmates by Aug. 31. Only six of the 120 boot camp inmates are women.

(More on CAMP on Page 14)

the county's adult probation division.

"Anyone that is found to have been involved in any [sexual] behavior, yes, there certainly will be disciplines and dismissals," Rau said.

Esmor officials said a couple of employees have resigned amid allegations of sexual misconduct.

The officials would not comment on the allegations of sexual harassment and said they could not respond to complaints that employees physically abused inmates without breaking rules of confidentiality.

Sinclair, however, challenged several of the company's plans, including the announcements relating to a female-only platoon and separate barracks. The probation department will start construction this week on an expansion of the Mansfield

center on what is now a concrete drill pad and basketball court.

"This is not a result of the allegations," Sinclair said. "It could be a housing unit for women, but there are no definite plans yet."

Jury selection begins in

Koslow trial

By THOMAS KOROSK
Fort Worth Star-Telegram

WICHITA FALLS — Attorneys began questioning prospective jurors yesterday in the capital murder trial of Jeffrey Dillingham, accused of the March 1992 slaying of Caren Koslow.

Dillingham, 20, of Aledo, is charged with fatally beating the socially prominent Koslow. Authorities say the attack was engineered by the victim's stepdaughter, Kristi Koslow, 18.

Dillingham, a former honor student at Brewer High School in White Settlement, listened intently as lead prosecutor Alan Levy and defense attorney Jack Strickland took the first prospective juror — a middle-aged medical records librarian from Archer City — through more than an hour of questions.

Levy's queries keyed on the woman's attitude toward the death penalty.

Strickland asked the prospective juror a range of questions, from her attitudes toward crime to whether she could reason calmly in the face of "gruesome and unsettling evidence."

Earlier in the day, 102 potential jurors were added to a pool of 86 who were

brought to court Monday.

The lengthy process of picking the jury for a death penalty case requires individual interviews of prospective jurors. Jury selection is expected to last until late July.

About 70 of the 200 people summoned to the Wichita County Courthouse yesterday did not appear, prompting Strickland to ask state District Judge Bob Gill to order authorities to contact and round up the no-shows.

Gill denied the motion.

"We want to have a fair cross-section of the community," Strickland said. He explained later that he does not believe that the ruling will affect the case.

"If we had just 35 left, then the judge might have been compelled to bring in the people who aren't here," Strickland said. "As it is, we have a good number here."

Questioning of the prospective jurors continues today.

Sheriff's deputy arrests captain in DWI case

By KATHY SANDERS
Fort Worth Star-Telegram

FORT WORTH — Tarrant County Sheriff's Capt. George Campbell, ousted from his chief deputy position when Sheriff David Williams took office earlier this year, was arrested early yesterday for investigation of driving while intoxicated, records and officials said.

Campbell was arrested by a sheriff's deputy near the intersection of State Highway 199 and Hodgkins Road in Lake Worth shortly after midnight and taken to jail, officials said. He was released on a pre-trial bond, officials said.

Chief Deputy of Operations Pat Howell said Campbell was placed on administrative leave with pay within hours of the arrest and will remain on that status until the district attorney's office decides whether to file a charge of driving while intoxicated.

"We haven't heard anything back from them. At this point, the case is at the district attorney's office," Howell said.

If a charge is filed against Campbell, "then it will become an internal investigation," he said.

When asked for details of the incident and arrest, Howell said he didn't know and said officials weren't going to release much information.

Campbell could not be reached for comment.

Campbell was one of three chief deputies from Don Carpenter's administration who were promptly fired and banned from their offices when newly elected Sheriff David Williams was sworn in during a midnight ceremony Jan. 1.

Although forced to rehire acting sheriff Jim Minter, John Pempsell and Campbell, Williams demoted the men to the rank of captain and reduced their salaries.

Campbell is captain over the department's internal affairs division.

Brosky relocated after death threats

BY JACK DOUGLAS JR.
Fort Worth Star-Telegram

FORT WORTH — Convicted murderer Christopher William Brosky has been quietly moved to another county and jailed under a false name and charge because the white supremacist received death threats from black inmates at the Tarrant County Jail.

State District Judge Bill Burdock ordered Brosky relocated after local jail administrators said they could not adequately protect him. The 18-year-old received probation in the hate killing of a black Arlington man, triggering outrage in much of the community.

"I could no longer guarantee his safety in this jail," said Pat Howell, a chief deputy of the Tarrant County Sheriff's Department who directs jail operations. "He was receiving threats on a daily basis. It was defi-

nately racial. He had been spit on," Howell said.

Brosky was never assaulted, "but we certainly thought that was forthcoming," the chief deputy said yesterday.

The Canadian-born teen, a Dallas resident, is serving a 180-day jail term that accompanied his 10 years' probation. He also faces new charges of criminal conspiracy and organized crime in the case.

Officials said that Brosky was booked into the other jail May 27, under a fictitious name and charge: drunken driving. He was placed in an isolated cell and given different visiting hours from other prisoners' to avoid his being recognized, the officials said.

Brosky's lawyer and the district attorney's office supported the transfer.



Brosky: Officials concerned for his safety

Brosky

From Page 1

Since the move, Brosky has twice appeared in a Tarrant County courtroom, including an appearance this week in which Burdock declined to lower his bail from \$100,000 to \$25,000. Each time Brosky returned to Fort Worth, two armed guards escorted him.

Brosky is a one-time member of a skinhead hate group. While he was in the Tarrant County Jail, black inmates expressed their anger at his role in the 1991 slaying of Donald Thomas, 32.

During his time in the Tarrant jail, Brosky was initially placed in a rotation cell by himself and was let out only once every 24 hours to exercise alone in a day room, Howell said. As the threats mounted, Howell said, the teen was taken to a single-cell area, completely removed from other inmates.

Attempts to segregate Brosky from other prisoners proved futile, Howell said. "Other inmates were moving about the jail and they knew where he was at," he said.

The threats created concern that

Brosky could not be protected from "different types of liquids" that could be thrown through the bars, Howell said. "I'm talking about urine. I'm talking about hot water."

Tarrant County Sheriff David Williams said he agreed with moving Brosky because "his presence in

"He was receiving threats on a daily basis. It was definitely racial. He had been spit on."

— Pat Howell
chief deputy, Tarrant County Sheriff's Department

our jail escalated the potential for violence."

The sheriff in the county that now holds Brosky said that his presence has been kept quiet. "I don't know how many of our inmates know who he is. . . . I don't even know that all the jailers know," the lawman said.

He said that Brosky is safer in his smaller jail, which has fewer black prisoners than the Tarrant County Jail.

City, county trying negotiations to resolve Tarrant jail lawsuit

BY STEFANI GAMMAGE KOPENEC
Fort Worth Star-Telegram

FORT WORTH — In an effort to end a long-standing lawsuit filed by Fort Worth when its prisoners were not accepted into an overcrowded county jail, city and county officials have entered into mediation.

The first session was Monday, an all-day meeting with a mediator from Dispute Resolution Services of Tarrant County, officials said.

The legal battle began in 1989 when Fort Worth sued Tarrant County and then-Sheriff Don Carpenter to recover \$2 million that it says it spent to house prisoners not allowed into an overcrowded county jail.

The city filed suit after Carpenter closed the Tarrant County Jail to Fort Worth prisoners despite a contract to hold them. The county jail was closed when Carpenter said the number of prisoners made it unsafe to operate safely and

numbers, said that both sides have withheld certain payments under the contract.

The suit was filed two years before the 13-story Tarrant County Corrections Center opened in September 1991. At the time, the county was housing 3,383 inmates, including 1,132 sentenced felons awaiting transfer to the state prison system.

Today, 4,523 inmates are held in the county's jail facilities, including 2,174 sentenced felons. All Fort Worth prisoners are accepted, said Assistant Jail Administrator Savala Swanson.

When the new downtown lockup opened, among the first prisoners moved into it were some from the "chicken coop." It was the second time the makeshift cells were used. During the 12 months the chicken coop was open before — from December 1988 to November 1989 — 5,000 prisoners were run through it, police said.

the state prison system was not taking enough felons to free county cells.

That left inmates backed up in local jails and forced Fort Worth to hold its prisoners in what was known as the "chicken coop" — makeshift cells in a fenced-in part of the fourth floor at police headquarters — or send them elsewhere.

Assistant City Attorney David Yett said Tuesday that although the case has not been resolved, some progress was made.

Tarrant County Assistant District Attorney Ray Rike declined to discuss specifics of the negotiations.

In the lawsuit, the city says the county failed to meet its obligation to accept and jail all city prisoners and that Carpenter was wrong in closing the jail when certain prisoner counts were reached.

The suit says that Fort Worth had to find and pay for other jail space to house its prisoners, as well as set up the makeshift cells.

Yett, who did not provide specific

Official placed on leave

pending DWI inquiry

Tarrant County sheriff's Capt. George Campbell was arrested by a sheriff's deputy around midnight and taken to jail.

BY KATHY SANDERS
Fort Worth Star-Telegram

FORT WORTH — Tarrant County sheriff's Capt. George Campbell, ousted from his chief deputy position when Sheriff David Williams took office this year, has been placed on administrative leave after his arrest Tuesday for investigation of driving while intoxicated, records and officials said.

Campbell was arrested by a sheriff's deputy near Texas 199 and Hodgkins Road in Lake Worth shortly after midnight and was taken to jail, officials said. He was released on a pretrial bond, officials said.

Chief Deputy of Operations Pat Howell

said Campbell was placed on administrative leave with pay within hours of the arrest and will remain on that status until the district attorney's office decides whether to file a drunken-driving charge.

"We haven't heard anything back from them. At this point, the case is at the district attorney's office," Howell said.

Assistant District Attorney Terri Moore said yesterday, "There's going to be a short investigation before we do anything."

She did not specify how long the investigation will take.

If a charge is filed against Campbell, Howell said, the Sheriff's Department will then begin its own investigation.

Asked for details of the incident and arrest, Howell said that he didn't know and that officials weren't going to release much information.

Williams also declined to provide details.

"All I can tell you about it is, yes, he was arrested by our agency," he said.

Campbell could not be reached for comment.

He was one of three chief deputies from former Sheriff Don Carpenter's administration who were fired and banned from their offices when Williams was sworn in during a midnight ceremony Jan. 1.

Although Williams was forced to rehire acting Chief Deputy Jim Minter, John Pempsell and Campbell, he demoted them to captains and reduced their salaries.

Campbell is captain over the department's internal affairs division.

He acknowledged to a reporter this year that he had been arrested on drunken-driving charges in the past but had never been convicted. His DWI arrest record, he said then, had been expunged.

Staff writer Thomas Koroec contributed to this report.

Offenders kept from boot camp

Judge wants inquiry into sex harassment

By LISA BLACK
Fort Worth Star-Telegram

FORT WORTH — District Judge Bill Burdock said yesterday that he will stop sending offenders to the Mansfield prison 'boot camp' until he is convinced that allegations of sexual harassment and abuse of inmates have been thoroughly investigated and, if warranted, remedied.

Burdock, who met yesterday with executives operating the privately run Mansfield Community Corrections Facility, said he does not believe that the company, Esmor Texas Inc., is adequately addressing complaints about its employees.

Burdock and the other 17 state and county criminal court judges who oversee Tarrant County's Community Supervision and Corrections Department also plan to meet within the next two weeks to discuss the allegations, Burdock said. The department holds Esmor's contract.

"Esmor officials spoke to me in very general terms as to what they saw as problems in the boot camp and, in general, proposed solutions," Burdock said. "But that's not satisfactory to me. I want specific allegations investigated and specific solutions to allegations, if appropriate.

"Until this thing is sorted out and specific things are done or policies are changed and perhaps some personnel, too, I'm not going to send anyone else out there."

Judge Don Leonard, chairman for the judges, said he is not aware of other judges who have declined to send offenders to the boot camp.

About three weeks ago the Tarrant County district attorney's office began an inquiry into allegations that boot camp drill instructors made lewd comments to female inmates and asked the inmates to have sex with them. Since then, more former inmates and former drill instructors at the military-style camp have complained publicly of abuse and mismanagement at the facility, which receives \$2.5 million a year in state and county funding.

Lawyers say DWI arrest of sheriff's captain was a setup

An officer arrested on suspicion of drunk driving is reinstated after authorities say no charges will be filed.

BY KATHY SANDERS
Fort Worth Star-Telegram

FORT WORTH — A Tarrant County sheriff's captain, suspended this week after being arrested on suspicion of drunk driving, was reinstated yesterday after officials were informed that no charges will be filed in the case, authorities said.

But attorneys for George Wendell Campbell, 64, said yesterday that they believe Monday night's arrest by a deputy sheriff was a "setup" by members of Tarrant County Sheriff

David Williams' administration in effort to get rid of Campbell.

Williams did not return phone calls seeking comment yesterday, but his chief deputy dismissed the allegations against Campbell.

Campbell's attorneys said they are asking the Texas Rangers to investigate the incident.

Campbell was one of three chief deputies from former Sheriff Don Carpenter's administration who were fired by Williams shortly after he took office Jan. 1. After media-

tion, the three were rehired at lower ranks and less pay.

"They took and set up an old-time captain and did a poor job of it," said defense attorney and City Councilman Jim Lane. "I think they're still trying to get rid of these three officers."

Leonard Schilling, a lawyer with the Combined Law Enforcement Associations of Texas and a former police officer, said: "This is scary. This is the scariest thing I've seen in 16 years of being a police officer."

Campbell, 64, said his county-issue car, keys and credentials were returned yesterday afternoon and he was ordered to return to work at 7:30 this morning by Chief Deputy of Operations Pat Howell.

Howell said last night that Campbell's attorneys "can allege all they want to allege. We haven't done anything but follow the letter of the law."

Lane contends that a blood-alcohol test taken at Harris Methodist Fort Worth hospital about three

hours after the arrest showed that Campbell's level was .01 percent, far below the .10 percent level at which a person is considered intoxicated under Texas law.

He said the hospital document and test shows that Campbell wasn't intoxicated when he was stopped.

Howell declined to comment on the blood test results, saying he has not seen the test document and knows nothing about it. Once Campbell arrived at the jail, he de-

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Campbell

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clined to take a breath test, he said. Anyone who will not take the test is jailed as a matter of routine, Howell said.

Both sides agreed that Campbell was driving home Monday night from a golf tournament sponsored by County Commissioner J.D. Johnson when he was stopped by Deputy Sheriff Michael Guthrie at the intersection of Texas 199 and Hodgkins Road in Lake Worth.

Campbell subsequently underwent field sobriety tests and was ar-

rested on suspicion of drunk driving by Guthrie about 10:15 p.m., according to documents.

From there, the accounts differ.

In an affidavit filed by Guthrie, the arresting officer said he was contacted over the radio by Lt. Ray Bell about a car that Bell was following. Guthrie said he caught up with the car and stopped it about 10 p.m.

Howell said that Guthrie didn't know who he was following until Campbell got out of his car.

Bell told Guthrie, according to the affidavit, that he had observed the car cross over the white line twice and he believed the driver was intoxicated. Guthrie wrote that Campbell failed three of four field sobriety tests and that he noticed a "slight smell of alcohol" on Camp-

bell's breath after the tests.

At 10:16 p.m., Guthrie said, he arrested Campbell.

Howell said that Campbell admitted on the side of the road "to having had at least four beers," although that is not included in the officer's account of the arrest.

He also said that Bell, who the report says witnessed the car weaving, did not make the traffic stop because his car was not equipped with emergency lights, so he called for a unit that had the lights. "[Bell] had already flashed his headlights at him trying to get him stopped," Howell said.

Lane and Schilling contend that Bell had been following Campbell since the captain left the golf tournament.

"I think they were tailing him and they were going to get him," Lane said yesterday. "A mistake? I don't think so. I think it was a set-up."

Lane also said that a notice of suspension was signed by Lt. Pat Byrnes at 10:10 p.m. — six minutes before Guthrie said that Campbell was arrested.

Howell said he didn't know the exact times. He said he didn't call Byrnes about the suspension until Campbell declined to take the breath test at the jail.

When asked about the possibility of an outside investigation, Howell replied, "When you haven't done anything, there's no need to be worried. But whenever they start talking about the Texas Rangers, like that's going to scare me."

Inmates' complaints put boot camp under pressure

BY KRISTIN N. SULLIVAN
AND LISA BLACK
Fort Worth Star-Telegram

Tarrant County judges wanted the Mansfield Community Corrections Center to be a strict-discipline, military-style boot camp professionally managed by a company skilled in federal prison operations.

But 16 months after its inception, the boot camp is beset by allegations of sexual harassment and slipshod management. A review last week indicates gaps in county evaluation and reporting procedures and disagreements among county officials

about who is responsible for what goes on within the compound's walls.

"We're in a learning process right now," said Judge Wallace Bowman of County Criminal Court No. 4. "We did all we could with people who had experience with the law. We hired a company that looked like it had a lot of experience. I guess we just didn't foresee the problems."

Boot camps have multiplied across Texas in recent years; counties favor them as a cost-efficient
(More on 'CAMP' on Page 22)

means of easing state prison overcrowding and reforming youthful offenders. Studies are under way nationwide to determine whether they are actually effective. But the local question has focused on whether Tarrant County is properly monitoring Esmor Inc., the private firm hired to run the Mansfield boot camp.

Who keeps the books?

A New York-based corrections company, Esmor produces and maintains its own evaluations of the Mansfield center. The reports are shared verbally with the probation department, according to department officials. But in the facility's first 16 months, the probation department has conducted only a single annual audit of the company.

There have been no written monthly reports, such as those regularly filed at a boot camp run by the Travis County Sheriff's Department. Tarrant County probation officials announced this week they will begin conducting quarterly checks of the Mansfield facility.

Officials said that the probation department's annual written audit was given to the county's 18 criminal-court judges. Some judges said they knew enough about the boot camp; one disavowed any responsibility for it.

"It's not our job to go out and run the place. It's not my assignment," said Judge Howard Fender, who presides over County Criminal Court No. 7. "I wasn't elected to do it."

After the complaints

Six weeks have passed since the judges were informed of allegations of sexual misconduct among inmates and drill instructors in the camp, Bowman said. District Attorney Tim Curry has said he is conducting an inquiry into the complaints but has not returned telephone calls about the breadth or nature of his inquiry.

Meanwhile, others are scrambling to avert future sexual harassment complaints.

Sheriff David Williams has offered to run the boot camp with deputies after the Esmor contract expires in August, some judges said. Esmor executives and some judges said they intend to begin strict segregation of men and women at the boot camp.

In September, the adult probation department will move from annual to quarterly audits of Esmor's Mansfield operations, said department director Don Smith.

"Because of these allegations, we want to check ratios of staff, male to female," Smith said. "And if we do it on a quarterly basis, we feel like we can be a little more accountable."

Disturbing reports

Former inmate Vickie Jelynn Wells of North Richland Hills said she was punished for having sex with a male inmate during an off-campus work assignment, even though her drill instructor arranged the encounter.

"You try to cover things, because other people like the drill instructors and because they do favors for you," said Wells, 22. "Now I regret it."

Prisoners may file confidential complaints with Esmor facility director Ron King. Those complaints are discussed in weekly meetings between the on-site probation department manager and Esmor administrators, but Esmor keeps the records. Several former inmates said they filed complaints of sexual harassment with King.

Who sees the complaints?

Disciplinary or incident reports are forwarded to criminal court judges, who may add to an inmate's boot-camp term or revoke probation, Smith said. But evaluations of Esmor's employees rarely filter up to the judges or to the advisory Community Justice Council, he said.

"At the first meeting of the year, typically I've given them a verbal report, a verbal update on how many people were out there, how many were unsuccessful," Smith said. "I would have updated them on graduates, how they were doing."

The policy contrasts with that of Travis County's boot camp, the Convicted Offenders Re-Entry Efforts, or CORE, program. That program debuted in 1988 and is believed to be the oldest county-run boot camp in Texas.

A model camp

At the Austin camp, sheriff's deputies serve as drill instructors for the 96 inmates, said Lt. Lynda Hagan. Six of the current inmates are women, Hagan said.

