

1 THE COURT: Mr. Salazar.

2 MR. SALAZAR: We'll waive, Your  
3 Honor.

4 THE COURT: Call your first  
5 witness.

6 MS. BAKER: The State calls  
7 Renauldo DeLasbour.

8 THE BAILIFF: This witness has not  
9 been sworn.

10 (Witness sworn.)

11 THE COURT: Please proceed.

12 RENAULDO DELASBOUR,  
13 having been first duly sworn, testified as follows:

14 DIRECT EXAMINATION

15 BY MS. BAKER:

16 Q. Would you state and spell your name for  
17 the record, please?

18 A. It's Renauldo DeLasbour.

19 R-E-N-A-U-L-D-O D-E-L-A-S-B-O-U-R.

20 Q. How are you employed?

21 A. City of Houston Police Officer.

22 Q. How long have you been a police officer  
23 with the City of Houston?

24 A. Going on 13 years.

25 Q. And what did you do prior to becoming a

1 police officer?

2 A. I was in the United States Marine Corps.

3 Q. How long were you in the Marine Corps?

4 A. Eight years.

5 Q. In the Marine Corps did you do any sort  
6 of combat or what were your duties in the Marine  
7 Corps?

8 A. I was a military policeman and motor  
9 transport. I didn't do any combat.

10 Q. Where were you stationed?

11 A. I've been all over. You name it. East  
12 Coast. West Coast. Overseas.

13 Q. All right. When you were discharged did  
14 you come back to Houston right away?

15 A. Yes, ma'am.

16 Q. And did you go to the Police Academy?

17 A. Yes, ma'am.

18 Q. What is your current rank?

19 A. I'm a senior police officer, corporal.

20 Q. And are you a member of any special  
21 teams with the Houston Police Department?

22 A. Yes, I'm on the Divisional Tactical  
23 Unit.

24 Q. What does that do?

25 A. We go out and conduct hot spot

1 investigations.

2 Q. Can you tell the jury what a hot spot  
3 is?

4 A. Hot spot is basically like we get a lot  
5 of complaints that come down from the Chief's office  
6 about narcotics complainant, prostitutes, any kind  
7 of drug related that we can handle, we'll handle it.  
8 I'm also a member of the SWAT team.

9 Q. What do you do as a member of the SWAT  
10 team?

11 A. Whenever we get call-ups, stuff like  
12 that, warrants, we go assist and give backup  
13 basically.

14 Q. All right. On August 30th, 2011, what  
15 were your duties that day?

16 A. We was assisting Vice Division and they  
17 came out and conducted a prostitution investigation.

18 Q. What is the Vice Division?

19 A. Vice Division is basically they do  
20 gambling, prostitutes, stuff like that. They go out  
21 and target all that kind of stuff.

22 Q. When they conduct that sort of  
23 investigation why would it be necessary to have a  
24 marked patrol unit or a uniform patrol officer near  
25 by?

1           A.    Those guys are undercover so they need  
2 marked units in uniform and we assist them in  
3 arresting the bad guys and placing them in the cars,  
4 transporting them to the jail.

5           Q.    All right.  How do you assist?  Are  
6 you -- do you follow around the undercover cars?

7           A.    No, we're usually parked stationary  
8 somewhere and they basically bring them to us and  
9 we'll affect an arrest and get them in custody for  
10 them.

11          Q.    The time you affect the arrest, does  
12 everybody in the vehicle know that the undercover is  
13 an officer?

14          A.    Yes.

15          Q.    So on -- that's what you were doing on  
16 August 30th, 2011?

17          A.    Yes, ma'am.

18          Q.    Where were you located waiting for the  
19 arrest?

20          A.    If I'm not mistaken we were at Fannin  
21 and Anita in an empty parking lot.

22                   MS. BAKER:  May I approach the  
23 witness?

24                   THE COURT:  You may.

25                   THE WITNESS:  I stand corrected,

1 the 1000 block of Tuam.

