

TarrantBriefly

FW STAR-TELEGRAM
SATURDAY
7 SEPTEMBER 1991

FORT WORTH

Mother of abducted boy returned to city

A woman suspected in the abduction of her 3-year-old son and the slaying of the boy's grandmother was returned to Tarrant County from Illinois early yesterday, along with a female companion also accused in the abduction and killing.

The child's mother, Jessica Neeld, 22; and Kimberly Kay Coddington, 24, were booked into Tarrant County Jail about 1 a.m., shortly after deputies returned the pair from the Henry County Jail in Cambridge, Ill., officials said.

Bail for each was set at \$500,000, officials said.

The women join five other suspects implicated in the slaying of Betty Jo Moreland, 49, who suffocated when a chloroform-soaked rag was stuffed into her mouth during a robbery at her home, and in the abduction of Moreland's grandson, Lance Moreland, on Aug. 23. The child was recovered and the women arrested 12 days later in Illinois.

Cheers: To Sheriff Don Carpenter, the Tarrant County Sheriff's Department, Ed Willkie, the Eagle Mountain-Saginaw school board president, all the board members and Superintendent Bill Anderson for supporting the DARE program. Cheers also to Tarrant County commissioners for realizing the importance of preventive drug education for our children; to Karen Sutton, drug education coordinator for the Eagle Mountain-Saginaw school district, for the invaluable support she provides me and the DARE program; to the staff, who contribute to the success of this wonderful program; and to all my terrific drug-free DARE students.

Sgt. Marie Salame
Tarrant County Sheriff's Department
DARE program coordinator

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Carpenter gets campaign rolling in his bid for third term as sheriff

BY JAMES WALKER
Fort Worth Star-Telegram

Tarrant County Sheriff Don Carpenter yesterday formally launched his bid for a third four-year term in the same down-home style that has characterized his first seven years in office.

"I want to be your sheriff again, and, the good Lord willing, I will be," Carpenter told about 200 supporters at the Round-Up Inn in the Will Rogers Complex.

That was the extent of Carpenter's formal remarks, but in an interview, the sheriff defended his record.

"I've been in this business for 31 years, and it's hard, what with all the criticism, but I can handle it," Carpenter said.

Carpenter, riding a wave of Republican momentum generated by then-President Ronald Reagan's name on the ballot, became Tarrant County's first GOP sheriff in 1984. He narrowly defeated Democrat

Jim Hunter to win re-election in 1988.

Carpenter brushed aside criticism from his opponents about such issues as his handling of overcrowding at the Tarrant County Jail.

"Don Carpenter has handled it for seven years," he said. "It's just a crowded jail that has to be dealt with in the best way possible."

Carpenter already has four opponents for the Republican nomination in next year's elections.

Hunter, who switched parties since his 1988 loss to Carpenter, Sheriff's Department employee Mike Utley, Haltom City police Detective David Williams and Steve Marshall, a prosecutor with the Tarrant County District Attorney's Office, have announced they will challenge Carpenter in the GOP primary.

Dub Bransom, police chief in River Oaks, is seeking the Democratic nomination.

Arlington Jail full to overflowing

BY DAVID CASTELLON
Fort Worth Star-Telegram

ARLINGTON — The Arlington Jail began Labor Day weekend with a capacity house and quickly went over its intended limit.

Jail officials reported yesterday that they had 111 prisoners, 15 above the jail's design. Even so, police said they would not initiate a standby plan to reduce jail population by allowing people accused of misdemeanor offenses to stay on the streets.

"We're still bringing in Class C misdemeanors; we're just asking of-

ficers to use discretion," police Lt. Ken Karr said.

For three to five days over the last month, the Arlington Jail population has exceeded 100 people, forcing jailers to put mattresses on the floor and double up prisoners in cells intended for one, jail supervisor Gary Mosley said.

After the population reached 118 recently, police said they would order officers to give tickets to misdemeanor offenders rather than arrest them, but so far jail officials said they have not requested that the plan be put into effect.

The overcrowding problem is the result of the Tarrant County Jail not accepting as many Arlington prisoners as it normally does because of its own overcrowding problem, jail officials said.

As of yesterday afternoon, the Tarrant County Jail had 3,243 inmates, along with 25 being held in the "chicken coop," a temporary holding area on the fourth floor of the Fort Worth Police Department headquarters. A Tarrant jail official said the county jail would not accept transfers from municipalities until the inmate population dipped below 3,200.

Jail costs

A deal isn't a deal if the state's involved

A deal's a deal. Every Texan knows that, save apparently some in state government.

After months of wrangling, state and county officials came to terms over the money counties spent to keep prisoners in jails when they should have been in state prisons. Now some state officials are having second thoughts because they're fearful it might cost the state more money than originally anticipated.

Tough toenails.

The state knew the terms, agreed to the deal and should keep its word.

The counties have been more than patient. When the state fell down on the job, they took up the slack. They spent hun-

dreds of millions of dollars — Tarrant County's cost is more than \$30 million — storing felons for the state. And, in the compromise, counties gave more than they got.

The counties are entitled to the money and other considerations that are part of the deal. The counties also are entitled to know soon that the agreement is official because the deadline for doing that is Sept. 30, and some counties are attempting to factor terms of the deal into budget planning.

The state, in effect, shook hands on the agreement. In Texas, that makes it a deal. So the state should cut out the hemhawing and do what it promised to do.

Call the sheriff

But first, you'll need to get his area code

Call 'im Eighter from Decatur, the County Seat of Wise, because, through his disappearing act, he has managed to make law enforcement there something of a crap shoot.

Call 'im Leroy Burch, the now-you-see him, now-you-don't High Sheriff who rode off into the sunset and hasn't been seen too much since, except by reporters who, hearing he went thataway, tracked him down.

Whatever you call him, you'll have to call him in Tennessee, see. 'Cause he's taking a six-weeks-or-so respite there, pouring a little concrete. Just what you'd expect a Texas sheriff to be doing in the Volunteer State, huh? Just working his way through life, we suppose.

Tell you what. Our first inclination was to propose that we swap Tarrant County Sheriff Don Carpenter and maybe a future deputy draft choice to Wise County for Burch, the theory being that Tarrant County government probably has a load of concrete work it needs done and, since Burch knows how, we could get something for our money, if you get our drift.

But then we thought, naw, we couldn't do that to our friends across the county line.

Mind you, there's nothing illegal about what Burch is doing. The sheriff's simply slithering through one of the loopy loopholes of Texas' chaotic county government structure — or lack of it — that allows elected officials at will to thumb their noses at the people and do pretty much as they damned well please, the taxpayers be hanged.

Someday, some way, we must do something about that. Someday real soon.

Meantime, if the Right Thing came right up and stood face to face, gun barrel to gun barrel, belt buckle to belt buckle, badge to badge with Sheriff Burch — and Burch somehow managed to recognize it — he'd do the good people of Wise County a great big favor by stepping aside — say, before the sun goes down tonight or, bless him, if he can't get back to town by then, certainly before his next county paycheck is made out — and let them get themselves a sheriff who would earn his keep and be around when they need one instead of leaving them up to their elbows in concrete as far as law enforcement is concerned.

For the hard-earned bucks they shell out for one, they're entitled.



Fort Worth Star-Telegram / DALE BLACKWELL

Tarrant County sheriff's Deputy T.J. Smith talks with Charles Cook, who assumed the role of a homeless person in the Salvation Army's Homeless Experience and Resource Training Simulations.

New identities give leaders personal view of homeless

BY ANITA BAKER
Fort Worth Star-Telegram

FORT WORTH — Charles Cook shed a managerial job at Lone Star Gas Co. and a comfortable home in Riverside for almost an hour yesterday to take on the role of a 35-year-old homeless mother who had escaped from an abusive husband.

Wearing an old shirt draped over his shoulders and carrying a paper bag, Cook fought his way from one agency to another in the gymnasium of the Salvation Army seeking help in his new identity as Teresa Morrey, mother of Joe and daughter Mary, who had been sexually abused by her father.

He wasn't alone in his struggle.

An additional 175 community leaders took on new identities to face the same frustrations and stumbling blocks during the day as part of HEARTS — the Homeless Experience and Resource Training Simulations.

Some became Tom, a 37-year-old paranoid schizophrenic who was not taking his medication. Others became Jose, 36, who left his family in Mexico to seek work in Fort Worth.

The leaders — including Fort Worth Mayor Kay Granger — got a quick glimpse during the project, sponsored by the Salvation Army of what the 5,000 to 6,000 Tarrant County homeless sometimes face in seeking help.

"The main purpose for the simulation was to let you walk in somebody else's moccasins," Beverly Pop, director of public relations and development at the Salvation Army, told a group of about 20 after they had faced the frustrations of being shuffled from agency to agency.

The program was created to educate and encourage participants to search for ways to help the homeless who can't walk away from their troubles easily.

Cook — as Teresa — found himself being ushered from one agency to another, waiting in long lines at John Peter Smith Hospital for medical help for the daughter and being thrown in jail.

Despite years of working with United Way and many of its agencies as manager of community relations at Lone Star Gas, Cook admitted getting through the system wasn't as easy as it seemed.

Different groups were ushered through a city of cardboard each hour from 9 a.m. to 3 p.m.

The gymnasium was filled with tables representing almost a dozen agencies that offer services to the homeless, but participants had to follow a maze to get to them. Any breaking of rules — like not stopping at stop signs — and they were thrown into a cardboard jail by Tarrant County sheriff's deputies. During the search, Salvation Army representatives — many dressed in rags — forced new problems on the "homeless."

Some participants found they had lost their identification or had become infested with lice or lost all their possessions.

Many learned they could not get new identification without a permanent address.

Community leaders learned that most homeless have an eighth- to 12th-grade education, that families usually are a single parent with three children, that the number of males with children seeking help is on the increase and that three of five homeless helped by the Salvation Army are Anglo.

"It really gives you an idea about what homeless people are doing," Cook said after the session.

"I felt like we were kicked around," Cook said. After being shuffled from one place to another, "you say to heck with it and then you are on the street again where the real problem begins."

New jail may open in week

*No end to crowding
in sight for Tarrant*

BY FRANK PERKINS
Fort Worth Star-Telegram

FORT WORTH — Sheriff Don Carpenter promised yesterday that the new \$41 million Tarrant County Corrections Center will be housing prisoners perhaps as early as next week, but even those new cells won't fully relieve the overcrowding in jails across the county.

"We'll be moving about 160 prisoners and 40 guards from the low-risk barracks facility [on Cold Springs Road] onto the 13th floor of that jail before the end of September," Carpenter said. "We'll be filling it up from the top down as we get the guards trained to handle the prisoners."

Carpenter said rumors that the jail would open Monday are premature.

"I know what day it's going to be, and it isn't going to be Monday," he said.

Carpenter said he was keeping the date secret for security.

"We don't need everybody and his dog out there when we do the transfer," Carpenter said.

The date will depend on when the internal radio security system can be installed, tested and approved, Carpenter said.

The new jail was substantially completed in December 1990, but it took almost a year to clear up problems with the smoke-purge system and bring the building up to state jail standards. The state inspectors signed off on the 14-floor, 1,440-bed facility last month.

Carpenter said the opening of the jail would promise some relief to cities that have not been able to transfer prisoners to the county facility because it was 150 percent over capacity.

"I'll be moving prisoners from Fort Worth and Arlington and other places just as fast as I can get the guards trained and in place over there," Carpenter said.

"But even if we opened that jail all the way tomorrow, I would still have over 190 prisoners sleeping on the floor, we're that crowded," he said.

"I'm holding about 1,100 sentenced felons that the state won't take off my hands because they say their system's overcrowded, too," Carpenter said. "If they'd do what they're supposed to, we'd be in pretty good shape over here."

Inmates will be moved to the new jail based on their classifications, Carpenter explained. For example, unsentenced felons and misdemeanor offenders as well as inmates awaiting trial will have priority for space in the new jail, the sheriff said.

While awaiting the jail opening, Fort Worth has had to re-erect the "chicken coop," a fenced-in enclosure on the fourth floor of the downtown police headquarters, to hold overflow prisoners. The count was 65 prisoners in the coop as of yesterday, officials said.

Arlington also has felt the crunch. At one time this month, it had more than 150 prisoners in its jail. Yesterday, it had 97 prisoners, one less than its state-mandated capacity of 98.

Carpenter said he can't use the empty minimum-security barracks to empty overcrowded city jails because the buildings need repair.

"I'm not going to put them in the barracks we're emptying because those barracks are shot," Carpenter said. "You can kick a hole in the floor and escape, they're in such bad shape."

Carpenter said his jail administrators already have shifted their offices to the new facility and his crews are busy stocking it with uniforms, sheets, blankets, mattresses and other housekeeping items. Others are being trained in operating the jail's support systems.

Each floor of the new jail will house 196 prisoners in four 48-prisoner "pods," with a single guard in each pod. How soon the guards are hired and trained will determine how soon the facility is fully open, Carpenter said.

"We can't put prisoners over there until we can guard 'em," he said. "We have to hire about 140 new guards to bring that facility up to full staff and that takes time. We're hiring about 40 a month right now, but they also have to be trained as well and that takes time, too."

Employees call on county to

BY VICTOR INZUNZA
Fort Worth Star-Telegram

FORT WORTH — Angered by steep increases in health insurance premiums, more than 700 Tarrant County employees have signed petitions calling on county officials to scrap the new health plan in favor of a less costly one.

The employees — from sheriff's deputies to clerical workers — said they are upset because the new coverage, which takes effect Oct. 1, caught them by surprise and cuts too deep into their take-home pay.

Monthly premiums will increase by more than \$100 in some cases, and it is unfair to pass along such large increases, employees said.

"Everybody has been really hurt by this deal," said Gary Honeycutt, president of the Tarrant County Deputy Constable Association, which has organized a meeting Monday with county officials over the health coverage problem. The meeting will be at 7 p.m. at the Coors Distributing Plant, 2550 McMillan Parkway.

"The bottom line is that county employees cannot afford it and they plan on taking some sort of action," Honeycutt said. "I don't know if that means legal action, but it's being contemplated."

County officials, meanwhile, blame soaring health insurance costs for the hefty hikes in premi-

ums. The county's price tag for health insurance increased by 30 percent this year although officials solicited bids from numerous carriers.

The county will spend \$11.9 million for medical and life insurance this year, with taxpayers footing 70 percent and employees paying the remainder.

In late August, the Commissioners Court voted to drop its present carrier, Sanus Health Systems, in favor of United of Omaha.

County officials said the United plan was the most cost-effective and provided the most options to employees, including offering the North Texas Health Network that will list the Harris Methodist Health

switch health insurance plan

System among its providers.

Many employees were angered when Sanus dropped Harris from its list of treatment facilities last June.

But employees have complained that they have not been given enough time to analyze a complicated health plan that offers three coverage options.

The personnel department sent out information packets to the county's 3,000 employees in late August with a Sept. 13 deadline for enrolling.

The department then held more than 30 informational meetings for employees. In some cases, however, the meetings were scheduled only one day before the deadline.

County Personnel Director Ger-

ald Wright said his department has tried to be as accommodating as possible — extending the enrollment deadline for some employees until today.

Wright said he understands employee dissatisfaction with the higher premiums, but added that the plan is the best the county can do given the spiraling cost of insurance.

"I think they are concerned about [insurance] costs and I know the county is concerned about those costs because they are going up everywhere, nationwide," Wright said. "But I think what we have done is put in place something that will work now and in the future."

The overall effect of the new fee

structure will be an increase in premiums, but in some cases the increase will be minor and in a few cases the rates will actually decrease a bit, Wright said.

But employees remain dissatisfied with the plan and say that on Monday they will demand that the county find something better.

"The employees of Tarrant County . . . don't think the way this plan was put together was right," Honeycutt said. "For one, they want more choices. Two, they want more adequate time to make a decision. And three, if the county can change anything at this time, we think they can reduce the amount people have to pay."

County transferring inmates to new jail

BY RICHARD DOTSON
Fort Worth Star-Telegram

FORT WORTH — The long-awaited opening of the new Tarrant County Jail, a 1,440-prisoner facility plagued by numerous delays and cost overruns, became a reality early today with 200 inmates transferred there under the cloak of darkness.

Sheriff Don Carpenter, who su-

pervised the opening, said the first inmates began arriving about 1 a.m. from the county's low-risk facility on Cold Springs Road.

The jail will slowly gear up to full operation and more prisoners will be moved in as additional guards are hired and trained, Carpenter said.

The sheriff warned, though, that
(More on JAIL on Page 2)



Sheriff Don Carpenter says the opening of the new Tarrant County Corrections Center was no problem.

Jail

From Page 1

even when the new \$47 million facility is fully operational, some prisoners still will be forced into makeshift bunks because of overcrowding.

"By the time we get them all in, we'll have about 4,000 people and we don't have that many beds, even with the new jail," Carpenter said.

County officials previously had expressed hopes that the new jail would relieve serious overcrowding in county lockups.

The old jail, which has a capacity of 3,200, refused to accept prisoners at various times during the summer, forcing some cities to house their prisoners until space became available in the county jail. The move forced Fort Worth police to open a makeshift jail on the fourth floor of the police department at 350 W. Belknap St.

As of yesterday, the makeshift jail held 97 prisoners who were sleeping on mattresses scattered on the cement floor in a fenced enclosure, police spokesman Lt. Ralph Swearingin said.

"We are just going to be moving them out so we can get them off the floors," Carpenter said.

Construction on the new jail began more than three years ago after voters in 1987 approved a \$114 million issue for new county buildings.

The opening of the jail, which essentially was completed last year and expected to open by August or September 1990, had been delayed because of costly equipment malfunctions that increased the jail's cost by more than \$4 million.

In the past year, officials scrambled in a \$1.1 million effort to repair faulty radio intercoms, a smoke evacuation system that replaces bad air with good, faulty lights on the medical floor and gaps in floor covering.

Supervision of inmates in the new jail will abandon the traditional means of stationing guards outside cellblocks. Instead, the jail will utilize a concept called direct supervision, under which guards will be in the cellblocks with inmates.

The guards are equipped with personal radio alarms that are tuned into the jail's central security center, which will be used to call for help in case of danger or an emergency.

County commissioners two weeks ago approved spending \$106,000 for the radio alarm system, which Carpenter said was vital for the opening of the jail.

"We wouldn't have opened it without them," he said. "We haven't got them all in yet; we hope to by Saturday. But we have enough to work the floors."

New county lockup is inaugurated

Prisoners move into top two floors of \$47 million jail

BY FRANK PERKINS
AND RICHARD DOTSON
Fort Worth Star-Telegram

FORT WORTH — More than 400 prisoners were moved into the new Tarrant County Corrections Center yesterday in a pre-dawn operation under Sheriff Don Carpenter's personal command and marked by tight security.

"The only people I told about the move were my staff and County Judge Tom Vandergriff," Carpenter said. "It was a real slick deal; we didn't have any incidents or trouble

at all with anybody.

"I'm real happy today," Carpenter said late yesterday as jail guards and staff continued settling the prisoners into the top two floors of the 13-story, 1,440-prisoner facility, which cost \$47 million.

Carpenter's deputies began moving the prisoners from four worn barracks at the county's minimum-security facility on Cold Springs Road about 1 a.m. yesterday.

They were bused under guard to the old jail and then moved to the new building through a connecting

tunnel beneath West Belknap Street that links the two downtown lockups.

"It was a real smooth operation," said Chief Deputy John Pempsell. "We told the prisoners they had to be on their best behavior if they were going to be put in the new jail, and they were."

The first contingent of prisoners also included some of the 97 people held in the Fort Worth Police Department's temporary jail, a fenced-in part of the fourth floor at police (More on JAIL on next page)

Jail

From previous page

headquarters that inmates and guards have dubbed the "chicken coop."

"We still have a few in the coop," police Lt. Ralph Swearingen said yesterday. "They've been taking a few every few hours or so and putting them into the new jail. We should have them all in there by the first of next week, and then we can hopefully take down the coop."

Swearingen said the city has 20 to 30 other prisoners "boarded out" to other city jails in the county.

"I understand they'll be put in the new jail as well," he said.

Carpenter said he cannot move any more prisoners into the new jail because some construction work has yet to be done.

"They've got to clean up the next couple of floors and fix a few things up on them before we can put any

more prisoners over there," he said.

Gary Kirby, the county's facilities director, said the 80-plus color TV sets in the jail day rooms should be wired in by Sammons Cable TV this weekend.

"We need those TVs pretty quick," Carpenter said. "They entertain the prisoners and we can put messages on them about things we need them to do."

Carpenter said that with the new jail in operation, the county now houses 3,383 inmates, including 1,132 sentenced felons awaiting transfer to the state prison system and 452 inmates on community work release.

Moving the prisoners into the new jail has had little impact on the overcrowding because most of them came from the minimum-security barracks, which he plans to have torn down.

Carpenter said jail records show he still has 621 prisoners sleeping on the floor, despite the move into the new jail.

Pempsell said some relief will

come early next week when state prison officials accept 79 felons into the penitentiary.

"We've been averaging sending about 55 to 56 of those folks a month," Pempsell said. "Letting us send them 79 the first week in October is very good news."

The new jail has been three years in the building and a year in preparation for accepting prisoners because of problems in meeting Texas Jail Standards Commission requirements.

Voters approved a \$1.4 million bond issue in 1987 for the new corrections center, criminal justice center, parking garage and other buildings.

The corrections center has stood empty for a year while engineers and designers corrected flaws in the structure's radio intercom and smoke purge systems to meet jail standards.

The new jail will require 142 additional guards, who are being hired and trained.

Employees call on county to

switch health insurance plan

Fort Worth Star-Telegram / Tuesday P.M., October 1, 1991

Protest spurs county panel to alter Tarrant health plan

BY FRANK PERKINS
Fort Worth Star-Telegram

FORT WORTH — Bowing to pressure from hundreds of angry county employees, commissioners yesterday modified the county's new \$11 million health insurance plan that had sparked protest meetings and a spate of letters and petitions in recent weeks.

Commissioners established a \$250,000 acute-care and pregnancy fund to allow some county workers to keep their current physicians when the new county health insurance takes effect this week.

"I had one pregnant employee tell me that under the old Sanus plan, her delivery was going to cost her \$80. Under the new plan with United of Omaha, she and her husband will have to come up with \$2,500," said George Pempsell of the adult probation department.

Commissioner Marti VanRavenswaay told him the acute-care provision they had approved would keep that from happening.

"This is not a heartless plan, we are trying to address those inequities," she said.

The county's additional costs associated with the changes would be

spread out over several years so that no budget increase would be necessary.

In addition, the commissioners approved 50 percent reductions in deductibles for employees and retirees in the plan.

The action followed two hours of discussion between commissioners and speakers from among the 100 or so county employees who filled the courtroom to overflowing.

Pempsell said the new \$11 million health plan worked a hardship on some of the county's 2,000-plus workers.

He read from a 10-page letter listing employee concerns with the Kaiser-Permanente and United of Omaha plan, and turned over to commissioners petitions and letters from most of the county's employees seeking a less expensive plan.

Commissioners accepted an offer from the new providers dropping annual deductibles to \$250 from the proposed \$500 for those within the plan and cutting the \$1,000 proposed deductible for those using outside providers to \$500.

Commissioners approved the plan 4-1, with Bob Hampton voting no.

1 inmate remains at large

BY KATHY SANDERS
AND FRANK PERKINS
Fort Worth Star-Telegram

FORT WORTH — Sheriff Don Carpenter said today that security violations may have aided in last night's escape of two jail inmates who wrangled out of handcuffs and shackles to overpower a jail transport driver and flee amid a hail of gunfire.

One inmate, capital murder suspect Sergio Martinez, 25, of Grand Prairie, was recaptured within hours, but the other, Chris Nova, 19, remained at large this morning. Nova, who was being held on attempted capital murder and robbery charges, was believed wounded in the shoulder as he escaped.

Carpenter said investigators still had not determined how the inmates, who were being transferred from the maximum security Green Bay facility to the new jail, managed to get out of restraints and gain possession of at least one gun. They escaped after the van's driver was

grabbed from behind and forced to stop on the shoulder of Interstate 35 at Northwest 28th Street about 9:10 p.m. yesterday.

"We're trying to figure out exactly what happened, but it looks like our security fell down somewhere," Carpenter said.

"If everything had been done right, it never would have happened. I just don't like the way it went down and we're trying to make sure it can never happen again."

The sheriff said one of security violations may have been the use of only one guard to transfer the inmates. He also said investigators were trying to determine how the inmates obtained at least one gun used in the escape.

"I have a lot of details, but I need more before I can really understand how it happened," he said. "As for that escapee that's still loose, we'll get that guy."

Investigators said the driver of the sheriff's van and the fleeing inmates fired gunshots, and Nova was believed hit in the shoulder as he ran toward nearby railroad tracks. The van's rear window was shattered by what appeared to be gunfire and the

windows on both sides of the van were broken out.

Deputies searched an area near Riverside Park this morning after a sheriff's department employee reported seeing a man fitting Nova's description wandering around with blood on his face. The man, she said, was wearing blue jeans and a T-shirt.

No trace of the man was found, but investigators said it would be easy for someone to hide in the brushy area near the park.

Authorities said Martinez and Nova, the only inmates in the van, were being transferred to the new 1,440-bed county jail when they shed their handcuffs and shackles.

"Evidently they got loose from their shackles and somehow got to the guard who was driving the van," said Sgt. Don Whorton, communications supervisor for the Sheriff's Department. "They choked him. I don't believe they hurt him that bad. Somewhere, somehow they fired a few shots."

Whorton said the escapees, wearing orange jail coveralls, fled on foot, one toward a quarry and the other toward railroad tracks northeast of the escape site. Martinez, who had discarded his jail-issued coveralls, was found hiding in bushes about a half mile from the escape site.

Authorities said they believe Nova also had removed his orange jail outfit.

Sheriff Hints Mistakes Made Escape Possible

FW STAR-TELEGRAM
TUESDAY EVENING
1 OCTOBER 1991
(CONTINUED)



Sheriff's Department officers gather evidence last night after two inmates escaped while being transferred to the new county jail

Assistant Chief Deputy George Campbell said the van's driver, who officials declined to identify, stopped on the shoulder to resecure the inmates after they freed themselves from the restraints.

When he stopped, Campbell said, the driver was grabbed from behind by the prisoners. He managed to pull loose and get out of the van as the inmates kicked out windows on either side of the van and fled.

"One went out one side and the other went out the other side," Campbell said.

Authorities in helicopters, on foot and in patrol cars searched for Nova until about 3 a.m., concentrating primarily around a freight train that authorities stopped as it entered the area where police dogs had followed Nova's trail.

The search resumed at daybreak. Before the capture of Martinez last night, a Sheriff's Department spokesman said the escapees "are possibly armed . . . They are defi-

ning a burglar alarm after closing the store.

Graves also was stabbed but survived. She later told police she recognized the attacker as Martinez, a security guard at the store. He was arrested the next day and has been held in jail since with bail set at \$250,000.

The charges against Nova stem from a June 1990 incident in which a man relieving himself in an alley was attacked and stabbed repeatedly in the head and chest. The man survived.

Nova also faces attempted capital murder charges in a Jan. 14 theft at the Winn-Dixie store on McCart Avenue, where two men stealing disposable diapers fired twice at a clerk who had chased them out of the store. The clerk was not injured.

He also has been charged in the Jan. 15 robberies of a 7-Eleven Store on Berry Street and another 7-Eleven on Bluebonnet Circle.

Last night's escape was witnessed by at least two motorists who reported seeing the sheriff's van parked on



Chris Nova: Believed injured during escape

2nd Escaptee Arrested After Tip From Caller

Inquiry centers on key, gun

BY KATHY SANDERS
AND FRANK PERKINS
Fort Worth Star-Telegram

FORT WORTH — The second of two Tarrant County Jail escapees was back behind bars today, his 27 hours of freedom ended by a tipster's 911 call telling police the fugitive was hiding in a west side house.

Sheriff's officials, meanwhile, were still attempting to find out who smuggled handcuff keys and a gun to the inmates, allowing them to unshackle their restraints and overpower a driver transferring them to the new county jail downtown Monday night.

Police surrounded a house in the 2000 block of Clover Lane about 11 last night, kicked in the front door and captured Chris Nova, 19, without incident. Nova, whose escape partner had been recaptured within hours of their Monday night flight, was turned over to Tarrant County authorities.

Sheriff's officials yesterday said they believed Nova had been shot in the shoulder during the escape, but police said Nova did not have any wounds when he was recaptured.

Police said they went to the Clover Lane address after a caller to the department's 911 line told the operator where Nova could be found and quickly hung up. Police said they spotted Nova through a window at the house and kicked open the front door when the escapee told them he could not unlock the door from the inside.

Nova, who has been charged with attempted capital murder and several robberies, and capital murder suspect Sergio Martinez both will be charged with attempted capital murder during the escape, authorities said. Martinez also is awaiting trial in the December slaying of Penny Heath, 35, who was stabbed repeatedly during a robbery at the Mervyn's store on Hulen Street.

Sheriff Don Carpenter said yesterday security measures apparently had been violated in the inmates' escape.

"We're trying to figure out exactly what happened, but it looks like our security fell down somewhere," he said. "If everything had been done right, it never would have happened. I just don't like the way it went down, and we're trying to make sure it can never happen again."

Officials are investigating whether proper procedures were followed by using only one guard to transfer the prisoners, Carpenter said.

"I have a lot of details, but I need more before I can really understand how it happened," he said.

During the day yesterday, deputies searched for Nova in an area near Riverside Park off Oakhurst Scenic Drive along the West Fork of the Trinity River. A Sheriff's Department employee earlier reported seeing a man fitting Nova's description wandering around that area with blood on his face. The man, she said, was wearing blue jeans and a T-shirt.

The escape occurred Monday night as Deputy David Pena was driving Martinez and Nova — handcuffed and shackled — from the Green Bay jail to the new 1,440-bed county jail downtown. The two were the only inmates in the van.

As Pena was driving south on Interstate 35W, Martinez and Nova

used a key, apparently smuggled to them, to unlock their handcuffs.

Once free, one of the two pulled a derringer. The other choked Pena by reaching through a small gap between the van wall and a metal cage intended to separate the driver from the inmates, officials said.

"One of the prisoners was able to reach around and immobilize the deputy," said Assistant Chief Deputy George Campbell.

Officers do not believe that the derringer, which was recovered loaded and cocked near the van, was fired during the escape. Early reports had indicated that several shots were fired in the incident.

Pena was able to stop the van on the road shoulder near Northeast 28th Street, jump out and run to the rear of the vehicle, officials said. The deputy fired his gun once through the van's back window, apparently while the two inmates were kicking out side windows.

CAPTURE CONT'D

2 OCTOBER 1991



Chris Nova: Recaptured
in west side house

"One went out one side of the van and the other went out the other side," Campbell said.

Investigators said they initially believed Nova had been struck in the shoulder and that Martinez cut his hand on the broken windows.

Martinez, who had shed his county-issue orange coveralls, was found by police dogs about three hours later. The dogs picked up the scent of blood and followed the trail to the capital murder suspect, who was hiding in bushes about a half-mile from the van, police said.

Investigators said they found the open handcuffs and one set of leg irons inside the van and later found

the second pair of leg irons near the van.

Carpenter said investigators have not determined how the inmates obtained the gun.

Deputies initially transferred about 200 prisoners into the new jail early Friday and since have been systematically moving more inmates there. None of the previous transfers involved any escape attempts.

Martinez was placed in a holding cell at the new jail after his recapture yesterday. He is awaiting trial on a capital murder charge in the Dec. 29 slaying of Heath, 35, during a robbery at the Mervyn's store.

Heath was fatally stabbed as she rushed to the aid of assistant store manager Leslie Graves, who was attacked while setting a burglar alarm after closing the store.

Graves also was stabbed, but survived. Martinez, a security guard at the store, was arrested the next day and has been held since with bail set at \$250,000.

The charges against Nova stem from a June 1990 incident in which a man in an alley was attacked and stabbed repeatedly in the head and chest. The man survived.

Nova also faces attempted capital murder charges in a Jan. 14 theft at a Winn-Dixie store on McCart Avenue, where two men stealing disposable diapers fired twice at a clerk who had chased them from the store. The clerk was not injured.

Nova also has been charged in the Jan. 15 robberies of 7-Eleven stores on Berry Street and Bluebonnet Circle.

Capture

Inmate's Kin Arrested as Escape

FW STAR-TELEGRAM
WEDNESDAY EVENING
2 OCTOBER 1991

Accomplice

Inside job not being ruled out

BY FRANK PERKINS
AND BILL TEETER
Fort Worth Star-Telegram

FORT WORTH — A woman implicated in helping two inmates escape from a sheriff's van has been arrested and a warrant was issued today for a second person also suspected of being an accomplice, a sheriff's official said.

The official also acknowledged today that the escapees may have had help from someone within the Sheriff's Department.

"There is a possibility an officer has been involved," said Capt. Pat Howell of the department's internal affairs unit. "We have not ruled out that possibility and we won't until our investigation is complete."

Howell declined to identify the arrested woman or say what role she might have played in helping inmates Sergio Martinez and Chris Nova overpower the van driver and escape Monday night while being transferred to the new downtown jail.

He said, however, that she was a relative of one of the two inmates, both of whom were recaptured.

"A felony warrant was issued on a woman and she has been arrested in connection with the escape," Howell said. "Our investigation is continuing and we feel as if another felony warrant and arrest of a second person will be made later today."

"We're playing a game of cat-and-mouse right now with the second person involved and we're not releasing any names until we have everyone in custody."

Howell said investigators were
(More on ESCAPE on Page 2)

Escape

Escape

From Page 1

trying to determine how the inmates got a gun and the keys used to unlock the handcuffs and leg irons securing them in the van.

"We're getting close," Sheriff Don Carpenter said yesterday, although he would not provide details.

Howell said his investigation also is looking into security procedures at the county's maximum security Green Bay facility where the two had been housed before their escape and subsequent recapture.

"Obviously something fell through the cracks at Green Bay if a gun could be smuggled into it," he said.

Van driver David Pena, the deputy who also shot at the escaping pris-

oners, has been placed on routine paid administrative leave pending completion of the investigation, Carpenter said. Such leaves are routine in cases in which deputies fire their weapons.

Martinez, 25, was found and recaptured three hours after the escape.

Police acting on a 911 caller's tip arrested Nova, 19, late Tuesday at a west Fort Worth house where he had

been hiding. Fort Worth police surrounded the house in the 2000 block of Clover Lane, kicked in the front door and captured Nova.

Police said they spotted Nova through a window at the house and kicked open the front door when the escapee told them he could not unlock the door from the inside.

Sheriff's officials Tuesday said they believed Nova had been shot in the shoulder during the escape, but

police said Nova did not have any wounds when he was recaptured.

Nova, who has been charged with attempted capital murder and in several robberies, and Martinez, a capital murder suspect, will be charged with attempted capital murder during the escape, authorities said. Martinez is awaiting trial in the December fatal stabbing of Penny Heath, 35, during a robbery at the Mervyn's store on Hulen.

3rd arrest expected in 2 inmates' escape

BY FRANK PERKINS
Fort Worth Star-Telegram

FORT WORTH — Another arrest is expected today in connection with last week's escape of two jail inmates during their transfer to the new Tarrant County Corrections Center.

Lt. Pat Howell of the Tarrant County Sheriff's Department said an arrest warrant is expected to be filed today for a third suspect accused of helping to smuggle a derringer and manacle keys used in the escape last Monday.

Already in custody are a female relative of one of the escapees and a

Sergio Martinez, 25, and Chris

Nova, 19, escaped from the van driven by Deputy David Pena during a transfer from the Green Bay facility. Pena was roughed up in the escape and fired one shot from his 9mm pistol, but missed the two. He has been put on routine administrative leave with pay while the incident is being investigated.

Martinez was arrested three hours later near the escape site on Northwest 28th Street. Police arrested Nova the next day as he was hiding in an empty west Fort Worth house.

Before the escape, Martinez was awaiting trial on capital murder charges; Nova had been jailed on attempted capital murder and robbery charges.

Howell said his investigation has "conclusively proved" that no sheriff's employees were involved in the attempt.

"That makes me sleep a lot better," Sheriff Don Carpenter said yesterday. "If it was the other way around, I don't think I would ever sleep again."

Howell said security procedures at Green Bay still need to be examined.

"We were so involved with getting everyone involved in the escape in our custody that we really haven't spent much time on that aspect of the investigation. We'll be looking into those areas this next week after we've had some rest," he said.

2 suspects still held in incident

BY FRANK PERKINS
Fort Worth Star-Telegram

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Already in custody are a female relative of one of the escapees and a jail trusty.

Sergio Martinez, 25, and Chris Nova, 19, escaped from the van driven by Deputy David Pena during a transfer from the Green Bay facility. Pena was roughed up in the escape and fired one shot from his 9mm pistol, but missed the two. He has been put on routine administrative leave with pay while the incident is being investigated.