Hagan's staff, which includes six female drill instructors, sends monthly status reports to sheriff's administrators, county commissioners and criminal-court judges, she said. A similar program in Houston is managed by Harris County sheriff's deputies, officials said.

"Basically, I would say, we're accountable to everyone," Hagan said.

In Tarrant County, however, the state appropriated start-up money for the boot camp for the adult probation department, formally called the Community Supervision and Corrections Department.

To claim the funds, the county was required to form a broad-based Community Justice Council, charged with planning how to spend the state money. The council always includes the sheriff, a county commissioner, a City Council member and a school board member from the county's largest city. Criminal-court judges and the district attorney also serve on the council.

Building the \$5.5 million boot camp compound was part of the council's 1989 plan.

"The intent was to come up with an alternative to probation or sending them straight to [the Texas Department of Corrections,]" said state Sen. Chris Harris, R-Arlington. "This was a way for the county to help with the prison overcrowding problem."

Handing over the reins

Once the plan was in place, responsibility for boot camp operations rolled over to the adult probation department and ultimately to the 18 criminal-court judges who supervise the probation officers, Smith said.

The probation department, which comprises about 340 employees primarily trained to supervise convicts, halfway houses and other residential programs, had never managed a 24-hour prison center, Smith said. So the department sought a private corrections company to manage the boot camp's daily operations.

"Early on in the process, we decided we'd rather stick to the things we knew we could do well: probationer supervision and some counseling," said Nelson Stopiello, the probation department's fiscal officer. "It's useful to have someone come in who has the experience. Using sheriff's deputies was not really discussed as an option."

Looking for experts

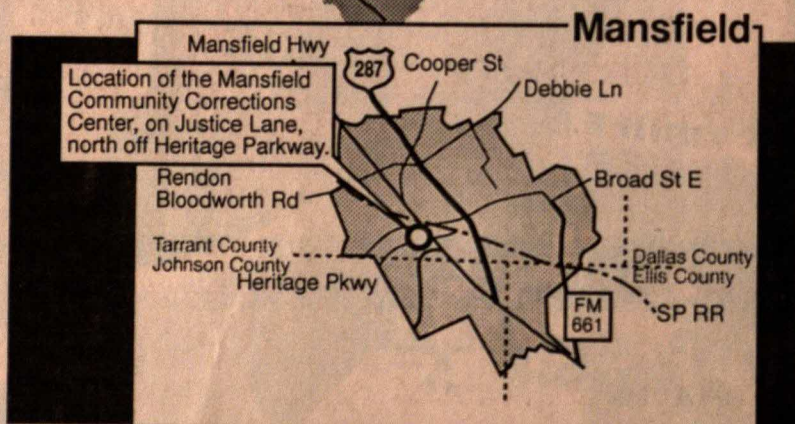
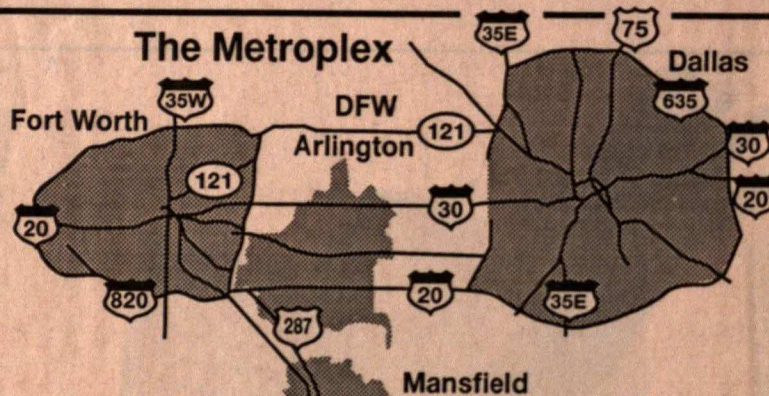
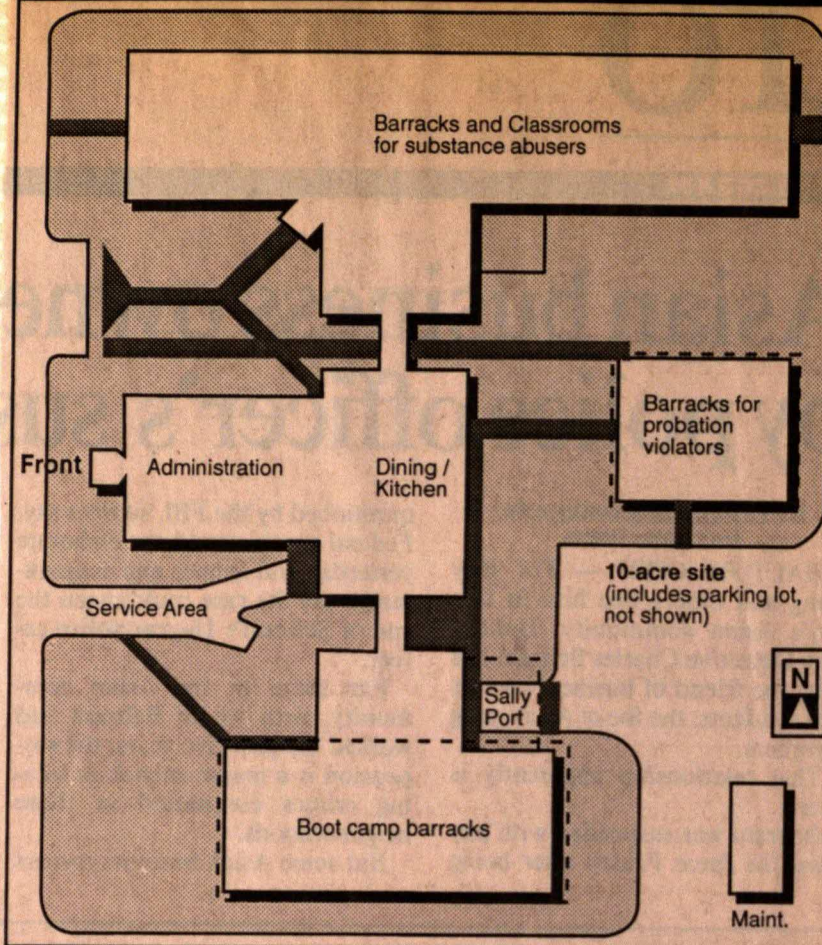
The department and the judges charged with its oversight received two proposals, both from companies that had never run boot camps. Several criminal-justice professors and boot camp authorities said they had never heard of a private firm managing a prison boot camp.

Esmor Inc., of Melville, N.Y., eventually won the bid at an initial price of about \$300,000 monthly. This year, the probation department will pay Esmor about \$2.5 million to supply correctional officers, drill instructors, a nurse and food-service staff at the boot camp.

Esmor officials have said little about their operations in recent weeks, except to promise to assign female supervisors to female inmates at all times and to establish a separate platoon of female inmates.

The company primarily runs federal detainee camps for the Immigration and Naturalization Service in California and Washington and federal prisons in New York.

Mansfield Prison Boot Camp



From Esmor's first proposal in December 1990, the company promised "frequent and regular, as well as unannounced, site inspection by experienced key corporate staff" to make sure that the company upheld its deal with the county probation department.

Fines against state will stand in jail crowding case

By JACKIE KOSZCZUK
Fort Worth Star-Telegram Washington Bureau

WASHINGTON — Rejecting arguments by Gov. Ann Richards that federal courts should stay out of Texas' problems with prison overcrowding, the Supreme Court yesterday let stand lower court rulings that impose steep fines on the state for not accepting convicted felons into the prison system.

Also yesterday, the high court declined to hear a case challenging the constitutionality of the so-called Wright Amendment, a law that imposes flight restrictions at Love Field in Dallas.

The court, without comment, rejected an appeal by Richards and the Texas Department of Criminal Justice. As a result, the state will continue to pay heavy fines for overcrowding at the Harris County Jail in the Houston area, and pressure will mount on Tarrant County and other urban centers suffering from jail overcrowding.

In a case that grew out of problems with packed jails in Houston, the lower federal courts imposed on the state a fine of \$50 a day for every state inmate it does not accept from Harris County once the county jail reaches its capacity of 9,800 prisoners.

The state appealed, saying that the courts had no right to step into a political matter between county and state governments.

"It is not the proper role of federal courts to permanently resolve perceived gridlocks in state government at the expense of those state institutions," the state argued in its appeal to the high court.

Tarrant County Administrator G.K. Maenius said that Texas will have to assign the highest priority to moving criminals out of Harris County and into the state prison system to avoid costly penalties. That will only worsen the backlog of criminals awaiting transfers in Tarrant County and other overflowing urban jails.

The Tarrant County jail currently has 4,500 inmates, nearly half of

them felons awaiting transfer to state prisons. Every night, 600 to 700 inmates sleep on the floor, Maenius said.

In the case involving Love Field, the Supreme Court, without comment, declined to hear an appeal by fed-up frequent flier Buddy Cramer, who lost lower court challenges to the Wright Amendment.

The law, named after former House Speaker Jim Wright of Fort Worth, allows service from Love Field only to Texas and four neighboring states — Louisiana, Oklahoma, Arkansas and New Mexico — as a way of encouraging use of Dallas/Fort Worth Airport.

Lawyers keep seeking Dillingham jurors

Attorneys continued questioning prospective jurors in Wichita Falls yesterday in the capital murder trial of Jeffrey Dillingham, accused of the March 1992 slaying of Caren Koslow.

Dillingham, 20, of Aledo is on trial after being implicated in what authorities say was a murder-for-hire scheme orchestrated by Kristi Koslow, 18, the victim's stepdaughter.

Caren Koslow's husband, former bank executive Jack Koslow, was injured and knocked unconscious in the attack but survived.

In the tedious capital murder jury selection that began last week, prosecutors and defense attorneys had picked four people through yesterday for a pool from which the 12-member jury will eventually be selected.

State to investigate boot camp management

BY LISA BLACK
Fort Worth Star-Telegram

The Texas Department of Criminal Justice will conduct a management audit of the Mansfield prison boot camp, which is already the subject of a district attorney's inquiry because of allegations of sexual harassment and abuse of inmates, an official with the state agency said yesterday.

Dick Lewis, a spokesman for the Criminal Justice Department, said the Tarrant County probation department asked his office to examine the boot camp's operations and programs.

"The audit had not begun yet," said Lewis, who said he expects

state staff members to visit the Mansfield Community Corrections Facility within two weeks.

"One of the first things we do, especially in the circumstance where you have a local department making a request, is we usually meet with the director of that department to see if there is any specific interest," Lewis said from his Austin office.

"Obviously, there usually is something that caused them to seek our assistance, and we want to make sure that audit covers those areas."

The Criminal Justice Department allocates almost all the boot camp's \$3.5 million annual
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Camp

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budget through its criminal justice assistance division, and controls most of the money funneling into the county's adult probation department.

Criminal Justice Department audits usually take at least three to six weeks, he said.

The Tarrant County district attorney's office began an inquiry into the boot camp at least a month ago after receiving complaints that drill instructors at the privately run military-style facility were sexually harassing female inmates.

Since then, at least 15 former inmates and employees have alleged that inmates and drill instructors were having sex on the site and during work detail off boot camp property. Others have complained that the drill instructors physically

abused them.

The district attorney's office has said that the inquiry will take at least three more weeks to complete.

The probation department, formally called the Community Supervision and Corrections Department, oversees the boot camp's educational programs. Esmor Inc. receives \$2.5 million annually to handle daily operations and provide security and the drill instructors.

"We want an independent factfinder to find out what the facts are," said District Judge Daryl Coffey, who serves on the county probation committee, which met yesterday. The five-judge panel oversees the probation department.

"The probation committee does not micromanage the probation department. However, we want to know if something is running foul or amok or if an oppressive atmosphere exists," Coffey said.

The other 13 of Tarrant County's 18 criminal court judges will meet tomorrow afternoon in a closed session to review the allegations, Dis-

trict Judge Don Leonard said.

Since the allegations surfaced, Esmor officials have begun segregating male and female inmates and have assigned female employees to oversee the female inmates.

During the weekend, Esmor officials placed the boot camp's second-highest administrator on leave and fired a drill instructor for making "discriminatory remarks" to women.

Esmor officials did not return phone calls yesterday and did not explain why the administrator, Lance Fauria, is on leave.

Fauria declined to comment yesterday but said he is still employed by Esmor.

Meanwhile, one observer ques-

tioned why the district attorney's office is investigating the boot camp, because the office is part of the county criminal justice system that hired Esmor.

Joe Cook, the northern regional director for the American Civil Liberties Union based in Dallas, has retained two attorneys to provide legal counsel for three women who allege that they were sexually harassed at the facility.

"I question the district attorney's objectivity in this since he's part and parcel in all this," Cook said. "Why don't we get an impartial entity to investigate all this? I would call a special investigator outside the county or district attorney's office."

Complaints prompt suspension of third supervisor at boot camp

By KRISTIN N. SULLIVAN
Fort Worth Star-Telegram

Officials at the privately managed Mansfield prison boot camp have suspended a third supervisor, a 24-year-old drill instructor accused of sexually harassing at least three female inmates.

Romalice Brumfield Jr. of Fort Worth was suspended Monday in connection with allegations that he propositioned and made lewd comments to trainees, said Jim Sinclair, assistant director of the county's

adult probation department.

"The only information we got was that he had been placed on administrative leave. That was it," Sinclair said. The Community Supervision and Corrections Department will pay Esmor Inc., a New York security firm, about \$2.5 million this year for managing the camp.

Sinclair's remarks came yesterday in response to reports from inmates' relatives that Esmor had taken action against a third supervisor. Another drill instructor was

fired during the weekend, and the camp commander has been placed on leave, officials said.

Esmor officials would not comment on Brumfield's suspension. They said in a brief statement issued via fax that they were "anxious to respond" to any questions but had been advised against doing so pending the end of District Attorney Tim Curry's inquiry into allegations of sexual harassment and mismanagement at the camp. Curry has said

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that his inquiry could continue for three weeks.

"On the deal with Brumfield," Sinclair said, "he was going to be suspended due to the serious nature of allegations against him." Sinclair said Esmor officials did not say how long Brumfield would be suspended.

During the weekend, Esmor officials fired Joe Wethington, a drill instructor who was also accused of sexual harassment, and placed the boot camp commander, Maj. Lance Fauria, on leave. Fauria has been accused by at least four former drill instructors of using excessive force to control inmates.

Receptionists answering the boot camp's switchboard yesterday said company officials were either in meetings or out of the building throughout the day.

Brumfield did not return telephone messages left with his father.

Some former inmates have described Brumfield as a tough drill instructor with a military background who encouraged his trainees through strict discipline.

"Brumfield, he didn't try to touch you. He did his best to help," said a

21-year-old Fort Worth woman who was released from the boot camp in April. The woman asked to remain anonymous. "He taught me to march, anger management, people skills — more or less to be polite to your elders," she said.

But three other women named Brumfield as one of the primary instigators of sexual harassment in the military-style, minimum-security prison for youthful offenders.

"He called me into the lieutenant's

"... He was going to be suspended due to the serious nature of allegations against him."

— Jim Sinclair
probation department official

ant's office one day and told me he was having problems with his girlfriend and he was depressed," said Sharla Jean Prettyman, 28, who was released from the program this month. "Then he just came right out and asked if I was [sexually aroused]."

Prettyman said that Brumfield also touched her breasts and buttocks during the conversation and then asked her whether she wanted to have sex with him in a nearby bathroom.

Michelle Jacobs, 27, a boot camp inmate, also has said she was propositioned by Brumfield.

Another former inmate, a 22-year-old North Richland Hills woman who completed the program in November, said district attorneys have asked her to serve as a state's witness against Brumfield if the inquiry is forwarded to a grand jury.

The woman said that Brumfield arranged for her and her boyfriend, himself and another female inmate to have sex in a county-owned van during an off-campus work assignment.

"It's a good program and everything," the woman said. "It's just some things went on that shouldn't have happened."

State District Judge Everett Young, chairman of the committee that supervises the probation department, would not say whether Brumfield's suspension was discussed at a committee meeting of the judges yesterday.

"His name has come up quite a few times," Young said. "But I'm not really at liberty at this point to discuss that."

Criminal District Court Judge Don Leonard, chairman over the 18 criminal court judges of Tarrant County, said he was not aware of Brumfield's suspension. The panel of judges is scheduled to meet today to discuss the status of the Mansfield center.

Campbell asks for an inquiry

3 sheriff's employees detail captain's arrest

BY JERICLAUSING
Fort Worth Star-Telegram

FORT WORTH— Affidavits from three sheriff's employees involved in the June 14 arrest of sheriff's Capt. George Campbell say Campbell didn't appear drunk and one officer says he arrested Campbell for fear he would be fired if he didn't carry out orders from a superior.

Campbell and his attorneys, Jim Lane and Leonard Schilling, say the arrest was a setup intended to get Campbell out of the department. Lane and Schilling called on Sheriff David Williams yesterday to suspend top administrators and launch an independent investigation of the matter.

Deputy Michael Brian Guthrie, in his affidavit, said he took Campbell to the station for booking on suspicion of drunken driving because he knew his superior, Lt. Ray Bell, "was intent on arresting Captain Campbell."

"I knew that I would be charged with insubordination and possibly terminated if I refused to follow his instructions," Guthrie said in the sworn statement.

But Williams said last night that Guthrie's job wouldn't have been threatened if he hadn't arrested Campbell and that there was no set-up.

"If he [Campbell] had been perceiving that, he should have come and told me that and we would have addressed that," Williams said of the set-up allegation.

Campbell, 64, was suspended after his arrest, but he was reinstated the next day when authorities declined to file a charge of driving while intoxicated against him. Williams said he had no problems with the way the arrest was handled.

However, Schilling, who is a lawyer for the Combined Law Enforcement Association of

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Deputy

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Texas, called on Williams to deactivate Lt. Ray Bell; Pat Howell, deputy chief of operations, and any other officers involved in the arrest who have not come forward with statements about the events that night.

"It our understanding that Lt. Bell was in constant telephone contact with Pat Howell . . . and your administrative assistant, Ed Max, before, during and after Captain Campbell's arrest," the letter from Campbell's attorneys said. Williams said that Ed Max, who helped with his campaign, is not his administrative assistant.

Guthrie, 24, said in his affidavit that Bell had been monitoring the Lake Country Country Club in northwest Tarrant County where Campbell was playing golf for three hours before the arrest.

Bell followed Campbell when he left, and about 9:50 p.m. he called Guthrie and told him to pull over Campbell's car because it had been weaving, Guthrie said.

Guthrie apprehended Campbell at Texas 199 and Hodgkins Road in Lake Worth.

Guthrie, in his affidavit, said, "Captain Campbell stated, 'Deputy, what's the trouble, why did you stop me.' I replied, 'Captain, I have no idea. Lt. Bell told me to.'"

Bell then arrived and asked Campbell if he had been drinking and Campbell said he had four beers in five hours and that he also ate dinner. Campbell was then given several field sobriety tests, some of which he passed and some of which he had problems with, Guthrie said.

"It is my opinion that Captain Campbell could not satisfactorily complete these tests due to his health, age and weight and not because of being under the influence of alcohol," Guthrie said in the affidavit.

Williams said last night that he was unaware of allegations from Campbell's side that Bell had been following Campbell in hopes of arresting him and getting him suspended.

Williams said, "If that's what he [Campbell] perceived, he should have come to me and told me that's what he felt or perceived. Then we could have addressed that."

Campbell was one of three top officers whom Williams demoted when he took office in January.

The attorneys asked Williams in a letter yesterday to respond within 10 days and suspend his top administrators. They said they would otherwise call in the Texas Rangers and the FBI to investigate what they claim are criminal and civil violations.

About the written request, Williams said, "I've seen some things in the document that don't quite add up. But because we're looking at pending litigation, I'm obviously going to have to go my attorney, which is [District Attorney] Tim Curry, and see what the appropriate response would be, because we're looking at allegations of civil service violations, and if that's the case I've got to talk to my lawyer.

