

1           A.     What I've experienced in the past is --

2                     MR. HOCHGLAUBE:   Judge, I object to relevance.  
3     He's not speaking to this defendant.

4                     THE COURT:   Sustained.

5                     MR. OTTO:   Pass the witness.

6                     THE COURT:   Mr. Hochglaube.

7                     MR. HOCHGLAUBE:   I don't have any questions,  
8     Judge.

9                     THE COURT:   May this witness be excused?

10                    MR. OTTO:   Yes, Your Honor.

11                    THE COURT:   On call, of course.

12                    Thank you, Deputy.  You're free to go.

13                    THE WITNESS:   Thank you.

14                    THE COURT:   Please don't discuss your  
15     testimony with any of the other witnesses.

16                    MS. JOHNSON:   State calls Patrick Fransen.

17                    May I proceed, Your Honor?

18                    THE COURT:   You may.

19                                    **PATRICK FRANSEN,**

20     having been first duly sworn, testified as follows:

21                                    **DIRECT EXAMINATION**

22                    Q.     (BY MS. JOHNSON)  Sergeant Fransen, welcome back.

23     I'm going to go through a few things with you.  We just

24     previously heard a jail call on State's Exhibit 29 that was

25     made where the caller identifies himself as Kojuan and says,

1 Hey, is Malik there? I need to talk to him. Do you know  
2 who Malik is?

3 A. Yes, I do.

4 Q. Who is that?

5 A. That is the 15-year-old male who introduced the  
6 child victim in this case to Mr. Miles.

7 Q. And we also see that that phone call was actually  
8 coming from a different SPN that we might not have otherwise  
9 have been able to identify and know about. I'm going to ask  
10 if you will go through with me on State's Exhibit 32 and I'm  
11 going to play a call beginning at 1 -- on January 20th of  
12 2014.

13 *(Audiotape played and stopped.)*

14 Q. *(BY MS. JOHNSON)* Can you hear that okay?

15 A. Barely.

16 Q. Okay. Let me try again.

17 *(Audiotape played and stopped.)*

18 Q. *(BY MS. JOHNSON)* So we heard in that call on  
19 January 20th, 2014, began and we heard a caller identify and  
20 say, Hey, do you think you can check my Facebook for me real  
21 quick?

22 Moving on to the additional portion of this  
23 clip.

24 *(Audiotape played and stopped.)*

25 Q. *(BY MS. JOHNSON)* Then this is Part 2 for that

1 call.

2 (Audiotape played and stopped.)

3 Q. (BY MS. JOHNSON) And Sergeant Fransen, we just  
4 heard in State's Exhibit 29 that there was a phone call made  
5 to 704-352-5924 in which the caller identified himself as  
6 Kojuan, made on January 18th, 2014. So, you are now  
7 continuing in this line of calling.

8 (Audiotape played and stopped.)

9 Q. (BY MS. JOHNSON) Again, would you remind us, who  
10 is Malik?

11 A. That's the juvenile who introduced the juvenile  
12 victim in this case to the defendant.

13 Q. Okay.

14 (Audiotape played and stopped.)

15 Q. (BY MS. JOHNSON) So, officer -- Sergeant Fransen,  
16 in looking at that, we heard: Tell him to check his  
17 Facebook, and any messages coming from me is good, correct?

18 A. Correct.

19 Q. We also heard that it said: Did he ever get or  
20 does he remember that something I sent him back in May; is  
21 that correct?

22 A. Correct.

23 Q. Okay. I'm going to take you to another clip here  
24 from May, on May the 5th, 2013. And this is, again, off of  
25 State's Exhibit 32.

1                                    (Audiotape played and stopped.)

2            Q.    (BY MS. JOHNSON) Excuse me. Let me actually take  
3 you to 5-11, the next one.

4                                    (Audiotape played and stopped.)

5            Q.    (BY MS. JOHNSON) So, on that call from 5-11, we  
6 heard him say: I don't know if the girl is going to show  
7 up. I know she's back in Charlotte. And he says: Yeah,  
8 that's why I need Malik to read that letter. It's, like,  
9 real, real important, correct?

