

The Battalion

Vol. 68 No. 11

College Station, Texas

Thursday, September 19, 1974

Student convicted on lesser charge in quad incident trial

By LEANN ROBY
Staff Writer

The aggravated assault charge filed against a TAMU student, Wilburn C. Bullard, in connection with a quadding incident in April of 1973 was reduced Wednesday to simple assault by County Judge William R. Vance.

A fine of \$50 plus a court cost of \$133 was assessed to Bullard in the Brazos County Court proceeding.

Bullard's trial, at which he was convicted of aggravated assault, was held Sept. 4. The trial adjourned around 6:15 p.m. with defense attorney Jack Woods yet to argue if the assault was aggravated or simple. Vance said he would allow Woods to argue that point at Bullard's sentencing.

During the week's time Vance decided to change the charge from

aggravated to simple assault. "The definition of aggravated assault is serious bodily injury," Vance said after the sentencing.

"No testimony was made by any witness that constitutes evidence there was serious bodily injury. Why go through another day and a half of testimonies when there was not enough evidence from the last trial to warrant a charge of aggravated assault?" Vance said.

Dr. Charles Powell, director of student affairs, who took subpoenaed records to the sentencing, commented he was satisfied with the trial's results, but believed Bullard took the brunt for everyone else involved.

In regard to the future of quadding, Powell said, "I like traditions such as quadding, but not to the point of hazing. There is a thin line

between quadding and hazing. There must be willing participants from both sides.

"We have never approved of

Quadding is the practice of gang-ing up on an unsuspecting Aggie and dousing him with water or throwing him in a nearby mudhole or fountain. It is usually done in harmless fun and is a regular activity of dorm life.

quadding. In the future we hope to rule it out entirely. "Good bull" is one thing, but vindictive quadding must be prevented."

When asked why yell leaders are allowed to be thrown in the water after games, Powell remarked, "I've never considered that quadding."

Vance remarked that one fault with the trial was a lack of witnesses and the failure of the police to turn up more witnesses. In response to

this remark, Tony Gallucci, Hart Hall resident, said, "The night of the quad about 40 people, including myself, went to the university police and tried to share the blame and say Bullard wasn't the only one involved in the quad. They said that Bullard was the only one Newding could identify so they couldn't press charges against anyone else."

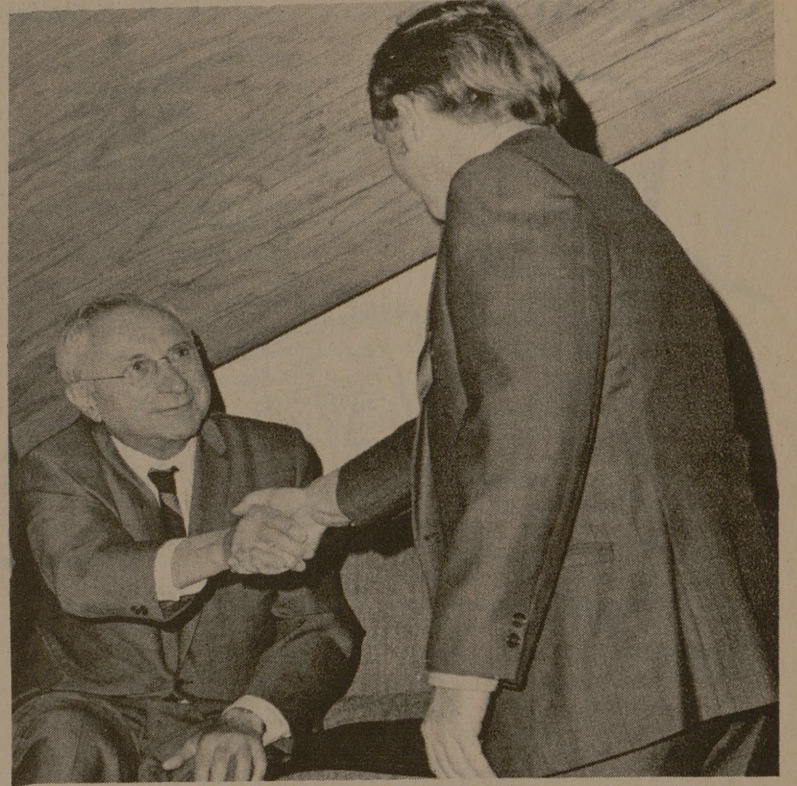
"We stood around for about an hour and no one took any names or bothered to ask any questions. They complained they couldn't get any witnesses, but mine was the first name on the petition and no one ever called me."

