



Winter 2020

The Docket



Sharen Wilson – Criminal District Attorney

What a year.

2020 was a time of hardship and struggles for all of us because of the COVID-19 pandemic. And 2021 isn't starting off much better with continued restrictions – such as the Texas Supreme Court Order preventing most jury trials until at least February 1, 2021 – already in place.

Even so, here's a look at some silver linings from this office as we wrap up this year.

As the judges turned to video conferences for hearings, the Criminal District Attorney's Office also used technology to our benefit. Our Citizen Prosecutor Academy went from in-person to virtual without missing a beat. And we created, along with the Fort Worth school district, a new program called Prosecutors in High Schools to let our attorneys virtually teach about the law to hundreds of students across Fort Worth.

Our employees showed creativity working on everything from developing a coloring book for young crime victims that features Brady, our emotional support dog, to a new program called Deferred Prosecution Initiative that gives first-time offenders 25 and older a chance to get their criminal case dismissed if they get sober.

Prosecutors and investigators continued working on cases throughout the year, getting ready to move forward as soon as the courts allow.

We know there's a lot of frustration throughout the community about the ban on trials ordered by the Texas Supreme Court in Austin. Trust me, we are frustrated too.

But we keep preparing for the day judges reopen their courtrooms for trials and we can continue seeking justice for victims.

Wishing everyone a safe and happy holiday season,

A handwritten signature in cursive script that reads "Sharen Wilson".



Second chances

More first-time offenders in Tarrant County are getting a second chance.

Young offenders have long been able to avoid conviction of some drug offenses by participating in the Deferred Prosecution Program (DPP). Now older first-time offenders will have a similar opportunity through an expansion of that program known as the Deferred Prosecution Initiative (DPI).

DPP is open to those between the ages of 17 and 24. DPI is open to those 25 and older.



These programs rely “on the offender learning from bad decisions and correcting their own behavior,” said Kevin McIntire, an investigator with the CDA’s Office. “I believe the program gives offenders a reason to believe in fair treatment from the criminal justice system and develop respect for it.”

That respect, along with the rehabilitation that comes with the programs, keeps many from

committing additional crimes.

“I believe these programs are even more important in today’s society due to increasing problems and stressors as well as the relaxed attitudes towards drug abuse in our society,” McIntire said. “I’ve always believed that police officers should work as hard to keep people out of the judicial system as they do to getting dangerous offenders off the streets – both result in a safer community and protect and serve our citizens.”

Anyone accepted into the six-month program by the CDA’s Office must stay free of crime and drugs. If they pass the program, their case is dismissed and can have it expunged from their record. Out-of-state residents, such as those arrested for airport drug cases, may participate in this program.

Those eligible for this program may face a variety of charges, including all misdemeanor drug charges and all felony THC charges. A limited number of charges involving controlled substances are eligible, but heroin and fentanyl are excluded.

“Our job is to resolve these cases in the best way possible,” Criminal District Attorney Sharen Wilson said. “If we can get documented sobriety, then I am fine with these cases being dismissed.”

“We want to resolve these lower level drug cases, so we can focus our resources on violent crimes with victims which are increasing in this time of COVID.”

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No Refusal

Beware, holiday revelers.

Law enforcement will be out on the streets this holiday season working to cut down on intoxicated driving.



But they'll be out there more than just during the holidays.

Law enforcement recently announced Tarrant County – and all 41 cities in it – is No Refusal all the time.

That means drivers pulled over for suspected driving while intoxicated, who refuse to take a routine breath test, will be subject to a court-ordered blood test instead.

"Times have changed," Sharen Wilson said. "In the past, we focused on specific holiday weekends. But drinking and driving is a full-time challenge. Our police chiefs agree it is best for our community and the safety of our citizens to be No Refusal all the time.

"We are committed to arresting and prosecuting those who put others in danger when they decide to drink and drive," she said. "We are committed every day to getting them off the streets."

Police officers and sheriff's deputies have access to expedited judicial warrants and centralized-blood-draw locations.

Last year, there were 6,001 misdemeanor and felony cases of driving while intoxicated filed in Tarrant County courts.

The goal is to dramatically reduce that number.

This program began in Tarrant County in 2008 under Richard Alpert, then an assistant district attorney in Tarrant County, who has long been considered the state's leading expert on DWI and intoxication manslaughter prosecution.

"There is no doubt that Tarrant County's ability to wear the No Refusal mantel year-round will serve as a sobering reminder to our citizens to be more responsible when they get behind the wheel," Alpert said.

A first offense of DWI is a Class B misdemeanor, which comes with a fine of as much as \$2,000 and up to 180 days in jail.