10           A.    Correct.

11           Q.    Taking that with the call that we just heard  
12 previously, where again it sounds like the same caller and  
13 he's talking about did Malik get my messages on Facebook and  
14 the caller says he was kind of skeptical, thought it might  
15 be the police because it was saying some stuff and asking  
16 about the girl. And then we heard him say, Nope, messages  
17 on Facebook, we're good, they're from me. What, if any,  
18 concerns does that give you?

19           A.    Leads me to believe that he's trying to locate the  
20 witness.

21           Q.    Would that be a problem?

22           A.    That'd be a major problem.

23           Q.    Why?

24                            MR. JOHNSON: Object, Your Honor, speculation  
25 and relevance.

1                   THE COURT: Sustained.

2           Q.    (BY MS. JOHNSON) In your experience from having  
3 been out in the streets, your training and education in  
4 working with child victims of minor domestic sex  
5 trafficking, what are the concerns that you have for being  
6 able to pursue any offenders?

7                   MR. JOHNSON: Objection, Your Honor,  
8 relevance.

9                   THE COURT: Sustained.

10          Q.    (BY MS. JOHNSON) When you're dealing with these  
11 children, are these the type of witnesses that there's a  
12 concern of whether or not they'll be able to show up to  
13 court because of their circumstances?

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

16                  THE COURT: Sustained.

17          Q.    (BY MS. JOHNSON) Do these calls give you any  
18 indication that the defendant is trying to contact the  
19 complainant?

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

22                  THE COURT: Overruled.

23          A.    Yes.

24          Q.    (BY MS. JOHNSON) And again, these were before  
25 trial, correct?

1 A. Yes.

2 Q. Okay. I want to continue and look at going back  
3 now, we've gone from the call on January 20th, initially  
4 talking about Facebook, we then jump to May where there was  
5 the reference to, Hey, did he get the letter that I sent.  
6 I'm now going to come back to this January 20th call and  
7 continue the conversation that was happening between Kojuan  
8 Miles and his cousin.

9 (Audiotape played and stopped.)

10 Q. (BY MS. JOHNSON) So again, we heard about Malik  
11 and we heard about, If the girl doesn't show up, I'm good, I  
12 go home, right?

13 A. Correct.

14 Q. And is it your belief that the person that he's  
15 talking to named Malik is the same person that introduced  
16 him to the girl in North Carolina?

17 MR. JOHNSON: Objection, Your Honor,  
18 speculation.

19 THE COURT: Sustained.

20 Q. (BY MS. JOHNSON) I'm going to take you to another  
21 portion of calls and want to get your -- if you can help us  
22 explain what might be going on here. This is from  
23 January 6th of 2014.

24 (Audiotape played and stopped.)

25 Q. (BY MS. JOHNSON) So we heard there: I'm trying to

1 beat this ho-ass case and they're really, really recording  
2 my phone calls and I can't say too much, correct?

3 A. Correct.

4 Q. Okay. Let's continue on that call on January 6th,  
5 2014.

6 *(Audiotape played and stopped.)*

7 Q. *(BY MS. JOHNSON)* So, a couple of things that we  
8 heard in that clip where the other person on the call says:  
9 Trying to go ahead to this fuck-ass bitch house, and we're  
10 going to just kind of take this in context, and then he  
11 said, I'm riding dirty.

12 Let me take you to a continuation of that call  
13 on the 6th.

14 *(Audiotape played and stopped.)*

15 Q. *(BY MS. JOHNSON)* Did you catch that, Sergeant  
16 Fransen, where he says, If y'all do come, I want to chop it  
17 up with you on making some money type shit, correct?

18 A. Correct.

19 Q. Okay. I want to take you to the final portion of  
20 this call on the 6th.

21 *(Audiotape played and stopped.)*

22 Q. *(BY MS. JOHNSON)* We just heard there it sounds  
23 like another caller initially on the call and then it says,  
24 All right, all right, hold on, LA want to chop it up with  
25 you real quick. Do you know where the defendant is from?

