

1 (Open court, defendant and jury present.)

2 THE COURT: Be seated, please. All right.

3 Ms. Johnson, please call your next witness.

4 MS. JOHNSON: Your Honor, State calls Sergeant  
5 Patrick Fransen, please.

6 THE COURT: Right up here, please, Sergeant.

7 If you would, please raise your right hand.

8 (Witness sworn.)

9 THE COURT: If you would, have your seat,  
10 please. And would you please state and spell your name for  
11 my court reporter.

12 THE WITNESS: My name is Patrick Fransen,  
13 F-R-A-N-S-E-N.

14 THE COURT: You may proceed.

15 MS. JOHNSON: May I proceed? Thank you, Your  
16 Honor.

17 **PATRICK FRANSEN,**

18 having been first duly sworn, testified as follows:

19 **DIRECT EXAMINATION**

20 Q. (BY MS. JOHNSON) Good morning.

21 A. Good morning.

22 Q. Mr. Fransen, would you please introduce yourself to  
23 the ladies and gentlemen of the jury and let them know what  
24 you do for a living.

25 A. My name is Patrick Fransen. I'm a special agent

1 with the Federal Bureau of Investigation.

2 Q. Tell us a little bit about your background. How do  
3 you get to that position? If you don't mind, start with  
4 your educational background and where you went to school for  
5 us.

6 A. I attended the University of Nevada-Las Vegas. I  
7 grew up in Las Vegas. I went to school there. After  
8 obtaining a four-year college degree, through my time in  
9 college, I worked for Bank of America. And approximately  
10 four years after college, I was sent to the FBI Academy and  
11 went through the whole process and went through the FBI  
12 Academy in Quantico, Virginia. After graduating the academy  
13 in 1998, was assigned to Houston.

14 Q. Okay. So, since 1998, then with the FBI assigned  
15 to Houston. And I want to talk just generally about your  
16 duties in law enforcement. What kinds of things would you  
17 encounter just in the initial setting of being involved in  
18 law enforcement? Or what types of crimes, if that's fair.

19 A. I was initially assigned to investigate Colombian  
20 and Mexican cartels, drug trafficking organizations. I did  
21 that for four years. I then was transferred into a white  
22 collar squad, financial fraud squad, and was there for  
23 approximately two and a half years and wasn't very happy  
24 doing that. I came from a financial background. I wanted  
25 something different, so I raised my hand and went to a

1 violent crime squad and investigated all matters involving  
2 kidnappings, child kidnappings, child -- any crime involving  
3 a child, sexual assault of a child. We had some serial  
4 killing cases, bank robberies, murder for hire. After a  
5 short time in that group, I was asked to form a task force  
6 to specialize --

7 MR. JOHNSON: Object, Your Honor, to  
8 narrative.

9 THE COURT: Overruled.

10 Q. (BY MS. JOHNSON) Go ahead.

11 A. I was asked to formalize a task force which  
12 specialized in child prostitution matters.

13 Q. I want to take a step back and ask you briefly,  
14 when you said you were involved in drug trafficking or  
15 cartels out of Colombia, would that be safe to say that you  
16 have, in your experience and in your training, come in  
17 contact with issues related to narcotics or trafficking of  
18 that sort?

19 A. Yes.

20 Q. With regard to marijuana, cocaine and other things  
21 of that sort?

22 A. Correct.

23 Q. Now, do you also hold any certifications as -- with  
24 regard to law enforcement?

25 A. No. As an FBI agent, there's no type of -- a lot

1 of state police officers are required to get a certification  
2 called the TCLEOSE certification. As a FBI agent, we're not  
3 required to maintain those certifications.

4 Q. Okay. And as an FBI agent, you mentioned you're  
5 assigned to Houston but does that also mean that you have a  
6 broader reach?

7 A. Correct. We investigate all matters of federal  
8 crime and assist with local partners on state violations.

9 Q. Okay. Now, let's talk about you mentioned the fact  
10 that you moved into this area of investigating and child  
11 prostitution. So, tell us a little bit about that and how  
12 did that move get started.

