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A level playing field

A public defenders office could best represent indigent defendants.

PRACTICAL solutions to thorny issues are always welcome news, especially in the area of criminal justice, when lives and safety are most at stake. But sometimes highlighting one aspect can illuminate fatal flaws in the bigger picture.

Case in point: State District Judge Randy Roll, elected to his first term on the bench last November, recently denied a request for DNA testing in a 28-year-old case, believing that any such evidence had been destroyed or lost over the years.

But new lawyers found something, reported the Chronicle's Roma Khanna — three hairs from the victim's clothing. Roll, upset that evidence had gone undiscovered for so long, took steps to rectify the situation.

He submitted a plan to his colleagues in the county's 22 criminal district courts that only lawyers experienced in that area should be assigned to convicted inmates requesting DNA evidence testing. They agreed, and are currently working out the logistics.

In another — highly publicized — case, DNA evidence proved the innocence of Houstonian Ricardo Rachell, freed last December after spending six years in prison for the sexual assault of a child. But after Rachell requested the DNA testing, it took almost a year to win his freedom because of his defense attorney's tardiness, as documented in a blistering report by Harris County DA Pat Lykos.

Such sloppiness and lack of attention on the part of court-appointed attorneys are all too common, unfortunately, not just in DNA cases, but across the board. It's past time for Houston and Harris County to follow the example of every other major urban area in the

country and create a public defender's office.

Currently, judges appoint lawyers for clients who can't afford legal representation. The same judges decide how much can be spent on defense experts and investigators.

Studies show that public defenders offices (Texas has 15 of them) improve the quality of representation while also cutting costs.

Harris County spends well over \$20 million a year on court-appointed attorneys, many of whom have no specific expertise to help defend a particular client.

It's not a new idea. Harris County Commissioners Court has been studying the issue for about a year now, and committees — delayed somewhat by the rude interference of Hurricane Ike — are getting ready to present their findings.

Commissioner Sylvia Garcia is an active proponent of the office: "It is important that we ensure a level playing field for all the people who come into our courts," she told the Chronicle. "All the ingredients are there, and I feel confident we're getting support from the public and from judges — all the stakeholders."

State Sen. Rodney Ellis, D-Houston, authored the 2001 legislation allowing inmates to request post-conviction DNA testing. He called Roll's plan "a good thing, but a short-term solution," pointing out that judges should be appointing qualified lawyers anyway, and that it makes sense to have a body of professionals trained to defend clients, just as the district attorney's office has trained professionals to prosecute them.

That sounds like a level playing field.

Real-world resource

Baker Institute's Mexico scholarship deserves Washington's attention.

PLAIN folks can be forgiven for reflexively connecting the term "think tank" with "ivory tower" or, worse yet, "Washington." Many think tanks flourish in the ivory towers that are our modern universities. Even more are ensconced in our nation's capital. There's no shame in any of that.

Rice University's James A. Baker III Institute for Public Policy is set in its own distinguished surroundings out South Main. But its work product is anything but "out there" in the academic ether. Baker fellows are showing a real-world side to their scholarship that is, to our way of thinking, the right fit for these challenging times.

From its beginnings 15 years ago, the institute has drawn the attention of the powerful and influential in the area of Middle East policy and diplomacy, thanks in large part to the stature of its namesake, former Secretary of State James A. Baker III, and its founding director, Edward P. Djerejian, who served as U.S. ambassador to Syria and Israel.

Over time, the initial institute objective of taking full advantage of the Baker Institute's Texas location has brought other areas of scholarly expertise to fuller flower.

As President Barack Obama makes his first official visit to Mexico, Baker fellow Joan Neuhaus Schaan's recent commentary on Mexico's troubles with the drug cartel deserve particular attention from the country's policymakers.

Schaan's lead article in last Sunday's Outlook section, "Beware drug-cartel corruption/U.S. must take care to protect intelligence," made points that merit close scrutiny.