1           A.     California.

2                     (Audiotape played and stopped.)

3                     THE COURT: Ms. Johnson, let me stop you right  
4 there.

5                     MS. JOHNSON: Yes, Your Honor.

6                     THE COURT: Ladies and gentlemen, we're just  
7 going to take a short break. We'll be in recess till a  
8 quarter till 3:00, please.

9                     (Jury not present.)

10                    (Recess.)

11                    (Jury present.)

12                    THE COURT: Be seated, please.

13                    And you may proceed.

14                    MS. JOHNSON: Thank you, Your Honor.

15           Q.     (BY MS. JOHNSON) Sergeant Fransen, we just  
16 heard -- Special Agent Fransen. I'm sorry. We just heard  
17 on January 6th a call and there's the line, Loyalty brings  
18 royalty. Is that a phrase that you're familiar with in your  
19 training or expertise?

20           A.     It's a term I've heard before.

21           Q.     Okay. And then we hear, I really want to have  
22 something going so when I come home, when I get out, I come  
23 out on top. What's happening in this call?

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



1                   THE COURT: If you can answer that question  
2 based on your training and experience.

3           A. Based on my training and experience, he is, one,  
4 trying to tell the individual he'd like to recruit some  
5 girls while he's in jail so that when he comes out, he'll  
6 have a foundation to begin from.

7           Q. (BY MS. JOHNSON) Okay. And in addition to the  
8 girls, we've also heard the stuff about purple and green  
9 come out of California, correct?

10          A. Correct.

11          Q. I'm going to take you to a call from 9-26 of 2013.

12                   (Audiotape played and stopped.)

13          Q. (BY MS. JOHNSON) So, a couple of things out of  
14 this call. One, we say that it's on September 26th, 2013,  
15 and up here we see that it's to a called party of  
16 818-538-1690, correct?

17          A. Correct.

18          Q. And we talked about this a little bit earlier with  
19 Deputy Galvan. But it's not coming from Kojuan Miles'  
20 phone. It's coming off of another SPN for somebody named  
21 Darcy Brown, Jr., okay?

22          A. Okay.

23          Q. Based on everything that you heard in the call  
24 about this is one of my hustles I used to do before jail,  
25 the weed, the chronic, the cush and the instructions on what

1 to do and how to send and it not being something on his SPN  
2 number, of which we would normally know about, what's your  
3 impression what's happening here?

4 A. The defendant is requesting this female to broker a  
5 drug transaction, a drug transaction for him by going to one  
6 of his suppliers, purchasing some marijuana, sending it via  
7 a commercial carrier or the U.S. Post Office to a person  
8 here in Houston.

9 Q. And would those be offenses?

10 A. Both federal and state.

11 Q. Okay. And I mean, how in the world can that happen  
12 sitting right out in the Harris County Jail?

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

15 THE COURT: Sustained.

16 Q. (BY MS. JOHNSON) All right. Let me show you on  
17 Clip No. 25 on State's Exhibit -- which is 32, dated  
18 10-12-2013.

19 (Audiotape played and stopped.)

20 Q. (BY MS. JOHNSON) So, on this call, it is on Kojuan  
21 Miles' SPN number, he identifies himself as Kojuan Miles and  
22 he gives that same phone number, 818-538-1690, and asks to  
23 contact somebody named Cherokee, correct?

24 A. Correct.

25 Q. Okay. I want to -- we kind of heard this

1 information about potential drug activity. I want to take  
2 you to another issue and refer to phone calls from 8-1-2013.  
3 I'm actually going to play two different calls from two  
4 different times and then ask you again, and I will remind  
5 you that earlier in the call, when talking about the setup  
6 for the weed and the cush, there was a reference to call  
7 832-613-4447. And here is --

8 *(Audiotape played and stopped.)*

9 Q. *(BY MS. JOHNSON)* Let's talk about that. He says,  
10 Hey, did you talk to the girl I sent you?

11 And he says, Yeah, I talked to her and she  
12 said she was with a trick.

13 Then we hear that, Hey, hey, hey, hold on, and  
14 they're laughing.

15 What's "trick" mean?

16 A. "Trick" is a term in the prostitution world  
17 referring to the customer, a person that's engaging in sex  
18 for a fee with a prostitute.

