

Commissioners, chaplain at odds on plans

The county judge says there's no thought of abandoning the chaplaincy program.

By NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — The real story behind a budget cut that could cost Maj. Hugh Atwell his post as Sheriff's Department chaplain isn't getting out to area ministers who are defending him, Tarrant County commissioners said yesterday.

Atwell, the department chaplain for five years, has been caught up in a commissioners' reorganization of the Sheriff's Department that saves the county \$1.1 million and eliminates 36 positions.

The purpose of removing the chaplain from the Sheriff's Department and transferring the job to the county personnel office is to expand the chaplain's responsibilities to cover all county employees, Judge Tom Vandergriff said yesterday.

"There's no thought of aban-

doning the chaplaincy program. We're trying to expand it and we hope the end result will benefit far more people," Vandergriff said. "We hope there will be no misunderstanding."

But Atwell said the commissioners are doing away with his chaplaincy, and he has sought support from the religious community.

"They did eliminate the chaplain's office and there's talk of replacing it with an employee assistance program," said Atwell, who oversees 200 volunteer chaplains. "That person's role would be as a clinical therapeutic counselor who would not be able to introduce the faith aspects."

On Aug. 24, Atwell sent a letter on a Sheriff's Department letterhead to nearly three dozen churches and faith organizations saying that there would be "alienation and loss of communication between the religious community and county government" because of the commissioners' actions.

Some faith organizations and pastors, including the Tarrant Baptist Association and the Baptist General Convention of Dallas,

wrote letters of protest to the commissioners, and one church collected 136 signatures on a petition supporting Atwell.

"I felt like they needed to be informed," Atwell said. "I don't think I asked them to write the letters."

Commissioner Marti VanRavenswaay said she is "embarrassed" by Atwell's actions.

"There has been some concerted effort to spread grossly inaccurate information," VanRavenswaay said. "I happen to belong to the same church and for our church members to have a significant misunderstanding of actions taken by the Commissioners Court is embarrassing."

Neil Strassman, (817) 390-7657

Sheriff told to appear at meeting

Commissioners want reorganization details

By NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — County officials have sent Sheriff David Williams a written request asking him to appear in person at Commissioners Court today to discuss the reorganization of the Sheriff's Department.

Today's meeting will also include a public hearing on the tax rate, which county officials have said will not increase, and a review of the contract between Medical Examiner Nizam Peerwani and Tarrant County.

County commissioners reorganized the Sheriff's Department on Aug. 20, cutting 36 positions, after two hearings on next year's budget failed to produce an agreement between the court and the sheriff.

Frustrated by Williams' lack of communication with the Commissioners Court over the past year, the commissioners unanimously adopted Pct. 3 Commissioner Glen Whitley's reorganization proposal, even though Williams was not present.

Now, the commissioners are insisting that Williams come to court.

Williams could not be reached to comment and Executive Chief Deputy Hank Pope could not say whether the sheriff will attend the meeting.

"We need to know before the new fiscal year how he plans to redo his department," Whitley said.

Williams' command staff has been cut, some Sheriff's Department programs have been combined and fewer take-home cars are available to deputies in the

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Sheriff

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reorganization that saves the county about \$1.1 million.

County Administrator G.K. Maenius' Sept. 2 letter to Williams is straightforward: "The Commissioners Court is requesting that you appear at the Court's September 8, 1998, meeting to discuss your department's strategies in implementing the new organizational structure."

The letter asks Williams to explain how tasks associated with jobs that have been eliminated will be accomplished and to identify lieutenants and above in the departmental reorganization.

Williams has already taken some action on the budget cuts.

Among the positions cut was an assistant chief deputy's post, a position created without the approval of the commissioners and given to one of Williams' most trusted advisers, Cmdr. Larry Hester, whose payroll rank remains that of a commander.

Williams has since ordered Hester to swap duties with Assistant Chief Deputy Dave Dunaway. Hester now oversees law enforcement activities, while Dunaway, who served as a Texas Ranger before joining the department, will be in charge of administration and personnel.

A yearlong controversy over a request for a fleet of 30 \$30,000 sport utility trucks, five new Fords that sat unused for 10

months, an inability to get a clear picture of how Williams staffs the department and jail overtime running 200 per-



Williams

cent over budget have raised the ire of the commissioners.

Commissioner Marti V a n - Ravenswaay said that in her eight years on

the court, she could not recall an instance in which a department head refused to discuss the budget with the commissioners.

"It puts the rest of the people in the department who are trying to do the right thing in an awkward position," she said.

Under the Texas Constitution, the office of sheriff is separate from the Commissioners Court, although the commissioners have authority over county contracts and purchasing, and final say over the sheriff's budget.

In its \$65.4 million 1999 budget request, the Sheriff's Department asked for about 150 new positions. Initially, county officials recommended adding six people under a \$55.3 million budget, a \$2 million increase over 1998. But now they've dropped that increase by \$1 million and made cuts instead.

A final vote on the sheriff's budget will come with adoption of the county budget in late September.

Neil Strassman, (817) 390-7657

Tarrant raises range up to 11.1%

Commissioners vote hefty increases for all

By NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — Faced with a shortage of qualified workers and desperate to hang on to those it has, Tarrant County commissioners voted hefty pay raises yesterday for all employees, including themselves and all other elected county officials.

Tarrant County's 3,900 workers will receive raises of 3.5 percent to 11.1 percent, and elected officials

► 8% police, fire pay raise not viable, city officials say. **Page 4B**

and department managers will get raises of 9.8 percent, county officials said. District judges who got raises last year are not included.

"We're adjusting our whole salary structure. We're so far behind the market," said Gerald Wright, county director of human resources. Ninety-five percent of the businesses in the area pay more than the county for comparable work, he said.

The proposed salary increases will become final when the county's \$178 million budget — balanced this year without a

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County

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tax rate increase — is adopted this month. The raises, including a proposed step-increase salary schedule for the Sheriff's Department, would go into effect Jan. 1.

The annual salary for County Judge Tom Vandergriff will jump from \$90,708 to about \$100,100; for commissioners from \$83,772 to about \$92,000; for Sheriff David Williams from \$92,328 to about \$101,400 and for the county and district clerk from \$83,244 to about \$91,400. The county judge and the commissioners also get an annual car allowance of more than \$8,000.

In the past two years, elected officials received raises of 3.8 percent and other county employees got raises of about 5 percent last year and 4 percent the year before, according to county records.

The increase for the commissioners is based on the average increase being given to county employees who are professionals or managers, Wright said.

"It was presented as a one-vote deal, and I wasn't going to vote against raises for all the county workers," Commissioner J.D. Johnson said.

Commissioner Marti Van-Ravenswaay said: "This barely brings us in line with the bottom 10 percent of the market. We voted a lot of people some significant increases."

Dallas County is expected to approve a sizable raise for its work force and elected officials today, county officials there said, and Denton County commissioners are already slated to receive 17 percent salary increases next year.

Tarrant County intends to spend \$6.1 million on pay raises for next year, nearly \$2 million more than it had planned, largely because of the difficulty in retaining and recruiting workers, Wright said.

Some of the extra money for the raises was made available after the commissioners axed \$1.1 million from the Sheriff's Department budget and had the Tarrant County Hospital District pick up about \$3.5 million in public health and psychiatric care costs previously paid for by the county.

Sheriff snubs commissioners

Williams avoids meeting, hires lawyer

By NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — A defiant Sheriff David Williams spurned county commissioners yesterday by refusing to discuss with them a reorganization of his department and raised the stakes in the power struggle by hiring an attorney.

Rather than appearing in person as commissioners had requested, Williams had a letter hand-delivered that said he had been advised by the attorney "not to attend" the meeting because the commissioners' recent

budget cuts are encroaching on his authority.

"The commissioners have been overstepping their bounds," Williams said last night at a news conference where he introduced his new "general counsel," Deputy Jana Kallal of Keller. "I am concerned about the extent to which the commissioners have extended themselves into my office."

Commissioners said they were amazed, angered and "disgusted" by Williams' display of contempt for

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vin Collins said Kallal is "not authorized by law to be general counsel to the Sheriff's Department and not paid by the county." Collins said he considers her Williams' private attorney.

In her letter, Kallal said she advised Williams not to attend the meeting because his authority derives from the Texas Constitution.

"Any authority which the Commissioners Court may have over county officers and employees does not extend to the Sheriff's Office," she wrote.

Under the Constitution, the

the Commissioners Court.

"Sheriff Williams needs to consider whether he's going to stay in public office or not," County Judge Tom Vandergriff said. If the sheriff stays in office he needs "to come face to face" with elected officials responsible for his budget, he said.

"Public officials need to appear in public."

The letter said the commissioners are abusing their authority and putting Tarrant County residents and sheriff's staff members "at risk" by cutting the Sheriff's Department budget. The budget cuts are "an abuse of discretion," Kallal's letter said.

Vandergriff said the Sheriff's Department staff is sufficient to protect the people of Tarrant County.

"We're satisfied in that regard," he said.

County commissioners unanimously voted to reorganize the Sheriff's Department on Aug. 20, cutting 36 positions, after two budget hearings failed to produce an agreement between the commissioners and Williams, who was not present for most of the discussion or the vote.

The Sheriff's Department command staff was cut, programs were combined and the number of take-home cars slashed in a reorganization that saves about \$1.1 million.

Williams said yesterday that he submitted three different budgets to the commissioners that were "fair and reasonable."

Commissioner J.D. Johnson, who met with Williams for more than two hours on Friday, said he thought Williams would attend yesterday's meeting.

"This is the worst I've seen yet. It's rather disgusting," Johnson said of the yearlong battle with the sheriff that began after a Sept. 17 helicopter crash killed two deputies. "Somebody's got to be accountable to the taxpayers."

Johnson, a Williams supporter when the sheriff ran for re-election in 1996, said he remains a strong supporter of law enforcement. Yesterday, Johnson asked why the letter from Kallal — who is not a county employee — was written on county stationery.

"If this is an outside attorney using county stationery, that's illegal, for starters," Johnson said.

Williams said he deputized Kallal, the daughter of an Illinois county sheriff, last week.

She is not being paid with county funds or out of his own pocket, Williams said, though neither Williams nor Kallal would disclose who is paying for her services.

Assistant District Attorney Mar-

the Commissioners Court, but commissioners have authority over county contracts, purchasing and the sheriff's budget.

Last week, the commissioners asked Williams to discuss in person the department's strategies for implementing the reorganization. Williams was asked to explain how tasks associated with jobs that the commissioners have cut will be accomplished and to identify lieutenants and above in the departmental reorganization.

Without the sheriff's participation, the county auditor will not know who to pay and some county employees may not be paid when the new fiscal year begins Oct. 1, Commissioner Glen Whitley said.

Williams and the commissioners have been at odds for months over Williams' request for 30 \$30,000 sport utility vehicles; five new Fords that sat unused for 10 months; the elected body's inability to get a clear picture of how Williams staffs his department; and jail overtime running 200 percent over budget.

"It's hit bottom at this point," said Commissioner Marti Van-Ravenswaay.

Williams said he is seeking "greater clarity" in his relationship with commissioners.

"I really think we have an opportunity for a new beginning," he said.

Chronology of a standoff

September 1997 — Sheriff David Williams requests 30 sport utility vehicles — Chevrolet Tahoes — at \$30,000 apiece, but commissioners say no, authorizing \$675,000 for the purchase of a mix of trucks and sedans. Williams insists on buying only Tahoes.

Sept. 17, 1997 — A Tarrant County Sheriff's Department helicopter crashes while flying over a Kenneth Copeland Ministries airstrip, killing pilot Lt. George Maurice Hendrix and Deputy Thomas Jay Smith.

Sept. 23, 1997 — Sheriff David Williams makes a three-minute appearance before Commissioners Court to report on the helicopter crash, but leaves without addressing his helicopter program or why he failed to notify commissioners after the crash occurred.

Oct. 23, 1997 — Williams defends the helicopter program in private meetings with commissioners Marti VanRavenswaay and Dionne Bagsby.

Jan. 13 — Commissioners vote to delay renewal of contract to provide hangar space at Meacham Airport and fuel for the sheriff's helicopter program until Williams appears before commissioners.

March 3 — Williams attends Commissioners Court for the first time in five months, but says only two sentences and never formally addresses the county commissioners.

March 31 — Commissioners halt delivery of seven new 1998 Chevrolet Tahoes to the Sheriff's

Department, ordered the previous year, saying the vehicles will not be released to the sheriff until commissioners get an explanation of why five new Ford Crown Victorias sat unused in the county garage for nearly a year, and a complete list of sheriff's vehicles.

April 2 — In a rare display of temper, Tarrant County Judge Tom Vandergriff scolds Williams in absentia for not appearing to discuss sheriff's business.

May 5 — Commissioners agree to hand over seven Chevrolet Tahoes after they receive a list of sheriff's vehicles. But commissioners question whether 150 vehicles is too many and want to know why 89 sheriff's employees get take-home cars.

May 19 — In the first public exchange between Williams and commissioners in nearly a year, commissioners question whether Williams is neglecting his primary duties of running the jail.

July 28 — Commissioners agree to give jailers \$175,000 in raises they said were inappropriately denied, but only after Williams attends their meeting and takes the blame for not distributing the money.

Aug. 18 — Williams abruptly leaves a commissioners meeting after his budget and reorganization plan for the Sheriff's Department are rejected.

Aug. 20 — Commissioners vote unanimously for a proposed reorganization of the Sheriff's Department in Williams' absence.

— BILL HANNA



Star-Telegram/JILL JOHNSON

Tarrant County Sheriff David Williams, right, introduced his newly hired attorney, Jana Kallal, left, at a news conference last night.

E D I T O R I A L S

No-Show Sheriff

TARRANT COUNTY Sheriff David Williams was a no-show at yesterday's Commissioners Court meeting. This isn't exactly a news flash, as he's been missing in action more than he's been in attendance.

The twist in the story this week is the letter, hand-delivered to the commissioners by Assistant Deputy Chief Larry Hester, from the "general counsel" for the office of the sheriff.

If you've never heard of the general counsel for the office of the sheriff before today, relax. No one else has, either.

The fact that Williams has legal representation beyond the district attorney's office was the first surprise of the morning. The assertions made in the letter were equally troubling.

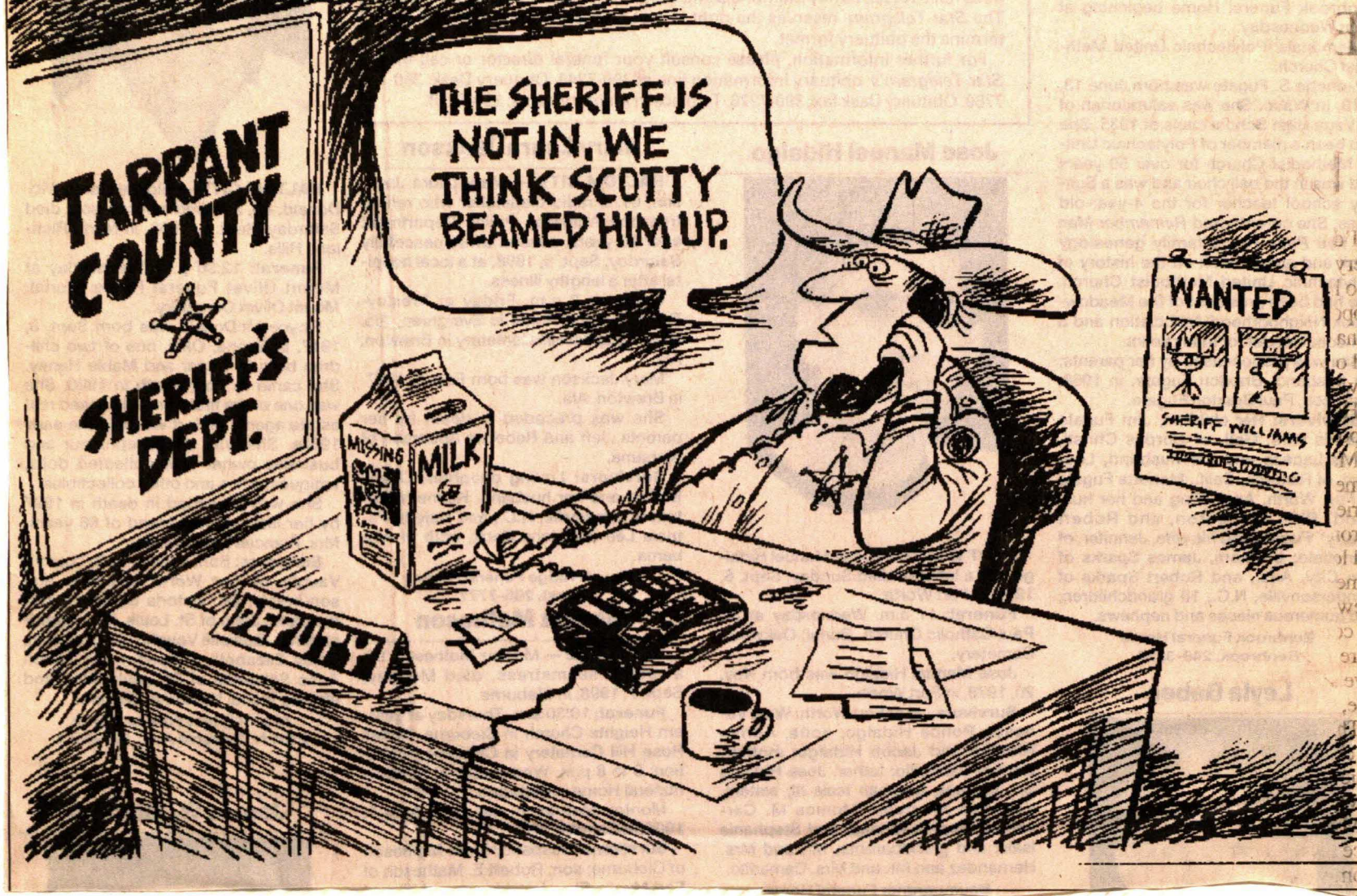
Williams, through "general counsel" J.L. Kallal, did not hesitate to play the fear card in condemning the commissioners' reorganization of his department — a move made necessary because the sheriff refuses to cooperate with the court. Williams claimed that the court's "arbitrary action in decreasing Sheriff's Office funding has put the Tarrant County residents, as well as the Sheriff's staff, at risk."

For the record, the Sheriff's Department is slated for a \$2.1 million increase in the next fiscal year — or at least it was until this latest wrinkle in events. We should know by Oct. 1, when the budget must be finalized, just how far the commissioners can be pushed.

In a county where the vast majority of people reside within cities that provide highly competent municipal police service, invoking citizens at risk is nothing more than blatant fear-mongering.

The only one putting Sheriff's Department staff at risk is Williams. His continued refusal to do the job he was elected to do — manage his people within the budget he receives from the Commissioners Court — is only hurting the men and women who work for him.

Now he's using outside counsel, which could be construed as the first step toward an ultimate court battle between two elected bodies — the sheriff and the commissioners. Voters, take note: Guess who'll be paying the legal fees for both sides of that fight?



Wednesday, September 9, 1998

Thursday, September 10, 1998



Bud Kennedy

COMMENTARY

Sheriff Williams is nothing like Mayberry's Andy

Having already soaked the taxpayers for toys like a helicopter patrol, \$30,000 sport trucks, flashy Camaros and a complete military weapons arsenal, Tarrant County Sheriff David Williams has now acquired his very own toy lawyer.

Keller attorney Jana Kallal says she agreed to help Williams in his futile budget battle partly because her own father is a sheriff in small-town Illinois.

She will learn quickly that Williams is not as competent as her father, a popular six-term country sheriff compared in newspapers to "Andy of Mayberry."

Based on a telephone conversation with him yesterday, she will also learn quickly that Texas is not Illinois, and a Texas sheriff may not pack as much clout as an Illinois sheriff.

She might also figure out that she is not really a "general counsel," a deputy sheriff or a "special agent," as Williams variously described her, sounding like Jethro Bodine deputizing Elly May Clampett to play double-naught spy.

Kallal is simply a neophyte attorney defending a duplicitous and secretive public official. For years, the sheriff has asked for more jailers, and then sneaked dozens off to work at his other pet jobs while jail overtime soars 200 percent over budget.

It wouldn't work that way under her own father, Frank Yocom, described in the *St. Louis Post-Dispatch* as the "homespun" sheriff of Jersey County, Ill.

"It's illegal by state statute to break your budget," said Yocom, 59, retiring this term after 24 years.

Under Illinois state law, he said, an elected official going over budget on any line item can be prosecuted for a Class A misdemeanor: "What you're describing couldn't happen here."

Yocom said he has talked with his daughter "a little bit" about her new client, calling her "bright" and also "a pretty conservative person."

He was "surprised," he said, to hear about "the deputy thing" — Williams' attempt to commission Kallal as a special deputy sheriff under the same Texas law typically used for rounding up a posse.

"I never thought of my daughter as a deputy," Yocom said. "I understand why he did that — I just never imagined it."

With a staff of 17 deputies in a county of 26,000, Yocom is a long way from Williams' staff of 1,300-plus in a county of 1.4 million. He has more executive power than Williams, setting his own department salaries and jobs within the total \$800,000 budget granted by the county board.

Yocom was surprised to learn that he has more clout than a Texas sheriff.

"Isn't he the chief law enforcement officer?" he asked in surprise.

Well, no. A Texas sheriff is a

countywide peace officer and runs the jail. Unlike in Illinois, Texas county constables and city police are peace officers with equal authority.

Williams wants us to think he is some kind of supercop, and often claims power as "the conservator of the peace." He is not. He is misquoting Texas law.

In rural Illinois, Yocom said his department has no helicopter, no drug dogs, no sports cars, no Chevrolet Tahoes and only a couple of fancy automatic weapons. He and his deputies drive Ford Crown Victorias, the same make of patrol cars Williams left collecting dust on a county lot while he lobbied for fancier Tahoes.

If he exceeded his budget or wanted more money from the county board, Yocom said, "I'd have to go to them and explain. And I'd better have a good explanation."

That's exactly what we can't get from Sheriff Williams.

Bud Kennedy's column appears Tuesday, Thursday and Saturday.
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Panel says it will use budget to limit Williams' agenda

County commissioners say they will force the sheriff to pay more attention to running the jail.

By NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — County commissioners vowed yesterday to push ahead with the reorganization of the Sheriff's Department over the objections of Sheriff David Williams and the private attorney he has hired to represent him.

The commissioners say they are determined to use their budgetary authority to limit Williams' broad law enforcement

But, according to the Texas Constitution and the Tarrant County district attorney, the Commissioners Court does have authority over the sheriff's budget.

Williams could not be reached yesterday to comment on the commissioners' position that his primary job is to run the jail and not to have helicopters, a special operations command or a chaplain's office, trappings of a broad-based law enforcement agency.

The new budget cuts 36 positions from the 1,308-person Sheriff's Department, including top command staff. It reduces the number of take-home cars, combines programs and saves the county about \$1.1 million. Williams' plan for reducing his budget — he participated minimally in discussions with commissioners — called for cutting an equal number of people, but kept the chaplain's office and special operations command.

Commissioner J.D. Johnson said yesterday that Williams has been able to expand the department even though new positions were not approved by commissioners. The sheriff

was able to do so, Johnson said, because he has had a surplus of employees the past two years — a result of not laying off jailers after state prisoner numbers in the jail dropped.

"We're not cutting him short. We've added call-takers, people in the warrants division and investigators," Johnson said.

Commissioner Glen Whitley said the budget implements some of what Williams put in place without first checking with commissioners, including a school-based Crime Stoppers program.

agenda for the department, forcing him to pay more attention to his primary responsibility — running the jail.

"He's primarily keeper of the keys. That's his function, and we will only give him the money for his principal responsibility," Tarrant County Judge Tom Vandergriff said. "We'll adopt a budget without his input, if we have to."

Williams refused to attend the Commissioners Court meeting Tuesday to discuss his department's reorganization, saying he had been advised by his attorney not to attend the meeting because the commissioners are exceeding their authority.

Williams asked for 150 new positions and \$65.4 million in his 1999 budget request, a \$12 million increase over 1998. County officials initially proposed adding six people and a \$55.3 million budget, but ended up making cuts instead.

"Williams is not content to accept any kind of compromise — it's his way or no way," Vandergriff said.

A letter sent to the commissioners Tuesday, written on Williams' behalf by his "general counsel," Jana Kallal, a Keller attorney, is critical of the county for broadening the chaplain's post to include all county workers under an employee assistance program run from the county personnel office. The letter rejects the idea that the Commissioners Court has authority over the Sheriff's Department.

"The commissioners are not given direct control over the operations of the sheriff's office or any elected official's department, but they don't just furnish a lump sum of money," said Marvin Collins, assistant district attorney.

The commissioners can prescribe job classifications and the duties and salaries that accompany those job classifications, Collins said.

Williams said Tuesday that he deputized Kallal, the daughter of an Illinois county sheriff, last week. He declined to say who is paying her, but said she is not paid with county funds or out of his pocket.

Kallal said Tuesday that she has never tried a case in court.

Williams has not filed a form deputizing Kallal with County Clerk Suzanne Henderson, as required by state law.

"There's no deputation form in my office," Henderson said yesterday. "He could have deputized her and the paperwork hasn't reached me yet."

Collins has said Kallal is not authorized by law to be general counsel to the Sheriff's Department and she is not paid by the county. She is Williams' private attorney, he said.

Neil Strassman, (817) 390-7657

Thursday, September 10, 1998

E D I T O R I A L S

Examination Time

AMID THIS WEEK'S BROUHAHA between Tarrant County commissioners and the sheriff, it was easy to overlook an important piece of legal housekeeping that also took place Tuesday.

The contract between the county and Medical Examiner Nizam Peerwani was amended to clear up confusion about where autopsies are to be performed, and who gets the revenue from such procedures.

This should never have been an issue that needed clarification, but allowing the medical examiner to work via a contract worth more than \$630,000 with little court oversight instead of as a county employee has always held the potential for problems.

After a three-month investigation into the medical examiner's business practices, the *Star-Telegram* found that Peerwani and his business partner Marc Krouse, the county's chief deputy medical examiner, have been performing many autopsies for rural Texas counties and for the federal prisons in Fort Worth at their private facility on U.S. 287 and not at the county morgue.

According to the paper's findings, some of the officials in those counties were unaware that the work was being performed by Peerwani the private businessman who pocketed at least \$405,000 in three years by doing the autopsies, and not Peerwani the county medical examiner who would share the fees 60-40 with the county.

No illegal activities were uncovered in the investigation, but even the perception of impropriety is unacceptable. Questions beyond those about money need answers. The county should investigate the use of county phone and fax numbers, letterhead and job titles for private business and exactly when county employees are working for Peerwani's private business.

While the commissioners are at it, they should give serious thought to doing away with the contract and making the medical examiner a county employee. It would go a long way toward ensuring accountability in an office with an operating budget of \$3.3 million.

IS THERE SUCH AN OFFICE
AS GENERAL CAT FOR THE
SHERIFF'S DEPARTMENT?

THERE
IS NOW.

RAISE YOUR
RIGHT PAW AND
REPEAT AFTER
ME...

WANTED
30 TANGOS

SHERIFF
APPOINTS
HIS OWN
GENERAL
CAT

SHERIFF
WILLIAMS

KEEP
OUT

ETTA
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LETTERS TO THE EDITOR

Sheriff should resign

It is not mandatory that the sheriff like the Tarrant County Commissioners Court, but it is necessary that he work within the system that was in place long before his election.

However, because of his obvious mismanagement of the department, his childish approach to the court and his general disregard for the system, he is not effective as a sheriff and could not possibly have any respect from his staff. This is a man doomed by his own inaction, and he should do the honorable thing and resign now.

BOB COSBY
Fort Worth

Attorney for sheriff says on radio show that she is working for free

By NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — Sheriff David Williams' newly hired private attorney told a radio talk-show host yesterday that she is working for Williams "for free." Some of the costs of her legal work are being paid by her husband, she said.

Jana Kallal, a Keller attorney deputized by Williams last week, said in an interview with radio station WBAP/820 AM talk show host Mark Davis that she is helping Williams because she believes it is

the right thing to do.

Williams has called Kallal the Sheriff's Department's "general counsel," but at a Tuesday news conference, neither he nor Kallal would say how she was being compensated. Kallal said only that she is being paid from private funds.

Yesterday, Kallal told Davis: "My husband is supporting this effort. It costs money to do this. Private funds are being expended to take this on," adding that "I don't work for a living."

"I am not being paid a fee," she

said. "I am doing what I think is right."