"We're going to respond within the 10 day time frame," he said.

William E. Sultz, 28, who fingerprinted Campbell after his arrest, said in his affidavit that Campbell was sober and "had correctly placed his prints on the fingerprint cards and had done so quite well." He said

he "did not smell the odor of an alcoholic beverage on or about Captain Campbell's breath..."

Desk Sgt. Kevin Grannan, 32, said in his affidavit, "I cannot recall in my 12 years of experience working in the jail anyone being booked into jail for DWI as sober as Captain Campbell was."

Campbell was officially arrested at 10:15 p.m., but orders calling for his suspension and an internal affairs investigation were signed six minutes before that by Lt. Pat Bynres, county records show.

Williams said last night, "If Captain Campbell was so certain he wasn't intoxicated, I have to question why he didn't take the Intoxilizer [breath] test when he knew what the consequences would be."

Lane took Campbell after his release to Harris Methodist Hospital for a blood-alcohol test.

That test, according to a document Lane released yesterday, showed Campbell's blood alcohol level was .01. To be legally intoxicated in Texas, a suspect must have at least .10 percent blood alcohol content.

Williams said yesterday that he hadn't seen that test document, adding, "I'm going to have to look at all that. I don't have enough personal knowledge of how to verify documents and verify the authenticity of them."

About the possibility of a setup, Schilling said, "I want to know if David Williams knew about it. If he did, I guess he was part of it. If he didn't . . . that shows his department is completely out of control."

Staff writer Amy Keen contributed to this report.

Jail task force to study options for overcrowding

BY STAN JONES
Fort Worth Star-Telegram

FORT WORTH — Intensifying efforts to reduce Tarrant County's court backlog and ease jail overcrowding have prompted formation of a criminal justice task force to study alternatives to jail time for certain lawbreakers.

The task force, which held a closed organizational meeting yesterday, is studying ways to lower a jail population that is almost 600 inmates over capacity, according to its organizer, County Administrator G.K. Maenius.

The summer months exacerbate the problem, he said, fraying tempers of inmates and their custodians alike.

"As summer comes on, the heat magnifies the problem with our overcrowding," Maenius said. The county jail population had swollen to 4,515 as of Wednesday, including 2,122 convicted felons awaiting transfer to the Texas prison system. There are beds for only 3,920 of those prisoners.

State District Judge Don Leonard, a task force member, said that several proposals were discussed yesterday, but he was not convinced any will provide dramatic relief for the overcrowding.

"I'm not optimistic," Leonard said. "It's just going to be a few [inmates] here and a few there."

Among options being considered:

- Increasing the number of people who are released to their homes with electronic moni-

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Jail

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toring devices attached that notify authorities of their whereabouts. About 88 people are currently monitored, Leonard said, and the task force is considering doubling that number.

- Increasing pretrial release for defendants charged with lesser crimes.

- Constructing makeshift jail facilities to provide additional beds.

Maenius said that formation of the task force was prompted, in part, by *Fort Worth Star-Telegram* reports in April showing that Tarrant County's criminal justice system is the most backlogged in Texas, with some inmates waiting two to three years in jail before

trial.

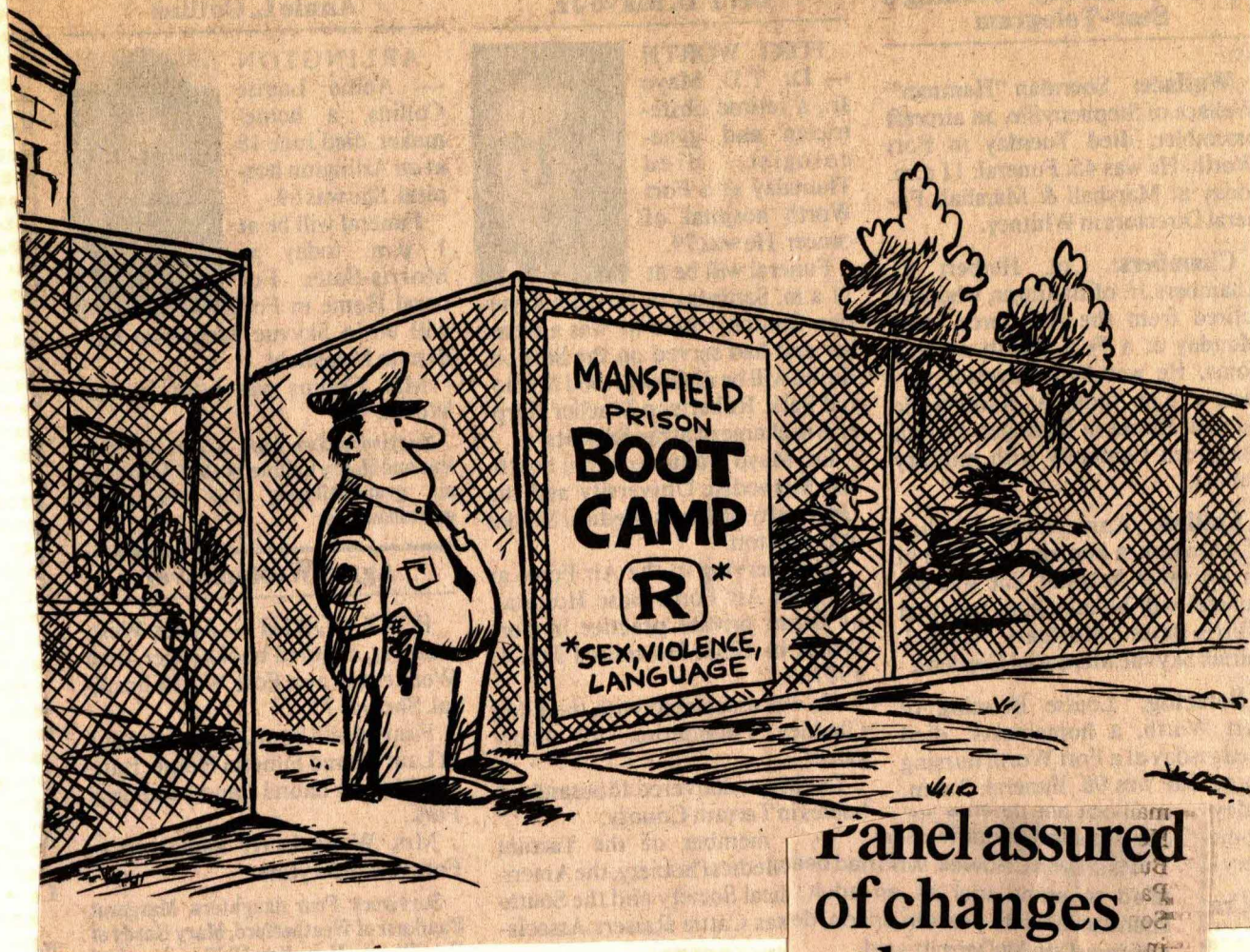
He said the task force is just one of several efforts to combat the backlog.

Leonard, meanwhile, has asked county commissioners for extra funds to hire a public defender in his courtroom.

Leonard wants to hire an attorney at an annual salary of \$40,000, which is \$8,000 a year more than county guidelines allow. Each felony judge is allowed to hire one public defender, but only Judge Bill Burdock has one.

Leonard said he hopes that a public defender can speed processing of people charged with lesser crimes who are eligible for probation or alternative sentencing.

"I want to have a lawyer more available," Leonard said. "Why wait two [court] settings to do something we can do immediately? It's senseless to leave people sitting in jail if there's an alternative."



Panel assured of changes at boot camp

Fort Worth Star-Telegram

FORT WORTH — Tarrant County criminal court judges, during a closed meeting yesterday with officials who run the Mansfield prison boot camp, reviewed allegations of sexual harassment and physical abuse at the facility and said they were assured that steps are being taken to remedy problems.

The judges declined to discuss specifics but handed out a news release after the two-hour meeting which repeats that actions are being taken at the Mansfield Community Corrections Facility. The district attorney's office is conducting an inquiry into the allegations.

"We've been assured some changes will be made, but it's premature to say what they will be," said District Judge Bill Burdock. "I think all the judges believe it's basically a good program, but there may be some problems with procedures and personnel. . . . We're going to be watching very closely from now on."

Tarrant prosecutors try to rack up prison terms for suspects

BY THOMAS KOROSEK
Fort Worth Star-Telegram

FORT WORTH — Tarrant County prosecutors are attempting this summer to heap so much prison time on two Fort Worth men accused of a brutal 1990 crime spree that the pair could not be freed until they are, in one attorney's words, "doddering old" men.

David Aaron Hernandez, 39, is scheduled to go to trial Monday on kidnapping and robbery charges stemming from the abduction and

killing of optical-store clerk Cruz Torrez, 41, in November 1990.

It will be the fourth of five trials scheduled for Hernandez and his cousin, Servando Pachecano Jr., 27, who was convicted in November of murdering Torrez.

Prosecutors say the exercise is necessary because Texas law permits violent offenders to be released from life sentences in as little as 15 years.

"This is the only way we can make sure they will serve a substantial

amount of time," said Assistant Tarrant County District Attorney Mike Parrish.

In Pachecano's murder trial, the state pushed unsuccessfully for a capital murder conviction and the death penalty. Instead, Tarrant County jurors convicted him of murder because they found he did not intend to kill Torrez. He was given life in prison, the maximum sentence for that conviction.

Including the attack on Torrez, Pachecano and Hernandez were in-

dicted on charges alleging attacks on six women and one man, most over a 17-day period.

The two were arrested in December 1990 in Clarendon, Ark., and have been jailed since.

This month, Pachecano and Hernandez were tried separately in Galveston on charges of sexually assaulting a second optical-store clerk abducted in the November 1990 incident in which Torrez was killed.

In a four-day trial, moved from Fort Worth at the defense's request,

a jury found Pachecano guilty and gave him his second life sentence.

Hernandez pleaded guilty. A jury assessed a 99-year sentence.

"I've caught on to what they're trying to do," Hernandez's attorney, Wes Ball, said facetiously. "They want to make sure that if he walks on free soil again, it will be as a doddering old man."

Parrish said that if Hernandez is found guilty in his second trial in Galveston, he will ask state District

(More on PRISON on Page 21)

Two Fort Worth men face a series of trials in a 1990 crime spree that could put them away for 30 to 45 years.

From Page 19

Judge Everett Young to order the second sentence stacked on the first.

Hernandez would then have to finish his 99-year sentence before he could begin serving the sentences from the second trial. Under Texas law, Hernandez would have to serve 15 of the 99 years before he is eligible for parole.

A sentence of 60 years or more in the second trial would require him to serve another 15 years before parole officials could consider his release, Parrish said. Counting his accrued jail time, that would make him at least 67 years old before his first chance at freedom.

"Because they're extremely dangerous individuals who prey on women of any race, any age, anywhere they find them alone or vulnerable, our position is we need to keep them off the streets," Parrish said.

Pachecano is scheduled to face a third trial in late August on charges stemming from the kidnapping and

sexual assault of a 27-year-old woman who was pulled off her bicycle in west Fort Worth and dragged into a car, authorities said.

Young has already stacked the former parolee's two life sentences, meaning he must serve a minimum of 30 years. A third life sentence would require him to serve at least 45 years — making him 69 years old at his earliest parole date.

Although prosecutors dropped 15 of the 26 indictments against the two men this week, Parrish said that enough charges remain that each could be taken to trial several more times after the current series of trials.

"Weaker cases" were dropped to clear court dockets, Parrish said.

Attorneys pointed out that the costly and time-consuming serial prosecution would not be necessary if Texas' new criminal code were in place at the time of pair's crime spree.

Under the new code, which goes into effect Sept. 1, 1994, violent offenders will be required to serve at least half their sentences. Defendants assessed life sentences will be imprisoned for a minimum of 30 years.

Rangers reject captain's DWI arrest inquiry

Official says he erred in report

BY STEFANI GAMMAGE KOPENEC
Fort Worth Star-Telegram

FORT WORTH — The Texas Rangers have turned down a request to investigate the DWI arrest of a Tarrant County Sheriff's Department captain, Sheriff David Williams said yesterday.

Meanwhile, a department official investigating allegations of a setup involving the arrest of Capt. George Campbell said a clerical error was blamed for a report entry suggesting that Campbell was suspended six minutes before his arrest.

Campbell was officially arrested at 10:16 p.m. June 14, but an order signed by Lt. Pat Byrnes of internal affairs calling for the 64-year-old captain's suspension was signed

"10:10 p.m." Campbell's lawyers cited the time discrepancy, along with other claims, as evidence that the arrest was a setup.

Chief Deputy Hank Pope said that Byrnes told him the time of the entry should have been an hour later. Byrnes said he entered the intoxilyzer room sometime after 10:40 p.m. and that he signed the report there.

Campbell also signed the report. The time by his signature is "2319 hours," or 11:19 p.m.

Pope said he now has no reason to doubt Byrnes and added that he himself has erred in times and dates on reports.

Campbell's attorney, Jim Lane,
(More on ERROR on Page 23)

responded to Byrnes' claim, saying: "That would be the excuse I would use."

Lane said professional officers are trained not to make that kind of mistake. "All I'm doing is using their official records," he said. "We didn't generate those; they did."

Lane has said he would ask the FBI and the Texas Rangers to investigate if he is not satisfied with the department's handling of the matter.

An attorney hired by Chief Deputy Pat Howell and Lt. Ray Bell, who have come under fire from Campbell's attorneys, said yesterday that the arrest was legitimate and included probable cause.

"It's obviously not a setup deal," said attorney Michael Ware, citing reports and affidavits of the arrest.

Campbell, who authorities said told arresting officers that he drank four beers in five hours while attending a social function, was arrested June 14 but reinstated three

days later when authorities declined to charge him with driving while intoxicated.

Campbell failed three of four field sobriety tests and refused to take a breath test at the jail, Sheriff's Department officials said. However, in affidavits after the arrest, three sheriff's deputies involved in the arrest said that Campbell didn't appear to be drunk. One deputy said he believes that Campbell failed the sobriety tests because of his age and health and not because he was intoxicated.

Williams said he has made an initial investigation into allegations by Campbell's attorneys and "find most of these allegations to be untrue and without substance."

The sheriff said he asked the Texas Rangers to look into the matter yesterday, but they refused.

Williams said that Pope talked to Rangers Capt. David Burn, who told him "the matter would be considered an internal investigation and that the Texas Rangers don't conduct internal investigations for other agencies."

Rangers officials could not be reached for comment late yesterday.

Policeman fatally shot while walking in park

By FRANK PERKINS
Fort Worth Star-Telegram

FORT WORTH — An off-duty detective was shot in the chest while strolling in an east side park with his girlfriend late Saturday, but managed to fire five rounds at three fleeing assailants as he lay mortally wounded, police said yesterday.

Detective Cpl. Donald James Manning, 28, a six-year veteran of the force, was taken by helicopter to Harris Methodist Fort Worth hospital, where he died at 1:35 a.m. yesterday, about two hours after the shooting. The girlfriend, whose identity was not released, was unharmed.

No arrests have been made, investigators said yesterday.

The dead officer's older brother, Fort Worth Police Officers Association President David Manning, 37, said investigating officers told him that the couple were confronted by

three men who made a hostile comment. The woman told detectives that she couldn't make out the comment, a police report said.

Afterward, the men climbed into a nearby automobile, drove a short distance, then got out of the car and approached the pair on foot, the report quoted her as saying.

The incident occurred about 11:30 p.m. as the detective walked

with his date along the west shore of Oakland Lake Park near the park pavilion.

One of the men pulled a pistol, the police report said. When Manning drew his duty automatic pistol, keeping it hidden behind his right leg, the man told him to show his hand. He also ordered the woman to step out of the shadows, which she did.

"Donny pretty well knew something was going down, so he reached back for his gun in the back waistband of his trousers and told the girl to run for cover," said David Manning, quoting one of the investigators.

The report said the assailant fired his weapon and Manning returned fire, yelled and fell to the ground.

"Apparently one of the three said: 'What have you got on your back? Show me that hand behind your

(More on MANNING on Page 2)

back,' and then a shot was fired, hitting Donny dead-center in the chest and exiting out his back after passing through a kidney," David Manning said. "As he fell, he drew his 9mm service automatic and fired off at least five shots."

The men then drove off and the woman quickly made her way to Manning's side, saw that he was hit, then ran across the park to a private home in the 1600 block of Lake Shore Drive, the report states. A call from the house summoned police, said Lt. Ralph Swearingin, the department's spokesman.

Manning said his brother was a crack shot with his service pistol.

"I'd bet my last dollar he hit somebody, even as badly wounded as he was," David Manning said. "I just think it is spectacular that he was able to get those shots off."

Police Chief Thomas J. Windham said the slain detective will be posthumously honored for his actions.

"Knowing him as I do, I wouldn't have expected Donny to do anything else but step up to the line and do what had to be done," Windham said. "You can be assured that he will receive appropriate awards for his valor."

There is no indication that Manning wounded any of the attackers, he said. "At this time, we just don't know if he hit anyone," Windham said.

Police investigated a man who showed up with a gunshot wound at a nearby 7-Eleven convenience store shortly after the incident. Yesterday, Swearingin said the possibility that he had a role in the park shooting has been ruled out.



Donald Manning: Six-year police veteran died Sunday

Swearingin said that investigators are convinced that other people were in the park at the time the couple were attacked and may have witnessed the shooting.

"We're asking for anyone who might have seen it to come forward," Swearingin said.

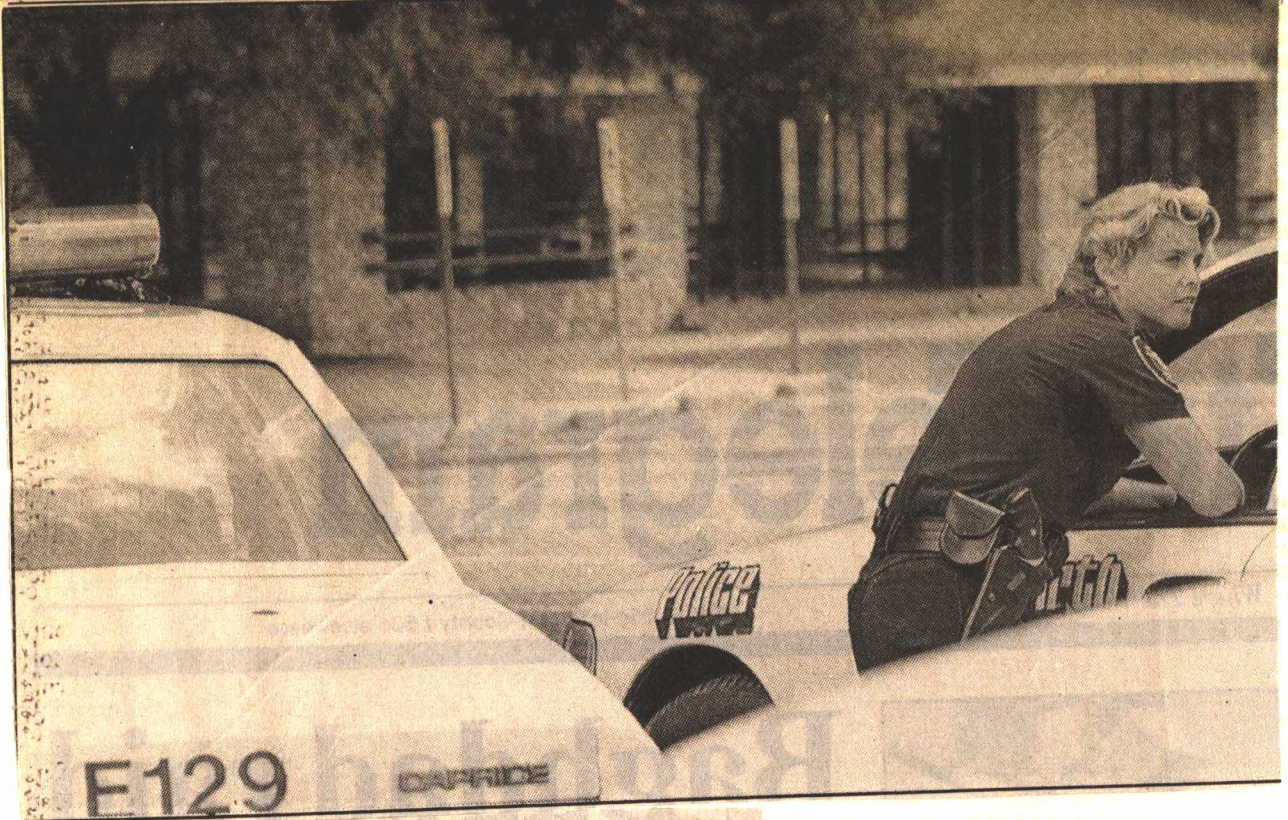
Windham said that Manning is the first of his officers to be felled by gunfire since he took the chief's job almost eight years ago. Three others have died in motor accidents or after being struck by other motorists.