19 *(Audiotape played and stopped.)*

20 Q. *(BY MS. JOHNSON)* So we heard a couple of things.  
21 We heard a phone number that's a new number that we haven't  
22 heard from any of the others. We heard that her name is  
23 Erin and she's all open game, it's all up to you, and you  
24 tell her that Dough Boy gave you the number.

25 I'm going to continue on that call on

1 8-1-2013.

2 (Audiotape played and stopped.)

3 Q. (BY MS. JOHNSON) So what we heard in that one,  
4 there was some language there: Give her that first burst  
5 that's going to blow her head open and all the rest, and  
6 then he asks to have another number called. So that was on  
7 August 1st, 2013, 832-613-4447.

8 Let's go to August 4th, 2013, to that same  
9 number, 832-613-4447.

10 (Audiotape played and stopped.)

11 Q. (BY MS. JOHNSON) So we heard in that initial clip  
12 something about 250 for a woman and then something about a  
13 friend's dog got sick and wanted to give him \$90 and I said,  
14 aw, hell, no, I'm glad you called me. And then they got  
15 into that and then he said, You called the number I gave  
16 you.

17 I'm going to continue that call and then I'll  
18 ask you about some of these terms.

19 (Audiotape played and stopped.)

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

21 THE COURT: You may.

22 Q. (BY MS. JOHNSON) In addition to the  
23 identifications that you made earlier in the photograph, I'm  
24 going to show you what's been previously marked as State's  
25 Exhibit 33. Do you recognize it?

1 A. I do.

2 Q. What is it?

3 A. It's a picture of the defendant taken from his  
4 Facebook account holding a gold glass bottle, the glasses  
5 and hat on as he just described in the phone call.

6 MS. JOHNSON: Your Honor, at this time State  
7 offers State's Exhibit 33 to opposing counsel.

8 MR. JOHNSON: No objection, Your Honor.

9 THE COURT: 33 will be admitted.

10 MS. JOHNSON: Your Honor, marked as State's  
11 35. Excuse me.

12 Q. (BY MS. JOHNSON) Is that correct?

13 A. Yes.

14 MS. JOHNSON: Okay. State offers 35.

15 THE COURT: 35. Any objections to 35?

16 MR. JOHNSON: I believe it's the same.

17 THE COURT: I know. All right. It will be  
18 admitted.

19 Q. (BY MS. JOHNSON) So, we heard in that call, Send  
20 me the heftiest one that you can find. That's what I like.  
21 Correct?

22 A. Correct.

23 Q. I'm going to show you again what is marked as  
24 State's Exhibit 7. That's the phone that we have that we  
25 previously saw attached to Kojuan Miles. Do you see these

1 images that are in there?

2 A. I do.

3 Q. And what do they appear to be?

4 A. Larger females.

5 Q. Okay. But specifically --

6 MS. JOHNSON: Your Honor, may I publish?

7 THE COURT: You may.

8 Q. (BY MS. JOHNSON) I want to talk about kind of the  
9 style of this photograph. And we see where it's kind of a  
10 selfie, if you will, through a mirror that's not exactly  
11 clothed. You see this type of image from time to time?

12 A. Frequently.

13 Q. And what kind is it, generally?

14 A. A lot of times when we have pimps talking to  
15 females, recruiting females, they'll ask them to send them  
16 pictures of themselves.

17 Q. We see that image of that one woman there that  
18 appears to be in an open negligee. We see another image of  
19 a woman here that seems to be kind of a portrait. We see  
20 another image here of another girl and another girl,  
21 correct?

