



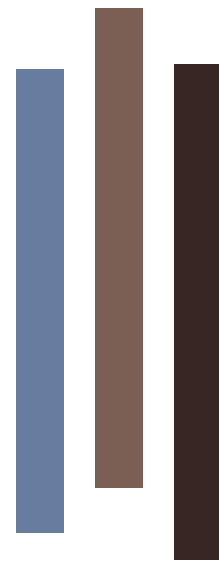
**OFFICE OF THE
CRIMINAL DISTRICT
ATTORNEY**

**2019
ANNUAL
REPORT**

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INTRODUCTION

In 2019, we celebrated the Centennial Anniversary of the Tarrant County Criminal District Attorney's Office. As we remembered the events of the past century this year, we continued our focus on finding forward-thinking solutions to the criminal justice challenges we face in one of the fastest growing communities in our nation.

Every employee of this office is dedicated to serving the residents of this county in a just, accountable and transparent manner, ensuring both that we are meeting all standards of proof beyond a reasonable doubt before trying a case, and securing the future integrity of convictions.

I hope that you enjoy this Annual Report. As always, please don't hesitate to contact my office if we may ever be of assistance to you.

Sincerely,



SEEKING JUSTICE INTO THE NEXT CENTURY



We begin 2020 seeking our second century of justice in Tarrant County. The Criminal District Attorney's Office has grown from the original 9 employees in 1919 into an organization with more than 340 attorneys, investigators and support staff. One hundred years ago the CDA did it all, trying almost every case on the docket, but now the job of the elected district attorney is leading the largest law firm in the county. Our mission is still the same, however: to seek justice and uphold and expand the best traditions of fairness, civility and transparency. Adherence to that notion has allowed the Tarrant County Criminal District Attorney's Office to evolve into a beacon of fairness in the legal community.

Imagine what it was like in 1919; the world was changing rapidly after the end of World War I. Movies were still silent, alcohol was officially illegal and women couldn't vote. Jesse Brown was sworn in as the first Criminal District Attorney, and his story is one of true grit and determination. He quit school at age 13 after his mother died, worked on a ranch, taught high school and labored at the Swift packing plant. In his spare time, he hung out with the lawyers at the Knights of Pythias hall in downtown Fort Worth. He managed to test out of his first year at the University of Texas Law School and passed the bar exam the next year, never receiving a law degree. He was working in the Tarrant County Attorney's Office trying misdemeanor cases when he was appointed to replace Judge R.E. Bratton in 1913. After two terms on the bench, Judge Brown helped convince the Texas legislature to create the position of Criminal District Attorney, which combined both criminal and civil responsibilities in one office. Brown assumed this job on October 19, 1919, and sent more men to the state penitentiary than any previous Tarrant County attorney, setting a record of securing 9 life sentences.

Many noteworthy individuals have been prosecuted by this office, but the trial of the century happened in 1926. The headlines were scandalous. Flamboyant and self-righteous First Baptist Church Pastor J. Frank Norris admitted he shot and killed Fort Worth Lumber company head D.E. Chipps. Norris was called a blustery "Texas Tornado" for his fire and brimstone sermons on the tent revival circuit. Norris claimed Chipps came up to see him at the church on Saturday night July 17, 1926, taking issue with

the pastor's sermons criticizing his friend, Fort Worth Mayor Henry Meachum. Norris claims Chipps threatened to kill the preacher if he didn't stop his slanderous attacks on the Mayor. As Chipps was walking out, Norris thought Chipps was going for a gun on his hip, so he pulled a gun out of his desk and fired three times to defend himself. Turns out Chipps had no gun and bled to death outside of Norris' church office door. Within minutes Norris turned himself in to Criminal District Attorney Robert Hanger, was charged with murder, posted bond and was preaching to a capacity crowd at an open-air tabernacle on Hemphill Street the very next morning. The sensational trial captured national headlines and reached a fever pitch when Norris' attorney, Marvin Simpson, argued Fort Worth had become the seat of a plot by Roman Catholics, the Knights of Columbus and city officials to undermine the defense. Simpson got the trial moved to Austin where the jury acquitted Pastor Norris on grounds of self-defense.

