

state

Death row inmate refused retrial despite new evidence

United Press International
WACO — A federal judge has denied a motion for a new trial for Texas death row inmate Thomas "Andy" Barefoot, whose lawyers claimed new evidence showed their client was wrongly convicted.

U.S. District Judge Lucius Bunton Monday turned down Barefoot's petition. His attorneys had claimed a witness against him admitted to lying when she said Barefoot was the man she saw fleeing the scene of a August 1978 shooting in which

Harker Heights police officer Carl Levin, 37, was killed.

Barefoot's appeal is currently before the U.S. Supreme Court which is expected to rule in April.

Killer thankful for death date

United Press International
AMARILLO — A state district court judge Tuesday set May 2 as the execution date for Charles Rumbaugh, and then received a thank you from the condemned killer who has repeatedly asked to be put to death.

Judge George E. Dowlen ordered Rumbaugh killed by lethal injection for the 1975 robbery-murder of an Amarillo jeweler.

It was Dowlen who set Rumbaugh's original execution date of last July 23, but a Houston federal court granted a stay of execution based on an appeal filed on Rumbaugh's behalf by his parents and the American Civil Liberties Union.

The ACLU claimed in the appeal that Rumbaugh, 25, of San Angelo, was not mentally competent to make the decision to halt all of his appeals. However, the ACLU appeal was dismissed last month after a competency hearing in Amarillo determined Rumbaugh was competent.

Before setting the new execu-

tion date, Dowlen asked Rumbaugh if he had anything to say.

"No," Rumbaugh replied. Dowlen then ordered him put to death at the Texas Department of Corrections at Huntsville May 2 at sunrise.

Throughout the proceedings, Rumbaugh showed no emotion. At the end, Rumbaugh merely thanked the judge and was led away, a court clerk said.

Rumbaugh refused to speak to reporters who had thronged the courtroom.

Rumbaugh, a small man with many jail escapes on his record, was sentenced to death for the April 1975 shooting death of jeweler Michael Fiorello. At the time, Rumbaugh was 18.

He was sent to reform school at age 12. Rumbaugh's lawyers say during stints at the Texas Youth Council homes in the 1970s, he was brutalized. Rumbaugh admitted to heavy alcohol and drug use while there.

He spent time in a mental hospital in Big Spring, was released at age 17 and shot Fiorello five months later.

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Woman takes baby to revive marriage

United Press International
DALLAS — An Oklahoma woman arrested on kidnapping charges says she took a 2-day-old baby from his mother in a Dallas hospital last week with hopes the child would revive her troubled marriage, an FBI agent said.

The agent, who asked his name not be used, told a Lawton, Okla., television station Norma Jo Smith said she took Harold Patterson from his mother last Thursday at Parkland Memorial Hospital hoping to create a bond with her estranged husband.

She said the couple had expected a child this month, but she miscarried a few weeks ago, the agent said.

Dallas police spokesman Bob Shaw said Smith's husband be-

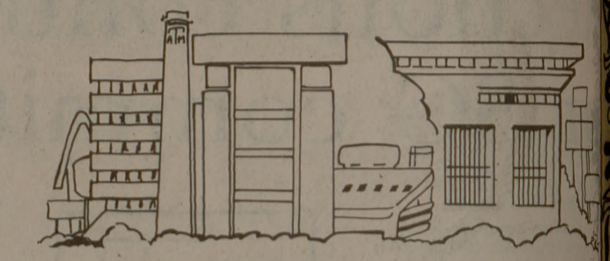
lieved the child was theirs.

"He told our investigators the last time he saw her she was very, very pregnant. We told him she lost the child in California and the child she brought to him belongs to a teenage girl from Palestine," Shaw said.

Smith was arrested in Lawton Monday. She received an initial appearance before U.S. Magistrate Sam Joyner and had her bond on kidnapping charges set at \$20,000.

The child was delivered a week ago by Caesarean section. On Thursday, a woman dressed as a nurse entered Gretchel Patterson's room and said the boy had to return to the nursery because she was running a fever.

But the boy was not found in the nursery.



