

November 18, 2017

Narrative on Cause # 39,292 covering 9/25/17 to 11/16/17

Criminal Cause # 39,292 was filed as a Class A Misdemeanor DWI 2nd on 9/25/17 by the Criminal District Attorney's Office of Wood County, Texas. The case was set on the 10/10/17 Arraignment Docket of Misdemeanor Cases pending in the County Court of Wood County. A Waiver of Arraignment was filed 10/10/17 with the court by Defense Attorney Donna Broom on this cause and requested waiver was granted that same day by County Judge Bryan Jeanes.

On 10/18/17 a Motion and Order to Transfer was received by the office of the County Judge requesting transfer of Cause # 39,292 from the Wood County Court to the 402nd District Court of Texas. This motion and order was submitted by the Wood County Criminal District Attorney's Office under a "stamped signature" of Angela Albers, Wood County Assistant District Attorney. This motion and order submission seemed out of the ordinary because there was no associated felony offense filed against this defendant and because of the "stamped signature".

Wood County Judge Bryan Jeanes and 402nd District Court Judge Jeff Fletcher had in place an oral agreement that misdemeanor cases, on any defendant with no attached outstanding felony cases on that same defendant, would not be transferred without a signed agreement by both judges. This agreement was in response to a seemingly high number of transfer requests being submitted moving misdemeanors from the County Court to the District Court earlier in the year. In addition, ADA Albers, who regularly prosecuted cases in County Court, did not make a habit of "stamping" her signature on documents filed with the court without an associated explanation of that "stamping". The vast majority of the time she signed documents by hand in blue ink.

The submitted Motion and Order to Transfer were denied by County Judge Bryan Jeanes after determining there was no attached felony case on this defendant and no readily available explanation of the "stamped signature". It was later brought to my attention, ^{by County Court Administrator, KARI PERKINS} that the defendant in this cause was the sister of District Court Administrator Donna Huston.

On 10/23/17 I met in my office with ADA Angela Albers who had brought with her a Motion and Order for Recusal and Appointment of Attorney Pro Tem submitted by Wood County Criminal District Attorney Jim Wheeler. The motion and order was for the recusal of the entire Wood County District Attorney's Office from the prosecution of Cause # 39,292 and for the appointment of a Pro Tem prosecutor in that same cause. Ms. Albers relayed, on behalf of CDA Wheeler, the suggestion of two local attorneys for consideration as the pro tem appointment. ADA Albers acknowledged that she had ^{no knowledge of and had} not been the one to stamp her name on the previous motion to the court but it had not been determined yet who was responsible. She reiterated that she would not stamp instead of sign such a document without a good reason. I accepted the submitted motions and orders from ADA Albers and told her that I would be signing and filing them after selecting a prosecutor. I then requested my Court Administrator contact a number of local attorneys to be asked about their willingness to serve as Pro Tem prosecutor.

On 10/30/17 I signed orders of recusal and appointment and selected attorney Brandon Baade as the Pro Tem. A short time later, Judge Fletcher came to my office and asked about Cause # 39,292 and my decision to deny the transfer. I told him that the denial was because of no associated felony and the "stamped signature". I also told him that I had concerns about from where the transfer request had come. Judge Fletcher responded that he had instigated the transfer request. He explained that he had heard that the defendant was "running all over the county saying that she wasn't worried and that she had this in the bag" and he had wanted the case transferred so that he could "chew her ass out" and show her that she would receive no special treatment. I responded that I had heard none of those things but that he was free to come to the trial if it got that far and request an opportunity to speak to the defendant in open court but I assured him that she would receive no special treatment different from any offered to all defendants. Also that he shouldn't be worried about her running around as it was fairly standard for a DWI 2nd arrestee to have an interlock device placed on her vehicle at magistration and I asked who did the magistration. He replied that he did not know who the magistrate was. He then asked who had I appointed as Pro Tem and I told him that Brandon Baade had been appointed that morning. I assured him that I was of the opinion that the prosecution by Mr. Baade and the defense by Ms. Broom would be beyond reproach. Judge Fletcher then left. I later learned that Judge Fletcher had magistrated this charge as well as another charge on this same defendant the morning of the arrest.

