

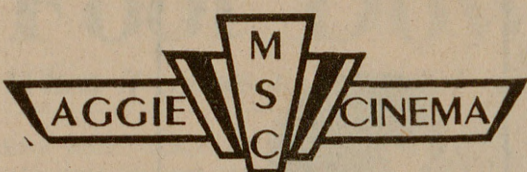
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presents

### Dr. Lenora Fulani Progressive Independent Candidate

First African American woman  
candidate on ballot in all 50 states

Wednesday, October 5\*

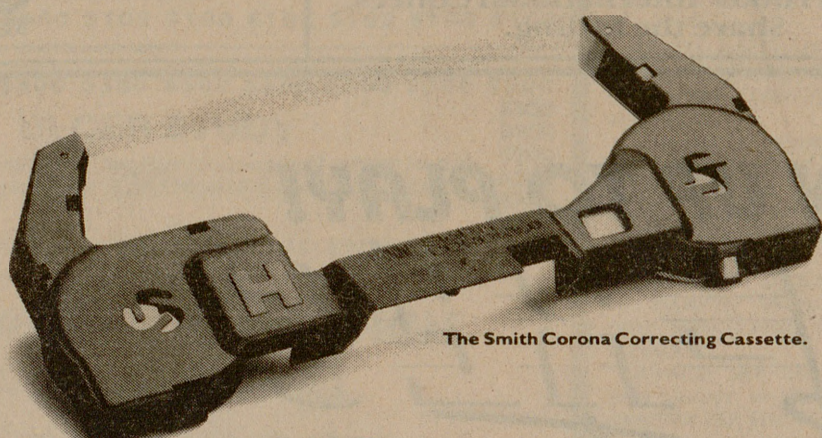
8:30 pm

701 Rudder

Free Admission

\* Note the date and room have been changed.

This program is presented for educational purposes, and does not constitute an endorsement for any speaker.



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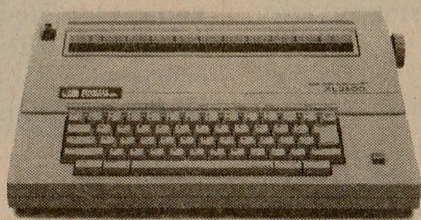
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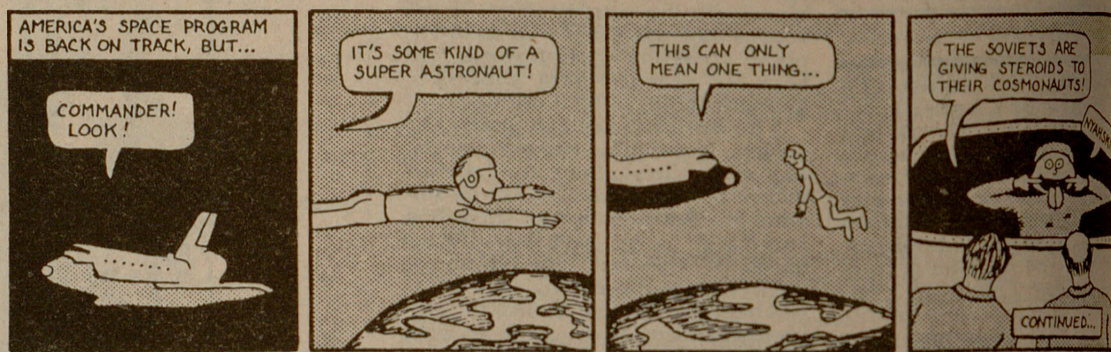
## Warped

by Scott McCullar



## Waldo

by Kevin Thomas



# U.S. Supreme Court to hear Texas death penalty cases

WASHINGTON (AP) — Among the most significant criminal cases that will come before the U.S. Supreme Court when it convenes for its 1988-89 session Monday will be two Texas death penalty appeals.

The justices will decide whether Texas can execute a mentally retarded murderer who has the reasoning capacity of a 7-year-old, and if a black man sentenced to die by an all-white jury was afforded due process of the law.

Johnny Paul Penry, described by his attorneys as an illiterate man with the mind of a 6- to 10-year-old was convicted of the October 1979 rape-murder of Pamela Carpenter of Livingston. Carpenter, who was stabbed with a pair of scissors and beaten, described her assailant before she died and Penry later confessed.

