High court refuses appeal by helpers of illegal aliens

Ruling: Religious rights don't save members of 'sanctuary movement' from prosecution

WASHINGTON (AP) — The Supreme Court on Monday left intact a ruling that criminal prosecution does not violate the religious rights of "sanctuary movement" members who aid illegal aliens from Central America.

The justices refused to hear an appeal by two people convicted of such activity in Texas.

John B. Elder, director of a "refugee sanctuary" in San Benito, and Stacey Lynn Merkt, a volunteer at the shelter, were convicted of conspiring in 1984 to transport illegal aliens within the United States.

Elder also was convicted of conspiring to smuggle illegal aliens into the country.

He was sentenced to 150 days imprisonment, to be served at a halfway house. Merkt was sentenced to 179 days in jail and three years' probation.

Elder's shelter provides assistance and lodging to Central Americans, principally from El Salvador, who have fled their countries and entered the United States.

The shelter, founded in 1982, receives financial support from the Roman Catholic Diocese in Brownsville, protestant churches and other religious organizations.

Elder and Merkt were convicted of driving five Salvadoran illegal aliens from San Benito to McAllen, and putting them on a bus for Houston.

The five aliens, two adults and three children, were arrested by Border Patrol agents before reaching Houston.

Elder's and Merkt's convictions were upheld by the 5th U.S. Circuit Court of Appeals last July 17.

The appeals court rejected arguments that they should not have been charged with crimes because their activities in behalf of illegal aliens are inspired by their religious beliefs.

The appeals court said the sanctuary movement case differs from those in which the Amish have been allowed to keep their young children out of public schools and Seventh-day Adventists have been protected against being fired for refusing to work on their Sabbath.

Devout Christian belief does not compel participation in the sanctuary movement, the appeals court said.

It added that Elder and Merkt "could have assisted beleaguered El Salvadorans in many ways which did not affront the border control laws; they could have collected and distributed monetary and other donations, aided in preparing petitions for legal entry and assisted El Salvadorans legally in this country."

"They chose confrontational, illegal means to practice their religious views — the burden was voluntarily assumed and not imposed on them by the government," the court said.

In seeking the Supreme Court's help, lawyers for Elder and Merkt said the government should be barred from intruding on someone's religious beliefs unless "it has a strong reason."

Packing plant seeks workers in South Texas

HARLINGEN (AP) — A Midwestern meat-packing plant locked in a labor dispute is recruiting workers in the Rio Grande Valley, where the unemployment rate is one of the nation's highest, company officials said Monday.

Gary Mickelson, a spokesman for IBP Inc. of Dakota City, Neb., said laborers were being sought in South Texas because of the availablity of job seekers here.

He said prospective employees are told the company's plant in Dakota City is in a labor dispute and are being offered a base wage of $6 an hour.

"Even though there's a labor dispute, it's been peaceful," he said. "We've had a pretty good turnout of people and have hired some.

"It's permanent positions that we're offering."

February unemployment figures for the Rio Grande Valley show McAllen, in the Upper Valley, with the state's highest percentage of jobless workers at 20 percent.

Study: Fewer Texas teens receive 'hardship' licenses

COLLEGE STATION (AP) — A crackdown on so-called "hardship" licenses in Texas has resulted in nearly 71,000 fewer teen-age drivers on the road, according to a Texas A&M University safety education specialist.

Under a new law, only 1,109 teenagers have qualified for the special licenses since 1983, Dr. Gerald Ockert said.

"The law was successful at reducing the number of kids out there driving because it made it tougher for them to get these hardship licenses," said Dr. Maurice Dennis, coordinator for the Safety Education Program at Texas A&M.

Teen-age drivers who received licenses under the new law also had slightly lower incidence of moving violations or accidents, though the difference was not statistically significant, Ockert said.

"Even though this controlled study did not find statistically significant differences between post-law and pre-law groups, I believe the law change was a good change," Ockert said.

The Minor's Restricted Driver's License is commonly known as a "hardship" license since applicants must prove they have a compelling need to drive, such as to work or to take parents to a doctor.

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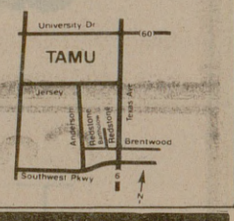

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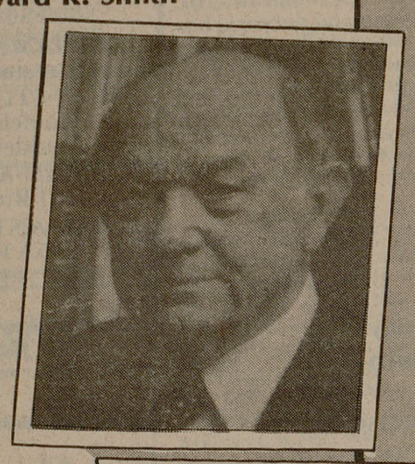

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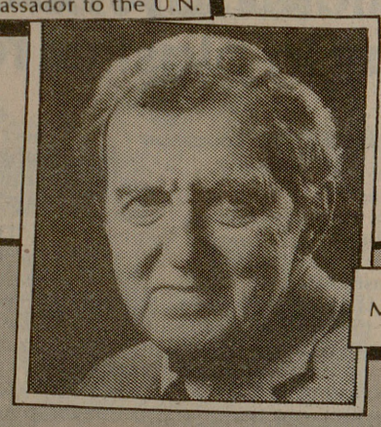

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