"He was an outstanding young man who could bring light to the darkest of night," Windham said. "He had an outgoing personality and was loved by everyone in the department."

His older brother remembered him as a younger brother fascinated by his elder sibling's entrance into the Fort Worth Police Academy.

"I guess I was a pretty great influence on him," Manning said yesterday, fighting back tears. "I told him to go to college and get his required hours and then join the force, and that's what he did."

Off-duty officer fired five times at fleeing assailants



Police officer K.B. Westfall stands guard at the park where

Donald Manning was fatally shot Saturday night.

"In fact, when he was promoted to detective, he outranked me and used to joke with me that one day I'd be working for him."

Manning said his younger brother, who was divorced, was a detective in the auto theft division downtown, a relatively less dangerous job than his with the gang intelligence unit.

"My mother said that she always expected a phone call saying I had been hurt because the gangs were so much more dangerous than Donny's unit," he said.

The two grew up in East Fort Worth with their parents, three other brothers and one sister. Both graduated from Eastern Hills High School.

"In fact, when my parents moved to Granbury, Donny bought their house, the old home place," Manning said.

They also were members of the police association together.

"He was elected to the POA board this year," Manning recalled. "He was really excited about that and the chance of exerting leadership in that group."

Police Chaplain Sgt. Roland T. "Terry" Constant said the death devastated officers in the East Division because Manning was popular.

"At the station house last [Saturday] night, the officers would come up to me in the hall and express their anger and sorrow," Constant said. "At one time, [peer counselor] Jerry Houck had four or five officers in a

group, trying to deal with Donny's death."

Constant said the surviving officers' first reaction is anger.

"They say they hate the perpetrators and hope they can catch them and put them in jail," Constant said. "The next feeling is an awareness that the badge does not put out a force field that is all-protecting, as they sometimes believe."

Former Fort Worth Mayor Bob Bolen, who got to know Donald Manning after his brother David became Bolen's son-in-law, said, "Donny's death is a real tragedy."

Bolen described him as an outgoing person who enjoyed sports. "Donny was not quite as serious as David; he was more mischievous and loved playing golf and water-skiing."

A full-dress police funeral for the slain officer will be held at 12:30 p.m. tomorrow at Greenwood Chapel, with burial to follow in Greenwood Cemetery.

He is survived by his parents, Laurence and Teresa Manning of Granbury; four brothers, Michael William Manning of Granbury, and David Manning, William Manning and John Manning of Fort Worth; one sister, Kathy Farrelly of Granbury; and a grandmother, Katherine Bock of Fort Worth.

Boot camp facility gets interim overseer

BY LISA BLACK
Fort Worth Star-Telegram

The Tarrant County probation department has named an interim on-site manager to oversee the prison boot camp in Mansfield while the district attorney's office continues a criminal investigation into allegations of sexual harassment at the facility, officials said yesterday.

Kathy Green, a quality-control coordinator for the probation department, will replace on-site director Sheri Short for an unspecified amount of time, said Jim Sinclair, assistant director for the de-

partment.

Short and Larry Crockett, a on-site supervisor, were transferred from the boot camp to the department's main Fort Worth office last week to avoid any appearance of impropriety during the investigation, officials said. Neither has been implicated in any wrongdoing, they said.

"She [Green] will be responsible for day-to-day operations," Sinclair said. "I'm not sure for how long."

No one has been assigned to replace Crockett, he said.

The probation department, for-

mally called the Community Supervision and Corrections Department, reports to the criminal court judges and is responsible for overseeing the private firm that operates the boot camp.

Thirty-one county probation officers, counselors and staff members work at the facility. New York-based Esmor Inc. oversees boot camp operations and provides security and drill instructors for military-style programs.

Sinclair said the probation department is not conducting an internal investigation into its employees at the boot camp.

"We turned whatever information we've got to the district attorney's office," Sinclair said.

The Tarrant County district attorney's office began a criminal investigation of the boot camp more than a month ago after inmates complained of sexual harassment at the facility. Since then, former employees also have alleged physical abuse of inmates and mismanagement of staff.

The county's 18 criminal court judges will meet in three weeks to discuss the status of the investigation, Judge Sharen Wilson said.

ACLU files suit over jail 'God Pod'

Says group discriminates against non-Christians

BY JACK DOUGLAS JR.
Fort Worth Star-Telegram

FORT WORTH — Teaching material used in the 48-inmate Christian education pod at the Tarrant County Jail encourages inmates to renounce "satanically inspired occult practices or false religions," including Mormonism, Masonic activities and Unitarianism, according to the ACLU and the American Jewish Congress.

The leaflet, called "Steps to Freedom in Christ," was distributed to the media yesterday by officials of the American Civil Liberties Union and the Southwest chapter of the American Jewish Congress, who announced that they were filing suit challenging the constitutionality of the so-called "God Pod."

The suit seeks the elimination of the "God Pod" on the grounds that it discriminates against non-Christians and violates constitutional guarantees of separation of church and state.

Sheriff David Williams said the pod is constitutional because it is run by volunteers and does not use tax money. The pod, he said, is "open to all inmates of the jail without regard to their religious preference."

The sheriff acknowledged, however, that he was not aware of the "Steps to Freedom in Christ" leaflet.

"I haven't seen that one. I'll have to get the jail chaplain to get me a copy of that," Williams said. "I'm going to have to look into what the specific teachings in [the Christian pod] are."

The 16-page leaflet, which an attorney in the suit said he obtained through an Open Records request, details

seven steps "to experience the freedom and victory Christ purchased for you on the cross."

It also provides a "Non-Christian Spiritual Experience Inventory" to help in identifying non-Christian experiences.

The inventory lists three categories of experiences: occult, cult and other religions.

Under the heading of "other religions" are Zen Buddhism, Hare Krishna, yoga, Transcendental Meditation, Silva Mind Control, Islam, Hinduism and Theosophical Society.

Under the "cult" heading are Christian Science, Scientology, Unification Church, Mormonism, Unity Church, Jehovah's Witness, Unitarianism, Masons, and Church of the Living Word.

The occult heading includes such items as Ouija board, speaking in trance, telepathy, fortunetelling, black and white magic, and astrology.

Hugh Atwell, the senior chaplain at the jail, who is in charge of the volunteer clergy, couldn't be reached yesterday. A spokeswoman for his office said he would not comment and referred all questions to a Sheriff's Department spokesman.

Richard Rohan, a lawyer for the American Jewish Congress, said the leaflet was among information obtained through a state Open Records request seeking all documents used in the operation of the "God Pod." Rohan said the material was described as "part of the curriculum," though he did not know whether it was distributed to inmates or simply used as a teaching guide for instructors.

The ACLU and the American Jewish Congress said teachings in the "God Pod" belittle religions different from fundamental Christian beliefs.

Williams said he is unaware of any attempts to convert non-

Christians in the county jail. He said the program is voluntarily operated by "people who have strong beliefs, just as I have strong beliefs."

Deputy Maurice Hendrix, a Sheriff's Department spokesman, said reading material in the Christian education pod "comes in from other sources; the taxpayers don't fund that."

The suit, which names Williams and Tarrant County as defendants, was filed on behalf of a Jehovah's Witness prisoner, identified as Michael Lee Huff; Ruth Maree Lara, a Jewish inmate; and Ronald Flowers, a religion professor at Texas Christian University and ACLU board member, who said he joined the suit as a concerned taxpayer.

Huff is in jail on a drunken driving charge and Lara is charged with attempting to obtain a controlled substance by fraud and scheme, jail records show.

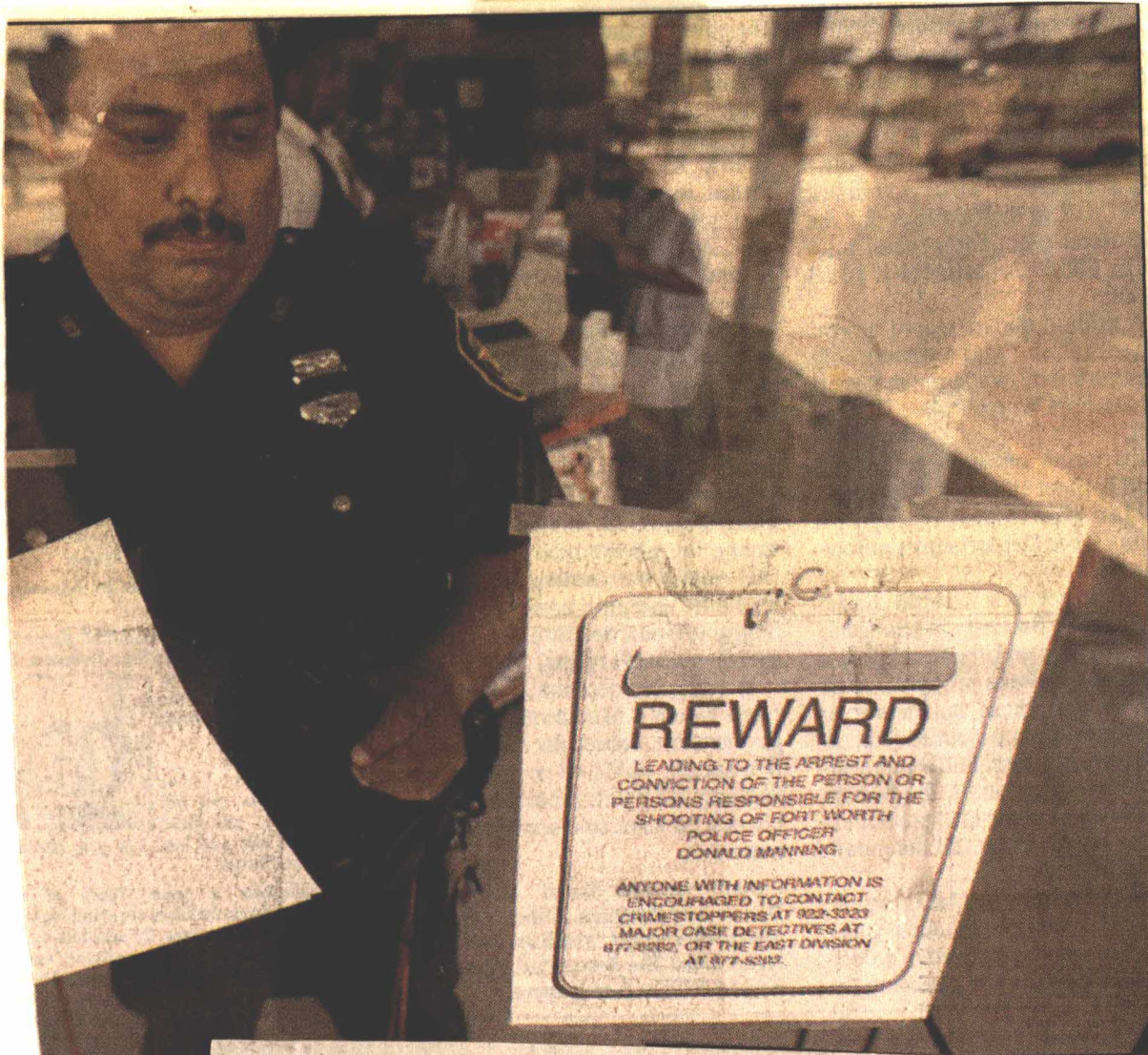
The prisoners were denied privileges "equal to what is provided in the 'God Pod,'" said Donald Jackson, president of the local ACLU chapter.

The suit also seeks equal religious opportunity for all prisoners, Jackson said. Laurance Priddy, an ACLU lawyer, said it also asks for an undisclosed amount of money for "mental anguish."

Jackson said the ACLU had worked with the Sheriff's Department for more than a year in an attempt to reach an out-of-court compromise on the existence of the "God Pod." Negotiations were halted about six weeks ago when Atwell said in a letter "that he saw no future in attempting to work further with us, and, in effect, would we go away," Jackson said.

In March, the Tarrant County district attorney's office decided that the Christian pod was constitutional because it was operated by volunteers and materials were donated by outside clergy groups.

The operation began in May 1992, with 12 bunk rooms surrounding a common day room. A piano and organ are available for worship services.



Fort Worth police officer Fernando Marin posts a reward flier at a convenience store at Woodhaven Boulevard and Bridge Street.

Fort Worth Star-Telegram / RON JENKINS

The notice gives a hot line number and asks for information in the death of officer Donald Manning.

2 suspects arrested in slaying of officer

**BY AMY KEEN
AND KATHY SANDERS**
Fort Worth Star-Telegram

FORT WORTH — Two 17-year-old men were arrested last night in the fatal shooting late Saturday of off-duty police detective Donald Manning, who will be buried today.

The first suspect was arrested about 8:30 p.m. near the swimming pool of the Monaco Apartments, 5200 Greenlee, in

east Fort Worth. About 40 officers surrounded the complex, and the arrest was made without incident, police Lt. Ralph Swearingin said in a news briefing last night.

Police moved in for the arrest after receiving an informant's tip and a few telephone calls that the man was at the complex, he said.

"There was enough to go on to serve a
(More on SUSPECTS on Page 10)

Suspects

From Page 1

probable cause warrant," he said, adding that "a number of witnesses" had tied the suspect to the shooting, which occurred about 1:30 p.m. in Oakland Lake Park. Police said Manning had been walking there with his date, who was not injured in the shooting and whose identity has not been released.

Swearingin said the man didn't give his true identity until he was taken to the police department for questioning.

About 30 minutes after the first arrest, the second suspect called 911 from a residential area on Vinetta Drive and said he wanted to turn himself in because he was wanted in the shooting, Swearingin said.

That suspect also was arrested without incident, he said.

Neither man had given a statement to police about the shooting, he said immediately after their arrests last night. Neither man was charged last night, and arraignment was expected today, he said.

An arrest warrant also was prepared yesterday for a third suspect in the auto theft detective's slaying in Oakland Lake Park, and a fourth

Hotline numbers

The 24-hour hot line numbers for the Fort Worth police investigation into the shooting of Officer Donald Manning are 877-8326 and 469-TIPS.

man may still be at large, Swearingin said.

"There's another possibility of a fourth suspect, but on a fourth [arrest] warrant, a positive identification has yet to be determined," he said.

Swearingin said another man was taken into custody for questioning, but he wasn't the man named in the third arrest warrant.

Of the arrests, he said, "It was a good effort and we'll continue to have officers working through the night" to capture the third suspect named in an arrest warrant.

It's not likely probably Manning, 28, died early Sunday, shot in the chest during a gunbattle at Oakland Lake Park, where he and a date had stopped for a late-night walk around Fossdic Lake.

The gunman demanded that Manning bring his hand up to his side and also ordered the woman to step out of the shadows, which she did, they said.

Then the gunman fired, striking Manning once in the chest from about 20 feet away. Manning was

able to fire five times but it is unknown whether he struck any of the assailants, police said.

An all-out search under way since then for the three or four men who confronted the couple has turned up few clues, officials said.

"All we know for sure right now is there was some kind of confrontation, shots were fired and he's dead," Capt. Don Gerland said yesterday morning.

Manning's older brother, David, who is president of the Police Officers Association, said last night that Mayor Kay Granger had called with the news of arrests. "She was very consoling and wanted me to know that [the] arrests have been made.

... Our family is very grateful that we do have such a dedicated, outstanding department," he said in a shaking voice.

A full-dress police funeral for the slain officer will be today at 12:30 p.m. at Greenwood Chapel, with burial in Greenwood Cemetery.

Police Chief Thomas Windham said a break in the case came about 2:30 p.m. yesterday when they received a tip.

"An individual led us to another individual who had heard this group talk about attempting a robbery at a park and having to shoot a guy," Windham said.

"We started working on it and eventually identified three indi-

viduals and obtained warrants on them," the chief said.

The evidence against the suspects looks solid, Windham said. "It looks pretty good; it looks very good," he said.

Two teams of detectives were working the case late last night and were interviewing the people in custody, Windham said.

Police are operating two 24-hour hot lines, hoping to get more information from witnesses — or even from the men involved in the shooting.

"The information that we need that's going to identify those suspects is going to be in one of those calls," Gerland told the law enforcement officials at the afternoon planning session.

Gerland said a main objective for investigators — headed by two teams of two detectives each — is finding a man and woman who police know were near the shooting site.

"They were sitting on a park bench and when Manning and [his date] walked by, they exchanged greetings," Gerland said. "When the shooting happened, they could have made a run for it. We'd sure like to talk to them."

Swearingin said detectives reinterviewed Manning's date, a 28-year-old woman, who investigators said had been dating Manning for several weeks.

"After two days, we're hoping she's had an opportunity to rethink this" to see if she can recall other details, he said.

From what officials have been able to piece together, Manning attended a law enforcement picnic Saturday afternoon. Then he, his date and another couple went out, perhaps to Shakespeare in the Park at Trinity Park.

Major Case Unit Sgt. George Steele — who is coordinating the task force — said the couples went their separate ways and Manning and his date stopped at Oakland Lake Park to take a walk around the lake.

During the walk, they talked to another couple there, officials said.

They first saw the men as they neared the park pavilion. The men began making comments and Manning, a six-year member of the force and an auto-theft detective, apparently told his date to stay in the pavilion, Steele said.

But the men got into a large two-door car and started to drive away, police said.

Manning told the woman "All right, it's safe for us to go now," Gerland said.

Manning and his date started to head back to their car, he said. But the young men stopped their car, got out and headed back toward the couple.

Manning pulled his 9 mm service pistol from his back waistband, keeping it hidden behind his leg and told the woman to run for cover, officers said.

Swearingin said that from the information they have, Manning never had an opportunity to identify himself as a police officer and that the motive for the shooting and the specifics of the confrontation are unknown.

"The best we can tell, he never had an opportunity to clearly identify himself or determine what the motive was," he said.



Chief Thomas Windham comforts Teresa Manning, mother of slain policeman Donald Manning, at funeral.

Fort Worth Star-Telegram /
Wednesday, June 30, 1993



Fort Worth Star-Telegram / TONY RECORD

Kay Holmquist, who lives near Oakland Lake Park, says crime in the area is increasing.

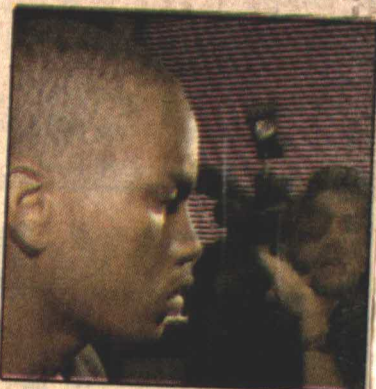
Police hold 5 in slaying

Suspects bragged about shooting of detective, investigators say

BY KATHY SANDERS
Fort Worth Star-Telegram

FORT WORTH — The investigation into the shooting death of police Detective Donald Manning began coming together in the wee hours Sunday when three young men bragged to a group of people about shooting someone at a park, officials said.

"A dude we were trying to jack (rob) pulled a gun and we shot him," a police informant quotes one of the suspects in an arrest affidavit.



Fort Worth Star-Telegram / RON JENKINS

Tony Davis, 17, is suspected of shooting Donald Manning.