Penry's attorneys argue that executing the mentally retarded constitutes cruel and unusual punishment. They also argue that the Texas law does not permit juries to consider all mitigating evidence during the punishment phase of the trial, such as the fact Penry often was beaten severely as a child by his mother.

But Assistant Texas Attorney General Charles Palmer said safeguards are currently in force to prevent the execution of the insane or

those who do not understand the charges against them. Penry, he said, passes all the current tests designed to protect those who have some mental disease or defect.

Meanwhile, attorneys for Phillip Tompkins are challenging the requirement to sentence a capital murderer to death or life in prison without considering lesser offenses as unconstitutional.

Tompkins was sentenced to die for the January 1981 robbery and suffocation of Mary Berry, 24, a pharmacist at a Houston hospital. Tompkins' attorney argues that his client intended only to quiet the woman, not to kill her. Thus, the jury should have been allowed to consider involuntary manslaughter or criminally negligent homicide charges.

In addition, Tompkins' attorney argues that three blacks were struck from the jury for racial reasons, a charge denied by the prosecutors and rejected by the Texas Court of Criminal Appeals.

If the high court overturns Texas law in either case, it could have national ramifications in capital cases, attorneys said.

Among other Texas cases to be considered by the high court during

the session are a church-state relations case prompted by the Legislature granting tax exemption for religious periodicals; an abortion rights case sparked by a Texas anti-abortion group which claims constitutional rights to due process were violated when the group was ordered to limit its picketing of a clinic.

Still other Texas cases to be considered include the highly publicized removal of South Oak Cliff's basketball coach, Dallas' attempts to regulate juveniles' access to adult bookstores and the first cases stemming from the state's banking crisis.

Two non-Texas cases could have significant impact on the Lone Star State. In one, the justices agreed to decide whether a state prohibited from taxing income earned from oil and gas extraction on the outer continental shelf, a decision that could mean millions of dollars to the state treasury. Another involves a Louisiana case seeking to extend the Voting Rights Act to special elections, which could restrict the way judges are elected in Texas by requiring single-member districts for judges.

# Some small telephone companies don't require PUC rate approval

HOUSTON (AP) — Although most small telephone companies are twice as profitable as the big companies, some have never had to appear before the Public Utility Commission for rate approval.

Southwestern Bell spends millions of dollars to win new rates from the PUC, but it is the small companies that sometimes stand to gain the most from the increases, the *Houston Chronicle* reported Sunday.

Before the PUC was created in 1975, the small companies were regulated by local government and their profit margins were regulated by state law. Today, the commission allows the 60 small companies in the state to live in the regulatory shadow of Southwestern Bell, charging the same rates even though they may have different costs and overhead.

The *Chronicle's* review of the 1987 financial statements of 17 small Texas telephone companies shows that light regulation has helped many a company provide lucrative returns for the family or investors who own it.

Of those 17 small companies, 15 showed profit margins of from 18 percent to 38 percent. By comparison, the 10 largest U.S. telephone companies earned just less than 10

percent last year. "The small, privately owned companies have been able to do extremely well," Tim Raven of the Texas Telephone Association said. "But how do you define too profitable?"

Most of the small companies declined to list salaries in their required annual financial statement to the PUC. But some of the companies that did showed that a job with a family-owned phone company can be very profitable.

Fort Bend Telephone paid \$503,596 in salaries and other compensation to five members of the family that owns the company in 1986, including \$238,620 to its president.

Over the last four years, Fort Bend Telephone has paid out \$579,000 in stock dividends to owners of the company.

Lake Dallas Telephone Co., which serves about 4,100 customers near Dallas, paid its two top managers \$99,596 each last year, an expense that comes to \$50 per customer.

The president of Contel of Texas, the third-largest phone company in Texas with 157,000 customers,

earned \$160,930 last year.

Some small telephone companies pay out significant stock dividends. San Marcos Telephone Co. paid \$7.3 million in dividends last year while it brought in \$15.7 million in operating revenues.

Telephone companies often spread money around the community, writing checks to a wide range of civic causes. But some spend considerably more on company perks.

United Telephone of Texas, which serves about 103,000 customers in the Tyler area, spent \$200,000 on civic causes such as 4-H and YMCA, while it spent \$37,000 a year on country club memberships and various chamber of commerce dues, including \$5,621 for a membership in Hollytree Country Club and 15 other private clubs.

Telephone companies with off-town owners send profits to parent company. Central Telephone of Texas, which serves about 117,000 customers in the Dallas area, sent \$17 million of the \$20 million it made last year to Contel Corp.

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