



# Sheriff dismissing three for KKK activities

BY KATHY SANDERS  
Fort Worth Star-Telegram

Tarrant County Sheriff Don Carpenter this week dismissed an unpaid reserve deputy and took preliminary steps to fire a civilian dispatcher and a jailer linked to active membership in the Ku Klux Klan.

A terse statement released yesterday by the Sheriff's Department said the dismissals resulted from an Internal Affairs Division investigation that identified the three employees as Klan members and were based "on the coun-

ty policy of non-discrimination as set out in the Civil Service Rules and Regulations."

Carpenter said the evidence he saw dictated the firings of the three employees, but said he was surprised to learn that they are Klan members.

"Wouldn't you be if you were in my shoes?" he asked.

Tim Hall, 24, a reserve deputy since May 1988, was fired. He acknowledged to a reporter and sheriff's investigators that he uses the name J.D. Calhoun as Kleagle of the Invisible Empire of the

Knights of the Ku Klux Klan for the Realm of Texas, based in Tarrant County. As such, he is in charge of recruiting for the state.

Dispatcher David White, 26, and jailer Charlene K. "Kay" Moore, 48, were served notices of termination, the first step in the long procedure used under civil service law to fire employees. Both had been with the Sheriff's Department since July 1987.

Capt. Jim Minter, head of the department's Internal Affairs Division, said that while Hall and other reserve depu-

ties are unpaid, they are licensed peace officers who volunteer 16 hours a month.

Moore is a licensed correctional officer, authorized to carry a firearm while on duty. White, the dispatcher, is a civilian employee of the department.

"The investigation began sometime in late January. It resulted from a tip from a confidential informant," Minter said. "The investigation is closed . . . We have no information that any other employees are involved with any other organization that conspires to violate

the civil rights of any group of people."

He said if the department learns or receives any tips that additional employees are Klan members, a similar investigation will be conducted.

In a telephone interview yesterday, Hall said he was surprised the dismissals were made public because he and investigators had agreed not to notify the media.

He also said that if Carpenter had not been the subject of intense criticism in recent months, particularly over courthouse security, the punishment might

not have been so severe.

"They said because of the possible political ramifications the sheriff would face, they would have to discharge all of us," Hall said. "He [Carpenter] didn't want to take any chances."

Minter disputed that contention.

"My officers are investigators. . . . We don't make promises and we couldn't live up to them if we made them," Minter said.

Carpenter said he based his decision (More on KLAN on Page 13)

## Klan

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on recommendations from his senior assistants and internal investigation findings. He said a representative of the Tarrant County District Attorney's Office, whom he would not name, assured him he could fire the three.

"Under the civil service rules, you can be fired if you discriminate," he said. "I will not stand for discrimination in my department. I won't tolerate it."

Carpenter said he had a casual acquaintance with two of the three employees: "I didn't know them well, but I knew who they were. I never saw anything about them or the way they acted that would indicate they belonged to the Klan."

Hall said he felt persecuted because of his personal beliefs, which he maintains never interfered with nor crossed over into his job as a reserve deputy.

"I can't emphasize enough that there was never any question of official misconduct or civil rights violation. . . . This was not a criminal investigation," Hall said. "I can't see where their criteria is for the discharge. I've practiced my personal beliefs in secret" because of what he called the public's anti-Klan hysteria.

Hall also charged that the Sheriff's Department has in its ranks other Klan members or individuals espousing the Klan's beliefs.

"I will tell you this. For every one they take out, there'll be two more to take their place and you can take that to the bank," he said.

The internal affairs investigation, Hall said, began shortly before a Feb. 3 demonstration and recruitment drive held by his group in Malone, a Hill County town besieged by media coverage since a black burglary suspect died after being chased and held down by white townspeople in a plowed field.

Hall and Texas' Invisible Empire Grand Dragon Bill Walton said internal affairs must have been tipped off by a Klan member, because at the rally, Hall's face was covered and no one except Klan members present could have known his identity.

"I was on detail in Malone," he said. "I was approached by an internal affairs officer from Fort Worth. He said he was looking for me, shook my hand and took the [Klan] literature" Hall was handing out.

He identified the officer as Lt. George Wilson.

"He had to have been looking for me. He said, 'How ya doing, Tim?' I made

no attempt to hide my identity," he said.

Wilson instructed Hall to be in his office at 9 a.m. the next Monday, but Hall didn't arrive until 4 p.m. When he showed up, another lieutenant in internal affairs began quoting the Constitution to him, Hall said.

"He really tried to ridicule me because of my beliefs," he said. "I did admit it. I didn't attempt to hide it. . . . I was very cooperative. I'm first and foremost a law enforcement officer and I've never been accused of violating anyone's civil rights. My record is clean and clear."

During Monday's meeting, "We reached a mutual agreement in the best interest of the sheriff's office that would allow the department and myself to maintain our self-respect and dignity," he said.

On Thursday, Hall said, he returned to the Sheriff's Department with a letter of resignation that was accepted after officers told him to postdate his letter for Monday. They told him he was fired, then handed him a notice of termination, also dated Monday, he said.

Hall said David White is his friend, and White's notice of termination was more specific than his, saying White had been found to be a member of the Invisible Empire.

"What they were worried about with him is that as a dispatcher, they were afraid he might have access to career criminal histories" and other background tracking devices he could use against any person, Hall said.

But White never did anything like that and no allegations have been made to that effect, Hall said.

Kay Moore has been a member for only two to three months, Walton said, and was still on the Klan's probation. But because the Klan suspects her of violating an oath of secrecy and turning the others in, she has been banished from the Klan, Walton said.

Neither Moore nor White were available for comment last night.

Hall declined to say for how long he had belonged to the Klan, but said it had been "a relatively short time," and before he joined, he was an "active white separatist."

He and Walton maintain that the Invisible Empire is the only Klan faction not considered subversive by the Federal Bureau of Investigation and that the organization does not advocate violence.

"I consider this kind of a slap in the face. We have a mutual respect with local and federal authorities and have cooperated with them on many investigations," Hall said.

Walton said that for the two years he

is headed the Invisible Empire in Texas he has tried "to clean the Klan up."

Hall agreed: "The Klan is trying to get away from the typical racial associations. We're pro-life, anti-communism;

we're striving in efforts to stop pornography; we're against drugs; we're against homosexuals."

Walton told The Associated Press that the Klan may instigate a lawsuit

against Tarrant County.

The next step for Moore and White if they choose to take it, is to appeal the decision to the proper authority, in this case the sheriff, Minter said.

The Dallas County Sheriff's Department has no policy specifically prohibiting an employee from belonging to the Klan. But its code prohibits an employee from participating in activities, on or off duty, that might discredit the department, said Sgt. J.R. Kilzer.

"This could include Klan activity," he said.

Glenn Lewis, an attorney for the local chapter of the National Association for the Advancement of Colored People, said he was concerned about the presence of the Klan in the Sheriff's Department.

"I was disturbed to read that we had people working in the sheriff's office who were actually participating. That's pretty frightening," he said. "I think the firing is certainly appropriate. It makes me wonder if there are any more."

Lewis said the only way to uncover other active Klan members in law enforcement would be a full-scale investigation into Klan activities in Tarrant County.

Minter said Friday the department has no plans for further investigation unless new information surfaces.

But while officials lauded the dismissals, civil rights attorneys questioned their justification.

White, hired by the Sheriff's Department in July 1987, is the son of Alan White, a certified peace officer who works as a grievance and disciplinary officer at the department, said Internal Affairs Capt. Jim Minter.

"We have interviewed Mr. [Alan] White and are very comfortable that he had no knowledge of this and has never been associated with this group at all," Minter said yesterday.

When contacted at home yesterday, David White said he had no comment.

"Right now, I have talked with my attorney and he's told me not to say anything to the press until we have a chance to meet Monday and appeal it and see what happens," he said.

Moore, also hired in July 1987, did not return telephone messages left on her answering machine. She joined the Klan two to three months ago and was still on probation with the organization, Walton said.

As a reserve deputy, Hall was a certified police officer who volunteered 16 hours of service a month. Because he was not paid for his service, he has no avenue of appeal.

White and Moore, as Civil Service employees, may appeal their termination but must file the appeal by noon tomorrow.

Fort Worth Police Chief Thomas Windham said yesterday that having employees active in the Klan is a potential problem that needs to be addressed.

"I think Sheriff Carpenter ought to be applauded for the action he took," he said. "It seems to me it should disturb anyone, especially anyone in a public office. [Firing the employee] would not be a hard decision for me to make and didn't seem like a hard decision for Sheriff Carpenter."

Staff writers Mary Hull, Bob Mahlburg, James Walker, Stefani Gammage and Tom Korosec contributed to this report.

# Files link 3 airmen to group

BY HOLLACE WEINER  
Fort Worth Star-Telegram

FORT WORTH — Amid reports alleging Ku Klux Klan membership at Carswell Air Force Base and in the Denton County Sheriff's Department, Tarrant County Sheriff Don Carpenter yesterday refused to reinstate two employees he fired last week for their involvement in the white supremacist group.

"The sheriff upheld his original termination on the grounds that they belong to an organization with the knowledge that that organization conspires to violate the civil rights of persons, which is against Tarrant County Civil Service Rules and Regulations," said Jim Minter, head of the sheriff's internal affairs division.

The appeals to the sheriff were the first in a series available to David White, a dispatcher fired for enlisting in the KKK, and Charlyn "Kay" Moore, a jailer who authored a five-stanza poem comparing Martin Luther

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# Sheriff Turns Down Klan Pair's Appeals

# Klan

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King Jr. to Adolph Hitler and forecasting another Civil War pitting Caucasians against "waves . . . from the ghettos to the gays."

She now denounces the poem and says Hall "prevailed upon" her to write it.

Minter said White and Moore now have five days to make appeals to the Civil Service Commission, which would set a hearing. If upheld by the commission, the firings could be appealed to a state district court.

Investigative reports released yesterday under the Texas Opens Records Act include allegations that at least three Carswell airmen are Klan members — including a security guard known as "Night Hawk" or "Death on Two Legs."

The files also feature snapshots of a burning cross, Klan applications topped with a hooded rider on horseback, and pamphlets in which the Klan's Invisible Empire denounces blacks, Jews and illegal immigrants.

"There are many officers throughout the Metroplex who are affiliated with this particular Klan," according to a statement by Timothy Sherman Hall, an Air Force sergeant who identified himself as a recruiter for the Invisible Empire of the Knights of the Ku Klux Klan for the Realm of Texas, based in Tarrant County.

Hall, a reserve deputy in the sheriff's department, also was fired by the sheriff after the investigation determined he had used the alias J.D. Calhoun while recruiting for the Klan. Air Force officials have removed him from his duties as a security officer on the flight lines at Carwell.

Carswell officials initially said Hall was suspended Saturday — two days after the sheriff fired him and a day after his Klan involvement was publicized. Later, Air Force officials moved back the suspension date to Feb. 4 — the day after the sheriff's staff alerted them to the Klan investigation.

According to Minter, Air Force intelligence has not requested copies of the statements or snapshots that officers say implicate other Carswell personnel in Klan activities.

Such fringe-group activity is considered "incompatible with military service" under a 1986 Department of Defense directive.

The files released yesterday describe how an unidentified woman phoned the Tarrant County Sheriff's Department on Jan. 31 to disclose that Hall was a Klan recruiter who — garbed in white robe, hooded cap and mask — went by the undercover name of J.D. Calhoun.

Minter said he immediately assigned four investigators to the case and contacted the Department of Public Safety and the Sheriff's Department in Hill County, where a Klan demonstration was scheduled for Feb. 3.

At that rally — in Malone, 10 miles east of Hillsboro — an investigator recognized Hall when the wind blew the hood from his face. Hall was also wearing a fake beard.

The investigator identified himself, took a sample of the racist literature Hall was handing out and ordered the reserve deputy to report to the Sheriff's Department's internal affairs office the next Monday.

In a rambling, 11-page statement dated Feb. 5, Hall said he recruited two co-workers into the Klan and that he masqueraded with a fake beard and a false name so "as not to embarrass the Sheriff's Department."

The sergeant also named officials inside the FBI and the Bureau of Alcohol, Tobacco and Firearms, stating that they had assured him that Klan membership was not illegal.

Hall also said that the Air Force Office of Special Investigations did not object to his Klan membership.

"I talked to [a] special agent . . . out there at the base and they said, 'We ain't got no problem with it as long as you don't . . . violate somebody's civil rights, . . . demonstrate in uniform, identify yourself as an Air Force member or demonstrate on any military issue.' Which I never do none of," Hall told investigators.

Capt. Barbara Carr, Carswell's chief of public affairs, concurred.

"Membership in the KKK per se does not violate the Uniform Code of Military Justice," she said. "However, if a military member commits any actions which are criminal or a violation of the Uniform Code in conjunction with being a member of the group, disciplinary action can be taken. This poli-

cy is based on a court ruling."

According to Hall's statement, snapshots taken last December of Klansmen demonstrating at a White Settlement abortion clinic picture two airmen.

"There was a guy in a black hood, a security guard, he's called a Night Hawk," Hall told investigators. "He's a policeman on base."

Minter said the man in black, identified by Hall as a military policeman, was familiar to his intelligence sources.

"It's my understanding, from intelligence sources we have, that the black-hooded man is identified as 'Death on Two Legs.' He's an enforcer type," he said.

In another snapshot at the White Settlement demonstration, "The guy in jacket with sunglasses, he's in the Air Force. He's in the KKK," Hall said.

Hall also said that the Grand Dragon of the local Klan has made inroads inside the Denton County sheriff's office. "He's got a contact with Denton County sheriff's office. I know that. Soon as he gets his Klavern established in Dallas, he's gonna go on into Denton and start recruiting up there."

Denton County Chief Deputy Al Lewis said he was at a loss on how to investigate the allegations.

"We don't have any information and I just read the statement a short time ago myself," Lewis said. "We have close to 200 employees and we have no idea who he's talking about. . . . We don't want to go around creating monsters."

Staff writer Michael Phillips contributed to this report.



**Don Carpenter:** Dismissed workers  
Thursday for KKK activities

## 2 Ku Klux Klan members

BY HOLLACE WEINER  
Fort Worth Star-Telegram

FORT WORTH — Two Ku Klux Klan members, fired from the Tarrant County Sheriff's Department for joining the group, yesterday appealed their dismissals as authorities released reports alleging Klan involvement at Carswell Air Force Base and the Denton County Sheriff's Department.

The Tarrant County Sheriff's Department files, released to media under the Texas Open Records Act, include allegations that at least three Carswell

airmen are Klan members — including a security guard known as "Night Hawk" or "Death on Two Legs."

The files also feature snapshots of a burning cross, Klan applications topped with a hooded rider on horseback, and pamphlets in which the Klan's Invisible Empire denounces blacks, Jews and illegal immigrants.

"There are many officers throughout the Metroplex who are affiliated with this particular Klan," according to a statement by Timothy Sherman Hall, who was a reserve deputy and an Air

## appeal firings to sheriff

Force sergeant who identified himself as a recruiter for the Invisible Empire of the Knights of the Ku Klux Klan for the Realm of Texas, based in Tarrant County.

The files include racist poetry penned by Charlyn "Kay" Moore, a fired jailer who said in a handwritten letter to Sheriff Don Carpenter: "I was cohearsed [sic] and brainwashed into joining the Ku Klux Klan (a reprehensible [sic] organization). . . . I am thoroughly ashamed."

David White, a dispatcher fired for

enlisting in the KKK, submitted his appeal through attorney Jack Strickland, who said in an interview that his client was "guilty of pretty poor judgment. . . and a victim of Klan intimidation and bullying."

The dispatcher requested that he be judged separately from Moore and Hall.

Carpenter yesterday denied civil service appeals by White and Moore, said Jim Minter, head of the Sheriff Department's internal affairs division.

Minter said White and Moore now

have five days to make an appeal to the Civil Service Commission, which would set a hearing. After that, they can appeal to a state district court.

"The sheriff upheld his original termination on the grounds that they belong to an organization with the knowledge that that organization conspires to violate the civil rights of persons, which is against Tarrant County Civil Service

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Rules and Regulations," Minter said.

Hall, 24, has been dismissed from his volunteer deputy's post at the Sheriff's Department. He doesn't have status under civil service rules, Minter said.

Hall also has been removed from normal Air Force duties, where he had secret government clearance because he patrols the flight line.

Carswell officials initially said Hall was suspended on Saturday — two days after the sheriff fired him and a day after his Klan involvement was publicized. Later, Air Force officials moved back the suspension date to Feb. 4 — the day after the sheriff's staff alerted them to the Klan investigation.

According to Minter, Air Force intelligence has not requested copies of the statements or snapshots that officers say implicate other Carswell personnel in Klan activities.

On request, the Sheriff's Department shared its files with the federal Bureau of Alcohol, Tobacco and Firearms, and the Arlington and Fort Worth police departments.

Klan membership alone is not against the law, but participation in white supremacist groups violates the Tarrant County Civil Service Code of Conduct, according to disciplinary papers filed against White and Moore.

Such fringe-group activity is also considered "incompatible with military service" under a 1986 Department of Defense directive.

The files released yesterday describe how an unidentified woman phoned the Tarrant County Sheriff's Department Jan. 31 to disclose that Hall was a Klan recruiter who — garbed in white robe, hooded cap and mask — went by the undercover name of J.D. Calhoun.

Minter said he immediately assigned four investigators to the case and contacted the Department of Public Safety and the Hills County Sheriff's Department. A Klan demonstration in Hill County was scheduled for Feb. 3.

At that rally — in Malone, 10 miles east of Hillsboro — an investigator recognized Hall when the wind blew the hood from his face. Hall was also wearing a fake beard.

The investigator identified himself, took a sample of the racist literature Hall was handing out and ordered the reserve deputy to report to the Sheriff's Department's internal affairs office the next Monday.

In a rambling, 11-page statement dated Feb. 5, Hall said he recruited two co-workers into the Klan, which he described as a 124-year-old fraternal organization to which some of his great uncles from Alabama had belonged. Hall said that when participating in Klan functions, he masqueraded with a fake beard and a false name so "as not to embarrass the Sheriff's Department."

He said he recruited Moore and White by assuring them their membership would remain a secret. Sgt. Hall implicated two other Sheriff's Department employees, but Minter said they have been cleared of involvement.

The sergeant also named officials inside the FBI and the Bureau of Alcohol, Tobacco and Firearms, stating that they had assured him that Klan membership was not illegal.

The Bureau of Alcohol, Tobacco and Firearms confirmed that Hall called their office. The FBI could not be contacted for comment.

Hall also said that the Air Force Office of Special Investigations did not object to his Klan membership.

Capt. Barbara Carr, Carswell's chief of public affairs, concurred.

"Membership in the KKK per se does not violate the Uniform Code of Military Justice," she said. "However, if a military member commits any actions which are criminal or a violation of the Uniform Code in conjunction with being a member of the group, disciplinary action can be taken. This policy is based on a court ruling."

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Minter said the man in black, identified by Hall as a military policeman, was familiar to his intelligence sources.

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Hall also said that the Grand Dragon of the local Klan has made inroads inside the Denton County Sheriff's Office. "He's got a contact with Denton County Sheriff's Office. I know that. Soon as he gets his Klavern established in Dallas, he's gonna go on into Denton and start recruiting up there."

Denton County Chief Deputy Al Lewis said he was at a loss on how to investigate the allegations.

"We don't have any information and I just read the statement a short time ago myself," Lewis said. "We have close to 200 employees and we have no idea who he's talking about. . . . We don't want to go around creating monsters."

Hall's statement also names his Tarrant County co-workers, White and Moore, whom, he said, he recruited to Klan membership last month.

White, age 26, a \$1,600-a-month dispatcher, filled out a Klan application Jan. 29. He told investigators that Hall paid his \$20 membership fee.

His attorney, Strickland, said: "No matter how reprehensible an organization may be, I am not sure membership is just grounds for denying them the right to be employed. White didn't participate. He didn't go through any of their foolish, childish little rituals."

Moore, 48, a licensed correctional officer salaried at about \$1,560 a month, signed up for the Klan on Jan. 13. For publication in a Klan journal, she wrote a five-stanza poem comparing Martin Luther King Jr. to Adolf Hitler and forecasting another Civil War pitting Caucasians against "waves . . . from the ghettos to the gays."

In appealing her firing, Moore said: "I was prevailed upon by Tim Hall to write a piece of poetry for possible use in a Klan publication, which in retrospect I view as a disgusting piece of filth. I find this writing virtually indefensible."

Staff writer Michael Phillips contributed to this report.



# Klan link spreads to Carswell

## Fired deputy suspended from duties at air base

BY KATHY SANDERS  
Fort Worth Star-Telegram

A Sheriff's Department reserve deputy fired for his affiliation with the Ku Klux Klan also is an Air Force security officer who was suspended yesterday for leading a clandestine life as the Klan's chief recruiter in Texas.

Officials at Carswell Air Force Base, where Tim Hall, 24, is a sergeant assigned to the military installation's security force, imposed the disciplinary action af-

ter disclosure that Hall secretly had operated under the alias J.D. Calhoun while serving as Kleagle of the Invisible Empire of the Knights of the Ku Klux Klan.

"In light of the situation, he has been suspended from his duties at this time," said Carswell spokeswoman Lt. Nori LaRue-Musgrave. "We are not supposed to be identified with any type of political activist group because it is contrary to our oath of office."

Hall, 24, one of three employ-

ees dismissed from the Sheriff's Department last week after an investigation revealed their active roles in the Klan, worked with the 7th Security Police Squadron at Carswell, LaRue-Musgrave said.

No information was available yesterday concerning Hall's length of service with the Air Force or what further action will be taken.

"I imagine he will be reviewed.

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Now that he's been suspended, they will have to make some kind of decision on what they will do," LaRue-Musgrave said. She said he will continue drawing pay but will not be allowed to work as a security officer.

In September 1986, then-Defense Secretary Caspar Weinberger gave military commanders new authority to prevent active participation of military personnel in what were considered "hate groups."

"Active participation, including public demonstrations, recruiting and training members, and organizing or leading such organizations, is utterly incompatible with military service," Weinberger said in announcing the new policy.

Commanders were given full authority to take disciplinary steps, including expulsion from the military, against those who actively participate in those groups.

Hall's firing by Sheriff Don Carpenter followed an internal investigation that identified him and two other sheriff's employees, jailer Charlyn "Kay" Moore, 48, and dispatcher David White, 26, as members of the Klan.

Carpenter served White and Moore with notices that he also intends to fire them, a procedural step required under Civil Service guidelines.

The three dismissals were based on "the county policy of non-discrimination as set out in the Civil Service Rules and Regulations," said a terse departmental statement released Friday night.

Klan Grand Dragon Bill Walton of Arlington confirmed the trio's Klan membership Friday.

Walton, head of the Texas realm of the Invisible Empire, said yesterday that Klan members didn't want the dismissals publicized nor did they seek the news coverage.

"We didn't start this mess, but we're damn sure going to be there when it's finished," he said.

White, hired by the Sheriff's Department in July 1987, is the son of Alan White, a certified peace officer who works as a grievance and disciplinary officer at the department, said Internal Affairs Capt. Jim Minter.

"We have interviewed Mr. [Alan] White and are very comfortable that he had no knowledge of this and has never been associated with this group at all," Minter said yesterday.

When contacted at home yesterday, David White said he had no comment.

"Right now, I have talked with my attorney and he's told me not to say anything to the press until we have a chance to meet Monday and appeal it and see what happens," he said.

Moore, also hired in July 1987, did not return telephone messages left on her answering machine. She joined the Klan two to three months ago and was still on probation with the organization, Walton said.

As a reserve deputy, Hall was a certified police officer who volunteered 16 hours of service a month. Because he was not paid for his service, he has no avenue of appeal.

White and Moore, as Civil Service employees, may appeal their termination but must file the appeal by noon tomorrow.

Fort Worth Police Chief Thomas Windham said yesterday that having employees active in the Klan is a potential problem that needs to be addressed.

"I think Sheriff Carpenter ought to be applauded for the action he took," he said. "It seems to me it should disturb anyone, especially anyone in a public office. [Firing the employee] would not be a hard decision for me to make and didn't seem like a hard decision for Sheriff Carpenter."

The Dallas County Sheriff's Department has no policy specifically prohibiting an employee from belonging to the Klan. But its code prohibits an employee from participating in activities, on or off duty, that might discredit the department, said Sgt. J.R. Kilzer.

"This could include Klan activity," he said.

Glenn Lewis, an attorney for the local chapter of the National Association for the Advancement of Colored People, said he was concerned about the presence of the Klan in the Sheriff's Department.

"I was disturbed to read that we had people working in the sheriff's office who were actually participating. That's pretty frightening," he said. "I think the firing is certainly appropriate. It makes me wonder if there are any more."

Lewis said the only way to uncover other active Klan members in law enforcement would be a full-scale investigation into Klan activities in Tarrant County.

Minter said Friday the department has no plans for further investigation unless new information surfaces.

But while officials lauded the dismissals, civil rights attorneys questioned their justification.

FW STAR-TELEGRAM  
EDITORIAL  
TUESDAY P. M.  
13 FEBRUARY 1990

# Sheriff is right

## Law agencies should bar Klan members

The simple truth is that no public law-enforcement agency should employ active members of advocacy groups that espouse racial separatism or discrimination. That includes the Ku Klux Klan, among others.

Thus Tarrant County Sheriff Don Carpenter was right, after an internal affairs investigation, to dismiss a volunteer reserve deputy and to begin civil-service termination procedures in the case of two other department employees, all of them Klan members.

As a practical matter, the sheriff's department — or the Fort Worth Police Department or the FBI, for that matter — cannot afford to compromise its sworn allegiance to fair, equal and non-discriminatory enforcement of the law by employing officers who belong to organizations that are based on ideas of racial supremacy.

Tim Hall, who lost his reserve sheriff's deputy position because of his Klan connection, also was removed from his secur-

ity duties at Carswell Air Force Base, where he is a sergeant in the Air Force. The Defense Department says that participation in "hate groups" — apparently including the Klan — is "utterly incompatible with military service."

Membership in such a hate group is equally incompatible with service as a part of a law-enforcement agency entrusted by the public with carrying out its laws, which officers take an oath to uphold at all times. Employing Klan members erodes the credibility of the agency.

The Klan is not an illegal organization, merely one that is reprehensible in the eyes of most Americans. Hall has a right to his own beliefs and opinions, and he is free to belong to the Klan and even to recruit Klan members.

But there is an obvious conflict between Klan precepts and the requirements of public law enforcement in a multiracial society. It is that conflict that is the issue in the three sheriff's department dismissals.

# More Sheriff's People Believed Tied to Klan

## *How many uncertain, union says*

BY HOLLACE WEINER  
Fort Worth Star-Telegram

FORT WORTH — Ku Klux Klan infiltration of the Tarrant County Sheriff's Department extends beyond the three employees fired last week, a state union official said yesterday as the Air Force suspended four more Carswell security officers linked to Klan activities.

The suspensions of the four servicemen from normal duties follow revelations last week that a Carswell Air Force Base security officer, who also was a volunteer reserve deputy for the Sheriff's Department, was a Klan recruiter who wrote for white supremacist publications and demonstrated in a hooded white robe and mask.

That officer, Sgt. Timothy Hall, who used the alias J.D. Calhoun in his Klan activities, was fired by Sheriff Don Carpenter and removed from his normal Air Force duties. Two other Sheriff's Department employees, a jailer and a dispatcher, also were fired after an investigation identified them as members of the Klan.

Although Carpenter has indicated there is no evidence to believe other sheriff's employees are involved with the KKK, one union official said otherwise yesterday.

"There is reason to believe there are more," said Oran McMichael, a representative for the American Federation of State, County and Municipal Employees, which has about 100 sheriff's employees as members.

"I'd hate to put a figure out there. It's ranged from just a handful to possibly a number."

Carpenter this morning said he would fire any employee who is associ-

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ated with Klan activities.

"That's the first I've heard of that," the sheriff said about McMichael's contention. "I don't know actually what he's talking about.

"I will say this: If there are any more people involved in the Klan in this department, and we find out about it, they'll be looking for a job."

He said that at least two months ago, officers reported to Sheriff's Department officials incidents in which the fired jailer, Kay Morre, had made racist comments to prisoners and that Hall was able to "circulate quite freely" while recruiting Klan members.

McMichael said no investigation was ordered into those allegations.

He said the union and several other local organizations would have a news conference this afternoon to discuss those reports and Carpenter's decision to fire the officers and to stress that the officers involved represent only a small percentage of sheriff's employees.

The suspended Air Force security police, assigned to the 7th Security Police Squadron, generally have secret government clearances and patrol the flight line where early warning aircraft, B-52 bombers, KC-135 tankers and F-16 fighters are parked.

The latest administrative actions at Carswell occurred Monday, the same day the Sheriff's Department released reports alleging Klan activity at the base.

"Additional individuals were removed from their normal security police duties on 12 February immediately upon the commander's notification of alleged Ku Klux Klan association," Capt. Barbara Carr, Carswell's chief of public affairs, said in a prepared statement.

She cited the Privacy Act and refused to divulge the airmen's names.

The airmen will remain removed from their normal duties until the allegations are proved or disproved, Carr said.

"They are doing duties as directed by their first sergeant," she said. "They are not doing any security police duties."

Security Squadron commander Maj. Albert Riggle referred all inquiries to the public affairs office.

Yesterday, base investigators visited the Sheriff's Department to get copies of investigative files that launched the Klan inquiry.

On Jan. 31, the sheriff's office learned that Hall, an Air Force sergeant and volunteer sheriff's reserve officer, was active in the Ku Klux Klan. After observing Hall at a Klan rally in Malone, a rural community 10 miles east of Hillsboro, the sheriff's office questioned him about his membership in the white supremacist group.

In signed statements, Hall said he had recruited two Sheriff's Department employees and several Air Force colleagues into the Klan, founded in the South during the Reconstruction era to re-establish and maintain white supremacy.

The other two Tarrant County employees — jailer Moore and dispatcher David White — were fired by Carpenter who, on the advice of the district attorney, cited an anti-discriminatory section of the county Civil Service Code.

Both appealed the suspensions but were turned down by the sheriff. The pair have until noon Monday to file an appeal with the county Civil Service Commission.

At Carswell, Carr said the Air Force is investigating the allegations against the security policemen to determine whether they violated Air Force regulations.

Klan membership is not prohibited under the Uniform Code of Military Justice.

"They may have violated other regulations," Carr said. "We're reviewing the allegations. . . . It is against regulations to pass out political literature on base. . . . If any civilian or military regulations have been violated, then disciplinary action may be warranted."

Mark Briskman, regional director of the Anti-Defamation League for North Texas and Oklahoma, said he was disturbed at reports of Klan membership among security officers.

"They are in positions of authority and they may hold racist, bigoted and anti-Semitic views, which clearly are not representative of the views of the United States," Briskman said. "That they could be in positions with security clearances, I think is disturbing.

"These men were not filling gas in trucks. They were security guards. One wonders what kind of a security procedure security officers go through. This

is a [Strategic Air Command] base."

He also recalled that Klan involvement in local law enforcement was not uncommon in the 1950s and 1960s, but "it is a little disturbing that in the 1990s we find some local departments that have members who are in the Klan.

"I generally do not believe this is a widespread phenomena."

Bill Walton, Imperial Wizard of the Invisible Empire of the Knights of the Ku Klux Klan for the Realm of Texas, said that if the county employees or any Klansmen decide to fight the government actions against them in court, the local Klavern — chapter — would provide legal counsel.

Their attorney, he said, would be Kirk Lyons, who successfully defended a former Klan leader at a 1987 sedition trial in Fort Smith, Ark. Lyons is executive director of the Patriot's Defense Foundation, a civil rights law firm in Houston.

Lyons, interviewed by telephone, said county and Air Force actions against Klan members violate First Amendment rights to freedom of association.

"It is fundamentally unfair," Lyons said. "They have not committed any crime. They are not a member of any criminal organization. The sheriff's obviously doing this to make political points. Being a member of the Klan per se does not violate anyone else's rights."

Attorney Sally Greenberg, the Anti-Defamation League's East Coast civil rights director, said Klan activities may fall under a Department of Defense directive authorizing disciplinary steps against military personnel involved in "hate groups."

Under that 1986 directive, then-Defense Secretary Caspar Weinberger said "active participation, including public demonstrations, recruiting and training members . . . is utterly incompatible with military service."

The directive followed the dismissal of three Marines active in the White Patriot Party, an armed racist group in North Carolina.

Staff writer Bob Mahlburg contributed to this report.

# Air Force Boots Out 5 for Klan Activities

## Airmen won't lose benefits

BY HOLLACE WEINER  
AND MAX BAKER  
Fort Worth Star-Telegram

FORT WORTH — Five security policemen with secret clearances are being discharged from the Air Force for active involvement in the Ku Klux Klan, Carswell Air Force base officials said yesterday.

