

Bush-appointed judges how their independence

AUSTIN (AP) — It was a shock anti-abortion activists: In its first ruling on the state's new parental notification law, the all-Republican Texas Supreme Court, including justices appointed by Gov. George W. Bush, decided a teenage girl could have an abortion without telling her parents. Aside from that March ruling, the court has voted against five other minor girls seeking to bypass the notification law. While not definitive, the Texas high-court's actions nonetheless suggest that judges appointed by Bush are not necessarily guided by his own views on abortion. Bush, the Republican presidential nominee, said in his debate Tuesday with Vice President Al Gore that he was "pro-life" but would have no "stomach test" on abortion or any other issue when nominating U.S. Supreme Court justices. Bush invited voters to look at

his record in appointing judges to the Texas Supreme Court, the state's highest civil court. Justices are elected, but the governor fills

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BUSH

unexpired terms. Another court handles the state's highest-level criminal appeals.

"The voters will know I'll put competent judges on the bench, people who will strictly interpret the Constitution and will not use the bench to write social policy," Bush said.

Al Gonzales, appointed last year by Bush, said Wednesday he prac-

tices judicial restraint and believes his fellow justices do too.

"Generally, this is a conservative-minded body that doesn't believe in legislating from the bench," said Gonzales, who was Bush's staff general counsel, and his appointee for secretary of state before being named to the court.

Gonzales said he believes Bush would take the same approach for U.S. Supreme Court appointments as he does in Texas.

"I do know he won't have a litmus test. He never asked me my position on any particular issue," Gonzales said.

Other Bush appointees to the Texas Supreme Court are James A. Baker, a Dallas appeals court judge; Greg Abbott, presiding judge of a state civil district court in Houston; and Deborah Hankinson, a Dallas lawyer Bush had previously appointed to an appeals court.

Paper turns over documents

El Paso Times subpoenaed in police leak investigation

EL PASO (AP) — The El Paso Times has turned over a document subpoenaed by a grand jury that is trying to determine who leaked information about an internal police investigation to the media.

The 16-page investigative summary, subpoenaed Oct. 1, details an investigation into allegations that Police Chief Carlos Leon's former administrative aide, Officer Luis Cortinas, had ties to drug traffickers.

Cortinas, on paid administrative leave while the FBI investigates the case, has denied the allegations.

The summary is the focus of a 3 1/2-month investigation to learn the identity of the person who provided the Times and KVIA-TV, which turned over its documents in early September.

Both media outlets published stories based on information in the documents.

"I don't believe there's anything in that document that could be of any help to anyone," said Times Publisher Mack Quintana.

Quintana said the Times no longer has the original copy and the three copies turned over to the grand jury are the same as those turned over by KVIA.

The Times had challenged the subpoena, but a visiting district judge ruled against the newspaper.

Quintana said the Times will resist any effort to force reporters or editors to testify about the identity of the person who gave the newspaper the documents.

"We will make every attempt ... to maintain confidentiality," Quintana said.

Late last month, the Times turned over a one-page memorandum written by Assistant Police Chief George De Angelis that raised concerns about Cortinas. It also was subpoenaed by the grand jury.

Times Editor Don Flores has said the paper turned over the one-page memo because a copy of the document already had been published and the newspaper's copies would not lead investigators to the confidential source.

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