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Another arrest expected in escape of jail inmates

Prisoner's wife charged in escape from county jail

Trusty is believed involved

BY FRANK PERKINS
Fort Worth Star-Telegram

FORT WORTH — The 21-year-old wife of one of the two Tarrant County Jail inmates who escaped during a prisoner transfer Sept. 30 has been charged with providing tools for the jail escape.

Judy Mieczynski of 4555 Pleasant Road was charged with the felony offense yesterday. Chris Nova, 19, identified her as his wife. Nova was one of the two inmates who kicked their way out of a Sheriff's Department van while being transferred from the county's Green Bay facility to the new Tarrant County Corrections Center, said Capt. Pat Howell, chief of the department's internal affairs division.

Howell said the woman and one other person still at large apparently smuggled a derringer and manacle keys into Green Bay while visiting Nova a day before he and Sergio Martinez, 25, escaped.

"We are certain that a Green Bay trusty also is involved in the deal," Howell said yesterday. "Needless to say, we have him in custody as well." The trusty has not been charged in the escape, and authorities would not release his name. A trusty is an inmate given extra privileges in jail.

Howell said he expects an arrest and more charges shortly.

"We're still playing a cat-and-mouse game with one suspect," he said. "If we give away too many details, they'll flee."

Howell reiterated that his investigation has proved that no Sheriff's Department employees aided the escape. He is still looking at security procedures at Green Bay and other county lockups.

County records show that Mieczynski also uses the name Judy Nova. She was supposed to go on trial yesterday in County Criminal Court No. 4 on unrelated misdemeanor

(More on ESCAPE on Page 2)

Fort Worth Star-Telegram

T THURSDAY P.M., SECTION B

OCTOBER 10, 1991

Escape

From Page 1

charges of illegally carrying a gun.

Judge Wallace Bowman ordered her held in jail on the escape-aiding charge. She is being held in lieu of \$25,000 bail.

Martinez and Nova used the smuggled keys to unlock their manacles as they were being driven from Green Bay to the new downtown jail. On Interstate 35W near Northwest 28th Street, they attacked the driver of the van, kicked out windows in the vehicle when it pulled off the road, and escaped, leaving the derringer in the van.

During the struggle, driver David Pena was choked. He got out of the van and fired one shot from his service automatic as the two fled on foot.

Martinez, who was awaiting trial on capital murder charges, was arrested in a nearby quarry three

hours after the escape. Nova, facing charges of robbery and attempted capital murder, was captured 27 hours later in an abandoned house in west Fort Worth.

Both men have been charged with felony escape.

Because he fired his pistol in line of duty, Pena was placed on paid administrative leave until the incident could be investigated. Howell said Pena will go back on duty today.

DALLAS

**2 sheriff's posses
to meet in polo match**

The Tarrant County Sheriff's Posse and Dallas County Sheriff's Posse will square off at 7:30 tonight in a "posse polo" match at the State Fair. The mounted teams will use brooms and beach balls for their game at Fair Park Coliseum. The match is free with State Fair admission.

Fort Worth Star-Telegram

WEDNESDAY P.M., PAGE 13-A

T OCTOBER 16, 1991

Tarrant commissioners approve 20% tax increase

Jail costs, raises are in budget

BY VICTOR INZUNZA
Fort Worth Star-Telegram

After weeks of deliberations, Tarrant County commissioners yesterday approved a 1992 budget that boosts property taxes by a record 20 percent.

The \$157 million spending package, which increases the tax rate from 19.6 cents to 23.6 cents per \$100 assessed value, was passed despite last-minute efforts to cut some expenses.

The plan will increase taxes on a \$50,000 house to \$118.36, up from \$98.03. On a home valued at \$100,000, the rate will yield \$236, up \$40.

County Judge Tom Vandergriff said: "One never likes to increase taxes, but this year in particular was probably unlike any other year in the county's history. . . . Never before had the county approached a new budget with such a built-in addition in terms of its operating cost."

Those built-in costs include paying for the new Justice Center, the staffing of the new jail and the servicing of \$114 million in bond debt issued to build it.

Budget Director Debbie Schneider said 1.6 cents of the 4-cent tax increase was going directly for debt service on the new jail, which opened last month.

About \$11 million is going to pay for the county's criminal justice system, including three new criminal courts and scores of new jail employees, Schneider said.

The increase would have been higher if not for an expected \$4.5 million (More on RATE on Page 16)

Continued From:
THE FORT WORTH STAR TELEGRAM
EVENING EDITION
16 OCTOBER 1991

Rate

From Page 13

million in state money next year to pay for the county's holding of prison-ready felons and a cash surplus of \$2.5 million.

Yesterday's vote brought to an end weeks of debate over the escalating costs. Commissioners pored over hefty budget documents trying to minimize the tax increase but said the soaring expenses to operate the new justice system were inevitable.

"Criminal justice is draining this county's resources completely," Commissioner J.D. Johnson said.

The new spending package also includes a 4 percent pay increase for employees based on performance and the allocation of \$1.4 million for the Superconducting Super Collider.

The \$1.4 million is the county's share for membership in the super collider authority, which is charged with buying the land for the huge Department of Energy project in Ellis County.

But Johnson, who has been vocal during the budget process about his desire to cut the funding, questioned whether Tarrant County will receive any benefits from its investment.

"I want to see something for the taxpayers of Tarrant County who are sending \$1.4 million in taxes to Ellis County for that project," he said. "I have no doubt that it will have an economic impact on Tarrant County, but I'd like to see some jobs and projects going to Tarrant County."

Vandergriff, who is vice chairman of the authority, argued that the county's investment is minimal in comparison to the potential reward.

He pointed out that \$18 million has flowed into Tarrant County in salaries and contracts spawned by the massive development.

"That project may be slightly outside our county limits, but it will impact the people of Tarrant County and our economy enormously in the next decade," Vandergriff said. "We need to be participating in that project."

County taxpayers can expect to receive a tax bill split into two parts for the general fund and road and bridge fund.

Sheriff claims ignorance in missing -firearms case

Carpenter, 4 workers testify

BY STEFANI GAMMAGE
AND BILL HANNA
Fort Worth Star-Telegram

FORT WORTH — Sheriff Don Carpenter and four members of his department testified under subpoena yesterday before a Tarrant County grand jury investigating allegations that weapons in the sheriff's custody had been disposed of improperly.

"I don't know what I've done, but if I've done anything wrong, I've done it in ignorance, so I'm not going to worry about it," Carpenter said before his 90-minute appearance before the grand jury.

The Texas Rangers began investigating the allegations about three weeks ago, said Lt. David Byrnes at regional headquarters in Garland. Neither he nor special prosecutor Galen Sumrow, the district attorney of Rockwall County, would specify the number or value of the firearms thought to be involved.

Sumrow this morning confirmed that the investigation includes a look into whether firearms taken from the Sheriff Department's property room were later used as door prizes at a picnic.

Another allegation involves firearms that supposedly had been recorded as destroyed later being found in a safe in the sheriff's office, Sumrow said.

Asked about the firearms, Carpenter said, "I don't know anything about any guns."

He declined to discuss the allegations and blamed the investigation on political enemies.

"It's political. That's what it is," said Carpenter, who has announced plans to seek a third term next year.

Sumrow said the investigation is

(More on INQUIRY on Page 30)

Deputies spurred probe into sheriff's gun policy

FW STAR-TELEGRAM
EVENING EDITION
1 NOVEMBER 1991

Firearms reportedly were gifts

BY STEFANI GAMMAGE
AND BILL HANNA
Fort Worth Star-Telegram

FORT WORTH — An investigation into allegations that weapons from the Tarrant County Sheriff's Department property room were disposed of improperly began after a complaint was made by an attorney for several deputies.

Leonard Schilling, an attorney from the Combined Law Enforcement Associations of Texas who is representing an unspecified number of sheriff's deputies, said yesterday he reported the alleged improprieties to the Tarrant County District Attorney's Office.

Schilling said the deputies maintain that it was a common practice for property to be given away by Sheriff Don Carpenter.

Carpenter, who along with four department employees testified before a grand jury Wednesday, has denied any intentional wrongdoing.

"That's what the grand jury is here for," Schilling said. "They will make that determination."

Lt. David Byrnes of the Texas Rangers confirmed the allegations were reported by a CLEAT official. He said a subsequent inventory of the property room and Carpenter's office was conducted by investigators from his agency, who are comparing property records with what was found. Investigators took inventory of items in the department Oct. 15.

Rockwall District Attorney Galen Sumrow, who has been appointed as special prosecutor, said more than 50 weapons were in Carpenter's office when investigators arrived.

"There were guns in his office and not in the property room," Sumrow said.

He said investigators have yet to determine why the sheriff had the guns.

Byrnes said: "He's the sheriff. I don't think that it would be unusual that he was keeping them in there as long as they're there and can be accounted for."

Carpenter said he could not comment about the guns in his office.

"I wish I could tell you, but I can't until this whole grand jury process is over with," he said last night.

Sumrow said the number of guns in the property room do not match some property room log books. Investigators have yet to go through all the records.

"I'm not going to say they are not there," he said. "There could be a reasonable explanation. They could be simply misplaced, but it's something we'll be looking at."

Former Tarrant County Sheriff Lon Evans, who served for more than 20 years and was succeeded by Carpenter in 1984, said yesterday that he had built a room adjacent to the sheriff's office where he kept weapons to be used as evidence.

Carpenter, who appeared before a Tarrant County grand jury Wednesday, has categorized the allegations against his department as political.

However, Schilling said the timing of the allegations was not connected to Carpenter's efforts to seek re-election next year.

"The reason why they waited is not political," Schilling said. "They tried to do the right thing back

then."

Several years ago, similar allegations were made by employees to administrators in the Sheriff's Department, but evidently "it was just brushed under the rug," Schilling said.

Schilling declined to name the deputies he represents, citing fear of reprisal by Carpenter.

Capt. Bill Hardin, who heads the division that includes the property room, said he has never had complaints about mishandling of property.

Sumrow said the investigation includes a look into whether firearms taken from the property room were later used as door prizes at a 1986 department picnic. At that picnic, William R. Tatum, a bailiff with the department, supposedly was awarded a gun as a door prize.

Tatum, who was among four deputies called to testify Wednesday with Carpenter, has declined to comment.

Ray Bell, president of the Tarrant County Deputy Sheriffs' Association, said he attended a Sheriff's Department picnic at Twin Points Resort on Eagle Mountain Lake in either 1986 or 1987 when Carpenter gave guns as door prizes. However, he did not know the origin of the weapons.

"I was under the impression that they were new guns and had been bought," he said.

1 NOVEMBER 1991

Inmate, wife indicted in escape from car

BY BILL HANNA
Fort Worth Star-Telegram

FORT WORTH — A 19-year-old Fort Worth jail inmate and his 21-year-old wife were indicted yesterday in connection with their roles in September's escape from a Sheriff's Department vehicle during a prisoner transfer to the new Tarrant County Jail.

Chris Nova, who originally was in jail on robbery and attempted capital murder charges, was indicted yesterday on charges of assaulting jailer Charles Terry and sheriff's Deputy David Pena when he and another prisoner, Sergio Martinez,

escaped Sept. 30. Nova also was indicted on charges of felony escape and using a deadly weapon in a penal institution.

Martinez, who is awaiting trial on capital murder charges, has not been indicted in the escape.

Nova's wife, Judy Mieczynski, was indicted on an aggravated assault charge accusing her of threatening Pena. She also was indicted on a charge of implementing an escape by providing Nova a weapon in jail and on one charge of carrying a deadly weapon in a penal institution.

Nova and Martinez used smug-

gled keys to unlock their manacles as they were being driven from the Green Bay jail in north Fort Worth to the new downtown jail. On Interstate 35W near Northwest 28th Street, they attacked the driver of the van, kicked out the windows in the vehicle when it pulled off the road, and escaped.

Pena, the driver, was choked during the struggle. He got out of the vehicle, firing one shot as the two fled on foot. Martinez was captured about three hours after his escape, and Nova was captured about 27 hours later in an abandoned house in west Fort Worth.

FW-STAR TELEGRAM
2 NOVEMBER 1991

Sheriff Don

More questions about the office he runs

If ignorance is bliss, Sheriff Don Carpenter must be euphoric.

There are questions about some seized guns that have been in the sheriff's department's care. Among other things, there are reports that some of the weapons may have been given away as door prizes at a picnic and that some guns supposedly destroyed weren't. An investigation is under way; a grand jury is looking into it.

All of the facts are not in, so it still is too early to know the complete story, whether anything illegal has taken place and, if so, whether what has transpired is felonious or less serious. But details certainly are such as to suggest that, at best, the sheriff's department has not exercised proper cus-

tomial care of the guns. It is the kind of story that too often flows from this sheriff's office.

The sheriff says if he's done anything wrong, he's done it in "ignorance." He said it, we didn't. But, given this latest incident, coupled with the poor performance that has marked his tenure, we by no means feel moved to disagree.

Carpenter has said he will seek another term as sheriff next year. But we look at his pitiful record, consider the ever-increasing importance of this office to the criminal justice system and to the people and feel compelled to say — no, shout — to him:

Don't!

The sheriff

FW STAR-TELEGRAM
10 NOVEMBER 1991

A crucial job in modern, urban Texas

In old England, he was the shire reeve — the one who went out and found the bad guys and brought them before the court. In bygone days in Texas, the sheriff did much the same thing. But in present-day, urban county Texas, the sheriff's job is much different.

Today, the sheriff in urban county Texas is not so much a law-enforcement officer as an administrator and keeper of the keys.

It is long past time in urban Tarrant County to view the job that way and approach it that way. Only by doing so will county citizens, the criminal justice system and county government best be served.

Consider what is happening with the Tarrant County Sheriff's Department:

■ This year, about half of the county's tax money will go for criminal-justice operations. More than half of that amount — close to \$35 million — will go for operation of the sheriff's office.

■ This year, the sheriff's office will have an authorized strength of almost 1,200 employees. That's about one in every 2½ county workers.

■ This week, county jail facilities had about 3,400 inmates. This year, more than \$25 million of the sheriff's almost \$35 million operating budget will go for inmate incarceration.

■ If crime trends continue as projected and if more efficient ways are not found to house inmates, officials believe the sheriff's office could cost taxpayers \$50 million to \$60 million a year by the turn of the century. That will necessitate additional county tax increases, as it has in recent years.

■ The above figures are for operations only. They do not reflect capital costs, such as jail buildings. In recent years, for example, the county has spent some \$55 million on jails. Most of those were built with borrowed money.

One such facility is the new downtown, high-tech jail, which cost more than \$40 million. Officials believe two or three more jail buildings and/or inmate work farms will be needed before the end of this decade, adding tens of millions more to the county's jail cost and debt. That, in turn, will mean that hundreds of additional jailers and other sheriff's department workers must be hired. Again, it will result in tax hikes.

■ Administrative costs in the sheriff's office continue to rise. In 1988, those costs were about \$800,000. This year, they will total more than \$1.4 million.

■ At the same time, though, some other sheriff's operations are costing less money. For example, the investigation unit this year is budgeted for \$545,472, or about \$30,000 less than last year. The

patrol division will get \$1,811,750, about \$153,000 less than last year. Some other division costs will either be less or about the same.

These and other sheriff's department budget numbers show what obviously is happening: Confinement and administration is where the money is going. On the other hand, some functions are either

remaining static or declining in importance. That, too, makes sense. For example, patrol functions are costing less, as they should, because more of the county's rural area is being annexed by the cities, leaving less area for the sheriff's department to patrol.

What all of this tells us is that the job is much different from what it once was, that the emphasis has changed, that the demands have shifted, that there are new requirements in ability for the sheriff.

It tells us that the sheriff of today must be a skilled administrator.

It tells us that the sheriff must be a master at budgeting — and that includes everything from understanding the numbers to adjusting to growing, changing requirements as well as recognizing and being willing to reduce spending where needs have declined, even if that means surrendering supposed turf and/or power.

It tells us that the sheriff must be able, wisely and competently, to select, hire, initially and continuously train and fairly promote personnel.

It tells us that the sheriff must not only work cooperatively and imaginatively with Commissioners Court, which has the responsibility of setting the county tax rate and formulating the county budget — which, as has been noted, are enor-

mously influenced by what goes on in the sheriff's department — but to do it willingly, with insight and with initiative.

It tells us that the sheriff needs to be a leader in the Tarrant County law-enforcement community, able to command respect and then guide, establish a consensus and achieve cooperative venture.

It tells us that the sheriff must be influential and persuasive with policy makers in Austin as well as at home.

A tall order? You bet. But that is what the job demands.

And the pay for it certainly is such that we should not accept anything less — it's a competitive \$74,000 this year, with benefits such as a car, with almost assured annual raises.

We say all of this because few if any of these required abilities have been demonstrated by the incumbent sheriff, because we know the financial impact the office has and will have on county taxpayers, because we realize the negative impact that it has and will have upon county government unless changes are made.

We say it now because the 1992 elections are approaching, because the sheriff's race will be the most important local political decision voters will make next year and because we hope it will encourage qualified candidates to seek the position, to shape and seriously debate the issues related to this office.

Above all, we say it in the hope that it will encourage county residents to pay special attention to this office, to consider what has and has not been going on there in recent years, to realize what it means to the criminal-justice system, to county government and to them personally.

And, when the time comes to vote, to be as fully informed and prepared as possible and to act accordingly.

Autopsy of starved boy today

BY FRANK PERKINS
Fort Worth Star-Telegram

FORT WORTH — Sheriff Don Carpenter said today he would provide security for Jay and Linda Hill to attend the funeral of their starved 13-year-old son only if a judge orders they be released from jail to go.

"If the judge tells me to, then I'll send them," Carpenter said. "I don't believe a judge will let them go to the funeral, though, if they did what I read in the papers."

The Hills have been jailed since their arrests Nov. 4 on charges that they chained their son, Stephen, to a metal bar and starved him periodically over several months. He died Saturday at Cook-Fort Worth Children's Medical Center, where he had been in critical condition since paramedics found him comatose in the family's White Settlement home Nov. 3.

An autopsy, witnessed by a private pathologist at the request of Linda Hill's defense attorney, was expected to be conducted today.

Although Stephen's funeral arrangements have not been completed, Jay Hill's attorney said yesterday he feared the parents would be endangering themselves by attending because of the strong public sentiment against them.

Charles F. Baldwin — representing Stephen's mother, Linda Hill — said Saturday that the boy's death may have been caused by a blood infection triggered by something other than starvation. He said he meant no disrespect to Peerwani.

Baldwin could not be reached yesterday for additional information on the blood infection.

Kathy Williams, a spokeswoman for the hospital, would not comment on the child's death except to say it occurred after 12 days of treatment in the hospital's intensive care unit.

"His little body just gave out," said Robert Hoover, the attorney appointed by a judge to represent

the Hills' two sons. Douglas Hill, Stephen's 12-year-old brother, was also found to be malnourished. Douglas is in the custody of Child Protective Services and will be placed in a foster home until a decision is made on whether he will be allowed to live with relatives.

Jay and Linda Hill are in Tarrant County Jail in lieu of bail totaling \$300,000. A county grand jury indicted Jay Hill, 42, a General Dynamics engineer, last week on charges of injury to a child and kidnapping.

The kidnapping charge grew out of evidence that the boy had been chained to a metal bar and was held against his will in his family home.

A grand jury later will hear accusations that Linda Hill, 37, committed injury to a child.

Marilyn Williams, a Child Protective Services caseworker as-

signed to the case, said Douglas was aware of his brother's death.

"He cried some and showed some grief, which is good," she said. "He is taking it pretty hard because he and Stephen were so isolated, with no friends and kept right around the trailer home, that they grew very close."

Williams said Douglas has seen his grandparents and other family members since the arrests Nov. 3.

"He's had very open relations with his family members who are here; we hope to place him ultimately with his relations," she said. "He's a real sweet little kid; you just fall in love when you see him. It just breaks your heart."

Williams said Douglas had gained a little weight during his stay at the service's assessment center, where he is undergoing psychological tests and other examinations to determine his education level.

Carpenter said security for the couple would involve at least four deputies.

Stephen's grandmother, meanwhile, said yesterday that the Hill's were "devastated" by the boy's death.

"They were not just sorry; they were devastated," said Barbara Hill of Smithfield, Utah, mother of Jay Hill. "They were convinced he would make it. He was improving and we had every hope he would recover."

County Medical Examiner Nizam Peerwani honored a request to delay the postmortem 48 hours to allow a court-appointed defense attorney time to retain another pathologist to witness the procedure.

Sheriff promises security for Hills at son's funeral

Monday P.M., November 18, 1991 / Fort Worth Star-Telegram

Guns reported destroyed by sheriff's office found

Carpenter calls probe 'politics'

BY BILL HANNA
Fort Worth Star-Telegram

FORT WORTH — At least five guns that the Tarrant County Sheriff's Department listed as being destroyed have been recovered by investigators looking into allegations that the department improperly disposed of property-room weapons.

"We have recovered some weapons that were shown to be destroyed," said Rockwall County District Attorney Galen Sumrow, who was appointed in September as a special prosecutor in the investigation.

"They were recovered from five or six different people," Sumrow said.

One of the recovered guns was awarded as a door prize at a fundraising picnic for Sheriff Don Carpenter, Sumrow said. However, Sumrow said he could not say where the other weapons were recovered.

When the guns were found, they were not being used for law-enforcement purposes, Sumrow said.

Carpenter, who was en route to Austin for a meeting of the State Commission on Jail Standards, could not be reached for comment yesterday. Officials at the meeting said he was not scheduled to appear until this morning.

Carpenter testified before the grand jury Oct. 30. Before appearing, he said the investigation was "politics."

He has not commented about the investigation since his grand jury appearance.

Also called before the grand jury were jail Administrator Jim Minter, formerly head of the internal-affairs division; Tommie Hathorn, a training officer; Thomas Hastings, supervisor of the property room; and William R. Tatum, a bailiff in Judge Albert White's court.

Tatum reportedly received one of the recovered weapons at Carpenter's 1986 picnic at the Twin Points Resort on Eagle Mountain Lake, a source said. Tatum could not be reached for comment last

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WEDNESDAY
20 NOVEMBER 1991

night. He had declined earlier to answer questions about the gun.

Sumrow said he expects to present additional evidence to the grand jury in two or three weeks. He said he is beginning to review about 1,000 documents concerning property-room records and also is looking at transcripts of grand jury testimony by Carpenter and four department employees.

Sumrow said he also is troubled by discrepancies between the number of firearms found in the sheriff's property room and the number of weapons listed in log books.

"I think it's a problem when government records reflect that weapons are in the property room, when in actuality those guns are not there," he said.

Improperly disposing of property that is evidence in a criminal matter is official misconduct. If the value of the weapons is more than \$750, the offense is a felony.

Investigators have been unable to determine why Carpenter kept more than 50 weapons in his office. The guns were found when Texas Rangers took inventory of items in the department Oct. 15.

"We have no idea what they were being used for," Sumrow said.

But Sumrow said allegations that Carpenter kept property-room weapons at his house are untrue.

The allegations against Carpenter surfaced in September when an attorney for the Combined Law Enforcement Associations of Texas reported allegations of weapons mishandling to the Tarrant County District Attorney's Office. On Sept. 9, Sumrow was appointed by state District Joe Drago III.

Thursday A.M., November 21, 1991

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ETTA HULME

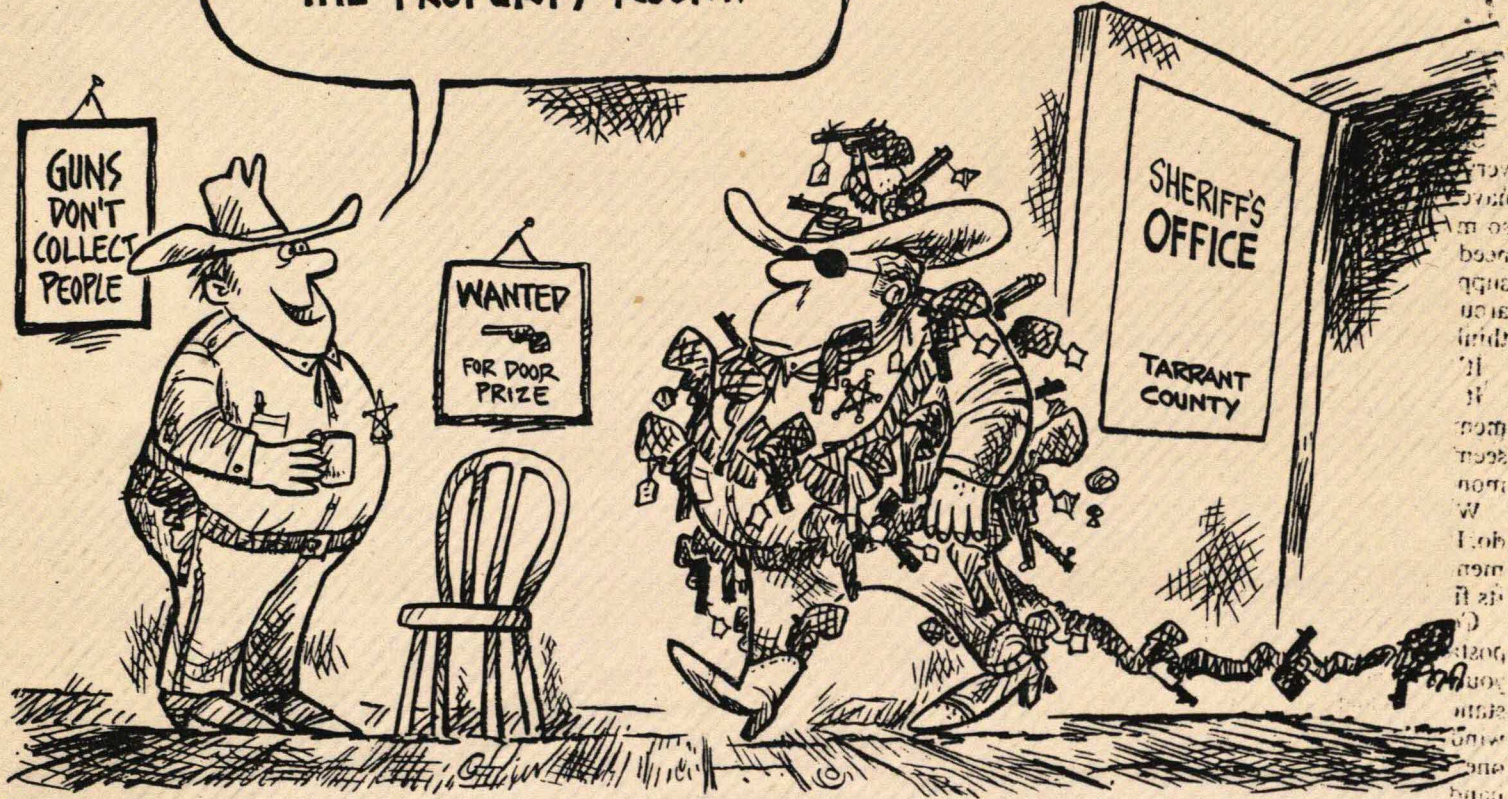
OH, HI THERE, SHERIFF -
FOR A MINUTE THERE
I MISTOOK YOU FOR
THE PROPERTY ROOM.

GUNS
DON'T
COLLECT
PEOPLE

WANTED
FOR POOR
PRIZE

SHERIFF'S
OFFICE

TARRANT
COUNTY



Commission plans subpoena for Carpenter

By FRANK PERKINS
Fort Worth Star-Telegram

FORT WORTH — The Tarrant County Civil Service Commission has ordered Sheriff Don Carpenter served with a subpoena to force him to testify in two departmental personnel actions or face the chance of being fined and ordered to jail.

It is the first time in recent Tarrant County history that the commission has used its subpoena powers to try to force an elected official to appear before it as a witness, said commission Chairman Gary Thompson.

"We usually just ask [County Personnel Director] Gerald Wright to call them on the phone and tell them to come on over and they come," Thompson said after the action was taken.

The sheriff's name was on witness lists for each case that he received last week from Wright.

After learning of the subpoena yesterday, Carpenter said it would be improper for him to serve as a witness in the two cases.

"I shouldn't go over there because all I did was order the punishment after others made the decisions about the cases," Carpenter said. In addition, he contends that the Civil Service Commission does not have subpoena powers.

The subpoena will be delivered to Carpenter next week, along with a letter inviting him to appear before the commission in the two cases. They involve appeals of the firing of Criminal Investigator Judy McCrary and the demotion and reassignment of Deputy Mike Utley, who has said he will run for Carpenter's post in 1992.

McCrary was fired after being accused of appearing on duty under the influence of alcohol at a crime scene on Sept. 5. She maintains she is innocent.

Utley said he was demoted to jailer and reassigned to a 3 to 11 p.m. shift in retaliation for running for sheriff.

Chief Deputy John Pempsell said Utley was reassigned after grant funds for his original job ran out. "We gave him the next available shift and that was the 3-to-11 at the low-risk facility," Pempsell said yesterday.

The cases have now been delayed until the commission's February meeting to give Carpenter and the Tarrant County district attorney's office time to determine whether the commission can legally issue subpoenas.

Carpenter said he will honor the subpoena if it is legal, but not the letter of invitation.

"I don't think they can do that subpoena business," Carpenter said. "But if it's legal, then I'll be there. If it's not legal, why then, I won't be there."

Attorney Leonard Schilling, assisted by attorneys Bob Hasty and Mike Ware representing the Combined Law Enforcement Associations of Texas, triggered the subpoena when they told the commission that Carpenter's testimony was crucial in McCrary's and Utley's appeals.

Schilling demanded that the commission use its subpoena powers to force Carpenter's appearance.

Assistant District Attorney Ann Diamond argued that the commission did not have those powers. But a 30-minute search in the Tarrant County Law Library found a provision in the Government Code that apparently gives those powers to civil service commissions at the city and county level.

Thompson and fellow members Cue Lipscomb and Glen Lewis then voted to subpoena the sheriff and issue the letters of invitation.

"Do you intend to jail the sheriff if he does not answer your subpoena?" Diamond asked.

"That will be considered," Thompson said.

The statute calls for a fine of \$10 to \$100 or 30 days in jail or both for failing to answer a subpoena.

Schilling criticized the sheriff's failure to appear.

"His failure to appear here shows that Sheriff Don Carpenter has thumbed his nose at this Civil Service Commission, which was established by the voters of this county," Schilling said.

Utley said he was disappointed that the hearings had to be continued.

LETTERS TO THE EDITOR

Saturday, November 23, 1991

Credible candidate for sheriff

Your editorial "The sheriff — A crucial job in modern, urban Texas" was timely and well-documented. The importance of running the Tarrant County Sheriff's Department efficiently, responsibly and administering duties with a spirit of cooperation with the Commissioners Court and other local, state and federal agencies has never been more necessary.

Employees deserve better than a coin flip to decide promotions. Tarrant County taxpayers deserve a sheriff who has the skills to be fiscally responsible in the office. It is imperative that the sheriff know the law and the sworn duties of the office. Too many times ignorance of the law claimed by the incumbent as an excuse has cost the taxpayers money.

We are fortunate to have a Republican candidate for the office of Tarrant County sheriff who has the credentials and skills to perform the job well and earn the respect the office greatly needs. A candidate who will give the many fine men and women of the sheriff's department the opportunity to attain their goals and identify as an equal of other professional law enforcement agencies.

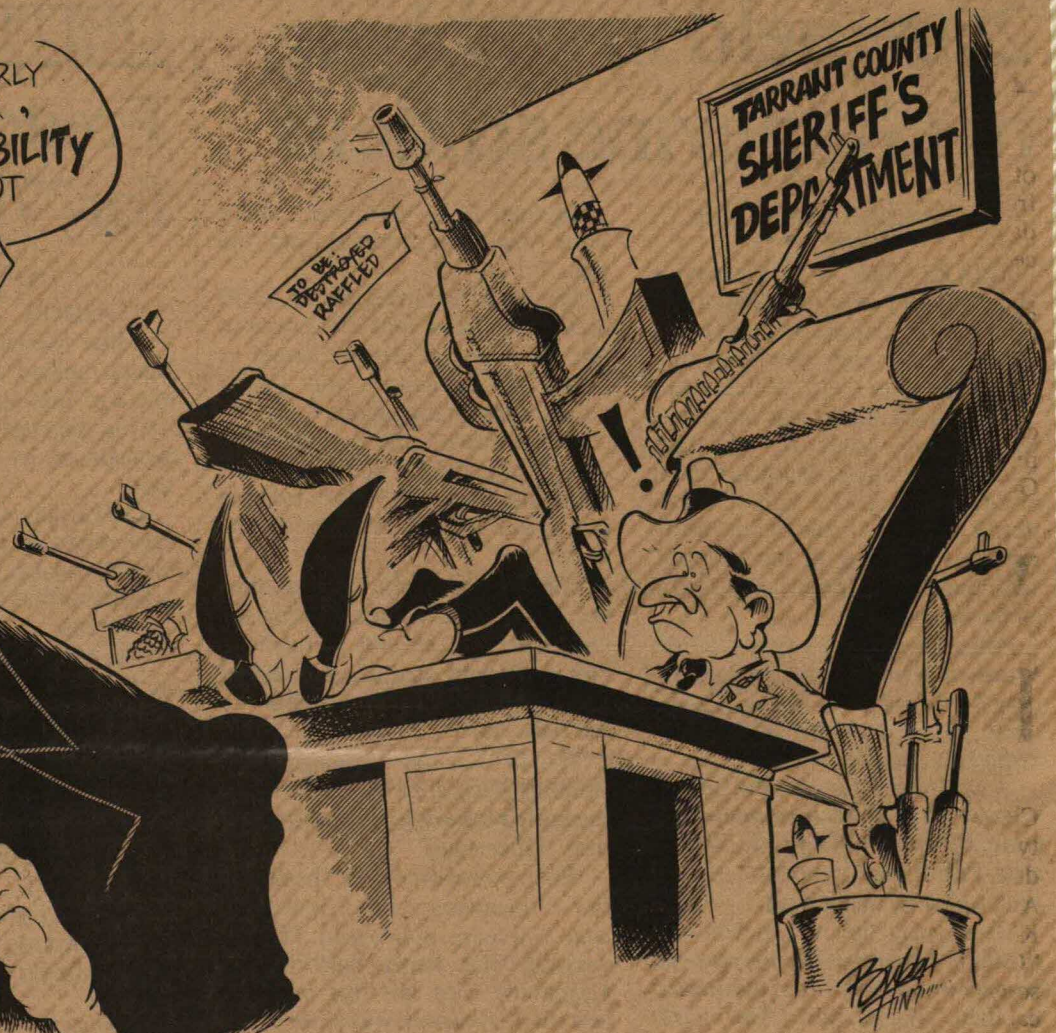
For all of these reasons, we are enthusiastically supporting Jim Hunter. Hunter has a

degree in finance with a minor in economics, has many years of law enforcement experience, has won numerous awards for his field work and administrative efforts and is just the man who can conduct the job in the manner so necessary to all of us.

—Fran and Eddie Chiles
Fort Worth

Monday P.M., November 25, 1991

I DIDN'T FIND ANY GUNS PROPERLY
DISPOSED OF, ... HOWEVER,
I DID FIND YOUR CREDIBILITY
DESTROYED AND ALL SHOT
TO ★#)★!...



Special to the Star-Telegram / BUBBA FLINT

LETTERS TO THE EDITOR



Fort Worth Star-Telegram

Plea for sheriff's patrol

In regard to the Nov. 10 editorial "The sheriff," I believe that the newspaper along with most of the residents of Tarrant County are not aware of just how important the patrol division is. Most people are under the same impression as the Commissioners Court that when a city annexes rural land, it is a reason to decrease the patrol division.

It is a fact that 90 percent of the land annexed is just that — land. In fact, the population in the areas patrolled by the Sheriff's Department has increased in the last 10 years. What this means is that we now have more people in less space than ever before. Directly, the patrol division of the Sheriff's Department protects approximately 50,000 people. Indirectly, the department protects every resident in Tarrant County.

I do not know of a Metroplex city of 50,000 that has as few as four patrol officers on the streets at any given time. Given the distance between the unincorporated areas that the deputies have to patrol, a total of 35

officers assigned to patrol duties is very inadequate. It should concern everyone in Tarrant County because one day they might find themselves in need of an officer and there might not be one available.

The sheriff has on numerous occasions attempted to explain this to Commissioners Court, but to no avail. Because the commissioners think the patrol division is so unnecessary, they allow the deputies to risk their lives every day with antiquated equipment such as a radio system that does not work on a constant basis.