An internal investigation determined that the airmen violated an Air Force regulation prohibiting attempts to create discrimination or participation in supremacist causes, said Capt. Barbara Carr, Carswell public information officer.

The airmen, who were members of the troubled 7th Security Police Squadron, which patrols the flight line, will get involuntary administrative discharges entitling them to veterans benefits, Carr said.

"It would be the Air Force's means of firing someone," Carr said.

The only airman identified has been Sgt. Timothy Sherman Hall, who publicly admitted to being a Klan recruiter. Hall was removed from his normal security duties Feb. 4 after state and local law enforcement officials trailed him to a Klan rally in Hill County.

Hall also was fired from his job as a reserve deputy with the Tarrant County Sheriff's Department. The sheriff's investigation prompted Carswell to conduct its own inquiry.

Seven airmen were investigated because of reports of Klan ties, but allegations against two were untrue, Carr said. Because no evidence was found of Klan activities in other parts of the base, the investigation has ended, she said.

Sources said security squadron commander Maj. Albert Riggle told a gathering of more than 200 people that the Klansmen were being offered discharges to avoid the publicity of a court-martial.

Commanders of the unit hope that this will bring to an end the public scrutiny of a squadron that has been riddled with charges of misconduct, a source said.

The discovery of the Klansmen has prompted the second controversy this winter for the base and its security force.

An investigation in December and January into homosexuality at Carswell led to the discharge of 12 airmen — including four security police, sources familiar with the squadron said.

Also, in the past five weeks, two other security police officers were court-martialed and convicted on drug charges, said the *Carswell Sentinel*, the weekly base newspaper.

And widespread problems within the 511-member squadron were evident more than two years ago when the base inspector general, responding to complaints, authorized an attitude survey that concluded that "discriminatory attitudes" pervaded the base security police.

The Feb. 9, 1988, survey obtained by the *Star-Telegram* said that racial, ethnic and sexual jokes and slurs were commonplace and were a manifestation of discriminatory attitudes and behavior.

The survey was written by Carswell's social actions office, which, like a municipal equal opportunity commission, examines complaints of discrimination.

"The ingredients exist for polarization of races within this unit," the survey said. "If the underlying factors are not addressed, the human relations climate could suffer damage that could affect the wing.

"Perceptions of unfair treatment, discrimination, favoritism and unfairly administered discipline are rampant," the report said. It said the squadron's racial composition was nearly 22 percent black and 73 percent white.

More than 90 percent of those interviewed said morale within the unit was not good and the negative perceptions reported crossed all rank, sex and racial lines, the survey said.

Yet, a majority of those interviewed said they liked their jobs "but feel the atmosphere could be better . . . if there was more trust and concern."

When the survey was completed, it was presented by the force's commanders to squadron members.

Suggestions for improvement included reassigning one of the security force's managers and to "just tell people to drop the name-calling."

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However, sources familiar with the survey and conditions within the squadron say the only response was to establish a suggestion box and institute an Airman of the Month and Airman of the Quarter awards.

Otherwise, they said, little has changed.

Mark Briskman, regional director of the Anti-Defamation League, called the squadron's history troubling.

"These men were not just filling gas in trucks. They were security guards," Briskman said. "One would hope there would be special attention to any indications of racial or other kinds of tension on a military base.

"We would hope that this recent situation would lead to a re-evaluation of their procedures and a considerable strengthening of the process of selection for people involved in matters of security," he said.

A black Air Force retiree, stationed at Carswell during the past decade, said social actions surveys and race relations seminars have been given short shrift in the armed forces since the beginning of Ronald Reagan's presidency.

The veteran, who asked not to be identified, retired last year after stints at Air Force bases from Istanbul, Turkey, to Biloxi, Miss.

"If you go to other bases and then

you go to Carswell, you just feel that redneck atmosphere that exists out there," the retiree said.

Carr said she was unfamiliar with the social actions survey.

"Normally, they are internal things," she said. "It is not sent around base at all. Only the commander would see it."

On Monday, four of the Carswell airmen associated with the Klan were relieved of sensitive assignments at the base such as guarding the flight line, where bombers loaded with munitions are parked.

Earlier news accounts said five airmen had been suspended that day, but base officials say only four were reassigned.

They can appeal the dismissals, which are based on an Air Force regulation that forbids publicly demonstrating, fund-raising, rallying, recruiting and organizing for supremacist groups such as the Klan.

Bill Walton, grand dragon of the Invisible Empire of the Knights of the Ku Klux Klan for the Realm of Texas, which is based in Arlington, said Hall plans to take legal action.

The drug cases within the squadron involved Senior Airman David Clarke, whose amphetamine use was confirmed through an Air Force urinalysis program, and Senior Airman Daria Clark, convicted of marijuana use.

For amphetamine use, Clarke was sentenced to three months in jail, forfeiture of \$750 pay, reduction in rank

and a bad-conduct discharge. Clark received three months in jail and was demoted to the rank of airman basic.

At a news conference yesterday at the Tarrant County Administration Building, a union official expressed concern that there may be other members of the Ku Klux Klan in the Sheriff's Department but stressed that his organization is not advocating a witch hunt.

"I would hesitate to give you a number because unless those folks who believe those individuals are members [of the Klan] come forward, then no, we're not going to start a witch hunt," said Oran McMichael, a representative for the American Federation of State, County and Municipal Employees, which has about 100 sheriff's employees as members.

McMichael said some members of American Federation of State, County and Municipal Employees Local 125, including jailers and officers in the Sheriff's Department, are "saying that on suspicion and information they are aware" that there are others in the department who possibly are members of the Klan.

McMichael applauded what he called the "first act of the Sheriff's Department," in terminating three employees and said, "We think they have taken the correct step."

Staff writer Stefani Gammage contributed to this report.

# Former jailer was fooled by Klan's smoke screen

BY HOLLACE WEINER  
Fort Worth Star-Telegram

It was her nicotine habit — and a spark of naivete — that drew Kay Moore to the Ku Klux Klan.

Lured, she said, by the promise of discount cigarettes, the former Tarrant County jailer rendezvoused one Saturday night at the Whataburger on White Settlement Road, sharing a table with Air Force Sgt. Timothy Hall.

She had come to pick up three cartons of Eve Ultra Lights — purchased cut-rate at the Carswell Air Force Base commissary.

He had come to recruit her into the Klan, she said.

"I picked up my cigarettes. We were sitting there talking, eating a hamburger," she said in a telephone call yesterday from an undisclosed location. "Before I knew it, he was giving me

(More on KLAN on Page 9)

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some literature, and an application was filled out, and he was taking it with him."

She refused a face-to-face interview and declined to say where she was because she says threatening messages have been left on her telephone answering machine.

Four weeks after the Whataburger meeting, on Feb. 9, both Moore and Hall — a volunteer sheriff's reserve officer — were dismissed from the Tarrant County Sheriff's Department for joining the Ku Klux Klan.

It was part of a widening scandal that led to the dismissal of yet a third sheriff's employee and the discharge of five Carswell airmen — Hall among them.

"As unbelievable as it may seem, I was thoroughly convinced the Klan had widespread support throughout the law-enforcement community," said Moore, a 48-year-old native Texan who describes herself as a former personnel assistant with 3½ years of college credit and certificates in business law and human relations.

"My purpose in doing it was for advancement in the Sheriff's Department," said the former jailer, who described herself as "extremely intelligent, except for this sort of mistake."

At the Whataburger tete-a-tete, Moore said, Hall spoke of an investigation into homosexuality at Carswell that led to the discharge of 13 airmen — including four in Hall's security guard squadron.

Then, pulling out a Klan business card, Hall, 24, told her about the Invisible Empire to which he belonged, saying his local klavern was anti-gay, anti-abortion, anti-crime and anti-litter.

Moore said that when she shared her penchant for writing poetry, the sergeant spouted off some racist views, compared Martin Luther King Jr. to Adolf Hitler and asked her to put his thoughts into blank verse.

When next they met — two nights later — she handed him the completed poem and he drove her to a Klan initiation ceremony at an Arlington apartment complex.

Moore said she was led blindfolded up a sidewalk and a couple of steps, through two doors and into a room where her blindfold, a folded bandana, was untied.

With another initiate, a man she did not know, she waited in a bedroom while a third person was inducted. Then, after 15 minutes, Hall again slipped the blindfold over Moore's eyes and led her into a living room.

This time, when the blindfold was removed, she said she found herself in a room with eight or nine people cloaked in white robes, green sashes and pointy-hooded masks, gathered about a white cross nearly 6 feet tall.

"It was taller than me," she said. "I'm 5 feet 4."

On the arms of the cross blazed several red candles.

"Two others were initiated that night," she said.

She said that Bill Walton, the Arlington resident who is grand dragon of the Invisible Order of the Knights of the Ku Klux Klan for the Realm of Texas, was at the meeting.

"Someone read some stuff that I can't recall," Moore said. "We took an oath. What was even in it I'm not sure, other than not to give out any information regarding the Klan or any of its members."

It was over in 15 or 20 minutes.

"After a couple minutes of congratulations or whatever you want to call it, we left," she said.

The next week, Moore gave Hall \$20, repaying him for advancing her the Klan's membership fee.

"In cash," she said. "That was the only way they would accept it."

About 10 days later, while attending FBI fingerprint school, a course offered through the Sheriff's Department, Moore said she mentioned the Klan to a classmate.

"Once I got their view, I realized it was a hate group," she said. "That's when I realized what was going on. I realized it was a totally reprehensible,

violent, prejudicial hate group. I thought, 'Oh, dear, what have I got myself into?'"

When Klansmen invited her to meetings and rallies, she'd excuse herself because of her work schedule or say "I didn't have a hood and robe."

Moore said that before Hall recruited her into the Klan, she had never heard the fringe group discussed.

"My only recollections were from my younger years, in the '50s when I was an elementary student. I heard about events from the '30s and '40s, burning of the cross, garbing themselves in white robes and hoods. At that time they were a racist group. I basically considered them over with," she said.

"Tim told me they needed intelligent people such as I. He convinced me they were a non-violent, passive organization."

Moore said she became acquainted with Hall last spring while enrolled in classes at the Sheriff Department's Basic Reserve Peace Officers School. Both Hall and Moore have completed 276 hours of law enforcement training and were set to begin the final 124-hour course Monday.

The firing halted those plans.

Moore plans to appeal her dismissal to the civil service commission. She has not hired a lawyer, fearing that seeking counsel might somehow suggest that she is still affiliated with the Klan.

Walton, the Klan's grand dragon, said in a telephone interview that he believes Moore was the confidential informant who sparked the sheriff's investigation, but the former jailer, who received a commendation last year for exposing infractions within the department, declined to respond to the Klan leader's accusation.

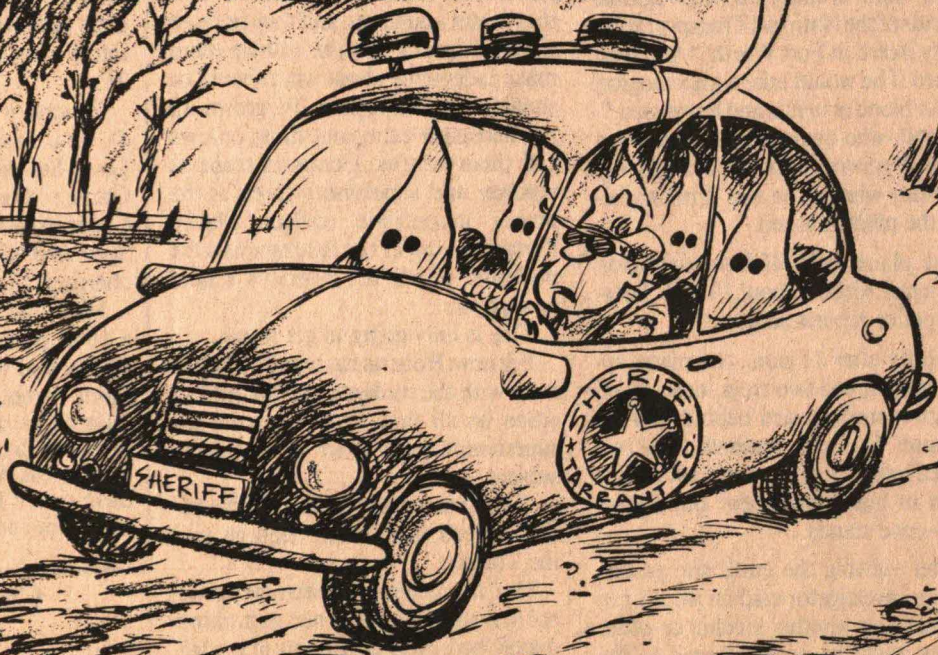
"I am not at liberty to discuss that matter at this time," Moore said.

"I consider now, in retrospect, the Klan to be a very dangerous cult," she said. "Hopefully, from my stupid mistake others will learn and stop and think before joining the Klan — or any other subversive hate groups."

Or before lighting up an Eve Ultra Light.

Thursday P.M., February 15, 1990

OKAY, DEPUTIES, GIVE IT TO ME  
STRAIGHT THIS TIME. NO MORE  
OF THAT STUFF ABOUT  
"COME-AS-YOU-ARE" PARTIES.



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FORT WORTH

## 2 jailers resign after accusations

One Tarrant County Sheriff's Department jailer was dismissed this week after admitting he had bought amphetamines while another jailer resigned after admitting he sexually harassed a female jail trustee, the head of the sheriff's department internal affairs division said yesterday.

A deputy, who was on the force for at least five years, gave a statement Wednesday admitting he made sexual advances towards the trustee several times the past two weeks and submitted his resignation, Capt. Jim Minter said. He declined to identify the deputy.

"He admitted talking to her about sexual activity," Minter said.

The deputy's actions did not appear to have violated the law but were in violation of the county's code of conduct, Minter said.

Another deputy was fired by Sheriff Don Carpenter after an unidentified person told investigators he recognized the deputy as someone who had bought amphetamines in his presence.

## 2 jailers leave posts after inquiries

By MICHAEL PHILLIPS  
Fort Worth Star-Telegram

FORT WORTH — One Tarrant County Sheriff's Department jailer was dismissed this week after acknowledging that he had bought amphetamines, and another jailer resigned after acknowledging that he had sexually harassed a female jail trustee, the head of the Sheriff's Department internal affairs division said yesterday.

A deputy, who was on the force for at least five years, gave a statement Wednesday saying he had made sexual advances towards the trustee several times during the past two weeks, Minter said. Minter declined to identify the deputy.

"He admitted talking to her about sexual activity," Minter said.

The deputy's actions did not appear

to have violated the law but were in violation of the county's code of conduct, Minter said.

Another deputy was fired by Sheriff Don Carpenter after an unidentified person told investigators that he recognized the deputy as someone who had bought amphetamines in his presence.

The deputy was questioned Wednesday and gave a statement about the drug purchase, Minter said. Minter would not identify the deputy or say how long he had been with the department.

This was the second time in the past two weeks that a deputy has been fired by the Sheriff's Department.

Last week, a volunteer deputy and two other employees were dismissed after their membership in the Ku Klux Klan was exposed.

# Smaller Klan remains large threat, foes say

BY MAX BAKER  
Fort Worth Star-Telegram

FORT WORTH — While the discovery of Ku Klux Klan members in sensitive positions of authority may have shocked the public last week, organizations monitoring the group say its numbers in Texas are dwindling.

However, the group's having fewer active members does not reduce the threat the members pose — especially because the unmasked Klan members were in the Tarrant County Sheriff's Department and a Carswell Air Force Base police squadron, the organizations said.

And, especially because the Klan is trying to appear more legitimate by addressing mainstream issues such as AIDS, abortion and crime, its allure could grow, they added.

"They carry weapons. They like weapons and are comfortable with them," said Mark Briskman, regional director of the Anti-Defamation League. "It only takes two guys to create havoc.

"They are taking on legitimate issues and looking for respectability," he said. "It may be a new bottle, but the same old rotten wine is inside."

In the past two weeks, seven active members of the Klan have been identified in Tarrant County.

The Sheriff's Department dismissed reserve deputy Tim Hall, dispatcher David White and jailer Kay Moore for their participation in the Klan.

Hall, a sergeant in the Air Force, also is being administratively discharged from the service, along with Sgt. Mike Saylor and three others.

All of the Carswell airmen were members of the 7th Security Squadron, had security clearances and patrolled the flight line with M-16 rifles, guarding bombers and fighters used in the nation's defense.

Because the Klan members were in such sensitive positions, their discovery attracted widespread media attention.

It also had people wondering about a shadowy, secret organization that many thought of as out-of-date.

Klan members in law enforcement have some precedent in Texas history.

In the early 1920s, Tarrant County was among many Texas locales that had Klan members as sheriffs, district attorneys, judges, city council members and school board members.

The Fort Worth Klavern — which built a 4,000-seat auditorium on North Main Street — was co-founded by a county sheriff. The hate group's influence was so pervasive that Klan members met in public schools, sponsored a Klan Kiddies Kamp at Lake Worth, and fielded a city baseball team called the Ku Kluckers.

In 1923, the annual Fat Stock Show included a special Klan Day that drew record out-of-town crowds. The *Fort Worth Press*, which editorialized against the KKK, reported that many of the Stock Show-goers attended initiation rites that night for more than 800 new Klan members.

According to Howard Green, a former Tarrant County judge who has researched the Klan, in the early 1920s Texas "shared with Ohio the dubious distinction of the hotbed of the Ku Klux Klan."

A Ku Klux Klan member, Earle Mayfield, was elected to the U.S. Senate to represent Texas in 1922. Klan members also flaunted their strength in the Texas Legislature in 1923, staging a hooded parade in the chambers of the House of Representatives.

Now, however, experts who monitor the Klan in Texas and around the country say the organization, which they consider a domestic terrorist group, is shrinking.

Nationwide, the Klan has 5,000 to 7,000 active members, down from about 10,000 before civil rights reform in the 1960s, Briskman said.

The Klan has fewer than 100 active members in Texas, a sharp decrease from about 400 in the early 1980s, Briskman said.

Klan leaders have been quoted in newspapers as setting the total Texas membership in the organization at about 100.

The decline in active Klan membership can almost be traced to the defection of Louis Beam, the former Grand Dragon who left the Klan in 1981.

Beam left to work with The Order and The Aryan Nations, paramilitary groups that believe a race war may be necessary.

"There really hasn't been any Klan without Beam. You can really chart the decline when Beam left the Klan," Briskman said.

Texas has three Klan Klaverns, or chapters — in Arlington, Waco and Pasadena, a blue-collar suburb of Houston, said Briskman and Klanwatch, a Montgomery, Ala., group that monitors the Klan.

Bill Walton is the Grand Dragon of the Invisible Empire of the Ku Klux Klan for the Realm of Texas. Hall was a recruiter for Walton, they said.

Walton and his followers have been seen distributing literature in several

cities, including Plano, Richardson, McKinney, Fort Worth and Ardmore, Okla.

They picketed an abortion clinic in White Settlement late last year and protested in Grand Prairie in 1985 during a flap over the Confederate battle flag. The local Klan made a similar stand on the flag in 1987 in the Birdville school district.

Walton, who then lived in North Richland Hills and was identified as "grand titan" of the Texas Klan, wrote local NAACP President Ray Bell in January 1987 warning that "if you do pursue this matter, violence of some sort will surely break out."

The letter added that the Klan would not be involved in violence but that many non-Klan whites "won't take it lightly about them losing their rights, especially with the Negro race and the NAACP [having] something to do with it."



Fort Worth Star-Telegram / TONY RECORDS

David White — with wife Rosemary — says he was never initiated into the Klan.

## Ex-dispatcher says Klansman pressured him

BY JULIE GILBERTO  
 Fort Worth Star-Telegram

FORT WORTH — Ku Klux Klan recruiter Timothy Hall was so ardent, say David and Rosemary White, that it finally took a tirade to end the pressure — and even that was just temporary.

"I blew up at him," said Rosemary White, who is pregnant and was pregnant when Hall came to call. "I just said, 'We don't want it.' I was screaming. I was crying, and he took the hint and left."

Calling his past actions a "terrible error in judgment" and attributing them to his own weakness, David White said yesterday that he filled out an application last month to join the Klan just to get Hall off his back. He said he did not know at the time it would jeopardize his job.

"I never paid an initiation fee, was never initiated, never attended any meetings, never participated in any demonstration," White read from a prepared statement during a news conference in the office of his attorney, Jack Strickland. "I have never distributed literature, recruited or taken any other action on behalf of the Klan."

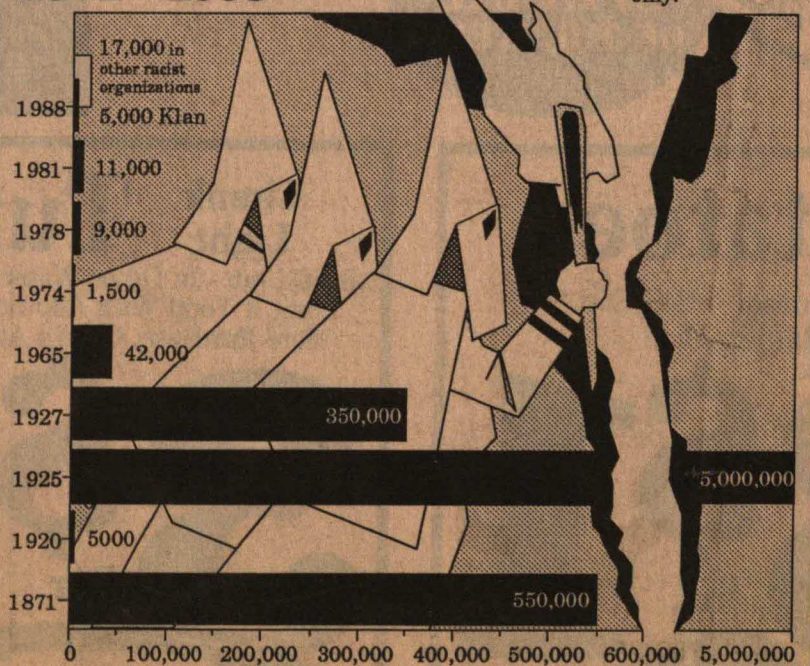
"Most importantly, I never once did anything in my capacity as a dispatcher for Tarrant County that was illegal, improper or in the least way discriminatory," White said.

White, a jailer and a volunteer sheriff's reserve officer who recruited both of them to join the Klan

(More on KLAN on Page 14)

### Estimated Klan membership: 1871—1988

Figures include official members only.



SOURCE: *The Ku Klux Klan: A History of Racism and Violence*, compiled by the staff of the Southern Poverty Law Center

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were dismissed last week from their jobs with Tarrant County Sheriff's Department. Yesterday was the first time that White has publicly discussed his involvement.

"I do not blame Sheriff Carpenter for moving quickly and decisively in this matter," White said. "It is important that all citizens of Tarrant County have faith in the integrity of their law enforcement officers. However, when all of the facts are known, I hope people will realize that I am not a member of the Ku Klux Klan."

White said that he was pressured by Hall, a former sheriff's reserve officer. Kay Moore, the jailer who was dismissed, also has said that Hall recruited her.

Hall's attorney, Kirk Lyons, a Houston attorney with the Patriot's Defense Foundation, another white supremacist organization, said he has advised his client not to speak to reporters.

And as White tries to distance himself from the Klan, he still is being pressured to join forces with them, he said. He said he recently was called by Mike Holloway, a Houston businessman who helped found the Patriot's Defense Foundation, a group that has helped white supremacists in court cases. A lawyer for the foundation is representing Hall, who with other members of the 7th Security Police Squadron at Carswell Air Force Base are receiving an administrative discharge from the service for their Klan involvement.

"He said if I wasn't a plaintiff in his case, I was going to be a hostile witness," White said.

Strickland said that if Holloway is soliciting business for another lawyer, then he will file a grievance against that lawyer.

"People who speak on behalf of the Klan don't speak on behalf of these two people," Strickland said of the Whites. "I don't want anymore of it. I don't want people from the Klan, Klan lawyers or any other nut group calling these people."

The Whites said that Hall was obsessed with the Klan and that obsession was evident in the pressure he put on David White to join. The two men met last spring while they were taking classes at a law enforcement academy and quickly became good friends, White said. Rosemary White met Hall through their neighborhood church, the Las Vegas Trail Church of Christ.

Hall's wife, a homemaker with two preschool children, was active in the church, and the Hall family attended Sunday services regularly, said the church's pastor, who spoke on condition he not be identified by name.

"He appeared to be a man of deep principles," said the pastor. "He is a very polite young man. You'd like him."

At the Beacon Hill apartment complex on Las Vegas Trail, the manager described Tim Hall as likable and reliable. Hall, who lived in the apartments, worked as a courtesy officer at the complex, a cluster of two-story brick apartment units in far west Fort Worth near Carswell Air Force Base.

Hall introduced the Whites to each other last year, and Hall was best man

in their wedding in August. Hall's wife was Rosemary White's matron of honor.

But David White said the real pressure began in December after he and his wife decided to watch some Klansmen at a demonstration at a White Settlement abortion clinic.

"I had been driving by the clinic and had seen them in costume," Rosemary White said. "I'm from New York and thought it didn't exist anymore. I went back to the apartment and told David they were out there and that it was something he should see. We didn't see any harm in just watching them."

Hall was at the demonstration when the Whites arrived, David White said.

"We were close friends, and this had never really come up until the abortion clinic," White said.

As the pressure increased, the couple agreed that it might get Hall off David's back if White filled out a Klan application, even though he had no intention of actually joining.

David White filled out the application last month. When he later told Hall that he did not want to go through with the initiation, Hall said White would have to call the grand dragon, the state Klan leader, and tell the grand dragon he was backing out. Otherwise, White said, Hall would be humiliated.

White did not make the call. About three days after he filled out the application, Hall showed up at the Whites' apartment to take White to the initiation. That is when Rosemary White says she kicked Hall out of their apartment.

After White was fired, he called Strickland on the advice of friends.

The whole experience has been a nightmare, said Rosemary White, whose baby is due any day.

"It's traumatic," she said. "He did not do anything wrong. Now we are stuck in the middle of this publicity and all this ruckus. It is very stressful for both of us."

Strickland said that he agreed to help White get back his job for no charge.

"I have agreed to represent David for three reasons," Strickland said. "First, and most importantly, because all citizens in this country are entitled to have a fair hearing of the allegations lodged against them. . . . Secondly, I feel sorry for David and his wife Rosemary. They are in a mess at a time in their lives when they should be the happiest, awaiting the birth of their first child.

"Lastly, I view this as a unique opportunity to focus some public scrutiny on the Klan — how it works, who is involved, how it seeks to intimidate not only those who differ racially and religiously, but also people like David and his wife. Perhaps, before this affair is finished, we — and by we, I mean David, Rosemary, the Tarrant County Civil Service Board, the media and I — can demonstrate to anyone not yet convinced that the Klan and all it represents are reprehensive and repugnant to honorable Americans."

Klan leader Bill Walton, who is grand dragon of the locally based KKK group, said his organization is planning an anti-pornography demonstration from 2 p.m. to 4 p.m. today at the Adult Book Store on Jacksboro Highway, about two miles north of the Lake Worth Bridge.

Staff writer Mary Rogers contributed to this report.

# Woman in custody

## dies after giving birth

BY M.C. MOEWE  
Special to the Star-Telegram

FORT WORTH — A 21-year-old Fort Worth woman died Wednesday after giving birth to a son two hours after being arrested for a parole violation.

Vallery Johnson was arrested by Fort Worth police after being accused of violating a parole order. She was arrested at the North Hills Manor Apartment, 3701 Kearney Ave., where she lived with her mother, at 9:30 a.m.

Wednesday.

Two hours later, Johnson, who was eight months' pregnant, was taken to John Peter Smith Hospital, police said.

She died at 4:50 p.m., Sheriff Don Carpenter said.

Johnson died after a brain hemorrhage but Tarrant County Medical Investigator R.O. Medford said the cause of the hemorrhaging is not yet known.

"There was no trauma involved," Medford said. "This will be a natural death. Something caused that vessel to burst but we don't know what it was," he said.

But, doctors were able to save her baby boy, her sixth child, through an emergency Caesarean section, said Jerry Wright, a hospital spokesman.

The as-yet unnamed 2-pound infant was in critical condition yesterday at John Peter Smith hospital.

"It's a miracle baby," said Wynema Johnson, Vallery's mother. "Because the doctors said she was brain dead and she wasn't breathing."

Carpenter said Vallery Johnson was turned over to the county jail by city officers 34 minutes before she was taken to the hospital.

The jail doctor and nurses examined Johnson and decided she should be sent to the hospital, he said.

"I'm confident my people did everything they could," Carpenter said.

"She was in pretty bad shape when she was brought in," he said.

Wynema Johnson said police told  
(More on BIRTH on Page 22)

her that her daughter had been complaining to officers of headaches.

"I was told that the police told her they couldn't give her nothing for her headaches," she said.

Vallery Johnson had been complaining of the headaches for the last few months and had a cold, but had not been to a doctor for more than a year, her mother said.

The arrest report filed by Officer D.S. Meza said nothing of Vallery Johnson being ill or complaining of headaches, said M.C. Slayton, city jail supervisor.

"Only that she was eight months pregnant," Slayton said.

Once a prisoner is handed over to the sheriff's department, they become the county's responsibility, Slayton said.

According to the arrest report, Meza woke Vallery Johnson up at 9:30 a.m. Wednesday to arrest her.

Meza had been trying to serve the warrant since Jan. 5. He received a tip in January through a Crime Stoppers informant that Vallery Johnson had been seen climbing out her apartment window to avoid police.

The arrest report did not say what Vallery Johnson was on parole for. However, Wynema Johnson said her daughter was on parole after being convicted in 1987 of aggravated assault. The younger Johnson had stopped meeting with her parole officer.

"She got to the point that she didn't care," Wynema Johnson said.

Wynema Johnson said she took care of four of her daughter's children — Damion Johnson, 6, and Anthony Johnson, 4, Nicole Johnson, 7, Ashley Johnson, 3 — while their mother was in prison.

A cousin took care of 2-year-old Alicia Johnson, she said.

Vallery Johnson was born in Fort Worth and attended Washington Heights Elementary and North Side High School.

A review of what happened will be done by the Sheriff's Department, after the medical examiner's report is finished, Carpenter said.

# Klan chiefs say pair weren't pressured to join

BY THOMAS KOROSEC  
Fort Worth Star-Telegram

FORT WORTH — Two Ku Klux Klan leaders yesterday challenged the contentions of two former Tarrant County Sheriff's Department employees that they were pressured or lured into joining the white supremacist organization.

"They're just trying to get their backsides off the hook," said Bill Walton, an Arlington resident and leader of a Fort Worth-Dallas Klan faction. "Don't believe them for a minute."

David White, who was dismissed nine days ago from his job as a dispatcher, has said Klan recruiter Timothy Hall was so ardent that he filled out an application just to get Hall off his back.

Another fired employee, jailer Kay Moore, has said she was lured into joining the Klan by Hall's offer of cut-rate cigarettes from the Carswell Air Force Base post exchange. Hall has been a sergeant with the base's 7th Security Police Squadron.

Hall, through a representative, also disagreed with White's and Moore's contentions.

Mike Holloway, director of the Houston-based Patriot's Defense Foundation, said: "Airman Hall vigorously denies all allegations of pressuring former Deputy White or former Deputy Moore into joining the Klan. These allegations can be explained by the predicament that they find themselves in, their need to curry



Mike Holloway: His group is representing 3 airmen

favor."

In addition to issuing Hall's denial, Holloway, speaking at a news conference at the Holiday Inn on University Drive, said his group is representing Hall and two of the four other airmen who are being given involuntary administrative discharges from the Air Force after being investigated for Klan involvement. Holloway refused to name the two other airmen and backed away from a statement he made Thursday that the group is representing Sgt. Mike Saylor.

The airmen had been expected to appear, but they chose not to while their discharges are pending, Holloway said.

Holloway and Kirk Lyon, the

group's attorney, said they will take up legal representation of the three after what they predicted would be the airmen's certain discharge "Tuesday or shortly thereafter."

Capt. Barbara Carr, Carswell's chief of public affairs, said a decision in the airmen's cases could come as early as Wednesday. The airmen have until the close of business Tuesday, she said, to challenge their discharges and a decision "could come pretty soon after that."

Lyon said the three airmen his group represents have formally rebutted their discharges on the grounds that they have a right to associate with the Klan.

The five discharges are being pursued under authority of a 1986 military directive stating personnel must "reject participation in organizations that espouse supremacist causes [and that] attempt to create illegal discrimination based on race, creed, color, sex, religion or national origin."

Holloway called the regulations vague and said: "The Air Force nor any of the armed forces are allowed to be the sole arbiter of permissible thought for its servicemen."

