

DEDICATION

From the date I joined the Tarrant County Sheriff's Department, June 5, 1986, the periodicals displayed within the chronological volumes of these pages will graphically illustrate the turbulent times of the Administrations of Sheriff Don Carpenter and his Successor, David Williams.

Additional volumes will relate to the up-to-date Administration under the guidance of Sheriff Dee Anderson.

These collective clippings from the Fourth Estate, namely The Fort Worth Star-Telegram, are reflective of the interpretations of those journalists who have penned these efforts, and are not always a reflection of this collector's opinion on the merits of either Administration.

Also, scattered among the volumes will be articles of a personal nature of this collector.

We are living in turbulent times. Crime in our area is at an all time high, and these clippings are assembled as a journal of the progress of law enforcement personnel in combating the criminal element in our society, and those incarcerated as a result.

And so, it is to those individuals who have dedicated their lives to law enforcement, this collection is reverently dedicated.

**--Floyd F. Clark
Certified Deputy, #1491
"Confinement Officer of The Year - 1993"
Retired January 31, 1995**



Floyd Clark

Carpenter gives back 2 campaign donations

BY THOMAS KORSEK
Fort Worth Star-Telegram

Sheriff Don Carpenter's re-election campaign accepted two apparently improper campaign contributions in December, then refunded them last week after the sheriff's wife reviewed campaign expense reports.

In its Jan. 15 campaign finance statement, the Carpenter campaign listed two contributions — \$100 from Trans America Freight Systems Inc. and \$150 from Northeast Paint and Body Inc. — that could have been challenged under Texas election laws.

Candidates in local elections cannot accept money from incorporated businesses, said Randy Erbin, assistant Texas secretary of state.

Carpenter said yesterday that his wife, Weda Carpenter, who is active in the campaign, reviewed the Jan. 15 statement the day it was filed with election officials and noticed the two Fort Worth corporate contributions.

The sheriff said he immediately refunded the money and filed an amended statement.

A new statement reflecting the refunds was filed at 8:14 the next morning.

"It was an oversight that has been taken care of," Don Carpenter said.

Election '88

"My wife noticed it."

At Northeast Paint and Body Inc., co-owner Glenn Prader said a secretary mistakenly drew a check from a corporate rather than a personal account.

"It was a foul-up," Prader said.

Representatives of Trans America Freight Systems Inc. could not be reached for comment yesterday.

Terri Yochum, Carpenter's campaign treasurer, "was in a rush to take care of this (filing the report) and filed it in a hurry," Weda Carpenter said. "Different volunteers were bringing in checks, and she didn't notice it in the rush. It was a clerical error."

The statement also lists an in-kind contribution of \$1,337.50 from "Vance Godbey's Co." for 250 plate dinners, which apparently were served during a money-raiser.

Wedda Carpenter said the contribution from the Fort Worth caterer was proper. It was a personal contribution from Godbey, not the company, she said.

Meanwhile, the incumbent's amended statement for the Jan. 15 period shows he is well ahead of his two Republican challengers in financial sup-

port.

Carpenter listed contributions of \$14,565; former sheriff's deputy Bob Woolweaver listed a \$10,000 loan to his own campaign; and Clete McAlister, Tarrant County director of research and planning, reported raising \$2,725.

In the race for the Democratic nomi-

nation, Dub Bransom, former president of the Fort Worth Police Officers Association, reported raising \$20,990; Jim Hunter, a retired federal drug agent, reported raising \$15,275; and Fort Worth police Officer E.M. "Stoney" Burks listed contributions of \$5,040.

APRIL 9, 1984

MONTY E. GILREATH

... sheriff's office employee

Funeral for Monty E. Gilreath, 24, of Fort Worth, will be at 2 p.m. Tuesday at Laurel Land Funeral Home. Burial will be at Laurel Land Memorial Park.

Gilreath, a maintenance engineer for the Tarrant County Sheriff's Department, died Saturday after striking his head in a fall. Gilreath was born in Newport Beach, Calif., and had lived in Fort Worth since 1973. He graduated from Paschal High School in 1977.

He was a member of Carter Park United Methodist Church and the Fort Worth DeMolay.

Survivors include his parents, Mr. and Mrs. C.E. Gilreath; two sisters, Rosalyn Marie Pierce and Marjorie Ann Gilreath; and his paternal grandmother, Sadie F. Gilreath, all of Fort Worth.



MONTY E. GILREATH

Don't pay a ticket: go straight to jail

I thought the citation I received about two years ago in Brownwood for not wearing a seatbelt was a warning, but not so.

I found out the hard way. I spent the night in the Tarrant County Jail Saturday night.

I was returning from a friend's house in Arlington and going towards my home in Rendon when I noticed the red and blue lights behind me on Rosedale Street in Fort Worth.

"You were doing 55 MPH on a 40 MPH zone," said the officer.

Ignorance is no excuse right? Oh, well. That's all right, if I had to get a ticket—I had to get it, right?

The officer wrote me up and went to his car to do the routine check up. He returned and told me that I had to lock up my car and come with him because I was wanted for outstanding tickets.

I was sure it was a mistake. When the no-seat-belt citation was issued to me, I understood the officer as having said, "I'm giving you a warning this time, but watch out for the seat belt."

Since then I have tried to wear my seatbelt as much as possible.

I had no other choice but to oblige the officer. I locked up my car and was told to get into the back seat of the police car.

All the way to the jail I was sure that there was some kind of mistake. But, it wasn't that way.

Once we got to the jail, I was told to take my shoes off and turn my socks inside out. I was told to put my hands on the wall and spread my legs. All this time the officers were unfriendly and rough, which is understandable for criminals, but for not paying a no-seat-belt violation—no way.

After I was searched, I was guided into a room full of possible criminals.

"Don't be rough with this one. It's his first time," said a federal employee in a ridiculing manner.

Once I was in the cell, I put my head on my knees and tried not to make any conversation with anyone.

BY
ROMEO
MUNGUIA



Eventually, an officer called my name.

The same officer smiled and said, "You are in here because of stupidity. You didn't pay your ticket. You are allowed two phone calls and we need to have \$151 before we let you go or we will ship you to Brownwood where the citation was issued."

At 4 a.m., I called Juan Esquivel, a good friend, and told him about the situation. He came to my rescue.

Meanwhile, I was waiting in a small cell with about 30 other people.

There were drug users, DWI offenders, alleged burglars, and others in the same situation that I was in.

The inmates' language was harsh, they were full of hatred. The things they kept repeating were vulgar and demeaning.

The smell in the cell was enough to make anyone vomit. The inmates urinated on the floor adding to the stagnant odor.

There was not enough room for the people to sit so they were forced to lie down or sit on the dirty floors.

At one time, a new inmate who came in the cell kicked my bench and demanded that I get up so that he could sit down.

Another inmate said, "Get your own place, he was here first."

I stayed seated.

Around 5 a.m., breakfast arrived. A cold sandwich was literally thrown at each inmate. One of the sandwiches even hit the floor.

The quote that says "you're innocent until proven guilty" did not apply there. Everyone was treated roughly, without respect, in a degrading manner as if we were guilty of some horrible crime.

I was amazed at the way the people were treated. An offender that did not pay a ticket for not using a seatbelt was treated just as badly as a drug user, a burglar, or any common criminal.

I was taken with some others and asked a set of medical questions. Then I was told to go to another room where an inmate said we were going to be sprayed with kerosene.

Luckily, my name was called by an officer and I was told to go to the front because my fine was already paid. I was finally taken out of my never-ending nightmare.

Paying a ticket is a very small price compared to the degrading ordeal that one must endure in jail.



Let others do sheriff tasks, study urges

BY RICH HEILAND
Fort Worth Star-Telegram

The patrol duties of the Tarrant County Sheriff's Department should be eliminated by the year 2000 and jail administration made a function of Commissioners Court, a citizens brainstorming group said yesterday.

That suggestion from Tarrant 2000 Task Force's yearlong study drew a quick response from Sheriff Don Carpenter, who said last night: "It'll never happen."

Carpenter, who did not attend the group's briefings, called the suggestions "just talk from a bunch of people who like to control the world their way. I don't worry about any of that."

County commissioners yesterday got their first look at the results of the study into problems the county will face by the end of the century and possible solutions.

Presentations were to continue at 9 a.m. today in the Fort Worth-Tarrant County Convention Center.

Proposed changes in the Sheriff's Department, presented by the criminal justice subcommittee, were the most radical. Those changes would leave the department as an investigative unit and support service for other governments.

However, taking jail operations away from the sheriff would require legislation because state law requires the sheriff to oversee the jail. Bill Robinson, a member of the criminal justice subcommittee, said 35 counties around the country already have split the operations.

"The FBI does not operate the federal prison system, and the Texas Department of Public Safety does not operate the state prison system," Robinson said. "County government remains the only area where the law enforcement function includes the jail."

If the jail were removed from the Sheriff's Department, it would be operated by a professional administrative team that would answer to commissioners, the group said.

G.K. Maenius, county administrator and chairman of the criminal justice unit, also said the patrol function of the Sheriff's Department is fading in importance.

"As more and more unincorporated land in the county is taken into municipalities, the area to be patrolled will shrink," Maenius said. "This is, in no way, to suggest that the importance of the department be diminished. As patrol needs decrease, more emphasis could be placed on investigations. The department could become a crack investigative unit assisting smaller communities."

Patrols would not be eliminated completely if large amounts of unincorporated land remains by the year 2000.

Maenius said some expensive investigative efforts, such as an automated fingerprint system, could be coordinated through the department and used by all area cities.

Carpenter sees the changes as unlikely.

"First off, it would take a constitutional change and the people aren't going to go for that. Second, commissioners can't even run their own court. You tell me how they're going to run a jail. I'm not for any of that," Carpenter said.

Maenius also warned commissioners that even though a new jail, with 1,440 beds, is about to be built, sufficient jail space will remain a concern into the next century.

The group also suggested:

- One-day jury calls. Under that system, jurors not seated on a jury within one day would be dismissed.

- More county thoroughfare planning and creation of a transportation department that would control all road building and maintenance. Arlington City Councilwoman Marti VanRavenswaay, who led the transportation subcommittee, said the department would coordinate work, but not replace precinct garages.

Regional parole supervisor is suspended over arrest

BY R. ROBIN McDONALD
Fort Worth Star-Telegram

The Texas Board of Pardons and Paroles has suspended a regional parole supervisor who was jailed Wednesday night in Fort Worth on charges of drunken driving and possession of marijuana.

Joe Tom New, supervisor of state parole offices in 36 counties including Tarrant, was suspended with pay yesterday until the board's internal affairs officer completes an investigation of the circumstances that led to New's arrest and the charges against New are

resolved, said Cecil Simpson, director of parole supervision.

"He has been relieved of any responsibility until the matter is resolved," Simpson said.

Pete Burden, a Region 5 parole supervisor, is replacing New as acting supervisor of Region 3, Simpson said.

New supervises state parole offices in counties from Tarrant north to Denton, northwest to Wichita Falls, southwest to Abilene and east along Interstate 20.

Yesterday's disciplinary action was the second time New has been suspended.
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ed as a regional supervisor. In 1982, John Byrd, the board's executive director at the time, suspended New for 30 days for what Byrd at that time called "a discrepancy in a travel voucher."

At the time, Byrd rejected New's offer to resign but asked him to reimburse the state for expense money the regional supervisor was accused of having improperly claimed.

Although Simpson said he met with New yesterday in Austin, he declined to discuss any explanation New might have offered for his arrest.

Fort Worth police arrested New shortly after 11 p.m. Wednesday after his car collided with another car on McCart Avenue. The other car was driving without headlights, according to a police report.

Neither New nor the occupants of the second car were injured. But after the accident, an officer who questioned New reported that the parole supervisor's breath smelled strongly of alcohol,

that his eyes were bloodshot and that his speech was slurred.

The officer, D.K. Yerigan, asked New to take a field sobriety test. New agreed but was unable to perform the simple tasks the test required, Yerigan said, so the officer arrested him.

During a routine search after New was arrested, Yerigan found a plastic bag containing a green, leafy substance in the right front pocket of the trench coat New was wearing, according to the police report.

The police department's crime laboratory has confirmed that the substance was 19.1 grams, or about 0.7 ounces, of marijuana, said Tony Wallace, a police narcotics officer.

After the arrest, New was taken to the Tarrant County Jail, where he declined to be tested for alcohol in his bloodstream. On Thursday morning, he posted a \$500 bond on a charge of possession of marijuana and a second \$500 bond on a charge of drunken driving.

Sheriff gives job back to fired jailer

BY BOB MAHLBURG
Fort Worth Star-Telegram

A Tarrant County Jail guard who was fired recently was reinstated yesterday by Sheriff Don Carpenter.

Truman Bradshaw had been fired in connection with allegations that he gave information to federal investigators, the *Star-Telegram* and WFAA-Channel 8 Television about accusations that the Sheriff's Department refused to permit voting by some county jail prisoners. Federal law enforcement officials are reviewing those allegations.

Bradshaw said he was informed late Thursday that an appeal of his firing had been approved by the sheriff.

"I didn't feel like I did anything to be terminated for and I'm glad to be going back to work," Bradshaw said. "It feels real good."

Carpenter confirmed yesterday that Bradshaw has been reinstated.

However, the sheriff declined to comment on the action or his reasons for the reinstatement.

"That's my business," Carpenter said. "Why don't you ask him?"

Bradshaw is one of three jail guards belonging to the newly formed Tarrant County Jailers Association who were fired by the sheriff's board of chief deputies in the last two weeks. The others are the group's president, Terry Fenwick, and vice president, Joe Berry.

The board has rejected appeals by Fenwick and Berry.

James Burke, an attorney for the Combined Law Enforcement Associations of Texas, has charged that all three were fired in retaliation for organizing the jailers association.

Burke said he also will fight the firings before the county's civil service board.

Overflow lockup opens up

Police 'cage' response to packed county jail

BY WHIT CANNING
Fort Worth Star-Telegram

A new police facility opened its doors last night, but its first occupants probably would have preferred to decline the honor.

With the Tarrant County Jail full, police units returned from a drug raid on the city's Southeast Side, carted 17 prisoners up to the fourth floor of the police station, and bedded them down under guard for the evening.

Unofficially, the new lockup was quickly dubbed, "Overflow Arms."

"It's the result of an agreement worked out between Chief (Thomas) Windham, Sheriff (Don) Carpenter and others," said Capt. Ray Armand of the Special Operations Division, which donated the space. "We agreed on it this week and now we're putting it into operation."

The floor's first prisoners came from a raid on the Luxury Inn at 2109 South Riverside Drive around 7 p.m.

Officers from Special Operations — Narcotics, Special Weapons and Tactics, Special Approach and Repeat Offender units — using information received from undercover officers, hit six motel rooms. They collected a quantity of drugs, at least one pistol, and a group of prisoners who filled a following Sheriff's Department van to near capacity.

They were then processed through the jail — but not booked — given an opportunity to make bond, and taken up to an empty area of the fourth floor of the police station that will eventually become Special Operations' offices.

For the moment, however, it is the county's newest detention area.

Armand said the idea grew out of a determination to circumvent the problems of an overcrowded jail and serve notice to criminals that the police are still out there.

"We can't stop doing the job people want us to do while the legislators make up their minds what to do with prisoners," Armand said. "These prisoners will remain in our custody — even though it isn't our normal job — for as long as we have to hold them."

Armand hopes that will be only until Tuesday, when some movement is ex-

pected in the jail population. But he said the prisoners "will still be here three weeks from now, if that's what it takes."

The prisoners — male and female — are being held in a cage composed of 6-foot high cyclone fencing with a padlocked gate. They are given mattresses, blankets, and food brought from the jail.

The raid itself was also distinguished as the first appearance in a major operation by "Baron" — the department's drug-sniffing German shepherd.

Officers using sledgehammers to gain entry received little or no resistance from the surprised occupants of the rooms.

One man tried to swallow a large quantity of what police thought were drugs, but he was unsuccessful. Others tried to flush packets down commodes, but that didn't work very well either.

In one room, officers found a man sitting at a desk, collecting money. Confiscated along with the cash was a check he had cashed for a customer.

It had "Bureau of Prisons" stamped on it.

All of the rooms contained loose rounds of ammunition, but only one weapon — a .38-caliber revolver — was found.

When the raid was completed, the van from the Sheriff's Department pulled up and the prisoners were loaded in.

"We've gotten great cooperation from the sheriff on this," Armand said. "We have a problem we have to do something about."

Bondsman tracks down, arrests man sought in ex-Marine's death

BY DAVID R. SQUIRES
AND J. LYNN LUNSFORD
Fort Worth Star-Telegram

A second man was arrested today in the shooting of an ex-Marine who confronted drug dealers at a Fort Worth housing project last October, police said.

A Fort Worth man, who identified himself as Ernest McKee Jr., 27, was turned in to Tarrant County Sheriff Don Carpenter this morning by private investigator Manny Cabano.

Cabano, a former bail bondsman, said he used his "contacts on the

streets" to locate McKee in another city, which he declined to name.

Cabano said he apprehended the man last night and brought him back to Fort Worth in order to collect a \$5,000 reward.

"I just walked up to him and told him he was under arrest," Cabano said. "I don't think he was hiding to avoid prosecution; he was just keeping away because he is afraid."

Police had issued a warrant for McKee's arrest in the death of ex-Marine Reuben T. Washington, who was

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Arrest

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shot to death Oct. 8.

Washington was shot to death in the parking lot of the Prince Hall Village Apartments, 5308 E. Rosedale St., in East Fort Worth after he fought one man and refused to run when threatened by others.

Washington, a martial arts expert, had told his family earlier in the day he was going to make a stand against drug dealers.

Cabano said he turned McKee in to Carpenter because the man said he was afraid of being harmed if he surrendered to police.

"We read him his rights in front of three witnesses, he signed it and we initialed it," Carpenter said. "I told him there was no way anybody was going to lay a hand on him."

Police spokesman Doug Clarke said Ernest McKee Jr. told police he has a brother named Jerry. Police already have charged Jerry McKee, 35, of Fort Worth in the shooting.

Chief gets 50 jail beds from county

BY MARY HULL
Fort Worth Star-Telegram

Fort Worth Police Chief Thomas Windham, who sparked an angry outburst when he confronted county commissioners about nearly extinct jail beds earlier this week, got his way yesterday.

Windham's hardball tactics drew fire from city and county officials. But Windham is 50 beds richer, and his troops soon might be out of the business of shuttling prisoners and back in the business of patrolling city streets.

"Fort Worth police have transferred these people all over the county," Windham said. "That represents a substantial amount of resources for us."

At a news conference yesterday, a congenial Tarrant County Sheriff Don Carpenter said he would reserve 50 beds for prisoners arrested by Fort Worth police.



Thomas Windham: Said county hadn't fulfilled jail contract

The process to free the space will take two to three weeks, Carpenter said.

Windham and Carpenter met Thursday and agreed to the compromise, which Windham described as a "temporary, stopgap solution."

The standing feud over jail space — which has been fueled by finger-pointing and terse letters — erupted after
(More on JAIL on back page)

Jail / From Page 1

Windham showed up unannounced at the weekly county commissioners meeting.

During a heated exchange with County Judge Roy English, Windham said the county had reneged on its legal obligation to house city prisoners.

English accused Windham of overstepping his authority in trying to personally resolve the dispute over which prisoners take priority at the jail.

Windham asked that 50 to 60 beds be reserved for suspects arrested by Fort Worth police officers, who have been shuttling prisoners back and forth to jails in several outlying Tarrant County cities.

Commissioners did not grant Windham's request at the meeting.

At the news conference, Windham refused to comment on any reaction he got from City Manager Doug Harman or City Council members about his appearance before the Commissioners Court.

Harman said yesterday he had discussed the matter briefly with Windham, telling the chief it is proper proto-

col that discussions of legal issues be coordinated through the council.

The agreement between Windham and Carpenter is an "operational" decision that Carpenter said he hoped would help stem any legal action being considered by the city.

"Suits don't help anything," Carpenter said. "That's not the way to solve the problems."

Although thankful for the cells, Windham said, the agreement "doesn't in any way meet the contract but is a cooperative effort between the sheriff and the Police Department."

In 1985, the city and the county agreed to share the downtown jail's construction costs. The contract requires the county to house all city prisoners, Windham said.

Carpenter said Fort Worth is entitled to 140 beds under normal circumstances.

But overcrowding at state prisons has created a backlog in the county jail, and Carpenter says there are not enough beds to go around. Yesterday there were 631 felons awaiting a bed at the

Texas Department of Corrections, Carpenter said.

A week ago, the county jail population hit a record 2,411 prisoners, well above the limit of 2,350 that Carpenter set several months ago as well as the state-imposed limit of 1,972. The jail has operated above capacity through provisions of the Texas Commission on Jail Standards.

Carpenter said he plans to reduce his limit to 2,300 to make sure Fort Worth has 50 beds.

Of the 2,378 inmates being confined yesterday, 16 had been arrested by Fort Worth police, Carpenter said.

There were 42 Fort Worth prisoners in the North Richland Hills jail, 13 in Crowley, 10 in Everman, seven in Hurst, six in Kennedale and two in Watauga, Carpenter said.

To make the plan work, outlying Tarrant County cities must agree to take back prisoners after they have been driven downtown for routine procedures such as medical attention, baths and arraignments.

City, county reach truce on jail

Tarrant to reserve 50 beds for Fort Worth prisoners

BY MARY HULL
Fort Worth Star-Telegram

Tarrant County's and Fort Worth's top law enforcement officials agreed this morning to reserve 50 jail beds for suspects arrested by Fort Worth police.

The agreement is intended to put Fort Worth police officers out of the business of shuttling prisoners and back on the streets.

Tarrant County Sheriff Don Carpenter and Fort Worth Police Chief Thomas Windham said at a news conference that they had reached a compromise, which Windham described as a "temporary, stop-gap solution."

The feud over jail space erupted into a public encounter between Windham and County Judge Roy English earlier this week.

Windham showed up unannounced Monday at the weekly county commissioners meeting and during a heated exchange with English said the county had welched on its legal obligation to house city prisoners.

English accused Windham of overstepping his authority in trying to personally resolve the dispute over which prisoners take priority at the jail.

Windham asked that from 50 to 60 beds be reserved for suspects arrested by Fort Worth police officers, who have been shuttling prisoners back and forth to jails in seven outlying Tarrant County cities.

County commissioners did not grant Windham's request at the meeting.

At this morning's press conference, Windham refused to comment on any reaction he got from City Manager Doug Harman or City Council members about his appearance before commissioners' court.

Harman said today he had discussed the matter briefly with Windham, telling the chief it is proper protocol that discussions of legal issues be coordinated through the council.

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Jail

From Page 1

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Carpenter said he plans to roll back his limit to 2,300 to make sure Fort Worth has 50 beds, adding that it would take two to three weeks to do so.

This morning, out of 2,378 county inmates, 16 had been arrested by Fort Worth police, Carpenter said.

There were 42 Fort Worth prisoners in the North Richland Hills jail, 13 in Crowley, 10 in Everman, seven in Hurst, six in Kennedale and two in Watauga, Carpenter said.

To make the agreement work, Carpenter has worked out a plan to bring prisoners who need medical attention or to be arraigned downtown, but says the plan will only work if the outlying cities take them back.

Metroplex officials push proposal

By BOB MAHLBURG
Fort Worth Star-Telegram

Officials from Fort Worth, Arlington and Dallas made a pitch for public support yesterday in an effort to boost faltering legislative efforts to approve more state prisons.

The hastily arranged news conference was one of several planned in major Texas cities to drum up support for Gov. Bill Clements' legislation to boost prison space by 20 percent.

"The recommendations seem to be in a little trouble right now," said LaRue Robinson, legislative chairman for the Texas Criminal Justice Task Force appointed by the governor.

Clements has proposed a \$340 million construction plan for 11,000 new prison beds to ease overburdened state prisons, but legislators have been wary of spending millions of dollars for con-

struction on top of the 10,000 beds currently being built.

A chorus of state officials including State Treasurer Ann Richards and Department of Corrections Director Jim Lynaugh have argued that building more prison cells won't make streets any safer and that greater emphasis is needed on preventive measures, such as drug treatment, skill training and probation services.

Robinson said the news conference was designed to counter such publicity, in particular hearings by a Texas House subcommittee headed by state Rep. Ric Williamson that has focused on alternatives to building more prison beds. Similar news conferences are planned for Houston and San Antonio, he said.

"Those hearings are generating a lot of publicity, and right now it appears the tide is against those beds," said

Robinson. He rated chances of passing the measures at "about 50-50."

Williamson, a conservative Democrat from Weatherford, says he's convinced that some of the money proposed for prison construction should be spent on efforts such as probation programs to help keep paroled prisoners from returning to prison. Such measures will cost taxpayers less in the long run by reducing the need for prison space, he said.

However, Fort Worth-Dallas area law enforcement officials said the short-term solution must include space to keep criminals in prison to provide a deterrent to crime.

"The present criminal justice system in Texas is a joke," said Dallas County District Attorney John Vance. "They know they will serve only 3½ weeks per year, which is a joke."

for more state prisons

Local jails in Dallas, Fort Worth and Arlington are overflowing with convicted prisoners refused by the state because of prison crowding, officials noted.

Dallas Police Chief Mack Vines said he has seen increasing evidence of activity from criminals from outside the area.

"Without the space, we're going to continue to have problems because we have no space at the inn," he said.

Many of the officials' comments focused on recommendations in a 67-page report calling for legislation to attack drug abuse, require drug testing as a prerequisite for probation and parole, and make it easier for technically flawed evidence to be admitted in trials.

Efforts to attack the roots of crime, through techniques such as drug educa-

tion, are critical, the leaders said.

"But we've got to have the beds first," Robinson said.

Officials yesterday emphasized the Special Criminal Justice Task Force's recommendations, but the same information was released in Austin two weeks ago, according to Rob Allyn of Allyn & Co., a Dallas public relations firm hired by the special committee.

The proposals also were contained in an anti-crime legislative package announced two weeks ago by House Speaker Gib Lewis.

Ironically, the 31 recommendations include seven that suggest establishing minimum prison sentences or longer prison terms for certain offenses, including attacks against police officers. Such mandatory sentencing laws have

been partially blamed for prison overcrowding.

Other officials backing the legislation at the news conference included Dallas County Sheriff Jim Bowles, Arlington Mayor Richard Greene and Arlington Police Chief David Kunkle.

Many Tarrant County officials scheduled to attend didn't appear, including District Attorney Tim Curry, County Judge Roy English, Sheriff Don Carpenter and Fort Worth Police Chief Thomas Windham.

Fort Worth Mayor Bob Bolen sent City Council member Garey Gilley in his place. The only other Tarrant County representative was Commissioner O.L. Watson, a member of the governor's special group for four years.

Dallas Mayor Annette Strauss attended.

FW STAR-TELEGRAM
01 FEBRUARY 1989

County studies way to add to space in unfinished jail

BY BOB MAHLBURG
Fort Worth Star-Telegram

Architects are redoing plans for the downtown Tarrant County Jail now under construction to give county officials an option to add space for 384 more prisoners.

The proposed design change, suggested yesterday by county Commissioner J.D. Johnson, would raise the jail's \$41.5 million cost by an estimated \$4 million and boost the jail's capacity from 1,440 prisoners to 1,824.

Under Johnson's proposal, many two-person cells would be converted to hold four. He said it would be far cheaper than constructing additional jails.

The jail is scheduled to open next

year, but Johnson said it's already clear that it's not big enough.

Also discussed was a notion to use a county building to house 75 prisoners of the Fort Worth police.

Commissioners also:

■ Effectively killed a proposal to hire private companies to run the county's social service programs, by voting to reject the only two private offers.

An advisory committee said both offers were too expensive and would not have provided adequate services for the poor.

Copies obtained privately showed that Northeast Emergency Distribution of Hurst submitted the lowest price of

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\$23,878 for the eight-month contract. Community Enrichment Center Inc. of Fort Worth offered to provide the services for \$48,000.

■ Approved job descriptions for a new county budget officer and two assistants.

Commissioners did not take a final vote on the proposal to modify the jail construction at their meeting yesterday, but Johnson assured architect Merwyn Croston that commissioners will approve the change next week.

Croston said after the meeting that he would add more steel supports to the design so that they can be installed during construction this week.

Assistant District Attorney Ray Rike advised county commissioners yesterday they could not vote on the change because it was not placed on the meeting's formal agenda, as required by Texas law.

But Johnson told Croston that next week a majority of commissioners will approve \$500 in added architect's fees and \$1,500 for additional steel if the work proceeds.

"I think the county, being the client they are, the thing to do is to finish the drawings," Croston said later.

Sheriff Don Carpenter said the new jail will be full even before it opens because of the flood of prisoners clogging existing jails.

However, Commissioners Dionne Bagsby and O.L. Watson expressed concerns about effects of the design change on operating costs and the overall design of the new jail. Watson said costs to staff the extra space could far

outweigh construction costs.

Johnson yesterday also suggested that a temporary city jail be opened in the Muller Building, a county office building a few blocks from the existing jail.

The building has a 90-by-46-foot room that could house about 75 prisoners, he said.

"We could put a fence in there to adequately contain these prisoners," Johnson said.

