

Columbia/HCA's policy to maximize profits by ripping away hospital infrastructure is the antithesis of what this country mandated in the Hill-Burton Act of 1946, to ensure that every community had sufficient hospital beds. Now we find, through these lawsuits, that at least some of the money Columbia/HCA used to buy up (and close) health facilities was illegally gotten. While some of the lawsuits have ended, the investigations into Columbia/HCA's fraud continue.

Texas residents say that a similar story of protecting cronies could be told about the Bush family's links to the real estate bigwigs in the border area, who have an interest in keeping the notorious *colonias* as they are.

The Border Low Income Housing Coalition, a Texas-based organization, reports that conditions in Bush's *colonias* are among the poorest in the world.

According to the coalition, "A large majority of *colonias* have dirt roads, without even gravel surfaces, and have no surface drainage systems. Approximately half of Texas *colonia* residents do not have adequate water supplies. 51% of *colonia* residents use septic tanks, 36% use cesspools, 7% use outhouses, and 6% use other means to dispose of wastewater. Many *colonias* are constructed in flood plains, causing raw sewage to overflow into the yards when it rains. . . . Incidence of health problems is high. Flooding is common . . . making the existence of privies an additional health problem. Waterborne diseases are very common in *colonias* for this reason. The rate of TB in the *colonias* is 3.9% and hepatitis is 6.2%, well above the average for the rest of Texas.

"Education levels are quite low and school dropout rates are high. . . . Two-thirds of those over 18 years of age have not finished high school. Median annual income is estimated at \$7,000-11,000 per household. . . . Typical families consist of 5-6 people."

## The future under 'Dubya'

To get a glimpse of a future under a Bush Presidency, just look at his proposed \$1.7 trillion "tax cut" over 10 years. It is simply a plan to steal from the poor and give to the rich. According to a December 1999 analysis by Citizens for Tax Justice and the Institute on Taxation and Economic Policy, based in Washington, Bush's tax policy is a sop to the very rich. The poorest people in America, those in the lowest 20% of the population, with an income of less than \$13,300 per family, will get an average tax cut of \$43 a year, amounting to only 0.6% of Bush's tax cut. In contrast, the top 10% of the income bracket, those with incomes of \$89,000 or more, would receive an average tax cut of \$8,362, amounting to 61.6% of Bush's tax cuts. But for the top 1%, with an income of \$301,000 or more, the average tax cut would be \$50,166 a year, 36.9% of Bush's plan.

Under George W. Bush and his oligarchic family, it's only the top 1% that count.

# The Bush family's death machine

by Marianna Wertz

As of Jan. 19, 2000, since he became Governor of Texas in 1995, George W. Bush, the "compassionate conservative," has overseen the execution of 114 Texas death-row inmates. According to the Death Penalty Information Center, this is nearly half of all the people (201) executed in Texas since the resumption of capital punishment in 1976. No other governor in America in recent times comes close to this number of executions, and Texas is way out ahead of every other state in the business of killing, accounting for one-third of all executions in the country since 1976 (see **Figure 1**).

In a pre-Christmas binge, four Texas inmates were killed in four days. One of the last executions of 1999 was that of David Long, who had to be flown to the execution chamber from a hospital in Galveston accompanied by medical personnel, where he had been placed on life support following a suicide attempt. Bush killed him anyway.

