

Publicity erodes public confidence in Humphreys

ABC administrator resigns under pressure

AUSTIN, Tex. (AP) — O. N. Humphreys, the former state police intelligence chief who was hired to clean up the Texas Alcoholic Beverage Commission in 1968, resigned under pressure Wednesday.

Humphreys, 50, said he quit as ABC Administrator because commission member Joe Burkett of Kerrville asked him to.

Burkett's request, however, meant that Humphreys had lost the confidence of two of the three commissioners. R. L. Thornton Jr. of Dallas has been seeking Humphreys' ouster since May.

Officially, Humphreys, who has nearly 30 years of state service, retired effective Dec. 1. Tom Gordon of Abilene, commission chairman, said Humphreys could have remained, had he wished, in a lower echelon slot, such as district supervisor at Longview.

Burkett told reporters Humphreys had done only a "fair job" as administrator.

"Honest, yes, but as an administrator, he lacked a whole lot of being the administrator for this job," Burkett said. "In my judgment, our situation as an agency for the last 12 months has been deteriorating—morale, efficiency, the works. I personally concluded that some change had to be made for the good of the agency."

Gordon said he took no part in the decision to seek Humphreys' resignation. But he indicated the commission felt the constant publicity about Thornton's efforts to remove the administrator had so eroded public confidence in Humphreys that Humphreys had to go.

The action took place behind closed doors following the commission's monthly meeting, and Humphreys disclosed it in testimony a few minutes later before the House Liquor Regulation Subcommittee.

Kenneth Cook, Humphreys' chief assistant, was designated acting administrator. Cook is scheduled to retire in about 30 days.

"I have been asked to resign, and that is what I am going to do," Humphreys told the startled committee members.

"I was shocked, and the committee was shocked at what transpired because throughout the testimony there has been no criticism of the administration of the Alcoholic Beverage Commission. In fact, we have heard nothing but praise," said Rep. Frank Lombardino, D-San Antonio, the subcommittee chairman.

Humphreys said he did not know why the commission majority

sought his resignation. He said that during the closed session, Thornton made "the usual motion that I be replaced. Mr. Burkett said, 'Well, Newt, you said if I ever felt you needed to resign or retire, you said all I have to do is ask you. Now, I'm asking.'"

"I said, 'I respect you, I gave my word and I will keep it. I also asked why,' Humphreys said.

He said Burkett brought up "how he had suggested in the past that some people be dismissed . . . and I had never taken any action on it. I said the reason why I had never taken any action was that Mr. Tom Gordon of Abilene, ABC chairman

asked me not to, so we could pacify the man from Dallas, Thornton."

Humphreys quoted Gordon as saying he "didn't know what to do with him, Thornton, and all this adverse publicity we have been getting."

The commission—then called the Texas Liquor Control Board—hired Humphreys in 1968 following a series of scandals. At the time, he was chief of the Department of Public Safety's intelligence section.

Thornton, a Dallas banker, has criticized Humphreys publicly on many occasions, frequently for not providing the commission enough information.

In July he complained that Humphreys had sent the ABC budget to examiners for the governor's office and the Legislative Budget Board without clearing it with the commission.

Thornton particularly griped because the budget would have given Humphreys a pay raise without commission approval.

Humphreys mentioned that dispute when Rep. Joe Sage, R-San Antonio, asked about any possible commission dissatisfaction.

He said the ABC budget officer, Rayford Walker, had asked his advice on the administrator's salary. "I said he could leave it blank or set it

as it was." Walker called Gordon, who told him to call Burkett, who said to "proceed with what the other agencies were doing" about their administrator's salaries, Humphreys said.

All three commissioners, Humphreys and Cook received subpoenas, even though they appeared voluntarily. A committee clerk said the purpose of the subpoenas was not to secure their presence but to make sure they would answer questions.

Humphreys ran the day-to-day operations of the agency during a six-year period that included not only the house cleaning following

the 1968 scandal but also major changes in Texas liquor laws.

Three years after he was hired, the 1971 legislature—following up on a voter-approved constitutional amendment—enacted the state's first modern law allowing public sale of liquor by the drink.

Humphreys had his problems during his early years as administrator, notably with Rep. W. S. Heatly, D-Paducah, chairman until 1972 of the House Appropriations Committee. Heatly baited the inexperienced, sometimes plodding administrator during several budget hearings.

Recently, the ABC's Dallas office was subject to an attorney general investigation, made at commission request, because of alleged padding of travel vouchers. Hill reported he could detect no provable misconduct.

In May, the commission—without consulting Humphreys—promoted enforcement division chief Don Fishel and reassigned him as chief of the ABC's district office in San Antonio.

During Wednesday's committee hearing, Gordon was asked directly if he thought Humphreys was doing a good job.

"I think Mr. Humphreys is doing a good job," Gordon replied.

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Profs study job safety

Some jobs can hurt a man two ways: they can break an arm or a leg or they can wait 20 years and give him cancer, black lung or emphysema.

Two professors have been retained by the Department of Health, Education and Welfare to explore careers that combine occupational safety with the medical profession.

Dr. Ralph Vernon and Dr. Richard Konzen said the study is being developed because "Congress found that personal injuries and illnesses resulting from work situations were causing substantial losses to interstate commerce. The losses occur in the form of lost production, wage loss, medical expenses and disability compensation.

"To preserve our human resources, research is needed in developing innovative methods for dealing with occupational safety and health problems," explained Vernon. "It also enables us to explore ways to discover latent diseases and establish connections between diseases and working environmental conditions."

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