All of the residents of Tarrant County should question this. Send a letter to Sheriff Don Carpenter. He will be glad to explain what he has tried to do, but the Commissioners Court has always managed to stop him. I should know. I'm married to one of those unimportant patrol deputies.

—Belinda F. West
Newark

Lessons from sheriff's staff

I am an 18-year-old Tarrant County Junior College student who recently began work on a research paper on the Tarrant County Jail and correctional system. I visited the jail to gather some information through interviews.

I was treated two different ways by two employees of the Tarrant County Sheriff's Department.

First, I was told by Chief Deputy John Pempsell that he did not have time for me. I watched him drink coffee and tell a joke to other people in his office before I entered. I believe someone paid to serve the people should do so — no matter what that person's age is.

Second, I was told to see J.C. Minter, the Tarrant County jail administrator, and that he could help me. Minter not only helped me, but went out of his way to be kind. Minter was in a meeting with three other officers and still took time for me. I will remember both of these names at the next election for Tarrant County Sheriff.

—Collin Croft
Haltom City

Spouses accompany deputies

County pays them to pick up prisoners to stand trial

BY FRANK PERKINS
Fort Worth Star-Telegram

FORT WORTH — The Tarrant County Sheriff's Department regularly sends deputies' spouses — all expenses paid — to accompany their mates nationwide to pick up prisoners and return them for trial.

Capt. Berta Gilbert, chief of the sheriff's civil process and criminal warrants division, said yesterday that the practice helps fill the gap between needed personnel and available deputies for escort duties. The county pays the non-deputy escorts \$50 a day.

Gilbert said the main reason for the spouse program is state law, which requires that female deputies either escort female prisoners or accompany male deputies who are transporting female prisoners.

Sheriff Don Carpenter said the long-standing practice of using non-deputized, unarmed spouses as escorts is a result of budget constraints. But the district attorney and the county judge expressed concern upon hearing of it yesterday.

"We have to have women along when we transport women; that's the law," Carpenter said. "If we don't have a woman officer available, why then we send along a man and his wife, and the wife is his eyes and ears.

"The practice saves us money, and the Commissioners Court won't give us the money to hire enough people, so we have to do the best we can," the sheriff said.

Gilbert agreed. "I don't know what we'd do without them, because we don't have enough deputies to act as escort guards. We only have a total of four female deputies in my command, so sometimes we must send a male deputy and his non-deputy wife for that purpose. The wife is along only to handle the restroom problem," she said.

Male spouses sometimes are pressed into service as well, Gilbert said.

"My husband has made several prisoner transfer trips," she said. "We've even made a few together, but I don't get out traveling much any more."

County records show that Gilbert's husband, Dalton Gilbert, a part-time court bailiff, drew 32 county checks for such transfers last year.

Berta Gilbert said the spouses who are not department employees are not deputized or armed. "They represent Sheriff Don Carpenter and are sent with his full knowledge, but they are not peace officers," she said.

Gilbert said that as a rule, spouses are restricted to less dangerous extraditions. But spouses have helped to escort child abusers, murderers and armed robbers without incident, she said.

The practice has been in effect at least 20 years, Carpenter said.

"It's always been the policy around here, for as long as I can remember, and I've been here for 22 years," Carpenter said.

Carpenter was a warrant officer under former Sheriff Lon Evans. He said his wife never accompanied him to pick up prisoners. "I was never sent after a female," Carpenter said.

The county spends about \$15,000 a year on spouse-escorts, records show.

County Auditor Jim Causey said the practice saves county money.

"If we had to send two strangers, then the county'd be out two hotel rooms; but if a man and a wife transport the prisoners, then they can share a room," Causey said.

District Attorney Tim Curry said he was unaware of the practice and wondered about the county's liability in case of injuries to the spouses.

"This is the first time I've heard about that deal," Curry said. "It seems to me like there would be a question of the county's liability, unless they had them sign a waiver to hold the county harmless if something happened to them."

Carpenter said the spouse-escorts are not required to sign a waiver.

County Judge Tom Vandergriff said yesterday that he, too, was unaware of the situation and was concerned about it.

"I worry about the safety of people who are not trained and are not experienced," Vandergriff said.

Irate neighbor complains about noise at Tarrant jail

BY FRANK PERKINS
Fort Worth Star-Telegram

FORT WORTH — Profanity, raucous cheers, catcalls and other noise from late-night basketball games in the new Tarrant County Corrections Center has residents of the nearby Hunter Plaza Apartments at 200 Burnett St. red-eyed and angry over lost sleep.

Robert Ritterbach blew the whistle on the noise yesterday at the Tarrant County Commissioners Court meeting.

"The noise is very nerve-racking and I don't understand why nothing is being done," said Ritterbach, who told commissioners he was speaking for other residents as well. "I understand the prisoners are entitled to their recreation, but shouldn't we be entitled to our rest?"

Ritterbach said he complained about the noise to Jail Administrator Jim Minter, but Minter told him there was nothing he could do because state jail standards require two hours of exercise a day for each of the jail's 768 prisoners.

In an interview, Minter said the noise problem is compounded by the triangular design of the open-air recreation areas on every floor of the 13-story structure.

Ritterbach complained of hearing shouts and catcalls from the jail as late as 1:45 a.m. last week, but Minter said he believes Ritterbach was confused about the time.

Commissioners were sympathetic.

"You don't have to change your sleep habits, sir," Commissioner Bob Hampton said. "We'll change theirs."

Well-served by sheriff's office

I would like your readers to know the rest of the story told by Collin Croft in his Nov. 23 letter regarding his treatment by Chief Deputy John Pempsell of the Tarrant County Sheriff's Department.

Croft did not make an appointment to see Pempsell. He came in and wanted more than a few minutes of the chief's time. I'm sure Croft could not have known of the chief's other meetings and appointments for this particular day that I remember very well.

When the chief didn't have the time to spend with Croft and because the information he was requesting related to the jail, Sheriff Don Carpenter directed the young man to jail Administrator Jim Minter. After the young man left this office, the sheriff called Minter and asked that he personally help Croft in every way possible.

I can also tell everyone that having a few moments for a cup of tea and the chance to be a little light-hearted are rare moments for this dedicated officer. Those of us who know Pempsell know of the many times he has given his home telephone to students such as Croft when he did not have the time at work to help them.

There is no other officer in the sheriff's office more understanding and accommodating than Pempsell. However, his job-related responsibilities have to come first. That's what the taxpayers pay for. And you, Mr. Croft, were directed to someone else who could equally help you, so the sheriff's office did serve you well.

In spite of your age, or maybe because of it, an apology to Pempsell is definitely in order.

—Joyce Jahn
Haltom City

Investigator to quit to run for sheriff

BY STEFANI GAMMAGE
Fort Worth Star-Telegram

FORT WORTH — A second Tarrant County Sheriff's Department employee has announced he is resigning to run for sheriff.

Lupe Coronado, a criminal investigator in the sheriff's department, said yesterday he plans to run in the Democratic primary and will resign next week from the department where he has spent a quarter century. Coronado said he would not feel right campaigning and working in the department.

Five candidates have announced they will run in the Republican primary in March, including Sheriff Don Carpenter and jailer Mike Utley, who resigned Tuesday to dedicate more time to his campaign.

Coronado, 56, is the first Democrat to step forward.

A Fort Worth native, Coronado said he wants to be sheriff "because the sheriff's department urgently needs direction, change and leadership.

"The present administration has created chaos within the sheriff's department with no direction and leadership in sight," he said. "Moreover, no plans are in place to correct the problems created by the administration. Integrity has been lost and morale is at the lowest level I've seen in my 25 years as an employee of the people of Tarrant County."

Coronado said he has been an investigator for 11 years and previously served as a patrolman and as sergeant in the warrant division, which he oversaw. His tenure, he said, has provided him with job experience, hands on training and knowledge that can be drawn upon to provide leadership and management to move the department forward in the 1990s.

SATURDAY, NOV. 30, 1991

Coronado quits investigator job to make run for sheriff's position

BY STEFANI GAMMAGE
Fort Worth Star-Telegram

FORT WORTH — A second Tarrant County Sheriff's Department employee has announced he is resigning to run for sheriff.

Lupe Coronado, a criminal investigator in the Sheriff's Department, said he intends to run in the Democratic primary and will resign next week from the department, where he has spent a quarter of a century. Coronado, in making his announcement Wednesday, said he would not feel right in campaigning while working in the department.

Five candidates have announced they will run in the Republican primary in March, including Sheriff Don Carpenter and jailer Mike Ut-

ley, who resigned Tuesday to dedicate more time to his campaign.

Coronado, 56, is the first Democrat to step forward, although River Oaks Police Chief Dub Bransom has been gearing up for a run.

A Fort Worth native, Coronado said he wants to be sheriff "because the Sheriff's Department urgently needs direction, change and leadership."

"The present administration has created chaos within the Sheriff's Department with no direction and leadership in sight," he said.

Coronado said he has been an investigator for 11 years and previously served as a patrolman and as sergeant in the warrant division, which he oversaw.

Mark your calendar for November 1992:

Vote Carpenter out of office

Don Carpenter's long, disgusting run as sheriff of Tarrant County may finally be nearing an end.

Actually, the run hasn't been all that long — it just seems like a lifetime since Carpenter first pinned on that badge.

He was elected in 1984 and again in 1988, and he's expected to run for re-election in 1992 — if he isn't indicted, in jail or otherwise indisposed.

If he does happen to turn up on the ballot in next year's election, Tarrant County voters will face no more crucial responsibility than the task of turning Carpenter out of office. If we do nothing else in 1992, we've got to get rid of Don Carpenter.

Carpenter's administrative ineptitude has created a nightmare of mismanagement and inefficiency in the sheriff's office. His managerial incompetence has destroyed morale in his department and driven away qualified employees.

His personal oafishness has been a constant source of chagrin for the citizens of Tarrant County.

"Tarrant County has had enough embarrassment over this man," says Marilyn Lowrie, a county resident who has dedicated herself during the past several years to exposing Carpenter's mismanagement, arrogance and flat-out stupidity.

At one point, Lowrie went to a county grand jury with a detailed list of allegations involving Carpenter's operation of the sheriff's department. The grand jury looked over the information and took no action.

But now, another grand jury is investigating the possible mishandling of weapons collected by the sheriff's office in connection with criminal cases. The special prosecutor who is heading the investigation has said that several guns listed as being destroyed have been recovered — including one that was awarded as a door prize at a fundraising picnic for Carpenter.

These are serious charges. They could lead to indictments against



**Bill
Thompson**

the sheriff. They could lead to jail time for the sheriff.

Rumors are flying in courthouse circles. One report says that Carpenter will be indicted and prosecuted; another says he will resign and promise not to seek re-election in order to avoid being prosecuted.

Whatever happens, we know this much: If being a moron were a capital offense, Carpenter would have been on Death Row years ago.

It takes a world-class ignoramus to be proud of being ignorant, but Carpenter is as proud as they come.

Before his grand jury testimony on Oct. 30, Carpenter said this:

"I don't know what I've done, but if I've done anything wrong, I've done it in ignorance, so I'm not going to worry about it."

He's obviously too ignorant to worry.

It would be bad enough if Carpenter were just a harmless dunce with a proclivity for sticking his foot in his mouth. Like the time he said one thing one day, and another thing the next day, and then tried to explain the contradiction:

"I must have misquoted myself."

But it's much worse than that. Carpenter is not merely stupid. He is dangerous.

In August 1989, two people died

after Carpenter insisted on taking charge of a hostage crisis that he was totally, hopelessly unequipped to deal with.

If a grand jury or a special prosecutor can pressure Carpenter into resigning, good for them. The sooner we get this goof out of the

Fort Worth Star-Telegram

TUESDAY P.M.,

DECEMBER 3, 1991

sheriff's office, the better.

But if he doesn't step down, if he insists on seeking a third term, it will be up to the voters to put an end to the embarrassment that Carpenter has caused — and will continue to cause as long as he remains in public office.

Several qualified individuals have already announced plans to challenge Carpenter for the Republican nomination in the March primary. There will be no legitimate reason — none — for anyone to vote for Carpenter.

If he somehow slips through the

Republican primary, we can dispose of him in the general election in November.

One way or another, Carpenter has got to go.

Bill Thompson's column appears Tuesday, Thursday and Saturday.

2 law enforcers running for sheriff

River Oaks chief, reserve officer latest to enter race for job

BY RICHARD DOTSON
Fort Worth Star-Telegram

FORT WORTH — The chief of police of River Oaks and a lieutenant with the Tarrant County Sheriff's Department reserve unit announced yesterday that they are running for sheriff.

Dub Bransom, who spent 17 years with the Fort Worth Police Department before he was hired as River Oaks' police chief, is seeking the Democratic nomination for sheriff.

Bransom is running against Lupe Coronado, a former Sheriff's Department criminal investigator who resigned last week after 25 years with the department to seek the

Democratic nomination.

Tom Graves, 34, a manager with Southwestern Bell and a reserve officer with the Sheriff's Department for the past seven years, is seeking the Republican nomination.

A Fort Worth native, Graves is the sixth Republican candidate to announce a bid in the March primary. The other candidates include Sheriff Don Carpenter, who is seeking a third term, and former jailer Mike Utley, who resigned last week to dedicate more time to his campaign.

Bransom, also a native of Fort Worth, graduated from the police academy in 1966, rose to the rank of sergeant and re-

tired in 1983. He moved to River Oaks in 1990 after his appointment as police chief.

Bransom, 54, said he has worked in criminal investigations and in administration, served as president of the Fort Worth Police Officers Association and was a trustee and chairman of the Fort Worth Employee Retirement System.

Graves has worked at Southwestern Bell for 12 years and is a design consultant for the company.

He is a 1984 business management graduate of Texas Wesleyan University and for the past seven years has been an unpaid volunteer with the Sheriff's Department.

Seized gun is linked to sheriff

Carpenter admits he gave pistol to official

BY FRANK PERKINS
Fort Worth Star-Telegram

FORT WORTH — Texas Rangers investigating whether weapons from Sheriff Don Carpenter's property room were improperly disposed of have confiscated a small handgun the sheriff gave County Commissioner J.D. Johnson some years ago.

Carpenter said he remembered giving the pistol to Johnson but could not recall the details.

"I had written down in a book who all county employees had guns from us," Carpenter said yesterday. "Somebody's taken that book out of my office and I can't find it. If I had that book, I could tell you who had what guns."

Carpenter said the book listed guns he had passed out to his deputies and to other county officials, including Johnson. Carpenter said he believed he gave the gun to Johnson early in Carpenter's first term in 1985. He also said he was concerned about the missing book that listed who possessed which guns.

"Seems to me like that book is county property and whoever took it committed theft," Carpenter said.

Carpenter said he is convinced that whoever took the book passed it on to the Texas Rangers.

"That must be what the Rangers are using to call everybody and pick up these guns," Carpenter said.

Capt. David Byrnes of the Texas Rangers said last night that he did not know of any book containing information about the weapons.

"We don't have it," he said. "I'm not aware of one."

"Everything we have obtained from the sheriff is through duly issued subpoenas and when we've asked and received something, it's

been with the sheriff's knowledge and consent."

Johnson said he turned over the small, double-barreled, .38-caliber derringer to Rangers about two weeks ago.

"I met them, took them out to the car and gave them the gun and they gave me a receipt for it," Johnson said.

Byrnes confirmed that the Rangers had received the gun from Johnson.

Johnson said that he had no idea where Carpenter got the weapon and that he thinks the sheriff gave him the gun because of illegal trash haulers in his district.

"One day, the sheriff came up to me and gave me the derringer and said, 'Here, J.D., put this in your pocket; you may need it sometime with all your trouble out there.' I told the sheriff I already had a pistol, but he said, 'This is a real handy one;

just put it in your pocket in case you need it.'"

In October, Tarrant County Criminal District Judge Joe Drago appointed Sumrow to investigate allegations of official misconduct in the sheriff's office after accusations that Carpenter or his officers had improperly disposed of weapons ordered destroyed by court orders.

One of the weapons listed as destroyed in departmental records was given away as a door prize at a Carpenter campaign barbecue in 1986. Other guns also listed as being destroyed turned up in the possession of various people, investigators said.

Carpenter and some of his senior officers have testified before a Travis County grand jury, and Sumrow has said he expects to present more evidence to the panel.

Staff writer Bill Hanna contributed to this report.

LETTERS TO THE EDITOR

Respect for a job well done

A fine young man has given his resignation to Sheriff Don Carpenter. The Tarrant County Sheriff's Department has lost another officer who is more dedicated to the integrity of law enforcement than to the pleasure of Carpenter.

Mike Utley is a symbol of the many men and women who have resigned from the department because they placed a greater value on law enforcement and their responsibility than on the pleasure of Carpenter.

Utley also represents those deputies who have left the department with ruined careers or faded dreams as peace officers at the expense of the sheriff's pleasure.

His prayers and encouragement are with those who remain at their posts awaiting a time when their morals, principles and training will not be wasted at the pleasure of the sheriff.

Utley and all of those gone before him represent the stressed-out deputy who cried when a county commissioner asked him what it was he expected from the sheriff. His reply, "I just want to be respected for doing my job."

You and those you represent, Mike, are greatly appreciated and respected by the residents of Tarrant County. You are respected for your loyalty and dedication to the law enforcement for which you have been trained. You are respected for the personal sacrifice each of you made because you did not believe that your respect for law enforcement should be lost at the pleasure of Carpenter.

—Marilyn Lowrie
Fort Worth

No more sheriff jokes

Tarrant County's law-enforcement branch has become the laughingstock of Texas. We have a new \$40 million jail that needs a new sheriff.

Your recent editorial "The sheriff" was right on target, pointing out that the incumbent sheriff has demonstrated few, if any, of the required abilities to run a present-day, urban sheriff's office.

As co-chairman along with former County Judge Roy English and John McMillan of the \$114 million criminal justice package that was approved by voters, I am convinced that Tarrant County needs a new sheriff. The people voiced a strong message when approving the criminal justice package. Now it is up to the voters of this community to elect a new sheriff in 1992.

While there are any number of persons more qualified than the current sheriff, I would like to submit one name for your consideration: Dub Bransom.

Bransom is River Oaks chief of police. He has an extensive background in law enforcement administration and is a former president of the Police Association. I have

known and worked with Bransom since 1967. He is more than qualified for the job, and he is capable of returning respect to the office of Tarrant County sheriff.

—Kay Day
Fort Worth

Takes one to call one?

Bill Thompson's Dec. 3 diatribe concerning Sheriff Don Carpenter seems to be a case of a pot calling the kettle black.

I am not an admirer of Carpenter and, I, too, think that a better man for the job might be found, but it seems entirely inappropriate for a major newspaper to allow one of its columnists to resort to childish name-calling in venting his personal dislike of one of our elected officials. This column, like most of Thompson's work, consists of nothing but his personal opinion and rumors that he has heard. There is no substantive information given other than one sentence relative to disposition of guns.

I do not question the right of a columnist to voice his own personal opinion. He is, after all, not a news reporter. I do think that it is extremely poor taste to resort to personal name-calling of rhetorical nature — terms such as "oafishness, disgusting, arrogance, flat-out stupidity, world-class ignoramus, obviously too ignorant to worry" and "dunce."

I am reminded of a bit of wisdom concerning profanity that was told to me long ago by a friend. He said that the use of profanity was an indication of a lack of breeding or the lack of a vocabulary that was adequate for expressing one's self. I can't help wondering which one of these reasons is Bill Thompson's problem. Or is it both?

—John H. Chaffin
Richland Hills

LETTERS TO THE EDITOR

FW STAR-TELEGRAM
DEC. 11, 15, 1991

Elect a sheriff with integrity

In view of recent events, it is obvious we need a new Tarrant County sheriff. When we make our choice, we must be very sure of the person we elect to this important office.

The person's qualifications and integrity must be above reproach.

Fortunately, we have a candidate who meets these criteria. His name is Jim Hunter. By electing him, we will have a sheriff Tarrant County can be proud of.

—Anne Kimble
Fort Worth

Pointing finger at the voters

As an adjunct to Bill Thompson's column about Sheriff Don Carpenter, one ponders the obvious: How did Carpenter get elected in the first place? Then, with his record, how on earth could he be re-elected for a second term?

Coming up with the answer to the first question is not too difficult. Carpenter rode into office on the shirttail of the Republican Party landslide in 1984. Nearly everyone who was Republican on the ballot got elected. Qualifications for office didn't matter.

Carpenter's re-election was a second mistake. How he got through the Republican primary for re-election is anyone's guess.

From the results of the general election, one must conclude the voters select the party ticket regardless of an incumbent's performance on the job. That or the voters are totally uninformed. Either way, it reflects badly on our electorate.

It could be that Carpenter is not the only "world-class ignoramus" around here.

—Donald R. West
Hurst

Kudos for the sheriff

I don't believe Bill Thompson could possibly know much about Sheriff Don Carpenter. He is using comments that have been made to him by Carpenter's opponents.

The *Star-Telegram* has never supported Carpenter, and I'm sure this is only the beginning of its crusade against him. You have your own agenda to remove the sheriff from office and your hope is to influence as many voters as possible through editorials and columns. However, most voters do not make their voting decisions by relying on editorials of the one newspaper in town. This was proved by the fact that the voters elected Carpenter twice without your endorsement.

The sheriff has said that if it were not for the hurt his family endures when reading these editorials and columns about him in the *Star-Telegram*, he would not be affected by them at all.

Carpenter is an honest and dedicated man. Anyone in his position would not please everyone, but he has done a very good job under very adverse conditions during his tenure thus far. I trust that the voters of Tarrant County will make up their own minds this election and disregard the agenda of the *Star-Telegram*.

—Dawn Brandon
Fort Worth

Get to know sheriff's candidate

Bill Thompson has done it again. He has written an opinionated, controversial column. But this time, I doubt he will provoke many arguments.

I refer to his Dec. 3 column regarding Tarrant County Sheriff Don Carpenter. Among other things, Thompson says, "If we do nothing else in 1992, we've got to get rid of Don Carpenter." I agree and share Thompson's sentiment "Carpenter is not merely stupid. He is dangerous."

Thompson goes on to say there is no reason for anyone to vote for Carpenter again. And he is right. Among the candidates running for sheriff is the right man for the job: Steve Marshall, whom I urge you to learn more about.

I support Marshall for sheriff because he has real experience and real qualifications. He has been a Tarrant County assistant district attorney for seven years, where he has prosecuted more than 2,000 felony cases. He is a law enforcement professional

with the kind of leadership experience needed to effectively manage our sheriff's department. Who better to run the top law enforcement office in the county than someone who knows the law and who is a frequent instructor for police academy and continuing law enforcement courses.

Get to know Marshall. He is someone we can count on and could be proud to call our sheriff.

—Mary King
Azle

Grand jury gains time

BY BILL HANNA
Fort Worth Star-Telegram

FORT WORTH — The grand jury investigating allegations that Sheriff Don Carpenter gave away guns from the department's property room will have its term extended 90 days.

Appearing before District Judge Bill Burdock in open court yesterday, the grand jury informed Burdock that it needs until March 15 to conclude its work. The grand jury's last day would have been Tuesday.

"The purpose of the extension is to consider the case of Sheriff Carpenter and the possibility of an indictment," said grand jury foreman Jerry Partlow.

Meanwhile, Carpenter's attorney, Bill Ray, said he doesn't think his client has "done anything wrong." Ray also said Carpenter gave a property-room gun to the

Texas Rangers Hall of Fame.

Ray, who was hired Tuesday, said the sheriff gave a machine gun to the museum. But the weapon, reportedly given to the museum in 1985 or 1986, has not been found.

"We have not been able to find it. We have not located it yet," said Capt. David Byrnes of the Texas Rangers, who oversees the Rangers working on the Sheriff's Department case.

Ray said investigators are trying to determine whether Carpenter violated the law under the official misconduct statute.

Carpenter and Chief Deputy John Pempsell are out of the office until Friday, said Assistant Chief Deputy George Campbell. He would not elaborate.

"All we are allowed to say is that they are out of town together and will be back here on Friday," Camp-

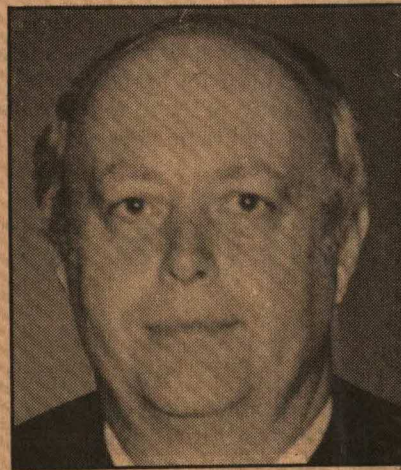
in sheriff's gun case

bell said.

Carpenter's absence led to speculation in the sheriff's office yesterday that he would step down in exchange for more lenient treatment from the grand jury.

However, Rockwall County District Attorney Galen Sumrow, who was appointed special prosecutor, said he didn't know about any deal and said a resignation would have no effect determining whether a crime had been committed.

Sumrow said that he doesn't expect to use the full 90-day extension but that he would have been unable to complete his investigation before the grand jury's term expired, especially during the holiday season. Carpenter and four department employees testified before the grand jury Oct. 30. In 1986, Carpenter reportedly gave a gun to a bailiff as a door prize and last week it was re-



Bill Burdock: Granted panel 90-day extension

ported that he gave a gun to County Commissioner J.D. Johnson.

Staff writer Frank Perkins contributed to this report.

Seized gun is linked to sheriff

Carpenter admits he gave pistol to official

BY FRANK PERKINS
Fort Worth Star-Telegram

FORT WORTH — Texas Rangers investigating whether weapons from Sheriff Don Carpenter's property room were improperly disposed of have confiscated a small handgun the sheriff gave County Commissioner J.D. Johnson some years ago.

Carpenter said he remembered giving the pistol to Johnson but could not recall the details.

"I had written down in a book who all county employees had guns from us," Carpenter said yesterday. "Somebody's taken that book out of my office and I can't find it. If I had that book, I could tell you who had what guns."

Carpenter said the book listed guns he had passed out to his deputies and to other county officials, including Johnson. Carpenter said he believed he gave the gun to Johnson early in Carpenter's first term in 1985. He also said he was concerned about the missing book that listed

Guns

From Page 29

who possessed which guns.

"Seems to me like that book is county property and whoever took it committed theft," Carpenter said.

Carpenter said he is convinced that whoever took the book passed it on to the Texas Rangers.

"That must be what the Rangers are using to call everybody and pick up these guns," Carpenter said.

Capt. David Byrnes of the Texas Rangers said last night that he did not know of any book containing information about the weapons.

"We don't have it," he said. "I'm not aware of one."

"Everything we have obtained from the sheriff is through duly issued subpoenas and when we've asked and received something, it's

been with the sheriff's knowledge and consent."

Johnson said he turned over the small, double-barreled, .38-caliber derringer to Rangers about two weeks ago.

"I met them, took them out to the car and gave them the gun and they gave me a receipt for it," Johnson said.

Byrnes confirmed that the Rangers had received the gun from Johnson.

Johnson said that he had no idea where Carpenter got the weapon and that he thinks the sheriff gave him the gun because of illegal trash haulers in his district.

"One day, the sheriff came up to me and gave me the derringer and said, 'Here, J.D., put this in your pocket; you may need it sometime with all your trouble out there.' I told the sheriff I already had a pistol, but he said, 'This is a real handy one;

just put it in your pocket in case you need it.'"

In October, Tarrant County Criminal District Judge Joe Drago appointed Sumrow to investigate allegations of official misconduct in the sheriff's office after accusations that Carpenter or his officers had improperly disposed of weapons ordered destroyed by court orders.

One of the weapons listed as destroyed in departmental records was given away as a door prize at a Carpenter campaign barbecue in 1986. Other guns also listed as being destroyed turned up in the possession of various people, investigators said.

Carpenter and some of his senior officers have testified before a Travis County grand jury, and Sumrow has said he expects to present more evidence to the panel.

Staff writer Bill Hanna contributed to this report.

LETTERS TO THE EDITOR

16 December 1991

A sheriff we deserve?

A Tarrant County resident for all of my 68 years and an avid reader of the *Star-Telegram* editorials and Letters to the Editor section, I'm taking great delight in sharing my assessment of the many letters, including Bill Thompson's column, about Sheriff Don Carpenter.

I'm not a fan of the sheriff and executed this position twice at the polls.

From my vantage point, it's amusing to read the letters because I know for sure the man is in office because a majority of the residents who voted wanted the man as sheriff and those who did not vote at all also deserve him.

Fact is, I'll wager that the big percentage of the whiners are in one of these categories, most of whom voted party preference and/or affiliation regardless of the office-seeker's qualifications.

We deserve most, if not all, the discomfort brought to us by way of our public servants at all levels of government.

—Bill Moore
Fort Worth

Stockings stuffed with guns

Now we know why Sheriff Don Carpenter has come out in favor of gun control. It's so that he can confiscate all our weapons and use them as Christmas gifts for his friends or add to his personal collection.

It makes you wonder how many weapons confiscated by police end up back in the hands of the criminals.

—M. Scott Hinzmann
Fort Worth

JPS to care for Tarrant inmates

BY FRANK PERKINS
Fort Worth Star-Telegram

FORT WORTH — John Peter Smith Hospital will take over medical treatment of sick and injured inmates of the county jail system early next month.

Tarrant County commissioners yesterday approved a contract under which the county will pay the Tarrant County Hospital District,

which operates John Peter Smith, \$1,430,000 a year for the service.

The county currently pays that amount for one physician and 28 nurses on the sheriff's staff to treat the 3,700 inmates.

Inmates needing surgery, hospitalization or diagnostic testing are transferred under guard from the jail to the hospital, a system that consumes both guard staffing hours

and budget dollars, said Sheriff Don Carpenter.

"Having JPS in there will be the best thing that ever happened in that jail," Carpenter said.

Carpenter said he asked for help from the hospital district and JPS earlier this year after he was unable to fill long-standing vacancies among his 32-person medical staff.

(More on INMATES on Page 22)

Inmates

From Page 19

"We had to have some help," Carpenter said. "We couldn't hire any nurses. They're at a premium so the only thing for us was to have the hospital come over and take it over."

Carpenter said he will keep Dr. James Holbrook, the current jail physician, and one nurse on his staff to back up the JPS staffing plan.

"They will be my staff and they will be there to help out if they're needed," Carpenter said.

Jail Administrator Jim Minter said chronically ill inmates, those suffering from heart disease and other life-threatening conditions, are kept in a special medical tank just outside the medical station in

the old jail downtown.

"We have about 25 or 30 people in that tank on the average," Minter said.

The new Tarrant County Correction Center has a state-of-the-art medical facility with an emergency clinic, dental facilities, diagnostic area and hospital wards.

"We have not occupied that floor yet, but we probably will have it operating by the time the hospital takes over the medical services after the first of the year," Minter said.

Carpenter has been filling the new 1,440-inmate facility floor by floor. It now houses 768 inmates on four floors.

Carpenter said having JPS in charge of medical matters at the jail facilities will ease his concerns.

"Even when those inmates are sick, they're still the responsibility of the sheriff," Carpenter said.

That area of the department seemed to be running smoothly and Carpenter concentrated more on problem areas. Many of us are proud that he used the proceeds to improve some of the working conditions in his employees' offices and to boost their morale, which ultimately helps them do a better job for us.

We're proud that we have a sheriff who cares for the people more than the politicians. It gripes them that our sheriff doesn't play their game the way they want. We're also glad he's not a smooth-talking con man, politician, lawyer or hypocritical money-grabbing TV evangelist that could sweet talk the rest of the political system and the *Star-Telegram*.

Look at all that escaped the public eye with Presidents John Kennedy, Lyndon Johnson, George Washington, etc. The list is endless. In comparison to these great men, Carpenter is an angel. There are no human angels, but when we have a man who gives it all he's got, won't accept bribes like most politicians, really cares for us as citizens who deserve law and order, is constantly working to correct any wrongs and cares more about Tarrant County being a safe place than padding his pocketbook and political future — well, we'd be wrong not to vote for him.

—Darlia Hobbs
Fort Worth

A vote for Carpenter

This is for all the good residents of Tarrant County who want law and order and justice. Sheriff Don Carpenter is definitely the man for the job. The thousands of us who support him are tired of seeing the *Star-Telegram* constantly maligning him for any straw you can magnify out of proportion. The *Star-Telegram* has been at our sheriff's throat since his first day of office, before he made any mistakes.

Let's face it, there is not a person on earth who could run such a major operation and facility with hundreds of people under him without making mistakes, even if they had a hundred years of experience. It's just not fair to persecute Carpenter for following in the footsteps of our previous sheriff who had, for instance, run the now infamous "banana wagon" for many years without the only major paper in Fort Worth playing politics and creating scandals.

Carpenter answers subpoena

BY BILL HANNA
Fort Worth Star-Telegram

FORT WORTH — Sheriff Don Carpenter this morning was meeting with a grand jury investigating allegations that Carpenter improperly gave away guns from his property room.

The special prosecutor in the probe, Rockwall County District Attorney Galen Sumrow, said yesterday he had issued a subpoena for Carpenter, who was served with document this morning and began meeting with the grand jury about 11:30 a.m.

Carpenter's attorney Bill Ray, who accompanied the sheriff to the session, said he was considering advising the sheriff not to testify.

"If they want me there, I'll be there," Carpenter said last night before he had been served with the subpoena. "I would expect they would serve me at the office. That's what they did last time."

On Oct. 30, Carpenter and four other Sheriff's Department employees testified before the panel for about an hour and a half.

Since then, numerous rumors have circulated around the department about Carpenter's fate. But Sumrow said the investigation likely will continue into early next year.

"We're still gathering evidence," he said. "With the holidays coming up, I don't think we'll be able to wrap this up until the second or third week of January."

State District Judge Bill Burdock granted the grand jury a 90-day extension Dec. 11 after grand jurors said they needed more time to investigate the Sheriff's Department and to consider "the possibility of indictment."

Ray said yesterday he had heard rumors that his client would be asked to testify but knew nothing

(More on SHERIFF on Page 22)

Sheriff

From Page 21

officially.

"I don't mind them talking to him, but I would like to know what it's about," he said.

The investigation still revolves solely around guns, said Capt. David Byrnes of the Texas Rangers, who are helping Sumrow investigate the case.

At this point, investigators have recovered three weapons that were missing from the property room. One was returned by County Commissioner J.D. Johnson, and another came from Sheriff's Department employees who reportedly received them as door prizes at a department picnic in 1986 or 1987, Byrnes said.

Sheriff before grand jury probing illegal gun gifts



Fort Worth Star-Telegram / RALPH LAUER

Sheriff Don Carpenter leaves grand jury room after testifying about allegations that he gave away guns that belonged to his department.

Sheriff returns to testify in inquiry on guns

BY BILL HANNA
Fort Worth Star-Telegram

FORT WORTH — Sheriff Don Carpenter testified yesterday for the second time before a grand jury investigating allegations that he gave away guns that were sheriff's department property.

Flanked by his attorneys, Bill Ray and Joe Brent Johnson, Carpenter declined to comment as he left the courthouse after testifying for about 30 minutes. However, Johnson said, Carpenter was not subpoenaed but testified after being asked to appear

by the grand jury.

Carpenter first appeared before the grand jury on Oct. 30, when he and four Sheriff's Department employees testified for about an hour and a half.

Special prosecutor Galen Sumrow, who is the Rockwall County District Attorney, said he will return to the grand jury at least once in January. He said he has no plans to call Carpenter again.

CLARIFICATION

Pat Howell, who is head of the Tarrant County Sheriff's Department Internal Affairs Division and who testified before a grand jury Friday, was not identified by Commissioner J.D. Johnson as having given Johnson a gun. Wording in a story yesterday concerning an investigation into whether Sheriff Don Carpenter improperly disposed of county property could have been misinterpreted.

Sheriff Carpenter upbeat as he files for re-election amid investigation

BY FRANK PERKINS
Fort Worth Star-Telegram

FORT WORTH — Sheriff Don Carpenter filed this morning for his third term as Tarrant County's top law enforcement official.

Carpenter said he paid the \$1,000 filing fee in person at 9 a.m. at Tarrant County Republican Party headquarters.

"I was down there when the door opened this morning and paid my money and I am in the race to win it," Carpenter said this morning.

Carpenter's actions come amid an on-going Tarrant County grand jury investigation into the handling of confiscated guns in his department. Allegations before the grand jury include giving away guns that were under court orders to be destroyed.

The investigation, headed by special prosecutor Galen Sumrow and

the Texas Rangers, centers around 100 guns missing from the sheriff's property room. Carpenter has made two appearances before the grand jury. The grand jury's term has been extended until after the first of the year to continue its deliberations.

Carpenter said the investigation did not dampen his enthusiasm for another race.

"That thing is going on and I'll take whatever comes of it," Carpenter said. "I have lots of friends out there who support me and I'll run on my record, which I believe is a darn good one."