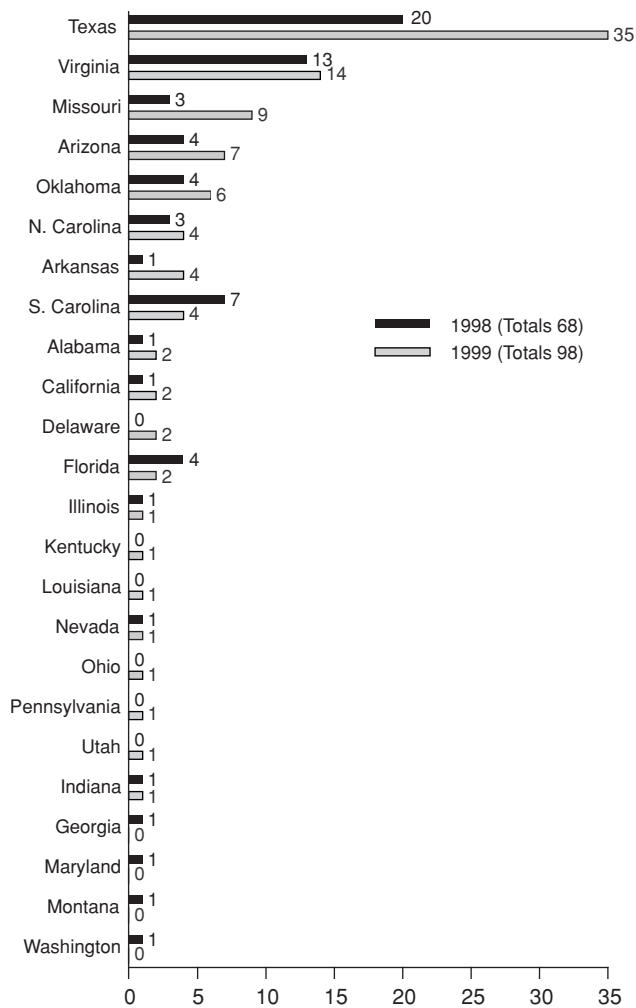
In January alone in Texas, there are seven executions scheduled, including Larry Robison, a paranoid-schizophrenic who killed his victims only after attempts to institutionalize him were rejected because of lack of medical insurance; and two men, Glen McGinnis, 26, and Anzel Jones, 21, both of whom were 17 when they committed their crimes, and both of whom are African-American. On Feb. 24, Toronto Patterson, 21, who was also 17 when he committed his crime, and is African-American, is scheduled to die.

The execution of those who were minors when they committed their crimes is banned by international treaty, but the United States took "exception" to this rule when it signed the treaty. The three American states where minors have been executed since 1997 — Texas, Virginia, and Oklahoma — join Iran, Nigeria, Pakistan, Saudi Arabia, and Yemen in continuing to execute juvenile offenders.

The compassionate "Dubya" also refused to grant clemency to the first woman to be executed in Texas since the 1860s, Karla Faye Tucker, though she had been demonstrably rehabilitated while in prison. Bush subsequently mocked Tucker in an interview with *Talk* magazine, telling the reporter in a high-pitched, sarcastic tone that she had said, "Oh please, don't kill me." His refusal to grant Tucker clemency spurned requests by hundreds of world leaders,

FIGURE 1

**States with executions: 1998, 1999**



Source: "The Death Penalty in 1999: Year End Report," Death Penalty Information Center.

including Pope John Paul II, and by his GOP rival Gary Bauer, who said, "I think it is nothing short of unbelievable that the governor of a major state running for President thought it was acceptable to mock a woman he decided to put to death."

**Another bloody Bush**

On Jan. 7, George W. Bush's brother, Jeb, the Governor of Florida, pushed through legislation to speed up executions in his state, saying that the law was modelled on his brother's legislation in Texas, which cut the length of stay on death row by half. Jeb said, in Orwellian newspeak, that the Texas

TABLE 1

**Use of the death penalty in 1999**

Executions in 1999	98*
Executions since death penalty was reinstated in 1976	598
Deathrow population	3,625
Freed from death row and exonerated in 1999	8
Freed and exonerated since 1973	84
Leading execution states in 1999	
Texas	35
Virginia	14
Leading death row states	
California	551
Texas	458
Percent of total executions by region since 1976	
South	80%
Midwest	11%
West	8%
Northeast	0.5%

\*This was the most executions in a single year since the death penalty was reinstated in 1976.

Source: "The Death Penalty in 1999: Year End Report," Death Penalty Information Center.

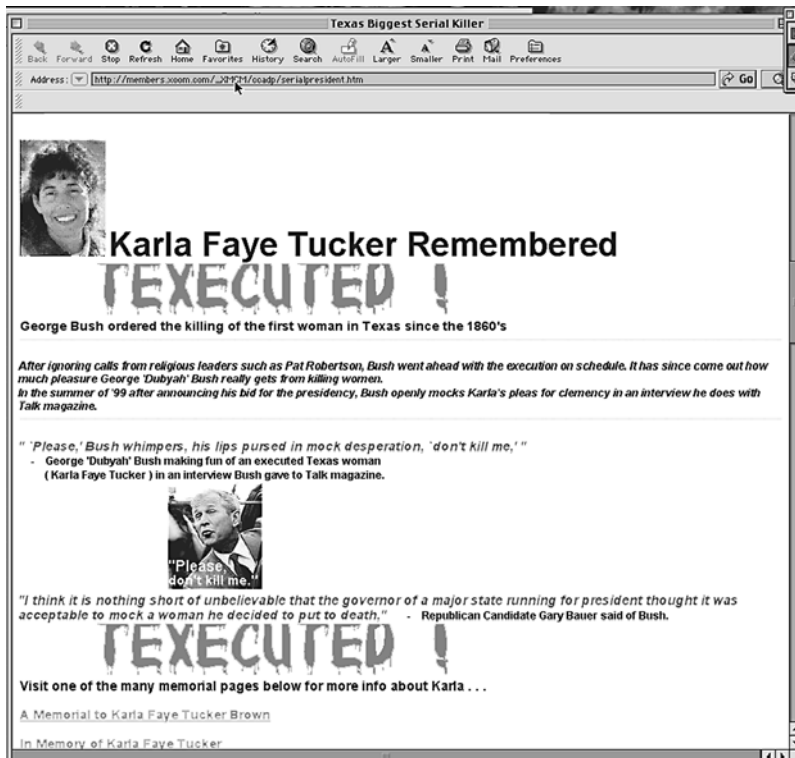
legislation has brought "a semblance of justice to this very complicated issue."

