

# New trial, polygraph test ordered in case allegedly involving racism

United Press International  
DALLAS — A state district judge Tuesday granted a new trial and ordered a polygraph test for a black engineer who claims he was wrongly convicted and given a life sentence in a robbery case which gained national attention.

Edwin Sigel, attorney for Geter who was sent to prison in October 1982 amidst allegations of racism from the NAACP, said he was confident his client would be freed before the weekend because the prosecution had reversed itself and agreed to join him in the motion for a new trial.

District Judge John Ovard Tuesday ordered the new trial and scheduled a polygraph test for Thursday.

Sigel said it is likely the entire case might be dropped by the judge once the case is returned to him from the appellate court.

Meanwhile, at a news conference at the Coffield Unit of the Texas prison system near Palestine, Texas, Geter said, "I'm excited I'm going to get another

chance to prove my innocence." He said he was still bitter about his experiences.

"All I can see is what has happened to me in the past, what the officers said about me and the gun being placed at my head (when he was arrested)," he said.

In a dramatic gesture Monday, Dallas County District Attorney Henry Wade, whose office had resisted previous attempts to grant a new trial to Geter, announced the reversal of his stand in the case reported recently on the CBS news magazine "60 Minutes."

"In view of a recent television show and other media reports, I believe some doubt has been raised in the minds of many people concerning the fairness of his trial as well as his guilt," Wade said.

Wade also announced he would move to have the case dropped if the South Carolina native passed a lie-detector test Tuesday.

Sigel said his motion would show there is new evidence because Geter's friend, Anthony

Williams, who was acquitted of a similar robbery charge last month, would now be free to testify on behalf of Geter.

"The easiest way to solve the problem is to have Mr. Geter take a polygraph test, with the operator he has requested," said Jerry Banks, the county's chief felony prosecutor. "He's not going to pass that (the polygraph), in my opinion, but if he does, this office will drop the charges. If he does not, we'll move for a new trial."

"We are joining defense counsel in asking the appellate court to send the case back to trial court. There is new evidence, in that his co-defendant Mr. Williams can now testify. At that point, if he passes the polygraph, we can drop the charges. If we hold a new trial, it'll be with a new jury, new everything."

Geter was employed by the E-Systems Inc. in nearby Greenville prior to his conviction. The NAACP, which joined the case, brought allegations of racism against police and the prosecutors.

Geter's employer, chiefly involved in the manufacture of sophisticated electronic devices for the military, has been conducting its own campaign against Geter's prosecution and has set up a fund for his defense.

The case gained greater national attention when Williams was charged in another robbery case. Williams, 25, also an engineer, was acquitted last month in a \$32 robbery of 7-Eleven store in Garland, Texas.

Sigel said the prosecution's change of attitude in the Geter case was due to heavy media attention on the case and fears the appellate court may cite the state for miscarriage of justice. He said the FBI was independently looking into a possible violation of Geter's civil rights.

A number of Geter's co-workers at E-Systems testified that Geter was at work the day of the robbery for which he was charged.

That went squarely against the testimony of five restaurant employees, who identified Geter as the robber.

# West Texas bills could increase

United Press International  
EL PASO — Western utility customers should not be forced to pay to clean up dirty power plants east of the Mississippi River, a West Texas utilities expert said Tuesday.

Everett Wall, president of the El Paso Electric Co., said a bill in Congress proposes that electric bills be increased nationwide to reduce acid rain, which is produced when sulfur dioxide mixes with water vapor in the air.

He said the bill by Rep. Gerry Sikorski, D-Minn., and Rep. Henry Waxman, D-Calif., targets 50 dirty power plants east of the Mississippi and calls for spending \$40 billion to clean them up.

States west of the Mississippi would not benefit from the plan, said Wall, who is president of the Western Energy Supply and Transmission Associates, a group of 21 electric companies in the West that undertakes joint projects and exchanges power.

Wall said electric customers are being asked to each pay an average of \$10.25 a year, while easterners would pay \$7.56 a year. The bill calls for a tax of one mill, or one-tenth of a cent, on each kilowatt hour used in the United States.

Westerners, who would not profit from the bill, would be paying more for the cleanup than easterners because the tax levy is based on the number of people living in an area, he said.

The El Paso Electric Co., executive and technical advisors from WEST are meeting today with representatives of news media in Washington, D.C.

Wall said he expects presidential hopeful Sen. John Glenn, D-Ohio, to push for the cleanup plan. Sen. Glenn represents Ohio, one of the states that would benefit from the legislation.

Many eastern plants were built before the Environmental Protection Agency mandated pollution controls, Wall said. Those plant officials have saved money over the years by not having to install the devices, he said.

Thirty-one percent of the coal-fired plants in the West use a scrubbing process to clean sulfur dioxide emissions, compared with 7 percent in East, Wall said.

The scrubbing equipment at the Four Corners plant in New Mexico cost three to four times as much as the total cost of the plant, he said. El Paso, Texas relies on Four Corners for about 20 percent of its power needs.

"The question of who will pay for the cleanup of acid rain is going to be a major political issue in the next presidential election," Wall said.

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# Gov. White wants teachers to have a good pay raise

United Press International  
AUSTIN — Gov. Mark White urged a group of road contractors Tuesday to support higher pay for Texas teachers and pledged he would include the issue of highway funding on the agenda of a special legislative session.

Despite a prediction from Lt. Gov. Bill Hobby that the issue of teacher pay would not be addressed until the next regular session in 1985, White told the Associated General Contractors of Texas he hoped to call lawmakers back to Austin in 1984.

White urged the contractors to support his promise of a 24 percent pay raise for teachers, saying the second item on the agenda for any special session would be greater funding for highway repairs, construction and maintenance.

"I intend to have a special session for education," White said. "I would at the same time like to make certain that we also improve the mobility of those well-educated Texans I hope to see in this state."

"And that will mean we will also go forward with seeing that our highways are funded properly so we can maintain the mobility necessary for a vibrant economy," he added.

White said he planned to talk with teachers' groups Tuesday to persuade them to support

greater funding for highway construction.

"I think we would make a very effective package," he said.

Although H. Ross Perot has said his special committee on education will issue a preliminary report on the Texas school system in March, White said he would meet with Perot Wednesday and urge him to expedite the committee's deliberations.

"I will be urging them to move quickly to get the report back," he said. "And then as soon as we can get that report back, I need your help in getting in touch with our legislative leaders and asking them to make the commitment to see that we pass that proposition and move on to the next order of business, which is the proper funding of our highways."

White also said he hoped to include the issue of a state water plan — another expensive proposition — on the special session agenda.

"We need to attack these problems now and we need to do so with the full realization that they are going to have to have the money to do the job," he said. However, White did not give any indication what taxes he would raise to fund the higher pay, water plan and highway construction.

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