



## Palestine Herald-Press

### Cell phone nets TDCJ inmate 60 more years

#### Staff Reports

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— A Coffield Unit inmate was sentenced to 60 years in prison Tuesday after an Anderson County jury found him guilty of possessing a cell phone in a correctional facility.

A seven woman, five man jury found Derrick Ross, 38, of the Texas Department of Criminal Justice's Coffield Unit guilty of having a prohibited item in a correctional facility.

The case was tried in the 87th Judicial District Court with Judge Deborah Oakes Evans presiding. The state was presented by Allyson Mitchell, an assistant special prosecutor with the Special Prosecution Unit. The Special Prosecution Unit prosecutes all criminal cases that occur on TDCJ and TYC property throughout Texas by request from the local district attorney.

Ross was defended by Barbara Law, attorney for State Counsel for Offenders.

According to evidence presented by Mitchell, on March 27, 2007, a correctional officer at the Coffield Unit trusty camp attempted to search Ross after he began to act suspicious.

The officer testified that Ross was outside the administration office in the trusty camp when he started acting "squirrely and nervous." The officer ordered Ross to stop for a procedural strip search.

According to the officer, instead of stopping, Ross began to run. The officer was joined in his pursuit of Ross by another correctional officer and they chased him down the trusty camp A and B dorms to the back area of C dorm.

The officer testified that during the chase, Ross tossed "something over his head onto the roof." Once the throw was made, and the item discarded, Ross stopped and was taken into hand restraints by the pursuing officers.

According to testimony, another correctional officer climbed on the roof of the dorm in the area that Ross threw the item and found a state issued sock with a cell phone and charger inside. There were no other objects on the roof.

The defense said that prior to the chase Ross had been subjected to a strip search and no contraband was found.

Mitchell argued that Ross had to walk quite a ways through other inmates and shops to get back to the trusty camp and could have obtained the cell phone and charger then.

A parole officer testified he was at the Coffield shooting range when he heard a commotion and looked up to see an offender running behind C Dorm at the Coffield trusty camp.

He said he saw the offender make an overhead tossing movement and two officers chasing him.

It took the jury 30 minutes of deliberation before returning a guilty verdict.

During the punishment phase of the trial, the jury heard that Ross previously had been convicted three times of felony offenses.

In 1989, Ross was convicted of burglary of a motor vehicle and in 1990, he was convicted of theft of an automobile. In 1993, he was convicted of unauthorized use of a motor vehicle and sentenced to 25 years in TDCJ.

Because Ross was found to be a habitual offender, the range of punishment for having a cell phone in a correctional facility was 25 years to 99 years or life. Normally the range of punishment would be 2 to 10 years.

After 30 minutes of deliberation the jury assessed his punishment at 60 years in TDCJ. The sentence is stacked on top of the one he currently is serving.

A sentence of 60 years is one of the highest sentences in the state that has been handed down by a jury for possession of a cell phone in prison.

According to Mitchell, the phones are used to carry out illegal transactions such as ordering hits, making drug deals, running gangs and the very act of having one is a privilege that is not afforded to an inmate. "I believe that the jury's verdict will send a message to the TDCJ inmates that still have cell phones and the visitors and unethical officers that provide them cell phones," Mitchell said in a press release. "The message is that the citizens of Anderson County take this charge seriously and are not afraid to send someone to prison for a long time for violating this law."

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