13 A. Well, in 2003, the National Center for Missing and  
14 Exploited Children brought to light to law enforcement that  
15 they were receiving a lot of call-ins from parents or  
16 guardians that their children were missing and they were  
17 being suspected of involved in prostitution and the FBI  
18 started doing some analysis of that, speaking to law  
19 enforcement partners across the U.S. and doing something  
20 like a survey --

21 MR. JOHNSON: Objection, Your Honor, narrative  
22 and relevance.

23 THE COURT: Overruled.

24 Q. (BY MS. JOHNSON) Continue.

25 A. Doing a survey. Here in Houston we were asked, Go

1 out and meet with your local partners, meet with your police  
2 departments, your vice divisions -- that's the division that  
3 investigates prostitution -- your juvenile sex crimes  
4 divisions, the groups that interview juvenile children and  
5 missing persons divisions, meet with all these different  
6 groups and try and determine do you have a problem in your  
7 city with child prostitution.

8 Q. What did y'all find out?

9 A. We found out that Houston --

10 MR. JOHNSON: Objection, Your Honor,  
11 relevance.

12 THE COURT: Can you maybe ask that a little  
13 bit more specific to us?

14 MS. JOHNSON: Yes.

15 Q. (BY MS. JOHNSON) What were the results with regard  
16 to the issue of domestic minor sex trafficking here in  
17 Houston?

18 MR. JOHNSON: Objection, Your Honor,  
19 relevance.

20 THE COURT: Overruled. Just generally.

21 A. We found that there was a lot of children being --  
22 that were being picked up on the streets in Houston at that  
23 time who were involved in prostitution but they weren't  
24 being booked or processed for prostitution, they were being  
25 handled as missing persons or runaways. As soon as that

1 offense of the missing persons case was cleared, they'd be  
2 returned to a home or to a shelter, to CPS, whoever the  
3 guardian was.

4 Q. (BY MS. JOHNSON) And was that creating a problem  
5 or an issue?

6 A. It was because it was masking the real offense or  
7 real problem, meaning we have a lot of children being  
8 missing but their true underlying matter, that they were  
9 being prostituted, wasn't being discovered. It wasn't until  
10 we started doing specialized training with the police  
11 officers and patrol divisions to let them know, Hey, we have  
12 this specialized task force and if you come across a young  
13 lady or a young male who you suspect being involved in  
14 prostitution, give us a call. Just don't process the  
15 missing persons and close your case. Give us a call. We  
16 want to interview that child.

17 Q. So you mentioned that this all kind of began back  
18 in 2003, specifically here in Houston, and you just brought  
19 up the idea of this specialized task force. So tell us a  
20 little bit about that. Do you have not only specialized  
21 training and experience but are you also one of the people  
22 that trains others with regard to the issue of child  
23 prostitution?

24 A. Yes. We attended -- initially there was several --

25 MR. JOHNSON: Objection, Your Honor,

1 nonresponsive.

2 *THE COURT:* Sustained.

3 Q. (BY MS. JOHNSON) What training do you have with  
4 regard to child prostitution specifically?

5 A. I've attended numerous --

6 *MR. JOHNSON:* Objection, Your Honor,  
7 relevance.

8 *THE COURT:* Overruled.

9 A. I've attended numerous training sessions involving  
10 interrogation and interview techniques of sexual offense  
11 subjects, people who are engaging in sexual offenses of  
12 children. On the other hand of that, we've had extensive  
13 training involving child interviewing. A lot of these  
14 children initially are not cooperative. It's a different  
15 type of child victim. It's not like a child who, say, for  
16 example, is a small child who is being molested by a parent,  
17 guardian or neighbor. These children are typically --  
18 initially they're not really wanting to cooperate with law  
19 enforcement, so we had to get a lot of specialized training  
20 in how to deal with that victim mind-set and understand  
21 that, you know, that they may be not very pleasant when you  
22 meet with them but they are a child victim and that  
23 there's -- there's a situation, the circumstances that  
24 they're involved in has gotten them to where they're at at  
25 that point. We've had numerous training involving --

1                   MR. JOHNSON: Objection, Your Honor,  
2 narrative.

3                   THE COURT: Overruled. But can I stop you one  
4 second, Ms. Johnson? I need to call my 10:00 o'clock  
5 docket, so y'all just stay where you are.

