

# State/Local

## Woman shot by spouse filed secretly for divorce, records say

HOUSTON (AP) — A woman whose husband fatally shot her and their teen-age daughter before killing himself had secretly filed for divorce last month, court records show.

After killing his wife of 25 years and their 14-year-old daughter, Jeffrey Nichols, 49, a highly paid Houston executive, shot himself Saturday.

The mystery of why a \$276,213-a-year investment manager would kill his wife and daughter in their home was slowly being untangled Monday as law enforcement officials reviewed police records and friends

belatedly saw warning signs.

Barbara Nichols, 45, had filed for divorce Dec. 16 with a petition stating the routine reason of "discord or conflict of personalities." But at her request, her husband had never been officially notified by the courts or served with her divorce petition. Before that, the couple had separated and reconciled several times.

"I'm not sure he ever knew a suit had been filed, unless she told him, and I don't think she did," Mrs. Nichols' attorney Jeffrey Uzick said.

Mrs. Nichols suffered the battered wife syndrome mostly in des-

perate silence for at least 10 years, including the partial severing of her left ear when her intoxicated and enraged husband attacked her with a knife in their home in April, attorneys and police records indicated.

But whether she stayed with her husband for religious convictions, to provide a home for their daughter, Lisa, or for financial stability, she asked a Harris County grand jury to drop the assault charge against him in May because the family was receiving counseling through their church.

"He killed her about 10 years ago," a physician and confidant of Mrs. Nichols said. "He just waited until a few days ago to finish it."

"She stayed with him because she believed that's what she was supposed to do. But when he realized his threats were not going to work anymore, he ended it," the physician said, explaining that recent counseling had increased Mrs. Nichols' self-esteem and decreased her emotional dependency on her husband.

Uzick said Mrs. Nichols was a battered wife who was fearful of leaving her husband.

## Jury reviews death of Freon-sniffer

LAKE JACKSON (AP) — The Freon-sniffing death of a 17-year-old honor student is being reviewed by a Brazoria County grand jury to determine whether criminal charges can be filed against a group of teenagers who provided the gas at a recent party.

While state law makes the sniffing of glue and spray paint a misdemeanor, Freon abuse has not been made illegal, said District Attorney Jim Mapel, who plans to take the case before a grand jury next month.

The grand jury decision on whether to indict any of the teenagers would depend on investigators' findings concerning their actions at the party and what led to the Dec. 18

death of Ms. Lee Franke Cammack, Mapel said Monday.

Except for a 15-year-old, the teenagers were 17 and 18 and could be tried as adults under state law.

Officers said Cammack, who was an honor student and member of Brazoswood High School's Just Say No (to drugs) program, and six other teen-agers had inhaled Freon in a Lake Jackson motel room Dec. 17. She died a hospital the next day.

A preliminary autopsy report attributed her death to sniffing the Freon, Justice of the Peace Roy Knopp said.

Freon is used as a refrigerant and aerosol propellant.

## Report: Dropouts cost state billions in their lifetimes

AUSTIN (AP) — Each "class" of school dropouts costs Texas \$17.12 billion over their lifetimes, a special committee reported to the Legislature Tuesday.

The committee considers the dropout problem more than just a school problem.

"It is a parental problem and it is a community problem," Rep. Ernestine Glossbrenner, D-Alice, said.

Glossbrenner is the co-chair of the Joint Special Interim Committee on High School Dropouts.

Dropout costs include tax revenue lost and indirect expenses, such as welfare and incarceration, Richard Hamner said.

Hamner is the legislative director for Sen. Gonzalo Barrientos, a Democrat from Austin and co-chair of the committee.

Almost 90 percent of the Texas prison population dropped out of school, the committee report said.

The report also said that two-thirds of Aid to Families with Dependent Children payments are made to people who failed to finish high school.

Over the lifetime of the 1985-86 dropout class — students who were to have been graduated that year but left school before then — losses in tax revenue average approximately \$60,000 per dropout, the committee said in its report to the 71st Legislature.

Among the committee's recommendations is a proposal to allow some students to make up unexcused absences of longer than the five days now allowed under the law.

The 1984 education reform

law made it mandatory that students who had more than five days of unexcused absences not be given credit for a class.

Rules and local plans should be tailored to at-risk students, the proposal said, and "not be a loophole to permit excessive non-consecutive absences."

"While this (five-absence rule) is an effort to keep students from missing excessive amounts of school, it also acts as a barrier to prevent those students who have temporarily withdrawn from school to return," the committee said.

Among other recommendations:

- School districts with large numbers of students from low socioeconomic populations should provide alternative education programs for pregnant and parenting school-age students.
- Alternative programs would include daycare for children of students who are parents.
- Every school should develop and maintain a campus-based parent involvement program.
- Districts should establish a school-based program to provide care before and after school for pre-kindergarten, kindergarten and elementary grade school children.
- Three-year-olds whose family income is below poverty level or who are otherwise potentially disadvantaged should be eligible to enroll in a two-year pre-kindergarten program.

The current limit is 4 years of age.

## Child-welfare worker fired after boy's death

EL PASO (AP) — The state Department of Human Services has fired a child-welfare supervisor who did not investigate a child-abuse report on a 2-year-old boy who later was beaten to death because he spit up his food, an official said.

The supervisor was the first in the agency's child protective services division to be fired in at least eight years, Joe Tarin, DHS regional administrator, said.

Tarin said the supervisor, Ernesto Gonzalez, should have assigned an investigator to the case.

Andres Avalos died Dec. 17 of injuries he suffered from a beating. His stepfather, Jesus Alvarez, 24, is in El Paso County's jail without bail on a murder charge. The boy's mother, Linda Alvarez, 22, is in jail

in lieu of \$50,000 bail on a charge of endangering a child. She is accused of watching Alvarez beat Andres and not doing anything to stop him.

The boy died less than three weeks after the boy's father, Jesus Ricardo Avalos Sr., called the child-protection agency to report that he believed Alvarez was beating Andres.

But Avalos and the Alvarezes were involved in a custody dispute over Andres and his 5-year-old brother, Jesus Jr.

When Avalos called Gonzalez Nov. 28 to report that he thought Andres was being beaten, Gonzalez wrote on the report, "custody dispute" and closed the case, according to court testimony during a custody hearing for the 5-year-old.

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