

State

Transcripts say warden OK'd inmates brutality

United Press International HOUSTON — Wallace M. Pack, a prison warden killed by an inmate who says he acted in self defense, condoned violence against inmates and particularly targeted prisoners who were seeking legal hearings, court testimony revealed.

The testimony about Pack is contained in 42,000 pages of transcripts from a historic inmate rights case in which U.S. District Judge William Wayne Justice of Tyler ruled that the Texas Department of Corrections routinely violated the constitutional rights of prisoners.

Pack, 54, was drowned April 4 and Ellis Unit farm manager Billy M. Moore, 49, was shot to death. Inmate Eroy Brown, 30, of Waco is accused of slaying the men but says he acted in self defense.

At a speech in Dallas on Tuesday, TDC Director W.J. Estelle called Pack and Moore two of the "finest correctional officers" in the state.

But another view of Pack emerges from the transcripts. One prisoner testified that Pack helped brutalize inmates. In his 256-page decision, Justice said the practice of routine brutality against inmates by guards was "widespread" and some top prison officials condoned or encouraged it.

Pack was not specifically named in the decision. But other prisoners and a former TDC guard linked Pack with retaliation against "writ writers" — jailhouse lawyers who file lawsuits against prison officials or who complain to reporters and outside officials about practices at the prison system.

Several years before Brown was placed in the Ellis Unit, he filed a successful lawsuit challenging prison conditions.

In the testimony, inmate Arthur J. Nathaniel testified that Pack once ordered inmate aides — called "porters" — to attack patients who did not want to receive medication and personally participated in the abuse.

"Most of them porters would whip them and kick them and strip them buck naked and take a needle (to them)," Nathaniel said. "They would be holding him down by the neck choking them to death."

A lawyer asked: "Who are you referring to?"

The answer: "Major Pack and other inmate patients would join them, because the major told them to do them like that."

The most detailed testimony against Pack came from former guard James E. Eckles Jr. He said Pack and Warden C.L. Adams issued instructions on how writ writers were to be treated.

"They were to be kept segregated from the other inmates," the guard testified. "Anywhere they went they had two officers with them. They were strip-searched coming and going. We shook down their cells every day or about every other day, sometimes twice a day, sometimes more. We wrote them up for any rule infraction."

Another prisoner, Clarence D. Moore, said Pack told him to take action against an inmate who filed legal documents and ordered the inmate transferred to a prison wing supervised by an inmate with a formidable reputation for violence.

Another former inmate testified that during a meeting with Pack and another prison official, an official identified as a warden "told me I could enhance my position considerably if I would do something to Bill Neilson," another writ writer. In a letter apparently intercepted by prison officials, Neilson believed the former inmate — Donald R. Whitt — was put in the cell to kill him.

