Wednesday, December 5, 1990

The Battalion

# 'The cost of doing business' Vernon S&L fraud case ends after owner testifies

DALLAS (AP) — Testimony ended this morning in the six-week bank fraud trial of former Vernon Savings Association owner Don R.

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Dixon took the stand for a half-hour, again blaming employees for crimes of which he is accused and Ibert denying knowledge of any illegal activity at the failed thrift.

Prosecutors recalled one witness, former loan officer for Republic Bank who negotiated construction loans for Dixon's condominium pro-

Dixon has been charged with 38 counts of bank fraud, misapplication of funds, conspiracy and related rimes. After a month of testimony witnesses for the prosecution and handful of defense witnesses, Dixon took the stand Friday and finshed his testimony today.

Vernon's failure in 1987 is estinated to have cost taxpayers more than \$1.2 billion. It was one of the first costly collapses of the thrift cri-

Dixon, who earlier testified he lost

"I wouldn't have done it unless I thought there was opportunity there."

> - Don R. Dixon, former S&L owner

thrift, testified today he believed purchasing the S&L was a good business opportunity.

wouldn't have done it unless I thought there was opportunity there," he said.

The jury was expected to get the case after closing arguments Wednesday. If convicted on all counts, Dixon could be sentenced to up to 190 years in prison and fined as much as \$9.5 million.

Dixon was questioned Friday and most of Monday by his attorney, Billy Ravkind, before facing a federal prosecutor.

He explained to jurors why the thrift needed beach houses in California to entertain prospective clioney in the six years he owned the ents. One house near San Diego, de-

scribed in testimony by a former Vernon director as Dixon's own, served as a hotel and office for the growing thrift, Dixon said.

The home's lease was paid for in part by a Vernon borrower, developer Jim Atkinson, he said. Prosecu-tors said the scheme allowed Dixon to hide its expense from federal regulators. Dixon testified there were no written documents of the agreement for thrift regulators to inspect.

But he insisted the lease agreement with Atkinson was done so the developer could make money while repaying a loan. Dixon said, the "handshake" agreement allowed Atkinson to use the house and take a share of its sale proceeds.

He testified that some of the parties included women who were hired as escorts for guests, but Dixon said he did not know whether the escorts had been paid with Vernon funds.

He said it was not a "regular business practice" for Vernon to provide escorts at social functions and said the thrift never paid women for sex.

# **ORY AFL-CIO opposes** workers' comp law

AUSTIN (AP) — The Texas AFL-CIO has filed a lawsuit saying he new workers' compensation law, assed last year in a special session of he Legislature, is unconstitutional ecause it denies basic rights to vorkers.

Joe Gunn, president of the 215,000-member Texas AFL-CIO, said Tuesday, "The law is regressive, unitive and patently unfair to inured workers.

"A law that harms workers when it supposed to help them is a perveron of justice that we cannot - and ill not - allow.'

State officials defended the law, hich, barring court action, will take effect Jan. 1.

Gov. Bill Clements said, "It is clear he trial lawyers are trying to do in ourt what they could not accompl-sh in the Legislature — keep our ate in a stranglehold that is draing the Texas economy.'

George Chapman, executive di-ector of the Texas Workers' Comensation Commission, said, "This is great opportunity to serve injured vorkers throughout Texas." He said he was "disappointed" the lawsuit had been filed.

According to the lawsuit, the new orkers' compensation law will ower disability benefits to most inured workers, restrict an employee's ccess to court and discriminate

against Hispanics, because it reduces benefits for agricultural workers. The suit filed in Maverick County

asks the state district court to declare the law unconstitutional and prevent it from going into effect. The AFL-CIO, the state's largest

labor organization, is joined by three co-plaintiffs. They are Hector Gar-Jr. of Maverick County, who cia works for Eagle Pass Auto Electric Inc.; Francisco Samaniego, who is an agricultural worker from Webb County; and John Ira Fuller of Van Zandt County, who has been diagnosed as having an occupational dis-

A hearing on a temporary court order is set for Thursday in Eagle Pass.

The opponents do not want the entire workers' comp system dis-mantled, but they seek to keep current law in effect until the legal issues are settled.

Lawmakers passed the workers' compensation overhaul on Dec. 12, 1989, after two bruising special sessions pitted business interests against labor and attorneys representing injured workers.

The law was adopted under heavy pressure from the business lobby and from the state's top three officials - Clements, Lt. Gov. Bill Hobby and House Speaker Gib Lewis.

# Lawsuit claims sex common among retarded school residents

AUSTIN (AP) - Documents filed in federal court allege that sexual intercourse between mentally retarded residents of Lubbock State School is common and condoned by school officials, despite four pregnancies there in recent years.

State school officials contend a former employee's affidavit making the allegations contains many inaccuracies, an assistant state attorney general representing the Texas Department of Mental Health and Mental Retardation said.

The affidavit by Kathy Sescil Robinson was among documents filed with U.S. District Judge Barefoot Sanders of Dallas Monday by David Ferleger of Phila-

delphía. Ferleger represents hundreds of retarded state school residents in a class-action lawsuit alleging unconstitutional conditions in state schools.

State officials acknowledge that two retarded women became pregnant during sex with other resi-dents in 1989, the Austin American-Statesman reported Tuesday. But Lubbock State School never reported the two possible sexual assaults to police, accord-

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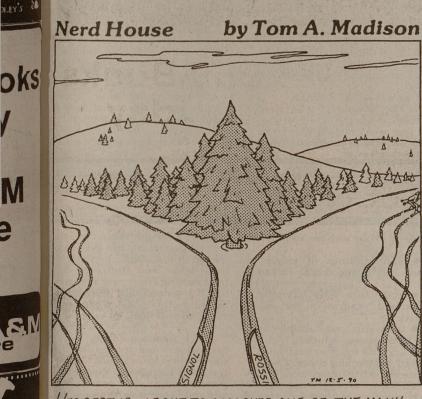
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ing to police records. A third Lubbock State School pregnancy now is under investi-gation by Lubbock police — the rape of a 33-year-old woman who so profoundly retarded she doesn't know she is eight months pregnant.

Details weren't immediately available on the fourth resident's

pregnancy. "I don't have any idea" why the two possible assaults were not reported to law officers, said Assistant Attorney General Toni Hunter, the American-Statesman reported.

Hunter told the Associated Press she couldn't immediately comment on the allegations. But she added, "The word I

have from the school is that there are a lot of inaccuracies in the woman's affidavit.'

School officials were working to pinpoint the alleged inaccuracies, Hunter said.

"We'll certainly review it carefully," said a spokeswoman for MHMR Commissioner Denny Jones, the American-Statesman reported.

A court-appointed attorney for one of the two retarded women who gave birth after having sex with other residents, said her client is so severely retarded she cannot consent to sexual relations.

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