

# ***911 to Death Row***

**Understanding Public Records Through The Camacho/Rubio Case**



**Sergio Chapa**

**The Brownsville Herald**

**Fall 2006**

**WARNING:**

**Some of the contents of this  
presentation are graphic.**

# ***911 to Death Row***

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A young, attractive couple ...

John Allen Rubio, 22



Angela Camacho, 23



# ***911 to Death Row***

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Three beautiful children ...

**Julissa Angela Quezada, 3**



**Mary Jane Rubio, 2 months**



**John Esthefan Rubio, 1**

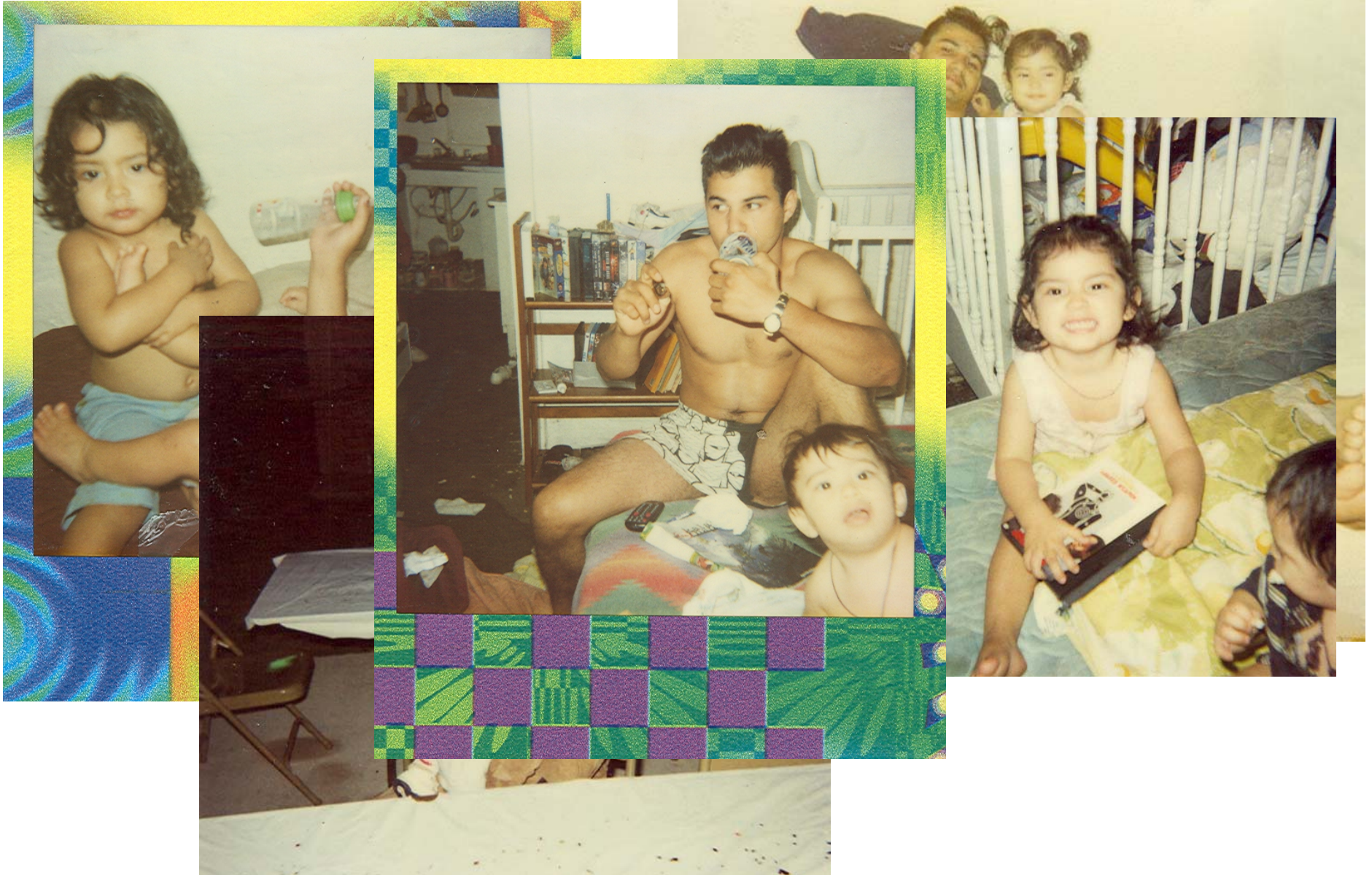




# ***911 to Death Row***

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A poor, but happy family ...



# ***911 to Death Row***

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## **The incident:**

- Brownsville Police Officer Efrain “Sonny” Cervantes (Badge Number 5112) was on his way to a domestic disturbance call when he was flagged down by Maria Elena Alvarez and Jose Luis Rubio at 7:02 p.m. on Friday, March 11, 2003.
- Neither he nor anybody else was prepared for what awaited them inside Apartment 11 at 805 East Tyler Street.
- The tiny, squalid apartment quickly became a major crime scene.
- John Allen Rubio and Angela Camacho were held for questioning in the deaths of their three children.



# ***911 to Death Row***

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**A crime that shocked a city and the state ...**



# 911 to Death Row

## Tools for documenting an investigation:

- Police scanners
- 911 tapes/Video footage
- Eyewitness interviews
- Officials and press conferences
- Dispatch logs
- Incident Reports
- Supplements

<b>BROWNSVILLE POLICE DEPARTMENT</b> 600 East Jackson Street Brownsville, Texas 78520 (956) 544-7000-911 Emergency		<input checked="" type="checkbox"/> OFFENSE Report Call Number: <u>20033009406</u> Date: <u>3-11-03</u> <input type="checkbox"/> INCIDENT Report Disposition: <u>Cleared by Arrest</u> CHARGE(S): <u>Capital Murder X3</u>	
<b>OFFENSE / INCIDENT</b>		Family Violence? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Earliest Date Occurred: _____ Time: _____ am/pm Latest Date Occurred: _____ Time: _____ am/pm Time Dispatched: <u>7:02</u> am/pm			
Location of Occurrence (Specific location type-Jewelry Store, Apartment, Public Street, etc.): _____			
Address Number: <u>805</u> <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W Street Name: <u>Tuler</u> City: <u>Brownsville</u> State: <u>TX</u> Zip Code: <u>78130</u>		County: <u>Camacho</u>	
Investigating Officer (Print): <u>Frank Camacho</u> Employee No.: <u>5713</u> CID Assigned: <u>T. Clipped</u> Employee No.: <u>33103</u> Date Assigned: <u>03-11-03</u>		First Name: <u>Maria</u> Middle Name: <u>Skera</u>	
