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by Jeff MacNelly

Prosecutors try to link care with cause of death

Associated Press
 SAN ANTONIO — Prosecutors have spent the past five weeks assembling a jigsaw puzzle of evidence they believe will prove the care of patients at the Autumn Hills nursing home in Texas City was grossly negligent, Assistant Attorney General David Marks said Thursday.
 Marks said the next step is to establish a "causative link between care and the death of Elnora Breed and 61 other patients."
 The prosecutor made the announcement Thursday after a key state witness, Betty Korndorfer, a former nursing home inspector, spent three days testifying about conditions at the facility.
 The defense passed up an opportunity to question Korndorfer's cross examination.

Journalists trying to tighten rules of Open Meetings Act

Associated Press
 AUSTIN — Texas has had an Open Meetings Act since 1967, but a city planning commission still can shut its doors and meet in private if it so desires.
 Recent rulings by state judges and the state attorney general's office have held that committees and commissions below the governing body of a city, county or school district are not required to hold open, public meetings.
 "When you find public officials finding loopholes (in the Open Meetings Act) and using them, then you have to close the loopholes so they can't abuse the public right," said John C. Henry, an Austin newspaper editor and spokesman for the Society of Professional Journalists-Sigma Delta Chi.
 These "loopholes" in the public's right to know what their public officials are doing have become of prime interest to print and broadcast news media in Texas.

"To close a meeting just because the members of the body do not want to be hassled... is ludicrous."
 — John C. Henry, spokesman for the Society of Professional Journalists.

When the San Angelo City Planning Commission began drafting a controversial sign ordinance in August, it closed its meetings to the public and press.
 The San Angelo Standard-Times filed suit, seeking to open the meetings and arguing that closure violated the Open Meetings Act.

Judge Don Morgan recessed trial early Thursday.
 Defense lawyer Roy Minton said, "We all sat down and went over three days of testimony. We just decided the very wisest thing to do was to pass."
 "Certainly what she (Korndorfer) got into was not good," he said. "It just would reinforce certain aspects of her testimony if we crossed."
 On trial for murder are the Autumn Hills Convalescent Center and five of its current and former employees.
 They are charged with murder, neglect in the Nov. 20, 1978, death of Elnora Breed.

The Open Meeting Act basically requires public, policy-making bodies to do business in public, to post notice of the meetings and to admit the public to discussions.
 Efforts to close the loopholes failed in the 1985 Legislature.
 Representatives of SDX, the Texas Daily Newspaper Association,

Ben Hansen, Beaumont Enterprise editor and chairman of the Texas APME Freedom of Information Committee, said, "This will be an exploratory meeting to see if all these various media groups can work together effectively and sufficiently relate our efforts."
 If the meeting is successful, Hansen says they will look at possible efforts to strengthen the freedom of information laws when the Legislature convenes in 1987.
 "We are going to look toward drafting a proposal to extend the open meetings law to cover committees and commissions of local gov-

ernment," Henry said. "To close a meeting just because the members of the body do not want to be hassled by the public is ludicrous."
 Other elements of freedom to report the occurrences at the meetings of public officials also will be discussed.
 Television cameras are not covered by the present Open Meetings Act and can be tossed out of public meetings, Attorney General Jim Mattox said in a September ruling. He said audio tape recording, but not videotapes, was authorized by the law.

The woman, 87, died 47 days after she was admitted to the Texas City nursing home.
 The defendants also are charged but not being tried, in the murder of Edna Mac Witt, 78, who died at the facility Oct. 16, 1978.
 Also mentioned in the indictment are the deaths of 61 other patients at the nursing home.

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