

1 You can step down.

2 THE WITNESS: Thank you.

3 MS. COLLINS: Your Honor, at this time the
4 State would call Ingelise Ezell to the stand.

5 THE COURT: Approach the bench.

6 (At the Bench, on the record)

7 THE COURT: How many more witnesses have
8 you got?

9 MS. COLLINS: Just her.

10 THE COURT: All right.

11 (Open court, defendant and jury present)

12 (Witness sworn)

13 THE COURT: You may proceed.

14 **INGELISE EZELL,**

15 having been first duly sworn, testified as follows:

16 **DIRECT EXAMINATION**

17 **BY MS. COLLINS:**

18 Q. Please state your name, spelling your first and
19 last name.

20 A. Ingelise Ezell. I-n-g-e-l-i-s-e. Last name,
21 E-z-e-l-l.

22 Q. What do you do for a living?

23 A. I'm the executive director of the Children's
24 Advocacy Center of Smith County in Tyler, Texas.

25 Q. How long have you held that position?

1 A. About 11 months now.

2 Q. Prior to that, where were you working?

3 A. I was at the Williams County Children's
4 Advocacy Center in Georgetown, Texas, for about two
5 years as a program director.

6 Q. And prior to that, where were you working?

7 A. I was at the Children's Assessment Center here
8 in Houston.

9 Q. What was the basic timeframe that you were at
10 the Children's Assessment Center here in Houston?

11 A. I was there for about five years. Two of those
12 years as a sexual abuse investigator and three years as
13 a forensic interviewer clinician.

14 Q. Let's talk about each of those things. First,
15 can you tell me about the education and training you had
16 leading up to going to the Children's Assessment Center?

17 A. Sure. I have a master's degree in education,
18 which focuses on early childhood development. And I am
19 also pursuing a Ph.D. in psychology.

20 Q. Now, when you chose to go to the Children's
21 Assessment Center as a sexual abuse investigator, did
22 you have to have specific training in how to do that
23 job?

24 A. Sure. Yes.

25 Q. Can you tell me about that?

1 A. Well, that's -- sexual abuse investigator would
2 be the Child Protective Services and they do put you
3 through months and months of training to make sure that
4 you can do that job.

5 Q. What are some of the kinds of things that they
6 train you to do?

7 A. Child development, assessing the overall
8 child's home conditions, and also questioning a child.

9 Q. What made you decide to go from investigator to
10 forensic interviewer?

11 A. To tell you the truth, it was really a growth
12 position for me and just -- it was just -- it was just
13 natural for me after being a sexual abuse investigator.

14 Q. In your time as a forensic interviewer at the
15 CAC, can you tell me approximately how many forensic
16 interview you did?

17 A. 1800.

18 Q. That's pretty specific. Is that an exact
19 number?

20 A. Maybe one or two more, but, yes.

21 Q. Okay. In fact, as a forensic interviewer, do
22 you keep track of how many interviews or does somebody
23 keep track of how many forensic interviews you've done?

24 A. Yes.

25 Q. Now, when you decided to go from sexual abuse

1 investigator to forensic interviewer, did you have to
2 receive additional training on how to fulfill that role?

3 A. Yes. As a forensic interviewer, there are
4 trainings that you go to. I specifically went to the
5 Corner House training, which is a national training.

6 Q. What are the things they're teaching you to be
7 able to do?

8 A. Open-ended questioning. Because questioning a
9 child is different than questioning an adult. To make
10 sure you're not leading the child or giving the child
11 the answer in the question. And then specific protocol.

12 Q. Let's start with leading. What are the things
13 that you do to make sure you're not leading the child?

14 A. Basically, that you're not giving the child the
15 answer in the question.

16 Q. Can you give us an example of how you go about
17 doing that?

18 A. Make sure I have a good one here.
19 Specifically, he may say: He did touch you there,
20 didn't he? Or you may give the child the answer in the
21 question. Or it may be a yes or no and you're not
22 allowing the child to elaborate on the question or
23 answer.