Williams has been at odds with Tarrant County commissioners about the department's budget and staffing. Earlier, Kallal advised Williams not to attend this week's Commissioners Court meeting to discuss his department's budget. Yesterday, she told Davis that commissioners were exceeding their authority in trying to control Williams' budget, a theme the sheriff repeated in a separate interview an hour later.

If you can't stand the heat of accountability . . .

Part of my job is communicating to the public.
— Tarrant County Sheriff David Williams,
Oct. 20, 1997

The discord between Tarrant County Sheriff David Williams and the county commissioners has reached an unprecedented point of communications breakdown. The commissioners have a job to do: manage the county's budget. When a department head runs 200 percent beyond his budgeted overtime allocation, the money managers have not only the right but the responsibility to ask questions.

Although it is certainly within the rights of the sheriff — or any county department head, for that matter — to appoint a designee to represent him during the budget process, the reality is that the voters didn't elect Executive Deputy Chief Hank Pope or Assistant Deputy Chief Larry Hester or Capt. John Dalton to head the Sheriff's Department. "Face time" is important in more than just fund raising. If Williams can manage to show up at Republican fundraisers in Northeast Tarrant County — his stronghold for support — he most certainly should be able to show up at the Commissioners Court to answer questions about his budget.

Until this past year, Williams had little to

complain about when it came to his budget beyond the gripes typical of every sheriff in every Texas county who didn't get everything that was asked for. The commissioners went along with requests that shifted the department's focus from being "just jailers" to Williams' expanded vision of the law enforcement side of the business — a vision he shared with voters prior to both successful elections. The commissioners funded interceptor Camaros for high-speed chases, a tactical team complete with military-style arms, a special operations unit.

Then came Sept. 17, 1997, and Williams' whole world changed. With the fatal crash of a department helicopter came the unblinking eye of scrutiny, from the commissioners and the public, focused sharply on the sheriff's operations. Relations between Williams and the commissioners soured. They weren't happy with the delayed notification he provided about the crash; he felt betrayed during a personally difficult time by their public criticism of him.

I had the opportunity to spend more than 12 hours



J.R. Labbe

COMMENTARY

over the course of two weeks interviewing the sheriff in October last year. It was the first extensive interview he had granted after the crash that took the lives of two deputies. I came away from the interviews liking the guy. He's a devoted family man with deep spiritual convictions. He sounded sincere in his commitment to his employees and the voters who entrusted him with the office.

A year ago, the people who work with him on a daily basis — his command-level staff — expressed confidence and support for a man who was trying to make substantive operations and equipment changes in the department.

That sense of loyalty was conspicuously lacking this week at the Commissioners Court. Williams' command-level employees were confused and frustrated, faced with a barrage of questions that they couldn't begin to answer because they don't have a clue as to what the sheriff is up to.

Putting on a show of unity isn't easy when the boss's behavior may be jeopardizing your paycheck. Maybe the sheriff is partially right. Maybe the

commissioners are trying to micromanage his department. But his continued refusal to talk face to face with them has forced them into a corner. They have an entire county to fund and a budget to approve by Oct. 1.

During our interviews last year, Williams said on numerous occasions that part of his job is to be responsive to his constituents.

"It's a blessing for this community that we still have elected sheriffs," Williams said on Oct. 21, 1997. "That provides an element of local control in public safety. It is important that that voice is someone who is responsible to citizens through the elected process."

But Williams isn't being responsible — not when he goes into hiding every time the going gets tough.

The bottom line is that David Williams doesn't have the stomach for public office. An inherent requirement of the job is accountability to the voters who put him there — something that the Tarrant County sheriff apparently isn't willing to do.

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Sheriff says he'll attend commissioners meeting

BY NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — In an apparent about-face, Sheriff David Williams said yesterday that he will attend Tuesday's Commissioners Court meeting to discuss next year's Sheriff's Department budget.

After refusing to meet with commissioners last week, Williams denounced them at a news conference and on a radio talk show for exceeding their authority in cutting the Sheriff's

Department budget.

Williams could not be reached for further comment yesterday.

"It is clear that going into the budget meeting with them on the 17th that they already had their minds made up," Williams said Thursday on Mark Davis' talk show on WBAP AM. "We're not talking about cutting fat, we're talking about cutting bone."

Williams' refusal to discuss the 1999 budget with the com-

(More on SHERIFF on Page 11)

missioners capped a year of frustration over:

- \$30,000 sport utility trucks.
- A botched raid in which 55 people were arrested at sexually oriented businesses. None was charged.
- A reluctance to discuss his helicopter program after a crash killed two deputies.
- Jail overtime running 200 percent over budget.
- Constant staff shuffles.

The commissioners, while somewhat hopeful, appeared skeptical of Williams' last-minute offer yesterday. They are set to approve the entire county budget Tuesday.

"I don't think it will be a give-and-take. It will be the same song and dance," Commissioner J.D. Johnson said. If Williams was serious, he would have met with commissioners to work on the meeting, Johnson said.

Williams has repeatedly said that commissioners lack authority to reorganize the department but acknowledges that they control his budget.

"We can't tell him how to do his work. How he sets his department up is his business," Johnson

said.

Williams initially proposed a budget for next year of \$65.4 million with 150 new positions; commissioners countered with a \$55.3 million budget. The commissioners finally cut 36 positions from the 1,308-person department, including top command staff. They shifted the chaplain's office to the county personnel office, reduced the number of take-home cars and combined programs, saving the county about \$1.1 million.

"I hope he does come Tuesday. I hope he participates and cooperates, but he hasn't gotten there yet," Commissioner Glen Whitley said. "We're going to listen, but it will take a convincing argument to change the budget."

Whitley said commissioners would give Williams a list of authorized positions "that he can organize however he sees fit." About 60 openings exist in the department, and Williams shouldn't have to lay off anyone, he said.

"This gives both sides an opportunity," Commissioner Dionne Bagsby said. "It's unfortunate he forced us to take the actions we've taken simply because he behaved as if he was above and beyond a public discussion of how tax dollars are spent."

Neil Strassman, (817) 390-7657

Fort Worth Star-Telegram

OPINIONS

Saturday, September 12, 1998

Beating up the sheriff

Your newspaper continues to beat up on David Williams, who was elected by the people, in your editorials and the usual liberal, slanted news stories about anything having to do with Tarrant County's Republican sheriff. This will backfire on the credibility of your newspaper in much the same way as your six years of backing President Clinton.

Be very careful what you print about Williams. Your opinions that you so flippantly publish on your editorial page will not deter the stampede of people rushing to embrace elected officials of moral character now that your man in the White House is down for the count.

DOYLE JONES
Arlington

EDITORIALS

Give and Take

COUNTY GOVERNMENT IN TEXAS is a many-headed creature.

Consider that the offices of county judge, county commissioner, sheriff, district attorney, district clerk, county clerk, tax assessor-collector and a myriad of judges and constables are all elected positions. Each of the office holders, with his or her own vision of how to do the job, feels endowed with a mandate from the voters.

Until recently, this array of elected officials — each with the attendant ego that goes with being in public office — has managed to achieve relative harmony in its working relationships.

The one common denominator, like the body shared by the heads of the hydra, is the Commissioners Court. It is keeper of the coffers for every county department.

Granted, some of the departments generate revenue that stays under their control and doesn't go into the general fund. The sheriff's forfeiture and seizure fund is one example. But the operating budget comes from the Commissioners Court, and a good working relationship with the court is imperative.

The battle between the Sheriff's Department and the Commissioners Court demonstrates just how bad things can get when one elected official believes his mandate should take precedence over all others. In the past, commissioners have done their best to accommodate the political visions of the other elected officials within the confines of fiscal stewardship. Conversely, those officials generally have worked toward compromise when their visions run contrary to the fiduciary responsibilities of the court.

The sheriff, until the past year, enjoyed that same consideration. But the crash of a department helicopter that killed two employees, mammoth cost overruns in overtime and requests for expensive sport utility vehicles when new patrol cars were sitting idle at the county garage triggered justifiable questions from the court.

Williams may also be asking a legitimate question: Does the court have the authority to tell him what kind of vehicles he purchases, or where he deploys his people? The court has jurisdiction over the budget, but as long as he stays within the dollar amount allocated, does it have the right to dictate how that money is spent? Unfortunately, the sheriff's continued refusal to meet with the commissioners to hammer out these questions has resulted in the current stalemate.

The art of politics includes a healthy dose of compromise. But the sheriff has adopted a winner-take-all attitude that could stymie his department and sink any political dreams he may have once entertained.

The glory of winning a spitting contest can be shortlived if your opponent has access to a fire hydrant. The sheriff apparently thinks he has won this round by hiring an attorney to question the county's authority, but no matter how one reads the state Constitution, the court will always control the purse strings. And nowhere does it say that the court must fund anything but the jail.

Chopper accident report is due soon

Copter program part of dispute

By NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — A report on the cause of a Sheriff's Department helicopter crash that killed two deputies a year ago will be issued in several weeks, federal air safety officials said yesterday.



Sheriff David Williams is to meet with commissioners to discuss his budget.

News that the cause of the Sept. 17, 1997, crash will soon be made public comes as Sheriff David Williams prepares to meet today with county commissioners to discuss next year's Sheriff's Department budget.

After refusing to attend Commissioners Court last week to discuss the department's roughly \$54 million budget, Williams denounced the commissioners at a news conference and on a radio talk show for exceeding their authority in making cuts to some of his most cherished programs: the chaplain's office and a special operations command.

In a turnabout on Friday, Williams said he would come to Commissioners Court today.

That day he also sent a letter that began "Dear Fellow Believers" to area churches that said, "the integrity of my office is under assault."

In the letter, Williams was critical of the commissioners for removing the chap-

(More on SHERIFF on Page 5B)

lain's office from his department.

The budget battle, which should conclude today with the adoption of the county's operating expenses for next year, is the latest in the yearlong series of skirmishes between Williams and the commissioners that began in earnest shortly after the fatal helicopter accident.

The crash involved a military-surplus OH-58A Bell helicopter that went down east of Eagle Mountain Lake, killing Lt. George Maurice Hendrix, its pilot, and Deputy Thomas Jay Smith, a criminal investigator. The National Transportation Safety Board's long-awaited report should be available within a month, federal officials said.

"The report is in the final stage of being reviewed within our

County deputy who was the last to fly the helicopter, is making sure the craft stays airworthy, he said.

Since the accident, the commissioners have voiced concerns about how the helicopter program is funded, its future and the county's liability should there be another crash.

"I'm not for continuance of any helicopter patrol. I would not want to see the program revived," County Judge Tom Vandergriff said yesterday. The county should "explore selling" the remaining helicopter, he said.

The families of the men killed in the crash get \$26,000 a year, or about \$508 a week, under the county's self-insured workers compensation program. County officials estimate the total payout to the families at roughly \$1 million.

Attorney Chuck Noteboom, who represents Smith's son Lonnie, said that to his knowledge, no

office in Arlington," said Georgia Snyder, the NTSB safety investigator in charge of the crash inquiry. "It has to go through additional review in Washington."

The report should be forwarded to Washington next week and could be released soon after that, she said.

An initial examination of the helicopter's parts did not find any structural or mechanical discrepancy that could have been a factor in the crash, Snyder said months ago. She declined to elaborate on the finished report yesterday.

The department's remaining helicopter, stored in a hangar at Fort Worth Meacham Airport, was grounded in January pending the outcome of the federal investigation, Executive Chief Deputy Hank Pope said.

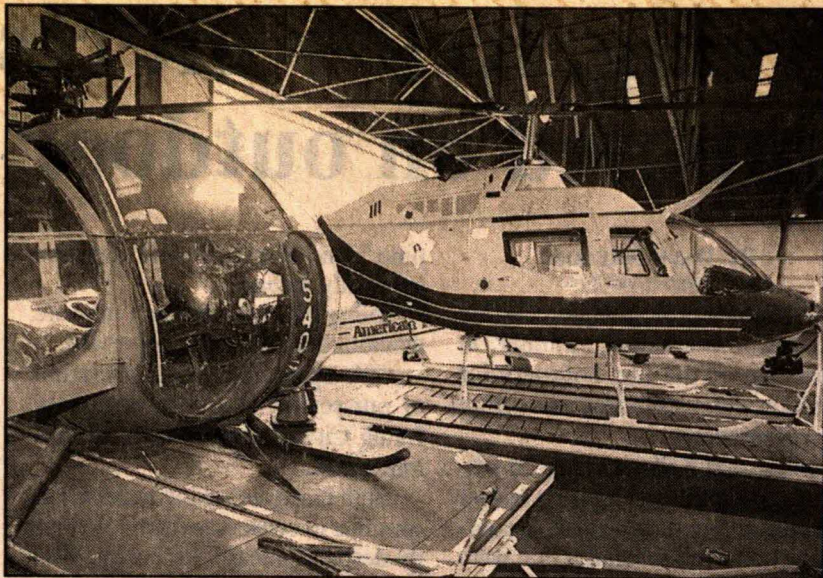
"The big issue is the report and what it says. Any discussion of the future of the program depends on the final report," Pope said. Bob Moehring, the former Tarrant

lawsuits have been filed in connection with the crash.

No tax dollars have been spent on Williams' helicopter program, which began in 1993 with three military-surplus OH-6 helicopters. The OH-58As were acquired in a trade with a California county for the OH-6s. The program has been operated out of Williams' drug forfeiture fund, money recovered from drug busts and proceeds from the sale of seized items over which he has spending discretion.

Since Oct. 1 of last year, the Sheriff's Department has spent \$10,860 on the helicopter program — \$7,003 on insurance, \$3,300 on rent and \$557 on fuel — according to Tarrant County Auditor Renee Tidwell.

In an April audit, Tidwell chastised Williams for 39 cases in which the Sheriff's Department did not follow the requirements of the County Purchasing Act when spending \$22,000. Most of the 39 violations involved the sheriff's



Star-Telegram/RONT. ENNIS

The Tarrant County Sheriff's Department's remaining OH-58A, right, sits next to an old OH-6 in a hangar at Fort Worth Meacham Airport yesterday.

helicopter program, including purchases of fuel, oil and paint, Tidwell said, though at least one purchase involved submachine guns.

Williams agreed to make sure

that future Sheriff's Department expenditures comply with state purchasing laws.

Neil Strassman, (817) 390-7657

EDITORIALS

Being There

IN WHAT MAY BE a case of too little, too late, Tarrant County Sheriff David Williams has indicated that he plans to attend today's 10 a.m. Commissioners Court meeting.

Williams needs to capitalize on this tiniest window of opportunity to make amends for his inexcusable behavior during this summer's budget deliberations. The commissioners are scheduled today to approve the fiscal 1999 budget, which includes Sheriff's Department expenditures that were, for the most part, calculated without Williams' input.

Without question, today's meeting will be a zoo. Reporters from every local radio and TV station, along with print media representatives, will be on hand to see if Williams holds true to his word. For a man who shuns public scrutiny, it will not be pleasant. But for the sake of his department's personnel, the sheriff must do what he finds personally repugnant.

If Williams hopes to salvage any credibility with his constituents — employees, voters and taxpayers — he'd better be in court today with bells on.

EDITORIALS

County Clamor

AS FORECAST, the Tarrant County Commissioners Court meeting yesterday was a zoo. Actually, it was more like a tent revival gone horribly astray.

Sheriff David Williams appeared, as promised, to defend his budget request — flanked by his “general counsel,” Jana Kallal, and dozens of supporters ready to assail commissioners about their desire to dismantle the chaplain’s office.

If they had done their homework instead of blindly responding to a letter from the sheriff asking for support, they would have discovered a few facts that were omitted from Williams’ communication. Contrary to what several of the sheriff’s supporters said yesterday, commissioners never proposed cutting the department’s budget; in fact, the budget that passed

Rather than void the services provided by the chaplain, the court plans to expand them to include counseling for all county employees, not just jail inmates and Sheriff’s Department employees.

unanimously includes a \$1 million increase over last year’s allocations.

A phone call to any of the commissioners could have cleared up the confusion about the chaplain’s office. Rather than void the services provided by the chaplain, the court plans to expand them to include counseling for all county employees, not just jail

inmates and Sheriff’s Department employees.

It is reasonable to ask whether one person can provide such all-encompassing services. It is not reasonable, however, to jump to the conclusion that because the commissioners are putting these responsibilities under the Human Resources Department, they are trying to kill the program.

Jail ministries have been around as long as there have been people incarcerated for bad deeds. No one proposed ending Tarrant County’s efforts. In fact, these commissioners have stood behind Williams during legal challenges and public condemnation of the Chaplain’s Education Program, nicknamed the “God Pod” for its faith-based rehabilitation approach.

Williams turned a budget battle into a holy war, and the county commissioners may never forgive him for it.

The furor over the chaplain’s position simply serves to move the public’s focus away from legitimate questions about how the sheriff is managing his department — a department that the taxpayers will finance to the tune of \$54 million in the new fiscal year.

The sheriff is keenly aware of where his power base lies: in the sanctuaries of certain churches throughout the county. His letter, printed on his county letterhead and warning that “the integrity of my office is under assault,” got the attention of many people eager to support spreading the gospel to Tarrant County inmates.

No one is questioning the worth of the jail ministry. But lost in yesterday’s spiritual fervor was any constructive communication between the sheriff and the commissioners. A great divide still separates the two sides. Williams and his attorney repeatedly questioned the court’s authority to meddle in his department. Commissioners repeatedly referred to the district attorney’s determination that the court indeed has the authority to prescribe positions, salaries and budget allocations for equipment.

No progress can be reported. It will be a pity if Williams takes the misguided step of filing a lawsuit that could throw the entire budget into limbo.

Sheriff reined in with yank on budget

By NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — Despite pleas from volunteer chaplains, Tarrant County commissioners yesterday cut the paid chaplain from the jail ministry program, eliminated 35 other positions and rearranged the Sheriff's Department as they approved a county budget of \$240 million for 1999.

Even though Sheriff David Williams' contended that they didn't have the authority to do so, commissioners also took two new low-mileage \$30,000 Chevrolet Tahoe sport utility vehicles from his department.

Dozens of volunteer chaplains were among the supporters of Williams who packed the Commissioners Court meeting yesterday in a futile effort to save the job of Maj. Hugh Atwell, the sheriff's chaplain.

"I have seen marvelous miracles in that jail. I have seen lives change," said Ewell Humphreys, 74, a volunteer chaplain.

But the commissioners, hardened by a year of battling Williams at every turn — over his helicopter program and a crash that killed two deputies, his

(More on SHERIFF on Page 15A)

Tahoe fleet, take-home cars, jail overtime that ran 200 percent over budget and staff shuffles — refused to back away from their promise to rein in the sheriff and his expanded law enforcement agenda.

"We feel the \$54.2 million budget we are approving will cause the sheriff to more closely monitor his operations and discuss his new programs before committing taxpayer dollars," Commissioner Glen Whitley said.

Commissioner J.D. Johnson said that "a lot of surplus was cut out of the sheriff's budget," which will probably lead "to a more efficient operation."

Williams, who attended the four-hour standing-room-only meeting, challenged the commissioners' authority to cut positions or equipment from his department.

"It is beyond the scope of your authority to remove the chaplain from my office," Williams said to hearty applause by those in the crowd.

But Marvin Collins, assistant district attorney, said Texas law clearly gives the commissioners authority over the Sheriff's Department budget. He said the commissioners also may make decisions concerning staffing.

The jail ministry program was praised by commissioners, who all said they want to see it continue. But under the new budget, the chaplain's work will be shifted to a broader employee assistance program run out of the county personnel office.

"Our expectations for this program are genuine," said County Judge Tom Vandergriff. "It could be combined in some manner with the jail ministry."

Atwell, however, was unyielding. Without a paid chaplain, the jail ministry program will be left without "leadership and vision," he said.

"As of Sept. 30 I don't have a job," Atwell said.

For more than an hour, volunteer chaplains rose from the audience to extol the virtues of the jail ministry program.

"This will lead to a slow and painful death of the chaplaincy in the jail. The program is led by a capable man, Hugh Atwell, and there are several hundred volunteers working several hundred hours," said the Rev. Roger Hollar of Glenview Baptist Church. After the meeting, Hollar said the commissioners were wrong.

"Human resources can't do this," he said.

In addition to eliminating the chaplain's office, commissioners also cut 35 positions from the 1,308-member Sheriff's Department, including some top command staff jobs. The number of take-home cars — those that employees are allowed to drive home at night — was reduced, and the special operations command was disbanded, saving the county about \$1.1 million. The depart-

ment's overall budget was increased by about \$1 million over last year.

The commissioners expanded the warrant division and funded some programs that Williams had begun without authority, such as a school Crime Stoppers program.

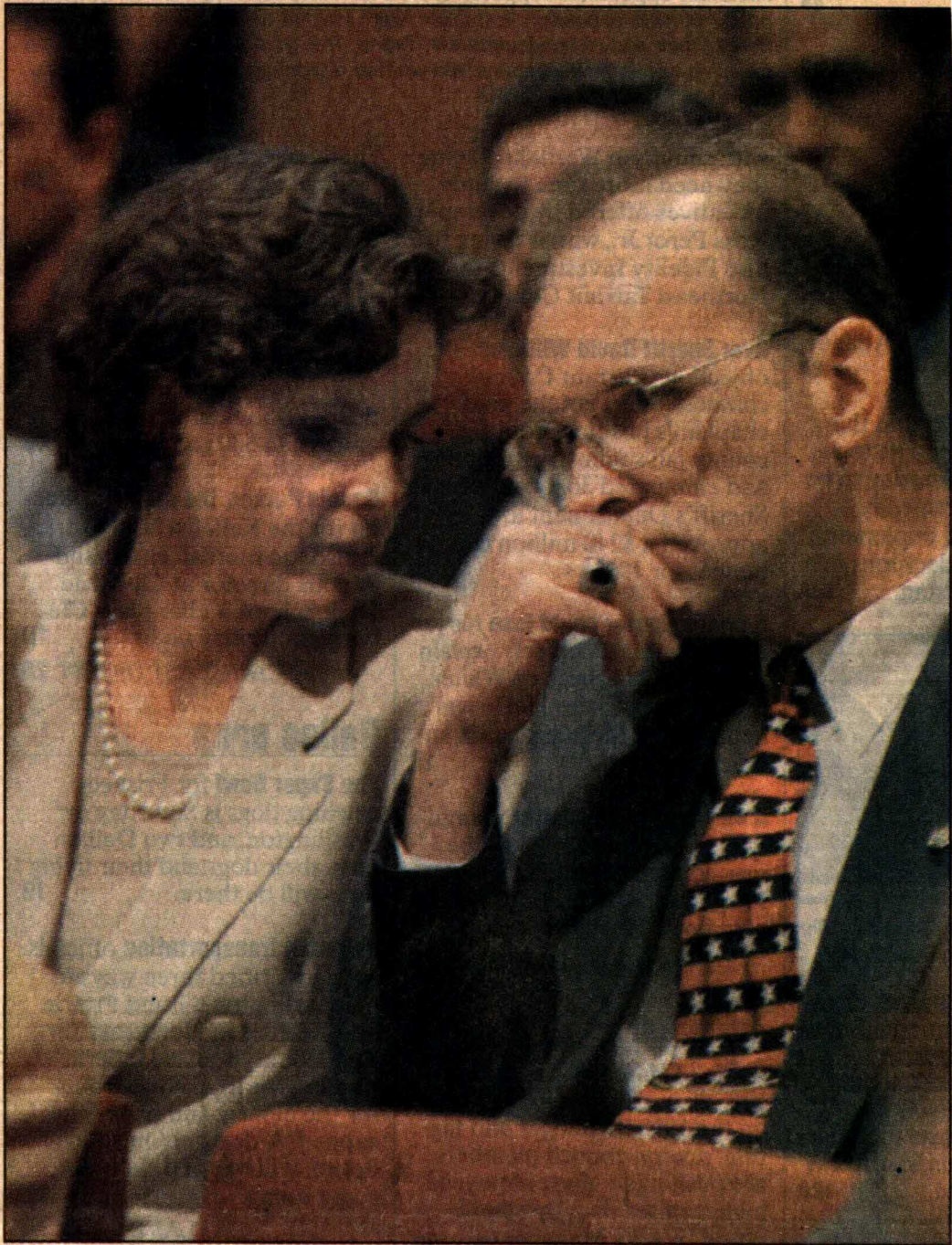
Williams made an attempt early in the meeting to present an alternative budget, but the focus for hours remained on the chaplain's post. Afterward, Williams was calm but sounded somewhat bitter.

"There's a huge attempt to micromanage this office," he said. "The commissioners chose to ignore the will of the people. There was copious amounts of bureaucratic doublespeak."

Williams declined to say whether he would seek legal action against the commissioners with the aid of his recently hired general counsel, Keller attorney Jana Kallal, who said she also believes commissioners exceeded their authority yesterday.

Neil Strassman, (817) 390-7657

September 16, 1998



Star-Telegram/RODGER MALLISON

Sheriff David Williams listens to his attorney, Jana Kallal, yesterday as Tarrant County com-

missioners make budget changes in his department.

The last thing Tarrant needs is more county combat

It's nigh on impossible — not to mention imprudent — to ascribe motives to what other people are doing. So the question of why Tarrant County Sheriff David Williams has decided on his current course of action remains unanswered.



J.R. LABBE

Williams has dug in his heels in his fervent belief that the Commissioners Court has no authority under state law to look into the specifics of his department's budget, even though the Texas Constitution is quite clear about the court being the financial steward for all

county operations.

If Williams is so right, and the court is so wrong, why haven't similar insurrections occurred in the 253 other Texas counties that operate with an elected sheriff and elected county commissioners? Is Williams the first sheriff in the history of the state of Texas to figure out what the law really means?

One has one's doubts, especially with the whiz-bang legal counsel he's unearthed to help him in this ill-advised fight. Jana Kallal, jumping up and down

like a jack-in-the-box on Tuesday to object to some of the commissioners' comments, apparently doesn't know the difference between a court of law and a commissioners court. But then, she's never worked in either, so we should probably cut her some slack.

By all appearances, including the hiring of Kallal as his "general counsel," the sheriff intends to take this battle as far as it will go in order to prove his point, no matter how harmful that is.

Let's hope Kallal doesn't get her chance to see the inside of that kind of courtroom. Tarrant County doesn't need more elected officials suing each other over something that could probably be hammered out if everyone would park their egos and their inclination toward political turf protection at the door and sit down together to talk. The lawsuit between Tarrant and Denton counties over where their mutual border should be has drained enough public dollars from both county coffers. Taxpayers don't need to be funding another "my-dad's-bigger-than-your-dad" argument.

Voices of reason have attempted to pierce through the sheriff's impervious mind-set. On Tuesday, Pct. 1 Commissioner Dionne Bagsby called for everyone to "put away our political posturing" to make room for the compromise that is possible on each side.

Unfortunately, her request was met with Williams' continued insistence that the court has no authority to meddle in his budget.

The system of checks and balances that the framers of the U.S. Constitution found so necessary on the federal level is equally important on the county level. No elected official should be able to operate in a vacuum. If the Commissioners Court had the authority to control all aspects of the Sheriff's Department — not only how much money it receives for salaries, equipment, facilities, etc., but also who fills which positions and what kind of ammo to buy — then we wouldn't need a sheriff, would we?

In the same vein, if the sheriff could name any dollar amount he wants for his budget without regard to the impact on the rest of the county's operations, why would we need the Commissioners Court?

As long as the sheriff stays at loggerheads with the court, the morale within his department further crumbles. Internal grumbling is nothing new in a law enforcement agency. Find a cop shop or sheriff's office where the rank and file all love the chief, and you'll know you've crossed over to the Twilight Zone.

But the animosity emanating from the Tarrant County Sheriff's Department has reached a pitch I've never witnessed in the 10 years that I've been watching area law enforcement agencies.

People are angry because Williams' actions — or, more accurately, inaction — during the budget process put some of their jobs in jeopardy. They're frustrated that an ideological war with the commissioners over who has authority to dictate the Sheriff's Department budget has created a divide that Moses could have marched the fleeing Israelites through.

They're concerned about how long this will go on, and who's in command while the sheriff concentrates of this ridiculous battle with the commissioners.

And they are wondering, along with more and more county taxpayers, what Williams is trying to hide with his reticence.

Our form of government demands accountability to the people. We aren't getting what we're paying for, folks.

JILL "J.R." LABBE is senior editorial writer and columnist for the Star-Telegram. Her e-mail address is jrlabbe@star-telegram.com and her phone number is (817) 390-7599.

