

Wire Tapper gets prison time

Though victim had called police to her house five separate times, it took Private Investigator Louis Akin to find the tap and set up the trap to catch the eavesdropper.

By [Steven Kreytak](#)

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A Travis County jury on Friday sentenced Charles Myers of Austin to 10 years' probation for sneaking under his ex-girlfriend's house and five years in prison for planting a telephone listening device there.

It took the 12-member jury almost six hours to decide the sentence, in line with the request of prosecutors, who argued that prison is appropriate punishment for Myers' "psychologically torturing" his ex-girlfriends over two decades.

During two days of testimony in the sentencing phase, three of Myers' ex-girlfriends told tales of his harassment after breakups: making repeated phone calls, destroying their property and making them fear for their safety.

Two ex-girlfriends, Milly Bridges and Kerry McFarland, said after the verdict that they were grateful their plights, which they thought had been long ignored, were considered by the jury.

"It's a litmus test for what our community thinks about stalking and harassment," Bridges said.

McFarland, though, added that it was "a little disappointing that there are people in the prison system who have done one-time criminal activity who have received longer sentences than this man who has been involved with cold and calculated crimes over two decades."

Myers' most recent victim, Roxanne Rouse, said she still feels scared.

"He is not going to stop," she said, quivering in the back of the courtroom long after state District Judge Wilford Flowers adjourned the proceedings. "This small prison term is not going to stop him."

Myers said nothing after the verdict was read. During the weeklong trial he apologized to the women, saying he is embarrassed and ashamed of his actions.

In the 1980s, Myers admitted pouring water and sugar in McFarland's gas tank. She also accused him of slashing her tires. Bridges testified that after her relationship with Myers ended in 2000, he terrorized her, twice going inside her homes, once to leave a note and once to call her from there.

And then last year things went bad with Rouse, 42. Myers made repeated phone calls, sent letters, broke her fence gates, disassembled a car cover in the middle of the night and continued to drive by her house after they had broken up, she testified. After his arrest, he was charged four times with violating a protective order preventing him from going near Rouse.

"This defendant has enjoyed psychologically torturing these women for years. His message to them is 'I will not ever let you relax,' " Assistant Travis County District Attorney Ann O'Connell told the jury.

Myers was convicted of both counts: burglary of habitation and unlawful interception of a wire communication. He could have been sentenced to life in prison but was eligible for probation on both counts because he had not previously been convicted of a felony.

He will receive credit for the 3 1/2 months he has spent in jail awaiting trial. Prosecutors said he would be eligible for parole after serving about one-fourth of his term. Myers had pleaded guilty last month in a deal with prosecutors that called for him to receive 10 years' probation, move to his native Iowa and receive relationship and alcohol counseling.

Assistant District Attorney Bill Bishop had told the Austin American-Statesman at the time that the plea bargain terms, first suggested by Myers' defense lawyer, were "as much protection as we could possibly get for the victim."

But Flowers, the judge, ended up rejecting that deal, and the plea was withdrawn.

Bishop, the chief prosecutor in Flowers' court but who did not prosecute the case, declined to comment on the verdict. Prosecutor Dana Nelson said she was pleased with the sentence.

Outside court, Myers' current girlfriend, Sarah McMullen, sobbed. She reiterated what she told the jury: that Myers is an alcoholic who needs help but who has never been violent.

"This is a pure act of vengeance, and I am heartbroken that he won't have the chance to get the care that he would have gotten on probation," she said.

Her sentiments echoed those suggested by Myers' lawyer Brian Roark when he asked for probation during closing arguments. Roark noted that a defense-hired psychologist said his examination found that there is a low risk that Myers will commit future violence and recommended probation.

"Don't quench these folks' taste for vengeance on this pitiful character," Roark said. "Save the community's collective sense of vengeance for someone who is really worth it."

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