

Former Lewisville ISD coach acquitted on human trafficking charges

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DENTON — A Denton County jury deliberated three hours Wednesday before acquitting a former Lewisville High School assistant basketball coach of human trafficking charges.

Theodore J. Berry II, 48, was accused of forcing a 16-year-old basketball player from Mexico to sell popcorn at retail areas in September 2011.

By his own testimony, Cesar Landin Jr., now 18, said that his parents came to get him once he told them about the work.

That may have convinced jurors that there was no forced labor involved, said Earl Dobson, one of Berry's defense attorneys.

"I think the jury had a tough time believing he was forced to do this when the first time he complained it stopped," Dobson said.

But prosecutors told jurors that Berry enticed the teen with the promise of playing basketball when his real purpose was to have him sell popcorn.

"He was trying to exploit a 16-year-old kid to line his own pockets," prosecutor Tony Paul said in his closing remarks to the jury on Wednesday. "There is no justification for his actions."

Landin's father, Cesar Landin Sr., told jurors that he met Berry at a basketball tournament in 2008 in Monterrey, Mexico. He testified that Berry invited his son, who had a dream of playing NCAA basketball, to play in tournaments in Texas.

In 2011, they reached an agreement for the teen to move to Lewisville, where he would live with Berry and play on the Lewisville High School basketball team, the father told the jury.

He testified that he told Berry he wanted his son to study and play basketball, not to sell gourmet popcorn.

When he took the stand Tuesday, Cesar Landin Jr. testified that he lived in a sparsely furnished apartment with Berry and would sell popcorn every day after school and on the weekends.

"I always did my homework at midnight," he told the jury. "School was the most important thing."

He testified that he often made several hundred dollars a day and would give the money to Berry.

On cross-examination by defense attorney Jerry Cobb, Cesar testified that he practiced with other basketball players during first period in school each day but wasn't on the basketball team because the season hadn't started yet.

He also told jurors that he had a cellphone but he didn't tell his parents that he was selling popcorn until about three weeks after he moved to Lewisville.

He said he felt he had no choice about the work because he was afraid of Berry. He testified that Berry would get angry and curse at him, and once pushed him during an argument at the apartment they shared.

"I felt threatened by Coach Berry," Cesar Landin Jr. told jurors, who heard a profanity-laden voicemail that Berry left on his phone after he complained about selling popcorn.

Several defense witnesses testified Tuesday that selling popcorn supported Berry's basketball program and the money helped players whose families could not afford to buy uniforms or pay their expenses for out-of-town tournaments.

JaJuan Parrish, 18, testified that he had just graduated from Arlington Heights High School in Fort Worth and would be attending Texas State University on a scholarship.

He told the jury that he was never forced to sell popcorn and the fundraising activity was always supervised by adults.

Lewisville ISD had begun proceedings to fire Berry at the time he was charged, but he resigned before those were complete.

Cesar Landin Jr. is attending school in the Keller ISD.