He noted that state standards for city jails are less stringent than for county facilities and that setting up the jail would cost only about \$10,000.

Fort Worth Police Chief Thomas Windham said in an interview that he has not examined Johnson's proposal but would be happy to look into it.

"I'm willing to explore any reasonable alternative to the jail situation," he said.

Windham appeared before the commissioners last week to protest the lack of available space for city prisoners. County Judge Roy English suggested the city, which has a contract with the county to house prisoners, consider running its own jail. The City Council, in turn, discussed the possibility of filing a lawsuit against the county but has not taken such an action.

Carpenter said using the Muller Building would require using portable chemical toilets and moving prisoners to other buildings each day for showers and meals. The city would have to share the work, he said.

Staff writer Micahel Phillips contributed to this report.

Yes, civil service works

Congratulations are in order for the Tarrant County Civil Service Commission. The members of that board saw to it last week that the mandate of the voters of this county was carried out when it reinstated Capt. Lawton Williams as chief bailiff of the Tarrant County Sheriff's Department.

Williams was terminated because he would not follow an unlawful order that violated civil-service rules. Granted, the sheriff's department said it was not sure if it was bound by the new civil service law, but what if a new criminal law were passed, and everyone said, "I'm not sure if this new law covers me, so I won't obey it." Those citizens would be expected to obey the law and then show up in court.

Congratulations also to Jim Lane who handled Williams' case. Lane did the job that he is noted for professionally and thoroughly.

—Buddy Hodges
Fort Worth

Public backing on prisons

As president of the Fort Worth Police Officers' Association, I commend the efforts of the City Council and Police Chief Thomas Windham to find ways to provide more jail space for prisoners. We encourage "friendly litigation" and any other cooperative method of resolving the jail situation.

We sympathize with the Commissioners Court, which is a victim of an errant state policy, and yet is told by local taxpayers not to spend unbudgeted money.

Unfortunately, a situation has been created where lives are at risk. Patrol officers are spending their time guarding prisoners at other cities' jails or at makeshift jail facilities in the police building. Officers are discouraged from making arrests because there is no space left at the jail.

The safety of citizens and officers is at stake when patrol officers are not available to answer calls or provide assistance to other officers. The quick release of those who do manage to make it into jail also jeopardizes lives and safety, as does the inability to arrest minor offenders.

I am fearful of the day that one of those "minor" offenders is not allowed into jail and commits a murder after he is released.

The police officers' association is prepared to assist the City Council and Commissioners Court at the state, county or local level to help resolve this crisis.

Furthermore, we urge the taxpayers of Tarrant County to let the Commissioners Court know that lives and safety should be its first concern, and that the taxpayers are willing to spend the money on such a crucial issue.

—David Manning
Fort Worth

Police in suburbs want sheriff

BY DOMINGO RAMIREZ JR.
Fort Worth Star-Telegram

Prompted by overcrowded jails, suburban police departments are turning to the Tarrant County Mayors' Council for help in forcing the county to accept prisoners.

So far, a few mayors are listening, especially those with jails filled with prisoners scheduled to go to the county jail and state prisons.

But the suburban departments won't get an answer until tomorrow, when the mayors' council meets in the Tarrant

County Commissioners Court at 7 p.m.

"We're unified in our request," said North Richland Hills Police Chief Jerry McGlasson, who is spearheading the effort. His jail is one of the largest in the suburbs, and it has held some Fort Worth prisoners the last three months. "There's no reason the sheriff should not be taking prisoners. State law says he must take them. If he doesn't, it's just gross dereliction of duty."

McGlasson based the departments' attempts on the Code of Criminal Procedure, which says the sheriff is respon-

sible for county prisoners.

Sheriff Don Carpenter said he was not aware of the meeting and did not plan to attend.

"Not unless I'm invited," he said.

North Richland Hills Mayor Tommy Brown is scheduled to address the mayors' council tomorrow to ask for a plan of action — which some police officials say could range from a resolution to a lawsuit.

In a letter sent to the 36 mayors of Tarrant County municipalities, Brown explained that the effort is "to seek

pressured for jail space in town

compliance with the law."

"I stand ready to bring it to you for action but wish to pursue it only if there is a group consensus to address the issue as proposed," he wrote.

Said Euless Police Chief K.B. Fuller, "It's not that our patience is wearing thin, it's that we've got problems."

Even those police chiefs who are not experiencing overcrowding in their jails say the situation is bad. A majority of the city jails are 72-hour holding facilities, and many prisoners already

have spent 30 to 40 days in them, officers said.

"As a group, we're desperate," said Haltom City Police Chief Tom Cowan, whose city jail has only 10 beds. "We've tried work-release programs. We've tried pre-trial release programs."

Carpenter, however, said attempts to force him to take action are misdirected.

"The sheriff doesn't have funds or jurisdiction to move anyone," Carpenter said. "The Commissioners Court must do that. I wish they'd get

that into their heads. It's easy to run the sheriff down, but the Commissioners Court has got to act.

"I have begged the commissioners. I got no results out of them."

But McGlasson, in a letter to the 35 police chiefs in Tarrant County, pointed out that the Code of Criminal Procedure states that a prisoner shall be placed in jail by the sheriff after he or she is committed by warrant from a magistrate or court.

The code also states that if there is no
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Jails

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safe jail in the county in which prosecution occurred, a judge may commit a prisoner to the nearest safe jail in any other county.

That procedure already is occurring throughout North Texas. Jail space is available in other counties, but it's getting scarce.

"I'm having to run my jail like a McDonald's," said Eastland County Sheriff Dee Hogan. His county jail can hold 24. As of Thursday, he had 26.

"I'm up here every night trying to figure out what to do with them," Hogan said. "Seventy-five percent of my prisoners are scheduled to go to TDC (Texas Department of Corrections), but I can't remember the last time I sent one down."

In Parker County, sheriff's officials said the 59-bed jail had 51 prisoners as of Thursday. They had 41 other prisoners housed out of the county.

Palo Pinto Sheriff's officials have had to pay four counties — Wise, Nolan, Bell and Hood — to house their prisoners. The Palo Pinto County Jail

On the weekend of Jan. 20-22, Police Chief Thomas Windham said the county jail accepted only 10 of 69 prisoners arrested by Fort Worth police. But last weekend, Sheriff Carpenter agreed to reserve space for at least 50 Fort Worth prisoners at all times.

Lancaster, who has served on a city-county negotiating team that tried unsuccessfully to work out an agreement on the city's use of jail space, called Carpenter's action "a good-faith effort," but he said the space for 50 prisoners is not adequate.

"Really it's a day-by-day situation," Lancaster said. "If we don't feel as firm as we need to in securing that space, we may go ahead and file suit."

Lancaster said he doesn't blame jail crowding on county officials but on growing crime and a court order that limits the Texas prison population, slowing the transfer of felons to the state penitentiary.

Arlington has a new 90-bed city jail, but it hasn't started using it. Prisoners there are in a 30-bed facility, and a city official said it has no plans to use it after the new jail opens.

Mansfield plans to break ground on a \$4.2 million, 144-bed for-profit jail this month.

The city has only eight cells in a 28-

can hold 34 prisoners, and 31 were there Thursday. Another 23 were in other counties.

Johnson County Sheriff's officials have a new 200-bed jail, but it has not passed state or local inspection. So officials must use their old 80-bed jail, which had 80 prisoners Thursday.

"We had been in good shape, but since the new year started, it's just been escalating," said Pam Jetsel, a Johnson County Sheriff's Department spokeswoman.

Dallas County's four detention centers can hold 3,750 prisoners. They held about 5,600 Friday.

"We started transferring state prisoners to a facility in San Antonio last week, but that's on a quota basis. They were ones that were here on parole violations," said Jim Ewell, a Dallas County Sheriff's Department spokesman. "But we sent less than 50."

Reactions from city officials in Tarrant County to the police departments' request for help vary as much as the size of city jails.

The Fort Worth City Council recently discussed the possibility of suing the county over jail space. The issue will be discussed again Tuesday, Councilman Russell Lancaster said.

However, Lancaster said Fort Worth is unlikely to join any suit by other cities.

"We're in a somewhat different position in that we have a contractual arrangement," Lancaster said. "We'll probably pursue a solution through our contractual arrangement with the county."

Fort Worth joined Tarrant County in building the newest addition to the jail and closed its own outdated jail when the addition opened in 1985.

Fort Worth paid \$15 million of the \$22 million cost of the building at 300 W. Belknap St. that includes the jail addition and a police administration building. Under the contract, the county agreed to house all prisoners arrested by Fort Worth police.

year-old structure adjacent to the police station. The new facility will have space for 32 Mansfield prisoners, and the rest will be available for other cities and counties to lease.

Mansfield officials hope to make deals with Tarrant, Johnson and Ellis counties to hold their prisoners, as well as other cities and the federal government.

In Burleson, City Manager Jack Eades said: "We still need to look at all the factors before reaching a decision on what action to take. The impact on Burleson is small right now because we only have a small portion of the city in Tarrant County. Most of our prisoners go to Johnson County. We still have to monitor the situation."

Sansom Park Police Chief Jeff Couldron backed McGlasson's proposal.

"We're going to wind up feeding people for years because the sheriff doesn't do his job," Couldron said.

But Haltom City Mayor Jack Lewis says the finger-pointing should stop.

"I would suggest that we create work programs for those in jails and build some economical minimum-security jails to help with the problem," Lewis said.

Crowley Mayor Walt Eller said attempts to force action will not solve the overcrowding problem.

"It's like going against a brick wall," Eller said. "You can push all you want and nothing will happen."

Eller also didn't believe sending Tarrant County prisoners to other county jails was the answer.

"Why push them off to someone else?" Eller said. "A lawsuit wouldn't gain you anything either. You are not helping the problem, you're hindering it."

Still, McGlasson said departments may have to act individually if the mayors' council doesn't agree on a joint plan.

Staff writers Bob Mahlbung, Kara Rogge, Bridgette Y. Rose and Karen Willoughby contributed to this report.

"I'm having to run my jail like a McDonald's. I'm up here every night trying to figure out what to do with them. Seventy-five percent of my prisoners are scheduled to go to TDC (Texas Department of Corrections), but I can't remember the last time I sent one down."

— Dee Hogan
Eastland County sheriff

Offices' use as jail debated

State approval sought for downtown site

BY BOB MAHLBURG
Fort Worth Star-Telegram

Fort Worth and Tarrant County officials have asked state officials to formally review a proposal to house as many as 300 prisoners in a new temporary jail at a downtown county office building.

City and county officials, including City Manager Doug Harman and Sheriff Don Carpenter, met for several hours yesterday to discuss County Commissioner J.D. Johnson's proposal to set up a jail in the Muller Building, which is a few blocks from the courthouse.

The jail would be financed and operated by the county and could house many of the 200 Tarrant County prisoners now being held in suburban city jails if the Texas Commission on Jail Standards approves the site, Johnson said last night.

"The state's reaction to it was, 'Let us come down and look at it — it has possibilities for a short time, a year or less,'" Johnson said.

Johnson discussed the proposal after a meeting last night in which officials from suburban cities criticized the sheriff and other county officials for not providing enough space to house county prisoners.

The crowded county jail has overflowed into many suburban jails, causing clogged conditions there.

"In the last 90 days, we've closed our jail six times because we are housing people for Sheriff Carpenter," complained Bedford Mayor L. Don Dodson. "We need help today — not in 1990. We don't want our people to die in the meantime."

Mayors from more than a dozen suburban cities later approved a three-pronged resolution designed to create more jail space.

The resolution approved by the Tarrant County Mayors Council calls on the state to build 11,000 new prison beds and asks county commissioners to expand the new 1,440-bed county jail, now under construction, by 384 beds.

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The mayor's group also named a five-member committee that will urge county officials to move prisoners being held in suburban jails to empty spots in jails in neighboring counties, said North Richland Hills Mayor Tommy Brown, who was named committee chairman.

North Richland Hills Police Chief Jerry McGlasson said it would cost taxpayers less to house prisoners in neighboring counties than to transport and house them in suburban jails.

Fort Worth has paid \$5,000 per month to house city prisoners in North Richland Hills because of inadequate space in the county jail, he said.

"I have more Fort Worth prisoners in my jail than the county does," McGlasson said. "The dollars are already being spent — they're just being misspent."

The state Commission on Jail Standards must review the Muller Building to decide if it meets minimum requirements for jails, Johnson said.

If state officials determine the building can't be modified to meet state standards, Fort Worth would be asked to run the jail, Johnson said.

State jail standards for city jails are less stringent than for county facilities because city facilities are considered temporary holding space, not permanent jails.

City officials so far have made no

commitments, Johnson said. Harman said he wasn't aware of details of the proposal.

The sheriff said last week that a Muller Building jail would require using portable chemical toilets and moving prisoners to other buildings each day for showers and meals. The city would have to share the work, he said.

But Johnson said last night permanent showers and toilets could be installed for less than \$25,000. Meals probably would have to be brought into the jail by a private contractor, he said.

Johnson in the past has proposed converting warehouses and other buildings for temporary jail space, but he failed to win other commissioners' support.

Most of the criticism from suburban officials has been directed at the sheriff, but Carpenter did not attend the meeting last night.

County Administrator G.K. Maenius told the mayors group that the county is building more jail cells and releasing misdemeanor prisoners whenever possible.

"The county is doing something about it," Maenius said.

County Commissioner Bob Hampton said the county has quadrupled the number of jail cells in the last five years.

County commissioners are scheduled to vote today on whether to retool plans for the new downtown jail to add space for 384 more prisoners.

The proposed design change, also suggested by Johnson, would raise the jail's \$41.5 million price tag by an estimated \$4 million and boost the jail's capacity from 1,440 prisoners to 1,824.

A

Tie vote kills commissioner's

BY BOB MAHLBURG
Fort Worth Star-Telegram

Tarrant County commissioners yesterday rejected plans to increase the capacity of the county jail now under construction.

County Commissioner J.D. Johnson proposed enlarging the jail to handle 384 more prisoners, calling it an immediate and cheap way to create more space and ease jail overcrowding.

But his proposal got no support at the commissioners meeting, and a compromise move to add just 192 beds also

failed.

"I think we made one of the largest mistakes we've been associated with," Johnson said after the meeting.

Johnson's proposal would have boosted the jail's capacity from 1,440 prisoners to 1,824 and raised the jail's \$41.5 million price tag by an estimated \$4.2 million.

Other commissioners objected that the changes would be too costly and pointed to estimates that the changes would delay the jail's completion by three months. The jail, which already

has been increased in capacity once from 1,248 to 1,440 prisoners, is scheduled to be finished by the middle of next year.

Commissioner Dionne Bagsby seconded the proposal by Johnson to add 192 cells. But the motion failed on a 2-2 vote when Commissioners Bob Hampton and O.L. Watson voted against it.

County Judge Roy English did not attend the meeting. English is recovering from an operation Friday to repair a double hernia.

Watson complained that details of

jail expansion plan

the plan were presented too late to make a decision. Hampton said he was concerned about the delay in finishing the jail being built near the courthouse in Fort Worth.

Expanding the space in the new jail offers no advantage over later building a separate jail, such as the 384-unit facility being constructed on Cold Springs Road, he said.

"We can build the same number of cells and not bog this project down for three months," Hampton said. "This will not be the last jail we build."

However, Sheriff Don Carpenter said he believes larger, multiperson cells actually are safer than one-person cells.

"When you have a one-man cell, you've got a man sitting there thinking," Carpenter said. With multiperson cells, there is less violence and danger, he said. "They've got each other to talk to, to play games with."

Bagsby, although seconding the compromise plan, said she is concerned that the county has not taken other steps to

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deal with jail crowding.

"Philosophically, I have problems with, 'Let's build more cells, let's build more cells,'" Bagsby said.

"We do not do a major project and change midstream," she said. "Not only for jails but for anything we do with public money, we need to do it with vision. This is not a way to do business, gentlemen."

Commissioners postponed formal action on a separate proposal by Johnson to house up to 300 prisoners in a downtown county office building at 600 W. Weatherford St.

Fort Worth and Tarrant County officials have asked state officials to formally review the plan to house prisoners in the Muller Building, which is a few blocks from the courthouse.

If the Texas Commission on Jail Standards approves the site, the jail would be financed and operated by the county and could house many of the 200 county prisoners being held in suburban city jails, Johnson said.

Keeping inmates behind bars

On this particular day, there are 2,366 of them, and their food bill alone comes to \$3,903.90, give or take a few county taxpayer dollars and not counting the cost of the federal government commodities they consume — the cheese, the flour and the like.

The food bill is only part of the story, of course. Throw in the cost of the clothing, the medicine and all the rest, and the day's cost of their care and feeding will come to \$97,006, give or take a few county taxpayer dollars.

They are the county jail inmates, and they are never far from mind as official after official, expert after expert come to talk once more — as they have innumerable times before — about what to do about them.

In the midst of it, one among them puts it into perspective when he, in so many words, poses the question:

How do we punish the criminal without punishing ourselves?

The facts, the figures, the strategies abound. So much so that one charged with making the decisions lifts into the air just some of the



Roger Summers

abundance of information she has been given and says, almost in exasperation, "I have all of this paper before me."

The paper, the information do keep coming. Its flow is endless and rushing but most of all certain, as unstoppable as a mountain stream in spring when the mountain thaw is at full force.

It staggers, it frightens. It frustrates, it confuses.

It tells of inmate beds costing \$11,000 each under one set of circumstances, \$28,000 each under another.

It tells of how, no matter what you do, no matter how fast you work, no matter how much you spend, jail-building efforts will not really

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keeps county in a bind

keep pace, that new inmates will come in faster than you can build places for them.

It tells of conflicting proposals for getting a grip on the problem, if that is possible. This one says this plan of action would best add needed inmate space to the new jail being built, but that one says, no wait, let's not change in mid-stream, let's finish what we started and then move in another direction.

It tells of fears of a depleted county treasury and of the different directions being looked to to allay those fears. Sue the state to make it take convicted felons — and thus the cost of it — off our hands, the ones causing the real stack-up in the county jail. Sue before the cities sue us for not taking their prisoners. Collect a criminal-justice sales tax, one accompanied by some relief for property taxpayers, to carry the load.

It tells of the scant mention — though, encouragingly, there is some such mention of it here in this meeting — being given crime prevention and intervention, which surely holds the only real hope, if there is any, for stemming the tide that creates the problem that has them

all gathered here on this particular day, as they have been so many times before and as they will be so many times again.

They have been through this before, upside down and sideways. In the mind's eye, they have built and rebuilt more jails than there are inmates to fill. The problem consumes them, drains them, frustrates them.

There is never enough time. There is never enough money. There is never enough space.

In a way, it is a microcosm of the debate going on throughout the community, throughout the state, throughout the nation over crime and criminals and how to deal with them, how to house them all.

Officials wrestle and study and theorize and compromise and in the end know they'll have to start all over again tomorrow.

The people send money to pay for it all and then scrape up more money to put burglar bars on their windows and pay for alarm systems for their homes and hire more police. They are beside themselves when they keep hearing that unless more is done more of those who break

the law will be out on the streets sooner and will be there longer.

So the frustration mounts and the cost goes up and the needs are compounded and the pressure increases and the tempers flare and the disgust sets in and the seeming futility grows.

Up the street, down the street — not far from where the officials sit and try to deal with it — are the places of incarceration that keep being added, that keep being expanded, and there sit the 2,366, their day's meals about consumed and their number increasing as the officials round out their discussions for the day.

So the inmates sit. The officials discuss. The people await the outcome, including the bills.

We think about that, and as we do there is the overriding thought that brings it all full circle, a thought that haunts, that won't go away, and it is this:

Who, really, when all is said and done, is holding whom captive?

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

FROM THE FORT WORTH STAR-TELEGRAM, FRIDAY, 10 FEBRUARY, 1989

State interested in office jail idea

BY BOB MAHLBURG
Fort Worth Star-Telegram

State officials are interested in an idea to house some local jail prisoners in a downtown Fort Worth office building owned by Tarrant County.

Staff members of the Texas Commission on Jail Standards discussed the idea by telephone yesterday with county Public Works Director Jim Stewart and gave a tentative go-ahead to the plan.

"We've told the county that certainly it has enough feasibility to proceed with further discussion," said Jack Crump, jail planner for the commission. "We've talked about it in general terms."

County Commissioner J.D. Johnson has proposed housing as many as 200 prisoners in the Muller Building, 600 W. Weatherford St.

Crump, Stewart, a county architect and other officials are scheduled to meet Tuesday in Austin to discuss details of the plan.

"Given the overpopulation in Tarrant County, we certainly have to pursue all of the available alternatives," Crump said. "Obviously we have some major incarceration problems there."

The jail at times has held more than 2,300 prisoners. The commission has

allowed the jail to operate above its population cap of 1,972.

Johnson says he will ask commissioners to approve a proposal to create the jail when they meet Monday night. He said he hopes to have cost figures and other information assembled by then.

Johnson said yesterday that the building could be cheaper than expected to convert to a temporary jail because some showers, visitation areas and other changes might not be needed. The conversion cost earlier was estimated at up to \$25,000.

Build jail atop parking

By **BOB MAHLBURG**
Fort Worth Star-Telegram

A proposal to convert an office building into a temporary jail was rejected by county commissioners last night as Tarrant County Judge Roy English revealed a plan to build a parking garage and put a seven-story maximum-security jail atop it.

County Commissioner J.D. Johnson did not receive a single vote of support from the other

four county commissioners for his proposal to house as many as 300 prisoners at the Muller Building, 600 W. Weatherford St.

English earlier revealed a plan to construct a long-planned county parking garage on that block, which is bounded by Weatherford, Belknap, Cherry and Burnett streets.

The \$8.4 million, six-story parking garage would hold 800 cars and would be built to support construction of a jail addition, accord-

garage, English says

ing to preliminary cost estimates that were hurriedly drawn up late yesterday afternoon.

Money to build the parking garage was included in a \$114 million county bond referendum two years ago. But English said after last night's meeting that a new bond issue would be needed to finance the jail.

English referred to the proposed 1,440-bed jail atop the parking garage as a "second tower" to the jail now under construction a block to the

east, which when finished also will house 1,440 prisoners.

The combination parking garage-jail also would include laundry facilities for both jails. The parking garage could be completed by June 1990 and would include \$1.4 million in extra steel and concrete to support the jail tower.

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■ **Jail feud:** City attorney working on suit against county TARRANT/TEXAS

Jail

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according to estimates by Gilbane Building Co.

English said he will ask commissioners to formally approve construction of the parking garage Monday. English and other commissioners argued that the temporary jail space proposed by Johnson would be quickly absorbed by prisoners sentenced to state prisons who are clogging the county's jail space.

"I don't think we'd gain 178 spaces," English said. "They're just going to be filled with convicted felons. We've created 578 spaces in the last year and they've all been turned into substandard prison space."

Said Johnson: "It would have saved a lot of time and effort if the court members had expressed that concern three weeks ago. But I guess that's part of the process up here."

Last week, the city and county asked the State Commission on Jail Standards to inspect the Muller Building to see if it could conform to regulations.

Commissioners a week ago also rejected Johnson's proposal to increase capacity in the county jail now under construction, and they also have turned down his previous proposals for temporary jail space.

"I'm not a quitter, but I can only butt my head against three brick walls so often," Johnson said. He said he will wait for other commissioners to suggest solutions to the county jail space crisis.

English also tentatively scheduled a special commissioners meeting for Feb. 23 as "a retreat on jail overcrowding." English said building more jail space won't solve the county's problems and that other alternatives, such as private jails or renting space in other counties, should be considered.

Also last night:

■ Commissioner Dionne Bagsby named herself to replace former Commissioner Dick Andersen on a board that oversees bond issues for low-interest home mortgages and other housing programs.

■ Commissioner Bob Hampton referred to Bagsby, the commission's only black member, as "Mrs. Ragsdale," apparently a reference to Diane Ragsdale, the controversial deputy mayor pro tem of Dallas.

"I think Mrs. Ragsdale left some of her papers over here," Hampton said.

Bagsby responded by tossing a pen at Hampton and offered to buy him memory lessons, but she later added sternly that she did not consider the remarks funny. Hampton later apologized. "It was just a slip," he said.

City attorney pledges to sue county over jail

BY KARA ROGGE
AND MARY HULL
Fort Worth Star-Telegram

Fort Worth City Attorney Wade Adkins said this morning his office will begin work immediately on a suit against the Tarrant County Jail over a lack of space for city prisoners.

Adkins told City Council members at their weekly session that he did not need a formal vote to begin working on the suit.

"I don't think there's anybody saying 'Don't file suit,'" Adkins said.

"We need to go ahead and file a lawsuit and find out where we

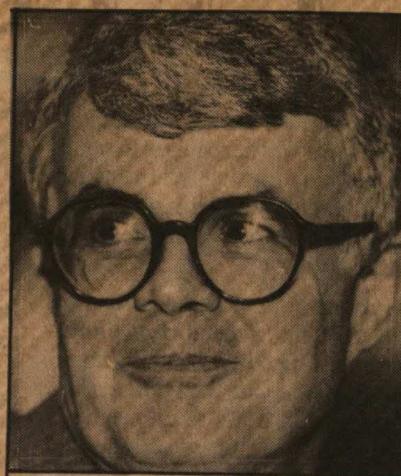
stand," said Councilman Bert Williams.

County Commissioners J.D. Johnson and Bob Hampton said they had been expecting Adkins' announcement.

"It does not surprise me," Johnson said, adding that other Tarrant County cities would probably follow Fort Worth's lead.

"Everybody's got to do what they've got to do," Hampton said. "They (the city) have to protect their interests, and we're trying to protect ours."

Assistant City Manager Bob Ter-



Wade Adkins: Told City Council he didn't need a vote to begin suit

rell said the city has prisoners "all over Tarrant County right now, and the situation isn't getting any better (More on SUIT on next page)

From previous page

The State Jail Standards Commission has allowed the jail to operate at population levels hundreds above its capacity of 1,972. This morning, the jail population stood at 2,364. The county sent 51 prisoners to the Texas Department of Corrections this morning, said Jail Administrator Bill Broome.

The situation has grown so desperate that a cage on the fourth floor of the downtown police building has held overflow prisoners guarded by Fort Worth police officers since Saturday.

At 7 this morning, 18 men were in the cage, and five women were being held in a lineup room on the third floor, said Deputy Chief Coy Martin.

Those prisoners were expected to be taken to North Richland Hills jail later today.

"If it weren't for the cooperation of North Richland Hills, Crowley and the other cities, I don't think we could have survived," Martin said.

Police Chief Thomas Windham told the Council this morning that of 174 Fort Worth prisoners, 72 had actually been charged and "rightfully, they should be Tarrant County prisoners."

He said 101 of the prisoners were in county facilities and others in Crowley, North Richland Hills, Dalworthington Gardens, Benbrook and temporary holding pens in police headquarters.

County officials were scheduled to meet today with state officials in Austin to discuss using a county-owned building to temporarily house up to 300 prisoners.

Commissioner J.D. Johnson said this morning that since he failed to get support for his idea to use the building as a temporary jail, he canceled the meeting with state jail officials.

"Court members have indicated that this is a state problem, not a county problem," Johnson said. "Quite frankly, I agree with them. The (Commissioners) Court feels we have already built enough cells for state prisoners.

"But my feeling is that when the city jails are full, the outlook is pretty bleak. I feel we could have built something temporary and cheaper than it costs to transport the inmates all over the county," he said.

Windham said top officials will today discuss redeploying the police department's street crime unit to transport and guard prisoners in the outlying jails because of the high amount of overtime needed to move prisoners from various jails.

First plan heard on pre-parole facility

BY VICKI ROWLLS
Special to the Star-Telegram

RICHLAND HILLS — Members of the special committee created to study the feasibility of a pre-parole facility being built in Richland Hills heard the first of four proposals by companies interested in becoming management firms for the facility Thursday night.

Bill Robinson, executive director of Correctional Concepts, Inc., presented information concerning economic benefits to the city, security, financing and a profile of both the facility and the inmates who would reside there.

"Forty-five percent of all children of inmates will also be incarcerated at some point," Robinson said. "We propose to break this unfortunate cycle by helping these people to realize there is an alternative for them.

"In our system today, a man in jail leaves at the end of his sentence, returning to an atmosphere he doesn't feel comfortable in.

"The question to ask is, 'what are we doing with him while we have him?' We intend to introduce the man to a community atmosphere, to teach him that responsibility is the way of life."

Robinson's group first proposed its idea to the Texas Department of Corrections in 1985.

"But then, they didn't make a decision and when (Gov. Bill) Clements

came into office and new appointees were made to prison boards, the idea of warehouse facilities came out. We didn't agree with that, so we never got any further," Robinson said.

According to Robinson, the private sector could confine inmates at less cost to taxpayers than the Texas Department of Corrections.

"Cost to the state would be about \$28.80 per inmate per day. This is approximately 20 percent lower than practice has it today," Robinson said.

Robinson also said that approximate annual income received by the city from CCI would total \$445,000 for the first 10 years. Beginning with the sixth year, CCI claims that the approximate annual income could be \$995,000.

Financing the project would take place through Certificates of Participation, to be sold to private and public industries by a brokerage house.

The certificates, which would be available in a lease-purchase form, could offer 100 percent financing with no down payment.

