

# THE BATTALION

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Inside Thursday

Ag-analia, p. 6  
Women's rugby team undefeated, p. 7  
Ags lose to SMU overtime, 71-70, p. 8



## Judicial board wants more evidence

By LIZ NEULIN  
and KIM TYSON  
Battalion Staff

The student government judicial board charged three elected student officials with negligence and ordered them to give evidence of their scholastic proficiency Wednesday night in a 4-0 decision. One member abstained.

Robert Harvey, student body president; Vicki Young, vice president for student services; and Joe Young, student senator

received writs of mandamus which require proof that they meet academic requirements for elective office.

Austin Sterling, student senator also subpoenaed before the board, was cleared of negligence when he stated he posted a 4.0 GPR last semester.

Chris Farmer, acting chairman, announced the board's decision.

"The question here is to decide whether writs of mandamus should be issued at all. The question was not the wording or con-

struction of waivers issued previously.

"For this reason, the judicial board feels that not signing these waivers has shown negligence by student government officers in their responsibilities as interpreted in the constitution by the judicial board.

"The writs will then contain a requirement to provide proof of adequate scholastic proficiency as defined in Section 4, Article I and Section 2C Article III of the constitution.

"To the vice president of rules and regulations, the burden of proof to the consti-

tuency is a responsibility of the student officers who have to show qualifications of scholastic proficiency," the board said.

The defendants have two days to respond. If they ignore the writs, remedial or removal hearings will be called. Formal announcement of the decision is expected this week.

In summation, both sides outline their basic arguments.

Stan Stanfield, chairman of the judicial board, spoke for plaintiff Jim Connor, who petitioned the board to issue the writ.

"Enforcement is inherent and explicit in the judicial board," he said. The board recognizes in its by-laws that a writ can be issued for non-performance of duties, he said.

Establishing their qualifications for offices through releasing grade point ratios is an implied duty based on grade requirements stated in Articles I and III of the student body constitution, Stanfield said.

"The judicial board has the authority to act in this case," he concluded.

Student senator Joe Young spoke for

himself and the other defendants in the hearing: Robert Harvey, student body president; Vicki Young, student senate vice president for student services; and Austin Sterling, student senator.

"The writ of mandamus requires a clear and concise statement of duty," he said. The constitution "requires some clarity before acting on these points."

Young said the revised waiver forms gave more people access to grades. The wording of the forms, he said, had been changed from that informally agreed upon by the executive committee.

Wording of the form was changed, giving any "student official" the right to see the grades instead of specifically granting that power to the senate credentials committee.

"That needs to be cleared up," Young said.

"Enforcement is not a function of the judicial board," he said, concluding three hours of testimony, procedural motions and objections.

Early in the hearing, Stanfield was removed from taking further action as board chairman because of his "exceptional interest in the case." Chris Farmer, senior member of the board, served as acting chairman.

Both the plaintiff and defense said Harvey might not get a fair hearing if Stanfield was chairman and asked him to step down. The chairman only votes in case of tie, but he can contribute to the deliberations. The defense was "insecure" with that fact, Young said. Judicial board members said they are required to consider only evidence given in open session, calling the defense's argument "an affront to our credibility."

Stanfield defended his involvement in the case, noting he was "acting on a request from Dr. Carolyn Adair, director of student activities, to 'clear it up' using in-house procedures. Stanfield added that his defeat for the office of student body president was not a factor in his actions.

"That's my job," he said.

After his removal, he aided plaintiff's attorney Marc Young.



Members of the student senate judicial board hear evidence from the student senate credentials committee at Wednesday's meeting.

Paterson issued grade check waivers to student senate members. Top right, Robert Harvey. Bottom right, Jim Connor.

Battalion photos by J. Wagner Tynes



## Fired Houston policeman testifies Torres was violent, needed calming

United Press International

HOUSTON - A fired policeman charged with beating and drowning a Mexican-American arrested on a barroom complaint testified Wednesday the man was violent and needed to be calmed before going to jail.

Terry Denson, 27, told a federal court jury why police took Joe Campos Torres, 33, from the bar where he was arrested May 5 to a secluded spot where he allegedly was roughed up and pushed into Buffalo Bayou. His body was found May 8.

