



Leroy L. Persohn, IV
First Assistant District Attorney

Alberto Byington, Jr.
Assistant District Attorney

Margie S. Flores
Assistant District Attorney

Roman Gonzalez
Assistant District Attorney

Carlos Omar Garcia
District Attorney

79th Judicial District of Texas
Jim Wells and Brooks Counties

Jon W. West
Senior Assistant District Attorney/BPU

Yvonne Gonzalez Toureilles
Assistant District Attorney/BPU

Margarito Perez, Jr.
Chief Investigator

Tammy Hallmark
Investigator

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FOR IMMEDIATE RELEASE

RE: Matter reviewed in connection with Alice Councilwoman Elida Garza

The 79th Judicial District Attorney's Office for Jim Wells and Brooks Counties has authorized the release of the following information in connection with a matter reviewed by the District Attorney's office in connection with City of Alice Councilwoman Elida Garza. The release is made in an effort to clarify misconceptions that have been brought to the attention of the District Attorney's office through inquiries addressed by the media and community members.

On May 3, 2017, an incident report (#2017004573) was filed by the Alice Police Department for review by the District Attorney's Office. The subject matter of the report was in connection with an allegation of a possible bribery offense involving Alice City Council candidate Elida Garza on or about April 17, 2017. The accusation involved a meeting between Elida Garza and three individuals at a local restaurant.

The investigation included supplemental reports and interviews of all four parties at the meeting as well as two others who provided second-hand information in connection with the conversation at the meeting. The information was consistent with the following: 1) Elida Garza received currency from one of the individuals at the table, 2) the individuals at the meeting all state that the individual giving the money stated "here is the money I owe you," 3) there was no information or evidence presented that the money was a campaign contribution or in consideration

Jim Wells Office: P.O. Drawer 3157, Alice, Texas 78333 • (361)668-5716 • Fax (361)668-9974
Brooks Office: P.O. Box 283, Falfurrias, Texas 78355 • (361)325-5604, Ext. 5 • Fax (361)325-2993
Email: 79thdistrictattorney@co.jim-wells.tx.us • Website: www.79-districtattorney-tx.org

for the recipient's decision, opinion, recommendation, vote, or other exercise of discretion as a public servant.

A prosecutorial review of the incident was consistent with the investigative review of the facts of the case as applied to Texas Penal Code 36.02, Bribery and Texas Penal Code 36.03, Coercion of Public Servant or Voter. It was concluded that the facts did not meet the elements of either code section. The primary reasons for the determination was that there was no evidence presented that the money was made in consideration for the recipient's decision, opinion, recommendation, vote, or other exercise of discretion as a public servant. In addition, Elida Garza was a candidate, not a public servant at the time so she did not have any official authority to exercise discretion over.

The 79th Judicial District Attorney's Office has been asked about the status of any alleged campaign contribution violation on Elida Garza and the federal bribery statute referred to in a recent news article. The 79th Judicial District Attorney's Office has not received any incident or offense reports in connection with any allegations of campaign contribution violations on Elida Garza. As for the reference to the federal bribery statute, the 79th Judicial District Attorney's Office has no jurisdiction over the prosecution of federal statutes, furthermore, the report filed by the Alice Police Department was limited to the state codes and statutes relevant to the allegations made.

The last matters to be clarified are the requests for information in regard to when Councilwoman Elida Garza will be charged or arrested and why her case was presented to the grand jury. As to the allegation of bribery reviewed by the 79th Judicial District, there is no evidence to support a charge or arrest. As to the presentation to the grand jury, it is the policy of the 79th Judicial District Attorney's Office to present allegations of criminal offenses of official misconduct involving public servants to the grand jury before the matter is closed.

The allegation of bribery that is the subject of Alice Police Department incident number 2017004573, was closed by the office of the 79th Judicial District Attorney on June 30, 2017. The information provided in this release has been approved by District Attorney Carlos Omar Garcia.