

An aerial photograph of a winding asphalt road that curves through a dense green forest. A large, calm body of water, possibly a lake or a wide river, occupies the upper right portion of the image. The road has yellow dashed lines and a few vehicles are visible. The overall scene is peaceful and scenic, with the road acting as a bridge between different parts of the landscape.

# **Bridging the gap**

**2021 Annual  
Report for the  
Texas District  
& County  
Attorneys  
Foundation**

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## A letter from the TDCAF Board President

**G**reetings! My 40-year legal career offered a unique perspective into the life of a prosecutor. As the only person who has held the positions of both the Harris County District Attorney and United States Attorney for the Southern District of Texas, I know firsthand how important training is for prosecutors.

Justice is best served through the work of highly trained, ethical prosecutors. My experience demonstrated that great prosecutors who represent both our nation and state have had the best training possible in trial techniques, current law, and ethical conduct. The Texas District and County Attorneys Foundation stands in a unique place to achieve this objective. Supported by current and former Texas prosecutors, the Foundation seeks financial support for the training and professional development of both new and seasoned attorneys.

To that end, in 2021 our Prosecutor Management Institute (PMI) trained dozens of supervisors and elected prosecutors. With a curriculum built from the ground up and unique to Texas, this course addresses leadership within a prosecutor's office.

TDCAA also continued to offer both online and live courses, producing new content in both formats. To develop more online training, a new assistant training director, Gregg Cox, was hired in late 2021. As a result, we have two full-time attorneys on staff, one for live conferences (Training Director Brian Klas) and Mr. Cox for virtual formats. This addition will also make it easier for attorneys to earn continuing legal education credits.

In 1935, Justice George Sutherland in *Berger v. United States* wrote that a prosecutor must use every legitimate means to bring about a just conviction. I look forward to working together to achieve this goal.



**Ken Magidson**  
*TDCAF Board  
President*

*Ken Magidson*

## What TDCAF does

**A**fter two harrowing years of a pandemic, lockdowns, and a seismic shift in how many people do business, it's clear why the Foundation is so important to the mission and purpose of the Texas District and County Attorneys Association (TDCAA).

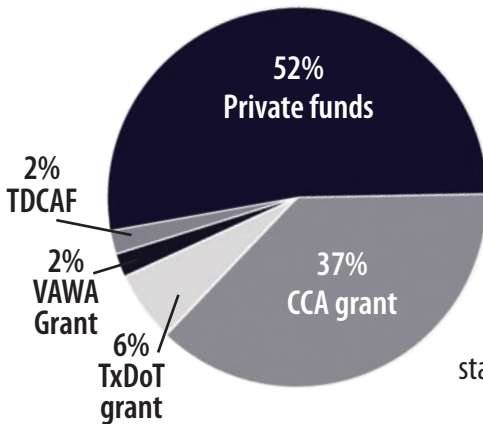
TDCAA is the professional association for Texas prosecutors, and it has been around for more than 100 years. Our 6,505 members—a number that swells every year—include prosecutors, investigators, support staff, defense attorneys, judges, and law students, and they need training, technical assistance, and other help in seeing that justice is done. Without effective advocates both in and outside the courtroom, crime victims and members of the public will not get the justice they deserve.

Grants support a portion of the training we produce, and

the number of prosecutors and staff who need it is always increasing. (See the chart at left

for a breakdown of where we get our funding.) Without money from other sources, such as the Foundation, TDCAA could not meet the needs of its members and law enforcement. Read on to find out how we served Texas prosecutors and staff in 2021.

**Sources of TDCAA's funding**



### Live and Online Training

Normally, TDCAA produces more than 60 (!) in-person conferences a year all over the state to provide 7,000-plus people more than 50,000 hours of continuing legal education. That's a lot—these numbers rank us among the top out of more than 1,500 CLE providers. But the COVID-19 pandemic and subsequent lockdown curtailed our regular business of putting on live courses for part of the year. We quickly pivoted to producing courses that could be watched online (both live and pre-recorded), including our Legislative Update for the first time ever. Here are the training numbers for 2021:

<b>40</b>	<b>6,100+</b>
live & online conferences	people trained
<b>51,697</b>	
hours of training	

We received such enthusiastic feedback on both live and online courses that we applied for and received grant money to hire another staff attorney dedicated solely to producing online training. Gregg Cox, our new Assistant Training Director, came on board near the end of the year, and he has hit the ground running.



**Gregg Cox**  
*TDCAA Assistant  
Training Director*

### *Advanced Prosecutor Training*

To fight for victims of crime, prosecutors must be prepared to be at their best in the courtroom. To this end, and through a gift from the Harris County District Attorney's Office, the Foundation can sustain two critical TDCAA courses. Both are staff- and resource-intensive, and financial support from the Foundation is critical.