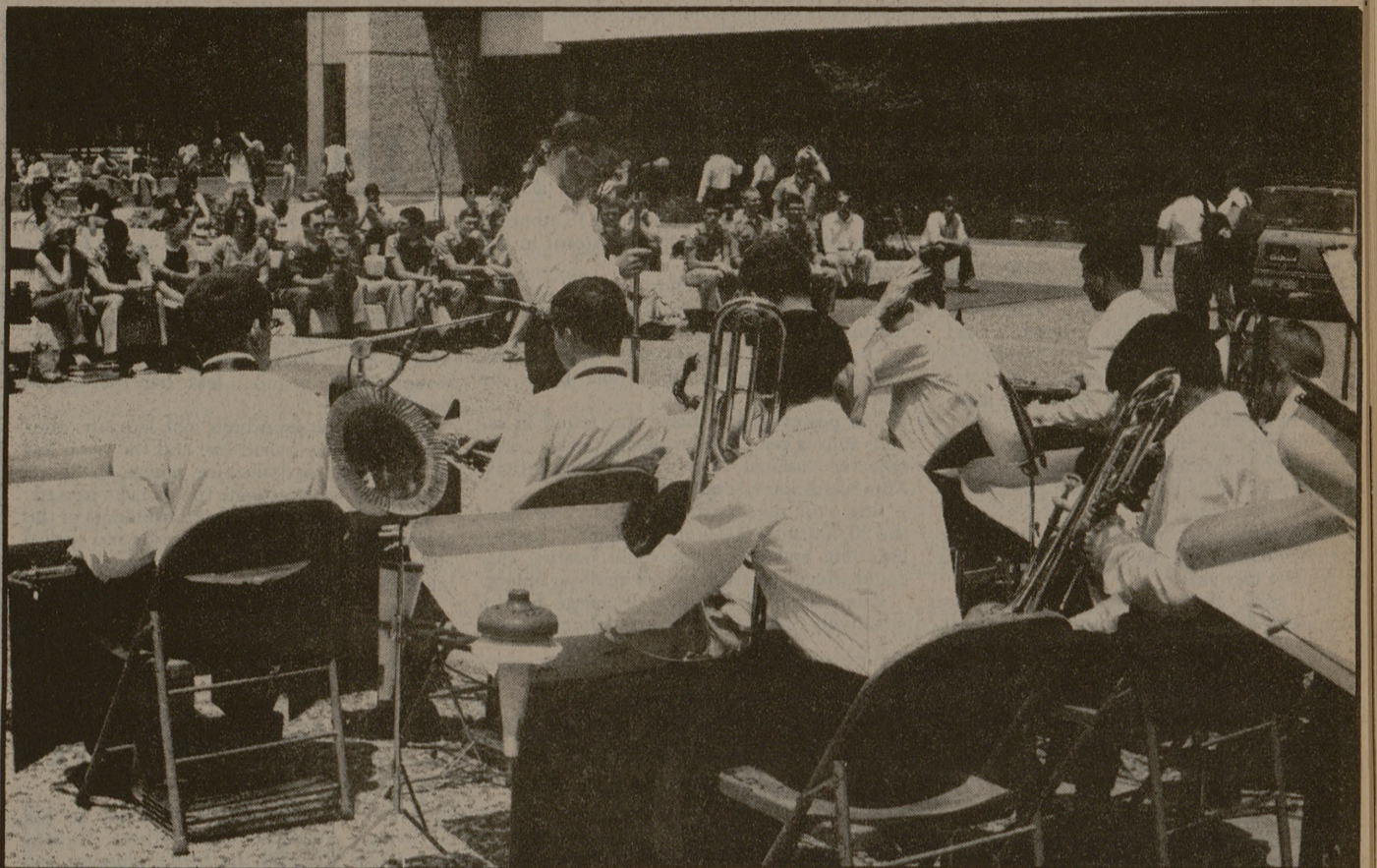


Photo by Erick Oakland

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The Aggieland Orchestra played Wednesday at Rudder Fountain. The orchestra, conducted by Lt. Col. Joe T.

Haney, performed from noon to 1 p.m. for an audience of about 200. The orchestra has 16 members and Haney.

Farmer may get to keep land

United Press International AUSTIN — Jessie Johnson has not left his farm in Leon County yet, and legislation in House subcommittee to get clear title to the land on which he has reared three generations of his family.

Johnson, almost 81, told the committee Tuesday he is too old to move off his 120 acres of East Texas land. He has lived on the land for 53 years.

"They told me I didn't have anything," Johnson said. "It'd gone to the state. I'd worked on that land. I thought it ought to have been mine. No one ever said anything."

"I worked too hard. They wait until I get too old then they take it away from me. I'm waiting for the day when the truck comes and moves me out."

Constitutional Amendments Committee chairman Rep. Bob McFarland, R-Arlington, told the farmer, "I sure wouldn't be packing any suitcases too soon."

Although Johnson purchased the land more than 50 years ago, the state contends it has never legally given up its title to the land and therefore Johnson cannot have clear ownership. Several other Leon County landowners are in similar situations.

Land commissioner Bob Armstrong told the committee he supports efforts to help Johnson get title to his land.

"It is an inequity," Armstrong said. "The difficulty is we have a law that has worked an unjust situation in this instance."

After some minor bickering on two similar measures by Rep. Senfronia Thompson, D-Houston, and Rep. Jim Turner, D-Crockett, the Constitutional Amendments Committee sent both resolutions to a subcommittee.

Thompson, who has received national publicity for aiding farmer Jessie Johnson, called Turner's resolution "a copy of (her bill) with a few words changed."

"I don't think there's anything in 118 which can't be in 117," she said.

Thompson's bill would allow the land commissioner to surrender the state's claim to land tracts persons such as Johnson have lived on and believed they owned.

Turner, who represents Leon County, has a similar proposal which would permit the state to give title to someone who has lived on state land and paid taxes on it for 50 years, even if the tax payments were not in consecutive years.

Both proposals are changes in the state constitution which require approval by Texas voters.

