

1 (Witness sworn.)

2 THE COURT: Have your seat, please. And if
3 you would, please state and spell your name for my court
4 reporter.

5 THE WITNESS: William Brooks, W-I-L-L-I-A-M,
6 B-R-O-O-K-S.

7 THE COURT: And you may proceed.

8 WILLIAM BROOKS,
9 having been first duly sworn, testified as follows:

10 DIRECT EXAMINATION

11 Q. (BY MS. FULLER) Good afternoon, Officer Brooks.
12 Who are you employed by?

13 A. Houston Police Department.

14 Q. How long have you been with the Houston Police
15 Department?

16 A. About four years.

17 Q. And before joining HPD, what did you do before
18 that?

19 A. I was also a police officer prior to joining
20 Houston Police Department also.

21 Q. And what jurisdiction was that?

22 A. Jersey Village Police Department, Harris County,
23 Texas.

24 Q. And how long were you employed with Jersey Village
25 Police Department?

1 A. About five years.

2 Q. Okay. Prior to that, what did you do?

3 A. I was a police officer with another agency before.

4 Q. And what agency was that?

5 A. The Magnolia Police Department.

6 Q. Okay. So, were you employed by any other police
7 departments?

8 A. No, ma'am.

9 Q. Okay. So, how many years total have you been a
10 police officer?

11 A. About 12 years.

12 Q. Okay. And you said that you've been with HPD for
13 four years?

14 A. Yes.

15 Q. What are your primary duties right now?

16 A. I'm a patrol officer.

17 Q. And what does that mean?

18 A. Respond to calls for service.

19 Q. Okay.

20 A. And I'm assigned to a patrol beat.

21 Q. What patrol beat are you assigned to?

22 A. I'm central patrol and I patrol 1 Adam 20's beat.

23 Q. What are the locations or the boundaries of that
24 beat?

25 A. Westheimer, Montrose, Louisiana, Allen Parkway.

1 It's a pretty good sized beat.

2 Q. What shift do you work?

3 A. Day shift.

4 Q. What is that?

5 A. I work 7:00 AM to 3:00 PM.

6 Q. Okay. Were you working back in June of 2010?

7 A. Yes, I was.

8 Q. And were you with HPD back then?

9 A. Yes, I was.

10 Q. And were you working patrol back then?

11 A. Yes.

12 Q. Okay. Did you have an occasion to or were you
13 requested to provide a ride to somebody -- for somebody to
14 the homicide office in June of 2010?

15 A. Yes, I was.

16 Q. Okay. Do you recall the name of the person that
17 you were asked to give a ride to or for?

18 A. My recollection, maybe Ruben Juarez.

19 Q. Okay. Do you see him here in the courtroom today?

20 A. Yes, I do.

21 Q. Can you point him out and identify him by an
22 article of clothing?

23 A. The gentleman sitting with the light blue button-up
24 shirt.

25 Q. Okay. Does he have a tie on or no tie?

1 A. No tie.

2 MS. FULLER: Your Honor, may the record
3 reflect that this witness has identified the defendant?

4 THE COURT: The record will so reflect.

5 Q. (BY MS. FULLER) Now, did you write an offense
6 report to detail what day it was and the fact that you gave
7 him a ride?

8 A. No, I didn't.

9 Q. Okay. So, to your recollection do you know or
10 remember what day that was?

11 A. Not -- top of my head, I do not.

12 Q. Okay. Were you required by HPD to write a report
13 regarding you transporting or giving him a ride?

14 A. No, I wasn't. All I was told to do was transport.

15 Q. Okay. Now, while you were transporting the
16 defendant to the police department or police station, did
17 you threaten him at any time?

18 A. No, ma'am.

19 Q. Did you coerce him into giving any type of
20 statement or talking to anybody?

21 A. No, ma'am.

22 Q. Did you make him any kind of promises?

23 A. No, ma'am.

24 Q. Did you do anything to him that would have made him
25 afraid?

1 A. No, ma'am.

2 Q. Okay. Do you recall approximately how long the car
3 ride was?

4 A. 15, 20 minutes.

5 Q. And did that end your contact with the defendant?

6 A. Yes, once I dropped him off and released him, yes.

7 Q. Okay.

8 MS. FULLER: Pass the witness.

9 THE COURT: Counsel?

10 **CROSS-EXAMINATION**

11 Q. (BY MR. CORNELIUS) Officer Brooks, let me get this
12 straight. You don't know the date that this happened or the
13 time?

14 A. I do not recall.

15 Q. Do you know what year it happened in?

16 A. 2000 -- honestly I don't know. I don't recall.

17 Q. So, you just came in this room and you recognized
18 my client as Ruben Juarez, right?

19 A. Yes.

20 Q. And you're telling the jury you gave him a ride
21 from where to where?

22 A. I don't recall the location. I don't recall it.

23 Q. You gave him a ride from a location you don't know
24 of at a time you don't know of in a month you don't know of
25 in a year you don't know of, right?

1 A. That's correct. I --

2 Q. What do you think the department has officers write
3 reports for?

4 MS. FULLER: Objection to relevance, Your
5 Honor?

6 THE COURT: You want to rephrase that?

7 MR. CORNELIUS: Okay.

8 Q. (BY MR. CORNELIUS) You've been to three -- you've
9 worked for three different police agencies?

10 A. That's correct.

11 Q. Did you have three different sets of training?

12 A. Yes.

13 Q. Did they train you to write reports for your police
14 work?

15 A. Yes.

16 Q. And it's just not possible to remember everything
17 that happens, is it? Sometimes you have to write it down so
18 you can remember it?