24 Q. Is that a leading question that you're
25 describing or a non-leading question?

1 A. A leading question would be one that you would
2 be giving the child the answer in the question.

3 Q. And --

4 A. I -- sorry.

5 Q. She'll yell at us if we talk over each other.

6 As a forensic interviewer, why is it
7 important not to do leading questions?

8 A. Well, you want to make sure that it's the child
9 statement.

10 Q. Now, despite the fact that you are no longer at
11 the Children's Assessment Center here, are you still
12 doing some of the same job responsibilities and things
13 that you were doing at the CAC?

14 A. Yes.

15 Q. Okay. Were you doing forensic interviewing at
16 Williamson County as well?

17 A. No.

18 Q. Okay. What were you doing there?

19 A. Program director.

20 Q. Most of your jobs now are supervisory in
21 nature?

22 A. Yes.

23 Q. Okay. Going back to October of 2009 and the
24 months after that, into January of 2010, where were you
25 working at that time?

1 A. At the Houston Assessment Center, or Harris
2 County Assessment Center.

3 Q. What was your job during that time period?
4 Were you a sexual abuse investigator or forensic
5 interviewer?

6 A. Forensic interviewer.

7 Q. Okay. During your time at the Children's
8 Assessment Center, did you come into contact with
9 Ryleigh Launer?

10 A. Yes.

11 Q. Can you tell me how you came into contact with
12 Ryleigh?

13 A. I was the clinician assigned to do the extended
14 forensic evaluation.

15 Q. What is an extended forensic evaluation?

16 A. Basically, it is a six-session model. The
17 child will be referred to the CAC for a forensic
18 interview, a forensic interview is conducted, and then
19 another option after the forensic interview would be to
20 do this six-session model.

21 Q. What are the reasons that -- well, let me ask
22 you this. Does every child who has a forensic interview
23 also have an extended evaluation?

24 A. No.

25 Q. What are the reasons that you would go from not

1 only having a forensic interview but also an extended
2 assessment?

3 A. Sometimes a child will partially disclose in a
4 forensic interview, which is the one-time kind of shot
5 that you have to ask the child questions. Sometimes the
6 child, like I said, will partially disclose or maybe
7 only say one portion of what has happened to them. And
8 if law enforcement or Children's Protective Services
9 believe there is more to the statement, they will refer
10 on the child for the extended forensic evaluation.

11 Q. You've talked about your training as a forensic
12 interviewer; not asking leading questions, making sure
13 it's the child's words. Is that also true of an
14 extended assessment.

15 A. Yes.

16 Q. You mentioned that it's a six-meeting process?

17 A. Six sessions.

18 Q. Six-session process.

19 Can you tell us about the general protocol
20 for those six sessions that you have?

21 A. Sure. The first session would be meeting with
22 the non-offending caregiver or the parent or the
23 guardian. With that session, you're basically asking
24 the parent their statement, that you get family dynamics
25 and everything about their family and how they live.

1 And then the next five sessions is with the child. The
2 first session would be just rapport-building, trying to
3 get to know that child and what they like to do, if they
4 go to school, if they don't go to school, what they like
5 to eat, what their favorite color is, things like that.
6 And then there's a developmental assessment where you
7 see if they know their colors and their numbers, things
8 like that. And then you continue on and you do not ask
9 any abuse-focused questions until the fourth session.
10 And the fifth session is basically to clarify.

11 Q. Obviously, we've just seen and heard about
12 forensic interviews. They keep fairly short. Why this
13 three-session build-up, if you will, before even asking
14 sexual abuse questions in the extended assessment?

15 A. You know, sometimes children do just fine when
16 coming to the CAC and are able to answer questions or
17 they do just fine in the one interview model or the
18 forensic interview. Sometimes children do need a little
19 more time. And sometimes we -- basically, it takes the
20 child a little bit of time to get used to the
21 interviewer or the clinician or evaluator. And this
22 just lets the child know that it's okay to be in this
23 space, it's a safe space to talk about what's happened
24 to them, and we don't even have to talk about those
25 other things until later on.

1 Q. When the child first comes, session one -- and
2 how long are these sessions?

3 A. You know, it depends on the child. Of course,
4 for younger children, it would be a shorter session, but
5 we usually block off 45 minutes to an hour.

6 Q. Day one when a child comes in, do you tell them
7 the ultimate goal is to talk about possible sexual
8 abuse?

9 A. You know, during that first session we don't
10 even mention it. We don't talk about that. We are just
11 doing rapport-building.

