



# **Law of Parties**

**Stories of Injustice Due to a  
Law That's Gone Rogue**

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**Laws are supposed to create a civilized and just society. So, what do you do when one seems to be in opposition to its purpose? Texas' Law of Parties is one such law. This law allows a person to be convicted of crimes they have not committed. This law allows people to be put to death for crimes they have not committed. DOES THAT SEEM LIKE JUSTICE TO YOU?**

**Here is the language of this law.**

**Sec. 7.01. PARTIES TO OFFENSES. (a) A person is criminally responsible as a party to an offense if the offense is committed by his own conduct, by the conduct of another for which he is criminally responsible, or by both.**

**(b) Each party to an offense may be charged with commission of the offense.**

**(c) All traditional distinctions between accomplices and principals are abolished by this section, and each party to an offense may be charged and convicted without alleging that he acted as a principal or accomplice.**

**Acts 1973, 63rd Leg., p. 883, ch. 399, Sec. 1, eff. Jan. 1, 1974.  
Amended by Acts 1993, 73rd Leg., ch. 900, Sec. 1.01, eff. Sept. 1, 1994.**

**Sec. 7.02. CRIMINAL RESPONSIBILITY FOR CONDUCT OF ANOTHER. (a) A person is criminally responsible for an offense committed by the conduct of another if:**

**(1) acting with the kind of culpability required for the offense, he causes or aids an innocent or nonresponsible person to engage in conduct prohibited by the definition of the offense;**

**(2) acting with intent to promote or assist the commission of the offense, he solicits, encourages, directs, aids, or attempts to aid the other person to commit the offense; or**

**(3) having a legal duty to prevent commission of the offense and acting with intent to promote or assist its commission, he fails to make a reasonable effort to prevent commission of the offense.**

**(b) If, in the attempt to carry out a conspiracy to commit one felony, another felony is committed by one of the conspirators, all conspirators are guilty of the felony actually committed, though having no intent to commit it, if the offense was committed in furtherance of the unlawful purpose and was one that should have been anticipated as a result of the carrying out of the conspiracy.**

**Acts 1973, 63rd Leg., p. 883, ch. 399, Sec. 1, eff. Jan. 1, 1974.  
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**In simple terms, this law means that you can be charged with a crime committed by someone else before, during, or after the fact, and under certain circumstances. Based on the legal lingo, it looks like those circumstances are limited. But from these stories, I think you will see that the application of this law is anything but limited.**

**The people in these stories have been caught up in unfair convictions and sentences. Some are completely innocent. Some were not innocent but certainly did not commit the crime they were convicted of. All were unwilling to take a plea deal because they believed that, as innocent people, they would not be convicted. Taking a plea deal admits guilt, and they were not guilty. Many of the co-defendants who were actually responsible for the crime took plea deals and were awarded lesser sentences. DOES THAT SEEM LIKE JUSTICE TO YOU?**

# **Convicted of Murder for Having Bad Taste in Boyfriends: CC's Story**

CC was raised in a loving and stable home. Sometime before age three, some children in CC's home daycare were victims of sexual abuse. The family doctor told the parents he didn't think CC had been one of them. With many children who suffer that kind of treatment, the damage often doesn't show up until much later and may show up in ways that no one expects or connects to the abuse. In CC's case, she buried the experiences and became a "perfect child." While continuing to behave in an exemplary manner through her high school years, she became quieter and quieter and more and more emotionally distant from her family.

CC told family, many years later, that for a long time, she didn't have words for what she had experienced as a little person and could recall only nebulous images of the trauma. She decided...as so many victims of childhood abuse do....that she must be a very evil person to have such thoughts in her head. To compensate for "evil" thoughts and feelings, CC began to tell lies about a lot of things....not to get out of trouble but just to make the world more like she wanted it to be. Her parents saw this more and more in her teen years and were mystified.

CC graduated from high school early and started college. She married a high school sweetheart who was attending college on a combination of academic and athletic scholarships and work connections related to athletics. CC worked and attended class, but neither of them took a full load of courses, and their pursuit of degrees stretched on for several years. CC was increasingly distancing herself from family.

When the husband was found to have a serious congenital kidney ailment, he had to drop out of athletics. Around that time, CC stopped attending class and advanced quickly in her retail sales career. The husband grew depressed at losing his athletic abilities and opportunities. By the time he finished a bachelor's degree, he was not working. CC separated from her husband and went into profound depression herself, still not reaching out for family support.