A similar proposed amendment has cleared a Senate committee, and is eligible for Senate consideration today.

Officials plan to talk in home murder case

United Press International GALVESTON — Two state legislators and the state health department commissioner have agreed to testify before a grand jury investigating patient care at a nursing home.

A Galveston County grand jury has already returned murder indictments against the Autumn Hills Convalescent Centers and eight present and past employees. The indictments are in connection with the deaths of eight elderly patients in 1978 and 1979 at the company's Texas City center.

District Attorney James Hury Tuesday said the grand jury is considering more indictments in the Autumn Hills case, and the legislators plus health commissioner Dr. Robert Bernstein have agreed to participate.

"We have been in contact with these people, and they have all volunteered to come down and give us information," Hury said. Sen. Chet Brooks, D-Pasadena, and Rep. W.S. Heatley, D-Paducah, have admitted they intervened with the Health Department to keep Medicaid funds to Autumn Hills from being suspended.

Heatley received a \$400 contribution from the political arm of the Texas Nursing Home Association on April 16, 1980.

"I think maybe I asked if they would make a new inspection. Another inspection never hurt anything," Heatley said.

A July 1980 inspection indicated that deficiencies had been corrected. Heatley said his action was justified.

"We do not need to close these agencies down," he said. "We've taken our mental patients out of the state hospitals and put them there. To close them down is inhuman."

Last week Brooks said he asked Bernstein to reinspect the home in May 1980 after a health department team had recommended for the second time that the home lose its Medicaid certification.

Rep. Ron Wilson, chairman of the House Health Services Committee, said he plans a committee investigation of nursing home legislation next summer.

"If the (Health) Department needs more authority, we need to find out," Wilson said. "And we need to find out the circumstances of legislators calling. It shouldn't have any effect."

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2. Timing the War between Iran & Iraq
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Place: Rudder Tower, Room 301

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Friday, April 24th 8:00-12:30

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Ticket sales: April 20-24 MSC, Sbsia, Commons, Duncan

EPISCOPAL SERVICES

EASTER EUCHARISTS 7:00 a.m., 8:00 a.m., 9:15 a.m., 11:00 a.m.

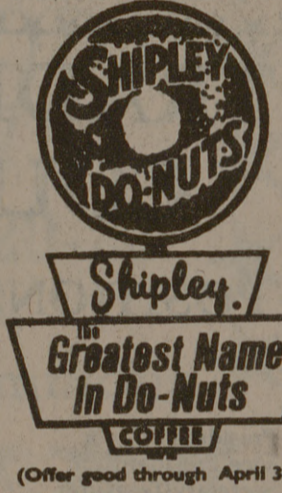
Maunday Thursday Supper 6:30 p.m. (phone for reservations)

GOOD FRIDAY 6:30 a.m. Eucharist Meditations 12:00 Noon-3:00 p.m. Holy Saturday Vigil 7:30 p.m.

Canterbury Group 5:30 p.m. Wednesday

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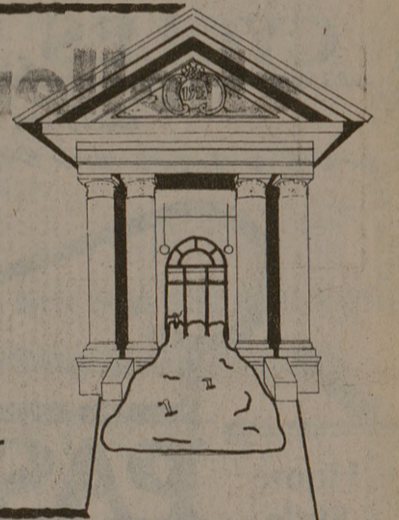
THE BLOB

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7:30 and 9:45

\$1.00

601 Rudder



HOWDY WEEK

APRIL 20-24

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HIGHLIGHTS:

TRADITIONS PROGRAM

Tuesday, April 21, 8:00 p.m. Rudder Auditorium. Traditions film, Speaker Cliff Ransdell, Aggie Yell Leaders and Reville.

HOWDY DANCE

Thursday, April 23, 7-12 at the Thirsty Turtle. Wear your Howdy Shirt and get a pitcher of Old Milwaukee beer for \$1.50.

MYSTERY PERSON CONTEST

A free Howdy Shirt and \$5.00 will be awarded to the 100th person to say Howdy to one of the 5 mystery people.

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