In 1945, a milestone was reached when Eva Barnes broke the glass ceiling, behind hired as the first female assistant criminal district attorney in Texas. Like Brown, she quit school to go to work at age 16, and found herself in the middle of one of the most infamous court trials in Tarrant County history. This daughter of a Baptist preacher went to work for a defense attorney answering mail sent to accused murder suspect Pastor J. Frank Norris. She fell in love with the law, went to



night law school in Dallas and was hired by Criminal District Attorney Al Clyde in 1945. First Assistant Criminal District Attorney Will Parker warned Clyde it was a big mistake to hire a woman, but Barnes would not be intimidated. She worked diligently on juvenile cases, custody suits and family-related probate cases, but her specialty was child desertion cases. She indicted 168 men and women, sending some to jail for contributing to child delinquency. Barnes proved her worth to the county and even won over Parker, who eventually called her the best hire Clyde ever made, man or woman.

This office led the way integrating the Tarrant County Courthouse in 1959. Criminal District Attorney Doug Crouch hired Ollice Malloy, who became the first African American assistant criminal district attorney in Texas and first in the southern United States.



For 37 years, Tim Curry led the Criminal District Attorney's Office, earning the title of "The Reformer." He created public information and consumer abuse divisions, and instituted an open file policy allowing defense attorneys to see prosecutor files before trials, which is credited with preventing wrongful prosecutions and limiting convictions being overturned on appeals.

Salacious headlines aside, the challenging work of a prosecutor seeking justice is often a solitary practice, filled with long hours of trial preparation and making sure we get it right the first time. As we celebrate the 100th anniversary of this office, Criminal District Attorney Sharen Wilson has challenged her team to follow the proud examples of those who have served before them, to continue to preserve, protect and defend the constitution and laws of Texas and the United States.



Left: CDA Wilson receives Commissioners' Court proclamation marking CDA Centennial from Commissioner JD Johnson

Right: Tarrant County Assistant CDA Ollice Malloy, Jr., the first African-American Assistant DA in the state.

ON THE CASE



When most people think of a Criminal District Attorney's office, they naturally think first of prosecutors. Assisting our attorneys though is our highly-skilled team of CDA investigators. Each investigator is a licensed Texas Peace Officer with years of expertise under his or her gun belt.

After criminal cases are filed with our office, our investigators play a critical role in moving those cases forward. They locate, interview and securely transport witnesses, serve subpoenas, arrest suspects, and assist the prosecutors in evaluating evidence for trial. Our investigators interact directly with the public every day. We are committed to maintaining the most up to date training for them.

Mental health issues pervade our criminal justice system. Whether it be a witness, a victim's family member, or a young person participating in our Deferred Prosecution Program for first-time offenders, people struggling with mental health issues sometimes require a different approach. They may need things explained differently, with more patience. This comes with recognizing and understanding their symptoms and how those may influence their responses. To be properly prepared to meet the immediate needs of those with mental health issues, every one of our investigators has received specialized mental health training for peace officers.

Renowned for their calm under pressure, our investigators have all received Civilian Interaction and Implicit Bias Training, based around maintaining better communication with the public.

As law enforcement officers themselves, they also serve as excellent liaisons with local, state and federal law enforcement agencies. Through our investigators, we have set up a very successful training program for local police focused on ensuring we are filing and prosecuting the strongest, evidence-based cases. The "Justice Together" courses are offered throughout the year and taught by our prosecutors and investigators. This year, topics included mental health, search and seizure, discovery compliance, protective orders, new marijuana laws, and adult sexual assault. By working together to understand how each part of the process is integral to the big picture, we can guarantee transparency, accountability and a just resolution in each case.

"From the CDA's talented staff to renowned national experts in various disciplines, this level and quality of training is unprecedented, and will help all of us to elevate the service we are able to provide to victims and to our communities."

Chief Kim Lemaux

University of Texas at Arlington Police Department

"The training has been informative, professional, and on point. This is nothing less than great 'Forwarding Thinking' that will be beneficial to the profession and the crime victims we serve."

