

Standard set for committing mental cases

United Press International
WASHINGTON — The Supreme Court ruled 8-0 Monday the Constitution requires only "clear and convincing" proof that hospitalization is needed before a state can order someone committed indefinitely to a mental institution.

Chief Justice Warren Burger said that "middle level" legal standard, now used by 20 states, "strikes a fair balance between the rights of the individual and the legitimate concerns of the state."

The high court rejected arguments that the Constitution requires states to apply the standard that is used in criminal and juvenile delinquency cases, and which is harder to prove: whether commitment is needed "beyond a reasonable doubt."

A handful of states now use that "unique" standard, and are free to continue doing so, Burger noted. But he said the "reasonable doubt" standard is one that historically has been reserved for criminal cases and is not required by the Constitution.

"The subtleties and nuances of psychiatric diagnosis render certainties virtually beyond reach in most situations," Burger wrote. "The reasonable doubt standard of criminal law functions in its realm because there the standard is addressed to specific, knowable facts."

"Psychiatric diagnosis, in contrast, is to a large extent based on medical 'impressions' drawn from subjective analysis and filtered through the experience of the diagnostician. This process often makes

it very difficult for the expert physician to offer definite conclusions about any particular patient.

The court acted on an appeal filed on behalf of Frank Addington, who was committed to Austin State Hos-

pital after a Galveston County, Texas, jury found "clear, unequivocal and convincing evidence" that he was mentally ill in February 1976.

Addington argued that an indefi-

nite commitment requiring less than evidence "beyond a reasonable doubt" was a violation of the Constitution's guarantee that everyone's rights will be protected by "due process of law."



Signs of spring

These daffodils are just two examples of a wide variety of spring flowers seen blooming around the Texas A&M campus. Battalion photo by Cam Cope

Prof says chemical use may have bad effect later

GEORGIA BLANCHARD
Battalion Reporter
Buy now, pay later," is how Dr. Derrick W. Plapp, a Texas A&M university professor of entomology, describes Americans' attitudes toward chemical use. He says the people who use chemicals today don't think about the long-term effects of that use.

without leaving toxic products which cause long-term damage.

anytime you introduce chemicals into the environment there are costs to be obtained and costs to be paid," Plapp said. "The person who gets the benefits often doesn't pay the cost."
This problem with chemicals concerns Plapp, a toxicologist who has been teaching and doing research at A&M for 10 years. His research focuses mainly on insecticides and how they work. Plapp said that in terms of agricultural chemical use, "the problem we have with chemicals that last too long is that they are biodegradable, and when they break down

Plapp said there is a problem now with insecticides that kill all the insects in the field, including the natural predators of the pests. With natural control destroyed "you become insecticide dependent," he said.

Research is currently being done to develop natural controls and decrease the farmer's dependence on chemicals. Plapp said the Environmental Protection Agency supports this research because less chemical development will decrease the testing they have to do.

Plapp clarified the meaning of the word "ban," which he said is sometimes misused by the media when talking about government actions concerning chemicals.

He said when the government officials "cancel" a chemical they actually intend to renew it, and when they "suspend" it, they plan to ban the chemical. He said "ban" is used

for both, and the public doesn't really know which has happened.

Plapp said the problem is that bureaucrats change the meaning of words for their own purposes.

"The use of language is like Alice in Wonderland," he said. "The meaning of words is infinite."

He cited several examples of the benefits vs. costs problem of chemical use.

"Disposal of chemical wastes is one of the costs you have to pay," he said.

The only good solution for the chemical waste problem is to burn (the chemicals)," Plapp said. He said they must be burned at a very high temperature and this is expensive.

"It becomes more expensive to get rid of chemicals than it is to produce them," he said, adding that this is a cost industry is not yet ready to pay.
Relating to energy, Plapp cited Houston as an example of Americans' shortsighted attitude toward chemical use. He said the city is enjoying the monetary benefits of the large amount of oil refining done there, and won't realize the bad effects for one or two generations.

He said these effects are illustrated by studies that have shown the cancer mortality rate to be "significantly higher" along the Gulf Coast, where there are many large petro-chemical complexes.

Plapp received his bachelor's and master's degrees from Ohio State University and his doctorate from the University of Wisconsin in 1959. Before coming to Texas A&M he worked for the U.S. Department of Agriculture for 10 years. He is teaching one graduate entomology class this semester.

Clark G. Thompson of Houston, attorney for the Galveston Bay group, said provisions in the bill would eliminate statutory requirements for the Air Control Board to consider potential injury to the health of nearby residents and interference with their property when deciding to grant permits for operation of plants that emit pollutants.

Armstrong said he was concerned about provisions in the House-passed bill that would keep the Air Control Board from acting as a referee in disputes where actions of one city on a pollution site may affect citizens of another town.

"We need some umpire, if you want to call it that, where the actions of one community directly bump into the rights of another community," Armstrong said.

Environmentalists seek change in bill

United Press International
USTIN — Land Commissioner Armstrong, the Sierra Club, Galveston Bay Conservation and Reclamation Association and citizens from Seabrook, Taylor Lake, Buda and Fort Worth urged the Senate Economic Development Committee to pass a bill they said would allow Texas Air Control Board to ignore important health and site considerations in approving pollution permits.
Tom Cobb of Seabrook said the bill would relieve the agency from complying with requirements of the Clean Air Act. Local governments and the people of this state will be deprived the opportunity to bring (the) air and capricious air board to task," Cobb said.

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