6                   *(Off the record discussion.)*

7                   THE COURT: And you may proceed.

8                   MS. JOHNSON: Thank you, Your Honor.

9           Q.    (BY MS. JOHNSON) So you started to get into a  
10 little bit about the child victims and this type of unique  
11 circumstance. You mentioned the training. Do you also  
12 educate other law enforcement officers within the FBI and  
13 local agencies in how to deal with this issue of child  
14 prostitution?

15           A.   Yes, I've provided extensive training to all areas  
16 of law enforcement, state, federal and local police  
17 officers, as well as social service agencies, CPS and  
18 juvenile probation officers. I've also traveled to various  
19 cities throughout the United States to provide training to  
20 other law enforcement and social service agencies.

21           Q.    And so this issue, while you focused on Houston,  
22 it's not just limited to the borders of Houston; is that  
23 fair to say?

24                   MR. JOHNSON: Objection, Your Honor,  
25 relevance.





1                    *THE COURT:* You may.

2            *Q.* (BY *MS. JOHNSON*) Did you find out that a phone had  
3 been recovered from this scene?

4            *A.* I did.

5            *Q.* Officer Fransen, I'm handing you what's been  
6 previously marked but not admitted as State's 11. Do you  
7 recognize this?

8            *A.* Yes, I do.

9            *Q.* What is it?

10           *A.* It's the cell phone extraction report from the  
11 cellular phone that was found in the vehicle with the  
12 defendant.

13           *Q.* And does that include a complete list of that  
14 report and no redacted portions?

15           *A.* It does.

16                    *MS. JOHNSON:* Your Honor, at this time State  
17 offers State's Exhibit 11, tendering it to defense counsel  
18 for any objection.

19                    Excuse me. This is 7. I couldn't read my  
20 writing. It's State's 7.

21                    *MR. JOHNSON:* No objection, Judge.

22                    *THE COURT:* State's Exhibit 7 will be  
23 admitted.

24                    *MS. JOHNSON:* Your Honor, may I publish to the  
25 jury?

1                   THE COURT: You may.

2                   MS. JOHNSON: Sorry. That little 7 looks like  
3 an 11.

4           Q.    (BY MS. JOHNSON) All right, Sergeant Fransen. I  
5 want to go through a couple portions of this report that you  
6 just let us know were an extraction of the phone that was  
7 recovered from the scene on October 7th, 2011, that we had  
8 previously heard is a phone number and phone connected to  
9 Kojuan Miles. Have you had a chance to look at this report?  
10 And I know initially you were discussing the fact that the  
11 text messages as they appear are not necessarily in a  
12 timeline order; is that correct?

13           A.    Yes, it is.

14           Q.    Okay. And why is that important? Or as far as the  
15 technology and phones is concerned?

16           A.    What this is is this is a very cheap phone. It's a  
17 phone that you can buy from any type of store and you add  
18 minutes to, so the capability of the data and what it can  
19 and can't do is very limited. On very expensive phones when  
20 we do these reports and we do these downloads, it will show  
21 a chronological order of incoming/outgoing texts, so it's a  
22 lot easier to understand. You don't have to go back and  
23 forth to try and match up the incoming and outgoing numbers.

24           Q.    In this circumstance, we are now looking at page 11  
25 on State's Exhibit 7 and we see here up at the top that it

1 says: SMS message inbox, and we see that this is just a  
2 long series of inbox texts; correct?