22 A. Correct.

23 Q. And then we see here State's Exhibit 35. Is that  
24 the defendant?

25 A. Yes, it is.

1           Q.    Okay.  We saw there in that call -- we heard where  
2   the other guy, he talks, Hey, about 250 and then she wanted  
3   to do something for 90 and talking about the strip club and  
4   then also talking about, Hey, man, if you need some  
5   commissary, I'll get my girls to drive down there and put  
6   something on your books.  What's going on there?

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

9                    THE COURT:  Maybe you need to break it down.

10                   MS. JOHNSON:  Sure.

11           Q.    (BY MS. JOHNSON)  Based on your training and  
12   experience and what you do, that number and that reference  
13   to, Hey, did you talk to a girl?  And then when he says,  
14   Yeah, and he did something for 250, she wanted to give 90 to  
15   some guy about their dog being sick and I said, damn, bitch,  
16   what you talking about, what's that about?

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

19                   THE COURT:  If you can answer that based on  
20   your training and experience.

21           A.    Based on my experience, I frequently see -- I've  
22   seen -- I've heard pimps talking to each other about girls  
23   engaging in prostitution and how much money they've made.

24           Q.    (BY MS. JOHNSON)  Okay.  And you mentioned earlier  
25   about the drink, about \$5 being spent on a drink and the

1 fact that pimps generally control the money and what it's  
2 going to; is that correct?

3 A. Yes, it is.

4 Q. And then how about that line? Because we heard a  
5 lot of chatter back and forth where he was saying, Hey,  
6 who's there, and he was, like, oh, he's sleeping. In your  
7 training and experience, would it suggest to you that  
8 whoever he's talking to on the phone has been somebody who's  
9 been in a pod with him before?

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

12 THE COURT: I'm not sure that there's a  
13 question there.

14 Q. (BY MS. JOHNSON) Okay. Do you have any idea how  
15 these two might have gotten to know each other, if you know?

16 A. I wouldn't be able to -- it would be a guess.

17 Q. Okay. All right. And how about where he says, I  
18 can help you out a whole lot more out here. If you need a  
19 little commissary, I'll get my girls to drive down and put  
20 something on your books. What about that?

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

23 THE COURT: If you can answer that based on  
24 your training and experience.

25 A. Based on my experience, the term "out here" refers



1 to the free world and the caller had made the statement "the  
2 free world." It's a term that's frequently used with people  
3 that have been to jail and refer to the outside world as the  
4 free world.

5 Q. (BY MS. JOHNSON) Okay. And then this, Help, and  
6 I'll have some of my girls come down and put money on your  
7 books.

8 A. Based upon --

9 MR. JOHNSON: Objection, Your Honor,  
10 speculation and relevance.

11 THE COURT: All right. If you can answer it  
12 based on your training and experience.

13 A. Based --

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

15 A. Based on my training and experience, pimps  
16 frequently help other pimps out when they go to jail. And  
17 the statement, I'll have my girls go put money on your books  
18 would be sending a prostitute to Houston to add money to the  
19 defendant's commissary account with the Harris County Jail.

20 Q. How they get to spend money inside the jail?

21 A. Correct.

22 Q. What do pimps -- what are some of the terms that  
23 are usually used for pimps for their prostitutes?

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

1                   *THE COURT:* Overruled.

2           A.     Pimps frequently refer to their girls as their  
3     bitches, their hoes. There's other terminology used when  
4     they're talking about prostitutes. They can refer to a  
5     prostitute as a duck, a bunny. There's several terms.

6           Q.     (BY MS. JOHNSON) Are those some of the terms that  
7     we've kind of heard sprinkled throughout the calls?

8           A.     Yes.

9           Q.     I want to take you to another call. So, in your  
10    impression, do you have any idea what he does for a living?

11                   MR. JOHNSON: Objection, Your Honor,  
12    speculation and relevance.

13                   *THE COURT:* Can you answer that based on your  
14    investigation?

15                   *THE WITNESS:* I assisted on this  
16    investigation, so based upon what I assisted in this  
17    investigation and the evidence I've reviewed for this, I'd  
18    be able to put my opinion together based upon my training  
19    and experience in cases I've investigated.