12 Q. What about the second and the third session, do
13 you talk about or mention in any way the forensic
14 interview or sexual abuse or things of that nature?

15 A. No, we don't.

16 Q. When you do get to the fourth session -- we
17 heard about the forensic interview, talking about truth
18 and lie, determining what that is. Do you go through
19 that process with the child?

20 A. Yes.

21 Q. With regard -- well, how do you do that?

22 A. You know, by that time the child has been
23 visiting you, hopefully, on a weekly basis. That's what
24 we -- we do like to schedule it on a weekly basis.
25 There's a routine of coming to the Children's Assessment

1 Center, so they hopefully feel more comfortable. I'm
2 sorry. Can you repeat the question?

3 Q. Sure. Of course.

4 When you get to the point where you're
5 going to talk about sexual abuse, do you go through the
6 process of talking about the difference between the
7 truth and a lie?

8 A. Yes, we do.

9 Q. How do you go about doing that?

10 A. In a very child-friendly way. And, of course,
11 questioning in a child-friendly way, we do ask them
12 about truth and lie and then they do take the oath to
13 tell the truth.

14 Q. If a child isn't able to demonstrate to you or
15 give you a definition of the truth or a lie, does that
16 end the interview? What happens?

17 A. No. Usually, with younger children we give
18 them an example. And, of course, they're kind of
19 child-friendly examples. They shouldn't be examples for
20 10-year-olds. They should be for younger children. No,
21 it doesn't end it, but for the most part children do
22 take the oath.

23 Q. If a child isn't able to take the oath, if
24 they're not able to distinguish or convey the difference
25 between the truth and a lie, do you still talk to the

1 child?

2 A. Oh, yes.

3 Q. Why do that if they haven't been able to
4 distinguish that difference?

5 A. Well, for some children they may not understand
6 the truth and a lie, but they're still able to give
7 their statement.

8 Q. With regard to Ryleigh Launer, do you remember
9 when you first met with Ryleigh?

10 A. Yes.

11 Q. And when was that?

12 A. It was in December of 2009.

13 Q. Okay. And you mentioned that the first session
14 you actually meet with a non-offending caregiver. Do
15 you remember who that was in this case?

16 A. That was her mother.

17 Q. Do you remember her name?

18 A. Therasa.

19 Q. When you first met with Ryleigh, did you go
20 through that rapport-building stage with her?

21 A. Yes.

22 Q. Let me ask you this. Is it required that a
23 child do an extended assessment?

24 A. No.

25 Q. Can a mom say: No, I don't want to do this?

1 A. Yes.

2 Q. When you met with Ryleigh, did she continue to
3 come back for all five sessions?

4 A. Yes.

5 Q. When it got time for the first session with
6 regard to zeroing in and talking about sexual abuse, did
7 you go through the oath, truth versus a lie?

8 A. Yes.

9 Q. Were you able to -- and was Ryleigh able to
10 give an oath to tell the truth?

11 A. Yes.

12 Q. Now, when we see the forensic interview,
13 obviously, that's video-recorded. Are your sessions
14 video-recorded or audio-recorded?

15 A. No.

16 Q. Why not?

17 A. To tell you the truth, I'm not sure if they are
18 doing them now at the CAC, if they're recording them;
19 but in the past, they have not been required to be
20 recorded.

21 Q. And do you ever audio-record your
22 conversations?

23 A. No.

24 Q. Okay. When you were meeting and having these
25 sessions with a child, especially when you get to

1 session four where you're going to zero in on sexual
2 abuse, do you take notes on what you've spoken to the
3 child about?

4 A. Yes.

5 Q. Have you reviewed your notes with regard to
6 your fourth and fifth session with Ryleigh Launer?

7 A. Yes.

8 Q. With regard to Ryleigh -- well, let me step
9 back. Are there certain things you're looking for in a
10 disclosure?

11 A. Yes.

12 Q. And can you tell me what you're looking for?

13 A. Sure. Of course, if they're able to disclose
14 some kind of abuse and neglect and then you're wanting
15 to gather the specifics about that abuse or neglect that
16 the child disclosed.

