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Md. Parents Want Teen Tipster Back Home

BY FERN SHEN

The Takoma Park husband and wife whose teenage daughter told police about marijuana plants growing in the family's basement want their daughter to come home, attorneys for the couple said yesterday.

The teenager, Kerry Tucker, 16, has been staying with a family friend since her parents' arrest on Aug. 30. A District Court commissioner ordered last week that she have no contact with her parents, Robert Jason Alvarez, 54, and Kathleen Marie "Kitty" Tucker, 55, of the 600 block of Kennebec Avenue.

A hearing on their request is scheduled for tomorrow in Montgomery County District Court.

The girl's parents were charged with the manufacture and distribution of marijuana, possession of marijuana and conspiracy to manufacture and possess marijuana after Takoma Park police reported finding 69 marijuana plants "in varying stages of growth" in their home on Aug. 19. Charging documents filed in court state that police obtained a warrant to search the couple's home after the daughter provided them with photographs of the marijuana plants.

In their search, police also found canisters of marijuana in the master bedroom and pipes, rolling papers and books on growing marijuana, court documents show.

The parents surrendered to police on Aug. 30 and were released on their personal promise to return to court. Alvarez, a senior policy adviser at the Department of Energy, was at first suspended from his job, then fired from the post on Monday.

The request for their daughter to be allowed to return home comes as the parents have hired separate attorneys for the criminal charges against them--an indication that Alvarez may blame the marijuana growing on his wife.

"This is a very caring and loving family with problems as we all have," said Steven Kupferberg, the Rockville attorney who is representing Kitty Tucker. He has said she used marijuana to relieve the pain of chronic migraines and fibromyalgia, a chronic disorder that causes muscle pain.

"Her parents are absolutely no danger to her," Kupferberg said. "She wants to go home."

Kerry Tucker could not be reached for comment yesterday, and court documents do not indicate that an attorney has been appointed to represent her.

It is not unusual for judges to remove children from their home when both parents have been charged with criminal offenses. It is routine for judges to bar contact between witnesses and criminal defendants.

Alvarez, who answered the door at the family home yesterday, declined to speak with a reporter and referred all questions to his attorney, Fred Bennett, of Greenbelt.

Bennett said he will probably argue that Alvarez is not criminally responsible. "There is some question whether or not passive acknowledgment of what another person is doing is a crime," Bennett said. He acknowledged that the home is jointly owned.

Neither **Kupferberg** nor Bennett would speculate on why Kerry Tucker went to the Takoma Park police. Several family friends suggested that there were deep troubles within the family and pointed to the suicide of Kerry Tucker's half-brother six years ago as an indication of their severity.

"This is really a normal family where enough things have gone wrong to create an incredibly, incredibly unfortunate, almost tragic situation," said Howard Kohn, of Takoma Park. Kohn became acquainted with Kitty Tucker while writing a book about the death of nuclear power whistle-blower Karen Silkwood.

Silkwood, a lab technician at Kerr-McGee Corp.'s Oklahoma plutonium plant, was killed in a car accident on her way to talk to a reporter about problems at the plant. Kitty Tucker helped push the case into the national spotlight and organized massive demonstrations in the 1970s and 1980s that encouraged widespread criticism of the nuclear industry.

Susan Kellam, another family friend, said that "Kitty always was in a lot of pain." Kellam, who said she had known the couple for a few years, said, "The first thing I think of when I think of Kitty is, a person who is ill."

Alvarez, a political appointee who had served as deputy assistant secretary, joined the Energy Department during the administration of then-Secretary Hazel R. O'Leary. Previously, as a staff

member for Sen. John Glenn (D-Ohio), Alvarez had a reputation as the resident expert on the issue of environmental contamination and worker exposure at government nuclear facilities, such as the Hanford Nuclear Reservation in Washington.

Previously, Alvarez had worked for a variety of environmental organizations, pushing for greater scrutiny of government and privately run nuclear facilities.

Staff writer Steven Gray contributed to this report. ■

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