

1 much.

2 *THE WITNESS:* You're welcome.

3 *THE COURT:* Call your next witness, please.

4 *MS. FULLER:* State calls Officer Elkin.

5 *THE COURT:* Come on up, Officer. Right up
6 here, please, sir.

7 *THE WITNESS:* Yes, ma'am.

8 *THE COURT:* And if you would, please raise
9 your right hand to take the oath.

10 *(Witness sworn.)*

11 *THE COURT:* If you would, have your seat.
12 Would you just kind of adjust that microphone so everybody
13 can hear you? And state and spell your name for my court
14 reporter.

15 *THE WITNESS:* Last name's Elkin, E-L-K-I-N.
16 First name, Jeff, J-E-F-F.

17 *THE COURT:* You may proceed.

18 *MS. FULLER:* Thank you, Your Honor.

19 **JEFF ELKIN,**

20 having been first duly sworn, testified as follows:

21 **DIRECT EXAMINATION**

22 Q. *(BY MS. FULLER)* Officer Elkin, who are you
23 employed with?

24 A. The Houston Police Department.

25 Q. How long have you been with the Houston Police

1 Department?

2 A. For about two and a half years.

3 Q. And prior to that, what did you do?

4 A. I was in the Marines for four years.

5 Q. For four years?

6 A. Yes, ma'am.

7 Q. Were you deployed overseas or --

8 A. Yes, ma'am, twice.

9 Q. Where at?

10 A. To Iraq.

11 Q. And what did you do in the Marines?

12 A. I was in the infantry.

13 Q. Okay. So, after four years in the Marines, you
14 joined HPD?

15 A. I went to school for a little bit and then I
16 joined, yes, ma'am.

17 Q. Okay. Where did you go to school at?

18 A. Kingwood Community College.

19 Q. So, joined HPD. What do you do when you join HPD?
20 What's the first thing they do for you?

21 A. They send you through a six-month academy.

22 Q. And what does that entail?

23 A. Pretty much teaching you the laws, the basics of
24 the laws, basics of becoming a police officer, learning how
25 to control your scenes, things like that.

1 Q. Okay. And after the police academy, you graduate?

2 A. Yes, ma'am. And then they put you on six months'
3 probationary time where you're riding with a senior officer,
4 a trainer, and you have your different training phases and
5 that's when you really learn the ins and outs of being a
6 police officer.

7 Q. And it's a patrol officer?

8 A. Yes, ma'am.

9 Q. Can you describe for the jury what it means to be a
10 patrol officer?

11 A. When a citizen calls 911, they're asking for police
12 officers to come out, we'll go and answer the calls for
13 service, you know, whether it's a disturbance, and then you
14 take care of their needs, whether someone needs to go to
15 jail, you're there for the citizens.

16 Q. Okay. So, after your six-month probationary
17 period, what do you do next?

18 A. Then you get assigned a shift, you get assigned
19 your own beat and then you're usually on your own. Some
20 days you may ride with a partner.

21 Q. Okay. How long have you been assigned your own
22 shift and beat?

23 A. For -- it will be two years in March.

24 Q. Okay. So, where are you assigned?

25 A. Now I'm assigned to a differential response team.

1 It's a little different than answering calls for service
2 like I was prior.

3 Q. What do you do in that group?

4 A. We deal with citizens directly. We go to meetings
5 once a month, ask the community what their problems are, we
6 go around enforcing city code violations.

7 Q. Okay. Back in -- on May 10th, May 15th of 2010,
8 what shift were you working?

9 A. Evening shift.

10 Q. And what is evening shift?

11 A. I was the early side, so, 2:00 to 10:00, 2:00 PM to
12 10:00 PM.

13 Q. Okay. Where was your beat?

14 A. 7-C-20s beat, which is northeast Houston, mainly
15 Fifth Ward area.

16 Q. Can you kind of tell us some highways that would be
17 the boundaries of that?

18 A. 59 and 610, all the way down to 59/I-10.

19 Q. Okay. So, on June 25th of 2010, were you on duty
20 that day?

21 A. Yes, ma'am.

22 Q. Do you recall being approached by a witness when
23 you were having dinner?

24 A. Yes, ma'am, I do.

25 Q. Okay. Can you tell us a little bit about that?

1 A. I was sitting down at Subway eating. A gentleman
2 came in and said he had walked across what he believed to be
3 human remains.