Chief Tracy Aaron

Mansfield Police Department



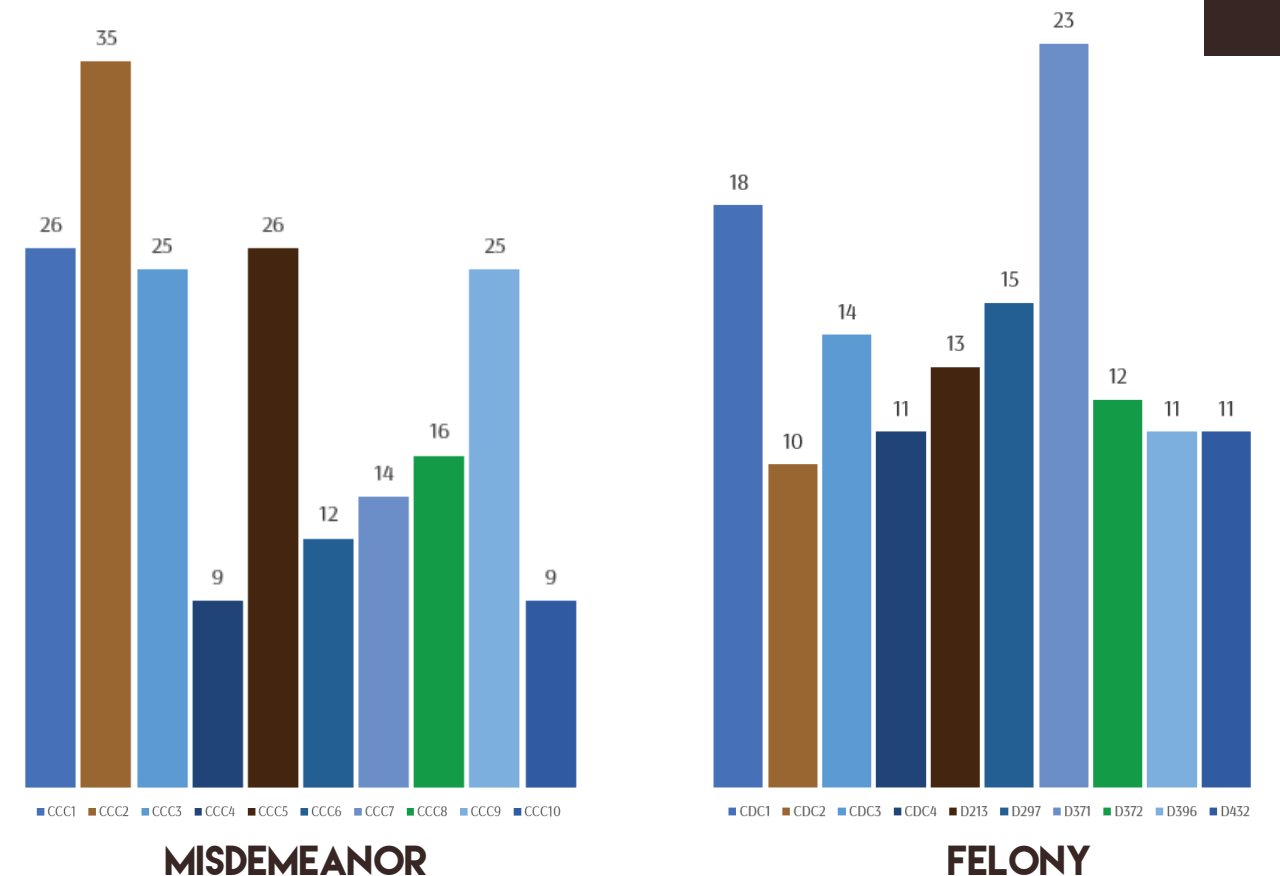
Gang unit chief prosecutor Page Simpson and Deputy Criminal Chief Dale Smith lead a recent Justice Together legal training class for police officers.