3 A. Correct.

4 Q. And then when we look back at the back, as you  
5 mentioned, on page 15, we then see what is the outbox  
6 portion of those messages coming back and forth and so  
7 normally you would have a system where they could actually  
8 timeline it for us and say incoming, outcoming, incoming,  
9 outcoming, so we can read it without having to flip back and  
10 forth from the page; is that correct?

11 A. On higher-end phones, yes.

12 Q. In your experience and your training in dealing  
13 with child prostitution and/or for pimps, what's the  
14 purpose, potentially, of having a phone of this kind?

15 A. It's very common that pimps will either communicate  
16 and provide their prostitutes with phones and communicate  
17 back and forth to them via text messages.

18 Q. So I'm going to flip back to the incoming portion  
19 here and try to highlight on page 11 and we're going to see  
20 a series of texts. Are you able to read those on your  
21 screen there?

22 A. Yes.

23 Q. Let's go through a few of them and I want you to  
24 tell us, if you can tell, what's important about these text  
25 messages. Hey, can you call me, right, cuz, I have

1 something to tell you quick, just right now, please. I have  
2 to go to work tomorrow. I know that you're busy but just  
3 call me right now, please.

4 And again, these are inboxes but when we get  
5 down here to Section No. 10 on 8-31-2011, we see a phrase  
6 that says: That's where you been catching your dates,  
7 correct?

8 A. Correct.

9 Q. Okay. See up above here, we see on 8-30-2011, we  
10 see, Oyup, so what's that put us at? 160. We also see:  
11 Okay, do ya thing, at Text 11. And: Let's see it and make  
12 it happen, at 14.

13 Let's cross over to this outgoing --

14 MR. JOHNSON: Objection, Your Honor. There's  
15 no -- there's no questioning going on. It's just a --

16 THE COURT: Okay. Keep it in question/answer.

17 Q. (BY MS. JOHNSON) So now that we're looking at the  
18 outbound text messages on 8-30 of 2011, we see this: I'm  
19 with a customer; you have to wait. 40. The trap is 130.  
20 What, in your experience, is this communication back and  
21 forth discussing?

22 A. By reviewing the report and matching the times back  
23 and forth, the initial call: I'm with a customer; you'll  
24 have to wait, is in reference to the initial calls which I  
25 believe is from a customer asking her to contact him. I

1 believe that this phone at this point was being carried by a  
2 prostitute and she -- the customer -- on the 8-30-2011,  
3 10:58 call is her telling that customer: I'm busy. I'm  
4 with a customer; you're going to have to wait.

5 Q. Okay. How about we see on this picture where it  
6 says: What's that put us at? 160. And then again we see  
7 on the back page: 40 and 130. In your experience, what are  
8 these numbers usually referring to?

9 A. By reviewing this, what I see, the 40 and going  
10 through the progression, that is the prostitute informing  
11 Mr. Miles or the pimp of how much she's making at each date  
12 or at each sex transaction, how much she's making. If we go  
13 down to the progression and it matches the other side,  
14 there's a -- the amount, he asked, What are you up to -- can  
15 I read from the copy here?

16 Q. Sure.

17 A. Looking at the SMS -- the text messages on the  
18 inbox to kind of match it up on this screen, I see that the  
19 calls were in the incoming calls -- excuse me -- the  
20 incoming call, it says: So what's this put us up to? 160.

21 Q. When you say that, you're referring to Text No. 7  
22 on page 11, right?

23 A. Correct.

24 Q. Okay. And then looking back at the sent page.

25 A. And the prostitute responds: 220.

1 Q. All right. Let me jump down a little bit on this  
2 sent line. Looking at Text No. 11, on page 15 where it  
3 says: Damn, daddy, I need two dates and I'm there, what's  
4 that referring to?

5 A. That's referring to the pimp's quota or the trap or  
6 what the pimp requires the prostitute to make each night.  
7 Most pimps will have a quota but the term, in the pimping  
8 world, is a trap and what the prostitute is saying is she  
9 needs two more dates to reach her goal that the pimp has  
10 established.