"Now because of political expediency, media hype and bureaucratic overreaction, these men have seen their careers destroyed and their families thrown into a tempest," Holloway said.

"The very name Ku Klux Klan conveys extremely loaded images to the

average American," Holloway said. "This media-distorted popular image has reached a point where somehow Klansmen belong to a criminal organization per se and have no rights that government or society is bound to respect."

Holloway's organization has been closely tied to various white supremacist groups, but he has said he is not a Klan member.

He described the Klan as a "non-violent, white, self-interest fraternal organization whose exclusivity is no different than acceptable groups such as the Masons, fraternities or sororities on college campuses, private all-white country clubs and the Daughters of the American Revolution."

Walton, who was questioned at a Klan anti-smut demonstration at an adult bookstore earlier in the day, said the group is "not involved in criminal activity."

Eight Klan members, four in white or black-hooded robes, attracted several dozen onlookers as they picketed the bookstore on Jacksboro Highway in northwest Tarrant County.

The two-hour demonstration, described by Klan members as a protest against what they called pornography perverts and homosexuals, was peaceful but not without incident.

At one point, the occupant of a passing car exposed himself to the picketers. Two sheriff's deputies chased and caught the man and issued him a Class C misdemeanor citation.

# KKK stars in theater of absurd



**STEVE BLOW**

OK, you crazy, pointy-headed Ku-Kus, I'm warning you. This cream pie is loaded.

It was about this time last year that I went to a Ku Klux Klan news conference and decided that the

only way to deal with these dimwits is humor.

If grown men want to put on pretty white dresses and march around in public, let's just call it a clown parade and enjoy the show.

Maybe you remember that last meeting. I had never seen such a display of low-voltage thinking. The first person I met was introduced as the "Exalted Cyclops."

I couldn't quite believe my ears, so I asked him to spell it. Bless his heart. "Uh . . ." he stammered.

The poor Exalted Cyclops finally had to dig his official Cyclops ID card out of his wallet and read me the spelling.

The Kluxers had planned a recruiting drive then but decided it was too darned cold. So they settled for a less strenuous news conference.

I heard later that the KKKooks were so irritated by my teasing that they thought for a while of paying me a "midnight visit." I figure they just didn't want to stay up that late.

I hadn't heard much from the Klan since then. Foolishly, I had thought that last shot of seltzer up their sheets might have persuaded them to be goofy in private.

But no. Grab the cream pies, the clowns are back.

## In the defense department

Apparently they were busy recruiting new nitwits in the Tarrant County sheriff's office and the Air Force. Two deputies and five Carswell security officers have been booted for alleged Klan involvement.

The Ku-Ku at the center of this deal is one Tim Hall, an Air Force sergeant who was a security officer and reserve deputy sheriff. In the Klan, he's known as Kleagle J.D. Calhoun.

Did you see his defense? "I believe you can be a good citizen and a good Klansman as long as you don't mix the two."

Um, that's real good, Tim, or J.D. Do you renounce your citizenship on weekends?

The two deputies now claim they were sort of tricked and badgered into joining the Klan.

Well, now, that's a mistake anyone could make. Fill out a form, offer a solemn pledge and, wham, you discover you've accidentally joined an infamous cross-burning white-supremacy hate group.

Oh, THAT Ku Klux Klan. You can imagine their embarrassment. Maybe they were thinking of the Triple-A.

I called Bill Walton, the KKK Grand Dragon. He was thrilled to hear from me again.

"Our girls wanted us to go hang you after that last deal," he said. "I told them, 'No way. If that dude gets hurt, they'll come kicking in our doors.'" (He's right, girls. Think of your doors.)

Mr. Walton said the KKK has come a long way since last year. An Exalted Cyclops is now required to spell it before getting the job, he said.

## A discriminating issue

The really rich part of the latest brouhaha is that the fired Klan members claim they are victims of discrimination. Oh, poor babies.

"Sure it's discrimination," Mr. Walton said. "Are you going to tell me that if a nigger, spook, spear chucker, porch monkey or whatever you want to call 'em . . ." (Isn't this fellow a prince?) " . . . got fired for belonging to the NAACP, he wouldn't jump up and cry discrimination?"

I pointed out that the Klan has more than 100 years of criminal history behind it. "What we did in our past, they can't judge us for now. I wasn't there," he said. "Since I took over as Grand Dragon in Texas back in September of '88, we haven't done one thing illegal. Period."

Now there's a record to be proud of — almost two whole years without a crime.

If Mr. Walton is so proud of his KKK leadership, you would think he might use his real name.

He was agitated when I asked about that. "That is my name," he insisted. "I'm not going to show you my birth certificate just to prove a point, but I know what my mama named me."

And so do I — William Benton Latham. But they called him Billy.

It's odd. Just a few weeks ago Carswell Air Force Base made news for kicking out homosexuals. The Klan was all for it. Now it's KKK members who are out.

Gays and the KKK. Such strange bedfellows.

# Firings for Klan ties not unique

## Law officers lost jobs in 6 other incidents

By Selwyn Crawford

Fort Worth Bureau of The Dallas Morning News

FORT WORTH — The three Tarrant County sheriff's deputies fired last week because of their membership in the Ku Klux Klan are widely believed to be the first Texas officers to lose their jobs because of their involvement, but national Klan experts said the cases are not isolated.

Since 1978, there have been at

## Lawyer looks to right. 24A

least six other documented cases nationwide of Klan members working for law enforcement agencies. In each of those cases, the Klan members eventually were fired.

"That stuff went out a long time ago," Tarrant County Sheriff Don Carpenter said after he dismissed reserve deputy Timothy Hall, jailer Kay Moore and dispatcher David White. "If it didn't, it should have."

Klan observers stress that the problem of police officers' being members of hate groups is small and even decreasing, much like Klan membership nationwide.

National estimates tallied by the Anti-Defamation League of B'nai B'rith show Klan membership in recent years peaked at 11,500 in 1981, but declined to 5,500 in 1988, the last year for which figures are available.

Observers say that even one Klan member in a police or sheriff's department can represent a menace.

# Carpenter commended for firing hate group members

Among other cases collected by the Southern Poverty Law Center:

■ William Baker, a Baldwin, Miss., police officer, who was fired after attending a Klan rally in Tupelo, Miss., wearing a Klan robe over his uniform;

■ Joyce Colwell, a Middletown, Ohio, police trainee who was fired for lying to the police chief about her Klan connections;

■ Robert McMullen, a Duval County, Fla., civilian sheriff's employee who was fired in January 1982 when it was discovered that he was a Klan official;

■ Robert L. Morris, a sergeant in the Prichard, Ala., Police Department who was fired in September 1982 for helping place Klan signs along a Mobile, Ala., street;

■ Thomas Herman, a part-time officer in the Exeter, N.H., Police Department who was fired last year for his alleged involvement with the Klan. He was later reinstated.

Despite the six documented cases of Klan membership, Mr. Welch labeled as "propaganda" a Klan publication that reported that the Klan has extensive police contacts.

But Morris Dees, chief trial counsel for the law center, said that police departments do have an attraction for hate group members and sympathizers.

"You have a lot of hostility going on, particularly in your larger police departments where you've got affirmative action plans," he said.

In a 1985 case that may have some bearing on the Tarrant County firings, the 11th U.S. Circuit Court of Appeals upheld a lower court ruling that a Florida sheriff's department was within its rights to terminate an employee who admitted being a member of the Ku Klux Klan.

The court ruled that law enforcement officials were held to a different standard from the general public, or even members of other branches of government.

The "public makes no distinction in its perception of the Klan as a . . . small group of violent extremists who are imbued with fanatic

dedication to racist ideas," the appellate court ruled. The court also said that law enforcement officers "are subject to greater First Amendment restraints than most other citizens."

Law enforcement advocates say they will continue battling the Klan and other hate groups.

An International Association of Chiefs of Police committee is looking at the causes of racially motivated violence and working on remedies, said the group's president, Charles A. Gruber. The committee's report is due in October.

Law enforcement officers are to "enforce the laws of the state and municipality in which they live," said Chief Gruber, head of the Shreveport, La., police department. "When we have any kind of racism, we detract from the public trust that is given to us. There has been a tremendous upswing in racial violence in America and we (police officers) need to find out what we can do about it."

Ron Hampton, executive director of the Washington D.C.-based National Black Police Association, and an 18-year veteran of the Washington, D.C., police department, said Sheriff Carpenter's actions should be commended.

"They (Klan members) really have no place in law enforcement," he said.

Mr. Hampton said his organization is concerned about cases such as the one in Tarrant County because "It could exist on any police department," even the Washington force, which is 55 percent black in a city that is more than three-quarters black.

"We're into our third black chief now, and we're still dealing with rednecks," Mr. Hampton said. "I'd be naive to think that they're not here. Remember, we're only 25 years away from the time when black police officers (in Washington) couldn't ride in police cars with white officers or lock up white people."

Bud Meeks, executive director of the National Sheriffs' Association, also praised Sheriff Carpenter, say-

ing he "did what he had to do."

Sgt. Hall listed membership in the Sheriffs' Association on his application to the Tarrant County Sheriffs' Department, but Mr. Meeks said membership records list no Timothy Sherman Hall.

"If you talk to him, tell him not to apply," Mr. Meeks said.

Klan experts acknowledge that it would be almost impossible to weed out every hate group member from all law enforcement departments. But they are quick to insist that the

problem is not widespread. They say the public should not view all police officers — especially Southern ones — as Klan members or sympathizers.

"I know a lot of Southern police officers who would have no problem arresting anyone in the Ku Klux Klan who broke the law," said Mr. Teitelbaum of the Anti-Defamation League. "My advice to the public is not to tar and feather everyone who wears a (police) uniform just because of a racist few."

Mr. Briskman acknowledged that the immediate feelings of shock and the fear that the sheriff's department was full of Klan members is a perception caused more by historical racial concerns rather than by reality.

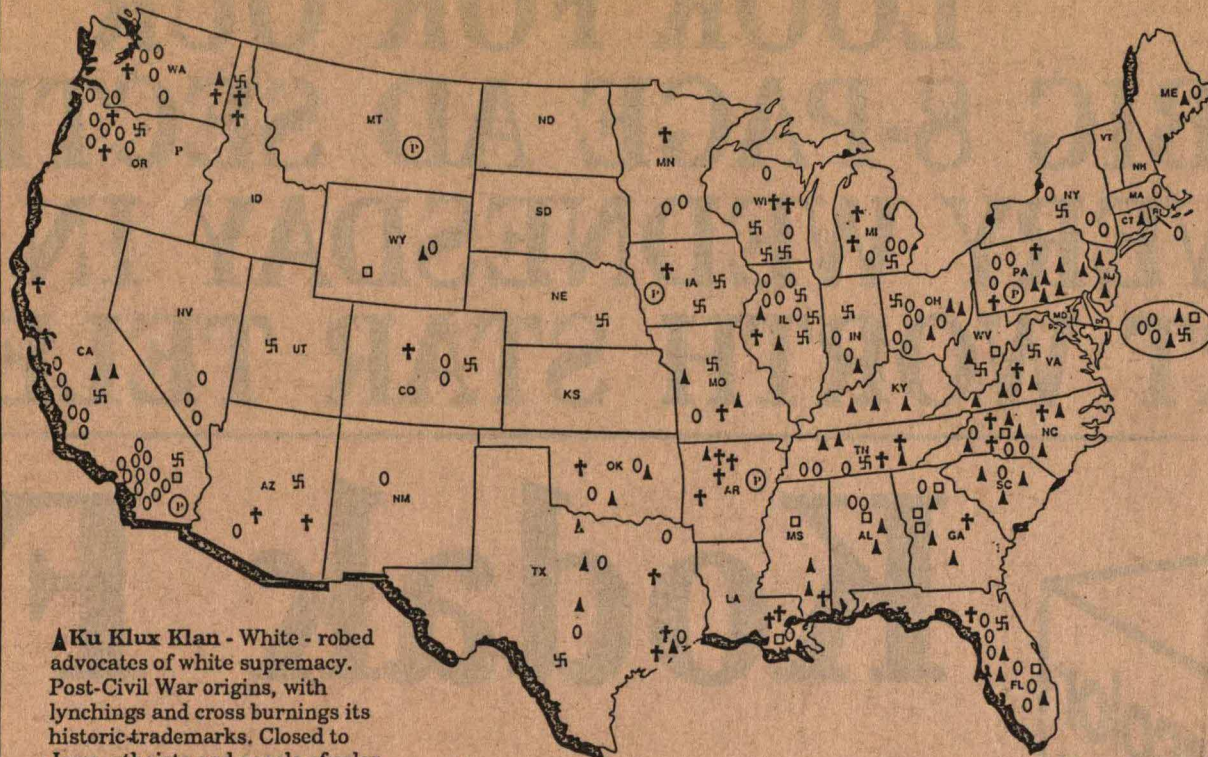
But at least one Dallas resident apparently doesn't share Mr. Briskman's concern. He wrote a letter to Sheriff Carpenter, saying it was a "shame that you would be a party to the repression of the white race and an instrument to quell the voices of dissent."

Sheriff Carpenter did not reply.

Staff writer Lee Hancock contributed to this report.



## Partial list of white supremacist groups in the U.S. — 1989



▲ **Ku Klux Klan** - White-robed advocates of white supremacy. Post-Civil War origins, with lynchings and cross burnings its historic-trademarks. Closed to Jews, atheists and people of color.

† **Identity** - Church groups preaching that Jews are children of Satan and WASPs are the children of God. Forecast racial war.

卐 **Neo-Nazi** - New-age idolizers of Adolf Hitler.

Ⓟ **Posse Comitatus** - Members believe government authority should stem from the county sheriff. Practice survivalism, paramilitary training and Identity beliefs.

□ **Skinheads** - Racial hatred is their ideology and violence their sole tactic.

○ **Other** - Aryan Nation, Order, Separatists or Nationalists, Confederate National Congress, League of Peace Amendment Advocates, Mountain Church, Third Position or Aryan Socialism, Covenant, Sword and Army of the Lord, Fifth Era Klansmen, Populists.

SOURCE: Klanwatch

Briskman said Walton's group has only six active members. Walton will not disclose his membership but says his enrollment exceeds Briskman's estimate.

"This [the recent publicity] hasn't hurt membership. We installed three last night. We're growing," Walton said. "They [the Anti-Defamation League] would love to think that" the Klavern's numbers are that low.

In Pasadena, Charles Lee leads the Knights of the White Camellia of the Ku Klux Klan. That chapter has marched in Austin, Dallas, Houston and San Antonio.

In 1983, when Lee's followers marched in Dallas, they put 61 people on the street. They were recruited from throughout Texas and parts of Louisiana, Briskman said.

A third, fledgling Klavern is the Waco Knights of the KKK. Michael Lowe is the Exalted Cyclops of the chapter, which has been feuding with Walton's for members.

Lowe's chapter has a handful of members, most of them from around Waco, Briskman said.

The Waco Knights have been mailing letters to businesses since 1987, chastising them for purchasing newspaper advertisements honoring Martin Luther King Jr.

This year, the group sent letters to Waco homeowners urging them not to sell their homes to non-whites. The letters blamed minorities and homosexuals for many of the nation's problems.

Briskman said Lowe is an intelligent individual who is somewhat charismatic and who uses more mainstream arguments — such as the economic effects of undocumented aliens — to attract members.

"That would be someone I would be concerned about and watch," he said.

Yet, Briskman and Klanwatch, a division of the Southern Poverty Law Center, say anyone watching the Klan should not be concerned about how many members there are, but about

what they can do.

Most Klan members are former military men, well-versed in weaponry and commando techniques, observers say.

"The real issue and proper focus is not that they are not growing — it is their potential for violence," Briskman said.

Their infiltration of law enforcement agencies is particularly troubling because law officers carry guns and have access to sensitive information, said Danny Welch, chief investigator for Klanwatch.

"The scary aspect of it with law enforcement is that white supremacists have a strong belief and strong dislike of anyone who is not white," he said.

"If I was a minority, it would be a scary situation. They have just cause to be alarmed."

Staff writers Bob Mahlborg and Holace Weiner contributed to this report.

# FW Klan dismissals unusual but not without precedent

Kirk D. Lyons, head of the Patriots Defense Foundation, based in Houston, which is representing one of the fired Tarrant County deputies, said the uproar created by the firings could be dangerous.

"I think it could very well start a witch hunt, which could be damaging to the morale of the law enforcement departments across the country," he said. "Unless there is a clear and present danger of a civil rights violation or a criminal act, it's none of the police department's business."

Mark Briskman of Dallas, the regional director of the League, raised an often-voiced concern about Klan members in law enforcement.

"A Kluxer on a police department is a problem because they've got access to levels of information that the average person does not have," he said. "And what do they do with that information? You can bet they use it for Klan purposes."

Most opposition to extremist

"I'd be naive to think that they're not here. Remember, we're only 25 years away from the time when black police officers (in Washington) couldn't ride in police cars with white officers or lock up white people."

— Ron Hampton,  
National Black  
Police Association

group members in law enforcement may be based on that fear of access to information, said Danny Welch, chief investigator with the Southern Poverty Law Center, an organization based in Montgomery, Ala., that offers legal assistance in civil rights cases.

"To us, it's a simple fact that a man that subscribes to white supre-

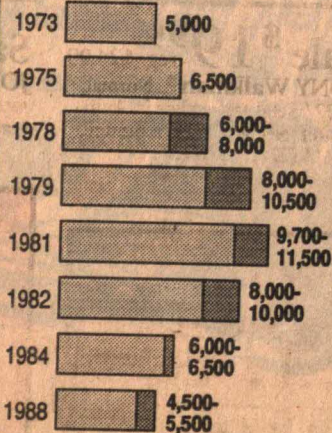
macist beliefs could never enforce the law without bias," Mr. Welch said. "And no doubt, he would have access to confidential records kept within the police department . . . that could be put to use by a hate group."

Mr. Welch recounted a case involving preparations for a civil rights lawsuit in Louisville, Ky., where investigators learned that Jefferson County police officer Alex Young, leader of a Klan group known as the Confederate Officers Patriot Squad, or COPS, had used the police department's criminal information computer for non-police activities.

## KU KLUX KLAN MEMBERSHIP



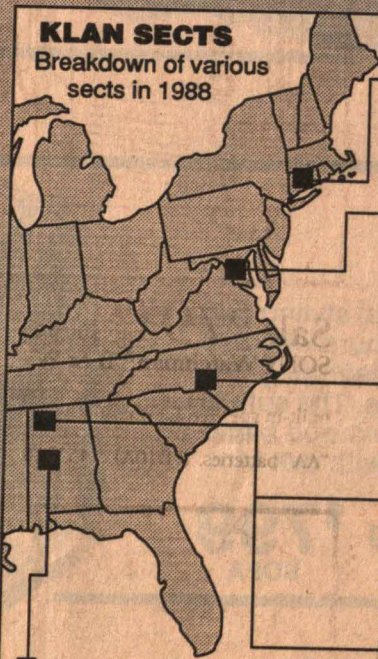
### MEMBERSHIP IN THE U.S.



SOURCE: B'nai B'rith Anti-Defamation League

### KLAN SECTS

Breakdown of various sects in 1988



■ Members with no affiliation: 300-450

■ Invisible Empire Knights of the Ku Klux Klan

Imperial Wizard: James Farrands  
Members: 1,500-2,200  
Headquarters: Shelton, Conn.

■ Democratic National Front

Imperial Wizard: Gary Gallo  
Members: 250-300  
Headquarters: Montgomery County, Md.  
(Merged in 1987 with Southern National Front that was based in Angier, N.C.)

■ Christian Knights of the Ku Klux Klan

Imperial Wizard: Virgil Griffin  
Members: 200-500  
Headquarters: Mount Holly, N.C.

■ Knights of the Ku Klux Klan

(Don Black faction)  
Imperial Wizard: Don Black  
Members: 250  
Headquarters: Tuscumbia, Ala.

■ Knights of the Ku Klux Klan

(Tuscumbia faction)  
Imperial Wizard: Stanley McCollum  
Members: 500-750  
Headquarters: Tuscumbia, Ala.

■ United Klans of America  
Imperial Wizard: Robert Shelton  
Members: 1,500  
Headquarters: Tuscaloosa, Ala.

# Four airmen

## Action taken on fifth man

BY MAX BAKER  
Fort Worth Star-Telegram

FORT WORTH — The Air Force drummed four security police officers out of the military service yesterday, capping a 10-day investigation regarding their active involvement in the Ku Klux Klan.

A spokeswoman at Carswell Air Force Base said the four airmen, who were not named because of statutory confidentiality requirements, accepted the discharges voluntarily.

Capt. Barbara Carr, base spokeswoman, said a fifth man involved in the investigation had planned to fight the discharge but dropped his appeal late yesterday afternoon. Carr said final action regarding that airman's discharge will be completed within a few days.

"Late this afternoon he decided to drop his appeal, and now his paperwork will continue the process," Carr said.

"When we are talking about his paperwork being finished in the near future, we are talking the next few days."

Under the federal Privacy Act, Carswell cannot release the names of airmen discharged or of the one whose discharge is pending, Carr said.

However, Sgt. Tim Hall has admitted to being a Klan recruiter, and last week he hired a Houston law firm with ties to the white supremacist movement to defend him.

Neither Hall nor his attorneys from the Patriot's Defense Foundation could be reached for comment yesterday.

Bill Walton, an Arlington resident and the grand dragon of the Texas Knights of the KKK, yesterday said the discharges were unfair.

"That's not right. You can be a member of anything in the world — the Communist Party, the Nazi Party — but the Klan is as American as you can

# discharged

## Klan

From Page 11

get and you can't belong to it," Walton said.

Walton said yesterday that he could not say why the airmen are not fighting their discharges. The Klan said Saturday that three of the five would be fighting the discharges.

Hall also was dismissed from his position as a reserve deputy at the Tarrant County Sheriff's Department for his Klan activities. He and two other department personnel lost their jobs because of Klan associations.

Yesterday, Charlyn "Kay" Moore, a former Sheriff's Department jailer, filed her appeal with the Tarrant County Civil Service Commission. She has said she was lured into the Klan by Hall's offer of cut-rate cigarettes.

David White, a former dispatcher, filed his appeal Friday. White has said he joined the Klan under extreme pressure from Hall.

Moore has asked that her review be private, said Gerald Wright, county personnel director. White has asked for an open hearing, said his attorney, Jack Strickland.

"I think everyone's situation is different, and none of them are that compelling. But his [White's] is less obnoxious," Strickland said.

White was associated with the Klan for only a short time. He has said that he made a "terrible error in judgment" and that he never paid the initiation fee or attended meetings.

Moore, however, was initiated into the Klan and at Hall's request wrote a racist poem that forecast a race war and

compared Martin Luther King Jr. to Adolf Hitler.

Personnel Director Wright said the civil service commission will decide within a few weeks when it will conduct hearings on Moore's and White's dismissals.

Hall, a reserve deputy, is not protected by state civil service laws.

The airmen dismissed from the Air Force yesterday received general discharges for misconduct.

Although membership in the Klan does not violate Air Force regulations, there are restrictions against active participation in supremacist causes or attempting to create illegal discrimination.

Active participation includes publicly demonstrating or rallying, fund raising, recruiting and training members, organizing or leading, say Air Force regulations.

All of the airmen's discharges have been reviewed, or will be reviewed, by Carswell's legal department and a discharge authority, Carr said.

In this instance, the discharge authority is Carswell's top officer, Wing Commander Col. John Sams, Carr said.

The Anti-Defamation League and Klanwatch, a division of the Southern Poverty Law Center, two groups that monitor the Klan, say these dismissals are the first since a 1986 directive banning active involvement.

That directive followed the discovery of Klan members at Camp Lejeune, a Marine base, and Fort Bragg, an army base, in North Carolina.

Most of those soldiers were discharged after it was determined that they were engaged in paramilitary training of members of the Carolina Knights of the KKK/White Patriot Party.

# Klan

From previous page

from his job as a reserve deputy at the Tarrant County Sheriff's Department, also disputed allegations that he coerced fellow county employees into joining the Klan. His firing by the county led to the revelations that brought about his military discharge.

Former Sheriff's Department dispatcher David White and jailer Charlyn K. "Kay" Moore are appealing their dismissals to the Tarrant County Civil Service Commission. Both said Hall badgered them into joining the infamous fraternal organization.

"No one put a gun to her [Moore's] head and no one forced her to join," Hall said. "I didn't cost them their jobs. They joined of their own free will."

Hall; Airmen 1st Class Daryl Wayne Davoult and Ronald A. Kennedy; Sgt. Mike Saylor; and one other airman were discharged, Carswell officials

Force about a year and a half. He is married and his wife, Melissa, 19, is expecting their first child.

He said he did not participate in any of the Klan's rallies or protests.

"Yes, I am a member of the Klan," Davoult said at a news conference at the Federal Building in downtown Fort Worth. "I am loyal to the Air Force and I have done my job."

Kennedy was not available for comment. He is single, in his early 20s, and served in the Air Force for about a year and a half, Lyons said.

Although membership in the Klan does not violate Air Force regulations, restrictions prohibit actively participating in supremacist causes or attempting to create illegal discrimination.

Active participation includes attending public demonstrations and rallies, fund-raising or recruiting and training members. A Defense Department order addressing this issue was adopted in 1986.

# Ex-guard pledges to file suit

BY MAX BAKER  
Fort Worth Star-Telegram

FORT WORTH — A former Carswell Air Force Base security police officer, discharged yesterday for his ties to the Ku Klux Klan, said he did not violate government regulations or force anyone to join the organization.

Sgt. Tim Hall, 25, who acknowledges being in the Klan since December, received a general discharge for misconduct late yesterday afternoon because of his active involvement in the KKK.

Hall, along with two of five airmen dismissed for their Klan ties, has pledged to sue the government to overturn the policy that led to their dismissals. They also plan to seek damages and reinstatement to the service.

The men violated regulations that prohibit attempting to create discrimination and participating in supremacist causes, Carswell officials said.

Hall said he knew of the Air Force restrictions against the organization and was careful not to violate them.

"I'll be the point man who will set a precedent in this country with this case," said Hall in a news conference shortly after his dismissal. "There isn't anything wrong with being a member of the Ku Klux Klan.

"It is ironic that you can be in the military and be asked to die for the rights that you are being denied."

Hall, 25, said that he never recruited any Klan members while on duty at the air base — where he had secret clearance and patrolled the flight line — and that he never advocated prejudicial actions or overthrow of the government.

The Klansman, who was also fired  
(More on KLAN on next page)

after KKK  
investigation



Thomas Windham: Says he doubts that police employees are in Klan

## Police told to avoid Klan role

BY MICHAEL PHILLIPS  
Fort Worth Star-Telegram

FORT WORTH — In a sternly worded missive to all 1,120 employees in his department, Fort Worth Police Chief Thomas Windham says membership in the Ku Klux Klan or other groups that preach "hatred or isolation" will not be tolerated.

Reacting to recent revelations about Sheriff Department employees who were members of the Klan and to rumors of Klan infiltration into other law enforcement agencies, Windham wrote that any such affiliation by his officers would violate his department's code of ethics and its general orders.

Although the memorandum did not say explicitly that offending officers would be fired, Windham, known to be

(More on WINDHAM on next page)

## Windham

From previous page

a stickler for rules, wrote that membership in the Klan or other such groups would be "in direct conflict with the democratic principles we are sworn to protect."

"Although I would be very surprised that any employee of this department would even consider involvement in such an organization, it might be considered appropriate at this time to remind ourselves that we have a code of ethics and General Orders which would make such involvement ethically improper," Windham wrote in the memo sent Wednesday to all 970 Fort Worth police officers and to the department's 150 civilian employees.

"The Fort Worth Police Department cannot and will not permit membership or active participation by any employee in an organization devoted to the hatred or isolation of a group based on race, gender, religion, ethnic background, national origin, culture or lifestyle," the memo says.

In Arlington, police and city officials said yesterday that their policies do not permit Klan membership. But Deputy Police Chief Mike Heidingsfield said that the Police Department is reviewing its written policies to see if wording changes are needed to make the policy clearer.

And Arlington Assistant City Attorney Bob Diaz said, "We're looking at policies in existence in other jurisdictions, and we may look at variations of the Air Force's policy to see if that may be a supplement to the policy we use."

The Arlington police policy prohibits officers from belonging to organizations that advocate the overthrow of the government by force or violence or that advocate the denial of constitutional rights, Heidingsfield said.

"We want to make it as clear as possible that membership in such an organization is unacceptable," Heidingsfield said. "If we were to discover that someone had violated this, we would act accordingly with discipline and terminate the employee."

Windham was not available for comment yesterday. Department spokesman A.J. Allcon said that although there is no evidence that any member of the Police Department belongs to the Klan, the memo was a timely clarification of department policy, given recent events.

"There were a lot of rumors and implications that there were Klan members in law enforcement agencies," Allcon said. "There was nothing in general orders that specifically addresses membership in the Klan, but clearly it is prohibited. This memo was to clarify that."

Tarrant County Sheriff's Department Reserve Deputy Tim Hall said after he was fired two weeks ago that many other law enforcement officials in the area are members of the Klan.

Hall, a 25-year-old Air Force sergeant, also was dismissed from his job as a Carswell Air Force Base security police officer.

Four other airmen who served as security officers at the base and two other Sheriff's Department employees also were fired for Klan membership after the revelations about Hall.

Hall operated under the alias J.D. Calhoun while serving as Kleagle of the Invisible Empire of the Knights of the Ku Klux Klan and was a recruiter for the hate group.

"There are many officers throughout the Metroplex who are affiliated with this particular Klan," Hall said in a statement given to Sheriff's Department investigators.

Hall also told Sheriff's Department investigators that the Grand Dragon of the local Klan had also made inroads in the Denton County Sheriff's Department.

Windham stressed in his one-page memo that he doubted that any members of the Police Department had been recruited into the organization.

Staff writer Mary Doclar contributed to this report.



Special to the Star-Telegram/BUBBA FLINT

## LETTERS TO THE EDITOR

### Point of affiliation

I wish to make a clarification and correction of one point mentioned in the story concerning me and my *former*, regrettable affiliation with the Ku Klux Klan. ("Smoking habit started ex-jailer's trail to Klan's burning cross," Feb. 16)

Your story implied that my purpose for joining the Klan was for advancement in the Tarrant County Sheriff's Department. This is *completely* untrue, and the quote you used was taken *grossly* out of context. As I told your reporter Hollace Weiner, my purpose for attending the *Sheriff's Academy* was for advancement in the department. While attending the academy, I had the misfortune to meet and be recruited into the Klan by Tim Hall.

The sheriff's department has extended every possible courtesy to me during this unfortunate incident. Now that I have seen the true nature of the beast (the Klan), I'm convinced there is not room in the law enforcement profession for any member of such a detestable group.

—Kay Moore  
Fort Worth

### Klan members knew better

What's all the hubbub about the Air Force personnel getting discharged? Why are they wasting everyone's time over this "violation of their rights" stuff? Common sense tells people whether something they do is right or wrong. It also tells people if their off-duty affiliations are compatible with their career and home life.

Don't tell me these people didn't know better. Did they tell their families they joined the Ku Klux Klan? I doubt it. And why not? Could it be that they knew it would look bad and that their families wouldn't approve?

All this looks like to me is that people being held accountable for their actions and decisions. It looks like these people broke their oath of allegiance to what they swore they'd uphold, and now they have to pay for it. I thought that was justice. No one forced them to take an oath; they signed of their own free will. It looks very simple to me.

—Rebecca Robison  
Fort Worth

### Evil in darkness

I never thought I would agree with Katie Sherrod about anything, but I totally agree with her well-written Feb. 14 column, "Light that makes goodness grow makes evil shrivel." The secretive and dark world of the Ku Klux Klan is built on a foundation of hatred that translates into evil. It cannot survive under the bright lights of truth and justice.

Maybe some day Ms. Sherrod will do some soul-searching and ultimately realize that the same truth applies to the dark, secretive world of abortion. Would pro-choice advocates such as Ms. Sherrod stand still for newspapers to publicize on a daily basis the names, dates and places of all those involved in abortions? No, they would claim right to privacy as would the "slugs that live under rocks" and hate the light.

—Milton Bullock  
Arlington

## 'NOTHING WRONG' WITH BEING IN KLAN



Fort Worth Star-Telegram / BEATRICE TERRAZAS

Timothy Hall, right, talks to reporters last night accompanied by his attorney, Kirk Lyons

# Discharged airman fights

FW STAR-TELEGRAM  
TUESDAY P. M.  
27 FEBRUARY 1990

# Jailhouse rock

## 'Fun' night in the slammer would show off new 14-story county jail — for a price

BY BOB MAHLBURG  
Fort Worth Star-Telegram

FORT WORTH — After years of headaches struggling with lawsuits and overcrowding in Tarrant County jails, County Judge Roy English says it's time to have a little fun in the slammer.