Fort Worth area

Commissioner gives evidence to DA's office

FORT WORTH — Information regarding allegations of bid-rigging, kickbacks and theft of county property by a Tarrant County sheriff's deputy were turned over to the district attorney's office yesterday by a county commissioner.

Commissioner Marti VanRavenswaay, who declined to name the deputy, faxed the information to the district attorney yesterday.

"These are some serious allegations that warrant investigation," she said. "When a public official is made aware of potential wrongdoing, then the information has to be turned over to the appropriate authority."

The cumulative value of the missing property and the kickbacks or in-kind services could be as much as \$10,000, VanRavenswaay said. She declined to say what county property could be missing or what the bids were for.

Assistant District Attorney Larry Thompson said the office received the allegations from VanRavenswaay late yesterday afternoon and will look into them.

PEOPLE AND PLACES

061. best thing tarrant county needs to lose

Readers >> Sheriff David Williams

Staff >> Tarrant County Commissioners Court

With only a few miles of county road to maintain, our highly paid commissioners have no real jobs. When they've tried to exert the budgetary power they do have — such as dangling the purse strings to get some cooperation from rebellious Sheriff David Williams — they have failed. Yet, they just voted themselves a nearly \$9,000-a-year pay raise (almost \$10,000 for County Judge Tom Vandergriff). That means each commissioner will be bringing home \$90,708 next year and Vandergriff will make \$100,176, and that's not counting their \$8,000 car allowances or what it costs to pay their assistants and staff their 11 (soon to be 12) offices. Sure, Vandergriff is a cuddly county institution, Marti Van Ravenswaay is cute, Glen Whitley is naively earnest, Dionne Bagsby is agreeable, and J.D. Johnson is intriguingly slimy, but are they really worth a million of taxpayers' hard-earned bucks every year?

056. best scandal

Readers >> Sheriff David Williams and his cars

Staff >> Dirty-old-boy B. Don Magness (one voter called him "B. Don Maggot") and the City Hall good-old-boy who saved his ass

B. Don's been a liability-just-waiting-to-happen ever since he called Miss Texas Pageant contestants "sluts" 20 years ago. When three female employees filed sexual harassment charges against the Will Rogers director for doing what he's made an art-form of all these years, City Manager Bob Terrell said "naughty boy, now you'll have to go" — with his \$105,000 retirement in hand.

Deputy's widow files lawsuit against Tarrant County sheriff

By JACK DOUGLAS JR.
Star-Telegram Staff Writer

FORT WORTH — A deputy's widow filed a lawsuit against Tarrant County Sheriff David Williams and his department yesterday, saying her husband's death in a helicopter crash was due to gross negligence.

Deputy Thomas Jay Smith died because the beleaguered Williams failed "to maintain a competent aviation unit within the Sheriff's Department," Kathy Smith said in the lawsuit, filed on the one-year anniversary of the crash.

Williams, who has been embroiled in a budget fight with members of the Tarrant County Commissioners Court, could not be reached yesterday to comment about the lawsuit.

LAWSUIT

From Page 1B

His assistant chief deputy, Larry Hester, said he could not discuss the specifics of the suit. But in response to allegations that the Sheriff's Department's helicopter program was unsafe, Hester said: "We don't try to endanger anybody's life. We're in the field of protecting lives, not putting anybody in danger."

The sheriff and the Sheriff's Department were "grossly negligent in failing to provide . . . a safe working environment," the lawsuit said of the crash that killed Smith, a passenger, and Lt. George Maurice Hendrix, the pilot.

Ironically, the lawsuit was being filed yesterday as Kathy Smith and Hendrix's widow, Marcia, attended a memorial service for the two men. Marcia Hendrix is not named as a plaintiff in the lawsuit.

Williams spoke at the memorial service.

Smith and Hendrix were killed Sept. 17, 1997, when a black Sheriff's Department helicopter crashed on the grounds of evangelist Kenneth Copeland's ministry next to Eagle Mountain Lake. The National Transportation Safety Board has ruled out mechanical problems as a cause of the accident, but a final report has yet to be issued.

Jack Douglas Jr. (817) 390-7700
jld@star-telegram.com

Jailer among four indicted in shooting

By **GABRIELLE CRIST**
Star-Telegram Staff Writer

FORT WORTH — Four people, including a Tarrant County jailer, were indicted yesterday in a shooting that blinded a 5-year-old boy in one eye.

Tablisha Taylor, 22; Ivan Nathaniel Hamilton, 17; Nicholas Winquest, 18; and Brian Carroll, 19, all of Fort Worth, now await trial on the charge of engaging in organized crime. If convicted, they face up to life in prison.

Engaging in organized crime is a charge that can be used when three or more people participate in a crime, either by planning it or by helping to carry it out. It enhances the punishment range of the offense, which in this case, is aggravated assault.

Police say Antonio Jackson was shot in the cheek as he rode in the front seat of his mother's car. The boy's mother, Sandra Wright, was chasing a carload of people who she believed had just smashed the windows of her teen-age daughter's car.

According to an affidavit for Taylor's arrest, the three men gave statements to police just after they

A 5-year-old boy, riding with his mother, was blinded in one eye.

were arrested, taking responsibility for their part in the shooting and implicating Taylor.

According to the affidavit, Carroll, who was dating Taylor, dropped her off at work June 22 at the Tarrant County Jail, left with her car and picked up Winquest and Hamilton.

Later that night, the three men picked Taylor up from work, and the group drove to a house in the 3700 block of Park Ridge Boulevard, the affidavit states.

The men got out and smashed the windows of a car while Taylor waited down the block and then drove by and picked the men up, according to Taylor's arrest affidavit.

Taylor was driving when the

group noticed that they were being pursued. Carroll told Taylor to pull over and took Taylor's gun from the holster, the affidavit says. The men then got out of the car, took positions at the intersection and Taylor drove away.

As Wright approached the intersection, Carroll fired a shot, hitting the child in the cheek, the affidavit states.

Taylor cleaned the gun after the shooting and lied to investigators when asked why it had been fired, the affidavit states.

Taylor was suspended without pay just after her June arrest. Her current employment status was unavailable.

Gabrielle Crist, (817) 390-7662



To see what stories appear in today's Star-Telegram, go to www.star-telegram.com/frontpage/

Is Sheriff **David Williams'** political career in trouble after his latest confrontation with the Tarrant County commissioners?

It may be a little too early to tell, but some GOP activists already are talking about finding another Republican to challenge Williams in the next primary.

Commissioner defends reining in sheriff

By **MAX B. BAKER**
Star-Telegram Staff Writer

FORT WORTH — When Tarrant County Commissioner Glen Whitley ran for office two years ago, members of the influential Metroport Republican Club in northeast Tarrant County were among his biggest backers.

At the group's meeting Monday night, however, Whitley was in the uncomfortable position of

reach out to Williams.

"There has been no bridge burnt. We've got to communicate together," Whitley said.

James Borchert, and others in the Tarrant County Republican Party, believe that Whitley and the commissioners have overreached their powers by trying to micro-manage the Sheriff's Department

through the budget process.

Last week, the commissioners reined in Williams by eliminating 36 positions, shifting the chaplain's position to personnel and rearranging the department when it approved a \$54.2 million budget for the sheriff.

The commissioners have been battling with Williams over his efforts to make the sheriff the county's top cop and not just a keeper of the county's jailhouse keys. Williams has been using drug-sniffing dogs, buying helicopters and creating tactical teams to ferret out repeat violent offenders.

"Our sheriff is under attack. He's under siege," said Borchert, chairman of the state party's rules committee and an ardent Williams supporter. "Their base of support may not be as strong as they imagine on this issue."

Tarrant County Judge Tom Vandergriff and Commissioners J.D. Johnson and Marti VanRavenswaay, all Republicans, are unopposed on the November bal-

lot.

As a result, most of the recent attention has centered on Whitley, who is up for re-election in 2000. During his first term, the certified public accountant from Hurst has been a vocal critic of Williams.

Among those mentioned as likely opponents are former Watauga council member Rusty Caranfa and GOP activist Lewis

Lowe of Euless. Both said they are considering running for the \$92,000-a-year post.

Williams "has a great deal of support in the Republican Party and Glen Whitley, doesn't," said Caranfa, who has been asked to run for Whitley's post.

Lowe said if he doesn't run, "Somebody is going to beat" Whitley.

Other names being kicked around are current and former members of the Colleyville City Council, including Mayor Richard Newton and Mayor Pro Tem Donna Arp. Newton and Arp said they have not considered seeking the post.

Whitley said Borchert threatened "to get someone to run against all of" the commissioners. The threat to come up with a slate of candidates was made during a heated phone conversation soon after the budget vote, he said.

"I have to say that I'm concerned, but I've done what I've felt was right," Whitley said. "If they are going to run against me, they better be ready to spend some money."

Whitley said people become less agitated with the commissioners when he explains that they boosted Williams' budget by \$2 million, formalized some of the programs he started and expanded the chaplain's program.

While Vandergriff doesn't have to worry about an opponent for more than four years, he isn't concerned.

VanRavenswaay said she had also heard that party members are considering finding her an opponent.

Williams' backers criticize Whitley

defending himself and his commissioner colleagues in their celebrated, yearlong brawl with Tarrant County Sheriff David Williams.

Republican Party activists, including a member of the State Republican Executive Committee,

are threatening to gather a slate of candidates to run against Whitley and the other commissioners, Whitley said.

"I think David is a very high integrity, high moral individual," Whitley told the Metroport members, many of whom are strong Williams supporters. He implored the sheriff's friends to help him

8B)



Glen Whitley: A vocal critic of the sheriff

Max B. Baker (817) 390-7714
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LETTERS TO THE EDITOR

Backing the sheriff

I find it very disheartening to watch on television and read in the newspaper the selective attacks against our sheriff.

Sheriff David Williams made it clear two years ago when he ran for re-election that he was going to expand the warrants division and reduce the backlog of outstanding warrants, create a special division to combat drug trafficking, and increase the patrols in our neighborhoods.

We elected the sheriff as our county's top law enforcement officer, knowing full well he would do as he had pledged. We did not elect a politician to office to stroke the egos of other politicians — we elected a cop to bust the criminals in this county and rid our streets of the scum preying on our families and friends.

We elected the sheriff to protect us, to ensure our safety, security and well-being. Williams has not failed us in these endeavors. He is also responsible for the jails and has not failed in those responsibilities, either. In fact, he has locked up more felons, robbers and all-around bad guys than most, and it's not cheap.

I question the Tarrant County commissioners' timing, as a majority of



Sheriff David Williams

them are up for re-election in November. I also question how easy it is for others to jump on the bandwagon and bash the sheriff. The Commissioners Court is treading dangerously close to the internal affairs of the Sheriff's Department and may find itself in court.

To Sheriff Williams: Sometimes doing the right thing means you have to stand alone — but not in this case, because I am willing to stand behind you.

RUSSELL J. "RUSTY" CARANFA
Watauga

NTSB to report on crash of copter

1997 accident killed two sheriff's deputies

BY NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — Results of a year-long investigation of the 1997 Sheriff's Department helicopter crash that killed two deputies will be made public Wednesday, federal air safety officials said yesterday.

The factual report by National Transportation Safety Board investigators on the crash of the military surplus OH-58A Bell helicopter east of Eagle Mountain Lake will be released at NTSB headquarters in Washington, said Georgia Snyder, who is in charge of the accident investigation.

"The report that comes out on Sept. 30th is the factual report only. The determination of probable cause of the accident will come out at a later date," Snyder said. "This is not the final report."

NTSB officials and federal air safety experts must still review the report in Washington, said Ted Lopatkiewicz, NTSB spokesman.

"It will definitely take several months," he said.

Although Snyder declined to characterize the factual report or its conclusions, she re-emphasized that the initial examination of the helicopter's parts did not show structural or mechanical problems that could have been a factor in the crash on Sept. 17, 1997, on the grounds of evangelist Kenneth Copeland's headquarters.

(More on INQUIRY on Page 4B)

"We found no evidence of mechanical failure. As for weather conditions, it was clear skies with wind out of the south at about 10 mph, a very typical North Texas day," Snyder said.

Lt. George Maurice Hendrix, the pilot, and Deputy Thomas Jay Smith, a criminal investigator, were killed in the crash.

Kathy Smith, T.J. Smith's widow, has filed a lawsuit against

Tarrant County Sheriff David Williams and his department, alleging that her husband's death was due to gross negligence.

Smith died because Williams failed "to maintain a competent aviation unit within the Sheriff's Department," the lawsuit claims. The sheriff and the Sheriff's Department were "grossly negligent in failing to provide ... a safe working environment."

Sheriff's Department officials have declined to comment on the lawsuit.

Since the accident, the county commissioners have voiced concerns about how the helicopter pro-

gram is funded, its future and the county's liability in case of another crash. They are on record as opposing continuation of the program.

The department's only other chopper, stored in a hangar at Fort Worth Meacham Airport, has been grounded, pending the outcome of the federal investigation.

The families of the men killed in the crash get \$26,000 a year, about \$508 a week, under the county's self-insured workers compensation program. County officials estimate the total payout to the families at about \$1 million.

Neil Strassman, (817) 390-7657

High Holy Sheriff can keep chaplain for the time being

For once, the Tarrant County sheriff is right about something.

I hate to say it. But it's true.

County commissioners can cut out David Williams' paramilitary weapons, the fancy sport trucks and every single deputy who is off working on some Williams pet project while we're paying triple overtime in the county jail.

But the commissioners can't completely cut

out Williams' staff evangelist, the Baptist pastor who serves as the department's \$62,000-a-year director of chaplains.

Commissioners can cut out the job.

But the sheriff is right.

They can't make him cut out the chaplain, Maj. Hugh Atwell.

The High Sheriff of Tarrant County has become the High Holy Sheriff of late.

With the Republican commis-

sioners tightening their hold over his renegade department's runaway budget, Williams is rallying support from his evangelical right-wing political backers.

He wouldn't address the Commissioners Court, and he won't say much in public. Yet he plans to make a speech Tuesday night beneath the "prayer tower" at a politically active Fort Worth church, Calvary Cathedral.

The sheriff is whipping pastors and right-wing

(More on KENNEDY on Page 11B)



**BUD
KENNEDY**

■
COMMENTARY

evangelicals into a panic of biblical proportions, all because commissioners are cutting out the expensive chaplain's job and moving the position to the county personnel department. (They are leaving Williams with a full-time coordinator for the volunteer chaplains who minister in the jail.)

Frankly, I don't see the big deal.

The commissioners have legal authority to cut Williams' budget. He's wasting money.

But most urban sheriff's departments have a staff chaplain.

Atwell is a retired 25-year veteran police officer, qualified for almost any open job in the Sheriff's Department. Then, at the sheriff's assignment, he can go

right back to work as a Williams apologist and informal staff chaplain.

By surgically removing Atwell, along with his tax-paid county car and unaudited "chaplain's fund," commissioners were trying to remove a sore spot.

But by aiming their budget knife at Williams' evangelical commander, they stung his followers.

Plenty of conservative Republicans would agree that Williams is busting his budget, blowing too much money on foolish toys and secret-spy games and generally behaving like a paranoid South American dictator fearing a palace coup.

He's right. He can keep his chaplain.

But in two years, we can cut out the sheriff.

Bud Kennedy's column appears Tuesday, Thursday and Saturday.
(817) 390-7538
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LETTERS TO THE EDITOR

.star-telegram.com / Saturday, September 26, 1998

Who's not cooperating?

If the Tarrant County commissioners prevent Sheriff David Williams from doing the job that the people want him to do, then they are the ones who are not cooperating with the will of the people.

They are not the "gods" of Tarrant County. It is time to quit pretending. The sheriff has been at the Commissioners Court many times during the last six years and was there twice recently to discuss the budget. Maybe it is time that the commissioners looked into what could happen to them if they continue to overstep the bounds of their authority.

LATRICE WILSON
Arlington

Just one sheriff

Finally, a sheriff who is willing to do what he is elected to do.

David Williams was elected for his law enforcement abilities. The Tarrant County Commissioners Court should give the sheriff the money he needs to do his job and quit trying to do the sheriff's.

We already have one sheriff. We don't need five more.

DAVID COOPER
Fort Worth

Copter crash kills pilot

Tarrant accident injures DEA agent

BY BILL HANNA
AND LAURA VOZZELLA
Star-Telegram Staff Writers

NEWARK — A helicopter pilot decorated for combat rescue missions in Vietnam was killed yesterday on a training flight for the Drug Enforcement Administration, just two weeks before he was to escort his daughter down the wedding aisle.

The fiery crash in a pasture near Eagle Mountain Lake shortly before

noon also critically injured a DEA agent.

The helicopter was on a routine flight when it plunged onto National Guard property that the DEA described as a "helicopter practice area." The Hughes OH-6 was destroyed in the crash.

The crash site in far northwest Tarrant County is a little more than a mile from an airport owned by Ken-

(More on CRASH on Page 19A)

neth Copeland Ministries, where two Tarrant County sheriff's deputies were killed in a copter crash Sept. 17, 1997.

The instructor pilot in yesterday's crash, Larry J. Steilen, 51, of Fort Worth, worked for Raytheon Aerospace of Madison, Miss., but was working under contract to provide maintenance and pilot training for the DEA.

His co-pilot, Matt Fairbanks, 34, a veteran agent assigned to the DEA's aviation division for two years, was in critical condition in the burn unit of Parkland Memorial Hospital in Dallas. His injuries are not believed to be life-threatening, said Tim Tierney, assistant special agent in charge of the aviation division.

"He had to go into surgery, and that's all we know," Tierney said.

Fairbanks was thrown 30 or 40 feet from the wreckage and was found crawling with all his clothing burned away except his smoldering pants.

He was initially treated by Texas A&M Extension Service instructors who heard the crash and raced to provide help.

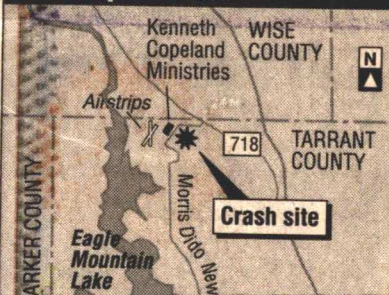
He was conscious and coherent and "wanted water poured on him because he was hurting," said Mike Griffith, manager of heavy equipment courses offered at the site by the Extension Service.

"He was worried about his buddy. ... He was a tough guy."

Steilen, a native of Rapid City, S.D., flew missions evacuating wounded military personnel in Vietnam and later worked as a pilot for private companies. He had worked as a DEA contractor for about 10 years, said his only child, Marie Steilen, 21, the daughter planning to get married in two weeks.

"He was commended for valor and heroism many times in Vietnam," she said. "He told me that the aircraft he was flying now was the same kind of aircraft he flew in Vietnam."

Helicopter crash



Investigators speculate that the same maneuver may have been involved in the Sheriff's Department crash last year. Other than coincidences of the same maneuver and proximity, said the crashes are not related.

"It is a little eerie," she said, "to be standing out here in basically the same location a year later."

Staff Writer Anita Baker contributed to this report.

Tarrant sheriff to speak at town meeting on reorganization

By NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — Sheriff David Williams' ongoing public campaign against Tarrant County commissioners will move to a town hall meeting Tuesday night at Calvary Cathedral.

In the past month the sheriff has denounced the commissioners at a

news conference, on a radio talk show and at a neighborhood association meeting.

The message has been the same each time: Commissioners overstepped their authority by cutting the budgets of some of Williams' most prized programs — the chaplain's office and a special operations command.

In a Sept. 11 letter to churches and church associations, Williams said the integrity of his office is "under assault." The missive inspired letters and phone calls to the commissioners.

"They're only getting David Williams' side of the story," Commissioner J.D. Johnson said. "I regret that people are being misled.

It's unfortunate."

Despite Williams' objections, commissioners pushed ahead with a Sheriff's Department reorganization. But it is the elimination of the paid Sheriff's Department chaplain that created controversy. For five years, Maj. Hugh Atwell has led a jail ministry supported by volunteer chaplains.

The commissioners say that they are expanding the chaplain's program by putting it under the county personnel office, and that Williams is misrepresenting the facts.

One option Williams is considering is to reassign Atwell to a lieutenant's post, Assistant Chief Deputy Larry Hester said.

Several calls to Calvary Cathedral prompted the town hall meeting, said Charlie Prior, church business administrator.

Williams will speak from 7 to 9 p.m. in the chapel room of the church at 1600 W. Fifth St. in Fort Worth.

Neil Strassman, (817) 390-7657.

Sheriff does not answer to county commissioners

/ Sunday, September 27, 1998

BY JAMES A. BORCHERT

AT A RECENT meeting of the Tarrant County Commissioners Court, residents clearly voiced their support for Sheriff David Williams. They condemned the commissioners for interfering with the inner workings of the sheriff's office by (1) eliminating the highly successful chaplain's program, which meets the spiritual needs of 3,500 inmates, and (2) withholding essential funds from the sheriff's budget.

But the commissioners turned a deaf ear to the voice of the people.

I was shocked and appalled by the temerity of the commissioners and their utter disregard for the impassioned hue and cry of the residents. The courtroom was packed with the sheriff's supporters. Applause attended each speech calling for the commissioners to be reasonable and to reconsider their position — all to no avail. The commissioners had their minds made up!

It was apparent that no amount of resident input had the slightest hope of altering their opinions. Commissioner Glen Whitley read a prepared motion attacking the sheriff's budget, the sheriff's chaplain program and the right of the sheriff to staff his office as he sees fit under the law, as though the voice of the people were a mere formality and carried no weight. To whom are the commissioners accountable if not to the residents of the county?

Speaking as a concerned citizen, and not on behalf of my political or religious affiliations, it is obvious to me that the commissioners have misunderstood their legal authority and jurisdiction.

Their budgetary authority, while rightly extending to county personnel, does not extend inside the office of the sheriff. That office is fixed and determined by the supreme power of the state under our Constitution; it is not a

department of county government. Strictly speaking, the sheriff is not a county official at all, as are other local officials.

The sheriff's office is a common-law office dating back to the Norman invasion of England. The shire-reeve — the chief officer of a shire, or county — is one of our oldest English legal institutions. The Texas Constitution recognizes this common-law tradition, and it clearly fixes the authority of the office and defines the attendant duties accordingly.

The sheriff operates within the borders of the county, but he is not a county employee. His office is appointed by the governor under the signature of the Texas secretary of state. He holds his office under the supreme power of the state.

He is not part of the county apparatus. Local laws do not apply if they conflict with the sheriff's office. State statutes to the contrary cannot overthrow the clear intent of the Constitution to invest this office with the highest dignity, authority and responsibility.

Confusion arises over the word *department*, which, strictly speaking, does not apply to the sheriff's office. His official functions are exercised under the judicial branch of our state government.

Originally, the shire-reeve acted *ad opus domini Regis* — that is, on behalf of the supreme power. He was accountable, not to the local shire in which he operated but to the law itself. Today that supreme power resides in our state Constitution.

Moreover, the sheriff is directly elected

by the residents of the county, who hold him accountable by their vote. His office is not a creature of the Legislature. The sheriff holds his common-law office as a public servant operating in a fiduciary capacity under the Constitution.

Because the power of his office inheres in his person, his deputies are not (as the commissioners assert) county employees. They are his personal agents, serving at his pleasure to assist him in carrying out the mandated duties of his office.

"He is not part of the county apparatus. Local laws do not apply if they conflict with the sheriff's office. State statutes to the contrary cannot overthrow the clear intent of the Constitution to invest this office with the highest dignity, authority and responsibility."

— James A. Borchert

The sheriff is the chief law enforcement office in the county. His mandated duties go far beyond those of mere "jailer" — he is charged to maintain law and order and to keep the peace. His functions include civil and criminal operations. He is called to administer the county jails, to apprehend criminals and suspects, to transport prisoners, to serve warrants, to issue writs and to assist the courts in their pursuit of justice as they call upon him to do.

The county commissioners have no authority over this office or its deputized agents. They are neither above him nor equal to him; theirs is an entirely different jurisdiction. The fact that they are called upon to provide the necessary funding to his office, so that he can carry out the mandatory duties connected with his office, gives them no right to meddle with or interfere with the authority and power of his office. They lack constitutional authority to define his office or interrupt his operations as though he or his deputies were another

county department under their oversight on behalf of the taxpayers.

The commissioners may not relish the idea that their powers are limited and do not extend into the sheriff's office, but they must accept the fact that our form of government is a republic of law, not an arbitrary rule of men.

Tarrant County residents are pleased with our sheriff and his office. We elected and re-elected our current sheriff because we believe him to be a man of ability and prudence. We are proud of his accomplishments and wish that our county commissioners would spend more time looking at his record in the maintenance of law and order and less time undermining the integrity of his office.

Let the sheriff run his office as the law requires and as the people approve. In our eyes, he has done his job well. He alone has the right and the duty to shape and define his office as the law requires and as his best judgment directs within that law.

We, the people, have entrusted him and endowed his office with great honor and respect. We want it to stay that way.

The county commissioners overreach their proper jurisdiction in the name of budgetary accountability whenever they seek to micromanage the sheriff's budget, staff, equipment and programs. They are free to discuss their own budget restraints with him and to insist that his budget requests be reasonable and in keeping with his lawful duties, but they are not free to tell him what he can and cannot do within these duties as they involve his trusteeship on behalf of law and order.

Those who meddle with the inner workings of this constitutionally guaranteed office threaten our peace and safety and jeopardize our good order.

JAMES A. BORCHERT of Fort Worth is a member of the Republican State Executive Committee.

Tarrant County Commissioner **J.D. Johnson** isn't concerned that Sheriff **David Williams'** supporters are recruiting a slate of candidates to run against the commissioners.

Johnson, once a backer of the sheriff, has been among his leading critics during the recent spat about the department's helicopters and budget. He thinks the sheriff is the one who should be looking over his shoulder.

"As far as the word on the street, the talk is, 'What is wrong with the fellow?'" Johnson said. "And I'm taking the adjectives out."

Should we continue to elect the sheriff?

The ongoing controversies between the Tarrant County commissioners and the sheriff are instructive. These people have been at odds for quite some time, and all the arguments and attendant publicity make you wonder about the structure of county government.

Why do we need a sheriff in these modern times? If we do need a sheriff, why do we continue to make it an elective post? And if we need to keep it elective, why does it have to be along partisan lines? Is a Democratic sheriff any different from a Republican sheriff?



ALLAN SAXE

It is easy to understand the need for a sheriff in the early days of Texas. Ours was a very rural and agricultural society. People lived far apart from one another. Urban Texas had not yet been formed.

The only law enforcement for most people, apart from the Texas Rangers, was the sheriff. After Reconstruction, this state began a practice of electing nearly every major officeholder. The idea of making government leaders responsive to the people became a major tenet.

It is easy to see how the sheriff became an elected position. After all, the sheriff had mighty awesome powers, and the people ought to have some final say in how the office was conducted.

Today, however, this state looks very different from the Texas of old. Texas has many large and growing urban areas. In the biggest urban areas, the city, not the county, has primary responsibility for law enforcement. Do we really need to keep on electing sheriffs, especially in these large urban areas?

Police chiefs have enormous responsibilities in these metropolitan cities, and these chiefs are usually appointed by city managers. By all accounts, most of our police chiefs have been very professional and responsive to their cities.

If the office of sheriff were to be made appointive — probably appointed by county commissioners — there would be no question about whom the sheriff answers to or what the sheriff's responsibilities are. The sheriff's office could be confined mostly to running the county jail in large urban areas. The big cities and their police forces would enforce the law. The commissioners would control not only the sheriff's budget but the person who becomes sheriff as well.

How many people throughout the state know who their county sheriff is, after all? How many can identify their sheriff's political affiliation? When the Republicans are doing great, a Republican sheriff usually wins, and when the Democrats were doing well, their candidate won.

Making this change would require an amendment to the state Constitution, however, and the Legislature would have to consider this carefully. It is doubtful that the Legislature would make the sheriff's office an appointed one because, in the past, it has been reluctant to move offices from elective to appointive. For example, a debate has been going on for some time about whether to appoint judges rather than elect them. They remain elected.

In some states, judges are appointed by the governor with legislative consent. In other states, judges are appointed by special judicial commissions. We still continue to elect them along partisan lines. This, too, should be changed.

How many Texans, aside from the lawyers who argue cases, can name even one elected judge? How many people know whether a particular judge is a Republican or a Democrat? Should that even matter? Partisanship should not figure into important responsibilities such as law enforcement and the judicial system.

Electing sheriffs and judges once had great meaning in a newly formed democratic environment. We were a state highly skeptical of too much power in non-elected offices. But today, in a modern urban environment, we can still keep the spirit of democracy and improve upon it by making certain jobs appointive. The appointment of sheriffs and state judges would be a welcome step.

