

Prosecution rests Bryan man accused of Zip 'N robbery

By Timm Doolen
The Battalion

The state's case against a Bryan man accused of robbing a convenience store in March of 1990 was finished in one day with only one witness called by prosecuting attorneys Tuesday in the 272nd District Court.

The trial began Tuesday morning when the defendant, Lawrence Harris, 22, waived his right to a trial by jury, allowing the judge to decide the outcome of the case.

In the afternoon, the prosecutors presented their sole witness, Jack Sweet, 24, who was working during the robbery.

Sweet testified that in the early hours of Saturday, March 31, a man who had a cut on his chin entered the Zip 'N on the corner of William J. Bryan Parkway and Texas Avenue.

While Sweet was in the cooler, the man came up behind him, poked him in the side with an unidentified object and asked for the cash in his wallet, \$6.

Sweet said the man asked for change, left the store, came back, asked for change again and left again. He returned several minutes later and asked Sweet to get a six-pack of soft drinks from a walk-in cooler behind the counter of the store.

The robber then took about \$94 from the cash register and fled the scene.

Months later Sweet identified Harris as the robber, although defense lawyers contend Harris was not the man in the store.

After two hours of questioning by prosecuting and defense attorneys, Judge John Delaney asked the witness if there was any doubt in his mind if the defendant was the robber, and the witness replied no.

Harris has four prior felony convictions — three for burglary and one for delivery of a controlled substance.

Harris faces two to 20 years in prison if convicted. Harris' defense begins this morning.



Slide

Mike Hickey dives back into first base in the Southwest Conference Baseball Tournament against Texas Christian University.

SONDRA N. ROBBINS/The Battalion

Supreme Court denies death penalty appeal of cop killer

HUNTSVILLE (AP) — The U.S. Supreme Court on Tuesday upheld the conviction of a Dallas man sentenced to die later this week for the 1985 slaying of an Amarillo police officer.

Texas death row inmate Randall Wayne Hafdahl, 37, faces death by lethal injection before dawn Thursday.

Hafdahl was convicted in April 1986 for the shooting death of Sgt. James Delbert Mitchell Jr., 42, in Amarillo.

The Supreme Court rejected Hafdahl's appeal and affirmed the conviction, saying he received a fair trial and a proper sentence.

Texas Assistant Attorney General Bill Zapalac in Austin said Hafdahl still has an appeal with the Amarillo trial court and the state Court of Criminal Appeals.

Judges were expected to rule on those appeals late Tuesday or Wednesday.

Mitchell was on his way home after his shift on Nov. 11, 1985, when the officer saw a car cut in front of him and lose control, crossing a median and access road. The car then crashed into a fence.

Testimony revealed Mitchell stopped to see if anyone was hurt and saw Hafdahl attempting to flee. When the officer ordered Hafdahl to stop, witnesses said the former painter and mechanic opened fire, killing the officer.

Hafdahl argued in his appeal that he did not know Mitchell was an officer until after the shots were fired.

Hafdahl testified during the trial that he believed the officer was an angry driver who also was involved in the accident.

"All I seen was a gun and hand," Hafdahl said in trial testimony. "That's all I had seen. It scared me. I just had the wreck. I was pretty messed up. I had been drinking ... and we had taken some mushrooms ... I just thought that I had run someone off the road, and they was going to kill me."

Zapalac said that Hafdahl's attorney, Thomas G. Mattson of Minneapolis, has asked the court for at least 150 days to review the case. Mattson recently joined the case.

Gov. Richards supports bill restricting waste dumps

AUSTIN (AP) — New restrictions would be placed on building hazardous waste dumps under a bill welcomed by Gov. Ann Richards, but the measure got a cool reception Tuesday from two environmental groups.

Richards called the bill "progressive" after it was approved in the final hour of the legislative session, which ended Monday at midnight.

Rick Abraham, executive director of Texans United, said he hadn't fully analyzed the measure.

But he said, "From what we know, and what we see, we're very disappointed ... We ended up with much less than we needed."

Texans United has 70,000 members and works in communities that have toxic pollution problems, Abraham said.

"It may work. It may not," said Jim Marston, director of the Texas office of the Environmental Defense Fund.

Representatives from other groups that backed environmental legislation did not immediately return calls from the Associated Press.