In true Randy Quaid spirit, English announced yesterday: "We're havin' a party." For one night, before the 14-story down-

town jail opens as a holding facility, English wants to rent out the cells to the public for a Texas-size overnight jail party, complete with food and music.

"It would just be a fun deal," said English, who said that overnight guests might pay as much as \$100 for the experience. "So much of the business of government is so serious. For one night, we've got a 1,440-bed hotel."

The party could show off the new jail to the

curious public and raise money for a worthy cause, he said.

"If you could fill it for \$100 per person, that's \$140,000. But I'd like to charge less."

The money could be donated to a charitable cause, such as the homeless or a planned sculpture honoring slain police officers, he said.

A jailhouse party in Flint, Mich., in which lavishly dressed society types toasted champagne and danced in jail cells, was lampooned

in the recent film, *Roger and Me*. English said he hasn't seen the film but he's heard of jail parties elsewhere and thinks they sound great.

English said he hasn't thought through details of the local event, but he expects special invitations for business and community leaders. For an extra fee, English added, people could "lock up" someone else for the night — perhaps their boss or a political opponent.

"I want to stay with the sheriff," Commis-

sioner Dionne Bagsby said jokingly. "He's going to have the keys."

Bagsby, an avid fan of '60s Motown and rock music, suggested a *Jailhouse Rock* theme.

Sheriff Don Carpenter said he would not attend the party, but he likes the idea of showing off the new building.

"Everyone wants to know what a jail looks like," he said.

Back to you later with more details.



# Jailhouse rock

## English's party idea may be a winner

Courthouse regulars sometimes have referred to the county jail as the Hoosegow Hotel. That name might turn out to be more accurate than they have imagined.

County Judge Roy English, who, along with other county officials, has wrestled for years with jail crowding, wants to toss an overnight, Texas-size party in the county's new downtown jail when it is completed. One idea is to turn the jail into what amounts to a 1,440-bed hotel and rent space for a night to fun-seeking, charity-minded people.

Why not? For a fee, people could see firsthand what they have bought with their bond money. With friend and foe

alike locked up for a night, they could dance and eat, whoop and holler and kick up their heels.

Money raised at the party could go to worthy causes. Assistance programs for crime victims should be chief among them.

Such a jailhouse rock could bring a little levity to the otherwise serious, costly business of fighting crime and incarcerating criminals.

With a little luck, partygoers might even get a glimpse of the infamous jail commissary, a.k.a. the Banana Wagon.

Besides, the party would be in the safest place in town.

Let 'er roll, Judge Roy.

FW STAR-TELEGRAM  
MONDAY P. M.  
05 MARCH 1990

## Making the new jail work

During county jail budget deliberations, jail Administrator Bill Broome demonstrated by his statements that he does not understand the direct-supervision method of prisoner management. This is a surefire recipe for disaster because the new county jail under construction is being built in a way that allows only the direct supervision method.

Direct supervision is a prisoner-management system that requires a very strict code of prisoner behavior enforced with progressive sanctions; architecture allowing line-of-sight observation of every inmate in each day area, single cells and minimal movement of prisoners outside of their assigned cellblock; and close supervision of prisoners with well-trained guards who remain in control at all times. Direct supervision is now used in many jails around the country and has been found to provide better safety to jail personnel and lower operating costs. The new jail is being built with the right architecture to allow direct supervision to work, but the most critical elements — the commitment of management to making it work and well-trained jail officers — are sadly missing.

The National Academy of Corrections provides several courses for jail officers and management on how to make a direct-supervision jail work safely and economically. The academy should be contacted immediately. The new Tarrant County Jail is a scant eight months from its projected opening date. The direction now being taken will result in certain disaster unless it is altered immediately with the education of jail management and the training of jail staff.

—Clete McAlister  
Fort Worth

## Klan coverage

Your Feb. 18 front-page story "Smaller Klan remains large threat, foes say" was your best to date in your Ku Klux Klan disinformation series.

It is interesting that the *Star-Telegram* would go to the Anti-Defamation League for information about the Ku Klux Klan. The league preaches one thing in this country while Israel and the Jews practice the opposite. Further, the league never has anything to say against the radical Jewish Defense League, which has committed more violent acts in America than the KKK ever thought of. The ADL is expert at propaganda and perpetuating itself.

So, too, is Klanwatch, a project of the Southern Poverty Law Center. Attorney Morris Dee, head of the center, has grown wealthy soliciting money based on scare tactics aimed primarily at liberals and minorities, claiming that the KKK is growing and a very dangerous and real threat. Yet information the *Star-Telegram* published from Klanwatch indicates that the KKK is definitely on a fatal decline. Very interesting.

These so-called experts say anything they want, and the media report it as fact. An example from your story: "Most Klan members are former military men, well versed in weaponry and commando techniques, observers say." As a veteran, I'd like to ask you to substantiate that, please.

I am not a member of the KKK and never have been. I am just a citizen who would like to see some unbiased, honest, fair, balanced media coverage.

—G.L. Wilkerson  
Fort Worth



# Klan pickets Carswell over recent dismissals

BY R. ROBIN McDONALD  
Fort Worth Star-Telegram

FORT WORTH — Sixteen members of the Invisible Empire of the Knights of the Ku Klux Klan from three states picketed Carswell Air Force Base yesterday afternoon to protest last month's discharge of five airmen with Klan ties.

None of the airmen who were discharged participated in yesterday's protest, said Great Titan Marty Martin, who came from Yukon, Okla., to join the picket line.

Wearing white robes and hoods, Klan members straddled the road in front of Carswell's main and north gates for about three hours yesterday.

Some quietly bore the flags of Texas, the Klan, the Confederacy and the United States. Others carried signs protesting homosexuality and supporting Klan members' right to serve in the military.

There were no violent incidents or arrests.

Martin — accompanied by four Klan members from Oklahoma, including his wife, Sheryl — said he came after Texas Grand Dragon Bill Walton told him about the discharges and requested his help.

"I feel like anytime somebody can get fired for their political viewpoints, that is not what this country is all about," he

said. "The white, heterosexual male in this nation is the most discriminated man in this whole country."

Last month, the U.S. Air Force discharged the airmen, including Sgt. Tim Hall of Fort Worth, after Tarrant County sheriff's deputies learned that Hall was a Klan recruiter. After deputies identified Hall at a Klan rally in Malone, Tarrant County Sheriff Don Carpenter stripped Hall of his position as a reserve deputy and fired two other Sheriff's Department employees whom Hall had recruited for the Klan.

The Air Force later discharged Hall and four other airmen, all of whom were members of the 7th Security Police Squadron, citing a military regulation that bans participation in supremacist causes.

But yesterday, Fort Worth Klan member Wayne Bertam said: "We're not a hate group, and we are being labeled a hate group. We do have a right to serve our country, which involves military service."

Bossier City resident Wayne Pierce, Louisiana's great titan, said he and two other Louisiana Klan members joined Walton's protest at Carswell because the discharged airmen "were brothers and lost their First Amendment rights."

The First Amendment to the U.S. Constitution guarantees freedom of speech.

## LETTERS TO THE EDITOR

■ A judicial system that allows plea bargaining for rapists, murderers or any other violent criminals.

■ A judicial system that allows probation violators to continue to rape and kill because of a miscommunication between various law-enforcement agencies. (With today's communications technology, this should never happen!)

■ A judicial system that does not require criminals to serve their sentences in full. Instead, this system sets mandatory early-release dates!

■ A state Legislature and former governor who allow a pussyfooting federal judge to dictate how we should treat our criminals.

Mr. Thompson, I fail to see how one jury can make a mockery of our judicial system because our judicial system is a mockery of the word *justice*.

—Larry W. Camp  
Fort Worth

### Mockery of a farce

Concerning Bill Thompson's March 3 column about the conviction and probation of Sharon Green, I don't know how the jury could have made such a decision. I wasn't there, and I don't have all the facts. Does Mr. Thompson?

Sharon Green's probation may well have been a mockery of justice. But I can't blame the jury for this because the real mockery of justice is:

■ A judicial system that allows a jury to make such a decision.

### Waste at the county jail

The sheriff of Tarrant County, Mr. Don Carpenter, stated in the Oct. 13 *Star-Telegram* that he cannot hire qualified personnel as jail officers. The sheriff said that most applicants are illiterate. After making these statements, he proceeded to hire and train jail officers and have them commissioned by the state of Texas. Then he terminated these officers, including myself, within a 16-week period. I was hired Sept. 8, 1989, and terminated Dec. 21, 1989.

All of this was done at the expense of county taxpayers. As a taxpayer, I think that this is a blatant waste of money. At a time when taxes continue to go up, this waste should be investigated.

—Nelson F. Garland  
Fort Worth

# Getting out of jail free

Section 1, Page 14 / Fort Worth Star-Telegram / Tuesday P.M., March 20, 1990

## Jail behind schedule, commissioners told

BY BOB MAHLBURG  
Fort Worth Star-Telegram

The fears of Tarrant County commissioners were confirmed yesterday when an official overseeing construction of the new 1,440-bed downtown jail confirmed it may open five months behind schedule.

Ed Rittmayer, project manager for Gilbane Construction Co., told commissioners at their weekly meeting that weather-related delays, testing and training jail guards could push the opening date to August or September.

"I'm disappointed," Commissioner J.D. Johnson said in an interview. "I'm hoping the conversion period will not take that long."

Work on the jail, which was to be substantially completed by April, has been delayed several times. The schedule was extended again recently due to wet weather.

Commissioners yesterday also agreed to seek proposals from contractors to create space for 48 more prisoners in a converted warehouse jail. County Administrator G.K. Maenius said it will cost about \$100,000.

Sheriff Don Carpenter urged commissioners to approve the expansion. He said he is worried that state prison officials will soon reduce the 51 prisoners per week accepted from the county, which could cause new jail crowding.

Carpenter said he has received no official word of a cutback, but he is concerned because of a recent court ruling ordering the state to accept more prisoners from Harris County.

Commissioners yesterday also:

- Heard complaints that churches should not be used as polling places because the use violates the legal separation of church and state. Everett Cox and Elizabeth Hutchinson urged the use of "secular locations" such as schools.

"To ask someone to vote where the Sunday before someone may have preached a sermon against a particular position is an interference," he said.

Commissioners referred complaints to Election Administrator Bob Parten. Parten said he would consider other locations, but he stressed that political parties pick polls in primary elections.

- Agreed to borrow more than \$46 million to pay for new construction projects, land and equipment. The money will be repaid through higher taxes.

Commissioners will issue bonds to borrow about \$34 million to build a parking garage, finish the new jail and courts, and buy equipment for the medical examiner, Budget Director Debbie Schneider said. The sale will complete a \$114 million bond issue approved by voters in 1987.

They also agreed to borrow about \$13 million to expand the juvenile detention center and buy land for highway projects and future buildings. Bank One won the right to handle both sales after offering interest rates of about 7 percent.



# Smell not sufficient cause for drug raids, families say in lawsuit

BY SCOTT WILLIAMS  
Fort Worth Star-Telegram

FORT WORTH — Two families whose homes were raided last year when police thought they literally had sniffed out drug houses filed a civil rights lawsuit yesterday saying that police tactics in Tarrant County are what really stink.

The suit, filed yesterday in U.S. District Court in Fort Worth, seeks unspecified damages for the families — one in Lake Worth and one in Southlake — and also seeks to establish that suspicious odors emanating from a private residence do not constitute sufficient cause for a police raid.

The Fort Worth attorney representing the two families says a victory would help reaffirm constitutional rights in the face of what he called "martial law-style" police tactics in the nationwide war on drugs.

"I still like to go to bed at night, knowing I've not committed a crime, and know that I'm secure against government intrusion," said attorney Don Gladden, who served four terms as a state lawmaker in the 1960s.

Area police officials, however, said the civil rights suit threatens to strip them of a technique that has proven successful in detecting drug houses — private residences converted into laboratories for the production of illegal narcotics.

"Smelling is a good sense, especially for an officer that's been around for a while," said Capt. Sam Sosa of the Lake Worth Police Department.

The primary defendant in the suit is the Tarrant County Narcotics Intelligence and Coordination Unit, a countywide task force that has seized nearly \$50 million in narcotics in its first two years.

Named as co-defendants are Tarrant County, District Attorney Tim Curry, Sheriff Don Carpenter and the cities of Grapevine and Lake Worth, whose police departments assisted with the raids in question.

In both instances, no narcotics were found and no criminal charges were filed.

In the Southlake raid, Gerald Andert and several family members were preparing for his wife's funeral in January 1989 when police stormed into the house, brandishing weapons and carrying bullet-proof shields.

The occupants of the house, including an 8-year-old child, were forced to lie on the floor while police conducted their search. Andert, 65, was injured in a scuffle with police officers and suffered a head injury that required 11 stitches.

In the Lake Worth raid, about three months later, Kenneth and Charlene Leatherman were not at home when police ransacked their house and shot to death two family dogs.

The Leathermans filed suit against the county last fall in Tarrant County District Court, but the case was refiled in federal court because of the constitutional questions.

The 25-page suit alleges that police violated the plaintiffs' Fourth Amendment and Fourteenth Amendment protections against unreasonable search and seizure.

Andert said he was relieved the suit had been filed, saying he has had difficulty forgetting the fear and humiliation that he says he experienced as a result of the police raid.

"I tried to get it out of my mind," the Southlake resident said, "but it just sticks there."

The Leathermans could not be reached for comment yesterday. The lawsuit says the couple and their 12-year-old son have moved from their home in Lake Worth because of the "extreme emotional shock and distress" of the police raid.

Arthur Van Dorn, commander of the countywide drug task force, declined to comment on the lawsuit but said his agency recently toughened its requirements for raiding residences suspected of being drug houses.

Rather than acting solely on suspicious odors, he said, officers now are trying first to gather additional evidence in other ways, such as surveillance outside the house or checking residents' arrest records.

"We're doing much more paperwork now," he said. "You do have to take safeguards and make sure you're not challenged."

Joe Cook, president of the Dallas chapter of the American Civil Liberties Union, said overzealous police raids are just one reason that the government's war on drugs represents "the greatest threat to civil liberties that the country has ever known."

Cook said citizens also should fight what he described as unconstitutional actions against students in public schools and against employees in the workplace.

"We're rushing pell-mell toward a fascist state," he said.

Lake Worth Police Capt. Sosa and Grapevine Police Capt. Dale Wilkins declined to comment on the suit.

The district attorney and the sheriff could not be reached for comment. The suit describes Curry as the "official policymaker" of the drug task force, and Carpenter as the supervisor of all police officers in the county.

**CHEERS:** To Jeff Arnold from the Sheriff's Department, who helped us get back to Fort Worth when our pickup caught fire on Interstate 30 on March 15. Thanks for being there, and thanks to all the people who stopped to help. I didn't get your names, but God bless you all.

Diane Sanchez

# County won't rehire 2 fired for Klan ties

BY STEFANI GAMMAGE  
Fort Worth Star-Telegram

FORT WORTH — Two former Tarrant County Sheriff's Department employees fired for ties to the Ku Klux Klan lost their bids to be reinstated when the civil service commission yesterday turned down their appeals.

After separate hearings, the commission upheld the firings of Charlyn "Kay" Moore, a 48-year-old former jailer, and David White, a 26-year-old former dispatcher. Both had been with

the department since July 1987.

The dismissals resulted from a Sheriff's Department internal affairs investigation that began after an unidentified woman phoned the department Jan. 31 to say that Tim Hall, then a reserve sheriff's deputy, was a Klan recruiter.

Hall was dismissed from his volunteer deputy's post and did not have status under civil service rules.

In deciding Moore's case, commis-  
(More on KLAN on Page 9)

## Klan / From Page 1

sion Chairman Mark Hill cited Moore's signing an oath to uphold the U.S. Constitution as a deputy with the Sheriff's

Department. Yet, she subsequently swore "allegiance first to the white race throughout her membership in the KKK, which she admits though regrets," Hill said.

"We firmly believe that people have the right to join groups that they wish," he said. "They can't always do so with impunity."

The commission said it had "much more trouble" with White's case, but chose not to reinstate the dispatcher because the decision to fire White was made "in accordance with rules and regulations," Hill said.

"We have no reason to believe that and don't hold that David White joined the Ku Klux Klan," Hill said. "We have reason to believe and evidence to such that he certainly filled out an application to become a member of the Ku Klux Klan, which in his own words was a serious mistake and an error in judgment."

White told the commission that, while he eventually signed an application for Klan membership, he did not take part in any other steps he thought necessary to become a member.

Under questioning by Ann Diamond, Tarrant County assistant district attorney, White said he showed some Klan literature to one person in the Sheriff's Department.

After hearing the decision, White, who said filling out the application was a "weakness on my part" and was done also to get Hall "off my back," said he was not sure what further action, if any, he might take.

"Sure, I'm disappointed, but that's the way it goes," he said.

White's attorney, Jack Strickland, said White and his wife, Rosemary White, could sue in district court or drop the matter.

While his client "did not take an active role" in the Klan and "did not at any time ever consider himself a member" of the Klan, he did make a "pretty serious error in judgment," Strickland said.

Moore was not available for comment after losing her appeal.

However, earlier in the afternoon she said she has "nothing against the Sheriff's Department and plans no action against them regardless of what action is taken."

During their hearings, both White and Moore said they were recruited into the Klan by Hall. Moore said she was conned by Hall into believing that the Klan was a "non-violent, passive organization." She said she is no longer a member of the Klan and does not believe in their beliefs.



David White: Fired from job as dispatcher



Charlyn "Kay" Moore: Joined sheriff's department in 1987

Lt. Philip Cranz of the Internal Affairs Division told the commission that Moore and White attended a class on civil rights and racial sensitivity in December, which Cranz conducted. He said that racism was discussed and that frequently he used the Klan as an example of a racist organization.

However, Moore said she did not recall the Klan's being discussed by Cranz.

Capt. Jim Minter, head of the department's Internal Affairs Division, told the commission Moore had been counseled regarding racial slurs allegedly made to an inmate in the jail. However, Moore said she had never been counseled about her treatment of inmates.

# Klan past haunting ex-airman

## Florida chief plans to dismiss officer

BY STEFANI GAMMAGE  
Fort Worth Star-Telegram

Timothy S. Hall, a former Tarrant County reserve deputy and an Air Force sergeant dismissed because of his ties to the Ku Klux Klan, has returned to law enforcement in Florida, but it may be only temporary, an official there said yesterday.

"I don't want anyone with KKK or Black Muslim ties," said Lonnie Lashley, police chief of the Century Police Department in Florida. "I feel like he should have come forward with that, and he didn't; therefore, he's [going to be] terminated."

Hall began working with the department March 23 and is in a six-month probation period, Lashley said.

On his application, Hall did not mention his work as a reserve deputy with the Tarrant County Sheriff's Department but indicated he was discharged from the Air Force and had worked with the sheriff's department in Santa Rosa County, Florida, Lashley said.

The chief said he has not yet discussed the matter with Hall.

"He's coming in Monday. That's (More on HALL on Page 30)

# Hall

From Page 25

when I'll let him know," he said.

Hall could not be reached for comment.

Lashley said he was surprised to learn from a reporter about Hall's links with the Klan.

"I tell you, it shocked me," he said. "He's a real polite individual. He's courteous to people when he talks to people."

Century, about 40 miles north of Pensacola, Fla., and about 60 miles east of Mobile, Ala., is a rural community that has about a 50-percent black population, Lashley said.

Hall's attorney, Kirk Lyons of Houston, said Hall has resigned from the Klan.

"He is no longer a member, and I believe he turned in his robe . . . not that he's changed his belief structure or

anything like that," Lyons said. "He doesn't want to stir the pot more than it's already been stirred."

Lyons talked with Hall yesterday but would not comment on the conversation, citing client privileges.

Lyons said he did not want any additional problems arising out of Hall's Klan membership while Hall and two other airmen discharged from Carswell Air Force Base fight their dismissals.

Although no lawsuit has been filed, Lyons pledged to sue the Department of Defense and the Air Force to overturn the policy that led to the dismissals. He also said he would seek damages and reinstatement for the former airmen.

Hall and two other Tarrant County Sheriff's Department employees were fired in February after an investigation revealed their link to the Klan.

On Wednesday, the Tarrant County Civil Service Commission upheld the firings of Charlyn "Kay" Moore, a former jailer, and David White, a former dispatcher.

FW STAR-TELEGRAM  
MONDAY P. M.  
02 APRIL 1990

### Questions about crime tax

The *Fort Worth Star-Telegram* has suggested that the citizens should ask tough questions and seek solid answers before voting for the half-cent sales tax to fight crime.

You also said that the \$45 million in revenue from this tax will be spent by a board made up of city and county officials. Isn't that putting the fox into the henhouse? Will the crime tax be used to restructure our county and city government to ensure accountability from public officials who believe they are above the law?

Will the crime tax force District Attorney Tim Curry to investigate and try to convict officials who are guilty of breaking the law? His \$7.7 million budget and the \$117,189 annual salary he receives should have already shown the citizens that white-collar crime in county offices doesn't have to be "widespread and normal," as he has stated. It can be stopped.

Will the crime tax put the meaning of the law back into our sheriff's department? "A fool is better than an obstinate man." We have both, a fool and an obstinate man, wearing the badge of the top law enforcer of Tarrant County.

Will the crime tax open public information to the residents of the county who are trying to investigate a public official? Our law enforcers seem to know more loopholes than laws.

Sen. Hugh Parmer, author and sponsor of the tax bill, stated that "citizens are given a tool to fight crime." What tool have we been given other than paying an additional tax? He also stated that Tarrant County plans to attack crime from *all* angles. Does this include white-collar crime within our government structure? Crime is crime, no matter what color the collar.

—Marilyn Lowrie  
Fort Worth



FW STAR-TELEGRAM  
TUESDAY A. M.  
3 APRIL 1990

### Janice C. Lambert Jailer

FORT WORTH  
— Janice C. Lambert, a jailer for the Tarrant County Sheriff's Department, died Sunday at a Fort Worth hospital. She was 46.



Funeral will be at 10 a.m. tomorrow at Laurel Land Funeral Home in Fort Worth. Burial will be in Laurel Land Memorial Park.

Mrs. Lambert was born in Fort Worth and was a lifelong resident.

Survivors: Son, Randy Lambert of Fort Worth; daughter, Tami Ferguson of Fort Worth; mother, Bobbie Marson of Fort Worth; stepfather, Gene Marson of Fort Worth; brother, Harold Watkins of Plano; sister, Brenda Herring of DeSota; and one grandson.

In Memory Of  
Janice C. Lambert

Who Departed This Life  
April 1, 1990

Memorial Service  
10:00 A.M. - Wednesday  
April 4, 1990  
Laurel Land Memorial Chapel

Officiating  
Chaplain Bob Cox

Interment  
Laurel Land Memorial Park

# Ex-deputy with Klan ties fired in Florida

BY STEFANI GAMMAGE  
Fort Worth Star-Telegram

Timothy S. Hall, a former Tarrant County reserve deputy and an Air Force sergeant dismissed because of his ties to the Ku Klux Klan, has lost his job as a police officer in Florida.

Lonnie Lashley, chief of the Century, Fla., Police Department, said yesterday that he terminated Hall on Saturday, the day after he learned that Hall had been affiliated with the Klan in Texas.

Hall was also dismissed because he did not mention on his application his work as a reserve deputy with the Tarrant County Sheriff's Department, Lashley said.

Hall, who began working with the Century department March 23 and was in a six-month probation period, told Lashley that he had resigned from the Klan, Lashley said.

"He said he just made a mistake," Lashley said.

Hall's attorney, Kirk Lyons of Houston, said, "His [Hall's] whole life has been turned topsy-turvy again for the second time in as many months.

"The man has got a wife and two kids," Lyons said. "How's he going to support them. All he's ever done is law enforcement.

The investigative reporter who ferreted that out is showing his mean-spiritedness. And I think any altruistic

notion of the public's right to know is horse dung. This is a case of making sure a Klanner never gets to work in law enforcement as long as he lives."

Hall and two other Tarrant County Sheriff's Department employees were fired in February after an investigation revealed their link to the Klan.

Hall and four others with Klan ties were discharged from Carswell Air Force Base in February.

# Panel sustains firing of officer tied to Klan

BY STEFANI GAMMAGE  
Fort Worth Star-Telegram

The firing of former Ku Klux Klan recruiter Timothy Hall from a Florida police department was upheld Monday by a three-member committee of the town's council, officials there said yesterday.

Hall, a former Tarrant County reserve deputy and an Air Force sergeant who was dismissed because of his ties to the Klan, was fired by Police Chief Lonnie Lashley on March 31, the day after he learned Hall had been affiliated with the Klan in Texas.

Lashley said he also dismissed Hall because he did not mention on his job application his work as a reserve deputy with the Tarrant County Sheriff's Department.

A three-member committee appointed to hear the former police officer's appeal voted unanimously to uphold the chief's firing, said Councilman William Willet Jr.

The action was taken "for the harmony in the community. We are trying to keep that," Willet said.

"He [Hall] since then has resigned [from the Klan], of course, but the stigma is there and people still feel it is there," Willet said.

Century, about 40 miles north of

Pensacola, Fla., and about 60 miles east of Mobile, Ala., is a rural community of 2,600 residents that has about a 50-percent black population.

The Associated Press reported that Hall expressed regret that he had become associated with the Klan. Hall was not available for comment. But Hall's attorney, Kirk Lyons of Houston, said he was not aware that his client had ever renounced his Klan affiliation.

Lyons talked with his client after his appeal was denied and described Hall as "pretty despondent about it."

A loud outcry from members of Century's black population played a role in the appeal's denial, Lyons said.

"I think the people of Century, Fla., because of basically the hysteria of a vocal minority, are being deprived of a very fine police officer," Lyons said.

Century Mayor Edward Ross said a combination of many factors played a part in the decision.

"It just couldn't be," he said. "We wanted to wash our hands and go."

Hall and two Tarrant County Sheriff's Department employees were fired in February after an investigation revealed their link to the Klan. Hall also was one of five airmen discharged from Carswell Air Base in February for ties to the Klan.



# Crime district — III

## Fingerprint system could help police

(Third of a six-part series)

Not long ago, a working couple returned home at the end of the day to discover that a burglar had been there in their absence. Many cherished items were missing, with the loss amounting to thousands of dollars.

When the police arrived, the couple pointed out two items that the burglar had left behind, thinking that they would be useful sources of possible fingerprints and thus helpful in solving the crime. The officers virtually ignored them and with good reason.

The police know better than anyone that trying to track down a criminal by fingerprints often can be an exercise in futility because the slow, archaic system of fingerprint tracing can be a waste of effort. Too much time is required to search the storage files manually for a matching set of fingerprints.

That couple's experience is common. In Tarrant County, the various police agencies answer well over 1,000 calls daily, and a sizable number of them involve burglaries and other crimes in which an updated fingerprint-tracking system would aid the investigation and result in improved apprehension of criminals.

But each day, police come face-to-face with a fact of life: Fingerprint tracking has not been brought into the computer age. There still is too much reliance upon the cumbersome, time-consuming paper-filing system, and it is neither fast enough nor reliable enough to provide police with solid information about the criminals that could be quickly obtained if modern technological tools were at their command.

To provide law-enforcement officers with a quicker, more dependable method of tracing suspects through fingerprints, an automated fingerprint identification system (AFIS) has been recommended as part of the proposed Tarrant County Crime Control District, on which citizens will vote May 5. It might be limited to a countywide fingerprint system or it might become part of a regional system. In either case, all police agencies within the scope of the system would be able to participate, perhaps on a user-fee basis.

AFIS systems are operating successfully elsewhere. The Dallas Police Department, for example, recently established one. Dallas is the largest city in the area, so a major part of what could become a regional AFIS is up and running. With that major component in place, a regional system could be established comparatively quickly.

Large and small city police departments would benefit from an AFIS system. AFIS would have a data base that would be started with fingerprints now on file and be supplemented as the fingerprints of newly apprehended suspects are fed photographically into the computerized system. Then, as prints are recovered at crime scenes, they could be matched against those in the system to help make arrests.

Usually, the cross-checking could be done almost instantaneously. Each participating law-enforcement agency could place fingerprints into the system, and each could retrieve them. The result would be a vast, electronic fingerprint storage and tracing network that would identify lawbreakers.

The use of AFIS has been under consideration here for some time. There have been suggestions that Tarrant County government install one for use by the county sheriff's department, the city police departments and possibly others. Such a system would cost the county an estimated \$3 million.

But county government has been unable to afford it, primarily because of escalating county criminal-justice costs. Those rising costs mainly are associated with building and operating new jails to accommodate an inmate overflow caused by the state prison system's inability to house all felons.

As part of the improvement strategy for the crime-control district's criminal-justice system, however, money would be available for AFIS. Should any Tarrant County system be part of a larger regional system, the cost to Tarrant County, officials say, might be only about one-third of the projected \$3 million that it would cost Tarrant County to establish AFIS by itself.

AFIS is one of about 100 programs in the crime-control district's game plan. Others range from giving police additional state-of-the-art equipment and hiring more narcotics officers to establishing a boot camp for young offenders and stepping up substance-abuse treatment centers.

All of the ideas are not entirely new, though many would be new to Tarrant County. Many of them have been used in other places, and some have been under consideration here. The money simply has not been available to try them. The crime district would provide it.

# Otwells refuse to leave jail

## Minister, son arrested over feeding homeless

BY MARY HULL  
Fort Worth Star-Telegram

FORT WORTH — The Rev. W.N. Otwell today refused two bail bondsmen's offers to free him and his son from the Tarrant County Jail at no charge.

Otwell was arrested yesterday on charges that he did not obtain a license before feeding sandwiches to the homeless. His son was arrested with him when the son attempted to prevent police from taking his father away in handcuffs.

Sheriff Don Carpenter said this morning the preacher declined the offers of at least two bail bondsmen to spring them for free.

Carpenter also indicated he would prefer not to have the Otwells in the overcrowded jail.

This morning 3,200 inmates were in the jail, a jail official said. Legally it can hold 2,601.

"I need my jail for criminals that need to be put in jail," Carpenter said.

Otwell, taking a break from a basketball game with his son in the jail recreation area, said he had received calls from around the nation, from people offering money and encouragement.

Otwell said he will remain in jail until he determines what the city has in mind for him.

He said he has received more than 80 citations for failing to obtain the food license, but that in the last four weeks the city had sent none.

But he said that when he and his family arrived at the Water Gardens yesterday, he knew he might be going to jail.

The police were everywhere, he said.

(More on OTWELL on Page 6)

# Otwell

From Page 1

Otwell chastised police for the way they handled the arrest.

He arrived in a motor home containing his wife, two sons, their wives and his six grandchildren.

When they saw their grandfather being arrested, the grandchildren cried, Otwell said.

He said he told officers he would be willing to exit the motor home voluntarily if they would allow him to park it at the Water Gardens. But, he said, they did not give him that option but handcuffed him and took him to jail.

"I said I would not come off (the motor home) without a warrant and they did not show me anything," Otwell said.

"We have not done anything wrong," Otwell said. He said his son was arrested when he held onto his father's arm and refused to let go when police told him to.

A vocal crowd of an estimated 100 followers witnessed Otwell's arrest, along with that of his son, Rocky Otwell, 30. The younger Otwell was arrested on charges that he interfered with his father's arrest, which had been sought since a warrant for the fundamentalist preacher was issued two weeks ago.

Rocky Otwell was being held in lieu of \$500 bail for the Class A misdemeanor. His father was jailed on 13 Class C misdemeanor charges of operating a food service without a license, a jail official said.

He had been fined \$227.50 on one count and \$192.50 apiece on seven. Fines on the remaining five counts had not been determined this morning.

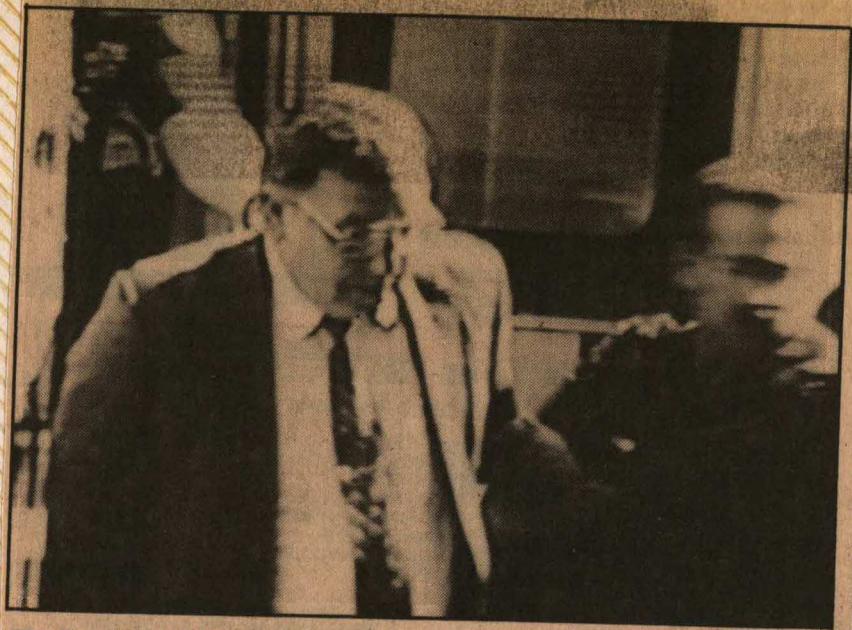
Two Otwell followers, one of them accompanied by her 8-month-old child, picketed in front of the police station this morning to protest Otwell's arrest.