**Train the Trainer.** Since 2008, the Texas District and County Attorneys Foundation has fully funded the food, lodging, and training of those attending this week-long seminar at no cost to their offices. Highly qualified faculty teach prosecutors, investigators, and staff the principles of adult learning techniques so they can give more effective oral presentations to a room of their peers or a jury panel. Attendance is by invitation only, and it is limited to 32 participants.

*At right is a photo of a few attendees and a faculty advisor at Train the Trainer in Fredericksburg; below is a photo of some attendees and faculty advisors at the Advanced Trial Advocacy Course at Baylor School of Law.*



**Advanced Advocacy Courses.** Here, seasoned prosecutors further their skills in an intensive, week-long session at Baylor School of Law in Waco. Through presentations, demonstrations, and directed workshops in real courtrooms, experienced faculty guide participants through detailed felony case scenarios. This course addresses many challenges that arise in the most difficult cases we try. TDCAA offers both trial and appellate advocacy so that prosecutors with different specializations can enrich their skills. These courses are limited to 40 hand-selected students and are fully funded by the Foundation so there is no cost to attendees or their offices.





## *Prosecutor Management Institute (PMI)*

The Texas Prosecutor Management Institute (PMI) continues to offer its bedrock module, Fundamentals of Management. This 2½-day course is designed to give prosecutors the personal insight and tools they need to successfully lead their teams. The concepts we cover translate to all prosecutors, whether they are running their first court, overseeing a cadre of attorneys and administrative personnel, or even operating as a solo elected prosecutor with responsibility for an entire county's caseload.

To date, the course has been delivered to more than 165 supervisor-level prosecutors. Other counties are currently scheduled, and even more offices have expressed a desire to attend the course. We have even offered two “elected editions” of this course exclusively to elected county and district attorneys; they have been well-attended—see some photos from December 2021’s course below.



*Attendees at our PMI: Elected Edition Course, which was held the same week as our Elected Prosecutor Conference in Rockwall.*



## **Publications**

Another key to educating prosecutors, especially in a year with so few opportunities for networking and in-person gatherings, is publications. In 2021, TDCAA provided six grant-funded criminal law books for prosecutors and law enforcement officers. TDCAA publishes more than 30 books and manuals in all, including electronic versions of code books, to educate prosecutors and staff on a wide breadth of criminal law topics. The Foundation has been instrumental in getting many of these publications into the hands of the professionals who need them.

## **Victims Services**

The Foundation helps underwrite our Victims Services Director position to improve legislatively mandated but largely unfunded crime victim services in prosecutor's offices. TDCAA's Victim Services Director, Jalayne Robinson, provides training to individuals and groups on topics related to victim services and crime victims' rights. Jalayne is available daily for TDCAA members who need technical assistance via phone or email.

In 2021, Jalayne:

- presented victim services training to 780 victim services personnel, prosecutors, and prosecutor office staff at TDCAA courses, including two Prosecutor Skills Trial Courses, the Key Personnel & Victim Assistance Coordinator Conference, and the Annual Criminal & Civil Law Conference;
- provided trainings for groups and individuals, in person, online, and via Zoom teleconferences (as in the photos on the opposite page);
- provided ongoing daily email and telephone support to VACs and prosecutors;



**Jalayne Robinson,**  
**LMSW**  
*TDCAA Victims  
Services Director*





*In the top photo, Jalayne Robinson, TDCAA's Victim Services Director (top row in the center) on a Zoom training call with staff in the District Attorney's Office in El Paso County. Above, Jalayne (far right) is in a Zoom meeting with VACs in the County Attorney's Office in Baylor County.*

- served as project director for our Office of the Governor Criminal Justice Division VOCA grant, including grant writing and grant administration;
- assisted in developing VOCA grant training;
- helped coordinate TDCAA's Key Personnel–Victim Services Board, including conducting elections and meetings and corresponding with board members;
- wrote a regular column for TDCAA's journal, *The Texas Prosecutor*;
- moderated discussion forums online and at the Annual Criminal & Civil Law Conference; and
- represented TDCAA in policy development and service coordination with state agencies and other nonprofits assisting victims.

All told, 2021 was a busy year that supplied Texas prosecutors and staff with the high-quality training they need—and it kept us on our toes!