On Monday, those words reached detectives, who were intensely searching for the killers of one of their own.

Aided by an informant who said he overheard the men talking, police identified and arrested five people they say tried to rob Manning and his date Saturday night at Oakland Lake Park in east Fort Worth.

Police identified the suspects, all from Fort Worth, as Tony Davis, 17, who detectives say shot Manning; Cedric D. Denmon, 17; D'andra V. "Twin" Moore, 17; William "Pokie" Green, 19; and LaSalle Davis,

(More on SUSPECTS on Page 11)

25, Tony Davis' brother.

Additional arrests are not expected, police said.

But even with the arrests of the five men — who are being held in lieu of \$250,000 bail each and are expected to be charged with capital murder — more work must be done, officials said.

"This is far from being wrapped up. . . . We have a long way to go," Police Chief Thomas Windham said yesterday morning.

The homicide weapon has not been found. Also missing is a car the men reportedly were driving Saturday night when Manning and his date, both 28, were confronted.

Sources, citing the suspects' statements, said the young men decided to go to Oakland Lake Park to rob somebody.

Stymied investigators had set up a 24-hour tip line for help in the case Monday, and one of those tips provided the break in the 2-day-old case.

A man called police saying he knew three men who had been bragging about shooting a man in a park Saturday night, according to an arrest warrant affidavit.

The document quotes the informant as saying he heard Tony and LaSalle Davis and Moore talking about the shooting with several other people outside an apartment early Sunday.

"I could have been dead because that dude had a big gun," the informant quoted Moore as saying.

Tony Davis, the informant said, then told Moore: "'Man, don't worry about it. We got him,'" according to the affidavit.

Investigators believe that a wound on Moore's chest where a bullet apparently grazed him came from one of the five shots Manning fired after he was hit, sources said.

Moore is reported to have told detectives, however, that he injured himself when a gun he was holding discharged — but not during the shooting at the park.

The informant said that he also heard Davis tell a woman in the group that "'a dude we were trying to jack (rob) pulled a gun and we shot him,'" according to the affidavit.

The man told police that he saw a large-caliber revolver, covered by a blue and white bandanna, in Tony

Davis' back pocket, the affidavit says.

Lt. Ralph Swearingin, a police spokesman, said that the informant's tip "was enough to go on to serve a probable cause warrant" on Davis and that "a number of witnesses" had linked the teen to the shooting.

Other callers mentioned the Davis brothers and Moore, Swearingin said.

Tony Davis was arrested first Monday, after about 50 officers arrived at the Monaco Apartments, 5301 Greenlee St. The arrest took place by the swimming pool.

Denmon, whose name had come up as a possible witness, was among the onlookers and agreed to talk to detectives. However, once statements from other suspects were taken, detectives arrested Denmon, Swearingin said.

Later Monday evening, Moore called 911 saying that he wanted to surrender, according to a police news release.

Police sources said that when officers arrived, Moore came out of an apartment surrounded by other people, raised his hands and said not to shoot, that he didn't have a gun.

Green was arrested about 1 a.m. yesterday at a relative's house after another suspect implicated him in the shooting, Swearingin said.

LaSalle Davis was arrested about 1:15 p.m. yesterday at the Dreamland Motel, 2625 S. Riverside Drive, according to police.

According to affidavits, Manning and his date went to the park Saturday to walk around the lake there. About 11:30 p.m., as they were on the west side of the lake headed back to their car, the couple saw the men as they neared the park pavilion. The couple sat at a picnic table waiting for the men to leave, the affidavit said.

Police had said initially that they believed that the men had made comments to Manning, but the affidavit released yesterday said the men apparently did not see the couple until the men got to their car to drive away.

Manning and his date began walking to Manning's car when the men saw them, pulled back into a parking space and shined the car

headlights on the couple, the affidavit says.

Four men got out of the car, and Manning and the woman noticed the driver holding a gun as he stepped in front of the headlights, the affidavit says.

The three other men "were crouched behind [the driver] in the darkness," the affidavit says.

Manning by this time had removed his 9mm service weapon and was holding it in his right hand, hidden behind his back, police said.

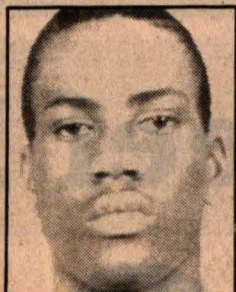
Manning told his date to move to the side. When she did, the driver fired and hit Manning in the left side, the affidavit says. Manning managed to fire five times.

The gunman and the others jumped back into their vehicle and fled. The woman ran first to Manning's side then to nearby homes for help.

Suspects



Cedric Denmon



Tony Davis



D'andra Moore



William Green



LaSalle Davis

Officer's laughter recalled as mourners gather in tears

BY GRACIE BONDS STAPLES
Fort Worth Star-Telegram

FORT WORTH — As about 900 mourners made the half-mile trek yesterday to Donald Manning's grave site, Kim Hoffman couldn't help but remember the fallen police officer's laughter.

"It was loud and obnoxious, but it was lovely," said Hoffman, a secretary in the Tarrant County district attorney's office who described herself as one of Manning's best friends. "That's what I'll miss the most, I think."

Hoffman laughed but couldn't hold back tears as she and others bid farewell to Manning, who was shot Saturday night while strolling with a date in Oakland Lake Park.

Five men have been arrested in the shooting.

In an hourlong service at Greenwood Chapel, Manning, 28, was remembered for his positive attitude and dedication. His personnel file, thick with letters of commendation, proved that Manning was an exemplary officer, Police Chaplain Terry Constant said.

The chaplain choked back tears as he recalled the events surrounding Manning's death, saying the officer had sacrificed his life to save a friend.

Only about 240 mourners could get inside the chapel, while hundreds of others stood outside under a sweltering sun.

Officials said 26 people were treated for heat-related ailments.

Donald Manning loved police work, his brother David Manning said in a letter to his slain brother that was read at the service..

"I was always proud you looked up to me . . . following in my footsteps into police work," David Manning wrote. "Yes, right off you were something more than most. You were a cop's cop."

As mourners prepared to move to the cemetery, Doug Pelton, a state parole hearing officer who once shared an apartment with Donald Manning, shared one last tribute to his friend: "A lot of times at funerals they say a lot of nice things, but what they said about Don was genuine. He was really a nice person."

Chaplain says leaflet used once

"It's just a one-time, isolated deal," says the head of the "God pod" at Tarrant County Jail.

BY JACK DOUGLAS JR.
Fort Worth Star-Telegram

FORT WORTH — A leaflet renouncing "false religions" such as Unitarianism, Mormonism and Jehovah's Witnesses is not part of the normal teaching material of the Tarrant County Jail's Christian education pod and was used only once in instructing female inmates, a volunteer jail chaplain said yesterday.

Jail chaplain Chris Athey, director of the program known as the "God pod," said the leaflet, "Steps to Freedom in Christ," was used one or two months ago by another chap-

lain conducting lessons in the women's quarters of the Christian program. The prisoners voluntarily participated in the course, Athey said.

"It's just a one-time, isolated deal," Athey said. "We have used it, but it's not something we normally use at all."

The leaflet was distributed to the media by the local chapters of the American Civil Liberties Union and the American Jewish Congress, who filed suit Monday against Tarrant County and Sheriff David Williams, contending that the "God pod" discriminates against non-Christian inmates and violates the separation of church and state.

Richard Rohan, an attorney for the American Jewish Congress, said he received the leaflet after filing an Open Records Act request asking the district attorney for all material pertaining to the "structure, curriculum or program" of the Christian education program.

Marvin Collins, chief of the civil division of the Tarrant County district attorney's office, said Rohan's

(More on POD on Page 16)

Pod

open records request was "fairly broad."

"If we felt there was a piece of material that they ["God Pod" instructors] used even once, we gave it to them," Collins said.

Athey said that not all reading material supplied to the inmates is pro-Christian.

"We have Islamic material that slanders Christianity and we give inmates that whenever they demand it," he said.

Volunteer chaplain Jim Norwood, a Baptist minister and former Arlington City Council member, said that he had never seen the leaflet and that most of the clergy volunteers base their lesson plans on the Bible.

Norwood said the leaflet apparently "slipped by" volunteer chaplains who attempt to screen and block material that espouses a particular religion.

"Basically, what we do is try and teach through the holy Bible and that's the extent of it," said Norwood, owner of several paint and body shops.

The leaflet details a "Non-Christian Spiritual Experience Inventory" and lists such religions as Christian Science and Jehovah's Witnesses under the heading of cults.

It also renounced as false religions such faiths as Mormonism and Unitarianism, as well as Masonic activities.

Norwood said he is angry about the lawsuit because the jail chaplains are trying to help prisoners spiritually, "and we have people taking cheap shots at what we're doing."

Wednesday, June 30, 1993 / Fort Worth Star-Telegram

Evert H. Carter

GRANBURY — Evert H. Carter, a retired Tarrant County Sheriff's Department warrant officer, died Sunday at a Granbury nursing home. He was 83.



Graveside service will be at 2 p.m. Friday in Emerald Hills Memorial Park. Emerald Hills Funeral Home is in charge of arrangements.

Mr. Carter had lived in Granbury for five years and previously had lived in Fort Worth.

He was a member of Waples Baptist Church in Granbury and the Masonic Lodge.

Survivors: Wife, Marie Carter of Granbury; sister, May Teel of Fort Worth; two grandchildren; and three great-grandchildren.



The courthouse is quiet outside the doorway to the 2nd Court of Appeals, where gunshots rang out a year ago.

Bloody attack in court casts a long shadow

BY THOMAS KOROSEC
Fort Worth Star-Telegram

FORT WORTH — The glass from the shattered courthouse windows has long been swept up and the bullet-tattered mini-blinds hauled away.

There have been an arrest, two funerals, a trial and a conviction.

Still, a year after a disturbed gunman opened fire on a Tarrant County courtroom, the attack lies like a blanket on the scores of lawyers, bailiffs, jurists and others who make up the courthouse community.

On July 1, 1992, George Lott, a nonpracticing Arlington lawyer, opened fire in a fourth-floor courtroom in the historic



John Edwards



Chris Marshall

pink granite courthouse, killing Tarrant County prosecutor Chris Marshall, 41, and Dallas lawyer John Edwards, 33.

Judges Clyde Ashworth, then 69, and John Hill, 48, were wounded in the attack, along with another prosecutor, Steve
(More on SHOOTINGS on Page 14)

■ Ex-wife remembers: Margo Livesay recalls the slayings every day. . . . PAGE 14A

Conder, 28.

In emotional terms, the bloody assault left unalterable marks on the survivors and on most everyone else who works in the courts buildings.

"Just walking through the front door, there is a difference in the way you see this place," said Ray Stewart, a victims' assistance liaison in the district attorney's office.

Metal detectors were activated in mid-August at all building entrances, and 29 new sheriff's deputies were hired to run them. Less visible are the still-fresh memories of a beloved colleague and the vague apprehensions that, somehow, it could happen again.

"Every time I stop at the light in front of the courthouse, I look up and think of Chris Marshall, and what a needless death it was," said Sheila Finney, a court coordinator in the 213th District Court.

As head of the district attorney's appellate section, Marshall was the office's "answer man" and by all accounts had one of the best legal minds in the state.

"I haven't filled his job and I don't know when I will," District Attorney Tim Curry said. "I don't know if I can find anyone to replace him. He is sorely missed."

On the wall in the DA's office hangs a resolution signed by federal prosecutors honoring Marshall. A plaque and photo will be placed in the courthouse lobby.

For courthouse employees, there are also the moments of trepidation, free-floating anxieties about the thousands of faces — jurors, spectators, litigants, relatives and criminal defendants — who visit the courthouse in an average week.

"I have questions in my mind any time someone comes into the courtroom," said Ashworth, now an administrative judge for the region. "It's a feeling of apprehension. . . . I can't erase that experience from my mind."

Down the hall from the shooting scene, in the oak-lined law library, loud noises are more than just startling. "At any loud noise, everyone just freezes," said assistant library director Peggy Martindale.

"I keep my eyes open; I think it's still with me that way," Judge Joe Drago said. "On occasion, in the normal course of the day, you reflect back on it."

From the hall outside Drago's office on the eighth floor of the Tarrant County Justice Center, one can easily see the clock tower of the nearly century-old courthouse three blocks to the east.

That warmish morning a year ago, the landmark was in full use as

people rushed to complete their business before the July Fourth holiday.

It was a morning that the 45-year-old Lott had mapped out months in advance, studying weapons, the layout of the courthouse and the court's schedule.

Nobody noticed the well-dressed gunman as he quietly took a seat on one of the back benches in the antique green courtroom of the 2nd Court of Appeals.

Just before 10 a.m., he rose silently, pulled a 9mm semiautomatic pistol from his briefcase and opened fire.

Marshall, who had come to the court to pick up written decisions and stayed to hear Conder argue a case, was hit twice at close range.

Ashworth, one of three judges in the courtroom, ducked behind the bench at which Lott aimed most of his 15 shots. "I could see little holes appearing in the bench, letting in

daylight," the judge recalled.

Hill, who had been hit in the shoulder, lay beside him.

As silence fell on the courtroom, Ashworth raised his head to peek across the room. Lott was reloading.

"He came around to the side of the bench and looked down at me and I looked at him," the judge testified during the trial.

"I'm going to kill you," Lott said, just before shooting again, hitting him in the buttock.

Lott then took off after the fleeing Edwards, killing him on the stairwell with a burst of six gunshots.

With the courthouse in pandemonium, the gunman continued down the stairs to an east door. Outside, he melted into the downtown pedestrian traffic.

Six hours later, he surfaced at a Dallas TV station and confessed.

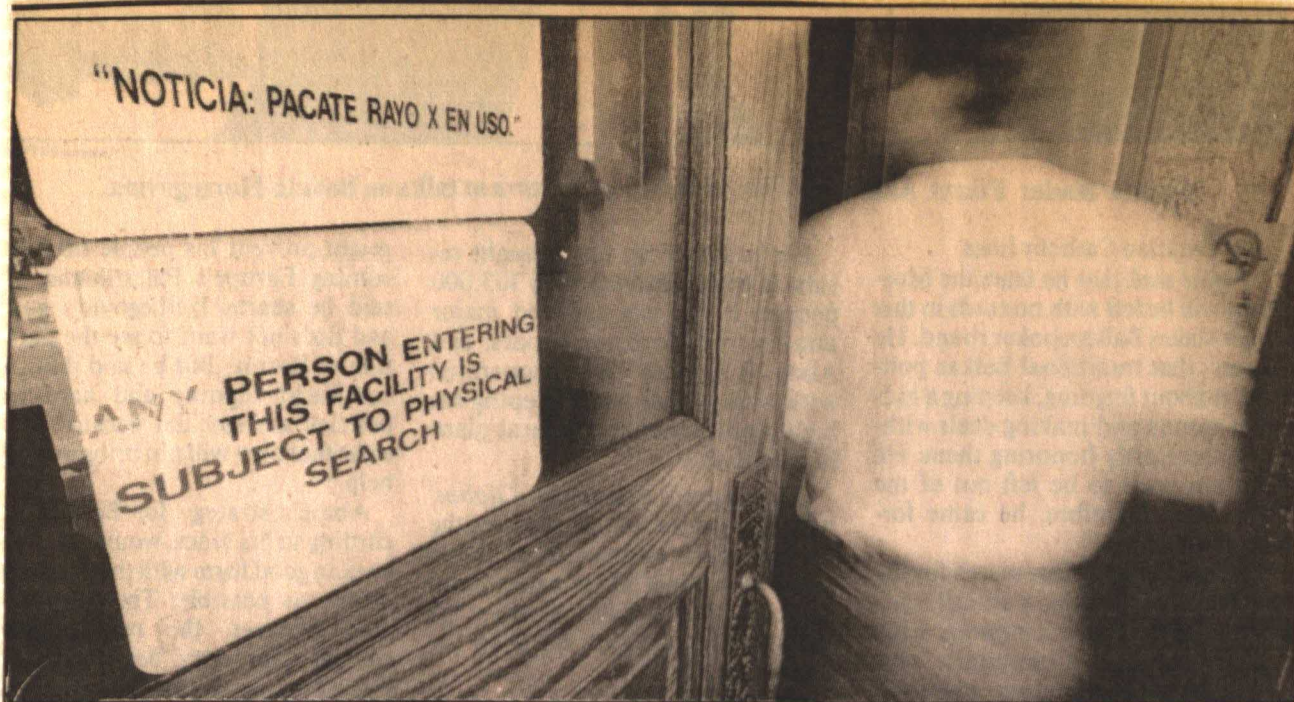
In a rambling, confused statement televised by WFAA/Channel 8, Lott said he wanted to draw attention to a cold and broken judicial system rife with corruption.

He accused "the system" of working against him in his long, bitter divorce and child custody battle. "I was shooting at the court," he said.

"It is a horrible, horrible thing I have done today," he said. "I may have failed completely. You have to do a very, very horrible thing to catch people's attention."

Reporters soon learned of Lott's increasingly troubled past.

Records from his 1990 divorce and interviews with those who knew him yielded a portrait of a paranoid who acknowledged an unbridled temper, a man who had already become a danger to those around him.



Fort Worth Star-Telegram / PAUL MOSELEY

Since last year's shootings, all but two entrances to the courthouse have been closed.

An attorney who inherited hundreds of thousands of dollars in stocks and bonds, he let his law practice lapse in June 1988 so he could develop a computer game, called MacNasty, which rewarded the best player at dirty tricks.

In his February trial, which was moved to Amarillo because of publicity, prosecutors argued that Lott planned the attack knowing he was about to go to trial on allegations that he sexually assaulted his child in Peoria, Ill. His ex-wife and 4-year-old son moved there after the divorce.

Lott, who insisted on defending himself, put up a quirky, ineffective defense. Jurors took about an hour to find him guilty of capital murder, and about an hour more to agree on a death sentence.

"To a certain degree, having the trial in Amarillo insulated some of the judges here and the public from what happened that day," said Judge Sharen Wilson, who presided at the trial. "Hearing the testimony about the inaction by the bailiffs in the courthouse that day ... I couldn't believe it."

Six weeks after the attack, en-

trances to the court and county administration buildings were secured with airport-type metal detectors and X-ray machines.

Since then, 22 people have been arrested on charges of trying to carry guns into the courthouse, sheriff's Deputy Randy Walker said. Thirty more have been arrested for carrying illegal knives.

Hill, who was named the appeals court's chief justice in January, said the security gates have put his mind at ease when he is at work.

"I appreciate the commissioners taking care of it," he said.

But Wilson and a handful of others insist that more remains to be done. "We've taken a lot of really good steps, but we should be looking to our personnel too — like making sure all these bailiffs who've strapped on guns know something about using them," she said.

Sheriff's spokesman G.M. Hendrix said his department has hired certified peace officers for court security positions and upgraded training for bailiffs. Nevertheless, he said, judges hire some of their own bailiffs, regardless of training.

County and sheriff's officials said courthouse violence is a nationwide concern. But courthouse security experts say they doubt that the tragedy in Fort Worth prompted many cities or counties to take their own precautions.

"If a courthouse has magnetic monitoring, which is fairly expensive, you can bet they had a violent incident, probably a death, right there in that courthouse," said Paul Banner, a senior criminologist at the South Carolina Criminal Justice Academy who has helped train Tarrant County deputies. "We should see these things coming, but unfortunately we don't."

Hard questions, hard answers for those left behind

BY TIM MADIGAN
Fort Worth Star-Telegram

DALLAS — Attorney John Edwards was clearly one of the good guys: a devoted husband and father whose love helped nurse his twin sons to health after their premature birth.

In the Disney movies, the good guys always win; good always triumphs over evil. Hence the questions today from Matthew and Pierce Edwards, the 3-year-old twins, to their mother.

"They ask a lot of questions about good and evil," Martha Edwards said yesterday. "Their dad was very good. . . . They ask, 'If he was so good, why did the bad man kill him?'"

