### DWI bill to offer easier sentences

By ROBIN GOODPASTER

Reporter of THE BATTALION

House Bill 93, passed by the Texas Legislature last session, has some people concerned criminals may be getting away with lighter punishments.

The bill contains an amendment to the Texas Code of Criminal Procedure which gives judges the power to allow drunk drivers on probation to receive credit for jail time by performing communi-

Since 1983, DWI offenders who were given probation for additional violations were required to spend at least three days in jail for a second offense and 10 days in jail for a third offense.

Mothers Against Driving Drunk officials said the change will undermine their efforts to put DWI offenders behind bars. However, Kirk Brown, the state chairperson for Mothers Against Drunk Drivers (MADD) said that House approves amendment allowing ment," O'Connor said.
"Second, third or 15th time community service to replace jail time

both rehabilitation and jail time

"Rehabilitation does not work unless they admit they have a

problem," Brown said. "The earlier we can get these people's attention, the better. I believe that going to jail wakes peo-ple up. This should show them that we are serious about it."

"Eighty percent of automobile accidents caused by drunk drivers are caused by first offenders," he said. "We are certainly opposed to the more lenient laws. We realize that the jails are full, but drunk

people do kill people."
State Senator Jim Turner said that the section of the bill pertaining to community service in lieu of jail time was not aimed at setting DWI offenders free without punishment.

Rather, it gives Texas judges

the option of deferred adjudication to keep the jails becoming too crowded.

"It presents an interesting issue," he said. "The state spends hundreds of thousands of dollars to try to punish and rehabilitate criminals at a less cost and a more effective manner than in the prison system.

"With the constraints place upon prison systems there is not meaningful punishment for many offenders. If we can design a work program for a nonviolent offender, it would help the over-

crowding problem."

Michael F. O'Connor, a Bryan attorney who handles DWI cases, said that it depends on the individual as to whether jail time or rehabilitation is more effective.

"Even before House Bill 93, judges had discretion for punish-

DWI offenders know what they are supposed to do and not supposed to do. If they don't take a breathalizer or are videotaped while they are inebriated, the state does not have much of a case. And rather than let them go with no punishment, the state is willing to charge a lesser penalty so that some type of punishment is enforced — such as community ser-

Opponents of the legislation said that the portion of the bill concerning community service instead of jail sentences was written in fine print, and they were unaware of it until after the bill had

"We did not even know it was in there, as most legislatures did not know it was in there," Brown said. "I think that they may be embarrassed about the legislation, and we are trying to embarrass them into changing it."

### Richards to review school finance plan

THE ASSOCIATED PRESS

AUSTIN - Gov. Ann Richards said Wednesday she plans to call lawmakers into a lame-duck spe-cial session next month to debate a school finance plan being readied by her, Lt. Gov. Bob Bullock and outgoing House Speaker Gib

"I expect us to present a unified plan," she said. "Are we going to be successful? I can't tell you that. I don't know. We're go-

ng to try very hard."
Richards said she probably would convene the Legislature the second week of November, after the Nov. 3 election, and limit its agenda to the thorny school finance problem.

nance problem.

"We want to give the members an opportunity to discuss it and discuss it in depth," she said.

The Texas Supreme Court peatedly has struck down st finance plans, saying the sys wasn't equitable to poor district

wasn't equitable to poor district.

The issue has been one of the most bitter and divisive for the lators since the late 1980s.

At least three dozen of them rent House and Senate member including the House speaker, a lame ducks.

They won't be returning from

They won't be returning for the 1993 Legislature because of returning for the state of the state ments or primary election defe

But Richards said she wants debate school finance in Nove ber rather than waiting until regular session opens in early uary with the new lawmakers

She said that is becaused proposal will include a cons tional amendment that need go to voters before the Jun 1993 court deadline for action

## Sleeping pill causes violent actions, attorney says

THE ASSOCIATED PRESS

DALLAS — Popular sleeping pill Halcion prompted a former police official to become violent and kill his best friend, the attorney for the officer said Wednesday as a civil lawsuit over the drug

opened.

William R. Freeman, formerly assistant chief of the Fort Stockton police department, is serving a life prison term for Donnie Hazelwood's 1987 slaying.

But Freeman would not be there were it not for the drug, his attorney told ju-

"I am convinced that when the evidence is in, you will consider that Mr. Freeman's family deserves to be compensated for the pain, humiliation and tragedy inflicted on them by this drug," attorney Randy Johnston of Dallas said in his opening statement.

Freeman, his wife and four children filed the \$5.5 million lawsuit against the Kalamazoo, Mich.-based company in 1989, the same year the former officer was sentenced to prison.

'I know that all of us want desperately to believe that the drugs we take are safe, and that when our doctors give us something, we should take it," said Johnston. "But we will prove to you that Upjohn is a corporate crook that lied to the FDA

(Food and Drug Administration) to get this drug approved.

An attorney for Upjohn said that Halcion didn't come up before jurors in Freeman's criminal trial

'They convicted him of murder and sentenced him to life in prison," said attorney Richard L. Josephson of Dallas, representing Upjohn. "We are here to undo what another jury did and award an substantial amount of money to a mur-

Josephson said a psychiatrist who examined Freeman determined he was competent to stand trial. Freeman, rather being victimized by Halcion, abused other drugs along with alcohol, the attorney

Johnston said that Freeman began drinking and taking drugs after injuring his back while on police duty in 1984. That injury required surgery

"The man was in pain, disabled from his job and he drank," Johnston told the 11-member jury, adding that Freeman received Halcion for more than two years as a result of his injuries.

But now, the FDA will not allow patients to take even half the Halcion dosage that Freeman was prescribed by a Dallas doctor and two others, Johnston

The drug caused Freeman to become paranoid, lose his memory and behave abnormally before shooting Hazelwood in the head, according to a document filed

The product liability and neglig case contends Upjohn failed to pro adequate warnings for Halcion and fall to inform Freeman and his doctors dangerous side effects.

Dozens of other cases pending natio wide against Upjohn also contend drug causes side effects such as dep sion, anxiety, insomnia and aggre that could lead to violence.

Halcion, known by the generic na triazolam, has been reviewed by the R several times since it was app use in the United States in 1982. It has come the world's most widely pres sleeping pill and is marketed in mor

#### The case is the first involving Halcion to go to trial against Upjohn Co. SALE · SALE · SALE · SALE · SALE · SALE · CONTACT LENSES ONLY QUALITY NAME BRANDS (Bausch & Lomb, Ciba, Sola/Barnes-Hind) Disposable Contact Lenses Available For Standard Clear or Tinted FLEXIBLE WEAR Soft Contact Lenses (Can be worn as daily or extended wear) + FREE CARE KIT \*Eve exam not included SAME DAY DELIVERY ON MOST LENSES. Offer extended to Oct. 30, 1992 Call 846-0377 for Appointment CHARLES C. SCHROEPPEL, O.D., P.C. DOCTOR OF OPTOMETRY 505 University Dr. East, Suite 101 SALE . SALE College Station, TX 77840 4 Blks. East of Texas Ave. & **University Dr. Intersection** SALE . SALE . SALE . SALE . SALE . SALE .

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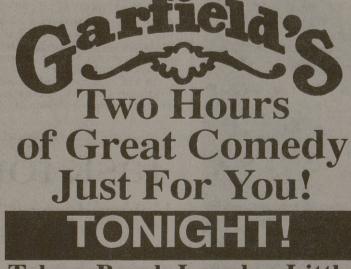
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