University Chief of Police O. L. Luther replied, "I seem to remember a list of names, but I think they came from Dr. Powell. But I'm sure when anyone volunteers information about an incident on campus, their names would be

taken." But he said he does not remember the incident well enough to make a definite statement.

Bullard appeared satisfied with the lesser charge. Bullard said, "At the fork in the road, this was the best way to choose," referring to the choice between appealing the case or accepting the misdemeanor charge over the felony charge.

Vice President for Student Services, Dr. John Koldus, said Wednesday the only real significance he thinks the trial will have on the future of quadding here is it will make people more aware they can be brought to court for quadding. Koldus said, "I am opposed to hazing because it is too easy for someone to get hurt. That is the reason for legislation against hazing." He said change will probably be considered in future policies toward quadding.



HARVARD PROFESSOR Raoul Berger (1) meets Political Forum Vice Chairman John Weber at a PF presentation Wednesday night. See story, Page 6. (Photo by James F. Rattan)

Low charges, high fines

Alleged 'dirty tricks' result from bargains

By JACK HODGES
Staff Writer

"There was a possibility of dirty tricks when County Judge (William R.) Bill Vance issued fines of \$250 for not having an inspection sticker, \$200 for having a defective tail light and others," said W. R. Owens, advisor to the Watchdog Council.

Vance told The Battalion there have been no dirty tricks. The low charges and high fines are the result of plea bargaining, he said. The defendant could have been charged with driving while intoxicated, he said, but after plea bargaining, the charges could be lessened with the judge's consent and with a higher fine set.

If plea bargaining occurs, the defense attorney and the county attorney work out an agreement and make recommendations to the judge for the final decision. The judge then announces the fine and charge.

This has happened in most cases, said Vance, when you see someone

charged with a lesser charge and a high fine.

"When you plea for a lower charge you usually pay a higher fine," County Attorney Roland M. Searey Jr. said.

Owens said if there is some plea bargaining for a lower charge then it should be entered into the record and should include the initial charge.

"Put the truth in for the record," he said.

"The courts have taken a low opinion of some Aggies, and they are persecuted, not prosecuted," said Owens.

Heavy fines and low charges could become commonplace if allowed to continue and could be stopped with public protest, Owens said, adding the protest could come in the form of a recall petition against the county judge.

Enough support from the voters could force the officials out of office and maybe they might start acting before it comes to that, he said.

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Weather

Partly cloudy Thursday with a high of 88° and humid. Low tonight 74°. Mostly cloudy becoming partly cloudy Friday with 40% chance of showers and thundershowers Friday afternoon. High tomorrow 85°.

Aggie advises on 50,000 ton oil spill off Chilean coast

A Royal Dutch Shell tanker, aground near the Strait of Magellan, has spilled more than 50,000 tons of crude oil on Chilean beaches threatening marine life in the area, a Texas A&M University environmental engineer said Wednesday.

"It is bigger than the Santa Barbara, Calif., oil spill of some years ago and it has the potential to be larger than the Torrey Canyon disaster," said Dr. Roy Hann, chairman of the university's environmental engineering department. The two spills in recent years caused considerable damage to marine life and to the overall environment.

Dr. Hann went to Chile as scientific advisor to the team of the U. S. Coast Guard National Strike Force which is providing assistance to Chilean authorities in trying to free the tanker Metula. The tanker ran aground Aug. 9 shortly after it entered the Straits of Magellan loaded with 194,000 tons of Saudi Arabian crude oil intended for Chile.

