

COMING MONDAY

■ To make progress on health care reform and cost containment, give serious consideration to "organized systems of care."

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LAW ENFORCEMENT

Commissioners keep officers off the street

Officials to blame for making multiple agencies compete for funds

By LARRY KARSON

Recently the Houston Chronicle reported that the sheriff of Harris County merged the Internal Affairs Division and the Office of Inspector General into one office after also adding 10 other deputies to the new office ("Sheriff reorganizes his staff to probe internal complaints," Page B1, April 6). The reason? To more effectively and efficiently address internal investigations that the office is required to deal with. Anyone outside of the sheriff's office would assume that if the new sheriff determined a need to beef up his investigative capability it was probably needed. The head of the sheriff's union, someone whose own people are affected by the decision, agrees.

But a Harris County commissioner complained that the reorganization would reduce public safety because it would put fewer deputies in patrol cars. The problem with that criticism is that it's the Commissioners Court that already prevents the sheriff from putting more deputies on patrol. And it's costing you millions of wasted tax dollars. Intentionally? You better believe it. And it happens every day in Harris County. Here's how.

The Commissioners Court has allowed multiple police organizations to develop in Harris County to compete against the sheriff when it comes to funding. Every year commissioners use funds that would normally be going to the sheriff's office for countywide patrol duties and other law enforcement work to be shifted to the eight constable offices around the county, depriving the sheriff of the manpower we need to effectively combat county crime.

Some would claim that it doesn't matter whether it's a sheriff's deputy or a deputy constable on patrol but anyone who's owned or worked in a major business knows better. By Balkanizing an organization into tiny fiefdoms you waste money by duplicating services while also losing the opportunity to more effectively use your people. Each constable office, for example, has its own mini-dispatch that calls have to be routed to after having already gone through the sheriff's dispatch center. The deputy constables can't be assigned to the areas of high-

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ENVIRONMENT

Canoes threaten Hogg Bird Sanctuary

■ 'Virgin land' is put at risk by paddle trail

By FRANK SALZHANDLER, JANICE VAN DYKE WALDEN and DON A. GREENE

ONE of Houston's treasures is at risk. And, once it is lost, it may never come back. It's an urban wilderness, and it's on the

edge of downtown Houston. For half a century, it's where birds have had a safe sanctuary, where beaver swim the waters in the early morning hours. It's the Hogg Bird Sanctuary, entrusted to the city of Houston by the late, great Houston philanthropist Miss Ima Hogg in memory of her father, Gov. James Stephen Hogg.

That the threat would be a simple canoe put-in seems absurd. Canoes are associated

with nature, and their harmony with nature has been unrivaled throughout civilizations. Yet the canoe put-in cut through the woods of the Bird Sanctuary without notice by a rogue individual on April 3 sets the tone for a 26-mile Buffalo Bayou Paddle Trail dedicated last week. What might be perceived as a good thing may actually destroy the thing it was designed to appreciate.

Miss Ima Hogg is not here to defend her wishes. Her

personal papers do not specify how the 16.47-acre tract of land should be used. The October 21, 1958, ordinance by which the Hogg Bird Sanctuary came into the city's Parks and Recreation Department simply describes it as a "parcel of virgin land."

We do know that Miss Ima loved her gardens, and that from the veranda of her home, Bayou Bend, she enjoyed an unobstructed view because of

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ECONOMICS

America ignoring its own advice for handling crisis

■ U.S. is quick to lecture emerging economies, but slow to 'bite bullet'

QUESTION: What's the difference between the United States and Argentina in a financial crisis?
Answer: The United States can print dollars.

For a quarter century and more, U.S. officials have routinely lectured other countries on their economic policies. Washington and its surrogates in the International Monetary Fund have never been short of advice when emerging economies like Argentina or Russia or South Korea have plunged into financial crises. While that advice has varied in particulars, its general thrust has been consistent. Faced with a collapse in financial markets, countries should move quickly to "bite the bullet" by aggressively writing off losses and shuttering failed institutions.

