

THE STATE OF TEXAS
VS.
EARL DAVID WORDEN
401 6TH ST
SAN LEON, TX 77539

00718309

SPN: 00718309
DOB: W M 09/19/1961
DATE PREPARED: 2/21/2019

D.A. LOG NUMBER: 2514381
CJIS TRACKING NO.:
BY: RH DA NO: 2765370
AGENCY:DPK
O/R NO: 1705183
ARREST DATE: TO BE

NCIC CODE: 1100 90

RELATED CASES:

FELONY CHARGE: Sexual Assault of a Child Under 17 Years of Age

CAUSE NO:
HARRIS COUNTY DISTRICT COURT NO:
FIRST SETTING DATE:

1622305
228

BAIL: TO BE SET AT MAGISTRATION
PRIOR CAUSE NO:
CHARGE SEQ NUM:

FILED
Marilyn Burgess
District Clerk
FEB 21 2019
By: [Signature]
Deputy
Harris County, Texas

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS:

Before me, the undersigned Assistant District Attorney of Harris County, Texas, this day appeared the undersigned affiant, who under oath says that he has good reason to believe and does believe that in Harris County, Texas, **EARL DAVID WORDEN**, hereafter styled the Defendant, heretofore on or about January 1, 1997, did then and there unlawfully, intentionally and knowingly cause the penetration of the sexual organ of B.W., hereinafter called the Complainant, a person younger than seventeen years of age, by placing the Defendant's finger in the sexual organ of the Complainant.

Before the commission of the offense alleged above, on May 6, 1992, in Cause No. 431290, in the 209th District Court of Harris County, Texas, the Defendant was convicted of the felony offense of Aggravated Sexual Assault.

Probable Cause:

Affiant, J.D. Reed is currently employed as a peace officer with the Deer Park Police Department. Affiant believes and has reason to believe Earl David Worden, W/M date of birth 09/16/1961, hereinafter referred to as Defendant, committed the offense of Sexual Assault of a Child on or about January 1, 1997 in Harris County, Texas. Affiant bases his believes on the following facts:

Affiant spoke with Witness S.W. who stated that Defendant Earl David Worden had sexually abused two of her daughters. S.W. identified all her daughters as B.W., J.W., S.W., and J.P. S.W. told Affiant that when B.W. had just turned 16 years old, she started to see a boy. S.W. stated that on one particular day, she was working for a cleaning service, and she had to go back home to their residence in Harris County, Texas. S.W. stated that when she arrived home, she found B.W. crying hysterically and very upset. S.W. stated that she was able to get B.W. calmed down, in which B.W. told S.W. that Defendant had just touched her breasts. S.W. stated that B.W. was in the bathroom and Defendant was sitting on his bed. S.W. stated that she confronted Defendant about touching B.W.'s breasts. S.W. related that Defendant told her that B.W. was lying. S.W. stated that she sent B.W. to live with her grandmother.

Affiant contacted Victim B.W., who provided a video recorded statement. Affiant believes B.W. is a credible and reliable person. B.W. stated that she knows Defendant by name and sight as her father, who B.W. stated she lived with for most of her childhood. B.W. told Affiant in a video recorded interview that Defendant started to sexually abuse her when she was 14 years old. B.W. stated that the sexual abuse occurred when she moved into the trailer, at a location Affiant knows to be in Harris County, Texas, after she transferred from the Pasadena Independent School District to the Houston Independent School District. B.W. went onto say that the sexual abuse started to occur soon after she and her siblings received beds from a donation drive and when she was in the 9th grade at Ross Sterling High School. B.W. stated that Defendant would come into her room during the night time hours and put his hand up her shirt. B.W. related that Defendant would put his hands down her pants, and in which she described as "fingering me", by inserting his finger into her vagina. B.W. stated that this happened every night when she was home, and she would wear jeans to try and make it more difficult for Defendant to sexually abuse her. B.W. stated that she could also see Defendant's face when he would finger her and sometimes if she rolled away, he would go away and not sexually abuse her. B.W. described herself as scared and disgusted when Defendant would sexually abuse her. B.W. then told Affiant about an incident when Defendant attempted to sexually assault her. B.W. stated she was 17 years of age and it occurred in the Fall of 1998. B.W. stated it occurred at her trailer in Harris County, Texas. B.W. related that Defendant had found out she had a boyfriend. B.W. stated that S.W. was gone and Defendant called her into his room. B.W. related that Defendant asked her if she liked her new boyfriend and if she wanted to date in general. B.W. then told Affiant that Defendant told her that he will let her date this guy if Defendant could take her virginity. B.W. stated that the Defendant then pushed her onto his bed and tried to take her shirt off. B.W. stated that Defendant got her pants unbuttoned and kept telling her quit acting like this. B.W. also stated that Defendant got on top of her and laid on her. B.W. stated she was able to get away and she grabbed a knife to defend herself, and stated she was going to "kill" him. It was at this time during the interview, Affiant observed B.W. become emotional, and hold her hand up as if she was holding the knife. Affiant noted it as if B.W. was going back to that moment. B.W. stated that S.W. came home, in which B.W. stated that Defendant told S.W. that she was