Continued funding for the program, however, would be dependent on legislative appropriations. Although the city would have fixed payments to the certificate holders, CCI holds that no debt could be incurred by the city if appropriations were to stop.

"State and local government would

not be responsible for raising funds to meet those payments," Robinson said.

Robinson also said that all inmates who would live in the facility would already be residents of the community.

"Community meaning an 80-mile radius," he said. "These are men whose families live around here. This would make the transition easier, by creating a community atmosphere, by training them with a marketable skill and by paying them an appropriate salary."

Robinson stressed that, through contract agreements with the Board of Pardons and Paroles and legislation, control over what type of inmate would be allowed to take part in the program is definite.

"No sex offenders, no one who used a weapon or committed any violent crime would be admitted," Robinson said. "Only those who are within 12 months of being released would be eligible."

According to Robinson's proposal, inmates would be provided jobs and their salaries would be distributed among several particulars.

"As a way of teaching them responsibility, 15 percent would be placed in a savings account, a certain amount would be sent home to help support their families, as well as making victim restitution. Also, an inmate would pay so much per day for room and board

and the rest would be for his personal use.

"This way, when his family comes to visit, he can take them to the commissary (where visitors are charged for meals), and pay for it himself. It's all part of making him feel like a part of normal society," Robinson said.

Construction cost for the four-building facility is approximately \$6.7 million.

The buildings would surround a two-acre courtyard, designed for recreation. Two-man rooms with 96 square feet of living space would contain two beds, two desks and chairs and a television.

Robinson said the facility would have four exits and entrances, surrounded by security gates manned at a control center.

"If you argue that they'll escape, I say they're already escaping," he said. "In this environment, we could provide education, vocational training and counseling. The inmate will already have a date set for release, and with our help, will be looking forward to becoming a contributing part of the community," he said.

Mayor Bill Vincent said the committee will hear next from Volunteers of America, another non-profit organization interested in managing such a facility. Date for the meeting has not been set.

County to talk of 'boot camp' as jail alternative

By BOB MAHLBURG
Fort Worth Star-Telegram

A suggestion to create a Tarrant County "boot camp" to help ease county jail crowding and encourage young prisoners to turn away from crime will be discussed tomorrow by county commissioners.

County Judge Roy English said he will propose establishing a military-style camp in which jail prisoners would receive strict discipline and do public service.

County commissioners in the last

two weeks have rejected proposals to provide more jail space by boosting capacity of the jail now under construction and to create a temporary jail in a downtown county office building.

Commissioners are scheduled to vote tomorrow on a proposal to construct a downtown parking garage atop which the county later could build a 1,440-bed maximum security jail.

Commissioners will meet at 10 a.m. for a work session and at 1:30 p.m. for their regular meeting. Both sessions will be at the county administration build-

ing, 100 Weatherford St.

The boot camp proposal was inspired by a similar program at Austin in Travis County, English said.

"If we need to go out and look at creating more (jail) space anyway, we need to be looking harder at rehabilitation and doing something to slow down the revolving door. This seems to instill some discipline," English said.

Commissioner Dionne Bagsby, who suggested a boot camp for young prisoners during her campaign last year, also is studying the Travis County pro-

gram.

English said he's not sure of the cost of such a program or how quickly it could be started.

"We need to get a lot more information on it — probably go down to Austin and spend the day," he said. "We have a couple hundred sentenced misdemeanors that we could put in it and free up some space for prisoners in suburban jails."

Prisoners in the Austin program start early in morning with exercise and then
(More on CAMP on next page)

Camp / From previous page

perform jobs such as working on roads for the rest of the day, he said. Several Tarrant County commissioners already use jail prisoners to do work on roads in their precincts.

English also said he will restructure an appointed panel of judges, prosecutors, probation officers and other county officials studying ways to create more space in the existing jail.

Jail Administrator Bill Broome repeatedly has urged greater emphasis be put on releasing low-risk prisoners, such as those being held on technical parole violations and warrants.

English said he agrees with Broome that jail space could be created by such efforts. A jail efficiency expert was hired to aid that process and judges have been urged to cooperate, but a shake-up in the committee might also help, English said.

Also tomorrow, commissioners will consider a joint agreement to construct five interchanges along Interstate 35W in connection with the Alliance Airport

project being developed by the Perot Group in north Fort Worth.

A memo to commissioners from County Public Works Director Jim Stewart says that Fort Worth and Perot officials have guaranteed the county they will cover virtually all construction costs, which are estimated at well over \$20 million. But Stewart said he was "reluctant to recommend entering into any agreement of such magnitude."

Fort Worth has committed to pay for two of the interchanges, the Perot Group will pay for another, and the cost of the two remaining interchanges will be shared by the city and Perot, said Fort Worth Assistant City Manager David Ivory.

FW STAR-TELEGRAM
20 FEBRUARY 1989

Tuesday, February 21, 1989

Windham letter furthers jail dispute

BY MAX BAKER
Fort Worth Star-Telegram

The Fort Worth police chief's letter to the editor criticizing a county decision not to turn an office building into a temporary jail has fueled the city's feud with the county over its housing of city prisoners.

City Manager Doug Harman on Sunday told Police Chief Thomas Windham that his letter printed on the *Star-Telegram* editorial page Sunday was inappropriate and will make it more difficult to find a solution to

the Tarrant County Jail overcrowding issue.

Windham's letter praised a proposal by County Commissioner J.D. Johnson to turn the Muller Building into a temporary jail for 300 prisoners and criticized the county decision to build a parking garage instead.

Harman said yesterday that he did not know about Windham's letter until he saw it in Sunday's paper.

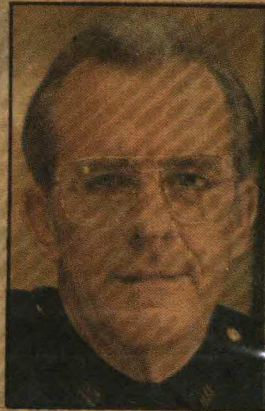
Harman said that he agreed with Windham, but that it was not an appropriate way for the police chief to

express his opinions.

"That sort of thing (the letter) doesn't help and in fact may hinder resolution of the issue," Harman said. "I advised the chief that this was an inappropriate thing to do."

Windham said yesterday that he wrote the letter to ask the county to reconsider Johnson's proposal, not to offend anyone. But the chief would not comment on his conversations with Harman about the letter.

(More on LETTER on back page)



Thomas Windham

Citizen takes case on sheriff to grand jury

BY MARY HULL
Fort Worth Star-Telegram

A Fort Worth homemaker delivered a report to grand jury officials this morning detailing allegations of misconduct by Tarrant County Sheriff Don Carpenter.

After receiving a letter two weeks ago from Marilyn Lowrie, 57, asking that Carpenter be investigated, the grand jury requested her information.

Lowrie's accusations — which were presented by her as an individ-



Marilyn Lowrie: Bypasses the DA to accuse Carpenter

ual under a Texas law that allows citizens to circumvent the district attorney if the grand jury agrees to hear the accusations —

Windham's letter

I wish to extend to Commissioner J.D. Johnson my thanks, my praise and my commendation for his outstanding efforts to develop a solution for the jail crisis of our county and our city. Commissioner Johnson has taken a strong leadership role in a jail dilemma that has grown to such proportions that it threatens the safety and welfare of all people who live, work and play in Fort Worth and other areas of Tarrant County.

Come on, Judge (Roy) English and you other commissioners. We do not have a parking crisis; we have a jail crisis. J.D. Johnson's idea to convert the Mueller building into a temporary detention facility is a good one. It deserves your reconsideration, your support and your vote for immediate implementation.

—Thomas R. Windham
Chief of police
Fort Worth

English's response

This week Fort Worth Police Chief Tom Windham publicly criticized the proposal by Commissioners Court to construct a parking garage adjacent to our new jail and courts building. The garage will service jurors, litigants, county employees and the general public conducting business at the courthouse.

Chief Windham favors the creation of a temporary jail at that location.

The parking garage proposal is sound. The new county buildings with greatly increased activity will create substantial traffic and compound the existing parking dilemma if proper provision is not made now.

Jurors and the general public are entitled to adequate facilities.

In the last two years our Commissioners Court has launched the most aggressive jail construction program in the nation, tripling our capacity within three years.

We are presently constructing 1,824 new jail cells in addition to the 576 temporary cells we have opened during the last 12 months. Unfortunately the

state has pirated all 576 new cells for state prisoners who should be in prison.

To kill the parking garage in favor of a makeshift temporary jail would not solve a problem — it would simply create another one. Within 90 days, the state would take over the temporary space.

We cannot allow the state's abuse of us to so undermine our finances that we do something as shortsighted as to build major public facilities without providing adequate parking space.

Our court will continue to deal with the broad spectrum of county government issues. Demands for jails, courts, roadwork, health services, AIDS programs, and many other items remain on our agenda.

As county judge, I solicit Chief Windham's cooperation and ask for his help on my "Number 1" priority in seeking legislative relief from the jail overcrowding forced upon Tarrant County by the Texas Department of Corrections.

Roy English
Tarrant County Judge

Letter

From Page 1

"The letter was written as encouragement for J.D. Johnson and the other commissioners to come to grips with the problem. If it has offended anyone, I regret that. It was not intended to offend anyone," Windham said.

Tarrant County Judge Roy English said yesterday that Windham should spend less time criticizing county leaders and more time working with them to pressure the state into taking prison inmates now being held in county jails.

Converting the Muller Building into a jail also would have postponed English's plan to build a seven-story maximum-security jail on top of the parking garage, English said. Commissioners are slated to vote on that proposal today.

"It does undermine the relationship between the city and the county. It doesn't make it any easier and it's the second time in 30 days," English said. "He should work with the county commission and not take potshots at us."

On Jan. 23, Windham arrived unannounced at a Tarrant County Commissioners Court meeting complaining about the lack of cell space. He told commissioners that the jail problem

threatened the safety and welfare of Fort Worth citizens.

City Attorney Wade Adkins is preparing a lawsuit against the county over a lack of cell space. The city contends that the contract says all its prisoners are to be held in the jail.

Johnson's proposal had called for a temporary city jail to be opened in the Muller Building, 600 W. Weatherford St., a county office building a few blocks from the existing jail.

The building has a 90-by-46-foot room that could house up to 75 prisoners and would cost about \$10,000 to convert, Johnson told the commissioners. But the proposal was never brought up for a vote before the commission.

Instead, English last week revealed a plan to locate a long-planned county parking garage on that block, which is bounded by Weatherford, Belknap, Cherry and Burnett streets.

The \$8.4 million, six-story parking garage would hold 800 cars and would be constructed to support a jail addition atop it. Money to build the parking garage was included in a \$114 million county bond referendum two years ago.

English has said that there would have to be a new bond issue to build the additional jail space. The proposed jail would house 1,440 prisoners and would

be adjacent to the jail now under construction that also will have 1,440 beds.

The jail overcrowding is the state's fault, English said. Last year, the county had 50 felons in the jail, he said. This month, there are 750 felons in the jail waiting to be transferred to the state prison system, English said.

Harman said his negative comments about Windham's letter should not be construed as taking the police chief to task. Harman said he was more concerned that the flap about the letter would divert attention away from the real issue: jail overcrowding.

"Otherwise, I agree with the chief," he said.

Council members' reactions to Windham's letter were mixed.

Councilman Garey Gilley said Windham has a constitutional right to free speech. He was concerned that Windham's personal opinions would be confused with official city policies.

"I think policy (statements) ought to be left up to the elected officials," Gilley said.

Council member Louis Zapata said he didn't like the letter. "This is not the Old West where you can shoot from the hip. It is not going to heal any wounds that already might be open."

THE TEXAS LEGISLATURE

Bolen, Harman say county dragging feet on jail crowding

BY BOB MAHLBURG
Fort Worth Star-Telegram

Tarrant County officials are not doing all they could to solve jail overcrowding, Fort Worth officials have charged in letter to Gov. Bill Clements and local legislators.

The letter, drafted by City Manager Doug Harman and signed by Harman and Mayor Bob Bolen, endorses construction of new state prisons and other steps to ease jail crowding, but it also blames the local jail crisis partly on county officials' refusal to use empty jail beds in neighboring counties.

County officials, meanwhile, say the costs would be too high.

The letter was mailed the day before a county jail "summit" yesterday to discuss the jail crisis, which in three years has nearly doubled Tarrant County's jail population and cost county taxpayers \$54 million to build extra space.

The overflow of prisoners, including more than 600 who should be in state prisons, has backed up into suburban city jails, county barracks and even a makeshift wire cage in the Fort Worth Police Department offices. But Harman noted that a recent survey showed 500 available spaces for prisoners in county jails surrounding Fort Worth.

"Tarrant County officials claim an inability to address these needs, due to lack of assistance and funding from the state," Harman's letter says. "(But) given the availability of jail spaces in the vicinity of Tarrant County, it is obvious that all steps are not being taken to address the immediate crisis at hand."

Harman yesterday said of the letter: "Our position is there's no reason prisoners can't be transferred to other counties. It would be better and safer for that space to be used than to house

prisoners in a city office building."

Suburban city officials also have questioned the county's decision not to use space in other counties. They threatened last month to force the county to move prisoners to surrounding counties to open space in suburban jails.

Harman said housing county prisoners in other counties could be costly but he said that's a county and state responsibility.

County officials said they can't afford such costs.

"If we move them to another county, it will cost \$41 to \$50 per day, per prisoner," said Sheriff Don Carpenter. "It could bankrupt the county."

County Judge Roy English said moving prisoners to other counties should be "a last resort."

"Those counties with available space are marking it up to a high premium and are charging us three to four times our cost to house prisoners in temporary barracks," English said.

The county can house prisoners in temporary barracks for as little as \$8 per day, he said, adding that the county wants to "maximize taxpayers' dollars."

Yesterday's jail summit, which attracted more than a dozen area police chiefs and half a dozen mayors, was an effort to educate and unify local officials to push for additional state prison space and new sources of money for local governments to deal with the jail crisis, English said.

State legislators and officials from other major Texas counties also were invited, but none came.

Bolen stressed the need for cooperation between local officials in lobbying for state help.

"It doesn't make sense to do this piecemeal in Tarrant County and not do it in Dallas County."

English said he was pleased with the session, despite complaints by some attending that there were no concrete results.

"We avoided some of the hostilities we had a week or 10 days ago and we were able to focus our attention on the state's responsibility," said English, a former two-term state representative.

But some officials said privately that the meeting produced little more than political posturing and may have actually deepened some conflicts.

Asked later if the meeting helped, Carpenter said, "I don't know."

"I think some of the police chiefs understood and they may call and say, 'I've got an extra (jail) bed available,'" he said. "I need all the help I can get."

Council member Garey Gilley, who was among those who attended, said he is "a long way" from supporting a proposed half-cent countywide sales tax to finance local police and jail needs, partly because sales taxes tend to place the greatest burden on the poor. The tax has been endorsed by county commissioners.

Support from the city and the county is critical to that measure because state lawmakers usually are reluctant to approve bills to help one area of the state when officials from that area disagree.

County Commissioner Bob Hampton appeared shortly after the meeting in a dark green jail uniform with the slogan, "We are the prisoners" printed on the front pocket. Hampton says the county is being held prisoner by the state because it is being forced to house state prisoners but is receiving no money to help defray those costs.

Senate passes bill aimed at adding jail beds

By KAREN POTTER
Fort Worth Star-Telegram Austin Bureau

AUSTIN — The Texas Senate yesterday passed the first bill of the session to reduce jail overcrowding.

Bulging jails, such as Tarrant county's, should begin to feel some relief as a result of the bill by the first of April, sponsor Sen. Bob Glasgow, D-Stephenville, said.

The legislation, which is expected to be passed by the House and signed by the governor, would lead to construction allowing 1,100 more beds for jail

inmates who are approaching the date of their parole.

The turnover should result in room for 1,650 more inmates a year, Sen. Bob McFarland, R-Arlington, said.

Dallas and Harris counties have about 1,500 prisoners in their jails who should be in state prisons but aren't because there isn't space, officials said.

And in Tarrant County, 692 of the 2,334 jailed yesterday are sentenced felons who should be taking up room in Huntsville instead of Fort Worth, officials said.

Lawmakers acknowledge that the bill is just a short-term answer to a problem needing long-term solutions.

"This is a bill to help solve the overcrowding problem," Glasgow said.

"This bill would probably not alleviate the need for more permanent beds," Gov. Bill Clements, Lt. Gov. Bill Hobby and House Speaker Gib Lewis said this week that they would not be able to realize their hopes of getting money for 11,000 prison beds approved in time to get the issue on the May ballot. All say they remain com-

mitted to the construction.

Glasgow said his bill is necessary because the Board of Pardons and Paroles, which operates the so-called pre-parole transfer centers, is having difficulty finding private contractors until the new budget goes into effect next summer. The board has \$3.3 million available to build the facilities, and if the bill passes, the contracts should be awarded the first of March, Glasgow said.

■ Tarrant crisis: Fort Worth leaders blame county for crowding.

Tarrant rejects plan to

BY BOB MAHLBURG
Fort Worth Star-Telegram

Tarrant County commissioners yesterday agreed to an unspecified plan to seek temporary jail space for 192 more prisoners but snubbed a proposal to construct an 800-car downtown parking garage and add a jail on top later.

The vote was a setback to County Judge Roy English, who wanted final approval to build the six-story parking garage to provide parking for

a 1,440-bed downtown jail and a courts building that are scheduled to open in summer 1990.

The parking garage plan came under fire from three of the five county commissioners, who argued the plan was too costly and not sufficiently thought out. English withdrew the proposal for a week of study.

"I'd rather see cars bumper on the street than criminals on the street," said Commissioner O.L. Watson, who said jail space is a

build garage, top with jail

more critical problem facing the county. "I would like to see this put off until we resolve the prison crisis."

The total price tag on the parking garage project is estimated at just over \$9 million, architect Merwyn Croston said. The parking garage would be constructed with added steel and concrete needed to support a seven-story jail to be built later on top of the garage.

(More on JAIL on Page 2)

"I'd rather see cars bumper to bumper on the street than criminals on the street. I would like to see this put off..."

— O.L. Watson
county commissioner

Section 1, Page 2 / Fort Worth Star-Telegram / Wednesday P.M., February 22, 1989 ★★

Jail

From Page 1

Commissioners last week rejected a plan to convert a county office building to a temporary jail after English proposed building the parking garage and jail on the same block, which is bounded by Weatherford, Belknap, Cherry and Burnett streets.

English says no other convenient site is available for the parking garage because of planned Tandy Corp. construction south of the county complex and the Ripley-Arnold Place apartments to the north.

"It concerns me when we just sit up here and brainstorm on where to build things and there is no master plan," Commissioner Dionne Bagsby said. "I cannot get a handle on any overall plan."

Bagsby said later that she will oppose the parking garage-jail proposal until a broader study of the county's building needs is considered.

Money to build the parking garage was included in a \$114 million county bond referendum two years ago.

"We have not backed off on park-

ing," English said. "we would be grossly irresponsible if we don't provide parking when we open those facilities."

English said a new bond issue would be needed to finance the jail, which he estimated would cost \$20 million. The proposed 1,440-bed jail atop the parking garage would become a "second tower" to the 1,440-bed jail under construction a block to the east.

"Hopefully we wouldn't need it for years," he said.

The jail population was 2,337 today. The capacity is 1,972 but the state has allowed the county to operate the jail beyond that limit.

Commissioners also unanimously approved a motion by English to give "intent" to create 192 beds of additional jail space by April 20. However, no decision was made on how or where the space would be created.

A committee was named to look at alternatives, which range from building barracks buildings to converting a vacant warehouse, English said.

English argued last week against creating more jail space because it would be absorbed by state prison inmates already clogging the county jail. But English did an about-face yesterday, saying that an additional jail must be built as a stopgap measure.

A separate proposal to create a military-style boot camp for young jail prisoners also received generally favorable reaction from commissioners yesterday, but they took no action.

The boot camp and the unspecified plan to create more jail beds are the latest in a flurry of jail proposals addressed by county commissioners in recent weeks in an effort to deal with jail overcrowding.

In addition:

■ Watson suggested the county ask if Carswell Air Force Base would donate portable buildings for temporary jail space. Buildings have been given to schools, Watson said, adding, "If they're good enough for school kids, they're good enough for prisoners."

Ex-jailer wins old job back

Emotions run high during appeal hearing

BY BOB MAHLBURG
Fort Worth Star-Telegram

Tarrant County jail officer Joe Berry won back his job yesterday but was suspended for two months after an emotion-packed civil-service hearing in which his attorney charged Sheriff Don Carpenter with a broad campaign of "union-busting" and "political retaliation."

Witnesses testified that a fellow jail officer recorded Berry with a concealed tape recorder and the sheriff's internal affairs unit used paper marked with invisible ink to establish that Berry made unauthorized copies on a county copying machine.

Berry's attorney, James Burke, said Berry was unfairly entrapped by sheriff's officials and a fellow officer he trusted. He characterized Berry's firing as "part of a grand scheme to get rid of people perceived as troublemakers."

The sheriff, who did not attend the hearing, declined to comment. Carpenter has denied past accusations of intimidation.

The three-member county civil-service commission unanimously ruled that Berry was guilty of insubordination and of the unauthorized copying, but the panel said the sheriff's decision to fire Berry was too severe. Commissioners ordered Berry suspended without pay until April 1. He has been out of work since Jan. 9.

"How do I feel? I lost \$3,000," said Berry.

Berry, a seven-year department employee, said his wages were \$1,951 a month — \$23,412 a year.

Berry was fired after a sheriff's discipline panel ruled that on Dec. 6 he was insubordinate to a superior officer and that on Dec. 13 he used a sheriff's department photocopy machine to make 61 copies of a jail officer association's newsletter.

THE FORT WORTH STAR-TELEGRAM
25 FEBRUARY 1989

Lt. John Smedley said he devised a plan to establish that Berry was misusing the copier after Lowe complained to him.

"I had the copy machine loaded up with paper marked with invisible markings that show up under a black light," said Smedley. Under questioning, Smedley said his plan was not illegal entrapment.

Lowe testified that he tape-recorded several conversations with Berry and other officers because he had grown disenchanted with the jail officers' group he helped start.

Lowe said he also "investigated" Terry Fenwick, the association president, whom Carpenter also has fired.

"I had no intention of setting up Mr. Berry," Lowe said. "One thing led to another."

"You were not a plant?" Burke pressed him.

"No," Lowe answered.

Berry contradicted testimony by Sgt. Kelly Hornbake that he refused an order to do jail errands and cursed. Berry said he questioned Hornbake's order because he had been assigned other work and said he did not mean to be insubordinate.

Berry testified that intimidation tactics and firings of association officers have created an atmosphere of fear that has crippled the jail employees association, which leaders say once had 70 members.

"It has been shattered," Berry said.

In addition to Fenwick and Berry, the sheriff also has tried to fire association member Truman Bradshaw. The group's secretary-treasurer, John Robinson, also has been investigated, Burke said.

Bradshaw's firing also was overturned by the civil-service commission.

Releases from jails possible

Fort Worth's arrests pack suburban cells

BY MAX BAKER
Fort Worth Star-Telegram

Overcrowding in Tarrant County Jail may force the Fort Worth Police Department to release people it has arrested or is holding in suburban jails and temporary cells at the police station.

The suburban jails where the city has been sending its prisoners for the last few weeks are full and are turning away Fort Worth prisoners to make room for their own inmates, Police Chief Thomas Windham said yesterday.

Additional storage space on the police station's fourth floor was cleaned out yesterday morning to make room for prisoners, but that only provided the city with a little more space, he said.

"We have run out of jail space in the outlying cities that have been helping us," Windham said. "It's been absorbed. And there is no more county space."

County Judge Roy English and Commissioner J.D. Johnson met with Mayor Bob Bolen and two other Fort Worth City Council members after a council retreat yesterday morning to discuss the jail situation.

City officials agreed to monitor the jail population this weekend to give county officials a chance to look at other jail alternatives. City and county officials will meet tomorrow.

Council members and commissioners also discussed shipping prisoners to other nearby counties with available jail space. In addition, they talked about making the downtown Muller Building and the dormitory rooms in the cattle barns behind the Equestrian Center into temporary jails.

English and Johnson once again sought council support for proposed state legislation to create a half-cent per \$1 countywide sales tax to finance local police and jail needs. That tax would raise about \$40 million in Tarrant County.

Councilman Russell Lancaster said the council asked to meet with county officials after Windham told City Manager Doug Harman on Friday night that the overcrowding had grown worse and that he wanted council advice on what to do with his prisoners.

The police already have been giving tickets for some misdemeanor crimes such as prostitution and traffic violations, Windham said. Lancaster said municipal court judges have been releasing prisoners on personal recognition bonds.

"We have to deal with the immediate problem," Lancaster said. "I see us in the not too distant future — in days — we may be forced to release prisoners for the lack of space."

Certain criminals must be in jail, Lancaster said, but overcrowding is forcing the release of all but the most dangerous. "We're down to the point where charges need to be filed," he said, instead of releasing prisoners on bail.

City and county officials are talking daily about the jail and what to do about overcrowding. A summit meeting of the two governments was conducted Thursday.

Relations with the county have been strained by Windham's appearances before the Commissioners Court and his letters to the *Star-Telegram* criticizing the county for its jail operation.

Another thorn in city-county relations is a lawsuit being prepared by City Attorney Wade Adkins in which the city contends that its contract with the county says all of its prisoners are to be held in the county jail.

And Harman and Bolen on Thursday accused the county of moving too slowly in taking other steps to ease overcrowding, including the use of empty jail beds in neighboring counties.

Windham said he is seeking council guidance because he has been so severely criticized for speaking out.

"I've been criticized for appearing at the Commissioners Court and for writing letters to the editor. I'm ready for some direction and some solutions from people who told me it was their place to find solutions," he said.

County commissioners last week voted against a plan by English to build a six-story parking garage to provide parking for a 1,440-bed downtown jail and a courts building, with a 1,440-bed, maximum-security jail on top. Other commissioners thought the \$29 million price tag was too high.

However, commissioners unanimously approved a motion by English to give "intent" to create 192 beds of additional jail space by April 20.

Starting a military-style boot camp for young jail prisoners and asking Carswell Air Force Base to donate portable buildings for use as temporary jails also are being considered by the Commissioners Court.

Earlier this month the commissioners rejected a plan proposed by Johnson to convert the Muller Building into a temporary jail. Converting the office building would have created space for 384 prisoners and cost \$4 million.

English, who originally opposed the idea, said yesterday that he is conducting talks to use the Muller Building, but he would not elaborate.

At the meeting with city officials Thursday, the half-cent sales tax proposal was discussed. English said they want to push the Legislature to pass a law that would let any county adopt the tax to pay for expenses such as sending inmates to other county jails.

The idea got a lukewarm reception from the council then and yesterday.

Lancaster and Councilman Garey Gilley said after yesterday's meeting that they still were not crazy about the taxation idea because it lets the state off the hook from its responsibility to provide prison beds. Overcrowding at units in the Texas Department of Corrections is holding up transfers of prisoners from county jails, leaving inmates who should be in state facilities stuck at the county level.

"It doesn't get to the root cause of the problem. Some way we've got to put pressure on the state; it is abdicating its responsibility," Lancaster said.

Instead, Lancaster and Gilley said it should be the state that should adopt a tax to pay for housing its prisoners stuck in Tarrant County Jail and in the jails of nearby counties.

"We don't think the people in Austin understand the magnitude of the problem. It can be solved by money. Not to build prisons but to pay Parker County or Wise County to pay for housing prisoners," Gilley said.

"The state Legislature could pass the law Tuesday and the governor sign it Wednesday and solve the problem. Otherwise, we are going to start putting the drug pushers and the rapist loose on the street," Gilley said.

Wednesday, March 1, 1989

English pleads for jail relief

Judge says Tarrant in 'civil war'

BY JOHN GONZALEZ
AND BOB MAHLBURG
Fort Worth Star-Telegram

AUSTIN — Tarrant County Judge Roy English begged the county's legislators today to do something about jail overcrowding caused by the lack of prison space.

"The state's failure to act has caused a civil war in Tarrant County," English said.

"We're so desperate, we'll take anything," he said.

Fort Worth City Councilman Gary Gilley joined English in urging the legislators to support prison construction as a long-term solution, but their most impassioned plea was for some kind of immediate reimbursement for the community's \$30,000-a-day cost of housing inmates sentenced to the overcrowded Texas Department of Corrections.

English said he would support legislation authorizing a special half-cent sales tax to finance criminal justice projects.

Listening to the obviously frustrated local officials were Reps. Bill Carter, R-

(More on JAIL on Page 7)

■ Editorial PAGE 14

Cell crisis not keeping police at bay

BY HOLLACE WEINER
Fort Worth Star-Telegram

Despite overstuffed jails and improvised lockups, the wheels of justice have kept turning, with Fort Worth police reporting 39 arrests between 6 a.m. yesterday and 6 a.m. today.

"We will not stop arrests," said Lt. Greg Bradley, who is supervising the chain-link cages at police headquarters where as many as 64 prisoners at a time have been detained since last week. "You just don't stop making arrests, irrespective of anything that's going on."