Rough seas, high winds and high tides have hampered salvage operations and helped the spread of the thick crude on Chilean beaches, Dr. Hann said.

"Right now, their biggest worry is what will happen to the tens of thousands of penguins expected to pass through the area in the next few weeks in their annual migration to three islands nearby," Dr. Hann said.

The islands are Chilean national parks and nesting grounds for the penguins.

Dr. Hann said the oil spilled so far covers more than 75 miles of coastline on Chile's mainland and on Tierra del Fuego.

"The coating of oil ranges from one to three inches in thickness and from a few to 75 feet wide," he added.

"The beaches are not recreational areas as we know them because of the cold weather," he said. "It is mostly grazing land and the closest city is Punta Arenas about 70 miles to the west."

Dr. Hann said Chilean officials hope most of the heavy oil slicks will be carried deep into the Atlantic by the strong winds and will not rep-

resent a danger to the mainland.

But he noted that the oil already spilled on the coastline will affect marine life and will have an impact on the environment.

He said one of the reasons he went to Chile with the U. S. team was to study the situation first hand and learn from it at a time when construction of superports and the use of supertankers are being considered in Texas.

Resolution by Aggies on service fees tabled

By TERESA COSLETT
Staff Writer

A resolution, sponsored by the TAMU Executive Board, to insure students the right to allocate student service fees was tabled at the Democratic State Convention.

Students attending the Democratic Convention were Vice-President of Academic Affairs Jeff Dunn, Vice Chairman of Political Forum John Weber, Dale Foster and John Murray.

Attending the Republican convention were NSL delegate Carol Moore and Keil Thinnay.

Dunn, serving as a delegate from Harris County, District 7, was on the Resolutions Committee. He worked to get the student service

fee resolution included among the four resolutions in the minority report, but explained the committee adjourned before the resolutions were voted on.

The one resolution that passed was to hold future conventions in cities with enough hotel accommodations. Housing facilities in Austin were inadequate for all the delegates, said Dunn.

"The student service fee resolution received a lot of praise and was good Public Relations for TAMU since we took the initiative," said Dunn.

John Weber, an alternate to the convention, had supported the resolution but doubted it would pass. He said, "Experience at TAMU has demonstrated that students can manage their student service fees well, in a fair manner."

Incumbent State Democratic Chairman Calvin Guest, backed by Gov. Dolph Briscoe, defeated Houston City Controller Leonel Castillo 3,125 to 2,183. The number of delegates was 5,308.

Dunn called it a "Briscoe-controlled convention" which he was happy about as a Briscoe supporter.

People unhappy at Guest's selection, Dunn said, should blame apathy, not the system.

Weber was unhappy at Guest's handling of some convention business saying, "He had the votes to get it passed and he knew it, so I think he could have made it look a little more democratic. It looked like railroad when he brought down the gavel before all the votes were in."

But Weber said, "I don't think the party has suffered under the leadership of Mr. Guest."

Democratic National Committeewoman Billie Carr has a good chance of winning her credentials fight, which would be a big blow to Briscoe, according to Weber.

Calling the convention "horribly mis-managed," Weber saw a need for streamlining procedures, using time better and holding the convention in a hall large enough to seat the alternates on the floor.

Dunn described the convention as tumultuous, unorganized and consisting of many factions.

The many varied groups, Dunn said, gave the party strength and made for give and take.

Summarizing his reactions, Dunn said, "I learned a lot about power and who really controls the districts." Those with most political knowledge were in control.

Dunn also mentioned learning maneuvers a minority can use to stall and confuse the other side, such as roll call votes.

Ex-judge files suit on threats

General Telephone Co. of the Southwest has answered a petition in a civil suit filed against it by a local former district judge.