CC began seeing a young man who worked briefly in her store. When she was promoted and transferred to another city, he went with her. CC helped him get on at the new store as well. About five months later, after a robbery at the store, CC and the boyfriend were both fired, though no one was ever charged with a crime in that incident.

That she was the manager on duty the night before the break-in and that he failed to turn up for work afterward were reasons enough to dismiss them both.

Three months later, the co-manager of the store was killed in her own apartment in a brutal incident that drew national attention. The keys to the store were taken from the manager's kitchen, so it became a capital murder case. There were a lot of things about the incident to tie CC and her boyfriend to activity related to the incident, including an attempt to enter the store early on the day following the murder. The boyfriend's DNA was found inside the victim's apartment, and the victim's DNA was found on the floorboard of CC's car, which the boyfriend often drove. By the testimony of witnesses and DNA experts, it is impossible to place CC at the murder scene.

CC testified to having been in a "Stockholm syndrome," or "trauma bonding" relationship with the boyfriend, over the months he lived with her. She gradually became aware of his ties to organized gangs. She also testified that she was coerced to make attempted entry to the store with the stolen keys by his threats of violence, including holding a loaded gun on her while they sat in the car outside. She further testified that after she purposefully bungled one attempt to enter the store, colleagues of the boyfriend gang-raped her back at their apartment and that he also threatened her family.

CC was picked up at her apartment for questioning by detectives more than 24 hours after the murder. She was not told why she was being questioned, except that her boyfriend was "in the next room and would know what she said." When, after several hours, a warrant was presented to collect DNA, CC realized for the first time that someone had died. She was released and spent the next few days with family members nearby. When she heard, a week later, that a warrant had been issued for her arrest, CC turned herself in.

CC awaited trial in solitary confinement in the basement of the county jail, not because of bad behavior but because the crime had been such a high-profile incident. Though she had no previous criminal record of any kind and had turned herself in, her bail was set at the impossible figure of \$500,000.

In Texas, if a person is found guilty of capital murder, the only possible sentences are life without parole or death. At the risk of receiving a death sentence, CC steadfastly claimed innocence of having planned or participated in anyone's death. The county took the death penalty off the table about a year after her arrest. From then on, she knew that should she be found guilty, her only possible sentence would be life without parole. She was never offered a plea bargain but would not have taken one because she knew she was innocent and believed a jury trial would exonerate her.

The county District Attorneys, playing before the courtroom cameras of Dateline TV, convinced the jury that because CC was older than her co-defendant, she must have been the "mastermind" of the two. The DAs spent a lot of effort showing that CC had been a liar...that she had lied to a college professor some years before, that she had lied about a request for vacation time at work, that she lied about her employment and her day's activity to the detectives who picked her up and questioned her. And thus, they discredited her defense testimony. The DAs openly called CC a liar in court, though she was testifying of issues separate in time and in importance from those they had shown her to lie about. Her court-appointed attorneys were probably reasonably capable men. Still, they presented almost nothing in the way of a defense argument other than to allow CC to testify in her own defense. No one even pointed out at her trial that while being a liar is a bad thing, it is far from being a murderer.

Because of Texas' Law of Parties/Felony Murder Rule, CC is serving life without parole for the crime of "bad taste in boyfriends." DOES THIS SEEM LIKE JUSTICE TO YOU? Please help bring her home. Save the state of Texas the over \$22K it spends each year to keep CC locked up for a murder she did not commit, did not plan, did not pay for, did not desire, and did not know about for more than a day.

## **Convicted of Murder Though I Wasn't Even There: Aaron's Story**

**My brother Aaron Vega has been in prison for 16 years. He was picked up from high school at the age of 19. He was accused of being the mastermind behind a murder/robbery that took place in our hometown. My brother did not cooperate with the investigators, so they told him they were going to give him all the charges. There was no evidence whatsoever. They charged him just from testimonies of guys who took plea deals to avoid getting time. They all had records of car theft, burglary, and drug-related charges. My brother had a clean record. The phone records showed my brother was home when the murder happened. His girlfriend at the time was interrogated, but her testimony was omitted in court. One of the guys who was actually involved and pled guilty got 20 years and got out about two years ago. My brother pled not guilty and received life in prison with 40 years to parole. One eyewitness asked to be a witness in my brother's trial, but they didn't use him, even though he was the only eyewitness. DOES THIS SEEM LIKE JUSTICE TO YOU? The real mastermind/murderer was a member of a cartel and went on to kill two police officers and several other people in Texas and Mexico.**