Steve King and Sandra Robison shook signs saying, "What Has Pastor Otwell Done Wrong" and "Pastor Otwell Is Innocent: Fort Worth Is Guilty." at passing policemen.

"We will do it [picket] till he gets out," King said.

He said members of the church would attempt to continue the picket line throughout the day and next Sunday would be back at the Water Gardens providing food regardless of whether Otwell was free.

"You have 35 reprobate policemen come out and arrest Pastor, whose only crime is feeding the hungry," King said. "It reminds me of Lithuania and what Gorbachev is doing to them."



The Rev. W.N. Otwell is escorted from his motor home by a police officer in this photo taken from a video provided by his supporters.

He said other church members are willing to go to jail to be able to continue Otwell's work with the homeless. King said it was odd that church members who normally distribute food have never received citations or been arrested while Otwell, who did not distribute the food, was the one taken into custody.

A spokesman for the evangelist said last night that neither Otwell nor his son would enter a plea or pay bail.

Since September 1988, Otwell has been preaching and serving food at the Fort Worth Water Gardens and city officials have been writing him citations, which have gone unpaid, for the unlicensed operation.

Shortly after 10 a.m., local authorities surrounded the recreational vehicle in which Otwell was riding when it stopped at a stop sign while circling the Water Gardens. Otwell was apparently in search of an entrance that had not been blocked by police in anticipation of his arrival, said City Marshal Norman Donoho.

When Otwell declined to come out of the vehicle, authorities forced their way in and found him sitting behind the driver's seat, Donoho said.

Rocky Otwell then "wrapped his arms around the reverend to try to shield him from arrest while kicking backward at the officers," Donoho said.

During the confrontation, Otwell followers who had gathered in the Water Gardens for his weekly sermon raced to the vehicle, which was stopped at 14th and Calhoun streets, a couple of blocks away from the downtown water park.

Marshals forced Otwell out of his seat and had to "physically pull him to the [patrol] unit," Donoho said. Otwell preached during the entire episode, Do-

noho said.

Otwell will not enter a plea in the case, Gary Prentice, an assistant pastor at Otwell's church, said yesterday.

"He's done nothing wrong," Prentice said. "It's in the city's hands [to act]. They're the ones who broke into the mobile home. They're the ones who crossed over the line."

Outside the jail yesterday, about 10 children of church members chanted, "We want our pastors back" as several men carried protest signs.

"Touch not God's anointed and do His prophet no harm," read one placard.

An arrest warrant was issued for W.N. Otwell two weeks ago, but attempts to apprehend him were unsuccessful until yesterday, officials said.

Marshals asked Otwell to appear voluntarily before a municipal court judge several times, but he would not, Donoho said.

Besides Donoho, 10 deputy city marshals and about five Fort Worth police officers were on hand for the arrest and crowd control. No one was hurt, Donoho said.

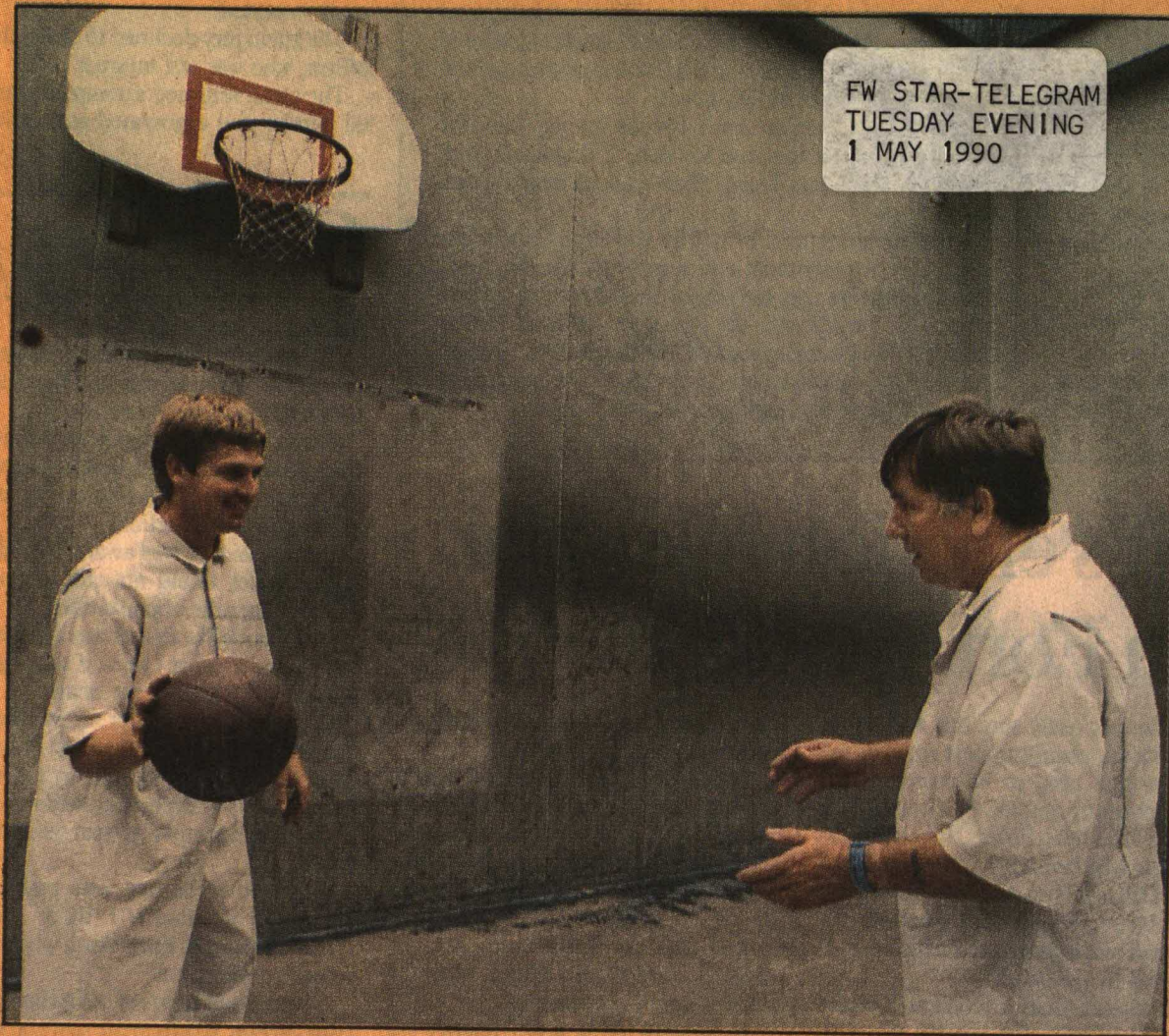
The elder Otwell has said he will not pay the fines, even if it means spending time in jail.

Rocky Otwell, at an arraignment at 7 last night, turned down a chance to get out of jail free or at a low cost. "I'm not going to post a bond," he told Judge Thomas L.G. Ross in Tarrant County Jail.

Ross also offered to consider waiving the \$500 bail or allowing the younger Otwell to enter a pretrial release program that would let him pay \$40 to get out of jail.

"At this time I don't think I will," said Otwell, who was wearing prison clothes.

**'We Have Not Done Anything Wrong.'**



FW STAR-TELEGRAM  
TUESDAY EVENING  
1 MAY 1990

Fort Worth Star-Telegram / ANTONIO MARI

The Rev. W.N. Otwell and son Rocky play basketball in the recreational area at the Tarrant County Jail

## Otwell sees the hand of Satan as putting him, son behind bars

BY ANITA BAKER  
Fort Worth Star-Telegram

FORT WORTH — Insisting he has done nothing wrong and saying the city "operates out of the hand of Satan," the Rev. W.N. Otwell remained in jail today after refusing help in making bail.

The controversial preacher is scheduled to go before a jury in Municipal Court No. 1 tomorrow for repeatedly ignoring citations charging him with feeding the homeless without a permit, a misdemeanor.

The 8:30 a.m. trial was set by a municipal judge after Otwell declined yesterday afternoon to say whether he wanted a judge or a jury to hear his case.

The court made the decision so that Otwell's constitutional right to a jury trial would be protected, said Municipal Court No. 1 Judge Mollie Jones.

A six-member jury will be selected to hear the case and Otwell could be fined \$1 to \$1,000 if found guilty, said city prosecutor Ann Chennault. Should he refuse to pay the fine, he could be returned to jail by the judge, Chennault said.

Otwell was arrested Sunday on a warrant issued two

weeks ago for failure to take action on citations issued by the city accusing him of not obtaining health permits before providing food for the homeless at the Fort Worth Water Gardens. Otwell's 30-year-old son, Rocky Otwell, also was arrested, on a charge of hindering police after he grabbed his father's arm and refused to let go during his father's arrest.

Misdemeanor charges were expected to be filed against Rocky Otwell by the district attorney's office sometime today. Should the younger Otwell choose not to set bond, he could remain in jail for months before the case is brought before a county court.

W.N. Otwell had been sent notices to either make arrangements for a court hearing or enter a plea of guilty, but when he did not take either action, he was arrested, said Fort Worth City Attorney Wade Adkins.

"The purpose was to make him appear in court and be responsible for the charges," Adkins said.

Otwell turned down offers from two local bail bondsmen who offered to free him at no charge and from callers in Fort Worth and Atlanta who said they would provide

(More on OTWELL on Page 15)

# Otwell / From Page 13

money for his release.

"I'm not going to post bond," Otwell said after taking a break from a basketball game with his son in the jail basketball court yesterday morning.

"I will stay until I find out what is happening and what they [city officials] are doing," said the 53-year-old minister.

"They put me in here and they have to get me out of here," he said.

Otwell and his son were put in adjoining private cells on the seventh floor of the jail, away from other prisoners. By law, those arrested on misdemeanor charges cannot be put in jail cells with people accused of more severe crimes.

"We have not done anything wrong," Otwell said. He said he has made no attempt to hire an attorney.

"Fort Worth operates out of the hand of Satan," Otwell said after dropping a few basketballs into the net. "The city has turned a deaf ear to the Bible."

God had called him to feed the homeless each Sunday at the Water Gardens, and God — not the city — would have to be the one to tell him to stop, Otwell said.

He and his son slept in cells that measure 11 by 7 feet. Otwell described the cubicles as less confining than the one in Atlanta in which he spent eight days when he took part in the anti-abortion activities of Operation Rescue in 1988.

His only other jail experience was a three-hour stay several years ago when he and the state were battling over his unlicensed Rendon home for boys.

Otwell said he has received more than 80 tickets in the most recent case, but a jail official said Sunday that Otwell has been arrested on 13 Class C

misdemeanor charges of operating a food service without a license.

"I do not feel like I am being a hard-head," Otwell said. "They just cannot run over me. If the Lord says it is over, I will do it [stop the Water Gardens food handouts], but I will do it until He says. . . . I want to be a reasonable person, but I want the city to know that they are messing with God's work."

Tarrant County Sheriff Don Carpenter yesterday said that he did not want to get involved in the struggle between Otwell and the city, but that because jail space is at a premium, cells should be filled with those accused of more serious crimes.

Rocky Otwell was being held in lieu of \$500 bail on the Class A misdemeanor. Otwell's bail is \$227.50 on one count and \$192.50 apiece on seven others. No bail has been set on the remaining five counts.

Throughout the day yesterday, Otwell followers picketed the police station, protesting Otwell's arrest.

Otwell supporter Steve King said that picket lines will continue until Otwell is released and that other church members are willing to go to jail to be able to continue Otwell's work with the homeless.

City officials have said that their permit process, which includes regular health department inspections, is designed to protect the health of the people, including those whom Otwell is feeding. The food Otwell distributes is prepared by church members, in their homes or at the church, The Church at Fort Worth.

W.N. Otwell has said that he believes the permit system violates constitutional guarantees of separation of church and state.

# FLOCK SAYS ARREST "UNGODLY" ACT

## Otwell defends himself

BY ANITA BAKER  
AND VICTOR INZUNZA  
Fort Worth Star-Telegram

FORT WORTH — "If they can eat out of garbage cans, why can't they eat our food?" the Rev. W.N. Otwell, acting as his own attorney, asked prospective jurors this morning at the beginning of his trial for feeding the homeless without a permit.

Instead of questioning potential jurors about their fitness to judge him on the misdemeanor charge he faces for ignoring 13 citations, Otwell delivered a sermon.

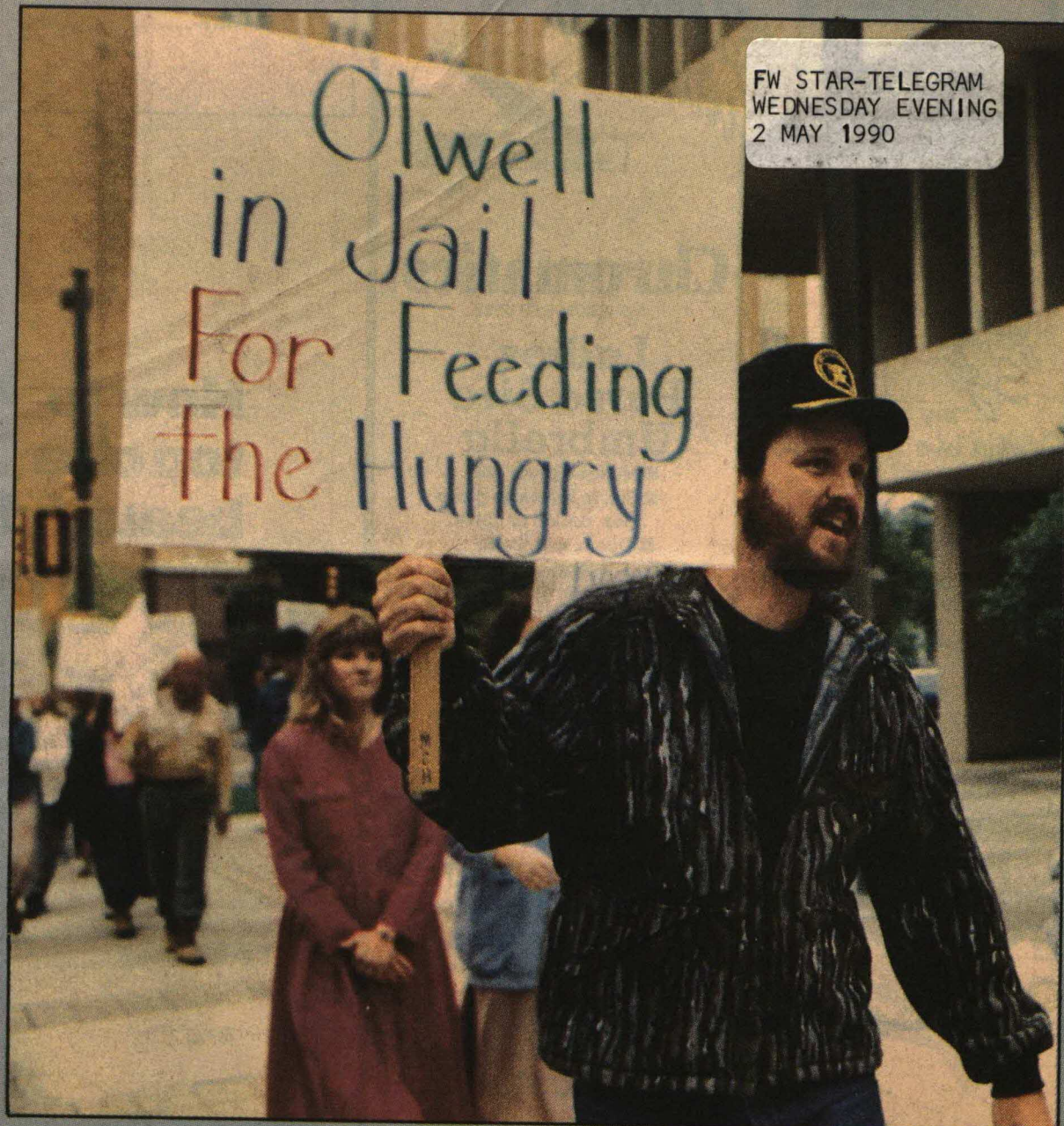
"We are talking about a church issue, not a commercialized business," he said. "We are not above the law . . . but no one can assert authority over the sovereign God."

Otwell has been in jail since Sunday, when he was arrested for failing to obtain a city Health Department permit for distributing food to the homeless in the Water Gardens.

Six jurors are to be chosen for Otwell's trial before Municipal Judge Molly Jones. Earlier this week, Otwell refused to say whether he preferred a jury or a bench trial, so the court decided he would have a jury trial. He also refused bondsmen's offers to get him out of jail for free.

His courtroom explanations of why he refused to get a Health Department

(More on OTWELL on next page)



Bruce Travis pickets in front of the Fort Worth municipal building yesterday in support of the Rev. W.N. Otwell

Fort Worth Star-Telegram / CAROLYN BAUMAN

# Otwell

From previous page

permit were peppered with objections from prosecutor Louis Fierros, who said Otwell was lecturing during the portions of the proceedings set aside to choose jurors.

Jones at first told the prosecutor that if Otwell chose to spend his time in that manner, she would allow it. But later, as Otwell continued his preaching, she asked him to refrain from drawing conclusions of the law, which she said would be her job.

Otwell asked jurors some rhetorical questions: whether they ever attended church socials or invited friends to their homes to eat, and whether they felt they

must seek permits to schedule such events.

He and his followers have fed the homeless in the Water Gardens every Sunday for more than a year.

Security was tight around the courtroom, and some spectators' purses and briefcases were searched. About 50 or 60 of Otwell's supporters packed the courtroom and about a dozen waited outside for seats.

Last night at Fort Worth City Council, about 30 of his followers called his arrest an "ungodly" act that goes against common decency, and asked the council to dismiss the charges.

"I am saying you've got a man in jail for doing something that is right," Otwell supporter Pat Pace told the council. "And what I expect you all to do is what is right . . . because you're not going to stop him."

One member of Otwell's Heritage Baptist Church in Rendon, Cindy McCollough, said she should be arrested because she helps cook and hand out the food.

"I'm here to turn myself in right now," McCollough told the council as she raised her arms.

City Council members sat quietly and listened to the 10 speakers.

But Mayor Bob Bolen told the Otwell supporters that if the church group wants to feed the homeless, it must follow the law, as do other groups that help the needy.

Throughout the proceedings various supporters whispered objections and complaints as questions and statements were made by the prosecutor. At one point the judge asked the audience to refrain from talking because comments could influence potential jurors.

## Pious jailbirds

### Otwell, son only seek glory for selves

At least two of the 3,200 inmates crammed into a Tarrant County Jail built for 2,601 should not be in there contributing to the jail-overcrowding crisis.

In their quest for publicity, the Rev. W.N. Otwell and his son, Rocky, are unnecessarily costing the taxpayers of Tarrant County money by filling badly needed space in the overstuffed jail.

By ignoring the numerous citations issued to him by the city for dispensing food without a permit, Otwell knew that he was inviting arrest.

The city government could not tolerate such scoffing at the law, even for the sake of feeding the homeless. After all, there are many agencies in this city engaged in feeding the homeless. They have no problem conforming with city regulations.

Otwell, however, apparently believes that he is above the law. His refusal to obtain a city health permit is in the same vein as his resistance a few years ago to

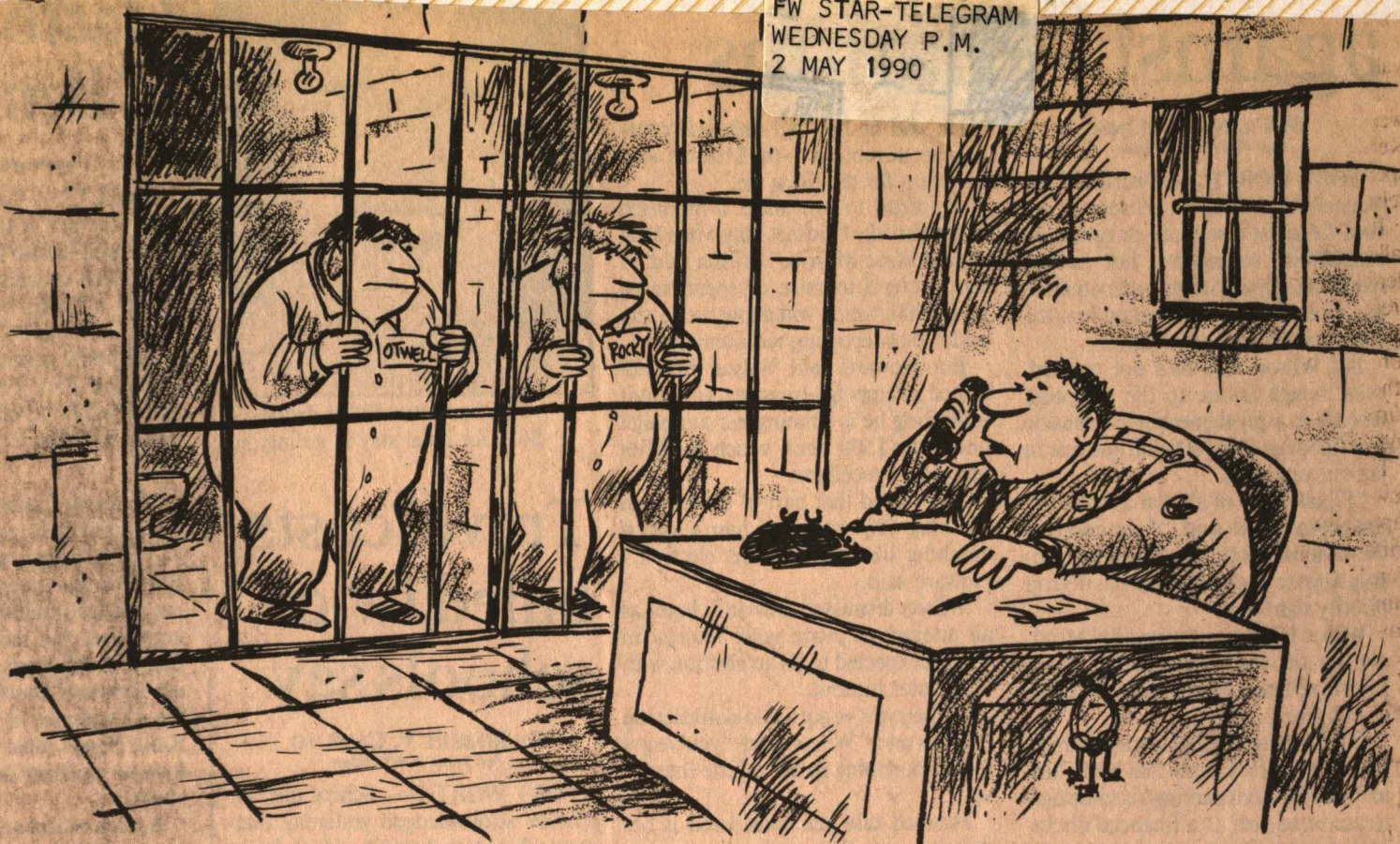
getting a state license for a boys home that he was operating in Rendon.

Some would insist that by his fight, Otwell is dramatizing the plight of the homeless. The sad truth, however, is that Otwell is merely glorifying himself, exploiting the issue of the homeless at the expense of the taxpayers.

Otwell and his son, who has been charged with interfering with his father's arrest, have declined either to make bail or to accept offers from others to post the bonds for them. In doing so, they are merely attempting to milk the conflict for all the publicity they can squeeze out of it.

If they insist on continuing to overcrowd the jail, the public has no choice but to oblige them. If Otwell continues to scoff at the law, the city will have to keep arresting him until the television crews and photographers get bored with his crude theatrics masquerading as martyrdom.

FW STAR-TELEGRAM  
WEDNESDAY P.M.  
2 MAY 1990



"THAT'S TWO BALONEY ON WHITE. HOLD THE SANCTIMONY."

# Otwell to face 6 charges in jury trial on Thursday

FW STAR-TELEGRAM  
FRIDAY P. M.  
4 MAY 1990

BY ANITA BAKER  
Fort Worth Star-Telegram

FORT WORTH — The Rev. W.N. Otwell, already convicted once of distributing food to the homeless without a city health permit, will face six similar charges in a jury trial next Thursday.

Municipal Court No. 1 Judge Molly Jones today set the 8:30 a.m. trial during an informal hearing in which Otwell reiterated that he was not guilty of any crime and would not enter a plea of guilt or innocence.

Even as he awaited another trial, Otwell said his church workers would be back at the downtown Water Gardens on Sunday to distribute food to the homeless.

Otwell was arrested Sunday in his motor home as he and his family were heading for the Water Gardens, where his church has provided free food to the homeless each Sunday for more than a year.

Otwell's son, Rocky, 30, also was arrested for hindering police after he

grabbed his father's arm and refused to let go. Rocky Otwell was released late Wednesday after a local bondsman posted a \$500 bond for no fee.

The elder Otwell, 53, remained in jail until his trial Tuesday, when he was found guilty. He said he would appeal the conviction and \$900 fine and the judge allowed him to go free if he promised to return today for the informal hearing.

Earlier the father and son had refused to allow bond to be posted until they found out what the city planned to do with the charges.

Otwell appeared without an attorney, although he said an anonymous Dallas firm had offered to hire someone to represent him in an appeal of his Tuesday conviction.

He said he did not know the name of the Dallas company. The attorney, William Burdock, however, withdrew from the case after it was discovered one of his firm's lawyers represented the city in an unrelated matter, Otwell said.

Burdock was in court this morning

and could not be reached for comment.

He said he had been told the Dallas firm may be considering finding another attorney.

Otwell said neither he nor his church had the money to hire an attorney to fight the charges.

The judge ordered city prosecutors to decide by next week's trial what should be done with 70 additional citations that have been given to Otwell since his church began feeding the homeless.

Eighty-three citations were filed against Otwell. Warrants were issued several weeks ago on 13 of those citations. One was resolved in trial Tuesday, six were dismissed and six more should be settled Thursday.

Several of the cases about which city health officials were hazy in remembering some of the facts were dismissed, said prosecuting attorney Loujs Fierros. He said he would be meeting with health officials before the next trial to determine which of the remaining cases would be prosecuted.



## LETTERS TO THE EDITOR

### Best advice

The Rev. W.N. Otwell would be well-advised to heed the words of Jesus: "Render therefore unto Caesar the things which are Caesar's, and unto God the things that are God's." (Matthew 22:21)

—Virginia Ward  
Fort Worth

### Fed the hungry

Paul Bartula stated his disgust in his April 21 letter with W.N. Otwell's feeding of the "so-called" homeless. He explained, "These homeless don't want to hear the word of God. They just want handouts. It's disgusting!" Mr. Bartula went on to say, "Yes, more than 2,000 years ago, Jesus Christ told us to feed the hungry, but he also told us, 'Man does not live by bread alone.'"

First, Jesus Christ did not tell us to judge the hungry before we feed them. He didn't say that they had to meet any requirements. He merely said to feed the hungry.

Second, Christ said, "Man does not live by bread alone, but by every word that proceedeth out of the mouth of God." That is the full verse, not just half of it. Rev. Otwell is not trying to judge the worthiness of the hungry; he is only trying to feed them. As he feeds them bread to

### Some threat

I would like to respond to the April 30 letter "Reform to fight crime." Just how many of Tarrant County's finest, marshals and police, did it take to protect the homeless from Brother W.N. Otwell? (The homeless can just say no!)

—Bill Scott  
Weatherford

### Otwell subject to law

I am so glad that the police finally put W.N. Otwell in jail.

If Otwell would read Mark 12:17, he would find that we Christians are to obey the laws of the state as well as God's laws. I don't believe

that Mr. Otwell cared about the poor and needy. He just wanted to show that he was above the law.

I reserve the title *reverend* for a true man of God.

—Jene Galley  
Alvarado

### Cut red tape for hungry

A bad law can be changed. Food is thrown away daily by restaurants and groups who misjudged how many people they would need to feed that day. These businesses and groups, social or religious, would like to be allowed to donate this food to organizations that feed the hungry — in the spirit of Bush's 1,000 points of light.

And the cells that were used to hold the Otwells could be given to drug pushers, thieves or rapists.

—Nell Jackson  
Fort Worth

### Shame on Otwell

I am writing in response to the behavior of W.N. Otwell. Shame on him. He is making a laughingstock out of the body of Christ.

I myself am a Christian, and my God tells me to respect the laws of man as I respect his laws. The laws were made to protect us, and we were made to love God and to love others. Rev. Otwell needs to read I Corinthians 13 in the Bible.

—Susan Oliver  
Benbrook

# 'Rains God's vengeance'

## Floods were city's punishment, Otwell says in Water Gardens

BY SUSIE STECKNER  
Fort Worth Star-Telegram

Last week's torrential rain, which flooded thousands of homes and is blamed for killing at least five people — was God's punishment for Fort Worth's interfering in his efforts to feed the homeless, the Rev. W.N. Otwell said yesterday.

"God was taking vengeance on a city that would persecute someone doing good work" by dumping the heavy rain on North Texas, Otwell

said during a food giveaway and sermon at the Fort Worth Water Gardens. About 200 people were at the gardens yesterday.

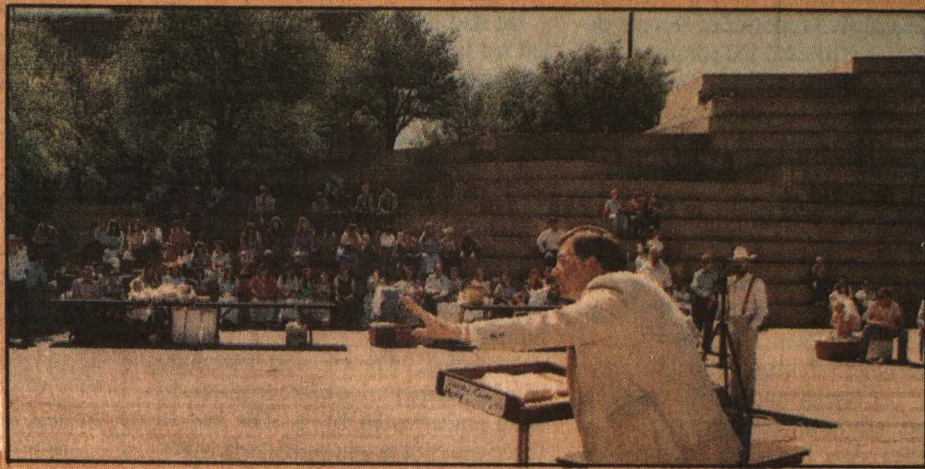
Unlike last week, when he was arrested and subsequently convicted on one of numerous outstanding citations for not having a health permit to serve food, Otwell yesterday did not encounter any problems with law enforcement officials. In his trial last week, he was fined \$900 but was given a \$180 credit for four days he spent

in Tarrant County Jail.

Otwell will face six similar charges Thursday in a jury trial in Fort Worth Municipal Court.

His son, 30-year-old Rocky, also was arrested last week and accused of hindering police's efforts to arrest his father. Rocky Otwell grabbed his father's arm and refused to let go during his father's arrest, according to police. The case against him is pending.

(More on OTWELL on Page 6)



Fort Worth Star-Telegram / ANTONIO MARI

W.N. Otwell preached to and fed the homeless without incident

## Otwell

From Page 1

Yesterday, W.N. Otwell and many of his followers met with more than 100 homeless people at the Water Gardens, offering what Otwell said was "the word of God" and a meal of beans, onions, cake and soft drinks. Food had been prepared for about 300 people, Otwell said.

During a dramatic sermon — it prompted "amens" from several of his followers and occasional nods from some homeless people — Otwell compared his efforts to feed the homeless with the plight of Jesus Christ feeding and caring for the poor.

"If Jesus Christ had been on that bus last weekend, they would have arrested him and hauled him off to jail," Otwell said. "If Jesus Christ was alive today in Fort Worth, he would be nailed to the cross."

At the close of the sermon, a food line quickly formed and about 25 latecomers arrived for the free meal.

No citations were issued to Otwell and no arrests were made yesterday. However, the food giveaway was monitored by a Fort Worth police officer and a city Parks Department employee.

"This was a pretty good crowd for preaching," Otwell said after his sermon, noting that the weekend crowds had been bigger before his arrest. He attributed the smaller crowd to the possibility of more police action.