The 39 arrests include eight on drug charges; 10, burglary and theft; seven, (More on ARRESTS on Page 7)

Fort Worth; Kim Brimer, R-Arlington; Kent Grusendorf, R-Arlington; Anna Mowery, R-Fort Worth; Carolyn Park, R-Bedford; and Garfield Thompson, D-Fort Worth.

For added impact, English and Gilley showed the lawmakers photographs taken this week at the makeshift lockup constructed in Fort Worth Police Department office space.

"Over one-third of the police force is currently being utilized to guard county prisoners," Gilley said.

"Our Police Department is absolutely at a standstill," Gilley said, adding that Fort Worth's crime problem has "erupted and overflowed into our streets."

Gilley added: "The solution is money."

Legislators eagerly agreed to help their constituents address the problems but weren't able to suggest any quick solutions.

However, Carter said he would assist the city and county officials in tailoring a sales tax bill that would exclude any Tarrant County community that wants no part of it.

Sen. Hugh Parmer, D-Fort Worth, offered the same support yesterday.

English, acknowledging that any tax bill would be unpopular with Gov. Bill Clements, said, "What I have suggested and what the speaker (Gib Lewis) has suggested is the possibility of a local-option, half-cent sales tax that would allow the governor to go forward and maintain his no-new-taxes scenario and take the heat off the Legislature.

"We will take the burden. We simply need something other than the ad valorem property tax," English said.

"We are obviously very desperate. This thing has undermined everything we need to do in county government," he said.

The legislators warned the local officials that reimbursing them for housing prison-ready inmates could draw the local government entities into the federal class-action lawsuit known as the Ruiz case, whose 1985 settlement defines how state prisoners are to be treated.

But English said that "we'd much rather be under Ruiz than where we are now. We're drowning where we are."

The jail population stood at 2,381 this morning in the county system. The capacity for the jails totals 1,972, although the state has allowed the county to operate above that.

Fort Worth officials, meanwhile, were preparing a two-pronged legal attack — a civil suit charging the county with violating a contract to provide jail space for city prisoners, and a request to move some Fort Worth prisoners to jails in surrounding counties.

City Attorney Wade Adkins said the city will file the suit probably Friday charging the county with failing to provide sufficient jail space in the joint

city-county jail, to which the city contributed \$15 million in construction costs.

A hearing also has been set tentatively for 1:30 p.m. Friday before Criminal District Judge Joe Drago at which Fort Worth will ask Drago to order the Sheriff's Department to transfer prisoners to neighboring county jails.

Adkins said he would ask the judge to move 131 city prisoners with criminal charges filed against them. Because of the bulging county jail, many of those city prisoners are in suburban jails or in a wire cage at the Fort Worth Police Department administration building.

Adkins met yesterday with Drago to discuss procedures for the hearing, in which the city will contend the county has failed in its legal obligation to provide "a safe jail" to house prisoners.

Also yesterday:

■ Suburban officials, whose jails are holding an overflow of Tarrant county prisoners, expressed some relief over the county's decision to build the new barracks, but they said the situation remains critical.

"We're letting people out into the streets who need to stay in jail," said Arlington police spokesman Dee Anderson.

■ A check of five Texas counties identified by the state as each having at least 40 available beds for prisoners showed that actual space was much less. The total provided by the state was 465. A check of the counties showed there was only 205 beds available yesterday. A state official said the figures would be updated next week.

■ Tarrant County commissioners last night awarded a \$305,000 contract for the construction of wooden barracks to house 192 additional prisoners on Cold Springs Road.

The construction contract was approved on a 3-1 vote, identical to Monday's vote approving the barracks. Johnson cast the lone no vote. English did not vote.

The new barracks, which cost \$75,000 each and look like double-wide mobile homes, will be built by Danny Butler Construction of Glen Rose, the firm that built earlier Cold Springs barracks and has built temporary jails for several other counties.

Butler was awarded the construction work without state-required bidding because commissioners declared the project an emergency.

Jail Administrator Bill Broome has

criticized the quality of the current barracks, saying they are "disintegrating." Prisoners also have kicked holes through wooden walls, he said.

Several prisoners have escaped from the Cold Springs site, but they did not go through the walls, sheriff's officials said.

Butler told commissioners the new barracks will be of better quality. The outside walls will be 5/8-inch plywood glued and nailed to studs, he said.

Sheriff Don Carpenter, who has suggested converting a vacant north Fort Worth warehouse to jail space, complained that the additional minimum-security barracks won't help the shortage of maximum-security space.

Prisoners kept in the barracks probably will include some awaiting transfer to state prisons, County Administrator G.K. Maenius said.

"I'm gravely concerned about security," said Commissioner J.D. Johnson. "I don't think it's adequate and I don't think it's safe."

Construction on the barracks is scheduled to begin Friday and must be completed within 25 days, according to the contract.

In addition to the 192 beds approved this week, a four-floor, 384-bed jail at Cold Springs is under construction and scheduled to open in August. A 1,440-bed permanent downtown jail is scheduled to be completed in April 1990.

Seven City Hall officials — including Councilmen Williams and Estil Vance and Assistant City Managers Ruth Ann McKinney and Bob Terrell — toured the makeshift jail facilities yesterday with Police Chief Thomas Windham as their guide.

"This is really pathetic," said Williams, who arrived at the fourth floor lockup as five prisoners were being escorted — chain-gang style — out of the room for showers. Twenty-one inmates remained, most of them lying on thin mattresses, sleeping or lounging under woolen blankets.

"It's very unsafe. It takes the individual policeman off the street. I am seeing . . . a situation here that's kind of inhumane — the way we see them in cages. To me it's a situation like sheep or like cattle in pens. But I know that's the best we can do. We can't just put them out on the streets."

Said Vance: "It's a crisis situation. Seeing it is always a lot different than what you expected. I'm sort of shocked."

Tarrant towns watch Fort Worth

BY STEVE POLILLI
AND DOMINGO RAMIREZ
Fort Worth Star-Telegram

As the jail controversy continued in downtown Fort Worth, interested law enforcement officials throughout Tarrant County yesterday watched over some of the county's excess inmates.

In Kennedale, police are holding five Fort Worth suspects and one of their own suspects in a jail with a capacity of 14.

"We're getting real close to turning out drug dealers and armed robbers,"

police Chief David Geeslin said, speaking of the entire jail crisis. "A system is something that works, so what we've got here is essentially a non-system."

Arlington police Chief David Kunkle said a county decision to build a 192-bed barracks will help county law officers but the best solution will come when the 1,440-bed downtown jail is finished in 1990.

"The barracks will provide relief for everyone in the county, particularly Fort Worth, but until the construction of the new county jail is wrapped up, it's

still going to be difficult," Kunkle said.

The Arlington Jail held 63 inmates yesterday morning but by late in the day, the population was down to 56. Eight inmates slept on mattresses on the floor. The jail capacity will be doubled from its current maximum of 48 beds when a new facility is opened in early April.

"We're letting people out into the streets who need to stay in jail. It would be no problem to keep an additional 40 or so prisoners in our jail," said police spokesman Dee Anderson.

★ ★ Wednesday P.M., March 1, 1989 / Fort W

and its inmates

Anderson said one prisoner has been there since Jan. 2 even though charges against the man have been filed with the Tarrant County district attorney.

In North Richland Hills, Hurst and Euless, the three largest jails in Northeast Tarrant County — all of which are 72-hour holding facilities — there are similar stories.

The North Richland Hills Jail held 56 inmates and has a capacity of 60. There are beds for 38, so the rest have to sleep on mattresses on the floor, Capt. Richard Kitchen said.

Thirty of the prisoners were from Fort Worth and 18 from North Richland Hills. Eight are to be turned over to the U.S. Immigration and Naturalization Service, he said.

North Richland Hills and Hurst have accepted Fort Worth prisoners at a rate of \$35 per prisoner per day.

"It's tough," Kitchen said. "If something doesn't give soon, I don't know what we'll do."

Staff writers Stefani Gammage and Yvonne Ndubuisi contributed to this report.

Few counties in Texas have cell beds available

BY MARY HULL
Fort Worth Star-Telegram

If Tarrant County commissioners decide to parcel some inmates to other county jails, they have fewer than five throughout the state from which to choose.

Figures released from the Texas Commission on Jail Standards on the number of available jail beds are outdated and more optimistic than what some sheriffs and jail administrators reported yesterday.

According to Feb. 1 figures, there are 465 beds available in Webb (Laredo), Anderson (Palestine), Montgomery (Conroe), Comal (New Braunfels) and Navarro (Corsicana) counties, said Jack Crump, the commission's executive director.

The commission's figures do not include the "nickel-and-dime" beds sporadically available in other counties, Crump said.

Even so, officials in three of the five counties named by the commission said they were erroneously included or the number of beds they have available were overestimated.

The actual number of beds available yesterday was 205, officials from the five listed counties said.

That number will improve by mid-March when 120 beds will open to transfer inmates when the new Johnson

"Our population is going up, up, up and soon I'll reach 80 percent (capacity) and be in the same boat."

— Gary Thomas
Anderson County sheriff

County Jail opens in Cleburne, said Sheriff Eddy Boggs.

But those beds won't make up for the number the commission listed.

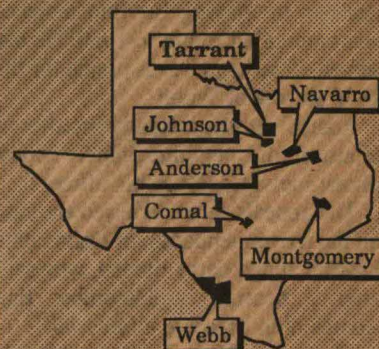
The Webb County Jail in Laredo has a capacity for 450 inmates, but only nine of its beds were open yesterday, said Sheriff Juan Garza. Those will be saved for local or federal inmates, Garza said.

The commission, which won't have updated figures until next week, was counting on 200 beds being available in Webb County, Crump said.

Seventy-five beds listed as available in the 129-capacity Anderson County Jail in Palestine will not be filled by transfer inmates, said Sheriff Gary Thomas.

Comal County officials said they have 15 beds available in their jail in New Braunfels. That number is 25 beds

County jails with available space for Tarrant prisoners



Johnson County *	130 open spaces 288 capacity
Anderson County	75 open spaces 129 capacity
Comal County	40** open spaces 147 capacity
Montgomery County	100 open spaces 570 capacity
Navarro County	50 open spaces 192 capacity
Webb County	200** open spaces 450 capacity

* New, will not open until mid-March
** Overestimated
SOURCE: Texas Commission on jail standards as of Feb. 1

Fort Worth Star-Telegram / STEVE WILSON
fewer than the commission had figured.
The 192-bed Navarro County Jail in Corsicana has 40 more beds available than the 50 listed by the commission, officials said.

1 MARCH 1989

Cigarettes, TV keep caged prisoners calm

BY HOLLACE WEINER
Fort Worth Star-Telegram

They won't rate a star in the Mobil Travel Guide, but the chain-link cages where overflow prisoners have been spending the night rank a few notches above the Tarrant County Jail.

"You feel safer here. Nobody's going to rip you off," said inmate Melvin Foster, 40.

Charged with assault four days ago, Foster was shackled with leg irons and booked into makeshift accommodations on the Police Department's fourth floor.

"They let you use the phone here," said Foster from behind the chicken wire. "They show first-run movies."

Movies played on a videocassette recorder and TV included a six-hour tape of the mini-series *Lonesome Dove* — minus the commercials.

Inmates get two cigarettes an hour.

Yesterday's lunch menu featured cheeseburgers.

And early complaints from inmates and visitors about the stench from the temporary quarters were being addressed. Trusties mopped and disinfected the floors. Deputy sheriffs formed a shower brigade by chaining together five prisoners at a time and escorting them to bathing facilities upstairs at the County Jail.

"You are *not* in a hotel," said Foster, rattling his leg irons — two metal ankle bracelets linked with a 16-inch chain. "You are still deprived. (But) this has its advantages from the County Jail. It's a little friendlier."

Foster knows the difference. "I have been in the new jail, the old jail, the low-

risk facility, the whole deal. I've spent a lot of time in Tarrant County. This is my home," he said.

The temporary lockup, which went into daily operation last week and has provided hospitality for as many as 64 prisoners at a time, consists of five fenced-in areas with gates and metal posts bolted to the concrete floor of what ordinarily serves as a storage room.

Every prisoner in the fourth-floor lockup wears or shares a pair of leg shackles. "It limits their mobility," police Lt. Greg Bradley said. "They are hampered somewhat."

"When we had 64 up here, it was a little tense. It was volatile. Not that anything happened. The shackles give us the advantage," the officer said.

"Notice how quiet it is," Bradley said, motioning toward the cages. "Normally there's yelling, screaming and cussing (in a jail). They seem to be about halfway content, and that's unusual."

Bradley said he believes the videotapes, telephone privileges and cigarette breaks are keeping inmates content and occupied.

The cigarettes are courtesy of the Police Department Property Room, where confiscated and unclaimed items are stored.

"Cigarettes," said Bradley, who is not a smoker. "It's just amazing what a calming effect cigarettes have on people."

And the videos are on loan from Police Department employees. "An idle mind is the devil's workshop," Bradley added.

(THE FORT WORTH STAR-TELEGRAM, APRIL 8, 1989)

Jail doctor says he could use more help

By **BOB GWIZZDZ**
Fort Worth Star-Telegram

Tarrant County Jail inmates are seen by a doctor in a timely manner and receive appropriate treatment, but the jail could use another doctor on the staff, Dr. James Holbrook, director of medicine at the jail, testified in court yesterday.

Holbrook was testifying in the lawsuit filed by Billy Joe Markham Jr., a former inmate who said he was raped and beaten in the jail. Markham is seeking a temporary restraining order turning over operation of the jail to an independent administrator rather than the sheriff.

Holbrook answered questions about the manner of treatment received by five jail inmates who were called as witnesses by attorney Art Brender, who is representing Markham.

Holbrook testified that he and his staff see between 80 and 100 patients daily at the jail. And although the patient load at the jail is larger than is recommended by several medical associations, the inmates receive adequate treatment because of the way patients are handled by the staff, Holbrook said.

"That controlled patient flow makes you able to see more patients than you could in a private practice," Holbrook

said. "We see everybody who needs to be seen."

But under cross-examination by Brender, Holbrook said he could use some more help.

"I'm spread as thin as I can be," he said. "I would feel better if I had another doctor."

Holbrook said he has not seen a larger number of trauma cases as a result of the overcrowding. "I'm seeing just as many broken jaws as I did three years ago," he said.

But when asked in general terms if jail overcrowding was a healthy situation, Holbrook acknowledged that it wasn't.

'Wagon' suit a possibility, English says

By R. ROBIN McDONALD
Fort Worth Star-Telegram

Tarrant County Sheriff Don Carpenter's yearlong refusal to allow a firm chosen by Commissioners Court to operate the jail commissary may force the commissioners to take the sheriff to court next month, Judge Roy English said yesterday.

English said commissioners are considering going to court to request an injunction to force Carpenter to implement a contract that commissioners signed a year ago allowing a Dallas firm not of the sheriff's choosing to operate the jail commissary, known as the "banana wagon."

Last year, commissioners signed a contract with Signature Services Corp. of Dallas to operate the commissary six months after Carpenter had agreed to sell the commissary to another Dallas firm, Mid-State Services, Inc.

English said commissioners made the contract with Signature Services after District Attorney Tim Curry informed them that they, not Carpenter, were responsible for the commissary's operation.

Signature Services was to assume control of the commissary last May. But for a year, Carpenter has refused to allow the firm's representatives to enter the jail, preferring to let Mid-States run the commissary.

"We had earlier asked the district attorney to make a recommendation to us as to how to enforce our own contract when one of our county employees chooses to violate that contract," English said. "... If the sheriff continues to refuse to allow Signature Services into the jail, the county may have no choice but to seek injunctive relief against the sheriff."

"If he says that, that's fine," Carpenter said yesterday when asked whether he was aware that the commissioners might seek an injunction against him. "Mid-States is the one that's got it (the commissary) right now."

Carpenter said his refusal to allow Signature Services in the jail is simply "old news that's been talked out before."

English said he and the other commissioners have only recently learned that Mid-States, not Signature Services, was running the "banana wagon."

THE FORT WORTH STAR-TELEGRAM

25 APRIL 1989)

For months, English said, commissioners assumed that, after initially defying the commissioners' decision, Carpenter had allowed Signature Services into the jail.

"I regret that the sheriff has not seen fit to allow the people with the contract from the Commissioners Court to do their job," he said. "We were assuming it had been done. A few months ago, it was brought to our attention that it had never been done. We started inquiring. Now, we're to the point we may have to start insisting."

"I wish the sheriff would simply abide by the (Commissioners) Court order and our contract," English said. "Surely, he realizes he just can't defy the contract and expect us to look the other way."

But last year, after Commissioners Court rejected Mid-States' offer in favor of Signature Services, Mid-States attorney Art Brender informed Carpenter that if he allowed Signature staff to operate the commissary, Mid-States would sue.

In an effort to avoid a suit that might hold him liable, Carpenter did refuse to permit Signature staff to enter the jail. But Mid-States sued anyway, asking a district judge to rule whether county commissioners or the sheriff has final authority to issue contracts concerning jail operations.

A hearing in that case is scheduled for May 22 before District Court Judge Fred Davis. And that suit was one of several that county commissioners discussed privately in executive session yesterday.

Since it filed suit, Carpenter has continued to allow Mid-States to operate the commissary, paying the county a royalty of \$1 per prisoner per month, said County Auditor Jim Causey — the amount the firm originally had agreed to pay the county when Carpenter sold the commissary in 1987.

Causey said that monthly payment is less than Mid-States offered to pay the county when it was bidding against Signature Services for the commissary contract.

Signature Services had offered to pay the county \$2,000 a month and install a computer billing system that would replace the paper "chits" that double as money inside the jail.

Mid-States had countered with an offer to pay the county \$1 per prisoner per month unless the prison population exceeded 2,000. At that point, Mid-States said it would double the payment to \$2 per prisoner per month, Causey said.

"Had we accepted their proposal, we'd be getting about \$5,200 a month now," Causey said. Since last year, the jail population has routinely exceeded 2,000, he said.

English said he has not talked with Carpenter about the contract and has heard from the sheriff only indirectly through the district attorney's office.

25 APRIL 1989

Trimboli case goes to jury

Decision could hinge on DNA testimony

BY MARTHA DELLER
Fort Worth Star-Telegram

CLEBURNE — Ronald Trimboli was portrayed as the victim of a plot by police, prosecutors and scientists this morning.

Defense attorneys told a Johnson County jury that the plot was hatched to convict Trimboli of the 1985 slayings of two Arlington sisters and a teen-age boy their mother had taken in.

But prosecutors described Trimboli as a "butcher" who didn't count on new genetic tests to link him to the rape-slaying of one teen and the stabbing deaths of two others nearly four years ago.

The nine men and three women on the jury in Trimboli's third murder trial will have to wrestle with those conflicting portraits as they deliberate his guilt in the June 17, 1985, stabbing deaths of Danielle Lemieux, 14; her sister, Renee, 12; and John Bradley, 17, who was staying with the Lemieux family in south Arlington.

As expected, prosecutors and defense attorneys devoted much of their closing arguments today to the genetic tests that were the key difference between this trial and two previous Trimboli trials that ended with mistrials.

Defense attorney Bill Lane contended that prosecutors tried to trick jurors into believing that the DNA tests linked Trimboli to semen found on the bed-
(More on TRIMBOLI on next page)

spread beneath Danielle Lemieux's body.

"The fact is that is not Trimboli's DNA on the bedspread or on a vaginal swab from Danielle," Lane said. "The logical conclusion is that Trimboli didn't commit these crimes."

But prosecutor Alan Levy ridiculed the defense notion that 12 renowned scientists would conspire to falsely match Trimboli's DNA to that of the semen.

"The defense used those numbers (DNA measurements) like conjurers to create a difference (in the DNA) where there was none," Levy said. "The explanation is the semen on the bedspread is the defendant's. The truth is this man is a murderer."

The jury began deliberations shortly before noon.

Deliberations followed closing arguments in which prosecutors and defense attorneys pieced together nearly four weeks of testimony from approximately 40 witnesses.

Nearly half the witnesses, and a sizable portion of the 200-plus items of evidence, related to genetic tests performed after Trimboli's second trial ended with a deadlocked jury.

Prosecutors say the genetic tests strengthened an otherwise circumstantial case tying Trimboli to the deaths.

The interpretation of Trimboli's genetic tests, which experts say can identify individuals as conclusively as fingerprints, was the subject of dispute for more than six days of testimony by 16 scientists.

Prosecutors called 12 scientists who educated jurors about DNA — the

Trimboli / From previous page

unique genetic information found in human cells — and the scientific methods used to compare one piece of DNA to another.

The prosecution witnesses unanimously agreed that DNA taken from a Trimboli blood sample positively matched that of two semen stains taken from the crime scene.

There is only a 1 chance in 54 billion that someone other than Trimboli could have left the semen on the bedspread, according to a scientist from Lifecodes, the New York laboratory that performed the test.

But the defense brought four scientists who testified that Lifecodes apparently ignored its own statistical data — measurements of the DNA — and incorrectly concluded that Trimboli's DNA matched that of the semen.

By examining the Lifecodes data, the defense experts said they concluded that Trimboli's DNA did not match that of the semen. They said there was only a 1 in a trillion chance that the semen matched Trimboli's.

Aside from the DNA testimony, most of the evidence was similar to that presented in two previous trials of Trimboli, 44, a former pizza cook.

Prosecutors presented evidence that Trimboli's palm prints and fingerprints were found on several items in a laundry room where Bradley's body was found. Trimboli lied about being in that room in three separate police interviews, a detective testified.

The state also called witnesses to suggest that Trimboli lied about his telephone being out of order the night he went to the Lemieux home to call a

doctor for his ill baby. Other witnesses disputed Trimboli's statement that he was at his baby's doctor's at the time the state is suggesting the slaying occurred.

Several prosecution witnesses suggested that the motive for the slayings was Trimboli's apparent attraction to Danielle Lemieux and his displeasure at learning that Bradley had moved into the Lemieux home the day before the slayings.

But the defense attempted to suggest that numerous people besides Trimboli had the motive and opportunity to commit the slayings. Although MacLean did not allow detailed testimony about other suspects, defense witnesses testified that Danielle Lemieux had dated several young men.

Defense witnesses also said that numerous young men frequented the Lemieux home while the girls' mother was working. The defense was not allowed to elaborate on the suggestion that Bradley could have been the target of the slayings.

Other than testimony that a large amount of cocaine was found in Bradley's body, the defense was not allowed to explain its theory that Bradley was slain because of previous drug connections. Some of that evidence was allowed in Trimboli's first trial in Tarrant County, which ended in a mistrial after a juror talked to a victim's relatives.

The second trial was moved to Johnson County because of pretrial publicity. State District Judge John MacLean presided over that trial and the current one.

Trimboli / From Page 1

Trimboli sentenced to 3 life terms

BY MARTHA DELLER
AND R. ROBIN McDONALD
Fort Worth Star-Telegram

CLEBURNE — Ronald Trimboli was sentenced today to three consecutive life sentences for the 1985 murders of two Arlington sisters and a teen-age boy staying with their family.

A Johnson County jury — the third to hear the case in more than two years — deliberated 20 minutes this morning before recommending that Trimboli serve life in prison for each of the three stabbing deaths on June 17, 1985.

They had deliberated seven hours yesterday before finding Trimboli guilty of the slayings of Danielle Lemieux, 14; her sister, Renee, 12; and John Bradley, 17, who had moved into the Lemieux family's southwest Arlington duplex the day before the slayings.

Trimboli, who told his family he loved them before leaving the courtroom, continued to proclaim his innocence in a two-page statement he read to state District Judge John MacLean before the judge formally sentenced

him.

Defense attorney Lee Joyner said Trimboli wrote the statement in his Johnson County Jail cell last night with the intention of reading it to the jury. However, MacLean denied that request and excused the jury before hearing the statement and imposing the sentence.

Standing before the judge, Trimboli said, "I may not understand how or why you reached the verdict that you did, but what I do understand (is) that you were not afforded all the information and investigative reports in this case," Trimboli said. "I feel that if you had heard and saw all the evidence, that I would not be here today in front of you.

"My mind and the minds of my family are clear to the fact that I am innocent. And I believe that God, the ultimate judge, knows I am innocent."

Joann Lemieux Carley, mother of the murdered girls, dabbed her eyes and bowed her head, as Trimboli made his statement to the judge.

"We're just relieved that everything's done," Carley said as she hurriedly left the courthouse on the arm of her husband.

Jurors had instructed court bailiffs that they did not wish to talk publicly about the case after they were dismissed, and the majority declined to do so as they were escorted from the courthouse.

"It was a very difficult decision," explained one juror as he left.

But as jury foreman Gene Paul Roy left the courthouse, he said no single piece of evidence, including DNA genetic tests, outweighed any other in the jury's decision.

"There was just a pile of evidence," he said.

Asked if he believed the prosecution's DNA experts, Roy said, "I did. I'm not speaking for everyone.

"There was no disagreement in our decision," he said.

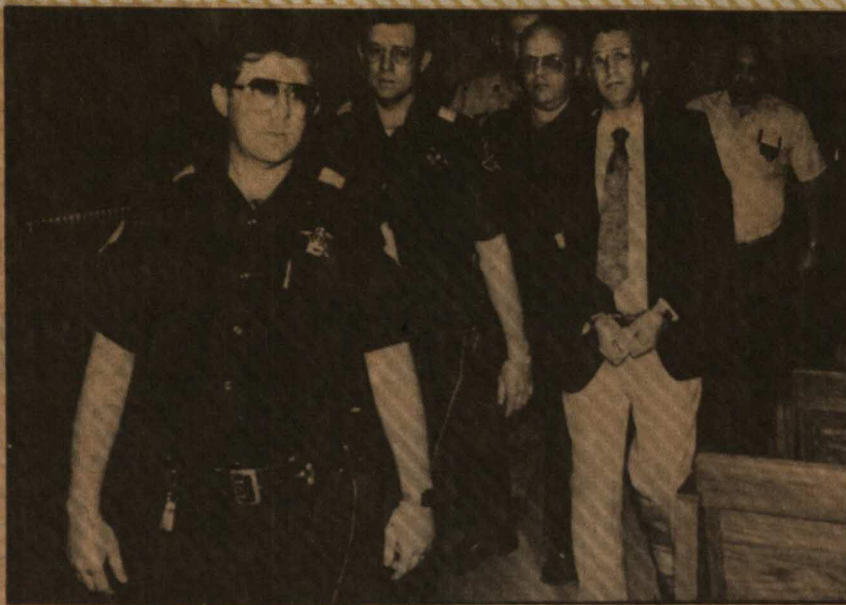
As the judge read the sentence, Trimboli's 17-year-old daughter, Cindy, ran crying from the courtroom. Weeping uncontrollably, she began beating the marble courthouse wall with her hands, crying over and over, "He didn't do it. He didn't do it. He didn't do it."

"They're going to make a mistake," said one of Trimboli's cousins as she comforted his daughter.

"He didn't do it . . . This whole system is going to have to beg on its knees to us . . . A man who has five children of his own is going to walk down the street and kill three children? He didn't do it."

After court recessed and Trimboli finished conferring with his attorneys and the judge, he looked at his family, many of them in tears, and said, "I love you. I'll see you. I love you."

And family members, including



Fort Worth Star-Telegram / RON JENKINS

Ronald Trimboli is led from the courtroom after his murder conviction

Hope Tolle, who was a friend of Rene Lemieux's, responded quietly, "I love you."

Then the deputies handcuffed him.

MacLean ordered Trimboli to serve the life terms consecutively, which means that he will serve 20 years on each count — or a total of 60 — before becoming eligible for parole. In most cases of multiple convictions defendants serve the sentences at the same time or concurrently.

Joyner and co-defense counsel Bill Lane said they will appeal the conviction and sentence on several issues.

The nine men and three women on the jury returned to the 249th District Court at 9 a.m. to decide punishment for Trimboli, 44, a former pizza cook and a neighbor of the family.

Lane said the convictions will be appealed. "We're not through yet," he said.

While the jury was deliberating the sentence, Joyner said that he believed DNA testimony presented by the prosecution convicted Trimboli despite testimony from forensic experts who said comparisons between DNA taken from samples of Trimboli's blood and from semen found on the bed where Danielle's body was found didn't match.

"Jurors," he said, "have given some mystical aura to scientists who testify for people like Lifecodes (the DNA testing lab). If Lifecodes isn't the finest example of corporate America, I don't what is. . . This ain't the FBI doing this. This isn't crime labs in the county and state. This is a corporation. . . Basically, they are corporate America. They are paid-for results. And they get them."

During closing arguments this morning, Joyner told jurors he still believed Trimboli was innocent.

"I believe in my heart and soul he is not guilty, even though I can't argue with your verdict. I believe a terrible mistake was made," Joyner said.

The prosecutor, Bob Gill, told jurors the only mistake was when Trimboli went to the Lemieux house and brutally murdered the three young people.

"Three people were bound, gagged and then individually stabbed to death in their home by this defendant," Gill said. "When the brutality and savagery and the type of mind who's able to do that type of thing is assessed, only one sentence is proper — life in prison for each murder."