The election of sheriffs and state judges served us well for many years. We have had and continue to have some mighty good sheriffs and judges. The question today is how our institutions can change to meet changing times.

ALLAN SAXE is an associate professor of political science and a longtime resident of Arlington. You can call him at (817) 548-5558 or write to him in care of the *Star-Telegram* at 1111 W. Abram St., Arlington, TX 76013.

Republicans are still jockeying to see what candidates might run against Tarrant County Commissioner **Glen Whitley**.

Although Colleyville Mayor Pro Tem **Donna Arp** once said she hadn't thought about running, she apparently is now. Former Colleyville Mayor **Cheryl Feigel** also is considering the race.

And don't count out a really different possibility: Tarrant County Sheriff **David Williams**. Williams once said he didn't plan to be sheriff forever. He lives in Watauga, and that's in Whitley's precinct.

/ Monday, September 28, 1998

LETTERS TO THE EDITOR

Quite a present

The birthday greeting to Ed Max that appeared in a Sept. 9 *Star-Telegram* ad was the tackiest political statement I've ever read.

The good people of Tarrant County are as interested in good government, law enforcement, the criminal justice system, orphans and our needy senior citizens as any one of you responsible for the birthday ad. There is a difference, though: We support our government entities — we don't try to buy them.

For instance, in your list of achievements that Max's money has bought, I noted that he could have had a "status symbol" sports car with the money he donated to the election campaign for Sheriff David Williams. If Max has that kind of money to waste, I really wish he had bought a car.

Let me remind all of you who signed Max's birthday card at the expense of the people of Tarrant County: The office that Williams occupies was bought with tax dollars. The chair he sits in belongs to Tarrant County. The vehicle that he drives is registered to the county. The title of "Sheriff" and the autonomy that goes with that title are only *loaned* to Williams by the Tarrant County voters.

So, you see, you may own the man, but the people of Tarrant County own the office. If you cannot be partners with us, then get *your* man out of *our* office.

MARILYN LOWRIE
Fort Worth

LETTERS TO THE EDITOR

The sheriff lost me

I would like to send an open message to the grand and illustrious sheriff of Tarrant County, David Williams:

I voted for you both times, as I believed you would make Tarrant County a good sheriff. Apparently I was very wrong. You are no more than a self-made god making up your own agenda. I will not vote for you again, and I will try my best to influence my friends along that same route.

You are wasting the taxpayers' money, especially if you follow with a lawsuit.

BETTIE TOWNSON
Fort Worth

Williams is right

I would like to set the record straight regarding Sheriff David Williams. The sheriff is right to stand his ground regarding the Tarrant County commissioners and their antics of late.

I have been present in the court several times when the sheriff has attended court, and some commissioners seem to perform for the press rather than conduct business. I do not blame the sheriff for not wanting to attend.

The office of the sheriff is separate from the Commissioners Court by law. The court does have the authority to set budgets and numbers of deputies and their salaries, but that is as far as it goes. The ranks and structure of the department are at the discretion of the sheriff. After the budget is set, the commissioners have no further authority and should not attempt to interfere with the running of the department.

I wonder if the commissioners would like the sheriff coming to their precinct garages and asking their road employees how they liked the way their commissioner was running the place, or telling the commissioner that he had too many dump trucks. I do not think that would go over too well.

Has Williams made mistakes? Of course — he is human. But I think the Sheriff's Department has moved from 1958 to 1998 under his command in the last six years.

DAN R. WEST
Fort Worth

County buses take dozens to sheriff's rally

BY MICHAEL WEISSENSTEIN
AND KAREN ROUSE
Star-Telegram Staff Writers

FORT WORTH — Armed, uniformed sheriff's deputies drove county buses filled with dozens of jail ministry volunteers to a rally last night where Sheriff David Williams announced a plan to keep a paid jail chaplain under his authority.

More than 350 people filled a meet-

Williams outlines plan to keep jail chaplain

ing room at Calvary Cathedral where Williams announced that Maj. Hugh Atwell, whose chaplain's position was eliminated by Tarrant County commissioners two weeks ago, will be moved into an open lieutenant's position.

"Through the help of my staff and

divine intervention, we found a way to keep Hugh on board," Williams said. "We will have a staff chaplain at midnight tomorrow."

Sheriff's officers said Williams told them that the county buses, normally used to transport inmates, were to be used as part of an evacuation drill in which the volunteers would stand in for inmates who would have to be moved en masse in event of a jail fire.

Officers said they were surprised when the volunteer ministers boarded the buses in small groups without participating in a drill.

After the rally, Williams defended the use of the buses as an appropriate use of taxpayer money. It served a dual purpose of performing a fire drill and taking people to the church, he said.

Pct. 2 Commissioner Marti VanRavenswaay said she was stunned by what she termed a "blatant misuse" of county vehicles and employees.

"I would not have guessed something like that would have been happening tonight," she said. "I'm really at a loss for words."

Pct. 4 Commissioner J.D. Johnson said: "They can have all the meetings they want, in churches or anywhere else. But they should not be using taxpayer money or vehicles to have their meetings."

"I am disappointed to hear that such a procedure was followed," County Judge Tom Vandergriff said. "If the people wished to go to the function at the church, they should have used their own transportation."

Commissioners' reactions to Williams' announcement about

"I don't have any negative reaction to that," VanRavenswaay said. "The issue with me has never been a personal issue with Hugh Atwell or an attempt to dismantle the chaplaincy program."

But Johnson said: "I think that the [Commissioners] Court probably will have to take another look at it. I'm just highly disappointed in the sheriff not working with us."

While approving the county budget for 1999, commissioners cut the chaplain's position from the jail ministry program, eliminated 35 other positions and rearranged the Sheriff's Department. The moves angered Williams, who declared that commissioners overstepped their constitutional authority.

Last night's "town hall meeting" was intended to rally support for keeping a chaplain on the jail staff. Williams said that he doesn't know who organized the meeting and that he was only invited to attend.

He used much of his time to painstakingly outline the duties of sheriff as defined in the Texas Constitution. Among those duties, he said, is to make sure his office remains intact.

Volunteers in the chaplaincy program began arriving about 6 p.m. at the sheriff's headquarters at 300 W. Belknap St. They were met by a uniformed deputy who handed each a photocopied flyer inviting them to take "a short bus ride with us to Calvary Cathedral ... and attend an informational town hall meeting with Sheriff David Williams."

Four white buses with metal gratings over the windows were provided to transport volunteers. Six to eight deputies in the warrants division were diverted from their normal duties to escort the volunteers, officers said.

They were told that volunteers would gather by the chaplain's office on the first floor and evacuate on to the buses sometime between 6:30 and 7 p.m., officers said.

Capt. Johnny Prince said, "I thought we were going to all go out at the same time."

Several volunteers said they were not aware of the town hall meeting until they arrived at the jail last night to lead Bible study with inmates.

Greg Camp, 34, of Park Springs Bible Church in Arlington went to the jail last night to lead prisoners in Bible study as he does every Tuesday night. He and other volunteers said they were told the Bible study was canceled and that they'd be taking a short bus ride to the church to hear information about the chaplaincy program.

Uniformed deputies greeted the passengers on each bus.

In the church parking lot, a string of volunteer ministers filed out of the buses. Among them were older women in paisley print dresses, a nun in a blue habit and bikers in leather with their heads tied with bandanas.

Staff writer Pete Alfano contributed to this report.

Tarrant terminates sheriff's air program

BY NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — Tarrant County commissioners effectively ended Sheriff David Williams' helicopter program yesterday, one day before the scheduled release of a federal air safety report on a September 1997 helicopter crash that killed two deputies.

The commissioners voted unanimously yesterday that all county helicopter operations must "cease until further formal action" by the Commissioners Court.

The county has no intention of acquiring more helicopters or of letting the remaining military surplus helicopter fly, the commissioners said, essentially shutting down Williams' 4-year-old aviation program.

"We simply don't want helicopter operations to be a part of the county's structure," County Judge Tom Vandergriff said. "The helicopter may well have to be returned to the federal government."

Williams could not be reached to comment.

Assistant Chief Deputy Larry Hester said later that the commissioners' actions will have little impact because the Sheriff's Department grounded the remaining OH-58A Bell helicopters in January, pending the outcome of the National Transportation Safety Board's investigation.

The board's fact report on the Sept. 17 helicopter crash east of Eagle Mountain Lake is expected to be issued today at the agency's headquarters in Washington.

Killed in the crash were Lt. George Maurice Hendrix, the pilot; and Deputy Thomas Jay Smith, a criminal investigator.

The board initially ruled out mechanical failure or bad weather as a factor in the crash on the grounds of evangelist Kenneth Copeland's ministry. The determination of the probable cause of the accident is not expected for several months, agency officials said.

"When it's all done and said, the commissioners have the option to reverse their resolution," Hester said, holding out some hope for the helicopter program. However, the Sheriff's Department does not have a qualified helicopter pilot, he said.

But Vandergriff and other commissioners said there is little chance that the program will

be resurrected.

"We felt it would be proper for us to make known our strong sentiments on future helicopter operations regardless of what the NTSB report might say," Vandergriff said.

The crash Friday of a federal Drug Enforcement Administration helicopter that killed the chopper's pilot, just a mile from where the sheriff's helicopter went down, re-emphasized safety concerns, the commissioners said.

"We're concerned about the safety of Tarrant County employees," Commissioner Dionne Bagsby said.

Commissioner J.D. Johnson said that if the county needs helicopter service, it should contract with the Fort Worth Police Department, which can provide it.

Johnson said he was concerned about the Sheriff's Department's efforts to keep the helicopter operational while being stored in a hangar at Fort Worth Meacham Airport. It must be started occasionally to keep parts lubricated and functioning.

"We have reports they are hovering the helicopter, and frankly, it shouldn't leave the ground. We don't want to be liable," Johnson said.

But Hester said the department "just cranks it up" and does not fly the helicopter.

Disposing of the OH-58A helicopter and another chopper, a nonoperational Hughes OH-6, may not be easy because although the county holds title to the equipment, it was procured by

the Sheriff's Department, said Marvin Collins, assistant district attorney. The helicopters must be returned to the federal government if the county has had them less than five years, he said.

Collins said the question is whether both the commissioners and the department will have to agree to return the helicopter, or whether commissioners can do it alone.

When the helicopter program began in July 1994 with donated military surplus choppers — three 1960s OH-6s — Williams told commissioners that the helicopters would be used for drug investigations and to augment the department's crime-fighting power.

SHERIFF

Instead of using taxpayer money to fund the helicopter operation, Williams used his department's criminal forfeiture fund, drug money and funds from the sale of items seized because they were used in crimes. Even so, several commissioners objected to the helicopter program then.

In 1995, Williams traded the three copters to a Southern California law-enforcement agency for the two Bell OH-58As.

Lynford Morton, a spokesman for the Defense Logistics Agency, which disburses surplus military equipment, said that since October 1995, 673 helicopters have been transferred from the military to other public agencies.

Kathy Smith, T.J. Smith's widow, has sued Sheriff Williams and his department, saying her husband's death was due to gross negligence.

THURSDAY, OCTOBER 1, 1998

Sheriff's actions examined

By JACK DOUGLAS JR.
Star-Telegram Staff Writer

FORT WORTH — Tarrant County authorities will investigate whether Sheriff David Williams violated the law by using county buses and on-duty deputies to help escort supporters to a rally at a church, an official said yesterday.

Pct. 4 County Commissioner J.D. Johnson said he asked the district attorney's office to investigate Williams' use of four prisoner-transport buses to take followers and volunteers to a "town hall meeting" Tuesday night at Calvary Cathedral in downtown Fort Worth.

(More on SHERIFF on Page 21A)

SHERIFF

From Page 1A

District Attorney Tim Curry could not be reached to comment yesterday, and Marvin Collins, chief of the district attorney's civil division, declined to answer questions about the sheriff's actions. But Johnson said he was assured that the district attorney's office will investigate the complaints about the sheriff.

"A lot of people have called me who say they think it was a misuse of county employees and county equipment, and a waste of taxpayer dollars," Johnson said yesterday.

"Certainly, the use of the equipment for a town hall meeting or a church meeting [is] just not what we use county equipment for.

"If [an allegation of a] criminal act is reported to us, then we have the obligation to report it to the district attorney's office, and that's what I've done in this case," he said.

Asked if his once-strong support of Williams has evaporated, Johnson said, "I'm sorry to say it has."

Uniformed and on-duty officers from the warrant division drove each of the four buses carrying Williams' supporters to the church.

"If [an allegation of a] criminal act is reported to us, then we have the obligation to report it to the district attorney's office, and that's what I've done in this case."

— J.D. Johnson
county commissioner, Precinct 4

"I got a call from the sheriff," said warrant division Capt. John Prince. "He's the one that set this up."

Williams did not return phone calls from the *Star-Telegram* yesterday, but his spokesman defended the use of the county buses and personnel to transport people to the meeting, saying it was "official business."

Assistant Chief Deputy Larry Hester said it was proper to use the county equipment and personnel because Tuesday's activities served partly as an "exercise to move a volume of people" in the event of an emergency, such as a fire at the jail.

But several members of the Commissioners Court said that the gathering was little more than a political rally and that Williams may have violated county poli-

cy and possibly state law prohibiting the use of government equipment and personnel for personal or political gain.

County Judge Tom Vandergriff said Williams' displeasure and disappointment with the Commissioners Court "seemingly have prompted him to do some extreme things to try and justify his position on various matters."

Vandergriff said he hopes the sheriff will "realize the extent of his error of using these means to express himself to his friends and supporters."

Hester said neither Williams nor anyone else at the Sheriff's Department needs to apologize for using the buses and officers. In addition to being a training exercise, he said, the meeting gave Williams a chance to answer questions about the future roles of volunteer chaplains at the jail.

"No, it was not a political rally," Hester said.

Pct. 2 Commissioner Marti Van-Ravenswaay said she was suspicious of Williams' motives for the meeting.

"I would not have done what he did, under any guise, to ensure that I had an audience at a town hall meeting," Van-Ravenswaay said. She said it appeared that the sheriff had "crossed that line of church-and-state separation."

At the meeting, Williams said he has the sovereign right to do his job without

interference from county commissioners.

The sheriff's comments came after commissioners abolished the jail chaplain position and created a new chaplain position under the county personnel office. Commissioners also eliminated 35 other positions from the Sheriff's Department.

The sheriff said at the gathering that he plans to move the jail chaplain, Maj. Hugh Atwell, to a vacant lieutenant's position that remains under his command. Atwell is a state-certified police officer.

"It's a real Cinderella story. At midnight, my job was turning into a pumpkin," Atwell said at the meeting.

Sheriff's officers said Tuesday that Williams told them the buses, normally used to transport county jail inmates, were needed for an evacuation drill. The officers said they were surprised when no drill occurred and, instead, jail ministry volunteers boarded the buses, each carrying a leaflet that said, "take a bus ride with us ... and attend an informational town hall meeting with Sheriff David Williams."

An estimated 300 people attended the rally, about a third arriving in the buses.

Staff writers Michael Weissenstein and Pete Alfano contributed to this report.

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E D I T O R I A L S

Tragicomic?

FANS OF OLD TV westerns could always tell the good guys from the bad guys by the color of their Stetsons. If the shootout between the Tarrant County sheriff and the Commissioners Court were set in the OK Corral, everyone's hat would be gray.

Or perhaps theater of the absurd is a more appropriate venue for this ridiculous situation. The commissioners jerk David Williams' chain by eliminating the chaplain's office and then grounding the lone helicopter that makes up his air program — a program that the court approved when the surplus craft became available almost five years ago. The sheriff rattles the commissioners' cages by refusing to attend budget hearings, and then he uses county

vehicles driven by county employees in a mock evacuation drill that just happens to deliver dozens of his followers to a church rally in his behalf.

How in the name of Sam Houston did we get here?

Williams contends that "divine intervention" made it possible to keep a paid chaplain in the Sheriff's Department. Perhaps it did, but the Texas Constitution made it legal. Under state law, the sheriff has leeway to name 10 positions exempted from county

Sheriff Williams needs to stop acting like he was anointed by divine right and start acting like the government employee he is supposed to be. He is playing on his supporters' religious fervor and abusing their faith by misleading them about the real issue.



civil service mandates. He used one of them to name his "general counsel," Jana Kallal, as a sheriff's deputy. He is using another to keep Hugh Atwell as the department's chaplain.

But Williams' contention that county vehicles and personnel were used Tuesday night to simulate a jail evacuation in the event of a fire, while conveniently taking followers to a rally billed as a town hall meeting at Calvary Cathedral in Fort Worth, is his thinnest charade yet.

The sheriff and his followers are using a tactic that has worked well for other religious crusaders: making themselves persecuted martyrs. They are spreading the word that the commissioners, and this newspaper, are attacking Williams for his religious beliefs, and not because serious and legitimate questions exist about his fiduciary abilities.

What an insult to the people of Tarrant County.

Williams needs to stop acting like he was anointed by divine right and start acting like the government employee he is supposed to be. He is playing on his supporters' religious fervor and abusing their faith by misleading them about the real issue.

This is not about helicopters, or military-style firearms, or speedy little Camaros, or how many lost souls in the jail have been saved from hellfire. The issue is responsible fiscal management. It's about a taxpayer-funded department that ran 200 percent beyond its overtime budget. The use of county equipment to transport people to a prayer meeting was just another example of why Williams needs to be reined in.

If Arlington school board President Jim Ash used district buses to transport his friends to a concert, or if Fort Worth Mayor Kenneth Barr planned to use city vehicles to take partygoers to B. Don Magness' retirement soiree tomorrow night, taxpayers would be justified in calling for a swift review and a severe rebuke.

The district attorney's office should launch an investigation into the misuse of county assets by the Sheriff's Department today. The curtain must come down on this preposterous performance.

Fort Worth area

Safety report lists no cause for fatal helicopter crash

FORT WORTH — A long-awaited federal report released yesterday did not list a cause for last year's helicopter crash that killed two Tarrant County sheriff's officers, but it said there was no evidence of "uncontained engine failure."

Hundreds of pages of documents were released in Washington by the National Transportation Safety Board, including statements from witnesses who saw the Sept. 17, 1997, crash, which killed the pilot, Lt. George Maurice Hendrix; and his passenger, Deputy Thomas Jay Smith.

The safety board said there was no evidence of mechanical failure and the helicopter had fuel.

Since the crash, the Tarrant County Sheriff's Department's helicopter program has been discontinued. Kathy Smith, T.J. Smith's widow, has sued Sheriff David Williams and his department.

LETTERS TO THE EDITOR

Talking with a deputy

I spoke with a Tarrant County deputy sheriff to learn what he thinks of Sheriff David Williams. The response was positive.

The deputy felt that Williams was doing a good job of bringing the Sheriff's Department into the 21st century. It was the deputy's opinion that the county commissioners are attempting to micromanage the sheriff and that the sheriff is a man of integrity and quite capable of knowing what his personnel need to protect county residents.

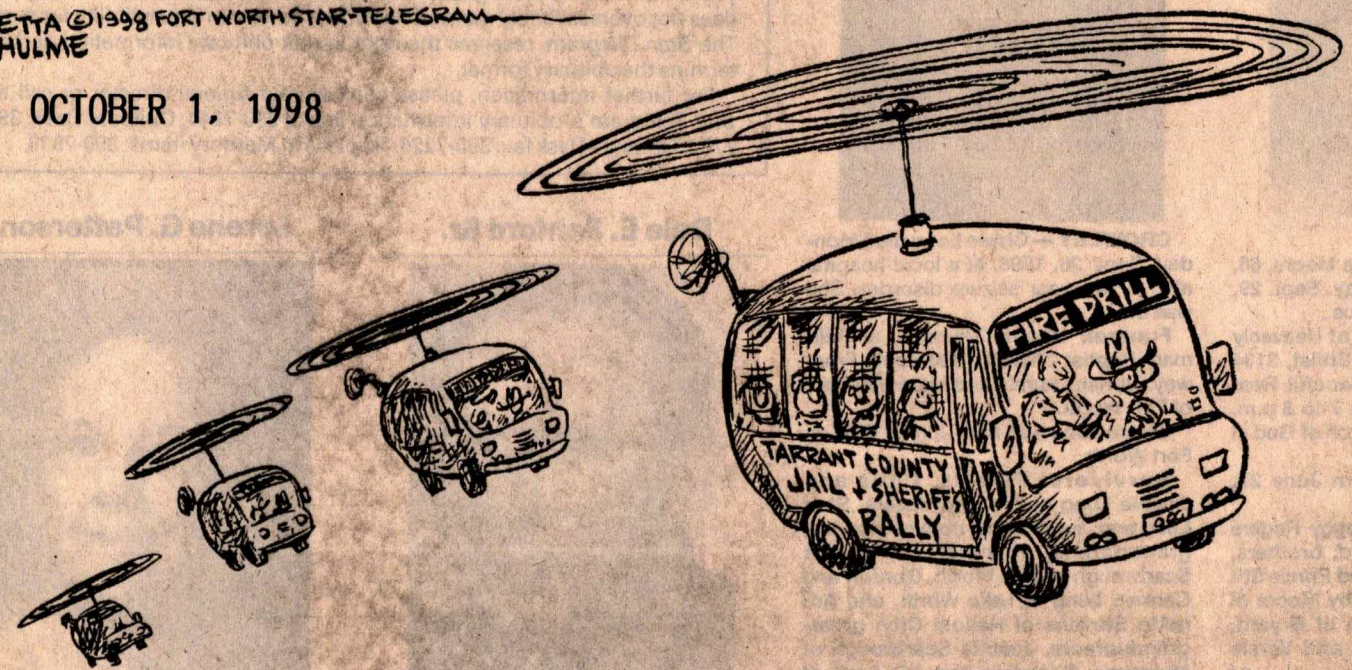
The sheriff, in addition to his new counsel, could surely use someone to help him with public relations — someone who will assist him in getting his message to his constituents. There appears to be confusion about who has responsibility for fiscal oversight of the Sheriff's Department.

A good administrative sheriff is hard to find, especially one who is held in high esteem by subordinates. The deputy with whom I spoke appeared concerned — professional in every way. If he is truly representative of the sheriff's personnel, then it is my opinion that residents need to "support your local sheriff."

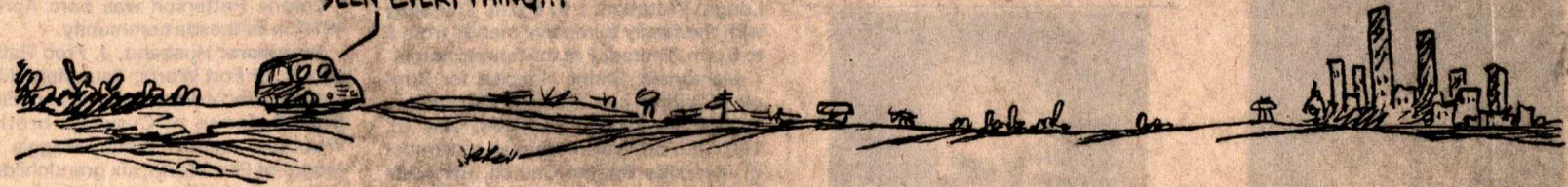
JERRY D. COTTEN
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HULME

OCTOBER 1, 1998



JUST WHEN YOU
THINK YOU'VE
SEEN EVERYTHING...



THE ASTONISHING ADVENTURES OF SHERIFF WILLIAMS

LETTERS TO THE EDITOR

Demonstrating courage

I am so impressed with the courage demonstrated by my county commissioner, Glen Whitley, and his fellow commissioners

in dealing with the recent budget process.

We elect government officials to represent the people — not just select, vocal groups. Some elected officials develop an arrogance and a lack of respect for the people by focusing on the issues of the few and not the many. Some officials become all-knowing and will respond to and communicate with only the group of voters that provided the majority in the most recent election.

If these officials would only mature and conduct themselves in a professional and responsible manner by reaching out and demonstrating accountability to all constituents, we would develop more true leaders and solve more of our community problems instead of creating new ones. Whitley has demonstrated integrity, independence and the political maturity needed to be a leader of our county government.

ROBERT I. FERNANDEZ
Fort Worth

Watching the sheriff

It is chilling to imagine what would be happening in the Sheriff's Department without the oversight of the Tarrant County Commissioners Court. It is baffling to me how Sheriff David Williams or any of his backers can say that he is not accountable to the court. I understand it to be written in the Texas Constitution that what the commissioners are doing is legal and proper.

I want to commend the commissioners for holding Williams accountable and to let them know that voters have been watching this in the paper and on television. I am dismayed that we will have to endure two more years of indifference and grandstanding by the sheriff.

I will make sure that I voice my opinion in the voting booth when he is up for re-election. Until then, I feel confident that County Judge Tom Vandergriff and the commissioners will continue doing what is right for the taxpayers and the Sheriff's Department.

CANDICE SWANSON
Fort Worth

Sheriff refuses to turn in 3 cars

Williams questions commissioners' order

BY NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — Sheriff David Williams is disregarding a Commissioners Court order to turn in three cars — two Chevrolet Tahoes and a sedan — to the county garage, sparking yet another confrontation with county commissioners.

But Williams has taken steps to shuffle his top command staff to meet an Oct. 1 deadline because of budget cuts made by the commissioners. Under the cuts, 36 positions were eliminated in the department.

The proposed reorganization makes a chief deputy a captain, a commander a lieutenant and a major a sergeant. The other cuts are being accomplished without layoffs by filling vacancies in the department.

The two low-mileage blue \$29,000 1998 Tahoes and a 1996 Ford Crown Victoria, the latter driven by Sheriff's Department chaplain Hugh Atwell, were supposed to be handed over to the garage on Wednesday, the start of the current fiscal year.

"We're not turning them in right now," Chief Deputy Larry Hester said.

Williams is questioning why these par-

(More on SHERIFF on Page 4B)

ticular vehicles were called back instead of older ones and wants to have additional discussions with the commissioners, Hester said.

"We need the newer vehicles," he said.

Tarrant County District Attorney Tim Curry confirmed that the Commissioners Court has the authority to call back the cars, Commissioner J.D. Johnson said.

"He's ignoring a court order," Johnson said of Williams. "I'm going to ask the district attorney how we go about getting our vehicles. We'll have to talk to the sheriff about this."

The commissioners yanked the Tahoes last month during budget hearings after learning that the vehicles, which were put in service March 24, were not being used — the mileage was 600 miles on one truck and 3,600 miles on the other. County garage supervisor Glen Shaw said yesterday that one truck now has 2,300 miles on it and the other has 4,900 miles on it.

"We certainly expect the return of those vehicles. The commissioners court position was very clear," County Judge Tom Vandergriff said. "They've hardly been used, as I understand it, and if they are not of service to the sheriff, they could be used by another county department."

Atwell's car was called back because his post as chaplain was eliminated.

The commissioners have scrutinized Williams' vehicle fleet, which numbers about 150, since they refused the sheriff's request

for a fleet of 30 \$30,000 Tahoes more than a year ago. Months later, they were incensed to learn that five new Ford Crown Victorias that Williams ordered had sat unused in the county garage for nearly a year and that 89 of the sheriff's vehicles were take-home cars.

Williams has two cars, a sedan and a white Tahoe.

The departmental reorganization changes many positions within the sheriff's top command.

Chief Deputy Dave Dunaway moves from his \$59,568 a year job to a captain's slot. Cmdr. James Skidmore, the former \$63,492 a year department spokesman who lost that post as punishment for unauthorized use of a county car while on vacation, is becoming a lieutenant.

Maj. Atwell, who earned \$56,760 a year, is becoming a lieutenant and Maj. John Smedley is becoming a sergeant.

"We had no alternative. This was complying with the commissioners' table of organization," Hester said. "There's no indication these people did anything wrong to deserve a cut. The positions were eliminated. It's in no way a comment on their abilities."

Civil service rules allow those who have been demoted to keep their current salaries for one year, said Renee Tidwell, the county auditor.

Hester, who has risen from captain to deputy chief in a year and become one of Williams' most trusted advisers, retains his post as assistant chief deputy. Hank Pope remains executive chief deputy and Savala Swanson stays as chief deputy over confinement.

Neil Strassman (817) 390-7657

PERSEVERING FAITH

Jail ministry intact despite challenges

By JIM JONES

Star-Telegram Staff Writer

FORT WORTH — Clapping to the rhythm of an upbeat gospel song, inmates lifted their voices in a cappella harmony. "I know Jesus ... Jesus is going to fix it," they sang.

After prayers, they raised their arms above their heads and sang more reverently: "Hallelujah ...

Hallelujah."