Around town

Accounting firm to give \$100,000

The Houston accounting firm of Coopers and Lybrand has pledged a \$100,000 gift to the accounting department in the College of Business Administration.

A public reception hosting company representatives will be held at 4 p.m. April 5 in Room 451 of the Academic and Agency Building. Members of the firm will present the first of four \$25,000 installments to the department.

Dr. James Benjamin, head of accounting department said the gift will be used to establish a faculty fellowship program named for the firm.

Commission to discuss airport needs

Airport development needs of seven local counties will be discussed by the Texas Aeronautical Commission at 10 a.m. Thursday at the Brazos Center.

The meeting will consider airport facility developments in Brazos, Burleson, Grimes, Leon, Madison, Robertson and Washington counties.

Items scheduled for discussion are the availability of state and federal funds for airport development, information on area economic development, community goals and objectives and preservation of airport facilities.

Developments at Easterwood Airport are not scheduled to be a major discussion topic for the meeting. However, the meeting will be an open discussion of all inquiries into airport development.

City and county officials, airport board members, airport managers and representatives from the Brazos Valley Development Council will participate in the meeting.

Citizens with an interest in air transportation and airport development are invited to attend in 102 Brazos Center 3232 Briarcrest Drive in Bryan.

If you have an announcement or item to submit for this column, come by The Battalion office in 216 Reed McDermald or contact Tracey Taylor at 845-2665.

Police beat

The following incidents were reported to the University Police Department for March 28.

CRIMINAL MISCHEIEF:
•A fire in Dunn Hall. A paper bag was set afire and tossed into room 106. The fire was ex-

tinguished when police arrived.

ASSAULT:
•Of a woman in Room 205. The male who assaulted her was caucasian, in his 20s, approximately 6 feet 3 inches tall with long dark hair.

CUSTOMER INFORMATION FROM GENERAL MOTORS

HOW MUCH IS TOO MUCH TO DRINK IF YOU'RE DRIVING?

USING THIS CHART MAY HELP YOU KNOW YOUR LIMIT.

First, you should understand that drinking any amount of alcohol can impair your ability to drive.

The generally accepted way to measure intoxication is by your Blood Alcohol Concentration (BAC). In most areas, the legal definition of intoxication is .10 percent BAC and above. However, long before you reach .10 BAC, your judgment and motor skills deteriorate rapidly. In fact, some states include the definition of impaired driving ability, which usually begins at .05 percent.

Important factors to keep in mind are how much you've drunk in a given period of time, how much you weigh and whether you've been eating. Your age, individual metabolism and experience with drinking are also factors. However, it simply is not true that beer or wine is less likely to make you drunk than so-called "hard" drinks. A 6-ounce glass of wine, a 12-ounce can of beer or 1½ ounces of 86-proof whiskey have about the same amount of alcohol and will have about the same effect on you.

How to estimate your Blood Alcohol Concentration. Although the effects of alcohol vary a great deal, the average effects are shown in the accompanying chart prepared by the National Highway Traffic Safety Administration. Find your weight in the left-hand column and then refer to the number of drinks you have had or intend to have over a two-hour period. For example, if you weigh 160 pounds and have had four beers over the first two hours you're drinking, your Blood Alcohol Concentration would be dangerously beyond .05 percent, and your driving ability would be seriously impaired—a dangerous driving situation. Six beers in the same period would give you a BAC of over .10 percent—the

level generally accepted as proof of intoxication.

It is easier to get drunk than it is to get sober. The effects of drinking do taper off as the alcohol passes through your body, but the drop is slow. In the example above, the person who

Even if you're not drinking, other drivers may be. Your best protection is still the seat belts in your car. Accidents do happen, and wearing lap and shoulder belts doubles your chances of coming through one alive.