As he was escorted into the courthouse elevator, Trimboli told waiting news photographers, "I am not guilty," his voice cracking.

Danice Trimboli also asserted her husband's innocence as she left the courthouse. "I thought he was coming home with us," she said, with tears in her eyes.

Carley left the courtroom — without commenting on the verdict — in the protective embrace of her husband, who hurried her away from reporters.

Lane told reporters that he will appeal the verdict on several grounds, including the inclusion of the genetic tests that prosecution experts said conclusively linked Trimboli to Danielle Lemieux's rape.

Lane was brought into the Trimboli case after the defense received the results of the genetic, or DNA, test that they had requested after Trimboli's second trial ended with a deadlocked jury.

"I still believe that the test conclusively showed that he (Trimboli) was not the semen donor," Lane said. "Sure, we'll appeal. There are a lot of issues that need to be reviewed by a higher court."

Ex-deputy kills hostage, self

Deaths end long standoff

BY THOMAS KOROSEK
Fort Worth Star-Telegram

A dramatic 6½-hour hostage-taking and standoff with law enforcement officers at the landmark Tarrant County Courthouse came to a bloody end last night when a former sheriff's deputy shot and killed his girlfriend, then himself.

Manuel "Manny" Cabano, 45, of Arlington shot Juanita Hermosillo, 34, then put his .44-caliber Magnum to his chin and took his own life, Tarrant County Sheriff Don Carpenter said.

Hermosillo, suffering from a gunshot wound to the chest, was taken to John Peter Smith Hospital and was pronounced dead at 10:17 p.m.

One court official, who asked not to be identified, and several friends of both Cabano and Hermosillo said that a restraining order had been placed on Cabano recently after an investigative warrant was issued against him. The warrant concerned allegations that Cabano sexually assaulted two of Hermosillo's five children.

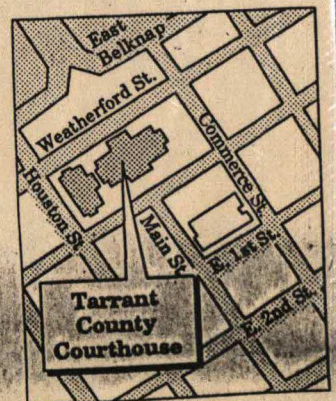
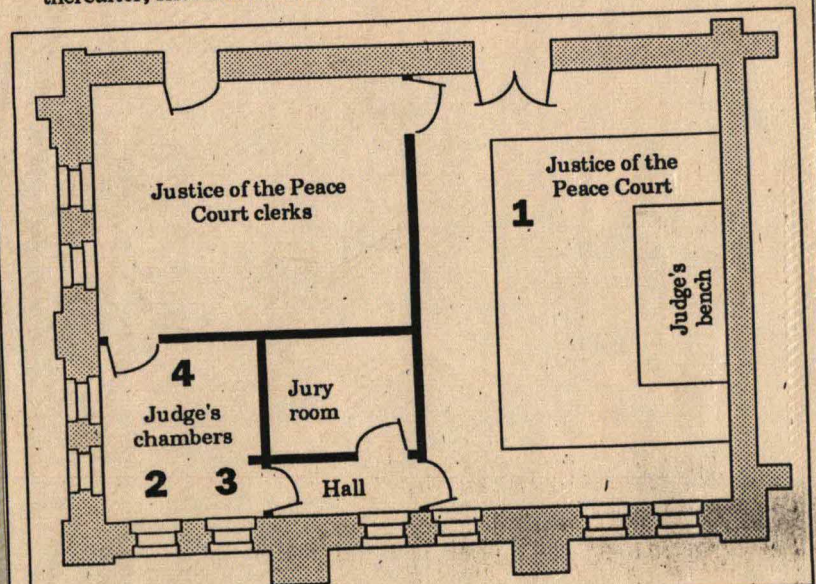
It was about 3 p.m. when Cabano, brandishing a gun, walked into Justice of the Peace Robert "Bob" Ashmore's office where Hermosillo worked as a clerk.

He ordered everyone out of the office except Hermosillo and initiated a standoff with sheriff's deputies and police that mesmerized downtown Fort Worth.

FORT WORTH
STAR-TELEGRAM
2 AUGUST 1989

Sequence of events

- 1 Approximately 3 p.m. Manny Cabano enters Judge Bob Ashmore's courtroom with a gun and confronts his estranged girlfriend Juanita Hermosillo.
- 2 Hermosillo flees the courtroom and goes into the judge's chamber followed by Cabano. Judge Ashmore follows the two and is held hostage along with Hermosillo.
- 3 Cabano sets the judge free.
- 4 About 9:40 p.m. Cabano shoots Hermosillo in the chest and then shortly thereafter, shoots himself in the head.



Fort Worth Star-Telegram / DREW WHITE



Fort Worth Star-Telegram / PAUL MOSELEY

Emotions abraded by hours of tension overflow as two members of the Sheriff's Department watch the hostage victim being carried away

It ended at 9:40, when three shots rang out from the first floor judge's office. Sheriff's deputies found the gunman and his victim slumped in chairs, facing each other.

Throughout the ordeal, law enforcement officers worked to end the incident without bloodshed.

"We thought everything was going real well," said Capt. Tony Wise of the Tarrant County Sheriff's Department. "Before it happened, she asked to speak to her children on the telephone. We took that as a death wish. We think that may have been what touched it off."

Carpenter said Cabano, who worked through the 1970s for the Sheriff's Department and who had run for the office in 1984, talked for hours by telephone with Alex Gonzalez, his attorney.

"Gonzales talked to him continuously. We just talked and talked," said Carpenter. "But he wouldn't listen."

The sheriff said he had no intention of storming the room in which Cabano and his hostage were locked.

"A lot of times, when you do that you make the situation worse," Carpenter said. "We never considered it."

Ashmore said he felt something "bad was going to happen today, so I stuck a .38 in my belt when I left for work this morning."

He said he was aware of trouble between his friend Cabano and Hermosillo, one of his clerks.

Shortly after 3 p.m. yesterday afternoon, Cabano forced his way into Ashmore's court in the historic old building and put a .44-caliber Magnum at the head of Hermosillo, who had been his longtime girlfriend until the two broke up two or three weeks ago.

"When I heard him come in and saw he was mad, I stuffed the gun in my belt and started to get up from behind my desk, but he got there before I could and stuck a gun in my face," Ashmore said. "Then he put that gun away and pulled a long-barreled .44 revolver from a sack he was carrying."

"I grabbed for the gun in my belt, but he put that barrel in my face and told me, 'Judge, I got nothing to lose,'" Ashmore recalled.

Cabano ordered four women, Hermosillo's co-workers, out of the office, said Doug Pelton, a constable's office-worker.

"One was crying. I asked them what was wrong and they said, 'Manny's got a gun,'" said Pelton, who was in the hallway when the incident began.

About 90 minutes after the hostage-taking began, the Sheriff's Department took control of the scene and Fort Worth police retreated.



Robert Ashmore: Cabano took away a gun he tried to reach

Fort Worth police spokesman Doug Clarke said members of the Sheriff's Department said they knew Cabano and could handle negotiations with him.

"We have pulled out of the situation," Clarke said during the hostage-taking. Police remained in the area to direct rush-hour traffic around the scene. Several blocks of Weatherford and Main streets at the south end of the courthouse were closed.

Carpenter reaffirmed that he asked the police to pull out, and did so at Cabano's request.

"Manny told us to get off the building," Carpenter said, referring to police SWAT unit marksmen that were positioned at one point across the street. "He didn't want them there so we did what he asked."

Debbie Grimada, who works for Tarrant Abstract, a title company, said she was standing just outside Ashmore's office: "A girl came out and she was crying. You could tell something awful was happening."

Scott Quinlan, who was in the courthouse basement level, said he went up the stairs to ask what was happening. "A cop told me, 'If you don't have a gun I suggest you go back downstairs.'"

At first, the evacuees crowded just outside the building, well in sight of the gunman.

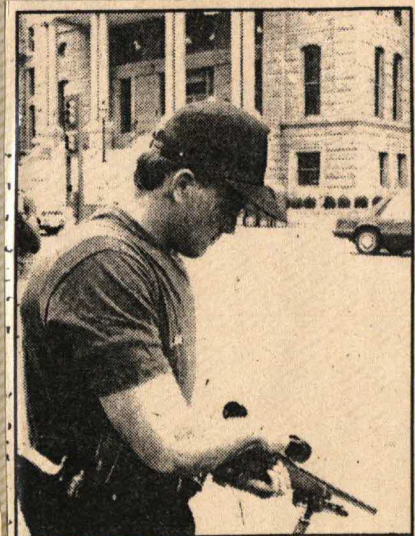
Houston Street, to the west of the Civil Courts Building, was clogged with emergency vehicles, including ambulances. A half-dozen sheriff's deputies were visible at every door, many wearing brown uniform jackets with SHERIFF embroidered on their backs.

Camera crews were crouched behind a car parked on Main Street, just back from Weatherford Street. Minicam lenses also trained on the southwest corner of the old courthouse where Cabano was holed up.

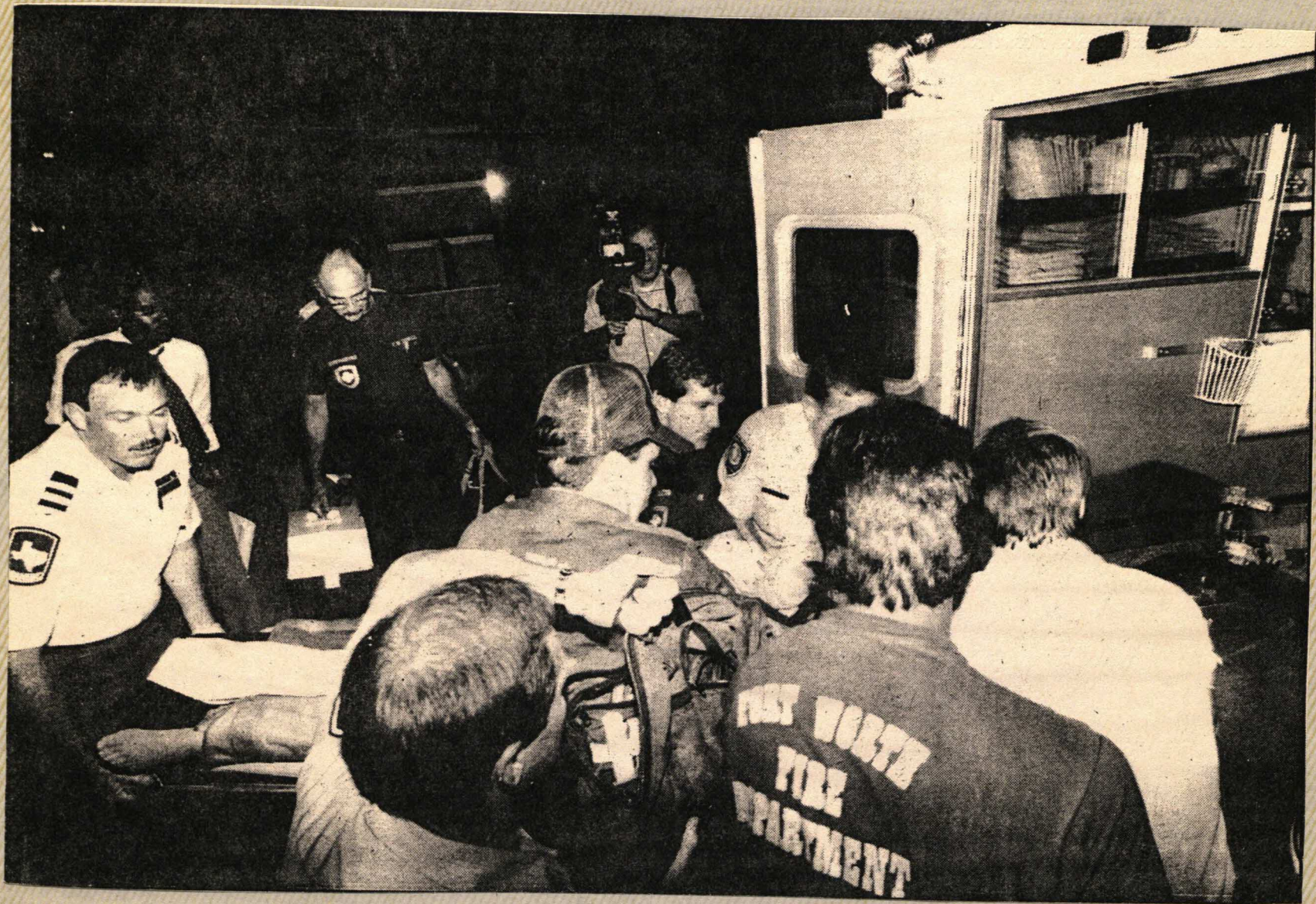
About two dozen Fort Worth police and Sheriff's Department bailiffs kept a crowd that numbered several hundred at one time at least 100 to 200 yards from the courthouse.

Inside the County Administration Building, across the street from the old courthouse, there was standing-room only at the huge banks of windows that make up most of the building's north wall, watching.

At about 3:30, four of Hermosillo's children were ushered through the crowd and up the courthouse steps. "Mama, mama," the youngest of the two daughters cried.



A Fort Worth police SWAT officer checks his gun before the team members were dismissed



DEATH AT THE COURTHOUSE

Friends of dead suspect grope for ways to explain actions

BY ANITA BAKER
Fort Worth Star-Telegram

Friends of Manny Cabano were struggling yesterday to understand how the friendly, well-mannered former deputy sheriff they knew could kill himself and a girlfriend after holding her hostage seven hours.

Shortly before 10 p.m., the 45-year-old bail bondsman and former private investigator fatally shot 34-year-old Juanita Hermosillo, a woman he had loved, before turning the gun on himself. His actions were triggered by a warrant issued for his arrest on charges he had sexually assaulted two of her children.

Cabano left behind a host of shocked friends who had known him in his good days and had difficulty understanding the bad.

Sadness swept through the Arlington neighborhood where Cabano lived as neighbors learned that the man apparently had shot himself and his hostage.

"I just . . . I never expected that at all," said Nancy Littleton, who lives two doors from his northwest Arlington home. "I just thought he'd let her go."

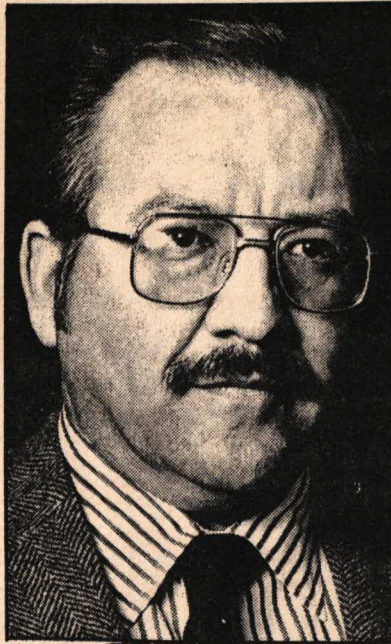
Littleton said she was particularly shocked over the way Cabano died because of his career in law enforcement.

"I just have a feeling he just got out of

"I just have a feeling he just got out of sync with what reality was. When I heard about it (the hostage situation), I didn't get real concerned. I thought someone could rationalize with him."

— Nancy Littleton
neighbor

sync with what reality was," she said. "When I heard about it (the hostage situation), I didn't get real concerned. I thought someone could rationalize with him."



Manny Cabano: Episode was triggered by an arrest warrant

Ruth Havins, who lives across the street from Cabano, said she and her husband, Ray, also were surprised.

"I was very greatly surprised at the way it ended up," she said. "That's totally out of character with anything he would do."

"It's always just so sad when someone you know ends up like this."

Cabano's neighbors in Oak Glen Estates described Cabano as someone who waved hello, kept odd hours and helped out when the neighborhood experienced several robberies.

When Cabano saw several men trying to break into Littleton's car about eight months ago, he chased after the suspects, apprehending one of them and calling police, Littleton said.

Since 1970, Cabano's life had revolved around the law and Tarrant County courts.

He first went to work as a jailer for the Tarrant County Sheriff's Department and became a patrol officer in August 1972.

Under then-Tarrant County Sheriff Lon Evans, he rose through the ranks to lieutenant before resigning in 1981 to open his own private investigator and bail bondsman office in Fort Worth.

"He was a good officer," Evans said yesterday. "I never had any problems with him. He could handle the job real well. It was a surprise to me . . . Everyone liked him. He had no enemies."

Evans said Cabano had grown up in a military family and had lived in various locations before settling in Tarrant County.

In 1984, he was one of 14 candidates who ran for sheriff after Evans announced his retirement. But one month before the May 15 election, he withdrew from the race to take advantage of an unexpected opportunity to expand his business.

Cabano, broad-shouldered and bearded, met Hermosillo after she went to work for then-Justice of the Peace Paz "Mike" Hernandez.

"He used to come to my office on business," said Hernandez, now a bail bondsman. "He met her and took her to lunch."

The relationship grew from there.

Both maintained separate residences, although Cabano's neighbors spoke of his being gone sometimes for weeks at a time because of his work.

Cabano had several children from an earlier marriage.

At some point, things began to go sour in Cabano's life.

In March, his license to operate what had been a successful private investigation agency was suspended by the State Board of Private Investigators and Private Security Agencies because he failed to pay the required liability insurance. No allegations of misconduct were involved.

In a letter dated April 3, Cabano wrote a letter to the state board saying he was terminating his license.

Telephone numbers for his business have been disconnected.

A notice on his Arlington residence yesterday said gas at the residence had been disconnected because of non-payment.

"Business was bad. He had economic problems and this (the assault warrant) was the last straw," Hernandez surmised.

But Hernandez, like others who

moved to the neighborhood, Cabano

"He always was a level-headed guy. We've had some pretty good arguments, but he seemed cool-headed, easy to get along with and intelligent."

— Ronnie Long
bail bondsman

introduced himself to Havins and said he wouldn't have much time for socializing but told Havins if ever needed anything he should just holler, Havins said.

"One time I was going to be gone and I asked him to keep an eye on the house," Havins said. "He picked up my mail and everything."

Havins also said Cabano had an "almost charismatic personality."

"You meet the guy and you're almost at ease with him," he said.

Arlington police investigations Capt. Mike Johnston said Cabano has hung around the police station for several years since becoming a bail bondsman.

But Johnston said Cabano had little credibility among many police officers, because he switched from law enforcement to being a bail bondsman. Johnston said that move created a conflict in officers' eyes: Cabano once worked against criminals but then switched to aid them in getting out of jail.

"I wouldn't testify as a character witness for him," Johnston said.

Arlington police training center Capt. Dennis Rhoten, who had many dealings with Cabano several years ago when Rhoten was investigations sergeant, said he was surprised by the turn of events.

"It really surprises me that he would do something like this," he said. "I always thought he was cooler than that."

Staff writers Mary Doclar, Stephanie Gammage, Frank Perkins, Amy Keen, Scott Nishimura, Jan Jarvis, Jay B. Lewis, Carolyn Poirot and Christopher Evans contributed to this report.

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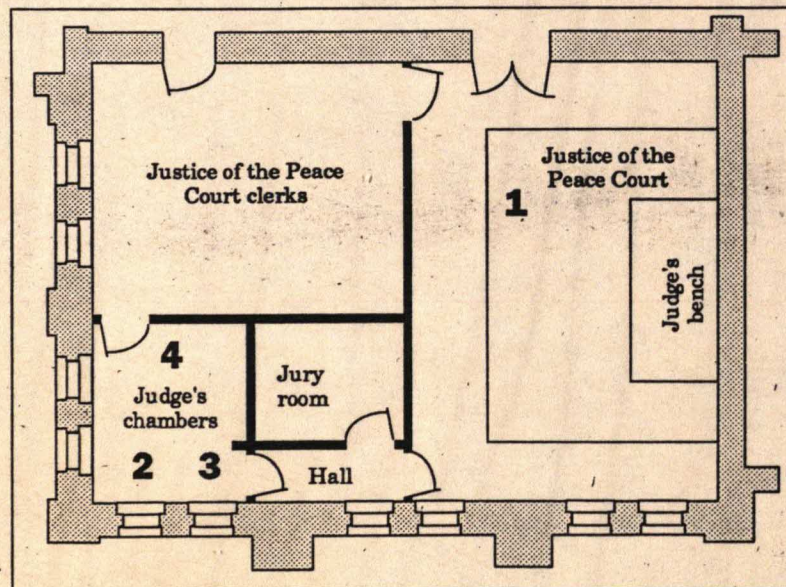
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DEATH AT THE COURTHOUSE

Reporter never got the chance

BY FRANK PERKINS
Fort Worth Star-Telegram

It was an opportunity an aggressive television reporter could not turn down — to interview an armed man with a hostage — but it was a story with no happy ending for the participants, including Jim Douglas of Channel 5 News.

Former private investigator Manny Cabano had staged an armed takeover of Justice of the Peace Bob Ashmore's

court.

Apparently angry over snowballing legal difficulties with his longtime girlfriend, Juanita Hermosillo, who was one of Ashmore's clerks, Cabano forced his way into Ashmore's court about 3 p.m. and put a pistol to Hermosillo's head.

He disarmed Ashmore and ordered him from the courtroom.

About three hours into the ordeal, Cabano demanded to talk to a reporter

from among the crowd of newsmen clustered around the red granite of the historic Tarrant County Courthouse.

Sheriff Don Carpenter, a former comrade of Cabano's when both were patrolmen under retired Sheriff Lon Evans, selected Douglas.

"Manny told me he wanted to tell his side of the story, and since I knew Jim and knew Manny knew him, I thought he could help us," Carpenter said.

"I was a bargaining chip between

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to help in hostage situation

negotiators Capt. Jim Minton, Lt. Kelly Smith and Alex Gonzales, Cabano's lawyer," Douglas said.

"They told Manny that if he put down his guns and came out, then he could talk to me, but he never came out."

Douglas said the officers kept him in the rotunda under the courthouse dome, about 40 feet away from Ashmore's court.

"There were 18 officers in flak vests

and weapons in the hall. The negotiators were talking with him every 15 minutes or so," Douglas recalled.

"Finally, she (Hermosillo) sent out word she wanted to talk to her kids, who were in the building in an office down the hall from me, and then we heard two muffled shots.

"The officers drew their guns and ran to the door of the courtroom. One of them put a megaphone to the door and

called Cabano's name, but there was no answer.

"They forced the door and found the bodies," he said.

Douglas looked at the swirl of TV cameras, reporters and bystanders outside the courthouse.

"I've been involved in a half a dozen of these hostage things since I've been in news," Douglas said. "The others all ended happily."

A nightmare in a fairy - tale courthouse

BY HOLLACE WEINER
Fort Worth Star-Telegram

With its pink granite walls, sweeping staircases and architectural flourishes, the Tarrant County Courthouse has a story-tale air that became a setting for tragedy yesterday.

The gingerbread-style building, constructed in 1893, was progressively the scene of hope, excitement, tension, tears and then death.

All the while, the courthouse's four-sided clock tower ticked off the time: One hour. Two hours. Six hours since a

former lawman barged into a first-floor courtroom to confront his girlfriend with a gun barrel.

As word spread from the basement offices to the fourth-floor library, judges left their benches. Jurors quit deliberating. People hustled through the halls and out the front exits and the side exits and clustered on the lawn and sidewalks passing along rumors.

"There's a crazy man upstairs. Everybody get out," said a building official passing through the halls.

Under police escort, scores of courthouse personnel walked through the halls that are lined with historic pictures as another episode in Tarrant County's current events unfolded.

At C.C. O'Shea's, the Irish pub across the street from the courthouse's northeast corner, owner Bill Green knew something was amiss when his usual happy-hour crowd filed in shortly after 3 p.m., at least an hour early.

Donna Faison realized something was awry when police blocked her from

walking toward her car. Faison's '79 Buick Regal was parked on Belknap Street, in the line of fire.

"We had been talking about how lucky we were that we got a parking space right in front of the courthouse," Faison said as she stood in the plaza outside the Tarrant County Administration Building, about 500 yards from her auto. She was with her 11-year-old stepdaughter, Jamie, who had spent an hour in the family section of the court-

(More on SCENE on Page 10)

house meeting with her natural mother.

"The court set up a visit for every Tuesday. It just started today," Jamie said. Now, her courthouse sojourn had turned into *Meet the Press*.

"I talked to Channel 4. I talked to Channel 5," said the sixth-grader as a broadcaster from KLIF/1190 AM stuck a microphone in her face.

Her mother worried about getting her vehicle out of the line of fire.

"My car is stuck there," she said, pointing to the metered space on Belknap Street. "If I get a parking ticket I am going to tell the judge the cop was holding my car hostage."

Alice Loggins was concerned too — about her son. Jimmv. an 18-year-old court clerk who had phoned friends shortly after 3 p.m. to report he was stranded on the fourth floor where he signs divorce papers. Police were escorting six at a time out a side door. He was among the last to depart.

She was standing vigil on the corner of Belknap and Commerce, creases in her forehead, eyes aimed at the top floor of the 1893 courthouse.

"There he is," yelled Alice Loggins at 4:55 p.m. as she spotted Jimmy walking rapidly up Commerce Street, through crowds of spectators drawn by the presence of police cars and radio reports.

Downtown office workers left their desks and craned at the courthouse from the rooftop of a parking garage. At the Worthington Hotel, guests peered over balconies.

On the street, clerks and secretaries compared notes and listened while radio reporters replayed interviews with Police and Sheriff's department officials. Homeless people who clustered on the corners passed along the details as newcomers joined the crowd.

After police cordoned off two blocks of Belknap Street in front of the courthouse, rush-hour traffic inched along. Cars and fuming buses halted in the middle of intersections.

But once rush hour ended, the crowds dissipated. Downtown workers went home for dinner. The media and

friends of the protagonists remained. After evening news programs aired, a new crew of curious onlookers arrived.

"My son and I like to go to things like this," said Wanda Simmons, a homemaker who listens to a police scanner throughout the day. "We go to major wrecks and fires. We like to see all the stuff. Some people say we are morbid."

There was Michele Farrar, 18, a friend of hostage Juanita Hermosillo. "She's the sweetest thing," Farrar said as she tightly held the hand of her fiance Paul Moore. Farrar's mother, Marilyn, was in the courthouse basement helping comfort Hermosillo's five children.

As darkness descended around the courthouse, Farrar and Moore re-

mained on a bench across the street. At 9 p.m. the streetlights clicked on. By 9:30 the skyline was lit up. So was the courthouse, where not one light had been turned off.

Donna Faison returned at 9:35 p.m. and begged police officer Randy Jacoby to retrieve her car. He took her keys, walked toward the car, started the ignition.

"I heard two shots," he reported after driving the car to the end of the street. "I think it's over."

It was.

Michele Farrar was in tears. "He shot her. She's gone. He's crazy," she cried as she fell in the arms of another of Juanita's friends.



Fort Worth Star-Telegram / NORM TINDELL

A police officer leads Juanita Hermosillo's children away from the courthouse

'She doesn't deserve this'

Co-workers, friends recall mother of 5

BY CAROLYN POIROT
Fort Worth Star-Telegram

Juanita Hermosillo was 25 years old and had no typing skills and five children when she went to work for Tarrant County in 1981.

But she was a very bright, hard-working young woman who learned quickly and never missed work, said Paz Mike Hernandez, who hired her as a clerk while he was serving as a justice of the peace.

"The county sent her to typing school, and I believe she earned her GED," Hernandez said while Hermosillo was being held in the courtroom. "She was very quiet, a typical Hispanic female who had never been out of the barrio before. She was very humble and naive."

Hermosillo was seized at gunpoint yesterday afternoon and held hostage in the Justice of the Peace Pct. No. 1 courtroom, where she had transferred five years ago after Hernandez left office. She was pronounced dead at John Peter Smith Hospital last night at 10:17 after being shot in the chest.

Hermosillo, who was working as a clerk for Judge Bob Ashmore, was taken hostage by former boyfriend Manny Cabano, a private investigator who was a sheriff's deputy for 11 years and who ran for sheriff in 1984, officials said.

"She's not a bad person at all. She's a good person. She doesn't deserve this," said Cindy Cloud, chief

clerk in Ashmore's court and Hermosillo's supervisor, during the ordeal.

Said Cloud's husband, Steve: "They don't make them any better. She would do anything for anybody.

"They've (Hermosillo and Cabano) been dating a long time — probably five or six years."

Hermosillo grew up on Fort Worth's North Side, where her mother and sisters still live, Hernandez said.

"I think she was born here, but I don't know of any organizations or groups she was involved in. She just worked and then went home to take care of her kids. She was just trying to survive," he said.

Hermosillo reportedly put her five children in foster care for about a year, soon after she began seeing Cabano six years ago.

"I think Cabano did not want them around, and she did not want to rock the relationship. But she got them back. She cared for him, but she cared more for her children. She's a good mother," Hernandez said.

Said court reporter Debbie Moore: "She's wonderful, a real sweet girl. She's very well thought of, very mild-mannered, a very beautiful woman. You can hardly believe she has five children."

Moore said Hermosillo had a small business selling jewelry, mostly to her fellow courthouse employees, to help make ends meet.