The setting wasn't a church sanctuary, but rather the Tarrant County Jail's "God Pod" — one facet of a wide-ranging jail ministry that has operated for more than 30 years and has been at the center of recent controversy.

Some 300 volunteers from numerous faiths counsel men and

The God Pod has come under fire before. In 1993, the American Civil Liberties Union sued the county on behalf of a Jewish inmate and one who was a member of the Jehovah's Witnesses.

Two suits contend that the Christian-oriented program is illegal because it uses a government facility to promote a particular religion. But a district court ruled for the county in 1996, agreeing that the program is open to any inmate. An appeal is pending.

Commissioners have voiced support for the jail ministry, but recently abolished the Sheriff's Department's chaplain position held by Hugh Atwell, who was hired in 1993 as the first full-time chaplain paid by the county. He coordinates the inmate ministry programs.

Commissioners have proposed assigning a chaplain to the county personnel department, to minister to all county employees and supervise a broad range of chaplaincy services, including the volunteer jail ministry.

Williams countered by naming Atwell to a lieutenant's position and

women inmates daily. They lead a Tuesday night worship service in all the jail's "pods," and conduct Bible classes morning, afternoon and night in the God Pod, a full-time religious training program that is the newest part of the jail ministry.

A recent standoff between Sheriff David Williams and county commissioners over budget issues and the paid chaplain's position has put the jail's religious programs in the spotlight. But those on both sides say the longstanding jail ministry will survive.

The programs are wide-ranging. County employees made Islamic prayer rugs from blankets for the 23 Muslim inmates, officials said.

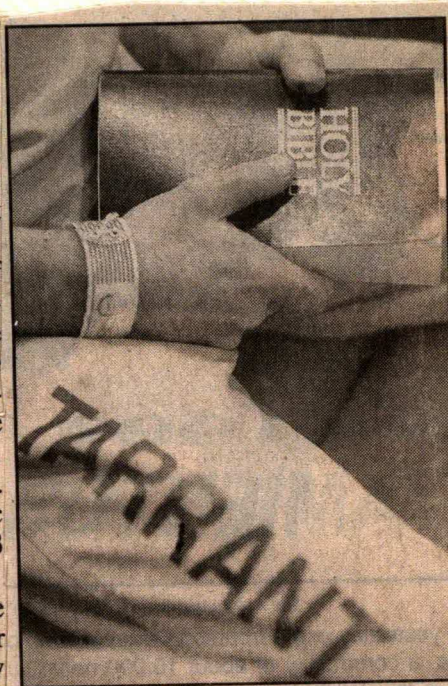
A rabbi is available for the one Jew now in the jail. No Hindu or Buddhist prisoners are currently locked up, but volunteers of those faiths are available if needed.

Most of the approximately 3,400 inmates come from Christian backgrounds, however, and that is the main focus of the jail ministry. For example, 1,169 inmates list Baptist as their religion.

Jim Norwood, an evangelical Christian volunteer who led the recent afternoon worship of more than 40 God Pod inmates, assured them that the program they attend will not be abolished because of the dispute over the jail chaplaincy.

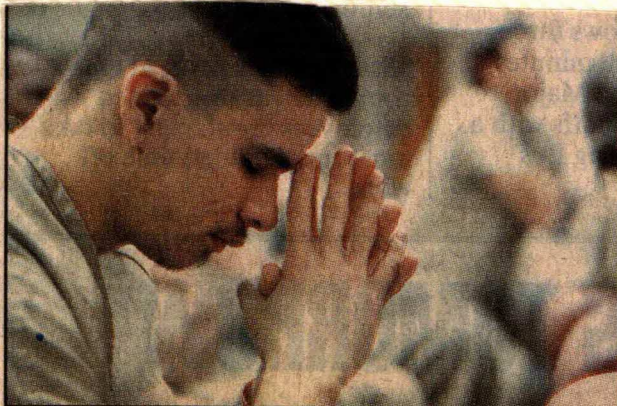
They cheered loudly.

"We have to change people from the inside out," Norwood said. "It's the only way they will stay out of jail."



Star-Telegram/RON T. ENNIS

Prisoner Randy Best holds a Bible in his lap during a Bible study in the area of the Tarrant County Jail known as the "God Pod."



Star-Telegram/RON T. ENNIS

Tarrant County Jail inmate Domingo Castillo prays as he listens during a Bible study last week.

assigning him to chaplain's duties. So Atwell continues to be chaplain to the 1,300 Sheriff's Department employees and also coordinates the jail ministry program for inmates. More clashes between Williams and the commissioners are expected.

Whatever the outcome, the inmates, longtime volunteers such as Norwood, and county officials themselves say the jail ministry won't be terminated.

"This is God's program," said Norwood. "If it were my program, or Hugh's [Atwell's] program or the commissioners' program, it might die."

County Judge Tom Vandergriff said he and commissioners fully expect the jail ministry to move full speed ahead.

"We certainly don't mean to in any way deter or lessen the performance of the jail ministry," he said. "We are just trying to expand the horizons and give a helping hand to more people."

The unusual God Pod was begun in May 1992, months before Williams took office in 1993. It came along before other faith-based programs for inmates such as "Inner Change," at the Jester II state prison southwest of Houston.

Jester II is the nation's first state prison to be operated by a private Christian group, Prison Fellowship International, founded by Watergate figure Charles Colson.

Past and current inmates affected by Tarrant County's jail ministry praised the program.

"I thank God for the God Pod; it saved my life," said Regina Crockett of Fort Worth. "Without a shadow of a doubt, it is God-sent."

Crockett, 38, said she was incarcerated for stealing to support her cocaine

and heroin addiction. She was one of the first to go through the program in 1992.

Now she has been drug-free since 1996, works as a beautician and volunteers every Tuesday night in the jail ministry.

"I'm able to stand on my own two feet, and it's because of the caring and loving those jail volunteers gave me," she said. "Now I want to give some of it back."

Shirley Grays, a volunteer for 12 years who is the unpaid supervising chaplain over women's programs, says such success stories make the long hours spent in jail ministry worthwhile.

"It's very important work. ... It's beautiful work," she said.

Atwell, who was an Arlington police officer for 25 years and who holds two master's degrees from Southwestern Baptist Theological Seminary in Fort Worth, said the jail ministry has strong support.

The Roman Catholic Diocese of Fort Worth, for example, pays the salary of the Rev. Raul Garcia as a full-time chaplain for Catholics, although he also ministers to others. The Rev. Don Anderson supervises chaplain's activities in the old jail. He gets no money from the county, but a group of churches helps support him financially.

Some volunteers have been working at the jail for as long as 30 years. One 23-year veteran, Lonnie Carethers of Fort Worth, said he got hooked on the jail ministry while working in the old Tarrant County Jail two decades ago.

"I stood on the catwalk outside the cells and read the Bible to the inmates," he recalled. "I would reach through the bars and shake hands with the inmates."

Although religious groups have had jail ministries going back to the early days of Fort Worth, the first organized ministries involving full-time chaplains and volunteers were in the 1960s, Norwood said.

An interfaith ministerial association funded a chaplain in the mid-1960s. And from 1969 until 1992, the Tarrant Baptist Association, which includes some 300 Southern Baptist churches and missions in Tarrant County, paid the salary for a full-time jail chaplain.

Bobby Cox, who now holds an executive position with the Baptist association, was the full-time chaplain. The Baptists employed Karen DeWitt as a chaplain to women inmates during part of that period.

Changes came in 1992 when the Baptist association reorganized and withdrew support for the chaplaincy positions at the jail and at John Peter Smith Hospital. That prompted county commissioners to pay for the chaplain. Atwell was hired.

LETTERS TO THE EDITOR

A sheriff's tasks

It seems that our elusive sheriff can find time to go on a radio talk show to espouse his department directives but has difficulty in finding time to show face where it really counts: with the Tarrant County Commissioners Court.

He recently indicated on radio that he was fulfilling his promise to provide us with safe streets. In his dysfunctional demeanor as a public servant, he just doesn't grasp that this is not his primary responsibility.

From the time of his secretive midnight swearing-in process to the present, he has been a blatant embarrassment not only to his employees and staff (who must cater to his every whim) but also to those dedicated professionals who left the department rather than continue under such irresponsible leadership.

With commissioners having just granted a questionable pay raise for Williams (bringing his annual salary to more than \$100,000), one would think he could be more cooperative. Perhaps, as commentator J.R. Labbe phrased it, "he may not have the stomach for the position."

If not, he should resign — immediately.

FLOYD F. CLARK
Fort Worth

Sheriff's good work

Keep up the good work, Sheriff David Williams! You are doing the job we voters hired you to do as chief law enforcement officer of Tarrant County.

County commissioners, please mind the business under your jurisdiction and don't try to supersede the Texas Constitution by interfering with the office of the sheriff. His budget requests are very reasonable when compared to other counties of our size. So please get out of his way and let him continue doing our will, which is to enforce the law.

I'm thankful that Williams takes his oath of office seriously and doesn't give in to these bureaucrats who want to micromanage, therefore dissolving the effectiveness of this office. And I'm also thankful that the authors of our constitution foresaw the inherent unique needs for autonomy and authority of this office and protected it from assaults such as this.

All the accusations against Williams fall flat when the facts are examined. I challenge the people of Tarrant County to look at the truth and refrain from being pawns of the media and the politically motivated county commissioners. Let's not let the zeal of a few misguided county employees threaten the future security of our community.

DONNA HALE
Benbrook

District attorney says sheriff broke no laws

Williams wins clash with county over rally but turns in two Tahoes and a Crown Victoria that were in dispute.

BY NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — Sheriff David Williams committed no criminal violations when he had county buses take people to a recent rally at a downtown church, the Tarrant County district attorney's office told county commissioners yesterday.

"Without in any way condoning the use of the buses for that purpose, we looked to see if probable evidence rose to the level of a criminal violation, and it did not," Assistant District Attorney Marvin Collins said.

The use of on-duty deputies and four

prisoner-transport buses to take volunteer jail chaplains to a Sept. 29 rally for Williams and sheriff's Chaplain Hugh Atwell had been denounced as a political event by commissioners, who asked the district attorney to investigate.

Commissioners continued yesterday to express displeasure with Williams.

"We deplore the action of the sheriff for the use of the buses," said County Judge Tom Vandergriff, after he emerged from a three-hour closed-door meeting with officials from the district attorney's office.

In another development in the battle between the sheriff and commissioners, Williams complied late yesterday afternoon with a Commissioners Court order to deliver two Chevrolet Tahoes and a Ford

Crown Victoria to the county garage.

The commissioners recalled the Tahoes last month, saying they had low mileage and were underused. The Ford was recalled because it was used by Atwell, whose post was eliminated. The vehicles were due at the county garage Oct. 1.

"Our hope is that the county commissioners will be reasonable and rescind this order," Williams said in a prepared statement. The Sheriff's Department needs newer vehicles, he said.

The dispute over the vehicles was another in a long line of disagreements between the sheriff and commissioners, culminating in last week's use of county equipment for the rally.

Williams' use of the buses and sheriff's deputies to drive them was "a poor choice," Commissioner Glen Whitley said.

Uniformed, on-duty officers from the warrant division drove the four buses carrying Williams' supporters to the church.

Some sheriff's officials said that Williams told them the buses were needed for a jail evacuation drill. The officials said they were surprised when no drill occurred and, instead, jail ministry volunteers boarded the buses, each carrying a leaflet that said, "take a bus ride with us ... and attend an informational town hall meeting with Sheriff David Williams."

At the meeting, Williams said he has the sovereign right to do his job without interference from county commissioners. An estimated 300 people attended the rally, about a third arriving in the buses.

Collins, the assistant district attorney, said the use of the buses was "carefully reviewed" before a decision was reached on Williams' actions.

"Good," responded Assistant Chief Deputy Larry Hester, when informed of the district attorney's ruling. "I don't think what the sheriff did was improper. He was addressing volunteers en masse."

Collins also discussed the Tahoes in meetings last week with sheriff's officials. Collins said he "encouraged the Sheriff's Department to turn the three vehicles in."

Last week, Hester said, the department had no intention of turning in the vehicles on time. Until 3:30 p.m. yesterday, it appeared that the department and commissioners were engaged in a game of hide-and-seek with the Tahoes.

On Friday, one blue Tahoe was seen by a county official in a covered area at the Green Bay jail in north Fort Worth.

On Sunday, Commissioner J.D. Johnson was given a videotape showing a blue Tahoe parked behind the Azle house of a sheriff's sergeant.

Johnson, once Williams' strongest supporter, arrived at the Commissioners Court armed with the video and appearing angry.

"I don't think that's the proper use of county vehicles," Johnson said, several

hours before the two trucks and the car arrived at the garage.

"That's a step in the right direction," Johnson said after the vehicles were delivered.

Hester said the Sheriff's Department did not hide the vehicles.

The Tahoe at Green Bay was parked there because it was assigned to a captain who was out of town on training, and the other was being used by a deputy who is on call, he said.

And Atwell — who has been moved to a lieutenant's position where he can carry on his Sheriff's Department duties — needs his vehicle, Williams said in his statement.

The chaplain "must have a vehicle to respond to numerous call-outs throughout the county, all hours of the day," Williams said.

Worker files sex-harassment lawsuit against sheriff's office, ex-supervisor

By LINDA P. CAMPBELL
Star-Telegram Staff Writer

FORT WORTH — A clerical worker with the Tarrant County Sheriff's Department has sued her employer, alleging that she was sexually harassed by a former supervisor and retaliated against when she complained.

Keitha Pittman says in her suit that Lt. Norman Craven, her supervisor in the communications and dispatch division, repeatedly spoke rudely about her and other women in the department, made suggestive comments about her appearance, touched her back, neck and shoulders and encouraged her to "loosen up some for him."

Craven, a sergeant at the time, also forced Pittman to accompany him to a seminar in Virginia Beach, Va., when she was supposed to be on vacation, put his hand on her leg during the airplane trip, asked whether she would like a promotion and sug-

gested that he had influence with Sheriff David Williams, the suit says.

Both Craven and the department are named as defendants in the suit, which was filed Monday.

According to the suit, Pittman formally complained to the department's Internal Affairs Division on Oct. 21, 1997, and was reassigned to the patrol division the next day. She claims that reassigning the complainer rather than the subject of the complaint violated the department's sexual harassment policy and amounted to retaliation. Currently, Pittman works in the warrants division, a department spokesman said.

Pittman says in the suit that she was told that Craven was not disciplined but was required to attend a sexual harassment training class and was ineligible for promotion. However, according to the suit, he was promoted to lieutenant in late February, about seven weeks after the disciplinary board discussed

Pittman's complaint.

"Both principals and agents of the Tarrant County Sheriff's Department deliberately created the hostile and offensive environment which plaintiff complains of," the suit says.

It alleges that the department and Craven violated federal and state civil rights laws and caused Pittman mental anguish, humiliation, depression and loss of employment benefits. The suit seeks an unspecified amount of compensation and punitive damages.

Capt. John Dalton, the department's public information officer, said he could not comment.

Craven, who supervises the communications division, said he had not seen the suit and didn't know what allegations it contained.

The case was assigned to 17th District Court.

Linda P. Campbell (817) 390-7867



**BUD
KENNEDY**

■
COMMENTARY

Sheriff keeps his escapades legal ... so far

The county sheriff is breaking his budget, and breaking our trust.

But he is not breaking the law, although he came within a Tahoe tread-width of it twice this week.

Until he breaks the law, the task of removing him from office will be left to Tarrant County voters in 2000.

Emphasis on the *until*.

District Attorney Tim Curry's office had two chances to take renegade Sheriff David Williams out of our misery this week. Prosecutors could have charged him with abusing public property (using county buses as a political rally shuttle) or with unauthorized use of cars (hiding two sport trucks and a car to prevent their recall for other county offices).

Either charge would have amounted to official misconduct, clearing the way for any state district judge to remove the suddenly insolent sheriff, who has gone off the deep end and declared "sovereignty" and independence from budget control.

Neither charge would have produced a cinch conviction.

Without a clear-cut case, the district attorney's office left the job in voters' hands. For now.

The sheriff's rally was originally presented as a political event hosted by a Republican

Party precinct chairman. But by the time jailhouse volunteers were herded aboard county buses for the ride to a local church, the chairman's name had been removed and the meeting was described as a "town hall" hosted

by the wife of a state party official — but not by a party official.

The sheriff is technically free to have a community "town hall," to bring deputies and to have them drive county vehicles and bring citizens.

If the commissioners don't like the way he used county buses, they in turn are free to recall the buses.

Which is exactly what led to the other showdown of the week.

Six months after Williams was caught wasting money for five new Fords that went unused, commissioners figured out that he didn't really need two new \$29,000 Chevrolet Tahoe sport trucks.

At least one Tahoe was needed more at the county fire marshal's office, where arson investigators haul equipment in an old Caprice sedan with 120,000 miles.

Williams' deputies weren't driving the trucks much. Yet he refused to give them back.

Commissioners could have hired a wrecker driver to repo the Tahoes.

But how do you repo a car from the sheriff?

I can see it now: "You with the tin badge! Hold it right there!

"We're from Judge Vandergriff's office! Step out, drop the keys and slowly back away from the truck."

If he tried to resist, they could always have him arrested by city police or county constables.

He gave back the trucks. So he remains sheriff.

Until.

**Bud Kennedy's column appears
Tuesdays, Thursdays and Saturdays**

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LETTERS TO THE EDITOR

Compromise or leave

Our county commissioners and our county sheriff both seem to have forgotten that they are ours. They belong to Tarrant County. They are a part of Tarrant County. We are a part of Tarrant County. I am a part of Tarrant County who is getting tired and embarrassed at the daily or weekly headlines describing more of their infighting and turf or budget battles.

It is time for a meeting of the minds. Both sides need to show a little respect for each other and try to work with, rather than against, each other. Compromise is the answer.

If this cannot be done, then we, the voters, need to make some sweeping changes at the next election.

CHARLIE WALTON
Fort Worth

Thumbing his nose

I sincerely believe that an immediate investigation into the business affairs of Tarrant County Sheriff David Williams' office is necessary.

I have been increasingly dismayed at the arrogance and disobedience of our sheriff. Not only has he wasted taxpayer's money on frivolous programs (e.g., the helicopter program), but when faced with having to explain himself and his wastefulness, he has thumbed his nose at the Commissioners Court and his constituents.

I am a born-again Christian and a conservative Republican. I am offended at Williams' tactic of claiming that the

"Christian right" supports him. I can be considered part of that group, and I do not. In my opinion, on the basis of Romans 13:1-2, he is disobedient to his God and to the taxpayers.

I will be praying for him, that he changes his ways, and especially for our hard working Commissioners Court for having to put up with him.

JAY MADDEN
Fort Worth

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HULME

IT'S A LONG STORY...
ACTUALLY, IT WAS
THE SHERIFF'S
DEPARTMENT AT
ONE TIME...

JAIL
& W

WANTED
30 TAHOES

THE
REPUBLIC
OF
WILLIAMS



Deputy saves 3 from fire

'I was panicking,' says young mother

BY DEANNA BOYD
Star-Telegram Staff Writer

FORT WORTH — The flames were shooting from the room above, and there was Colleen Woolsey, fumbling with a key ring, trying desperately to unlock the burglar bar gate at her front door.

Her escape route was blocked, and her two young children were screaming.

"I had my keys in my hand, but I couldn't get the right key in the hole," said Woolsey, 28. "I was panicking."

On the other side of the gate, off-duty Tarrant County Sheriff's Deputy Phillip Sullivan, a 14-year veteran, watched in terror, unable to reach the trapped family.

Sullivan had been driving past the 2-story home in the 3400 block of Wade Avenue when he spotted the flames. Now, he stood at the front door, searching for a way inside, about to become a reluctant hero who would disappear quietly into the night.

As the fire blazed, he ran around the house, looking for a

way in. He finally found a window from which half the burglar bars had been removed to clear space for an air-conditioning unit. A piece of wood was nailed over the opening.

Sullivan smashed through it, then reached in and pushed aside an antique desk that Woolsey estimated weighed more than 200 pounds.

"He pushed it aside like it was paper," Woolsey said. "I handed the kids out to him first, then he helped me out the window.

"My son started screaming, 'Get Fuzzy the hamster!' and he [Sullivan] went into the burning house before the Fire Department got there and got the hamster," Woolsey said.

As firefighters arrived to douse the one-alarm blaze, Sullivan took Woolsey, the children and Fuzzy to the nearby home of Woolsey's aunt.

After dropping off the family,

Sullivan drove away.

"That was it," Woolsey said. "The man was gone into the night as quick as he had come."

Yesterday, Sullivan declined to talk about the Tuesday night rescue, which came less than a week after Woolsey moved into her new home.

"I value my privacy and I want to keep it that way," he said. "If somebody wants to do something, they should help her [Woolsey] put her house back together."

Sullivan's supervisor, Sgt. Fred Walters, was not surprised to hear that the deputy did a good deed and then ducked the credit.

"He's a super person," Walters said. "He's the first person to volunteer to help someone. He's always been that way."

Damage to Woolsey's house and contents was estimated at \$20,000.

Investigators believe that the fire was started by a lamp left on a bed. The bulb apparently ignited the bedspread.

Woolsey said her daughter awoke to a noise upstairs. A quick inspection found heavy smoke. Woolsey said she rushed the children to the front of the house. There was Sullivan, beating on the door.

On Thursday night, two days after the fire, Woolsey sifted through the charred remains of her home. Among the destroyed items were a pink pearl bedroom set and vanity that Woolsey had bought for her daughter and a bunk bed she had purchased for her son.

"There's some stuff that's recoverable downstairs," Woolsey said. "It's a mess. It's destroyed."

For 2½ months before moving in, Woolsey had invested all her money and time in repairing the home.

"I did all of that work because I didn't have money to put down on the house," Woolsey said. "I spent what money I had on paint and patch and Sheetrock and every-

thing. I can't believe a house that I put this much into burned."

Among her purchases were double-key locks, requiring a key to open the burglar bars from the inside.

"They were cheaper to buy," Woolsey said. "I'll never buy them again."

Fort Worth fire Capt. Larry Taylor said the locks are illegal and, like burglar bars without panic buttons, can be deadly.

"We have had several fires where the victim was found with the lock in one hand and the key in the other and never could get the key in the lock," said Taylor, who heads the department's fire safety and education unit.

Although the loss of her home and many possessions is devastating, Woolsey said the safety of her children and herself is priceless.

"This man, Phillip Sullivan, is a saint," Woolsey said. "As soon as I have any money, I'm going to buy him a big thank-you card."

Deanna Boyd, (817) 390-7655
dboyd@star-telegram.com



Colleen Woolsey finds her old teddy bear in the ashes of her home.

LETTERS TO THE EDITOR

Merit raise?

I read with amazement that the Tarrant County commissioners voted to give Sheriff David Williams a 9.8 percent pay raise. Obviously, "pay for performance" is an idea yet to be embraced by elected county officials.

What has Williams done to earn a pay raise?

- The sheriff's budget presented to county taxpayers consisted of one line item — a joke.

- A fabricated salary crisis; county commissioners got blamed for Williams' poor management.

- A fleet vehicle fiasco that would be comical if it weren't so sad.

- Legal claims on grounds of false arrest, liability, injuries and the deaths of two deputies in a helicopter crash.

This sheriff is a costly burden.

Don't forget improper use of forfeiture funds, bringing the sheriff's circus to Arlington's Hurricane Harbor, deputizing a political supporter, and raiding sexually oriented businesses for not displaying paperwork. The weirdness just goes on and on.

Williams should get a pay cut. If the Republican-majority commissioners gave him a pay raise based on his outstanding performance, then the Republican Congress should triple President Clinton's salary.

DANIEL FOYT
Arlington

I'm working on it

Let me see if I've got this straight. If a sorry, flim-flamming con man becomes president of the United States and uses his office to obtain sexual favors, we're supposed to avert our eyes and pretend that it never happened. On the other hand, if a true Christian gentleman is elected sheriff and has the audacity to try to do the job for which he was elected instead of pandering to a bunch of county commissioners, we should run him out of office — and maybe tar and feather him, too?

I'm not sure if I've got it yet, but I know I can depend on the *Star-Telegram* to remind me continually.

DAVID N. WALKER
Fort Worth

LETTERS TO THE EDITOR

Not speaking for me

I am writing to register strong exception to the Sept. 27 column written by James A. Borchert in support of Tarrant County Sheriff David Williams. I am also a voter in this county, and I certainly *do not* agree with Borchert or Williams that his office reports to no less a supreme power than the state of Texas.

As a Tarrant County resident, I am *not* pleased with the sheriff, in spite of what Borchert so unequivocally asserted, and I certainly *will not* characterize the actions of the Tarrant County Commissioners Court as the "arbitrary rule of men."

I heartily applaud the actions of County Judge Tom Vandergriff, Commissioner J.D. Johnson, et al., in trying to restore prudence — and sanity — to the otherwise misguided missile that the sheriff's office has become. Borchert's column only reinforced the need for careful soul-searching on the part of *all* voters regarding what ill the sheriff and his supporters seem willing to do to this county in the name of maintaining order.

The sheriff does not have my permission to solely interpret the Texas Constitution for me, thank you. And Borchert does not have my permission to act as spokesman in defending the sheriff's actions. I will make my feelings known at election time, when I hope to be able to offer the sheriff a resounding "Goodbye!"

ROBERT MOORE
Fort Worth

LETTERS TO THE EDITOR

I back the sheriff

Tarrant County Sheriff David Williams is performing his duties very well.

I live in an unincorporated area where he provided the personnel to oversee "Crime Watch" meetings. When these meetings started approximately three years ago, the Sheriff's Department was getting 30 to 40 crime-related calls per month from this area. The rate now is down to less than four.

His deputies have conducted meetings to educate the neighborhood on being aware of what's happening and on reporting matters to the authorities. I believe that criminals are aware of this program and don't want to be caught in this area.

Williams recently initiated bicycle patrols in this area to make deputies more visible, thereby keeping the crime element out.

Isn't this what the sheriff's office is all about? I support the sheriff.

ZOLA HILTON
Tarrant County

An embarrassment

Sheriff David Williams is an embarrassment to Tarrant County. Who does

he think he is, taking people to a pep rally in county buses under the guise of an evacuation drill?

Four buses! Doesn't he have sense enough to realize that if one of these buses had been involved in an accident and passengers had been injured, the county would be subject to millions of dollars in lawsuits?

Since he has been in office, he has (1) created his own paramilitary force with helicopters, assault vehicles and other special equipment; (2) raided private clubs; (3) sent his troops to Arlington and tried to take charge of an incident when the Arlington police did not request his department's assistance; (4) defied the Commissioners Court time after time; (5) wasted county funds by purchasing automobiles that sat for months without being used; and been responsible for numerous other incidents. When I remember the helicopter crash on Kenneth Copeland's property, I wonder what the helicopter was doing there to begin with.

Our only hope is that when Williams comes up for re-election, voters will send him back to wherever he came from. At least I can live with a clear conscience — I did not vote for him in the past.

BILL HART
Westworth Village

Tarrant commissioners transfer sheriff's trucks to fire marshal

Star-Telegram

FORT WORTH — Tarrant County commissioners transferred two new Sheriff's Department Chevrolet Tahoes to the fire marshal's office yesterday and sent two department sedans to the county's central garage.

The commissioners recalled the Tahoes last month, saying they had low mileage and were under-used. The sedans were taken from

the department because their use did not conform to the county's vehicle policy.

Sheriff David Williams refused to turn the cars over to the county garage when they were due on Oct. 1, but complied with the Commissioners Court order last week.

"The Tahoes seem ideal for the fire marshal's purposes," County Judge Tom Vandergriff said.

LETTERS TO THE EDITOR

Time to terminate

Who is Sheriff David Williams' boss?

Star-Telegram articles indicate that the sheriff reports to the Tarrant County commissioners. Since they modified the sheriff's budget recently, it gave the impression that the sheriff is indeed accountable to the commissioners on budget matters. In the private business world, when the boss calls you *repeatedly* to a meeting, you have two options: attend or quit.

The commissioners have been very patient with a very defiant sheriff. I hope that the sheriff will apologize and cooperate. It's clearly a case of insubordination.

If the sheriff continues to be totally uncooperative, what's the step toward removal? He is an elected official, so is impeachment the next course of action? If the commissioners do not have the authority to fire the sheriff, who does? Who signs his paycheck? Isn't it past time to terminate this issue?

HENRY J. MERBLER
Arlington

LETTERS TO THE EDITOR

Fire somebody

If Tarrant County Sheriff David Williams is telling the truth when he claims that he did not know who organized the support rally at Calvary Cathedral, he needs to investigate the deputies who handed out fliers and drove those county-owned buses to the rally on county time.

