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# Referendum issue illegal secretary of state rules

EL PASO (AP) — Last month's referendum on police pay was illegal, and if the city's voters had approved the 7.5 percent raise, it could have been overturned in court, the secretary of state ruled.

The May 7 referendum, which was defeated by a 2-to-1 margin, cost the city \$44,828. The El Paso Municipal Police Officers Association spent \$60,000 in its campaign to persuade voters to approve the raise.

In a June 1 letter to the city, Secretary of State Jack Rains wrote that El Paso does not have authority to call a referendum election, either under the city charter or state law.

The city called the election after

City Council and the police association refused to compromise on the size of the pay raise. The city's contract with the police association said that if the two sides reached such an impasse, the issue would go to referendum.

But Rains said the city's charter and state law have no provisions for referendum elections, so the contract clause was insufficient for calling for a vote on the pay issue.

Mayor Jonathan Rogers offered police a 2 percent raise and police demanded a 7.5 percent raise. The bitterly contested referendum — in which both sides resorted to name-calling — was a yes-or-no vote on

whether police should get a 7.5 percent raise.

Rogers had said the 7.5 percent raise would have required a 13 percent property tax increase. After the referendum, he said he would have considered resigning had the issue passed, prompting some letter-writers to the city's newspapers to say they would have voted for the pay raise had they known.

Police association President Eddie Cavazos said, "This could be the end of it all, or it could mean we have to look for other means to get a pay raise. The city and our attorney thought the election was legal at the time."

# French woman claims lost boy as grandson

PARIS (AP) — A French woman has told officials in Paris she is the grandmother of a deaf boy who is American and Mexican authorities have been trying to identify more than six months, the U.S. bassy said Wednesday.

Christopher English, chief of consular services at the embassy, said he was contacted Tuesday by a woman from Normandy who published a picture of the boy on the television news and recognized him.

"She called and said she was the grandmother," English said.

Authorities found the brown-haired boy, named Santiago, his Mexican guardians, near Juarez, Mexico, in November.

English said the French woman who asked him not to release the boy's name until the child's identity was confirmed, provided the address and telephone number for her son, who lives in El Paso, not far from where the boy was found.

She said she had not spoken to her son for several months. Her telephone apparently was disconnected, English said.

English said he called the FBI in El Paso to check out the address Wednesday and found out the boy had moved in August 1987. He had also left the second address without leaving a forwarder.

The woman's daughter, who lives in Paris, also recognized the boy from pictures on the news. He said the daughter gave him snapshots of the boy to the bassy Wednesday which were forwarded to the FBI.

# Overcrowded prisons cost Travis County's taxpayers

AUSTIN (AP) — The backlog of convicted felons created by overcrowded state prisons is costing Travis County taxpayers about \$11,000 a day, County Attorney Ken Oden says.

County commissioners were told Tuesday they must come up with another \$78,000 to lease other counties' jail space to house the Travis County overflow.

The commissioners were expected to direct Oden and Sheriff Doane Bailey to press Gov. Bill Clements' office for a long-awaited plan to ease the prison and jail crowding problems.

Oden said that unless the governor's proposal alleviates the problem, "I think we are going to be in open conflict with the governor. I hope that it doesn't happen. I wish I saw signals that would make me more optimistic."

Inmates who have been sentenced to state prison cannot be sent there because there is no room in the existing facilities of the Texas Department of Corrections.

Officials said that means Travis County taxpayers are footing the bill for housing, feeding and guarding prisoners who normally would be in state prisons.

Oden said there are about 250 state prisoners whose incarceration is now being paid by Travis County.

"We will be making extremely poor policy decisions if we just look at this as how much money do we need to build new prisons," Oden said. "This kind of crisis may force people to come together with a comprehensive plan which includes alternative medium- and minimum-security facilities."

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