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Prison system inefficient, audit says

Search for new criminal justice director may be affected

The Associated Press

HOUSTON — A critical state audit of the Texas prison system is expected to take agency management to task and could hurt two in-house candidates for the system director's job, the Houston Chronicle reported Wednesday.

The audit, to be released Thursday, will come down hard on the way the system manages prison space, unidentified sources told the Chronicle.

The report will conclude the state is not using all its available prison space for removing convicts from crowded county jails. It also will recommend steps for using many of the 6,000 prison beds that officials have acknowledged are empty, the newspaper says.

The prison system has blamed the unused beds on restrictions in a federal court order that

ended a 20-year prison reform lawsuit.

Spokesmen for Comptroller John Sharp, who spent a year studying the agency at the request of the board and Gov. Ann Richards, would not comment on audit details in the Chronicle story.

As prison officials await the audit, their focus steers on the selection of a new Texas Department of Criminal Justice director.

Two of the three finalists to be interviewed Sunday by the Board of Criminal Justice are in-house picks. Their prospects could be affected by the audit's findings.

The board is seeking a successor to James Lynaugh, who resigned in September. The agency has 26,000 employees and an annual operating budget of more than \$1.5 billion.

Board Chairman Carol Vance of Houston announced Tuesday the three finalists for executive director are Andy Collins, the prison director; R.

Carl Jeffries, the agency's deputy director for program services; and K. Gary Sherman, director of the Wyoming Department of Family Services.

One board member, who requested anonymity, said the real race was between Collins and Jeffries.

Sources told the newspaper Collins may have a slight edge on the nine-member board, but also faced stiff opposition from some members which could worsen after the audit is released.

Richards' chief of staff, John Fainter, said he was sure the audit "will impact their (promotion and parole board) decision process."

"One thing they (board members) want to see is what it (the audit) says and where the criticism is pointed," Fainter said. "I think it will be unfair to prejudice it. I think it's been an idea for the board to wait for this report."

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Menendez brothers turn to state for legal fund

The Associated Press

LOS ANGELES — Taxpayers will pay Erik Menendez's lawyer \$125,000 to defend him at his retrial on murder charges.

"I think the public has benefited and hopefully Mr. Menendez has benefited and we can go forward," Superior Court Judge Cecil Mills said Tuesday after a hearing

on the payment dispute.

Erik, 23, and brother Lyle, 26, are charged with murdering parents Jose and Kitty Menendez in their Beverly Hills mansion on Aug. 20, 1989. Their first trial ended with each defendant's jury deadlocked.

Lawyer Leslie Abramson originally asked the judge to have taxpayers pay her \$100 per hour, up

to \$250,000, for Erik Menendez's retrial because the brothers have run out of money.

The judge rejected the request, saying she was bound to defend him again under terms of her first contract, which she said paid her \$650,000 over four years.

"Everybody compromised and that's the best way to resolve issues," Abramson said outside court.

Lyle Menendez's lawyer did not represent him at his retrial. Public defenders have taken his case forward quickly.

Mills said Abramson will use taxpayers money because she is familiar with the case and can move forward quickly.

The judge made his offer after five other prominent defense lawyers testified that Abramson's request was not unusual.

Jailers could face prison time for beatings

FORT WORTH (AP) — Jailers face up to 10 years in prison on civil rights charges for beating two prisoners.

Todd Hamilton, 32, and Matt Motes, 44, have been indicted on third-degree felony charges of intentionally and unlawfully inflicting bodily injury on prisoners at the Tarrant County Jail.

Motes is accused of striking inmate Tony Blacklock in the head with his hand and kicking him in the head during a Nov. 18 search.

Hamilton is accused of striking Blacklock in the head with his hand. A jail supervisor said Blacklock was beaten beyond recognition, his eyes swollen.

The indictment also accuses Hamilton in a separate Oct. 21 incident of striking inmate in the head.

Mandela

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election. He spoke two days before a key meeting Friday with Buthelezi and Zulu King Goodenwe Zwelithini, who oppose the vote and demand changes in the country's new constitution to guarantee self-determination for the million Zulus.

Conservatives whites also renewed calls for a delay Wednesday saying there should be more negotiations on their demands for separate state for whites.

"Let me tell you, there will be no postponement of the election either in the province of Natal or in any section of the territory of Natal," Mandela declared to boisterous cheers from the audience of about 800 youths and chanted "ANC, ANC, ANC!"

"We will not postpone our freedom, because to postpone the election means that we should postpone our freedom."

The ANC leader said he is "full of hope" going into the summit with Buthelezi and Zwelithini. De Klerk is also to attend.

Mandela said he would hold a separate two-hour meeting with the king on Friday to reassure him his monarchy would not be imperiled by the ANC-led coalition government likely to emerge from the elections.

A de Klerk adviser, Chris Pomeroy, told the Durban Daily News that de Klerk also will oppose postponing the ballot in Natal, believing it would only add to instability in the region by encouraging those fomenting the violence.

Mandela indicated the South African security forces could provide enough muscle to ensure the elections in Natal proceed.

A committee representing the South African government, Zulu nationalists and the Independent Electoral Commission, which is organizing national elections April 26-28, concluded Tuesday it was not possible at present to hold elections in Natal.

The report cited the high level of political intolerance and fear of large-scale intimidation; the failure of KwaZulu authorities to assist in free and fair elections; and the inability of South African police to protect the entire region during elections.

The province is mainly Zulu and roughly split between ANC and Inkatha supporters.

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