



UPSHUR COUNTY COMMISSIONERS COURT

GILMER, TEXAS

March 16, 1987

Commissioners Court met in emergency session with all members present.

Judge Dean stated that the reason for the meeting was to discuss the funding of the trial for Jerry McFadden that is scheduled to be held in Bell County March 30, 1987. He stated that the District Judge and County Sheriff had requested \$ 500,000.00 for the trial. This is to pay for attorney fees, motel rooms, meals, jury fees, etc. Judge Dean said that Upshur County does not have the money at this time to budget for the trial. He asked Sheriff Jewkes for his ideas on this subject.

Sheriff Dale Jewkes said that first the taxpayers of Upshur County should be made aware of why they are being asked to pay for the trial for McFadden. He explained that under the present system, the accused person has a right to be represented by counsel even though he has no money. The special prosecutor was hired because most attorneys do not have the experience to try this type case and the change of venue was necessary to preclude the possibility of a mistrial. He stated that even though a change of venue will double the cost it is still the county's responsibility. He said by his estimates it will cost the county at least one million and possibly two million. Gaddis Lindsey suggested the county go to the Governor and Legislature to try to get the funds for the trial. Judge Dean responded that he and other commissioners had talked to Representative Bill Hollowell and he suggested the court contact the Governor and other people in the State Government. District Attorney, O. W. Loyd, stated that he had been in contact with the Governor's Office and his staff were in the process of checking with others as to the direction to go for financing. He said the Governor's Office had said there might be a grant available for this purpose. He added that there was really no way to estimate the cost for the trial and the people of Upshur County will have to get prepared for this kind of case as he does not see an end to them.

Wood County Commissioner Weldon Woodard had some comments on their tax rate as compared to Upshur County's. He and Commissioner Glen Bevill attended the meeting just as interested parties.

Judge Dean made a motion to request the District Judge to postpone the trial for 30 or 60 days so the county will have time to seek funding for the trial. Motion seconded by Gaddis Lindsey. Motion carried.

Judge Dean presented a resolution to the court authorizing the District Attorney to seek and accept funding from the Criminal Justice Division of the State of Texas. Copy attached.

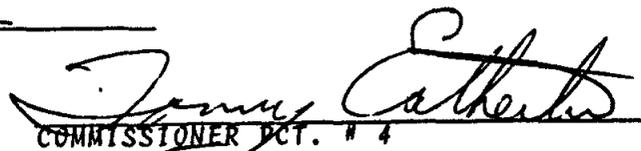
Tommy Eatherton suggested the people of Upshur County contact people in the state government and ask for help also.

Motion by Gaddis Lindsey seconded by Bill Loggins to adjourn. Motion carried.


COUNTY JUDGE


COMMISSIONER PCT. # 1

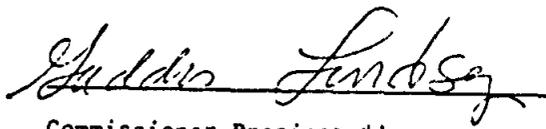

COMMISSIONER PCT. # 2


COMMISSIONER PCT. # 4

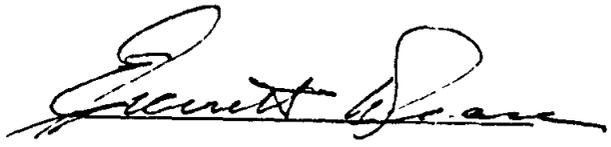

COMMISSIONER PCT. # 2

RESOLVED:

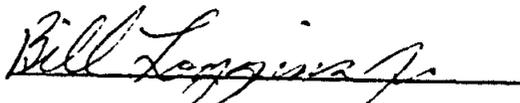
That on this the 16th day of March, 1987, the Commissioners' Court of Upshur County, Texas, hereby acknowledges it's support of the Upshur County Prosecution Assistance and authorizes the District Attorney to seek and accept funding from the Criminal Justice Division, State of Texas, for the Project during the Fiscal Year 1987-88.



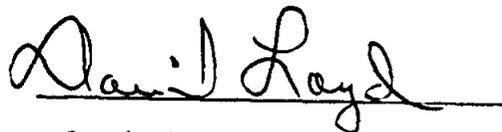
Commissioner Precinct #1



County Judge



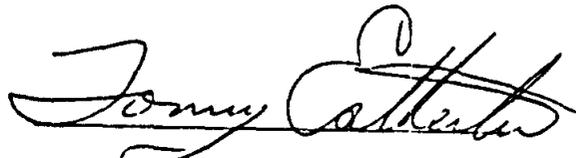
Commissioner Precinct #2



Commissioner Precinct #3



Attest: County Clerk



Commissioner Precinct #4