20                   *THE COURT:* Overruled.

21           A.     I believe he's a pimp.

22           Q.     (BY MS. JOHNSON) Okay. I want to talk about what  
23    kind of pimp he might be, okay? Let's go to a call on 12-7  
24    of 2013. Again, this is from -- this is from 12-7-2013.  
25    It's again being called to this number, 818-358-1690, which

1 is a girl we heard earlier as Cherokee, but this is coming  
2 off of another individual's SPN number and now this time  
3 it's off of somebody named Daniel Small, okay?

4 (Audiotape played and stopped.)

5 Q. (BY MS. JOHNSON) So we just heard that, she's  
6 crying, she says, It's really hard. And he says, That's why  
7 you need me out there. And this is the same girl that he  
8 was talking to earlier about coming down to make his bond to  
9 get him out. And this was on December 7th of 2013, correct?

10 A. Yes.

11 Q. I want to talk about a couple things. We heard  
12 where she said, Basically my family is not with me anymore  
13 and -- because of the situation and that he's going to have  
14 to take care of her. She says, You're going to have to take  
15 care of me, Kojuan. And he says, Yeah, I'm going to prove  
16 your family wrong, that's what I'm going to do.

17 In your training and experience, that  
18 conversation there between him and this girl, what type of  
19 situation is that, potentially?

20 MR. JOHNSON: Objection, Your Honor,  
21 speculation as well as relevance.

22 THE COURT: Sustained.

23 Q. (BY MS. JOHNSON) Have you been able to, so far,  
24 form an opinion about whether or not he is what we would  
25 call a gorilla pimp or a finesse pimp?

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

3                   THE COURT: It's just yes or no.

4                   A.     Yes.

5                   Q.     (BY MS. JOHNSON) Okay. And what kind of pimp is  
6                   he, in your training and experience?

7                   MR. JOHNSON: Again, Your Honor, relevance.

8                   THE COURT: Overruled.

9                   A.     A finesse pimp.

10                  Q.     (BY MS. JOHNSON) What's a finesse pimp?

11                  A.     A finesse pimp is a pimp who obtains females  
12                  through what they perceive as love, affection and attention.  
13                  Many of these girls have very low self-esteems or they're  
14                  from a low socioeconomic background and a finesse pimp will  
15                  come in and tell them that he's going to provide them with  
16                  love, affection and attention, provide them with shelter,  
17                  you know, fulfill all their needs, be a boyfriend. That's  
18                  why a lot of -- a finesse pimp -- most of these finesse  
19                  pimps refer to themselves as daddy or they'll tell the  
20                  female to call them daddy.

21                  Q.     And we saw that earlier in a text on the phone  
22                  where it says daddy; is that correct?

23                  A.     Correct.

24                  Q.     Okay. I want to take you to another call, which  
25                  is -- we just saw that that one was December, for the girl

1 named Cherokee. Now here is another series of calls for  
2 what appears to be another individual.

3 *(Audiotape played and stopped.)*

4 Q. (BY MS. JOHNSON) I'm going to skip ahead to the  
5 next call.

6 *(Audiotape played and stopped.)*

7 Q. (BY MS. JOHNSON) So we heard there where he's  
8 talking to her, Hey, am I bugging you? And then he says,  
9 I'm feeling jealous, you got me out of character, this shit  
10 is crazy. And he says, I think I'm getting out next week,  
11 and this is on 1-30-2014. And then I'm going to take you  
12 from there to the next portion of this call.

13 *(Audiotape played and stopped.)*

14 Q. (BY MS. JOHNSON) So we heard there she talked  
15 about some things going on in her life and he says, I want  
16 to see my boo, you done stole my heart.