Carpenter becomes the third Republican candidate to officially file for the sheriff's office, although a half-dozen others have filed intents to run or have said they would be a candidate.

The other two official GOP candi-

dates are Jim Hunter and David Williams.

Hunter is a private investigator who lost the Democratic primary sheriff's race in 1984 and was the Democrat defeated by Carpenter in 1988. Hunter then changed parties.

Williams, 37, is a detective with the Haltom City Police Department.

No Democrats have officially filed as yet, although at least two — River Oaks Police Chief Dub Bransom and sheriff's investigator Lupe Coronado — have said they intend to file before the Jan. 2 deadline.

Others who have filed intents to run as Republicans include Mike Utley, a jailer; Pat Howell, Carpenter's internal affairs chief; Tom Graves, a reserve sheriff's lieutenant; and Assistant District Attorney Steve Marshall.

Seasons Greetings



Joye Clark



*"Do you recall each year, how you're flooded with fear
Afraid you haven't sent all your friends a card;
Well, I shudder with shame, when I think of your name:
Did I? Let me think real hard.*

*"I sent one to Aunt Amma, to my cousin in Alabama;
And to a pen-pal in Kalamazoo;
To Carpenter and Pempsell; and 400 Others at the jail;
But did I send a Christmas card to you?*

*"To Ann Richards down in Austin; and to the Kennedys in Boston,
And Phil Gramm who ought to be in Timbuktu;
But, right here I must pause, and dash one off to Santa Claus;
Shucks! I wish I could recall the card for you!*

*"Of course, without fail, I sent cards to Bush and Quayle
And they both came back to me with postage due:
I'll admit that's pretty cold; for they were embossed in gold,
But nothing like the card I had for you.*

*"I mailed to Nolan Ryan; to the Cowboys who keep trying
And, to Cleburne, Gee, I sent quite a few;
But the thought that really vexes; of all those mailed in Texas;
I can't recall the card for you know who.*

*"I mailed to Aggieland and Baylor; even sent one to Liz Taylor;
And movie stars at their Hollywood rendezvous:
I remembered Anita Hill; and the judge who teased at will;
But what about that special card for you?*

*"To the Sheriff in Tipperary; the officers in Grand Prairie;
And to all the ones who wear the badge on Blue--
But, I'd give everything I own; the car, and the telephone
To learn what happened to that card for you.*

*"Well, here it is December, and I still can't remember;
And, I don't know exactly what to do:
But, to prove I'm not petty; in case you've gotten one already,
Here's wishing TWICE the season's joy to you."*

TANGLED UP IN BONDS

Bailing out Tarrant inmates

BY MICHAEL WHITELEY
Fort Worth Star-Telegram

FORT WORTH — The administration of bail bonds — a key part of Tarrant County's justice system — has come to benefit the bail-bond industry more often than the taxpayers who subsidize it or the thousands of people who have been arrested but convicted of no crime.

During a two-month examination, the *Fort Worth Star-Telegram* encountered a thriving program with little oversight, one

that allows the innocent to suffer along with the guilty. For example:

■ Suspects — many of whom are minorities, poor or uneducated — can be trapped in a Catch-22 that appears to be little more than a form of debtors' prison. In some cases, suspects who have made bond but have not paid their attorneys have their bond raised. If the suspects cannot meet the higher bail, they are returned to jail. In other cases, judges return suspects to jail and their bail is doubled after

leaves taxpayers and suspects soaked

they have made bond but cannot afford a lawyer.

■ Tarrant County judges collected only 55 percent of the \$1.1 million in bail bonds forfeited from Jan. 1, 1990, through Sept. 30, 1991. The practice of allowing partial forfeiture payments cost taxpayers \$509,385 in a period that ended with a 20 percent county tax increase.

"I'm sure that every taxpayer in Tarrant County would wish that if they couldn't pay their credit cards, that the credit-card

company would allow them to pay 25 percent of their monthly bills and settle 100 percent of the debt," said District Judge Sharen Wilson, who presides over the county's eight criminal district court judges. "That's been the long-standing practice in Tarrant County, and I don't know why."

■ Local bondsmen are allowed to offer property as collateral to guarantee that their customers will appear for trial. Beyond initial licensing checks for bondsmen, the county has no mechanism to

determine if that property has a clear title or what its value may be. Consequently, some land pledged as collateral has later been found to be mortgaged. In another case, a bondsman used questionable appraisals when declaring the value of 55 pieces of virtually worthless surplus land that he bought from the city. He paid \$24,818 for the land, part of which was later sold to other bondsmen. Because of the inflated appraisals, the land could be

(More on BONDS on Page 28)

Bonds

From Page 1

used to write more than \$4.3 million in bail bonds.

Local bondsmen essentially have a monopoly and generally charge 20 percent fees, which would be illegal for licensed bonding agents of insurance companies. Citing difficulties in collecting bond forfeitures from out-of-town firms, the Tarrant County Bail Bond Board has consistently refused to allow such agents to write bonds. The state-regulated agents do work in Dallas, Denton, Parker and Johnson counties. The fees usually charged in Tarrant County are outlawed for all bondsmen in at least 13 other states.

These findings were made during the newspaper's computer-assisted analysis of 286 bond forfeitures ordered by Tarrant County district judges between Jan. 1, 1990, and Sept. 30, 1991. Those forfeitures did not include cases in which fugitives were returned to court. In those cases, bondsmen collected partial refunds on their forfeitures after court costs and other fees were deducted. Hundreds of land transactions used by bail bondsmen to produce collateral during 20 years were also reviewed. Dozens of interviews were also conducted with judges, prosecutors, bondsmen, jail inmates and bail-bond regulators in more than 40 states.

After seeing the newspaper's findings, district judges implemented a long-discussed change in bond-forfeiture rates and pledged a further review of the system.

And that system is huge.

Fed by the nation's fourth-highest crime rate, the local bail-bond system has blossomed into an enterprise that writes an estimated \$108 million in bonds each year. It also has become the primary method of easing the crisis at an overcrowded jail, a facility that now costs taxpayers \$145,000 to operate each day.

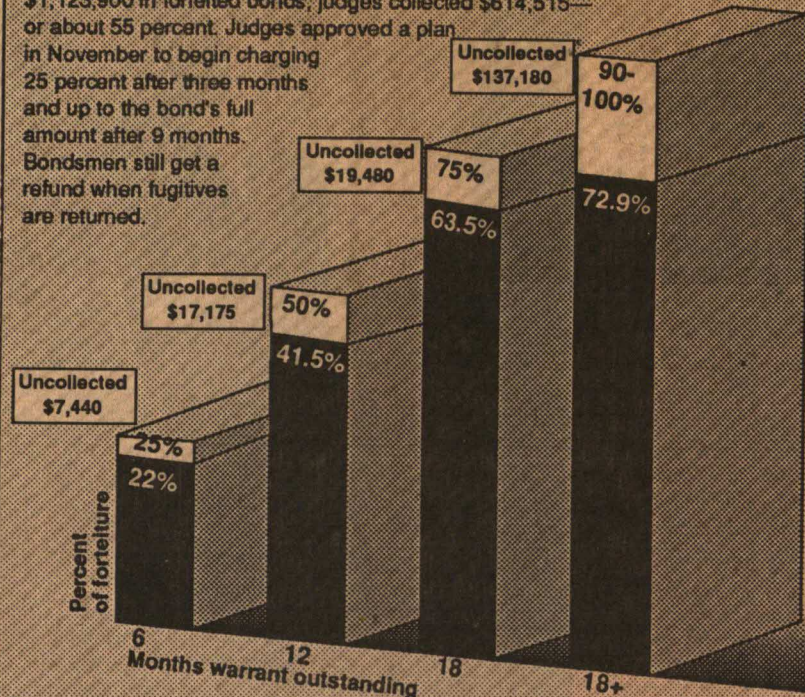
"We get about 2,300 people a month out of this jail. If we didn't do that... there's not enough buildings in downtown to hold everybody," said Jerry Trimble, president of the Professional Bondsmen of Tarrant County.

"We're legitimate, small-business men and we render a substantial financial benefit to the county," he said.

The way that benefit is administered, however, sometimes appears to be far from its intentions.

Bail bond money uncollected

From Jan. 1, 1990, through Sept. 30, 1991, local judges charged bondsmen with missing clients \$181,275 less than levels recommended under a district attorney's plan in effect at the time. Of the total \$1,123,900 in forfeited bonds, judges collected \$614,515—or about 55 percent. Judges approved a plan in November to begin charging 25 percent after three months and up to the bond's full amount after 9 months. Bondsmen still get a refund when fugitives are returned.



Bondsmen paid average forfeitures between 22 percent and 73 percent, when clients failed to appear between January 1990 and September 1991.

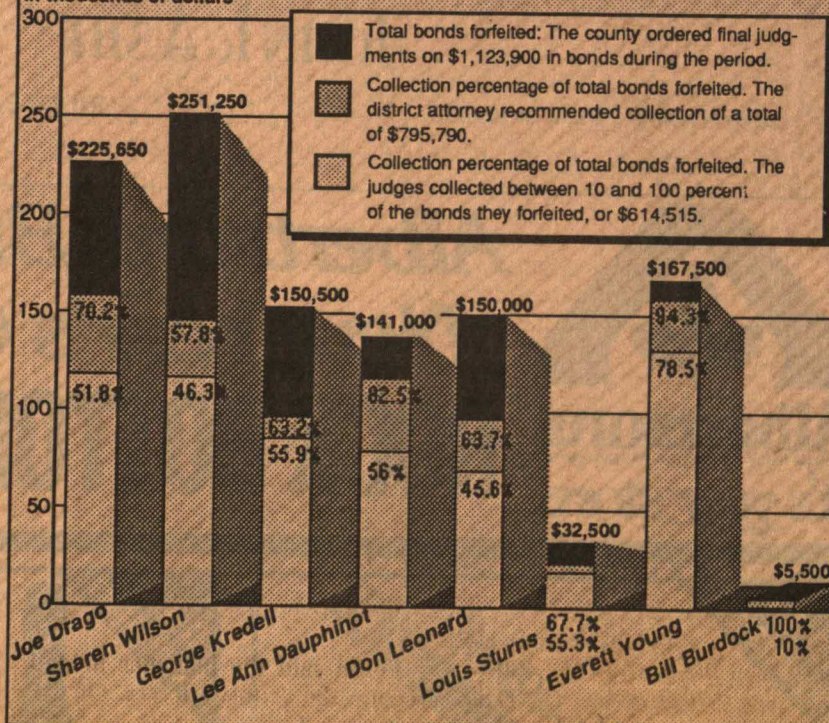
District Attorney Tim Curry's schedule ranged from 25 percent for six months to as much as full value after 18 months. Bondsmen paying for the maximum length of time could pay 90 percent and settle the case or pay 100 percent and get a refund if the fugitive returned.

Fort Worth Star-Telegram / FRANK PONTARI

What the judges collected

Tarrant County's criminal district judges collected widely varied shares of bonds forfeited between Jan. 1, 1990, and Sept. 30, 1991. A computer study of the dockets of eight judges shows they collected about 55 cents on the total bond dollar — \$181,275 less than they would have under a schedule posted by District Attorney Tim Curry and \$509,385 less than the total forfeiture.

In thousands of dollars



Bail bonds

Bail bonds are not devised as punishment or a way to keep people in jail. They are merely intended to ensure that a defendant will appear in court.

In fact, they are designed to allow accused people — who could well be innocent — to remain free to tend to their defense and their jobs while their cases wend their way through the justice system. A judge sets bail for the accused, usually based on the severity of the crime, the defendant's past record and reputation, and how likely the person is to make court appearances.

A person can fulfill the bond requirement by paying the bail amount outright or by paying a percentage to a bail bondsman. If the bail is paid outright, the court holds the money, which is refundable. If business is done through a bondsman, the accused pays the bondsman a non-refundable percentage of the total bond, and the bondsman guarantees that the accused will appear in court.

If the accused "skips" or does not appear, the bondsman is liable to pay the full value of the bond to the court. In many other states, that full payment is made. In Tarrant County, it seldom happens.

Here — and in 38 other Texas counties with populations exceeding 110,000 — the bail system is governed by a bail bond board. The board — comprising a district judge, a county judge, a justice of the peace, a county commissioner, a bondsman and representatives of the district attorney, the sheriff, the district court clerk and the county court clerk — sets local policies.

But those policies — made with no help from a representative of defendants — do not always coincide with the needs of the accused or the taxpayers.

The suspects

Other than the amphetamine-possession charge that got him busted by Arlington police in February, a 41-year-old Irving man's only jailable offense was being unable to meet a higher bail — imposed after his attorney complained of non-payment.

According to court files, the Irving resident spent nearly a month in jail before he obtained the fee for a \$5,000 bail bond. He hired Fort Worth attorney Jack Beech.

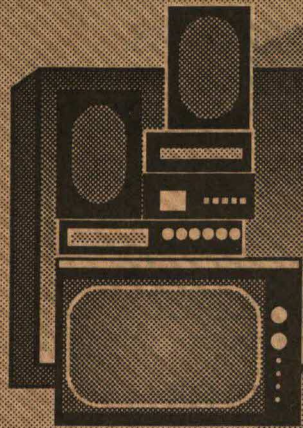
In a barely legible, handwritten agreement drafted by District Judge Bill Burdock and Beech in October, Burdock noted that the man had paid only \$200 of the agreed-on attorney's fee during the eight months he awaited trial. The judge let Beech withdraw from the case. The order was filed on a piece of yellow notebook paper.

How bail bonds work

The 61 men and women licensed to write bail bonds in Tarrant County pledge land or certificates of deposit to back their bonds. Under state law, they can write \$10 in bonds for every \$1 in collateral. No one bail bond can exceed the value of the collateral.



2 Tarrant County bondsmen usually charge 20 percent of the bonds set by judges in fees. In addition to cash, some accept a family television, VCR, stereo or even a fishing boat to secure payment. The collateral is redeemable, but the fee is not returned.



Bail bondsmen pay nothing if their clients appear in court. Forfeitures are negotiated like plea bargains for as little as 10 percent of the face value of the bond. Judges collected 55 percent of the face value of 286 bonds forfeited between January 1990 and September 1991. If the full value had been collected, Tarrant County's General Fund would have received \$509,385 more.



Bail bondsmen who default on forfeitures eventually lose their collateral to the Tarrant County bail bond board. The county seldom breaks even on land sales of collateral. For example, the county received \$831 this summer on four pieces of land pledged at \$29,900. That collateral empowered the bondsman to write nearly \$300,000 in bonds.



It is not uncommon, Beech said, for him to submit handwritten motions to withdraw from a case when his clients appear in court without the agreed-on payment.

Beech said he could not obtain a payment from the Irving man because his client missed appointments and did not respond to Beech's offer of exchanging painting services for attorney's fees.

When the Irving man appeared for court Dec. 2, he was still unable to hire a lawyer. Burdock declared his bond insufficient and ordered him back to jail. Two days later, Burdock appointed an attorney who struck a deal with prosecutors and got the man freed on probation the same day.

Suzanne Emerson, who left the district attorney's office a week before her

appointment as the Irving man's attorney, quickly read the file and realized that he had been indicted in the wrong crime. Prosecutors, who could have issued a new and correct indictment, instead struck the probation deal immediately. It was the Irving man's first felony charge.

Steve Chaney, senior staff lawyer for District Attorney Tim Curry, said he protested to judges more than five years ago about re-jailing defendants for failure to pay lawyers. He said the once-prevalent practice has lessened.

"It's been our position that throwing somebody back in jail just because he hasn't paid his attorney has not been following the Constitution very closely. In effect, it is putting someone in jail because he hasn't paid a debt," Chaney said.



Fort Worth Star-Telegram / CAROLYN BAUMAN

An unidentified bond agent waits for paperwork at the new county jail

Beech agreed: "I don't think it's fair to put him back in jail. I don't think it is constitutional. . . . He's already paid a bondsman. The bondsman has already been taken care of."

Burdock said he re-jails "able-bodied" defendants who could, but don't, earn the money to hire a lawyer after making bond. He gives them a warning the first time they appear without a lawyer and declares their bond insufficient upon the second such appearance, he said. Usually, he said, he then appoints a lawyer for them at county expense.

He said he tries not to interfere in legitimate disputes over legal fees. "But if someone has given a lawyer nothing but \$200 and promises, I'm not going to require that lawyer to stay on the case," he said.

Nonetheless, that policy gives lawyers a powerful fee-collection lever: Short of sacrificing what they have paid the attorney and starting anew, the accused have little recourse.

Others, however, cannot even afford the opportunity to confer with an attorney.

That happens when a defendant is denied a court-appointed attorney solely because he can make bail. In what appears to be a violation of state law, that is occurring in several Tarrant County courtrooms, said District Judge Joe Drago III.

"As a general rule, if you can afford to make a bond, you can afford to hire a lawyer, but that's not always the case," he said. ". . . In fact, that finding is prohibited by statute. In my view, it's not within judicial discretion."

Drago said he reviews a strict set of financial criteria and decides the issues separately. In many other cases, however, Tarrant County judges issue a warning and jail a defendant who shows up without a lawyer for the second time.

Acknowledging that the practice is common in Tarrant County, local trial lawyers say it violates the Constitution and may put the county at risk.

"If you get somebody who loses a job or had medical problems because they land back in jail . . . we're talking about a civil-rights action," said Mark G. Daniel, president of the Tarrant County Criminal Trial Lawyers Association. "You've got some constitutional problems."

Judge R.E. "Bob" Thornton said the practice ignores the families who scrape up the usual 20 percent bondsman's fee and then run out of cash before they reach the lawyer's office.

"The fella who can afford to make a
(More on BONDS on next page)

Bonds

From previous page

high bond is going to be able to hire a lawyer," Thornton said. "But it's going to catch a whole lot of people in the middle income ranges who can't afford to pay for an attorney."

The judges

When Curry became district attorney in 1972, he could find no evidence that bail bondsmen had ever been required to pay a bond forfeiture, he said.

But it was not until five years ago that he implemented a sliding scale in an attempt to collect forfeiture payments. Although judges frequently ignore the schedule, forfeiture collections have improved, Curry said.

Collections remain far from perfect, however, or even comparable to those of other states that force full forfeiture when bondsmen's clients fail to appear in court.

Instead, in Tarrant County, bondsmen negotiate with judges and usually pay but a fraction of the forfeited bonds' value. At least once, in fact, they even got better rates when forfeiture discounts were offered in a "fire sale."

As a result, Tarrant County taxpayers subsidized more than a half-million dollars worth of bond forfeitures from January 1990 through September 1991, according to the newspaper's study.

Of \$1.1 million in bond forfeitures during the period, the analysis shows the forfeitures were finalized when the defendants had been missing an average of 16 months. Of the 286 bonds examined, the judges collected about 55 percent of the \$1,123,900 value. Those collections — \$614,515 — went to the Tarrant County General Fund. The remainder — \$509,385 — went uncollected.

If Curry's discount schedule had been followed, taxpayers would have fared better.

Under that schedule, bondsmen were to pay 25 percent of a bond if a client had been missing six months or less. The schedule added 25 percent every six months until 18 months had elapsed. After that, bondsmen could pay 90 percent of the bond plus costs, or the full value. If the fugitive returned, bondsmen received a complete refund.

The judges, if following Curry's schedule, would have collected on aver-

age at least 75 cents on every dollar, because the defendants had been missing an average of 16 months. That would have meant \$181,275 more to the county. District Judge Lee Ann Dauphinot, who led her last meeting as chairman of the bail bond board in December, said she is unconcerned about the forfeiture rate.

"We're trying to encourage the bondsmen to get the defendant to court," she said. "It's not a money-making scheme for the county."

Bail-bond systems vary among the state's major metropolitan areas.

In Dallas, Harris and El Paso counties, for example, judges order full forfeitures and base refunds on how rapidly a defendant is returned to court, according to officials in those counties.

Bexar County, however, operates a system similar to Tarrant County's.

In Oklahoma, as in at least 18 other states, bondsmen must pay full forfeitures. Assistant Insurance Commissioner Tammie Kilpatrick said court clerks aggressively collect the money, which helps finance the retirement fund for state judges.

"The philosophy behind it is to get the defendant back in the courthouse. But we also think the bondsmen ought to pay their bills," she said.

But Curry said he is not concerned that his schedule has been ignored.

"Ultimately, the responsibility is with the judges, and they can have it any way they want it — good, bad or indifferent," he said. "It's a responsibility they've sometimes tended to, and sometimes didn't, over the years."

In late November, after discussing the system analysis with the *Star-Telegram*, Thornton and Wilson won approval from all eight criminal district court judges for a tougher forfeiture schedule.

Bondsmen now will be required to pay 25 percent of bond value if they declare their client gone within three months and twice that much after the first six months, Thornton said. After nine months, bondsmen will pay 75 percent of the bond. For any defendant missing longer than nine months, the bondsman will be required to pay at least 90 percent.

In part to clear the courts' docket and in part to prepare for the tougher standards, Thornton, acting on behalf of the other judges, met with the bondsmen's association in August and offered a "fire sale."

He set the forfeiture docket ablaze.

In August, Thornton settled one-third of the bond forfeitures that occurred between January 1990 and September 1991. His average deals charged bondsmen less than half — 40.5 percent — of the face value of the bonds.

Wilson and others blame the courts' decisions in part on a 1987 law pushed through by the Texas bail-bond lobby. That law gave its members 18 months after a client was missing before they were forced to pay any forfeitures. The Texas Court of Criminal Appeals overturned the law in late 1990, said Chaney, but that threw the system of charging forfeitures into chaos.

"It's been kind of a good ol' boy system," Curry said. "Bond forfeitures are kind of like plea bargains. You don't like them, but you've got to do them [reductions of payments] because of the kind of volume we have."

The land

Rose Marie Evans reared five children in a 1-story frame house at 4816 Richards Terrace. She made monthly mortgage payments of \$120.63 for about a decade before learning that there was a second title to her home — and that the Tarrant County sheriff was holding the title as collateral on a bail bond.

Eventually, the family got its home back. But that was only after they were evicted from the small green house and later, in 1988, had convinced a jury that their title had precedence over the deed the sheriff held.

Both deeds on the house came from bail bondsman Roosevelt Jackson. The first, which was unrecorded, deeded the house to Evans in 1971; the second deeded it to bondsman Raymond Hatcher when he bought it in 1980. Hatcher then pledged it to the sheriff.

Though Jackson died nine years ago, a county probate judge still is unraveling his affairs — and the county has no more protection against a similar occurrence than it did a decade ago.

The only time that bondsmen's property titles are routinely questioned is when they apply for a license. From that point on, the bondsman can add land to his collateral list and neither its appraised value nor its ownership is verified.

"Where the system may fall down are with properties that are brought on or taken off [after licensing]," said Jim Bearden, the bail bond board's chief

investigator. "We don't get into that kind of investigation typically, and that may be a weak point."

That weakness was underscored by the newspaper's examination of more than 20 years of land records that focused on 70 deals involving property pledged as bond collateral. Much of it was bought from the city as surplus land and then valued at prices averaging 241 percent above those set by the Tarrant Appraisal District. Surplus land usually is vacant lots or abandoned houses seized for back taxes. Such properties are usually difficult to sell because it is almost impossible to obtain title insurance on them.

In a typical case, a vacant surplus residential lot in Stop Six was valued at \$1,500 by the Tarrant Appraisal District and at \$7,500 by the bondsman's appraiser. The latter value was based, in part, on comparisons with land in more valuable areas.

In 55 cases involving city land bought by Charles McCaslin, the bondsman used one real estate broker as an appraiser. The broker, Willie Jean Lupo, 53, does not qualify under state law to appraise bail-bond land.

After interviews with the *Star-Telegram*, the bail bond board scrapped its 4-year-old method of approving appraisers. The board voted this month to require that all future work be done by members of private appraisal associations that set national standards.

As a result, Lupo, who had been on the county's list of approved appraisers, became ineligible to write local bond appraisals as of this month. She said she is working to obtain a state license from the newly created Texas Board of Appraisers.

The bondsmen

When Florida rewrote its bail bond laws in 1989, it used Texas as an example — of what not to do.

Florida and other reforming states wanted to avoid the monopolies that occur in some larger Texas counties that operate their bail bond system with little state oversight.

In Tarrant County, for example, bondsmen often charge fees that exceed the industry's going national rate by 33 percent. There is also little emphasis on collecting the full amount of bond forfeitures.

The Surety Association of America

writes a rate manual, adopted by the Texas Insurance Commission, that sets the national bond fee rate at 15 percent of the bond amount required. The usual rate in Tarrant County is 20 percent, although there are exceptions.

Part of that is caused by the county's *de facto* refusal to allow agents of insurance companies to write bonds or to adhere to the price standards set for insurance agents.

That means that local bondsmen face no external competition. The county also accommodates them with low forfeiture collections to relieve jail overcrowding. The bondsman also have said that they will be bankrupted if they have to pay full forfeitures.

In Florida, which is considered to have one of the nation's most progressive bail bond systems, the business is markedly different.

Sally Burt, bail-bond coordinator for the Florida insurance commissioner's office, rewrote the law in 1989. Burt required the state's property bondsmen to post cash or cashier's checks at their local courthouse to back all bonds.

Florida also demanded that all forfeited bonds be paid at full face value and established strict guidelines for the suspension and removal of bondsmen. The state also capped bond fees at 15 percent.

In 44 other states, a diverse pattern of regulation can be seen.

For example, at least 18 states require bondsmen to forfeit the full value of the bond when a client is missing. Nineteen states do not allow property bondsmen such as the 61 who do most of the business in Tarrant County. Those states require that all bonds be written by licensed insurance agents.

Ohio bondsmen, however, operate in a regulatory climate similar to Texas'. The state places no limit on fees, which range between 20 and 30 percent. Ohio does require its bondsmen to be licensed insurance agents, but it allows them to settle the bonds for 10 percent of face value in some cases. At least 18 other states reported that bondsmen's fees are unregulated.

In Tarrant County, the bail bond board has governed local bondsmen for the last six years. Only one insurance agent — after appealing to the district attorney's office — has been licensed to write bail bonds in Tarrant County, but that agent's company went broke. However, insurance agents write bonds in

many other Texas cities such as Houston and San Antonio as well as several counties surrounding Tarrant.

Tom Anderson, the Texas program director for Grammercy Insurance in Houston, said the practice of excluding insurance agents has earned Tarrant County a reputation as a closed shop.

"We've come in in the past and put in an application and they've been able to keep us out . . . by sitting on the applications," he said. "In a way they're good, but in a way, bail-bond boards are kangaroo courts."

Local bondsmen, however, prefer how business is done in Tarrant County. "By far, I think, Tarrant County is the best county in Texas," said Trimble, the bondsmen's president. "All the different members of the state envy Tarrant County, because we have relationships with our judges and our prosecutors. They cannot even talk to their prosecutors."

The local bondsmen also say they do not have a good image; they appointed a committee to handle all interviews for this report.

"We're a little paranoid. We're acutely aware of the fact that we have a very poor image in the eyes of the public and with some members of the criminal-justice system," said Trimble.

Despite that image, bondsmen have been made integral to the justice system as they help empty an overcrowded jail. Each year, they write 27,600 bonds in Tarrant County. In addition to their partial bond-forfeiture payments, they spent \$101,453.51 on the expenses of police who retrieved fugitives from other jurisdictions in fiscal 1990, said Trimble. They also paid \$46,000 in fees to the sheriff.

Tom Carter, a bondsman and five-term member of the Tarrant County Bail Bond Board, said the industry bases its rates on the client's collateral and the risk of flight — not on a 20 percent standard, although that most often is the amount charged.

Carter defends the fees he collects and insists that bondsmen form the front lines of the Tarrant County justice system. In a way, he said, his fee and the money spent to hire a lawyer may be the system's only deterrent.

"With the parole system the way it is, the only punishment they get is through the fees they pay bondsmen and attorneys," Carter said. "The only way to hurt them is through the pocketbook."

BY MICHAEL WHITELEY
Fort Worth Star-Telegram

HALTOM CITY — Willie Jean Lupo keeps a pool table for the idle customers who sometimes mark time in the Haltom Road shopping center she calls both office and home.

On a warm November morning, the table stands silent in the backwash of the Texas real estate crunch. The customers for Lupo's real estate-bookkeeping business don't come.

The quietude belies the pivotal role that Lupo and her Global III Real Estate have played in transforming southeast Fort Worth land from weed-grown lots into millions of dollars worth of collateral for Tarrant County bail bondsmen.

In a series of transactions spanning less than three years, Lupo examined at least 55 pieces of mostly residential land in southeast Fort Worth. According to a local official, she used questionable methods to appraise those lots, basing her valuations on sales of land zoned by the city for industrial and medical-service uses. That resulted in appraisals that more than doubled the assessments of the Tarrant Appraisal District.

Those appraisals turned essentially worthless land into parcels that could be used as collateral to write \$4.3 million worth of bonds for Charles McCaslin and four other bail bondsmen.

The appraisals also illustrate a long-standing problem: Tarrant County has few safeguards to ensure that properties pledged for bond collateral have any value.

The Lupo-McCaslin saga began in 1988, when McCaslin began buying the land from Fort Worth's surplus property office. Then, apparently complying with all county guidelines, he had Lupo appraise it.

Lupo was not required to check the title history of the property. She also was not required to tell the county that the land is nearly impossible to use.

That is because the nation's title companies have refused to insure surplus property sold for back taxes as there is no guarantee that everyone with a prior claim has been contacted, said Jane Goodspeed, Fort Worth real property management administrator.

Without title insurance, owners cannot borrow money for improvements. They also risk losing any money they have spent if a former owner appears with a valid claim to the land.

And that is largely why McCaslin was able, from September 1988 to August 1991, to obtain the 55 lots for \$24,818.

The Tarrant Appraisal District — responsible for evaluating land at its full value for tax collections — valued the land at \$176,863.

Lupo — by comparing the lots with more expensive tracts in medical and industrial areas — valued it at \$426,882.

Under a state law that allows bondsmen to write \$10 in bonds for every \$1 in collateral, Lupo's figures mean that the land could be transformed into a line of bond credit approaching \$4.3 million.

McCaslin — who said he always pays his forfeitures in cash, so the county loses nothing — kept some of the land and sold chunks of it to friends and relatives in the bail-bond business. His partners in the deal included his daughter, Gina McCaslin Hickman; his niece, Doris Wimberly; O.W. "Buddy" Sollie; and Tom Carter, a five-term member of the Tarrant County Bail Bond Board.

McCaslin recouped more than his entire investment by selling one parcel of 13 lots. In a whirlwind deal that began April 12, McCaslin bought the 13 lots for a total of \$5,435. The next day, he sold them to Carter, who said he paid \$26,000 for the parcels. Four days later, Carter, using Lupo's appraisals valuing the land at \$104,800, presented them for bond collateral worth more than \$1 million.

Had Carter been forced to use the TAD appraisal of \$44,375, he could have written less than half that amount of bonds — about \$444,000.

Last summer the Tarrant County Bail Bond Board, which oversees all bail bond matters local-

ly, refused a bid to make the price of bond collateral conform to its taxable value. The proposal was made by Steve Chaney, senior staff attorney for District Attorney Tim Curry.

If the reform had passed, the county would have been better protected against taking land with inflated values, Chaney said.

The board's rejection allowed procedures such as those used by Lupo to continue.

For instance, in a typical appraisal, Lupo matched some of McCaslin's city purchases with the sale of two lots and a vacant house at 3132 St. Louis Ave.

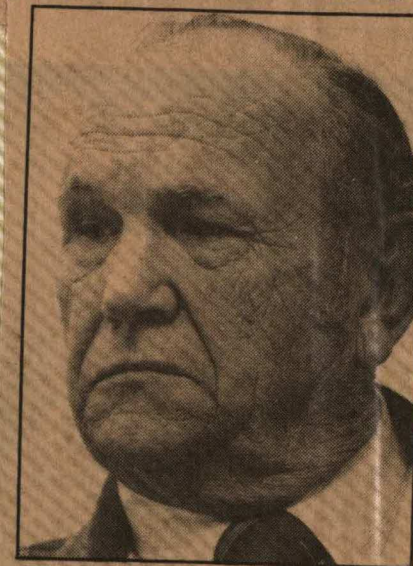
In 1989, Arrow Plating bought the lots for \$40,000 to complete the block surrounding its shop for security reasons. Lupo's use of that sale as a comparable property added a \$2.13-square-foot selling price to a mix of other residential sales that ran as low as 21 cents a square foot.

Lupo used the Arrow Plating sale when she appraised 1016 E. Oleander St., a vacant lot across from the Holy Spirit Deliverance Church on a narrow residential side street in southeast Fort Worth.

McCaslin's lot on Oleander was zoned for two-family dwellings. Arrow Plating's property had a more valuable zoning status, allowing light manufacturing, chicken processing, a power plant, a cement factory or a brewery.

Lupo valued the Oleander Street land at \$15,600; TAD appraisers assessed it at \$4,000.

In another transaction, Lupo used the sale of an apartment house



Charles McCaslin: Began buying land in 1988 from property office

parking lot a half-block from the John Peter Smith Hospital complex as a comparable for four other lots McCaslin bought. That comparable, 1417 May St., backs up to a dialysis clinic and is zoned for medical and community uses. That lot's \$2.24-per-square foot sale figured into at least four appraisals for McCaslin.

All four of the McCaslin lots were zoned residential and valued by TAD at a total of \$17,000. Lupo, by adding in the May Street comparable, valued the four at \$52,400 — more than three times the TAD assessment.

Lupo said that when she began appraising McCaslin's lots in the Polytechnic Heights and Stop Six areas in 1988, the real estate market

was dying. Consequently, when she learned of the higher sales prices of the medical and industrial lots, ignoring them would have been unfair to the bondsman, she said.

"I realized that the [comparable sales] I was using in those days were the only comps I could find, and they raised the value of some of those original ones," she said.

Despite the zoning and value differences, Lupo said, she believed that they were among the only comparable sales made in the areas.

Standards enforced by state law require appraisers to examine the recent sales of at least three similar properties near the subject property.

Only property pledged as collateral when a bondsman applies for a license is verified as to title and value, Jim Bearden said. Bearden, a private investigator, was hired by the bail bond board five years ago to check backgrounds on applicants for bail-bond licenses.

After the licensing check, Bearden said, bondsmen can move property on and off their bond collateral lists with no review.

"Where the system may fall down are with properties that are brought on or taken off [after licensing]," he said. "We don't get into that kind of investigation typically, and that may be a weak point."

Bill Roberts, TAD's executive director, said he saw evidence that bail bond land was pledged at inflated values when he served as the county's director of information services.

"I was aware of it because of the fact that I had watched this thing come and go with the county," said Roberts, who is also the county's chief appraiser. "I had no business being involved then, and I don't have now. But it's our responsibility according to the law to appraise land at full market value."

After discussing the *Fort Worth Star-Telegram's* findings, Roberts said that he considers Lupo's methods invalid and that TAD values represent full market value in the area.

"In general, an industrial zoning designation pushes the value of property way up," Roberts said.

Tarrant County commissioners have been aware of the problems since 1989. That was when they ordered the county's purchasing director, Sharon Gunn, to begin appearing at courthouse auctions at which bondsmen's land is sold. Her mission was to push property bids higher.

Gunn said the plan has helped recoup the county's losses. On six occasions, Gunn has been the highest bidder. She invested \$1,397 in county money to rebuy land that had been used for \$147,000 in bond collateral. She plans to use video-

tape presentations to find buyers — although she said she is unsure how the clouded titles will affect future sales.

Not all of the county's losses have been caused by appraisals.

"One of the problems is that we have been in a declining real estate market for several years, and that has hurt a lot of people," said Jerry Trimble, president of the Professional Bondsmen of Tarrant County.

Consequently, just as county land values dropped, so did those assigned to bond collateral — but that doesn't necessarily mean the collateral values have changed.

After a recent order from the bail bond board that appraisals be updated, Lupo has checked some of the land she appraised for various bail bondsmen to ensure that its condition is unchanged. She issued a letter to the bail bond board attesting to the unchanged condition without finding new sales or updating appraisals.

But she has done nothing wrong with those updates.

"The problem I see is with the guidelines. . . . I'm doing exactly what they said we should," Lupo said. "Why don't they change their guidelines?"

Indeed, everything Lupo, McCaslin and others dealing in bond collateral did appears to be within county guidelines.

McCaslin picked Lupo from a 1988 list of 10 appraisers that the county authorized to do bond land appraisals.

That practice stopped early this month, however. Acting on questions raised by the newspaper, Bearden and Chaney reviewed Lupo's credentials and persuaded the bond board to scrap its list of approved appraisers.

By late last week, Lupo's application for a license from the newly created Texas Appraisers Board was pending. But Chaney said the board voted not to let anyone value bail-bond land in the future without belonging to accredited private appraisal associations.