## Texas Prosecutors Society (TPS)

In 2011, under the direction of then-Board Chair Dan Boulware and Endowment Chair Tom Krampitz, the Foundation established a select group of supporters called the Texas Prosecutors Society. This invitation was for those who have demonstrated an interest in and commitment to improving prosecution and training in Texas, whether they serve as current prosecutors, criminal defense attorneys, or judges; they practice in another area of law; or they are enjoying retirement. We are proud that so many current and former prosecutors have joined these ranks.

Texas Prosecutors Society members have pledged \$2,500 each to create an endowment fund for the Foundation—a forward-thinking strategy for building stability and growth for both the Foundation and the Association. The endowment's purpose is to collect and invest funds for the future to provide critical support to the Association.

Each year, new Society inductees are recognized at a special reception at TDCAA's Elected Prosecutor Conference in December. In 2021, we celebrated two new classes (because 2020's reception was cancelled due to COVID), bringing the number of TPS members to 229. (See the photo below for those in the Class of 2021 who attended.) It will continue to grow as more prosecutors and alumni are invited to join every year. Listed on the next two pages is the membership of the Texas Prosecutors Society with 2021 inductees in **bold**.



## Texas Prosecutors Society (TPS)

### **W. Clay Abbott**

Johnnie Actkinson

Chilo Alaniz

Jay Aldis

Carolyn Allen

Richard Alpert

Bernard Ammerman

James Michael Anderson

Gordon Armstrong

Eduardo Arredondo

Charles Aycock

Brian Baker

Steve Baldassano

Nelson Barnes

Patrick C. Batchelor

Art Bauereiss

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Joe Edd Boaz

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Dusty Boyd

Kathy Braddock

John Bradley

Richard Brainerd

Grant Brenna

Tom Bridges

Alice Brown

### **Joe Brown**

C. Scott Brumley

Terese Buess

Celeste Byrom

Katherine A. Cabaniss

Ryan Calvert

Donna Cameron

Stephen H. Capelle

Gerald C. Carruth

James L. Chapman

Jack Choate

Don Clemmer

Cathleen Cochran

Tim Cole

Skip Cornelius

J. Michael Criswell

Kenda Culpepper

Justin Cunningham

Alan Curry

### **Katrina Daniels**

Norma Davenport

Danny Buck Davidson

A.W. Davis

Don Davis

Yolanda de Leon

### **Roy DeFriend**

Dan Dent

John P. Dodson

Caroline Dozier

Scott A. Durfee

Ray Echevarria

James Eidson

Jon English

Laurie English

David Escamilla

Jaime Esparza

Jamie Felicia

Tony Fidelie

David Finney

Knox Fitzpatrick

Gretchen Flader

John Fleming

Gerald Fohn

Michael Fouts

Jack Frels

Keri Fuller

Bob Gage

Casey Garrett

Henry Garza

Dan Gattis

Larry Gist

Elizabeth Godwin

Jesse Gonzales, Jr.

Gerald Goodwin

H. E. Bert Graham

### **Stephanie Greger**

Michael J. Guarino, II

Rene Guerra

Tony Hackebeit

Dan Hagood

Dale Hanna

Tom Hanna

Lynn Hardaway

Russell Hardin Jr.

Ira Royal Hart

Bill Hawkins

Donna Hawkins

Dan Heard

Staley Heatly

Bill Helwig

Fred Hernandez

Jim Hicks

Michael Hinton

John B. Holmes, Jr.

Lee Hon

John Hubert

Bruce Isaacks

Helen Jackson

Michael Jarrett

Micheal Jimerson

Kyson Johnson

Ed C. Jones  
**Rocky Jones**  
Kim Judin  
James Keeshan  
Rob Kepple  
Charles Kimbrough  
Bud Kirkendall  
Oliver S. Kitzman  
Natalie Koehler  
Tom Krampitz  
Jim Kuboviak  
Landon Lambert  
Pete Laney  
Robert Charles Lassmann  
Brett Ligon  
Jo Ann Linzer  
Crawford Long  
Doug Lowe  
Cheryll Mabray  
Barry Macha  
Ken Magidson  
**Mia Magness**  
Tom Maness  
Betty Marshall  
Sonny McAfee  
Lyn McClellan  
Jana McCown  
Katherine McDaniel  
Adrienne McFarland  
Andy McMullen  
Gina DeBottis Metts  
Greg Miller  
Rick Miller  
**Dewey Mitchell**  
Sunni Mitchell  
Mindy Montford  
Kris Moore  
Larry Moore  
Margaret Moore  
Karen Morris