The Texas Chemical Council, which represents about 90 chemical manufacturers, did not have an immediate comment on the bill, said Monte Janssen, a vice president of the group.

Chuck McDonald, a spokesman for the governor, said of the criticism, "It's unfortunate that some people feel that way about the bill. ... It is very strong legislation. It completely changes the way Texas makes decisions about hazardous waste disposal."

Richards praises legislative session

AUSTIN (AP) — Gov. Ann Richards and legislative leaders Tuesday hailed the accomplishments of their 1991 lawmaking session.

Richards, a former school teacher, gave lawmakers "an A-plus" — and high marks for herself, too.

"All in all for me, it has been a fantastic session," the governor said. "And I think it's been a good one for the people of Texas."

Both Lt. Gov. Bob Bullock

and House Speaker Gib Lewis praised the insurance, anti-crime, education and environmental bills that won passage before time ran out on the session Monday.

The three leaders, all Democrats, also touted the ethics reform bill, although details remained a bit fuzzy Tuesday about the measure that won passage only five minutes before the session ended at midnight.

"I take a lot of heart in having

passed what is really progressive ethics legislation, that we have passed a real beginning on quality education," Richards said. "I feel fabulous that we have passed the most progressive environmental bill that has ever been passed in this state ... that we have passed insurance reform."

State Republican Party officials weren't as enthusiastic, saying the governor and Legislature deserved a report card full of incompletes and failures.

"Gov. Ann Richards supported a statewide property tax, refused to rule out a Texas income tax, lost her push for a lottery, was totally absent on the issue of school finance and had to resort to last-minute threats to win approval of a watered-down ethics bill," GOP Chairman Fred Meyer said.

Meyer said the governor did deserve an "A" grade in two areas — "for enthusiasm and crafty public relations."

Legislature overwhelmingly adopts ethics bill

AUSTIN (AP) — Now that lawmakers have approved an ethics bill, the measure has to be written, officials said Tuesday.

The Legislature voted overwhelmingly to adopt the more than 100-page proposal, sight unseen, after marathon closed-door sessions produced a series of agreements between the House and Senate.

On Tuesday, legislative staff members were sculpting those deals into a final bill.

When the House-Senate conference committee on ethics met publicly Monday with less than one hour remaining in the regular session they did not discuss several major sticking points that lawmakers had earlier been unable to smooth over.

"I think everyone on both of these conference committees are pretty well acquainted with the issues," Rep. Pete Laney, D-Hale Center, the chief House negotiator, said. "Hopefully staff has written documentation."

But a public watchdog group criticized the frantic, secret maneuvering in the closing minutes.

"It's a particularly sad commentary on the Texas Legislature that they're asking the legislators to vote on something that they have not read that determines the conditions by which they will serve here and what they have to report," said Tom Smith, executive director of Public Citizen of Texas.

Gov. Ann Richards said if there the bill lacks "things that may be need addressing, we can do that when we come back this summer."

Richards has told lawmakers she will call a special session July 8 on the state budget deficit.

Under the ethics measure, voters will be asked Nov. 5 whether to amend the state constitution to create a state ethics commission, which would have the power to enforce the proposed standards for politicians and lobbyists. It would also recommend to voters whether lawmakers should get a pay raise.

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Ceremony officially breaks ground for \$70 million NASA visitors center

HOUSTON (AP) — Top elected state officials and directors of the nation's space program broke ground Tuesday for Space Center Houston, a new \$70 million visitors center at the Johnson Space Center.

The hour-long ceremonies, complete with a mock countdown, fireworks and a half-dozen flag-carrying parachutists who literally dropped in, were marked by repeated calls to save the proposed space station, which lost its federal money two weeks ago in a congressional subcommittee vote.

"As Space Center Houston takes shape, even more exciting are the space missions that are building up in the 1990s," NASA Administrator and former astro-

naut Richard Truly said. "None is more important than Space Station Freedom. This important program of the future is under a fiscal attack, but I can assure you in the end it will be built. Space Station Freedom is where research and technology will be performed daily around the Earth for the benefit of those of us on the surface."

U.S. Rep. Mike Andrews, D-Texas, whose district includes the Johnson Space Center area, said loss of the space station would mean a loss of 10,000 jobs and millions of dollars to the Houston economy.

"For our nation, killing the space station means stopping the space program dead in its tracks," he said.

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