1622305
228

going crazy for no reason. B.W. stated that this occurred in the approximate Fall of 1998, because she was sent off to live with her Grandmother Joyce, and she spent Thanksgiving with Joyce, who has since passed away. When asked, B.W. stated that she told her cousin Sonya Kluever about the sexual abuse.

Affiant contacted Sonya Kluever, who Affiant believes to be a credible and reliable person. Mrs. Kluever stated that B.W. is her cousin and she moved in with her after B.W. graduated high school and Joyce passed away. Mrs. Kluever stated that B.W. told her that Defendant had touched her and B.W. had told her that Defendant made a statement to B.W. if he can't have you why can't I. Mrs. Kluever also told Affiant that she conducted the donation drive for B.W.'s family, so they could get beds.

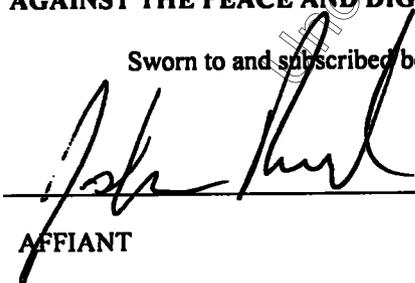
Affiant contacted B.W.'s sister Witness J.W. who Affiant believes to be a credible and reliable person. B.W. stated that on the day that B.W. was running around the house with a knife, she was helping clean an office building with S.W. J.W. stated that she and S.W. were called back to the house, and when they got home, B.W. was in the bathroom and Defendant was in the bedroom. J.W. stated that B.W. was crying hysterically and told her that Defendant was going to do the same thing to her. J.W. stated that she heard S.W. screaming at Defendant about touching her kids. J.W. stated that after about 10-20 minutes of being at the residence, B.W. told her that Defendant had pulled up her shirt and touched her breasts. J.W. told Affiant that they moved into their residence in January of 1996 and they got beds from a donation drive around Christmas of 1996.

Affiant contacted Defendant in a non-custodial interview. The Defendant confirmed his identity and relationship to B.W. Defendant denied ever sexually abusing any of his children. Defendant was confronted with him trying to take B.W.'s virginity. Defendant acknowledged that he and B.W. had a big blow up, because she was 16 years old and dating an older man. Defendant stated that he does not get along with his children, because he was in and out of jail, and he cheated on S.W.

Affiant believes on or about January 1st 1997 to be the offense date for the sexual assault of a B.W., due to the fact that J.W. stated that they received beds from a donation drive in Christmas of 1996 and B.W. stated she started to be sexually abused by Defendant after they got beds from a donation drive. On January 1st 1997, B.W. was 15 years old and Defendant was 35 years old.

AGAINST THE PEACE AND DIGNITY OF THE STATE.

Sworn to and subscribed before me on February 21, 2019



AFFIANT



ASSISTANT DISTRICT ATTORNEY
OF HARRIS COUNTY, TEXAS
Bar No. 19057500

COPY OF COMPLAINT/WARRANT DELIVERED TO

Officer's name: J.D. Reed
Police agency: Dear Park Police
Phone no: 221-19 date/time: 11/19

Unofficial Copy Office of Marilyn Burgess District Clerk