

Career of Carrillo goes on the line Wednesday in Austin

31 men will decide fate of Duval judge

AUSTIN — The Senate will convene in a rare session Wednesday for the impeachment trial of Dist. Judge O. P. Carrillo of Benavides.

It will be the first impeachment trial by the Texas Senate in 44 years and only the third since the present constitution was adopted in 1876.

It will be up to the 31 senators to determine whether Carrillo is guilty or innocent of any or all of the 10 articles of impeachment adopted Aug. 5 by the House of Representatives.

Leading the prosecution will be Terry Doyle, Port Arthur lawyer and former state representative. Atty. Gen. John Hill has said he may take part in the prosecution. Some of his staff have been in Duval County the past four months investigating activities of local governments there.

Defending Carrillo will be Austin attorney Arthur Mitchell and Richard "Racehorse" Haynes, Houston lawyer.

Leon Jaworski of Houston, famed Watergate prosecutor and former president of the American Bar Association, will serve as special counsel to the Senate during the trial. His services — without pay — were obtained by Lt. Gov. Bill Hobby, who will preside over the trial.

Chances are the Senate will meet Wednesday and Thursday to adopt rules for procedure as recommended by the Senate Administration Committee, then recess until after Carrillo's income tax evasion trial is over in Corpus Christi.

Carrillo was indicted with his brother, Ramiro D. Carrillo of Benavides, and their cousin, Arturo Zertuche of Harlingen, for conspiracy to evade payment of income taxes. Their trial is set for docket call Sept. 8 in federal court in Corpus Christi. Judge Owen D. Cox last week denied a motion for a postponement and said a jury will be selected Sept. 9 "and we will proceed with the trial."

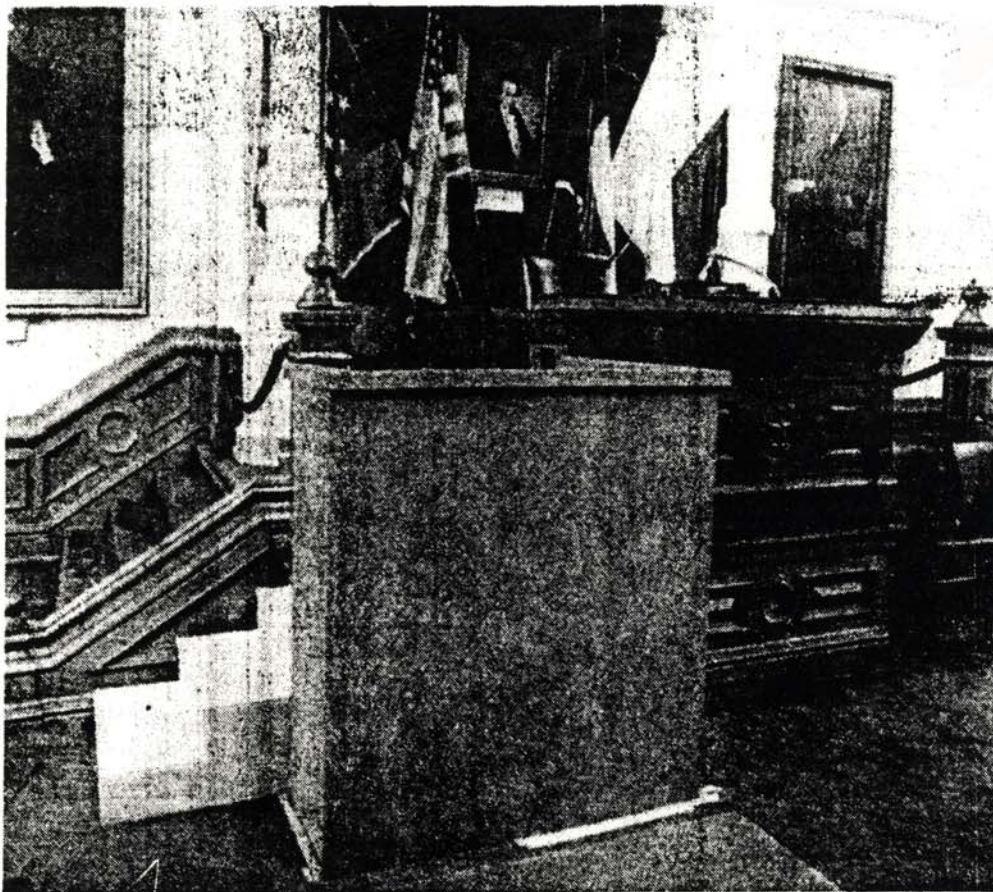
A Senate spokesman said he believed it is possible to proceed with the impeachment trial while Carrillo is in federal court, but that is not likely. Mitchell, who is known for not mincing words, undoubtedly would raise enough Cain to shake the rafters of the Senate chamber.

There have been indications that the Senate will recess until Sept. 22. The income tax trial could very well last longer than two weeks. In that case, the Senate may decide to recess for a long period.

The articles of impeachment accuse Carrillo of using the powers of his office to subvert the principles of government and obstruct justice; of using county funds, employes and equipment for his own benefit; of filing false and fraudulent financial statements with the Texas secretary of state, and defrauding the county by causing money to be paid to persons who did not earn it.

The original impeachment resolution introduced last May 15 by Rep. Terry Canales of Premont gave the

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(AP Wirephoto)

SIMPLE WOODEN BOX IN SENATE CHAMBER FOR WITNESSES AT TRIAL

Third generation Duval County official has spent much of his life in a political atmosphere

Politics was a family way of life for him

By SPENCER PEARSON
and JOE COUDERT
Staff Writers

BENAVIDES — Judge O. P. Carrillo has spent all his life in the political atmosphere of Duval County.