17 Q. Do you ask them follow-up questions about how
18 things felt, smelled, tasted, things like that?

19 A. Yes.

20 Q. Did you go through that process with Ryleigh
21 Launer?

22 A. Yes.

23 Q. Would it be fair to say that the questioning
24 process, for lack of a better term, that you go through
25 with the extended assessment many times is more

1 detailed, more time spent in asking questions than a
2 forensic interview?

3 A. Yes.

4 Q. When speaking with Ryleigh Launer -- let me ask
5 you this: Can you tell us what a sensory detail is?

6 A. Sure. Basically, if a child does disclose, you
7 want to get the sensory details. What did it taste
8 like? What did it feel like? What did it sound like?
9 Or what was going on around you when this happened?

10 Q. Why are those details important to you, the
11 sensory details?

12 A. You know, it's almost like you have this
13 disclosure and then you build on top of that. You have
14 more details to make the -- I guess you would say the
15 statement or the case credible.

16 Q. With regard to your discussions with Ryleigh
17 Launer, was she able to provide sensory details to you?

18 A. Yes.

19 Q. Was she able to describe or demonstrate the
20 sexual abuse that you-all talked about?

21 A. Yes.

22 Q. Was she able to describe for you where this
23 happened?

24 A. Yes.

25 Q. Was she able to describe what had happened?

1 A. Yes.

2 Q. Was she able to describe her placement, the
3 placement of her body when this happened?

4 A. Yes.

5 Q. Was she able to describe who else was in the
6 house or where other people were?

7 A. Yes.

8 Q. Was she able to describe the kind of detail you
9 would expect from a 3-year-old child?

10 A. Yes.

11 Q. That having been said, was she giving
12 descriptions of things that a 3-year-old child shouldn't
13 know about?

14 A. I'm sorry. Repeat that.

15 Q. Was she able to give descriptions of things a
16 3-year-old child shouldn't know in a perfect world?

17 A. Yes.

18 MS. COLLINS: Pass the witness, Your Honor.

19 **CROSS-EXAMINATION**

20 **BY MR. OLIVER:**

21 Q. Ms. Ezell, are you familiar with Susan
22 Odhiambo?

23 A. Yes.

24 Q. Have you two received training on the same
25 sorts of techniques and methods?

1 A. Yes.

2 Q. Have you reviewed the CAC video in this case?

3 A. No.

4 Q. You said you did the extended forensic
5 examination, right?

6 A. Extended forensic evaluation, yes, sir.

7 Q. You took a whole bunch of notes and she was
8 able to give a lot of details, right?

9 A. Yes.

10 Q. None of this is recorded on audio or video,
11 right?

12 A. No, not in this case.

13 MR. OLIVER: I pass the witness, Judge.

14 MS. COLLINS: Nothing further, Your Honor.

15 THE COURT: All right. You may step down.
16 Approach the bench.

17 (At the Bench, on the record)

18 THE COURT: How many witnesses do we have
19 tomorrow?

20 MS. COLLINS: I don't have any. I don't
21 have any further witnesses.

22 THE COURT: Okay.

23 MR. OLIVER: Four.

24 THE COURT: Four?

25 MR. OLIVER: Yes, Your Honor.

1 THE COURT: I'm trying to get out of here
2 on Friday.

3 MS. COLLINS: Do you want to get started
4 earlier?

5 THE COURT: I was trying to get out of
6 here. I'm supposed to drive to San Antonio tomorrow. I
7 didn't expect us to be this late today. So -- well,
8 I'll come in the morning and see when we can get out of
9 here. I'll leave when we can get out of here, but we're
10 probably going to come back on Monday, maybe Tuesday.

11 MR. OLIVER: Do you think?

12 THE COURT: What do I think? Yeah, I
13 think.

14 MR. OLIVER: Two of my four aren't long at
15 all.

16 THE COURT: Well, we've got to do what
17 we've got to do. Have a seat. We'll leave now and come
18 back tomorrow at 9:30.

19 (Open court, defendant and jury present)

20 THE COURT: We'll let you go for the
21 evening. I'll ask you to come back at 9:30 and we'll
22 get as many witnesses done tomorrow as we can. And,
23 hopefully, we won't have to come back on Monday, but we
24 might have to come back on Monday. So, I'll warn you
25 ahead of time.