

Shower & thundershowers today. Flash flood watch remains throughout today. 60 percent chance of rain today. 40 percent tomorrow. High in the upper 80's today and in low 70's this afternoon.

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Houston police acquitted in throw-down gun case

United Press International
HOUSTON — A federal judge, shocked by testimony that two fired policemen planted a pistol on a teen-age theft suspect to justify his slaying, Wednesday acquitted the officers, saying the government failed to prove its civil rights charges.

During six days of testimony, U.S. District Judge John V. Singleton heard three witnesses — including a police lieutenant — identify one or both of the defendants as the officers who produced or planted the "throw-down" .25-caliber pistol in the car of Billy Keith Joyvies, 18, in July 1975. But with final arguments ready and the case nearing the jury, Singleton announced a directed verdict of acquittal for defendants Walter E. Plaster 53, and John Stephen White, 28.

Their conduct — improper, shocking — does not constitute a violation of the charge brought against them, Singleton said. "There is no evidence from which the reasonable mind could draw the inference that at the time these men could have had the intent to violate any civil right that Billy Keith Joyvies had."

"If any reasonable jury must have some reasonable doubts, then it is my duty to direct a verdict of not guilty."

Plaster and White — neither of whom testified — were elated by the decision, which only added to the recent frustrations of government prosecutors who tried a series of similar cases.

"This is an unpopular decision for the judge to make and I think it shows great courage on his part to make it," said de-

fense lawyer Don Lambricht. "The falsifying of evidence was not what these men were charged with."

White said that although he had faith in his attorneys, "you can't help feeling the guillotine could drop at any time. When a witness takes the stand, you don't know what he's going to say."

Asked if he wanted to resume his law enforcement career, he replied: "Never."

Plaster said he had waited 450 days for the resolution of the case.

"When I went to the police academy, I heard stories (about throw-down guns), but we were never really instructed on how to handle the problem," he said. "It

should be brought up and shown to officers the consequences of this kind of action."

Plaster said he would seek reinstatement.

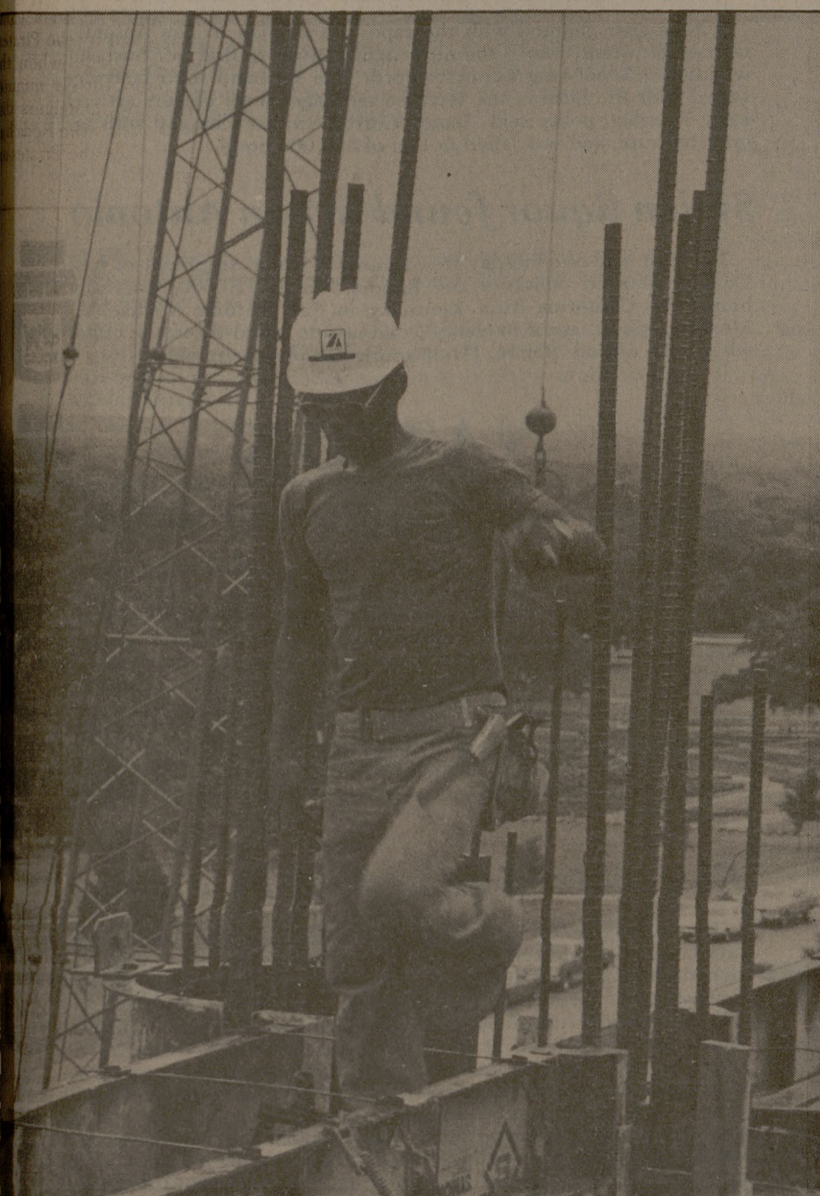
"I naturally disagree with the judge's findings," said assistant U.S. attorney Calvin Botley. "His findings were that the defendants' conduct was shocking but that their purpose in planting the gun was to cover themselves and protect the police department, not to violate Joyvies' civil rights."