11 Q. And let's look back up now since -- do you believe  
12 that this communication going back and forth is between a  
13 prostitute and a pimp?

14 A. Most definitely.

15 Q. Okay. In this section right here, 8-30 at 11:19,  
16 which is Text No. 4 on page 15 of State's Exhibit 7, it  
17 says: Can I get something to drink? When we jump back on  
18 page 11, we see a response at 8-30 at 11:25 that says: I  
19 said yeah. What's that about?

20 MR. JOHNSON: Objection, Your Honor,  
21 speculation.

22 THE COURT: Sustained.

23 Q. (BY MS. JOHNSON) Okay. All right. After that:  
24 Hey, can I get something to drink, if we follow that  
25 communication, it says: Yes, and then we've got a text that

1 says: 30, and I called you after I texted you. Then we see  
2 this: Oh, so what's that put us at? 160? Are we still  
3 talking about where we are with our amount of money that  
4 needs to be made for the day?

5 MR. JOHNSON: Objection, Your Honor,  
6 speculation.

7 THE COURT: Sustained.

8 Q. (BY MS. JOHNSON) All right. Let's talk about  
9 potentially this text here at 8-31 at 12:16 AM. Well, 45,  
10 he's gonna make up for that 5 I spent. Is that potentially  
11 saying I got to make up for the drink that I bought?

12 MR. JOHNSON: Objection, Your Honor,  
13 speculation.

14 THE COURT: You want to rephrase that?

15 MS. JOHNSON: Okay.

16 Q. (BY MS. JOHNSON) In your training and experience  
17 and looking at this communication back and forth, what do  
18 you think is happening there?

19 MR. JOHNSON: Objection, Your Honor,  
20 speculation.

21 THE COURT: Overruled.

22 Q. (BY MS. JOHNSON) You can answer.

23 A. Pimping is -- for -- the -- in -- commonly involved  
24 with pimping and prostitution, it's referred to as the game,  
25 the game of pimping. And in the game of pimping, a



1 prostitute is not able to spend the money that she's making.  
2 That money is a hundred percent the pimp's money. And when  
3 a female wants to make -- you know, get something to eat and  
4 get something to drink, she's going to have to request  
5 authorization to spend the money that she made from  
6 prostitution to buy herself food or drinks. So it is --  
7 based on my training, beliefs and my experience, she is  
8 asking can she buy a drink and with that money, now she's  
9 saying on this date I'm going to charge him a little more to  
10 make up for the money I spent.

11 Q. For a drink.

12 A. For a drink.

13 Q. And let's look here on page 12 of State's Exhibit  
14 7. And you mentioned that this appears to be a prostitute  
15 who actually has the phone at the time but on 9-3 at 2013,  
16 (sic) at 8:04 PM, here's a text in saying: Have Kojuan  
17 call. What does that indicate to you?

18 A. That the person carrying this phone is associated  
19 with Kojuan.

20 Q. Were you able to review the rest of these messages?

21 A. Yes, I was.

22 Q. And we see here in a section where it says: What  
23 up, Dough Boy, it's Michael, you think you can spot a dime  
24 till tomorrow? Do you have any indication of who might go  
25 by a nickname, Dough Boy?

1 A. I do.

2 Q. Okay. And who would that be?

3 A. The defendant.

4 Q. And what is that text referring to there?

5 A. A drug transaction.

6 Q. Okay. So, what is that? A dime?

7 A. A dime is referring to an amount of drugs.

8 Q. Okay. And you also mentioned that you had  
9 previously encountered the defendant, correct?

10 A. Yes, I had.

11 MS. JOHNSON: Your Honor, may I approach?

12 THE COURT: You may.

13 Q. (BY MS. JOHNSON) I'm handing you what's been  
14 marked as State's Exhibits No. 19 and 20. What are those?

15 A. Pictures of the defendant.

16 Q. Okay. Do they fairly and accurately depict the  
17 defendant?

18 A. Yes, they do.

19 MS. JOHNSON: Your Honor, at this time the  
20 State offers State's Exhibits No. 19 and No. 20, tendering  
21 them to defense counsel for any objection.

