

79TH JUDICIAL DISTRICT ATTORNEY'S OFFICE

2013 ANNUAL REPORT

Presented by

Carlos Omar Garcia
79th Judicial District Attorney



DISTRICT ATTORNEY'S OFFICE

PROSECUTORS

Carlos Omar Garcia
Joe Mike Pena
Albert Byington, Jr.

Lee Persohn, IV
Tom Turner*
Yvonne Gonzalez Tourilles

INVESTIGATORS

Tony Vera
Margarito Perez

Jaime Garza
Tammy Hallmark

LEGAL ASSISTANTS

Vivia Lara
Sylvia Chapa
Cindy Mandel
Viola Garcia

Melissa Barragan
Ashley Everett
Susie Saenz

CRIME VICTIM COORDINATOR

Roel Perez



Criminal Justice Report

- ▣ Implemented a specialized case team approach.
 - Gang/Violent Crimes Unit
 - Property Crimes Unit
 - Border Crimes Unit
 - Child Victims Unit
 - Juvenile Justice Unit*
- ▣ Each unit is made of three assigned members:
 - Prosecutor
 - Investigator
 - Legal Assistant



Criminal Justice Report-Cont.

- ▣ Jim Wells County Cases
 - Stage 1 (Intake): 119
 - Stage 2 (Indicted/Trial not set): 238
 - Stage 3 (Indicted/Trial set): 39
 - Stage 4 (Disposed/Active): 203
 - Stage 5 (Closed/Inactive): 610*
- ▣ Brooks County Cases
 - Cases disposed during 2013: 206
 - Cases received during 2013: 160*
 - Cases indicted during 2013: 114
- ▣ Over 1,100 witness subpoenas a year



Criminal Justice Report-Cont.

▣ Plea Agreements

- Based on the facts and nature of the case
- Consider: potential legal issues that may impact the admissibility of evidence; impeachment, mitigation, and exculpatory information; and the background of the defendant.
- Recommendations are presented to the victims and/or victims' family and their information is considered- the final decision is made by DA's office.
- The defendant, through their attorney, will often negotiate, often offering additional information for our office to review and verify.
- If an agreement is reached, the plea agreement will be presented to the Court for approval.



Juvenile Justice Report

▣ Jim Wells County Cases

- Cases pending at the beginning of 2013: 68*
- Cases pending at the end of 2013: 45*

▣ Modifications to the system

- Creating a specific unit with a dedicated prosecutor
 - ▣ Tom Turner appointed as the Juvenile Prosecutor
 - ▣ Totally funded through asset forfeiture funds
- Court's creation of a Juvenile Drug Court*
 - ▣ Program is currently being worked on by the Juvenile Probation Department and the Juvenile Board
 - ▣ The Drug Court will address the need for specialized substance abuse treatment programs for our youth



Asset Forfeiture Report

- ▣ Total Revenue: \$208,937.00
- ▣ Total Expenditures: \$212,795.00
- ▣ Net Change in Fund Balance: \$3,858.00
- ▣ Fund Balance at beginning of the FY: \$320,091.00
- ▣ Fund Balance at end of the FY: \$316,233.00
- ▣ Escrow Fund
 - Beginning Balance: JWC-\$805,198.00; BC- \$183,022.00
 - Additions: JWC- \$920,528.00; BC-\$20,813.00
 - Deletions: JWC-\$890,122.00; BC- \$0
 - Ending Balance: JWC-\$835,604.00; BC-\$203,835.00
- ▣ FY: 09/01/2012 through 08/31/2013
- ▣ Report is based on 2012-2013 FY Report filed with the Texas Attorney General



Budget Report

- ▣ General Fund
 - Jim Wells County (January-December)
 - ▣ 2013- Estimated: \$903,449.00
 - ▣ 2014- Adopted: \$945,951.00
 - Brooks County (October-September)
 - ▣ 2013- Budgeted: \$100, 279.00; Actual: \$84,841.94
 - ▣ 2014-Budgeted: \$64,403.00
- ▣ Chapter 59 (January-December)
 - ▣ 2013- Estimated: \$453,024.88
 - ▣ 2014- Estimated: \$379,740.00
- ▣ Grants (September-August)
 - Border Prosecution- \$115,000.00/year
 - Crime Victim Assistance- \$42,000.00/year
 - Apportionment Fund- \$27,500.00/year



Community Service Report

Community Outreach:

- Safety Booths at Orange Grove Pioneer Days, 1st Baptist Church-Falfurrias, Jim Wells County Family Fun Day, Premont PRIDE Market Days, Jim Wells County Fair, Pan De Campo Festival in Brooks County, area National Night Out events, and others (\$20,874.39)
- Safety flyers and community information ads in local papers
- Donations to Crime Stoppers, PDAP, Alice Counseling Center (\$16,240.00)

School Outreach

- Career day and crime prevention presentations in Orange Grove, Brooks County, Ben Bolt-Palito Blanco, St. Joseph Catholic School, Mary R. Garcia Elementary
- Learning for Life Bully-Prevention & Anti-Substance Abuse Program provided to the following school districts: Alice ISD, Agua Dulce ISD, Premont ISD, San Diego ISD, Ben Bolt-Palito Blanco ISD, Brooks ISD, La Gloria ISD, Orange Grove ISD (\$11,894.00)



Community Service Report-Cont.

Law Enforcement Outreach

- Sponsored officers from the following agencies to educational courses: Alice PD, Jim Wells SO, Falfurrias PD, Brooks SO, DPS, Ben Bolt-Palito Blanco PD
- Purchased or assisted with the purchase of law enforcement equipment for area departments including: Jim Wells Juvenile Probation Department, Ben Bolt-Palito Blanco PD, Falfurrias PD, Brooks County, Jim Wells County, and Premont PD
- Provided educational seminars for local law enforcement agencies; in-house (Carlos O. Garcia, Lee Persohn, and Albert Byington attended the TDCAA "Train the Trainer" course and Margarito Perez is a TCLOESE instructor) as well as bringing in outside courses.
- MDT created for our area



Crime Victim Services Report

Re-built the Division

- ▣ Education
 - CVC basic and advanced training
 - Visited with area CVCs
- ▣ AG Reports
 - Revised reports for submission
- ▣ Management
 - Revamped the case management system to include the crime victims information



Award Ceremony

- ▣ GUARDIAN OF JUSTICE AWARD
 - A memorial award presented in recognition of a life of service and dedication to the criminal justice system in the 79th Judicial District of Texas
- ▣ PURSUIT OF JUSTICE AWARD
 - Presented to an individual who has shown outstanding merit and excelled in insuring justice by battling injustice
- ▣ CHAMPION OF JUSTICE AWARD
 - Presented to an individual who has excelled in promoting the improvement of the criminal justice system and prosecution of criminal cases in the 79th Judicial District of Texas



Guardian of Justice



Homero C. Canales
Attorney at Law
1972-2013
Asst. District Attorney
2009-2011



The key to winning is the ability to see the big picture and persuade 12 people you just met to follow you through the obstacles and roadblocks of a case and emerge from it all to find the Lady we call Justice.

- Homero Cesar Canales
Circa 1991



Pursuit of Justice

GRAY P. SCOGGINS

ATTORNEY AT LAW

ALICE, TEXAS

The prosecutor's primary duty is not to convict, but to see that Justice is done. To see that Justice is done takes the commitment of all involved in the criminal justice system. The commitment and dedication to justice demonstrated by the recipient of this award kept injustice from tainting our criminal justice system.



Champion of Justice

OSCAR LOPEZ

JIM WELLS COUNTY SHERIFF

A public servant puts the needs of the community above his or her own. A leader is dedicated to spending the energy and effort to accomplish the tasks at hand. An officer of the law has the integrity to enforce the laws in a manner that is fair and just. A Champion of Justice fights for the common good and defends all that is righteous. Sheriff Lopez is a Champion of Justice.



District Attorney Advisory Board

- ▣ The primary functions of the community advisory board will be to assist in assessing criminal trends and threats in our local communities, identify area needs for crime prevention programs, provide community input as to the proposed use of discretionary funds controlled by the DA's Office, and assist with the overall improvement of the criminal justice system and community safety.
- ▣ The advisory board is not an official governmental board, committee, or agency and does not have the authority to make decisions of any nature for the District Attorney's Office. The advisory group is intended as a community outreach tool for the District Attorney's Office.



Goals for 2014

- ▣ Improve the overall efficiency and quality of the cases before they are presented to grand jury
- ▣ Connect the Jim Wells and Brooks offices
- ▣ Work with our Judges, defense bar, and law enforcement agencies as we enter a new era of discovery
- ▣ Implement new community outreach programs: Rancho Alegre Community and Victims' Services Project, Serving up Justice community education programs



THANK YOU

- ▣ To our state, county and city officials
- ▣ To the area law enforcement agencies
- ▣ To the support groups and departments
- ▣ To our area civic clubs and churches



Thank you for your attention.



79th Judicial District Attorney's Office
www-79-districtattorney-tx.org