Confronted with its own crisis, of course, the United States has done nothing of the sort. Instead, the Bush and now Obama administrations have propped up struggling banks by a haphazard series of loans, guarantees and ad hoc capital injections. A year into the financial crisis, large American financial institutions — with the full cooperation of regulators — have yet to accept losses on their so-called "toxic assets." Our government officials have shrouded their actions in secrecy, refusing point-blank to reveal recipients of taxpayer largess even to the U.S. Congress. Whatever the intent of Washington's response to the financial crisis, the effect has been to protect bank executives, shareholders and creditors from the consequences of their actions.

Calls for accountability and transparency have been a staple of U.S. advice for decades; they are signally absent in our own response. Rather than "bite the bullet" by either letting major banks fail or recapitalizing them through nationalization, we have taken a muddling, muddled course, keeping them on financial life

support and creating "zombie banks" of precisely the sort we once excoriated Japan for fostering.

The administration's latest proposal — the Public-Private Investment Program or, more commonly, the "Geithner Plan" — may or may not work. One can only hope it helps restore the health to the balance sheets of distressed banks. But the plan's general thrust — a huge off-budget, easily gamed governmental subsidy to private sector purchasers of "toxic assets" — surely represents the sort of opaque transfer of resources from the public to private sector that we would once condemn out of hand.

There has always been an element of hypocrisy in our advice to emerging economies. Even as Washington preached the benefits of free trade, we maintained huge subsidies to our own agricultural sector. We may have lectured others on the importance of economic discipline but somehow seemed to forget our own fiscal and external imbalances.

Never, however, has the disconnect between word and deed been so great as in our response to the current financial crisis.

The United States may not be, as some claim, a "Banana Republic." But our approach to the financial crisis — a debilitating mix of economic denial and political cowardice — bears more than a passing resemblance to the ones we have harshly criticized in emerging economies. We do possess one luxury unavailable to Buenos Aires, Moscow, or Seoul: We can service debt in our own currency. But the current crisis has revealed that there is far less difference between Washington and these capitals than we would ever have imagined or admitted.

Since World War II, the United States has essentially served as "Chairman of the Board" of the global financial system. The world has just

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PAUL LACHINE

EDITORIAL

Update storm warning system

The National Hurricane Center's five-level Saffir-Simpson scale could use an overhaul. **PAGE B13**

CRUNCHING NUMBERS

A shaky 'New Foundation'

Charles Krauthammer says the president has a way with words, but less so with numbers. **PAGE B12**

OUT OF DATE

Time to dump DOMA

Ellen Goodman says the Defense of Marriage Act is quickly becoming an anachronism. **PAGE B12**

