

Exhibit 24

1 A I think so. There were quite a few questions that I
2 asked him, so I think it may have been somewhere
3 around that time, between an hour and two hours,
4 yes.

5 Q Did the Defendant indicate to you to look for
6 videotape?

7 MS. CEZIL: Objection, your Honor, as to
8 hearsay. If he wants the declarant to testify, he
9 can call them as a witness.

10 JUDGE BOYKIN: Sustained.

11 Q (By Mr. Sebree) After you questioned the Defendant,
12 did you ever give the Defendant a card?

13 A In most cases, I give everyone that I talk to a card
14 so they will have our number. Even if I'm not
15 assigned to that case, I want them to have the
16 direct line to Sex Crimes so they know who to call.

17 I think I may have even put-- if I didn't
18 put the Crisnet number, which is a police generated
19 report, I may have put the case number down so he
20 would know exactly how to contact with me if he had
21 any questions about the case.

22 Q Did you ever generate a report, a Crisnet report?

23 A Myself, I didn't have to generate a Crisnet report.

24 I typed up an investigative report. I didn't
25 generate the Crisnet report, no, sir.

How's
That hear-
Say?

When in
fact a
Video existed

Exhibit 25

1 MR. SEBREE: One moment, Judge.

2 JUDGE BOYKIN: All right.

3 Q (By Mr. Sebree) Without telling me what was said,
4 did the Defendant ever leave a voice message on your
5 phone?

6 A He might have. I can't say for certain, but I
7 think, yes, he might have left a message on my
8 phone.

9 Q Did you ever go review any video footage or
10 anything?

11 A No, sir.

12 Q Now, there was a time that Ms. Moore contacted you
13 to advise you that there was this video surveillance
14 footage of the Defendant. Correct?

15 A She said there was something in the video that
16 wasn't really showing much, but yes, she did say
17 that she did review the video, yes, sir.

18 Q Now, is it your job to tell her to record that video
19 at that point in time?

20 A At that point in time, no, because she is not the
21 person who actually records it. It is my
22 understanding she is not the person who actually
23 records the video.

24 She said there wasn't anything that was in
25 the video, but we had a person who actually goes to

Exhibit 26

1 their facility and downloads it.

2 Q I guess my question is, whose responsibility is it
3 to tell central processing or whoever to save
4 videotapes? Is it your job?

5 A I'm the officer in charge of this case, and it could
6 be my job, say, to hold it or freeze it so that it's
7 saved. But based upon the information that was
8 provided, which I don't think Ms. Moore would have
9 any reason to not be truthful to me, based on that
10 information, I don't know if they would have had the
11 opportunity to freeze it, because I was informed
12 that she didn't see anything on it.

13 Q So did Ms. Moore indicate to you what time she was
14 able to review the video surveillance tapes?

15 A I think at the time, she may have told me between
16 10:00 and 10:30.

17 Q Not 10:30 to 11:00?

18 A I don't think so. I actually had her type up a
19 letter or type up and send me an e-mail stating the
20 time that she reviewed the video.

21 Q Did you ever get an opportunity to read that letter?

22 A Did she get an opportunity read that--

23 Q I'm talking about you. Did you get a chance to read
24 the letter that she typed?

25 A Review the e-mail?

Exhibit 27

1 Q Yes. It was an e-mail. Right?

2 A Yes.

3 Q I'm sorry. Have you had an opportunity to read that
4 e-mail?

5 A Yes.

6 Q You are familiar with the information contained in
7 there?

8 A Not verbatim, but yes, I do recall receiving it, and
9 she spelled my name incorrectly as well.

10 Q Understood. In that e-mail, she indicated that she
11 reviewed the video from 10:00 to 10:30. Right?

12 A That's correct.

13 Q Now, why didn't you tell her to save it?

14 A Why didn't I tell her to save it?

15 Q Yes.

16 A Probably going by the information that she provided
17 me with that she didn't see anything on the video.
18 That is probably why I didn't ask her to save it,
19 but I know they do have a system where they back
20 stuff up.

21 That is why I requested Sergeant Gibson to
22 go over there and check the video out himself. He
23 is the expert at that.

24 Q Sergeant Gibson is the expert?

25 A Yes.

1 Q You have been in here the whole entire trial,
2 haven't you?

3 A Yes.

4 Q Have you seen Sergeant Gibson here today?

5 A No.

6 Q At any time during the trial?

7 A No.

8 Q And he is the expert?

9 A He is the person who downloads the videos from our
10 police department. I can't download it.

11 When I was informed that there was no
12 video footage of any wrongdoing by Mr. Howell
13 between that time, I didn't actually send a request
14 to Sergeant Gibson. I actually verbally called him
15 on the phone and asked him to go over there and
16 check on the equipment that there was an alleged
17 problem with.

18 Q So pursuant to your investigation, do you go and
19 talk to the individual children?

20 A No.

21 Q Did you talk to the individual children at all in
22 this case?

23 A There was no need for it. There was already
24 statements taken from them.

25 Q When you were able to discern that something

Exhibit 29

1 happened between 10:00 and 10:30, what gave you that
2 indication that the allegations took place between
3 10:00 and 10:30?

4 A It was on a written report that was typed up that
5 said the occurrence was 10:15.

6 Q Did you type that report up?

7 A No.

8 Q Who did?

9 A If I'm not mistaken, it might have been Officer
10 Moore. She was the original officer that came in
11 contact with Mr. Howell.

12 Q So you had no idea that the criminal allegations
13 took place some time between 11:00 and 11:15?

14 A Not at the time. I hadn't spoken to the complainant
15 or any of the students.

16 Q To your knowledge, you had the capacity to capture
17 the video surveillance footage from 11:00 to 11:15
18 to your knowledge. Correct?

19 A There is a possibility. I don't work for DPS, so I
20 don't know. They send us video footage where their
21 video cameras are working properly at that time. So
22 I would assume so.

23 Q If you would have told Officer Moore to save footage
24 the following day, is that her job to follow what
25 you told her to do?