TOP 5 OFFENSES FILED IN 2019

- | | |
|--|-------|
| 1) POSSESSION OF MARIJUANA, <2 OZ. (MISDEMEANOR) | 3,750 |
| 2) POSSESSION OF A CONTROLLED SUBSTANCE, <1G (FELONY) | 3,004 |
| 3) ASSAULT CAUSING BODILY INJURY – FAMILY VIOLENCE (MISDEMEANOR) | 2,787 |
| 4) THEFT OF PROPERTY >=\$100<\$750 (MISDEMEANOR) | 2,151 |
| 5) DRIVING WHILE INTOXICATED (MISDEMEANOR) | 2,070 |



2019 TRIALS BY COURT



DECODING DIGITAL EVIDENCE

Police body and dash cameras have changed the face of criminal justice in America. They've become so popular that the public, and jurors, expect to be able to see footage in every criminal case. In the majority of scenarios, however, body cams show what's happening after the incident has occurred. The proliferation of technological devices in use by the public have become incredibly useful sources of evidence that can show the planning of crimes, the crimes as they happen, and the lengths to which people will go to to cover up their crimes. Cell phones, Ring door cameras, surveillance systems, social media usage, car navigation systems – all of these can provide critical pieces of the big picture when putting together a case.

Like almost everything, this capability comes with a price. The information gathered from these sources is called Digital Media Evidence, or DME. In the past few years, the amount of DME submitted to our office has increased exponentially – from only 6.07 terabytes (TB) in 2015, to almost 250 TB in 2019. (For perspective, one TB of video translates to approximately 500 hours of viewing, depending on the resolution of the footage). As prosecutors, we must account for every bit of that – every video must be watched. Every recording must be heard. Every post and every text must be read. We have to ensure any information that may be useful to the case is discovered – and we must share every piece of that evidence with the defense.

So, what does that really look like on a case? For every felony case filed in 2019, there was an average of 193 megabytes (MB) of DME submitted as evidence. Imagine 2 young men rob a convenience store. What type of DME would be involved in a case like this? First, the surveillance footage from inside the store and the parking lot. Assuming the men got away, we'd want to check any available surveillance footage from the neighboring businesses or houses as well, which could tell us which direction they headed. We'd pull the 911 calls from the store. If 4 police officers arrived on the scene, we would have 4 versions of body cam footage to view, which would give us different views of the crime scene as well as the witnesses who were there. Were any of the witnesses on their phones during the robbery? Did they capture any photos or video? If so, we would need that as well.

Once the defendants are found, we would pull their cell phone data. Were their phones “pinging” near the store’s location on that date and time? Did they text each other or anyone else about what they were planning to do, or afterward about what they did? Did they post anything about the robbery or the money and items they stole from the store on social media or have photos of the evidence in their phones? (You’d be surprised how often that happens. People can’t resist selfies!) Were they searching for stories about the robbery on their home computers? Or maybe how to get rid of the gun they used? Every interview they did with the police about the crime would be on video – sometimes lasting for hours.

You get the picture. The more complicated the case, the more DME you can count on being included. All DME must be reviewed, which requires more time, which requires more people. All DME must be stored, which has required significantly more technical resources for not only our office, but for the police departments. All of which has required bigger portions of the budgets.



We have one of the finest Digital Forensics and Technology Services (DFATS) teams in the nation to support our attorneys in these efforts. In addition to case-related DME, DFATS is on occasion tasked with assisting active investigations happening “in real time.” One such instance occurred in June 2019.

DFATS Forensic Video Analyst Mark Porter explains, “At that time, a Tarrant County Sheriff’s deputy was discovered in his personal vehicle with injuries that appeared to be from a gunshot in a surface parking lot in downtown Fort Worth.

“A large area (approximately 11 city blocks) around the northwest sector of downtown was sealed off and a search ensued for a potential suspect that might have injured the deputy.

“DFATS personnel were notified and after arrival assisted TCSO personnel in retrieval and forensic analysis of the CCTV footage. After doing so, we were able to confirm it was not a criminal act that caused the Deputy’s injuries, but a medical emergency the Deputy had suffered.

“This action allowed the numerous personnel deployed from multiple law enforcement agencies for the incident to stand down and return to their assigned positions throughout the city of Fort Worth and across Tarrant County, and to assist in letting the public know that there was not an active threat against law enforcement personnel or the general public.”