4 Q. Okay.

5 A. And we asked him to show us where it was.

6 Q. So, at that point did you put the witness -- what
7 was the witness' name?

8 A. I don't recall.

9 Q. Okay. Did you put him in your patrol car and drive
10 him?

11 A. Yes, ma'am, yes, ma'am, we drove him to where he
12 showed us where he had found the remains. At that time
13 he -- we asked him to show us where it was. We got out of
14 our patrol car, walked up and we saw what we believed to be
15 human remains, also.

16 Q. Okay. Can you describe to the jury what it is that
17 you saw?

18 A. All I saw was bones. I didn't see -- there was no
19 flesh, maybe -- again, I'm not an expert but it seemed like
20 it had been there for a day or two, maybe even longer
21 because of the heat. I don't know.

22 Q. Okay. Can you tell us the location that you drove
23 to?

24 A. Yes. It's right by 610 and the Hardy Toll Road.

25 Q. Did you bring your report with you?

1 A. No, ma'am, I did not.

2 MS. FULLER: May I approach the witness?

3 THE COURT: You may.

4 Q. (BY MS. FULLER) Would it help you to have your
5 report?

6 A. Yes, ma'am.

7 Q. There you go. If you could, find your supplement
8 of, first of all, the name of the witness who approached you
9 and then the location that you went back to.

10 A. The witness is going to be Mr. Davis. And it's
11 going to be at the 6100 block of Frisco.

12 Q. Okay. 6100 block of Frisco. We have State's
13 Exhibit No. 3 showing on the overhead. Can you point out
14 the 6100 block of Frisco on State's Exhibit 3?

15 A. Yes.

16 Q. You can actually touch your screen.

17 A. Okay.

18 Q. If you touch it hard enough.

19 A. Right here by the A.

20 Q. Okay. Can you describe what that area looks like?

21 A. It's going -- as you can see on the picture, it's
22 going to be right next to the Hardy Toll Road. All this
23 area in between the Hardy Toll Road and Frisco is going to
24 be, like, a wooded area, very high weeds, trees. And it
25 was, like, right where we found the remains was going to be,

1 like, right in -- right by the A.

2 Q. Okay.

3 A. And it was behind trees so you couldn't see it if
4 you were to drive by the street; you weren't able to see it.
5 Someone would have had to have been walking.

6 Q. Do you know approximately how many steps into the
7 wooded brush you had to go to find her?

8 A. My guess is 15 to 20, off the top of my head.

9 Q. Okay. So, is it fair to say that it's closer to
10 the street or further back into the brush area?

11 A. I honestly don't recall. From what I remember,
12 closer to the street.

13 Q. Okay. So, when you get there and you find the
14 remains, what do you do next?

15 A. At that time I locate (sic) to see if there's
16 anyone else around in the area first because I wanted to
17 secure the scene. I didn't see anyone in the area; so, I
18 called the homicide division, let them know what I had and
19 they took my phone number down and advised me that they
20 would call me back and let me know what -- if they were
21 going to send someone out.

22 Q. Okay. And did they send somebody out?

23 A. Yes, ma'am.

24 Q. Okay. So, did you stay on the scene until homicide
25 and other units arrived?

1 A. Yes, ma'am, I did.

2 Q. Okay. Did you stay on the scene throughout the
3 entire investigation while people arrived and investigated
4 the scene?

5 A. I stayed there until the homicide investigators got
6 out there and the crime scene unit. However, I left because
7 I work northeast and where the remains were found were
8 actually North Shepherd's area. That's not where I patrol.

9 Q. Okay. So, at some point you turned your scene over
10 to homicide and CSU for them to continue their
11 investigation?

12 A. Yes, ma'am.

13 Q. Okay.

14 MS. FULLER: Pass the witness.

15 THE COURT: Mr. Cornelius.

16 MR. CORNELIUS: I don't have anything at this
17 time, Judge.

18 THE COURT: All right. May this witness be
19 excused? On call?

20 MS. FULLER: Yes, Your Honor.

21 MR. CORNELIUS: That's fine.

22 THE COURT: Thank you, Officer. You are free
23 to go. Please don't discuss your testimony with any of the
24 other witnesses.

25 THE WITNESS: Yes, ma'am. Thank you, Judge.