Those deputies need to be fired if they did not have orders from the sheriff. He needs to be fired if he gave them orders and then lied about it.

Williams not only used county-owned property for his personal gain, but he was pretty selfish when he canceled Bible study for the inmates to transport the volunteer ministers to his temper-tantrum rally. God will hold him accountable for that.

In the meantime, Commissioner J.D. Johnson was representing the people of Tarrant County when he requested an investigation by District Attorney Tim Curry. If Curry feels that official misconduct in Tarrant County is normal, I hope that the commissioners bring in the top-gun Texas Rangers again for an investigation. They nailed the last sheriff we had who felt he was above the law.

MARILYN LOWRIE

Fort Worth

No atheists in jail

The Oct. 5 piece by Jim Jones, "Persevering Faith," mentioned Christians, Muslims, one Jew, no Hindus and no Buddhists as inmates in the Tarrant County Jail. Jones went on to say that "most of the approximately 3,400 inmates come from Christian backgrounds."

What class of residents who comprise 7 to 9 percent of the U.S. population is missing from the jail population? The answer: atheists!

My, my, and the religious say you must have a god to have morals.

RANDALL GORMAN

State director, American Atheists Inc.
North Richland Hills

LETTERS TO THE EDITOR

Telephone scam

Recently, the board of directors of the Tarrant County Deputy Sheriff's Association received information regarding a telemarketing company that is soliciting money in the name of our association. Please do not give any money if this telemarketer calls for donations. The Tarrant County Deputy Sheriff's Association is not soliciting donations in this fashion and we do not condone this type of activity. If you are called by this telemarketing company, hang up. Further, for your safety, never give personal information over the phone, such as credit card numbers, Social Security numbers, or any information regarding personal financial information. If you have any information regarding this company, please call (817) 332-2415. We do intend to prosecute the individual(s) who is perpetrating this scam.

DAVID MANN
President, Tarrant County Deputy Sheriff's
Association

Makes you wonder

The \$54,818 in delinquent taxes owed "we the people" of Tarrant County may explain why County Judge Tom Vandergriff and his commissioners court is so hard after the sheriff of Tarrant County. The chief law enforcement office of the county would be the officer charged with serving a writ of execution of judgment to Vandergriff to enforce the collection of this money owed.

This concerned Tarrant County tax paying citizen has something in common with Sheriff David Williams in that we pay our taxes while Vandergriff chooses not to pay his.

The citizens of Tarrant County have a right to question why the keeper of the purse, Commissioners Court, is headed up by an elected official who is not paying his share to the common treasury, but his court is responsible for the distribution of funds from the county treasury.

One questions the commissioners' motive for their recent behavior toward the office of the sheriff, especially in light of the revelation reported by the *Star-Telegram* of the debt owed by the county judge.

DOYLE JONES
Arlington

LETTERS TO THE EDITOR

In good time

As a resident of Tarrant County I am gratified by the recent actions of the Commissioners Court in handling the budget requests of Sheriff Williams. I would think that, based upon the recent actions of the sheriff, next year a much more thorough examination of the sheriff's budget would be in order.

JOHN P. NOLAN
Arlington

LETTERS TO THE EDITOR

Time for answers

I realize that the sheriff of Tarrant County has a plan to save all the criminals in the Tarrant County jail. I have news for him. Every time I have been on a jury the defendant always states that he or she has found God and will from that time on live a fruitful, law-abiding devout life. They all do that without benefit of a chaplain. They all seem to think that by telling a jury they have found God the jury will find them not guilty.

I believe it is a misuse of funds intended for a certified law enforcement officer position to hire a minister (as the sheriff's chaplain) and pay him with tax money.

The sheriff buses supporters to church for a rally under the guise that it was a practice drill to evacuate prisoners from the jail. Deputies were used as drivers and for other duties in this latest ruse. To me this is blatant misuse of county tax money, vehicles and employees.

Since we cannot ask the sheriff to investigate himself — he would come out

clean — it is time for a full grand jury investigation into the complete Sheriff's Department operations. David Williams may not want to answer to the county commissioners, but he sure does have to answer to the taxpaying citizens of this county.

LETTERS TO THE EDITOR

County skirmish

Re the Sept. 10 article by Neil Strassman. What in the devil are our county commissioners thinking? Especially Judge Tom Vandergriff and his statement that Sheriff David Williams "is primarily keeper of the keys. That's his function, and we will only give him the money for his principle responsibility."

What the good judge said in that statement is that those of us who live in unincorporated areas of the county should forget about seeing a sheriff's patrol in our neighborhood. Living in the Burleson-Rendon area, I don't see sheriff's patrols that often, but I know they are here somewhere. What are these commissioners going to do? Cut the sheriff's budget, make everyone jailers and take away our law enforcement in the county? I cannot believe they would do this, but if you take the judge's statement literally, that is exactly what he is saying.

Williams appears to have pulled some boneheaded stunts — not showing up to discuss his budget with the commissioners — and we can't forget the new cars that sat for months unused while he tried to purchase Tahoes but... I for one approve of his wanting a broad-based law enforcement agency, including the helicopters. We in the county pay taxes, lest commissioners forget, and deserve law enforcement as good as Fort Worth's. I am beginning to think our commissioners care about nothing more than bringing Williams to heel and in the process will sacrifice my family's safety. It also appears they believe their responsibility ends at the city limits. Is this a vendetta or responsible government? I am starting to believe the former and we are in the crossfire.

MIKE POPE
Burleson

FORT WORTH

Sheriff asked to discuss salaries

Commissioners put grievances on hold

BY NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — Most of the salary grievances filed by Tarrant County Sheriff's Department employees will not be acted upon until Sheriff David Williams comes to Commissioners Court to discuss his department, county commissioners said yesterday.

The Sheriff's Civil Service Commission will handle three of the 127 grievances filed by technical officers who work as jailers. The county's Human Resources Department will administratively handle the other grievances filed by sheriff's investigators and deputies who work in patrol, warrants and judicial services, county officials said.

"Those matters can't be resolved until the sheriff comes and meets with us in open session. It seems that is what is required," County Judge Tom Vandergriff said yesterday at Commissioners Court.

Williams was on the agenda for yesterday's meeting to ask for an attorney to represent him in a lawsuit filed by the widow of one of two deputies killed in a September 1997 sheriff's helicopter crash. But he did not attend.

Instead, he sent a memo saying that he needed "to clarify protocol from the District Attorney's Office on this matter" before coming to court. It was the second time in a month that the sheriff was on the agenda and did not show.

Williams, however, is willing to attend a meeting to discuss the grievances, said a sheriff's spokesman, Capt. John Dalton.

"The sheriff is willing to sit down and discuss this with the county commissioners to make sure all of our deputies, jailers and staff receive the maximum compensation and opportunities provided by law," Dalton said.

The investigators, who make between \$2,080 and \$3,120 a month, want to be paid the same as investigators who work for the district attorney or medical examiner, whose monthly salaries can range from \$2,362 to \$3,944.

The deputies, all certified peace officers, filed grievances because 30 lead jailers were promoted to corporal and now share their pay grade even though they are not peace officers.

The 30 jailers who were promoted had been supervisors with the authority to review and discipline employees. Because they were supervisors, the county's job evaluation committee bumped them up a pay grade.

Three jailers filed grievances because they weren't included in the promotion the deputies are complaining about. Their cases will go to the Civil Service Commission.

The county has 15 days to respond to the grievances, though not necessarily to rule on them.

In demanding that Williams come to court, the commissioners said yesterday that they want to avoid any impression that they are micromanaging the Sheriff's Department.

But Dalton said the commissioners "have already done that"

by setting salaries and positions in the department.

"That's what the disagreement is. The sheriff has made recommendations and they've ignored them," Dalton said, referring to a December proposal to raise everyone in the department one pay grade.

Commissioner Dionne Bagsby said that it is the county workers who are suffering because of Williams' actions.

"There is no intention to micromanage the department, but there is a real commitment to look at and address any real inequities," Bagsby said. "It is the workers that are being penalized."

Neil Strassman, (817) 390-7657

Sheriff's workers file 127 protests

Grievances concern disputes over salary

By NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — Grievances over pay are flooding into the Sheriff's Department civil service commission from Tarrant County Sheriff's employees.

In the past two weeks, 117 employees — sheriff's investigators; deputies who work in patrol, warrants and judicial services; and technical officers who work as jailers — have filed 127 grievances about salary issues.

The pay dispute comes just a month after county commissioners trimmed Sheriff David Williams' budget and his efforts to turn the Sheriff's Department into a broad-based law enforcement agency. Command staff and 35 employees were cut from the department and two 1999 Chevrolet Tahoes were reassigned to the fire marshal.

Williams said in a prepared statement that he has begun an internal affairs investigation to look into the salary complaints.

"I am determined that every part of the Sheriff's employees compensation process be in total compliance with the rules," Williams said in the statement.

County commissioners intend to discuss the grievances at today's Commissioners Court meeting. They said they want to pay all sheriff's employees "competitively," but are skeptical about the timing of the grievances.

To a large degree, the grievances are a legacy of the Sheriff's Department policy the past two years of having employees work in jobs they are not assigned to and of

(More on COUNTY on Page 6B)

a lack of leadership in the department, the commissioners said.

"It's not our job to manage his department," Commissioner Glen Whitley said. "We need to tell them to go find their boss and sit down and talk to him about it. It is his department. Part of the grievances they are making is that they are working out of their rank and job. This just didn't happen overnight."

Commissioner J.D. Johnson said the biggest problem in the Sheriff's Department "is that there is no leadership."

"They are floundering around and it's unfortunate for the employees and the county," he said.

The sheriff's investigators who make roughly \$2,080 to \$3,120 a month want to be paid the same as investigators who work for the district attorney or medical examiner, whose monthly salary can range from \$2,362 to \$3,944.

The deputies, all certified peace officers, filed grievances because 30 lead jailers were promoted to corporal and now share their pay grade, even though they are not peace officers.

And other jailers filed grievances because they weren't included in the promotion the deputies are complaining about.

"Things need to be adjusted somehow," said Dave Mann, president of the Tarrant County Deputy Sheriffs' Association, which he said is "fully endorsing" the grievances.

Mike Hargis, a Sheriff's Department investigator, said nine criminal investigators and six who work in narcotics have worked for the department for an average of about 10 years.

"We don't feel it's right. We feel we do the same job as the district attorney investigators and we all work for the same county," Hargis said. "We don't represent

the sheriff politically. We're trying to work this from an employee basis."

The 30 jailers who were promoted had been supervisors, with the authority to review and discipline employees. Because they were supervisors, the county's job evaluation committee bumped them up a pay grade, said Robin Worthy of the county's personnel department.

But at least three of 15 jailers who were not promoted have filed grievances, said Mike Rickman, a staff attorney with the Combined Law Enforcement Associations of Texas, a statewide group that represents law enforcement personnel.

"We're just asking for what is equitable," Rickman said.

The lead jailers were "working out of their job description" for nearly two years, Johnson said. Now, patrol deputies and investigators want to be one step above the lead jailers, he said.

Neil Strassman, (817) 390-7657

FORT WORTH • TARRANT COUNTY

Two deputies suing Williams

The pair say the sheriff retaliated against them for supporting his opponent in 1996.

By NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — Sheriff David Williams has been sued by two deputies who allege that he retaliated against them for supporting his Democratic opponent in the November 1996 election.

Deputies Glen Allison and Steven Henry contend in the lawsuit filed yesterday in federal district court that Williams transferred them to lesser positions because they supported his opponent, Bill McLendon, a Euless police lieutenant.

"He has placed politics above qualifications," said attorney Art Brender, who represents both men. "They were moved to entry-level, dead-end jobs for exercising their right to free speech. Now they want the restoration of their careers."

Capt. John Dalton, the sheriff's spokesman, said yesterday that he could not comment on a lawsuit against the department or the sheriff. Williams could not be reached.

Allison, 52, a 12-year-veteran of the department and a former Saginaw police captain, was a candidate

for sheriff in the 1996 Democratic primary. After he lost the primary to McLendon, he threw his support behind him.

Allison and Henry, 46, who has worked for the department 22 years, were listed as McLendon supporters in a newspaper advertisement run several days before the election. Both men performed volunteer work for the McLendon effort but did not campaign for him during work hours, the lawsuit said.

A little more than a week after Williams' re-election, the deputies, who had been working in the warrants division, were transferred.

Allison was assigned to the relief desk in the jail, working the midnight watch. Henry was transferred to the courts division and assigned to operate an X-ray machine at the courthouse entrance.

Although their salaries were not cut, both deputies were left with no opportunity for advancement, Brender said.

Each of the deputies is seeking \$750,000 in damages and reinstatement to their previous jobs. They also seek an injunction to prevent further retaliation or discrimination "against any individual who exercises their First Amendment rights to support the political party or candidate of their choice."

Neil Strassman, (817) 390-7657.

LETTERS TO THE EDITOR

star-telegram.com / Saturday, October 31, 1998

Early release?

I beg to differ with Judge Mamie Bush Johnson's use of the term "Sheriff's Early Release Program" in the Oct. 19 voter's guide.

I assume she refers to the fact that selected misdemeanor inmates who perform manual labor are given two days' credit for each day worked. As far as I know, this is done in every Texas county at great savings to the taxpayer.

Again, I assume this was the program she meant, because the Sheriff's Department doesn't have an "early release" program.

LANCE RODMAN
Technical officer

Tarrant County Sheriff's Department

Sheriff backer's readings

say volumes

Two years from today, we can elect a new Tarrant County sheriff.

That is not soon enough. Especially if we must endure two more years of bizarre rants from Sheriff David Williams' political backers.

One of Williams' most prominent defenders spouted a sermon the other day. You might be interested to know his vision for America and Tarrant County.

Hint: If you're not a hard-line fundamentalist Christian, you don't fit his vision.

The Rev. James A. Borchert is a Fort Worth pastor and also a political party official. (Because today is Election Day, I'm not writing about the party.)

Borchert spoke to a local religious activist organization last Friday. He said that:

■ The United States is secretly under "maritime law" and controlled by other countries, not under the Constitution.

■ Contracts are invalid if not "paid in gold."

■ And that laws don't apply if they "do not follow God's law."

He didn't talk about Williams this

time. But Borchert defended the sheriff in a rambling Sept. 27 essay in this newspaper, claiming that the sheriff rules under old English common law, that he is an autonomous official "under the supreme power of the state" and that county commissioners can't revise his budget. Borchert's wife, Peggy, was a co-sponsor of the sheriff's famous "fire drill" rally, where our own county vehicles and employees were used to shuttle the sheriff's political supporters to a church.

I think I know where Borchert got some of those ideas.

Under his arm, Borchert carried a book from the Christian Patriot Association, a Oregon bookseller specializing in anti-government books and racist and religious hate books. It's sort of a mail-order Barnes & Noble for the so-called "patriot movement,"

including armed militias, anti-Semitic groups and Christian-supremacist groups.

The CPA also sells books contending that by legal gymnastics, county officials have sovereignty over all other governments, including federal officials.

Supposedly, this all goes back to old English common law.

The CPA is a favorite militia bookseller. Its other books include *The Jews and Their Lies*, and the founder was an official in bunker buddy Bo Gritz's presidential campaign.

After Borchert's speech, I asked about his selected CPA book, a purported collection of religious quotations.

"I get information from a variety of sources," he said, folding an arm around the book.

In his speech, Borchert also said that America's government exists only "under God's rule of law"; that public schools were set up "to teach and preach God's law"; and that if anyone is elected who is not a hard-line fundamentalist Christian, then "Christians

should pray to remove them from office."

For the conspiracy lovers in the crowd, Borchert also tossed in an oblique remark about President Kennedy: "There are records that 10 days before he died, he had found out the truth about our government. He was about to tell the people something. But he was quickly dispatched."



**BUD
KENNEDY**

■
COMMENTARY

If anyone out there thinks America is a democracy, or that our nation was established in the name of religious freedom, Borchert said we are simply mistaken.

America is not a democracy, he said: "A democracy is really a mob-ocracy, where people and passions rule."

America is "a republic under God's law."

I'm not worried right now about God's law.

I'm worried who's tutoring the sheriff on law.



► Sheriff David Williams makes a surprise appearance at Commissioners Court to lobby for salary increases for his employees. 4B

Jail stealing their time, officers say

BY NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — Time that police could spend patrolling the streets is being lost because of delays in booking prisoners into the Tarrant County Jail, say law enforcement officers who take prisoners there.

Fort Worth police and marshals and Tarrant County constables and deputy sheriffs say they must wait as long as two hours or more for a pris-

oner to be booked into the downtown jail, a process that used to take a half-hour or less.

"If it takes a long time to get our prisoners in, it means calls are being held and can't be responded to," said Deputy Chief Larry Curtis of the Fort Worth Police Department. "We want them back on the street."

In recent weeks Fort Worth police have kept a log of the time officers

(More on JAIL on Page 4B)

spend booking a prisoner into jail. It shows an average of about an hour.

Sheriff David Williams, who runs the jail, said that the time-consuming delays are the result of budget cuts that have left the department shorthanded. County commissioners say Williams has enough people to run the department.

Police officers from other Tarrant County cities are largely unaffected by the booking delays at the jail because their prisoners are picked up and transported by sheriff's vans.

Williams, who made a rare and unexpected appearance at Commissioners Court yesterday to lobby for a pay increase for his troops, said after the meeting that the reduction in staff clearly "has had an effect on being able to process prisoners at a rapid rate."

"The delays may well have been caused by the commissioners," Williams said. The sheriff's command staff is to meet today to discuss the booking problems, he said.

Commissioner Glen Whitley said Williams is wrong. "We cut jailers, not people in the booking area," he said.

The commissioners cut Williams' 1999 budget request and staff — 36 people in all — to force him to work his employees in their assigned jobs.

For several years Williams had manipulated jail staffing levels, using jailers to serve warrants, do investigations and work in administration, running up a huge overtime tab.

"We increased his [Williams']

overall budget by \$2 million. He should be able to manage his department with the extra funds," Whitley said.

Faced with the prospect of asking the commissioners for more staff to do the jobs that had been done by the jailers, Williams on Aug. 17 asked the commissioners to transfer people from the booking area to the needed positions, Whitley said.

No one, however, is denying that it takes longer to put prisoners in jail now than it did in September, when the Sheriff's Department posted a deputy at the jail door who could quickly take custody of prisoners from police, freeing them to file reports and return to the streets.

But the deputy at the jailhouse door was pulled from his post by the Sheriff's Department on Oct. 1, the day that the new budget and staffing cuts became effective. Predictably, there was a collective squawk from law enforcement, with officers saying they now spend a lot more time at the jail.

"There were delays before September, but not bad. Then they put someone at the door, but they removed him. Now we've gone back to extreme delays," said Jim Rutledge, Fort Worth city marshal. "When you have someone down there for an hour and a half, it can be hard to do your business."

During the week of Oct. 18 through Oct. 24, it took 52 minutes, on average, for Fort Worth police to book prisoners into jail, said police Capt. Harold Rich, whose office is keeping a log that officers sign.

On Thursday, Commissioner J.D. Johnson toured the booking area with Executive Chief Deputy Hank Pope and Chief Deputy Savala Swanson, who oversees the jail. Standing in the garage by the jail door, the three men discussed the booking situation.

"If we furnished you another person, could you take Fort Worth's prisoners more quickly?" Johnson asked.

"No," Pope replied. "Everybody's doing multiple duties now."

Jailers in the booking area must search the prisoners, inventory their property, photograph and fingerprint them, put them in holding cells, take them for a medical exam and a shower and then move them to their cell, he said.

Annette DesCamps, a Fort Worth marshal, brushed past on her way to the booking area with a prisoner in tow. She emerged awhile later.

"Got in and out in about 20 minutes," she said. "Earlier today it took me an hour and a half."

After yesterday's meeting, Johnson said he would consider giving the sheriff an extra employee to work the jail door.

Williams said that "if it would work and it made sense, I'm in favor of it."

Neil Strassman, (817) 390-7657

www.star-telegram.com / Wednesday, November 4, 1998

Tarrant sheriff requests raises for his department

BY NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — After twice failing to show when he was on the agenda in recent weeks, Sheriff David Williams made a surprise appearance at Commissioners Court yesterday to lobby for salary increases for his employees.

Williams said he was responding to a request "to personally discuss salary issues" with the commissioners.

It was a one-way conversation.

Not on the agenda yesterday, Williams addressed the court in the time at the end of the meeting reserved for public comment. Commissioners Court rules don't allow commissioners to respond.

Williams chastised the

commissioners for not adopting a proposal he submitted in December 1997 that called for each member of the Sheriff's Department to be bumped up one pay grade.

The court "rejected a reasonable proposal in favor of the current arbitrary salary structure," he told the commissioners, who were mum.

Sheriff's Department employees "are above-average personnel and deserve to be compensated at or above market level," Williams said.

The commissioners asked Williams to come back next week for a two-way discussion, but Williams was non-committal.

Last year, the commissioners gave sheriff's personnel an unscheduled midyear raise, in addition to raises given to all county workers.

Wednesday, November 4, 1998

LETTERS TO THE EDITOR

The sheriff's benefit

The Texas Penal Code states that "a public servant commits an offense if, with intent to obtain a benefit, he misapplies any thing of value belonging to the government that has come into his custody or possession by virtue of his office or employment."

Tarrant County Sheriff David Williams used four county-owned buses and several county employees to deliver his cronies to an invitation-only party at one of the area churches. The sheriff surely benefited from our financial assistance; our tax dollars paid for the buses and the salaries of those employees.

I believe that the district attorney owes the taxpayers a more comprehensive explanation of why he feels that evidence of a criminal violation could not be found when Williams used county-owned property and county employees for his personal gain.

If he still feels that no laws were broken, then may I be first in line to use the four buses and county personnel to take some of us taxpayers to South Padre Island for a fish fry? We promise to call it a town hall meeting and discuss whether the sheriff is under the jurisdiction of the county or state. After all, don't the taxpayers have the same rights as elected officials?

MARILYN LOWRIE
Fort Worth

County to consider step pay idea for sheriff's employees

BY NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — Employees have been leaving the Tarrant County Sheriff's Department in droves in recent years, prompting county commissioners to reconsider a pay system they abandoned 15 years ago: a grade-and-step salary schedule.

They believe that a program spelling out pay raises and the length of service required for them

will stem the exodus, which is mostly to better-paying jobs.

The county personnel department is expected to present its grade-and-step salary proposal for the Sheriff's Department to commissioners today.

Nearly 260 of the sheriff's 1,320 employees left last year, and more than 220 have left this year, said Dave Mann, president of the Tarrant County Deputy's Association.

"It's not going to stop until we address the pay issue," Mann said.

The majority of those leaving the Sheriff's Department work in the jail, Chief Deputy Larry Hester said.

"The turnover rate is somewhere about 19 percent. It's high," Hester said.

Sheriff's officials point to the Harris County Sheriff's Department, which adopted a step system and career development program

about 13 years ago as a model that could perhaps be followed here.

The Harris County step system pays employees extra for longevity and educational achievement, said Capt. Don McWilliams, Harris County sheriff's spokesman.

In addition to their salaries, employees there are paid \$5 a month for each year of service, \$75 a month for bilingual capability, \$150 a month for a bachelor's

degree or an advanced law enforcement certificate and \$225 a month for a master's degree. Patrol deputies can make up to \$175 a month for advanced training, McWilliams said.

All Tarrant County workers now get pay-for-performance raises, essentially merit raises based on the quality of their work.

"I think [the step plan] is definitely going to be a help," Commission-

er J.D. Johnson said. But, Johnson said, it should be up to Sheriff David Williams to decide whether the Sheriff's Department uses a step system or a pay-for-performance salary.

Tarrant County intends to spend \$6.1 million on pay raises for next year, nearly \$2 million more than it had planned, largely because of the difficulty in retaining and recruiting workers.

Neil Strassman, (817) 390-7657

Wage plan on the table for sheriff

County proposal aimed at chopping turnover rate

BY NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — Facing a turnover rate among sheriff's employees approaching 20 percent a year, county officials began work yesterday on a new pay plan for the Sheriff's Department.

Under the proposal presented to Tarrant County commissioners, sheriff's employees would be paid differently from other county employees: They would get yearly step raises instead of pay-for-performance merit raises.

New employees of the Sheriff's Department would get raises three months and six months after they are hired, if they are hired at the lowest level. After that, they would get annual raises of between 4.5 and 3.4 percent over the next eight years under the 11-step pay program.

Sheriff's Department officials declined to comment about the proposed pay system, saying they need time to review it. Sheriff David Williams did not attend the commissioners' meeting.

The commissioners, who have been accused by Williams of micromanaging the Sheriff's

Department, said Williams must personally approve the plan or it will not be implemented.

"The sheriff will concur or I won't even consider this. It's his call," Commissioner J.D. Johnson said. "I don't want claims made that we forced them into it."

Chief Deputy Larry Hester said the Sheriff's Department must compare the new plan with previous pay proposals that it has made to the commissioners

"We'll have to study this," Hester said.

Gerald Wright, Tarrant County director of human resources, said the step increases would not be automatic for all sheriff's employees.

"It would still depend on a performance evaluation," Wright said. If an employee has a performance problem, the step increase could be withheld until a second review three months later, he said.

An employee whose salary fell between two steps would be bumped up to the higher pay

grade, Wright said.

Nearly 260 of the sheriff's 1,320 employees left last year, and more than 220 have left this year, according to county records. Most were working in the jail, sheriff's officials said.

Sheriff's officials point to the Harris County Sheriff's Department, which adopted a step system and a career development program about 13 years ago, as a model that could perhaps be followed here.

In addition to the step system, Harris County pays employees extra for longevity and educational achievement.

Pay for sheriff's employees — well below the market average, as in many county jobs — has been a contentious issue for about a year. Officials of the Sheriff's Department and the county administration said yesterday that they will meet to discuss the pay plan.

Tarrant County intends to spend \$6.1 million on pay raises for next year, nearly \$2 million more than it had planned, largely because of the difficulty in retaining and recruiting workers.

Neil Strassman, (817) 390-7657

LETTERS TO THE EDITOR

/ Wednesday, November 11, 1998

Find another soapbox

The *Star-Telegram* has had a field day with Sheriff David Williams lately. Although the sheriff has chosen to administrate his department a little differently than Good Ol' Daddy Don Carpenter did, that does not make him a bad administrator.

I work midnights for the department as a patrol supervisor. I cannot tell you how many times I have seen the sheriff working in the office until daylight.

If you looked around downtown and counted the elected officials who are in the office by 9 a.m., you could certainly do it on one hand. At least my boss is not at the local lounge on Jacksboro Highway or on the golf course half of the day. He is committed to this department and wants it to expand what once was *Rawhide* into a respectable department with high but achievable goals.

Find a new soapbox to get on, and find some newsworthy information to disseminate to the general public.

PATROL SGT. ERIC LOVE
Tarrant County Sheriff's Department
Fort Worth

To the sheriff

Sheriff David Williams, your grandstanding attempt to get raises for your employees only digs your hole deeper. Presenting your plea during the time reserved for public comment when the Tarrant County judge and commissioners couldn't respond won't buy you anything except from the few who can't see through your ignorance.

Let's imagine how the commissioners might have responded:

"Sheriff Williams, if you want raises for your employees, why won't you work with us instead of against us? Why have you been absent from the meetings you were supposed to attend? Why have you been wasting taxpayers' money with 'supercop' programs that the county doesn't need? Why do you waste your budget on expensive Tahoes and unused Crown Victorias?"

"Then you come to us with an important request when we can't respond publicly. Sheriff, it is clear to us that you do not possess the managerial, financial or people skills to fulfill your job. It is a shame that your employees must suffer for your ineptitude. Let's pray that these good people have the patience to wait just two more years."

Who knows? The Commissioners Court is probably thinking the same thing.

DAVID MOSBY
Fort Worth

Tarrant sheriff files suit over county budget

BY NEIL STRASSMAN
AND JACK DOUGLAS JR.
Star-Telegram Staff Writers

FORT WORTH — In an unusual move, Sheriff David Williams sued Tarrant County commissioners yesterday over the recently adopted 1999 county budget, contending that it denied essential funding to his department.

The lawsuit, filed in state District Court, seeks a permanent injunction to stop the county from enacting its \$240 million budget "as it applies to sheriff's office staff salaries." It demands that the county fund the sheriff's office "as required by law" and seeks to establish "a fair and equitable" salary structure for employees.