COURTS

Film interrogations, avert tragedy

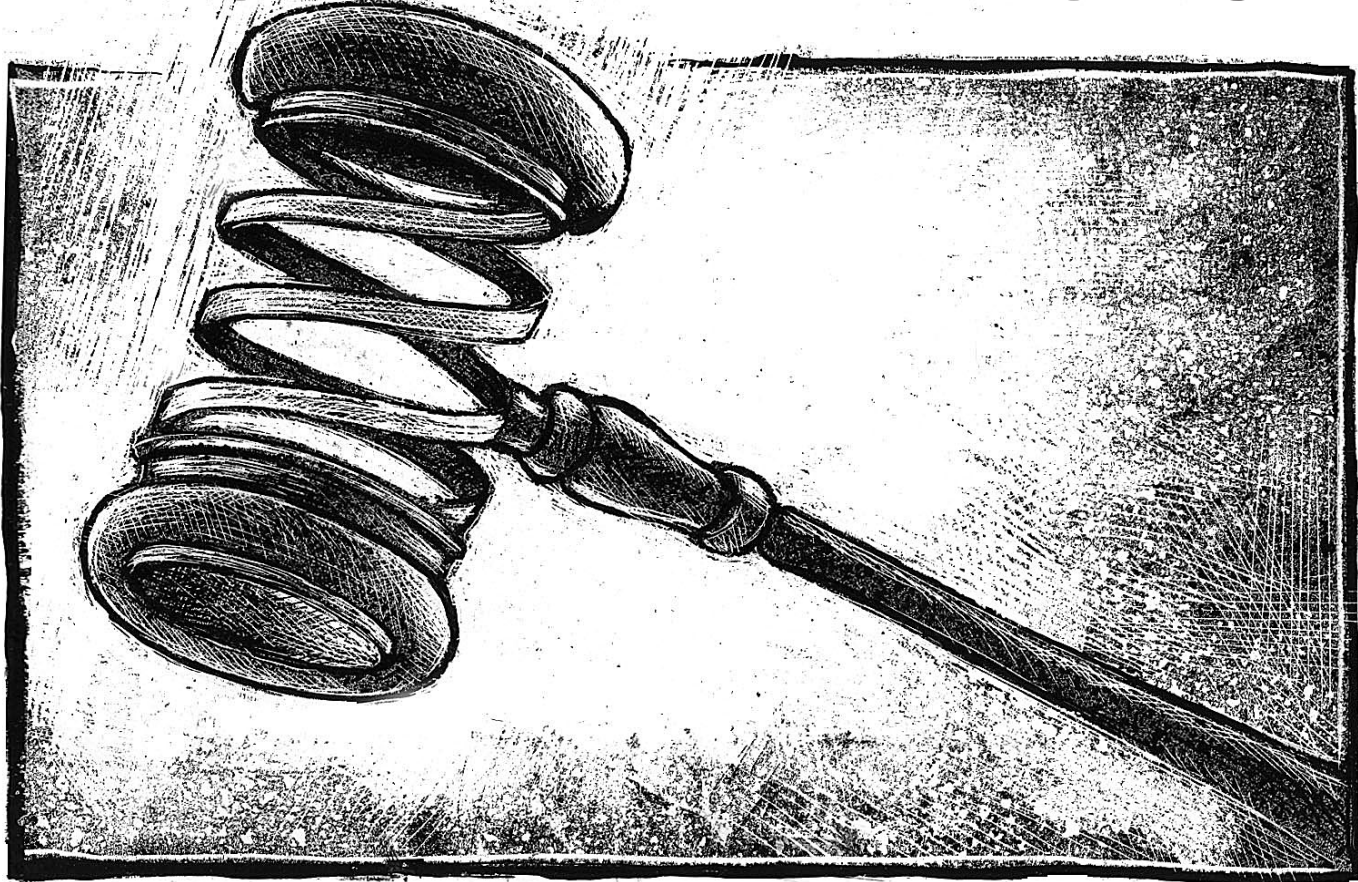
■ Jurors regret convicting innocent man

By CAROL BOHLS, VELMA DIAMOND and LIZ ROLAND

WHEN we were called to serve as jurors in an Austin sexual assault and murder case, we could never have predicted the ending of this story. Twelve years after we found Richard Danziger guilty of aggravated sexual assault, new DNA evidence revealed that Richard was, in fact, innocent. This shocking discovery left us confused, angry and wondering how this tragic error could have ever happened.

The centerpiece of the case presented against Danziger in 1990 was testimony provided by his friend and alleged co-conspirator, Christopher Ochoa. When Ochoa took the stand to testify against Danziger, he presented a convincing summary of events that left little doubt in our minds that both were guilty of this terrible crime. What we did not know, however, was that Ochoa's confession and testimony were false — he only confessed and agreed to testify against Danziger after 20 intense hours of interrogation.

Unfortunately, Danziger's case is not unique. False con-



CHRIS VAN ES

fessions have played a role in about 25 percent of the 234 DNA exonerations across the country. Whether because of mental incapacity, youth or persuasive threats, DNA evidence proved that each of these people was convicted of a crime he did not commit.

We were horrified to learn after Danziger's exoneration that Ochoa's interrogation was

characterized by lies about inculpatory evidence and threats that if he did not confess and testify against Danziger, he would receive the death penalty. None of this came to light during the trial, however, because there was no record of the interrogation procedure. Had we been given the opportunity to see the context of Ochoa's confession, including

the coercive tactics that were used for hours against him, we would have at least had something to deliberate about. We did the best we could with the evidence provided to us; unfortunately, that evidence was dangerously incomplete, undocumented and untrue.

It has taken us a long time to come to terms with what happened to Danziger — in

many ways we still haven't. We are still dismayed at participating in what we can only describe as the destruction of a young man's life. Not only were Ochoa and Danziger wrongly imprisoned, but Danziger suffered a horrible attack while incarcerated that left him seriously disabled for the rest of his life. We still share with family and friends

the resounding negative impact this experience has had on our lives and our opinions of the criminal justice system.