2 Q. (By Ms. Baker) Okay. What -- The  
3 location that you said before, what was happening at  
4 that location?

5 A. That's usually a staging area where we  
6 go just to wait until the undercovers bring the --

7 Q. Where was your car parked?

8 A. We was parked in -- it was some isolated  
9 parking lot behind an old club. I know across the  
10 street is a place they call Space Place. It's an  
11 old storage facility. We was across from there.

12 Q. Was it hot outside?

13 A. Yes, very hot.

14 Q. Were you looking for some shade?

15 A. Yes, ma'am.

16 Q. I'm going to show you what's been marked  
17 as State's Exhibit 1. Do you recognize that map?

18 A. Yes, ma'am.

19 Q. Can you use this marker and indicate on  
20 there where you were staged waiting for the arrest?

21 A. (Witness complied.)

22 Q. And so the record is clear, you have  
23 marked it with a small black "X" near the parking  
24 lot, right?

25 A. Yes, ma'am.

1 Q. Could you circle -- let me just ask you  
2 this: Is that location in Harris County, Texas?

3 A. Yes, ma'am.

4 Q. You said it was hot that day. Did you  
5 pull underneath a tree?

6 A. Yes.

7 Q. Could you circle the tree?

8 A. (Witness complied.)

9 Q. Thank you.

10 MS. BAKER: Your Honor, we'll offer  
11 into evidence State's Exhibit 1 after tendering to  
12 Defense counsel.

13 (State's Exhibit No. 1, Map,  
14 offered.)

15 MR. SALAZAR: No objection, Your  
16 Honor.

17 THE COURT: It will be admitted.

18 (State's Exhibit No. 1 admitted.)

19 MS. BAKER: May I show the jury?

20 THE COURT: You may.

21 MS. BAKER: May I hand it to the  
22 jury?

23 THE COURT: No.

24 Q. (By Ms. Baker) Who was at this  
25 location? And is it called -- I know it's T-U-A-M.

1 Do you pronounce it Tuam?

2 A. Tuam.

3 Q. Who was at that location at 1000 Tuam  
4 besides yourself?

5 A. Officer Chase Simpson and Rudy Amador.

6 Q. Were there any other people there that  
7 you had detained or arrested at that time?

8 A. I honestly -- I want to say we had  
9 somebody else in the back of the car. I can't  
10 remember at this time, though.

11 Q. All right. So you remember the three  
12 police officers?

13 A. Yes, ma'am.

14 Q. All right. And what happened next?

15 A. The Defendant was taken into custody,  
16 put in the backseat of my car.

17 Q. When you say the Defendant, who are you  
18 referring to? Mr. Kevin Walton?

19 A. Yes.

20 Q. And you pointed in the direction of an  
21 individual. Can you describe that individual by an  
22 article of clothing so the record is clear on who  
23 you're pointing to?

24 A. He has a pink shirt on.

25 MS. BAKER: Your Honor, may the

1 record reflect that the witness has identified the  
2 Defendant?

3 THE COURT: The record will so  
4 reflect.

5 Q. (By Ms. Baker) How was Mr. Walton  
6 brought to you?

7 A. Undercover officer -- we were told he's  
8 en route to our location, a predetermined dropoff  
9 point. We got out, took him into custody, put him  
10 in the back of my car. Officer Simpson was there to  
11 assist me. It was hot that day. I pulled under the  
12 tree and Officer Simpson and Officer Amador pulled  
13 on the side of me in order for Chase -- Officer  
14 Simpson was filling out the booking blotter, that's  
15 when it all started.

16 Q. What's a booking blotter?

17 A. A booking blotter is basically all the  
18 defendant's information before we place him in jail.

19 Q. So did you or Officer Simpson or Officer  
20 Amador -- did you have anything to do with the  
21 arrest of the prostitution?