Their father is with God now, their mother replies, trying to explain. He loved his children very much and didn't want to leave, she says.

(More on VICTIMS on Page 14)

But in the real world, sometimes evil wins for reasons that even adults can't understand.

Indeed, such is the mystery that people of all ages contemplate again today, the first anniversary of George Lott's courthouse rampage that killed John Edwards, 33. Chris Marshall, 41, the respected chief appellate prosecutor for the Tarrant County district attorney's office, also died in the hail of fire from Lott's gun.

Edwards and Marshall did not know each other before the rampage and were unknown to Lott, their deaths attributable to fate and circumstance. Now, a year later, the two slain lawyers represent the antithesis of their killer: exemplary lives taken by one whose own existence

had degenerated into acts of indiscriminate slaughter.

Yesterday, while answers eluded them, relatives of Edwards and Marshall preferred to talk only about the good.

"I would say, like in talking with the boys, there is evil in this world," Martha Edwards said yesterday.

Her marriage to the Dallas attorney produced another son, 2-year-old Daniel. "You choose one or the other. John made a good choice and he left a great legacy for three boys to be proud of," Martha Edwards said.

In Fort Worth on a late afternoon, Marshall's parents, brother and sister gathered to remember him, not as a legal authority or victim of a notorious crime, but in a much more personal way.

"What we've seen reported so far, the articles all have been very biographically correct as far as Chris the attorney," said Tim Marshall, his brother. "I think you need to

know he was a loving husband, and excellent father. He was a son who made his parents very proud, not because of his legal accomplishments or his scholastic accomplishments, but for the life he lived."

John and Martha Edwards met as undergraduates at Baylor University. Basketball was part of their courtship, and it remained among John Edwards' passions until the day he died.

His Dallas law firm, Haynes and Boone, and the gym where he worked out now sponsor a three-on-three basketball tournament in Edwards' name.

"We played on our dates," Martha Edwards remembered, laughing. "We played for the size of my engagement ring, one-tenth of a carat a point. There was some blood on both of us at the end. I lost."

When the twins were born 10 weeks premature, John Edwards made recordings so that the boys could hear his voice at the neonatal

intensive care unit at Baylor Medical Center.

The evening before he died, he took his three sons to play in a neighborhood park, a feat accomplished for the first time without the assistance of his wife. He was a slightly overprotective, affectionate father, she said.

It was to his three sons that 50 tributes to Edwards were addressed shortly after his murder, all collected in a hard-bound volume that describes a life of faith and good nature.

"The lessons he taught each of us live on," one friend wrote.

"It seemed like your father was always happy," another said.

"John had a truly amazing jump shot," said a third.

The life he shared with Martha Edwards was all too brief. But, the young widow said yesterday, "I wouldn't change anything."

"Life is fragile," she said, seated next to John Edwards' brother, Cecil Edwards Jr., in a downtown Dallas office building. "You have to live life to the fullest. John did that. If he looks back, I don't think he would change anything. He was prepared."

In Fort Worth, the Marshalls spoke of hunting trips shared by Chris Marshall, his father and brother. Chris Marshall had followed his father, Clyde, into the legal profession; father-son law discussions at the dinner table were never-ending.

"I got lots of advice from him,"

said Clyde Marshall, a longtime defense attorney.

Chris Marshall's sister, Kathy, discovered after his death that her brother was known to each member of the Fort Worth support group she had joined, Families of Murder Victims. He had addressed the group on several occasions, seeking to demystify the legal system for grieving relatives.

Chris Marshall's mother, Dorothy, said: "Many people have told me about the many ways he had helped them, helped them get through tragedy. To me, that's the most important thing about Chris: that he did grow up to be a thoughtful young man who cared about others."

Lott's ex-wife lives with the reality that she was focus of his rage

BY TIM MADIGAN
Fort Worth Star-Telegram

The thought comes about once daily, sending a shudder through Margo Livesay as she tries to get on with her life in Peoria, Ill.

Livesay, George Lott's ex-wife, was the focus of much of his rage. It was in Peoria that Lott was to stand trial July 20, 1992, on charges that he sexually abused his young son.

Then came Lott's murderous explosion a year ago today in a Fort Worth courtroom.

"I think about it every time the sun comes up," Livesay said Tuesday in a telephone interview from her home. "We all know here in Peoria that it could have been us."

Livesay watched Lott's rage building over years of

courtship and a brief, volatile marriage that produced one son, Neal, now 5.

The couple met in 1982 through a Fort Worth-area dating service, Livesay selecting Lott because he attended law school at the University of Texas, something Livesay aspired to do.

They were married three years later. But from the beginning, Lott was prone to fly off the handle, a man angry at everything and nothing, Livesay said. A neighborhood child bouncing a basketball too loudly, a rude driver, a lack of a parking place, was enough send him into a blind rage.

The couple separated in 1987. There was a fractious divorce trial in 1990, then criminal allegations in Illinois that Lott sexually abused Neal during court-

sanctioned visitations in that state. Through it all, Livesay said, she told anyone who would listen that her ex-husband was a bomb waiting to explode.

"I could tell people all day long he was going to kill people, but there was nothing anybody could do until he did it," said Livesay, 43, who teaches computer science at Bradley University in Peoria.

After his rampage July 1, 1992, Lott told a Dallas TV station that he had wanted to make a statement about how he had been wrongly treated in his divorce proceedings, and falsely accused of abusing his son. When Fort Worth police told Livesay of the shooting, she and Neal went into hiding.

"To the day he dies, he will never see anything wrong with killing the people he killed," Livesay said. "In fact,

he thinks he probably should have killed more to make his point. His point is that he's angry; he's angry at the world."

Now Livesay is writing a book about her life with Lott, which she characterizes as nightmarish. She also waits for her husband's execution, a sentence handed down Feb. 13 after Lott's capital murder trial in Amarillo.

"I don't believe in that particular penalty, but if they don't, he's going to get out and if he gets out, he's going to do it again," Livesay said. "It amazes me that anyone lived through that in that courtroom."

"Like I was telling people up here. On July 1, we ought to have a celebration of life party for the people who are still alive."

The Fort Worth Press

Fort Worth's Home-Owned Weekly Newspaper

June 25, 1993

Sheriff talks!

In an exclusive interview, Sheriff Williams says he's determined to bring his office into the modern age

By Marsha Brown
The Fort Worth Press

Only hours following his investiture into office, Sheriff David Williams faced the wrath of the community when he refused to re-deputize three deputy chiefs who were leftovers from the Don Carpenter regime.

He then weathered a viscous pounding from the media when he would make no comment concerning the matter.

"At that time everyone from the media wanted to talk to me about it," Williams says in an exclusive interview with The Fort Worth Press. "I couldn't make any comment at that time because it had not been settled legally. Once it was, and I was at liberty to discuss it, no one wanted to talk about it."

Williams ultimately selected five individuals in which he had great confidence and appointed them as deputy chiefs.

They are the individuals upon whom he relies the most and works with closely.

He was advised he had the right to select them, and so that's exactly what he did.

Now that most of the dust has settled, it is becoming apparent to courthouse observers that Williams may be one of the most pleasant surprises Fort Worth has seen in a long time.

Reflecting on the first six months of his term as sheriff, Williams says, "We aren't as far along as we would like to go, but when we look at the department and take stock, we are very pleased with what we have accomplished so far."

There are a number of principle goals Williams set when he took office as sheriff of Tarrant County, and observers say he has worked tirelessly to stay on target.

Tarrant County Sheriff's Department spokesman Maurice Hendrix says, "The sheriff has a very progressive outlook for this office, and that means change. Any time you make changes, naturally there will be some toes that are stepped on. But these

changes are very positive ones."

This is not surprising in light of the fact that Williams is an individual with a refreshingly positive attitude.

The morale of his staff is an important issue to him. "Employee morale is a factor that is vital to the success of any

corporation, any business. This office has 1800 employees and an average of 4500 inmates.

"I am responsible for the oversight of 6300 people at any given time. Morale is a factor that enables this operation to flow smoothly, and it is something that costs the tax payers nothing."

Entrusted with the oversight of 6300 people means that Williams is dealing with a crowd of people comparable to the population of an aircraft carrier.

He is always on the lookout for ways of managing his department more effectively while spending less money. He says, "I want the taxpayers to get the

most for their bucks."

Many of the changes Williams has put into effect were done so in an effort to update and modernize the Sheriff's office.

Although he is working toward modernizing for the sake of efficiency of both manpower and money, many of the changes he and his staff have affected are based on old fashioned philosophies and values.

A good example of this is the method now used in the assignment of a patrolman's beat or the area he is assigned to cover. Previously, these areas were continually rotated.

This meant that an area would be patrolled by different members of the Sheriff's Department. The office has recently gone to a Shift Integrity System.

The same patrolman protects the same territory, indefinitely. This helps the residents of the beat feel more secure. It also makes the patrolman more approachable and better informed.

Comments Sheriff Williams, "The idea behind the system of rotating the patrolman's beats was to prevent them from becoming stale. But I feel that if a

Continued on page 3

patrolman is becoming stale it is a supervisory problem.

"The system of beat integrity is seen as being a new one. It is actually a very old fashioned concept. It is the way that it was done years ago, and it was effective.

"The patrolman becomes more familiar with with his beat and the people who live and work there, as well as with their problems. It enables him to become more effective."

This is the same idea behind the Shift Integrity system that has been implemented in the sheriff's office.

Shift Integrity is a scheduling method that keeps a staff member on a consistent schedule, a break from the four-month shift rotation method used in the past. The motivation behind this change was strengthening and stabilizing the family life of the staff.

Explains Williams, "A career in law enforcement is difficult enough for their family members to deal with. If we can make it more pleasant and promote job satisfaction among our staff, I feel that the department will reap the rewards."

Deputy Hendrix adds, "The sheriff has very strong family values. He is very concerned about the effect that a rotating schedule might have on the marriages of our staff members."

The staff members seem to enjoy their consistent schedules, and morale seems to have improved.

Williams leads by example. It is not unusual for him to don a uniform, get in a patrol car and work in the capacity of a patrolman for a shift. To work around his demanding schedule, he usually chooses the graveyard shift. He refers to it as "Management By Wandering Around."

It is actually the method he uses to keep abreast of the challenges faced by the patrolmen, and it gives him ideas on how efficiency can be improved.

Because of the 40 law enforcement entities that the sheriff's office must communicate with on a constant basis, the department no longer talks in number codes over the radio.

Says Williams, "We now talk in plain English. There are enough numbers that a patrolman must remember without having to speak in code, and it is helpful to be able to talk to another law enforcement agency and have them understand what you say."

The most visible change made by Sheriff Williams and his staff are the uniforms now worn by department members. At one time the jailers had one uniform, patrolmen had a very different one, and communications had still another.

Now everyone will wear the same sleek-looking black uniform. Good-bye Barney Fife look. "Dark colors look good on everyone," explains Williams.

With a view toward streamlining the office, the sheriff is working toward eliminating the levels of the ranks structure. (There once

The Fort Worth Press

existed several levels of captain, lieutenant and so on.)

That will soon be a part of the past. Each rank has but one level. Sheriff Williams says, "No one will lose pay, but some officers may experience an increase."

A K-9 unit has been added to enhance the drug enforcement unit. The drug-sniffing dogs were acquired at no expense to Tarrant County taxpayers. It was funded by a grant provided by a commercial.

One of the most important projects he has initiated is a department manual, something that the department has never had before. It will provide guidelines for staff members of every sector in the Sheriff's Department.

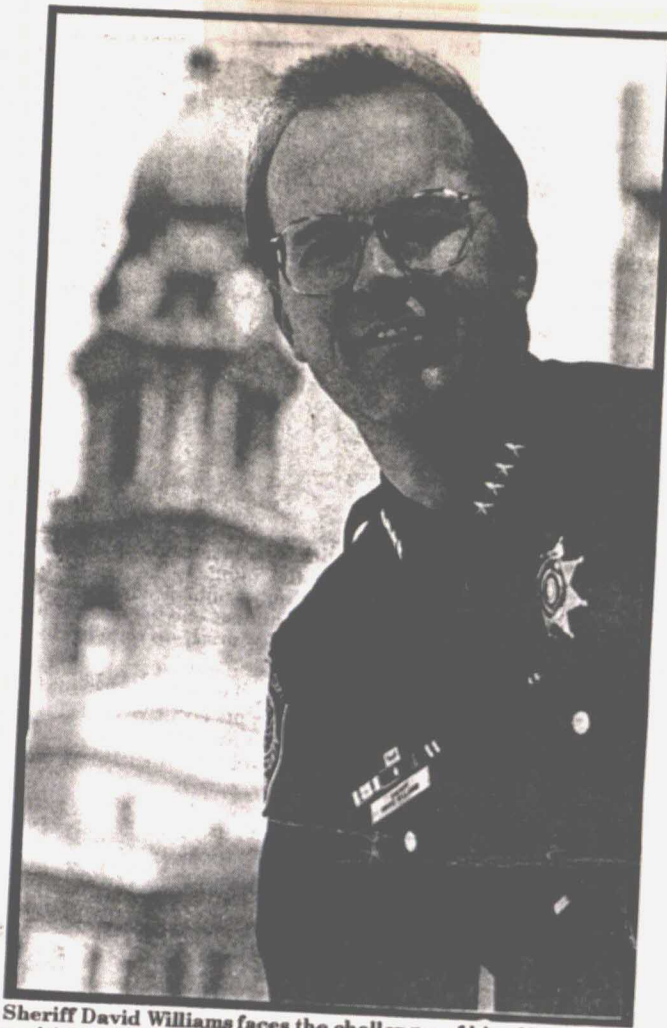
It will map out and standardize the way business is conducted. The manual is targeted for completion by August of this year.

One staff member describes the sheriff as "determined to drag us into the 20th century."

With an overcrowded jail, a very lean budget and an unusually volatile news media, Tarrant County's sheriff took office six months ago only to face a number of monumental challenges.

He has thus far met them with a good measure of ingenuity and spirit. He credits most of the progress during these months to his hardworking staff.

He says, "We have a good staff, a lot of extra-mile people. After six months, they are beginning to see the light at the end of the tunnel. Sometimes I have to assure them that it's not a train."



Sheriff David Williams faces the challenges of his office with a positive attitude, determined to bring his office into the modern age.

Controversy clouds progress at Sheriff's Department

By Marsha Brown
The Fort Worth Press

When envelopes began to arrive at key destinations across the metroplex last week, they set off a series of reactions.

No, they were not letter bombs, although their contents were certainly explosive.

The little innocuous-looking envelopes contained photocopies of affidavits pertaining to the June 14, 1993, arrest of Tarrant County Sheriff's Department Captain George Campbell for suspicion of driving while intoxicated.

The packets were provided to various members of the metroplex media, as well as Attorney General Dan Morales, courtesy of the law firm of Lane and Lane, the firm representing Campbell.

The affidavits were taken from three Sheriff's Department employees and one Fort Worth police officer. There were two that were taken from Campbell's arresting officer, Michael Brian Guthrie.

Two of these affidavits contradicted each other. Interestingly, they were both taken from Guthrie.

Also enclosed was a copy of a letter from Attorney Jim Lane that was addressed to Sheriff David Williams. The substance of the letter was that Campbell's attorneys were requesting a formal investigation of the facts

surrounding the arrest of Campbell, alleging that the arrest was made not because Campbell was

suspected of being under the influence of alcohol while operating a vehicle, but that Sheriff's Department Lieutenant Ray Bell radioed Patrolman Guthrie, ordered him to arrest Campbell because he wanted to "get George Campbell."

The letter also implicated Tar-



George Campbell

rant County Sheriff's Department Deputy Chief of Operations Pat Howell. It stated, "It is our understanding that Lt. Bell was in constant telephone contact with Pat Howell and [sheriff's] Administrative Assistant Ed Max before, during and after the captain's arrest."

The implication was that the arrest was a part of a wicked plot designed to get Campbell dismissed from the Sheriff's Department.

An attorney with the firm of Lane and Lane was quoted in an area newspaper as saying, "I want to know if



Sheriff Williams

David Williams knew about it (a possible setup). If he did, I guess he was part of it.

"If he didn't...that shows that his department is completely out of control."

Maybe that is true IF there was a setup and IF it was aimed at expelling Campbell and not at discrediting Sheriff Williams.

The press coverage following this incident has been entertaining, indeed. There are a few facts that have gotten little publicity, which are just as entertaining.

According to the first affidavit written and signed by Guthrie, dated June 14, 1993 (the night of the arrest), at 9:52 p.m. he was "contacted by Lt. Bell concerning a car that he was following on FM 1220."

Guthrie stopped the car and was informed by Lt. Bell that he was concerned because

the car had crossed over the line twice, and that he [Lt. Bell] believed the driver was intoxicated.

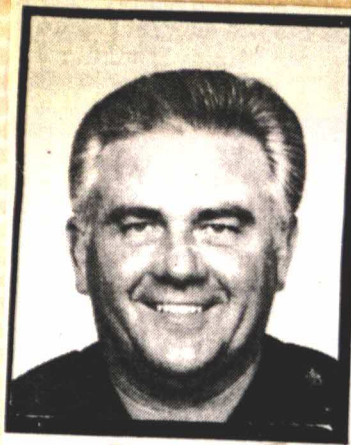
The affidavit continued, "A field sobriety test was given by this officer consisting of a one-leg stand, counting to 30, walk and turn and horizontal gaze nysragmus [eye test]."

"Mr. Campbell failed the one-leg stand, counting to 30 and the walk and turn. Mr. Campbell did pass the horizontal gaze, but did have trouble keeping his head still and just moving his

eyes.

"A slight smell of alcohol was detected on Mr. Campbell's breath after the field sobriety test was completed. Mr. Campbell was arrested and read his Miranda Warning at 10:16 p.m.

"Mr. Campbell was transported to T.C.S.O. Intoxilizer Room, where he refused to blow for the intoxilizer operator. Mr. Campbell was read his DWI Statutory Warning by this officer.



Ray Bell



Michael Guthrie

The affidavit was signed by Guthrie and then notarized.

Nine days after Guthrie swore out an affidavit stating he had good reason to believe Campbell had committed the offense of Driving While Intoxicated, he swore out a new one stating he did not believe Campbell had been intoxicated on

the night of his arrest.

He went on say that he felt the whole thing had been a setup, that he cooperated because he feared that if he did not, Lt. Bell would fire him.

He stated that Campbell had admitted to drinking four beers that evening. Guthrie later added that he didn't believe Campbell was under the influence of alcohol.

When explaining Campbell's failure to pass three of the four field sobriety tests administered by the 24-year-old patrolman, he explained that he felt Campbell's failure to pass the tests was due to his health and age. (He is 64.)

One of the tests he failed was counting to 30. If his age prevents him from performing these simple tasks, how can he perform the duties of his job as a peace officer?

Williams acknowledged that as an issue to be examined.

Asked if he had any knowledge of an alcohol problem on the part of Capt. Campbell, Williams replied, "I don't have personal eye-ball knowledge of such a problem. It is my understanding that he has had some problems in the past.

"All that I can reference is a statement that he made that was printed in the January 10, 1993, issue of the Fort Worth Star-Telegram. There he mentioned that a previous arrest on drunken-driving charges have been expunged from his record."

The sheriff went on to say, "Peace officers have a responsibility to enforce the laws regarding DWI because of the real threat that drunk drivers' pose."

Williams continued: "I have reviewed the arrest of George Campbell. I feel that there was probable cause to stop him. I also feel that the fact that he failed three out of four field sobriety tests, plus his roadside admission that he had consumed four beers that evening, in my opinion provided sufficient reason for the arrest."

The question arising from Campbell's arrest is that of the wisdom of entrusting him with Tarrant County property.

Sheriff's Williams said, "In Capt. Campbell's position he is assigned a County vehicle."

Thus, not only is public safety a concern, but County property is at risk as well.

One of the conditions of obtaining a driver's license in this state is that a motorist consents to provide a specimen of either blood or breath (Intoxilizer Test) upon the request of a peace officer (Article 6701-5).