Lupo, a real estate broker since 1973, said she was unaware of the rule and has never belonged to an appraisers' association. She said that appraisal work accounted for most of her business in the slow market.

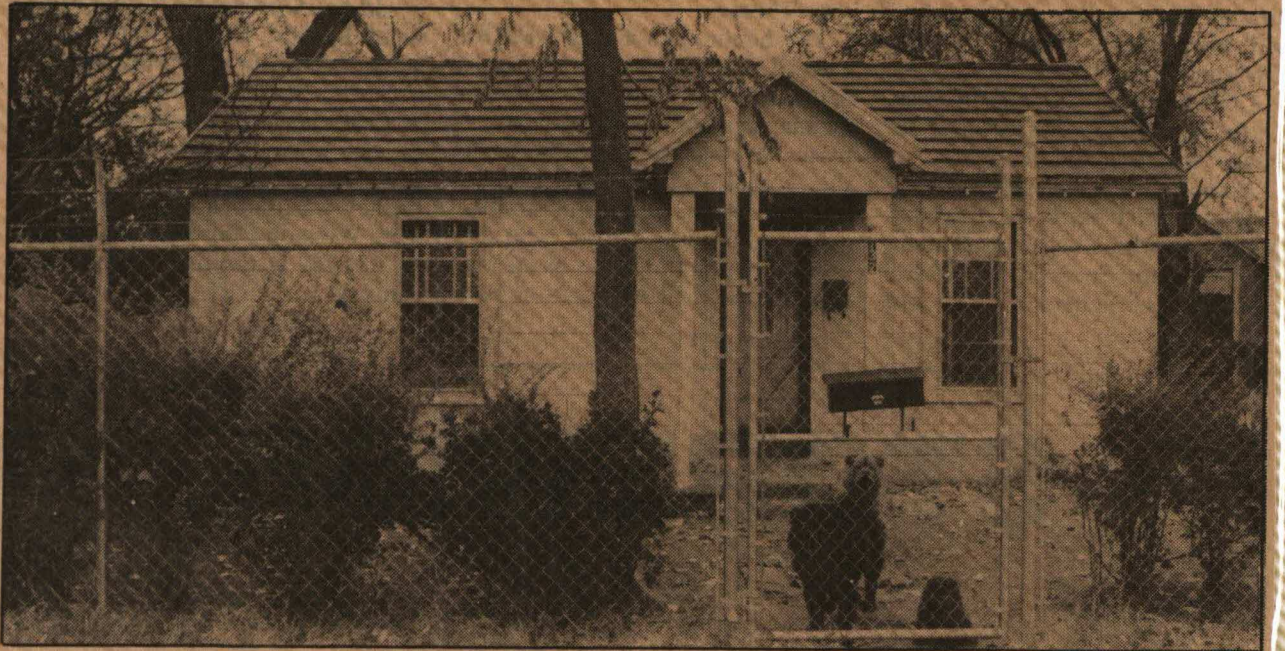
"I'm 53 years old now and I don't want to start over in my life," she said. "So, I've got to do it as well as I know."

Like his appraiser, McCaslin said he was only following the rules of the bail bond board when he bought the land and hired Lupo to appraise it.

"I didn't make the laws," McCaslin said. "I just follow them."

Shaky ground

Questioned appraisals turn cheap land into pay dirt



Fort Worth Star-Telegram / TONY RECORD

The sale of this house, 3132 St. Louis Ave., was used to inflate appraisals of other properties

County-run programs aid those unable to afford private bail

BY MICHAEL WHITELEY
Fort Worth Star-Telegram

FORT WORTH — A few blocks from its sparkling new jail and its towering new courts center, Tarrant County's only alternative to private bail operates in stark contrast.

Virgil Guess and the 13 staffers of Tarrant County Pre-Trial Release occupy a handful of dank, small rooms on the second and third floors of the old criminal courts building.

Guess' desk sits in a corner of a converted store-room. He shares the room with a dozen or so filing cabinets abandoned by other segments of the justice system that have moved on. Outside, the clock over the main elevator is an hour fast — neglected since the last time change.

Guess, director of the pretrial release program, has been promised better quarters — including a bright, two-room suite in the new jail. His proposed new offices lie behind a locked door — beyond a large room where inmates' families can sit with private bondsmen to barter fees and buy freedom.

But Guess says he doesn't want that secluded location, removed from the main flow of those who need his services.

Like many places nationwide, Tarrant County has put itself in the bail-bond business. Pretrial release programs like those in Fort Worth, Dallas and Austin were formed two decades ago for people who could not afford the 15- or 20-percent fees charged by bondsmen.

The programs offer government-backed release to low-risk defendants, charging as little as \$20 per case as they ease the strain on crowded jails. The court systems swallow the losses when defendants fail to appear. And that happens in one of every 10 cases involving Tarrant County Pre-Trial Release.

From its spot on the back lots of justice to its high forfeiture rate, Tarrant County Pre-Trial Release has lagged in the move away from private bail bonds.

Although Guess declines to discuss the politics of his physical niche in the system, those who run two other government bail programs say location is key.

In Dallas, pretrial release runs 24 hours a day in facilities near the prisoner unloading dock on the first floor of the Lew Sterrett Justice Center. It stands between the booking desk and the second-floor section where prisoners are dressed out and locked away.

"The cost of dressing a person out is tremendous. We try to expedite the program by not ever getting them to the second floor," said Billy Gray, administrator of Dallas' pretrial release program.

In Austin, county officials have built the model for Texas pretrial release. The program also occupies a central spot in the booking process, and it releases 70 percent of those arrested.

Tarrant and Travis counties are spending hundreds of thousands of dollars each year to fund their programs. But supporters say each release is saving the counties \$40.11 a day — the price of feeding, clothing and housing a prisoner who can't pay a bondsman.

"Most of the people we see are struggling to come up with the \$50," said Gray. "They must have broken the piggy bank, because we see them coming in here with rolls of quarters and pennies."

Private bail bondsmen, however, have strongly criticized pretrial release programs, contending that the programs infringe on private enterprise and have expanded beyond their original intent: to deal only with the indigent.

A review shows that the Austin and Dallas programs release more prisoners each year and return a greater percentage of them to trial than does Tarrant County.

Twenty-one years after it began, the Austin program writes 12,000 bonds a year — all but about 1,200 of those written in the county. Dallas' program writes about 30 percent of the county's bonds and releases about 26,400 suspects.

Tarrant County's program frees 5,000 suspects each year. Private bondsmen write 27,000 more bonds.

Of every 100 released in Dallas, all but one appear for court, said Gray. Austin recently completed a three-year study and reported a 3-percent bond forfeiture rate.

But in Tarrant County, more than 500 of the 5,076 men and women under pretrial release during the last fiscal year — or about 10 percent — failed to appear.

Jim Rust, director of Austin's program, said that part of his success comes from using electronic monitors attached to the ankles of high-risk defendants and requiring regular drug tests of those with dependencies.

Citing a lack of resources, Dallas officials said they do not use electronic monitoring yet. However, they said they are working to install that program along with equipment for electronically matching the voices of defendants who check in by phone.

Tarrant County does not use electronic monitoring and it uses drug tests on a limited basis, Guess said.

"It's partly my attitude. I believe if a man is so bad that he's got to be hooked to a machine, he ought to be in the pen," he said.

Those arrested in Austin stand a better chance of getting into the program and also pay smaller fees. Travis County clients pay a flat \$20 fee if they meet standards based on their past record, job history and residence. Only those accused of capital murder are barred from the program.

In Dallas County, a \$50 fee is required. Under rules

devised by Commissioners Court, defendants accused of 23 violent and otherwise serious crimes are not allowed into pretrial release.

Tarrant County district judges have barred pretrial release for those accused of 28 serious crimes. But judges make exceptions on a case-by-case basis. Fees range up to 3 percent of the face value of the bonds in Tarrant County and all include a \$20 fee for the sheriff.

Only Dallas' program makes money.

Gray said his office collected \$1.3 million during the 1991 fiscal year and spent \$879,000.

Austin spent \$500,000 last year; after sheriff's fees were deducted, the program got \$160,000. Tarrant County's program fell in the middle, collecting \$267,807 and spending \$343,216.

Those arrested in Austin and Dallas during late-night busts have access to pretrial release programs with late-night staffs.

Austin's program runs full time until 10 p.m. and sometimes later when police expect more activity. Defendants first see a magistrate and their paperwork often beats them to the pretrial services office, Rust said.

Tarrant County's full-time pretrial release workers go home at 4:45 p.m., but two part-timers work from 8 p.m. until midnight, Guess said. The county this year declined to fund salaries for another three workers.

Rust briefed Tarrant County's criminal district judges this month on pretrial release. One of the things Rust considers important for success in a pretrial program is support from every rung of the criminal-justice ladder.

"The biggest advantage that we have here is that we have the support of all the judges, the defense attorneys, the sheriff and all the way down the line," said Rust. "You can't have a criminal-justice system work if the people are at each other's throats."

Motorist dragged deputy 200 yards, warrant says

Lawman's gun taken in scuffle

BY KATHY SANDERS
Fort Worth Star-Telegram

FORT WORTH — An arrest warrant has been issued for a 26-year-old man accused of overpowering and disarming a Tarrant County deputy sheriff yesterday after dragging the lawman 200 yards with a stolen pickup, officials said today.

Deputy Michael Clayton Coursey suffered a bruised right knee during the scuffle with the man. Coursey had stopped the truck for speeding on Farm Road 2871 about a mile south of U.S. 80 in western Tarrant County.

Neither the pickup nor the suspect, who is wanted on an aggravated assault on peace officer warrant, had been found this morning.

Sheriff's investigator Harvey Lantrip said Coursey was on patrol when he clocked the pickup truck going 60 mph in a 40-mph zone about 4:45 p.m. yesterday.

After obtaining the driver's license and checking the license plate, Coursey discovered the truck was reported stolen from Decatur and the driver's license was suspended, Lantrip said.

When Coursey told the driver he was arresting him for driving while his license was suspended, the driver walked to the rear of the truck, he said.

Coursey then tried to handcuff the man and the man resisted, running toward the deputy's patrol car. The deputy yelled and the man stopped, Lantrip said.

But the man resisted again when Coursey tried to handcuff him. The suspect ran to the pickup and started driving away, he said.

Lantrip said the deputy ran to the truck and reached inside.

After traveling about 200 yards, the pickup turned onto someone's yard and stopped short of hitting the porch of a house, Lantrip said.

"The suspect managed to reach down where the deputy was lying on the floor board and grabbed his weapon out of the holster," he said. "He pointed the weapon at Coursey's head and Coursey dove out the open door and the suspect took off in the truck."

Fort Worth Star-Telegram

MONDAY P.M.,

DECEMBER 30, 1991

Watson likely to join sheriff race tomorrow

BY FRANK PERKINS
Fort Worth Star-Telegram

FORT WORTH — Former Republican County Commissioner O.L. Watson is expected to announce his candidacy for sheriff tomorrow at a noon news conference on the south steps of the historic old Tarrant County Courthouse.

"I'm saying that, unlike Richard Nixon, the public will have O.L. Watson to kick around again this year," Watson said.

He would not say definitely that he will be a sheriff's candidate, saying he is saving the "big guns" for tomorrow's announcement, but he repeated the statement he made last week when he announced that he would seek another county office.

"Like I said last week," Watson said, "there are only two county-wide races up this year, tax assessor-collector and sheriff, and since I'm a friend of June Garrison, the tax assessor-collector, that leaves just the sheriff's race."

For six stormy years, Watson served on the commissioners court. He feuded openly and often with the two county judges who served during his 1984-1990 tenure, and fussed publicly with the district at-

torney and fellow court members.

His 1990 campaign was marked by charges of sexual harassment lodged against him by county employee Vicki Van Velsor. Van Velsor dropped the suit after Watson was defeated for re-election. Watson then filed a slander suit against Van Velsor and won a \$100,000 settlement last year.

"There's no doubt that mess hurt my name identification image," he said yesterday. "But winning my suit against her is restoring a positive image to my name."

Known as a fierce campaigner, Watson served as a constable and justice of the peace in southeast Tarrant County before winning the Pct. 2 commissioner race in 1984.

Fierce campaigner or not, his apparent entry into the race didn't scare Sheriff Don Carpenter.

"The more the merrier," Carpenter said yesterday.

That is an accurate description of the sheriff's primaries: Two Democrats and a Republican officially filed for the post over the year-end holiday period.

Two Democrats filed yesterday: River Oaks Police Chief Dub Bransom and Deputy Sheriff Glen Allison of the warrants division of the

Sheriff's Department.

A third Democrat's name may be added before the Jan. 10 filing deadline. Guadalupe Coronado, a former sheriff's investigator, has filed an intent to run for sheriff but had not filed at party headquarters by yesterday.

The Republicans now have four hopefuls after Assistant District Attorney Steve Marshall's filing yesterday. He joins Carpenter, Haltom City detective David Williams, and private investigator Jim Hunter on the primary ballot.

Republicans Mike Utley, a former Sheriff's Department investigator, and Pat Howell, who heads the department's internal affairs division, have yet to make their filings official. Both have filed intents to run.

Also filing to run in the spring primaries were Republican Bob Hampton, seeking a third term as Pct. 3 county commissioner, and Republican state Reps. Kim Brimer and Anna Mowery.

Brimer represents the county's 94th District in southeast Tarrant County, and Mowery the 97th in the southwest.

Other recent Republican filings include David Baldelli, David

Harris and Delton Thrasher, constable, Pct. 2; Greg W. Harner, constable, Pct. 1; Ronnie Thompson, constable, Pct. 7; incumbent Jeff Walker, 97th Civil District Court; incumbent V. Sue Koenig, 360th Civil District Court; and Bob McGrath, 342nd Civil District Court.

Thrasher's filing caused some *deja vu* in local political circles. He was Watson's administrative assistant until Watson's 1990 re-election bid for Pct. 2 county commissioner was torpedoed by Marti VanRavenswaay. Thrasher now is a deputy constable in Pct. 7 Constable Mike Honeycutt's office.

Democrats who filed this week include former Judge John Street and George Petrovich, for judge of 48th Civil District Court; incumbent Mike Schattman, 348th Civil District Court; former Assistant District Attorney Rita Utt, Criminal District Court No. 2; and Curtis "Gene" Autrey, constable, Pct. 1.

Petrovich was among the Democrats who challenged Fort Worth Democrat Pete Geren in the September 1989 special election to fill the U.S. House seat vacated by former Speaker Jim Wright.

STAR-TELEGRAM
JAN. 1, 1992

Sheriff's resignation doesn't materialize

BY ELAINE SCHAD
Special to the Star-Telegram

The end of 1991 did not bring a promised resignation from Wise County Sheriff Leroy Burch, officials said yesterday. Burch continues to keep a low profile, with county officials most recently speculating that he will resign by mid-January. "He's in town, but I haven't seen it [a resignation] yet," said County Judge L.B. McDonald.

"I'm looking forward to it, but it hasn't happened," Burch, 36, told county officials in October that he would resign effective today. His term will expire Dec. 31. The resignation promise came after Burch spent more than two months in Tennessee pouring concrete while receiving his county salary. McDonald said Burch will receive at least one more paycheck from his \$30,500 annual salary on Jan. 10 should he resign by mid-January.

If Burch does resign, Wise County commissioners will appoint a new sheriff immediately, McDonald said. The appointed sheriff will probably be either Capt. Doug Whitehead or Chief Deputy Steve Brock, who are running the department in Burch's absence, officials said. That appointment would probably remain intact until after the March 10 primary.

Watson files for spot in GOP sheriff's race

BY FRANK PERKINS
Fort Worth Star-Telegram

FORT WORTH — Former County Commissioner O.L. Watson officially filed as a Republican candidate for sheriff this morning, paying the \$1,000 filing fee by check at county GOP headquarters.

He joins a crowded primary race that so far includes Sheriff Don Carpenter, also a Republican, and several Democratic and Republican hopefuls seeking a four-year term as the county's top law enforcement officer.

Watson, 58, of Mansfield, served as Pct. 2 commissioner from 1984 to 1990, when he was defeated for reelection by Marti VanRayenswaay.

Before his election as a commissioner, Watson had served as a jus-

tice of the peace and constable, his only law enforcement experience. In addition, he served on several statewide anticrime advisory boards under Republican Gov. Bill Clements.

A native of Mansfield, Watson owns an insurance and real estate business and has a small cattle ranch in Mansfield.

He served a stormy six years on the commissioners court, feuding openly and often with the two county judges who served during his tenure, and fussing publicly with the Tarrant County district attorney and with fellow commissioners.

The filing deadline for the 1992 party primaries had been 6 p.m. today, but was extended to 6 p.m. Jan. 10 by order of the secretary of state.

Prosecutor seeking to reduce appraisals for bond collateral

BY MICHAEL WHITELEY
Fort Worth Star-Telegram

FORT WORTH — Citing news reports that hundreds of thousands of dollars in overpriced land has been pledged to secure bail bonds, a Tarrant County prosecutor said yesterday that he will push to reduce the value of bond collateral to levels set by the Tarrant Appraisal District.

The move would sharply reduce the collateral levels at which bondsmen can write bonds. It could also stop some bondsmen from freeing any more suspects until new land is offered for collateral or certificates of deposit are established to secure outstanding bonds.

Steve Chaney, senior staff attorney for District Attorney Tim Curry and Curry's representative to the Tarrant County Bail Bond Board, said he will ask the board at a Jan. 22 meeting to reject private appraisals. Some are now submitted on land pledged as collateral. State law allows bondsmen to use private appraisers.

Chaney wants to tie the values of all land pledged as collateral to TAD assessments. If successful, the values would change as bondsmen pledge new collateral and as their existing collateral is revalued when they renew licenses over the next two years. That means some bondsmen could see their collateral value drop dramatically.

For example, a *Fort Worth Star-Telegram* computer analysis of 55 parcels of surplus city land that bondsman Charles McCaslin originally purchased showed that TAD assessed them at \$176,863. But real estate broker Willie Jean Lupo valued them at \$426,882.75. The bail bond board has declared Lupo and some other appraisers as unqualified to appraise bail bond land.

Of those lots, McCaslin pledged 24, which TAD priced at \$72,488, at collateral values of \$187,557.75 and sold the others to friends and relatives in the bail bond business. Bondsman Tom Carter bought and pledged 13 of McCaslin's lots at values of \$104,800. TAD had valued them at \$44,375.

City officials further questioned the value of the surplus land, saying that its seizure for taxes made it difficult if not impossible to obtain title insurance.

But state law allowed McCaslin, Carter and their associates to write \$10 in bonds on every \$1 in collateral — or \$4.3 million in bonds on the

whole package. In case of a default, the land would be sold at a sheriff's auction for a fraction of its appraised value — leaving the county with the potential of thousands of dollars each year in unpaid bond forfeitures.

Chaney lost a bid before the board — which governs Tarrant County's bail bond business — for a similar change last summer. He said he is calling again for the change because of the newspaper articles.

Chaney said many bondsmen already use TAD values, and he said the board should be able to value collateral at levels no higher than taxing levels.

"We will accept that as the value and greatly resist accepting any other figure," Chaney said. "It makes good common sense . . . and it gives us some symmetry."

Leaders in the bail bond community, however, said Chaney's plan violates state law, which allows them to submit appraisals by members of one of several nationally recognized appraisal associations.

"The difference [in values] would put me out of business," McCaslin said yesterday. "The law that was passed two or three years ago said as long as we're using a certified appraiser we could use the land for collateral at 100 percent of the appraisal."

Chaney's plan drew a similar response from Carter, a bondsman who is also a five-year member of the bond board.

"Hell no, it's not legal," he said. "The purpose of the bail bond board is to implement the law — not change it. The law says one thing and he's not going to change it."

Criminal District Judge Sharen Wilson, who was scheduled to assume the chairmanship of the board Jan. 1, could not be reached for comment. She has said previously that she was concerned that the board had accepted land at inflated prices.

The call for change comes amid a series of reforms that bail officials in Denton County are considering and an examination of bond laws by the Texas House Committee on Criminal Jurisprudence.

The Denton County Bail Bond Board is scheduled to meet Jan. 23 to discuss a push to change the state's bail bond laws. Board staff assistant Bonnie Holley-Coil said the county has asked Attorney General Dan Morales whether they can legally reject bondsmen's private appraisals.

Jail inmate held in plot against dad

BY KATHY SANDERS
Fort Worth Star-Telegram

FORT WORTH — A 19-year-old Tarrant County jail inmate who mistakenly believed he would inherit at least \$100,000 if his father died was charged over the weekend with trying to hire another inmate to kill his father, investigators said.

Jeremy Randall Thomas was to be paroled from the jail in February after serving time on convictions of theft and credit card abuse. The charge of solicitation of capital murder levied against him Saturday carries a bond of \$50,000.

Tarrant County Sheriff's Investigator George Wilson said Thomas approached another inmate with

Plan

From Page 1

the murder-for-hire plot, saying he wanted that inmate to kill his father, Charles David Thomas, 42, who lives in the Smithfield area of North Richland Hills.

Instead, the inmate went to jail officials, telling them "he could save somebody's life," Wilson said.

"He told us there was a boy in his tank wanting to kill his father," Wilson said this morning. "He asked why and [Thomas] told him there was a \$100,000 to \$150,000 life insurance policy his daddy had and the son was the sole beneficiary, or so the kid thought."

Wilson said Charles Thomas, who at first didn't believe investigators, said he had no life insurance policy of that amount, but at one time had a \$50,000 policy that named his son the sole beneficiary. That policy is no longer in effect, Wilson said.

Wilson and investigator Harvey Lantrip talked with the inmate, whom they would not name. Wilson said the inmate told the officers that Jeremy Thomas first approached him in December with a question: "If you didn't love one of your fami-

ly members, would you mind them being killed?"

Thomas told the inmate that he wanted his father killed and about the insurance policy. Thomas promised to give the other inmate at least 25 percent of the money and a house if the inmate would kill Charles Thomas, Wilson said.

"The kid told him that he and his daddy never got along and the daddy was always real mean to him," the investigator said. "It was a situation where the parents had been separated for a while."

Thomas also reportedly held his hands up to the other inmate and told him, "These aren't the hands of someone who has to work for \$5 an hour. All that money is out there and it's all mine when he [the father] dies," Wilson said.

After a statement was obtained from the inmate, the inmate agreed to wear a wire to record any other conversations he might have with Thomas, Wilson said.

About 2 p.m. on Dec. 26, the inmate recorded a conversation he had with Thomas in which Thomas reiterated his desire to have the inmate kill his father and said he was serious about it, Wilson said.

The investigator said Thomas and the inmate discuss three different scenarios on the tape-recorded conversation in which Charles

Thomas would be killed.

The first scenario would be a drive-by shooting, in which the inmate would drive past the father's house when the elder Thomas was outside and "just shoot him dead," Wilson said.

The second called for the inmate to go up to the father's house, knock on the door and ask for directions. Wilson said Thomas told the inmate to take a shotgun "and shoot [the father] in the face."

When the inmate asked how he would recognize the older man, Thomas replied, "He's the only one that lives there, so shoot whoever comes to the door," Wilson said, adding that the father does have a roommate.

The third plan, which was the one to be used, was to wait for the older Thomas to start his daily routine by leaving for work early one morning, follow him to a teller machine, get out while hiding the shotgun and ask the father for directions.

"When the father turned around, he wanted the inmate to stick the shotgun to his head and blow his face off," Wilson said, "then to push the body back in the car, push the car off the cliff and set the car on fire."

The killing was supposed to take place in February when both men were expected to be released from jail, Wilson said.

Wiretap allegations to be probed

Grand jury targets phone lines at Sheriff's Department

By BILL HANNA
Fort Worth Star-Telegram

FORT WORTH — A special prosecutor and grand jury on Friday will look into allegations that wiretaps were placed on Tarrant County Sheriff's Department phone lines to monitor employee conversations.

Rockwall County District Attorney Galen Sumrow, who was appointed in Sep-

tember to examine allegations that guns from the department's property room were missing, said yesterday that the grand jury will question witnesses on the missing guns and the wiretap allegations.

"We have heard allegations from supervisors who say their phone lines were monitored," Sumrow said. "The guns are still the focus of the investigation. This is just something that has come up that we need to look

at."

No evidence has been found to support the wiretapping allegation, Sumrow said. He said he does not plan to ask Sheriff Don Carpenter to testify.

Carpenter, contacted at home, interrupted a reporter before he could be asked about the wiretap allegations.

"I just don't want to comment about any

(More on WIRETAPS on Page 10)

Wiretaps

From Page 9

thing to do with the grand jury investigation," he said, hanging up.

One of Carpenter's attorneys, Bill Ray, said he has heard nothing concerning wiretaps.

"The sheriff has never told me nor has anyone else in the Sheriff's Department told me to watch what I'm saying on the phone," Ray said. "It's the first I've heard of it."

The sheriff has testified twice before the panel since October and has declined to comment about the grand jury investigation.

The wiretap allegations, which surfaced in the last few weeks, indicate that phone lines in the Sheriff's Department were "rigged to listen to chiefs' and captains'" conversations, said Capt. David Byrnes of the Texas Rangers.

In addition to examining phone lines, investigators are comparing records in the property room log book with a department patrol log

book to account for weapons, Sumrow said.

Investigators have said only that they are trying to account for fewer than 100 weapons. So far, three have been recovered.

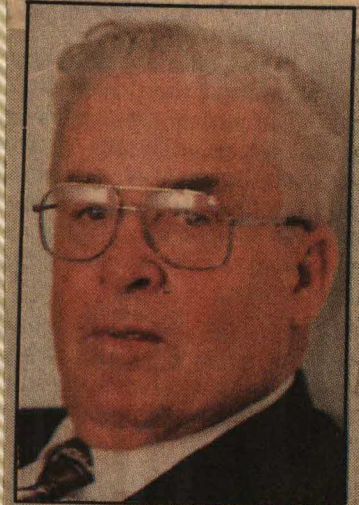
"The patrol log shows when they were taken in and when they were taken out, so it gives us another way to try and find these weapons," Sumrow said.

By Friday, Sumrow said, the Rangers will be finished comparing the two log books.

The grand jury could decide Carpenter's fate as early as Friday or the panel may be called back next week.

"If we go through several witnesses quickly, they could decide to vote and wrap it up on Friday. If it takes a long time or there are any questions, we'll come back again," Sumrow said.

The investigation into the department began last summer when an attorney representing several deputies reported that guns were missing from the property room and that Carpenter had given guns as door prizes at picnics in 1986 and 1987.



Don Carpenter: Isn't expected to testify

Gay leaders criticize candidates

BY BILL TEETER
Fort Worth Star-Telegram

FORT WORTH — Gay and lesbian leaders yesterday lambasted sheriff's candidates who say they would resist hiring gay men or lesbians, and one harshly criticized candidate O.L. Watson for saying that he would just as soon jail as hire a homosexual deputy.

Watson, a former Tarrant County commissioner, drew applause Thursday night at a candidates' forum where he said that he would jail, rather than hire, homosexuals if he could.

"Not only would I knowingly not hire them, if I could prosecute them, I would put every one of them in jail," Watson said at the forum, sponsored by the Pro Club, a pro-family organization based in Hurst.

"If people engage in homosexual activity, they are violating the law and they need to be arrested and locked up like any other criminal."

Three other GOP sheriff's candidates who attended the forum —
(More on SHERIFF on next page)

Sheriff

From previous page

David Williams, Steve Marshall and Tom Graves — agreed that they, too, oppose hiring gays and lesbians. None, however, joined Watson in saying that homosexuals should be jailed.

Three other GOP candidates — Sheriff Don Carpenter, Mike Utley and Jim Hunter — did not attend the forum.

The opinions expressed at the forum are perturbing but not unexpected, said Carlos Northam, president of the Tarrant County Lesbian/Gay Alliance.

"Certainly, that does not surprise me coming from law enforcement and Fort Worth-Tarrant County," Northam said. "As I understand it, O.L. Watson is running for sheriff and is certainly not someone I would be supporting."

Northam also said that if the Legislature ever strikes the 112-year-old sodomy law from the books, "they won't have any choice but to hire them."

Northam said that Watson's comments are "just an indication of the homophobia, lack of understanding and unwillingness to understand by Mr. Watson."

Ron Rasmussen, co-founder of Texas Gay Veterans, said he believes gays and lesbians are on the

Sheriff's Department force, "whether or not they know it."

The sheriff's candidates, Watson in particular, are going against the grain of Fort Worth attitudes as a whole, he said.

"The entire Fort Worth attitude is really live and let live," Rasmussen said. "Mr. Watson is going against the grain. Some issues have to be low-keyed and soft-pedaled."

Northam and Rasmussen pointed out that Dallas Police Chief Bill Rathburn recently was quoted as saying he had no problem with hiring gays or lesbians.

Asked later to explain his comments, Watson said that homosexual activity is a violation of state statutes.

State District Judge Paul Davis in

March struck down as unconstitutional the state's sodomy law. But Texas Attorney General Dan Morales is appealing the decision, said Ron Dusek, a spokesman for Morales. Both sides requested the appeal, saying that they want the issue to be decided by the U.S. Supreme Court. A hearing on the appeal is scheduled for later this month in the 3rd Texas Court of Appeals in Austin.

The law states that individuals must be caught in homosexual conduct, Dusek said. It is a misdemeanor punishable by a fine of as much as \$200.

Legislation to strike the sodomy statute from the books repeatedly has been introduced in the Legislature but has not gained support.



O.L. Watson: Says he'd jail gays rather than hire them

Gays blast sheriff hopefuls Watson's remarks catch brunt of criticism

BY FRANK PERKINS
AND BILL TEETER
Fort Worth Star-Telegram

HURST — Gay and lesbian leaders today lambasted sheriff's candidates who say they would resist hiring gay men or lesbians, and one harshly criticized candidate O.L. Watson for saying he would just as soon jail as hire a homosexual deputy.

Watson, a former county commissioner, drew

applause last night at a candidates' forum where he said he would jail, rather than hire, homosexuals if he could.

"Not only would I knowingly not hire them, if I could prosecute them, I would put every one of them in jail," Watson said at the forum.

Inquiry into missing guns near end, prosecutor says

BY BILL HANNA
Fort Worth Star-Telegram

FORT WORTH — A special prosecutor investigating allegations of guns missing from the Tarrant County Sheriff's Department property room said yesterday that he is optimistic that the four-month inquiry may be concluded by Friday.

Rockwall District Attorney Galen Sumrow, who was appointed as special prosecutor in September, said yesterday that the grand jury panel will meet next week, possibly to decide whether to issue any indictments.

Sumrow talked briefly yesterday about the investigation after the grand jury had heard nearly seven hours of testimony. Although Sumrow declined to comment on the proceedings, witnesses were expected to be questioned about allegations that wiretaps were placed on Tarrant County Sheriff's Department phone lines to monitor employee conversations.

The Rockwall prosecutor would not say whether the grand jury is finished exploring the wiretap issue.

"Nothing is dead in the water until the grand jury votes on it," he said.

Earlier this week, Sumrow said Texas Rangers assigned to the investigation had received calls from department supervisors who said they believed their phone calls were being monitored. After yesterday's

testimony, Sumrow declined to say whether those allegations had been substantiated.

"I would rather not comment," he said.

Sumrow said Monday that no evidence had been obtained to support the allegations but that the grand jury would be used to question witnesses about the issue. Among those called to testify yesterday were Chief Deputy John Pempsell, Assistant Chief Deputy George Campbell, former administrative chief John Tenery and administrative secretary Jan Winkler, department sources said.

Sheriff Don Carpenter, who testified in October and December, was not called yesterday.

The main allegation before the grand jury still concerns guns from the property room, Sumrow said.

"The investigation has not expanded beyond the allegations we have received," he said.

The Sheriff's Department inquiry began last summer when an attorney representing several deputies reported that guns were missing from the property room and that Carpenter had given away guns at picnics in 1986 and 1987. Of "fewer than 100" weapons missing from the property room, three have been recovered, Sumrow said.

The grand jury was held over in December to continue the investigation into this year.



**Debbie M.
Price**

THE FORT WORTH
STAR-TELEGRAM
12 JANUARY 1992

Irrelevant issues fog up sheriff race

I pick up the newspaper on Friday, and I see where four of the seven Republican candidates for Tarrant County sheriff say they will not hire homosexuals to work as deputies. Candidate O.L. Watson goes one step further and says that not only would he not hire gays, but if things were up to him, he would "put every one of them in jail."

This is an interesting notion, considering the ever-lit no vacancy sign down at the jail. On Friday, there were 3,657 people in the Tarrant County Jail or 217 people more than the place is authorized to hold. The local jails are spilling over because the state penitentiary is full.

Texas is building 14,500 more jail beds, and voters have approved a bond issue to house another 25,000 prisoners. But the reality is that the police are locking up murderers, armed robbers, rapists and burglars faster than the state can find places to put them.

It is estimated that roughly 10 percent of the population is homosexual, which means that in Tarrant County one could expect to find about 100,000 gays.

I can only assume Watson means to lock up all of them — lawyers, doctors, accountants, hairdressers, ballet dancers, teachers, journalists, firefighters and, yes, even police officers. I say *assume* because I couldn't reach Watson for comment.

Watson's call for jailing homosexuals got a round of applause from members of the Pro Club, a Hurst organization that calls itself pro-family. Now I'm wondering, are these people ready to ante up for new jail cells or do they want to turn the murderers, rapists and robbers loose?

Watson cited the state's sodomy statute as basis for jailing homosexuals. But it seems that he needs to take another look at the law.

The statute, though still on the books, has been found unconstitutional in Travis County. Even so, the offense is just a Class C misdemeanor on par with littering and punishable by a \$200 fine. Not by jail.

The other GOP candidates at the forum — David Williams, Steve Marshall and Tom Graves — said they, too, were against hiring gays.

Sheriff Don Carpenter, Mike Utley and Jim Hunter were not at the forum. Hunter later said he would not discriminate against homosexual applicants because of the threat of lawsuits. Utley declined to comment, and Carpenter, who declined comment on Thursday, said yesterday that he does not discriminate.

Williams is quoted as citing the risk of AIDS transmission as grounds for not hiring gays, which shows how little he knows about the spread of AIDS or who actually carries it. In fact, heterosexuals now account for the fastest growing percentage of people infected with the human immunodeficiency virus that causes AIDS.

But the bottom line is that people don't need to worry about getting AIDS from an HIV-infected deputy — gay or straight — unless they're planning to have sex or share needles with them.

Just about everyone else in the work place has gotten the message that AIDS is not transmitted through casual contact. You have to wonder why people running for public office don't know this.

Or maybe Williams does know this and was just playing to the Pro Club crowd, whose stands against homosexuality and abortion are well-advertised.

Abortion was the other big question at the forum. (The four candidates in attendance said they were against it.)

What difference does it make whether the sheriff is for or against abortion?

We are not talking about a public official who has the ability to change law. Abortion is legal in Texas, and the sheriff is bound to uphold the law.

What difference does it make if a deputy is gay or straight if that person is qualified for the job?

Which brings us to the real issue at hand.

Debates about abortion or the sexual preference of deputies — or even locking up homosexuals, as ludicrous as that is — have no place in the race for sheriff. Except to point up how completely unsuited some of these candidates are.

People who espouse discrimination — racial, religious or that based on sexual preference — should not be elected to office.

Beyond that, the sheriff's race is too important for voters to get sidetracked by emotional but irrelevant issues.

The sheriff of Tarrant County oversees a budget of \$35 million, a staff of 1,200 employees and the county jail. The county jail is the linchpin in the local criminal justice system.

Whoever is elected sheriff not only must be an able administrator, but also must be able to find innovative ways to house more and more prisoners as the decade and the crime rate progress.

This is a daunting assignment, and the candidates should be asked hard questions about their qualifications and their plans to address jail overcrowding.

Those are the issues that matter.

Debbie M. Price's column appears Wednesday, Friday and Sunday.

Decision on sheriff expected

Grand jury weighing weapons indictment

BY BILL HANNA
Fort Worth Star-Telegram

FORT WORTH — A Tarrant County grand jury was expected to decide today whether to indict Sheriff Don Carpenter in connection with guns missing from the Sheriff's Department property room.

Rockwall County District Attorney Galen Sumrow, a special prosecutor who conducted a four-month investigation of the department, said he expected grand jurors to vote on possible indictments today. He declined to say whether he would ask the panel to indict Carpenter or any other Sheriff's Department officials.

"He has done nothing wrong," Carpenter's lawyer, Bill Ray, said outside the grand jury room. "He has never given or sold away any guns, altered any documents or done anything else wrong.

"He may have loaned some guns to some people," Ray said.

Carpenter did not appear before the grand jury this morning.

A source close to the investigation said that if any indictments are returned, Carpenter probably would be the only member of his department to be singled out.

