

DOLCEFINO CONSULTING

“The Harris County District Attorney’s Office is committed to provide or arrange for services to meet the material, emotional, and information needs experienced by victims and witnesses, thereby allowing for faster and more complete recovery from the effects of crime”

WEBSITE: HARRIS COUNTY DISTRICT ATTORNEY DEVON ANDERSON

Four months after revelations that criminal investigations of two-dozen Houston homicides were mishandled, ignored, or outright falsified, the Harris County District Attorney has never sent a letter to a single victim’s family explaining why no one is being prosecuted or why her office could not conduct the investigation. The District Attorney has conducted no known internal investigation into the actions of employees of her office in their reporting of suspicious conduct or whether conflicts of interest jeopardized the integrity of prosecutions. E-mails obtained during our investigation raise significant questions that should be addressed publicly.

On April 4th, 2014 Houston Police Chief Charles Mclelland publicly detailed a damning Internal Affairs report involving several members of the Houston Police Homicide Division. The Internal Affairs Division of the Houston Police Department specifically accused HPD Sergeant Ryan Chandler of criminal conduct.

Chief Mclelland sought criminal prosecution of Chandler, but at his news conference, Mclelland stated the Harris County District Attorney’s Office had reviewed the facts and declined any criminal charges against Chandler.

Within hours, an internal e-mail from Anderson’s office notified the Houston Police hierarchy Mclelland was wrong.

“The Harris County District Attorney’s Office played no role in deciding whether charges would or would not be filed against Sgt. Ryan Chandler.”

In fact, using a still secret process, Devon Anderson had sought to transfer responsibility for the investigation to a prosecutor in the office of the Montgomery County District Attorney Brett Ligon. That prosecutor declined to file any criminal charges, although the exchanges between the Houston Police Department and the Office of the Harris County District Attorney raise legitimate questions about communication.

This report will delve into the “conflict of interest” at the heart of this case and the troubling questions the Harris County District Attorney has failed to answer. Published reports in recent months claim employees of the Harris County District Attorney’s Office had concerns about Ryan Chandler’s conduct at least two years ago, including his apparent refusal to testify in some criminal cases.

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On May 8, 2013, the mother of a homicide victim came to the Harris County District Attorney's Office for answers about the status of her son's murder. E-mails show Ryan Chandler was the "only one who knew the status of the case". It is one of the cases Chandler is now accused of "dropping".

QUESTION: What action did prosecutors take to report this incident to supervisors?

It is interesting to note the very first internal e-mail detailing the alleged timeline of the events leading to the IAD investigation is dated April 29, 2014, nearly a year after that May 2013 incident and more than three weeks after the McLelland press conference.

8-16-2013 Two weeks after Chandler is transferred out of the homicide division the Victim Service Unit reports a family member of a victim had called and said the "DA's office told her they did not have the HPD case file" on a murder case.

8-30-13 The DA's office called and inquired about the location of a grand jury referral case that had been assigned to Chandler. It is unclear if this is the case discussed in the May 2013 e-mails.

On 10-13-2013, more than a month after a Supervisor in the Houston Police Department found numerous case files that were incomplete or didn't exist, the Internal Affairs Investigation began.

We do not know from our review of e-mails the exact date District Attorney Devon Anderson personally became aware of the Chandler problem, but the District Attorney should be required to detail this information publicly, along with the steps she took to protect victims and defendants associated with Chandler's work.

In response to our request for Chandler e-mails, Anderson's office provided this December 11, 2013 e-mail to Belinda Hill, the first Assistant District Attorney.

"4 HPD investigators... will meet with us on our matter Friday at 10."

In his ongoing efforts to conceal the details of the "investigation" of the Chandler matter, the Montgomery County District Attorney Brett Ligon provided us key details.

"On January 7, 2014 a sealed motion was filed in a Harris County District Court, in which the Harris County district attorney recused herself from a pending grand jury investigation and requested appointment of a district attorney pro tem....The order of appointment was placed under seal because it relates to a confidential grand jury proceeding and disclosure would reveal the substance of a pending grand jury investigation."

Now that the public is aware of the sealed request, District Attorney Anderson should immediately unseal all documents related, including the name of the Judge that issued the order so the public can evaluate the detailed disclosure of the potential conflict that precipitated the request.

There is no evidence, and certainly no public disclosure, of any internal investigation conducted by or directed by Devon Anderson into the conduct of her office in dealings with Chandler, and whether early discovery and disclosure of his problems were impacted by his relationship with Inger Hampton, the Assistant District Attorney in charge of Conviction Review.

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Hampton is the gatekeeper for ensuring the integrity of prosecutions in Harris County. E-mails confirm Hampton and Chandler worked on prosecutions together, long after they were romantically involved. The two were married in June of 2014.

The potential for conflict is clear. Hampton is an officer of the court. Chandler is a witness. It should be improper for a prosecutor to remain involved in any case in which they have a relationship with any witness, especially the witness whose testimony is used to base search warrants and laboratory reports.