"This lawsuit is totally without basis, in our judgment. It is a most regrettable

(More on SUIT on Page 19A)

action," said County Judge Tom Vandergriff. "We feel comfortable with the budget that was adopted."

The suit claims that the commissioners caused irreparable harm to the Sheriff's Department "by creating ill-will and low morale among sheriff's office staff" because they are paid less than market wages.

The Commissioners' Court has allocated \$54.2 million for the Sheriff's Department, an increase of more than \$1 million over the previous year.

Squabbling among county officials is common, but it is unusual for such cases to end up in court.

Williams, in an interview last night, said his lawsuit is a last-resort effort to get fair raises for the roughly 1,300 employees in his department.

"I have exhausted all remedies available to me," the sheriff said.

"What I've seen the commissioners do in the six years that I have been here is apply a Band-Aid approach to a cancer" within the department, Williams said, referring to what he called low pay and declining morale.

The sheriff also called for the resignation of Tarrant County Budget Director Debbie Schneider, saying she made "outrageous" comments to nine investigators who have filed grievances over salary issues.

Williams produced a statement, signed by the investigators and dated Oct. 22, that said Schneider told the officers that "she knew of no one who would be proud to work for the Sheriff's Department."

The statement also said, "She stated to investigators [that] if we wanted to make more money, we should seek employment elsewhere."

Schneider said last night that her comments to the investigators had been misunderstood and taken out of context.

Commissioners, who have struggled mightily with Williams for the past year, did not mince words about the latest development in the long-running scuffle between Tarrant County's top elected officials.

"It's a grandstanding play," said Commissioner J.D. Johnson. "The Sheriff's Department lacks leadership and organization."

Johnson also expressed concern

about the mounting legal fees stemming from the lawsuit as well as others involving the sheriff.

"I thought he'd already figured out just about every way possible to spend the taxpayers' money, but this really surprises me," Johnson said.

Commissioner Glen Whitley said he was "disappointed that Williams is wasting taxpayer dollars and time."

Commissioner Marti Van-Ravenswaay called the lawsuit a travesty, saying commissioners have tried for months to work with Williams on the budget.

"If I felt like he does, I think I would simply step down from office," VanRavenswaay said. "There's no desire on his part to work with us."

Vandergriff said the district attorney is prepared to defend the commissioners, but Assistant District Attorney Marvin Collins declined to comment on the lawsuit.

During the September budget sessions, however, Collins said Texas law clearly gives the commissioners authority over the Sheriff's Department budget and the ability to prescribe positions within the department.

The commissioners cut Williams' 1999 budget request and staff — 36 people in all — to force him to have his employees work their assigned jobs. For several years, Williams had manipulated jail staffing levels, using jailers to serve warrants, conduct investigations and work in administration, running up a huge overtime tab.

The 1999 county budget is intended to cause the sheriff to more closely monitor his operations and to discuss his new programs before committing tax dollars, the commissioners said during budget deliberations.

Bob Mahlburg and John Moritz contributed to this report.

Neil Strassman (817) 390-7657

FYI

for your information

Pay disputes at the Sheriff's Department that led to yesterday's lawsuit

◆ **December 1997:** Sheriff David Williams proposes that all sheriff's employees be bumped up one pay grade. Commissioners say no.

◆ **February 1998:** Commissioners authorize \$850,000 for jailers' salary increases — an unplanned midyear raise. Sheriff's investigators ask for pay comparable to investigators who work for the district attorney or the medical examiner.

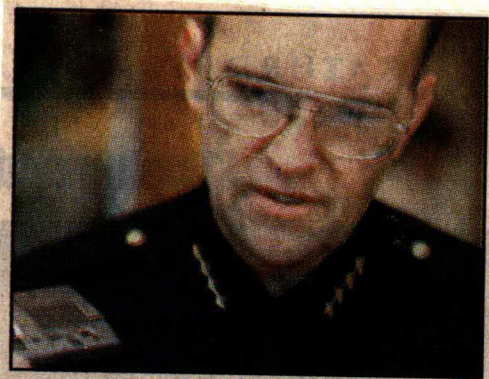
◆ **April 1998:** Deputies rally for pay raises on the lawn of the administration building.

◆ **July 1998:** Williams takes blame for botching last year's sheriff's raises. Of \$958,100 budgeted for 1998 sheriff's raises only \$783,580 was handed out — 18 percent of the raise money went undistributed.

◆ **October 1998:** 30 jailers are promoted because they have been working as supervisors, prompting 117 deputies to file 127 salary grievances, many complaining about the promotions.

◆ **November 1998:** With turnover in the Sheriff's Department near 20 percent, commissioners consider a new pay plan for the department with step raises instead of pay-for-performance merit raises.

STAR-TELEGRAM



Star-Telegram/CAROLYN BAUMAN

Tarrant County Sheriff David Williams answers questions at a luncheon in east Fort Worth yesterday.

LETTERS TO THE EDITOR

star-telegram.com / Saturday, November 14, 1998

The other side

OK, you've convinced me. Tarrant County Sheriff David Williams does appear a bit short as a civil bureaucrat and as an encumbered-fund bookkeeper. And now, as a further service to me, a faithful subscriber, could you balance my picture of this man's performance with a bit more information on his record on ... say ... law enforcement and public safety?

JOHN BROWNING
Fort Worth

Sheriff's lawsuit focuses on pay

Tarrant County commissioners are shortchanging department employees, Williams says.

By NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — One day after he sued the county over its 1999 budget, Sheriff David Williams said that county commissioners "have not made a serious effort" to correct salary deficiencies in the Sheriff's Department.

The Sheriff's Department is losing valuable employees because they are not paid enough, and the commissioners "are just unwilling to do the right thing," Williams told more than a dozen members of the Republican Women of East Tarrant County at an east Fort Worth pancake house.

County commissioners say they want Williams to meet with them to hammer out a salary solution together. The commissioners stand by their \$240 million budget — \$54 million of which is for the Sheriff's Department — and say there is no basis for the lawsuit.

"My people know they are being shortchanged," Williams said yesterday. "My people are worth my taking a stand

on their part. That's why I am taking this action to court."

In his lawsuit filed in state district court, Williams contends that the commissioners have denied essential funding to the Sheriff's Department. He wants a permanent injunction to stop the county from enacting its budget as it applies to sheriff's staff salaries. The lawsuit demands that the county fund the department "as required by law" and seeks to establish "a fair and equitable" salary structure for sheriff's employees.

But, when asked when he would meet with the commissioners to discuss salary issues, Williams said: "After seeing what we have seen I don't know that much can be accomplished in open

court with the commissioners. My message was in the pleadings" of the lawsuit.

County Judge Tom Vandergriff said that if Williams is unwilling to discuss the salary problem at Commissioners Court, then commissioners need to take independent action to restructure Sheriff's Department salaries.

"I'm disappointed he's drawn the proverbial line in the sand," Vandergriff said. "We do have the authority to say how many people are hired and we do have the authority to set salary levels."

Texas law clearly gives the commissioners authority over the Sheriff's Department budget and prescribing positions within the department, officials in the district attorney's office have said.

"If he [Williams] refuses to meet with us, I don't know what we can do," said Commissioner Marti VanRavenswaay, who on Thursday suggested that Williams step down.

She said her office got calls yesterday from Sheriff's Department employees who said money is not the issue. "They say the issue is a lack of leadership and dependable decision-making," she said.

And one former sheriff's employee, Rosalyn Wiley, who attended yesterday's luncheon, said the biggest problem in the department is the demeaning way people are treated and the fact that complaints about working conditions go unanswered.

"Supervisors are running your employees off by intimidation, mistreatment, abuse and the list goes on," said Wiley, of east Fort Worth, who worked for the department more than nine years. "You're not accessible. No one knows you."

Williams said there is a new training program for supervisors in the Sheriff's Department. "We do take these things seriously," he said.

The sheriff said he needs a budget of \$132 million to properly run the Sheriff's Department.

"That is not even a consideration," said Commissioner J.D.

Johnson. "Williams doesn't know how to supervise people or manage a department."

The commissioners cut Williams' 1999 budget request and staff — 36 people in all — to force him to work his employees in their assigned jobs. For several years Williams had manipulated jail staffing levels, using jailers to serve warrants, conduct investigations and work in administration, running up a huge overtime tab.

The 1999 county budget is intended to cause the sheriff to more closely monitor his operations and discuss his new programs before committing taxpayer dollars, the commissioners have said.

The cuts struck at Williams' long-standing effort to turn the Sheriff's Department into a broad-based law enforcement agency. Command staff members were cut from the department, the special operations command was combined with the criminal investigations division, the chaplain's post was eliminated and two 1999 Chevrolet Tahoes were reassigned to the fire marshal.

In the lawsuit, Williams said the commissioners ignored his December 1997 proposal to raise everyone in the department one pay grade.

"I think we have a problem in the county when people can't get along and have to file lawsuits," said Pat Brown, one of the women who attended the luncheon.

Neil Strassman, (817) 390-7657

EDITORIALS

Sheriff's Suit

SHERIFF DAVID WILLIAMS ended weeks of speculation when he filed a lawsuit against the Tarrant County Commissioners Court last week. He is asking for a permanent injunction to stop the enactment of the 1999 county budget because he contends he was "denied essential" salary funding he needs to run his shop.

Everyone knew that some kind of legal action was coming, just not when or in what form.

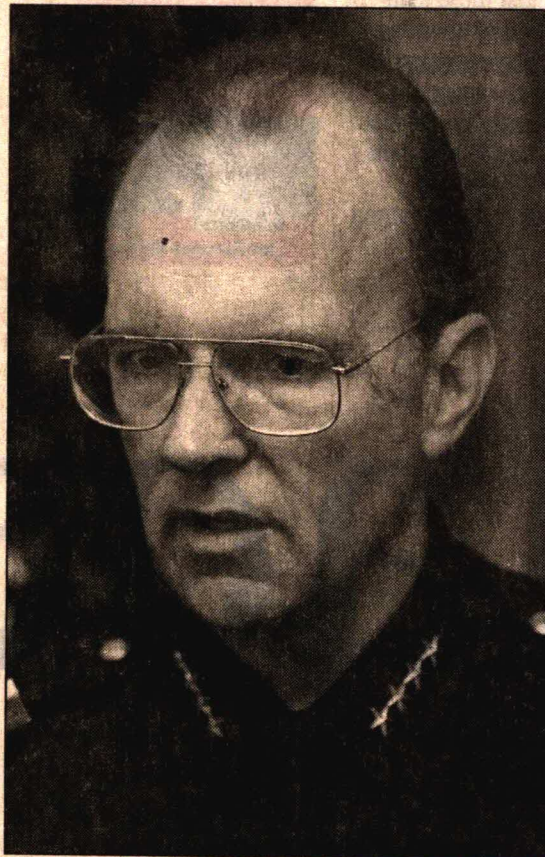
The sheriff is sticking by his theory, no matter how misguided, that state law is a modern incarnation of ancient English law. He and his attorney say they

interpret it to mean that the commissioners have no legal authority over his budget.

Williams and his supporters can cite chapter and verse about the English "shire reeve" until their faces turn red, white and blue, but the only law that matters in Texas in 1998 is what appears in the Texas Constitution and accompanying statutes. The district judge who draws this case won't be looking any further than what the Legislature has prescribed about who controls the coffers for all county operations.

In Tarrant County, it's the Commissioners Court.

State law is equally clear on how sheriffs are elected to and removed from office. Recall is not an option.



Carolyn Bauman/staff photographer

Sheriff David Williams

Article V, Sec. 23. "Sheriff; Term of Office; Vacancy — There shall be elected by the qualified voters of each county a Sheriff, who shall hold his office for the term of four years, whose duties and perquisites and fees of office shall be prescribed by the Legislature, and vacancies in whose office shall be filled by the Commissioners' Court until the next general election."

That's how Tarrant County got Williams.

Here's how Tarrant County can, should it choose to, get rid of him before the next election cycle in 2000:

Article V, Sec. 24. "Certain Officers Removed by District Courts for Drunkenness, Incompetency, Official Misconduct, Etc. — County Judges, County Attorneys, Clerks of the District and County Courts, Justices of the Peace, Constables and other county officers may be removed by the Judges of the District Courts for Incompetency, official misconduct, habitual drunkenness or other causes defined by law, upon the cause therefor being set forth in writing, and the finding of its truth by a jury."

Of course, Williams doesn't always read the fine print the same way everyone else does. Because the preceding paragraph lumps the sheriff into the "other county officers" category without expressly naming it, he'll no doubt find a way for his attorney to argue that this particular statute doesn't apply to him.

Williams' lawsuit, filed Thursday in state district court, contends that the commissioners, who gave the Sheriff's Department a \$2 million increase over last year when it approved a \$54.2 million budget in September, caused irreparable harm "by creating ill-will and low morale among sheriff's office staff" because they are paid less than market rate.

This is coming from the man who held up \$175,000 in raises for four months because his supervisors botched the procedure for evaluating job performance, leaving the lowest-paid people with the lowest raises. The only reason why that money didn't revert to the general fund was because county commissioners suspended normal procedures so jail personnel who deserved the money would receive it.

Williams also conveniently overlooks the unscheduled midterm raises that the commissioners approved for his department in an attempt to stanch turnover and lift morale.

Williams suffers from a blinding myopia that allows him to see only what is directly in front of his face. And typical of Williams, someone else will have to pay for his stunted vision. The taxpayers will have to foot the legal bills as this ridiculousness goes to court.

But perhaps they're getting off easy. Some of Williams' must-have programs exacted a much steeper price.

LETTERS TO THE EDITOR

star-telegram.com / Tuesday, November 17, 1998

A disgrace

The Rev. James A. Borchert is a disgrace to conservative evangelical Christians and the Republican Party ("Sheriff backer's readings say volumes," Nov. 3 Bud Kennedy column).

The Christian Patriot Association — seller of a book of religious quotations that Kennedy saw in Borchert's possession — is neither Christian nor patriotic. *The Jews and Their Lies*, a CPA book mentioned by Kennedy, is an anti-Semitic piece of trash that goes back to a 19th-century Russian fabrication that played a great part in Nazi propaganda.

I find it hard to believe that anyone would want to vote for Tarrant County Sheriff David Williams after listening to him. I certainly won't!

MONICA MCMILLEN
Fort Worth

NOVEMBER 18, 1998

Lawyers hired in copter crash

Investigator's widow suing sheriff, county

By NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — Attorneys were hired yesterday to defend the Tarrant County Sheriff's Department in a lawsuit filed by the widow of a deputy killed in a sheriff's helicopter crash.

Kelly, Hart & Hallman of Fort Worth will defend the county in the lawsuit filed by Kathy Smith, widow of sheriff's investigator T.J. Smith, who was killed along with Lt. Maurice Hendrix in a Sept. 17, 1997, helicopter crash at evangelist Kenneth Copeland's ministry next to Eagle Mountain Lake.

The helicopter program that was supposed to cost taxpayers nothing — Sheriff David Williams promised to finance it with drug forfeiture funds after commissioners declined to pay for it — is rapidly running up quite a bill, even though the county's remaining helicopter hasn't been flown in nearly a year.

(More on SHERIFF on Page 9B)

SHERIFF

From Page 1B

County officials say they expect to pay about \$1 million in workers compensation to the families of the two deputies. The Sheriff's Department has spent \$3,600 on hangar rental, \$1,258 on fuel and \$7,002 on liability insurance out of the forfeiture fund since the crash.

Now the county's legal bills for the program are mounting.

Last week county commissioners approved spending up to \$10,000 for attorney James Handy to represent Williams in the Smith lawsuit and up to \$10,000 for the county to defend itself. The cost of fighting a lawsuit like Smith's would hardly be covered by the \$20,000 requisition, county officials said.

Williams and the Tarrant County Sheriff's Department were both named as defendants in the lawsuit, although Williams was sued individually and not as the county's sheriff.

The suit alleges that Smith's death in the helicopter crash was due to gross negligence because

Williams failed "to maintain a competent aviation unit within the Sheriff's Department."

"One of the reasons that I sued him individually is that the helicopter program is suspect," said Ken Link, Smith's attorney. "He is the one who was pushing it."

More than a month ago the district attorney's office asked Williams to find his own attorney because there could be a conflict of interest if the district attorney — who is responsible for representing the county and its elected officials — represented Williams and the Sheriff's Department. The conflict is not the sheriff's fault, district attorney officials said.

Beryl Crowley, executive director of the Center for Legal Ethics and Professionalism, a nonprofit organization in Austin, said the district attorney's action is a fairly typical response when faced with a potential conflict between two clients.

Williams was put on the Commissioners Court agenda twice in October to get an attorney — following the Tarrant County policy that requires elected officials who need outside counsel to ask for it in person — but he did not attend either meeting.

Instead, he sent a memo to the commissioners on Oct. 27 saying he needed "to clarify protocol from the district attorney's office on this matter."

Then Williams, through his new general counsel, Keller attorney Jana Kallal, insisted that the district attorney represent him, even though the county had agreed to pay for his outside counsel.

"The sheriff is looking for representation from the agency that is supposed to represent him as a public official," said Capt. John Dalton, a sheriff's spokesman.

But Williams' insistence that the district attorney represent him could end up costing taxpayers tens of thousands of dollars, because it compromised the district attorney's ability to represent the county in the Smith case.

"As a result of what he [Williams] is doing, it's going to cost the county extra money," Commissioner Glen Whitley said last week, shortly after the commissioners voted 4-1 to get outside counsel for the county as well as Williams, doubling the county's initial legal bill in the Smith case.

Neil Strassman, (817) 390-7657

Thursday, November 19, 1998 / www.star-telegram.

DA's office asks for dismissal of sheriff's suit

Star-Telegram

FORT WORTH — The Tarrant County district attorney's office asked a judge yesterday to "dispatch ... to the wind" a lawsuit Sheriff David Williams filed in which he asked for better raises for his employees.

A week ago, Williams sued county commissioners, seeking a permanent injunction to stop the county from enacting the current \$54.2 million budget the commissioners approved for the Sheriff's Department.

The sheriff's suit demanded more mon-

ey to establish "fair and equitable" salaries for the 1,300-member force.

But in yesterday's motion to dismiss the suit, Assistant District Attorneys Ray Rike and Ann Diamond wrote that it was too late to halt the budget the Commissioners Court approved because it has been in effect since Oct. 1. The lawyers also contend that neither state District Judge Bob McGrath nor his court has authority to do any "re-writing of any specific county budget."

LETTERS TO THE EDITOR

Soap opera

The sponsors of the Sheriff David Williams soap opera are the residents of Tarrant County. We have no one but ourselves to blame.

Any production with acting antics similar to those of Williams would be quickly edited or removed from the limelight, and that's exactly what needs to be done with our present sheriff. It's a pity that this show has two more years to run before the final curtain.

In response to Sgt. Eric Love's Nov. 11 praise for the sheriff's being in his office at late-night hours, I see nothing unusual in this. He is supposed to head a department operating on a 24-hour basis. Did we unconsciously elect him solely as a day-shift sheriff?

Tarrant County may have suffered with the "Mayberry" atmosphere under "Good Ol' Daddy" Don Carpenter, but give him to me any day over an individual like Williams, who in his own self-esteem and inflated ego must believe he is performing in a Tarrant County episode of *N.Y.P.D. Blue*.

Oh, please, Sheriff Williams, As *The World Turns*, give us back *The Days of Our Lives* before all members of the Commissioners Court end up in a *General Hospital*.

FLOYD F. CLARK, RETIRED
Tarrant County Sheriff's Department
Fort Worth

Delays in jail booking stir ire

Chief says sheriff 'using' situation

By MICHAEL WEISSENSTEIN
Star-Telegram Staff Writer

FORT WORTH — Frustrations over long delays in booking prisoners into the Tarrant County Jail could push police to build a wire-mesh holding pen in a file room, Police Chief Thomas Windham said yesterday.

Police officials are swiftly losing patience with holdups that they believe keep officers off the street and indirectly put Fort Worth residents at risk, Windham said in a interview at police headquarters yesterday. The 13-year police chief accused Sheriff David Williams of using the delays as a bargaining tool in an ongoing dispute with county commissioners.

"It's totally unacceptable," Windham said. "I'm miffed that the sheriff who so frequently holds himself out as the chief law enforcement official in this county is exhibiting such a blatant disregard for law officers in this county. ... Quite frankly, I think he's using it in his rift with the Commissioners Court."

(More on SHERIFF on Page 18A)

Sheriff's officials declined to respond to Windham's charges, but a Sheriff's Department spokesman blamed county commissioners for delays that have lasted as long as three hours before Fort Worth officers could hand prisoners to jail staff.

Since mid-October, Fort Worth officers with prisoners have waited an average of 50 minutes each for deputies at the Tarrant County Jail on Lamar Street to search their prisoners, give them a quick medical checkup and inventory their property, police records show.

The book-in process usually took less than a half-hour before October. Windham, a peace officer for 34 years, said transferring prisoners into deputies' custody should typically take between 10 and 12 minutes.

Windham has called Williams three times since October to express his concerns about the delays, he said. The sheriff has yet to respond, according to Windham.

Capt. John Dalton, a Sheriff's Department spokesman, declined to respond to any of Windham's allegations unless the chief "wants to submit something in writing."

Dalton said county commissioners left the jail shorthanded by cutting 36 people out of Williams' 1999 budget, including two deputies who book prisoners.

But county commissioners said they cut only vacant positions from Williams' 1999 budget request in an attempt to force him to keep his employees in their assigned jobs. The number of sheriff's deputies stayed the same, and Williams should have enough people to run the jail efficiently, County Commissioner J.D. Johnson said.

"This is a game that somebody is playing. I have to assume it's the sheriff. He's still got the same number of employees that he has had in the past," Johnson said.

Fort Worth officers were delayed at the jail 69 times last week, Windham said. The average delay lasted 49 minutes, Windham said, leading to 48 hours of lost patrol time.

"It's more frustrating for the officers. They want to get back on their beats. They hate to waste time. This is an unnecessary waste of time," Windham said.

Delays indirectly endanger Fort Worth residents, Windham said.

Windham is considering building a temporary, wire-mesh jail facility on the fourth floor of police headquarters at 350 W. Belknap St. to hold prisoners until the county jail accepts them.

The possibility evokes the days

of the "chicken coop," a makeshift fourth-floor holding facility built in the late '80s after Sheriff Don Carpenter refused to take prisoners because of jail overcrowding.

Fort Worth sued the county and Carpenter, alleging that they had failed to meet contractual obligations. The county paid the city \$277,886, and the suit was dismissed in 1994.

Williams is similarly failing to fulfill his sworn duty to serve Tarrant County residents and law enforcement organizations, Windham said yesterday.

Sheriff's vans pick up prisoners from other Tarrant County cities, sparing them long booking delays.

Dalton said Williams has tried to alleviate delays by having deputies with prisoners book the prisoners themselves, leaving jail intake staff members to serve local marshals, constables and police officers.

But Fort Worth jail Lt. Bill Cordell said the book-in process is not appreciably shorter.

Asked how much longer police officials can withstand booking delays before building the wire-mesh jail or taking other action, Windham said only, "Not much longer."

Staff writer Karen Rouse contributed to this report.

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EDITORIALS

Chief vs. Sheriff

WE HAVE NO IDEA how handy Fort Worth Police Chief Thomas Windham is with a gun. But he clearly scored a verbal bull's-eye when he chastised Tarrant County Sheriff David Williams for fomenting a "totally unacceptable" situation that has resulted in long delays in booking prisoners into the county jail.

Windham is right on target when he says Williams is playing politics in falsely blaming county commissioners for delays of up to three hours before Fort Worth officers can hand prisoners over to jail staff. Williams contends that commissioners left the jail short-handed by cutting 36 people out of his budget, including two deputies who book prisoners.

But commissioners only cut vacant positions from Williams' budget request in an attempt to force him to keep employees in their assigned jobs. The total number of sheriff's deputies is unchanged, and Williams has enough people to run the jail efficiently, County Commissioner J.D. Johnson emphasizes.

Williams is breaking his campaign promise to run a quality jail operation. As Windham stresses, the sheriff's stance is indirectly putting Fort Worth residents at risk, because booking delays slow police officers in getting back on their beats.

The situation is so bad that Windham is talking of building a wire-mesh pen at police headquarters to hold prisoners until the county jail accepts them — stirring memories of a makeshift "chicken coop" holding facility built in the late 1980s because of jail overcrowding.

If such a pen is built, Williams perhaps should be the first occupant. Like an errant child, he could take a "timeout" for being a bad boy.

County officials ordered to talk

Directive seeks to resolve sheriff's suit

By NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — A state district judge ordered Sheriff David Williams and Tarrant County commissioners yesterday to talk face to face about their differences over this year's budget, which Williams says denies essential funding to his department.

Judge Bob McGrath's mediation directive is intended to try to resolve a lawsuit that Williams filed. The sheriff sued to stop the county from enacting its 1999 budget.

Williams' chief deputy, Larry Hester, said he would have to get an "interpretation from the sheriff" before commenting.

"We always comply with orders from the court as long as they're legal," Hester said.

Williams was unavailable to comment.

County Judge Tom Vandergriff said he assumes that the commissioners will participate in the mediation. He has previously said that Williams' lawsuit has no basis.

"I still maintain the county Commissioners Court must have authority over budgetary matters, so I'm not sure I fully appreciate what can be mediated in that regard," Vandergriff said. "I can't imagine any question of Commissioners Court not having authority over the budgets of any and all county departments."

Williams' attorney Jana Kallal declined to comment on McGrath's order, as did Assistant District Attorney Ray Rike.

McGrath said he expects everyone to participate in the pretrial

mediation, which will probably begin early next year. No trial date has been set.

"It's clearly contemplated that the parties themselves would participate in person at the mediation," McGrath said. "Mediation is not a substitute for trial, but is intended to see if a dispute can be resolved without the time and expense of a trial."

Two weeks ago, Williams sued commissioners to block implementation of the county's \$240 million budget "as it applies to sheriff's office staff salaries." The suit demands that the county fund the Sheriff's Department "as required by law" and seeks to establish an equitable salary structure for sheriff's employees.

The sheriff's portion of the budget is \$54.2 million.

Last week, the Tarrant County district attorney's office asked McGrath to dismiss the lawsuit because it is too late to halt the budget, which took effect Oct. 1.

"Once the budget year has begun, at that point everything has been set, the tax rate has been set. I

don't see how they can set a precedent that an elected official can change a county budget after it's been adopted," said Commissioner Glen Whitley.

He declined to comment on the pretrial order or the mediation.

The Tarrant County Deputy Sheriff's Association, which wants to see a truce in the feud between Williams and the commissioners, applauded McGrath's order.

"Good. We're on the road. It's what we need. Everyone needs to sit down and start working together," said Dave Mann, association president.

The association, which says that many members must live from paycheck to paycheck, wants to stay neutral in the fight, he said. Williams' suit claims that the commissioners caused irreparable harm to the Sheriff's Department "by creating ill will and low morale among sheriff's office staff" because they are paid less than market rate.

The commissioners cut Williams' 1999 budget request and 36 staff members to force him to work his employees in their

assigned jobs. For several years, Williams had used jailers to serve warrants, do investigations and work in administration, running up a huge overtime tab.

The 1999 county budget is intended to force the sheriff to more closely monitor his operations and to publicly discuss new programs before committing taxpayer dollars, commissioners said at the time.

Their action struck at Williams' effort to turn the Sheriff's Department into a broad-based law enforcement agency. Command staff members were cut from the department, the special operations command was combined with the criminal investigations division, the department's chaplain post was eliminated and two 1999 Chevrolet Tahoes were reassigned to the fire marshal.

During the September budget sessions, officials with the district attorney's office said that Texas law clearly gives commissioners authority over the sheriff's budget.

Neil Strassman (817) 390-7657

Arrests prompt demand for cash

27 detained in raids want \$5,000 each

By NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — An attorney for 27 people arrested last winter in a Sheriff's Department raid of sexually oriented businesses asked county commissioners yesterday to award them about \$5,000 each in damages and to clear the arrests from their records.

None of the 55 people arrested has been charged with a crime, and an assistant district attorney said yesterday that the cases "lacked prosecutive merit." Twenty-seven of those arrested have filed claims with the county seeking compensation.

After hearing from a woman who was arrested, the owner of a sexually oriented business, and an attorney for the 27, Tarrant County commissioners said they favor clearing the arrest records for all those caught up in the Feb. 4 raid.

"It seems to me if no charges were filed, the arrest record ought to be expunged," County Judge

Tom Vandergriff said after the meeting. Commissioners Marti VanRavenswaay and J.D. Johnson agreed.

But Vandergriff said, "Compensation will have to be discussed."