The suit, filed Aug. 15 by John M. Barron, 2522 Willow Bend, charged Bryan police officers with forcing their way into Barron's home on the night of July 19. The official claimed the entry was made during an investigation on the source of obscene phone calls.

Barron said in the suit none of the company officials or officers had a search warrant. The suit also alleged that threats were made on Barron and his family by the officers and phone company officials.

Later that night the phone company admitted the mistake and apologized to Barron and his family.

The original petition was answered by the phone company about a week ago, according to Wayne Goodrum, an attorney at the phone company's office in San Angelo. The suit was filed in Federal District Judge Woodrow Seal's court in Houston. Barron is asking for \$100,000 in damages.

A hearing date has not been set.

Afraid of harrassment

Army says deserters wary

INDIANAPOLIS, IND. (AP)—The first Vietnam war deserters inquiring here about President Ford's clemency plan were reluctant to call, afraid of being sent to jail and worried about possible military harassment.

Most of the callers seemed eager to return home, but wanted to think it over for a while, officials at Ft. Benjamin Harrison said.

The Army Clemency Information Center had received 49 calls by Wednesday morning from persons claiming to be Army deserters or from families or attorneys representing them. Other inquiries had been made by deserters from other branches of the service, but the Army was not including them in its total.

Officials had predicted the inquiries would increase sharply by Wednesday, but it might be next week before any sizable number of deserters report for processing.

The information center is merely four telephones on two wooden tables pushed together in the middle of a large file room at the Army Finance Center at Ft. Benjamin Harrison here. The green metal filing cabinets contain the records of all Army deserters.

Four men at a time, working eight hour shifts, man the telephones.

What are the attitudes of the career soldiers assigned the duty of handling the calls?

"It's not my decision. Someone else decided to give them amnesty," replied Sgt. Francis Stewart, a 13-year veteran.

Capt. Phillip Barnett took the job in stride. As chief of the Army's absentee and deserter division, his task has changed from helping authorities track down deserters to helping guide them home.

The callers were asked first to give their names, service grade, date of birth and Social Security or service number. Then they were asked for their addresses, where the Army could send a letter informing

them if they were eligible for clemency.

Only those who deserted or went AWOL during the Vietnam era of 1964-1973 and who had no other charges against them could qualify.

The address proved to be the stumbling block.

"Some refused to give it and said they would call back in a few days after thinking it over," Barnett said.

"I had about half a dozen say, 'If I give you my address, will I be arrested?'"

Stewart, who worked the same shift, said, "Mainly they wanted to know what their responsibilities are going to be; what's going to happen; are they going to go to jail."

Some had others call for them.

"At times it would be a wife calling, but you could tell the husband was standing behind them funneling information," Barnett said.

In each case, the caller was assured there would be no effort to apprehend him, even if he rejected the clemency offer or was ineligible. Officials said about half the calls Tuesday were from within the United States.

"The idea is not entrapment," said Col. Leonard Reed, public affairs officer. "The idea is leniency."

One caller was assured he would not be required to get his hair cut during processing.

Ft. Harrison will provide direct processing for Army deserters and administrative support, including housing and food, for those from other services. The other services will supply their own processing and legal personnel.

Capt. John Seawell, post deputy public information officer, said persons accepting clemency are expected to report slowly with no large numbers arriving immediately.

"They're going to wait and see who's first and what happens to him," Reed added.

Once a deserter reports, Reed said, plans are to process him within four days. During that time, there

will be no incarceration and no guards and the deserter will be free to take liberty in the evenings.

Processing will include a records check to guarantee eligibility, legal counseling, a physical examination and a review of finance records to determine if the man had any pay due from the time he entered service until he deserted.

Then he will be asked to sign a loyalty oath, issued an undesirable discharge and provided transportation to the location of his alternate service job. The discharge may be changed to a clemency discharge upon completion of the alternate service.



CONSTRUCTION OF A FOUR-LANE street in front of the Systems Building is back in progress after the rains. (Photo by Douglas Winship)

Yell practice is 5:30 tonight at Kyle Field