Before the Florida legislation passed, the American Bar Association issued a letter to Jeb Bush and the state legislature, expressing its concern that speeding up the pace of executions could jeopardize fairness, due process, and access to adequate legal representation for those who face execution. In 1997, the ABA called for a moratorium on executions until state and Federal jurisdictions could ensure that their policies and procedures guarantee fundamental constitutional rights and protect against execution of the innocent.

Since 1973, eighty-four people nationwide have been freed from death row after evidence of their innocence emerged. Eight people were freed in 1999 alone. For every seven executions since 1976, one other prisoner on death row has been found innocent.

In Florida, former state Chief Justice Gerald Kogan, a former prosecutor, spoke on Oct. 23, 1999 about Florida's record on innocence and the death penalty. "There is no question in my mind, and I can tell you this having seen the dynamics of our criminal justice system over the many years that I have been associated with it, prosecutor, defense attorney, trial judge, and Supreme Court Justice, that convinces me that we certainly have, in the past, executed those people who either didn't fit the criteria for execution in the State of Florida or who, in fact, were, factually, not guilty of the crime for which they have been executed."

Reflecting Jeb Bush's cynical view of the matter, his se-



From "The Serial President" website. Texas Gov. George W. Bush mocked the appeal for clemency by Karla Faye Tucker, a death-row inmate who had clearly reformed herself in prison, before putting her to death.

nior adviser, Brad Thomas, commented on speeding up executions, "What I hope is that we become more like Texas. Bring in the witnesses, put them on a gurney, and let's rock and roll."

A companion bill, also signed into law by Jeb Bush in January, makes lethal injection the primary method of execution. Since the only execution in Florida over which Jeb Bush has presided resulted in the inmate, Allen Lee Davis, bleeding profusely on the electric chair, Jeb was under pressure to allow this more "humane" form of state-sponsored killing.

In Florida, where 44 people have been executed since 1976, a 1991 study found that persons who killed whites were 3.4 times more likely to be sentenced to death than those who killed blacks. Nevertheless, the state legislature, while passing legislation to speed up the killing and make it more "humane," refused to pass an amendment allowing defendants to challenge the imposition of the death penalty if they could show racial disparity in its administration and the state could not explain the disparity.

Texas and Florida, with 458 and 393 inmates on death row, respectively, rank second and third in the nation behind California (551), while all other states, including many with larger populations, have fewer than 200, and most have fewer than 50.

## Like father, like sons

The London *Times* recently compared the Bush brothers to the Earp brothers, who terrorized the American West with their six-shooters in the name of the law. But, the *Times* pointed out, George W. and Jeb between them "have overseen the deaths of more people than the Earps by a factor of about ten to one." The article concluded, "Under a Bush administration, the condemned can expect to die faster, younger, and less noticed. For some voters, that is a good reason to elect him. But as other American lawmen have found, to kill in the name of the law may bring popularity, but to do so with apparent enthusiasm can get you run out of town on a rail."

If George H.W. Bush weren't these boys' father, and Prescott Bush their grandfather, one might really wonder what kind of upbringing they had. But, knowing that Prescott Bush helped bring Adolf Hitler to power (see *George Bush, The Unauthorized Biography* (Washington, D.C.: Executive Intelligence Review, 1992), and that former President Bush presided over the flooding of this country's ghettos with crack cocaine during his Vice-Presidency, we have no doubt what kind of upbringing they had. It runs in the family—like father, like sons.

## 'Finality' vs. innocence

A recent "Frontline" story by the Public Broadcasting Service reported on a Texas case, where the innocence of the inmate was proven through DNA testing, yet he was not allowed a new trial. The decision reflects the thinking in criminal justice circles under George "Dubya's" incumbency, and the current U.S. Supreme Court majority.