On 11/15/17 during my morning criminal docket, CDA Wheeler entered my courtroom and, after normal polite morning greetings, requested a meeting in my chambers after completion of the docket. He then took a seat and remained. When the docket ended, I left the courtroom signaling CDA Wheeler to come on in. As I hung up my robe and turned around, CDA Wheeler was entering escorting ADA Angela Saucier, ADA Angela Albers and attorney Donna Broom requesting permission for their attendance and closing both doors to my chambers. I motioned all four to have a seat at my conference table while I sat at my desk. When asked what I could do for them, CDA Wheeler took the floor and proceeded.

CDA Wheeler stated that we had a real problem here that needed to be brought to my attention since it affected a case pending in my court and that was why he had asked the three other attorneys come to the meeting. He then stated that we may have a ^{Possible} Whistleblower Act violation and possibly even an official oppression question. I asked him to slow down, tell me what I needed to know, and ~~see where that would take us~~. He stated that Ms. Broom was the appointed attorney on a case pending in my court and that there may have been improper communication between the District Judge and one of his prosecutors. CDA Wheeler then identified the case in question as being Cause # 39,292 and acknowledged that he had recused his office from the case in question and that probably Ms. Broom did not need to be hearing any more. He then thanked Ms. Broom for coming in and she left my chambers.

After her departure, CDA Wheeler proceeded to tell me that ADA Albers had reported to him some conversations and concerns that she had had that caused her to consider her work environment to be a hostile work environment. She wanted to report that fact and also some possibly improper communications that she had had with District Judge Fletcher and District Court Administrator Donna Huston. *HE FINALLY STATED THAT NOBODY WAS GOING TO THREATEN HIS PROSECUTORS WITHOUT ANSWERING TO HIM.*

I then advised CDA Wheeler that I been in the process of preparing my own report of my own concerns about the District Judge and some of his actions to the appropriate agency. It was suggested by CDA Wheeler that we independently draft our concerns regarding any questionable behavior of the District Judge and jointly file our complaint. I agreed to acknowledge the fact that these issues had been brought to my attention and would sign off on such a joint statement after I had completed the proper reporting of my own concerns. It was suggested that ADA Saucier receive the independent reports as the basis for the joint submission.

On 11/16/17 I met with ADA Albers one-on-one and explained to her that, as an employee of Wood County and my being the County Judge, when she reported to me a perception of a hostile work environment that, pursuant to Wood County Employee Policies, I was required to meet with her as soon as possible to allow her to air her specific concerns and any additional concerns that she might have not felt at liberty to share in a multiple participant environment. She stated that she was comfortable with just reporting the possible hostile work environment of feared retaliation and wanted that to go no further at this time. She was also of the opinion that jointly filing a complaint was the best way to proceed with her further concerns.

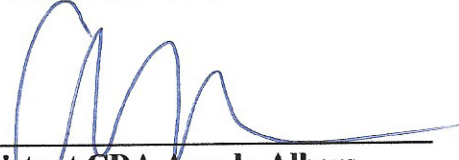
**Bryan Jeanes
Wood County Judge**

November 21, 2017

Narration of meeting of November 16, 2017

On the morning of November 16, 2017, prior to the start of the morning dockets scheduled, County Judge Bryan Jeanes requested Assistant Criminal District Attorney Angela Albers meet with him in closed quarters of his office. Judge Jeanes informed ADA Albers of his concern that, during a meeting held on the previous day, it had been indicated to him that Ms. Albers was concerned with the possibility of a retaliation hostile work environment existing in her workplace. Further Judge Jeanes explained that, pursuant to Wood County Employee Policies, he was obligated to ascertain the extent to which she wished to pursue such a complaint. ADA Albers explained to Judge Jeanes that she did not wish to pursue the issue any further at this time as she was satisfied that her supervisor, CDA Wheeler, had been fully apprised of the situation and was expressing his intent to handle the issue on her behalf to her satisfaction. Judge Jeanes acknowledged her wishes at that time and reiterated to her that, were the situation to change and she wished to further pursue her options under the Wood County Employee Policies; he stood at the ready to assist her. The meeting ended amicably without further discussion.


Wood County Judge Bryan Jeanes


Assistant CDA Angela Albers