

Trial begins for accused serial killer

HOUSTON (AP) — A rail-riding drifter accused of being a notorious serial killer asked that an insanity defense planned for him be withdrawn, that the judge in his capital murder trial that started Tuesday be absent during jury selection and that potential jurors in his case not be questioned by attorneys.

The requests from Angel Maturino Resendiz, 40, came as a 60-person jury pool assembled for the first steps in his trial on charges he killed a Houston-area physician, Claudia Benton, 39, at her home in December 1998.

She is one of five people Maturino Resendiz, a Mexican national, is suspected of killing in Texas, along with two in Illinois and another in Kentucky in an intermittent rampage from 1997-99. He became known as "the railroad killer" because of the proximity of train tracks to the scenes of the slayings.

At a 45-minute hearing Tuesday — held while potential jurors began filling out 12-page questionnaires elsewhere in the Harris County Criminal Justice Center — State District Judge William Harmon withheld a ruling on Maturino Resendiz's request to drop the insanity defense.

Harmon, however, denied the defendant's other requests regarding jury selection.

His court-appointed lawyer, Allen Tanner, said Maturino Resendiz would prefer the first 12 people be selected from the jury pool and did not like the idea that potential jurors must indicate they would be willing to vote for the death penalty in his case. Such questioning, Maturino Resendiz contended, would be unconstitutional.

"I know you have to check records, or whatever, but you should not check their minds," Maturino Resendiz, standing before Harmon at the bench, said. "You may not want some kind of criminal there, but it's against the American Constitution to question their minds."

Harmon, Tanner and Harris County prosecutors were speaking to the jury pool later Tuesday.

Extra effort made to include students in 2000 Census

AUSTIN (AP) — In Central Texas, making certain the 2000 census counts the area's approximately 125,000 college students is a question of some pretty big numbers.

For every person not included, the community is projected to lose \$150 a year, officials said.

And the census count, which is the measure used to determine where federal money goes, remains the gospel for a decade. In Austin alone, a student undercount — estimated at almost 5 percent — translated into about \$13 million in lost money in the '90s.

"Students are such a large portion of the Austin area, it's crucial they be counted," said Leslie Lawson, a local census spokesperson.

"They drive on our roads. They go to our libraries. They go to our parks. They swim in our pools," said city demographer Ryan Robinson.

"They are very much citizens of Austin, more so than other communities. That's one reason Austin is very much at risk of being undercounted," he said.

Because federal money goes directly to the communities where the students are counted, extra efforts are being made in Austin, San Marcos and Georgetown to ensure that no one is left out.

The ground rules say students who attend colleges and universities in Central Texas should complete census forms where they attend school rather than being counted by their parents. But census officials said confusion remains a factor in the student undercount.

Further complications arise because spring break in Central Texas coincides with the census mailing, and there is concern that the forms get lost among the junk mail that piles up when students are gone for a week. And when census workers follow up from late April through the summer, most students will have gone home.

The importance of an accurate count is clear to Ron Patterson, director of planning for San Marcos. His community was undercounted almost 20 percent in 1990, and he believes more than half was attributable to missed college students.

"Students are such a large portion of the Austin area, it's crucial they be counted."

— Leslie Lawson
Local census spokesperson

Travis County inmate escapes by using fellow cellmate's identity

AUSTIN (AP) — Travis County authorities were still looking Tuesday for an inmate who fooled jailers into letting him go by posing as a cellmate.

Jamaal Herring, 23, memorized cellmate Willie Smith's birth date and Social Security number and reported to guards when they called for Smith to be released from the county's downtown booking facility Sunday.

Although mug shots and fingerprints are taken when an arrest is made, that information is not available to officers at the time of release, said Sheriff Margo Frasier.

Identities are verified when jailers ask for biographical information, such as telephone numbers, birth date and next of kin. Officers also compare signatures by the prisoners at the time of arrest and release.

Officers realized their mistake when they found the real Smith in his cell about an hour later.

"Evidently, our convicts know how

the system works and he was in the holding cell with other experienced arrestees,

"Evidently, our convicts know how the system works and he was in the holding cell with other experienced arrestees, or frequent flyers as we call them."

— Chief Deputy Dan Richards

or frequent flyers as we call them," said Chief Deputy Dan Richards. Authorities consider Herring dan-

gerous, Richards said. Herring was being held on parole violation charges from a five-year sentence for substance abuse, possession of a firearm and retaliation against officers.

Authorities believed he was still in the Austin area Tuesday, Richards said. Richards said authorities are investigating where the breakdown occurred but would not say if a specific procedure was ignored during Herring's release.

The facility processes about 57,000 felony and misdemeanor arrests a year.

"We do think there were a couple of things that could have been done, and should have been done," Richards said.

Frasier said the release process should be more secure when bookings are done at a new criminal justice center now under construction.

The new facility will include a new computer system and electronic wristbands for prisoners to provide instant identification.

Wednesday, March 29, 2000

Album includes guest stars...
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