**We have been fighting my brother's case from the beginning. We won the appeal, and the DA appealed that. It then went to the higher courts, and they said there was insufficient evidence for capital murder but enough for conspiracy. A conspiracy was never brought up in Aaron's trial. This system is so corrupt. We know that one day my brother will be back and finally get to be with his daughter and our family. He has endured so much in prison that none of us will ever be able to comprehend. Nothing can ever change all the memories lost, but we pray that one day justice will be served, and he will get to start a new life.**



## **Convicted of Murder After I Was Forced to Participate in a Robbery: Kenneth's Story**

**Kenneth was sent to prison at age 22 under the Law of Parties. He was participating in a robbery in which someone was shot and killed. Kenneth wasn't even in the room when it happened. Also, there was testimony at his trial that had he refused to participate in the robbery; the others were going to kill him. The co-defendant that gave that testimony received 15 years and is free now. Kenneth received a life sentence and will be eligible for parole after 40 years. He has been incarcerated for 21. DOES THIS SEEM LIKE JUSTICE TO YOU?**

## **Sentenced to Death at Seventeen for Three Murders I Didn't Commit: Miguel's Story**

**My husband Miguel was sentenced to death at age 17 thru the Law of Parties, for 3 murders he didn't commit. His case was featured on a show called 'I Am A Killer' (episode 4). He took it to trial because he didn't commit the murders, but they sentenced him to death. He got a harsher sentence because he didn't take a plea deal. Miguel's death sentence was finally commuted to life without parole. The man responsible for the murders, Miguel's codefendant, escaped and went on the run for a few years, and when they caught him, he took a plea deal for 41 years. He finally confessed, more than 28 years after the killings. He will be able to get out in 13 more years, while Miguel remains in prison for crimes he did not do. DOES THIS SEEM LIKE JUSTICE TO YOU**

## **Sentenced to Life Without Parole for Finding my Conscience and Leaving the Scene: Jonathan's Story**

**My mother was a single parent who worked hard to raise her family. As teenagers and young adults, my brother and I often wanted the typical things kids that age want. A kindly teacher and neighbor often offer my older brother and me small jobs to make money. On the night of the incident, we were in need of some cash, and my brother told me to ask my mom for it. Mom said no, and my brother told me to just steal it from her. I wasn't ok with stealing from my mom, so my brother suggested stealing from someone else. He had recently gotten out of jail for another robbery and said that no one was home at the residence we could rob. It would be a quick and easy solution. My cousin joined us, and we went through the back alley to enter the house we planned to rob. Because we had entered from the back, I did not realize whose house we were in until I went to pick up the TV. As I touched the TV and realized, I had a change of heart. We were in the nice ladies' house, the one who had helped me out so many times with odd jobs, and it just didn't feel right. I turned to leave through the door I had come in, and as I did, she entered through the front door. I left the scene. I took nothing. I did not know she was killed. I was soon arrested and tried for capital murder along with my brother and cousin, who had both stayed in the house. Though I was not the shooter and left the scene without stealing anything, I was convicted and sentenced to life without parole. My brother received 45 years, and my cousin received life with parole. I will never get out of prison though I was the least involved in the situation. DOES THIS SEEM LIKE JUSTICE TO YOU?**

For several sessions in Texas, bills have been filed to change the most egregious part of this law that allows those who have not taken a life to be convicted and sentenced to death. The House of Representatives passed two bills during the 87th session of the Texas legislature that the Senate ignored.

Just how frequently this law is applied during trial is hard to tell. A search for data has turned up very little. What isn't measured can be abused. The Law of Parties needs oversight, and data must be collected so that an understanding of this law's reach can be established and so that it cannot be abused. The Law of Parties needs its language narrowed so that it is only applied in instances where someone has truly conspired to murder another. Punishment for crime needs to be proportional to the crime. Secondary actors should not receive harsher sentences than the primary actor. Finally, legislation to rectify existing injustices must be created and passed. Texas is a tough-on-crime state, but in its toughness, it still must be fair and just. Support legislation to facilitate these changes.

**If your loved one has been convicted under the Law of Parties and would like to submit their story for this ongoing project, please email Jessica Dickerson @ [jessica.dickerson@TPCAAdvocates.org](mailto:jessica.dickerson@TPCAAdvocates.org).**



**For more information on prison conditions and the Law of Parties, visit [www.TPCAAdvocates.org](http://www.TPCAAdvocates.org) or follow TPCA's social media on Facebook, Instagram, Twitter, LinkedIn, and TikTok.**

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