<input type="checkbox"/> Victim <input checked="" type="checkbox"/> Complainant <input type="checkbox"/> Witness Last Name or Name of Business: _____ First Name: _____ Middle Name: _____		State: <u>TX</u> Zip Code: <u>78130</u>	
INJURY AND WEAPON USED: _____			
ON THIS DATE, WHILE EN-ROUTE TO DOMESTIC DISTURBANCE CALL. I WAS WAVED DOWN BY A MALE AND FEMALE (WHO WERE LATER IDENTIFIED AS MARIA ELENA ALVAREZ 1-2-86, JOSE LUIS RUBIO 6-16-85) AT THE 1200 BLK OF E MONROE. I ADVISED DISPATCH THAT I WAS BEING WAVED DOWN AT SAID LOCATION. I HAD PULLED OVER AND THE FEMALE TOLD ME IN SPANISH, "THE BABIES ARE DEAD". AT THAT POINT, THE MALE SUBJECT SPOKE UP AND SAID "THEY HAVE NO HEADS". I THEN ASKED THEM WHERE THIS WAS AT, AND THEY TOLD ME IT WAS BY THE BOYS n GIRLS CLUB. BOTH WERE ASKED TO ENTER MY			
20033009406 Pg 3 JC			
was made at approximately 11:45pm. Crime Scene investigators entered the apartment and took preliminary photos of the crime scene. They exited the apartment and briefed us on what they saw. Polaroid pictures were provided for us to view. Lt. Etheridge advised that Det. S.Lucio and me were to go into the crime scene with crime scene investigator with J. Hernandez to get a view of what the crime scene looked like and compare it to what the suspects were telling us. Upon entering the apartment there was a bed to the left side. On the floor by the bedside was an empty gallon bottle of water, which seemed to have blood on the handle. In this first room the floor was still wet. In the second room there was no visible blood. The third room was a long hallway. There was a table blocking the center of the hallway. On the table was a knife that was covered with blood and it also had hair. There was a door that made entry from the hallway to a bedroom. Before entering the bedroom there were two plastic bags on the floor, and in one of the bags was a round object. (Later it was found to be the head of baby John Rubio). Upon entering into the bedroom there was a bed to the right side. On the bed was the decapitated body of a male baby. There was a box of trash bags beside the baby with approximately three loose diapers around the baby. There was apparent stab wounds to the back of the baby's body. There was a large bloodstain on the blue carpet in this room. Det. S.Lucio went to the kitchen and shower area down the hall way and viewed blood on the kitchen floor and on the bathroom floor. He also noticed that the rear door had been recently nailed shut. Det. S.Lucio via-portable radio contacted Det. C.Ortiz and asked him to ask Ms. Camacho when the rear door was nailed shut. Det. C.Ortiz advised that Ms. Camacho stated that John did it today. She advised Det. C.Ortiz that John didn't want anyone or any bad spirits to come through the door. We later learned that he nailed the door shut before he killed any of the babies.			
Continued on other side --			
SHELL 0500			