"She's a nice lady. She's worked here a good while," said Pct. 1 Constable Don Coors. "Everybody seemed to like her."

Building's security extensive

but not stifling, officials say

BY R. ROBIN McDONALD
Fort Worth Star-Telegram

Across the hall from the office where a former Tarrant County sheriff's deputy took a hostage yesterday is the office of Tarrant County's constables.

Together with 41 bailiffs, 18 part-time bailiffs and several security guards employed by the Sheriff's Department, the constable and his five deputies help provide the bulk of security in the Tarrant County Courthouse.

But the proximity of the constable's office was not enough yesterday to prevent Manny Cabano, a one-time candidate for Tarrant County sheriff and a former county bondsman, from taking Juanita Hermosillo, a clerk for Justice of the Peace Bob Ashmore, hostage in Ashmore's office. Hermosillo was Cabano's girlfriend.

The county, Judge Roy English said, provides security for the courthouse and adjacent court buildings through the Sheriff's Department and the bailiffs the department deploys to the county's civil and criminal courtrooms.

All bailiffs are certified and trained to carry guns, Chief Deputy John

Pempsell said. But while some judges prefer that their bailiffs carry guns, others prefer that their bailiffs remain unarmed, he said.

"The judges lend bailiffs back and forth to each other to increase security in certain areas," Pempself said. "A lot of bailiffs work very closely together in supporting each other."

In addition, during the trial of particularly sensational cases or in instances where deputies have received information that a particular case may be a springboard for possible violence, the Sheriff's Department may increase security on its own or on the request of the judge or police.

"The Sheriff's Department does have some portable metal detectors and metal-detecting wands that have been used in the criminal courts building as needed or as required," Pempself said.

But Pempself said there is no permanent metal-screening system in place.

Additional security, he said, is provided by sheriff's deputies, investigators and members of the district attorney's staff.

"We respect the judge in his court

Bailiffs — armed and unarmed — and portable metal detectors are used to keep the courthouse safe now, and a county judge does not foresee access becoming severely restricted.

and we do inform the courts as to what we know or what we have heard," Pempsell said. "It's shared back and forth."

But when violence erupts without warning, as it did yesterday, Pempsell said, "we have to handle these situations as best we can."

"As a practical matter, the Sheriff's Department is the proper authority who has the jurisdiction for the security of the buildings," English said. County commissioners, he said, "simply try to give all the necessary support in manpower and equipment to do the job. And I think what we do is essentially the same as most urban counties who conduct the business of the state — we have bailiffs, armed bailiffs."

The sheriff also employs security

guards 24 hours a day, Pempsell said. During the day, a single guard is on duty at a desk in the county administration building. At night and on weekends, the guards operate out of a guard station in the courthouse basement.

Calling security "a big problem" in the county criminal courts building, Tarrant County District Court Judge Joe Drago said that an electronic metal detection system needs to be installed in the county courts building now under construction, "whatever the cost."

"I think we are at a point where we have been lucky too long," Drago said last night as the former sheriff's deputy held his girlfriend hostage in the Tarrant County Courthouse. "We need, whatever the cost, to have some sort of electronic monitoring device. You

need to be as safe going into a courtroom as you are going to the airport."

But, so far, the county has chosen not to install permanent metal detectors, English said.

"We just simply have so many, many people in the public buildings," he said. "It's a question of where you draw the line. Do you put a metal detector in every bank, in every 7-Eleven, in every department store that has been robbed? I do not yet acknowledge that we live in a police state where those things are always necessary. It's a question of where we draw the line. There's no perfect system out there."

English referred to a 1986 shooting in a county civil courtroom in which one man shot and killed another.

"I know we asked the judges at that time for their recommendations and input on the security that they wanted in the new courthouse and if they felt safe in their own environment," he said. "The general feedback that we got was that the judges felt very safe and — there is no perfect system — that things from time to time will go awry."

English said there are no plans for a

permanent metal detection system in the new county courthouse that is now under construction. Instead, the building will be secured through a series of separate entrances, exits and elevators for use by the judges, the jury, witnesses, prisoners and the public.

But English cautioned, "Most systems continue to be vulnerable to a private individual."

English said that the commission will "inevitably have more conversation" about courthouse security in the wake of yesterday's hostage-taking. But he said he suspects that the commission will eventually decide that a permanent detection system would not be perfect, nor would the public permit it.

"I just don't think the public would think the security risk is great enough to justify the expense and inconvenience of a search of everybody," he said.

"If she had worked at a school cafeteria or a church, the same thing would have happened there," he said. "It's just a question of where do you draw the line when you start trying to provide for the unexpected. How safe is safe?"

County critical of sheriff

Jail operation target of commissioners' ire

BY BOB MAHLBURG
Fort Worth Star-Telegram

FORT WORTH — Tarrant County commissioners issued a stern message to Sheriff Don Carpenter yesterday, saying they have approved money for expanded county jails but the sheriff hasn't done his job to house additional prisoners.

The heated remarks follow a formal written warning from Fort Worth city officials yesterday that the city will again press a pending lawsuit unless the county accepts prisoners from a make-shift jail in the city Police Department.

County officials recently opened a giant converted warehouse as a temporary jail for up to 384 prisoners, but it has remained only 75 percent full. Sheriff's officials have blamed delays on problems in hiring sufficient guards and getting key supplies such as bedding and clothing.

"The problem is not getting mattresses," said County Judge Roy English. "We must have an aware administrator."

As of 5 p.m. yesterday, 175 prisoners were housed in city jails. County jails housed 2,983 prisoners, 382 more than the capacity of 2,601.

In a Nov. 1 letter to English and Carpenter, City Attorney Wade Adkins warned that city officials expect the county to accept city prisoners in the near future.

"The letter states that we intend to pursue litigation if it's not taken care of," Adkins said yesterday. "There's a state statute that requires notice be given to commissioners court and they be given a chance to respond before pursuing litigation and that's one purpose of the letter."

City Council members discussed the issue in a closed-door meeting last week and many were upset by the county's delays, Adkins said.

"We thought when that warehouse opened up it would enable us to get rid

Bungler at work

08-04-89

Carpenter badly mishandled the crisis

Through his astonishing words and his inexplicable actions, Sheriff Don Carpenter demonstrated in Tuesday's courthouse bloodshed that he either did not understand the gravity of the moment or is incompetent — or both.

His words demonstrated that. "You sure as hell don't need a SWAT team for a man and a woman, do you?" And: "It was bad. It was something I couldn't see happening. I'm proud of the way it worked out. We done everything we could."

Out of obvious concern for his jurisdictional turf, the sheriff sent well-equipped Fort Worth Police Department SWAT team members and hostage negotiators packing — removing from the scene countless years of expert training and vast experience. Carpenter's decision forever assigned to conjecture the possibility that the officers might have made a life-saving difference in the horrifying outcome.

Now a man and a woman are dead, children are orphaned and the haunting

question remains: What if?

There are other reasons for criticism. An untrained civilian acted as a primary negotiator. The main negotiators were personally involved with the hostage-taker, a factor seriously questioned by experts. The sheriff is a decision-maker, and experts say that decision-makers should not participate in negotiations, which he did.

Abundant hostility lingers in and around the courts, posing the ever-present potential for violence. Preparing for that possibility requires sound planning, good judgment, competent leadership and cooperative effort.

The sheriff's pitiful and inexcusable performance in the hostage situation signals loudly that he is severely lacking in all of those. Should — God forbid — there be some similar occurrence in the future, we hope that this bungling incompetent will be blessed with the good sense at least to get the hell out of the way.

Banana Wagon

08-09-89

Forget an appeal; get on with business

For too long, county government has been slipping on the continuing feud about the jail commissary, better known as the Banana Wagon. It is time the controversy rolled off center stage, permitting Commissioners Court, Sheriff Don Carpenter and others at the courthouse to get on with more pressing business.

The opportunity to do that is here in the form of a judge's ruling in a commissary lawsuit, and all involved should use it as a chance to fully resolve the issue, at long last.

Through the commissary, jail inmates are sold items such as cigarettes and candy. The sheriff and Commissioners Court have differed over who should run the commissary. The sheriff gave the commissary contract to one firm; Commissioners Court gave it to another. A lawsuit ensued. A district judge now has come up

with a ruling with which both sides should be able to live. It would let commissioners issue the contract. The vendor would have to be selected from a list submitted by the sheriff and ranked in order of the sheriff's preference. The county purchasing agent would handle the bid taking.

This arrangement would protect the official interests of each of the county officials involved and it also would serve the interests of county citizens. The sheriff has indicated that he might appeal the judge's decision. He shouldn't do so, but rather should work with Commissioners Court to reconcile any remaining commissary differences.

The time, effort and energy of county government needs to be fully focused on other, more serious matters, not the least of which is the problem of county jail overcrowding.

Carpenter undecided on appeal

The ruling judge will retain control over the banana wagon's operation for 60 days.

BY FRANK PERKINS
Fort Worth Star-Telegram

Sheriff Don Carpenter said the slippery issue of the Tarrant County Jail "banana wagon" may go to a higher court after a state district court judge yesterday handed the reins over to the Tarrant County Commissioners Court.

"We haven't decided on an appeal yet, we've still got to talk to the lawyers," Carpenter said this morning.

State District Court Judge Frank Douthitt ruled that the Commissioners Court is the proper authority to issue a banana cart contract and that the jail commissary vendor's contract must be rebid.

Douthitt also ordered the vendors must be picked from a list ranked in order of preference by Carpenter.

"The way I read this order, I've got even more power over this thing than I had before," Carpenter said.

"If you read the law real close, it says the sheriff is the only man who can decide who goes in his jail. Even the judge knew that was right."

And even after a new contract is signed, Douthitt will maintain control of the banana wagon's operations for 60 days.

Douthitt's decision brings to an end, sort of, a two-year duel between Carpenter and commissioners about who has the right to pick who provides jail inmates with cigarettes, combs and candy.

It is a political wrangle that has spawned front-page headlines, and angry public exchanges between the drawling, shoot-from-the-hip Republican sheriff and a turf-conscious Republican-dominated court.

At times, the political tempest in a banana wagon has even overshadowed the dangerous conditions created by the chronically overcrowded jail.

(More on BANANA on Page 9)

Carpenter and the commissioners have dueled over the jail commissary since Carpenter took office in 1984 and bought the service from retiring Sheriff Lon Evans.

The commissioners said the commissary proceeds really belonged in the county's general fund, but Carpenter said the money was his to spend. He has spent some of the money on office furniture, fans and other items sliced from his budget by a cost-conscious commissioners court.

At first, Carpenter operated the banana wagon. After fighting with the commissioners, he reluctantly agreed to turn it over to an outside vendor in late 1987, after the court failed to buy the concession from him.

Carpenter maintains he understood the commissioners wanted him to find a vendor and he did — Jack Madera of Mid-Cities Services Inc.

Carpenter claims he signed a contract with Madera to push the wagon through the jail. Madera paid the county up to \$2 per prisoner for the privilege, depending on the jail population.

The commissary contract is estimated to be worth \$100,000 a year.

Without talking to the sheriff, the Commissioners Court ruled that the contract was invalid and put out its own bids, ultimately selecting Signature Services Inc.

Carpenter refused to let that company into the jail and then the matter

stood until June, when Madera sued the county for not awarding him the banana wagon contract and the county named the sheriff a party to that suit.

Douthitt, a judge from Henrietta, was the visiting judge who got to hear the case for a vacationing Tarrant County judge. After listening to both sides present their arguments in court for more than a week, he returned home and said that he hoped to rule within a week. That was June 12.

Yesterday he ruled and his decision took something from both sides.

In returning his judgment, Douthitt said, "my gut feeling still is that the commissioners tend to the money, the sheriff tends to the jail."

He supported the county's claim that the Commissioners Court is the proper authority to issue the contract; but he also ordered the commissioners to pick a vendor from a list of hopefuls ranked in order of preference by Carpenter.

Douthitt voided Carpenter's contract with Madera's company but also threw out the contract Commissioners Court awarded to Signature Services Inc.

FW STAR-TELEGRAM
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Commissioner Bob Hampton, one of three commissioners named in the June 12 suit, saw Douthitt's decision as a semi-victory.

"We lost in that the contract with Signature Services was not upheld, but certainly there is nothing in there that shows we lost in having the final right to

decide the proposal. It does open communications," he said.

Commissioner Dionne Bagsby said the ruling was "very good news. We've reached something to reconcile differences and bring this to a conclusion."

Commissioner O.L. Watson said he had no comment because he had not read the ruling.

Under the order, Mid-States Services will operate the commissary until a new vendor is picked. Within 30 days, Carpenter must submit a list of items to be sold to the prisoners as well as vendor conditions, specifications, standards and requirements to County Purchasing Agent Sharan Gunn. She will use this list to prepare requests for bids.

Douthitt also ordered that within 120 days of receiving this list, Gunn must submit to Carpenter a list of the qualified vendors and a list of their employees who will operate the commissary.

Within 30 days of receiving the vendors' list, Carpenter must rank them in order of his preference and submit that ranking to the commissioners. The commissioners must then award a contract within 30 days of receiving Carpenter's preferences.

The banana wagon contract shall run for two years, but Douthitt will continue overseeing the process until 60 days after the commissary contract is awarded.

Early spring cleaning

Redneck cowboy egos in the Commissioners Court have made Tarrant County the laughingstock of the state. Ignorant quotes to the media and internal bickering keep anything from being accomplished. Now Sheriff Carpenter's ego got in the way in the handling of the hostage situation at the courthouse.

Instead of allowing those who were properly trained to handle this situation, Carpenter ordered the Fort Worth Police Department out of the courthouse. Because the gunman was once a good ol' boy, the sheriff said he'd handle the negotiations, and we all know how that turned out. It's time to clean house at our courthouse.

—Larry J. Reynolds
Fort Worth

Stains of shame

Two people dead. And Sheriff Don Carpenter said, "I'm proud of the way it worked out." Two lives lost because of a vain politician. Two people dead for nothing.

I wonder if Sheriff Carpenter feels the shame that all of Tarrant County feels today? I wonder if our shame will take away any of the pain five little children feel today? I wonder if we can ever remove the bloodstains in Tarrant County?

—Carla Allen
Fort Worth

Give him some more rope

Your Aug. 4 editorial "Bungler at work" really hit the mark. When I first heard Sheriff Carpenter speak publicly, it was frightening. Perhaps the best thing the *Star-Telegram* could do is quote him as often as possible, as it seems that every time he opens his mouth, he commits political suicide.

—St. Clair Newbern III
Fort Worth

Sheriff, staff unfairly judged

As an employee of the Sheriff's Department, I resent very much the criticism of our leader by those who do not know all the facts surrounding a very unfortunate act. We have received numerous calls from the residents of this county, and the number of calls praising the sheriff's actions have far outnumbered the others. I conclude from this that not everyone is sucked into believing what the media want them to believe. The situation at the courthouse was the sheriff's responsibility, and had he shirked it, you would have had all kinds of derogatory things to say about him for not handling it.

Our hostage negotiators go to the same schools the Fort Worth Police Department officers attend, and they go every year. Mr. Cabano

was an 11-year veteran of the sheriff's department and therefore presented a unique situation because he knew most of the things that would be tried at a "normal" hostage situation. As for his attorney, a civilian, being allowed to talk to him — after a couple of hours had passed, Mr. Gonzalez was the only person he would talk with, and Mr. Gonzalez was being told what to say to Mr. Cabano by our hostage negotiators. As for the SWAT team being pulled off, Mr. Cabano told our negotiator that he wanted the men off the buildings or he would kill Ms. Hermsillo right then. What do you think the Fort Worth Police Department would have done differently?

The Sheriff's Department personnel are very well trained, and it is a mistake for the *Fort Worth Star-Telegram* to state they are incompetent and bungling. It is also unfortunate that Chief Windham was sucked into your game as well. He, of all people, should know how it is played.

—Joyce Jahn
Fort Worth

Learning from the tragedy

Let's wake up and realize what we have done to ourselves at the voting booth. We must unite and correct our mistakes — Sheriff Don Carpenter and those like him.

I was incensed at the incredibly poor and totally unprofessional judgment exhibited by Sheriff Carpenter when he deliberately became personally involved in the murder-suicide at the county courthouse. He took charge and unilaterally dismissed our highly trained Fort Worth Police SWAT team. When Carpenter's talk-'im-out-uv-it strategy subsequently resulted in two dead people, he became aloof and cavalier about his approach and its outcome.

The television news and newspapers correctly portrayed Carpenter as a shallow, country bumpkin. What if he were in charge of a critical situation involving your life? Let this be a voting lesson to all Tarrant County voters. We elected Sheriff Carpenter, and we have to live with his archaic views and methods.

There are already too many aspects of government at all levels and self-serving people in it that are out of our control yet affect our lives. However, the election of officials to serve our county and surrounding area is something we each have direct control of. Let's assume control!

Let's be careful to thoroughly examine the candidates who come before us in the future. Let's vote smart and elect people we do trust. Let's start with the candidates for the Aug. 12 special election to fill Jim Wright's congressional seat. We can't afford any more Don Carpenters or good ol' boys like him. See you at the voting booth!

—Dennis Wood
Arlington

Fatal error

In response to the hostage situation that occurred at the Tarrant County Courthouse on Aug. 1, I am truly angered with the way Sheriff Don Carpenter handled the ordeal. Instead of letting the experienced, competent SWAT team handle the situation, he decided he could handle things himself, which, obviously, he could not. Things may or may not have ended the same, but at least Ms. Hermosillo would have had the best possible chances at coming out of it unharmed.

I believe Sheriff Carpenter used extremely poor judgment in calling off the SWAT team because he felt he knew Mr. Cabano and could talk him down. It is pretty obvious to me that anyone who could go to such extremes as taking a hostage is not in his right mind and would not listen to reason from anyone. I certainly hope for my sake and my family's sake, if I'm ever in the situation Ms. Hermosillo was in that I'm *not* on county property. I believe Sheriff Carpenter should be held personally responsible for the way things turned out.

Why can't the county and the city work together instead of against each other? I would suggest that the county commissioners look into divorcing themselves from Sheriff Carpenter to avoid the risk of facing civil liability. Sheriff Carpenter's actions were totally inappropriate and unacceptable.

—Bill Luebbehusen
Fort Worth

Judgment call

The judgment of our sheriff, in being more concerned about who has jurisdiction than about saving a woman's life, is about the most asinine thing I have seen from an elected official. I believe it's time for Tarrant County to get rid of this dummy!

—L.J. Miller
Arlington

Money's no excuse

With all the petty excuses and crying we have heard from Sheriff Don Carpenter for the past five years about the demise of the Tarrant County Jail, he recently made a statement that shook a chuckle out of a majority of overtaxed citizens. He said that he went to the Sheriff's Department to run it, but: "We don't have enough money to do the job I want to do. That is the county commissioners' fault."

It does not take money to tell the truth. It does not take money to have integrity and good morals. It does not take money to have good judgment and strong leadership. It does not take money to work in harmony. It does not take money to meet obstacles with some degree of intelligence.

So, what's your next excuse, sheriff?

—Marilyn Lowrie
Fort Worth

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Citizens group fuels effort to oust Tarrant sheriff

BY LORRISA GIPSON
Fort Worth Star-Telegram

FORT WORTH — Members of the League of Concerned Citizens rallied yesterday afternoon at Heritage Park in a protest effort aimed at ousting Tarrant County Sheriff Don Carpenter from office.

"We want to inform Tarrant County citizens of what's going on inside their county government. Or you could say what is and isn't going on," said Tena Lutz, spokeswoman for the league.

The group plans to visit the 37 cities that make up Tarrant County in hopes of getting 10,000 signatures on the petition requesting that Carpenter be removed from his job. So far they've collected 200 signatures.

"We're totally committed to what we're doing," Lutz said.

Lutz said her brother died two years ago inside the county jail after going 13 hours without receiving any medical attention.

"We've got some pretty bad problems," she said.

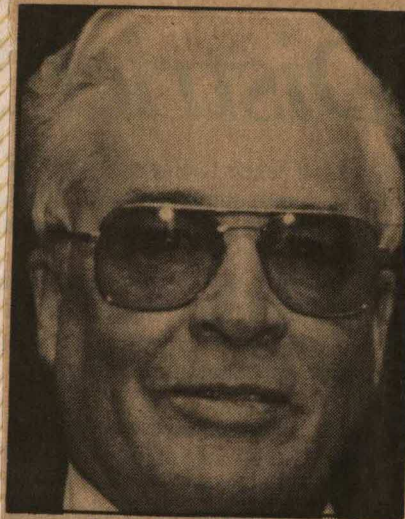
Once signatures are in, the group plans to demand that a special prosecutor be brought in to investigate the allegations against Carpenter and the Sheriff's Department.

"A lot of people want to sign the petitions but are afraid to," said Marilyn Lowrie, a member of the citizens league.

"I'm the one Don Carpenter calls a pest," she said.

Lowrie said that from the information she received from the auditors office, "Carpenter himself went to Honolulu and spent \$1,602 to pick up a prisoner in 1985. And he came back with no receipts."

Earlier this year, Lowrie gave a Tarrant County grand jury a 12-page list of allegations against the sheriff, many of them culled from newspaper articles.



Don Carpenter: Target of petition drive in county

The grand jury declined to indict Carpenter.

The list said the sheriff used money from jail concessions for his personal use, falsified the release of jail prisoners before a state inspection in 1987 and authorized use of county-owned cars in his re-election campaign.

Said Lutz: "We don't have to wait until the next election for another sheriff."

Ray Stewart, representing the group Families of Murdered Victims, said that he was at the rally to tell the public about the actions of county leaders.

Stewart's daughter was slain at her home in front of her two young children in 1984. He said the man accused of killing his daughter got a plea bargain and had all of his rights protected.

"We got no acknowledgments about my daughter's death," Stewart said.

Said Lutz: "This is not Carpenter's Country or Curry's Country. They work for us and I think they've forgotten that," alluding to the sheriff and Tarrant County District Attorney Tir Curry.

Attempts to reach Carpenter yesterday afternoon for comment were unsuccessful.

Felony charge against ex-jailer is dropped

BY MARTHA DELLER
Fort Worth Star-Telegram

FORT WORTH — A felony charge has been dismissed in the case of a former Tarrant County jailer who was fired two years ago after allegations that she allowed a group of prisoners to beat an inmate with a mop.

Prosecutor Marc Barta said yesterday he honored the agreement of a former prosecutor in dismissing the civil-rights violation charge against Mavis Jean Lofton after the former jailer passed a polygraph test.

Barta, who inherited Lofton's case after former prosecutor Stan Hatcher went into private practice in March, said he did not drop the third-degree felony charge because there was insufficient evidence to try Lofton.

"I simply felt bound by Stan's agreement," he said. "Once her attorney supplied me with the polygraph results, which supported her version of the incident, I dismissed it."

Lofton, 51, could not be reached for comment yesterday. But her attorney, George Sawyer, said the dismissal vindicates his client, who has rebutted the allegations against her for more than two years.

Sawyer said he intends to ask Sheriff Don Carpenter to compensate Lofton for her lost wages and the mental anguish she has suffered since she was fired from her 18-year county job.

If Carpenter refuses the compensa-

tion, Sawyer said, he will consider a federal lawsuit on behalf of Lofton.

Carpenter could not be reached for comment last night.

The Sept. 30, 1987, indictment against Lofton accused her of permitting and encouraging inmates to beat a fellow prisoner with their hands, feet and a mop Aug. 18, and of knowing that her conduct was against the law.

But Sawyer said Lofton told him the woman was beaten because she refused to help other inmates with their required chores of cleaning up their cells after meals.

Lofton said she told the woman she would have to cooperate in the chores after the other inmates complained, Sawyer said. After returning to her post, Lofton heard a noise and returned to

the cell, where she stopped a fight between the inmates, the lawyer said.

Lofton then placed the woman in another cell and reported the incident to her supervisors, Sawyer said.

An internal investigation of the inmate's complaint led to Lofton's Aug. 18, 1988, firing from her \$1,813-a-month job. A grand jury eventually indicted her.

Sawyer said that Lofton took the polygraph test shortly after she was indicted, but that Carpenter did not want the case dismissed and Hatcher could not get authorization to do so.

Barta said he does not know what happened before he took over the case in March. But he said he dismissed the case on his own, without consulting the sheriff or seeking authorization from his superiors.

High costs expected at new jail

BY BOB MAHLBURG
Fort Worth Star-Telegram

FORT WORTH — The towering new \$50 million Tarrant County Jail being built in downtown will be much safer than other area jails but its design will demand significantly more staff and more tax money to run, Sheriff's Department officials warned yesterday.

County Jail Administrator Bill Broome said the jail's design, which is based on "direct supervision" of prisoners, will not efficiently use guards because officers will not be able to easily leave their posts to do other tasks or handle emergencies.

That message drew apparent surprise from Tarrant County commissioners who approved design plans for the jail 2½ years ago.

"I'm hearing this for the very first time," County Judge Roy English told Broome during a hearing yesterday on the county's annual budget.

English said commissioners were assured by national experts, including

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Jail

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several leading jail architecture firms, that the design would be cheaper to operate.

But Broome said the "direct supervision" system, in which guards are stationed inside dayrooms with the prisoners, inherently requires more officers. Guards cannot simply leave prisoners if an emergency arises in another part of the jail because prisoners would have access to locks and other controls, he said.

Broome said an additional staff of 298 will be needed for the jail, not counting more than 100 guards who would be switched from other jails. County Budget Officer Debbie Schneider says the proposed budget includes 171 new jail positions.

Unless more guards are approved, Broome said, he will have to shut down temporary jail barracks on Cold Springs Road and a \$1 million make-shift jail in a Fort Worth warehouse now being built to provide enough officers to run the new 1,440-bed downtown jail. If that happens, the jail system also will end up just as overcrowded as it is now, Broome said.

"Direct supervision jails take more manpower than what we've got," Broome said. "We can not operate that new jail with those cuts unless Green Bay and the barracks close."

Broome said he likes direct supervision jails because they are cheaper to construct and close contact between guards and prisoners helps contain violence and avoid costly court suits.

"My reservation has been the addi-

tional staffing and I haven't been able to get anyone to listen," he said. Broome, who held a top jail post in Houston before coming to Fort Worth, said Sheriff's Department officials were unable to convince a jail planning committee of the added staff needs.

"Everyone I've talked to, up to and including the U.S. Justice Department, says there's a trade-off in more personnel," said Lt. James Skidmore, an assistant to Broome.

Jail design experts often stress the importance of personnel planning because staff costs are the greatest cost in running a jail and a permanent expense. Skidmore said that after years of overcrowding, the county ironically could end up with more jail space than officers to handle it.

Broome said the direct supervision design also is particularly subject to problems from overcrowding and makes separating different types of prisoners even more critical.

However, English said the issue is moot at this point because the giant jail already is mostly built.

Commissioner J.D. Johnson also downplayed Broome's remarks. He said officials at a Las Vegas, Nev., jail he toured before approving the design assured him that sheriff's officials will like it once they get used to it.

The jail discussion came during work on the county budget, which currently calls for a property-tax increase of 3 cents per \$100 assessed valuation, or an increase of \$30 on a \$100,000 house. But English and others have vowed to trim that increase. A public hearing on the county budget is set for 10:30 a.m. Sept. 14 and a hearing on a proposed 16-percent increase in county hospital district taxes is set for 11:30 that day.

Pass/fail hostage situation

In an Aug. 14 letter, Joyce Jahn, who happens to be Sheriff Don Carpenter's secretary, gave all the reasons for his actions during the bloodshed at our county courthouse on Aug. 1.

She called Carpenter a leader. False. Carpenter is not a leader. The *Star-Telegram* says he is severely lacking in sound planning, good judgment, competent leadership and cooperative effort. I agree.

She further stated that the Sheriff's Department hostage negotiators go to the same training school as the Police Department's negotiators. Yet Professor William Head, of the criminal justice department at Texas Christian University, said that Carpenter's actions "seemed kind of strange." Negotiators do not accede to a suspect's demands. Yet Carpenter fulfilled every demand that Manuel Cabano made. Negotiators do not use someone who is personally involved with the hostage-taker. Yet Carpenter said his personal relationship with the suspect qualified him to negotiate.

So what did Carpenter learn when he attended the same training school as the Fort Worth police? If his grades were comparable to his performance and leadership as sheriff, he flunked.

—Marilyn Lowrie
Fort Worth

Blame the man in charge

In respect to the Cabano-Hermosillo tragedy that occurred last week in Fort Worth, I believe the situation got out of control as soon as Sheriff Don Carpenter took control.

Sheriff Carpenter's antiquated police tactics were abominable. He apparently muscled away jurisdiction from the Fort Worth police with the silly rationalization that he knew Cabano. Carpenter apparently didn't know Cabano that well, especially because he referred to Cabano, who at the time was holding a .44 in his hand, as a reasonable man.

Carpenter consistently went against all acceptable hostage situation tactics by allowing SWAT members to be pulled from roofs at Cabano's request and allowing an untrained negotiator, who knew Cabano personally, to talk to him by phone. I can only imagine police Chief Thomas Windham's frustration. All the hard work and long hours spent by his force in police, SWAT and negotiator training — and they were asked to take a back seat.