22 A. No, we had nothing to do with that.  
23 That was the Vice Division. We just took him into  
24 custody.

25 Q. All right. So when you were at this



1 location, you're in your vehicle. Where is the  
2 Defendant, Mr. Walton?

3 A. He was in my backseat directly behind  
4 me.

5 Q. And how was your vehicle positioned  
6 compared to Officer Simpson's vehicle?

7 A. I was facing westbound and Officer  
8 Simpson was facing eastbound and he pulled on the  
9 side of me.

10 Q. So like --

11 A. The head of my car was facing this way  
12 (indicating) and the head of his car was facing this  
13 way (indicating).

14 Q. And just so the record is clear, you  
15 pointed one hand going one direction and one to the  
16 other?

17 A. Yes, ma'am.

18 Q. And is that like nose to tail, nose to  
19 tail of the vehicle?

20 A. Yes.

21 Q. How much space was between your vehicle  
22 and Officer Simpson's vehicle?

23 A. It was very little, less than a foot.

24 Q. Was your window rolled down?

25 A. Yes, ma'am.

1 Q. Was the back passenger window rolled  
2 down?

3 A. Yes.

4 Q. Was Mr. Walton in handcuffs?

5 A. Yes.

6 Q. Is that standard?

7 A. Yes.

8 Q. And Officer Simpson had his window  
9 rolled down?

10 A. Yes, sir.

11 Q. Was Officer Simpson next to you or next  
12 to the back window where Mr. Walton was sitting?

13 A. He was next to the back window where the  
14 Defendant was sitting.

15 Q. And why was he positioned like that?

16 A. Like I said, it was a hot day. I'll be  
17 honest, we didn't feel getting out the car.  
18 Everybody was already sweating and everything and we  
19 thought it would be better if everybody could sit in  
20 the AC and get our information like that.

21 Q. So why was the window rolled down?

22 A. Because he needed to ask some questions  
23 in order to get the information for the booking  
24 blotter.

25 Q. Who needed to ask who questions?

1           A.    Officer Simpson needed to ask the  
2 Defendant questions in order to get the information.

3           Q.    Where was Amador sitting?

4           A.    He was sitting in Officer Simpson's  
5 vehicle but on the passenger side.

6           Q.    So what were you doing at the time?

7           A.    I was -- I don't know.  I was sitting in  
8 my vehicle, just letting him get the information, I  
9 guess.

10          Q.    All right.  Is there any reason why they  
11 had to get the information and you didn't?  Were you  
12 working on something else?

13          A.    Nine times out of ten I probably was if  
14 I didn't get it.

15          Q.    What kind of things would you be working  
16 on?

17          A.    Either an early report that I probably  
18 hadn't finished yet or charges on something.

19          Q.    So you weren't just sitting there?

20          A.    No.

21          Q.    And Mr. -- Officer Simpson sorry -- is  
22 taking information for the booking blotter.  What  
23 happened next?

24          A.    He's taking the information and he's  
25 interviewing the Defendant getting the information.

1 I heard like a huhhh -- I don't know how to describe  
2 it, whatever, yeah, I'm sorry.

3 Q. Okay.

4 A. And that's when I guess the Defendant  
5 spit on him the first time. I did not witness that  
6 part but Officer Simpson started telling him, "Hey,  
7 that's not the way to go," all this kind of stuff,  
8 "Don't do that."

9 Q. What happened next?

10 A. I guess they got in a staring contest  
11 and the next thing, you know, it happened again.

12 Q. What happened the second time?

13 A. The Defendant spit on Officer Simpson  
14 again.

15 Q. Where did it hit Officer Simpson?

16 A. I didn't actually see it hit him. I  
17 heard it again, though. And from when he got out  
18 the car it was like in his face area.