If interrogations are recorded in their entirety — from the reading of rights to the end — jurors will have access to a clear, complete picture of the circumstances that led to a confession. This is essential in order to effectively evaluate the quality of that evidence. While many police departments have begun to record suspect interrogations, there is currently no requirement that they do so. Some things are too important to leave optional, and we think this is one of them. A complete record of suspect interrogations documents a crucial part of a criminal investigation, and it is essential for jurors to do their jobs well and reach justice.

Police officers who record interrogations know firsthand the benefits of such a policy, too. This powerful tool protects them from false claims of abuse and provides the best evidence possible to convict the guilty. By taking the step to require recorded interrogations, Texas can demonstrate to the public that we have learned from our mistakes and can begin to regain the trust that has been lost through misconduct and wrongful conviction. We will settle for nothing less than the best quality evidence possible.

Bohls, of Austin, Diamond, of Clifton, Mo., and Roland, of Pflugerville, were jurors in the wrongful conviction case of Richard Danziger.

SANCTUARY: Inner city 'virgin land' is threatened

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Buffalo Bayou's dense foliage. That she specified the acreage across the bayou from her estate to be a bird sanctuary (and not a park like the nearby Memorial Park she helped usher in) means that she must have experienced a special habitat here.

Half a century later, it is easy to forget that. We live in cars. We rely on parking lots. Our experience with the natural world is 30 minutes after work on the jogging loop. A 7-mile paddling segment through the nation's largest urban wilderness is not regarded as a jewel or an asset. For those who are implementing the Paddle Trail, 7 miles on Buffalo Bayou just seems too long, too much to go through. It has to be shorter, like all our conversations. And, it has to have a parking lot.

There is no family estate to speak Miss Ima's wishes, and the only voice the birds have is their sweet song in the morning. That, too, may soon be gone from the Hogg Bird Sanctuary.

Parks have swings, basketball courts, lighted pavilions and even swimming pools. The modus operandi of Houston Parks and Recreation Department (HPARD) under Director Joe Turner has been to maintain a portfolio of properties full of facilities. And, in a city of increasing densities, HPARD has a challenge to provide more space and more recreation.

Of the 11 bird sanctuaries listed by Houston Audubon Society, four are within Houston's city limits. Of those four sanctuaries, two are within Loop 610, and only one of those two, the Hogg Bird Sanc-

tuary, is an official bird sanctuary managed by Houston's Parks and Recreation Department. This makes the Hogg Bird Sanctuary an orphan in a system of recreationally oriented parks.

Bayou Bend has perpetual protection and increasing appreciation through its ownership and stewardship by the Museum of Fine Arts Houston. With the exception of Bayou Bend's parking lot — owned by the city, completed around 1962 along with the footbridge, and used for museum activity — the Hogg Bird Sanctuary has been left undeveloped for half a century. It is easy to walk in the woods without a trail in the early morning or at dusk and hear the quiet, observe vernal pools left by Buffalo Bayou and slowly start seeing the interplay of the fragile, natural world so close to skyscrapers. The footbridge offers an elevated experience above the waterway, providing sudden intimacy through its narrow passage and, at the same time, a transition to another time and all things natural.

It's amazing to think that where some of Houston's largest homes exist, so too could one of the most critical homes for birds on their migratory path. Next to San Diego, Houston has the second highest bird diversity of any city in the United States. Buffalo Bayou's magnificent yet delicate riparian and understory flora is critical to large numbers of migratory bird species, as well as those that roost under the bayou's canopy of trees.

So, can birds and boats co-exist? Yes, they can. And, they often do. But, at what critical juncture? At what critical ac-

cumulation of activity do the boats preside and the birds, and other wildlife, just go away?

There is a danger in the unspecified conditions under which this canoe put-in was conceived and will exist. There

are no toilet facilities. Will canoeists/boaters just hold it, or use the sanctuary woods? The 200-foot foot trail carved out by the rogue individual and now seemingly approved by HPARD is narrow, varies in elevation, makes tight

turns, and could be flooded most of the time because it passes through a swale. If deemed unacceptable by boaters, they will create a better path through the woods, or access the bayou near the footbridge. So, what impact will increased foot traffic or multiple access points have on erosion control?

There will be no protection against busloads and large volumes of boaters disturbing the sanctuary for festivals and regattas. There is no restriction against motorized craft navigating from Allen's Landing to this point with a concession from the city, with noise disturbance behind Bayou Bend on a regular basis, loading and offloading large volumes of people for weekend tours.