Amanda Navarette  
John Neal  
Murray Newman  
Laura Nodolf  
Kim Ogg  
Denise Oncken  
Jarvis Parsons  
Sherri Wallace Patton  
Rene Pena  
Lisa Peterson  
Kevin Petroff  
John Pool  
Ed Porter  
Matt Powell  
G. Dwayne Pruitt  
Julian Ramirez  
Judge Susan D. Reed  
Steven Reis  
Julie Renken  
Ray Rike  
Jack Roady  
Fred Rodriguez  
John Rolater  
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Vince Ryan, Jr.  
Tiana Sanford  
Bob Schell  
Daphne Session  
Joe Shannon, Jr.  
B.J. Shepherd  
Ed Shettle  
Toby Shook  
April Sikes  
Randall Coleman Sims  
Joseph J. Skrivanek, III  
Kebharu Smith  
Stephen Smith  
Ken Sparks  
Kerry Spears  
Leslie Standerfer

Jane Starnes  
Don R. Stricklin  
**Stephanie Stroud**  
Johnny Keane Sutton  
Lisa Tanner  
Marcus Taylor  
John Terrill  
Jennifer Tharp  
F. Duncan Thomas  
**Sherine Thomas**  
Sherri Tibbe  
Jaime Tijerina  
Beth Toben  
Brad Toben  
Bill Torrey  
Bill Turner  
Carol Vance  
Jerry Varney  
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Martha Warren Warner  
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David Williams  
Greg Willis  
Patrick Wilson  
Roe Wilson  
Sharen Wilson  
Ted Wilson, III  
Bill Wirskye  
Vic Wisner  
Justin Wood  
Bob Wortham  
Mark Yarbrough

## Photos from the TPS reception







## TDCAF donors in 2021

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Jon English	Cheryl Lieck	Hattie Sanderson	Vic Wisner
Jamie Felicia	Crawford Long	Tiana Sanford	Bob Wortham
Tony Fidelie	Audrey Louis	Kevin Schulz	

## Escamilla–Wortham Challenge

In 2021, two generous supporters, David Escamilla, now-retired County Attorney in Travis County and TDCAF President in 2020 and 2021, and Bob Wortham, Criminal District Attorney in Jefferson County, proposed a matching gift for the Foundation. David offered \$10,000 from his campaign coffers and Bob \$5,000 from his own pocket—if other donors would match these contributions. Rob Kepple, Executive Director of TDCAA and TDCAF, announced what we called the Escamilla–Wortham Challenge in TDCAA's official journal, *The Texas Prosecutor*, and through a postcard mailout, inviting members to give toward this matching gift. That was in May, and we figured it would take several months to collect the \$15,000.

Boy, were we wrong! (In the most wonderful way.) By the end of July, so many donations had poured in from the fabulous folks listed below, that we had matched David and Bob's fundraising challenge! We couldn't be more pleased, and we want to thank everyone who gave.



**David Escamilla**  
(above) and  
**Bob Wortham**  
(below)



**Alva Alvarez**  
**Gordon Armstrong**  
**Diane Beckham**  
**Kathy Braddock**  
**Tom Bridges**  
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**Joseph Skrivanek, III**  
**Beth Toben**  
**Carol Vance**  
**Martha Warner**  
**Roe Wilson**

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How to give

There are three easy ways to contribute toward the Foundation’s mission of supporting TDCAA and its purpose in helping prosecutors and staff see that justice is done in their communities.

- You can send a check made payable to TDCAF to LaToya Scott, TDCAF, 505 West 12th Street, Ste. 100, Austin, TX 78701.
- Give online with a Visa or Mastercard at [tdcaf.org](http://tdcaf.org).
- Donate asset forfeiture funds. A few years ago, the Texas Legislature amended Code of Criminal Procedure Art. 59.06(d-2) to allow elected prosecutors to donate these funds to an entity that provides training or education related to the detection, investigation, or prosecution of a crime or abuse. We are grateful for these contributions (when local needs have already been met) and have committed that all such funds are “restricted”—meaning, they are used only for training, without any expenditures for Foundation overhead and the like.

TDCAF by the numbers

	2021	Budget	% of Budget
Unrestricted Funds			
Income	\$88,485	\$50,000	177%
Expenses	\$24,438	\$31,900	77%
Net Unrestricted Income	\$64,047	\$18,100	
Restricted Funds			
Income	\$71,850	\$120,000	60%
Expenses	\$48,316	\$73,000	66%
Net Restricted Income	\$23,534	\$47,000	
Fund Balances			
Restricted	\$610,924		
Unrestricted	\$159,263		
Endowment	\$613,117		
Total All Funds	\$1,383,304		

## **TDCAF leadership**

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Troy Cotton, Houston  
Ashton Cumberbatch, Jr., Austin  
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Gregg Cox, Assistant Training Director	Dayatra Rogers, Database Manager & Registrar
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