"I'll be out here until God tells me to quit," Otwell said.

## Pay counties for inmates, state is told

BY KAREN POTTER  
AND BOB MAHLBURG  
Fort Worth Star-Telegram

AUSTIN — A court ruling ordering Texas to reimburse 12 counties for housing felons might cost more than \$100 million and force a state tax increase, officials said yesterday.

In a letter to attorneys in a lawsuit involving jail overcrowding, Travis County District Judge Joseph Hart said the state must reimburse Tarrant and 11 other counties \$40 a day per prisoner for state felons who have been and will be housed in their jails.

The ruling is the latest in a series of court mandates declaring that the state has failed to live up to its responsibilities.

It also represents a victory for Tarrant and other large counties that sued the state claiming that they should not

(More on INMATES on Page 18)

## Inmates

From Page 1

have to bear the burden of housing prisoners that the state prisons are too full to hold. Texas is under a federal court order limiting population in the state prisons.

"We're losing money paying for the state's responsibilities," said Nueces County Attorney Carlos Valdez, who filed the original lawsuit. "This is not like shifting responsibility to the state. We're just asking them to take responsibility for what is legally theirs."

But Tarrant County officials, who had anticipated Hart's ruling, said they don't expect to be reimbursed anytime soon.

"It's good news, if we get the money," said Tarrant County Sheriff Don Carpenter. "I'll believe it when I see it. I'd like to see the money. Talk is cheap."

The 12 counties — Tarrant, Nueces, Bexar, Collin, Dallas, El Paso, Galveston, Hidalgo, Hunt, Lubbock, Travis and Victoria — have said they are keeping about 6,000 convicts sentenced to state prisons.

Hart wrote that the state should have to shoulder the financial burden of imprisoning felons.

One attorney for the state estimated yesterday that the ruling could cost the state between \$100 million and \$110 million.

"We don't have the money," said Assistant Attorney General Robert Ozer, who is representing the state.

The state will appeal, said Ron Dusek, a spokesman for the attorney general's office.

"This order is going to aggravate the problem of overcrowded jails because counties are going to be making money off this," Dusek said. "They'll be making \$40 a day when it costs \$12 a day. It encourages them [the counties] to put them in jail rather than look for less expensive alternatives."

Dusek also said the ruling complicates the state's problems in finding money to deal with other court rulings.

"Considering the state is looking high and low for money to pay for school equalization, the MHMR problems, obviously the state would have to come up with some kind of revenue increase, a sales tax or whatever," Dusek said.

Said Gov. Bill Clements: "Counties are part of state government and I think that we can address that in due course. You know some of these people get

overenthusiastic in these counties."

Sen. Kent Caperton, D-Bryan, said the state's appeal of Hart's ruling will be strengthened by ongoing prison expansion that will increase the number of beds from 44,000 to 60,000 during the next several years.

"The state has tried to build prisons, so it shouldn't be blamed," Caperton said.

Hart said the state must begin compensating counties for housing prisoners seven days after they have been sentenced to the Texas Department of Corrections. He indicated that the reimbursement rate would cover "reasonable amounts for the care, treatment, feeding, clothing and management of the inmates that the state should have taken."

The ruling is retroactive, covering state prisoners held in the county jails since September 1987, Dusek said.

While the ruling affects only the 12 counties, an attorney for 11 of those

counties said it could set a precedent for others.

"Certainly it seems to me this ruling would be very important to any county that wanted to go to court and seek similar relief," said lawyer Ann Clarke Snell.

Tarrant County will bill the state for \$19.8 million for housing state prisoners, based on a charge of \$40 per prisoner per day, said First Assistant County Auditor Ron Bertel.

"I don't think any of us are starting to look for the check," Bertel said. "I suspect, given the problems the state's having on education, it will be a while. I'm not inclined to include it in the estimated revenue for the next budget year."

Tarrant County has housed as many as 1,200 state prisoners at a time, compounding local overcrowding problems that have spilled over into city jails. At one point, hundreds of prisoners were held in a wire cage in the Fort Worth Police Department.

FW STAR-TELEGRAM  
SUNDAY EDITION  
13 MAY 1990

# Tarrant inmate dies after hanging

BY BILL HANNA  
Fort Worth Star-Telegram

FORT WORTH — A 24-year-old Tarrant County Jail inmate died yesterday evening after he was found hanging in his eighth-floor cell with his jail clothing around his neck.

Bobby Easterling of Fort Worth was pronounced dead at 6:34 p.m. at John Peter Smith Hospital, said a spokesman with the Tarrant County Medical Examiner's Office.

Two jailers discovered Easterling

hanging from a bar at the top of his cell about 5:20 p.m., the spokesman said.

Sheriff Don Carpenter said Easterling's jail coveralls had been wrapped around his neck and tied to a bar in the cell. The inmate was alone in the cell when he was found, Carpenter said.

Carpenter said Easterling has been in jail since Dec. 8, when his probation on a vehicle burglary conviction was revoked. He was also being held in lieu of bail totaling \$30,000 on charges of aggravated assault with a deadly weapon,

aggravated robbery with a deadly weapon, and retaliation. Details of the charges and his conviction were not immediately available.

Easterling's death is the first jail death in more than a year. In October 1988, a 55-year-old inmate died after another inmate stepped on his abdomen, causing a cut in his spleen. That death was ruled a homicide.

Last October, a jail inmate's attempt to hang himself was stopped by two jailers.

FW STAR-TELEGRAM  
MONDAY EVENING  
14 MAY 1990

## Their turn to fight crime

"What have you done to correct the problem?" This was a question asked by Assistant District Attorney Steve Chaney of a group of citizens interested in fighting crime in our county. Well, Mr. Chaney, we elected Sheriff Don Carpenter and your boss, District Attorney Tim Curry, to help us correct the problem. We voted for the wrong people to trust, didn't we? We have been helpless citizens defeated by our own votes.

We have seen city and county officials parade through our judicial system, only to end up in Mr. Curry's rose garden. Mr. Curry's do-nothing approach to prosecuting public corruption may be sending a message to the criminal on the street. Is this why we have the third-highest crime rate in the nation?

And Sheriff Carpenter — we have seen the complete demise of the Tarrant County sheriff's department with his "leadership." He could pay to fight crime all by himself with our tax dollars that have been spent on lawsuits created by him. He has been too busy fighting with other city and county officials to fight crime. If his leadership was as big as his ego, there would be no crime in Tarrant County.

So, Mr. Chaney, would you like to rephrase your question to the residents of Tarrant County who want to fight crime? The reason for the

defeat of the Crime Control and Prevention District on May 5 could be found within our own county government.

—Marilyn Lowrie  
Fort Worth

FW STAR-TELEGRAM  
30 MAY 1990  
EVENING EDITION

## Swift work by sheriff's office

A theft report was filed May 2 with Sheriff Don Carpenter's office. A probable-cause warrant was issued, a suspect was picked up and the property was recovered on May 21.

This is the third time in a four-year period that Sheriff Don Carpenter's office has solved the crime and recovered the property. Previous thefts — of a new riding mower one year and a motorcycle belonging to a tenant — were also solved, and the property was recovered.

The response time has been superb. Even though the sheriff's office is about a mile from the Parker County line, the response time has often been faster than that of the Fort Worth police.

My thanks and respect go to the patrol officers, investigating officers and Sheriff Don Carpenter for their professional work. While theirs is usually a thankless job, this is one citizen who says thanks.

—Don Klick  
Fort Worth

FW STAR-TELEGRAM  
MONDAY A. M.  
JUNE 18, 1990

# County to consider flag-burning measure

BY BOB MAHLBURG  
Fort Worth Star-Telegram

The second resolution in less than a year urging a constitutional amendment to prohibit the burning of the American flag is among items to be considered Wednesday by Tarrant County commissioners.

The measure, offered by Commissioner O.L. Watson, follows a similar resolution that was unanimously adopted by commissioners in July. It also was sponsored by Watson.

Watson, who was defeated for reelection in March, would not comment Friday on why he was offering such a resolution a second time.

Commissioners this week changed their usual Monday meeting to Wednesday so that some may attend Commissioner J.D. Johnson's third annual golf tournament. The \$150-per-person political fund-raiser will be at Lake Country Golf and Country Club on Eagle Mountain Lake.

The commissioners meeting last week also was rescheduled because of a golf outing, which was sponsored by Texas House Speaker Gib Lewis.

Johnson originally suggested moving this week's meeting from today to to-

morrow, but Commissioner Dionne Bagsby objected because tomorrow is Juneteenth, which is celebrated as the day African-Americans in Texas gained their freedom in 1865.

"I'm not meeting on the 19th and I'm going to picket you if you do," Bagsby told Johnson with a laugh when he suggested the Tuesday date.

Commissioners on Wednesday also are scheduled to discuss:

\* ■ A proposal by County Judge Roy English to hire a private attorney to represent commissioners in the latest round of a 3-year-old court fight over whether commissioners or the sheriff should control lucrative profits from candy and cigarettes in the county jail.

The district attorney's office has recommended hiring a private attorney, saying that the district attorney cannot represent both the sheriff and commissioners in the fight since they are on opposite sides.

Sheriff Don Carpenter asked commissioners to hire a private attorney to represent him. But commissioners denied that request.

FW STAR-TELEGRAM  
THURSDAY P.M.  
JUNE 28, 1990

# Child killer charged in assault of jailer

BY MARTHA DELLER  
Fort Worth Star-Telegram

FORT WORTH — Convicted child killer Kenneth Reed Smith, whose life sentence sparked community outrage by those who wanted him put to death, was indicted yesterday in an assault on a Tarrant County jailer while he was awaiting trial for the Sept. 15 abduction-slaying of Amy Lynn Thatcher.

But prosecutors apparently have not decided whether to try Smith on the assault case or on one of three rape cases pending against him.

District Attorney Tim Curry said last week that his office likely will prosecute Smith, who was sentenced June 15 to life in prison in the Thatcher slaying, on some of the remaining charges in an effort to ensure that the 21-year-old defendant is not released from prison too soon. Smith could be released in a little over 14 years when he is eligible for parole in the Thatcher slaying.

If Smith is convicted of the addi-



tional charges, Curry said prosecutors hope to persuade a judge to order him to serve time in those cases after completing his prison term in the Thatcher case.

Curry was not available for comment yesterday, and his top assistant, Steve Chaney, said he does not know if prosecutors have decided which case to try first.

Judge Don Leonard, who presided over Smith's capital murder trial, said it is likely any future trials of Smith will have to be moved out of Tarrant County unless prosecutors delay the trials until publicity about the Thatcher case dies down.

Michael Logan Ware, who was appointed last week to represent Smith in

the appeal of his capital murder conviction and defend him on the other charges, said yesterday he would definitely seek a change of venue if prosecutors decide to try Smith in the other cases.

But Ware said his first concern is appealing Smith's conviction in the Thatcher slaying. He said he plans to file his notice of intent to appeal that conviction by tomorrow.

In other action yesterday, a Tarrant County grand jury also returned a two-count aggravated sexual assault indictment accusing Allen Boatwright, 31, of Fort Worth in connection with attacks on a 13-year-old girl on June 15, 1989, and in March of this year.

FW STAR-TELEGRAM  
FRIDAY P. M.  
6 JULY 1990

# Union chief appeals firing by Tarrant sheriff

BY BOB MAHLBURG  
Fort Worth Star-Telegram

A Sheriff's Department union leader, fired for forcing a wheelchair-bound county prisoner to his feet, is appealing his dismissal and accusing Sheriff Don Carpenter of retaliating against him for his union activity.

Jailer Joseph Berry, president of the 500-member Local 125 of the American Federation of State, County and Municipal Employees, appealed his dismissal to the Tarrant County Civil Service Commission on Tuesday.

The dismissal of the eight-year Sheriff's Department veteran over the June 9 incident marks the second time in 18 months that Carpenter has fired Berry.

A year ago, Carpenter had dismissed Berry for insubordination, saying he had disobeyed a direct order. But the Civil Service Commission, while sustaining the allegation, said the firing

was too severe and ordered Carpenter to reinstate Berry.

In the current disciplinary action, Berry is accused of incompetence, exceeding his authority and endangering the health of a county prisoner.

But Berry said the sheriff is simply using the incident as an excuse to fire him because he is a union leader. Berry, who is black and earlier filed a discrimination complaint claiming he was unfairly passed over for a promotion, said he believes his race also played a factor in the dismissal.

Carpenter declined to discuss his decision to fire the jailer. And he chuckled over suggestions the firing is merely the latest episode in his efforts to punish union activity within his department.

"Damn, that makes me feel powerful that I could break a union," Carpenter said with a laugh. "I didn't know I was that powerful."

Carpenter said he could not discuss Berry's dismissal because the matter is now before the Civil Service Commission.

Berry said that he lifted the back of a wheelchair and forced a prisoner to stand because he thought the prisoner was faking injury. Berry said he was prepared to grab the prisoner if he fell. Although he admits the action showed bad judgment, Berry said the prisoner was able to stand and showed no sign of pain or injury.

But according to the Sheriff's Department, a jail doctor later examined the prisoner and determined he had a hyper-extended knee.

In recent years, Sheriff's Department employees have frequently accused Carpenter of using disciplinary measures to intimidate employees. Carpenter has said that he is not trying to intimidate employees.

A year ago, Carpenter fired three top officials of a fledgling union called the Tarrant County Jailers Association, including Berry. That union, of which Berry was vice president, has since been disbanded.

"I think this is just another charade ...," said AFSCME business agent Eddie Humphrey, referring to the current disciplinary action against Berry. "This is not the first time the sheriff has pulled something like that."

Assistant District Attorney Ann Diamond, who handles Sheriff's Department personnel matters before the Civil Service Commission, said the firing wasn't racially motivated or related to Berry's union post.

"He's mistaken," Diamond said. "I don't really think there's an attempt to break the union. He's not willing to accept his problems do not stem from his race but his performance."

## Commissioners to review bids for new justice center

BY BOB MAHLBURG  
Fort Worth Star-Telegram

FORT WORTH — Bids to buy more than \$2 million in furniture to equip the new \$27 million Tarrant County Justice Center in downtown Fort Worth are among items scheduled to be considered tomorrow by county commissioners.

About \$2.6 million was budgeted for furnishings as part of a \$114 million bond project approved by voters in 1986 to build the new nine-story courts building. The bond project also included a new \$50 million jail and a medical examiner's office.

On Friday, County Purchasing Agent Sharan Gunn was still compiling furnishing costs, including last-minute changes by department heads. But Gunn said total equipment costs will be less than the \$2.6 million that was budgeted.

Gunn says she has also made sure that the items include no extravagant \$15,000 teakwood desks. However, very little furniture will be moved, she said.

"The entire building was 'spiced' for new furniture," Gunn said. "It's a big package. It's considerably bigger than anything this department's handled in five years. It's the biggest in a long time."

For weeks, Gunn's office floor and sofa have been littered with drawings showing floor plans of the new building, with furniture placements penciled in by architects. Nearly 20 suppliers competed for the business.

The justice center will include state and county criminal and civil courts, and offices for staffs of the district court clerk, district attorney, grand jury administrator, county clerk and magistrate. Family courts and county courts at law are not moving to the new building. Officials have discussed converting the Civil Courts Building to a family law center when civil judges move.

Commissioners tomorrow also are scheduled to consider a request for bids from moving companies to transport thousands of court files and other items to the new justice center.

"We're interested in good strong competition on that move, and whoever does it better be very organized and know what they're doing," Gunn said.

The move itself is likely to be a long while off because construction is not finished. The latest estimate is that the building will be substantially finished by mid-September and that the county could move in by mid-October, said Facilities Director Gary Kirby.

Roughly the same dates apply to the new county jail on the block just west of the courts building, he said. Some officials, including Sheriff Don Carpenter, are expressing increasing frustration with construction delays.

Carpenter said Thursday that he's tired of the postponement, and he noted that the jail was scheduled to be substantially finished in April.

The commissioners' usual Monday meeting was postponed until tomorrow so that commissioners could attend an annual barbecue outing for area state legislators in Arlington sponsored by the Builders Association of Fort Worth and Tarrant County.

Commissioners also are scheduled to consider:

- A proposed policy on the purchase and sale of county land that would require an independent appraisal of all purchases more than \$5,000 and environmental studies in some cases. The proposal was prompted by controversy over the proposed purchase of an environmentally questioned property at three times its tax value.

- A proposal to consider creating a written conflict-of-interest policy. The proposal by Commissioner O.L. Watson apparently was prompted by recent questions from outside county auditors regarding the county's lack of such a policy.

Commissioners have scheduled a work session at 5 p.m. tomorrow and the regular weekly meeting will follow at 7 p.m. in the County Administration Building, 100 E. Weatherford St.

## Jail plan assists Tarrant

From Staff and Wire Reports

AUSTIN — The Texas Board of Criminal Justice yesterday approved a new plan for moving felons from county jails to state prison which will move about 28 more prisoners a month from Tarrant County.

Tarrant County Sheriff Don Carpenter said last night that the new formula is an improvement over the old but said he wishes the state would take more prisoners.

Starting Sept. 1, the state will take 58 prisoners from Tarrant County a week as opposed to 51 under the old system.

"That's seven a week and that's 28 more a month," Carpenter said. "That will help. I wish it could be more. Everyone would like to get rid of more state prisoners."

The sheriff set the jail's population at 3,027, with 522 of those being felons.

The Legislature required the board to adopt the new formula, including such items as historical admissions to prison, crime rate, population, drug arrests and unemployment. The board added other factors, including counties' population, crime rate, probation placements and juvenile probation funding.

Previously, the maximum admission rate was based only on how many prisoners each county previously sent the state.

# Study targets training of clerks at Tarrant jail

By BOB MAHLBU'RG  
Fort Worth Star-Telegram

Tarrant County's use of low-paid clerks rather than jailers for some jobs is drawing concern from state officials, who have ordered a study of whether the clerks should be required to take state certified training courses.

The Texas Commission on Jail Standards ordered the study Tuesday after state jail inspectors reported that untrained clerks are routinely handling potentially sensitive work in the jail.

"Persons working in [jail] control rooms who are responsible for inmate communications and monitoring emergency systems are clerks and are not licensed jailers," states the report by state jail inspector Bob Deering.

Commission Executive Director Jack Crump said Tarrant County apparently is the only county in the state that uses clerks to help run the jail.

"If an individual is in a control room, the real question is whether they've been trained," Crump said. "The big concern is a lack of understanding."

State standards require that jailers be licensed correctional officers and receive a minimum of 40 hours of special instruction, Crump said. Tarrant County's use of clerks drew

concern from officials on the state jail panel meeting in Austin, including Harris County Sheriff Johnny Klevenhagen, who is the chairman. Klevenhagen said all jail positions in Harris County and Dallas County are filled by certified jailers.

Tarrant County Judge Roy English, who is a member of the state jail commission, abstained from voting on the Tarrant County matter.

Tarrant County Commissioner J.D. Johnson, who also attended, said using clerks cuts costs.

"From the way it's been explained to me, I concur with what we're doing," Johnson said. "We're saving money and we're not endangering anyone's life to the best of my knowledge."

County commissioners voted last year to reclassify dozens of jailer spots to clerks. Johnson said he's been assured the clerks simply monitor cells, control opening and closing of doors, talk with prisoners on intercoms or an-

swer the phone.

"The clerks we hired do not have any physical contact with the prisoners," Johnson said.

Tarrant County Sheriff Don Carpenter said he has reservations about using the clerks in the jail, but he can see both sides.

"I myself have said for a long time we ought to have anyone working in jails be licensed jailers," Carpenter said.

"They're in the control area and they don't have direct contact with the prisoners. But if something were to happen to one of the guards and they had to come out, they would have contact."

The sheriff said he agreed to use clerks to help county commissioners save \$168,000 per year.

"There's good points and bad points to it," he said. "I think everyone who works in that jail ought to be a certified jailer. But it's a lot of money."

The county spends more than \$14 million per year for jail operations.

The inspection report noted violations of minimum state jail standards, ranging from overcrowding and inadequate heating and cooling to a faulty smoke detector in part of the downtown jail. Some violations, such as crowding, have been listed for years. The jail commission voted to again waive enforcement until a new 1,440-bed county jail opens later this year.

Variations were approved allowing a warehouse jail to stay open despite crowding and to allow storage areas at the downtown jail to continue to be used for dormitories. The report notes 96 beds have been added to the original 384 beds at the warehouse.

"This entire facility is now out of compliance regarding floor space, showers, lavatories and water closets," it says. But Carpenter said he was not seriously concerned.

"We came out pretty good on it. I think, being as crowded as we've been," he said.

FW STAR-TELEGRAM  
SUNDAY EDITION  
JULY 29, 1990

## James Edward Loyd

Deputy sheriff

RIVER OAKS — James Edward "Jim" Loyd, a retired deputy sheriff, died Friday at a Fort Worth hospital. He was 61.

Funeral will be at 2 p.m. tomorrow at Greenwood Funeral Home. Burial will be in Greenwood Memorial Park.

Mr. Loyd, who was born in Shelbyville, Tenn., moved to the Fort Worth area in 1947.

He was a deputy sheriff for the Tarrant County Sheriff's Department and served in the Navy in World War II.

He was a member of the Veteran of Foreign Wars No. 8235, the American Legion, the Moslah Temple Shrine, the Scottish Rite and Masonic Lodge No. 1184.

Survivors: Four sons, Wayne Loyd, Larry Loyd and James Edward Loyd Jr., all of Fort Worth, and Dale Loyd of Keller; three daughters, Carol Carroll of Dallas and Gail Alanis and Kathy Lake, both of Fort Worth; sister, Sherry Pittman of Shelbyville, Tenn.; and 17 grandchildren.





# County ponders layoffs, tax boost

BY BOB MAHLBURG  
Fort Worth Star-Telegram

Tarrant County property taxes could be raised significantly and dozens of county government employees laid off, including Sheriff's Department and district attorney's staff, under budget options given county commissioners yesterday.

One option would eliminate 162 staff positions starting Oct. 1. Under

the layoff proposal, employees would be reduced by 10 percent in all county departments with at least 10 workers. That would prevent the need for a tax increase, officials said.

Two other plans would avoid major layoffs but would boost property taxes either by 7 or 8.5 percent, or 2 to 2.2 cents per \$100 assessed value, officials said.

(More on BUDGET on Page 14)

## Budget

From Page 11

As with most government agencies, staff costs are the county's biggest expense, so that's the most obvious place to cut, officials said.

"It's very painful to have to talk about," said Commissioner Dionne Bagsby. "You're not talking about throwing trash out the door. They're people with bills to pay and families."

County Commissioner Bob Hampton said the plan requiring the higher 8.5 percent tax increase would include \$1.5 million to cover the cost of donating land for the planned Superconducting Super Collider in Ellis County.

The maximum 2.2 cent increase would amount to \$22 more in taxes for the owner of a \$100,000 home. If taxes are raised 8 percent or more, taxpayers under state law can petition for a tax rollback election.

The proposals are designed to help make up a \$66 million gap between expected revenues and proposed spending.

The county lost about \$5 million in revenue because of a \$1 billion drop in the county tax base, much of it stemming from tax breaks awarded businesses under the so-called Freeport exemption. In addition, county department heads requested \$190 million in spending — a 39-percent jump over this year's \$137 million budget.

The three plans offered by County Budget Director Debbie Schneider chop those requests down to options ranging from \$143 million to \$151 million.

FW STAR-TELEGRAM  
1 AUGUST 1990  
EVENING EDITION

The layoffs would not affect state or county court employees because each judge is considered a separate department and none has more than 10 employees.

Officials said it was not known how many of the 162 positions currently are unfilled and how many would require lay offs.

By late yesterday, there were signs commissioners may opt for a bigger tax increase and find other savings rather than make such drastic cuts in employees. A budget committee composed of Bagsby and Commissioner Bob Hampton agreed to recommend restoring 10 of the 18 employees that would be cut from Tax Assessor/Collector June Garrison.

Hampton said later he was skeptical commissioners would approve the full number of layoffs.

The major employee cuts would save \$4.5 million, Schneider said. The only exceptions to the cuts would be court bailiffs and departments with fewer than 10 employees, which would be unable to easily distribute remaining work, Schneider said.

Reductions to the county jail staff would be limited to 3 percent rather than 10 percent because of critical nature of their work and the opening of a major new jail scheduled this fall, she said.

District Attorney Tim Curry, whose department would lose 20 employees under the proposal, said such cuts could "cripple" his department.

"I don't think it's realistic," said Curry, who had asked for 35 additional employees, including a new unit to coordinate child abuse prosecution. Curry currently has 198 employees.

"It'd cut our production way down," he said. "It also would have other ramifications on the jail and everything else."

Under county civil service rules, temporary and probationary employees would be the first to be laid off, said County Personnel Director Gerald Wright. Recently hired workers would be the next to be dismissed under the rules, which cover about 90 percent of county employees, Wright said in an interview.

Attorneys in the district attorney's office, court coordinators and some other unclassified workers are not covered by those protections and can be terminated at will, he said.

# Jail staff layoff plan criticized

## Proposal would leave facility understaffed

BY BOB MAHLBURG  
Fort Worth Star-Telegram

A proposal to deny additional officers for the Tarrant County Jail and to eliminate 18 existing jobs would leave the jail critically shorthanded and could mean a limit on the number of prisoners accepted, top sheriff's officials said yesterday.

Jail Administrator Bill Broome told a committee of county commissioners that a proposal designed to close a \$66 million budget gap simply won't work.

Broome has proposed hiring 171 additional employees to staff a new 1,440-bed jail and two other jail facilities. But a no-tax increase proposal offered by County Budget Officer Debbie Schneider would deny virtually all new jail employees and eliminate 18 positions.

Broome said the plan would leave the jail system at least 51 people short of the 664 employees he needs.

"To maintain a safe and secure jail, that's the absolute minimum," Broome said.

Chief Deputy John Pempsell agreed, and prompted a tense exchange with Commissioner Bob Hampton when he

(More on JAIL on Page 12)

# Jail

From Page 9

suggested that commissioners should simply set a limit on the number of prisoners who can be accepted.

"If you're saying there's nothing that can be done but limit the number of prisoners we can take, then we've got a real problem," Hampton shot back. "I think that remains to be seen."

Even without added jail staff, the sheriff's budget would jump nearly \$800,000 to \$28.2 million. In all, 34 Sheriff's Department jobs would be eliminated under Schneider's proposal.

"No one wants to pay more taxes," said Commissioner Dionne Bagsby. "The public is demanding we be good fiscal managers. No one is asking to expand services."

Capt. Jim Minter answered that taxpayers oppose higher taxes but they also want to be protected against crime. Sheriff Don Carpenter did not attend the session.

Ultimately, Hampton and Bagsby agreed to put the plan on hold for a day and discuss it again.

"If they [sheriff's officials] don't think that's realistic, I want them to come back with something," Hampton said later.

The \$144 million budget plan calls for cutting 162 current jobs in major county departments to avoid a big tax increase. Probationary and temporary employees would be the first to be laid off, followed by those recently hired. Department heads would choose which job categories would be trimmed.

Two other budget options also have been offered that would avoid the mass layoffs but would require property tax increases of 7 percent to 8.5 percent, or 2 to 2.2 cents per \$100 assessed valuation.

In all, the sheriff requested 249 more employees. But Schneider said the only new positions she recommended in the base budget were two jail physicians and a psychologist.

Hampton hammered sheriff's officials about a request to add patrol division supervisors. Assistant Chief Deputy George Campbell said present supervisors, who include a captain, four lieutenants and three sergeants, are not sufficient and a sergeant sometimes must be left in charge at night.

"I think you can save some money in managing the operation," Hampton countered. "Do you want me to look at the organizational chart and do it for you? I'm not going to do it, but I damn sure could."

Broome also said yesterday there is "a very strong possibility" the state Commission on Jail Standards will order that jail clerks be replaced with certified jailers. That would boost costs by another \$77,000, Schneider said.

# Sheriff's employees may feel county budget ax

BY BOB MAHLBURG  
Fort Worth Star-Telegram

FORT WORTH — Chopping the number of sheriff's deputies and detectives, laying off jail employees and charging homeowners \$30 for false burglary alarms were among recommendations studied by Tarrant County commissioners yesterday to cut a \$66 million budget gap.

Sheriff's officials, who pointed to soaring crime rates, objected to the proposed cuts, but two commissioners said tough reductions must be considered. Five of the 56 spots in the sheriff's

patrol force and one of the 13 positions in criminal investigations would be eliminated to save money. Sheriff Don Carpenter had requested adding four additional patrol officers and adding six criminal investigators, citing "a desperate need for more officers."

"I can't see how you can consider cutting patrol when we're run to death now," Capt. Johnny Prince told the panel. "We have the same number of men we had in 1974."

Assistant Chief Deputy George Campbell said crime has grown substantially in unincorporated areas of

the county.

But Commissioner Bob Hampton said annexations by cities should also be reducing population in those areas.

Fewer than 35,000 people live in areas outside Tarrant County's 37 cities and towns, but the number has grown steadily since 1970, when there were 24,000.

The panel yesterday also recommended cutting eight jail positions — rejecting objections from sheriff's officials and a national jail consultant who said commissioners should not only keep those employees but add 72 more

to handle prisoners in a new 1,440-bed jail.

The proposed cuts are part of a layoff plan designed to chop 10 percent of employees in major departments. Budget Officer Debbie Schneider, who recommended the 162 layoffs, proposed smaller cuts for the jail but the only departments exempted were those with fewer than 10 employees and bailiffs.

Commissioners have recommended only funding cuts. Department heads would decide which employees would be cut.

## Suit accuses Carpenter of mishandling crisis

BY MARY HULL  
Fort Worth Star-Telegram

FORT WORTH — One year to the day since Juanita Hermosillo was held hostage in the Tarrant County Courthouse and killed by her ex-boyfriend, her family yesterday sued Sheriff Don Carpenter, saying he mishandled the crisis.

Hermosillo was held at gunpoint for more than six hours in a judge's chambers, where she worked as a clerk, before she was killed by former Sheriff's

Deputy Manny Cabano.

After shooting Hermosillo in the chest, Cabano put his .44-caliber Magnum to his chin and killed himself.

Besides Carpenter, Hermosillo's mother and five children named Tarrant County in the wrongful-death lawsuit, which seeks unspecified damages. The suit also claims Hermosillo's civil rights were violated and that she was denied the best means of resolving the crisis.

(More on SUIT on Page 13)

## Suit

From Page 9

Carpenter declined to comment on the lawsuit, but has said in the past that he was proud of the way he handled the situation. A review by one of Carpenter's internal affairs investigators supported the sheriff's handling of the incident.

Attorneys for Hermosillo's five children and her mother, Dora Salas, contend that Carpenter cost Hermosillo her life when he ordered the Fort Worth police's Special Weapons and Tactics unit off the premises and took over negotiations with Cabano.

"Carpenter ordered the police tactical squad to stand down from their positions and to leave the premises for no apparent reasons other than personal ego gratification and an alleged jurisdictional dispute," attorneys Jim Lane and Bruce Pauley said in the lawsuit.

Neither Carpenter nor any of his deputies was trained in handling hostage situations, the lawsuit says. Carpenter also did not have psychologists, snipers or other suitably trained officers at his disposal after he dismissed the SWAT unit, the lawsuit says.

The special unit and hostage negotiators had been at the courthouse for about 90 minutes before Carpenter ordered them out, saying security of the building was his responsibility.

# Suit says Carpenter cost hostage her life

BY MARY HULL  
Fort Worth Star-Telegram

One year to the day since Juanita Hermosillo was held hostage in the Tarrant County Courthouse and killed by her ex-boyfriend, her family yesterday sued Sheriff Don Carpenter, saying he mishandled the crisis.

Former Deputy Sheriff Manny Cabano held Hermosillo at gunpoint for more than six hours in a Tarrant County judge's chambers, where Hermosillo worked as a clerk.

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num to his chin and killed himself.

Besides Carpenter, Hermosillo's mother and five children named Tarrant County in the wrongful-death lawsuit, which seeks unspecified damages. The suit also claims Hermosillo's civil rights were violated and that she was denied the best means of resolving the crisis.

Carpenter declined to comment on the lawsuit, but has said he is proud of his handling of the situation. A review by one of Carpenter's internal affairs investigators supported the sheriff's (More on HOSTAGE on Page 8)

Within days after the incident, experts questioned Carpenter's decision to take control of a situation in which he knew the hostage-taker. It is generally unacceptable for negotiators to be personally involved with the gunman because of the emotions that may arise.

Cabano had worked for the department from 1972 through 1981. Carpenter also worked on the force during that time but was not elected sheriff until 1984.

Cabano, 45, took Hermosillo hostage after learning of a warrant for his arrest, issued after Hermosillo's daughters accused Cabano of sexual abuse. Cabano was also coping with severe financial problems that led to the loss of his home, his car and his bail bond business.

