

Wednesday, April 18, 1990

Witness: Officer showed no I.D., punched victim

DALLAS (AP) — A Houston police officer accused of killing a woman on the side of a freeway never showed his identification and punched the woman in the face before the two exchanged gunfire, a witness testified Tuesday.

"In the early morning hours of All Hallows Eve, Ida Delaney ... came upon every woman's nightmare. She was confronted on the freeway by a number of unknown occupants."

— Don Smyth, district attorney

The woman had been shooting at them during the chase. "I didn't believe they were cops," Garcia said. He said one of them produced an identification card, but no badge, and said he doubted they were really officers.

just hit her ... like she was a guy — real hard."

Garcia said Delaney turned to grab something after being struck, and stepped out of her truck brandishing a handgun. He said Delaney fired the first shot, and Gonzales returned fire while falling to the pavement.

Smyth said Gonzales fired eight shots and four struck Delaney.

Garcia's testimony was contradicted by Ed Porter, a Harris County assistant prosecutor, who said he took Garcia's statement shortly after the incident.

Porter testified that Garcia said previously that Gonzalez struck Delaney after she turned to grab something from the truck.

In cross-examination, defense attorney Joe Bailey questioned whether Delaney was unarmed when she first got out of the truck.

Bailey said Garcia initially told police he couldn't tell if Delaney had anything in her hands when she first approached the maintenance workers.

Ouch!



Photo by Scott D. Weaver

Ellen Hall, a junior, grimaces as she gives blood. Bloodmobiles will be set up in front of the Tuesday during the Spring 1990 Wadley Blood Drive. Bloodmobiles will be set up in front of the Tuesday during the Spring 1990 Wadley Blood Academic Building and the Commons this week.

TABC proposes rules restricting happy hour excess

AUSTIN (AP) — The Texas Alcoholic Beverage Commission, which has been criticized recently for lax liquor enforcement, has proposed new rules that would ban ladies' night, 2-for-1 discounts and all-you-can-drink deals.

Darnall said increasing pressure from those groups did not affect the timing of the new proposed rules.

Representatives of those groups had cautious praise for the TABC plan. "We're going to take a real hard look at the proposals," Kirk Brown, state chairman of MADD, said.

"Often they sound pretty good, but they turn out to be full of loopholes," he said.

Darnall said 5,000 mixed-drink establishments and 10,000 beer and wine outlets would be affected by the new rules if they are approved by the three-member commission.

He said neither the alcohol industry nor the citizens groups would be pleased with the proposals. "The businesses may not be happy with any restrictions, and the groups won't think they're strong enough," Darnall said.

A public hearing on the proposals has been scheduled May 3.

"These rules are pretty strong — aimed at cutting out the excesses during happy hour without banning happy hours altogether," TABC general counsel Joe Darnall said.

Additionally, the proposal would prohibit clubs and taverns from touting drink prices or brand names on signs or banners outside their businesses, the Austin American-Statesman reported Monday.

The recommendations come just weeks after the TABC rejected 15 new rules governing happy hours and bar promotions that were offered by Texans for Responsible Alcohol Consumption, state parent-teachers groups and Mothers Against Drunk

Violence signals gang warfare in Austin

AUSTIN (AP) — Police say an Easter Sunday outbreak of violence, in which six people were shot including a 14-year-old bystander, may signal the start of gang warfare in Austin.

The death of Chris Lamont Dean, 14, and the wounding of five gang members in a separate incident was the worst outbreak of local gang violence in recent memory, police said.

"If we don't come in there and put a stop to this, there's going to be a lot more shootings," Officer Robert Martinez said.

Dean apparently was a bystander in a crowd that gathered to watch a fight between members of two rival gangs early Sunday in an alley behind

East Sixth Street, the city's nightclub district. "The indication is that he was in the wrong place at the wrong time," said homicide Sgt. Mike Huckabay.

Sunday night, five people were shot during a confrontation between members of two other Austin gangs at Festival Beach Park on Town Lake.

Five suspects have been arrested, but none had been charged in the shootings Tuesday, said police spokeswoman Gail Phillips. None of the five shooting victims received life-threatening injuries.

Witnesses to the park shootings said members of one gang were destroying vehicles belonging to members of the rival gang with bats, pipes and crow bars. Dozens of shots were fired when gang members started shooting, witnesses said.

The Festival Beach fight was a continuation of gang rivalry for dominance of the park that has been going on for years, police said.

The shootings also marked the end of a fragile truce negotiated by police and gang leaders over the past year. A key point of the truce was open access to Festival Beach Park, officers said.

House tentatively approves budget cuts

AUSTIN (AP) — The Texas House tentatively approved \$114.4 million in budget cuts Tuesday to provide more state aid for schools and moved toward a showdown with Gov. Bill Clements over his no-new-taxes pledge.

Plan could provide school funds

Clements, predicting that a half-cent sales tax hike endorsed by a House committee Tuesday wouldn't pass, said laying off state government workers is one way more money could be raised to meet a court order to reform the school finance system.

"There's been an unusual amount of employee growth, so we're going

to take a hard look at that," Clements said. He complained that House budget cutting fell short of what he thought could be trimmed.

But Rep. James Hury, chairman of the tax-writing House Ways and Means Committee, called the layoff suggestion "unfair and unkind."

Hury's committee voted 8-3 to send the full House a bill to raise the state sales tax from 6 cents to 6.5 cents on the dollar.

That increase would raise \$480 million to \$600 million the first year,

depending on when it takes effect, Hury said.

"I think that we will pass this revenue-raiser and, joined with the cuts, that we will send it to the governor," Hury, D-Galveston, said. "I think the House is just trying to find a way to pay for what we passed."

The bill could be considered by the 150-member House later this week. Hury said he didn't know whether 100 members would support it, the number required to override the veto Clements has vowed

for any tax increase. The House has approved a school reform bill that would cost \$450 million in 1990-91. The Senate went further, approving a \$1.2 billion measure.

A House-Senate conference committee is trying to work out differences between the two, and House Speaker Gib Lewis said \$550 million is being considered as a compromise price tag.

Lewis, D-Fort Worth, said the House failed to find enough cuts to pay for the education bill.

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