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### Mattox

(Continued from page 1)

Bell Telephone and the Attorney General's Offices in Arkansas, Kansas, Missouri and Oklahoma, is telemarketing fraud.

A pamphlet on telemarketing fraud and how customers can prevent it will go out in billings to approximately five million people in Texas, he said.

The Federal Trade Commission estimates that over \$1 billion will be lost to telemarketing fraud in the United States and millions will be lost in Texas alone.

Mattox said Texas is in the process of setting up a computer interlock and exchange program with the FTC, in which the 10 largest states with consumer offices will communicate complaints through the FTC.

Last year there were 1,000

complaints filed in Texas, and today there are about 50 companies under investigation, Mattox said.

Telemarketing fraud is not prohibited by state laws, Mattox said. For example, a company in California might be selling products in Texas.

Mattox said it was important to remember that if the deal sounds too good to be true, it probably is. He gave examples of a sports car that turned out to be nothing more than a blow-up raft with an "eggbeater for a motor," and luggage that turned out to be prefabricated trash bags.

Consumers need to report suspected cases of telemarketing fraud, he said, so action can be taken and others will not be deceived.

### Death Penalty

(Continued from page 1)

prove illegal discrimination in employment and unlawful racial bias in selecting criminal juries.

But Powell said death-sentencing decisions made by judges or juries are based on too many varying factors to let discriminatory intent be proved by statistics.

The ruling upheld the death sentence given Warren McCleskey, who is black, for the 1978 murder of a white Atlanta policeman.

McCleskey's hopes to avoid death had been pinned on a statistical study by a University of Iowa law professor, David Baldus.

In his study, Baldus examined every Georgia murder conviction from 1973 to 1978 and found that those who killed whites were 11 times more likely to receive the death penalty than were those who killed blacks.

Looking at the smaller number of cases in which the greatest prejudice was exercised in sentencing, Baldus found that killers of whites were four times more likely to receive death sentences.

Nationwide, about 95 percent of death row inmates killed whites, though blacks are more often victims of murder in this country.

"The Baldus study does not demonstrate a constitutionally significant risk of racial bias affecting Georgia capital-sentencing procedures," Powell wrote.

He said McCleskey would not prove "that the decision-making in his case acted with discriminatory purpose."

Powell was joined by Chief Justice William H. Rehnquist and Justices Byron R. White, Sandra Day O'Connor and Antonin Scalia.

### Fugitive surrenders following interview on live El Paso TV

EL PASO (AP) — A television station rebroadcast on Wednesday a live interview with a fugitive who surrendered to police after being allowed to appear on television the previous night.

Erich Beitzel, 24, called KVIA-TV Tuesday night and asked for a live interview, agreeing to surrender to police afterward. While on the air, he accused his wife, Michelle Beitzel, 22, of having an affair with a Silver City, N.M., police officer, whom he named.

He also said El Paso police were persecuting him because the Silver City officer had friends in the department.

El Paso police spokesman Lt. J.R. Grijalva said Wednesday the accusation is totally unfounded.

After the live interview, KVIA newscasters told viewers Beitzel had only expressed his own opinions, not those of the station.

Gary Warner, a KVIA news anchor and executive producer, made the decision to put Beitzel on live, said news director Dan Krieger, who called Warner an experienced journalist.

"We disclaimed it as quickly as we could afterward," Krieger said Wednesday. "I think he (Warner) made a good decision."

Warner said he was aware that Beitzel was making allegations of his wife having an affair, but he did not know what Beitzel was going to talk about in the live interview.

He said he thought Beitzel was going to say that police had the wrong person.

Krieger confirmed that the station on Wednesday morning rebroadcast the interview with Beitzel, deleting the name of the Silver City officer.

A telephone call to the Silver City police officer was not returned. The Beitzels' phone number is unlisted.

Beitzel was being held Wednesday at the El Paso County jail on \$6,441 bond on charges of aggravated assault on a peace officer and seven outstanding traffic citations, including driving without a license and instances of driving a vehicle without a license plate.

He is accused of pulling a gun when El Paso police Officer Christman responded to a report of a domestic dispute at the house shortly after 8 a.m. Tuesday.

"According to Mrs. Beitzel (Beitzel) was assaulting her front yard," said Grijalva. "We call from a neighbor."

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### School officials start campaign against Spanish

TORNILLO (AP) — School officials have asked parents to discipline their children if they are speaking Spanish at school as part of a campaign to improve grade-point averages, a superintendent said Wednesday.

"We're not out to start a war of controversy," Francis Brooks said. "The only thing we're looking for is help our kids do a little better."

Brooks said he mailed 100 letters on Wednesday, one to each child in the Tornillo Independent School District, asking parents to voluntarily sign a contract.

"If you sign and return it, you are saying that you will discipline your child if we report her for speaking Spanish at school," the letter says in part. "If you don't sign, nothing will be done."

The letters, in Spanish and English, say the campaign is aimed to improve test scores and the English-speaking ability of students.

Tornillo students generally score below state and national standardized tests in reading and language skills, the school district teaches English as a second language but cannot offer specialized bilingual education classes, Brooks said.

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### Lightning Whelk designated as Texas' official seashell

AUSTIN (AP) — With a lustrous white Lightning Whelk next to him, Gov. Bill Clements signed a resolution Wednesday designating the shell as the state seashell.

"I've never seen one this large," said Clements when he was presented with the shell.

The sample was found off the Texas Gulf Coast, said Mildred Tate, curator of the Brazosport Museum of Natural Sciences.

Museum officials asked Sen. Buster Brown, R-Lake Jackson, and Rep. John Willy, R-Angleton, to sponsor the resolution.

State officials hope the shell will promote tourism and draw more tourists to the coast.

The shell, named for its distinctive stripes on the outside, is a few that opens on the left side, found only on the Gulf of Mexico, appears on U.S. postage stamps.

The governor also signed a resolution designating May 15 every year as Lightning Whelk Day.

The proclamation designates each May 15 as a special day for law officers who died in the line of duty.



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