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Travis County District Attorney Rosemary Lehmburg today issued the following statement:

On September 28, 2009, shortly before his scheduled jury trial, Darren Vann accepted a plea recommendation and pleaded guilty in the 427th District Court of Travis County to the offense of sexual assault. He was sentenced to five years in prison. By entering a guilty plea, Vann gave up the possibility of appeal and was required to register as a sex offender. The prosecutor further recommended that Vann not be released on parole before serving his full sentence.

As the alarming news unfolded that Darren Vann is allegedly responsible for the deaths of multiple women in Indiana, we, as prosecutors, have asked ourselves whether our handling of Vann's Travis County case was appropriate and reasonable.

We reviewed the files in Vann's sexual assault case and talked with staff members who worked on it. Our review was somewhat hampered by the fact that the Assistant District Attorney who had primary responsibility for the case and made the final plea recommendation is in military service overseas and was unavailable.

In making sentencing recommendations, prosecutors are guided by the unique facts of each case and by the sentences previously handed down by Travis County juries. Sentences reflect a jury's assessment of the strengths and weakness of the State's case, the level of harm or violence inflicted by the perpetrator and the perpetrator's criminal history.

In Vann's sexual assault case there were several strengths: Vann was identified by his links to the apartment where he assaulted the victim and by DNA left on the victim's sweater. Vann struck and choked the victim and threatened to kill her if she did not submit.

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The weaknesses that were noted in the case were: The outcry to police was delayed, which is not uncommon in these cases, but in this case resulted in the loss of some DNA evidence that could have proven crucial to our case. Shortly before trial, the victim told the prosecutor a version of the events that varied significantly from the version she had given to the police and others during the initial investigation. In fact, we had to abandon one of the two counts of the indictment as a result of her later interview. Vann's criminal history check at the time revealed no prior history of sexual assault and no prior convictions.

Given what was known at the time about the defendant, the prosecutor's handling of the case seems reasonable. Our hearts go out to the families of the victims in Indiana.

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