

state

State funds asked for inmates' trials

United Press International
AUSTIN — The state should pick up the tab for prosecuting prison inmates who commit crimes inside penitentiary walls, officials of the county that houses the state's biggest prison complex told a House committee.

Members of the House Jurisprudence Committee appeared sympathetic to Walker County's plight Tuesday, but referred to a subcommittee a bill that would require the state to pay part of the costs of trials that arise from crimes inside prisons.

Walker County Judge Ralph Davis Jr. told committee members his county currently was forced to pay for prison cases

such as the two capital murder trials of inmate Eroy Brown that already cost the county \$200,000.

A third trial for Brown was expected to cost another \$100,000 and "we've only got \$20,000 in our contingency fund," Davis said.

Brown's first trial for killing a prison warden ended in a mistrial. He was acquitted of the warden's death in a second trial and still faces charges of murder in the death of a guard.

"We're not talking about our fund today. We're talking about the future," Davis said of the bill that would cover crimes committed after Sept. 1, 1983.

"Fellows, this is a state issue," he said. "These inmates are your

inmates. You're putting a burden on the counties where these (prison) units are located."

Twelve of Texas' 254 counties have Texas Department of Corrections' units. Walker County District Attorney Frank Blazek said he viewed the bill as an "insurance policy for these counties that have TDC units."

Rep. Mark Davis, D-Freeport, whose district includes part of Brazoria County, said a routine escape cost his county \$7,000 for a recent five-day trial.

"We've been fortunate not to have had an Eroy Brown case, but the possibility exists," he said. "We house criminals from all over the state, but we get the bill."



photo by Guy Hood

"Bat Study"

Marty Warren, a sophomore electrical engineering major from La Porte lets his studies go to his head.

Warren was just hanging around the monkey bars near the aerobics track.

Killer's parents appeal case

United Press International
SAN ANGELO — The parents of convicted killer Charles Rumbaugh said Tuesday they will appeal a federal judge's decision that their son is mentally competent to decide to stop appealing his execution.

"Just suppose that Charles is your son," Harvey Rumbaugh said. "What would you do? Does a normal person decide to die over life. We believe he is incompetent of making his own decisions."

Rumbaugh, 25, was twice convicted in the 1975 murder and robbery of an Amarillo jeweler. The first conviction was overturned by the Texas Court of Criminal Appeals.

"We wish to prolong his life as long as we can," the elder Rumbaugh said. "There have been worse crimes committed that didn't result in the death penalty."

On Monday, U.S. District Judge Mary Lou Robison of Amarillo set aside a stay of ex-

ecution for Rumbaugh, clearing the way for state officials to set a new date for death by injection.

Following the mental competency hearing, at which Rumbaugh attacked a law officer who shot and seriously wounded him, Robison declared Rumbaugh competent to "make a rational choice with respect to continuing or abandoning further litigation."

The ruling lifted a July 20, 1982, stay of execution entered by a federal court in Houston

which set aside Rumbaugh's July 23, 1982, execution date until the mental competency hearing could be conducted.

Children saved by driver

United Press International
CARROLLTON — A passerby drove his truck through a locked garage door of a home Tuesday and saved three children trapped by a fire which destroyed the house.

A witness said the fire began in the bedroom of the one-story brick house and the children, ages 3, 4 and 12, attempted to escape through the garage door. Ruth Shately heard the children cry for help and called fire officials.

Phil Elsberry, 27, noticed the burning home and Shately trying to free the children. When several others were unable to open the locked door, he called to the children to back away from the door and he rammed it with his truck. The children were treated for smoke inhalation.

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