Nine of the 12 grand jurors must agree on any indictment.

The grand jury wasn't required to vote today. When the panel was held over in December, state District Judge Bill Burdock granted a 90-day extension.

Ray said no matter what the outcome of the grand jury's vote, Carpenter would remain in the primary race scheduled to be held March 10.

Carpenter, 60, has declined to comment since hiring attorneys to represent him. But when he was first called to testify before the grand jury, he said the inquiry was politically motivated.

He is seeking re-election and faces six opponents in the Republican primary. Three candidates are vying for the Democratic nomination for sheriff.

Carpenter's situation is similar to the one former County Commissioner O.L. Watson faced in 1990, Ray said. Watson, who finished last

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Jury / From Page 17

in a three-way race for the GOP nomination, had a sexual harassment allegation brought against him shortly before the election.

"O.L. Watson is a good example of it," Ray said. "Look at him. It certainly hurt him. It just seems unfair when somebody gets into political office. It's newsworthy because it's a political official. That doesn't make it right."

Investigators have recovered at least three weapons from the Sheriff's Department property room that Carpenter reportedly gave away. Other weapons have been recovered, but Sumrow would not specify how many. Between 80 and 100 weapons from the property room, some dating back to the administration of Sheriff Lon Evans, are still missing with no records of having been destroyed, a source said.

Carpenter is indicted

Missing guns key to charges

BY BILL HANNA
Fort Worth Star-Telegram

A Tarrant County grand jury returned six indictments against Sheriff Don Carpenter yesterday, accusing him of taking confiscated weapons from the property room and of falsifying records.

The grand jury also took the unusual step of recommending that Carpenter be removed from office pending the outcome of the cases, and the panel called for an audit of the department.

Carpenter, 60, faces two to 10 years in jail and fines up to \$10,000 on each of the six counts. If convicted, the two-term sheriff, who is running for re-election this year, will be removed from office.

Carpenter, who was released on his own recognizance after posting \$1,000 bail, had no comment after the indictments were returned. But one of his lawyers, Joe Brent Johnson, said the investigation is politically motivated, and Johnson attacked the credibility of the indictments.

"There are things in these indictments that I don't understand," he said. "They are very loosely drawn and quite repetitive."

Special prosecutor Galen Sumrow, the district attorney for Rockwall County, said the indictments are based on solid evidence.

"I think the evidence substantiates the indictments," he said.

Sumrow, who was appointed special prosecutor in September, said the indictments concern five handguns and a rifle that were

(More on SHERIFF on Page 2)

seized as evidence in criminal cases.

Three of the indictments involve charges of tampering with a governmental record. They allege that property room records were falsified on three weapons. The date the crime is alleged to have occurred, Oct. 15, is more than a month after Sumrow was appointed to investigate the department.

Two of the indictments allege misapplication of fiduciary property. Those involve two handguns given as door prizes at a picnic in 1986, Sumrow said.

The sixth indictment alleges theft of more than \$200 but less than \$750 by a public servant. The accusation is that a weapon was taken from the department's property room and moved to a closet in Carpenter's office, Sumrow said.

That closet was built by Carpenter's predecessor, Lon Evans, who has said he kept confiscated weapons there during his tenure.

Investigators are still trying to account for other weapons, and more indictments could be returned before the grand jury's term expires in March, Sumrow said.

No trial date has been set for Carpenter. Sumrow said he is about to begin a capital murder trial that may prevent him from working on the Carpenter case for as long as three months.

Grand jury foreman Jerry Partlow also read a note signed by 11 of the 12 grand jurors saying Carpenter should not hold his job while the case proceeds.

"In the interest of Tarrant County, we recommend that Sheriff Don Carpenter be removed from office effective immediately pending the disposition of the indictments," Partlow said. "In addition we, the grand jury, request that you make the district attorney and county Commissioners Court aware of this recommendation."

Carpenter, who has filed for the March 10 Republican primary, has no plans of stepping down, Johnson said. Six other Republicans and three Democrats have filed to run in the primary elections for sheriff.

"He's still in charge," Johnson said. "He's still in control."

Removing Carpenter would be a separate procedure from the criminal investigation, Sumrow said.

Under state law, an adult resident of the county can petition the court to remove an elected official. The petition would then be handled by the district attorney's office, which would decide whether to take the case to a civil court. There a jury would hear the case.

Throughout the proceedings, the judge hearing the case could remove the sheriff without pay. The sheriff would get the pay retroactively if he won the case.

Tarrant County District Attorney Tim Curry said yesterday that if such a petition were filed, he would have to appoint a special prosecutor

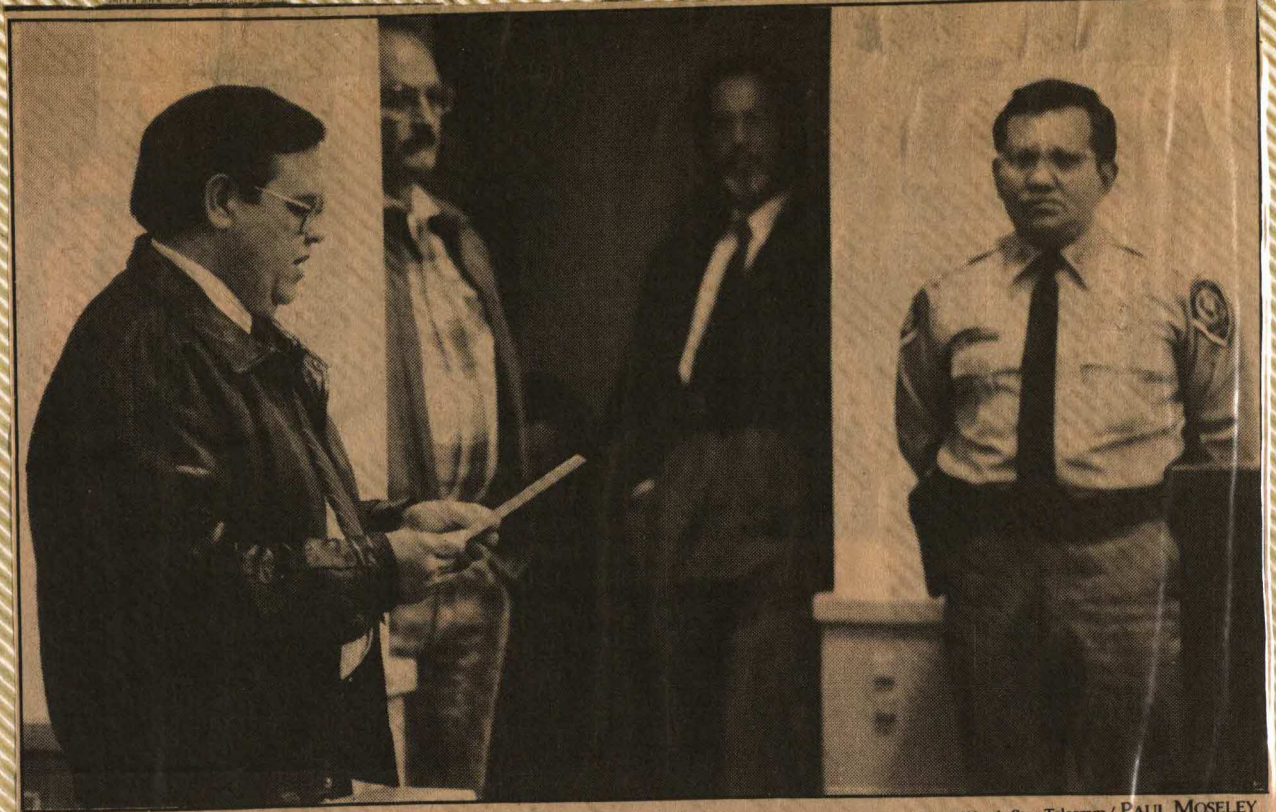
to consider it, in order to avoid a conflict of interest.

Sumrow said he will not be that special prosecutor.

However, Curry said the district attorney's office will probably advise the Commissioners Court how the statute works at some point, possibly at the next meeting.

"I'm sure we'll sit down and explain the statute just like I'm explaining it now," Curry said.

In calling for the audit of the Sheriff's Department, Partlow said: "Based on the evidence and information this grand jury has heard we recommend that a team of auditors, professional law enforcement administrators, including consultants if necessary, audit and review all functions, procedures and sections of the Tarrant County sheriff's office."



Fort Worth Star-Telegram / PAUL MOSELEY

Foreman Jerry Partlow reads grand jury requests after announcing Don Carpenter's indictments

Before voting yesterday, grand jurors heard testimony from Chief Deputy John Pempsell and Thomas Hastings, who is in charge of the

property room.

The Sheriff's Department investigation began in August when Leonard Schilling, an attorney for the Combined Law Enforcement Associations of Texas, filed a complaint on behalf of several deputies. In the complaint, he said that guns were missing from the property room and that Carpenter had given away two guns at a 1986 picnic.

Curry cited a potential conflict of interest because the district attorney's office represents Carpenter on some legal issues. He asked state District Judge Joe Drago III to appoint a special prosecutor. Sumrow was appointed Sept. 9.

On Oct. 30, Carpenter and four others were called to testify before the panel. Before testifying, Carpenter said he was unaware of any investigation and said he had done nothing wrong.

In December, Carpenter testified again. Since then, he has declined to talk about the allegations.

Carpenter indictments

Six indictments were returned against Sheriff Don Carpenter:

Two on charges of misapplication of fiduciary property, involving a Colt pistol, on or about Aug. 1, 1986.

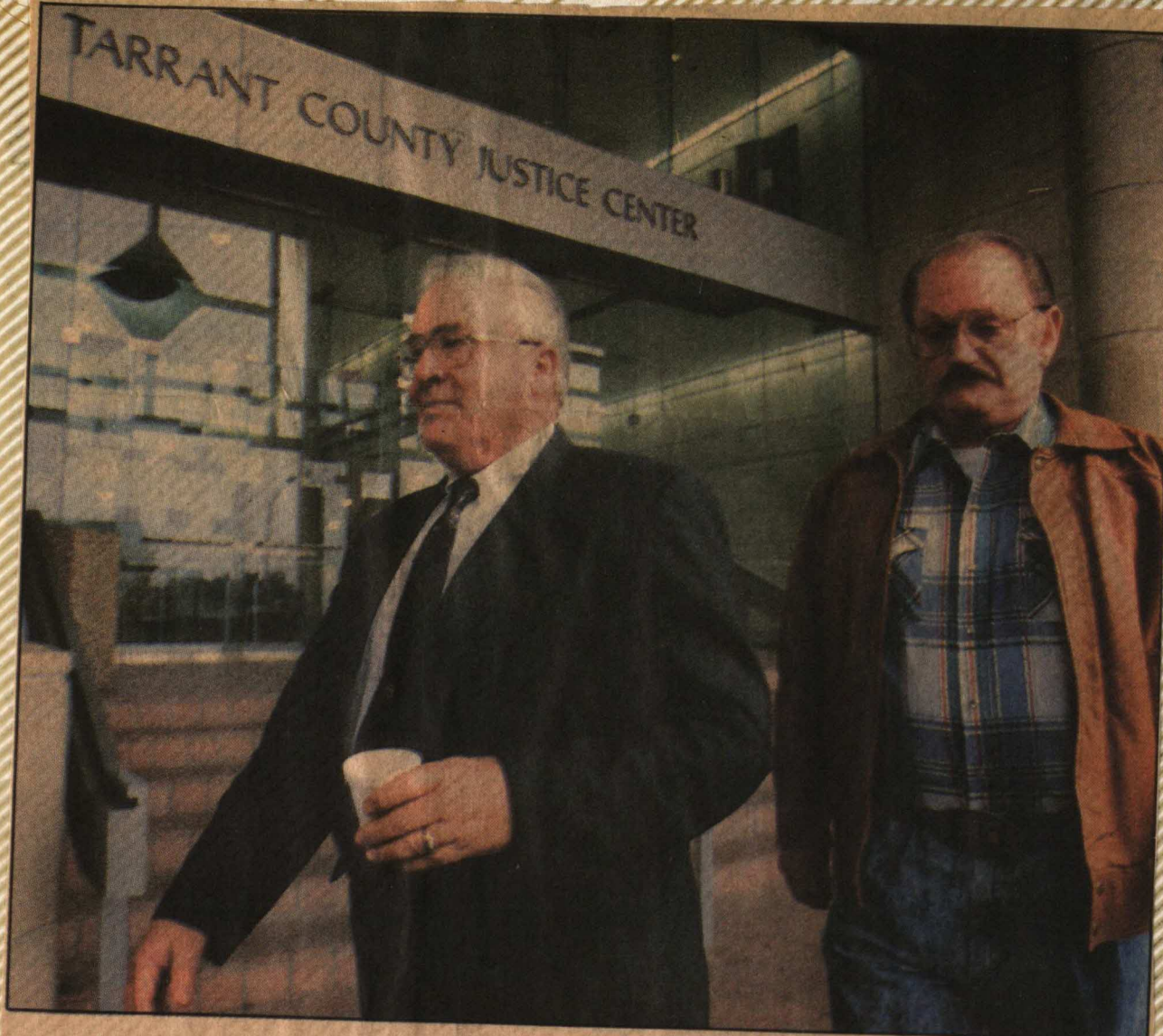
Three on charges of tampering with a governmental record, involving use of a false property card with intent to defraud, on or about Oct. 15, 1991.

One on a charge of theft over \$200 but less than \$750 by a public servant, involving appropriating a Smith & Wesson Model 59 pistol from its owner without consent, on or about July 1, 1991.

Each charge is a third-degree felony and carries a penalty of two to 10 years in prison and/or a fine of up to \$10,000.



Judge Bill Burdock talks with attorneys after the grand jury read the six indictments on the missing weapons charges.



Sheriff Don Carpenter, left, leaves the Tarrant County Justice Center with attorney Joe Brent

Johnson, who says the investigation of Carpenter is politically motivated.

Fort Worth Star-Telegram / PAUL MOSELEY

Step down

It is time for Carpenter to leave office

Almost from the start, it has been blatantly obvious that Don Carpenter was in far over his head as sheriff of Tarrant County. Then he went on to prove it repeatedly.

His tenure has been marked by costly ineptness, and his actions have brought ridicule, confusion and acrimony to the sheriff's department and to county government. His some seven years of pitiful and inexcusable performance has been a painful, negative experience for county citizens to have to endure.

Long ago, we concluded it was time for Carpenter to go and said so more than once. Now a grand jury has indicted him and recommended his removal from office pending disposition of those indictments.

Yet, in reflecting upon it, we take no

solace in the fact that it has come to this. For it is, in a curious but understandable way, a sad time. It means this essential link in our desperately needed criminal justice system is in a colossal mess, that citizens are not getting what they deserve, are paying for and must have.

This brings us to the only conclusion we can reach: In the name of all that is meaningful to the sheriff's department, to law enforcement, to county government, to county citizens, Sheriff Carpenter should not fight the grand jury recommendation another day.

He should step down now before further damage is inflicted, let others pick up the pieces and begin to make of the Tarrant County Sheriff's Department what it can be, what it must be for those it is supposed to be there to serve.

Removal of an elected official can be a difficult legal process

Asking for an ouster is one thing, but getting it approved in court is another.

BY HOLLACE WEINER
Fort Worth Star-Telegram

Although the grand jury that indicted Sheriff Don Carpenter yesterday recommended removing him from office, chances of his forced retirement — short of a criminal conviction or defeat at the polls — are slim.

Under Texas law, the district attorney or any resident of the county may file a civil suit in district court alleging misconduct of an elected official and demanding his removal.

Such a lawsuit would have to be prosecuted by the district attorney's office and tried by a jury. The decision could then be appealed.

At any time, the judge to whom the case is assigned could suspend the sheriff from office without pay and appoint a temporary replacement — with the understanding that the sheriff would be reimbursed for lost salary if he won the appeal.

District Attorney Tim Curry said yesterday he has no plans to file a civil suit to remove the sheriff.

If a citizen files a petition to oust the sheriff, Curry will ask a specially appointed prosecutor to take the petition through the courts.

"Ethically, we can't get into it," Curry said.

Citizen activist Marilyn Lowrie, 60, who has campaigned for Carpenter's ouster since January 1989, said she does not plan to file a civil suit to oust the sheriff but is disappointed that the district attorney declined to do so.

"I don't know why a citizen would have to do that when we have elected representatives who have the job to do it," she said. "I feel that when Tim Curry gets this kind of recommendation from the grand jury, he has no choice if he wants to represent the people of Tarrant County."

In 1989, Lowrie filed allegations — most culled from newspaper articles — against Carpenter with the grand jury. That panel declined to indict Carpenter.

Republican County Chairman Steve Hollern said the indictment does not affect Carpenter's position on the March 10 primary election ballot.

If Carpenter is convicted and all appeals are exhausted, he would automatically be removed from office, said Ron Dusek, public information officer for the Texas attorney general.

Add Carpenter to list of sheriffs in trouble

BY LYDIA LUM
Fort Worth Star-Telegram

Don Carpenter yesterday joined the list of Texas sheriffs who have found themselves accused of criminal wrongdoing.

Since 1990, at least five other sheriffs across the state have had to defend themselves.

One sheriff agreed to a plea bargain; another is awaiting trial. Of the three cases that went to trial, two ended in convictions and one in acquittal.

Forty years ago, another Tarrant County sheriff stood trial — and eventually won.

In 1952, Sheriff J.R. "Sully" Montgomery was convicted of failing to pay \$5,500 in taxes over three years and was sentenced to seven years in prison. Montgomery resigned, despite original intentions to remain sheriff.

Two years later, he was acquitted during a second trial ordered after the 5th U.S. Circuit Court of Appeals reversed the conviction. Montgomery, who died in 1970, lost a 1954 bid to regain the sheriff's post.

Last November, Hood County Sheriff Edwin Tomlinson was acquitted, too. A jury cleared him of charges that he violated state bidding laws while buying cars for his department.

A year earlier, former Rockwall County Sheriff John McWhorter received 10 years' probation for his role in a marijuana and bail-bond scheme. McWhorter approved removal of more than 90 pounds of marijuana from his department's property room and shared profits from the drug's sale.

McWhorter resigned amid the controversy.

In another drug-related scandal,

former Eastland County Sheriff Dee Hogan is serving a three-year federal prison term, handed down in June, for obstruction of justice in protecting a mammoth speed-manufacturing and distribution ring. While sheriff, Hogan directed an employee to alter the arrest records of a drug kingpin.

In Northwest Texas, former Childress County Sheriff Claude Lane quit his post after being indicted on drug-trafficking charges last year, according to the *Amarillo Globe-News*.

Lane was accused of enlisting a man — who became an informant to federal drug agents — to sell 15 pounds of marijuana for \$10,000 and keep any profits. Federal agents have said the drugs were among those seized in an area drug bust.

Under a plea bargain, Lane received a 37-month prison term in September, a *Globe-News* article said.

On Jan. 9, a West Texas sheriff was indicted on four federal counts of cocaine possession with intent to distribute. Presidio County Sheriff Richard Thompson has said he used more than a ton of cocaine to conduct a one-man reverse-sting operation.

Thompson, who faces life imprisonment, has been suspended without pay pending the outcome of those charges, a department spokesman said. He is being held without bail in Reeves County Jail.

Meanwhile, just northwest of Fort Worth in Wise County, several communities have called for the ouster of Sheriff Leroy Burch after he spent time last summer pouring concrete in Tennessee while collecting his annual \$30,524 salary. Burch had said he would resign but changed his mind because of extensive media coverage. He also kept his concrete-pouring job.



Carpenter.

Challenger urges Carpenter to resign

BY FRANK PERKINS
AND STAN JONES
Fort Worth Star-Telegram

One Republican seeking to unseat Sheriff Don Carpenter in the March 10 primary called on Carpenter to resign in the wake of the six felony indictments returned against him by a Tarrant County grand jury yesterday.

Other challengers in the crowded sheriff's race took a more moderate stance and promised no "Don Carpenter-bashing" in their campaigning.

Tom Graves, a reserve sheriff's lieutenant, called for the resignation.

"I wish him well, but for the good of the department and the citizens of Tarrant County, he should step down," said Graves, an executive with Southwestern Bell Telephone Co.

Another GOP candidate, former Deputy Mike Utley, said the indictments were not surprising.

"After working in that department for eight years, it always seemed like something was wrong in its administration," Utley said.

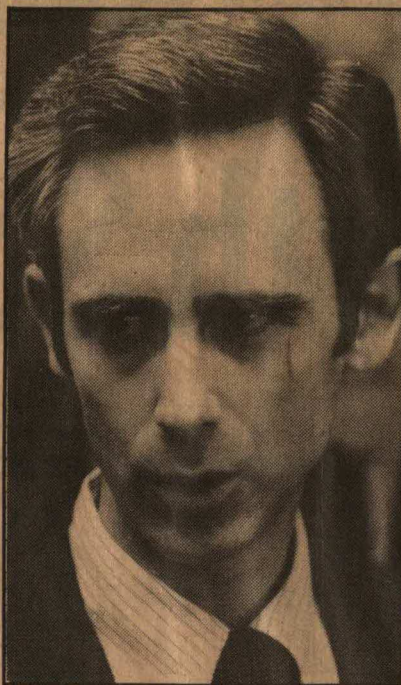
"If a complete investigation of the department is made, they'll probably find accountability problems in other areas as well."

Utley, one of five Republicans and three Democrats running against Carpenter, said the indictments were "just the tip of the iceberg."

The indictments accuse Carpenter of placing property-room weapons in a closet in his office, falsifying property-room records involving confiscated weapons, and giving away two confiscated weapons as door prizes at a 1986 picnic.

On the advice of his attorneys, Carpenter would not comment on the indictments.

Carpenter and Utley have had a troubled relationship since Utley announced his candidacy last year. Utley said his transfer from an investigator's job to that of a jailer was retaliation by the sheriff. Carpenter has said the move was necessary because Utley's investigator's job has been phased out.



Steve Hollern: Says development will not hurt Tarrant GOP

Like ripples across a pond, shock waves traveled throughout the Tarrant County political structure yesterday on the heels of the indictments.

Steve Hollern, chairman of the Tarrant County Republican Party, said the development would not hurt the party countywide.

"We are much bigger than a single officeholder, or candidate for that matter," Hollern said.

He added that Carpenter, who is seeking a third four-year term, is still a candidate and will be on the ballot March 10.

"The deadline has already passed for him to withdraw, so he couldn't pull his name from the ballot even if he wished," Hollern said. He added that Carpenter had not given him any indication that he wished to withdraw.

Elected officials and other candidates running against Carpenter were caught by surprise when the grand jury returned the indictments yesterday.

"I've always considered him a friend," said former Pct. 2 Commissioner O.L. Watson, one of the GOP



O.L. Watson: "I've always considered him a friend"

candidates running against Carpenter.

"I somehow hope he's exonerated; he's had 25 years of law enforcement experience without a blemish," Watson said.

Haltom City Detective David Williams, another Republican candidate, said he would make no effort to "trash Don Carpenter" in his campaign.

"Everyone needs to understand an indictment is not a conviction," Williams said. "We need to withhold judgment until Don Carpenter has his day in court."

Republican Jim Hunter, a private investigator who lost to Carpenter in 1988, said he hopes the voters remember that narrow loss in March.

"I just hope the public realizes that if 674 more of them had voted for me in 1988, we wouldn't be having this problem today and the healing process between the sheriff's office and the rest of the county would already be well under way," Hunter said.

River Oaks Police Chief Dub Bransom, a Democrat who lost to Carpenter in 1988 and is challeng-

Sheriff

From previous page

ing him again, said that he was "appalled" at the indictments, but that he believed that the sheriff has not knowingly broken any laws.

"I'd like to think it was a mistake of the head," Bransom said. "From being around the man, I don't think he did anything knowingly."

Democratic candidate Glen Allison, also a sheriff's deputy, said the indictments were a setback for law enforcement.

"It is a very sad day for all law enforcement officers when anything calls the public's faith and trust in them into question," he said. "I hope for a speedy trial and that justice will prevail."

Lupe Coronado, a retired sheriff's deputy and the third Democrat in the race, could not be reached for comment.

Surprise and caution were the main watchwords among elected county officials.

"I was very surprised at the indictments," County Judge Tom Vandergriff said. "We now must determine what role, if any, the Commissioners Court will have in the matter and I have asked the district attorney to be prepared to brief the court on those matters Tuesday when we meet."

Commissioners J.D. Johnson and Bob Hampton have locked horns with Carpenter several times over jail administration and Carpenter's handling of the jail commissary.

"I think it is a very unfortunate, sad day for Tarrant County," Johnson said. "I hope everything works out for the best for both the county and the sheriff."

Hampton said the indictments would not mean a hiatus in county law enforcement. "Even if he is removed or resigns, it will continue to be business as usual as far as law enforcement is concerned," Hampton said.

Commissioner Marti VanRavenswaay expressed regret.

"I am sorry it happened," she said. "We on commissioners court will have to work through it as quickly as possible and in the best way we can."

FORT WORTH STAR-TELEGRAM
19 JANUARY 1992

County's troubles in the limelight

BY ROBERT V. CAMUTO
Fort Worth Star-Telegram

FORT WORTH — From Congress to the statehouse, and now the courthouse, legal inquiries have been sending Tarrant County political figures reeling for a while now.

As if the county's economic troubles were not enough, its political troubles are back in the spotlight with Friday's indictment of Sheriff Don Carpenter on six felony charges.

Carpenter joins a list of Tarrant County officials who have run afoul of ethics problems: former U.S. House Speaker Jim Wright, Texas House Speaker Gib Lewis and Fort Worth City Manager David Ivory.

Political scientists and others familiar with politics in Fort Worth and Tarrant County say simply that Tarrant County has fallen on a string of coincidences. Bad timing. Mere blips in Texas' long and lusty political history.

"I don't think it has anything to do with the nature of Tarrant County or the nature of the people of Tarrant County," said James Riddlesperger, a political science professor at Texas Christian University. But Riddlesperger added: "It is the case that certain places in the country are more susceptible to corruption than other places."

(More on IMAGE on next page)

Certainly Southern states in general and Texas in particular have relatively long histories of problems of this sort."

Political science texts refer to Texas politics as being shaped by the Old West. An "individualistic political culture," it's called.

"I don't think it has anything to do with the nature of Tarrant County or the nature of the people of Tarrant County," said James Riddlesperger, a political science professor at Texas Christian University. But Riddlesperger added: "It is the case that certain places in the country are more susceptible to corruption than other places. Certainly Southern states in general and Texas in particular have relatively long histories of problems of this

sort."

Political science texts refer to Texas politics as being shaped by the Old West. An "individualistic political culture," it's called.

"Elected officials in Texas don't view their office as a public trust to the same extent as elected officials in other parts of the country," said Professor Delbert Taebel of the University of Texas at Arlington. "Look at all of our cowboy shows — Marshal Matt Dillon was an individualist; he was responsible to himself."

Taebel said that Carpenter's troubles won't surprise Texans, but to the rest of the nation, "I think it just confirms their feeling about Texas and Texas politicians."

Of course, almost every state has had its scandals. In recent years there have been far messier situations from Arizona to Rhode Island.

But Tarrant County seems to have had a bad run starting in 1989, when Wright stepped down from

Congress and as House speaker during a House investigation into his personal finances. Later that year, Ivory was promoted to Fort Worth city manager while under five misdemeanor indictments. He pleaded no contest to accepting \$8,000 from a firm seeking to have land annexed in the city.

Lewis — set to stand trial this month on two misdemeanor ethics charges — announced recently that he will not seek re-election.

Still, put in perspective, the transgressions may not amount to much.

"These are penny-ante things; it pales in comparison to what goes on in Louisiana," said UTA political science Professor Allan Saxe.

"I come from Oklahoma — I could tell you stories you wouldn't believe," Saxe said. "It makes Tarrant County look like a choir place."

"I don't really sense Tarrant County being held in disrepute," Vandergriff said. "I haven't compared notes with other counties. But Dallas has had its share of upheavals."

Some say that the rules of ethics have changed. And for politicians who have been in the arena a long time, they've gotten tougher. Some blame the media for holding politicians to overly high standards.

Bill Ray, one of Carpenter's attorneys, said: "You complain you can't get good candidates and this is why. . . . What this county has done is run off two speakers of the house and part of that is [the Fort Worth Star-Telegram's] fault."

"Now, they're going after a sheriff this way," Ray said, "because they can't beat him fair and square."

Carpenter's good fortune sours

BY BILL HANNA
Fort Worth Star-Telegram

Sheriff Don Carpenter has jokingly bragged that he got his education from the school of hard knocks.

But Friday, he may have suffered his hardest knock when a grand jury returned six felony indictments against him and recommended that he be removed from office pending the outcome of the cases. One of his opponents in the March 10 primary election also called for him to resign.

The charges, which accuse Carpenter of taking confiscated weapons from the property room and falsifying records, mark a

dramatic change in fortune for the 60-year-old West Texas native. His tenure as sheriff has been enveloped in controversy before, but Carpenter has repeatedly been able to avoid serious trouble.

Carpenter, citing the advice of his attorney, has declined to comment on the indictments.

Carpenter, who swept into power in 1984 and narrowly defeated then-Democrat Jim Hunter in 1988, began having problems almost as soon as he took office.

Within days of taking his oath Jan. 1, 1985, the former warrant officer saw his

investigators mistakenly arrest Timothy Volkmar in the slaying of 20-year-old Lisa Griffin. She was one of nine young women whose deaths or disappearances had police and sheriff's deputies in a panic to catch the killer.

The charges against Volkmar were later dropped when a fingerprint taken from Griffin's car proved not to be his. Two months later, Volkmar filed suit against the sheriff, Tarrant County and investigators. In 1988, he settled with the county for \$20,000.

Carpenter's first term also found him battling county commissioners over the jail commissary, known as the banana wagon, and chronic overcrowding in the county jail.

But although Carpenter had his share of critics, many still perceived him as an honest, straight-shooting sheriff at the end of his first term. When he won re-election by fewer than 700 votes in 1988 — largely because of straight-ticket voting in Northeast Tarrant County — Carpenter quickly alienated employees with a memo telling them to "either join with us in a cohesive work force, or submit your resignation."

The internal strife intensified in Carpenter's second term. Some of the sheriff's moves — like flipping a coin to decide a promotion — caused guffaws. But others — such as the handling of the courthouse slaying of Juanita Hermosillo — provoked outrage.

Hermosillo, a court clerk, was taken hostage and shot by her boyfriend, Manuel "Manny" Cabano, on Aug. 1, 1989, at the Tarrant County Courthouse. After the killing, Carpenter was sharply criticized for ordering the Fort Worth

Police Department's tactical squad to leave the area so he could personally handle negotiations with Cabano, a former sheriff's deputy. Cabano, however, killed Hermosillo and then himself.

The battle over the banana wagon concession continued into his second term. In 1987, the county let bids on a commissary vendor, but Carpenter signed his own commissary contract with Mid-States Inc. and refused to let the county's vendor, Signature Services Inc., into the jail.

The issue went to trial last year. The trial court and the 2nd Court of Appeals ruled that although the sheriff has no authority to enter into a contract, he does control who can enter the jail.

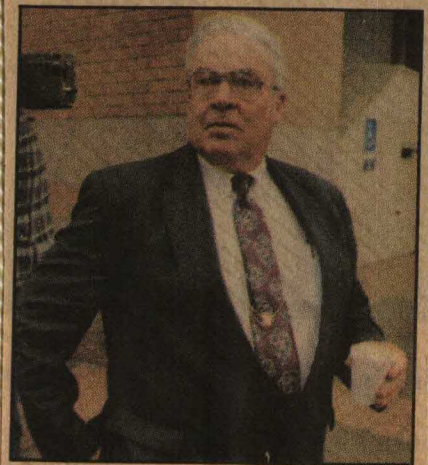
Mid-States is still working the commissary while appealing the case to the Texas Supreme Court.

While Carpenter has been accused of having poor administra-

tive skills, he has said he is proud of the job he has done, especially the handling of the overcrowding in the Tarrant County jail. On several occasions he closed the jail's doors — and was criticized for it — to keep Tarrant County from being placed under a federal court order.

"I kept a federal court order out of Tarrant County — that's doing something," he said in November.

Carpenter has been the subject of a grand jury investigation one other time.



Sheriff Don Carpenter has overcome his problems — until now.

In 1989, Fort Worth homemaker Marilyn Lowrie gave a grand jury a 12-page list of allegations against the sheriff. Her accusations, using information from newspaper articles, ranged from the sheriff's using jail concession sales for personal use to falsifying the release of prisoners from the county jail. Six weeks later, the grand jury declined to indict Carpenter.

This time, Carpenter wasn't so lucky.

Commissioners weighing options against sheriff

BY FRANK PERKINS
Fort Worth Star-Telegram

Tarrant County commissioners today were to decide what action, if any, they would take regarding Sheriff Don Carpenter, who is under six felony indictments concerning confiscated guns missing from his property room.

The commissioners, while having no power to oust an elected official like Carpenter, were considering several options, among them asking him to step down voluntarily, filing a civil court petition asking for a jury trial to decide the question or waiting until Carpenter's felony cases are decided. An elected official convicted of a felony must resign from office, according to state law.

County Judge Tom Vandergriff said the court was waiting until today to disclose its intentions because Commissioner Marti

Van Ravenswaay was out of town attending an Austin workshop on solid waste.

"District Attorney Tim Curry will be talking with her by phone or in person if she returns from Austin in time to meet with him," Vandergriff said. "We wanted to discuss with every court member action we are contemplating taking."

Curry met with the other members of the commissioners court for about an hour yesterday behind closed doors, explaining the commissioners' options, officials said.

Vandergriff declined to say what action the court was considering.

"I cannot enlarge on my very brief statement that we will have a statement Wednesday on what action we are contemplating taking," he said.

Vandergriff said the commissioners have not talked with Carpenter since the indictments were returned Friday and did not

"contemplate asking him to appear before us or discussing this matter with him."

Carpenter, who is free on a \$1,000 personal recognizance bond, was in his office yesterday but had no comment on the commissioners' possible actions.

Carpenter was indicted Friday on six felonies, alleged theft by a public official involving a pistol allegedly removed from the county property room to Carpenter's office with no supporting paperwork; alleged tampering with official property room records amid the grand jury inquiry into the missing guns; misapplication of fiduciary responsibility involving two guns certified as destroyed but allegedly given away at a Carpenter picnic in 1986 and 1987.

If Carpenter does not resign and a petition is filed, it will be up to Tarrant County jury to remove the sheriff from office.

"They must be the ones to do it, under state law," said Steve Chaney, the senior staff attorney in the Tarrant County district attorney's office.

The law says any "reasonable" citizen who has lived in the county for six months can petition to remove an elected official for official misconduct. The presiding district judge could suspend the sheriff without pay and replace him with an acting sheriff until the jury's verdict is in.

If the jury finds the sheriff guilty of official misconduct, the office becomes vacant and the county commissioners then could appoint a sheriff to fill the office until the next general election. If the jury returns a verdict of not guilty, the sheriff is returned to office and is due back pay.

A third option is available to the commissioners.

FORT WORTH STAR-TELEGRAM
22 JANUARY 1992

Unfit to serve the public

The recent remark by Republican sheriff candidate O.L. Watson that he would like to jail all homosexuals should disqualify him from any position of public service.

His pandering to a so-called pro-family group is frightening. What other minority groups would Watson be willing to jail to gain political support? Let us remember that Adolf Hitler gained much of his political power by feeding on anti-Semitism in Germany.

—Steve Brooks
Fort Worth

A trustworthy candidate

Tom Graves is currently seeking nomination for Tarrant County sheriff. Graves has all the qualifications we need our sheriff to possess.

Graves, a family man, is a life-long resident of Tarrant County, lieutenant for Tarrant County Sheriff's reserve and he has a bachelor's degree in business administration. He manages multimillion-dollar projects with large corporate and government clients for Southwestern Bell Telephone.

Let's get out of the Dark Ages and put a man in this office who is honest, hard working, with the educational and work background to manage this office. Graves is impressive. He also is a good speaker. It is our responsibility to vote for the best candidate.

You may not have heard of Graves. Do all the residents of Tarrant County a favor and learn all you can about him. Check him out and I believe you will agree Graves should be our next sheriff.

—Barbara H. Reid
Fort Worth

County to petition for ouster

BY BILL HANNA
AND FRANK PERKINS
Fort Worth Star-Telegram

FORT WORTH — County officials say it will be several days before they petition a judge to temporarily oust Sheriff Don Carpenter from office, a move county commissioners agreed unanimously to pursue because of Carpenter's indictment on six felony charges.

The sheriff's attorney, however, said Carpenter will fight any attempt to remove him.

"This was not unexpected, but the sheriff will not resign and they [commissioners] will have a battle on their hands," attorney Joe Brent Johnson said. "We intend to fight any effort to remove him from office. I have looked at the government code and I think they have a real problem with their case."