Dancers, bartenders, cooks, disc jockeys, waitresses, club managers and other workers were arrested and jailed for 24

hours or longer for working in nude dancing clubs, topless bars or adult bookstores that didn't have permits posted or had them posted in the wrong location.

"Numb, scared, embarrassed, upset, mortified, humiliated ... stressed, confused and mad," said Sheila Dalton, 36, as she described her arrest to the commissioners.

Dalton, a bartender at New West, a topless club in unincorporated Tarrant County, said she had no prior arrest record.

"I wasn't operating a sexually oriented business. I was employed by the operator," she said.

Edna Van Vleet, owner of Dreams Club in southeast Tarrant County, said her club was closed despite having a letter from the Sheriff's Department that served as a permit.

"Dancers were arrested and my club was closed. They did this with knowledge there was a legal letter permit on file," she said.

Executive Chief Deputy Hank Pope said the Sheriff's Department undertook the operation based on complaints from citizens groups. It was the district attorney's interpretation of the ordinance that led to charges not being filed, he said.

"The person responsible for posting the permits would be the owner, not necessarily the employees. That's not the way it was looked at initially," Pope said.

Assistant District Attorney Marvin Collins said the district attorney "declined to file charges because the cases presented lacked prosecutive merit."

Many of the clubs and bookstores had 1991 Sheriff's Department letters that served as temporary permits until a permit hearing could be held. The hearings were never held and the clubs stayed open for years, often patrolled by deputies who ignored the

potential permit violation, said Steve Swander, an attorney for some of those arrested.

"There should be a willingness to settle this," Swander said. "Nobody thought the sheriff's action was proper."

Tarrant County regulations require sexually oriented businesses to obtain a county permit and to renew it annually. The businesses must be at least 1,000 feet from any day-care center, church, dwelling, school, public park or other enterprise.

But the raid ultimately cast new light on the lack of proper permits for the clubs, and the county established a Sexually Oriented Business Permit and License Review Board. The county ordered more than a dozen clubs and bookstores to reapply for permits and surveyed the businesses to see if they comply with the ordinance.

Last month, county officials denied permits to two adult bookstores because they are too close to other businesses or houses. The owners of the businesses have sued the county, challenging the constitutionality of its sexually oriented business regulation.

Neil Strassman, (817) 390-7657

LETTERS TO THE EDITOR

Fair play for sheriff

I continue to be amazed at the prejudice shown by the *Star-Telegram* editorial writers, columnist Bud Kennedy and others on the staff in regard to Tarrant County Sheriff David Williams.

I may be wrong, but I thought the media were required to present both sides of an issue and at least attempt to be fair. I believe that murderers, rapists and others accused of crimes are given that courtesy. But obviously that isn't true for a Christian man trying to update the Sheriff's Department.

As best I can tell, Williams' worst crime has been his refusal to meet with the Commissioners Court at their every whim so they can tell him how to place his employees and what the job description for each employee should be. I wonder why we elected a sheriff if that isn't his job. I have even wondered if half the problems would have occurred if our only newspaper had not been reporting every negative thing possible, complete with elaboration and innuendoes, thus escalating the situation.

It might have been advantageous to Williams if he had played politics with commissioners, and I don't know why he did not want to meet with them, but I can't keep from wondering if he didn't have a good reason! He may have other things to do besides going to meetings. Beyond a doubt, we would have been told if law enforcement was not adequate.

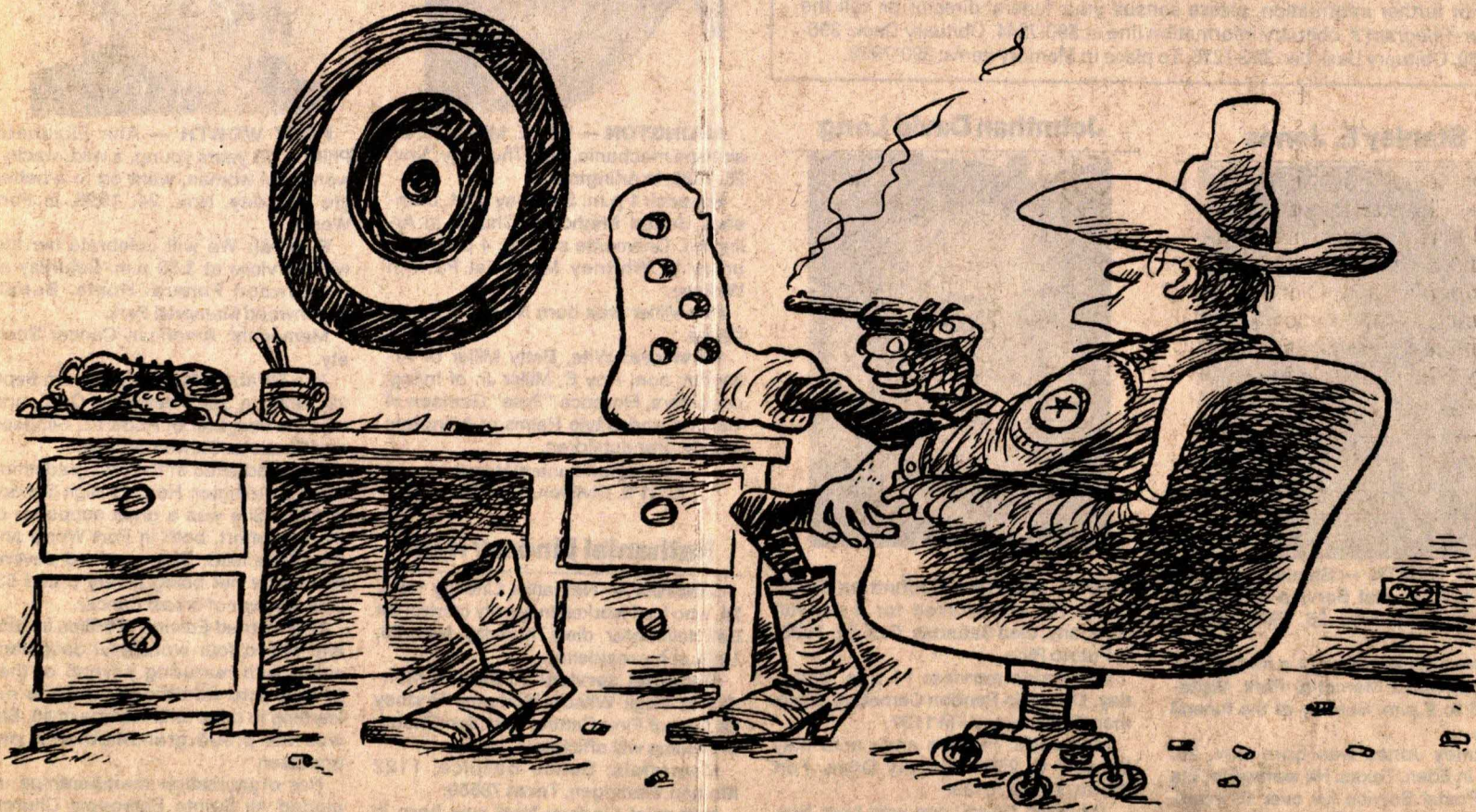
Enough, fellows! Make an honest attempt to be fair to the sheriff. It's the right thing to do!

VIRGINIA GRAHAM
Fort Worth

Saturday, November 28, 1998

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HULME

Fort Worth Star-Telegram
OPINIONS



THE SHERIFF PRACTICES FOR A SHOWDOWN WITH THE COMMISSIONERS

OPINIONS

NOVEMBER 29, 1998

EDITORIALS

Fortunate

TARRANT COUNTY commissioners should probably count themselves lucky. Only 27 of the 55 people arrested in an ill-conceived Sheriff's Department raid on sexually oriented businesses are asking for \$5,000 compensation each, along with the clearing of their records.

Sheriff's Department officials contend that the February sweep of adult businesses was based on complaints from citizens groups, including folks who don't even live in Tarrant County.

The justification given by department officials for the arrests was the improper posting of operating permits. Common sense would suggest that a dancer, cook or waitress has little to do with a business owner's decision of how to display the necessary licenses. The district attorney's office declined to file charges against anyone arrested that night, saying that "the cases presented lacked prosecutive merit."

Since February, the arrests have been unfairly dogging the people rounded up that night. For nine months they have carried this blemish on their "permanent files." The very least the county can do is expunge their records — an idea that commissioners on Tuesday indicated they favored.

Don't waste a minute more. Clear their arrest records now.

And with the way things are going with lawsuits involving the Sheriff's Department, the county would be wise to quietly settle the compensation issue. Taxpayers don't need another case in court.

Sheriff's pay policy changed

County acts without input from Williams

BY NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — Breaking a vow not to change Sheriff's Department salaries without Sheriff David Williams' input, county commissioners approved a new pay system yesterday for Sheriff's Department employees.

The commissioners said they had no choice but to go forward with the new grade-and-step salary schedule because too many sheriff's employees were leaving for better-paying jobs. The plan provides about \$2 million to pay for the increases.

The new pay plan will take effect in January, replacing pay-for-performance merit raises, the system used to grant annual raises to other Tarrant County employees.

Williams did not attend yesterday's meeting because he does not endorse the commissioner's new pay plan, said sheriff's spokesman Capt. John Dalton.

"We've got two different points of view. The sheriff is saying it's not enough. This is not what we want," Dalton said.

When the plan was proposed three weeks ago, commissioners insisted that the plan would not be implemented unless Williams approved it. They wanted to avoid any further allegations that they were micromanaging the Sheriff's Department, they said.

"We sought to visit with the sheriff. We got no response, unless you call a lawsuit a response," said County Judge Tom Vandergriff, referring to Williams' lawsuit seeking to stop the county from enacting its 1999 budget because he says it denies

(More on SHERIFF on Page 3B)

his department essential funding.

State District Judge Bob McGrath has ordered Williams and commissioners to mediation, which is expected to start next month.

"That's where [Williams] will meet with them, to comply with the judge's order," Dalton said yesterday.

Dave Mann, president of the Tarrant County Deputies Association, said too many other law enforcement agencies pay better than Tarrant County.

"We need a pay structure like this because the one we have now is horrible. We're losing deputies like crazy," he said. "The sheriff and the commissioners need to work together for the betterment of the department and the community."

Under the plan, new employees in the Sheriff's Department, which has been plagued by a turnover rate approaching 20 percent in recent years, would get raises three and six months after they were hired at the lowest level. After that they would get annual raises of 4.5 percent to 3.4 percent over the next eight years.

Nearly 260 of the sheriff's 1,320 employees left last year, and more than 220 have left this year, according to county records. Most were working in the jail, sheriff's officials said.

SHERIFF

A jailer who makes \$2,100 a month would get a 4 percent raise to \$2,184. If the jailer's current salary falls between two pay steps, the salary would be bumped up to the higher pay grade.

Certified peace officers will get minimum raises of 5.7 percent, and the department's top command staff will get raises of up to 9.9 percent. A 1998 salary study done for the county showed higher-ranking deputies were paid far less than their counterparts in other law enforcement agencies in Texas.

Not all employees would automatically receive the step increases. If an employee's performance evaluation was not satisfactory, the increase could be withheld until a second review.

"It's a great program," Commissioner Glen Whitley said. "It does those things the department indicated it wanted done and that which we promised we would do at budget time."

Deputy associations said that the new pay system is a good start but that more needs to be done to improve their pay.

"I'd prefer a longer step plan, but this is better than what we had," said Curtis Hickey, a local vice president of the Fraternal Order of Police.

Neil Strassman (817) 390-7657

LETTERS TO THE EDITOR

THURSDAY, DECEMBER 3, 1998

Back off

Instead of seeing the many benefits Sheriff David Williams has brought to Tarrant County in his excellent work, County Commissioners would rather manufacture distortions. The police car situation, the pay raise situation, the daily administration of the sheriff's job situation, the waste of taxpayer money, etc., are all out of reason and distortions of the truth. The commissioners, the *Star-Telegram* and poor journalism have tried to control many people's opinion.

Williams has kept crime low in the streets. This has allowed us to go out at night to shop, go to concerts and tours, etc. Williams has allowed the message of freedom to be taught to inmates in the Tarrant County Jail. There is a calmness in the jail, and the courts have attested to program successes

The people of Tarrant County have elected Williams. He has been true to them and has well spent their tax dollars. He is a kind and compassionate leader of integrity. He is an honest family man whose philosophy has greatly benefited Tarrant County.

Commissioners J.D. Johnson and Glen Whitley would do well to do their jobs and let Williams do his as the state Constitution states. We hope they will try to help Williams do his job instead of trying to influence public opinion.

H. JUNE PETER
Bedford

Tips sought in lake shooting

Sheriff's officials say a man posing as a security officer shot a camper.

By DEANNA BOYD
Star-Telegram Staff Writer

Sheriff's officials are asking the public for help in finding a man who they say posed as a security officer at a Benbrook Lake campground and shot a camper last weekend.

Jace Kinney, 26, of Fort Worth was shot in the head and shoulder early Saturday and remained in the intensive care unit of a local hospital yesterday.



The suspect is described as Anglo, age 28 to 34, 6 foot to 6-foot-4, and 180 to 200 pounds.

Investigators, who have been unable to interview Kinney, said the motive for the shooting is undetermined. The Tarrant County Sheriff's Department released a composite sketch yesterday of the man they believe is responsible.

Capt. John Dalton, a spokesman for the Sheriff's Department, said Kinney was camping overnight with his fiancée's 12- and 5-year-old children and a cousin's 12-year-old daughter at Rocky Creek Park

when the shooting took place about 3 a.m. Saturday. Detective Mike Hargis said witnesses reported see-

ing two other people in a late-1980s-model maroon or dark red Chevrolet Celebrity or Buick four-door driven by the man.

Investigators believe that the man, armed with a .38-caliber revolver, returned about 3 a.m.

"The victim got out of his tent and went over to talk to him, and that's when the shooting happened," Dalton said.

One of the children ran out to find Kinney lying on the ground, critically wounded, police said.

"The suspect then came back to where she was and tried to get her to go with him," Dalton said. "He says: 'We need to go get help. Come with me and let's go get help.'" The girl refused to go with him, officials said. The man then left in his car.

The 12-year-old son of Kinney's fiancée rode his bicycle to the camp's groundskeepers, who called 911, police said.

The wanted man is described as Anglo, age 28 to 34, 6 foot to 6-foot-4, and 180 to 200 pounds. He had short brown hair and was wearing a white T-shirt with lettering on the front and back, bluejeans and a white ball cap, witnesses say.

Anyone with information is asked to call the Criminal Investigations Division of the Tarrant County Sheriff's Department at (817) 884-1305 or 884-1212.

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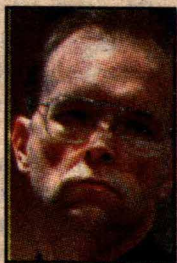
Sheriff fighting judge's order

Mediation requirement unlawful, attorney says

BY LINDA P. CAMPBELL
AND NEIL STRASSMAN
Star-Telegram Staff Writers

FORT WORTH — Sheriff David Williams is challenging Tarrant County commissioners on two fronts, continuing to do battle over the budget for his department.

Williams is fighting a judge's order that requires him to participate in mediation in a lawsuit he has filed against the commissioners, and he announced yesterday that he has reorganized the Sheriff Department's top command.



Williams

In a motion filed Tuesday, Williams' attorney Jana Kallal argues that a Nov. 23 pretrial order issued by state District Judge Bob McGrath violates the sheriff's rights, court operating rules and Texas law.

A separate motion argues that the case is not ready for mediation for various reasons, including that mandatory mediation would violate the sheriff's right to a jury trial and that "there is no indication that any party is opposed to settlement."

The motion says Williams favors traditional settlement negotiations, rather than court-ordered mediation.

At a jail briefing yesterday afternoon, Williams said he was forced to reorganize the department's top command because

(More on SHERIFF on Page 4B)

of the commissioners' budget cuts. "This year's budget process left us with fewer top command positions than we had last year. Additionally, the commissioners eliminated numerous other positions from our ranks," Williams said in a prepared statement issued later.

County Judge Tom Vandergriff said the commissioners made the cuts because the department was overstaffed for the number of prisoners in the jails.

"I can't fathom what he's talking about, and I'm at a loss to follow the content of his remarks," Vandergriff said. "I'm puzzled by what he terms reductions. We staffed the department for the number of prisoners in jail. There's no arguing with the numbers."

Kallal, Williams' attorney, said in a phone conversation yesterday that Williams has a settlement proposal he wants to discuss with commissioners. She declined to offer details.

"We'd love to talk to the commissioners," she said. "It doesn't need to be court-ordered."

Commissioner Marti VanRavenswaay said she knew nothing of a settlement proposal by Williams. She declined to comment on the latest legal wrangling.

In an order yesterday, McGrath set a hearing for 10 a.m. today on the sheriff's motion challenging the mediation order.

Williams' motion contends the order violates his due process rights and sets an unfair schedule for filing legal briefs in the case. McGrath required both sides to file initial briefs by Dec. 11 and reply briefs by Dec. 18.

The motion also challenges the pretrial order on grounds that it was not sent immediately to the clerk's office and stamped with a filing date and time.

The hearing today is not expected to directly address the separate motion also objecting to mediation, because the judge already planned to let the parties raise those complaints during a Dec. 11 meeting.

McGrath, who sits in 342nd District Court, declined to comment on Williams' challenge but said, "Sending the parties to mediation this early in a lawsuit is not standard, and I'll listen to the concerns of the parties before entering a final order appointing a mediator."

Williams sued the commissioners last month to block the county from implementing its \$240 million 1998-99 budget as it applies to salaries in his department. The budget provides \$54.2 million for the Sheriff's Department — about \$2 million more than last year but less than the sheriff requested. Williams contends that the commissioners denied his department essential funding and interfered with his authority.

The Tarrant County district attorney's office has asked McGrath to dismiss the lawsuit as too late because the budget took effect Oct. 1.

Under the command reorganization, Chief Deputy Larry Hester's responsibilities will grow. Hester, who now heads the sheriff's General Service Bureau, will be in charge of some administrative functions and oversee the Internal Affairs division and the chaplaincy, Williams' statement said.

Capt. Roy Heisey will command the Corrections Center Housing Operations, and Capt. Roy Enos will head the Booking and Classification Operations.

Linda P. Campbell, (817) 390-7867

Neil Strassman, (817) 390-7657

Not Too Funny

STATE DISTRICT JUDGE BOB MCGRATH handed Tarrant County Sheriff David Williams an early holiday present when he ordered the sheriff to try to mediate a solution with county commissioners in his lawsuit over the Sheriff's Department budget.

McGrath could have summarily rejected the lawsuit for what it is — baseless and without merit — but for some reason known only to his honor, he cut Williams some slack.

Williams, however, tossed the gift right back in the form of motions filed by his attorney, Jana Kallal, who contends that court-ordered mediation violates the sheriff's right to a jury trial.

It appears that neither Williams or Kallal knows the difference between mediation and binding arbitration.

What McGrath ordered is called "pretrial mediation" for a reason. Mediation never precludes an individual's right to a jury trial. It's an opportunity for the parties to sit down together and, with the

assistance of an impartial person, attempt to talk out differences, find common ground and hopefully reach an agreeable solution before a court trial becomes necessary.

If an agreement is unattainable, then a trial is by all means the next step.

How in the name of Daniel Webster did Kallal get a license to practice law from the State Bar of Texas?

McGrath did not, and cannot under state law, order binding arbitration, which only takes place if both parties agree in advance that they will abide by an impartial arbiter's final decision. If they so agree, there is no trial option at the end of the arbitration.

Kallal's motions, citing a violation of the sheriff's right to a jury trial and a violation of Texas law, indicate that she believes McGrath ordered arbitration, not mediation.

Kallal's lack of courtroom experience and unfamiliarity with the basics of Texas law became glaringly obvious yesterday when she made repeated gaffes, from not standing to address the judge to admitting that she didn't know the difference between a motion and an order.

McGrath bent over backward to be fair and patient with her — even extending the scheduling order to Jan. 15 from Dec. 11 — but it was painfully clear that the sheriff has retained for his attorney an individual totally unprepared to handle such a high-profile case.

How in the name of Daniel Webster did Kallal get a license to practice law from the State Bar of Texas?

The sheriff is not getting someone's money's worth in his legal representation, but in the end, the taxpayers and the employees of the Sheriff's Department are the ones who are being ill-served by this embarrassing display of incompetent jurisprudence. Williams has made his department a laughingstock of law enforcement — can the legal profession be far behind? — and the taxpayers are picking up the county's tab for having to continue with this entire farce.

FRIDAY, DECEMBER 4, 1998

Friction marks hearing on order

Trial dates delayed for sheriff's suit

BY NEIL STRASSMAN
Star-Telegram Staff Writer

FORT WORTH — Sheriff David Williams' lawsuit to block the 1999 Tarrant County budget got off to a rocky start on its first day in state district court yesterday.

Williams' attorney, Jana Kallal, did get the trial schedule on the suit postponed one month, to mid-January. But she did not win her request to get Judge Bob McGrath removed from presiding over the suit and over yesterday's hearing on a pretrial order for mediation.

Then, at the close of the hearing on McGrath's pretrial order, Kallal said she objected to participating in mediation on religious grounds.

"I have religious issues against facilitated meetings. I can't participate in good faith," Kallal said.

After the hearing, when questioned about her beliefs, she said: "I'm a Christian. It involves a lot of study, and I can't explain it in a short sound bite. It's my religious belief. I'm really not prepared to talk about that."

Williams, who was in court and conferred with Kallal throughout the two-hour hearing, afterward declined to say whether he shares her beliefs and declined to comment at all on yesterday's proceedings.

In granting the 30-day postponement, McGrath asked Kallal to address her religious concerns about mediation in her legal brief due Jan. 15. It is his "preference" that mediation begin as soon as possible, he said.

"I didn't think it was my place to be heavy-handed with our elected sheriff and elected county commissioners," McGrath said. "Nowhere do I say you must go to mediation and settle."

Williams sued the commissioners last month to block the county from implementing its \$240 million budget as it applies to salaries in his department. The budget provides \$54.2 million for the Sheriff's Department — about \$2 million more than last year but less than the sheriff requested. Williams contends that the commissioners denied his department essential funding and interfered with his authority.

Commissioners J.D. Johnson, Marti VanRavenswaay and Glen Whitley attended yesterday's hearing. Afterward, Johnson said he favors mediation.

"If mediation gets the sheriff and the commissioners together, that's good because that's what we are trying to do," he said.

Yesterday's hearing was hastily called by McGrath after Kallal filed a motion alleging that his pretrial order violates the sheriff's rights, court operating rules, Texas law and sets an unfair schedule for filing legal briefs in the case.

The hearing began on a tense note with a fresh motion from Kallal calling for McGrath to be removed because he might "have difficulty judging these matters impartially," partly, she said, because he serves on a committee that oversees the county auditor.

But the judge does not serve on that committee, McGrath informed Kallal. He is on a committee that oversees the county purchaser, he said, and she withdrew the motion.

Then Kallal said McGrath should not preside over yesterday's hearing. He declined to recuse himself, and Judge Jeff Walker, who presides over the 8th Administrative Judicial Region, was called in to make a decision.

In an unusual courtroom drama, Kallal was sworn in as a witness to testify about why McGrath should be removed and was briefly cross-examined by Assistant District Attorney Ann Diamond.

Kallal asked for the TV cameras to be removed from the courtroom. Walker said no.

Walker, who criticized Kallal for not standing when addressing the court, declined to remove McGrath from yesterday's hearing, saying that the law has a presumption that judges are impartial and that there was no evidence that McGrath lacked impartiality.

McGrath returned to the bench and finished the hearing.

Bill Low, a professional mediator for 34 years and co-chairman of the state Supreme Court's advisory committee on mediation rules and procedures, said he has never encountered a religious objection

to mediation.

"It's extraordinary," said Low, who attended the hearing. "I have mediated a number of cases involving different cultures or religious beliefs. Never have I heard anyone object to mediation on religious grounds."

The commissioners cut Williams' 1999 budget request and staff — 36 people in all — to force him to put his employees in their assigned jobs. For several years, Williams manipulated jail staffing levels, using jailers to serve warrants, do investigations and work in administration, running up a huge overtime tab.

Kallal said yesterday that Williams has a settlement offer for the commissioners and is willing to meet with them, but declined to make the offer public or say when it would be presented.

"Unless they withdraw their suit, I don't think it would be appropriate to talk with them directly," County Judge Tom Vandergriff said. "I would object to a meeting while a lawsuit is pending unless it has the consent of the court."

Neil Strassman, (817) 390-7657



Star-Telegram/CAROLYN BAUMAN

Sheriff David Williams confers with his attorney, Jana Kallal, during a hearing in State District Judge Bob McGrath's courtroom in Fort Worth.

LETTERS TO THE EDITOR

What's right

As a resident and employee of Tarrant County, I cannot express enough how embarrassed I am about our sheriff and Commissioners Court.

Trapped in the middle of this conflict are the men and women who are employees of the sheriff's office and who have dedicated themselves to their profession. Like schoolteachers, we have a profession that we know will never make us rich. However, if our commissioners and sheriff can get yearly raises that are equivalent to those of other counties, why is it so difficult to bring up to standard the salaries of the deputies and jailers who serve this county every day?

These people give their blood, sweat and tears — and sometimes their lives — for this county. It would be nice if the county could show its appreciation for our efforts.

If the commissioners want to stop qualified people from leaving the sheriff's office, they will do the right thing and bring our salaries up to par with those of other local agencies. Deputies should not have to work off-duty jobs just to get by.

There is a saying that goes, "In a conflict, it does not matter who is right — what matters is what is right." Unfortunately for the employees of the sheriff's office, it does not appear that anybody knows what that is.

SEAN ANDERSON
Eules

INSIGHT

If the commissioners want to stop qualified people from leaving the sheriff's office, they will do the right thing and bring our salaries up to par with those of other local agencies. Deputies should not have to work off-duty jobs just to get by.

Sean Anderson

Sheriff served up his troubles on his own — with extra helpings



**BUD
KENNEDY**

■
COMMENTARY

► Columnist Jon McConal visits a Weatherford man who is continuing a fried pie tradition.

COLUMN, 16B

Some guy at the next lunch table heard us complaining about the county sheriff yesterday.

The guy jumped up from his enchilada platter, gave us a wild-eyed glare, pointed and announced, "You're the cause of his trouble."

Now, I've met some guys who are one taco shy of a combination plate. But never anybody who blamed us for the lunatic decisions of Tarrant County's very own holiday fruitcake, High Sheriff David Williams.

We didn't file a flimsy lawsuit demanding a blank check for more county money —

(More on KENNEDY on Page 5B)

meaning taxes.

We didn't hire a rookie attorney who says mediation is against religious beliefs.

We didn't demand "sovereignty" under the 1836 law of the Republic of Texas.

We didn't ask for an entire fleet of fancy \$29,000 sport trucks.

We didn't hide two trucks and a car needed by other county offices.

We didn't personally keep both a county sport truck and a car.

We didn't orchestrate a staged work slowdown at the jail booking desk, keeping city police tied up for hours.

We didn't ask for \$65 million to run a department that the last sheriff ran with \$32 million.

We didn't snub interviews, snub other public officials, snub phone calls and snub public meetings.

We didn't hide from questions by sneaking down a back stairwell.

We didn't conceal basic budget information "for security concerns."

We didn't use county buses to haul supporters to a "town hall" rally.

We didn't barge in to disrupt Arlington police working at a water park disturbance.

We didn't declare authority as the county's "chief" law enforcement officer — a delusion not supported by Texas law.

We didn't claim common-law powers as the descendant of the old English "shire reeve."

We didn't put government-castoff helicopters into the sky, saying they were needed for "drug enforcement" — by an agency that averages a drug arrest only once every two weeks.

We didn't promise that "no public money" would be spent on the helicopters — which have wound up costing taxpayers more than \$1 million.

We didn't wait four hours to visit a fatal helicopter crash site.

We didn't approve a delirious bust of strip bars and adult bookstores — all of which had perfectly legal permits from the sheriff's office.

We didn't deputize a top campaign contributor.

We didn't support the trumped-up drunken-driving arrest of a top deputy — costing taxpayers \$25,000 in civil damages.

We didn't leave five brand-new patrol cars parked for months, collecting dust.

We didn't ask for drug dogs, a military arsenal and souped-up sports cars for an agency that primarily runs the jail and patrols the county's outlying areas.

We didn't send a letter to churches beginning "Dear Fellow Believers" and saying, "The integrity of my office is under assault."

The integrity of the sheriff's office is definitely under assault.

But we are not the ones to blame.

Bet your last taco.

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