Judge Sharon Keller of the Texas Court of Criminal Appeals wrote the majority decision in the rape-murder case of Ray Criner (now serving 99 years in a Texas prison). The 5-4 majority found that, despite DNA evidence proving that Criner did not rape the girl, he has not proved his innocence, because he told three friends that he had had sexual relations with a girl on the night of the murder. Judge Keller called the DNA test "negative evidence," and claimed that he might have used a condom, and the victim might have had other sexual relations that night—none of which speculation was ever considered in court.

Judge Keller told PBS that, "at best, [Criner] established that he might be innocent. We can't give new trials to everyone who establishes, after conviction, that they might be innocent. We would have no finality in the criminal justice system, and finality is important."

Judge Charles Baird, who dissented in the Criner case, saying that DNA evidence does prove innocence, told PBS that the Texas criminal appeal system “has broken down,” and Criner is victim of that breakdown. “The courts have promoted finality over the substance of the claims,” Baird said. “It’s better that they be final, than that they be decided right. And of course I think that’s wrong, when an individual’s life or liberty hangs in the balance.”

### Criminal justice in Texas

By the time you are reading this article, Dubya will have killed Larry Robison, barring some unforeseen development. Robison, a paranoid-schizophrenic, is scheduled for execution on Jan. 21, four days before the Iowa caucuses. His story, told on the Death Penalty Information Center’s website ([www.essential.org/dpic/Robison.html](http://www.essential.org/dpic/Robison.html)) by his mother, Lois Robison, is a clear demonstration of how criminal justice in Texas has become just that — *criminal* justice.

Robison, one of eight children whose parents are school teachers, had never committed a crime before in his life. He was a model student and son, until he started acting strangely in his late teens.

Mrs. Robison writes: “Larry was first diagnosed as paranoid-schizophrenic at Huguley Hospital in Fort Worth, when

he was 21 years old. Because our insurance no longer covered him, he was discharged. We were told to take him to John Peter Smith County Hospital where he was kept for 30 days and discharged because he was ‘not violent,’ and they ‘needed the bed.’ If he became violent, we were told, he could get the long-term treatment that everyone agreed he needed. The VA [Veterans Administration] doctors forgot to have Larry sign a release before he left, so we were unable to get medication for him. . . .

“The first and only violent act he was accused of was killing five people. We were horrified, and we thought he would finally be committed to a mental institution, probably for life. We were wrong. He was arrested, held a year without bail, not given a sanity hearing, and in spite of his medical history, found sane and sentenced to death. In the 16 years since Larry went to Death Row, he has seen a psychiatrist only twice — both times initiated by our family. He has never received any medication or mental health treatment in jail or prison. . . .

“Approximately one-third of the people on Death Row are mentally impaired. There are more of them in jails and prisons in Texas than there are in mental hospitals. . . . The state of Texas is 49th in resources for the mentally ill and yet it is at the very top in prisons and executions.”

### Criminal disenfranchisement

Texas and Florida are distinguished for yet another aspect of *criminal* justice. They lead the nation in the number of people who have lost their right to vote as a result of the disenfranchisement of felons. According to The Sentencing Project’s October 1998 report “Losing the Vote: The Impact of Felony Disenfranchisement Laws in the United States,” felony disenfranchisement laws, first introduced from England at the founding of the American colonies, were re-drafted and toughened by the former Confederate states following the Civil War, explicitly in order to reduce the number of black people who could vote.

Disenfranchisement begins with a racist justice system; criminal disenfranchisement laws then guarantee that those who are convicted will lose their right to vote. The effect on African-Americans is clear: 36% (1.4 million) of the total disenfranchised population in the United States are black men.

Texas and Florida, under the Bush brothers, are *way out in the lead* in the total number of citizens disenfranchised. While most states have a total disenfranchisement in the range of 100-200,000, Florida has 647,000 disenfranchised voters (of whom 204,600 are black men), and Texas has 610,000 disenfranchised voters (of whom 156,600 are black men). In Florida, 31.2% of blacks are disenfranchised (the highest percentage in the nation), and 20.8% in Texas.

This nation barely survived one Bush Presidency. Another, as is clear from these statistics, would undoubtedly kill it.

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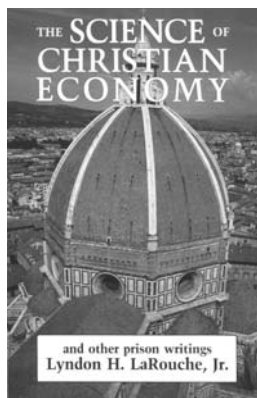
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