# 911 to Death Row

## Other tools for documenting an investigation:

- Autopsy results/photos
- Written statements
- Video statements



their legs. John was choking the girls for around 10-15 minutes. I didn't want to die so John told me to go and get a knife from the kitchen. I brought a big knife with a black handle from the kitchen and gave it to John. He took the knife and grabbed Mary Jane by the throat. I was still holding both girl's legs. Mary Jane was not moving that much anymore but Julissa was still moving alot and crying.

John started cutting Mary Jane's neck and she died real quick. He kept cutting her neck until her whole head was cut off. Then he grabbed Julissa by the throat and started cutting her neck as well. He also kept cutting around her neck until the head was completely cut off. Johnny was asleep in the crib the whole time and never woke up. We took Mary Jane's and Julissa's bodies to the kitchen and placed them in the sink where we both washed them. We ended up leaving the bodies in the sink and we put the heads in a white bucket on the kitchen floor.

A.C

# ***911 to Death Row***

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## **Two arrests:**

- Both Camacho and Rubio were taken to the Brownsville police department where they gave chilling statements that were videotaped.
- Although the the couple gave varying accounts, both admitted to killing their three children and having sex afterwards.
- Both were arrested and charged with three counts of capital murder, making them eligible for the death penalty under Texas law.
- The couple was magistrates by Brownsville Municipal Judge Reynaldo Garza III who denied them bond.
- The two were taken to the Cameron County Jail to await trial.

# 911 to Death Row

## Tools for documenting the an arrest:

- Search warrant
- Criminal complaint
- Probable cause affidavit
- Arrest warrant
- Arrest report
- Jail log
- Mugshots
- Magistration
- Bond records
- Custodial death reports

BROWN

Arrest Id #	Booking #	
20013707	43095	1
20021361	43096	C
20021362	43097	1
20021363	43098	C
20021364	43099	2
10030852	43100	C
20021345	43101	1
20021366	43102	1
20021367	43103	
		Mutz, Jonathan
		Spendler, Richard
		Bauriedt, Omar
		Rdz, Andrew
		Brithen, Sandra




For reporting requirements and procedures, see Section 39.05 of the Penal Code, Article 49.18(b)(c) of The Code of Criminal Procedure and Article 501.055(b) of The Government Code

### Section 39.05 Failure to Report Death of Prisoner:

(a) A person commits an offense if the person is required to conduct an investigation and file a report by Article 49.18, Code of Criminal Procedure, and the person fails to investigate the death, file to file the report as required, or fails to include in a filed report facts known or discovered in the investigation.

