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Judge okays TDC reform settlement

United Press International
HOUSTON — The judge presiding over Texas prison reform tentatively okayed an out-of-court settlement stiffening his prohibition against inmate guards but easing his demand that the state hire many more regular guards by Nov. 1.

Lawyers for both sides expressed optimism the settlement tentatively approved by U.S. District Judge William Wayne Justice in Tyler Wednesday would be a big step forward in the eight-year-old case.

Justice ordered lawyers to notify all 32,000 Texas inmates of the proposed deal and scheduled a June 1 hearing in Houston to consider any objections before giving his final okay to the parties' agreement.

The settlement was worked out in marathon negotiations earlier this month by lawyers for the Texas Department of Corrections, the Texas Attorney General's Office, the U.S. Justice Department and the plaintiff inmates.

The deal sternly provides no inmate shall "exercise supervisory or administrative authority over other inmates." Plaintiffs repeatedly complained TDC was using inmates to bolster its meager guard force.

The agreement also calls for immediate replacement of 10 percent of the estimated 2,300 so-called support service inmates, previously building tenders, and a TDC review of all such inmates.

The settlement calls for regular review of support service inmates and penalties for violation of specific limitations, which include no weapons, no privileges and no verbal, sexual or physical abuse of other inmates.

But the settlement frees TDC of Justice's blanket April 1981 order for a one-to-six guard-to-inmate ratio by Nov. 1, 1982, instead calling for committee determination of how many guards are needed at each of the 19 TDC units.

TDC currently has about 3,300 guards, a ratio of about

one guard to every 10 inmates. When Justice first issued his sweeping reform decree, the ratio was about one to 11.

The settlement calls for two analyses for more guards, one by TDC and a second by a team of outside experts, with reports to be submitted by June 1. Then the two sides will compromise or let a mediator settle disputes.

The agreement also allows inmates who were witnesses against TDC in a recent hearing on compliance with Justice's original reform order to request transfer to other TDC units to avoid retaliation.

TDC never admitted systematically giving any inmates privileges or authority over prisoners, although officials they were willing to concede individual abuses. The practice is forbidden by TDC rules and state law.

But plaintiffs complained that, although TDC changed the title of building tenders to support service inmates after Justice's reform decree, abuses still were tolerated.

The settlement allows inmates to do janitorial, clerical and other maintenance type services as well as to guard perform some tasks.

It allows court-appointed prison reform master Vincent Nathan to order removal of up to 50 percent of support service inmates at any one of the prisons within 120 days.

Board of Corrections member Harry Whittington said TDC's aim is to move forward in a constructive manner and unnecessary legal squabbling.

Whittington said it is even the new order will require "more guards," but he said it was impossible to say many until a specific determination of needs is made at unit.

Turner speculated the sudden reversal of TDC's position to all plaintiff demands may have resulted in part from an estimated \$100,000 a month state is paying a Houston firm for help in the prison reform appeal.

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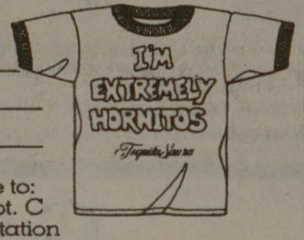
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Arkansan rides across Midwest for Jerry's kids

United Press International
PINE BLUFF, Ark. — An Arkansas cowboy-photographer says he will don buckskin and travel 1,000 miles by horseback this summer to raise funds to help muscular dystrophy patients.

"The buckskin-and-horse theme represents the kind of people who built this country, the kind of people who could be counted on to deliver," Barry Lewis, 38, of Pine Bluff said Wednesday in outlining his plan.

"Jerry and his kids are counting on us to deliver this year," he said, referring to entertainer Jerry Lewis, who leads fundraising efforts for the Muscular Dystrophy Association.

Barry Lewis said he will make the 1,000-mile trek through 30

cities along a route roughly similar to that of Interstate 40. He said he will leave the Jefferson County courthouse in Pine Bluff on July 10 and should arrive in Las Vegas about five days before the Labor Day weekend, when Jerry Lewis hosts his annual muscular dystrophy telethon in that city.

Lewis plans to stop at the cities along the way, including Oklahoma City, Albuquerque and Kingman, Ariz. There, local MDA officials and saddle clubs will have been hosting events such as rodeos, dances and barbecues in which they will ask participants to pledge donations for each mile Lewis travels.

Lewis said he will pick up the pledge cards at each stop and deliver them to Jerry Lewis's telethon. He said he expects his

efforts to raise between \$75,000 to \$100,000 in donations.

He said he plans to ride horses along the way, "because Humane Society officials wouldn't let us take one horse the whole way." He said actually covers only about 100 miles of the trip on horseback with weather and terrain dictating whether he would ride or would instead have his horse hauled between cities.

He said he is asking local saddle clubs along the route to provide horses, saddles and transportation.

Lewis, a native of Fort Worth, said he worked on ranches for years before becoming a professional photographer.

"I'm a free-lance photographer, but basically I'm a cowboy," he said.

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