

the state

Houston chiefs try fails

Cops still misbehaving

United Press International
HOUSTON — The police chief's efforts to stop police abuse of civil rights has had little impact on individual officers and local prosecutors do not back him up, witnesses told the U.S. Commission on Civil Rights Tuesday.

Much of what is frightening is not at the level of administration. It's on the street," the Rev. Jack McGinnis of Our Lady of Saint Johns Catholic Church said during the first day of a two-day inquiry into police practices.

"If a police officer decided he wanted to execute me, he probably could and be exonerated in the present process because they've done that."

Daniel Bustamante, a Mexican-American political activist who runs a drug abuse program, praised Chief Harry Caldwell but said the attitude of officers still was a problem.

"I feel that the chief, in doing

what he can, is doing a good job," Bustamante said. "I feel many officers on the street, once they get on the street, are on their own. I feel many of these officers resent the chief of police and disregard orders. There's still people on the force who are sick individuals."

Lawyer Dick DeGuerin said the Harris County district attorney's office has been slow to prosecute police misconduct. Former judge Andrew Jefferson said the local grand jury system works against indictments against police.

"That's the reason that in most instances where police officers have been indicted you see the indictment coming from the federal grand jury," said Jefferson, now a private attorney.

"It's been my experience that prosecution of police officers charged with offenses is reluctant at best," DeGuerin said. "Police violations of civil rights go poorly

investigated and poorly prosecuted."

Jefferson said the average grand jury is more representative of the city's racial mix than in years past, but he said the average panelist still represents the community elite and tends to identify with police.

Dr. Robert A. Carp, a political science professor at the University of Houston, said grand juries are "dependent" on prosecutors, seldom hear witnesses and seldom delve into cases unless urged to do so by prosecutors.

The commission, which held a police practices hearing in Houston June 12, has no enforcement authority, but has exerted considerable influence and its actions in the past have foreshadowed official federal programs.

The commission staff has been investigating police practices in Houston and other cities, including Philadelphia, for several months.

State briefs

United Press International
AUSTIN — About 30 residential tenants were forced out of the Texas Commodore Hotel — once the city's grandest — because owners failed to pay the utility bill and electric service was cut off.

Among those forced to leave Monday was Hackberry Johnson, 91, a former cowboy and Wild West show performer.

"It's tough to be old and without a home," Johnson said. "It's a little rough on me right now." Johnson's wife died three weeks ago.

City officials cut off power to the hotel about 2 p.m. because it became apparent owners could not pay the \$24,000 in overdue utility bills.

The building was known as the Commodore Perry Hotel when it was built in 1948, and ended operation as a hotel in 1974 and was converted to an office and residential complex.

HOUSTON — Resigning U.S. Immigration and Naturalization Commissioner Leonel Castillo has disclosed he will run this November for a local office, likely city council but possibly mayor.

Castillo, 39, city controller before taking the federal post, disclosed his plans Monday while attending a Fiestas Patrias ceremony. Castillo, immigration commissioner for two and a half years, leaves the post Oct. 1.

NORFOLK, Va. — A local woman who said her name and phone number were placed in a national swingers magazine without her knowledge or consent has filed a \$100,000 damage suit and asked a court to block the magazine's distribution.

The woman, listed as Jane Doe to spare her further embarrassment, has filed suit against Sam Luvin, who she claims is a Houston-based publisher who is also head of See & Tell Swinger's Club. The suit alleges mental anguish, invasion of privacy and humiliation.

Last April the woman said she started receiving telephone calls from people offering startling propositions. "The callers proposed all kinds of rendezvous for kinky sex," her attorney, Jon P. Eichler, said Monday.

The lawyer claimed that a picture of a nude woman published in the magazine with the woman's name is not her and her telephone number was published without her consent. He described the magazine as a "swinger's directory offering a veritable buffet for sexual appetites."

State asked to void phone rate hike

United Press International
AUSTIN — Critics Tuesday demanded the Public Utility Commission dismiss a \$145 million rate increase request from Southwestern Bell Telephone Co., complaining the phone company has failed to prove it needs any additional revenue.

Bell's attorney, Jon Dee Lawrence of Dallas, called the motion by Microwave Communications Inc. a grandstand play by a competitor.

Association of Community Organization for Reform Now (ACORN) joined in the MCI effort to cut off the two-week-old hearing. Phil Ricketts, PUC hearing examiner, rejected the motion without comment.

"The record in this case has established all-time high revenue and record income," MCI attorney Ray Besing said. "Southwestern Bell has ignored its real numbers in favor of a concoction of hearsay, conclusions and rank speculation."

Besing said Bell used contradictory mathematics and illusory risks to argue for the company's third rate increase in three years.

"If any company in this country is bulletproof against risks, it is the Bell System," Besing said.

Lawrence countered, "We have proven our case. We have a documented revenue deficiency of \$243 million."

Lawrence said the phone company is requesting only a \$145 million increase in rates instead of the \$243 million deficiency in order to comply with the president's price guidelines.

If the PUC commission accepts the recommendation of its economic analyst, basic rates for telephone service may increase no more than 80 cents a month for residential customers and \$2.40 for businesses.

Bell wants to raise basic charges to residential customers \$1.55 a month and increase basic business rates \$4.65 per month to cover most of a \$145 million proposed increase in statewide rates.

An exhibit filed Tuesday by PUC economic analyst Julie J. Parsons said the phone company could increase its revenues \$136 million a year without raising residential customers' rates more than 80 cents to \$1.10 a month or increasing basic business rates more than \$2.40 to \$3.30 a month.

Actual charges to customers in different areas of the state vary according to the number of telephone services served by their local exchange. Currently rates for one-party residential service vary from \$4.75 to \$5 a month and for business service range from \$9.75 to \$25 a month.

Parsons said charges for specialized business services should be raised to actual cost or above cost to meet the phone company's need for additional revenue.

Bell's economic analyst, meanwhile, testified that residential customers cost far more to serve than they pay in revenue.

Larry W. Walter of St. Louis, Bell's supervisor of economic analysis, presented voluminous studies indicating it costs the phone company \$19.30 a month to provide residential phone service while customers pay an average of \$6.88 a month.

Pro-nukes urge state to intervene in debate

United Press International
HOUSTON — A pro-nuclear power spokesman has urged the State of Texas to make an unequivocal decision to go ahead with development of the energy alternative opposed by many environmentalists and other groups.

Dr. Donald R. Beeth, south Texas spokesman for the American Nuclear Society, said the important nuclear decision is now being dictated by "small groups" blocking new nuclear plants with "procedural assassination."

Beeth — and several groups opposing nuclear power — spoke Monday at one of four hearings scheduled in Texas by the Advisory Committee on Nuclear Energy of the Texas Energy Advisory Council.

The council is considering policies on transport and disposal of nuclear wastes, uranium mining and milling, financing nuclear plant construction and decommissioning of plants.

Beeth, a Brown & Root Inc. nuclear engineer, said there are 60 intervenors in proceedings to license the Houston Lighting & Power Co. Allen Creek nuclear plant.

"I can think of no better definition of chaos than 60 teams of lawyers in one room," Beeth said.

John F. Doherty, representing intervenors opposing the Allen Creek plant, said his group believes "it is the state's duty to stop nuclear development until controversies about public health are resolved."

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