

Animal Victory talked with Assistant District Attorney Felicia Kerney. She expressed the passion that John Creuzot and the Dallas County District Attorney's Office have for the prosecution of animal abuse and neglect cases. She explained the process begins when the law enforcement agency completes the investigation and submits the case file to the District Attorney's Office for prosecution. The case is then routed to the Animal Cruelty Unit and assigned to a prosecutor. That prosecutor reviews the case file and the evidence to decide whether the facts of the case presented are sufficient for a successful prosecution. If the attorney finds sufficient evidence to proceed, she drafts the charging instrument for the allegation of each abused or neglected animal for which there will be a separate criminal charge. In misdemeanor cases, the charging instrument is called "an information" and that document is filed with the county clerk's office to advise a defendant of the specific charge or charges being brought against him or her. In felony cases, the charging instrument is called an indictment. Once the prosecutor drafts an indictment, the case is set before one of four Dallas County grand juries. If the empaneled grand jurors believe there is probable cause that an offense occurred, they will vote to return a "true bill" and the case will be assigned to a district court. Also, a signed copy of the indictment will be filed with the district clerk's office. If the case is "no-billed" this indicates that the grand jury members did not find probable cause or see sufficient evidence to warrant the prosecution of the accused and no further actions will take place. After the case is filed in a district court, the normal course of discovery with the defense lawyer proceeds. Court is tentatively scheduled to go to grand jury on June 22.