Weight	DRINKS (TWO-HOUR PERIOD)											
	1½ ozs. 86° Liquor or 12 ozs. Beer											
100	1	2	3	4	5	6	7	8	9	10	11	12
120	1	2	3	4	5	6	7	8	9	10	11	12
140	1	2	3	4	5	6	7	8	9	10	11	12
160	1	2	3	4	5	6	7	8	9	10	11	12
180	1	2	3	4	5	6	7	8	9	10	11	12
200	1	2	3	4	5	6	7	8	9	10	11	12
220	1	2	3	4	5	6	7	8	9	10	11	12
240	1	2	3	4	5	6	7	8	9	10	11	12

BE CAREFUL DRIVING BAC TO .05% DRIVING IMPAIRED .05-.09% DO NOT DRIVE .10% & UP
Source: NHTSA

The chart shows average responses. Younger people generally become impaired sooner, while older people have more vision problems at night. Tests show a wide range of responses even for people of the same age and weight. For some people, one drink may be too many.

had six beers would still have significant traces of alcohol in his blood six hours later. Having a full stomach will postpone somewhat the effects of alcohol, but it will not keep you from becoming drunk.

Black coffee, cold showers, or walking around outdoors will do nothing to make you sober. Of course, someone who claims, "I'll be okay as soon as I get behind the wheel," may be making a fatal misjudgment.

At General Motors, we have developed a device which tests a driver's reflexes and motor responses before it allows the car to start. The Department of Transportation is now testing it in California as a deterrent to repeat offenders. Today, you, the driver, have to know your limits and when you've gone beyond them. If you have any doubts, don't drive.

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New Orleans jury conquers 'impasse'

United Press International
DALLAS — Jurors who convicted three white New Orleans policemen of violating a black man's civil rights readily believed that beatings had occurred, but they could not agree that the other four defendants were involved, one member of the panel said.

The juror, who asked not to be identified, said the all-white, seven-member, five-man panel had reached an "impasse" Monday morning in its third day of deliberations, when U.S. District Judge Jerry Buchmeyer gave them the so-called "dynamite charge" urging them to try again.

Just hours later the jury returned convictions for felony conspiracy and one misdemeanor count of deprivation of civil rights against homicide Sgt. John McKenzie, 40, and detectives Dale Bonura, 34, and Stephen Farrar, 31.

Acquitted were detectives Ronald Brink, 37, Thomas

Woodall, 32, and Richard L. Lanc, 32, and officer Stephen Boul, 29.

McKenzie, Bonura and Farrar face up to 10 years in prison and a \$10,000 fine on the conspiracy count and one year and \$1,000 fine for violating the rights of Robert Davis. Sentencing was set for May 19.

Davis, a black resident of Algiers section of New Orleans, said he was beaten, bugged, booked and illegally jailed November 1980 following a gunshot slaying of patron Gregory Neupert in Algiers.

Davis was one of three black men and one white man who claimed they were beaten with fists, bugged" by having plastic bags over their heads until almost suffocated and "bugged" by being pounded on the back with a heavy hardbound dictionary.

Defense attorneys said convictions would be appealed. The officers will remain on active duty pending those appeals.

Bitterness remains despite convictions

United Press International
NEW ORLEANS — Despite the conviction of three policemen on civil rights charges, leaders of the black community say bitterness will linger from the mistreatment of people during a murder investigation.

City officials, recalling several weeks of racial tension, issued a string of no comments after the verdict Monday finding three policemen guilty of civil rights violations.

A jury in Dallas found four other officers innocent of similar charges, relating to the 1980 investigation into the slaying of officer Gregory Neupert. Four black citizens in the Algiers neighborhood died as police hunted Neupert's killer.

Rose Loving, a black community leader from Algiers was instrumental in calming the community in the wake of the shootings.

She said although residents of New Orleans acted responsibly,

bitterness in towards police linger. But it can be overcome with time, she said.

None of the seven policemen involved in the two-week investigation was charged in the shootings that followed Neupert's death. The charge related to allegations of brutality during questioning of citizens who appeared as prosecution witnesses.

The trial was moved to Dallas because of publicity.

"It's always been our case this is not an isolated case, systematic of how police have been operating," said Kalam Salaam of New Orleans, chief of the Black Collegian Magazine.

Salaam led demonstrators and a sit-in at Morial's office during the police shootings.

"The reason we went into the mayor's office was to call attention to the whole problem," she said.