Before she was killed, Hermosillo, 34, scribbled out a will in which she expressed her love for her children and encouraged them to stay in school. Hermosillo also asks a friend to "pray for our souls because we are going to need it."

In the will, which was filed quietly in Tarrant County probate court Sept. 11 and which Pauley provided yesterday, Hermosillo asked that her children split \$10,000 she had been saving for retirement. She also wanted her insurance money to go to the children except for \$2,500 she wanted used to repay a debt to a friend.

"That defines for me mental anguish," said Pauley, who represents the

children.

Cabano also left a note for investigators in which he asks that the borrowed car he drove to the courthouse be returned to a friend.

"Please return her keys. She was not aware of my intentions. She was just a friend," Cabano wrote in the note obtained by the *Star-Telegram* through a request to the Sheriff's Department after the internal investigation.

The investigation report also included transcripts of Cabano's sometimes rambling telephone negotiations with Sheriff's Department officials and calls to Hermosillo's children in which Cabano focused on the damage his reputation had suffered because of the sexual abuse accusations.

"People laugh behind your back. People laugh in front of you. People talk. You are not accepted. You can't work anymore," Cabano is quoted as saying in the transcripts.

In an exchange between Cabano and one of Hermosillo's daughters, Cabano tells the girl to "tell her [Hermosillo] goodbye, that you'll see her in heaven."

The teen-ager guesses that Cabano is threatening her mother with a gun and, in a "hysterical" voice, tells Cabano that she did not lie about the sexual abuse.

Then, one of Hermosillo's sons gets on the phone, orders Cabano to take the gun away from his mother and threatens to track him down.

In a conversation with a sheriff's

# Hostage

From Page 1

handling of the incident.

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Neither Carpenter nor any of his deputies were trained in handling hostage situations, the lawsuit says. Carpenter also did not have psychologists, snipers or other suitably trained officers at his disposal after he dismissed the SWAT unit, the lawsuit says.

The special unit and hostage negotiators had been at the courthouse for about 90 minutes before Carpenter ordered them out. At the time, Carpenter said the security of the building was his responsibility.

Later, city legal advisers told police that they and the Sheriff's Department share the responsibility.

deputy, Cabano describes his actions as his only alternative.

"I didn't wake up this morning crazy. I knew exactly what I was going to do."

"All I want to say is I'm sorry I put everybody through working a little overtime and didn't mean to put the county into a strain here. I hope it doesn't break them paying a little overtime ...

"Me and Juanita, we got married a year ago. She promised me and I promised her that when we part, we part together. She's sitting here with a smile on her face. She's probably saying, 'I didn't mean that.'"

FW STAR-TELEGRAM  
MORNING EDITION  
2 AUGUST 1990

## Text of Juanita Hermosillo's will

This is the verbatim text of the will of Juanita Hermosillo, handwritten while she was held hostage in the Tarrant County Courthouse and filed with the county probate court Sept. 11.

I Juanita Hermosillo do here wish and will to my children all my belongings also the money in my retirement of over \$100,000 — to be divide equally between the [five] children; Victoria, Horacio, Rogelio, Erika, Ismeal Patino. I have Victoria as the beneficiary on the retirement but at this time I wish to change this assignment, as to it to be divided equally.

I wish and will all my insurance money to go to my 5 children — Victoria, Horacio, Rogelio, Erika, Ismeal Patino.

To my dear sister Josphine Luvya I will her the remainder of the retirement to her. So that she can provide her children a safe place to live, so that the same that has happened to me does not happen to her.

I also have a pending Personal Injury settlement that is to be settle. Hoping, that Alex Gonzalez Jr. is a good enough attorney he will settle for no less than a reasonable settlement; this is to be divide equally to all my [five] children Victoria, Horacio, Erika, Rogelio, Ismeal Patino and to my dearest loving friend Marilyn she is to get the money I owe her which is

2,500.00 of the insurance money or the retirement I will her this.

To all the other sisters, take care, I love ya'll.

Alex and Terry my dear friend, thank you for being there when I needed you. Take care of the babies. Love you.

To my dear friend Nora, I love take care and pray for our souls because we are going to need it. Also, thank you for being a friend.

Alex, also I want you to understand what went down. I should have called Manny and told him about this, but I did not! I guess I am glad it is all over with. I do not have to see my kids suffer, they will be well protected, as far as having anything to be ashamed they do not! I brought them in this world to suffer — now I do not have to see this anymore. I love them very much!

Alex, also please if they every need a friend my boys especially please guide them in the right direction.

Well I guess this all I have to give to my children. I love them very much, and I am glad it is me not them or an innocent person.

I do want my children to promise me that they will finish school; and at least go to college. If not make something of themself's. Also — do not join the [Marine Corps] please that is my request.

THE FORT WORTH STAR TELEGRAM  
EVENING EDITION  
22 AUGUST 1990

# Tarrant Jail Rebate Totals \$15 Million

## State told it must find cash

From Staff and Wire Reports

AUSTIN — A judge today ordered Texas to pay Tarrant County more than \$15 million as its share of \$100 million in compensation to counties that have been forced to house state prisoners in their jails.

The judge said the state must raise the money needed to pay the bills and gave Texas officials until Nov. 26 to report back on what it has done to comply with the order.

"The counties have demanded that respondents [prison board members] perform their duty to take inmates, and respondents have unjustly refused and still refuse to take or make provisions for the inmates," State District Judge Joseph Hart said in his written order.

"Further, this court commands [the state] to take all action necessary to obtain funds to pay reasonable compensation."

Hart ordered the state to reimburse the counties at a rate of \$40 a day for each state prisoner held in county jails for more than seven days. For Tarrant County, the judge ordered \$15,080,840 as compensation through Feb. 28 of this year.

Tarrant County Judge Roy English said the state district court's decision is good news, but it probably won't figure into next year's county budget that is being prepared.

"We're not dancing in the streets, but we won't spend the money until we get it. But it is a step in the right direction," English said.

Tarrant County administrator G.K. Maenius also hailed the decision but said he did not expect the county to receive any money for at least three or four more years while the state appeals

(More on JAILS on Page 4)

## Jails

From Page 1

the decision.

"Our position has always been ... that the county does not want responsibility for convicted state felons, and if the state cannot house the prisoners, it ought to compensate us for that expense," Maenius said. "The judge has ruled that this is a proper attitude to take."

For the period of Sept. 28, 1987, through Feb. 28 of this year, the reimbursement totaled \$100.3 million. Another \$20 million could be due so far for 1990, said Ann Clarke Snell, attorney for 11 of the counties.

When Hart earlier announced what his judgment would be, the attorney general's office said it would appeal. An appeal would hold up any payments to counties until the case is resolved, Snell said.

Other counties and the amounts they were designated to receive are Nueces, \$5,730,640; Bexar, \$16,150,000; Collin, \$3,092,720; Dallas, \$33,949,600; El Paso, \$8,814,680; Galveston, \$3,441,520; Hidalgo, \$2,520,520; Hunt, \$828,680; Lubbock, \$3,687,920; Travis, \$6,839,480; and Victoria, \$184,840.

# Jail rebate could be several years in arriving

BY VICTOR INZUNZA  
AND JOHN GONZALEZ  
Fort Worth Star-Telegram

FORT WORTH — County officials yesterday hailed an Austin judge's ruling that could require the state to pay more than \$120 million to 12 counties, including \$22 million to Tarrant County, for holding felons in their jails.

But the officials said the award could

take years to collect because the state plans to appeal District Judge Joe Hart's order.

County Judge Roy English said Hart's ruling is at least a first-round victory in the protracted battle over the prison system's refusal to quickly accept felons.

Hart ruled in May that the Texas Department of Criminal Justice has a

"mandatory, non-discretionary duty" to take felons from jails within a week after sentencing. Based on additional testimony, he ruled yesterday that the counties are due \$40 a day per inmate.

Through last February, the jail-housing tab comes to \$100.3 million to the 12 counties. Another \$20 million in estimated county costs has accrued since then, an attorney for the counties

said.

Tarrant County officials estimate that besides the \$15 million in the judge's order, another \$5 million has accrued since February.

The award specified that Dallas County is due \$33.9 million; Bexar, \$16 million; El Paso, \$8.8 million; and Travis, \$6.8 million.

(More on JAILS on next page)

## Jails / From previous page

Nueces County, which instituted the suit, is due \$5.7 million. Other awards were: Collin County, \$3 million; Galveston, \$3.4 million; Hidalgo, \$2.5 million; Hunt, \$828,000; Lubbock, \$3.6 million; and Victoria, \$184,000.

Harris County, which contends that it is owed even more than Dallas County, has a separate lawsuit pending against the state.

Hart's judgment said the state's use of a quota system to allocate available cell space among the counties "does not alter or shift to the counties the [state's] duty to take prisoners sentenced to the custody of the [state]."

The judge also directed the state, through the Texas Board of Criminal Justice, "to raise any revenue necessary to pay such compensation." Chairman Charles Terrell said the money is not in any budget and would have to be added

by the Legislature in 1991.

The state has contended all along that it would be impossible to accept all felons because of limited space and federal court mandates to avoid crowding. But Hart said he was not convinced by those arguments. He ordered the compensation to be retroactive to Sept. 28, 1987.

English said he doesn't expect the county to start receiving any money for at least three or four years because of the appeal, which was sought by Attorney General Jim Mattox and supported by Gov. Bill Clements.

"We're not spending it until we receive it," English said. "We will believe it when we see it. But it is a step in the right direction, correcting what has been gross injustice."

English said the county is housing about 500 prisoners, and the state's

costs are mounting every day.

The county is in the grips of a severe budget problem with looming layoffs and cuts in services. The longer it is forced to pay for state prisoners, the greater the pressure will be in the future years to increase taxes, English said.

"I keep hoping the state will drop the appeal and do what is right," he said. "... But there has been terrible foot dragging, and it has placed us in a terrible bind."

County Administrator G.K. Maenius said the battle with the state comes down to an issue of fairness.

"Our position always has been that ... the county does not want the responsibility of housing convicted state felons, but if the state can't house the prisoners, then the county ought to be compensated for that expense," he said.

FORT WORTH STAR-TELEGRAM  
EVENING EDITION  
25 AUGUST 1990

## County to take bids on temporary-jail lease

BY ANITA BAKER  
Fort Worth Star-Telegram

FORT WORTH — When the new Tarrant County Jail is completed later this year, county commissioners want to lease to a private firm a temporary jail that was opened last year to alleviate overcrowding.

But Sheriff's Department spokesmen say they may still need to use the temporary jail if the number of prisoners increases as much as it did earlier this year.

Commissioners this week agreed to open bidding on a lease for the 450-bed facility at 5136 Northeast Parkway after interest was indicated by several private companies that operate jails for law enforcement agencies.

Last year the county spent \$1.2 million to purchase and renovate the facility, which had been a Green Bay Packaging warehouse, to ease crowding in the downtown jail.

Commissioners this week voted to lease the facility at no less than \$350,000 a year, despite jail officials' statements during budget hearings that the facility should be kept available because the space may be needed before the end of next year.

Commissioner Bob Hampton said any contract would allow the county to terminate the lease with 180 days' notice if conditions warranted using the facility again.

One proposal brought to commissioners a month ago called for a private firm to operate the facility for the state Bureau of Pardons and Paroles, Hampton said.

Parole violators would be housed there, taking some prisoners out of the county jail, Hampton said.

Even if the county continued to keep prisoners in the facility, the Sheriff's Department would not have enough jailers to staff it, Hampton said.

Sheriff Don Carpenter said that the new downtown jail will add 1,440 beds, but that to meet state jail standards the county must keep some beds empty.

Jail standards require each prison to keep certain classifications of prisoners isolated from others, depending on the charges against them, said Jack Crump, executive director of the Texas Commission on Jail Standards in Austin.

Convicts have clogged county jails across the state because the penitentiary has had no room to take them during the past several years.

At midnight Thursday, Tarrant County Jail population was at 1,568, although capacity is 1,288.

When the new facilities are complete and the Green Bay facility and half the minimum-security facility is closed, the jails will have 3,248 beds.

Earlier this year, the number of prisoners crammed into the jail exceeded that figure, jail officials said. On Feb. 3, the population hit 3,261.

Hampton said jail-population projections presented to commissioners by the Sheriff's Department were based on escalations over four years. In recent months, the numbers have been declining, Hampton said.

That was in part because the state allowed the county to send more convicts to the penitentiary after two new facilities opened.

## OBITUARIES

**Michael Ferguson**  
Deputy sheriff

**BENBROOK** — Michael Ferguson, a deputy sheriff for the Tarrant County Sheriff's Department, died Tuesday at a Dallas hospital. He was 55.



Funeral will be private at Greenwood Funeral Home. Memorial will be in Greenwood Memorial Park.

Mr. Ferguson was born in St. Boice, Ind., and had lived in Benbrook for 13 years.

He was a 23-year veteran of the Air Force and retired as a master sergeant.

Survivors: Wife, Norma Ferguson of Benbrook; two daughters, Cheryl Ferguson of Benbrook and Cynthia Beard of Dallas; mother, Esther Ferguson of Connersville, Ind.; brother, James Ferguson of Terre Haute, Ind.; two sisters, Joan Spencer of Connersville and Carolyn Ferguson of Indianapolis; and one grandchild.



## Jail inspection finds inmate safety hazards

BY BOB MAHLBURG  
Fort Worth Star-Telegram

FORT WORTH — A weeklong state inspection of the new \$43 million Tarrant County Jail has revealed potential threats to prisoner safety and other less serious violations of minimum state jail requirements.

A smoke removal system did not work properly, fire hoses are too bulky and a smoke detection system didn't work as required, reported Robert Dearing, inspector for the Texas Commission on Jail Standards.

The commission is unlikely to allow exceptions to such violations, county officials said.

Construction, which was to be substantially finished in April, is about six months behind schedule because of weather and other delays.

"The Sheriff Department's major concern is when the building will

open," said Chief Deputy John Pempsell.

But construction officials say further delays are unlikely.

"I don't think so," said Jack Hancock, project executive for Gilbane Construction Co., which is managing the construction for the county.

Hancock said most of the violations sound more serious than they really are. The smoke exhaust system, for example, can be fixed by installing gaskets, removing plastic bags covering detectors and making minor adjustments.

"I think it was a very, very good inspection. Thirteen items is nothing compared to the size of that building."

The preliminary state inspection of the new 13-floor, 530,000 square-foot jail began Monday. State inspectors will not conduct a formal inspection, needed before the jail can be opened, until at least October.

# Tarrant looks at raises during budget crunch

BY BOB MAHLBURG  
Fort Worth Star-Telegram

Tarrant County commissioners are eyeing a 3.5-percent pay raise for themselves and other county employees at the same time they have recommended eliminating 61 county jobs and other budget cuts to save money.

The raises are included in a proposed budget on which commissioners will conduct a formal public hearing Tuesday, County Budget Officer Debbie Schneider said yesterday. The raises apply to most elected and appointed officials and county employees, Schneider said.

"Everybody but the judges," she said. Pay for all court judges is set by the Legislature.

More than \$1.7 million is budgeted for pay raises, including 2,000 county employees whose raises are based on performance ratings by their bosses. Those raises are expected to average 3.5 percent.

Each of the four county commissioners, who now receive \$64,688 per year, would get a flat 3.5-percent raise, or \$2,263 more per year. The increase would give another \$2,463.72 to the county judge, who is now paid \$70,392. Each commissioner is also authorized more than \$6,000 per year in car allowance.

Commissioners did not publicly discuss raises for themselves and other elected officials, such as the sheriff, during recent budget talks, Schneider said.  
(More on SALARIES on next page)

## Salaries / From previous page

and other officials said.

The raises come at a time when commissioners have recommended laying off dozens of workers to save \$1.4 million in the county's proposed \$148 million budget for 1991.

Commissioner Dionne Bagsby said the pay increases are justified. Bagsby said there is no contradiction between laying off employees and giving pay increases to others. In fact, the raises are designed partly to make up for the layoffs, she said.

"Everybody is going to be asked to work harder for less, including commissioners," Bagsby said.

Reducing staff was necessary to avoid a large tax increase, but workers also must get raises, Bagsby said.

"You cannot keep a competent work force and year after year have no expansion of compensation," she said.

However, Commissioner J.D. Johnson said he's not sure whether elected officials fall in the same category as other workers.

"I'm not sure I'll support an increase for elected officials," Johnson said. "I honestly have not given that a thought."

Johnson said raises clearly are justified for appointed officials, such as department heads, and other county employees.

"I really think you have to reward the people working for you," Johnson said. "Those people are going to have to do extra duty to make ends meet. The cost of living is going up, and additional costs of insurance."

The 61 positions to be cut include 18 of the commissioners' and judge's employees, including four precinct garage supervisors, who are being laid off as part of a proposal to consolidate road management; nine positions at the county jail; and 10 positions in the tax department, Schneider said. The exact number of positions in each department has not been determined, she said.

Employees, for the first time starting this year, must pay for part of their health insurance at a cost of \$5 per month.

Personnel Director Gerald Wright said he has not yet determined the maximum raise for county workers. The amount available for raises is based on an average 3.5-percent increase for all workers, but actual raises will be based on performance. Some workers may get no increase while others may get more than 3.5 percent. Raises for many appointed officials are determined by performance evaluations by the commissioners.

FW STAR-TELEGRAM  
WEDNESDAY EDITION  
5 SEPTEMBER 1990

## Forgery suspect flees

BY STEFANI GAMMAGE  
Fort Worth Star-Telegram

FORT WORTH — A 28-year-old Cleburne man arrested while in intensive care at John Peter Smith Hospital escaped from custody yesterday afternoon while a guard had his back turned, officials said.

Byron Lewis Marshall, who was named in three warrants as a suspect in two forgery cases and one burglary with attempt to commit theft

case, grabbed a sack containing his clothes and fled about 3 p.m., said Tarrant County Sheriff Don Carpenter.

Carpenter and other sheriff officials declined to say why Marshall had been in intensive care.

The guard, a two-year veteran of the force, received a verbal reprimand from the sheriff today because of the escape, Carpenter said.

## from intensive care unit

Before Marshall fled, authorities told him there were warrants for his arrest, the sheriff said.

"He [the guard] should have put the leg irons on him right there; that's where he made a mistake," Carpenter said.

Instead, as the guard had his back turned for a moment talking to a nurse, Marshall grabbed his belongings and ran, Carpenter said.

Assistant Chief George Campbell of the sheriff's department said there is no evidence that the man is violent.

"We certainly don't want people to think we've let a mad dog [loose] on the community," he said.

Sheriff's department officials will have to reissue the three warrants for the suspect along with a warrant for felony escape, Campbell said.

FW STAR-TELEGRAM  
WEDNESDAY EDITION  
19 SEPTEMBER 1990

## Jail escapee charged with skipping tab

BY STEFANI GAMMAGE  
Fort Worth Star-Telegram

FORT WORTH — A 28-year-old county prisoner, who escaped from a hospital intensive care unit two weeks ago, was captured Monday after skipping a restaurant tab for a hearty Italian meal, a sheriff's department official said today.

Byron Lewis Marshall of Cleburne, who fled from custody at John Peter Smith Hospital on Sept. 4, was back in the county's tax-supported hospital and in fair condition this morning, a hospital spokeswoman said.

Officials have not disclosed why Marshall was initially hospitalized, but he told Fort Worth police after his arrest Monday evening that he is a diabetic and needs insulin.

Marshall was arrested after the manager of the Italian Inn, 3132 E. Lancaster Ave., flagged down a patrol officer at Ben Avenue and Mount Vernon and said a man who had failed to pay for a \$23.17 meal was hiding behind a nearby house, a police report states.

The officer searched behind the house and found Marshall, the report said.

A witness at the restaurant told police a man devoured a huge meal and then took off running through the kitchen, running through a locked back door and knocking it off its hinges, the report said.

After his capture, Marshall told police he was being sought.

"You're looking for me anyway," the report quotes him as saying. "I escaped and I'm wanted, from John Peter Smith."

# Coding system in jail is called danger to gays

BY FRANK PERKINS  
Fort Worth Star-Telegram

FORT WORTH — Leaders in the gay community are protesting a procedure used in processing prisoners at the Tarrant County Jail that allows gay and bisexual prisoners to be tagged with gray wristbands.

Members of the Tarrant County Gay Alliance met with jail officials last week and plan to meet with the local American Civil Liberties Union this week to scrutinize the procedure.

The bands are issued to prisoners who request protective custody away from the general jail population, jail officials said.

Sheriff Don Carpenter said jail officials have used color-coded wristbands for years to distinguish different types of prisoners.

He said felons wear red bands; misdemeanor offenses merit a blue band; yellow bands mark prisoners with special medical problems; and orange bands are worn by those awaiting transfer to a federal prison.

"The gray bands for the homosexuals are not meant to demean them, but to protect them," Carpenter said. "We give them the bands and keep them away from the other prisoners to keep somebody from punchin' their lights out.

"I'm going to keep on using the system until the law or a federal judge tells me not to," Carpenter added.

David Reed, incoming president of the Tarrant County Gay Alliance, said the gray wristbands mark their wearers

(More on JAIL on next page)

## Jail

From previous page

for possible mayhem rather than protect them.

"Color-coded bands make the wearer immediately known to everyone who knows what the codes mean, and that is every other prisoner up there in that jail," Reed said.

He said he will ask the ACLU to look into the practice at its Wednesday chapter meeting.

A similar system was changed last month in Florida, where the pink wristbands for gay and bisexual inmates were replaced with bands bearing bar codes, Reed said.

"Jail officials told me last week that is what Tarrant County will do when the new jail opens," Reed said. "But there is a large gap in that jail between policy and practice, and I am not sure if going to a non-distinctive band with only a bar code can offer gays and bisexuals any more protection than the current system."

Reed said he was concerned about guards who hate gays having authority over them.

"An awful lot of the safety of gay prisoners depends on the good will of the guards," Reed said. "If a guard shoves you into a cell with a 'Get in there, faggot!' remark, you are marked to the rest of the population of that cell even if you are wearing only a bar code on your wristband."

Reed said jail officials told him that they were doing their best to prevent such incidents.

"The jail officials told me they try to make sure no homophobic guards are put over the gay prisoners, but again, I worry about the gap between policy and practice, particularly because of the overcrowded conditions up there," he said.

Karen Walters, president of the Fort Worth ACLU chapter, said the matter is one the group probably will look at.

"It certainly looks like an issue we would be very, very interested in," Walters said. "I think it is very odd [that] a person in jail on a felony is tagged gay and not tagged as a felon. It seems to me that if you are in jail, you should be tagged with your crimes, not your sexual preferences."

Reed said that as of Thursday, 34 homosexuals and 15 bisexuals wore the gray tags.

# Jail ID bands for gays called rare

BY HOLLACE WEINER  
Fort Worth Star-Telegram

State and national jail experts say it is highly unusual to put color-coded wristbands on gay inmates — the subject of a mushrooming controversy involving Tarrant County Jail.

While segregating gay inmates is a common practice in jails nationwide, the head of the Texas Commission on Jail Standards said he knows of no other county jail that uses ID bracelets for gays.

"I have never heard of that in the

## Alliance spokesman asks Tarrant to review methods other counties use for categorizing inmates.

other counties," said Jack Crump, the commission's director.

Gay advocates complain that the gray ID bracelets gays wear in the jail subject them to physical and verbal abuse. At a news conference yesterday, the Tarrant County Gay Alliance said the abuse is sometimes tolerated by jail

guards.

Comparing the color-coding to Adolf Hitler's use of pink triangles to designate gays in concentration camps, alliance spokesmen asked the county commissioners to study how other counties handle gay inmates and whether Tarrant County's system minimizes abu-

sive treatment.

"Should they be marked?" asked Gay Alliance President David Reed. "The intent is clearly protective. However, it very easily provides a way of clearly marking people for discriminatory treatment."

The Greater Fort Worth American Civil Liberties Union also issued a statement saying it plans to monitor the situation.

County Commissioner Bob Hampton said commissioners might well in-

(More on GAYS on back page)

## Gays

From Page 11

investigate how other counties classify prisoners.

"I see no reason why we can't . . . look at the practice from the standpoint of what other entities do. I don't think this is of such magnitude that the Sheriff's Department is going to get uptight at us looking at it, because eventually we'll have to look at it anyway," Hampton said.

But Commissioner J.D. Johnson said the Commissioners Court should stay out of the fray.

"Our duty is to fund the needs of the jail," Johnson said. "We don't get into the administration of how the sheriff runs the jail."

Yesterday, Tarrant County Jail housed 3,057 inmates, including 32 with the gray bands, Jail Administrator Bill Broome said. He declined to comment on the jail's inmate classification system.

Citing Kinsey Institute estimates that 7 percent to 13 percent of Americans are gay, gay alliance president Reed said he believes the actual number of gay inmates at the jail is higher. But Reed said many gay inmates do not state their sexual preference because they feel safer without such a label while they are behind bars.

Sheriff Don Carpenter did not return phone calls yesterday. Earlier, however, he explained that the color-coding is intended to protect gay inmates rather than demean them.

In Tarrant County Jail, felons wear red bands; misdemeanor offenders wear blue bands; prisoners with medical problems wear yellow; and prisoners awaiting transfer to a federal prison wear orange.

Gray wristbands go to inmates who sign a voluntary statement stating that they are homosexual or bisexual. Efforts are made to segregate those inmates from the rest of the jail population.

In Johnson County and in 11 city jails in Northeast Tarrant County, officials said yesterday that they segregate only prisoners with contagious illnesses such as flu or strep throat. In Dallas County, gay prisoners can request separation from other inmates, officials said.

Nationwide, the U.S. Justice Department's National Institute of Corrections Jail Center reports that some states mark inmates' files with red dots to indicate homosexuality and that many institutions separate gays from the rest of the inmates.

"If they have separate housing units, you might as well be color-coded," said Ed Meacham, the institute's information coordinator.

Robyn Blumner, executive director of the Florida Civil Liberties Union, called the color-coding dangerous.

"Once you identify homosexual preference, you are subjecting them to gay-bashing, taunting and possible violence by dint of the fact that you have made them separate and distinct," she said.

## Citing personal and health reasons, Tarrant jail administrator resigns

BY BOB MAHLBURG  
Fort Worth Star-Telegram

Tarrant County Jail Administrator Bill Broome has resigned, citing "purely personal reasons," including past health problems and a reorganization of the jail staff that could lead to layoffs.

Broome's resignation comes amid controversy over protests by gay leaders about the jail's tagging of gay prisoners with gray wristbands. But Broome said that controversy had "absolutely nothing" to do with his decision to quit.

Broome said he is resigning the \$52,956-per-year post Sept. 15. He has held the job nearly four years.

Broome, 51, has battled health problems in recent years, including an aneurysm and heart surgery in late 1989 that kept him off the job for six weeks. He said yesterday that he has considered quitting the high-stress job ever since that surgery.

Sheriff Don Carpenter said Broome cited medical concerns as the reason for his resignation.

"He said he was quitting on health

problems," Carpenter said. "He said he had to give up it up on his doctor's advice.

"I hate he's leaving. He done a good job. We got along real well."

Broome recently criticized a budget proposal being considered by county commissioners to reduce jail employees, saying it would leave the jail critically short-handed. A final budget has not been approved.

Broome's resignation comes just weeks before officials are scheduled to begin moving into a new 1,440-bed maximum security jail that will prompt major changes in jail operations. Included in those changes will be the closing of several temporary wooden jail barracks and a warehouse jail.

The changes will require reorganization of the jail staff, including possible layoffs and elimination of nine jail clerks and an assistant warden, Broome said.

"It's not [a] hasty decision," he said. "The department is going to be losing some key positions when the new jail

opens. I thought it would give them a little more latitude to deal with that."

Broome said he has not recommended a replacement. He said he has had no serious disagreements with Carpenter or other sheriff's officials, but he has long been concerned that the jail is understaffed.

"There have been personnel concerns, yes — what I consider lack of adequate staffing, but that's not why I'm resigning," he said. "I've had that since I've been here. Let's just say it's been frustrating."

Before taking the Tarrant County post, Broome supervised operations of the Harris County Jail in Houston as an assistant to the sheriff.

Like jails in most urban counties, the Tarrant County jail has struggled with crowding. State inspectors also have cited the jail for violating minimum state staffing rules.

Broome said he is weighing several job offers, all in Texas.

"First, I'm going to take a nice vacation for two or three months," he said. "I haven't had one since I've been here."

FW STAR-T ELEGAM  
WEDNESDAY EVENING  
26 SEPTEMBER 1990

## Otwell vows to stay in jail until someone pays his bail

BY BILL TEETER  
Fort Worth Star-Telegram

FORT WORTH — The Rev. W.N. Otwell remained in jail last night and said he will stay there until somebody — other than himself or his followers — pays his \$500 bail, even if it means missing protests against sending women soldiers to Saudi Arabia.

Otwell also said the mayor's office is spreading rumors about his arrest, but city spokesman Pat Svacina said he had no knowledge of any rumors.

"The mayor's office was saying I got arrested because I got into a ruckus," Otwell said.

Police arrested Otwell and 11 of his followers Sunday night at the Fort Worth Water Gardens on misdemeanor criminal trespassing charges. One of the 11, Mike Anderson, said last night that Otwell was the only one of the group still in jail.

One other man was arrested on a charge of disorderly conduct.

Otwell is known for his efforts to feed the homeless and sometimes distributes food and preaches at the Water

Gardens. In May, he spent four days in jail for feeding the homeless without a permit. He was found guilty in municipal court and fined \$900. He is appealing the conviction.

Last month, a municipal court judge quashed 80 other citations against Otwell for distributing food.

On Sunday, Svacina said Otwell and his followers had been picketing near the Water Gardens, which had been leased for the day by the International City Management Association for its annual conference. Otwell entered the Water Gardens, was told to leave, but would not and was arrested, Svacina said.

The others then tried to enter the Water Gardens and the same thing happened, Svacina said.

Otwell said he refused to leave the reserved area Sunday in defiance of insults hurled at him by city officials and police.

But Svacina said Otwell and his group were treated with respect even while picketing, and nobody uttered any insults.

# Safety issues may delay Tarrant jail even further

## *Inspectors to return next week*

FW STAR-TELEGRAM  
THURSDAY EDITION  
27 SEPTEMBER 1990

BY JOHN GONZALEZ  
Fort Worth Star-Telegram Austin Bureau

AUSTIN — On the outside, the \$43 million Tarrant County Jail in downtown Fort Worth may look good enough to open.

But state inspectors said yesterday the facility's insides still don't meet safety standards and county officials were expressing fears that the badly needed new facility will not be able to open until sometime next year.

The new jail, which has faced a series of construction delays, had been targeted for opening in late October or November. But Sheriff Don Carpenter said that is no longer a realistic expectation.

"I need to get in as quick as I can, but I don't want to get into something that's underbuilt," Carpenter told the Texas Commission on Jail Standards.

The inspectors told the commission that several deficiencies cited in August have yet to be rectified, including some major concerns over the smoke removal system in case of cellblock fires.

They scheduled a return visit Oct. 4, with contractors and Fort Worth, Tarrant County and state fire marshals to re-examine the mandatory smoke purge system.

County Judge Roy English said last night that he wouldn't comment on the inspectors' findings until he had been briefed by Jail Standards officials.

County Commissioner Dionne Bagby said she is disappointed by the news but that commissioners have been diligent in monitoring the progress of the jail, which originally was scheduled to

open six months ago.

"It concerns me obviously that there is some difficulty in getting it open and getting it in use," she said. "To some extent you have to rely on the contractors and it is in their interest to get this thing done or penalties will kick in."

Carpenter said he has no intention of moving prisoners into the new jail if it doesn't meet standards.

But he said that once the jail is ready, he will ask the Tarrant County Commissioners Court to begin phasing out the eight temporary facilities to handle overflow from the old jail. He also said he plans to carry out his promise to end the practice of putting two inmates in cells designed for one person.



# Otwell, followers jailed after

BY BILL TEETER  
Fort Worth Star-Telegram

FORT WORTH — The Rev. W.N. Otwell and 12 of his followers were arrested yesterday on misdemeanor charges after they entered an area reserved for a city manager's convention and refused to leave when asked, officials said.

Otwell was placed in Tarrant County Jail on a charge of criminal trespassing

after refusing to leave the Water Gardens, then being used by the International City Managers Association conference, said police Lt. M.C. Slayton. Besides Otwell, 11 others were also arrested on criminal trespassing charges, he said. Police arrested the 12th follower on disorderly conduct charges, he said.

Those arrested included Otwell's son, Rocky Otwell, Slayton said.

The Water Gardens, which had been leased by the city managers group for the conference, is sometimes used by Otwell to preach and feed the homeless.

Otwell said Friday that he had learned Wednesday of the closing off of the Water Gardens. That did not give him enough time to tell the street people of another location for his food and preaching, Otwell said.

