



KENNETH MAGIDSON
DISTRICT ATTORNEY
HARRIS COUNTY, TEXAS

Dec. 12, 2008

Public Information Office: 713-755-3320
Donna Hawkins
George Flynn

Judge Approves Diversion Plan for Two in Cheerleader Hazing Case

(Houston, TX) – County Court Judge Larry Standley on Friday approved a pretrial intervention agreement that could spare two former Morton Ranch High School cheerleaders from future criminal action on charges of hazing their junior colleagues.

In the agreement by the District Attorney's Office and defense attorneys, Hayley Spincer Davis, 17, and Adelynn Frances Garner, 18, pledge to comply with all terms. They include performing at least 60 hours of community service work, writing a public letter of apology for the offense, obeying all laws, voluntarily testifying truthfully at any trials arising from the case, and carrying out other conditions and obligations contained in the document.

If the two defendants successfully complete the one-year diversion program to the satisfaction of the District Attorney's Office, prosecutors will move to dismiss their criminal case in December 2009.

If they fail to comply with all the terms, prosecutors can void the agreement at any time and proceed with the criminal charges. Conviction on the Class B misdemeanor carries a punishment of up to six months in jail and fine of \$2,000.

The closely supervised diversion program is administered by the Harris County Community Corrections and Supervision Department, and monitored by the DA's Office.

Pretrial intervention programs are typically requested by defense attorneys. The District Attorney's Office evaluates these requests on factors such as the type and severity of the offense, the defendant's background and character, and the likelihood that the defendant can successfully complete the intervention. Requests are carefully reviewed, and may be granted only in appropriate situations.

The agreements Friday do not affect the status of the other five ex-cheerleader defendants indicted in the case. The DA's Office was represented in the hearing by Marc Brown, chief of the DA's Misdemeanor Division. (end)