As technology continues to evolve and reshape the criminal justice system of the past, we are prepared to face it head on on behalf of the residents of this county, embracing not just the evidence this technology can provide, but the accountability and transparency that comes with it.

DIGITAL MEDIA EVIDENCE (DME) SUBMITTED TO OUR OFFICE BY LAW ENFORCEMENT

YEAR	SIZE IN TERABYTES
2015	6.07
2016	82.22
2017	121.67
2018	206.28
2019	248.56



THE DEVALUATION OF WOMEN: NOT IN OUR COUNTY

Women make up just over half of the U.S. population. Most would say that we are now at the greatest time in history so far for the “fairer sex.” There seems to be almost no accomplishment a woman can’t achieve today.

Yet even so, we see daily evidence of how far we have to go as a society. Violent crimes against women remain prolific, even here in a community as safe as Tarrant County. It effects every age group, religious demonination and neighborhood. Two of the most common crimes in this area – and nationwide – continue to be intimate partner violence (IPV) and adult sexual assault – both overwhelmingly crimes against women.

So what’s the good news? What was for far too long the silent status quo is no longer acceptable. We’re fighting back, and demanding accountability. In this office, we are committed to supporting women who file criminal cases against their abusers and against their rapists.

When CDA Wilson took office in 2015 and reviewed the most serious cases happening in our County, she discovered that over half of the capital murder incidents were intimate partner violence. Unbelievably, we were second only to Harris County for IPV homicides statewide. With that horrible truth in mind, she initiated a plan, creating the first special prosecution team in Tarrant County dedicated to prosecuting felony IPV offenses. That team led to the formation of a partnership between our office, law enforcement and local non-profits dedicated to changing the way IPV is handled from the first incident forward.

An entirely new approach is being implemented. We’re focused on demanding accountability from the defendant and not the survivor for follow through. We’re working hand-in-hand with law enforcement agencies and medical personnel to train for the strongest evidence collection to support evidence-based prosecution, to ensure cases don’t have to rest solely on the victim’s testimony. We’re working with our non-profit partners to educate the community, protect the survivors, and prevent the IPV cycle from continuing. And we are aggressively prosecuting abusers for their crimes, asking for – and receiving – long prison sentences for violent offenders.

Best of all, we’re seeing results. In the first two years of the IPV unit, IPV homicides in Tarrant County decreased by more than 50 percent, and have held at that level for two years. The word is out – Tarrant County is coming down hard on abusers, and we’re seeing significantly fewer offenses at the felony level overall.

So we’re tackling new challenges. While we’ve made significant headway against felony IPV offenses, misdemeanor IPV’s – those initial incidents – were the second most common misdemeanor offenses in 2019. Our focused deterrence partnership with several police departments puts potential abusers on notice from the first disturbance, hoping to prevent an eventual escalation. Officers who arrive on the scenes of these arguments let both parties know that the aggressor will now be monitored to prevent future occurrences – officers will make unannounced visits to ensure that that no violence is taking place. The aggressor knows that he is accountable directly to officers – and will be held responsible if his behavior doesn’t change. By catching these events at the very beginning and stopping the cycle of violence from starting, we hope to not only reduce the misdemeanor offenses, but ultimately continue to lessen the felonies which occur when the situations escalate.

The next challenge in our crosshairs is adult sexual assault. For far too long this crime has lived in the shadows – much like IPV. No one blames the victim of a robbery for being robbed. A crime is always the fault of the criminal. Yet even today, with all the public awareness movements and high-profile trials bringing sexual assault into the light, victim blaming continues. “She shouldn’t have been at a bar drinking.” “She shouldn’t put herself in that situation.” “We don’t want to ruin his future.” All of these are rationalizations we still hear from jurors in this County at this

time. The result remains: a vast majority of rape survivors continue to be too traumatized to report what has happened to them. Rapists walk free to rape again.