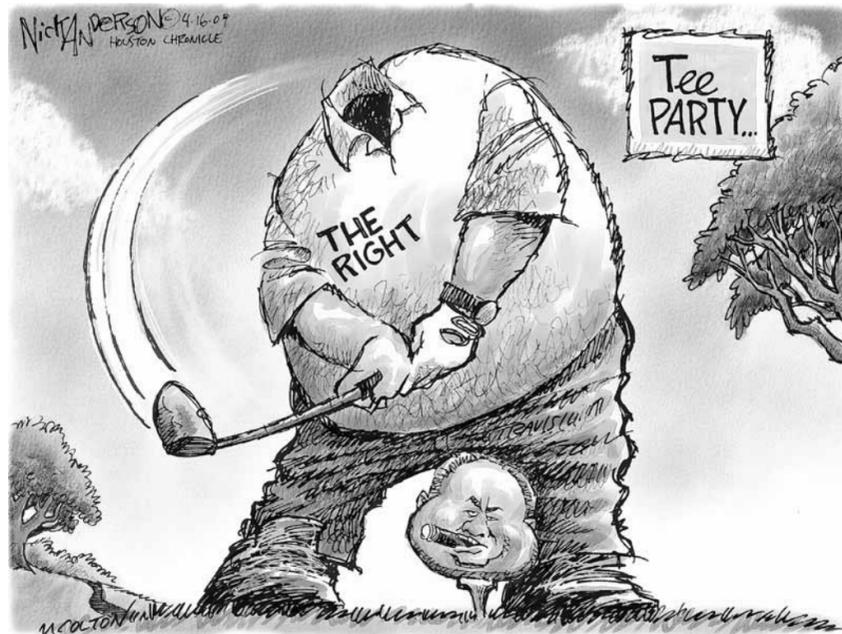
The homeland security and terrorism fellow's argument to shine a brighter light on the issue of corruption in Mexico's law enforcement sector is especially well-conceived. As Schaan argues, the large numbers of Mexican law enforcement forces on drug cartel payrolls — as many as 62 percent by her reckoning — makes sharing technology and intelligence problematic, to say the least. There's a large risk those resources will end up in enemy hands and bring harm to innocent people.

One example is the Bureau of Alcohol, Tobacco and Firearms' eTrace system for tracking weapons ownership. In the right hands it is an invaluable tool, Schaan says, helping law enforcement identify and dismantle weapons trafficking organizations. In the wrong hands, including those of corrupt Mexican officials, eTrace can promote chaos and bring tragedy.

This is the kind of in-depth thinking that deserves more than a mention in an academic quarterly and a place on the bookshelf. It should yield specific changes in federal policy.

Policy-makers will find soundly reasoned arguments from Baker scholars such as Schaan — the distinguished work of a Houston-based think tank.

Imagine that.



LETTERS

Mourning the firefighters

Pause, remember

Iam the mother of an HFD captain. I grieve along with the families of the two fallen firefighters and the entire Houston Fire Department at this tragedy ("Blaze takes the lives of rookie and captain," Page A1, Monday). I pray that all Houstonians will pause and remember them with their thoughts and prayers.

—SHIRLEY PAYNE, Houston

Only the brave

Ican still recall the frivolous remarks from friends when I told them I was marrying a firefighter. Some jokingly pointed out that firefighters had such tough jobs — wink, wink. Others were quick to talk about the eating and sleeping firefighters did. What a life! From all the comments offered, I gathered that fire-fighting was just not a big deal. So, I laughed with them. Ha-ha! What did I know? That was almost 30 years ago. These days, I fully understand the physical and mental strength required to be a good firefighter, and I'm well aware of the risks. I know what it means to get a phone call in the pre-dawn hours saying, "Your husband has been seriously injured."

Hearing of the tragic fire that claimed two Houston firefighters early Easter Sunday morning confirmed, once again, that there is no job quite like that of a firefighter — and just how much we depend on them during times of crisis.

After a long career with HFD, I'm grateful that my husband retired in 2008. But I can still remember the many mornings he trudged in the back door, haggard, bleary-eyed and smelling like a smokestack. What had he been doing for the past 24 hours? Just doing his job. And while his careworn appearance might not have appealed to some women, he looked wonderful to me — simply because he made it home.

