

# Brownsville mayor gets light sentence for perjury

BROWNSVILLE (AP) — Mayor Emilio Hernandez received the lightest possible sentence on an aggravated perjury conviction Monday after he testified that his legal problems had ruined his used-car business.

Hernandez, 56, was found guilty Thursday of lying under oath before a grand jury during a probe of alleged city government corruption.

He was sentenced to two years' probation and not fined.

The mayor said that since he came under investigation last year by the Texas Rangers and Cameron County Attorney's office, his automobile and real estate businesses have suffered.

"For the past eight months, I don't think

I've sold more than five cars out of my lot," Hernandez said.

Hernandez said before the sentence was announced, he accepted the jury's guilty verdict.

"But I would like them to consider giving me probation so I could continue on with my life," he said.

He appeared relieved after receiving the probated sentence, but declined comment.

Special prosecutor Sharon MacRae said she recommended the probated sentence because of the mayor's clean record and history of community service.

"I don't feel that this is a case where any ends of justice would necessarily be served by sending this man to prison," MacRae

told the jury during the sentencing hearing.

Hernandez faced up to 10 years in prison and a \$5,000 fine on the felony conviction.

Defense attorney Rey Cantu said he plans to appeal the conviction.

An attorney with the Elections Division of the secretary of state's office in Austin said the mayor apparently can remain in office until all appeals have been exhausted.

Hernandez has not filed for re-election in Brownsville's Nov. 3 mayor's race.

Cantu successfully fought prosecutors' efforts to move the perjury trial and a bribery trial still pending against the mayor to another county.

MacRae had contended the state could not get a fair trial because of Hernandez's

influence in Cameron County.

Hernandez testified Monday that his finances were much better before he was elected mayor in 1979.

"I've neglected my business by taking care of the city, but that's a commitment I made," Hernandez said in the first time he testified during the trial.

He said he wanted to take the stand earlier, but his attorneys advised against it.

Hernandez was charged with perjury after he voluntarily testified before the grand jury in its probe of alleged bribery in city contracting and other allegations.

The jury found that he lied under oath by telling investigators that he did not personally pay for billboards used in the unsuccessful 1985 re-election campaign of former City Commissioner Jesse Sloss.

His case suffered when defense witness Hortencia Sloss, wife of the former commissioner, testified that Hernandez told her to put the wrong names in a campaign finance report after he lost the list of contributors for the advertising.

Sloss said she filed the incorrect report because she was in a hurry to meet the report's filing deadline after the 1985 election.

Hernandez was listed in the report as one of four people who gave \$985 for the billboards, but testified before the grand jury that he gave no more than \$200.

He said Monday that he never told Sloss to falsify the report, but had forgotten to tell her the name of one more person who had helped raise money for the advertising.

# Former director enrolls nursing-home residents in school

CORSICANA (AP) — A former nursing home activity director said she enrolled residents in Navarro College course without their knowledge and said other homes may have done the same.

"I feel ashamed," Alice Bell, who worked for several nursing homes in Navarro and Ellis counties, told the *Corsicana Daily Sun*.

"We had to have 15 people signed up or the classes wouldn't meet," she said.

Bell said some of the residents were too confused to understand they were being enrolled in college.

Bell said she didn't realize what they were doing was wrong.

Meanwhile, the Texas Higher Education Coordinating Board began its investigation Monday into the allegations that nursing home residents in those counties were enrolled in college courses without their knowledge.

Dale Campbell, commissioner of Junior Colleges and Technical Institutes, said state auditors also are planning to visit Navarro College and begin their investigation later this week.

About 13 Ellis and Navarro

county nursing homes are believed to have enrolled residents in courses to be held in the homes, officials said.

The homes were then to receive a fee for the use of their buildings.

College fiscal records show the nursing homes paid the tuition.

The nursing homes also were paid a building fee that left them a profit.

Waxahachie's Renfro Nursing Home, where the practice was first discovered, paid \$800 tuition and

received a \$965 building-use fee for the fall semester of 1984, said Darrell Raines, vice president for finance at Navarro College.

Other nursing homes made over \$1,500 for one semester of classes, he said.

College administrator Dale Moe, says the nursing home program was his idea.

Bell says Moe recruited nursing home activity directors who were likely to offer the program.

The activity directors participated in the program because it

would allow them to fulfill state regulations which require that activities be offered every morning and afternoon in the home, Bell said.

"All we were told was that we had to get their name, address and social security number," Bell said.

"The resident's physical or mental condition was never mentioned," she said. "I thought everybody in the nursing home was eligible."

She said she is furious at college officials who have blamed the problems in the program on nursing

home activity directors and instructors.

Navarro College had 680 people over age 51 enrolled in the fall semester of 1984.

The number of people over 51 fell to 60 in 1985 when the program was eliminated.

"We always looked on them as activities, not college courses," Bell said.

"When it was going on I was thrilled, but now I am so ashamed," she said. "I want to just sit down and cry."

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