For FY2020, the County Commissioners granted us positions to create a new special prosecution team targeting adult sexual assaults. Led by chief Kim D’Avignon, these prosecutors and investigator are responsible for reviewing all adult sexual assault cases brought to our office by law enforcement. They are highly trained in every step of the process, and are initiating in-depth training for police officers and medical personnel for not only ensuring the best possible evidence is gathered for every incident, but also how to provide the most compassionate assistance possible to anyone who has suffered this horrible violation.

As we have with intimate partner violence, it is our goal to raise public awareness and influence public perceptions about sexual violence against the women in our community. We will continue to fight for these victims, to aggressively prosecute these crimes, and to ask for substantial punishments for these offenders.



1,869
FELONY IPV CASES FILED
IN TARRANT COUNTY
IN 2019

240
FELONY ADULT SEXUAL
ASSAULT CASES FILED
IN TARRANT COUNTY
IN 2019



IPV special prosecution team chief Allenna Bangs discusses the team’s work with participants of our Citizen Prosecutor Academy.

Our newest special prosecution team is the Adult Sexual Assault team, with (from left) investigator Chris LaChance, legal secretary Chanel Ivory, prosecutor Emily Dixon and chief prosecutor Kim D’Avignon.

LIFTING BARRIERS TO FRESH STARTS

Being convicted or jailed can be a real eye opener for a young person in school or getting a start in adult life. The Tarrant County Criminal District Attorney's Deferred Prosecution Program (DPP) is a second chance at a normal life for a young, first-time offender ages 17-24. DPP is an alternative to probation or incarceration for those who qualify, but self-rehabilitation is no cake walk. The program lasts 4 months for those charged with a misdemeanor or 8 months for a felony charge. To participate, the young offender must obey a regular check-in schedule, make restitution to their victim(s), go back to school, go to work or make progress looking for a job. They must also submit to a hair test and urine analysis at the beginning and end of the program, to prove they have not been using drugs.

Since the revised program was launched in 2015, 2,102 young adults have completed the program. In 2019, 374 young first-time offenders completed the program, and another 183 are in progress, working toward a clean slate without the need for incarceration. A grand total of 588 offenders have had their criminal records expunged by completing DPP, removing all record of the offense from their public files.

As administrators of DPP, our CDA investigators provide strong examples to the young offenders of law enforcement officers who can be trusted to show compassion while expecting the participants to take responsibility for their actions and showing them a road map toward improving themselves.

"These kids have made dumb mistakes, and many feel like their world is ending over those choices. We are there to show them they have access to the support and guidance they need to make better choices for themselves. The second chance for them is there – they just need to believe that if they take responsibility and control, they can turn things around and move forward. It's a blessing to be able to give back in that way, and to see the success stories that have come from this program."

Don Pilcher, CDA Investigator, DPP instructor

The best gauge of success can be exemplified in letters sent to Tarrant County DPP Coordinator Lori Leeth from successful program graduates:

"I would like to thank you for giving me a second chance in life with this DPP program. I have changed so much these past 8 months that I have been in the program. There hasn't been a day where I haven't thought about the crime that I committed and how it potentially ruined my life and I've learned to choose wisely on who surrounds me and motivates me to be the best person that I can be and not head to the direction of the wrong crowd again."

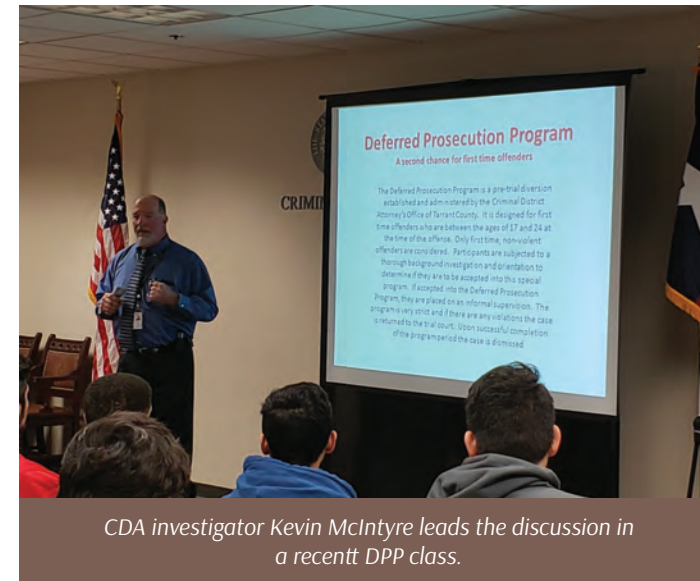
- Tommy, DPP graduate

"I've been really reflecting lately and just wanted to take the time to tell all of y'all thank you for this second opportunity to make things right. I have to do things right after all of this is over. I don't want a mistake to be what ruins my life and career choices."

