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**LOCAL NEWS**

# As Barrientes Vela's public corruption trial looms, another person alleges shakedown at Rodriguez Park

Charles Ybarra received \$5,000 settlement after filing complaint about Sept. 2018 incident at park

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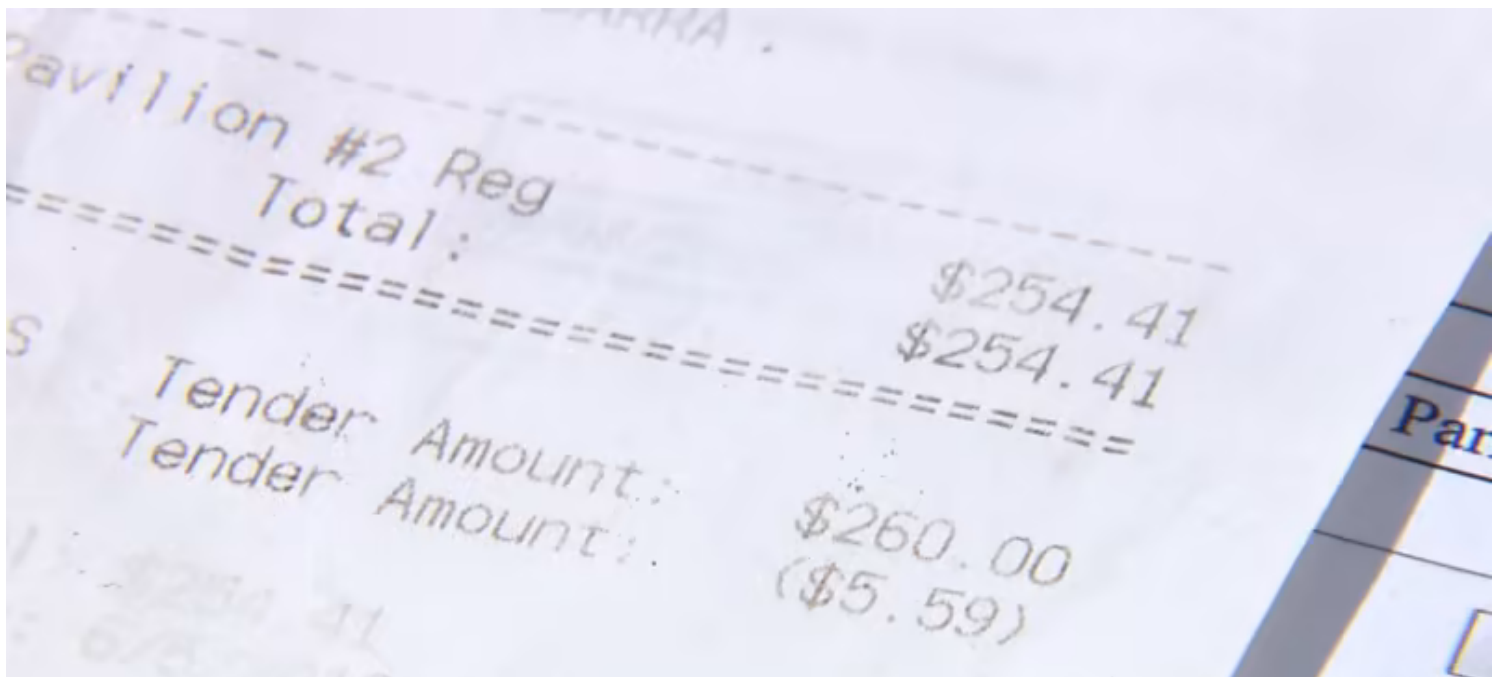
*The picture of Charles Ybarra smiling while surrounded by loved ones should have represented the proud culmination of months of planning for a family reunion. Instead, its a reminder of one of the most stressful days of his life.*



**SAN ANTONIO** – The picture of Charles Ybarra smiling while surrounded by loved ones should have represented the proud culmination of months of planning for a family reunion. Instead, it’s a reminder of one of the most stressful days of his life.

Ybarra forked over close to \$600 to rent Pavilion 2 at Rodriguez Park for the September 2018 reunion: \$254.41 to the Bexar Heritage & Parks Department for use of the outdoor pavilion and a separate \$320 security fee paid to the Bexar County Precinct 2 Constable’s Office.

The morning of the event, however, as Ybarra’s family prepared food and the crowd had grown to only a few dozen people, Ybarra claims then-Precinct 2 Constable Michelle Barrientes Vela and Chief Deputy Anthony Castillo showed up and interrupted the celebration.





“Turn off the lights, electricity and water, and to turn off the music,” recalled Ybarra, describing the instructions yelled out by Barrientes Vela, who Ybarra says was in uniform and at one point shut off large coolers that were being used.

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Ybarra said Barrientes Vela demanded that he pay an additional \$400, in cash, for extra security.

“She was like ‘you aren’t going to pay me, you don’t have it?’ I didn’t have it, I didn’t have it. So she says ‘then we’ll shut you down,’” recalled Ybarra, who provided the Defenders receipts for the pavilion rental and security fee paid prior to the event.

“Family members are showing up. They would leave. They thought there was an issue,” said Ybarra, who added that he began collecting small amounts of cash to give Barrientes Vela and that he was forced to charge some family members twice for T-shirts for the reunion.

“I was giving her 80, then 40, then a hundred,” said Ybarra.