"How can you deal with all the agony?" I asked him one evening, after hearing yet another heart-wrenching story of death and loss. "You just do all you can to help," he said. "You don't really have time to think about the circumstances. You just do what has to be done."

As we mourn the loss of two firefighters in Houston, I know it will be some time before the ache in my heart subsides. Firefighters are a close-knit group, whether active or retired. When one dies in the line of duty, no matter the locality, they all grieve. They understand how easily it might have been them. And while firefighters may not make the national news on a daily basis, they are always on the job. Twenty-four hours a day, seven days a week, 365 days a year, firefighters are at work for the American people.

All of them are genuine heroes — men and women who go the distance every time they show up for work, reacting to life's tragedies and catastrophes, to acts of God, to acts of terror and to

human wretchedness. They are prepared to lay their lives on the line for the young, the old, the rich and the poor. That is what it really means to be a firefighter. Only the brave need apply.

—DAYLE ANNE SHOCKLEY, Spring

True heroes

AFTER two firefighters passed away last weekend, I have been greatly encouraged by the courageous men that we have serving us every day, even putting their lives on the line for complete strangers. Some people write off what firefighters do as just their job. The firefighters I know consider it a passion to rush into buildings with the victims of the fire in mind before their well-being. Whatever drives them, I am thankful for all that they do. To the families of firefighters, thank you for your loved ones who are true heroes.

—ALEX PHILLIPS, Spring

Tragic loss

THE Muscular Dystrophy Association would like to express our deepest sympathies to the friends and families that have been affected by the loss of two of Houston's firefighters. Firefighters across the country have a special place in the hearts of MDA. Our condolences to all of you at this time of your tragic loss.

—ERIC GOINS, MDA, Houston

Nefarious debt collectors

KUDOS to the Houston Chronicle for the article about nefarious debt collectors and the legal remedies available ("Some debtors getting payback," Page A1, Monday). However, there is something definitely wrong with the system when the client collects \$17,500 in damages and the lawyer "got more than \$50,000 in legal fees and costs reimbursed."

—KEN CAMPBELL, Cypress

Just not good public policy

AChronicle article questions the fairness of turning over \$14 million of City of Houston tax revenue to a commercial real estate developer through a Tax Increment Reinvestment Zone (TIRZ) scheme recently approved by Houston City Council ("Critics question fairness in help for developers," Page B1, Sunday). The same development company had previously indicated they had all their financing secured for their project. Earmarking of taxpayer dollars to special interest projects through the TIRZ process, based on real estate companies and brokers having favored status at City Hall and on City Council, does not serve the rest of the citizens of Houston and is just not good public policy. A proposal to create dozens of residential management districts specifically for Houston and raise residential tax rates by 25 percent, as is contemplated by state Rep. Garnet Coleman in HB 4648, is also apparently supported by Houston City Council and the mayor as a tax scheme. This bill will only serve to continue the unfair tax and spend policies that have been favored by our elected officials in Houston over the last couple of decades. Future Houston City Councils and a new mayor need to focus on a more equitable way to run city government through regular channels of public infrastructure funding without creating special tax zones and dis-

tricts that favor developers' and real estate brokers' pet projects over the public good.

—RAY A. JONES, Houston

'Green' hindering progress?

THOMAS Friedman's article on Costa Rica, ("Discovering the best of both worlds," Page B11, Monday), makes it sound like a dream place to visit, which it is. I wouldn't want to live there for very long. Our son was there for about five months living in a cement-block, three-room home of a native. He rode a public bus each morning to school. The roads were not paved enough for a bicycle. When the rainy season comes, everything turns to mud. Years ago when I was there we saw the poverty in the countryside where women give birth in very filthy conditions. I'm not sure what "economic growth" he is referring to. It still looks like a Third World country. "Green" might be hindering progress, as some define progress.

—LUCY MOORMAN, Brenham

LETTERS POLICY

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BIBLE VERSE

Therefore say I unto you, The kingdom of God shall be taken from you, and given to a nation bringing forth the fruits thereof.

—Matthew 21:43