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Get sober

The top offense committed in Tarrant County is possession of marijuana of less than two ounces, a misdemeanor charge. There were 3,750 cases filed last year.



There's a way to keep at least some of these cases out of the courts – and help those who committed the crimes at the same time.

Anyone who has an outstanding misdemeanor charge of possession of marijuana can get the charge dismissed if they can stay clean for three months. If they can present tests showing three months sobriety, the CDA's Office will dismiss the charge.

"One of the goals of the criminal justice system is rehabilitation; sobriety is the beginning of that rehabilitation," Sharen Wilson said. "When you bring proof of three months of sobriety – 90 days – the charge will be dismissed.

"Get sober. Get your case dismissed. Get on with your sober life."

Ready to learn?

Curious about how the criminal justice system works in Tarrant County?

If so, there's a program just for you.

It's called the Citizen Prosecutor Academy and it's filled with 12 weeks of classes taught by prosecutors and investigators that explain how the system works here.

It's an "opportunity for the general public to learn more about the Tarrant County Criminal District Attorney's Office and criminal justice," said Jim Hudson, an assistant criminal district attorney. "The program covers a wide range of topics that impact our community and presents them in an informative and easy to understand manner."

In the past, these classes were held in person. This year, because of COVID-19, they are mostly virtual.



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But they continue to give participants an in-depth understanding of how each step of the prosecutorial process works.

“The classes were brimming with information on criminal law and the whole process – from arrest and crime investigation to trial and sentencing,” Melinda Fletcher wrote to the CDA after participating in the academy. “The speakers were dynamic and engaging, and they absolutely knew their topics forward & backwards.

“If I’d been a lot younger, it would have inspired me to go to law school, then on to work for the D.A.’s office.”

The CDA’s Office is now taking applications for the next round of classes, which will be 6-8 p.m. on Thursdays between March 4, 2021 and May 20, 2021.

Classes explain how the criminal and civil divisions work, as well as how a trial works. And they touch on other topics including: Adult Sexual Assault, Conviction Integrity, Digital Forensic Evidence, Deferred Prosecution, Gang Crime, Intimate Partner Violence, the Special Victims Unit, Victim Services and White Collar/-Public Integrity Crimes.

“The criminal justice system and prosecution of crimes is something that we all hear about daily, online and in the news. However, there is so much about our office and our system that citizens may not know,” said Tim Rodgers, chief prosecutor for the Law Enforcement Incident

team in the CDA’s Office. “When I’ve gotten to teach at the CPA, I’ve really enjoyed getting to see the participants gain a deeper understanding of how our office operates and how the law works.”

To fill out an application for the 2021 Spring Academy, go online to <https://bit.ly/2VpLGUt>. For more information, contact Amy Bearden, Community Outreach Coordinator, at (817) 884-3126 or AHBearden@tarrantcountytx.gov.

Best Practices Award



The Texas Association of Counties presented our office with a 2020 County Best Practices Award, recognizing a new intake initiative for misdemeanor Assault Bodily Injury, Family Violence cases. Our team reviewed more than 1,200 misdemeanor Family Violence cases to determine if they were filed properly. Some were rejected; others were upgraded to felonies. The team also contacted 78% of the victims within the first week of their attack, improving the chances of successful prosecution.

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Legislative Session

Texas lawmakers soon will be back in Austin. They'll head back to work Jan. 12, 2021, and are scheduled to wrap up their 140-day session on Memorial Day, May 31, 2021.



No one knows how COVID-19 will impact the session.

While there, the only issue legislators must address is passing a balanced state budget for the next two years. That may be easier said than done because of the pandemic that hard hit the state's economy, leaving workers without jobs and creating massive shortfalls to the Texas budget.

Tarrant lawmakers will join others across the state in working on the budget, beginning the process of redrawing political boundaries in Texas and passing new laws.

This office supports a slate of sexual assault bills geared to better protect victims and

correct the definition of a sexual assault of an adult to be consistent with that of a child. "This important new legislation will serve to further protect victims of sexual assaults," said Lindy Borchardt, the ACDA who serves as this office's legislative liaison.

During the session, Borchardt will monitor criminal justice measures, testify on relevant bills, serve as a legislative resource and more.

Feedback

It's always good to know you made a difference. Here's a note of appreciation sent this year to Marvinna Robinson, chief of Mental Health and Protective Orders for the CDA's Office.

Dear Mrs. Marvinna N. Robinson,
I want you to know that I thank God to the infinite degree for your generosity and kindness that you showered me with, especially during such a vital and crucial time of growth....
Many Blessings to you and yours always,
Eternally Grateful,
(S.B.) (2020)

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