To quote the person who was in control: "It was bad. It was something I couldn't see happening. I'm proud of the way it worked out . . . We done everything we could." I don't believe I'd be too proud.

It's a shame more people didn't vote as I did in the last election. I'm just glad my family's jurisdiction lies with Mr. Windham and his more than capable police force. My heart goes out to Hermosillo's children.

—Jeffrey D. Trice
Fort Worth

Considering a change

It seems that a great injustice is being done to the people of Tarrant County. We all, at one time or another, probably will have reason to go into a county office building. I am one who personally will think long and hard about going into any building or area of the county where Sheriff Don Carpenter might have responsibility for my safety.

We will never know exactly how the events of Aug. 1 might have been different had all the expertise and training of the Fort Worth tactical unit been utilized by the Sheriff's Department. The sheriff is bound, bent and determined to show his lack of qualification in handling the affairs of our county. He runs the jail as if all conditions are ideal, runs roughshod over his employees and expects the citizens of the county to appreciate his "common horse sense."

I say it's time to think seriously about a recall of our sheriff before the county ends up bankrupt from all the lawsuits brought against and won because of the sheriff.

—Joy L. Riggs
Fort Worth

Carpenter ignoring challenge on wagon

BY BOB MAHLBURG
Fort Worth Star-Telegram

Tarrant County Sheriff Don Carpenter yesterday declined to respond to a public challenge to turn over control of the county jail commissary to a concession company approved by county commissioners.

Marilyn Lowrie, a Fort Worth woman who has asked a grand jury to indict Carpenter, challenged Carpenter to give up the business to avoid a prolonged, expensive court battle. Such a court fight would be a needless waste of taxpayers' money, Lowrie told commissioners during their weekly meeting.

County Judge Roy English also urged Carpenter to drop the fight.

Carpenter for nearly a year has defied an order by county commissioners to let Signature Services Corp. of Dallas operate the jailhouse business, dubbed the "banana wagon."

Carpenter has said he has the legal right to run the food, cigarette and supply cart because he purchased the business from former Sheriff Lon Evans when Carpenter took office in 1985.

Carpenter contends he has an oral contract leasing the operation to another Dallas company, Mid-States Services.

However, Carpenter repeatedly declined to comment yesterday when asked after the meeting if he would let Signature take over.

"I'm not going to comment," the sheriff said.

Carpenter said he would not respond because the issue is in court.

Mid-States sued the commissioners in May 1988, a month after they approved the deal with Signature. The suit alleges that the commissioners are interfering with a legally binding contract between Mid-States and Carpenter.

Several commissioners yesterday defended their handling of the commissary issue.

Bob Hampton, J.D. Johnson and O.L. Watson all announced during the

meeting that they know Mid-States is running the commissary.

All three said English was wrong last week when he said that commissioners discovered only recently that Carpenter was defying their order to turn the business over to Signature Services.

"This commissioner knows and has known," Johnson said.

Johnson said he took offense at a *Star-Telegram* editorial cartoon portraying commissioners as a lazy bear, playing dead for Carpenter and ignoring the sheriff's banana wagon operation.

"That was a little embarrassing, indicating the stupidity of this court in not being aware," Johnson said.

Dionne Bagsby, who became a commissioner in January, made no reference to English's comments yesterday. However, Bagsby said in an interview Friday that she was unaware until last week that Mid-States still was operating the commissary.

English said his statements to a reporter last week had been misunderstood because he was "unclear." English said he meant to say he was unaware Mid-States still operated the commissary — not that other commissioners were unaware.

However, English used the word "we" then in describing the fact the sheriff had not allowed Signature to operate the commissary.

English yesterday publicly apologized for the confusion.

"I don't want to leave the impression with members of this court that we have not known what is going on over there," English said.

Watson and Hampton said they have done nothing to force the sheriff to comply with the order to turn the commissary business over to Signature because of the pending lawsuit. The sheriff legally is an independent elected official, and commissioners only have power over his budget.

Prison plan helps Tarrant

Proposal lambasted by Dallas, Harris

BY KAREN HASTINGS
Fort Worth Star-Telegram Austin Bureau

AUSTIN — Tarrant County would get to send more inmates to state prison, but Harris and Dallas would send fewer under a controversial new plan that divides each week's meager supply of available prison space among Texas counties.

The plan, which would only slightly ease the Tarrant County Jail's crushing backlog of state felons, would allow the county to unload 60 felons each week, instead of the current 51.

Tarrant County officials have reason to be pleased with the proposed allocation, which will be considered by the Texas Board of Criminal Justice at a public hearing Jan. 29. But officials in Harris (Houston) and Dallas counties are furious.

"Put me down as bitterly opposed — and underline *bitterly*," said Harris County Sheriff Johnny Klevenhagen, who sent a lawyer to assail the board in closed session yesterday.

Harris and Dallas counties — each with their own crowded jails — lose headway under the proposed plan, which calculates a county's share of prison space based on its overall crime rate, rate of violent crime, population and other factors.

The state prison system has been limiting new inmate admissions since 1987 because of a state law that prohibits the inmate population from going over 95 percent of prison capacity. As a result, felons have been accumulating in county jails, where local taxpayers must pick up the tab for their room and board.

The weekly allotment of prison space for Harris County — which has sued the state over jail crowding — drops from 182 to 135 under the new allocation proposal, according to prison officials. Dallas County's official allotment would drop from 125 to 114, prison officials said.

"This is another attempt by the state to shirk their responsibility to do what they're supposed to do — which is house felons," Klevenhagen said. "The legislators don't have the guts to stand up and raise taxes to do it, so they're

putting it back on the counties."

Dallas County Judge Lee Jackson said his county is being penalized despite its attempts to divert offenders into community-based corrections programs.

"I'm at a loss to understand how the state can justify punishing Dallas and Harris and the other large counties when we obviously bear the brunt of the drug trafficking and violent crime," Jackson said.

Tarrant County Sheriff Don Carpenter and County Judge Roy English could not be reached for comment.

With seven of the 20 most populous counties losing space under the new plan, prison officials aren't expecting a friendly crowd at the Jan. 29 public hearing. Travis (Austin), McLennan (Waco), Midland, Tom Green (San Angelo) and Ector (Odessa) counties also would lose space under the new allocations.

"I'm going to bring my own tar and feathers so at least I know what kind of tar and feathers I'm getting," prison classifications officer Carl Jeffries said

at yesterday's meeting of the state Board of Criminal Justice.

The board, which now governs the state prison system as well as parole and probation departments, voted reluctantly yesterday to hold the public hearing before a final decision on the allocation plan is made.

"Am I looking forward to [the public hearing]? Quite simply, anyone speaking on that subject is going to say one thing — we want more," said Charles Terrell, chairman of the criminal justice board.

At yesterday's meeting, Terrell also said he will ask the Legislature to consider tougher penalties for repeat sex offenders, and he called for an investigation into the number of such offenders assigned to new minimum-security private prisons.

"When we let them out, we are in essence letting a monster back out to pick his next victim," said Terrell, who called sex offenders among the "foulest and vilest" of all.

Prison officials said there may be proportionately more sex offenders in

what are supposed to be minimum-security prisons because they often are better behaved than most other prison inmates.

"I got a lot of guys in for auto theft who would hit you in the head," said Institutional Division director Andy Collins, explaining why some supposedly non-violent offenders are not suitable for special programs aimed at helping inmates who are about to re-enter society.

Terrell said he doesn't want multiple sex offenders enjoying the programs and other benefits of the private pre-release prisons unless they are within six months of leaving prison.

"I'd like to keep them on a harder lifestyle as long as we possibly can," he said.

The criminal justice board also chose Amarillo and Fort Bend County as sites for two new psychiatric prisons. A 550-bed unit for mentally ill offenders will be paired with the Jester Units in Fort Bend County, while another 450-bed unit will be added to the new maximum-security prison under construction in Amarillo.

Jail crowding

Sheriffs reasonable in seeking relief

A group of Texas sheriffs, including Tarrant County Sheriff Don Carpenter, is pursuing the right course in planning to ask a federal judge to relieve county jail crowding by increasing the number of inmates allowed in state prisons.

The move, which the sheriffs should take immediately, would permit a more equitable sharing of the prison-jail inmate crowding burden, including its attendant cost. Current crowding poses an imminent risk of jail rioting, which might be catastrophic for an urban area such as Fort Worth, Dallas or Houston where some of the packed jails are located.

The sheriffs' request will go to federal Judge William Wayne Justice who, in ruling in the *Ruiz vs. Estelle* prison-reform lawsuit in 1985, limited the number of inmates in state prison to 95 percent of capacity. Such limits were logical because prison officials could more effectively classify and incarcerate inmates and thus reduce the chance of prison unrest.

But the ruling also has had a profoundly negative and costly effect upon some county jails. Because the prison system can accept only a limited number of convicts from the counties, thousands of inmates across Texas have remained in county jails. The counties have been forced to spend millions of dollars paying for what rightfully is the state's responsibility.

Some of the counties have had to build additional jail facilities. Tarrant County has added hundreds of additional beds, and its cost of housing state felons now amounts to more than \$17 million.

The sheriffs' request is reasonable and need not wreck the prison reforms imposed by Judge Justice. Nor would it free state officials from their responsibility to accelerate construction of more prisons, a step now in progress.

Some of the county jails are well above capacity. This crowding creates the potential for inmate unrest and rioting, exacerbates turnover of jail employees and contributes to possible inmate sickness and even death. In Houston, federal health officials have said that county jail crowding may have contributed to a bacterial outbreak that killed two prisoners and infected several others. In some counties, sheriffs have asked police departments to stop arresting people on minor offenses.

Lack of capacity in state prisons is causing the county jails' crowding problems, so it is only fair for them to share some of the burden. Judge Justice should at least permit the prisons to function at 100 percent of capacity — or even slightly above it for the short term — which would allow the county jails to send almost 2,000 more felons there immediately.

Justice could make it clear that the arrangement would be only temporary, until more state prisons are built. He could impose the deadlines and enforce them to keep pressure on the state to finish its prison-building.

The effect would be a more equitable sharing of the burden by the state prisons and the county jails. That is all that the sheriffs are seeking, and in the interest of public safety, they are entitled to have it.



Fort Worth Star-Telegram / MARK GAIL

Officer P.A. Craig checks on prisoners in the departmental lockup

Slammed shut

Temporary city jail empty as county takes prisoners

BY BETSY C. M. TONG
Fort Worth Star-Telegram

FORT WORTH — Tarrant County officials this morning moved the last of the prisoners from the temporary lockup on the fourth floor of the Fort Worth Police Department.

The holding facility had been open for about a year after Fort Worth police first used it to house an overflow of prisoners from a decoy drug house operation last fall.

Yesterday afternoon, 22 inmates still

dozed behind the chain-link fence of the makeshift police lockup that once held as many as 180 prisoners who were put there because of overcrowding at Tarrant County Jail this past year.

About 13 women were housed in a temporary cell on the third floor.

County Jail Administrator Bill Broome said the last of the prisoners would be moved into beds at either a converted warehouse jail, which holds 384, or to a minimum-security facility, which holds 1,000.

Sheriff's Department officials said yesterday that 10 additional jail guards have been hired, which should allow 96 more prisoners to be moved to the warehouse jail within about two weeks, filling it to its 384-bed capacity.

The new guards were hired yesterday and should be ready for work after about two weeks of required state training, said Assistant Chief Deputy George Campbell.

County critical of sheriff

Jail operation target of commissioners' ire

BY BOB MAHLBURG
Fort Worth Star-Telegram

FORT WORTH — Tarrant County commissioners issued a stern message to Sheriff Don Carpenter yesterday, saying they have approved money for expanded county jails but the sheriff hasn't done his job to house additional prisoners.

The heated remarks follow a formal written warning from Fort Worth city officials yesterday that the city will again press a pending lawsuit unless the county accepts prisoners from a make-shift jail in the city Police Department.

County officials recently opened a giant converted warehouse as a temporary jail for up to 384 prisoners, but it has remained only 75 percent full. Sheriff's officials have blamed delays on problems in hiring sufficient guards and getting key supplies such as bedding and clothing.

"The problem is not getting mattresses," said County Judge Roy English. "We must have an aware administrator."

As of 5 p.m. yesterday, 175 prisoners were housed in city jails. County jails housed 2,983 prisoners, 382 more than the capacity of 2,601.

In a Nov. 1 letter to English and Carpenter, City Attorney Wade Adkins warned that city officials expect the county to accept city prisoners in the near future.

"The letter states that we intend to pursue litigation if it's not taken care of," Adkins said yesterday. "There's a state statute that requires notice be given to commissioners court and they be given a chance to respond before pursuing litigation and that's one purpose of the letter."

City Council members discussed the issue in a closed-door meeting last week and many were upset by the county's delays, Adkins said.

"We thought when that warehouse opened up it would enable us to get rid

(More on COUNTY on next page)

FW STAR-TELEGRAM
TUESDAY P.M.
7 NOVEMBER 1989

Commissioner Bob Hampton asked: "Are we going to have that for a year or more? The situation is getting ridiculous."

Purchasing Director Sharan Gunn denied suggestions that supplies have been slow in arriving, and she produced a checklist indicating that most supplies arrived within two weeks of requests and many were delivered by mid-September.

A recent change in state law has allowed items to be ordered quickly without competitive bidding, she said. Under the law, items worth \$10,000 or less can be bought without bidding — the previous limit was \$5,000. Gunn blamed a lack of planning and communication within the Sheriff's Department.

But English stressed that commissioners want to help the sheriff solve the problem, "not just throw stones."

"I think we've demonstrated we'll bite the bullet, we'll raise taxes, we'll do whatever is necessary," English said. But he said he wants all prisoners out of city jails in 30 days or less. Bagsby and Johnson volunteered their precinct staffs to pick up supplies or do other tasks.

"There should be zero prisoners in city jails," English said in an interview. "It is, in my opinion, now up to the

sheriff to administer his department, utilize our facility, hire the people he needs to hire and give the cities a specific date on which they will no longer have to house prisoners."

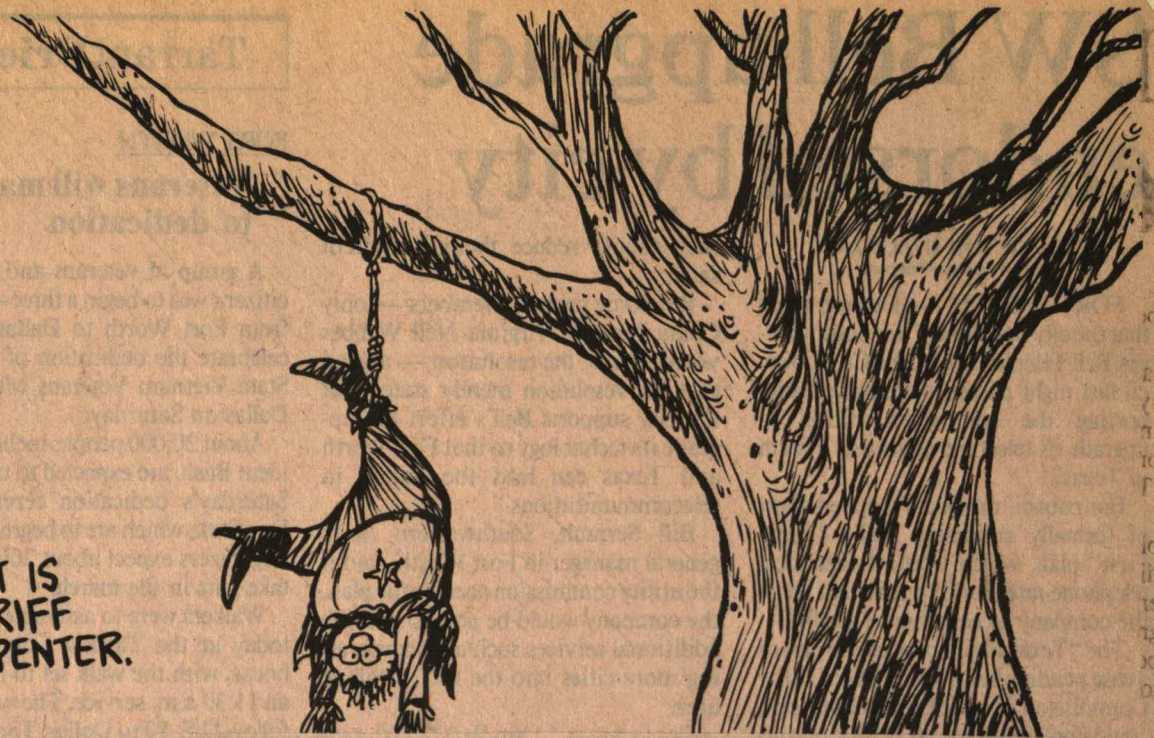
Broome said yesterday that two of the four 48-prisoner barracks on Cold Springs Road remain closed for remodeling and 96 of the 384 beds at the warehouse are unfilled. If both were fully used, 192 more beds would be available, which could house all 175 prisoners in city jails.

Broome said officials may have been overcautious in staffing the warehouse, but he does not want to risk an uprising at the facility.

"I can't do it in the absence of supervisors to supervise the inmates," he said.

Broome said in an interview that the commissioners' comments were unfair and commissioners really don't understand the problems. Guards are leaving almost as quickly as they are hired, he said.

As of late last month, sheriff's officials had filled 88 percent of the authorized jobs at the downtown jails, 91.4 percent at the Cold Springs facility and 87.5 percent at the warehouse, said Craig Maxwell, an assistant to County Auditor Jim Causey.



WE MUST BE
IN TARRANT
COUNTY. THAT
LOOKS LIKE
THE HANDIWORK
OF SHERIFF
CARPENTER.

THAT IS
SHERIFF
CARPENTER.



Inept sheriff

Carpenter should do his job or get out

If Sheriff Don Carpenter is not going to do the job he was elected to do, and for which he is paid handsomely, then he should step aside and let someone more qualified — who should not be hard to find — take over.

Operation of the county jail is Carpenter's responsibility, and the frustration that county commissioners are suffering over the sheriff's ineptness in carrying out that responsibility is understandable.

Commissioners have done everything that they can reasonably be expected to do to address the crisis caused by the overcrowded county jail. The county has spent about \$55 million in recent years to relieve the problem. Some of that money went for the purchase and renovation of a warehouse to be used as a temporary jail for almost 400 prisoners.

The warehouse/jail should have been in full operation weeks ago, yet it is only about 75 percent full. Meanwhile, prisoners who should be in county jail remain in the custody of the Fort Worth police in violation of a long-standing agreement between the city and county.

City officials have grown impatient with the county's foot-dragging on this matter and have threatened to press for action on a pending lawsuit against the

county if it continues to refuse prisoners from a makeshift jail within the city Police Department.

The county's response to the threat has been a veritable explosion of finger-pointing, which is not solving the problem.

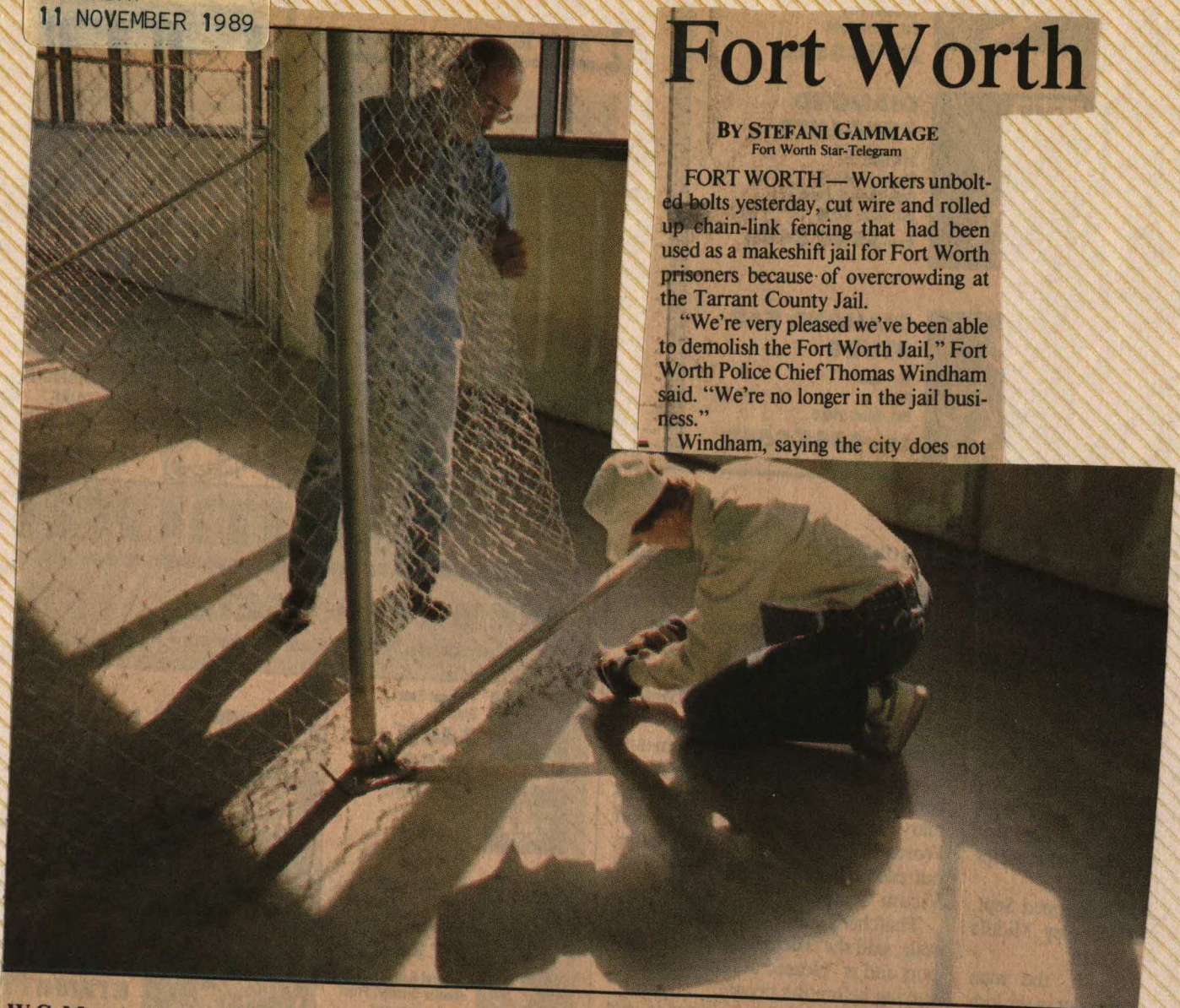
Carpenter claims that he has been unable to hire a sufficient number of guards for the warehouse/jail, a claim that is subject to considerable skepticism. Jail Administrator Bill Broome said that delay in shipments of essential equipment such as mattresses, prisoner coveralls and blankets has prevented full use of the new facility. Purchasing Director Sharan Gunn denied that shipments have been delayed and produced records to support her position.

Commissioners, meanwhile, are fed up, as they — and the residents they represent — should be. We agree with County Judge Roy English. Carpenter is not doing his job, and it is hurting both the county and the city.

If the sheriff is incapable of administering his department, hiring the people he needs and utilizing the warehouse/jail, he should turn the job over to someone who can handle it and remove himself from public life.

He is an impediment that Tarrant County can no longer afford.

FW STAR-TELEGRAM
SATURDAY
11 NOVEMBER 1989



Fort Worth

BY STEFANI GAMMAGE
Fort Worth Star-Telegram

FORT WORTH — Workers unbolted bolts yesterday, cut wire and rolled up chain-link fencing that had been used as a makeshift jail for Fort Worth prisoners because of overcrowding at the Tarrant County Jail.

"We're very pleased we've been able to demolish the Fort Worth Jail," Fort Worth Police Chief Thomas Windham said. "We're no longer in the jail business."

Windham, saying the city does not

W.G. Mosteiro, left, and Jonathan Shew help restore the fourth floor of the Police Department to its original appearance

Fort Worth Star-Telegram / F

dismantles makeshift jail

intend to get back into the jail business, said he doesn't think he was being presumptuous in shutting down the temporary facility on the fourth floor of the Fort Worth Police Department. The jail had operated for about a year and housed an average of 68 prisoners a day, he said.

"I have great confidence in the management and leadership in Tarrant County," Windham said.

On Monday, city officials threatened to press a pending lawsuit against the county unless the county began taking

city prisoners. The city contends the county is obligated under contract to house city prisoners. In response, county commissioners urged Sheriff Don Carpenter to take action.

Tarrant County Jail Administrator Bill Broome said Carpenter issued an order Tuesday to accept all incoming prisoners.

As of 2:30 p.m. yesterday, the county jails housed 3,328 prisoners, 726 more than the capacity of 2,602 beds.

"That's the highest it's ever been, to my knowledge," Broome said.

Carpenter was out of town and could not be reached for comment.

Windham said he received authority yesterday morning from the city manager's office to dismantle the temporary jail. The last inmates housed there were taken out Tuesday night, he said.

The last prisoners from Fort Worth being housed in other municipalities' jails were removed between Thursday afternoon and yesterday morning, said Fort Worth Deputy Police Chief Coy

(More on JAIL on next page)

T

Jail

From previous page

Martin.

"It's very much overdue," Windham said of the closing of the makeshift facility. "In fact, it should never have been necessary."

The city spent approximately \$1.5 million housing more than 5,000 prisoners, Windham said. Police officers spent more than 60,000 hours supervising the inmates, he said.

Addressing the possibility of future overcrowding, Windham said, "I'm sure the Tarrant County sheriff is going to have to manage that very diligently and make sure adequate space is available for Fort Worth prisoners."

County officials recently opened a giant converted warehouse as a temporary jail for up to 384 prisoners. Although it had remained 75-percent full, it was filled as of Tuesday, Broome said.

Repairs to barracks on Cold Springs Road were accelerated, and that minimum-security facility was filled as of Wednesday, he said.

Sixteen additional jail guards have been hired, 12 of whom have reported for duty, said Lt. James Skidmore, administrative lieutenant for the Sheriff Department's Confinement Division.

County Administrator G.K. Maenius said the Commissioners Court has "bent over backwards" in the construction of jails to help ease overcrowding.

Yesterday morning, the Sheriff's Department asked the county to look into the feasibility of turning a storage area at the 384-bed warehouse jail into space for an additional 48 beds, Maenius said. The public works department has been assigned to come up with a drawing, which Maenius said he should have in 10 days.

The county has no money budgeted to contract with outside agencies to take Tarrant County inmates to ease overcrowding, he said.

Once the new 1,440-bed jail under

construction downtown is opened there shouldn't be an overcrowding problem, at least for a while, Maenius said. Opening is scheduled for June or July.

County opens beds to city jail inmates

BY MARY DOCLAR
Fort Worth Star-Telegram

In the wake of criticism from County Judge Roy English and some county commissioners, sheriff's department officials have opened 192 beds quicker than planned, leaving fewer than 40 inmates in city jails across the county.

The relief came after the county hired 15 guards this week and received a shipment of jail supplies — conditions that jail administrator Bill Broome has blamed for the delay in accepting city inmates.

Seven of those guards were moved into duty immediately before being trained, Broome said.

English and Commissioner Bob Hampton said they were surprised that guards were being used before they were trained, but sheriff's officials said that was standard procedure.

"The state allows you to hire someone without being licensed," said sheriff's department Capt. Jim Minter, who is in charge of training. "It would be unusual for a jailer to start work getting a license first. I really think it's better for them to have time in the jail."

English didn't share that view.

"That warehouse was started six months ago," English said. "It was at that point we authorized the positions so they would be trained. I refuse to accept that we can build a jail faster than we can train guards or get supplies."

English and county commissioners had said Monday that Sheriff Don Carpenter and Broome had been dragging their feet about the overcrowding problem.

"Roy English blew his mouth off in (commissioner's) court saying the sheriff wasn't doing his job," Carpenter said yesterday. "We are doing our jobs. Right now, we have everything filled up. We're in full operation."

On Tuesday, sheriff's officials said more space would be available within two weeks. Assistant Chief Deputy George Campbell said then that the new guards would be ready to work after about two weeks of training.

But on Wednesday, the county opened 96 beds at the Green Bay warehouse, a converted building that until this week had been 75-percent full. The county also opened 96 beds at its minimum-security barracks on Cold Spring Road, Carpenter said.

Tarrant County officials transferred 62 prisoners from Arlington's jail to their lockups Wednesday, leaving only 14 prisoners as of 6 p.m. yesterday in a municipal facility that had been filled since it opened in April.

"Let's say we're almost empty," said Lt. Warren Morey, Arlington's jail administrator. "When we first moved in here, we had more people than we have now."

As of 6 p.m. yesterday, 34 prisoners were housed in city jails across the county, down from 175 at 5 p.m. Monday. County jails housed 3,121 prisoners yesterday, 520 more than the capacity of 2,601.

However, Carpenter said that to boost the county's bunk space he had to use the new guards before they had received training.

Before receiving a state license, jailers are required to take 40 hours of classroom training, including courses in security procedures, civil rights and methods in searching prisoners. They also must pass an exam given by the county and a state exam administered by the Texas Commission on Law Enforcement Officer Standards and Education, Broome said.

Minter said the new jailers were required to pass specific requirements, such as background checks, physical exams, drug tests and polygraph tests, before they were hired.