"Of course we feel Joyvies' civil rights were violated but we didn't have a chance to argue that before the jury."

In April, a federal jury convicted two other fired officers of perjury and conspiracy in a throw-down gun case but the presiding judge granted each five years' probation.

Last month, another federal jury acquitted a former suburban police chief and two of his officers of civil rights cases in the torture of two murder suspects.

And last year, a federal judge sentenced three Houston officers to light terms for civil rights convictions in the beating and drowning death of a Mexican-American prisoner. The Justice Department has appealed that decision, saying the judge was required to assess longer penalties.



Battalion photo by Clay Cockrill

A view from Kyle Field

Rodney George, a construction worker originally from the Virgin Islands, made his way carefully along the edge of the new stadium Wednesday at Kyle Field. Work continued yesterday despite the rain, but Project Director Bill Hall explained why it is often necessary to shut down in bad weather: "For safety reasons. When steel gets wet it get slick, and when you fall from any height over 30 feet you usually fall only once."

1980 census center established in NASA will cover 14 states

United Press International
NEW ORLEANS — One thing the federal government does on time is count people, and a center has been set up at a NASA assembly plant to catalogue for the 1980 census — the whereabouts of one-third of the United States' population.

Industry computers convince visitors to the Michoud Assembly Facility in eastern Orleans that the government's quest for an accurate, updated count is as constant as its construction of rockets a decade ago.

The center is one of three around the country set up to compile the names and addresses of the nation's residents. The centers are in Jeffersonville, Ind., and Ana Niguel, Calif.

The work involves numbers — lots of numbers — covering 30 million families. The numbers are due at President Carter's office by December 1980.

The centers will operate for another year after that, finishing details and preparing statistical breakdowns.

Tons of paper and computer tape will pass through the Michoud center before the job is done. About 1,000 trucks carrying 65,000 boxes of addresses are expected to arrive during the next year, said Bob Allen, who heads the Michoud facility.

The addresses, covering families in 14 states — from Pennsylvania to Texas — will be fed into computer terminals for transmission to Washington. There, they will be placed on census forms for mailing to the 30 million families.

Longer cars: one answer to energy crisis

United Press International
TRAVERSE CITY, Mich. — Comedian Pat Paulsen says he has come up with a simple answer to the energy crisis and just might use it as a springboard for another run at the presidency.

Paulsen, a co-owner of the Cherry County Playhouse, said Tuesday all government needs to do to curb U.S. gasoline consumption is persuade automakers to make cars 16 feet longer so drivers will "get there quicker."

He also suggested those who can't afford a conventional swimming pool heater simply invite 600 neighborhood kids over to warm things up.

Paulsen, known for his semi-serious editorials on the old Smothers Brothers television show, answered questions about a possible presidential bid by saying his candidacy was a "definite maybe."

As president, however, Paulsen said one of his first acts would be to eliminate the office of vice president.

"It appears to be a dangerous position," Paulsen said, noting people occupying that post tend to disappear.

Ship picks up 19 'boat people'

Navy rescues first group of refugees under Carter's order

United Press International
The U.S. Navy Wednesday rescued its first Vietnamese refugees under President Carter's new campaign to save the boat people.

A Navy spokesman said the 7th Fleet oiler Wabash picked up 19 Vietnamese in an open boat Tuesday about 100 miles west of the Philippines.

It was the first group to be rescued since President Carter ordered the Navy to be "particularly alert for refugees and to render all possible assistance to vessels in distress." U.S.-owned ships previously had picked up about 1,000 Vietnamese.

In Kuala Lumpur, Malaysia, 261 Vietnamese refugees, including a newborn baby, left a West German cargo ship Wednesday on their way to a new life in West Germany. They had been rescued from their sinking vessel.