19 A. That's correct.

20 Q. Okay. All right. That's a good reason to write
21 reports, isn't it?

22 A. Yes, it is.

23 Q. Okay. So, how is it that you're even here today?
24 I mean, how do we know that this has anything to do with
25 this case?

1 A. I'm not understanding what you're trying to get at.

2 Q. Is your name somewhere in the police report here?

3 A. I have not even seen the report. I don't even have
4 access to the report.

5 Q. Okay.

6 A. All I did was transport. I did not write a report
7 stating I transported him. I normally don't write reports
8 for transporting people.

9 Q. Okay. Do you know what Mr. Juarez was doing when
10 you took custody of him?

11 A. I have no idea.

12 Q. I mean, could he have been smoking crack?

13 A. He could have been.

14 Q. Shooting heroin?

15 A. He could have been.

16 Q. Drinking beer?

17 A. It's a possibility. I do not know what he was
18 doing.

19 Q. Okay. And so, you transport him in what? Your
20 police car?

21 A. That's correct.

22 Q. From a location you don't know.

23 A. I don't recall the location.

24 Q. And you took him where?

25 A. I took him to 1200 Travis to the homicide division.

1 Q. And then you left.

2 A. Yes.

3 Q. Okay.

4 MR. CORNELIUS: I'll pass the witness.

5 THE COURT: Ms. Fuller.

6 MS. FULLER: Briefly, Your Honor.

7 **REDIRECT EXAMINATION**

8 Q. (BY MS. FULLER) Is it every day that you're asked
9 to transport somebody to the homicide office?

10 A. No.

11 Q. Would you say that -- fair to say that's an unusual
12 occurrence?

13 A. Yes.

14 MS. FULLER: May I approach the witness?

15 THE COURT: You may.

16 Q. (BY MS. FULLER) I'd like you to just review this.

17 A. Just this right here?

18 Q. Uh-huh. Are you referenced?

19 MR. CORNELIUS: Well, I don't mind him reading
20 the report to himself. If it refreshes his memory, I don't
21 have an objection to it. If it doesn't refresh his memory,
22 though, then it's hearsay.

23 THE COURT: And that will be sustained.

24 Q. (BY MS. FULLER) Does this refresh your memory
25 about that day? If you need a few minutes, take a look at

1 the report.

2 A. Yes.

3 Q. Okay. Now, as I stated, it's not every day that
4 you get asked to take somebody down to the homicide office;
5 is that correct?

6 A. It's correct.

7 Q. Do you recall from this, after looking at it,
8 approximately what time you transported him?

9 A. According to that, it says --

10 MR. CORNELIUS: Excuse me. That's
11 nonresponsive.

12 THE COURT: Sustained.

13 Q. (BY MS. FULLER) After reviewing this, do you
14 remember what time it was when you transported him? Not
15 what this says, but do you remember?

16 A. Yes.

17 Q. And what time was that?

18 A. Around 4:00 o'clock.

19 MS. FULLER: Pass the witness, Your Honor.

20 **REXCROSS-EXAMINATION**

21 Q. (BY MR. CORNELIUS) Now, you remember now from your
22 own recollection that you transported Mr. Juarez around 4:00
23 o'clock.

24 A. Somewhere around 4:00 o'clock.

25 Q. When? 4:00 o'clock what day?

1 A. Oh, 4:00 o'clock PM.

2 Q. What day?

3 A. I need to see -- I need to use that to refresh my
4 memory on the date.

5 Q. Well, you know, if you're just going to read it
6 because you don't really remember, that's not the drill
7 here. I mean, do you really remember this?

8 A. I remember.

9 MS. FULLER: Objection to argumentative, Your
10 Honor.

11 THE COURT: Overruled.

12 Q. (BY MR. CORNELIUS) You remember transporting him.

13 A. I remember transporting him, yes.

14 Q. Okay. Do you remember where he was when you first
15 got him?

16 A. I don't remember the exact location.

17 Q. Do you remember any part of the location?

18 A. I would have to guess at it. I don't remember the
19 exact location.

20 Q. Okay. So, what you remember now, because you read
21 it on this report, is it was 4:00 PM.

22 A. Somewhere around 4:00 PM.

23 Q. You still don't know the date or the year or where
24 it was that you picked him up, right?

25 A. Again, I don't remember the exact location.

1 MR. CORNELIUS: All right. I'll pass the
2 witness.

3 MS. FULLER: Nothing further, Your Honor.

4 THE COURT: May this witness be excused?

5 MS. FULLER: Yes, Your Honor.

6 MR. CORNELIUS: Yes, Your Honor.

7 THE COURT: Thank you, Officer. Please do not
8 discuss your testimony with any of the other witnesses.

9 Call your next witness, please.

10 MS. FULLER: State calls Sergeant Cisneros.

11 (Witness sworn.)

12 THE COURT: Have your seat. And if you'll
13 just kind of adjust that microphone. Perfect.

14 And you may proceed.

15 **ELI CISNEROS,**

16 having been first duly sworn, testified as follows:

17 **DIRECT EXAMINATION**

18 Q. (BY MS. FULLER) Good afternoon, Sergeant Cisneros.

19 A. Good afternoon.

20 Q. Who are you employed by?

21 A. The Houston Police Department.

22 Q. How long have you been with the Houston Police
23 Department?

24 A. Roughly 19 and a half years now.

25 Q. All right. Prior to joining the HPD, what did you