Hampton said he didn't know that hiring jailers with no previous experience was standard procedure.

"We had authorized the positions in the past," he said. "I understand the difficulty in filling jailer positions. It's judgmental to say when (the training) should have happened."

But an official with the Texas commission said most jailers are pressed into service immediately because of the urgent need.

"Jailers have one year from the date of employment to complete their training and take their test," he said. "I'd say probably most of them go to work prior to training."

The jailers will be assigned to a senior employee who will monitor their progress. They will not work in the jail unattended, Broome said. The other eight jailers who have been hired had to give notice to their current employers and will begin working within the next two weeks, he said.

Whatever the reasons for the sudden dearth of inmates, Morey said he doesn't mind having fewer prisoners in Arlington.

"I've left instructions for the jailers to use the time wisely," he said. "Because I don't know how much longer we'll be able to enjoy this situation."

Jail project could be delayed

Electronics being redesigned, contractor says

By BOB MAHLBURG
Fort Worth Star-Telegram

FORT WORTH — Construction of the new Tarrant County Jail in downtown Fort Worth could be delayed 5½ months because of a redesign of its electronic control center, the building's general contractor warned yesterday.

However, the county's private project manager disputed that estimate and insisted that the change would mean no more than a 60-day delay, if that long.

Almost any delay is ominous news for county officials, who have taken over a former school building, struggled to build and remodel wooden barracks and converted an industrial warehouse to jail space to keep pace with an overflow of prisoners.

The new 384-bed jail tower, which may precede construction of a second of equal size, is supposed to accommodate the most dangerous prisoners.

Sheriff's Department officials asked for a redesign of the control center because they said a full-size model of the room showed controls were hard to reach and required too many people to operate. The county's project managers, Gilbane Building Co., agreed.

The control room — a nerve center of electronic boards, panels and buttons — is designed to control everything from the jail's doors to lights, elevators, communication systems, firefighting equipment and air conditioning.

"Even if we have to litigate (go to court) over it, it is very difficult for us to second-guess our project manager. We may have to litigate but I assure you that would be a last resort."

— Roy English
County Judge

Gilbane project manager Ed Rittmayer told county commissioners the redesign could be handled quickly with little extra cost or delay, but the contractor has strongly disagreed.

"That system cannot be fabricated in 60 days, much less be installed," said Hunter Fisher, construction manager for Robert E. McKee Inc., the Dallas contractor building the jail.

McKee also has sought an increase of more than \$1.7 million in building costs. But on Gilbane's recommendation, commissioners yesterday approved an increase of only \$379,000.

County Judge Roy English asked County Administrator G.K. Maenius and the commissioners' legal advisor, Ray Rike, to meet with the project manager, contractor and architect to see if a solution can be found, or at least to simplify the issues for commissioners.

"Even if we have to litigate (go to court) over it, it is very difficult for us to second-guess our project manager,"

English said. "We may have to litigate but I assure you that would be a last resort."

The price increase boosts the jail's price tag to nearly \$42.4 million.

"It is the biggest (increase) we've had," said Rittmayer in an interview.

However, construction costs remain almost \$2 million under budget.

Even without added delay, it will take several months after the scheduled April 15 "substantial completion" date to get all the necessary inspections, permits and other approval needed to operate the jail, Rittmayer said.

"We're looking at July or August before any prisoners get in there," Rittmayer said.

Commissioners yesterday also approved an emergency purchase of bunk beds and other equipment to add another 96 spaces to the 384-prisoner capacity at the former Green Bay Packaging Co. warehouse that's been pressed into service as a jail.

Liberal attacks on sheriff

Once again, one of your editorial writers has proved to be an embarrassment to himself/herself and to our community. Your Nov. 8 lead editorial, filled with invective and displaying a near-insane hatred for our sheriff, was both non-professional and inaccurate. I know Don Carpenter, and I know him to be well-experienced, competent, completely honest and sincerely dedicated to serving the people of his district. A more qualified sheriff, despite your editorial statement, would be extremely difficult to find.

Carpenter purchased a snack wagon concession (derisively called a "banana wagon" by the *Star-Telegram*) from his predecessor and has used the profits from the same to make improvements in his department, adding to its efficiency at no cost to taxpayers. Lon Evans ran this thing for years. You never complained. Why?

When our sheriff has a problem accepting city prisoners, you attack him with an incredibly enthusiastic viciousness. When Gib Lewis, Hugh Parmer, et al, allow our state to refuse to take perhaps 20 times as many prisoners from him, you maintain a deafening silence. Why?

Our sheriff is in a no-win situation, forced to hold thousands of state prisoners and attacked for not running a textbook-perfect jail. He needs our help, not our invective. I realize that Carpenter is a Republican, a fact that raises the hackles of every *Star-Telegram* editorial writer and opens the season on him. I've found that the *Star-Telegram* has staffed its editorial and op-ed pages, along with its editorial cartoonists, 100 percent with liberal Democrats and left-wing bigots, who believe that their function is not to shine a light of understanding on our world but to promote their somewhat outdated liberal ideology. Sad, sad indeed.

— Will Kinson
River Oaks

Fort Worth Star-Telegram

Editorials/Viewpoints

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Pulitzer Prizes Spot news photography, 1981; Meritorious Public Service, 1985

Ineptitude

Sheriff should resign after falsifications

Only ineptitude at the top can explain the falsification of safety checks of inmates in the Tarrant County Jail.

Revelations that Tarrant County jailers filed false reports on required monitoring of jail inmates are but another disgusting demonstration that Sheriff Don Carpenter is hopelessly in over his head in managing the department. Carpenter's effort to shuffle the blame onto inadequate jail staffing and overcrowding is inexcusable.

Making regular jail-cell checks is state law and is county policy to ensure inmate safety. Falsifying the reports amounts to tampering with government documents and is a misdemeanor.

Yet, it is blatantly obvious that the law and policy had little meaning within the Sheriff's Department; more than 130 sheriff's officers admitted to violations, and some said that faking reports had been routine for years.

When questioned, Carpenter said that he was puzzled by the charges. He depends upon the jail administrator to keep him informed, he said, and did not think the administrator knew about it.

That hardly has the sound of a sheriff fully in control of his department.

The county is responsible for those it incarcerates. Should they be mistreated,

injured or killed while in jail — and bear in mind that many in confinement are only accused and are presumed innocent until proven guilty — the county would be liable for damages. Court awards in such cases could be enormous.

Under crowded conditions that have existed in the jail for many months, special efforts are required to monitor and prevent potential unrest and violence among prisoners.

Were that the only blunder by the sheriff, it would be bad enough. But Carpenter's tenure has been punctuated with examples of inadequate leadership. His actions in a courthouse hostage situation last summer were deplorable, and he has not carried his share of the burden in resolving other jail problems. Instead, he has at times been a stumbling block to Commissioners Court and others who have attempted to find solutions.

About one in five county tax dollars goes to the Sheriff's Department. With crime raging, and with the related requirement that the jail be operated as efficiently and expertly as possible, it is essential that the department be in competent, qualified hands. During his nearly five years in office, Carpenter has shown that he does not possess them. He should step aside in favor of someone who does.

Tarrant short of jailers

Most applicants fail lie test, sheriff says

BY R. ROBIN McDONALD
Fort Worth Star-Telegram

Tarrant County Sheriff Don Carpenter said yesterday that the new jail warehouse annex is only half full because he can't hire enough qualified jailers to staff it adequately.

Nine of every 10 applicants for county jailer jobs are being disqualified because they flunk a required polygraph examination, Carpenter told Tarrant County commissioners during a work session.

As a result, Carpenter said, he has been unable to hire 18 jailers needed to staff the county's jails. The new medium-security annex that was formerly a Green Bay Packaging Co. warehouse is only half-full because he can't transfer prisoners there without enough guards, he said.

"We do not have enough guards to handle the facilities we have open," Carpenter said. "If we moved over to our new jail today, we'd have to close down part of the old jail to have enough guards."

"The people who are looking for a job are not the kind of people who can be classified to do the job. When they take the polygraph, they flunk the polygraph. They can't even read."

Carpenter said that if he were able to hire qualified jailers — positions that the commissioners already have authorized — he could completely staff the county's jails and transfer all prisoners from the makeshift jail on the Fort Worth Police Department's fourth floor.

"If I had the guards, I'd have enough space now to take them off Fort Worth's hands. We got bed space," Carpenter said.

But, he added, "we cannot pass these people who cannot pass polygraphs. We've got those kind of people up in the jail. We can't have these kind of people guarding those kind of people."

Short-staffed, crowded jail blamed for falsifications

By MICHAEL PHILLIPS
Fort Worth Star-Telegram

FORT WORTH — Tarrant County Sheriff Don Carpenter says a staff shortage and inmate overpopulation in the county jail contributed to jailers' filing false reports about state-required monitoring of jail population.

More than 130 officers for the Sheriff's Department admitted violations during an internal investigation completed in June, Carpenter said.

Jailers said faking the reports had been a routine for years, even though

state law requires officers to check on inmates once an hour or more in high-risk areas.

Tarrant County policy requires checks twice an hour from 11 p.m. to 7 a.m. and once an hour at other times.

"We've been short of jailers," Carpenter said. "When I first heard about this, it puzzled me. The jail administrator (Bill Broome) is the one who tells me what's going on and I don't think he knew about this."

Carpenter said that in recent months the jail staff has increased by about 10

percent. He said that has made it easier for jailers to conduct the "tank checks" but said jail overpopulation continues to make compliance difficult.

Although the internal investigation concluded that jailers tampered with government documents — a Class B misdemeanor — Carpenter said that charges will not be filed and that the problem will be handled administratively.

The violations came to light in March when a jailer reported that some of her colleagues on the midnight shift

failed to make the twice-an-hour checks, Carpenter said. The checks are made to ensure inmate safety.

The same jailer also reported that nightly reports were falsified, sometimes at the request of supervisors, to indicate the checks had been made.

More than 130 jailers and other officers confirmed the story and admitted to breaking the law during the three-month internal investigation, the most extensive at the Sheriff's Department in years.

The report did not specify how long

the violations had been occurring but Carpenter said yesterday that jailers are now following all guidelines.

Carpenter said that jailers were frequently too busy trying to break up fights or caring for ill inmates to conduct the routine checks.

"We've been short of jailers," he said. "When I first heard about this, it puzzled me. The jail administrator (Bill Broome) is the one who tells me what's going on and I don't think he knew about this."

(More on JAIL on Page 13)

Broome was not available for comment last night.

"When you have nearly 3,200 prisoners like we do, there's no place to bed them down. If we reach 3,200, we'll be in the same situation we were a few months ago," Carpenter said.

As of late October, sheriff's officials had filled 88 percent of the authorized jobs at the downtown jail, 91.4 percent at the Cold Springs minimal security facility and 87.5 percent at a warehouse converted into a temporary jail to house an overflow of prisoners.

Last month, county commissioners heard complaints from an Austin labor official that a shortage of jail guards is due to unqualified applicants and to jailers' taking other jobs for more money.

"The real problem is not illiteracy but inefficient, incompetent management," Oram McMichael, a representative of the American Federation of State County and Municipal Employees, was quoted as saying.

McMichael cited figures showing that 107 of 180 jail officers hired over a 10-month period left voluntarily.

Carpenter has countered that the problem is budgetary — hiring enough qualified jailers at a high enough salary.

The Tarrant County district attorney's office has recommended that no criminal prosecutions be made and Carpenter confirmed last night that the matter was being handled administratively.

Improper monitoring of the jail population was the basis of a class action lawsuit filed by former Tarrant County Jail inmate Billy Joe Markham, who said he was raped and beaten by other inmates while in custody Feb. 27, 1987.

State District Judge Michael Schattman ruled in April that Carpenter must keep jails safe and in compliance with jail standards. Schattman ordered Carpenter to acquire property for more jail space. An appeals court reversed the ruling in September.

Markham's attorney, Art Brender, has said he may continue the class action suit.

12-12-89

Revised jail plan scrapped

BY BOB MAHLBURG
Fort Worth Star-Telegram

FORT WORTH — In an effort to avoid delays in constructing a 1,440-bed Tarrant County Jail, county commissioners last night ditched plans to redesign a computer control room that will operate key building functions, including air conditioning, lights and some doors.

Commissioners voted not to redesign the high-tech control room after the project manager overseeing the work reported it would cost \$1.3 million more and add nearly five months to the scheduled April 15 completion date.

"We're not going to sit here and pay a \$1.3 million penalty to make something a little bit better," said County Judge Roy English.

Commissioners took the step despite warnings from the general contractor constructing the \$42 million jail that, without the changes, the computer control center won't work and will cost substantially more to run.

The county's project manager, Gilbane Building Co. and contractor Robert E. McKee Inc. have differed sharply over the cost and time required for the redesign.

McKee officials said last month that the work would require another \$1.7 million and add 5½ months to construction.

Gilbane originally said the changes
(More on COUNTY on next page)

County / From previous page

could be made for \$379,000 with no delay. However, after negotiations with McKee, they now say it will cost \$1.3 million and cause nearly a five-month delay.

"Those consoles won't work," said Hunter Fisher, project manager for McKee. "They will not fit in that room. They will not function."

He warned that the room will cost

three times more to operate without the changes.

But Commissioner J.D. Johnson said he was skeptical of the operating cost estimate and wanted to be sure the jail is ready to house part of the overflow of prisoners clogging other county jails.

"That April 15 date is very sacred as far as I'm concerned," he said.

Gilbane officials and architects said last month that the room's old design would make some controls difficult for jailers to reach and that it would cost the county more to operate. However, they would not comment last night on those statements, other than to say it was "less efficient."

Commissioner Dionne Bagsby, in an interview, said McKee officials appeared to be "exploiting the county"

and trying to make more money.

Gilbane Building Co. project manager Ed Rittenmayer said construction is 60 days behind schedule because of wet weather and other factors. He said the building is 75-percent finished.

He said the dispute is likely to end up in court. McKee officials brought an attorney to last night's meeting but declined to comment on possible litigation.

Wednesday P.M., December 13, 1989

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HULME

SHERIFF CARPENTER
IS ILL-SERVED BY
THEM DEPUTIES
OF HIS.

YEAH. WHYAIN'T
THEY TOLD HIM
THAT A HIGH NOON
SHOWDOWN IS
HELD IN THE
DAYTIME?



Van carrying 16 inmates

BY NANCY VISSER
AND KATHY SANDERS
Fort Worth Star-Telegram

A van carrying 16 Tarrant County female inmates to the Texas Department of Corrections flipped on an ice-covered bridge in Hill County this morning. Five people were taken to hospitals but no serious injuries were reported.

The accident occurred shortly after 9 a.m. about a mile south of the line between Johnson and Hill counties in the southbound lanes of Interstate 35W, said Grandview Police Chief Joe McCready, the first officer on the scene.

"It was real slick there this morning," he said. "We've had a lot of wrecks reported."

Inmates trapped inside the van were

still handcuffed and shackled to bars inside the van, slowing the process of getting them out.

Rescue workers had to remove three others who suffered injuries.

"I saw the van on the side and they were trying to get people out. They told me some were trapped inside," McCready said.

Slick and icy roads gave many driv-

ers problems this morning, primarily in the areas south of Tarrant County.

McCready said I-35W had been sanded south of Fort Worth to the Hill County line, where the sanding stopped.

"This bridge is just outside Johnson County and it hadn't been sanded," he said. "They came by and sanded it after the accident. I guess they had a lot of

calls of it being slick."

McCready said he had been checking the highway conditions when he came upon the overturned van. He said the driver apparently hit ice on the bridge and lost control. The van, which had been heading to Huntsville, landed on its side.

McCready said five people were tak-

en to Hill Regional Hospital in Hillsboro, but a hospital spokeswoman said personnel there had seen 10 people. None of the injuries appeared life-threatening and no further information was available on them, the spokeswoman said.

overturns on icy bridge

In Tarrant County, residents finally got a sprinkling of precipitation this morning after a week of sporadic wet weather advisories.

Light drizzle moistened the windshields of pre-dawn commuters today as police geared up for a potentially tangled rush hour.

But most of the problems were reported to the south in Johnson and Hood counties, where officials in some school districts delayed classes because of icy roads.

"Some of the roads are freezing over and some of the overpasses. The sanding trucks are out," said Patrol Officer Tom Moore of the Cleburne Police Department this morning.

By 7 a.m., however, the drizzle had caused few problems, although city and state highway crews were prepared to send sand trucks to any ice-coated roads and bridges.

"We've got sanding trucks rolling," said Don Williams, a dispatcher with the Texas Department of Highways and Public Transportation.

He said the only reported traffic problem by about 6:45 a.m. was on I-35W near Burleson.

Skip Ely, meteorologist in charge of the Fort Worth office of the National Weather Service, said he expected Tarrant County to escape the worst of this wave of bad weather.

The forecast for tonight calls for partly cloudy and cold weather with lows in the lower 20s. Tomorrow is expected to be partly cloudy and a little warmer with highs in the lower 40s.

Correspondent Wesley Ellis contributed to this report.



Handcuffed and shackled inmates were trapped inside this van when it overturned on Interstate 35W

Special to the Star-Telegram / Wesley Ellis

Arrested man says he is son of sheriff

BY BETSY C. M. TONG
Fort Worth Star-Telegram

A man who identified himself as the son of Tarrant County Sheriff Don Carpenter has been charged with prostitution of another after his arrest during a recent decoy prostitution operation on East Lancaster Avenue.

The man, identified by police as Larry Dale Carpenter, 37, was arrested Dec. 29 and released on personal recognizance pending a bond hearing Thursday morning. Formal charges were filed yesterday with the district attorney's office.

The charge is a Class B misdemeanor punishable on conviction by a maximum penalty of six months in jail or a \$1,000 fine or both.

Larry Dale Carpenter could not be reached for comment and Sheriff Carpenter said today he did not know about any arrest involving his son.

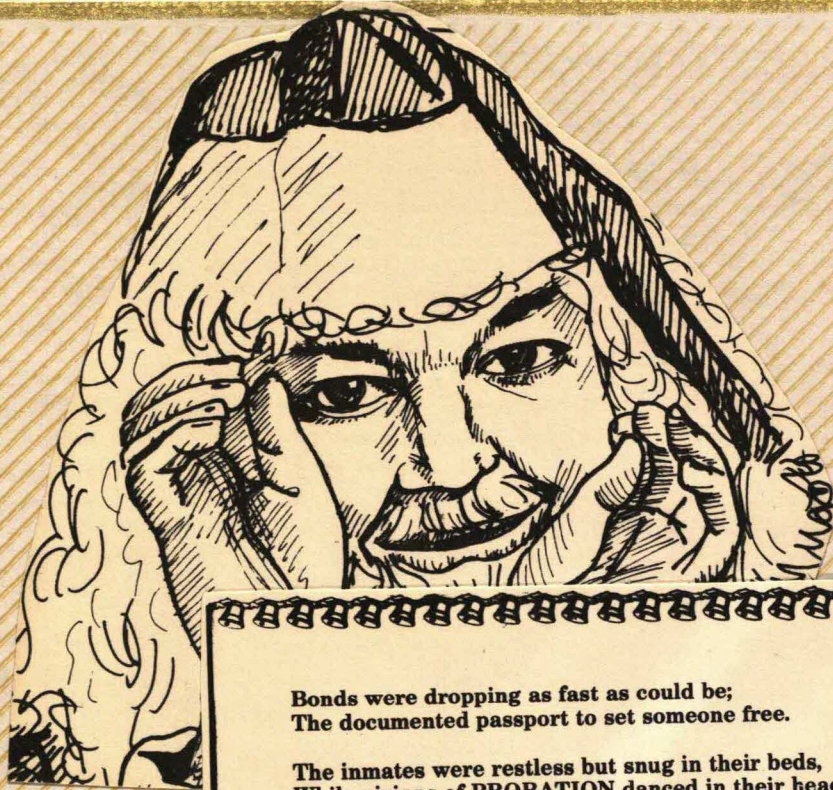
"He is his own man," the sheriff said.

The sheriff also said the arrested man may have falsely identified himself as his son.

"You know, one time I arrested a man who said he was Don Carpenter," the sheriff said.

The birth date and home telephone number given by the arrested man are the same as those of the son, the sheriff acknowledged.

Larry Dale Carpenter was arrested after he approached a plainclothes police officer working a routine prostitution decoy operation and requested a sexual act for \$20, according to a police report. The officer was wearing a body wire that was monitored by police watching from unmarked city cars nearby the 2000 block of East Lancaster Avenue.



MERRY CHRISTMAS

TWAS THE NIGHT BEFORE CHRISTMAS,
AND ALL THROUGH THE JAIL—
NOT A CREATURE WAS STIRRING, EXCEPT
THOSE 'WAITING BAIL.

Bonds were dropping as fast as could be;
The documented passport to set someone free.

The inmates were restless but snug in their beds,
While visions of PROBATION danced in their heads.

Since the SHERIFF and his possee had the jail under cap—
We all settled down to draw the next party map.

When out in the SALLY-PORT there arose such a clatter
I sprang from my computer to see what was the matter.

Away from the terminal I flew like a flash—
Scattering CAPIAS PRO FINUMS right in with the trash.

When, what to my wondering eyes should appear
But a van load of subjects full of holiday cheer.



More rapid than eagles, in shackles they came,
As the officers whistled and called them by name:

"Now, you WINOS! ADDICTS, and WARRANT EVADERS,
You FAGGOTS, VIXENS, and FEMALE IMPERSONATORS."

"Dash away! Dash away! Dash away, all
Spread eagle those legs, put your hands on the wall!"

As I drew in my head and was turning around
I noticed one little fellow who looked like a clown.

He was dressed all in fur from his head to his foot,
And his clothes were all tarnished with ashes and soot.

The stub of a joint he held tight in his teeth
And the smoke it encircled his head like a wreath.

He was chubby and plump, and not a bit skinny.
And I laughed 'cause I knew he had had one too many.

He had a small ruby stud in the lobe of his ear;
And he reeked with the smell of cheap wine or beer.

His eyes were all squinted, blood-shot and blurry,
And he looked as if he had dressed in a hurry.

His droll little mouth was drawn up like a bow—
"Where am I?" he yelled, as if he didn't know.

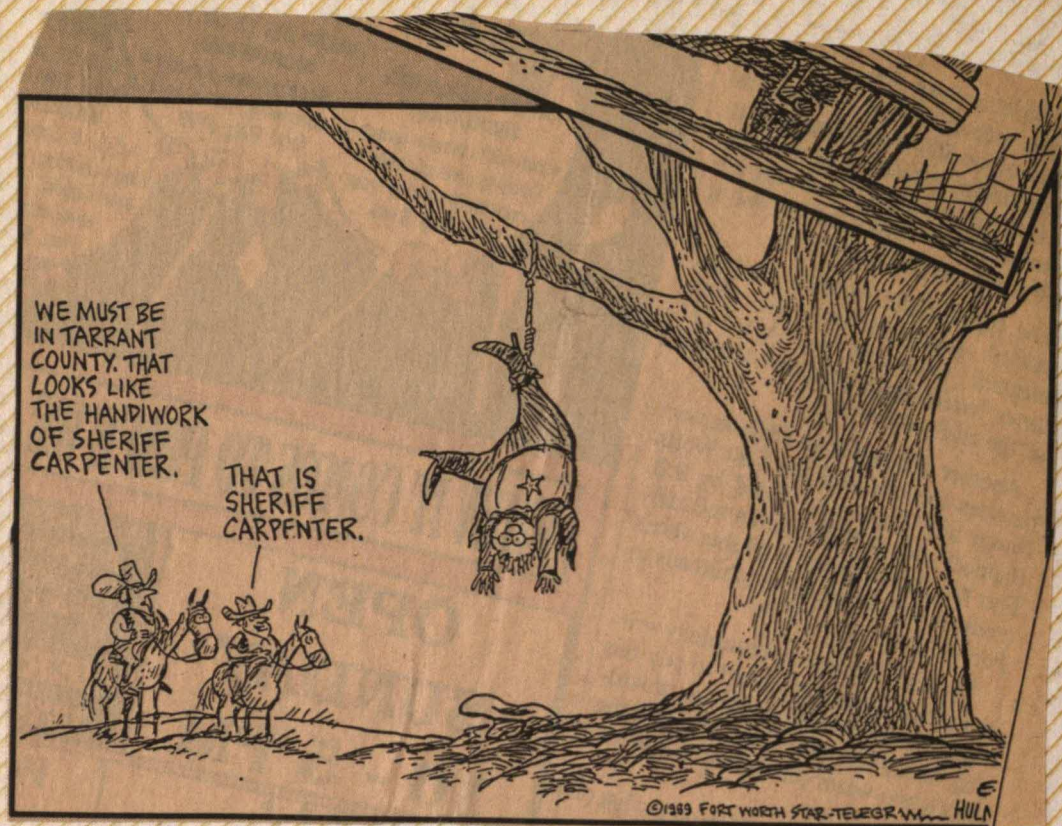
From the look in his eye, and a twist of his head
Soon gave me to know he wished for a bed.

I spoke not a word, but went straight to my work;
Filled out the registration, then turned with a jerk.

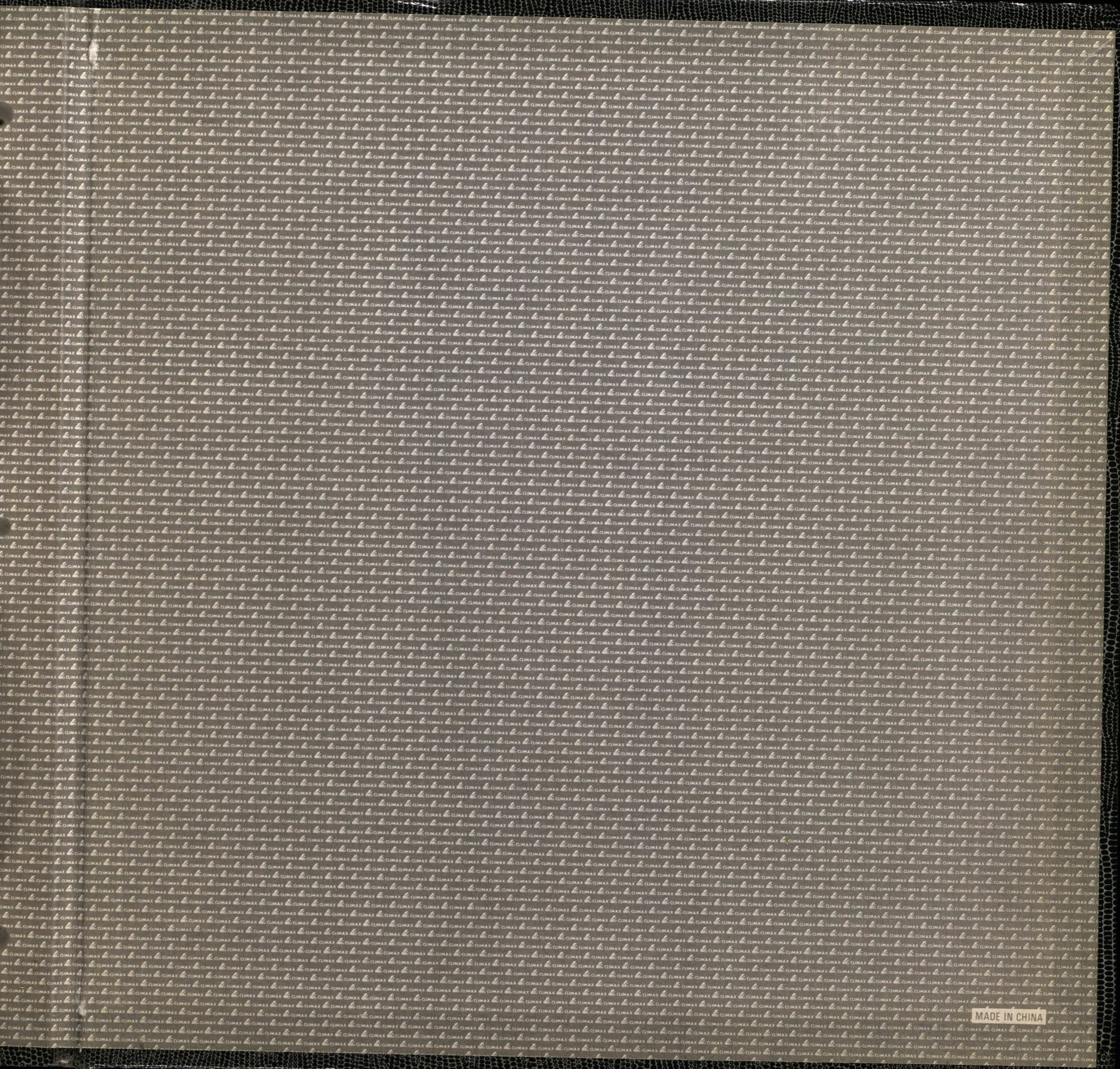
But, I heard him exclaim as he was hustled down the hall:
"M-E-R-R-Y C-H-R-I-S-T-M-A-S to YA,' to YA' one and all."

Joseph Clark

FW STAR-TELEGRAM
MONDAY
1 JANUARY 1990



The best
of Etta Hulme
in 1989



MADE IN CHINA

