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PRESS RELEASE: 11/7/2023

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Act of Indecency at Woodlands Mall Results in Prison Sentence

Name: James Andrew Flygare
Age: 55
Court: 435th District Court, Judge Patty Maginnis presiding
Charges: Indecency With a Child, Third Degree Felony
Plea: Not Guilty
Verdict: By jury: Guilty on 11/6/2023
Sentence: By judge: 7 Years Prison on 11/07/2023

Assistant District Attorney Erica Ortega: “Five steps and eleven seconds is all that it took for this Defendant to act and expose a child to something she never should have been subjected to. Fortunately, an amazing mom had previously taken the time to teach her child about Stranger Danger, and it is because of that her daughter knew to get away, get to mom, and stop this man from doing it again.”

District Attorney Brett Ligon: “It’s the James Flygares of the world who require all of us to band together with vigilance to protect our precious children. I’m particularly grateful to this alert and attentive mother who acted quickly and decisively, to the other Montgomery County citizens who acted to prevent Flygare’s escape, to Children’s Safe Harbor for the subsequent investigation, and to the judge and jury who ultimately held him accountable.”

On Monday, November 6, 2023, Montgomery County District Attorney's Office Assistant District Attorney Erica Ortega and Chief Prosecutor Brittney Aaron presented testimony in The State of Texas vs. James Andrew Flygare for the felony offense of Indecency with a Child by Exposure in the 435th District Court. Prosecutors presented evidence that Flygare was at The Woodlands Mall on May 4, 2022, when he approached a seven-year-old girl and intentionally exposed his genitals to her. Flygare is seen on surveillance watching the child and waiting until she is away from her mother before approaching her. The child's mother was only five steps away and had only just turned her back when Flygare tapped on the child's arm and exposed himself to her.

An earlier, important conversation with her mother about personal safety was instrumental in the child's quick response. Her mother had previously instructed her daughter about the parts of the body no one should see or show her, and most importantly, to tell her immediately if something happened. With her mother's instructions fresh in her mind, the girl immediately distanced herself from Flygare and told her mother, who promptly alerted law enforcement. Bystanders nearby heroically jumped into action, creating a barrier at the store door until law enforcement arrived. The jury returned a guilty verdict upon hearing the evidence and viewing the surveillance video.

After the verdict, Judge Patty Maginnis heard evidence of Flygare's habit of frequenting The Woodlands Mall and making another young female uncomfortable. That young lady testified that Flygare came to the mall every Wednesday and came by the area where she worked and blew kisses and flicked his tongue at her. She stated that she reported him multiple times to mall security. After considering all of the evidence, Judge Maginnis sentenced Flygare to seven years in the Texas Department of Criminal Justice. (Flygare's range of punishment was from two to ten years in prison.) After serving time his time prison, Flygare must then register for an additional ten years as a sex offender.

While most sexual abuse offenses are committed by people known to the victim, this case serves as a stark and timely reminder of the importance of vigilance in public places as well as open communication with your children about personal safety. Through the brave actions of the child, the protective instincts of her mother, the support of the community, the diligent investigation by the Montgomery County Sheriff's Office, and the assistance from Children's Safe Harbor, this perpetrator was apprehended and brought to justice, ensuring the safety of the community.