He is a third generation public official of Duval County. His grandfather, Eusebio Carrillo, helped Sen. Archer Parr found the Old Party in Duval County and was a county commissioner when the present courthouse was built in 1914.

His father, D. C. Chapa, was a long-time ally and friend of Sen. Parr's son, the late George B. Parr, and held a number of political offices. He was president of the Duval County Conservation and Reclamation District from its inception in the late 1960s until last year.

O. P. Carrillo also was a political ally of George Parr and his nephew, former County Judge Archer Parr, for many years and has held a public office since 1960.

The Parr-Carrillo alliance began eroding about three years ago when D. C. Chapa was compelled to testify before a federal grand jury investigating George Parr's income. Chapa was given immunity from prosecution for his testimony. He later testified in Parr's income tax evasion trial. Parr was convicted and got a five-year prison sentence. He never served any of it, however, for he committed suicide April 1.

Another indication of the erosion was the fact that George Parr refused to support Oscar Carrillo, O. P. Carrillo's brother, in a race for state senator in 1974. Parr supported the incumbent, John Traeger of Seguin, who was elected.

The final break came March 18 when O. P. Carrillo announced he was "all through with Parr" because Parr had broken his word. This involved the April 5 Benavides school trustee election, in which Parr's sister-in-law, Hilda Parr, defeated D. C. Chapa.

The next day Parr threatened to kill Carrillo and was ordered into federal court to show cause why his bond should not be revoked. He failed to show up and shot and killed himself on his ranch south of Benavides.

Since then the Carrillos and the Parr supporters have been in a bitter struggle for political power.

Chapa, the head of the family, is now retired at the age of 78. Oscar Carrillo, the eldest son and a former state representative, has not held public office in several years but has been active behind the scenes. Another brother, Ramiro D. Carrillo, has been a county commissioner since 1967.

O. P. Carrillo, a short stocky man of 51, is the youngest of the three brothers. He was born at 6 a.m. Sunday, June 29, 1924, in the Benavides home of his grandfather. The home is still owned by the family.

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Career

He was baptized Olivero Pedro Pablo Domingo Carrillo after the family's priest pointed out that he was born on St. Peter's and St. Paul's Day.

His father and mother, the former Emma Pena, also have three daughters. They are Mrs. Felipe C. (Celia) Valerio of Rosita, whose husband is a county commissioner; Mrs. Julian C. (Elma) Stockwell of Benavides, and Mrs. Juan Enrique (Emma) Gavito of Brownsville. Gavito is the public defender for Cameron County. All of the daughters are college graduates and school teachers.

O. P. Carrillo attended school in Benavides through the fifth grade, then was sent to Holding Institute in Laredo. He also attended Corpus Christi College Academy, St. Joseph's Academy in Laredo and Texas Military Institute in San Antonio.

One of his instructors at the military institute was Orbia Blanton, father of John Blanton, who is head of the attorney general's task force probing Duval County activities and which obtained grand jury indictments against O. P. and Ramiro Carrillo.

O. P. Carrillo attended the University of Texas for a year before joining the Army in 1943. The Army sent him to Arkansas State Teachers College where he studied military law and later became a military claims adjuster in England.

After leaving the Army in 1946 Carrillo spent one

summer at the University of Colorado, then returned to the University of Texas for pre-law studies. He earned his law degree from St. Mary's University in San Antonio in 1952.

Immediately after graduation he returned to Duval County and established a law practice in San Diego with Robert Arnels of Laredo.

His office was in the Parr Building across from the county courthouse. He later shared offices there with George Parr and Archer Parr.

During the mid-1950s O. P. and Oscar Carrillo and their father, D. C. Chapa, were indicted along with George Parr and five others for mail fraud. They were convicted in federal court in Houston, but the convictions later were reversed by the U. S. Supreme Court.

During this period O. P. Carrillo became associated with famed lawyer Percy Foreman, who was the defense attorney in the mail-fraud trial. Carrillo spent a considerable time in Foreman's Houston office and later worked out of the Washington, D.C., office of Arnold, Fortas and Porter. It was then he became a friend of Abe Fortas who assisted in the appeal of the mail fraud trial and who later became a U. S. Supreme Court justice.

Carrillo was elected county attorney in 1960 and served at that job for 10 years. He resigned in 1970 to run unopposed for the newly-created 229th Judicial District,

which comprises Duval, Jim Hogg and Starr Counties. He was re-elected to the office last November. He was automatically suspended from office Aug. 5 when the House of Representatives voted to impeach him.

He also served as a member of the Benavides school board from 1962 through 1970.

When not attending to judicial duties, Carrillo spends a great deal of time at his Borjas Ranch west of Benavides. He owns about 6,000 acres and leases another 10,000 acres of ranch land.

"I like to get out on the ranch and work alongside the hands fixing fences, repairing windmills and working cattle," he said.

"But my real job is ranch cook" he added. "I make the best cowboy stew in South Texas."

The main ranch house, on state Highway 16 just north of Farm Road 2295, is his home, but sometimes he stays at the home of his parents in Benavides. The judge has never married.

Carrillo pointed out that his grandfather's family was ranching on the original 2,000 acres of the Borjas Ranch when South Texas was still a part of Mexico.

"When the area became a part of Texas they just stayed on," he said. His father was born in the original Borjas ranchhouse.



JUDGE O. P. CARRILLO



THE FACE OF ATTORNEY ARTHUR MITCHELL