Refusal to comply within two hours of arrest shall result in suspension of that person's driver's license.

But what about the blood test Capt. Campbell took on his own once he was released? According to Texas law, it doesn't count because (according to Article 6701-5 sec. 3d) "The person who gave a specimen, may, upon request and within a reasonable time not to exceed two hours after the arrest, have a...qualified technician of his choice draw a specimen and have an analysis made in addition to any specimen taken and analyzed at the direction of a peace officer.

Campbell's blood test was taken three-and-a-half hours following his arrest. It was the only speci-

men taken because, although on the side of the road he agreed to give a breath specimen, once he was faced with the actual Intoxilizer Test, he refused to take it.

Since different people burn off alcohol at different rates, a test taken almost four hours following arrest will not truthfully reflect the blood alcohol level.

The law also states that if a person refuses to provide a specimen to the peace officer, he has no right to an independent analysis by a physician of his choice.

Sheriff Williams posed a thought-provoking question: "If he wasn't drunk, why would he refuse the test?"

Of Lt. Bell's involvement, the sheriff stated, "He's been with the department since 1971. He spent a number of years in patrol. I think he's arrested more than a couple of drunks."

What of patrolman Guthrie's claim that he arrested Capt. Campbell only because he was told to do so by Lt. Bell and feared for his job if he did not comply? Did Lt. Bell have the authority to fire the patrolman on a whim?

Sheriff Williams answered, "That is what is so idiotic about this whole thing. Guthrie is not even in Bell's chain of command. The worst that he could do to Guthrie would be to turn him over to Internal Affairs.

"If it was then determined that he was insubordinate, it would go to a civil service review board that may or may not recommend that disciplinary action should be taken."

Would a patrolman who had been with the department for more than four years have knowledge of that fact, and is it illegal to make a

false arrest?

Sheriff Williams replied, "It is illegal to make an arrest without probable cause."

A jail term and loss of career could befall any officer who makes a false arrest. If Guthrie's second statement was true, he did just

that, which implies that he chose a possible jail term and career loss over facing a reprimand and a possible civil service hearing.

If Capt. Campbell's civil rights were violated, they were violated by his arresting officer -- Michael Guthrie.

First Irving officer dies on duty as wife listens

By JOHN COUNCIL
Fort Worth Star-Telegram

IRVING — An Irving police officer working an accident scene was fatally injured early yesterday by an apparently drunken driver while his wife, a police dispatcher, listened to the events unfold.

Glenn Homs, 30, was pronounced dead at Parkland Memorial Hospital in Dallas. He is the first Irving police officer killed in the line of duty.

The motorist fled the accident at Texas 114. Police later arrested a suspect, a 28-year-old Arlington man who had hit a switch box at a railroad crossing in Coppell a few miles from where Homs was struck.

Homs, a nine-year department veteran, was dispatched to an accident at 1:28 a.m. after a woman struck a cow that had wandered into west-bound Texas 114, one-half mile east of the Belt



Glenn Homs

Line Road exit. Homs diverted traffic into the left lane, placing flares across the right lane and the center lane around the animal, said officer Sydney Gomez, a department spokeswoman.

When Homs crossed the road to speak with the woman, a car drove through the flares in the right lane, striking Homs in the back. The car carried Homs 300 feet before he fell from the vehicle, Gomez said.

A citizen who stopped at the scene used Homs' police radio to report that he was lying in the roadway and ask for help.

Homs' wife, Christy, 23, was on duty in the (More on OFFICER on Page 22)

police radio room and listening to the emergency.

"She knew it was him, and she knew it was bad," said Sgt. Jim Stambaugh, a police communications supervisor who was working the midnight shift when the accident happened.

"She said, 'I've got to stay here,'" Stambaugh said.

She was asked to leave the radio room later but listened to the tragic events on a portable radio in another room.

Said Stambaugh: "She handled it very good, considering the severity of the [accident]. She was head over heels in love with this guy."

She went to Parkland, where her husband was pronounced dead at 2:50 a.m. He died of multiple blunt force injuries, according to a preliminary autopsy by the Dallas County Medical Examiner's Office.

Soon after the accident, a security guard spotted a wrecked red 1990 Chevrolet Cavalier that had stopped after striking a railroad switch box near a Coppell industrial district. The Arlington man, who police believe was intoxicated, was in the car.

"From what the officers saw, they knew the car was involved in more than just running up on the railroad tracks," said Mike Johns, a Coppell police officer. The officers then contacted Irving police about the man.

After being taken to Parkland for a blood test, the suspect was booked into the Irving jail. He is being held in lieu of \$25,000 bail on allegations of involuntary manslaughter and \$200 bail on allegations of possession of marijuana. The man is scheduled to be arraigned today at 9:30 a.m.

Police have not released the man's identity or the results of the blood test.

Flags in front of the Irving Police Department flew at half-staff yesterday.

"He loved his job and family and was a truly dedicated police officer," said Assistant Chief Tracy Bush. "I consider him a hero for the way he lived by being an exemplary officer."

Officers, who wore a strip of black tape across their badges, remem-

bered Homs as a soft-spoken man.

"He was super-nice. I think of him as just a kid, but he's 30 years old," said Stambaugh, who had worked with Homs on patrol. "He's a young, good-looking officer. He's the kind of kid you'd like your son to grow up and be like."

Homs was assigned to the department's tactical unit, which specializes in apprehending armed suspects. He was providing relief for another police division when he was killed.

During his career, Homs won numerous commendations, including one Tuesday for working with the tactical unit during two episodes involving "great risk to personal safety."

Homs joins a list of several officers from the Metroplex who were killed in the past year. They include:

■ Donald Manning, 28, a Fort Worth police detective who was fa-

tally shot June 27 during a robbery attempt while off duty.

■ Gary Hires, 48, a Haltom City officer who was mortally wounded March 6 as he drove toward the home of a 14-year-old sniper.

■ Terry Lewis, 35, an Arlington police officer, and Jerry Crocker, 43, an Arlington reserve officer, who were killed Oct. 9 after a drunken driver slammed into the side of their squad car.

■ Brent Wisdom, 22, a Fort Worth police officer who was killed Sept. 1 when a drunken driver slammed into him after he stopped to help a motorist.

A memorial service for Homs will be held at 11 a.m. Tuesday at Calvary Temple, 3000 W. Airport Freeway in Irving. He will be buried at Oak Grove Memorial Gardens.

Homs is also survived by two children from a previous marriage, Heather and Ryan.



Fort Worth Star-Telegram / MICHAEL DEEVERS

Flags fly at half-staff at the Irving Police Department in honor of officer Glenn Homs, who was struck and killed early yesterday.

Glenn Homs

Irving officer's death tragic, senseless

Newspapers sometimes employ clichés that can fail to hold up under close scrutiny. The term *senseless killing* is an example, for it implies that there is such a thing as a sensible killing.

Nevertheless, *senseless* is one of the few appropriate adjectives to apply to the killing of Glenn Homs, the only Irving police officer ever to die in the line of duty.

Homs, 30, died when he was struck by a car as he walked across a road to talk to a woman whose vehicle had struck a cow on Texas 114 early Saturday morning.

The car that hit the Irving officer drove through flares Homs had set up on the highway to divert traffic. It hit him in the back with such force that he was carried 300 feet on the car before he fell

to the road.

And the driver sped away.

A 24-year-old Arlington man, suspected of being drunk, was arrested several miles away after his car struck a railroad switch box. He was not hurt.

Hurt is totally inadequate to describe the suffering this calamity has inflicted upon Homs' family and friends or upon his fellow police officers. A young widow and two small children are devastated, and the Irving police have lost an irreplaceable comrade.

Homs was buried yesterday, some 24 hours after the driver charged with killing him was freed on bail. If there's a more applicable word than *senseless* to describe this tragedy, please forgive us for not being aware of it.

State chaplain likes 'God Pod' idea but says it's illegal

BY JIM JONES
Fort Worth Star-Telegram

FORT WORTH — Texas' top prison chaplain praised the intent of the Tarrant County Jail's "God Pod" yesterday but said that separate housing for religious teaching cannot be legally defended and that he would never recommend such a program in state penitentiaries.

The comments were made in the wake of a lawsuit filed June 28 by the American Civil Liberties Union and the American Jewish Congress.

They assert that the Christian education pod in Tarrant County Jail discriminates against people of other faiths.

"I think it [the God Pod] is a wonderful program, but you can't defend it in court because of equality issues," Emmett Solomon, 57, administrator of chaplaincy programs for the Texas Department of Corrections, said in a call from Huntsville.

Meanwhile, the ACLU said a booklet used in the God Pod pro-

The Tarrant County Jail's religious program is under attack by the American Civil Liberties Union and the American Jewish Congress.

gram takes a strong anti-Catholic stance, calling the centuries-old prohibition against priests marrying a "doctrine of the devils." Earlier, the civil liberties organization released another reported God Pod text that described Mormons, Unitarians

and Jehovah's Witnesses as members of cults.

Solomon, who oversees the work of 65 chaplains in 45 prisons, said he personally likes the idea of separate housing for religious instruction but has never considered it for

the state prison system.

"You might be able to do it in Argentina or some other country, but not in America, where we have this extreme emphasis on equality," he said. "It would be a wonderful program. Our current legal system will just not allow it to operate."

When inmates receiving religious instruction are housed separately, every activity — from watching television to sports and recreation activities — becomes an equality-of-treatment issue, said Solomon,

an ordained Southern Baptist minister.

Yesterday, ACLU officials called attention to *Back to the Basics Discipleship*, a 30-page booklet that program leaders confirmed was used in the God Pod. Without mentioning any denomination by name, it refers to the Roman Catholic ban on priests marrying as a "doctrine of devils."

Tarrant County Jail chaplain Hugh Atwell said that he and other

(More on PROGRAM on Page 14)

Man arraigned in officer's death

By DOMINGO RAMIREZ JR.
Fort Worth Star-Telegram

GRAPEVINE — Police yesterday identified the suspect arrested in the hit-and-run death of an Irving patrol officer as Daniel Kyler Williams of Arlington.

Williams, who has been arraigned on a charge of involuntary manslaughter in the death of officer Glenn Homs, was released from jail after posting \$25,200 bail just before noon yesterday.

The Arlington man is expected to be charged with involuntary manslaughter and possession of marijuana, said Sydney Gomez, a police spokeswoman.

Williams, 24, could not be reached for comment yesterday.

Homs, 30, was killed when he was struck by an apparently drunken driver early Saturday while responding to an accident on Texas 114, east of the Belt Line Road exit.

Police said they believe Williams drove a 1990 Chevrolet Cavalier through some flares at an accident site and struck Homs in the back. At the time, Homs was crossing the road to speak to a woman who had been involved in an accident, police said.

The car carried Homs 300 feet before he fell from the vehicle, police said.

The funeral service for Homs is at 11 a.m. today at Calvary Temple, 3000 W. Airport Freeway. Burial will be at Oak Grove Memorial Gardens.



Glenn Homs' daughter, Heather, left, and widow, Christy, watch as the Irving police officer's body is loaded into a hearse.



Police officers pay their last respects to Glenn Homs during a memorial service yesterday at Calvary Temple in Irving. More than 500 people, many of them North Texas police officers, attended the midday service.

Irving officer recalled as special friend

Death leaves 'a void that can never be filled'

BY JOHN COUNCIL
Fort Worth Star-Telegram

IRVING — The young officer stood in front of the flag-draped coffin, his voice breaking as he read his words describing the first Irving police officer killed in the line of duty — and his friend.

Glenn Homs, 30, a nine-year department veteran, was fatally injured Saturday when a hit-and-run driver cut him down as Homs worked a highway traffic accident.

Harvey Rubealcaba spoke fondly yesterday of the days he spent training under Homs.

Homs had a good reputation among fellow officers and had so many police awards pinned to his chest that "he looked like a general," Rubealcaba said.

"I knew that I could always turn to Glenn. We became the best of friends," Rubealcaba said during an emotional memorial service at Calvary Temple in Irving.

Officers remembered Homs as a gentle and caring man who was as devoted to his wife, Christy, and his children from his first marriage as he was to the Irving Police

Department. He risked his life for the department on more than one occasion.

"Glenn had a calm, soothing voice that let everyone know that he was in control," Rubealcaba said. "He was proud of his uniform and always looked his best."

Homs was buried yesterday in his uniform, his many medals pinned to his chest. His police hat was placed by his side, along with a teddy bear and pictures of his children, Heather, 8, and Ryan, 6.

Behind Homs' coffin was a yellow flower wreath in the shape of a police badge. His badge number, 652, was in the center.

More than 500 people, many of them North Texas police officers, attended the midday service.

In a poem written by Sgt. Keith Kirby when Homs died, Kirby described the day that all Irving police officers hoped would never come. Although several Irving officers had died in off-duty incidents, none had died on the job.

(More on HOMS on Page 14)

"We all knew this day was long overdue, but we prayed we might never have to see it through," Kirby said in his poem. "And yes, there have been others. Mike Darryl, Larry and Rudy. But Glenn was the first in the line of duty.

"He leaves behind a loving wife and two small children who will never hear 'Daddy's home,' to their attentive ear."

Police dispatcher Christy Homs, 23, was on duty the night her husband died. She was among the first to hear radio transmissions that Glenn Homs was struck and had been seriously injured.

A statement released by Homs' family described the pain his death has brought.

"His passing has left a void, an emptiness, that can never be filled," the statement said. "Glenn loved being a police officer, devoted to his job as well as our family. We are trying to make some sense of why Glenn was taken from us."

Dallas police chaplain Stan Griffis was at Parkland Memorial Hospital, where Homs was taken for treatment.

"No man-made gauge could register the horror the family felt and the officers felt when the doctors walked into the room and said Glenn had died," Griffis said. "No police training could prepare you for this."

Sheriff offers task force job to former campaign manager

By STEFANI GAMMAGE KOPENEC
Fort Worth Star-Telegram

FORT WORTH — Sheriff David Williams said yesterday that he has offered his former campaign manager a position with the new Auto Theft Task Force, but he stressed that the decision was not based on political patronage.

Tom Wilder, Williams' former campaign manager, could begin the job as financial manager as early as July 14, pending approval by county commissioners, Williams said.

The job pays between \$32,220 and \$35,448 a year. Funding for the task force and Wilder's new job is from a state grant paid from a fee collected on automobile insurance renewals, Sheriff's Department Capt. James Moore said.

Williams had said in the spring that the task force's board of governors would fill the job, but this week he said he made the choice himself after conferring with the district attorney.

"This man went through the front door and went through the stuff all the other candidates did and was apparently the best man for the job," Williams said.

Wilder could not be reached for comment yesterday.

Wilder, a commercial real estate agent, has said that he is qualified for the post and has managed large sums of money, including a \$2.2 million budget at the Real Estate Center at Texas A&M University.

Before offering the job to Wilder, who was on a short list of four prospects, Williams said he checked with Tarrant County District Attorney Tim Curry about whether the sheriff or the board of governors was to do the hiring.

"I got the impression there was no other option and that I had to make the choice," Williams said yesterday.

Curry said he told Williams he believed that the sheriff had the authority to hire the financial officer and some other positions on the task force.

The task force's board decided last month to re-advertise for applicants to try to reach a financial organization that might not have known about the job opening, said Curry, a member of the board of governors. Curry was also on the three-member applicant screening committee.

The job was re-advertised and more applications have been received, said Lt. Sue Maddock of the Sheriff's Department personnel department. It was unclear yesterday whether that second application process was still under way when Williams decided to hire Wilder.

Williams said he went to Curry last week, after he got a letter from Wilder asking why the job was being re-advertised after he said he emerged as the leading candidate.

"Is it because of our relationship and am I being penalized for my past involvement with you?" he wrote Williams.

Fort Worth Police Chief Thomas Windham, who was also on the screening committee, said he is disturbed because the board wanted to seek someone more qualified.

"I'm quite upset he [Williams] would take such an action against the advice of the board of directors," Windham said.

Staff writer Max B. Baker contributed to this report.

Sheriff asked to reconsider hiring of former manager

BY STEFANI GAMMAGE KOPENEC
Fort Worth Star-Telegram

FORT WORTH — The board of governors of a countywide Auto Theft Task Force asked Sheriff David Williams yesterday to rethink his decision to hire his former campaign manager as the new group's financial manager.

Williams had little comment since the matter is pending.

"We've asked the sheriff to consider what he's done and we're going to have another board meeting" at 2 p.m. today, said Hurst Police Chief Tim Wallace, a board member.

In a scheduled meeting with the new task force commander, the board discussed Williams' decision to offer the financial post to ex-campaign aide Tom Wilder, Wallace said.

Wilder accepted the \$35,448-a-year job and could begin as early as Wednesday, pending approval by county commissioners, county officials said.

Wilder, a commercial real estate broker, said yesterday that he was surprised by the board's action and said it seems that the post was given more scrutiny than others.

"I believe I was selected on the merits," he said. "I have a right to be a part of this thing like anyone else."

Wilder would not speculate about what he would do if Williams changed his mind,

but said that even if he got the job he would keep his real estate broker's license.

Earlier this week, Williams said that his decision to offer Wilder the post was not a political payback. He said that he made the choice after conferring with the district attorney.

"I'm wanting to do everything possible to build a cooperative relationship between the sheriff's department and law enforcement agencies in Tarrant County," he said. Officers from throughout the county participate in the task force, directed by a board of eight high-ranking law enforcement officials.

The task force was set up in March and shortly afterward began seeking applicants for administrative jobs, including financial officer.

The task force's board decided last month to re-advertise to try to reach more applicants, a board member said. Since then, about 17 people applied for the position before the June 28 deadline, Williams said. He would not say how the applicants figured into his decision to pick Wilder because of ongoing discussions.

Wallace said that some board members interpret the task force's state funding grant to say that the task force operates at the direction of the board of governors. However, Williams said that he checked with District Attorney Tim Curry about whether



David Williams: Tarrant sheriff sought district attorney's opinion

the sheriff or the board of governors was to do the hiring before he offered the post to Wilder, who was on a short list of four prospects.

"I got the impression there was no other option and that I had to make the choice," Williams said Tuesday.

Curry has said that he told Williams he believed the sheriff had the authority to hire the financial officer and some other positions on the task force.

Williams backs off offer to supporter

Sheriff says he learned he doesn't have authority to fill post'

BY STEFANI GAMMAGE KOPENEC
Fort Worth Star-Telegram

FORT WORTH — Sheriff David Williams said yesterday that he did not have the authority to offer his former campaign manager a job as financial manager of a countywide task force on auto theft.

Williams had offered the job to Tom Wilder, and Wilder had accepted. But the sheriff said he learned Wednesday that only the task force board of governors has the authority to hire the financial

manager.

Officers from throughout the county participate in the task force, which is directed by a board of eight high-ranking law enforcement officials.

Some board members had questioned whether Williams had the authority to unilaterally hire Wilder and had asked him to reconsider his actions.

Williams said he is "distressed" that he offered Wilder the post and then pulled back, but he pledged to

support Wilder.

Wilder, 49, is a Euless commercial real estate agent who has championed conservative causes. He was Williams' campaign manager and co-chairman of his transition team.

"I truly support him and will continue to do so," said Williams, a former Haltom City detective.

Wilder had not gone to work in the new position, although he could have started as early as next

(More on SHERIFF on Page 18)

Sheriff

From Page 15

Wednesday if county commissioners had approved.

Because it was the board's decision last month to re-advertise for a financial manager to attract a wider pool of applicants, Williams said the job will be posted and advertised again in the newspaper immediately. Applications had already been reopened once and then closed June 28.