Both Chandler and Hampton were supporters of Mike Anderson. They were photographed together at his 2012 victory party. Chandler provided a \$550 dollar donation to the Anderson campaign. Devon Anderson was appointed to fill her late husband's term.

In 2012, June e-mail traffic details Hampton and Chandler working together on the Craig Crooks case. On July 27th, 2012 prosecutor Tara George e-mails Hampton in search of the same records from Chandler.

In November 19, 2012, Hampton is asking Chandler for a DVD on another case. A week later she is asking for the same evidence.

On February 18, 2013, Hampton is asking Chandler for copies of reports on at least five criminal cases. "If this is too much to ask, just let me know. Really." The e-mail includes a smiley face.

By June 2013, Hampton and Chandler are engaged, yet the pair is still working together on prosecutions. In an e-mail about a 2009 offense where Chandler is a witness, Hampton concludes her e-mail...
"Love you"

The e-mails also contain a June 2013 invitation for a surprise birthday party for Hampton sent to the current head of the District Attorney Public Integrity section from Ryan Chandler.

By the fall of 2013, Ryan Chandler was under Internal investigation by the Houston Police Department. By January 7, 2014, Anderson had already sought to transfer jurisdiction of any criminal investigation of Chandler out of her office.

Yet e-mails show that on February 18, 2014, Hampton accessed an internal District Attorney Office computer to run a search on all criminal cases filed by Ryan Chandler. She forwarded the information to Chandler at 9:31 am.

Even in May of this year, the Chief of the Civil Rights Division of the District Attorney's office, Julian Ramirez, was questioning details of an aggravated assault case involving a defendant named Michael Thompson. The DIMS documents reveal the case was investigated by Chandler and Keith Lovelace, who is another HPD officer implicated in the homicide scandal.

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The District Attorney should be challenged to detail what steps, if any, she has taken to investigate Hampton's conduct, including her knowledge of previous complaints from other District Attorney's office personnel about Chandler.

While the District Attorney may be able to justify keeping the Chandler investigation a secret from the public in January 2014, e-mail show she failed to warn even her own prosecutors of potential corruption by a police department witness. This failure potentially jeopardized ongoing criminal prosecutions, put prosecutor's credibility with the court at risk, and potentially violated the rights of victims and defendants.

On Friday February 7, 2014, Prosecutor Maritza Antu, the Chief of the 178th District Court, was missing key evidence to prepare for a deposition of an eyewitness in the Perry/Price capital murder case. She attempted to find Ryan Chandler but realized his cell phone number had changed.

It was four months after the HPD Internal Affairs Investigation had begun, and at least one month since Anderson had sought a pro tem prosecutor for the Chandler criminal probe, yet Antu was clearly unaware.

E-mails show Antu didn't connect the dots on her own until two months later. April 11th, 2014. By then, another prosecutor Natalie Tise acknowledged " we may need to provide Brady information. I think maybe the office maybe coming up with something standardized soon".

Prosecutors are required to notify defendants and their lawyers about information that could affect the credibility of testifying law enforcement officers.

Published reports allege at least some members of the District Attorney's office were concerned about Chandler's credibility years before 2014, and we know a grand jury investigation was beginning in January 2014, so we examined the lapse in this critical notification.

Despite the criminal investigation that began on or before January 7, 2014, it wasn't until April 10th, 2014 that the District Attorney's General Counsel sought a complete list of 82 criminal cases filed by Ryan Chandler.

Even the Houston Police Department had raised Brady concerns within a few days of Chief Mclelland's public announcement on April 4th.

Yet on April 22nd, 2014 the Harris County District Attorney's office was actually asking the Houston Police Department

"to provide any detail in this regard to help us ensure that we all meet our obligations under Brady as it relates to the IAD investigation"

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That is the best evidence the Harris County District Attorney's office had not monitored the ongoing internal investigation to fulfill their duty to victims and defendants. E-mail shows the District Attorney's office didn't even have a copy of witness statements until late April of 2014.

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On May 12th, 2014, Dolcefino Consulting filed a request under the Texas Public Information Act for letters to victims and Brady letters to defendants and their legal counsel on behalf of the Ogg campaign. Documents released by the District Attorney's office show none of the letters were written until after the demand for public disclosure filed by Dolcefino Consulting.

The Harris County District Attorney's office has not released e-mail communication between Inger Hampton and Chandler they deem "personal". That should immediately happen. In addition, Anderson should unseal any documents detailing her request for a prosecutor pro-tem, and call on Montgomery County District Attorney Ligon to release documents detailing the "investigation by his office".

Anderson should also be required to detail for the public what steps she has taken to investigate the actions of Hampton and to internally investigate other personal relationships between prosecutors and testifying police witnesses that give rise to conflicts of interest and report the results to the public.

Most importantly, the District Attorney should have to explain her failure to notify victims, her lapse in notifying defendants, and her failure to warn her own prosecutors.

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