County Judge Tom Vandergriff, citing last week's indictments against Carpenter, announced the commissioners' plans at a news conference yesterday.

"It would seem to us to have merit that the sheriff be required to step aside, pending his day in court," Vandergriff said.

All five members of the Commissioners Court — Vandergriff and Commissioners Bob Hampton, Dionne Bagsby, Marti VanRavenswaay and J.D. Johnson — agreed to petition a civil judge to suspend Carpenter until the criminal cases against him have been resolved, Vandergriff said.

Vandergriff said he expects the five commissioners will sign the petition, because state law requires individuals and not governmental agencies to file the petition.

Officials are uncertain whether the cost of the civil proceedings will be paid from the county funds or by the commissioners.

Vandergriff acknowledged that Carpenter could sue the commissioners and the county if the sheriff is cleared of the criminal cases.

"We had to balance that against a great public concern that something be done," Vandergriff said.

The indictments accuse Carpenter of theft for removing a gun from the property room without paperwork; falsifying property

room records; and giving away two guns as door prizes at a picnic in 1986. All are third-degree felonies with potential penalties of two to 10 years in prison and fines of up to \$10,000.

The county has to find an attorney to file the petition. District Attorney Tim Curry has said he would have a conflict of interest because he represents the county and the Sheriff's Department on legal matters.

Curry, who is trying to find a prosecutor from another county to handle the petition, said it will be at least several days before a petition is filed.

He also said it is possible that Rockwall County District Attorney Galen Sumrow, the special prosecutor investigating Carpenter, could be asked to do it.

In September 1989, Sumrow petitioned to temporarily remove Rockwall County Sheriff John McWhorter from office pending a criminal trial. Unlike Tarrant County, Rockwall County has a county attorney who handles the county's legal affairs, allowing Sumrow to pursue the matter without a conflict of interest.

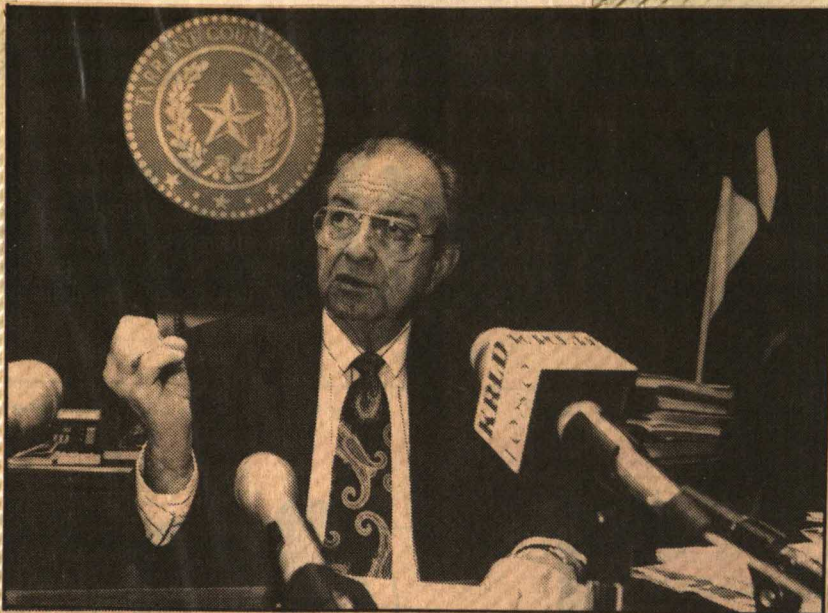
McWhorter was removed from office until a November 1990 trial.

He was convicted and received 10 years' probation for his role in a marijuana and bail bond scheme.

Sumrow said he discussed the civil petition with Curry yesterday but was not asked to handle it.

"I don't know what my position would be," Sumrow said. "I haven't thought about it."

Legal Battle Brewings Over Indicted Sheriff



Fort Worth Star-Telegram / ALLEN ROSE

Tarrant County Judge Tom Vandergriff talks with the media about the commissioners' decision yesterday

Once an attorney is found, a petition to remove the sheriff will be filed with the district clerk's office and then assigned to a judge. The judge can accept or reject it.

If the judge rejects the petition, the civil matter is closed, according to a spokesman for the state attorney general's office.

If the judge accepts the petition, the sheriff can be removed from office temporarily. The judge then names an acting sheriff.

Carpenter will automatically lose his elected post if he is convicted on the felony charges. If time remains in his term, commissioners would name a replacement.

If the 60-year-old Carpenter is removed from office, Vandergriff said, he believes that the replacement should come from outside the Sheriff's Department.

If the sheriff is acquitted, he will be reinstated for the remainder of his term.

The commissioners' actions come as Carpenter prepares to face six opponents in the Republican primary March 10. Three of the members of the Commissioners Court are Republican: Vandergriff, Van-Ravenswaay and Hampton.

Vandergriff said the decision is not political.

"I am confident there was no consideration of the political aspects of our actions in any member of the court's mind," Vandergriff said. "Truly, I am certain it never even crossed their minds."

Vandergriff said he received a number of calls from the public asking that something be done in the

wake of the indictments.

"Our decision to seek his removal from office was a decision to try to assure the general public that we were performing our responsibility of oversight for all county government," Vandergriff said.

Steve Hollern, chairman of the Tarrant County Republican Party, agreed with Vandergriff's assessment.

"There are times when I lobby the court when political issues are involved," Hollern said. "I did not see this decision as a political one and did not lobby the court one way or the other.

"I am sure it was done with a heavy heart. I don't see it as a defection from the party line at all."

At a candidates' forum held earlier yesterday by the Republican Women's Club of Fort Worth, none of Carpenter's Republican opponents made a direct reference to the indictments. Carpenter did not attend the forum, citing conflicts with his work schedule.

Hollern said he believes that Carpenter's troubles will become an issue only if he wins the primary.

"If that happened, you can be sure the Democrats will make his indictments and everything else a campaign issue," Hollern said.

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Fort Worth Star-Telegram / JERRY W. HOEFER

Dub Bransom says his campaign gift is "a great little guy"

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Pig put in sheriff hopeful's election poke

BY FRANK PERKINS
Fort Worth Star-Telegram

FORT WORTH — Pork-barrel politics has raised its snout in the crowded 10-man race for county sheriff.

A campaign gift, in the form of a Vietnamese pot-bellied pig named Jason, helped swell the war chest of Democratic hopeful Dub

Bransom, who hopes the pig will bring home the bacon at an auction fund-raiser.

Bransom listed the pig, donated by Doug and Susan Horner of Fort Worth and valued at \$2,000, in his annual campaign-finance report filed last week.

"We plan to auction him off at the appropriate event, and we

hope to raise at least that much money for him," Bransom said. "But, it's going to be hard to give him up. He's a great little guy."

The pig posed a problem for Bransom, who is chief of police in River Oaks and is responsible for enforcing city ordinances, including the one against keeping swine

(More on PIG on Page 16)

Pig / From Page 13

within the city limits.

"I had to make some people give up their pot-bellied pigs because of that ordinance, and I've already had one of them squeal on me about Jason," Bransom said.

He solved the problem by turning the porker over to another Democrat, Jim Lane.

Lane, who is keeping the pig on his northwest Tarrant County farm, has declared himself Jason's guardian, renamed the pig "Deputy Dub" and formed the tongue-in-cheek "Pigs for Bransom" club.

Of the 10 sheriff's candidates, incumbent Don Carpenter, a Republican, was the leading fund-raiser, according to the reports, which cover July through Jan. 15.

Bransom was the only candidate to report a gift of livestock. The others reported only gifts of money and services.

Carpenter listed donations of \$15,008 and expenditures of \$10,518.

His major contributors were Joe Brent Johnson, a lawyer, and Mid-States Services Inc., the jail commissary vendor.

Johnson gave Carpenter two donations totaling \$1,075 and Mid-States Services made an in-kind donation of \$2,300 in catering at a Carpenter fund-raiser.

Just behind Carpenter in contributions was Republican challenger Jim Hunter, who ran as a Democrat against Carpenter in 1988 and lost by 672 votes. Hunter, a former federal agent, is a private investigator.

He reported contributions of \$14,364, including \$1,000 from Republican Party stalwarts Fran and Eddie Chiles and \$500 from Earle

and Billie Parker, all of Fort Worth, and a \$5,289 self-loan.

Republican David Williams, a Haltom City detective, reported raising \$5,912. His largest contributions were \$1,000 from Eutaw Horton of Wauwata, \$600 from Ed Max of Fort Worth and \$500 from Michael Moore of Hurst.

Assistant District Attorney Stephen Marshall reported raising \$5,805. His largest single contribution was a \$2,500 self-loan.

Former Deputy Mike Utley reported raising \$4,154. His largest contribution was \$500 from James Hurley of Fort Worth.

Bell Telephone executive Thomas Graves reported contributions of \$2,640. His largest contribution, other than a \$2,000 loan from his wife, Patricia, was \$300 from Martin Horchester of Fort Worth.

Former Pct. 2 County Commissioner O.L. Watson reported no contributions and no expenditures for the reporting period.

"I've got more name identification than anyone else in the race," Watson said in an earlier interview. "That helps a lot in the money department because I don't have to raise a bunch of money to get my name out there."

Bransom led the three Democratic candidates in raising campaign money.

He reported contributions of \$11,488, including the paunchy porker, and \$1,500 in donations from Teamsters union locals in Dallas, Arlington and Washington, D.C.

Democrat G.C. "Lupe" Coronado, a retired sheriff's investigator, reported raising \$5,692, including a \$5,192 self-loan.

Democrat Glen Allison, a deputy sheriff, reported no contributions for the period.

Special prosecutor sought for bid to remove sheriff

BY BILL HANNA
Fort Worth Star-Telegram

FORT WORTH — Tarrant County officials are still searching for an outside prosecutor to file a petition to temporarily remove Sheriff Don Carpenter after six indictments were returned against him last week.

District Attorney Tim Curry said yesterday that he has been contacting attorneys after the announcement Wednesday that Tarrant County commissioners will sign the petition asking a civil district judge to remove Carpenter from office.

"Everybody is in a hurry to get this thing done and we need to get this thing expedited," Curry said. "But we need to sit down and look at the law before we rush into this thing. I don't want to do anything to jeopardize the lawsuit on down the road."

It will likely be next week before an attorney is named, Curry said. But he said there still is a possibility that Rockwall District Attorney Galen Sumrow, the special prosecutor on the criminal cases against Carpenter, could also be chosen to file the civil petition.

Although it is not his decision, Curry said there is also a strong possibility that a visiting judge will be named to hear the petition.

But Carpenter's attorney, Joe Brent Johnson, yesterday blasted the six felony indictments returned by the grand jury last week and said it will be difficult to get rid of Carpenter in either criminal or civil court.

"In my opinion, they are scraping the bottom of the barrel to come up with the indictments," Johnson said.

Most of the indictments are "technicalities" that could be found in any government office, Johnson said. Carpenter has declined to comment about the investigation since he was indicted.

The indictments accuse Carpenter of theft by keeping a property-room gun in his closet, falsifying property room records and giving away two guns as door prizes in a 1986 picnic. Each of the six indictments is a third-degree felony and carries possible jail terms of two to 10 years in prison and carry fines up to \$10,000.

Bob Ashmore, Navy veteran Tarrant justice of the peace

NORTH RICHLAND HILLS — Bob Ashmore, Tarrant County justice of the peace of Pct. 1, died Thursday at a Fort Worth hospital. He was 69.

Funeral will be at 1:30 p.m. Monday at Shannon North Funeral Chapel. Burial with military honors by the Tarrant County Sheriff's Department will be in Mount Olivet Cemetery. The family will receive friends from 5 to 7 p.m. Sunday at the funeral home.

Judge Ashmore was a lifelong Fort Worth area resident.

Tarrant County Commissioner J.D. Johnson said the area had benefited from Judge Ashmore's hard work. "He has been a very, very good friend and a strong supporter of law enforcement in this county for many years," Johnson said.

It was in Judge Ashmore's court in August 1989, during a 6½-hour hostage ordeal, that a former sheriff's deputy fatally shot one of the judge's clerks, then shot and killed himself. The shooting was the result of a romantic dispute between the clerk and the gunman.



The ordeal deeply affected Judge Ashmore, Johnson said. "The man had a big heart and that entire situation shook him considerably," the commissioner said.

Judge Ashmore was a 1941 graduate of North Side High School and was a Navy veteran of World War II.

He was a former employee of the Tarrant County Sheriff's Department. He was co-owner of J. Ed Morneau Insurance Adjustment Agency in Paris, Lamar County, and had worked for the Texas Department of Public Safety in Paris.

Judge Ashmore was an avid golfer and a member of Richland Hills Baptist Church, Tarrant Masonic Lodge, Moslah Shrine Temple and American Legion Post No. 14.

The family suggests that memorials be made to the memorial fund at Richland Hills Baptist Church.

Survivors: Wife, Maxine Ashmore of North Richland Hills; two sons, "Spike" Ashmore of Portales, N.M., and Rodney E. Ashmore of Wichita Falls; two daughters, Cathy Ashmore Hard of Houston and Cholly Ashmore Gordon of Fort Worth; two stepsons, Doug Smith and Richard Smith, both of Fort Worth; brother, Gene Ashmore of Silver City, N.M.; sister, Betty Byas of Hurst; and several grandchildren.

Long lines at Tarrant jail bank bordered by red tape and barbs

BY FRANK PERKINS
Fort Worth Star-Telegram

FORT WORTH — It is almost 6 p.m. and a ready 30 or more people are crowded into the new Tarrant County Corrections Center lobby, waiting for the start of another business day in the county's most unusual bank — the jail.

It is open when other banks are closed — from 6 p.m. to 6 a.m., seven days a week. It carries an average monthly balance of \$450,000 and averages more

than \$100,000 a day in its single fund — the jail inmate investment fund, which is administered by Texas Commerce Bank just across Weatherford Street from the jail.

The fund has 3,700 customers — the men and women behind bars in the county's four jails.

The jail bankers who take deposits and balance the accounts three times a day

(More on BANK on Page 24)



Fort Worth Star-Telegram / RON JENKINS

Friends and relatives of jail inmates line up to deposit money in their jail bank accounts. Some have stood as long as two hours.

are uniformed, gun-toting deputies.

The people waiting in line are depositors, putting cash into the fund for their friends and relatives behind bars.

They also are unknowing pawns in a 5-year-old political battle between Sheriff Don Carpenter and the Tarrant County Commissioners Court over who has the right to contract for the jail commissary and how inmates can buy from that commissary — by jail scrip, or through computerization.

The tightly rolled \$10 or \$20 bills in the depositors' hands will be converted into that scrip and used by the inmates to buy toiletries, candy, snacks and similar luxuries from the jail commissary, which inmates have dubbed the "banana wagon."

Inmates may "spend" up to \$50 a week at the commissary, but they cannot overdraw their accounts.

Carpenter maintains that because he has sole authority over who can enter the jail, he is the only one who can contract to operate the commissary. In 1987, he gave a contract to operate the commissary to Mid-States Services. Mid-States uses a scrip system backed up by the inmate fund.

Commissioners countered that they are the sole contracting authority in the county and awarded their own jail commissary contract to Signature Services, which had promised to computerize the operation so that scrip would not be necessary.

Carpenter refused to let Signature in the jail, and a flurry of lawsuits followed as the county and Signature fought to get into the jail and Carpenter and Mid-Cities fought just as hard to keep them out.

The matter is now before the Texas Supreme Court. Mid-Cities is still in the jail commissary business with Tarrant County, and its system is still based on scrip supported by deposits.

Most of the depositors are unaware of the political and philosophical war. They know only that waits to make deposits are generally long and tiring, and they attribute those waits to an uncaring bureaucracy, not to county political head-knock-off among elected officials.

Carpenter blames the long lines on a Commissioners Court that has refused to give him the six deputies and a supervisor he says he needs to operate the inmate bank efficiently.

"The commissioners wouldn't give us the manpower we needed to run this bank, so we're having to pull guards off the floor to run that deal and that really slows things up down there," he said.

The bank is not necessarily user-friendly. Banking activities are hedged about with regulations and restrictions that sometimes change, and frustration among the depositors is high.

A common complaint is lengthy waits. "I've spent as much as two hours up here waiting to make a deposit," one woman said recently. "That's after working all day, standing on my feet. I don't think that's right."

On this particular night, many of the depositors waiting in the lobby do not know the jail administration has instituted a new control measure: issuing yellow pieces of paper bearing a number written in grease pencil.

Users must get the numbered slips from the deputy in the reception booth and then line up in numerical order. There are grumbles and mutters as the early-comers realize that by not getting a number slip when they first arrived, they will be at the end of the line of depositors.

"There's something new every week down here," complained a woman with two small children. "I wish they would get a system and stick with it."

Finally, at 6:07 p.m., the line is formed, the doors to the inner lobby

are opened and the depositors begin to pass over their cash and money orders to Deputies Mary Hatton and M.A. Canales.

Along with the lines and waits, the depositors sometimes must deal with panhandlers drawn to the jail lobby by the knowledge that most of the people in line deposit cash.

"At one time, it got so wild in here with the street people and panhandlers that we had to put an armed deputy in the lobby to keep them out," Jail Administrator Jim Minter said.

Pct. 3 Commissioner Bob Hampton said those long lines and long waits would not be necessary if Carpenter would computerize the system and abandon the scrip.

"If he had let Signature Services Inc. into the jail in 1987 to fulfill the commissary contract we had awarded them, then there wouldn't be any need for chits or scrip," Hampton said.

"Jail experts tell us that the worst thing you can have in a jail is money or its equivalent. It leads to illegal inmate stores, gambling and violence," Hampton said.

But Carpenter said prisoners have difficulty understanding computer accounting.

"They want something they can hold in their hand and know they can use to buy something with," he said. "They don't like computer printouts."

Minter said the scrip system has reduced jail contraband, gambling and illegal inmate stores by 90 percent since its inception five years ago.

The jail banks were ordered by the Texas Commission on Jail Standards, which established inmates' rights to a jail commissary with the proceeds to be used to improve day rooms and buy games, books and such for the inmates' use.

The administration of the banks is left up to the individual sheriffs, and the institutions vary greatly in how they are run.

In Harris County, inmate accounts are kept by computers, according to Cpl. Manuel Garza, who runs the bank.

"We credit the inmate's account on the computer. When he wants something from the commissary, he fills out a requisition and then the computer debits his account for that much," Garza said.

He has 13 civilian clerks taking deposits around the clock for 11,000 inmates.

"There is very little waiting time," he said.

In Dallas County, a scrip system similar to Tarrant County's is in use for its 6,700 inmates, according to spokesman Jim Ewell. Both jails use Mid-States Services.

"We also take deposits around the clock and there is very little time spent in line by our depositors," Ewell said.

So why does the Tarrant County bank open only in the evenings?

"Because of staffing and crowd control problems," Minter said. "During the daytime, this lobby is full of bail bondsmen, lawyers, people coming to visit and others. We had that lobby crammed with folks, and it was safer and more secure to limit the deposit hours to 6 p.m. to 6 a.m. when there are no crowds."

But Minter said there is a simple answer to the long lines of depositors and the resulting short tempers: a 75-cent money order deposited by mail.

"If they'd just purchase U.S. Postal Service money orders and mail them to us for deposit into an inmate's account, they wouldn't have to come down here," he said. "Don't mail us cash; mail us postal money orders and everybody's job will be easier."

Meanwhile, the depositors continue to gather in the jail lobby every evening at 6 p.m. They will continue to do so until the Texas Supreme Court decides a winner in the Carpenter-commissioners fuss or there is a change in administrations.

Until then, it will be business as usual at the jail bank.

Fort Worth Star-Telegram

Editorials/Opinions

Amon Carter, Founder-Publisher, 1906-1955 Amon Carter Jr., Publisher, 1955-1981

Richard L. Connor President and Publisher
Michael Blackman Vice President and Editor
Paul Harral Editorial Director
Jack B. Tinsley Senior Vice President and Editorial Chairman
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Pulitzer Prizes . . . Spot News Photography, 1981; Meritorious Public Service, 1985

No-win situation

Why Curry can't prosecute the sheriff

Sometimes, there is the misconception that District Attorney Tim Curry is not doing all of his job. It usually happens — as it has now regarding matters relating to the sheriff — when a county official is the subject of litigation. It especially happens if a county official simultaneously is involved in multiple, conflicting legal matters.

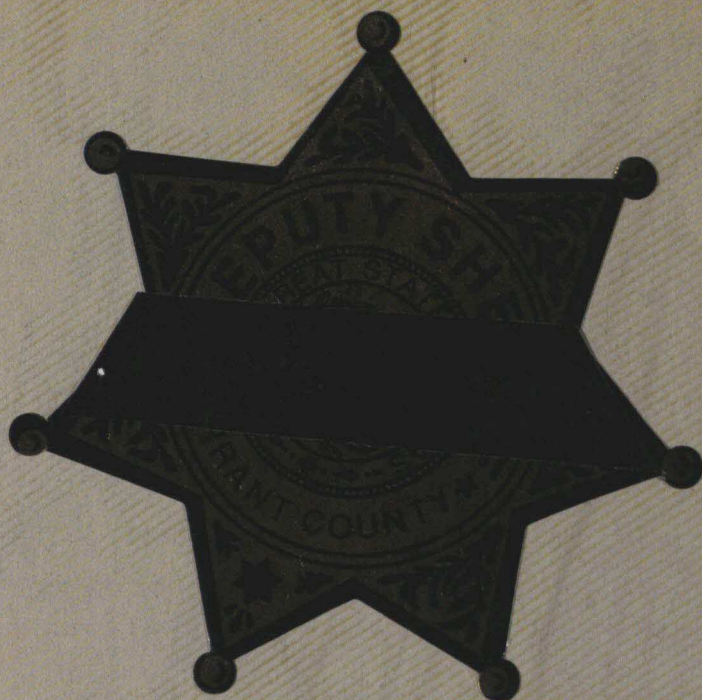
The DA serves as legal counsel for county officials. But there are times when that responsibility puts the DA's office in no-win situations. The current sheriff's matter is an example.

A grand jury decided to probe certain sheriff's department operations. The DA provides counsel for the grand jury. But,

at the same time, the DA is representing the sheriff in some litigation. That poses the potential problem of at once trying to defend the sheriff and participating in actions that could result in his prosecution. Indeed, prosecution is in the offing, since the sheriff has been indicted.

A reasonable, prudent course was followed. A special, outside prosecutor was brought in to handle grand jury matters relating to the sheriff. That removed Curry's office from a position of conflict.

It is a situation that was there before Curry arrived as DA and it will be there after Curry is gone unless corrective action is taken. The Legislature and county officials should pursue that together.



THE FORT WORTH STAR-TELEGRAM
27 January 1992

Hood County deputy dies after accident on slick road

BY KATHY SANDERS
Fort Worth Star-Telegram

A Hood County sheriff's deputy died early today from injuries suffered when his car hydroplaned en route to a fire last night and was struck by another vehicle in Granbury.

Larry Miller, 39, was pronounced dead at 4:39 a.m. today at Harris Methodist Fort Worth.

Hood County Sheriff Edwin Tomlinson said Miller was the first Hood County deputy to die in the line of duty.

"I hired him Sept. 26 in 1990," the distraught sheriff said. "He'd retired out of the Air Force when he came to us."

Tomlinson said Miller, who was on duty, was in the sheriff's office in Granbury about 9 p.m. when he said

he would respond to a call about a fire.

"He was on the bypass where water was running across the highway. From what I understand, he hydroplaned and started spinning around and a van hit the patrol unit in the back," Tomlinson said.

Officials said the weather-related accident occurred on Highway 377 within city limits.

Miller was trapped in the car and had to be extricated from the wreckage by rescue workers, the sheriff said. He was resuscitated and taken to Harris.

Tomlinson said a fund to aid Miller's family has been established at First National Bank in Granbury.

Funeral arrangements were pending this morning.

Commissioners expected to sign petition for sheriff's suspension

BY FRANK PERKINS
Fort Worth Star-Telegram

FORT WORTH — Tarrant County commissioners tomorrow are expected to sign a petition calling for a civil district judge to suspend Sheriff Don Carpenter until six felony indictments against him are resolved.

"We will be taking action on this extremely serious and very important matter at tomorrow's 10 a.m. court meeting or immediately there-

after," County Judge Tom Vandergriff said.

Vandergriff said he expected commissioners to agree to call for the petition to suspend Carpenter.

The commissioners decided Thursday to examine the civil action and Vandergriff said at that time the court was taking the action under "intense pressure" from the public for the sheriff to step down until he gets his day in criminal

(More on PETITION on Page 10)

Petition

court.

The commissioners court also is expected to approve hiring outside counsel to represent it in the civil procedure, Vandergriff said.

Commissioner J.D. Johnson said he expected the commissioners' action tomorrow to be of one voice.

"Whatever we do tomorrow, I feel certain will be done on a unanimous vote," Johnson said.

He admitted having some reservations about the petition.

"I don't want to do anything that would jeopardize myself, my fami-

ly, the county and the sheriff," Johnson said.

"You can be sure that whatever I do will be run by both the [Tarrant County] district attorney's office and my private counsel at my own expense," he said.

The indictments allege falsifying records in connection with missing confiscated guns and theft by a public official, the latter charge stemming from two pistols given away at Carpenter picnics in 1986 and 1987.

The civil action sought by commissioners would allow a judge to

temporarily suspend Carpenter and appoint an interim sheriff until a civil jury decided whether Carpenter should remain suspended or be returned to office.

If a civil court jury found him guilty of official misconduct, the interim sheriff would step down and the commissioners would appoint a sheriff to fill Carpenter's unexpired term.

By law, Carpenter would be forced to step down if he was convicted in criminal court on any one of the six felony indictments.

BACK TALK

By Christopher Evans

TRUBBLIN' TIMES: As of this writing, Tarrant County Sheriff **Don Carpenter** faced indictment on six felony counts and was vowing not to resign while Texas House Speaker **Gib Lewis** — another local product — had announced he won't seek re-election, pleaded no contest to two misdemeanor tax disclosure charges and paid a \$2,000 fine in exchange for the dismissal of two ethics indictments.



Don Carpenter

Regarding Carpenter, a television newscaster who covered the sheriff's



Gib Lewis

Wednesday indictment appearance remarked that Carpenter "didn't seem to understand what was happening." Carpenter, the TV wag said, had the look of "a dog that had been run over

... He knew he was hurt, but he didn't understand what had happened." The allegations against Carpenter, of course, are just that.

After Lewis went on about how minuscule his alleged errands were and how the *Star-Telegram* had portrayed them as felonies, an unscientific canvass of a dozen Tarrant Countians found them bumfuzzled as to how a veteran lawmaker like Gib could even hint that little laws don't count when you're in the big house.

"He's acting like he's above the law, like those little laws don't apply to him, and he's coming off all wrong," says one canvasee, a Democrat. "He's acting like the Kennedys."

Another canvasee says Don & Gib's troubles are depressing and that we should toss *Weaseltown* into the Fort Worth nickname pot.

Veteran BackTalker **Irene Williams** of Newark said Thursday's Don & Gib front page reminded her of the writer who once compared mankind with the apes and arrived at the conclusion that "the higher they climb, the more they show their" ... collective posteriors.

Carpenter awaits and deserves his day in court.

As to Lewis, whose charges hopefully have been adjudicated, BackTalk would like to know what you think.

Commissioners Grant Carpenter Paid Leave

Jail boss taking over as sheriff

BY FRANK PERKINS
AND BILL HANNA
Fort Worth Star-Telegram

FORT WORTH — Tarrant County Sheriff Don Carpenter, indicted on six criminal charges, agreed to temporarily leave office today under a negotiated settlement that will keep him on the payroll until criminal charges against him are resolved.

The agreement for a paid leave of absence voids the county commissioners' plans to seek his removal through a civil suit, County Judge Tom Vandergriff said.

Neither Carpenter nor his attorneys could be reached for comment early this afternoon.

But District Attorney Tim Curry, in a statement released by Vandergriff, said Deputy Jim Minter, supervisor of the county's jail operations, will assume the sheriff's duties without a change in title or salary.

"I'm happy with this," Vandergriff said. "This is going to bring some stability to Sheriff's Department."

The agreement for Carpenter to step down was reached while the commissioners met behind closed doors for two hours to decide whether to pursue a civil petition to oust Carpenter until the criminal

charges are resolved. The commissioners and Curry also said they would ask Judge Bill Burdock to schedule Carpenter's trial as soon as possible.

Commissioner J.D. Johnson said the commissioners agreed with Curry's recommendation because "that is the way things should be done."

Earlier today, a source close to the sheriff said Carpenter had agreed to accept a paid leave of absence if he could name his Chief Deputy John Pempsell as his replacement. In further negotiations, Curry selected Minter.

Curry had been expected to brief commissioners on their decision to petition for Carpenter's removal, but neither he nor his chief senior attorney, Steve Cheney, had shown up for the commissioners' closed meeting.

Neither the sheriff nor any of his attorneys were at the meeting.

The source who outlined the stipulations of Carpenter's agreement to leave office voluntarily said the sheriff's attorney, Joe Brent John-

son, negotiated into the night and resumed this morning.

The commissioners last week promised to petition a civil judge to temporarily suspend Carpenter. They were to decide today whether to sign the petition and name an outside prosecutor to file it with a judge.

"We will be taking action on this extremely serious and very important matter at our 10 a.m. court meeting or immediately thereafter," Vandergriff said yesterday.

Carpenter is under six felony indictments because of confiscated guns missing from his property room.

The indictments accuse him of falsifying records in connection with the guns and of theft by a public official regarding two seized pistols that were given away at Carpenter fund-raising picnics in 1986 and 1987.

Commissioners today also were to discuss another option — expanding the petition to include asking a civil jury to determine whether Carpenter has committed official misconduct.

If they exercised that option, and if a civil jury finds that official misconduct occurred, an interim sheriff appointed by the civil judge would step aside and the commissioners would appoint a sheriff to serve the rest of Carpenter's term.

If the jury finds no official misconduct, then Carpenter would be reinstated with back pay. But he would still face criminal trial on the indictments.

Should he be found guilty by a

criminal court jury, Carpenter will automatically be out of office and the commissioners will appoint a successor to serve until his term expires at the end of this year.

Vandergriff said yesterday that he expected commissioners to agree to call for the petition to suspend Carpenter.

But Pct. 4 Commissioner J.D. Johnson said yesterday that he had some reservations.

"I don't want to do anything that would jeopardize myself, my family, the county and the sheriff," Johnson said. "You can be sure that whatever I do will be run by both the district attorney's office and my private counsel at my own expense."

He said he expected the commissioners would be unanimous in whatever action they took today.

BOOT CAMP



The first inmates will arrive this weekend



Fort Worth Star-Telegram / BRUCE MAXWELL

Drill instructors train for the first wave of inmates at the Community Corrections Facility

Jail program nears opening

The new Mansfield facility for first-time offenders is neither home nor prison.

BY STEVE SMITH
Fort Worth Star-Telegram

MANSFIELD — Tarrant County's first boot camp for first-time, non-violent offenders will open Saturday in Mansfield and provide prisoners with heavy doses of non-nonsense military discipline and public service work.

Twenty-one inmates from 17 to 25 will arrive this weekend at the \$5.5 million Community Correc-

tions Facility, which in time will house up to 320 thieves, burglars, drunken drivers and other offenders, probation officials said.

The boot camp program will combine a Marine Corps-style regimen with programs to treat alcohol and drug addiction, teach coping and parenting skills and enable inmates to get high school equivalency diplomas.

(More on CAMP on Page 10)

Camp

From Page 9

"People who'll be in this facility would have spent their time in the Tarrant County jail where they wouldn't have received any services, wouldn't have gotten their addictions treated and probably would have sat in jail cells getting graduate courses in how to commit crime," said Don Smith, director of the county's Community Supervision and Corrections Department, which will operate the Mansfield program.

"And then they would get out and go back to the community without any attempts to change their behavior."

County probation officials will hold ribbon-cutting ceremonies at 2 p.m. tomorrow at the facility off U.S. 287 near the Johnson County line.

The program's most widely publicized part will be "shock incarceration," in which about 120 inmates will undergo old-fashioned doses of rise-and-shine training from Marine-type drill instructors and then go out to work on bridges, roads, parks and ditches, officials said.

The inmates will stay at the facility for up to six months.

The unit will reserve 140 beds for inmates who will spend about four months in alcohol and drug abuse counseling, while 60 beds are for inmates who were sentenced to up to a year for violating probation.

County officials say that along with providing military-style discipline, they want to help inmates change the behavior that got them into trouble.

"We're not going to be warehousing prisoners here," said Sheri Short, the facility's director. "They're going to be doing hard labor and getting the services and treatment. This is their last chance to keep from going to prison."

Although the inmates will be supervised by unarmed guards and

taken into the community to work, Short said she is not expected any to escape. Only a portion of the grounds is fenced.

"Their alternative is going to prison," Short said.

Local probation officials said they started considering a boot camp in an effort to reduce prison and jail overcrowding statewide.

A criminal justice professor at Sam Houston State University and the Institute of Behavioral Research at Texas Christian University will study the Mansfield program to see if it keeps inmates from continuing to commit crimes after they are released.

At boot camps around the country, teen-age repeat offender rates range up to 80 percent, depending on the type of inmates each program accepts, said Rick Faulkner, a program specialist with the National Institute of Corrections in Washington.

"Certainly, the jury is still out on boot camps in general," said Steven Cuvelier, the Sam Houston professor who will study Mansfield's program. "But the most successful programs have been those that not only incorporate some military discipline but involve the community in providing services to the inmates.

"It is a far more holistic approach than just scaring the heck out of them."

The program is modeled after a boot camp operated by the Los Angeles County Sheriff's Department, which has dispatched deputies to Mansfield this week to train the facility's 25 drill instructors. Nearly 70 people will work at the institution.

About 14 percent of the 730 inmates who have gone through the Los Angeles program during the past two years committed more crimes after their release, compared with an 82 percent repeat rate for the regular prison system, deputies said.

"Most people don't usually change behavior because they see the light, but because they feel the heat," said Los Angeles Sheriff's Lt. Richard Hartwell.

Sheriff requests paid leave

Agreement sidesteps showdown with officials

BY FRANK PERKINS
AND BILL HANNA
Fort Worth Star-Telegram

FORT WORTH — Tarrant County Sheriff Don Carpenter officially relinquished control of his office this morning by requesting — and receiving — a paid leave of absence until his trial on six felony charges.

Under terms of an agreement worked out yesterday by his attorneys and District Attorney Tim Curry, Carpenter formally requested the leave in a letter to County Judge Tom Vandergriff. Vandergriff and county commissioners yesterday endorsed the agreement and dropped plans to file a petition asking a judge to temporarily oust Carpenter.

Jail Administrator Jim Minter, 47, picked by Curry to fill in during Carpenter's absence, assumed command of the department about 10 a.m. today.

The 60-year-old Carpenter was indicted earlier this month on six criminal charges involving confiscated weapons missing from his property room. No trial date has been set, although commissioners and Curry urged Judge Bill Burdock to schedule the trial soon as possible.

"This is to inform you that as of this date, I will take a leave of absence as sheriff of Tarrant County," Carpenter wrote in the letter to Vandergriff and county commissioners.

"It is my understanding that this leave will be with full pay and benefits and will continue until such time as the charges filed against me are resolved.

"It is further my understanding that the Commissioners Court will appoint Deputy
(More on SHERIFF on Page 19)

ty Jim Minter to serve as acting chief deputy during this leave of absence."

The letter was signed "Don Carpenter, Tarrant County Sheriff."

Carpenter could have been removed permanently from office if commissioners had filed the petition requesting his removal and if a civil jury found he had committed official misconduct.

The sheriff will automatically lose his office if convicted on the criminal charges, which accuse Carpenter of falsifying records involving the guns and of theft by a public official regarding two seized pistols that investigators say were given away at Carpenter fund-raising picnics in 1986 and 1987.

Carpenter, reached in his office, said he will spend his paid leave running for a third term. Carpenter is paid \$74,136 a year.

"I'm not guilty of those charges and I'm going to stay at my campaigning," said Carpenter, who faces six opponents in the Republican primary March 10.

Carpenter's attorney, Joe Brent Johnson, who reiterated his assertions that the charges were politically motivated, said the paid leave will allow Carpenter to prepare his legal defense.

"We think once these indictments have been thoroughly investigated, they will show that Sheriff Carpenter has done nothing wrong," Johnson said.

The settlement was negotiated over the weekend by Curry and Carpenter's attorneys Johnson, Bill Ray and Don Gandy.

"I think this is a win-win situation," Curry said.

The agreement prevents Carpenter from participating in the department's day-to-day affairs until his legal matters are settled, Curry said.

