

Mother accused of aiding escape bid for son Position as attorney provided advantage, authorities believe

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Penny Owen

ARDMORE - Another criminal charge was filed Tuesday against the mother of an escaped Texas inmate who is accused of trying to use her attorney privileges to help her son break out of the Carter County jail.

Cherese Smith, a former Lawton city attorney, has been charged in Carter County with carrying things into jail to aid an escape, which carries up to a 10-year prison term. Smith will be taken to Carter County to face the charges as soon as possible.

Smith, 44, already faces two other charges in Jefferson County: conspiring to commit a felony and possession of a firearm during the commission of a felony. Both charges also carry 10-year sentences upon conviction.

Smith remains in the Jefferson County jail. Although she raised the \$200,000 bail, she was not released because of the pending Carter County charge. A Carter County judge will determine any additional bail.

Smith's arrest was the latest in a series of unusual and highly publicized twists involving the escapes of her son, Joshua Bagwell, and his friend, Curtis Gambill, who overpowered a guard Jan. 28 at the Montague County, Texas, jail and fled in her vehicle. Two others who had been charged with murdering an elderly Texas couple also escaped.

Bagwell, 24, and Gambill, 23, were both serving life terms for the 1996 murder of Waurika cheerleader Heather Rich, 16. The ease of their escapes has stirred Texas corrections officials into action to prevent more embarrassing escapes. The state has had several in the last year.

Meanwhile, authorities spotted Gambill and Bagwell during a 10-day manhunt. After an overnight standoff at an Ardmore convenience store, they were arrested and jailed in Carter County. The other two escapees, Chrystal Soto and Charles Jordan, were arrested immediately before the standoff.

While Bagwell was jailed, Smith assumed the position of her son's attorney. That gave her closer access than other visitors might have had to the inmates.

Authorities said Smith contacted Gambill's brother, Rick Gambill of Terral, to help her plot their escape. She is accused of obtaining maps, cell phones, semi-automatic rifles and camping gear for them to use while free. At one point, authorities watched her buy hacksaw

blades at the local Wal-Mart and smuggle them into the jail, after a failed attempt to smuggle hacksaw blades in the spines of Bibles.

The blades were later found in Bagwell's cell. A sheriff's affidavit said they had been wrapped in balloons for body insertion.

Meanwhile, Rick Gambill contacted authorities and was equipped with a hidden recorder to assist in Smith's capture. Jefferson County Sheriff Stanley Barnes said the brother of Joshua Bagwell simply didn't want to see his family endure another escape.

Although she faces up to 30 years in jail, Smith has no prior record and could ask for probation, Carter County District Attorney Mitch Sperry said.

"She went to great lengths to plan the escape of her child and his companion from our facility," Sperry said. "It's something that we don't like and take very seriously.

"We allege she took advantage of her position as an attorney to facilitate an escape so that is obviously an aggravating circumstance from our perspective."

Other charges may follow against accomplices yet unnamed, Sperry said.

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