(b) A person commits an offense if the person is required by Section 501.055, Government Code, to:

(1) give notice of the death of an inmate and the person fails to give the notice; or

(2) conduct an investigation and file a report and the person:

(A) fails to conduct the investigation or file the report; or

(B) fails to include in the report facts known to the person or discovered by the person in the investigation.

(c) An offense under this section is a Class B misdemeanor.

### Article 49.18 (a) (b) (c). Death in Custody

(a) If a person confined in a penal institution dies, the sheriff or other person in charge of the penal institution shall so soon as practicable inform the justice of the peace of the precinct where the penal institution is located of the death.

(b) If a person dies while in the custody of a peace officer or as a result of a peace officer's use of force or if a person incarcerated in a jail, correctional facility, or state juvenile facility dies, the director of the law enforcement agency of which the officer is a member or of the facility in which the person was incarcerated shall investigate the death and file a written report of the cause of death with the attorney general no later than the 30<sup>th</sup> day after the date on which the person is custody or the incarcerated person died. The director shall make a good faith effort to obtain all facts relevant to the death and include those facts in the report. The attorney general shall make the report, with the exception of any portion of the report that the attorney general determines is privileged, available to any interested person.

(c) Subsection (a) does not apply to a death that occurs in a facility operated by or under contract with the Texas Department of Criminal Justice. Subsection (b) does not apply to a death that occurs in a facility operated by or under contract with the Texas Department of Criminal Justice if the death occurs under circumstances described by Section 501.055(b) (2), Government Code.

(d) In this article:

(1) "Correctional facility" means a confinement facility or halfway house operated by or under contract with any division of the Texas Department of Criminal Justice.

(2) "In the custody of a peace officer" means:

(A) under arrest by a peace officer; or

(B) under the physical control or restraint of a peace officer;

(3) "State juvenile facility" means any facility or halfway house:

(A) operated by or under contract with the Texas Youth Commission or

(B) described by Section 51.02 (13) or (14), Family Code.

Mail To: Office of the Attorney General  
Criminal Law Enforcement Division  
P. O. Box 12548  
Austin, Texas 78711-2548  
(512) 463-2170

### SECTION I: GENERAL INFORMATION

Date of Report: \_\_\_\_\_

#### 1) Agency/Facility Information:

Name of Agency/Facility \_\_\_\_\_

Address \_\_\_\_\_

City, Zip Code \_\_\_\_\_

Telephone Number \_\_\_\_\_

Signature of Director of Agency/Facility (Required) \_\_\_\_\_

REVISED 01/05 REPLACES FORM CP 0100 WHICH IS OBSOLETE



# 911 to Death Row

Like other counties, Cameron County posts their jail records on-line:

**CAMERON COUNTY SHERIFF'S DEPARTMENT - Microsoft Internet Explorer**

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites

Address <L:\Camacho\inmates.htm>

**CURRENT INMATE LISTING -**

#	Inmate Name	
1	<a href="#">ABREGO, ANTHONY JOHN</a>	12/
2	<a href="#">ABREGO, SYLVIA</a>	04/
3	<a href="#">ABUNDEZ, JOSE ROBERTO JR.</a>	06/
4	<a href="#">ACOSTA, LEONZO SALAS</a>	03/
5	<a href="#">ADKINS, TYRUS CHARLES</a>	05/
6	<a href="#">AGUILAR, ALEJANDRO SANTOS</a>	05/
7	<a href="#">AGUILAR, ALEJANDRO</a>	06/
8	<a href="#">AGUILAR, HUMBERTO</a>	07/
9	<a href="#">AGUILAR, JOSE ANTONIO JR.</a>	12/
10	<a href="#">AGUILAR, JUAN MANUEL</a>	06/
11	<a href="#">AGUILAR, LUIS DANIEL</a>	02/
12	<a href="#">AGUILAR, PABLO</a>	06/
13	<a href="#">ALAMBAR, NANCY</a>	05/