## refusing to leave Water Gardens

Yesterday, Otwell and his group picketed for the homeless for about an hour and 45 minutes on the northeast corner of the Water Gardens at Commerce and 13th streets, said city spokesman Pat Svacina.

When Otwell tried to enter the Water Gardens about 7:15 p.m., police told him to leave, Svacina said. Otwell refused to leave and was arrested, Svacina said.

After Otwell's arrest, the others also tried to enter and were arrested, Svacina said.

Otwell said he was told Wednesday that the Water Gardens would be leased for most of yesterday, but Svacina said the city sent Otwell a letter, dated Sept. 11, that should have reached him much earlier.

"He was sent a letter two weeks ago that the park was supposed to be closed

Sunday," Svacina said. "He has no proprietary right to that park."

Otwell and the group remained in jail this morning, and Sheriff Don Carpenter said the minister declined to talk to a *Star-Telegram* reporter.

During the summer, Municipal Court Judge Molly Jones struck down more than 80 health department citations against Otwell.

# Oversight needed

## State must regulate municipal jails

The firing in Pantego of a reserve police officer for telling the *Star-Telegram* of deficiencies in the Pantego jail was as uncalled-for as it was unfortunate. But the real culprit in this melodrama is the Legislature, which is responsible for the shameful lack of standards for city jails in Texas.

Neil King, who worked as a volunteer reservist after having served for six years as a full-time officer, was told that he was being terminated because his remarks to a *Star-Telegram* reporter led to a story critical of conditions at the jail. The story was published after an inmate hanged himself in one of the cells.

A Pantego police spokesman said that King should have taken his grievances to proper authorities within the department, something that King said he tried to do, to no avail, before the inmate's death.

None of this would have been likely to occur if city jails were under some kind of effective regulation, as federal and state

prisons and county jails are. The Texas Department of Corrections sets standards for state prisons, and the Texas Commission on Jail Standards ensures that county jails follow certain guidelines in their treatment of prisoners. No such monitoring is available for city jails.

This is not a problem that just cropped up overnight. A report released in 1985 by the Commission on Jail Standards explored the fact that inmates in many municipal jails — none of whom had been tried for any crime, much less convicted — were treated much worse than convicted felons are treated in federal and state prisons.

The Legislature must correct this situation either by giving the Commission on Jail Standards the authority to regulate city jails or by establishing a separate agency to do the job. If lawmakers do not do it, some judge is likely to do it for them.

# County jail

## Commissioners must see that job's done

The question of the moment at Tarrant County Courthouse is when the county's new jail building will open. The trouble is, the question has been around since spring, when the facility was expected to be ready for use.

The targeted opening date has been shifted several times since then. Now, some say it may not open until next year.

It begs the question to say that the building is needed. Anyone who has been within earshot of the courthouse within the last few years knows that a burgeoning inmate population has pushed available jail space to the bursting point.

But there are some deficiencies with the new jail, according to the Texas Commission on Jail Standards. Those faults, which include a smoke-purging system

that does not work properly, must be corrected before the commission will authorize the jail's opening.

The county has spent good money on the building, including the hiring of experts to oversee its construction. Some problems must be anticipated in such a project's construction and in its getting necessary approval from regulatory agencies, such as the jail commission. But use of the building is now months past due, and its lack of availability further crowds the criminal-justice system.

County commissioners must lean harder on the hired hands to get the jail open. Otherwise, the next question making the courthouse rounds may be — with some justification — how long will commissioners be around?

## Judge frees Otwell from jail

FORT WORTH — The Rev. W.N. Otwell was released on personal recognizance yesterday after a judge determined there was little danger of his fleeing justice.

Otwell said he had considered himself a political prisoner.

"They held me unlawfully and unconstitutionally on a trumped-up charge," Otwell said.

Police arrested Otwell, known for his efforts to help the homeless, Sunday night at the Fort Worth Water Gardens. He was being held in Tarrant County Jail in lieu of \$500 bail on a misdemeanor criminal trespassing charge.

He had said he would not pay the

\$500 nor would he allow any of his supporters to bail him out.

Twelve other people also were arrested, 11 of them on criminal trespassing charges and one man on a disorderly conduct charge. All had been freed earlier.

Otwell was freed about 11:30 a.m.

Otwell said he was released after sending supporters to deliver a request for his release to visiting Judge R.E. Thornton.

Thornton, however, said his decision was based not on the request but on his determination that Otwell was not likely to flee and so no reason existed to hold him in jail.

# Sheriff blames escape on cutbacks

BY BOB MAHLBURG  
Fort Worth Star-Telegram

FORT WORTH — Tarrant County Sheriff Don Carpenter is blaming a cost-cutting move by county commissioners for last week's jail escape by a Dallas man serving a 100-year prison sentence for almost two dozen aggravated robberies.

Jerry Randolph, 32, of Dallas, escaped from the Green Bay warehouse jail in north Fort Worth by kicking out a glass window for which commissioners refused to buy security screens nearly a year ago.

He was returned to Fort Worth, then sent to Texas Department of Corrections in Huntsville yesterday after being captured in Dallas.

Carpenter said Randolph escaped by surprising guards as he was being returned from a religious service, and climbing steel-barred cells to reach high windows at the top of the warehouse.

"He just whirled on top of one of those cages, kicked the windows out and went right out," Carpenter said. "It wouldn't have happened if they'd [commissioners] put those screens up

there."

The Sheriff's Department issued an alert to other police agencies after Randolph's escape, warning he "should be considered armed and dangerous."

Randolph and hundreds of other prisoners sentenced to state prisons have been held at the jail because Texas Department of Corrections have refused to accept them into overcrowded prisons.

County commissioners unanimously rejected a proposal a year ago to buy barbed wire fencing to secure the windows. Glass windows and green fiberglass shields circle the top of the former industrial warehouse, which is near Interstate 35W and Loop 820 in north Fort Worth. Commissioner J.D. Johnson, who seconded a motion by Commissioner Bob Hampton not to buy the fence, expressed surprise at the escape but said commissioners were not at fault.

"I don't really think it was our fault, but if that's the accusation then let it sail," Johnson said. "If I recall, those windows are like 40 feet up in the air. They're extremely high and I'm ex-

tremely surprised a prisoner could get up that high with as many guards as we have at the facility not only on the inside but on the outside."

Carpenter said he did not know how many jailers were guarding the prisoners but he denied that lax security may have contributed to the escape.

The fencing would have cost \$32,800. Commissioners spent \$900,000 to buy the warehouse and at least another \$900,000 to remodel it and add showers, air conditioning, steel bars and other items.

Randolph was sentenced to 61 years in prison in July after being convicted of an armed robbery of a Bedford Taco Bell restaurant in which he forced two employees into a cooler at gunpoint. He earlier was sentenced to a 40-year prison term for 23 Dallas County robberies.

It was the first escape from the warehouse jail, which opened early this year.

Chief Deputy John Pempsell said the department would again ask commissioners to approve the fencing to bolster security.

"It may be something we have to consider," Johnson responded.

FW STAR-TELEGRAM  
FRIDAY EVENING  
5 OCTOBER 1990

# Submitted for your approval, again

*After 2nd inspection, new Tarrant jail opening still in limbo*

BY BOB MAHLBURG  
Fort Worth Star-Telegram

State jail inspectors returned to the new \$42 million Tarrant County jail yesterday, but still could not say if they will approve the facility's opening by year's end.

The jail, scheduled to be substantially finished in April, has been delayed for months by bad weather, construc-

tion problems and other problems.

State inspector Bob Dearing said yesterday that the county is making progress in correcting most of the 13 state violations cited in a preliminary inspection two months ago, but Dearing declined to say when all the flaws would be corrected.

The main concerns continue to be four violations of "life safety" regulations, including problems with a smoke and fume removal system and fire hoses.

But Dearing was encouraged yesterday that there has been some progress.

"Things are looking up," he said. "We were impressed with the facility. When we get all this worked out, it will be as good a jail as we've got."

Faulty lights on the medical floor have been repaired, gaps in floor covering in the kitchen have been fixed, and faulty radio intercoms are being repaired, he said.

Sheriff's Department officials also agreed to draft a policy requiring two jail officers to handle heavy fire hoses, which Dearing said are impossible for one officer to carry. That may require

adding jail officers, said Chief Deputy Sheriff John Pempsell.

However, state inspectors did not attempt to test the crucial smoke removal system, which failed an earlier test, because construction officials said it was not ready. Jail Standards architect Wayne Gondeck also told construction officials that he was afraid to try a fire test on wooden cell doors because he was sure they would fail.

"I don't even want a volunteer to do it," Gondeck said. "They're going to get hurt."

Gilbane Building Co. officials, who are managing the construction for the county, have defended the particle-wood doors as safe. Architect Merv Croston said an independent testing lab has been hired to test them.

Gilbane Project Executive Jack Hancock said the smoke system probably will be ready for another test within a week to 10 days. Crews will have to enlarge air ducts and make other changes to remedy the smoke removal problems, said Gilbane manager Ed Rittmayer.

FW STAR-TELEGRAM  
28 OCTOBER 1990

# Book hits driver 69 times

Twenty-year-old Jimmy Owens might have driven himself to the poorhouse with traffic warrants totaling \$8,623 in fines.

BY RICHARD DOTSON  
Fort. Worth Star-Telegram

FORT WORTH — Jimmy Owens really created a bottleneck at the Tarrant County Jail last night and officials were still talking about it this morning.

They'd never seen anything like it before.

It took more than two hours to book the 20-year-old into jail. Each of his warrants had to be recorded separately. All 69 of them.

That's right — 69 traffic warrants with fines totaling \$8,623.50.

"I've never seen one this high," said Tarrant County Jail Sgt. Roger Goertemiller. "Not since I've been here — since 1959."

Goertemiller, who recalled maybe 25 or 30 warrants as a previous high against one person, was amazed that Owens, of the 3000 block of Lulu Street and a legal driver for five years at most, had eluded jail so long.

Arresting Officer S.E. Hinshaw, who had dealt with Owens on previous traffic stops, said a fellow officer informed him last night that Owens was a wanted man. Hinshaw said he doesn't know how Owens' warrants went undetected before, but they were on the computer when he checked the fellow officer's tip last night.

## Appeals court upholds sentence in '83 slaying of Tarrant deputy

Associated Press

AUSTIN — The murder conviction and death sentence given to Troy Dale Farris in the shooting of a Tarrant County deputy sheriff was upheld today by the Texas Court of Criminal Appeals.

Farris was convicted of the 1983 slaying of Deputy Carl Rosenbalm, who interrupted a roadside drug deal, according to court records.

Rosenbalm, shot twice with a .357 Magnum pistol, was fatally injured although he was wearing a bulletproof vest.

In a 5-2 ruling, the appeals court rejected 12 arguments offered by

Farris, including his contention that there wasn't enough evidence to corroborate the testimony of an accomplice witness.

At the trial, two other men, Vance Nation and Charles Louder, testified about the Dec. 3, 1983, shooting.

Nation said he drove from Wichita Falls to meet Farris in Fort Worth "to exchange marijuana for amphetamine." After the exchange, Rosenbalm drove up on the scene with the lights on his patrol car flashing.

Although he was wearing a protective vest, one of two shots fired at close range went through Rosenbalm's left arm and into his chest.

# Police seek DWI killer in new case

BY BILL TEETER  
Fort Worth Star-Telegram

FORT WORTH — Convicted of driving while intoxicated 15 times and killing one person in a drunken driving accident, a 50-year-old man bailed out of jail last week before officials received a judge's order not to release him on his latest DWI charge.

Henry Crider, who posted a \$10,000 bond Friday to get out of Tarrant County Jail, now is being sought on a warrant alleging insufficient bail and three warrants charging violation of probation on previous DWI convictions.

He remained at large this morning.

State District Judge Lee Ann Dauphinot, after learning Crider had been arrested again on a felony DWI charge Tuesday, signed warrants Friday ordering he not be released because the latest arrest violated his probation. The instructions, however, were not entered into the jail computers until after Crider posted bond and was out of jail.

"By the time the orders got punched in, it was too late; he'd beaten the instructions out," said Assistant District Attorney Kenneth Mullen.

Mullen said Crider's bail had been set by either a magistrate or jail officials, although district judges may alter the amounts.

Deputies went to Crider's home Friday afternoon and a district attorney's office investigator visited later in the day, but Crider was not there.

Dauphinot then signed the additional warrant to hold him because of insufficient bail, Mullen said.

A relative said Crider was out of town and not expected to return until later this week.

"He is the example we use when we talk to the Legislature about this problem" of short sentences — five years maximum — for repeat DWI officers, said Tarrant County pro-

(More on DWI on Page 4)

## DWI

From Page 1

secutor Chris Marshall.

Crider in 1986 was one of 10 drivers cited in a *Star-Telegram* series about DWI and drivers who continued to drive despite numerous convictions.

In an interview at the time, Crider said he had stopped drinking because "God cured me of alcohol in a jail cell."

Crider's lengthy record of DWI arrests and convictions dates back to the early 1970s. His driver's license has been suspended in the past but his driving privileges were intact at the time of

his latest arrest, according to the Texas Department of Public Safety.

Records show that in 1972 he was driving a car that struck the rear of another vehicle on the Interstate 30 overhead in front of the downtown post office. The impact threw Willie Mitchell, 37, from his vehicle and over the bridge railing to the street below, killing the father of five children.

Crider did not stand trial in that case until 1976, when he was convicted and sentenced to three years' probation. The probation subsequently was re-

voked and he was sent to the Texas Department of Corrections for two years.

Records show that in 1975, before he went to trial in Mitchell's death, Crider was convicted of driving while intoxicated in August 1973, July 1974, twice in December 1974 and May 1975.

The five convictions netted a 15-day jail term, \$475 in fines and three years' probation.

The following year he was convicted in the 1972 fatal accident and another DWI, which resulted in probation revocation on the previous convictions and a two-year prison sentence.

After his release from prison, Crider was convicted in July 1980 on two more DWI cases and was sentenced to

two concurrent two-year prison terms.

In 1983, he was convicted of DWI again and sentenced to 18 months in prison; in 1986, another DWI conviction rendered five years' probation.

In 1988, Crider was convicted on four more charges of DWI and was sentenced to five years in prison and three concurrent sentences of 10 years' probation.

He served less than a year in prison and was released and assigned a probation officer in October 1989.

He was not stopped for DWI again until Tuesday, when an officer said he saw Crider go through a stop sign on Hattie Street. Stopped after a brief chase, he failed a field sobriety test and was arrested.

FW STAR-TELEGRAM  
MONDAY EVENING  
29 October 1990

FW STAR-TELEGRAM  
MONDAY EVENING  
29 OCTOBER 1990

## City trying to bring end to handouts

BY FRANK PERKINS  
Fort Worth Star-Telegram

FORT WORTH — The city hopes to close loopholes that have allowed the Rev. W.N. Otwell to defy public health officials by continuing to feed the homeless at the downtown Water Gardens.

Since 1988, Otwell has collected more than 80 citations for serving pinto beans and cornbread without a permit. However, the tickets were dismissed earlier this year by a municipal court judge who said the code applied only to commercial food operators and not to Otwell.

Assistant City Manager Ramon Guajardo said the Otwell ruling provided an opportunity to make the food-handling requirements more specific to cover mass feedings such as Otwell's.

"We found some areas that needed to be addressed as a result of things brought out in the Otwell case," Guajardo said.

Guajardo said the ticket dismissal ruling did not affect the \$900 fine assessed Otwell by a jury on similar city charges last year. Otwell has refused to pay the fine.

Otwell said the new amendments are still too vague.

"They're going to have to write language that specifically names church groups that feed the poor to get me," said the minister.

FW STAR-TELEGRAM  
EVENING EDITION  
30 OCTOBER 1990

## County office did its job

I would like to address the dissatisfaction that Marilyn Lowrie continues to express concerning the criminal justice system and the office of the Tarrant County district attorney.

Her displeasure seems to stem from the decision by the sheriff of Tarrant County not to accede to her demand that a deputy sheriff be transferred because Mrs. Lowrie's former son-in-law is married to that deputy sheriff's sister. Beyond that, she seems to think that there exist widespread irregularities and misconduct in the sheriff's office.

The information provided by Mrs. Lowrie was hearsay. Despite this, the district attorney's office considered, investigated and evaluated this information. We presented this information to the grand jury of Tarrant County. The grand jury conducted its own inquiry and heard the sworn testimony of witnesses, and it declined to indict.

We view questions of integrity and honesty as serious matters. The criminal justice system, the district attorney's office and the grand jury all performed their duties as expected and required by law. Mrs. Lowrie seems to want her personal animosities toward the sheriff litigated in a criminal court. This is not our function.

—Tim Curry

Tarrant County district attorney  
Fort Worth

## Religious title in dispute

Please stop using the title *Reverend* when you make reference to the Otwell family. *Reverend* is a title to be earned and not one that automatically attaches to the name of a person licensed to preach. The combination of *Reverend* with the name Otwell implies that Otwell has earned, or is otherwise worthy of, respect.

My Bible reads, "For whoever keeps the whole law and yet stumbles at just one point is guilty of breaking all of it." My Bible also tells me that Jesus paid taxes. I assume Otwell uses a Bible similar to mine.

People are not entitled to violate laws just because they disagree with the laws. The same government that enacts laws provides for a system of seeking amendment to the laws. I read in the April 30 edition that Otwell Jr. is following in Dad's footsteps, kicking at the public officials who were sent to enforce policies designed to protect the health of the public.

I make no claim to perfection on behalf of any Christian, but I am personally embarrassed to think that folks may believe that the actions of various "Reverend" individuals typify the actions of Christians.

—Curtis Warner  
Fort Worth



# Two Tarrant inmates complain about being taken to polls

BY CAROLYN POIROT  
Fort Worth Star-Telegram

Two Tarrant County Jail inmates say that their requests to vote absentee were denied and that they were taken to the polls in shackles Tuesday, then kept in a holding cell until the polls closed so they couldn't encourage other inmates to vote.

Philip Tilton, 24, who is awaiting trial on an aggravated assault charge, said he requested an absentee ballot at least 10 times and never got one, instead receiving voter registration forms.

"I asked for an absentee ballot so that I wouldn't have to go out in public in fluorescent orange shoes and jail greens," said Tilton, who on Tuesday was taken to Western Hills High School — the polling place for his home precinct — to vote.

Sometimes you have to make special arrangements. I know we took some out to vote. I don't know how many. This is not the first time we have taken eligible inmates to vote, but I think this is the first time jailers were used to transport them.

Pempsell said that because sometimes there's a shortage of jailers, bonded employees who serve civil warrants usually are used to escort inmates to vote, but jailers were available Tuesday.

Minter said it is his understanding that several inmates used their home addresses in filling out requests for absentee mail ballots, so they did not receive ballots in time for the election.

"Some inmates voted absentee," Minter said. "We've done it this way for years, and if there is a problem, I hear about it. I was told it all went

"I looked like a cucumber with orange feet," Tilton said.

Said Joe Micheaux, 45, who is awaiting trial on an armed robbery charge: "This was the most humiliating thing I've ever seen.

"They let me vote absentee here in jail in April, but [Tuesday] they took me to the UAW Hall on Sherman Street in Grand Prairie, where I've voted for the last six years.

"They took me in shackles, and I knew half the people in there voting," Micheaux said. "They disrupted everybody trying to vote and made a travesty out of the election process."

Micheaux said he has voted ever since first becoming active in Young Democrats in college.

He and Tilton said they were escorted to the polls by three jailers and afterward were kept in a holding cell until

smooth this year."

Micheaux and Tilton said they made proper requests for ballots, only to mistakenly be given applications for voter registration forms over and over. However, Minter said he does not believe that to be the case.

"Not that we don't make mistakes, but you just have to consider the clientele," Minter said.

Linda Funkhouser, who is in charge of absentee voting for the county, said her records show only six requests for absentee ballots from Tarrant County Jail.

"I know that one was rejected because he used his home address instead of the jail address, but he was sent another application," Funkhouser said. "There was only one that anyone around here can remember rejecting from the jail, but there could have been

the polls closed at 7 p.m.

Jail Administrator Jim Minter said it is normal to keep inmates who have been taken outside the jail during the afternoon in the holding cell until after the evening meal.

Because of the amount of activity in the jail and the shift change that takes place between lunch and dinner, it is best to wait until after dinner, he said.

While in the holding cell, the inmates said, they spoke with three other inmates who also had been escorted by jailers to vote.

"We were all disgusted," Tilton said.

Said Micheaux, "Next year, registered voters in the jailhouse will not even be interested in voting."

Said John Pempsell, the chief deputy of the Tarrant County Sheriff's Department: "We tried to make sure everybody got to vote who wanted to vote.

others."

Tilton said he doesn't believe election officials ever received his applications for an absentee ballot because he kept getting the requests back from jail administrators with voter registration applications attached.

Mark Toohey, a spokesman for Texas Secretary of State George Bayoud, said jail confinement has long been one reason that voters could cast absentee ballots.

The Texas election code allows inmates who are awaiting felony trial, confined on a misdemeanor conviction or appealing a felony conviction to vote absentee by mail.

The code says they "are not entitled to vote absentee by personal appearance unless the authority in charge of the jail in his discretion permits the voter to do so," Toohey said.

# Proposal to lease facility as jail gets no opposition

BY BILL HANNA  
Fort Worth Star-Telegram

FORT WORTH — A proposal to lease Tarrant County's temporary jail for use as a private prison for parole violators met with no opposition during a public hearing last night.

The proposal would allow Wackenhut Corrections Corp. to lease the facility at 5136 Northeast Parkway in north Fort Worth for three years at a minimum of \$350,000 a year. The facility has a capacity of 480 prisoners.

The temporary jail would be used to house parole violators for up to 90 days for the pardons and paroles division of the Texas Department of Criminal Justice.

The inmates would be incarcerated for violating the terms of their parole, which include failing to meet with parole officers, failing a drug test or failing to pay restitution, said Ronald Champion, regional vice president for Wackenhut.

Those committing new crimes would be placed in a county or state facility, he said.

The plan, however, depends on when Tarrant County Jail, now under construction, opens.

Champion said any delays could harm the proposal but he is optimistic that the temporary jail will be available to lease by the year's end.

"We obviously would not be able to accommodate the pardons and paroles division's requirements if Tarrant County is not out of the facility," he said. "I've talked to county officials, and I feel confident that the Green Bay facility will be available."

The facility, formerly known as the Green Bay Packaging Co, was purchased last year for \$900,000 and converted at a cost of \$1.2 million into a temporary jail to ease overcrowding. In August, county commissioners voted to lease the jail to a private firm despite jail officials' warnings that the space may be needed again by the end of next year.

Under the Wackenhut proposal, the company would move out of the building within 180 days if the county needed it, Champion said.

State jail inspectors earlier this month toured the \$42 million jail being built and still could not say whether it would be approved to open by the end of this year. The jail was scheduled to be substantially completed in April but has been slowed by bad weather, construction delays and other problems.

Wackenhut operates three facilities in Texas, including one in Bridgeport and one in Kyle, south of Austin. Champion said the Fort Worth facility would be similar to one they operate in San Antonio.

"We're leasing the old Bexar County Jail from the county and housing 619 parole violators, he said.

The average stay for a violator is 72 days, Champion said.

At Wackenhut's 500-bed facilities in Bridgeport and Kyle, Champion said they have 135 employees with an annual payroll of \$2.5 million.

A total of 14 cities, including Fort Worth, Bridgeport, Mineral Wells and Itasca, have expressed interest in housing parole violators. The deadline for bids to be submitted to officials is 3 p.m. Monday.

**Meet the police**  
*New officer  
is Azle HS  
graduate*

One of Azle's newest officers, Lee Blaisdell, graduated from Azle High School just a few years ago.

Blaisdell, 24, lives in Azle now with his wife Teresa. They've been married three years.

He said he likes to hunt and fish. However, he does not go off by himself into the wild. Sometimes he and his wife hunt together.

What he really likes, he said, is just being outdoors. That is part of the reason he is working in Azle now.

Blaisdell started here October 1. Before that, he worked for the Tarrant County Sheriff's Department for five years, but he did not get out much.

Blaisdell was an identification officer, spending his time reading and classifying fingerprints.

"I took a lot of time to get peace officer certification," he said. "I couldn't fully serve as an identification officer."

Blaisdell applied at the Azle Police Department and has been working as a patrol officer for about



**LEE BLAISDELL**  
... joins Azle police dept. ...

a month and a half now.

Last year, he attended the FBI fingerprint academy which he said would better enable him to identify people by their fingerprints.

He said he was proud to be one of the few out of the sheriff's department chosen to attend the fingerprint academy. He is interested in crime scene investigation as well as patrolling.

"This department is kind of unique because we do everything — crime scene and patrol officer all in one," he said.

## Jail panel denies Tarrant request on fire hoses

BY KAYE NORTHCOTT

Fort Worth Star-Telegram Austin Bureau

AUSTIN — The Texas Commission on Jail Standards yesterday denied Tarrant County's request for permission to vary from state standards concerning the length of fire hoses in its new \$43 million jail.

Sheriff Don Carpenter said the jail, already months behind schedule and expected to open in February or March, may be further delayed because of the commission's decision.

"It's got some problems they are going to have to correct. I don't know when it will open," Carpenter said.

The county had asked for permission

(More on JAIL on next page)

## Jail

From previous page

to use 150-foot standby fire hoses rather than the standard 100-foot length because the shorter hoses will not reach all jail cells. But the National Fire Protection Association standards limit hose length to 100 feet on one reel, said Jack Crump, executive director of the Jail Standards Commission.

Tarrant County Judge Roy English, a member of the commission, abstained from the vote, although he and Crump favored allowing the county to use the longer hoses.

One alternative is to install additional fire hose cabinets outside mezzanine-level jail cells rather than trying to reach the second tier of each floor with a single longer hose located in the guard station.

But hoses on the mezzanine level would be unguarded and "might lead to some sort of malicious damage" by

prisoners, Crump said. The motion to permit the county to use the longer hoses failed on a 4-4 vote. Commission member J. David Nelson said he was disturbed that the county asked for variances before exploring other alternatives.

Crump said the commission members, while not categorically ruling out 150-foot hoses, want Tarrant County to seek the advice of a fire safety consulting firm.

"The commission said, don't just talk with your local folks, talk with someone with a disinterested perspective about what you can do," Crump said.

"We're probably going to go back and discuss it. We feel confident we have one of the safest jails in the United States," said jail architect Merv Croston of the Parker-Croston Partnership of Fort Worth.

The Jail Standards Commission granted the county permission to use a non-standard door stop in the new jail.

FW STAR-TELEGRAM  
FRIDAY EVENING  
30 NOVEMBER 1990

## Non-religious memorial planned for slain officer

BY BILL HANNA  
Fort Worth Star-Telegram

FORT WORTH — Tarrant County Sheriff Don Carpenter still isn't sure why a cross honoring slain deputy Clark M. Rosenbalm upset a local atheist, but next week Carpenter will help dedicate a new non-denominational memorial on the seventh anniversary of the slaying.

"I couldn't see anything wrong with it [the cross], but that's the way it goes," Carpenter said.

The cross was taken down last January by George Hann, president of the Tarrant County Chapter of American Atheists, because he objected to a religious symbol's being placed on public property.

"I consider a cross religious advertising," Hann said. "Would they be happy if it were a Buddha or Jewish symbol?"

Our society is supposed to be color-blind to religion, but it is not."

After taking down the cross, Hann donated \$50 to help erect a new memorial for Rosenbalm, who was killed Dec. 4, 1983. Although he doesn't plan to attend the service, Hann said he supports the new marker.

"I think he deserves it," Hann said. "He was assassinated in the line of duty. I just objected to the religious symbols."

Carpenter said the new memorial will not be a religious symbol.

"It won't be a cross," Carpenter said. "It's difficult to describe. You just have to see it."

The memorial service will be at 1:45 p.m. Tuesday at U.S. 81 and Old Decatur Road. Deputies and family members will then march to the site where Rosenbalm was killed.

## The new jail

### Constant delays becoming intolerable

That's a fine, new jail that has gone up on the north end of downtown. It is an attractive building, blending in well with nearby structures. It is a convenient addition to other buildings in the County Courthouse complex. It is said to include some of the best features of any jail around. Spending \$43 million will permit that.

Now, if county officials could only get it open.

When construction started, county officials envisioned that the jail would open last spring. But spring came and went, and the jail was not put into operation. There has been one delay after another. One resulted from changes in the security system. Another was caused by problems with the smoke-purging system. Now the holdup is due to fire hoses that are the wrong length.

Some people at the courthouse wonder if the jail will even be open by next spring. The exact opening date has become a courthouse guessing game.

Some problems are to be expected with

a building of this size. But the delay in opening it is becoming unreasonable and unacceptable, especially when something as minor as the length of fire hoses is one of the reasons. For \$43 million, you'd think someone could figure that out.

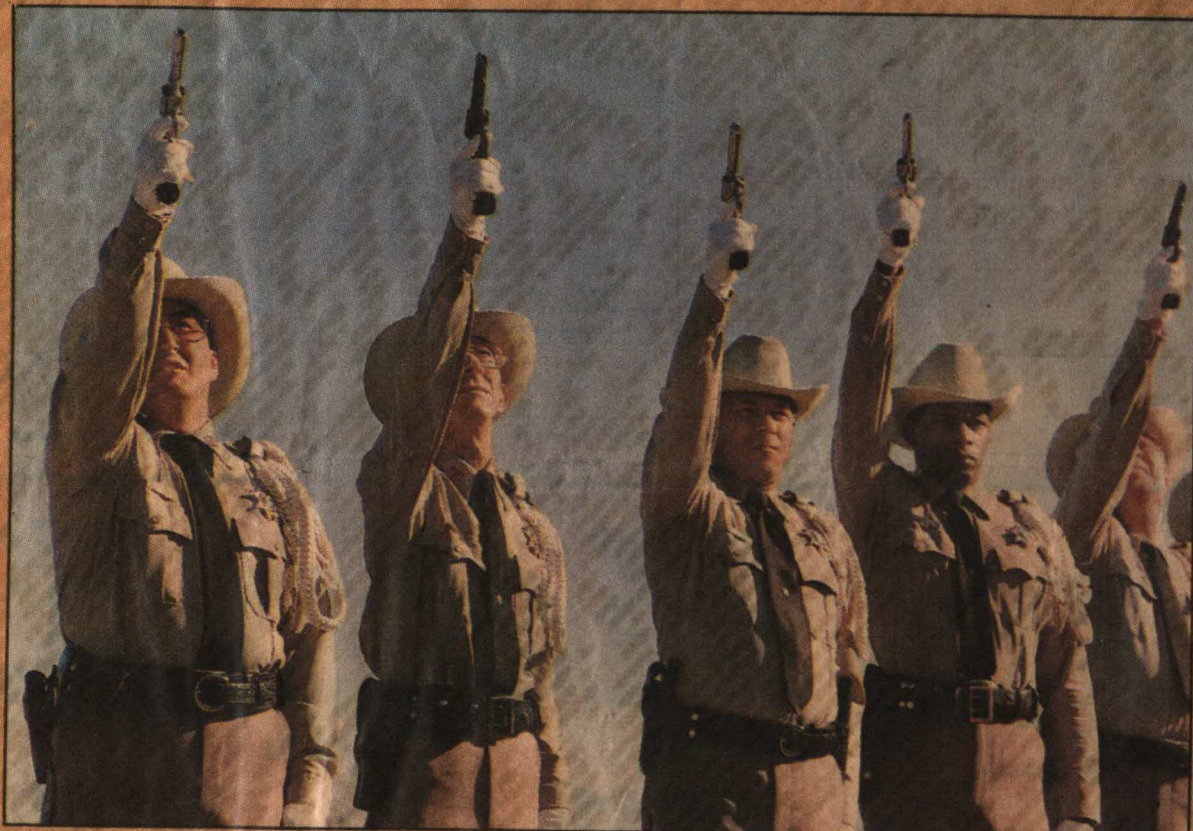
When county officials asked voters to approve bonds to finance construction of the new jail, they said it was needed to help solve the jail overcrowding problem. A burgeoning jail inmate population had to be dealt with. But if the need was there then, the need is even greater now, and all of the foot dragging going on is not helping.

The county hired experts to oversee construction of the jail. The county has staff members with jail responsibilities. Commissioners Court, where the buck stops in county government, must remind itself of the jail's importance to the criminal justice system, focus more attention on it, give it top priority and make sure that those responsible remain with the assignment until the jail is open.

And the sooner the better.

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## A SALUTE TO FALLEN OFFICER



Fort Worth Star-Telegram / PAUL MOSELEY

Tarrant County deputies fire their weapons in a 21-gun salute yesterday as a memorial honoring slain Deputy Clark Rosenbalm was dedicated at U.S. 81

and Old Decatur Road. The memorial replaces a cross at the site of Rosenbalm's death. He was killed Dec. 4, 1983, when he interrupted a drug transaction.