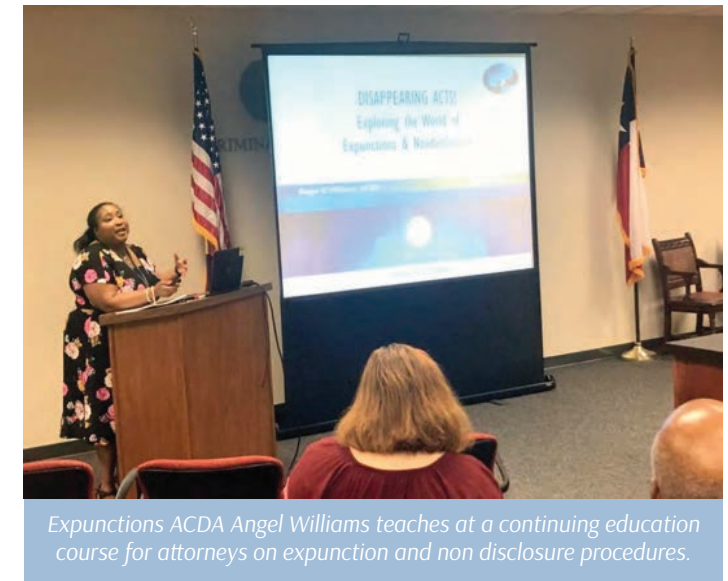
Current DPP participant

"Before the program I always used marijuana to forget my problems. Like not getting my life together. I was really just wasting my life away. Not smoking has allowed me to take up for work every day and to save money. Hopefully I can get an apartment soon and a new car. I honestly feel proud of myself for passing my UA. It makes me feel like I don't need marijuana."

Shiyn, DPP graduate



CDA investigator Kevin McIntyre leads the discussion in a recent DPP class.



Expunctions ACDA Angel Williams teaches at a continuing education course for attorneys on expunction and non disclosure procedures.

Clearing your criminal record is a big deal for a person who is arrested and charged but later acquitted, pardoned, completed a diversion program or had the case dismissed. Criminal records will still show the arrest and case filing, which can make it difficult for someone to find housing, get into school or get a job.

CDA Sharen Wilson partners with the L. Clifford Davis Legal Association to increase access to expunctions and non-disclosures by holding clinics to assist Tarrant County residents seeking relief.

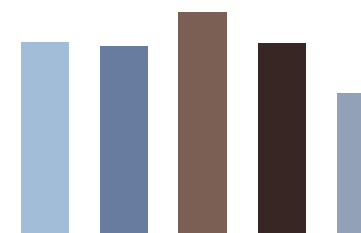
All individuals seeking an expunction of records are encouraged to obtain a copy of their criminal history maintained by the Texas Department of Public Safety and to seek the advice of a licensed attorney to determine if they are eligible for the expunction of records.



Asst. Criminal District Attorneys and defense attorneys volunteering their time at a recent expunction fair.



The line of interested applicants for the Expunction Fair held at Fort Worth's Dunbar High School stretched around the school.



STARTING WITH A
CLEANSLATE

BETTER WHEN WE SERVE TOGETHER



The purpose of Community Outreach, under the guidance of Coordinator Amy Bearden, is to dispel misinformation and equip Tarrant County residents with accurate knowledge of how we seek justice and, as our CDA Sharen Wilson says, “to love our community through our service.”