*Charles Ybarra (seated) pictured with family members in September 2018. (KSAT)*

After the event, Ybarra said he attempted to file a report about the \$400 with the Precinct 2 Constable's Office for weeks, but that Barrientes Vela's staff would not take him seriously.

He said he also contacted the Precinct 2 commissioner's office but did not make any headway with his complaint until also reaching out to the county parks department.

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In September 2020, two years after his family reunion was interrupted, Ybarra received a \$5,000 settlement check from the county's third party administrator for liability and workers' compensation claims.



*The \$5,000 settlement accepted by Ybarra released Bexar County from all future claims about the September 2018 incident. (KSAT)*

The check, distributed by Cannon Cochran Management Services, Inc., releases the county from all claims related to the incident, records show.

A county spokeswoman said CCMSI, whose current contract with the county to provide claims services began in August 2019, has authority to settle minor claims up to \$5,000.

The spokeswoman said Ybarra's claim has been the only one submitted and paid involving a county park user and the former constable.

Ybarra, who described Barrientes Vela's actions as a "shakedown," said he is troubled that law enforcement chose not to pursue the case for possible criminal charges.

Randy Burton, a former Harris County prosecutor who is not associated with Barrientes Vela's upcoming criminal trial, expressed his own opinion after reviewing Ybarra's allegations.

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“This is the kind of thing that it’s like a protection racket, where people go out and say ‘we’ll protect your business, if you give us more money.’ This is a very, very serious offense,” said Burton.

*Former Harris County prosecutor Randy Burton. (KSAT)*

Burton said the allegations could merit both charges of theft and official oppression, the crime used to charge a public servant who uses his or her position to subject someone else to mistreatment.

Barrientes Vela, who remains free on bond awaiting trial for two felony counts of fabricating evidence, already faces three separate counts of official oppression.

Those official oppression charges, however, relate to her alleged treatment of two Precinct 2 deputies who were fired by her in 2018 and claim they were mistreated after being reinstated to the agency.

The county earlier this year settled multiple lawsuits **filed by the two deputies for a combined \$347,000.**



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It does not appear that Barrientes Vela will be criminally charged for the Ybarra incident, or for a similar incident on Easter 2019 when the then-constable was accused of demanding cash from another person who had rented a Rodriguez Park pavilion.

A spokeswoman for the Bexar County District Attorney's Office said they view the Ybarra incident as a civil matter and that fabricating evidence charges do not require that a particular complainant be identified.

### **10 takeaways from the explosive search warrant for ex-Pct. 2 Constable Barrientes Vela**

Jesus Reyes, the man from the Easter 2019 incident, told Bexar County Sheriff's investigators that Barrientes Vela and Castillo demanded \$500 in cash from him after Barrientes Vela's family was forced to move from a pavilion he rented.

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before his rental agreement expired, according to a Texas Rangers search warrant.

That warrant, used to raid Barrientes Vela's offices in the fall of 2019, also includes evidence that the then-constable tampered with payment logs for security at the park and threatened a civilian clerk in charge of accepting security fee payments.

That clerk told the Rangers Barrientes Vela would often assign reserve deputies to work security at the park but then keep the fees paid to her office for herself.

The clerk also feared Barrientes Vela was changing the amount of money received by her office, the warrant states.

Regarding the Reyes incident specifically, the clerk told the Rangers that Barrientes Vela ordered her to create a receipt for Reyes but then later told her to tear it out of the receipt book so that no records of it existed, the warrant states.

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Months after being the target of the Rangers raid, Barrientes Vela was indicted on six public corruption charges.

The indictment accuses Barrientes Vela of presenting Rodriguez Park cash logs that she knew were false.





*Former Precinct 2 chief deputy Anthony Castillo*

Castillo, who was named throughout the search warrant and was listed as one of the four targets of it, has never been criminally charged.

**Castillo was terminated by Barrientes Vela in October 2019**, just hours before she herself vacated office 15 months before her term ended.

Criminal defense attorneys for Barrientes Vela declined to be interviewed on the record for this story.

She is scheduled to go to trial Dec. 6, after multiple delays due to COVID-19 related court restrictions.

Attorneys for Barrientes Vela this week filed a motion to have Bexar County District Attorney Joe Gonzales disqualified from prosecuting the case, citing alleged comments made by Gonzales' former campaign manager this summer.

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Robert Vargas III was accused of saying he would find someone to run in the primary election against fellow Democrat Judge Velia Meza, the judge hearing the criminal cases against Barrientes Vela and Garcia, if Meza "didn't do the right thing" in Barrientes Vela's upcoming public corruption trial.

Judge Sid Harle, who sat in for Meza during an Aug. 5 evidentiary hearing related to the motion, will be tasked with ruling on it, a court official previously said.

**Prosecutors earlier this year dismissed** the most serious charge against Barrientes Vela, felony aggravated perjury.

Her former captain, Marc D. Garcia, faces four public corruption charges and is tentatively scheduled to go to trial the same day. However, in all likelihood, his trial will be pushed to 2022.

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## ABOUT THE AUTHORS:

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Emmy-award winning reporter Dillon Collier joined the KSAT 12 Defenders in 2016. Dillon's investigative stories air weeknights on the Nightbeat. He provides restaurant health reports for KSAT's "Behind the Kitchen Door." Dillon is a two-time Houston Press Club Journalist of the Year and a Texas Associated Press Broadcasters Reporter of the Year.

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Joshua Saunders is an Emmy award-winning photographer/editor who has worked in the San Antonio market for the past 20 years. Joshua works in the Defenders unit, covering crime and corruption throughout the city.

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