"Part of the understanding is that he would be gone from his office and would not attempt to influence the day-to-day operations," he said.

"The deal's off" if Carpenter tries to be active in the office, Curry said.

Before the settlement was announced, rumors circulated that Carpenter was trying to name Chief Deputy John Pempsell as his replacement, but the sheriff's attorneys said that was never an issue in the negotiations.

Curry said the sheriff had no say in naming his replacement.

"He had nothing to do with Minter. We felt he [Minter] was the obvious one to take over in Carpenter's absence," the district attorney said.

Minter, who has been in the department for almost 22 years, will not receive an increase in his \$52,296 salary.

Pempsell said the choice of Minter "was just fine with me. I work very closely with him and

we've been buddies for lots of years."

The negotiations were initiated to save time and money, Curry said.

"I feel like the criminal prosecution will be much quicker than the civil path, because we can focus on one lawsuit and not have to be out taking depositions for a civil suit at the same time," Curry said.

The settlement was announced during the commissioners' regular meeting. After the commissioners and Curry conferred via a lengthy telephone conference call behind closed doors, they returned to open session and Vandergriff announced the deal.

"The office is being directed in an orderly manner until the resolving of the criminal charges. There will be no momentum lost in the interim," Vandergriff said.

Had the civil petition been filed, Vandergriff said he would have supported naming someone from outside the department as acting sheriff.

"As it is now, the office has not been vacated, so we are not talking about an interim sheriff, but simply a leave of absence which promotes a managerial change," he said.

All of the commissioners, except Pct. 1 Commissioner Dionne Bagnby, who was out of town, embraced Curry's settlement.

Pct. 2 Commissioner Marti VanRavenswaay and Pct. 4 Commissioner J.D. Johnson, who both had expressed concerns about the possible costs and Carpenter's possibly countersuing, expressed relief at the agreement.

"This is great," VanRavenswaay said. "We don't have to spend hundreds of thousands of taxpayer dollars to affect his removal."

Curry had called for a special prosecutor from outside the county to pursue the indictment against Carpenter, saying he had a conflict of interest because he is the county's attorney and was charged with representing Carpenter.

However, Curry said, as the county's attorney, he initiated the settlement negotiations even though they, too, might constitute a conflict of interest.

Sheriff

"There may in fact be some conflict, but I felt like I had a responsibility to settle this thing if I could. Someone had to take the initiative, so if I'm in trouble, I guess I'm in trouble," Curry said.

Leonard Schilling — an attorney for the Combined Law Enforcement Associations of Texas who filed the affidavits that led to Carpenter's indictment — was glad he had stepped down but was angry over the paid leave.

"That was a luxury Mr. Carpenter never afforded any of his employees that he put on leave under a cloud," he said.

Commissioners admitted they expected some public criticism for allowing Carpenter to have a paid leave, but Vandergriff said they had no choice.

Officials appoint jail boss to act in Carpenter's stead

BY FRANK PERKINS
Fort Worth Star-Telegram

FORT WORTH — Jim Minter tried to conduct business of the Tarrant County Sheriff's Department yesterday amid ringing telephones and the unblinking glare of television cameras.

Minter, the 47-year-old jail administrator, was tagged by county officials to temporarily replace Sheriff Don Carpenter, who agreed to take a leave of absence until his legal troubles are settled.

Carpenter is charged with six felony indictments growing out of confiscated weapons that turned up missing from his property room.

"Sheriff Carpenter called me and told me he was taking the leave of absence until his legal issues are settled, and that he was recommending that I be named acting sheriff until his return," Minter said. "I told him I would be glad to serve."

But District Attorney Tim Curry said Carpenter, who had wanted to name his replacement, was not involved in choosing Minter.

As jail administrator, Minter is responsible for a staff of 900 and 3,800 inmates in the county's four facilities.

Minter's new title is "acting chief deputy in charge" during Carpenter's absence. That enables Minter to draw his \$52,296 salary, and Carpenter will still get his \$74,136 a year.

Minter said he is confident that Carpenter will not attempt to run the department while he is on leave.

"He told me absolutely that I would be in charge of the day-to-day decisions on running the department until he returns," Minter said.

Curry said that if Carpenter interferes with the operations of the department, "The deal's off."

Minter said that he and Carpenter sometimes differed on management

questions, but never on who was in charge.

"We've personally gotten along well together," Minter said. "We differed occasionally on management theories, but he was the boss."

Minter said he intends to stress professionalism and cooperation during his time at the department's helm.

"I will run this department like the professional law enforcement agency it has always been and will continue to be," he said. "It will be business as usual down here."

Minter is a 22-year-veteran of the department. A Fort Worth native, Minter attended Castleberry High School and has a degree in government from Texas Christian University.

He has served as a patrol deputy, criminal investigator, tactical squad commander and internal affairs chief during his tenure with the county.

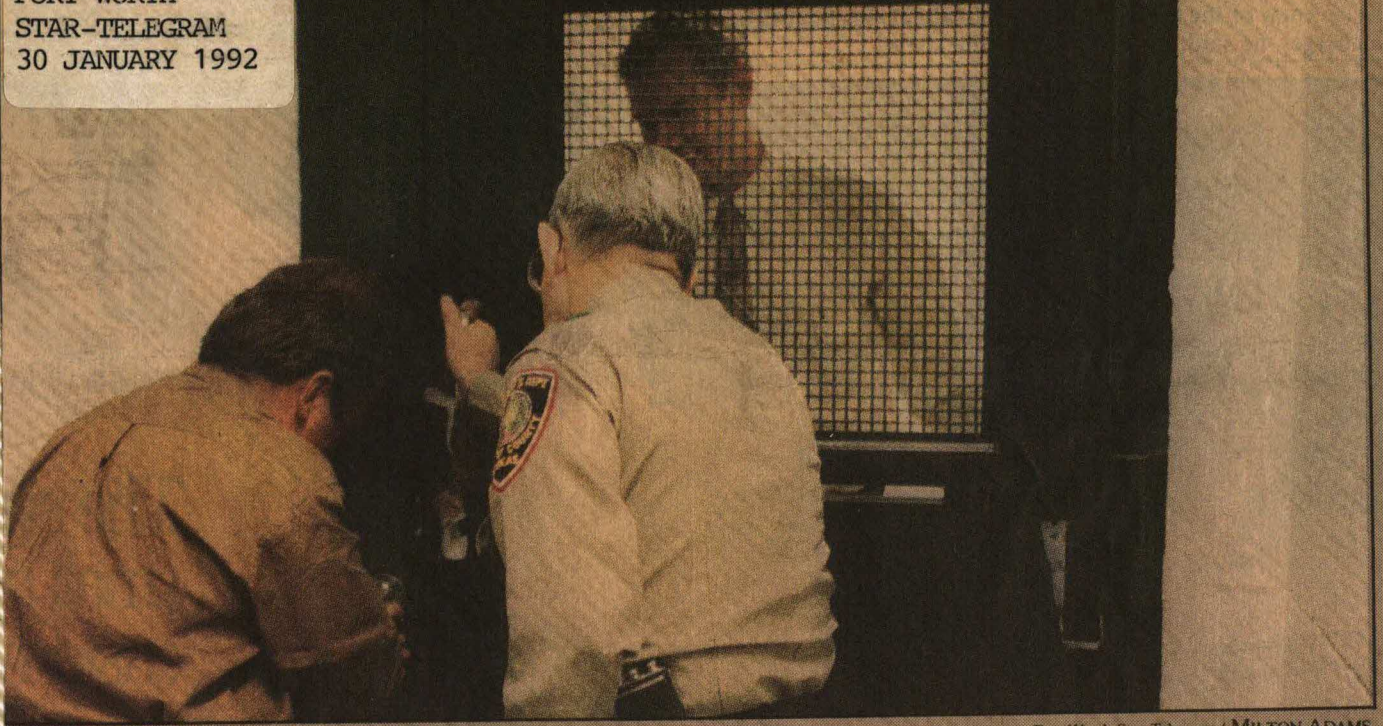
As jail administrator, he has won praise from Commissioners Court staff members who must deal with him almost daily on budget and personnel matters.

"I have the highest respect for and confidence in Jim Minter," said County Budget Officer Debbie Schneider. "He is one sharp guy."

"I have every confidence in Mr. Minter," County Judge Tom Vandergriff said. "He has served this county well for years and his handling of the many troublesome jail issues has been exemplary."

Chief Deputy John Pempsell, whom a source had said was Carpenter's choice to replace him, said that he was happy with the decision to name Minter.

"We've been friends for years," Pempsell said. "Naming him to the job was a good decision. He is a fine and knowledgeable man."



Fort Worth Star-Telegram / MILTON ADAMS

Architect Lynn Sale, behind the screened window, waits to be let out of a cell he locked in

LOCKED UP

Key snafu gives inspectors a taste of jail life

BY BILL HANNA
Fort Worth Star-Telegram

FORT WORTH — A school of thought says that you toss criminals in jail and forget the key.

But no one would think that should apply to an architect and two engineers guilty of nothing more than letting a cell door in the mostly occupied Tarrant County Justice Center swing shut be-

hind them.

"We were in there just doing our inspection when it closed behind us," said Lynn Sale, an architect for Tarrant County.

Sale, and Jeryl Stevenson and Mark Stubbelfield, both of whom work for Wells-Doak Engineering, were inspecting the new cell — intended to hold inmates called to appear in court —

when the metal door with a reinforced window swung shut.

Normally a bailiff would simply let them out, but in this case there was no key. Since the sixth-floor cell was not completed and the county had not accepted it as finished, the county did not have the key.

The key was at Joe Jones Construc-
(More on JAIL on Page 14)

Jail

From Page 13

tion in Weatherford, which meant the three inspectors were in the cell for about an hour and a half until someone drove the key over to Fort Worth.

There was little they could with their time.

Stevenson said the cell was "a nice place to take a nap."

For Stubbelfield, however, all he could think of was food. His two counterparts had the foresight to have lunch beforehand, but Stubbelfield was left to think of his empty stomach. Eventually, bailiffs who had teased him that his next meal might be coming from the jail brought him an ice cream bar.

When the key did arrive, the lock proved stubborn. There were several anxious minutes before the door opened and the inspectors could breathe a sigh of relief.

The three men downplayed their time behind bars, saying it was just one of those things.

What we want to see in a new Tarrant County sheriff

We've just sent our county government taxes along to the courthouse.

We happen to know that our tax bill is about the average for county citizens.

We also happen to know that more than one-fourth of our county government tax money will go for operation of the sheriff's department.

We also are quite aware of what has been going on relative to the sheriff's office.

So we might be inclined to resort to a primal scream about where that part of our tax money has been going and what has been done with it.

But we won't. We see no use in such word-whipping. Besides, we've had our say in that. And, though we realize there still are some matters to be settled, either in the courts and/or at the polling place regarding it, we see it for all intents and purposes as a

closed chapter.

For our money, we think it enormously more beneficial to look ahead and see what we might see.

And what we want to see is a new-breed sheriff. A sheriff who not only realizes that change has come, but one who realizes that change will help if it is properly managed but will roll over and crush if not; one who can lead the way in adapting to that change; one capable of making it work for us, not against us.

What we want to see is a sheriff who can forget his gun, his badge, his power — real or imagined — long enough to wisely, skillfully administer not only himself but a jail, hundreds of deputies and millions of dollars as if our well-being and his job depended on it.

What we want to see is a sheriff who will command respect by his ability to listen as well as talk, by his capacity, his vision, his performance. Because of this, he will be able to walk into any law-enforcement agency in this county, be welcomed and have his ideas for cooperative law enforcement venture enthusiastically received, discussed, pursued — and he will not fret about who might get the credit.

What we want to see is a sheriff who has the wisdom to realize that the best way to gain ground for a criminal-justice system



STAR-TELEGRAM

Roger
Summers

JANUARY 30, 1992

that really works for the people is to sometimes give up turf. For too long and for too little reason, save sometimes pride and ego, that turf has been protected at all costs — costs that all too often have been inflicted upon the people.

What we want to see is a sheriff not bent so much upon fighting with other decision-makers as being motivated to move heaven and earth to get reasonable pay, state-of-the-art equipment, the best beginning and continuing training for those who should be working not so much for him as with him.

What we want to see is a sheriff with fresh, workable ideas that come not from useless daydreaming but from burning the midnight oil, one who goes in search of what is required to do the job, not with chip on shoulder but with confident, outstretched hand.

What we want to see is a sheriff who comports himself in such a way that we come to know that with the money we are paying him, we are getting a bargain, not tossing it out the window.

What we want to see is a sheriff who wears the good name of the office and the good name of the county and the good name of its citizens in such a way that people are delighted to see him coming, not relieved to see him going.

We think we are entitled to that.

And as long as we're called upon to send our taxes along to the courthouse, we're going to feel that way.

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

Dig deeper into office, pair urge

Two members of the panel that indicted the sheriff say they may have found only the tip of the iceberg.

BY BILL HANNA
Fort Worth Star-Telegram

Although Sheriff Don Carpenter agreed to a leave of absence this week, two grand jurors who called for the sheriff's removal after indicting him said yesterday that the department needs further investigation.

Grand jury foreman Jerry Partlow of Hurst and juror Ray Inman of Arlington repeated the call for an audit of the Sheriff's Department.

"I think it is just as important as getting Carpenter out of there temporarily," Inman said after the jury's term ended yesterday. "Based on the facts and information we heard, we feel this is just the tip of the iceberg. As a citizen, when the facts began to unfold I was incensed to know that we had a county agency that was run so loosely. It was a complete good-ole-boy operation."

County Judge Tom Vandergriff said he isn't sure an audit is necessary, because most of the finances of the sheriff's office are monitored by the county auditor's office. However, he said that he would be willing to talk to grand jurors about their concerns before ruling out further action by the county.

"It may well be worth our while to

(More on JURORS on Page 28)

Jurors

From Page 19

visit with them based, of course, on whatever restrictions are allowed under law," Vandergriff said. "We may need to compare notes."

Carpenter and his attorneys have characterized the grand jury's action as politically motivated. Both grand jurors said politics had nothing to do with the six-count indictment returned against the sheriff.

"My main concern as grand jury foreman was that the sheriff receive a fair hearing," Partlow said. "Everybody asked questions over and over, sometimes two or three times, and we asked to see the evidence firsthand before any decision was made."

Inman agreed with that assessment.

"We had Democrats and Republicans on there. These indictments were based on very strong evidence," he said.

Although rumors continually filled the Sheriff's Department that the investigation was widening to other officials, Partlow said the allegations centered on Carpenter.

On Jan. 17, the grand jury indicted Carpenter on six third-degree felony counts. Three of the charges allege that property room records were falsified on three guns. Two other charges deal with property room handguns being given away as door prizes; the other charge concerns a property room gun reportedly found in a closet in Carpenter's office.

Each of the counts carries a penalty of two to 10 years in prison and up to a \$10,000 fine.

Judge Bill Burdock released the grand jury yesterday. The jury's term, which was scheduled to end in December, had been extended through March at the request of special prosecutor Galen Sumrow of Rockwall County. Sumrow told the judge after the indictments were issued that he no longer needed the jury.

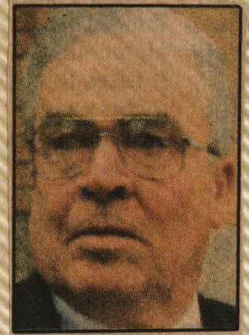
Both panelists applauded the move by the county Tuesday to get Carpenter to take a temporary leave of absence. Neither member had any criticism of acting Chief Deputy Jim Minter, who is performing the sheriff's duties, but Inman did express concern about the top management in the department.

"Had selecting a sheriff been up to me, I would have brought in someone completely from the outside," Inman said. "After seeing the lack of regulations and accountability, it looks to me like they need complete reorganization."

They also said many of witnesses who testified appeared to be "under a lot pressure" about what they would say.

"I think a lot of them were between a rock and a hard place," Partlow said.

No date has been set for Carpenter's trial, but Burdock said he hopes to set a date next week.



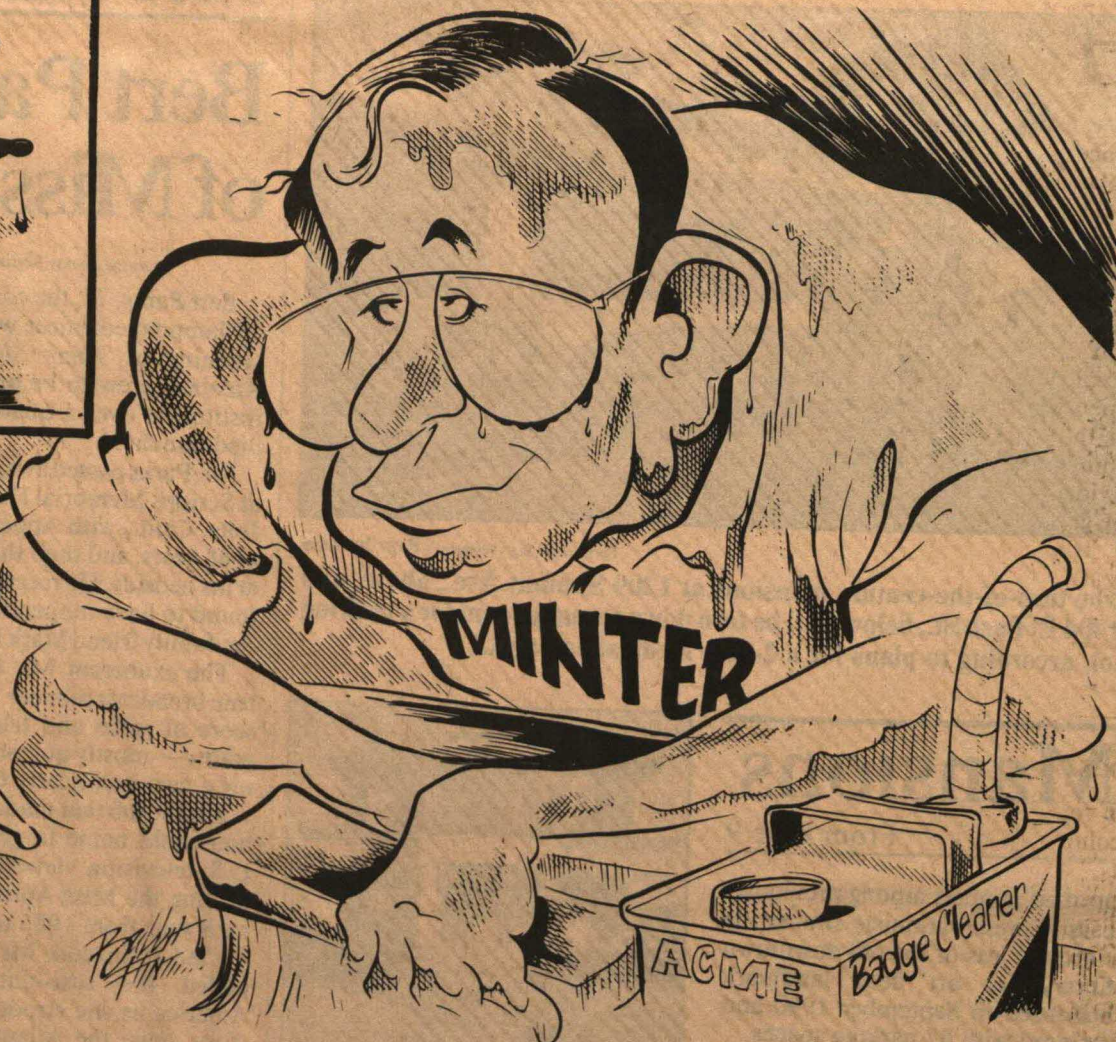
Don Carpenter

Throw away the key?

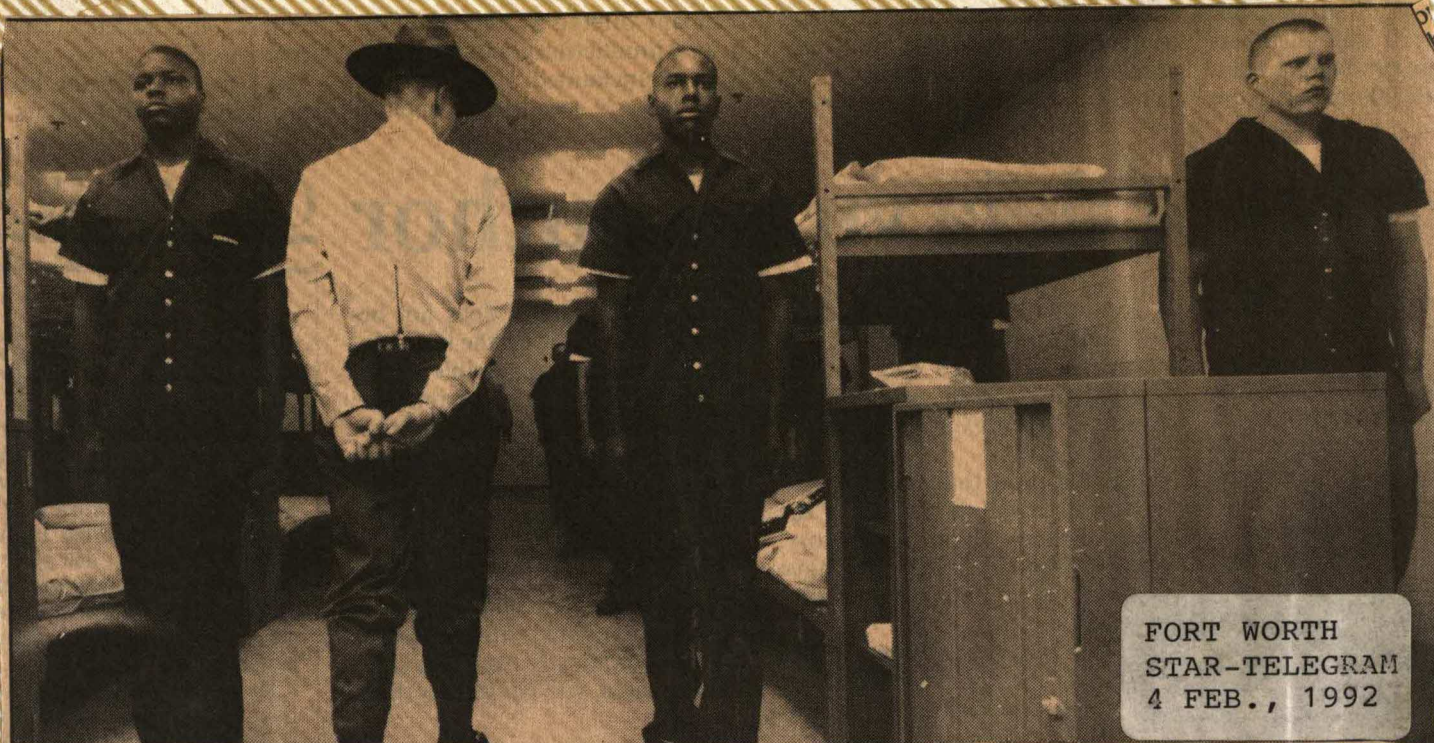
I was extremely angry when I heard that Sheriff Don Carpenter was indicted but not put into jail. Why is he given special treatment? That's discrimination. He should be put in jail just like all other people charged with crimes. Who made that decision? Is that fair? Is that justice?

—Sharon Jones
Fort Worth

Monday P.M., February 3, 1992



Special to the Star-Telegram / BUBBA FLINT



Fort Worth Star-Telegram / BRUCE MAXWELL

First-time, non-violent convicts stand at attention as Lt. Thomas Lytle conducts orientation at the Mansfield facility

Hard corps

It's not jail, but 1st-time offenders' boot camp is no picnic

BY STEVE SMITH
Fort Worth Star-Telegram

MANSFIELD — The 15 men and women stood passively underneath the tin canopy yesterday afternoon, looking bored, as Lt. David Lyon walked by each.

"Ten-Hut!" Lyon yelled suddenly, his voice bouncing off the tin roof and echoing through the compound. "I sa-ya-ya-ud, 'TEN HUT!' Can you hear me?"

"Sir! Yes, Sir!" the chorus of thieves, burglars, forgers and dopers yelled as they snapped to ramrod attention, their gazes straight ahead.

"Quit scratching your nose, you!" Lyon's voice boomed. "Look up, you! Don't look down! You people'd better start using your brains around here, 'cause you're going to be here for a long, long time."

With those words, two grunts glanced down their row to where Lyon was strutting. He didn't see them look, or else he would have run up, placed the bill of his Marine Corps-type hat inches from their faces, stared straight into their eyes, much like TV's Sgt. Carter did when he dressed down Gomer Pyle, and shouted, "Why you eyeballin' me, son?"

The inmates, ages 17 to 23, are part of a criminal justice experiment that began yesterday as the prisoners began arriving at Tarrant County's first "boot camp" for



Drill instructor John Hicks cuts the hair of a newly arrived inmate

first-time, non-violent offenders. Nearly 30 inmates arrived at the facility yesterday.

Soon, the \$5.5 million Community Corrections Facility on U.S. 287 near the Johnson County line will house 320 in-

mates sent there rather than to prison, where critics say they would only languish and learn to commit more crimes.

Corrections officials said they hope the program will keep the prisoners from becoming repeat offenders.

Some 120 inmates will receive up to six months of military regimen and discipline and will work under guard in the community, on bridges, roads, parks and ditches.

Some inmates will undergo intense alcohol and drug-abuse counseling, educational classes and courses in coping and parenting skills, while others will spend time at the facility for violating probation.

Yesterday's arrivals were outfitted in navy jump suits. The men's heads were shaved to nubs; the women's hair was trimmed to their shoulders.

"This is meant to interrupt the cycle of crime," said James Sinclair, assistant director of the Community Supervision and Corrections Department. "We believe that what we are offering them here is much better than incarcerating them in prison.

"There's a fine line between being strict and abusive. There's a need to be tough on these people, but no need to debase them."

Corrections officials wouldn't allow reporters to talk to inmates.

Jail bank now open earlier

System means fewer lines for deposits, official says

BY FRANK PERKINS
Fort Worth Star-Telegram

FORT WORTH — The bank at the new Tarrant County Corrections Center is now open virtually around the clock, making it easier to make deposits into the inmate trust fund.

"We've got signs up with the new hours," Acting Chief Deputy Sheriff Jim Minter said yesterday.

Texas Commission on Jail Standards requires the inmate trust fund. It serves as a kind of bank to hold cash for inmates. In Tarrant County, inmates may draw on their account for up to \$50 a week to buy cigarettes, snacks and candy from the jail commissary.

Before the change Friday, people bringing deposits in person had to visit the downtown jail between 6 p.m. and 6 a.m.

Minter said the original thinking was that the evening hours would reduce crowds in the jail lobby, which is filled with bail bondsmen, attorneys and other officials as well as the public during normal business hours.

But under the old system, outlined in a recent *Fort Worth Star-Telegram* article, depositors could spend up to two hours in line, waiting to put money into a prisoner's account. Those waiting were sometimes besieged by panhandlers who were aware that most of the people waiting in line were carrying cash.

The new system means few, if any, lines

and more user-friendly banking, Minter said.

"It's working beautifully right now," he said.

The jail bank maintains a balance of about \$100,000 a day for over 3,800 prisoners held in all four Tarrant County jail facilities.

Minter said hiring new personnel authorized by the budget allowed the around-the-clock operation of the jail bank.

"We examined the amount of time peo-

ple spent standing in line down here under the old restricted-hours plan and decided the workload would average out if we went ahead and opened the depository 24 hours a day," Minter said.

The other major jails in Texas, including those in Dallas and Houston, accept deposits for inmates around the clock, seven days a week.

The deputies manning the Tarrant County depository do not take deposits during jail visiting hours: 6-10 p.m. Thursdays and

Fridays and 1-5 p.m. Saturdays and Sundays.

"It's just too crowded down here on visiting days to handle both the visitors and the depositors," Minter said.

Minter said purchasing a U.S. Postal Service money order and mailing it to the jail is still the fastest and easiest way to make deposits into the inmate accounts.

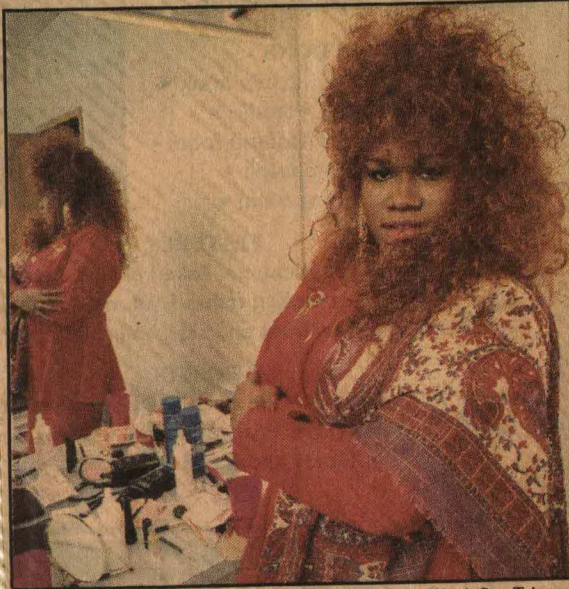
"Whatever you do, don't mail us cash, only postal money orders," he said.



Fort Worth Star-Telegram / ALLEN ROSE

Carol Lewis deposits money and property for an inmate with Deputy M.A. Canales at the jail bank

FORT WORTH
STAR-TELEGRAM
FEB. 5, 1992



Fort Worth Star-Telegram

Hilton Williams dresses up in 1989 as his alter ego but will wear jail garb on television.

Live from Tarrant lockup . . .

Female impersonator on Donahue

BY FRANK PERKINS
Fort Worth Star-Telegram

FORT WORTH — One floor of the new Tarrant County Corrections Center will become a television studio today as cameras for the *Donahue* show focus on an inmate who has made a career of pretending to be someone he's not.

Through a live camera hookup, talk show host Phil Donahue will interview Hilton LaShann Williams of Picayune, Miss., and Fort Worth — a man who has made a career of impersonating soul singer Shirley Murdock.

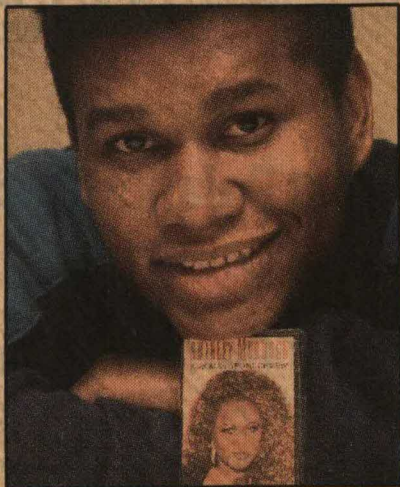
The segment — featuring imper-

sonators and imposters — is scheduled to air at 9 a.m. tomorrow on WFAA/Channel 8.

Acting Chief Deputy Sheriff Jim Minter said he was reluctant at first to turn the new jail into an impromptu TV studio.

"We normally don't allow cameras in there, but this is a pretty interesting guy and so I decided to let them go ahead and film here," he said.

Minter said Williams will be moved onto the unoccupied ninth floor of the jail for the interview.



Hilton LaShann Williams with a tape of Shirley Murdock.

Cash dispute almost ends TV shoot

BY JOHN COUNCIL
Fort Worth Star-Telegram

FORT WORTH — Sitting in the Tarrant County Corrections Center in his blue jail uniform, Hilton LaShann Williams almost blew his chance to appear on the *Donahue* show yesterday after a dispute over payment.

Williams, who has made a career of posing as soul singer Shirley Murdock, almost pulled the plug yesterday when he demanded money for his appearance on the show, which featured female impersonators.

"The hitch was that he tried to extort \$1,000 out of me 30 minutes before the broadcast," said angry *Donahue* producer Debbie Hardwick.

Hardwick says the *Donahue* show doesn't pay its guests for appearing. It pays only for travel expenses to the New York studio — impossible for Williams because he's locked up in jail on charges of credit-card abuse.

"[Hardwick] sent me a contract saying that I would agree to appear on *Donahue* as work paid for hire," William said. "If you're work paid for hire, you get paid. Why do a show for free?"

At that, the camera crew disconnected the cables to a satellite truck and got ready to leave. Shortly before the show was to begin before a live studio audience in New York, Williams changed his mind and



Fort Worth Star-Telegram / JERRY W. HOEFER

A *Donahue* cameraman films inmate Hilton LaShann Williams in the Tarrant County Corrections Center as part of a show featuring female impersonators.

agreed to do the show for free.

The crew scrambled to get Williams on the second half of the hour-long tape-delayed show, which was scheduled to air at 9 a.m. today on WFAA/Channel 8.

Phil Donahue introduced Williams after showing a film clip from a report on his exploits on *A Current Affair*.

Williams says he has fooled many celebrities by posing as Murdock.

He says he has danced with Mets baseball star Dwight Gooden, who thought he was Murdock, and has dined with former Washington Mayor Marion Barry and his wife.

On *Donahue*, Williams appears on a TV screen positioned next to the likes of Shannon Ireland, a man who infiltrated Colorado Springs High School and became a female

cheerleader, and Aries Dupree, a man who became famous as an international female model.

Donahue quizzed Williams about his experiences as Murdock, a woman he has never met but whose career he claims to have promoted.

"She should pay me. Larry Troutman [Murdock's manager] should send me a check in the mail today," replied Williams, a response that generated laughter from the studio audience.

In a telephone interview yesterday, Troutman said he doubted that Murdock's career has been affected by Williams. Murdock has released her third album.

Troutman confirmed that his client has never met Williams.

"Shirley doesn't spend very much time in jail," Troutman said.

Stop the sheriff jokes by skipping two familiar names

Republican voters in Tarrant County have an important task ahead of them next month: They must select a candidate for sheriff.

This is an extremely important job because recent history suggests that the individual who wins the Republican nomination for sheriff is a good bet to win the November election against the Democratic nominee.

That's how we ended up with a moron like Don Carpenter running the sheriff's department for the last seven years.

Carpenter, of course, has been indicted by a county grand jury and is enjoying a paid vacation while his case works its way through the court system. He remains on the ballot in the March 10 primary, however, so I feel compelled to repeat the advice offered here previously:

Do not, under any circumstances, vote for Don Carpenter.

Since first offering that recommendation



**Bill
Thompson**

last December, I've been preoccupied with personal business and have not had an opportunity to offer my second and equally urgent anti-endorsement in the sheriff's race. Here it is — better late, I hope, than never:

Do not — I repeat, DO NOT — vote for O.L. Watson.

Watson entered the sheriff's race on Jan. 2 in an apparent attempt to ruin the new year for Tarrant County residents who were looking forward to the possibility of installing an intelligent human being in the sheriff's office in 1992.

Replacing Carpenter with Watson would be like digging up a landfill riddled with toxic chemicals and filling in the hole with nuclear waste.

O.L. Watson, you will remember, used to be a member of the Tarrant County Commissioners Court, where he served as resident nitwit and presiding fly in the ointment.

He now points to his commissioners court experience as a prime qualification to be sheriff.

"I know how to work with the commissioners court," he says, usually with a straight face.

If it weren't so outrageous, this boast would be funny.

The truth is, Watson couldn't work with the Commissioners Court when he was a member of it. What on earth would lead us to believe he could work with the commissioners as sheriff?

Look back at the failures and foul-ups of the Commissioners Court during Watson's

tenure, and you will see that he was right in the middle of most of them. His dim-bulb approach to problems and his petty, self-serving intransigence created constant turmoil in county government.

So, the bad news is: Carpenter and Watson are both on the Republican primary ballot for sheriff.

But here's the good news: There are several *qualified* candidates on the ballot as well.

They are: Tom Graves, a Fort Worth businessman and reserve deputy sheriff; David Williams, a Haltom City police officer; Steve Marshall, an assistant district attorney; Mike Utley, a former deputy sheriff; and Jim Hunter, a private investigator who lost a close race to Carpenter as the Democratic candidate in 1988.

The voters' job between now and March 10 is to find out as much as they can about these candidates — because one of them is likely to be elected sheriff.

"We're going to get a new sheriff, I'm

convinced of that," Graves said Tuesday night at a meeting of the Marie Baylor Republican Women's Club in Fort Worth. "The question now remains, who is it going to be? What direction is the sheriff's department going to take?"

Carpenter's tenure has taken the sheriff's department in the worst possible direction — the direction of mismanagement, disorganization and disrepute.

"The sheriff's office has become a joke," Marshall said.

So it has. And it will become a bigger joke if Carpenter is re-elected or if O.L. Watson is chosen as Carpenter's successor.

Republican voters have the power to take a major step toward ending the joke on March 10 by choosing a qualified nominee.

"People are tired of the negative image," Graves said Tuesday night.

Let's hope so.

Bill Thompson's column appears Sunday, Tuesday and Thursday.

