

Health spa tycoon found guilty of passport fraud

Founder sentenced to four months, receives credit for time already served

HOUSTON (AP) — Despite prosecutors' hope for a stiffer penalty, a federal judge has sentenced a former health spa tycoon to four months in prison and a \$100,000 fine for passport fraud charges.

Richard Minns, who left the country after his ex-girlfriend was paralyzed in a 1980 shooting, faced up to 40 years in prison and \$2.5 million in fines for the charges he pleaded guilty to Nov. 3 on the second day of his trial.

But he got four months Monday and credit for time already served while awaiting trial, meaning he will finish serving his sentence at noon Friday. Since he's in the country illegally, he will be turned over to immigration officials who will decide if he should be deported.

Minns wants to be deported and allowed to return to Canada,

where he was headed when he was arrested in July at the Dallas-Fort Worth International Airport, his attorneys said.

The 64-year-old founder of the President & First Lady health club chain gained notoriety years ago after the 1980 shooting of Barbra Piotrowski outside a Houston doughnut shop.

Four men were convicted and sentenced in the shooting, which left Ms. Piotrowski, who later changed her name to Jani Smith, paralyzed from the waist down.

Minns has never been charged, but he sold his business interests and fled the country shortly after the attack. His former lover, believing he was the mastermind, sued him and won a \$32 million judgment in 1990 that is still under appeal.

Smith, who now lives in California and runs a rehabilitation

center with her husband, was angered by the short sentence.

"It's extremely difficult to believe," Smith said in a telephone interview Monday.

"I had faith that this time justice was going to be served. I guess that our innocents are going to be brutalized ... and then we reward the criminals for doing it, especially if they happen to be wealthy," she said.

But she also said she will still try to collect the judgment. Oral arguments on the appeal are scheduled next month.

Minns said little during his sentencing, but defense attorney Mike Ramsey said afterward that his client was relieved the case was over.

Minns was flying from Mexico to Vancouver, Canada when he was arrested at Dallas-Fort Worth airport. At the time, he had seven passports from four different countries and under five different names, officials have said.

Prosecutors on Monday claimed Minns obtained pass-

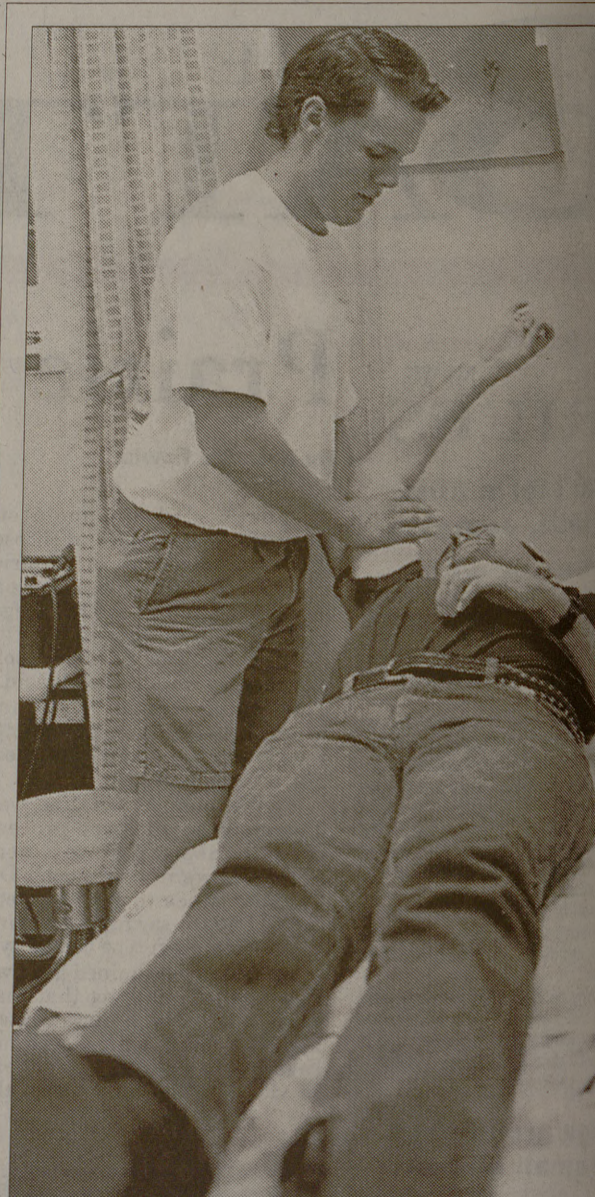
ports illegally as part of his efforts to elude justice in case he was ever charged in Smith's shooting.

But defense attorneys have maintained their client was striving for privacy and did not have any criminal intent when he obtained the passports. Ramsey also said Monday the case had nothing to do with the highly publicized shooting, and he asked the judge not to consider it in passing sentence.

Hughes seemed to agree, saying that despite all the publicity, he was passing sentence in a passport fraud case.

"We had argued for perhaps a more stiffer sentence, but ultimately it's up to the judge to decide the sentence," said U.S. Attorney Gaynelle Griffin Jones. "We accept whatever the judge's ruling is."

Hughes also scolded U.S. State Department officials over Minns' Irish passport, which was sent to Ireland even though the government had agreed to return it when Minns pleaded guilty.



