# **The Battalion STATE & LOCAL**

Wednesday, June 7, 1989

# **Bill cuts inmates' plastic surgery**

# Legislature enforces prohibition of unnecessary improvements

mates is being halted at the University of Texas Medical Branch two ears after the state Legislature proibited the practice, officials said.

Dr. Alvin L. LeBlanc, vice presient for hospital affairs, said he was anaware of the prohibition until ontacted by the Houston Chronicle, out Jim Lynaugh, executive director of the Texas Department of Correc-

tions, said he knew the law. A rider to the 1987 prison appro-priations bill, included again in the appropriations bill passed this year, rohibits expenditure of state funds or cosmetic surgery on prisoners unless they are disfigured and suffer sychological problems because of it. "It is our intent to limit down so

GALVESTON (AP) — Purely cos-netic surgery on state prison in-everybody," LeBlanc said. "We are Charles Terrell, chairm going to try to please the Legislature, I can tell you that.'

Lynaugh said prison officials "definitely were aware of that rider and have not violated it.'

"When my inmates check into that hospital, I have no control of any-thing except security," he said. "I don't control any medical practices in that hospital.'

Medical branch surgeons have performed at least 123 elective cosmetic surgeries on inmates since the beginning of 1988, according to a partial list released under the Texas Open Records act.

Although the prison system is not charged for the services, they are mostly tax-funded because the mediCharles Terrell, chairman of the

prison board, said Rider Scott, general counsel to Gov. Bill Clements, had asked him to look into the prac-

It is our. . .(intent to) stay out of trouble with

everybody. We are going to

try to please the Legislature, I can tell you

that.' - Alvin LeBlanc,

hospital administrator

tice after Clements received letters from citizens critical of the tax-supported inmate surgeries.

Under the prison's agreement with the medical branch on operation of the 120-bed prison hospital in Galveston, the prison system only pays for security officers.

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\$50 to participate.

Terrell said he called the branch and asked that purely cosmetic surgery on inmates be stopped. "I simply asked the medical school

that any operations performed were very necessary or it was the com-bined decision of TDC personnel that it was essential to a person's re-habilitation," he said. "The medical school assured us that they were tightening up things." A prison policy that took effect

April 28 requires cosmetic surgery recommendations be approved by Dr. Charles Alexander, deputy director for medical services in the prison system

# Court-ordered study finds improvements still needed at schools for retarded in Texas

DALLAS (AP) — A court-ordered study ound that Texas has not lived up to promises to mprove conditions at its 13 state schools for the etarded.

The state agreed to make sweeping changes after the Texas Department of Mental Health and Mental Retardation was found in contempt of court two years ago.

But in the first court-ordered evaluation of ompliance with a settlement in the class-action suit, court-appointed expert consultant Dr. Linda O'Neall said Monday the state had not complied with the agreement in the area of staff raining.

"The state is out of compliance in the compre-nensive competency of its staff," O'Neall told the Dallas Morning News.

"They have not met the implementation

agreement" by repeatedly refusing to improve training, she said.

O'Neall also found that the state had only partially complied with mandates on "addressing medical services, behavior treatment programs and resident abuse, neglect and injury

The report was filed Monday in the court of U.S. District Judge Barefoot Sanders, who will rule on whether to accept the findings.

O'Neall's report recommends that the state train employees in the prevention and reporting of abuse and neglect. The plaintiff's attorney, David Ferleger, said

the report could land the state back in court. "Unless the state shows a serious commitment

to an immense alteration in its operations, we are likely to be back in court on contempt again," Ferleger said.

Assistant Attorney General Dona Hamilton disagreed.

'I don't think it's a terrible report," she said. 'She (Dr. O'Neall) has recommended some corrective action that we'll consider.

Hamilton disputed O'Neall's findings on staff training.

"The defendants don't think they're out of compliance," Hamilton said. After the 1987 contempt hearing, Judge Sand-

ers ruled the staff was poorly screened and that the professional staff wasn't adequately trained, resulting in inadequate training of direct care staff.

Ferleger also had words of criticism for the recommendations, saying O'Neall, a Florida so-ciologist, "really let them off the hook by giving them a very easy standard to meet.

# Jury sentences 19-year-old to death by injection

DALLAS (AP) — A Dallas County ury has sentenced a 19-year-old man to death for the slaying of a narcotics officer who was shot seven times during an undercover drug deal last December.

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Javier Suarez Medina stood and listened impassively to state District Judge Larry Baraka's pronounce-

All I know is it's not going to happen . . . It's not going to happen. Laura Salazar,

## Medina's girlfriend

ment that he be "taken and put to death by lethal injection. The death sentence was automat-

ically appealed Monday to the Texas

capped the police department's deadliest year in which five officers were slain in the line of duty. Cadena, 43, was a 17-year veteran

of the department. 'Justice was done," Cadena's son, 21-year-old Larry Cadena Jr., said. "For all his crimes, justice was done." Medina's girlfriend, Laura Sala-zar, 16, said angrily after the verdict, "All I know is it's not going to hap-

pen. . . it's not going to happen." Medina was charged under a pro-

vision of the capital-murder statute that allows prosecutors to seek the death penalty if the defendant committed another crime while committing a murder.

The jury deliberated for two hours before finding that Medinaacted deliberately in shooting Cadena seven times and would be a Medina, who had no previous threat to society, even though he had Leon. criminal record, was convicted two weeks ago of killing officer Larry After the verdict, defense attor-County Jail in lieu of \$30,000 bond, ney E. Brice Cunningham said his which was increased from \$20,000.

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could play a role in the appeal. "I could not see where the state

that he would commit criminal acts bery had threatened him and his

During the trial, Medina testified

of violence that would constitute a family if he did not participate.

## Accused killers of shrimper face new charges of murder

GALVESTON(AP) —Charges against three men accused of dousing a Vietnamese shrimper in gasoline and then setting him ablaze were upgraded to murder following the victim's death.

Charged with murder Monday in the death of Tay Tran were Giang Minh Ho, 33; Rua Van Le, 32; and

Arrests warrants also were issued Monday for two other men. a Galveston County Sheriff's Department spokesman said.

Tran, 39, who was torched in his San Leon trailer home May 28, died Saturday at the University of Texas

Medical Branch Hospital. He had second- and third-degree



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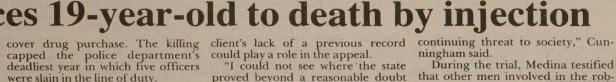
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FOR FURTHER INFORMATION



Court of Criminal Appeals. Cadena on Dec. 13 during an underVan Hung Truong, 28, all of San burns over 98 percent of his body.

They remain in the Galveston ongoing feud between Tran and another Vietnamese man.

Authorities believe the attack on Tran may have been the result of an

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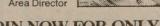
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### It's no joke.

Changes in some employee benefit programs could cost you your freedom of choice in dental care.

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These programs go by different names and impose different limits. But they all share one thing in common: the focus is on money, not health. Remember this: No plan that restricts your family's access to the dental care they need is likely to be in your best interest

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