



Sharen Wilson, Criminal District Attorney [cda.tarrantcounty.com](http://cda.tarrantcounty.com) **SUMMER 2019**

# The Docket

**An Update from**  
*Sharen Wilson*  
**Criminal District Attorney**

*Technology continues to change and, oftentimes, improves our lives. The same is true with technology in the criminal justice system. This update focuses on recent impacts of technology in our criminal cases.*

## Eyewitness News

Did you hear the one about the guy driving down a freeway and got passed at 70 miles per hour by a man driving a Ford with no right front tire? Who would believe that tall tale without proof, so the driver who got passed pulls out his iPhone and starts videoing. His phone camera captured the tireless driver bobbing and weaving in and out of traffic, t-boning a truck at an exit on I-20, then hitting a total of 8 vehicles before finally crashing for good at a stoplight. All of the other drivers who got hit didn't stick around, so no evidence for the jury in a DWI trial. Until that video surfaced on YouTube and the prosecutor found the man with the iPhone. Verdict? Guilty.

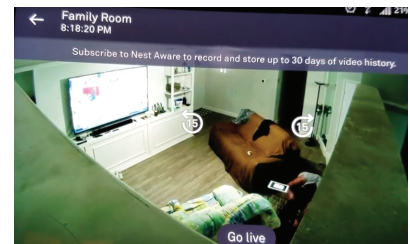
The trend in our office is clear and growing: video evidence produced by home surveillance cameras, cell phones and other civilian cameras is figuring heavily in some of our Tarrant County criminal trials. While citizen captured video is not always a slam dunk for our prosecutors, when available, videos of this type can be key evidence helping to win a conviction.

## Lights! Camera! Conviction!

Deric Berquist of Arlington knows the value of home surveillance video all too well. He set up his own home surveillance camera to watch over his expensive electronics. What he didn't think about was the camera would be watching everything that moved in his living room, including him. During his trial for animal cruelty in April, the jury watched video captured by that camera, showing Berquist savagely beating an 11-week-old German Shepherd puppy inside its wire crate. They saw his powerful fists pummeling the whimpering pup, breaking its ribs and then repeatedly slamming its then limp body into the bottom of the cage. ACDA Danielle Bonanno brought other testimony about his abuse and killing of animals as a young boy, but it was the home surveillance video, shot by Berquist's own camera, that sold the jury on putting him away for a while. Animal abuse cases usually net little more than 180 days in jail; this jury was so moved by the video and Berquist's prior burglary convictions, it sent him to prison for 5 years.

## See it - Save it - Share it!

Civilian captured video has proven to be powerful evidence in several other Tarrant County criminal trials in April and May of this year, and more are in the pipeline. The Fort Worth Police Department and other law enforcement agencies around Texas recognize the crime fighting value of these videos and are recruiting homeowners to register their doorbell and surveillance cameras to help provide an electronic eyewitness when no one else is watching. This is not an invitation for vigilantism, it is a call to be aware of what's going on around us and to realize our own cameras and security devices may provide the best evidence to help our prosecutors find the truth and convince a jury.



Still frame of home video showing Deric Berquist beating an 11 week old puppy.

## Get Educated! Become a Community Expert



The verdict is in. The Tarrant County Criminal District Attorney's Citizen Prosecutor Academy will make you smarter and give you knowledge to explain what is going on down here at the courthouse. The Reverend Ralph Emerson, from Rising Star Baptist Church, attended the 12-week academy here at the Tim Curry Criminal Justice Center and said, "It is one thing to be informed, it is another to be educated."

Our next 12-week academy begins September 5, 2019. We meet once a week on Thursdays, and each class is led by our prosecutors, investigators and highly skilled staff. Participants learn about each step of the criminal justice process, from arrest, to jail, to when a case is filed by police, all the way through trial and punishment. You will also learn about the many divisions of the Criminal District Attorneys' office and discover we do much more than just take accused individual to trial. "The academy has equipped me to explain how the District Attorney's office is there to serve our county," says James Turner, Senior Pastor of the Metropolitan Baptist Church.

Apply for the Citizen Prosecutor Academy on our website, [cda.tarrantcounty.org](http://cda.tarrantcounty.org), or call Outreach Coordinator Amy Bearden, (817) 844-3126

## DA DOG - BAREFOOT COMFORT

Well! That's what I call one relaxed dog and exactly what Brady is supposed to be. Early in May, our CDA emotional support canine had an intense day in court with a very young girl. This 11-year-old was having one of her worst days ever, telling a courtroom full of adults the horrendous details of a sexual assault. Brady was there to help her get through it, hidden away under the little girl's feet deep under the witness stand.