Amy Browning/The Battalion

Flex those muscles

Randall Walton, a junior zoology major from South Lake, Texas, and Kyle Kepple, a senior petroleum engineering major from Joshua, through his strengthening exercises in a physical therapy session at Beutal's physical therapy department.

Texas to convert rehab prisons to high-security facilities

AUSTIN (AP) — The Texas prison system is converting new and highly touted substance abuse rehabilitation prisons into more secure lockups to house higher-risk criminals that are backed up in county jails, a newspaper reported Monday.

The cost to convert the facilities, many of which are under construction, could go as high as \$6 million, the Austin American-Statesman reported.

Prison officials say the move will save the state millions of dollars in reimbursement payments to counties that are housing state felons in local jails.

And, they said, this will not derail the drug and alcohol treatment initiative that had been touted as a major step in stopping the cycle of crime.

"We always thought all of the substance abuse beds wouldn't be filled right from the

start," said Andy Collins, executive director of the Texas Department of Criminal Justice.

"We're simply increasing the security design so we can hold other types of inmates there" in the short term, he said.

"I don't think anybody would want us to have (prison) beds sitting there empty," he said.

The Legislature in 1991 authorized the construction of 12,000 beds for intensive substance abuse treatment.

Of the 12,000 beds, sites for 10,600 have been selected, officials said. Of those, 9,000 were to be housed in separate lockups and 1,600 were to be phased in as separate programs in existing prisons. Sites for another 1,400 beds haven't been chosen, officials said.

Of the 9,000 beds, 6,000 beds located in eight prisons are to be "enhanced" to hold other convicts.

Those changes include installation of 12-foot-tall perimeter fencing topped with razor wire, additional security lighting, electronic door locks and the enclosure of guard desks in chain link fencing to withstand a riot.

Lawmakers never fully funded the treatment programs planned for 12,000 beds because not all were expected to be opened immediately, the American-Statesman reported.

In September, a state study projected that only 7,200 intensive therapy beds would be needed by 1996.

Even before the report, prison agency records show that "enhancement" of the drug treatment prisons had been under study since May. After months of negotiations with contractors to change the design, officials said, the first conversion was ordered in late September.

Bush pledges to sign bill allowing Texans to carry concealed handguns

AUSTIN (AP) — Gov.-elect George W. Bush said Monday he will sign legislation that would allow Texans to carry concealed handguns.

A little more than 15 months ago, Gov. Ann Richards vetoed a bill that would have let Texans vote on whether they should be allowed to tote handguns.

The new bill, which wouldn't require voter approval, was introduced by state Rep. Ron Wilson, D-Houston, for the regular legislative session that starts Jan. 10.

"I support Mr. Wilson's bill ... I will sign that bill," Bush said at a news conference. Bush defeated Richards last week in the general election. During the campaign, he said he supported concealed handgun legislation.

Wilson's bill would allow persons who are 21-years-old or older with no history of criminal wrongdoing or mental illness to apply for a license.

To get the license, applicants would have to complete a firearm education and safety class set up by the Texas Department of Public Safety.

On June 3, 1993, Richards vetoed a non-binding referendum on the issue, saying it was a taxpayer-funded opinion poll for gun interests. She was backed by numerous law enforcement groups that said the measure would only lead to more violence.

This time, Wilson said, with Bush's backing, the bill will become law.

"It's nice to have the chief executive who believes in the people's ability to protect themselves," Wilson said.

Currently, state law doesn't allow citizens to be licensed to carry concealed or exposed handguns. It restricts Texans to keeping handguns at home, carrying them from a purchase, taking them on a hunting or fishing trip or transporting them during travel.

Education necessary for judges, police officers dealing with abusive husbands, boyfriends

SAN ANTONIO (AP) — A state senator says laws to protect battered women will be ineffective until judges and law enforcers start acting more responsibly in dealing with abusive spouses and boyfriends.

"We have good laws on the books, but they're not always enforced," said Sen. Judith Zaffirini, D-Laredo and a member of a Senate committee examining domestic violence. "We need continuing education for judges, police and prosecutors so they can develop experience and knowledge about how to deal with these cases."

Women are urged to seek a protective order in abusive relationships, but that doesn't always protect them, the senator said.

Protective orders have come under attack for various reasons:

- they are difficult to enforce;
- a hearing on a violation may take six months to come to court;
- judges often don't assess the maximum punishment;
- the orders aren't available to everyone who needs them.

Debbly Tucker, executive director of the Texas Council on Family Violence, noted that Michelle Gomez obtained a protective order to defend herself from her ex-husband.

The day before Gomez was killed, Tucker said, the judge presiding over a hearing on a violation of a protective order admonished the woman's former husband "to be more sensitive to her needs."

"The judge saw the problem as a marriage-communication problem," Tucker said in today's editions of the San Antonio Express-News. Gomez had obtained a protective order to keep her from her and had filed a divorce suit a few days after Christmas.

"He has always been verbally abusive to me, (choking) me, hitting me, beating me," Gomez said in a court document. "I'm afraid to go (to) kill me or our children."

The couple were divorced March 3, and Gomez died a month later.

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