Rather than Hogg Bird Sanctuary, the better location for a canoe put-in/take-out is where it's always been: Shep-

herd Drive. A wide launch has been there for years; loading and unloading occurs there frequently, and the Shepherd Bridge provides all-weather shelter.

Unless the city is willing to take a stand and place a moratorium on the Hogg Bird Sanctuary put-in, the day will come when a wilderness experience is no more and someone wonders why it was ever called a bird sanctuary. That will be the day when instead of walking in the woods to understand the mystery of nature's complex habitat, we say to our children, "Let's go to the feed store and look at the caged birds."

Salzhandler is director of Endangered Species Media Project; Walden is a board member of Bayou Preservation Association; and Greene serves on the advisory board of the Texas Parks & Wildlife Department and is a past president of Bayou Preservation Association.



AARON M. SPRECHER: FOR THE CHRONICLE

AT RISK: The 16-acre Hogg Bird Sanctuary in inner Houston is part of the city's Parks and Recreation Department.

COUNTY: Take constables off patrols

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est crime within the county — only within a precinct and only then at the whim of each individual constable. They operate with little or no coordination with the sheriff's office, working when and where they want, many times even competing with the sheriff by cherry-picking the police work they want to do and leaving the time-consuming and expensive duties to the sheriff. They can refuse to work a crime in the very neighborhood they may be patrolling under a county contract with the neighborhood's civic association yet can also refuse to respond to calls not in their contract even though the contract only commits them to approximately two-thirds of their on-duty time.

Because they are not under the supervision or command of the sheriff, no one at the county 911 communication center is necessarily aware of when and where the constables are going to be working at any given time. That means no one can coordinate their assignments countywide or direct them to act in re-

sponse to a burglary report while the sheriff's office is responding to a more urgent crime-in-progress call in a neighboring area, for example. With no unified management to plan, organize and direct county law enforcement, we simply continue to waste taxpayers' money with redundant, uncoordinated and poorly utilized patrol deputy assignments. A county review reported that countywide there are more than 600 deputy constables assigned to contracts, most working uncoordinated, overlapping random patrols in the identical areas the sheriff is responsible for. With about 300 contracts calling for 30 percent of an officer's working time to be available for county patrol outside of the contract neighborhood and another 200 contracts calling for 20 percent of an officer's time, those 600 patrol constables' uncommitted and underutilized hours are costing the county the equivalent of 110 full-time deputy sheriff positions. At a cost of \$60,000 a deputy constable, an extremely con-

servative amount, that figures out to more than \$6.5 million of patrol time being wasted because of a poorly coordinated county law enforcement patrol system. No one ever said a fiefdom was efficient.

The fix is simple. The constables handle important work in the eight precincts; they deal with civil processes, provide the bailiff in the justice of the peace courts and handle criminal warrants. It is time they got out of the patrol business and return to their core mission. It's time for only one office to supervise the law enforcement patrol functions within the county outside of the city of Houston. It's time for the Commissioners Court to move those deputy constable patrol positions and the deputy constables who want to work patrol in the county to the sheriff's office. And it's time

the sheriff has the authority, the personnel and the funding that goes with the responsibility of being the chief law enforcement officer for the county.

Houston doesn't need up to eight different police agencies patrolling the same area and doing the same job as its own police force and neither does Harris County. To continue to do so is simply criminal.

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ECONOMY: America ignores advice

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watched the enterprise go belly up under our improvident leadership. Other members of the "board" — the Western Europeans chief among them — must surely share the blame. But the lion's share of the responsibility for the current crisis must just as surely fall on the financial elite of the United States. Like the crisis it incubated, the failure of our elite has been systemic: politicians of both parties, regulators, bank executives and the business media have, with a handful of honorable exceptions, contributed to our financial fiasco.

We and the world will be

years learning the lessons of the current financial conflagration. But one lesson should already be clear. The United States needs to be more modest in claiming our superiority and less patronizing in our criticism of others. Our officials should remember that the shrewdest course sometimes is just to shut up and listen. Who knows, it might even be possible to learn something. First, though, we have to admit to ourselves that we might — just might — not know everything.

Barnes is the international economics fellow at the James A. Baker III Institute at Rice University.



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