Brady's trainer Sharron Schmitt explains, "Brady is supposed to stay out of sight of the jury members, because he might draw sympathy from them." But, Brady is very much supposed to be under the feet and in sight of a young victim, going through difficult and personal questioning from prosecutors and defense attorneys. "It is a highly emotional and sad time for these children being questioned about how they were betrayed by an adult," Schmitt says, "and Brady is trained to be very empathetic. He is some dog to be able to absorb all that negative energy from a child on the witness stand."

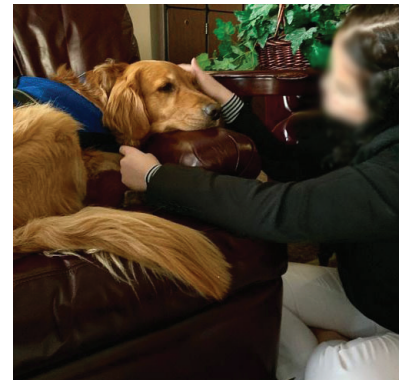
Our beautiful Golden Retriever is a rescue dog, lovingly trained by Schmitt to be a "pleaser," and Brady soaked it up, "he just can't do enough to make the humans around him happy," says Schmitt.

On this little girl's day in court, she cuddled with Brady on the couch in the victim's lounge before her turn on the witness stand. Brady was brought in during a jury break and took his place under the witness stand, out of sight of everyone except the little girl. When she came into the courtroom, she slipped into her chair and slipped out of her shoes, putting her bare feet right on top of Brady. After about an hour and a half into testimony, the judge called a "jury break."

But, the real story? The Judge called Schmitt to his bench and said, "the dog is snoring." Well, that's what it sounded like. Brady was so relaxed, and was doing such a good job of keeping the little girl's stress under control, he was making his happy sound, and "his happy sound is almost like a snore," according to Schmitt.

The jury never heard it, and everyone else in the courtroom had a big laugh over Brady's happy noise. Schmitt smiled too, she says she is very proud that Brady is not perfect. "He is a dog, and he is supposed to be to do his job."

The little girl finished strong, then she and Brady shared some more cuddle time. Mission accomplished.



## Recent Cases of Note

### *The State of Texas v. Timothy Scott Scoggins*

An armed burglar, whose partner posed as a neighbor looking for a lost dog and bluffed his way into a Southlake home, is going to state prison for 47 years. The jury found 37 year old Timothy Scott Scoggins guilty of invading a Southlake home on May 27, 2017, armed with a rifle and wearing a mask and latex gloves.

Scoggin's partner held the homeowner at gun point on the floor, zip-tied to her wrists then called Scoggins on a walkie-talkie and told him the coast was clear to come on in.

The armed burglars didn't count on a glass contractor and the woman's 26 year old son showing up. Scoggins chased her son with the rifle, but he escaped. Scoggins and his partner got spooked, dropped a duffle bag filled with loot and left behind a walkie-talkie and glove containing DNA. His sentence was enhanced because of Scoggin's criminal history and use of a deadly weapon.

**Sentence:** 47 years in prison with half time before parole eligible

**Prosecutors:** Ashlea Deener, Samantha Fant

**CDA Investigator:** Mike McGuire

**CDA Victim Advocate:** Laura Flores

**Southlake Police Department:** Detective Josh Ellis

### *The State of Texas v. Gilbert N. Orsoro*

A jury convicted 36 year old Uber driver Gilbert N. Orsoro for unlawful restraint after it found him guilty of hopping into the back seat of his car and attempting to have sex with a customer.

A man had called an UBER at 2:30 in the morning to take his 19 year old girlfriend home after a party. On the way, Orsoro started flirting with the young woman. She became frightened and started texting her boyfriend about what was going on.

When the driver pulled into the woman's Haltom City neighborhood, he passed her house and pulled into the driveway of the home next door. He turned off the motor and hopped into the back seat and started touching and kissing the teenager. A nosy neighbor got suspicious and called Haltom City police, who arrived and arrested Orsoro.

Even though Orsoro got no jail time, ACDA Janet Farmer says this is an important lesson for ride-share users, that stripped of their facade of popularity, you are essentially getting into a car with a complete stranger.

**Sentence:** Probation

**Prosecutors:** Janet Moreno Farmer

**CDA Victim Advocate:** Cecilia Jones

**Haltom City Police Department:** Detective J. Trevino