Two Italian warships and a support vessel left Singapore for the South China Sea in a search and rescue mission. Adm. Sergio Agostinelli said his vessels would provide medical aid and food but would pick up refugees only if necessary to save their lives.

The stepped-up rescue effort by Western nations followed their pledges at the U.N. refugee conference in Geneva last week to take more than 260,000 Indochinese refugees for resettlement.

The U.S. Navy spokesman in Manila declined to say how many American ships were in the South China Sea,

citing Navy policy not to disclose its ship movements.

Vice President Walter Mondale told the Geneva conference that four more American ships would be dispatched to the area to help provide assistance and transport to refugees.

More than 250,000 Vietnamese are believed to have perished at sea.

In Washington, the State Department said Tuesday it plans to send U.S. consular officers to Vietnam to process refugees there for entry into the United States. Vietnamese authorities have agreed in principle to allow the Americans into Ho Chi Minh City, formerly Saigon.

Despite the Western pledges to accept the Vietnamese, Malaysia said it remains unconvinced and will not lift its naval blockade against the boat people "until we get a firm guarantee that we will not be burdened with the problem forever."

Prime Minister Datuk Hussein Onn also said the mobilization of the U.S. 7th Fleet "does not affect us one way or the other. Their ships will only pick up the boat people who sink their boats at sea."

In addition to the ships, the Navy spokesman said antisubmarine P-3 Orion turbo-prop planes were scouring the sea for refugees. The 7th Fleet also set up a command information center at Subic Bay to monitor the rescue operations.

CS to discuss annexations

Three separate petitions for annexation are scheduled to be presented to the College Station City Council tonight.

Two of the petitions request annexation for tracts of land north of Highway 30 and the east of the Highway 6 by-pass.

The first, submitted by Texas Instruments, Inc., (TI) of Dallas, requests annexation for 250 acres.

City Planner Al Mayo said TI has discussed annexation with the city ever since buying the land.

"We're perfectly happy about it," he said. "If they hadn't requested it, we'd have been asking them."

A TI spokesman in Dallas, Dick Perdue,

said Wednesday the land is planned as a future factory site.

TI is requesting the annexation, another company representative said, to get city utilities extended to the site.

He declined to comment what type of factory will be built, the projected opening date or the number of people the facility would employ.

Part of the reason for the secrecy, he said, is that the company isn't even sure what the new facility is going to be.

The second petition deals with a 184.8-acre tract owned by Bert Wheeler, Inc. of Houston. That tract is to be included in the Wheeler Ridge subdivision, Mayo

said. Two years ago, Wheeler petitioned the city of Bryan to annex land adjacent to its corporate city limits for the same project.

In addition to Wheeler's land, several tracts in the Steephollow area were considered for annexation. Land owners near the Wheeler property objected to the proposed annexation and were subsequently dropped from the project.

The third petition, presented by Southwood Valley, Inc., Area Progress Corporation, and William D. Fitch, requests the annexation of a 323.2-acre tract of land west of the Southwood Valley subdivision.



Battalion photo by Robin Thompson

Students to get another dorm, old regents building will fall

Plans for a medical sciences building, another modular dorm and lighting for C. E. "Pat" Olsen Field, were approved Friday by the Texas College and University System Coordinating Board.

At a meeting today the Texas A&M Board of Regents will consider appropriating \$349,000 for design of the dorm. The proposed dorm will be similar to the modular dorms already under construction and will cost \$7.3 million.

Jerry Smith, assistant for management analysis at Texas A&M University, said the dorms will house 500 students, although he does not know yet whether they will be male or female.

The proposed site of the dorms is the area north of Sbisla where the remains of the Board of Directors House stand, he said.

He said the dorms should be ready to move into by the fall semester of 1980. However the medical sciences building will not be completed until the fall of 1982, said Elvin Smith, associate dean of medicine.

The building will cost \$18.6 million and will be located on University Drive opposite the College of Veterinary Medicine.

Smith said the building will contain classrooms, including two large lecture rooms, laboratories, office and research space.

There will also be 300 parking spaces built near the building, Smith said. "We are currently existing in borrowed space," he said. "The building will consolidate us."

The building will be a long rectangular shape and have four stories, Smith said. Instead of brick, Smith said, the sides of the building will be constructed of insulated reflective glass panels.

Smith said the glass is well insulated and the building has been designed "with energy conservation in mind."

A \$7.3 million modular dorm will be constructed on the site of the former home of the Texas A&M board of Regents. The house was de-

stroyed by fire in the spring of 1979. The dorm will house 500 students and should be ready to move into in September of 1980.