22 MR. JOHNSON: No objection, Judge.

23 THE COURT: 19 and 20 will be admitted.

24 MS. JOHNSON: Let me publish -- Your Honor,  
25 may I publish State's 20?

1                   THE COURT: You may.

2           Q.    (BY MS. JOHNSON) Let me show you here on State's  
3 Exhibit 20, do you recognize that to be the defendant?

4           A.    Yes, I do.

5           Q.    Do you recognize the tattoo on the front of his  
6 chest there?

7           A.    I do.

8           Q.    And what does that say?

9           A.    Doh Boy.

10          Q.    All right. Do you continue to see references to  
11 Dough Boy or Dope Boy throughout this series of cell phones?

12          A.    Yes.

13          Q.    Okay. And what are they regarding?

14          A.    Drug transactions.

15                   MS. JOHNSON: Your Honor, may I approach?

16                   THE COURT: You may.

17          Q.    (BY MS. JOHNSON) In your experience, is it common  
18 for a pimp to also have access to drugs?

19          A.    Yes.

20          Q.    What's the purpose of that?

21          A.    Generally pimps maintain smaller amounts of drugs  
22 for their prostitutes and for themselves. Most of the time  
23 we see these drugs to be marijuana or pills, like  
24 prescription pills, painkillers, muscle relaxers and  
25 occasionally we see pills or drugs such as ecstasy.

1 Q. Okay. And why do they use those?

2 MR. JOHNSON: Objection, Your Honor,  
3 speculation.

4 THE COURT: I'm sorry. Could you ask your  
5 question again?

6 Q. (BY MS. JOHNSON) Yeah. You mentioned the fact  
7 that they use other pills, drugs, ecstasy and things of that  
8 sort. Why would a pimp -- why do they want those drugs?

9 MR. JOHNSON: Again, Your Honor, speculation.

10 THE COURT: Sustained.

11 Q. (BY MS. JOHNSON) Did you have an opportunity in  
12 reviewing your report to find out where the defendant had  
13 kept the complainant when they cut through town?

14 A. Yes.

15 Q. Where was it?

16 A. At what's referred to as a trap house, which is a  
17 drug location.

18 Q. Okay. And why potentially would a pimp bring a  
19 child through a trap house?

20 MR. JOHNSON: Objection, Your Honor,  
21 speculation.

22 THE COURT: Overruled.

23 A. One --

24 THE COURT: If you can answer it based on your  
25 training and experience. I don't know if you can or not,

1 so.

2 A. It would be a location that he is familiar with  
3 that it would be easily accessible to obtain drugs.

4 Q. (BY MS. JOHNSON) Again, why would that be  
5 important?

6 MR. JOHNSON: Objection, Your Honor,  
7 speculation.

8 THE COURT: If you can answer it based on your  
9 training and experience.

10 A. Based on my training and experience, having the  
11 availability of drugs to provide to a prostitute is  
12 important because it provides them a way to maintain that  
13 control with the pimp.

14 MS. JOHNSON: Your Honor, may we approach?

15 THE COURT: Sure.

16 (At the bench, on the record.)

17 MS. JOHNSON: Your Honor, at this time the  
18 State wishes to get into the unredacted portions of the  
19 Children's Assessment Center document, which is State's  
20 Exhibit 11. There is the page that we redacted previously  
21 during guilt/innocence that the State wants to get into with  
22 this witness.

23 MR. HOCHGLAUBE: I don't see a problem with  
24 that.

25 MS. JOHNSON: May I offer this one page as a

1 separate exhibit?

2 *THE COURT:* That's probably the best way to  
3 handle it.

4 *MS. JOHNSON:* Thank you, Your Honor.

5 *(End of discussion at the bench.)*

6 *MS. JOHNSON:* Your Honor, at this time the  
7 State moves to admit State's Exhibit No. 21, which is the  
8 unredacted portion of a page out of the Children's  
9 Assessment Center report that was previously marked and  
10 admitted as State's Exhibit 11.

