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Senate OK s taping for trial evidence

United Press International
AUSTIN — A bill allowing Texas juries to hear as evidence the tape-recorded confessions of suspects given during police interrogations was approved 30-0 by the Senate Thursday.

Sen. Bob Glasgow, D-Stephenville, the sponsor of the bill, called it "the most important bill for law enforcement in Texas."

But opponents argued during the debate the proposal would allow police to coerce suspects to confess, and then record only the confessions, and a spokesman for the Texas Civil Liberties Union said if the bill passes it will discourage suspects from answering any police questions at all.

"If this bill passes in its present form, any person who has his Miranda rights read to him by a police officer would be very foolish to say another word," said TCLU Director John Duncan.

"If charges are eventually brought, the suspects are in effect

waiving their Fifth Amendment rights and doing so without the advice of counsel."

Glasgow's bill, which now goes to the House, would not require police to advise suspects their statements are being taped or that the tapes could be used as evidence at their trial.

Current Texas law permits the use of taped confessions only to impeach the testimony of a defendant during his trial. Glasgow's bill allows prosecutors to use the tapes to obtain indictments, and as a key prosecution tool.

"Texas is the only state in the union that does not allow police officers to testify about the oral statements made in a custodial investigation," Glasgow said.

He said some defense attorneys had opposed his original bill permitting police to testify about a suspect's oral confessions, so he amended it to require that the statements be tape-recorded or videotaped.

Sen. Hector Uribe, D-Brownsville, cited incidences in McAllen, Texas, of police beating suspects, and said under Glasgow's bill police could avoid taping such actions in coercing suspects to confess.

"A police officer is not going to begin to roll the tape until he is sure he's got a confession, so what you're going to see is the last four or five minutes of a four-hour interrogation," Uribe said.

The Senate rejected 21-9 an attempt by Sen. Oscar Mauzy, D-Dallas, to require police to inform a suspect his statements were being taped and could be used as evidence against him.

"You don't want to tell a person being questioned that he's being taped, you want to do it surreptitiously," said Sen. Lloyd Doggett, D-Austin.

"What we're trying to do is get back to a viable, usable oral statement law," Glasgow replied.



Staff photo by Brian...

High stackin'

"The Flunkees" took first place in the Upsilon Pi Epsilon card stacking contest held Thursday in the Zachry Engineering Center lobby. Keith Stephens topped off the stack in the 30 minute time limit. Their winning stack of 10 feet 5 inches put them

ahead of the "Video Wizards" second place stack of 7 feet 2 inches. Finishing last in the three team competition was "Columbia Crew" at 1 foot, 4 inches. Upsilon Pi Epsilon is the computer science honor society. This is the contest's third year.

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Employees' names subpoenaed

United Press International
SAN ANTONIO — Federal investigators Thursday said a grand jury looking for public employees

who are illegally receiving welfare payments may not receive enough information for indictments until mid-summer.

FBI agents and U.S. Justice Department officials said they have subpoenaed names of 113,000 federal, state and local employees, hoping to compare those names with welfare rolls.

FBI agents and the U.S. Attorney's office usually do not announce pending investigations but wait until the inquiries are completed.

The federal investigators said they are seeking the list of welfare recipients in "Project Match," an attempt to compare lists of public employees to welfare rolls in eight south Texas counties.

"If we get prosecutions in this case, the impact on the community will be that those who had thoughts of illegally applying for welfare might have doubts about doing it," said FBI agent and investigation supervisor Albert Robinson, explaining why there had been public announcements of the inquiries.

Meanwhile, Texas Department of Human Resources officials in Austin said the agency may challenge federal grand jury subpoenas asking for confidential lists of welfare recipients, despite a desire to cooperate with federal agents conducting the investigation.

Bill Wagner, TDHR spokesman in Austin, said the agency is bound

by state and federal law to protect the confidentiality of all clients receiving welfare benefits.

"If we challenge the subpoenas, we're challenging them strictly as a formality," said Wagner. He explained the computer tapes requested by an April 7 federal grand jury in San Antonio require submission of the tapes by May 1.

Approximately \$92 million in food stamps and Aid to Families with Dependent Children (AFDC), which are the two federal programs being concentrated upon by prosecutors, are distributed to 190,000 people in eight counties encompassing the San Antonio metropolitan area.

"As far as I know, the investigation is for the San Antonio area only, not the rest of Texas," Robinson said.

Robinson said that after the welfare recipient list and public employee lists are received, a computer program will have to be revised in Washington to compare the lists. He said it will be a summer before the comparisons are presented to the grand jury.

Although some public employees' income levels would allow them to legally receive food stamps, Robinson said, similar investigations in New York, Baltimore and other cities have produced a substantial number of indictments for fraud.

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