**Inmate Information - Microsoft Internet Explorer**

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites


Address <L:\Camacho\camacho.htm>

Google Search 490 blocked ABC Check AutoLink AutoFill Options

Booking No.: **2006060207** File Number: **181392**  
Inmate Name: **CAMACHO, ANGELA**  
Arrest Date: **03/11/2003** Booking Date: **03/13/2003**  
Offense: **CAPITAL MURDER (3 COUNTS)**  
Arresting Agency: Scheduled Release Date: //

Age: **26** Birth Date: **11/11/1979**  
Sex: **F** Race: **WHITE**  
Height: **5'00"** Weight: **110**  
Hair: **BLK** Eyes: **BRO**

Total Fines: **\$ 0.00**  
Total Bond: **No Bond**  
Total Bail: **No Bond**



**CHARGE INFORMATION**

Offense	Disposition	Sentence
CAPITAL MURDER 03-CR-0457-A J/EURESTI	Pending	
CAPITAL MURDER 03-CR-0457-A J/EURESTI	Pending	
CAPITAL MURDER 03-CR-0457-A J/EURESTI	Pending	

Done Internet

# ***911 to Death Row***

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**The case took more than two years to move through the courts:**

- A Cameron County grand jury indicted the couple with four counts of capital murder on April 16, 2003.
- Camacho and Rubio each pleaded “not guilty” to the charges during their April 23, 2003 arraignment.
- Judge Benjamin Euresti with the 107th state District Court ordered the couple to face separate trials in separate courts during a May 22, 2003 decision.
- Prosecutors successfully blocked a change of venue and announced they would seek the death penalty against both Camacho and Rubio in a motion filed on June 5, 2003.

# ***911 to Death Row***

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## **John Allen Rubio:**

- Defense attorneys pleaded “insanity” and argued that police entered the couple’s apartment without probable cause.
- Rubio’s 13-day trial began on October 20, 2003 creating a media circus.
- Dramatic testimony from the trial included the couple’s transvestite roommate and his ex-prostitute and crack-addicted mother.
- After less than one day of deliberations, a 12-person jury found Rubio guilty of three charges of capital murder.
- Rubio asked for the death penalty during a statement where he asked to “join his children in heaven” and the jury gave him his wish during his November 7, 2003 sentencing.
- The Brownsville man has since filed an appeal on the case that is still pending.