11 *THE COURT:* Any objection to 21, now that  
12 y'all have seen it?

13 *MR. JOHNSON:* No, Judge.

14 *THE COURT:* 21 will be admitted.

15 *Q. (BY MS. JOHNSON)* Sergeant Fransen, I'm going to  
16 show you what has been admitted as State's Exhibit 21, which  
17 is an unredacted page from the Children's Assessment Center  
18 where this child was brought for an evaluation. I want to  
19 ask you a couple things about that page. We see in here  
20 where the child described to the doctor, when asked, Were  
21 you instructed not to tell anyone?

22 "Um, not the cops, that was it. He told me to  
23 say I was 18" --

24 *MR. JOHNSON:* Objection, Your Honor. There's  
25 been no -- there's still been no question asked.

1                   THE COURT: Okay. I'm sorry.

2                   MS. JOHNSON: Laying the foundation for the  
3 question, Your Honor.

4                   THE COURT: Okay.

5           Q.    (BY MS. JOHNSON) On this page on State's Exhibit  
6 21, we see there where it says, when asked, Did they tell  
7 you will not to tell anybody?

8                   And it says, Yes, um, not the cops. I was  
9 told to say I was 18 and my name was Daisy. Why is that  
10 important?

11                  MR. JOHNSON: Objection, Your Honor, Counsel's  
12 testifying.

13                  THE COURT: Overruled.

14           Q.    (BY MS. JOHNSON) Why is that important?

15           A.    Female prostitutes or male prostitutes that are  
16 arrested for prostitution, once you obtain the age of 17,  
17 are handled in the state courts as an adult; a child is  
18 handled at the juvenile court. And when we investigate  
19 these matters and we recover a child, the offenses in the  
20 court -- excuse me -- the penalties for pimping a juvenile  
21 are substantially greater than an adult.

22           Q.    So, let's say in this circumstance the child had  
23 actually been believed to be 18, been processed through the  
24 system like she was really 18, what would have happened?

25                  MR. JOHNSON: Objection, Your Honor,

1 speculation, and it's not relevant, Judge.

2 THE COURT: Sustained as to relevancy.

3 Q. (BY MS. JOHNSON) What about this: Don't tell the  
4 cops? And we see here a little bit further along, "He gave  
5 me lots of advice to keep me safe. He told me he was gonna  
6 put me down somewhere."

7 "He said you can tell if it's a cop, if they  
8 vice or the police, touch them and if they won't let you,  
9 get out of the car and ask them to show it to you -- they  
10 dick -- or ask them to touch you and if they don't, get out  
11 the car. We was going to LA." What does that tell you  
12 there?

13 A. What it tells me is he, the pimp, Mr. Miles,  
14 explained to her what he believed would be a way for her to  
15 test the customer to verify if they were a undercover police  
16 officer. And he gave her suggestions, by touching the  
17 officer's penis and believing that if she was to touch his  
18 penis, he would not be able to let that happen and she could  
19 find out that he was a police officer, the police officer  
20 would have to stop the undercover act.

21 Q. So in that respect, get out before you make a deal  
22 so you don't get busted, right?

23 A. Correct.

24 Q. And does that sound like somebody who is  
25 experienced and knows what kind of advice to give within the



1 game?

2 MR. JOHNSON: Objection, Your Honor,  
3 speculation.

4 THE COURT: Overruled.

5 A. Yes.

6 Q. (BY MS. JOHNSON) They know what they're doing?

7 A. Correct.

8 Q. We also see, "He had another girl in LA, Nunu or  
9 Nini, something like that." What does that tell you?

10 A. One, it corroborated that she told -- she told the  
11 doctor the same thing she told us, that he told her he was  
12 going to take her to LA. The other thing is that it tells  
13 me that he maintained a -- what we refer to or the pimps  
14 refer to as a stable of multiple females.

