

Pastor, twin brother are on trial for beating a child

By Jim Vertuno
THE ASSOCIATED PRESS

AUSTIN — A 12-year-old boy testified Wednesday that he was severely beaten with a tree branch by a church pastor and his twin brother to "get the devil out of me" because they believed he had acted up during Bible class.

Trial began Wednesday for Joshua and Caleb Thompson, 23, who are accused of beating the boy after he misbehaved in Bible camp at Capitol City Baptist Church, a fundamentalist congregation where he attended church services and school.

Police say the beating was so severe that the boy's kidneys failed and that he needed a blood transfusion to survive.

The Thompsons face felony charges of serious injury to a child and aggravated assault, with penalties ranging from probation to life in prison if convicted.

Louie Guerrero, 11 years old at the time, was the first witness and said pastor Joshua Thompson took him to Caleb Thompson's home where he was beaten with a branch from a tree in the yard. He said that during the beating, Joshua Thompson called his brother, who came to help hold Guerrero down.

At one point, the boy said, he was told to pick up the pieces of the branch that broke during the beating. He said the beating resumed after one of brothers got a new one.

"It hurt. I was trying to move

away," Guerrero said. "He said 'Stay still.'"

During opening statements, Travis County prosecutor Dayna Blazey said the beating lasted more than an hour and came the day after a confrontation at church between Joshua Thompson's wife and the boy's mother.

After the beating, the boy was dropped off at his home and the Thompsons told Guerrero's stepfather "that child has the devil in him," the prosecutor said. After discovering his injuries, the family called 911.

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— Gerry Goldstein
defendant's lawyer

Joshua Thompson's attorney, Gerry Goldstein, acknowledged that his client hit Guerrero with a switch from a tree and that he suffered injuries. But Goldstein said the boy's parents practiced similar forms of punishment and had asked the Thompsons to discipline their child.

He also suggested the defense will try to characterize the case as one of religious belief in stern physical punishment. The brothers had never gone to school or

held a job outside their church, Goldstein said.

"He did it because the parents had asked, pleaded with him," to discipline the boy, Goldstein said. "These two men have strong fundamentalist Christian ideas about child rearing, about child discipline. Strongly held views about child rearing and child discipline is not a crime in America."

He said expert testimony would show the injuries to the boy's kidneys could not have come from a tree branch or stick. He also noted the family has filed a civil lawsuit against the church seeking \$25 million.

During testimony, the boy said his teachers accused him of "goofing off" during Bible studies on July 3, 2002. He said he was turned over to Joshua Thompson, who took him away.

Guerrero said he was ordered to lie on a bed while he was beaten on his back. He said Joshua Thompson played loud rock music on the radio. The boy said he curled into a fetal position but stopped when he was struck on his legs.

Guerrero said he was allowed to go to the bathroom to clean up after his nose started to bleed and the Thompsons wiped up the blood from the bed and floor. He was then told "It's not over," and the beating resumed. He said his back eventually numbed to the pain.

Eventually, the beating stopped and the boy was taken home.

HISD officials blast Times article

By Juan A. Lozano
THE ASSOCIATED PRESS

HOUSTON — Houston schools officials on Wednesday disputed a New York Times article that questioned the district's academic gains in recent years in passing rates and strides in eliminating the gap between white and minority children.

For a front page story on Wednesday, the newspaper examined the performance of students in Houston by comparing their scores on the Texas Assessment of Academic Skills with scores on a national exam, the Stanford Achievement Test.

The success of students in the district has often been called the "Houston miracle."

The newspaper reported that improvements in middle and elementary schools were only a fraction of those shown by the TAAS test and that most Houston students who took the Stanford test in 1999 and 2000 didn't advance in relation to their counterparts around the country.

"Independent educational analysts warned the Times in writing and on the telephone well in advance that the (newspaper's) analysis was faulty, that the Texas accountability system could not be compared in such a way to the Stanford Achievement Test results," Superintendent Kaye Stripling said at a news conference Wednesday.

Kathryn Sanchez, assistant superintendent with the district's department of research and accountability, said the newspaper's comparison of the TAAS and Stanford test scores was flawed

because the national test can be used by one district to see how it ranks nationally. The Texas exam, meanwhile, is pass/fail and only allows for comparisons within a state.

"We are unable to replicate the Times' findings. The validity of the Times' results is suspect," Sanchez said.

"It's important to note we took full account both in our front page bar graph and in the sidebar inside the paper of the statistical techniques that allowed us to work with differing sets of data and differing bases," said New York Times spokeswoman Catherine Mathis. "We very much believe those techniques were sound."

In its story, the Times quoted education experts who said the two tests can be compared and that the newspaper's examination showed Houston's progress on the TAAS test is probably overstated and the district looks average or below average.

"The district made gains on the standards set for them," Michael Casserly, of the Washington, D.C.-based Council of the Great City Schools, a coalition of urban school systems, said via telephone at a news conference. "It was no miracle (in Houston). It was very good, hard work and it was real."

Rob Mosbacher, incoming chairman of the Greater Houston Partnership, a local business organization, said he believes the newspaper's only motivation for the article was to attack President Bush, who was Texas' former governor.

"We find no motivation for this other than politics and that is very, very tragic," he said.

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