

Not to prosecute Jamie Roberts would be dereliction of duty, says Healey

To the Editor:

Approximately 10,000 cases are filed each year by my office. We don't engage in witch hunts. It is ethically wrong.

Further, as a legal safeguard, no Grand Jury would ever allow such a thing to happen.

Regarding the prosecution of Jamie Roberts, two of the indicted cases, consisting of the alleged theft of the carports, could not be pursued because the law requires that for a theft conviction, it must be proven that the owner did not give his consent to the taking of his property.

The death of the owner of these carports made a conviction in these cases unlikely. So they were dismissed.

Trial evidence showed that another of the indicted cases consisted of an allegation of Roberts' use of taxpayers' money which he used to pay for a survey, allegedly used solely in defending himself in his carport case and not

for any of the city's business.

Further, trial testimony showed that Roberts told multiple stories as to the reason for ordering the survey.

The prosecution argued at the trial that the survey had no other use than to defend Roberts in his criminal case. Trial evidence showed that the survey was ordered approximately three weeks prior to its presentation to authorities.

While trial evidence showed that Roberts said the purpose of the survey was mowing and beautification, trial evidence also indicated that mowing had been going on on the property in question for about a year prior to the survey.

Undisputed trial evidence indicated that the property from which Roberts had the carports removed was not owned by the city of Fulshear.

Roberts' testimony which was admitted into trial, showed that he knew the

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city paid the bill of over \$1,100 for the survey.

The pursuit of these cases was not taken lightly.

The Fort Bend County Sheriff's Office assigned several investigators to work these initial cases.

The case regarding the use of \$1,100 was investigated by taking statements from anyone who might have had any insight as to whether the expenditure had any relation to the city's business.

Five experienced prosecutors from my office with

a total of 117 years of experience as attorneys reviewed Roberts' cases prior to the initial indictments.

We did so with a critical eye, and concluded that prosecution was proper.

Roberts' second indictments, including the use of the city's \$1,100 for the survey, were also reviewed by several experienced prosecutors in this office who came to the same conclusion.

We know these were not open and shut cases. These cases were presented to two Grand Juries who heard from 24 witnesses, including Roberts.

To turn our backs on these matters and to have kept them from the citizens who make these decisions while serving on the Grand Jury and a trial jury would be a dereliction of duty.

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