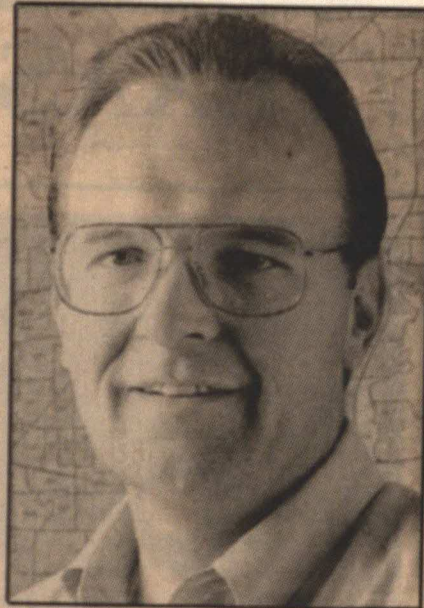
"According to the board, Tom is still in the active applicant pool and also on the short list," said Williams, who said earlier this week that the decision to offer Wilder the post was not a political pay-back. He said he made the offer to Wilder after conferring with the district attorney.

Said Wilder: "I'm certainly disappointed. I don't feel comfortable with this at all."



Tom Wilder: "I don't feel comfortable with this at all."

Wilder, who had accepted the \$35,448-a-year job, said he will reserve further comment until he has read the agreement creating the task force. Williams said that agreement gives the task force board — not the sheriff — control of the task force



David Williams: Says he learned board has hiring authority

and the authority to hire the financial manager.

Fort Worth Police Chief Thomas Windham, who sits on the board and had criticized Williams earlier, said yesterday, "I think we've got everything back on track."

Operation Rescue urges Texans to block clinics

By KAREN AUGE
Fort Worth Star-Telegram

EULESS — After the last "amen" was silenced, the shouted admonitions to battle Satan faded and the graphic film depicting abortions ended, some three dozen Texans answered Dallas Operation Rescue leader Flip Benham's call last night to help blockade abortion clinics.

The men and women who came forward at the close of Operation Rescue's pre-protest pep rally will join thousands of anti-abortion crusaders demonstrating simulta-

neously in seven cities across the nation through July 18.

The "Cities of Refuge" campaign began yesterday in suburban Philadelphia, where 113 anti-abortion protesters were arrested. Demonstrations also got under way in Cleveland as Operation Rescue's 10-day offensive to halt abortions in seven states began.

The group planned rallies, prayer vigils, clinic blockades and protests at the homes of doctors who perform abortions. The campaign was

(More on PROTESTS on Page 24)

Protests

From Page 21

to spread over the weekend to areas including Fort Worth-Dallas.

In an emotional, 30-minute oratory that was part sermon and part sales pitch, Benham urged the roughly 350 who gathered at the Metroplex Chapel in Euless to join the crusade. "Whether you want to be or not, you are at war," he said. Quoting the Bible, Benham warned the crowd that they must be ready to sacrifice and to battle Satan, who he said is here on Earth.

Benham served as a last-minute substitute for Operation Rescue National leader Keith Tucci. Rick Blinn, a local activist for the anti-abortion group, told the audience that Tucci was unable to attend because his wife had suffered a miscarriage.

Benham's invitation to block abortion clinic doors was the culmination of a 2½-hour rally that included the introduction to the cheering audience of a 2-year-old

boy organizers said had been saved by an Operation Rescue volunteer from being aborted. They said the volunteer later adopted the boy.

After a prayer by Blinn for "these who have made the decision today to lay their lives down for the unborn tomorrow," the volunteers who had come forward were led into a room where, according to one organizer, they would be asked to sign an agreement to remain nonviolent during the protest.

Protesters, including those who volunteered to blockade as well as those who said they will picket clinics, were told to gather at 7 a.m. today at Cole Park in Dallas.

Tarrant County's three clinics will be closed today.

At the Mississippi Women's Medical Clinic in Jackson, city workers set up barricades to surround the building.

"We're taking all the possible scenarios and trying to cover the bases for each one," police Lt. Wayne Simpson said. "We're hoping for a lot of cooperation from the two groups."

Abortion-rights supporters outnumbered anti-abortion demon-

strators at four Cleveland area clinics. The Rev. Joe Slovenec, Midwest coordinator for Operation Rescue, said demonstrators won't block doors to clinics there.

Slovenec said at a news conference that three doctors who perform abortions have been targeted for picketing at their homes and offices. He wouldn't identify them.

Other areas on the Operation Rescue list are Minneapolis; San Jose, Calif.; Jackson; and Melbourne, Fla.

Florida Gov. Lawton Chiles said the state Department of Law Enforcement will be mobilized to help police deal with any violence.

Dr. David Gunn, who performed abortions, was shot to death in March outside his clinic in Pensacola, Fla. An anti-abortion activist was charged with murder in his death.

In the spring, police made more than 600 arrests during Operation Rescue protests in Buffalo, N. Y. Police in Wichita, Kan., made more than 2,700 arrests during a 46-day clinic blockade in 1991.

This report contains material from The Associated Press.

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HULME
NEA

Saturday, July 10, 1993

I WANT TO REPORT A
MASS TEMPER TANTRUM.



Richard Lee Clayton

KENNEDALE — Richard Lee Clayton, a 40-year Fort Worth Star-Telegram employee, was shot to death as he returned to his Kennedale home from a trip to a grocery store late Tuesday. He was 57.



Funeral will be at 3:30 p.m. today at Mount Olivet Funeral Home. Burial will be in Mount Olivet Cemetery.

Mr. Clayton, a native of Fort Worth, graduated from Arlington Heights High School.

He was a Baptist and a member of the Julian Feild Masonic Lodge.

He raised horses as a hobby, a relative said.

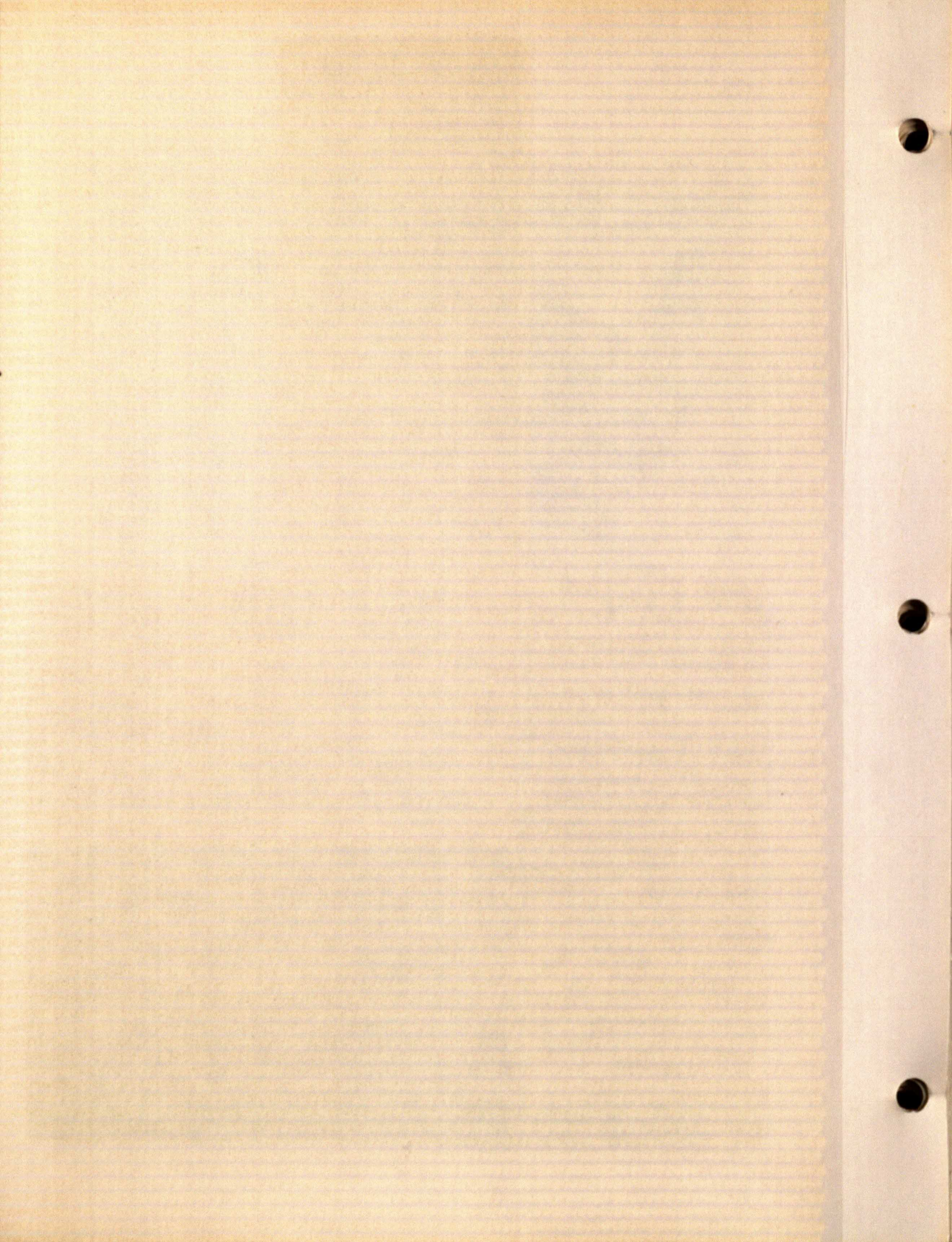
Survivors: Daughters, Kim Rountree of Fayetteville, Ga., Chris Williams of Concord, N.C.; sister, Charlotte Fox of Bedford; two brothers, Ural Clayton of Richmond, Va., and Charles Clayton of Benbrook; and two granddaughters.



Fort Worth Star-Telegram / ALLEN ROSE

Ronald Gene Powell, right, is escorted back to Tarrant County from Vicksburg, Miss., to

face capital murder charges in the killing of Richard Clayton of Kennedale. **STORY ON PAGE 23**



Abortion clinic protesters cite Texas success

BY STEPHEN W. HUBER
Fort Worth Star-Telegram

DALLAS — Operation Rescue leaders were claiming victory yesterday as several hundred protesters peacefully picketed selected clinics here as part of an anti-abortion crusade being held simultaneously across the nation.

The Rev. Phillip "Flip" Benham, one of the leaders of Dallas Operation Rescue, told his followers that they should rejoice, saying that their demonstrations closed three abortion clinics each in the Fort Worth and Dallas areas yesterday.

There were no arrests or incidents of any kind, said Dallas police Cpl. Chris Gilliam.

"God brought victory to Dallas," Benham told his supporters. "Little boys and little girls were saved today. . . . God has given us a wonderful victory today."

But Janie Bush, the director of CHOICE, an abortion-rights organization, called the victory hollow, saying that the clinics Benham said were closed were either scheduled to be closed or were continuing to perform abortions. She said abortion-rights supporters were instructed to stay away from the clinics yesterday.

"I don't know what wonderful things they claim to have done, but it's absolutely not true," Bush said.

Things also were quiet in Tarrant County, including the West Side Clinic in White Settlement, where past anti-abortion demonstrations on the anniversary of the Roe vs. Wade case have drawn hundreds of marchers.

A handful of protestors carrying signs appeared outside the clinic yesterday morning, as they have every Saturday for years, but there was no indication of anything special, said White Settlement police officer Bart Largent.

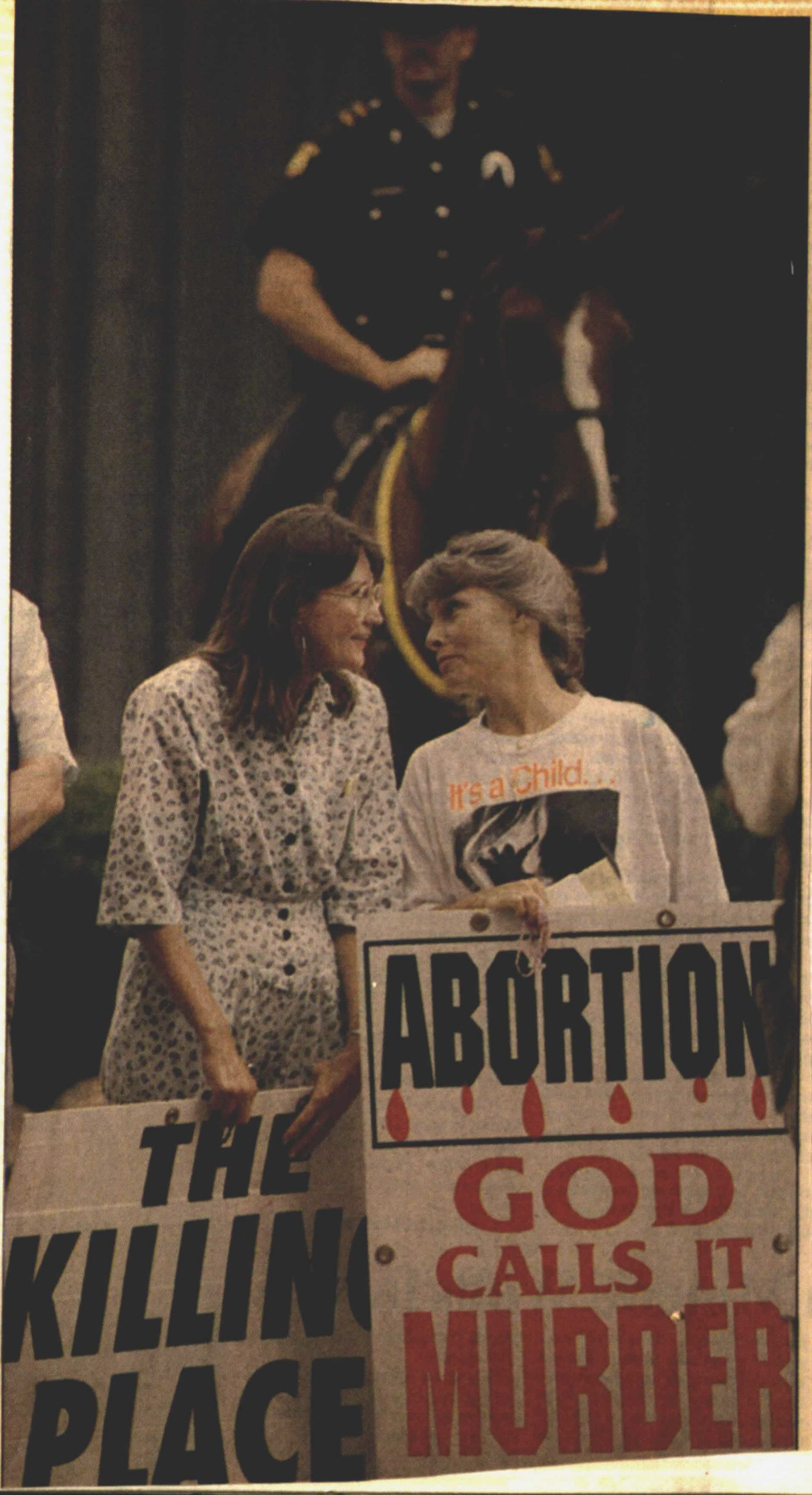
"As far as we know there was no Operation Rescue people. It was just about the same as usual," Largent said. "They left before 11 o'clock, which of course they normally do."

The clinic generally takes no patients on Mondays, he said, adding, "I



Fort Worth Star-Telegram / STEVE DELAFIELD

At left, two Operation Rescue protesters stand before the Fairmount Center Abortion Clinic as a Dallas officer watches the crowd. Above, Flip Benham, an Operation Rescue organizer, instructs more than 150 protesters at the clinic in Dallas.



ABORTION

**GOD
CALLS IT
MURDER**

**THE
KILLING
PLACE**

Protests

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seriously doubt we'll do anything until Tuesday."

About 75 protesters began their day at 7 a.m. at Cole Park in Dallas, with Benham leading them in prayer and song before handing out maps with the locations of nine Dallas clinics.

By the time they reached their first destination not far from the park, the number of protesters swelled to more than 200, the largest of the day.

A declining number visited four other clinics before calling off the demonstrations about 3:30 p.m. outside a north Dallas clinic called A Choice for Women.

In an apparent attempt to keep police and possible disrupters guessing, Benham and his lieutenants did not release the next destination until minutes before one demonstration would end. The strategy may have been for naught, as police had officers at all of the clinics.

At only one stop, a clinic in Exchange Plaza at 6303 Harry Hines Boulevard, was there any hint of trouble.

Benham and about 30 supporters blocked the steps to the clinic until building security officials asked them to leave. More than 20 Dallas police officers, some on horseback and others members of the Police Department's tactical unit, instructed each protestor to leave.

Slowly the group left without incident, although police officers took the names of the protesters as other officers videotaped the scene from a distance.

This was also the lone location where the protesters met any opposition. Eleven abortion-rights supporters from Wichita, Kan., challenged several of their counterparts, trading jabs on religious views and when life begins, with neither side willing to back down.

Cathy Ervin, one of the abortion-rights activists from Wichita, said she was surprised that the gathering did not attract more from the anti-abortion side, considering the national scope of the protests.

"This is nothing more than a small group of religious fanatics," Ervin said.

Last night, about 150 people gathered at Metroplex Chapel in Euless to hear anti-abortion testimonials from several speakers, including Benham, Roman Catholic Bishop Charles Grahmann of Dallas, and

Carol Everett, a former abortion clinic operator.

Everett, who periodically read from the Bible, told an audience of many young children about her years at an abortion clinic.

"Money, money, money — that's where my heart was," she said.

Elsewhere around the country, most of the protests went off without serious incident.

Fewer than 30 anti-abortion protesters were arrested yesterday in the six other states targeted in Operation Rescue's 10-day campaign. A handful of abortion-rights advocates also were arrested.

However, police said about 150 people were expected to be charged with trespassing in a protest in Delaware, which wasn't one of the states that Operation Rescue targeted.

At the Robbinsdale clinic in Robbinsdale, Minn., about 50 anti-abortion activists prayed, picketed and sang while about 100 clinic supporters looked on quietly.

"This is not really a protest. It's a prayer vigil. These people are not screaming, yelling barbarians from across the country," said the Rev. Patrick Mahoney, executive director of the Virginia-based Christian Defense Coalition.

Operation Rescue's "Cities of Refuge" anti-abortion campaign began Friday. Other areas on the list are Philadelphia; Cleveland; Fort

Worth-Dallas; San Jose, Calif.; Jackson, Miss.; and Melbourne, Fla.

In Wilmington, Del., which wasn't one of the cities officially targeted, the front porch of a medical clinic collapsed after it was occupied by more than 100 abortion protesters.

No one was injured, State Police Cpl. David Thomas said, but police said they expected to arrest up to 150 people on trespassing charges.

The majority of yesterday's arrests in the Operation Rescue protests occurred in San Jose, where 15 abortion foes were arrested outside the home of Dr. Jonathan Belcher, a gynecologist. They were accused of violating an ordinance that bans picketing outside private homes.

The biggest confrontation came at Planned Parenthood's main clinic in San Jose. Police spokesman Luu Pham estimated that 400 abortion-rights advocates and about 70 anti-abortion protesters were on the scene.

Joan S. Coombs, executive director of the Planned Parenthood office in Philadelphia, said she believed Operation Rescue was running out of steam.

"It's too soon to call it Operation Fizzle, but soon . . ." she said.

Operation Rescue's reputation for mass arrests and siege tactics appeared to mobilize local abortion-



Police in Jackson, Miss., struggle with activists trying to block a clinic driveway.

rights supporters. It also triggered a new law in Minnesota, providing hefty fines and year-long prison terms for people who block access to abortion clinics.

But Mahoney said the law, combined with distorted perceptions of his group as a bunch of fanatics, has had a "chilling effect" on protests in the state.

"We have lost, in some ways, church support that's critical to the movement," he said. "They read the papers and they're scared. No one wants to be associated with extremism."

On Friday, 113 anti-abortion protesters were arrested outside a clinic in Upland, Pa., a Philadelphia suburb. One anti-abortion activist was arrested Saturday in Philadelphia.

Six people were also arrested yesterday in Jackson when they tried to block a car at the Mississippi Women's Medical Clinic. About 130 anti-abortion protesters, fewer than one-fourth the number predicted, showed up.

One abortion-rights advocate was arrested in Cleveland, where about 800 people from both sides of the issue demonstrated at clinics.

At a house a few hundred yards from one clinic, a homeowner hung a banner urging motorists, "Honk if you want both groups to go away."

This report contains material from The Associated Press.



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