19 Q. How did Officer Simpson get out of the  
20 car?

21 A. We was so close I had to move up. He  
22 verbally told me, "Hey, move your car up. I need to  
23 get this guy out, tell him" --

24 Q. All right. At that time did you know  
25 what had happened when you had to move your car up?

1           A.    Yes.

2           Q.    When you moved your car up what  
3 happened?

4           A.    Officer Simpson got him out, was trying  
5 to get him out. He was resisting, ran back,  
6 rejecting -- not rejecting -- he was raring back  
7 like he was fixing to do it again, so he hurried up  
8 to get him out of the car.

9           Q.    Is that why you had to remove him from  
10 the car because he was going to spit again?

11          A.    Yes.

12          Q.    Were you able to get him detained there?

13          A.    Yes, he was still kind of agitated,  
14 moving around.

15          Q.    Did he pull away from you?

16          A.    Officer Simpson had him on the ground.  
17 We just assisted him.

18          Q.    How did you assist?

19          A.    Trying to hold his legs down.

20          Q.    Was he kicking, trying to get --

21          A.    He was trying to get up.

22          Q.    Was he pushing against you with his  
23 legs?

24          A.    He was moving, trying to get up.

25          Q.    All right. And where was Amador?

1           A.    Amador was on the head area of the  
2 Defendant.  He was assisting Chase.

3           Q.    Did you get him finally calmed down and  
4 restrained?

5           A.    Yes.

6           Q.    After that was he transported to the  
7 City Jail?

8           A.    Yes, ma'am.

9           Q.    Did somebody call the District  
10 Attorney's Office and request charges?

11          A.    Yes, Officer Amador.

12                   MS. BAKER:  I'll pass the witness.

13                   THE COURT:  Mr. Salazar.

14                                CROSS-EXAMINATION

15          BY MR. SALAZAR:

16           Q.    Sir, I'm Joel Salazar.  I represent  
17 Mr. Walton today.

18                   Sir, there was three of you police  
19 officers, correct?

20          A.    Yes.

21          Q.    And only one of him?

22          A.    Yes.

23          Q.    Isn't it true that during this time that  
24 you moved the car, isn't it true that he was also  
25 beaten up by you three?

1           A.    No.

2           Q.    So his mouth bleeding, lips bleeding,  
3           that was self-inflicted?

4           A.    I don't know what he did.  I didn't see  
5           all that.

6           Q.    You didn't see your officers hitting  
7           him, kneeling him, punching him?

8           A.    No.

9           Q.    It just happened on it's own?

10          A.    I didn't -- I didn't see any of that.

11          Q.    Isn't it true that you were not abusive  
12          to him?  You were not?

13          A.    No, I didn't do anything.  I was trying  
14          to hold his legs down.

15          Q.    Isn't it true he wasn't abusive to you?

16          A.    No.

17          Q.    There was no cursing back and forth  
18          between you two?

19          A.    No, it was some cursing.

20          Q.    Between you two?

21          A.    No, not me.

22          Q.    That's what I'm trying to confirm with  
23          you.  Between you two there was not?

24          A.    Say it again.

25          Q.    Between you two there was not.  There

1 was no physical or verbal abuse between you two?

2 A. No.

3 Q. You're saying you didn't see anything  
4 happen between Mr. Walton and the other two police  
5 officers?

6 A. I was trying to restrain his legs to  
7 keep him from kicking and harming the other  
8 officers.

9 MR. SALAZAR: I'll pass the  
10 witness, Your Honor.

11 THE COURT: Anything further?

12 MS. BAKER: No, Your Honor.

13 THE COURT: You may stand down.

14 Call your next witness.

15 MS. BAKER: State calls Officer  
16 Amador.

17 THE BAILIFF: This witness has not  
18 been sworn.

19 (Witness sworn.)

20 THE COURT: Please proceed.

21 RUDY AMADOR,  
22 having been first duly sworn, testified as follows:

23 DIRECT EXAMINATION

24 BY MS. BAKER:

25 Q. Would you state your name for the