# ***911 to Death Row***

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## **Angela Camacho:**

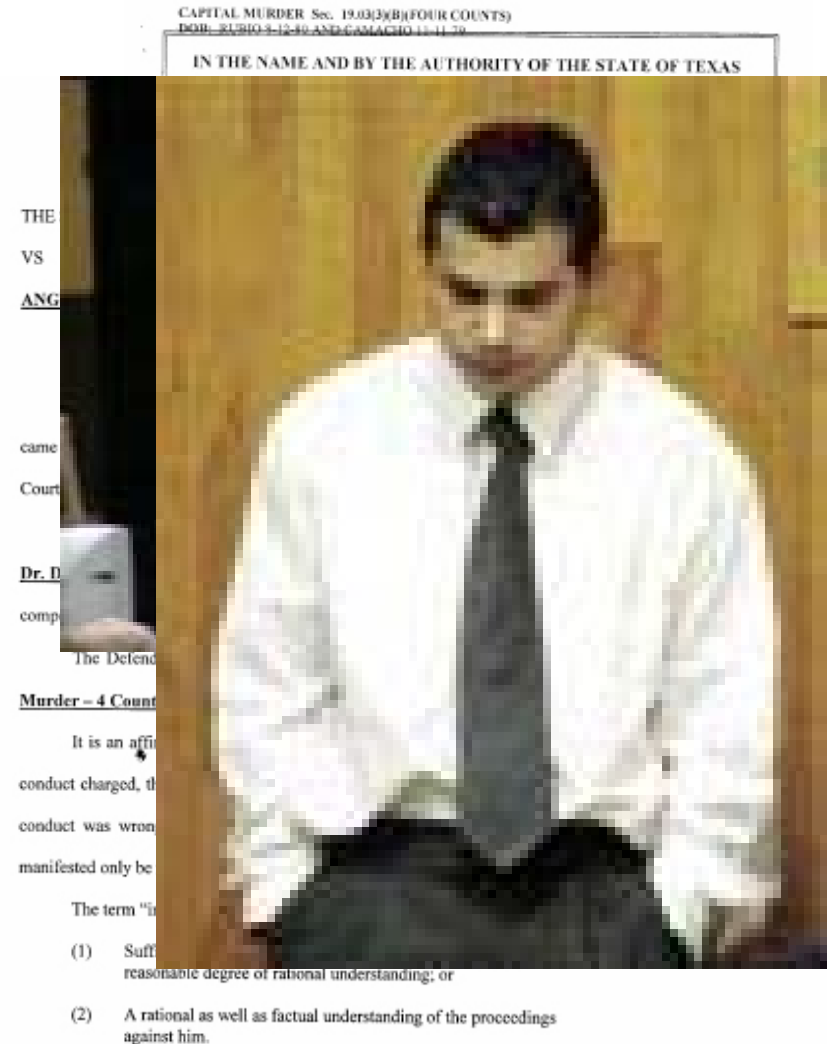
- Defense attorneys raised the issue of her nationality and argued that she was “mentally retarded” and “not competent” to stand trial.
- The also defense claimed “temporary insanity” and “post-partum depression.”
- The Mexican Consulate of Brownsville provided an attorney for Camacho’s defense with the sole purpose of fighting the death penalty.
- A state report released April 29, 2005 revealed Camacho was not mentally retarded and therefore eligible for the death penalty in Texas.
- Angela Camacho exchanged the death penalty for life in prison after she entered into a June 30, 2005 plea agreement.

# ***911 to Death Row***

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## **Tools for documenting a court case:**

- Grand jury indictment
- Arraignment
- Motions/Case files
- Hearings
- Orders
- Trial/Plea agreement
- Sentencing
- Appeal



# ***911 to Death Row***

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## **Outcome:**

- John Allen Rubio is housed on death row at the Texas Department of Criminal Justice's Polunsky Unit near Livingston, Texas but is not immediately scheduled for execution.
- Angela Camacho is serving a life sentence at the Texas Department of Criminal Justice's Gatesville Unit for women near Gatesville, Texas. Based on credit for time served before her plea agreement, she will be eligible for parole on March 12, 2043.



# 911 to Death Row

## Tools for documenting prison time:

- Prison assignment
- Parole hearings
- Death row records
- Execution
- Custodial death report

John Allen Rubio - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Reload Home

Address L:\Camacho\RubioDeathRow.h

★ Texas Department of Criminal Justice

<b>Name</b>	Rubio, John Allen
<b>Date Received</b>	11/24/2003
<b>Date of Offense</b>	03/11/2003
<b>Race</b>	Hispanic
<b>Height</b>	05'06" 174
<b>Native County</b>	Cameron
<b>Nat</b>	Tex:

Done

## CUSTODIAL DEATH REPORT

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Telephone Number \_\_\_\_\_

Signature of Director of Agency/Facility (Required) \_\_\_\_\_

REVISED 07/01 REPLACES FORM 07-050 WHICH IS OBSOLETE

# *911 to Death Row*

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Trying to find peace:

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