Federal prosecutors charge Denson and three other officers conspired to violate

Torres' civil rights by beating and drowning him and that they tried to obstruct justice by covering it up. They could receive life sentences.

Denson said he arrived at the Club 21 as "backup" just after Torres' midnight arrest for drunken brawling. He quoted officers involved as saying, "We had to fight him all the way out here (to a patrol car)."

"The prisoner was in the back seat of the car, lying on his back and kicking the door and cage and back drivers' side window," Denson said. "I could hear screaming and cursing. He made several references to

police (as) pigs."

Denson said the arresting officers took Torres away from the club parking area, where a crowd was gathering, to try to calm him so the jail would take him.

"I assumed they were going to... talk to him or calm him down," Denson said. "Generally, when you remove them from the scene where there's no audience to show out to they calm down," Denson said.

"It has been my experience in the past that overly rowdy prisoners... the jail had required us to take them to Ben Taub

Hospital for psychiatric examination or let them test them for drugs or some other reason they were acting in this manner."

Denson said Torres "never ceased being rowdy. He was constantly thrashing around... kicking at the officers."

Denson, Stephen Orlando, 22, and Joseph Janish, 24, are on trial. A fourth defendant who started trial with them Louis Kinney, 27, was severed from the case Tuesday and will be tried later.

Kinney's lawyers complained there had been prejudicial testimony about his being granted immunity in the state murder trial

that arose from Torres' death. U.S. Dist. Judge Ross Sterling agreed.

In the state trial, held last fall in Huntsville because of local publicity, a jury convicted Denson and Orlando of misdemeanor negligent homicide and sentenced them to a years probation.

The other federal civil rights defendant, Janish awaits trial on a state assault charge.

A fifth fired officer, Glenn Brinkmeyer, has pleaded guilty to a misdemeanor civil rights violation in exchange for testifying for the prosecution. He awaits sentencing.

## Gas wars: local dealers compete for business

By BILL WILSON

Some local gas stations are having a gas war, but some major oil company outlets can't compete.

The good news for local drivers is that for the past month prices have been down to 47.9 cents per gallon for regular gasoline.

The bad news for major brand retailers is that 47.9 cents is below the price they pay for gas.

Independent retailers, because of federal regulations, can buy their gas cheaper than major chain retailers even though they buy from the same source.

An independent retailer can rent the property his station is on directly from the property owner. In many cases, such as Walding's Texaco on University Drive, the operator must rent his station from the oil company.

The overhead of self-service stations is lower than that of full-service station gas-and-repair shops because self-

service stations need only cashiers.

Kelley Broach, an area oil distributor, said the Bryan and Waco markets are "not one of the better markets in the United States."

Because competition is tough, dealers cannot depend on the sale of gas to keep them in business unless they sell at high volumes. Prices must be comparatively low to do this.

Self-service stations such as Fill-Um-Fast on the corner of Texas and University Drives, and Amoco, at the Corner of Jersey and Texas, do have high volume sales.

Steve White of Fill-Um-Fast said his station had a volume of 170,000 gallons of regular a month. Broach of Amoco said his volume was "very high."

If a gas station operator can't keep up a large volume of sales. If he has the storage capacity, he can be a "jobber." sales and if he has the storage capacity, he can be a "job-

ber." A jobber buys gas and sells it to stations that don't have a large volume.

stations are in Bryan-College Station. He said gas wars can be a "real problem" for operators. "We may not start it but we hope to be around when it's over," he said.

Other stations open a repair shop to supplement their meager income from gas profits.

Right now, drivers can buy relatively cheap gas. But higher gas prices will be here soon.

The oil market is cluttered because major oil companies are getting rid of their excess inventory, Broach said. After the excess is sold the price of oil (gas) should rise again.

Walding said self-service stations are definitely the trend.

"They've cut a lot of corners that we can't. People like me are on the way out."



The gas war raging between some local filling stations has kept prices at rock-bottom. But many major oil companies can't compete

with the prices, because 47.9 cents a gallon is less than the price they pay for gas. The independent dealer is coming out on top.



Battalion photos by J. Wagner Tynes.

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