More than two dozen sons, daughters, husbands, wives and family members are sitting around a large table at First United Methodist Church in downtown Fort Worth. They are gathered to hear Lori Varnell, Tarrant County Assistant Criminal District Attorney and Chief of the Elder Financial Fraud Division. Lori is a ferocious prosecutor, but today she is here as part of the Criminal District Attorney’s Community Outreach program, to help these caregivers protect their aging family members. Her presentation on Elder Financial Fraud is part shock treatment and part training, sharing the warning signs of those who would take advantage of trusting, elderly residents in Tarrant County, and equipping caregivers with knowledge of how to recognize and report those they suspect of trying to con their loved ones.

While caseload keeps our prosecutors very busy, the Tarrant County Criminal District Attorney’s Office considers Community Outreach a priority. Seventy-eight percent of our employees are engaged in community outreach. Many of them answer the call-of-service in our “Speakers on the Road” program. Among other topics, in 2019 we spoke on intimate partner violence, child abuse, mental health commitments, protective orders, juvenile justice, conviction integrity, adult sexual assault, marijuana laws, white collar crime and gangs.

Since the CDA started these community presentations in 2015, the program has enjoyed exponential growth. We have personally reached out to over 24,700 Tarrant County residents. Last year saw a 23 percent increase in the number of our public

presentations. The numbers are impressive, and demonstrate the desire of Tarrant County residents to equip themselves with the knowledge of how to protect themselves and to know how our prosecutors are seeking justice in our courts.

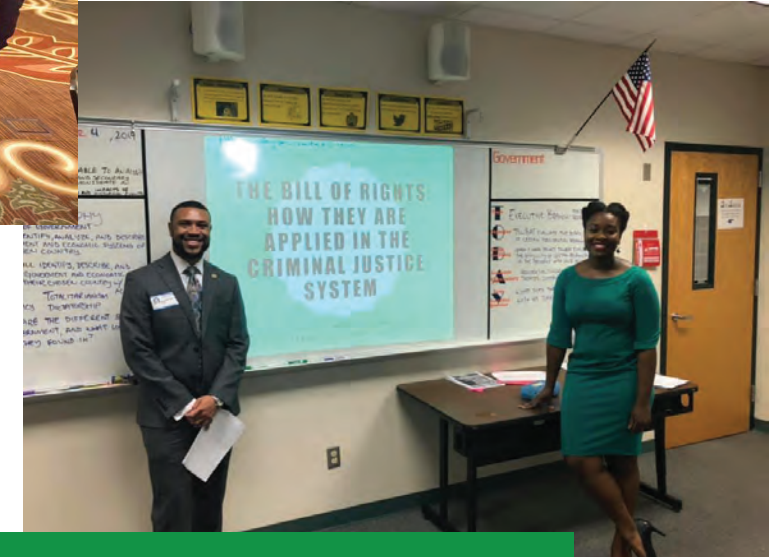
A powerful part of our Community Outreach program is bringing citizens and community leaders into the Criminal District Attorney’s Office for some deeper learning. James Turner is the Senior Pastor at Metropolitan Baptist Church and attended our Citizen’s Prosecutor Academy (CPA). The Academy is a 12-week program designed to give citizens an in-depth understanding of the criminal justice system in Tarrant County. Seventy-five Tarrant County residents graduated from the academy in 2019.

“I received a tremendous overview of the justice system in Tarrant County. Each speaker not only shared with the group information but communicated their desire to see justice accomplished for all involved in the process. The academy has equipped me to encourage my church family and others in how the District Attorney’s office is there to serve our county.”
James Turner, Senior Pastor, Metropolitan Baptist Church

If you are interested in learning more about applying for our Fall 2020 or Spring 2021 CPA class, please visit our website at cda.tarrantcounty.com or contact our Outreach Coordinator Amy Bearden at ahbearden@tarrantcountytx.gov.

Community Outreach is so much more than just programs promoting legal justice. We participate in community events like Tarrant County Senior Synergy, National Night Out, Empowering Seniors and Aging Well Expo, along with hosting breakfasts with Tarrant County faith leaders.

We are all better when we serve together, and Tarrant County Criminal District Attorney Sharen Wilson will continue to foster and promote community involvement as one of the office’s top priorities.



“ I walked away feeling as though I have a whole new team partnering with me to serve people. ”

Ronnie Goins
CPA graduate, 2019