15 Q. And is that stable important?

16 A. It is. It provides the foundation to show that  
17 he's been experienced at pimping and he has more than one  
18 female, shows that he's operating females in many states and  
19 it shows that he -- what we see -- based on my training and  
20 experience, he has a mechanism in place to help recruit  
21 younger juveniles because you can use these older juveniles  
22 to sell younger girls into prostitution.

23 Q. Okay. And what's significant about the fact that  
24 he's working somebody in California, goes to North Carolina  
25 and is bringing somebody back? What's significant about

1 taking a 15-year-old from her home environment and leaving  
2 and taking her to the west coast?

3 A. It's really important when you deal with juveniles  
4 because you're taking a person that, in most cases, have not  
5 been out of their small area and you've taken them to a  
6 strange surrounding, now they're really depending and  
7 relying on that pimp for their safety, their -- you know,  
8 their basic necessities, food, survival, welfare.

9 Q. And we heard, as in here, he's got another girl in  
10 LA. Granted, we don't know how old she is but, I mean,  
11 wouldn't we say, Hey, if he's in North Carolina, why don't  
12 you just bolt? I mean, how could we believe that he could  
13 really maintain that kind of control over her from afar?

14 MR. JOHNSON: Objection, Your Honor,  
15 relevance.

16 THE COURT: Overruled.

17 A. We see it very commonly when a pimp will have a  
18 prostitute in another location, that the pimping term is  
19 he'll have that female on autopilot and it just shows his  
20 domination or his control over that female, that she has  
21 been trained or she is now following his rules enough that  
22 he believes he can keep maintaining her or keep her in  
23 another location, engage in prostitution and then make money  
24 for his enterprise.

25 Q. (BY MS. JOHNSON) With the control, is that control

1 always violent?

2 A. No. It's very commonly that there's little  
3 violence. Most of these individuals, especially the  
4 juveniles, get involved in prostitution for what they  
5 perceive is love, affection and attention. It's similar to  
6 a domestic violence situation or a brainwashing. They were  
7 sold a dream and they're going amongst his plan of that I'm  
8 going to give you this, this and that and that's why they  
9 leave.

10 Q. Can it also involve either violence or maybe even a  
11 threat of violence? They don't have to do it but there may  
12 be a threat to it?

13 A. It's common that there's a threat or sometimes  
14 there is violence but it's common that there would be  
15 violence or a threat of violence or we also see several  
16 times where the pimps in the game, it's referred to as  
17 bottom bitch, his main female, it's somewhat understood that  
18 she'll take beatings, he will beat her in front of the other  
19 girls in an effort to put fear in the eyes of the new  
20 females.

21 MS. JOHNSON: Your Honor, subject to our  
22 discussion before calling this witness, I pass the witness  
23 at this time.

24 THE COURT: Okay.

25 MR. JOHNSON: Briefly, Judge.

1                   THE COURT: Sure.

2                   **CROSS-EXAMINATION**

3           Q.    (BY MR. JOHNSON) You say initially when you took a  
4 look at the phone, you said that that was a conversation  
5 between a -- the phone was in a prostitute's possession,  
6 correct?

7           A.    I believe that the text messages I was looking at,  
8 a prostitute was maintaining that phone at that time.

9           Q.    Okay. And you could see the numbers that that  
10 phone -- that those calls were going to, correct?

11          A.    Correct.

12          Q.    Okay. And did you look up that phone to see who  
13 may have been in possession of that phone?

14          A.    No, I did not.

15          Q.    Okay. And you don't know exactly who was in  
16 possession of that phone at the time they had it, correct?

17          A.    The phone -- the phone that was not -- the phone  
18 that was responding to the phone in our possession, I do not  
19 know who maintained that.

20          Q.    Okay. And that was back in August, correct?

21          A.    Correct.

22          Q.    Now you said that this was typically a low-cost  
23 phone, correct?

24          A.    The phone that was recovered was a low-cost phone,  
25 yes.