17 And then let me take you to the end of this  
18 call. Again, this is another person other than Cherokee.

19 *(Audiotape played and stopped.)*

20 Q. (BY MS. JOHNSON) So we heard in there another call  
21 to another woman, not Cherokee, that he's got trying to get  
22 him bailed out and that he's going to take care of her, she  
23 can go ahead and leave her family. This is another one  
24 where he's saying, You done stole my heart, this is crazy.  
25 And then he asks, What if I want to take you back to

1 California with me?

2 What are your thoughts about what he's doing  
3 here in this conversation with this woman, based on your  
4 experience, expertise? And again, we don't know her age.

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

7 THE COURT: Sorry. Ask your question again.  
8 Sorry.

9 Q. (BY MS. JOHNSON) We've heard through this series  
10 of calls -- we've already heard about Cherokee and how  
11 they're going to work and try and get him out on bond and  
12 now we've got a girl here in Houston with her situation,  
13 calling her boo, I caught feelings, you're making me do  
14 stuff I don't normally do, and what if I want to take you  
15 with me back to California.

16 What are your thoughts about what he's doing  
17 with this particular individual on January 30th of 2014?

18 THE COURT: And your objection to speculation  
19 is sustained.

20 Q. (BY MS. JOHNSON) Sergeant Fransen, let me show you  
21 what's been marked as State's Exhibit 33. And this is an  
22 exhibit that we saw from Mr. Miles where he is writing a  
23 letter from Kojuan Miles to someone in the jail named  
24 Marilyn K. Miles. Doesn't appear that there's any relation  
25 between the two of them, but I want to go through this

1 and --

2 MR. JOHNSON: Your Honor, I'm going to object  
3 to all the sidebar.

4 THE COURT: Sustained. Just ask your  
5 question, please.

6 Q. (BY MS. JOHNSON) Would you start going through the  
7 language in this letter and tell us what it is that he's  
8 talking about based on your training, experience and  
9 expertise?

10 A. Yes.

11 Q. We can start from the beginning if you'd like.

12 A. Says: What's Gucci, just sitting here and you  
13 crossed my mind so I said, fuck it, I'm going to write you  
14 on P. I'm that new flavor in your ear, in my Craig Mack  
15 voice, so everything I tell you is for the better and I want  
16 you to really hear off what I've heard so far.

17 MR. JOHNSON: Objection, Your Honor,  
18 nonresponsive.

19 THE COURT: Sustained.

20 Q. (BY MS. JOHNSON) So in this first portion where  
21 we've got this: In my Craig Mark voice, and, What's up,  
22 Gucci, I want you to start hearing what I got to say for the  
23 better, do you have an idea what he's doing at this point in  
24 the letter or what he's setting up?

25 MR. JOHNSON: Objection, Your Honor,

1 speculation.

2 *THE COURT:* Sustained.

3 *Q.* (*BY MS. JOHNSON*) All right. Let me ask you this  
4 next portion: I've heard so far you've got a lot of  
5 potential, Sunshine. We've heard that "Sunshine" come up  
6 before.

7 I don't know exactly what you look like but I  
8 just judge off the description you gave me. I want to skip  
9 through, and it says: I can see you really being a top  
10 notch bitch, which would be my bottom bitch. What do those  
11 terms mean?

12 *A.* A top notch bitch would just be referring to she  
13 would be his No. 1 earner in the stable; his bottom bitch  
14 would be referring to his main prostitute, the one who is  
15 the one that all the other females aspire to be.

16 *Q.* When you fucking with dough, we don't do nothing  
17 but strive for excellence when it comes to this dough. A ho  
18 can be pretty and be built like a thoroughbred but if she  
19 happens to be lazy or really scared, she won't -- she won't  
20 ever make any money that will amount to anything.

21 What about that language? What's he referring  
22 to?

23 *MR. JOHNSON:* Objection, Your Honor,  
24 speculation.

25 *Q.* (*BY MS. JOHNSON*) Based on your training and



1 experience and expertise.

2 *THE COURT:* If you can answer it based on  
3 that.

4 A. By referring to "a ho," he's referring to a  
5 prostitute. And "built like a thoroughbred," thoroughbred's  
6 a term used in the pimping game to a prostitute who has  
7 physical attributes that may be appealing to many males and  
8 earn a lot of money.

9 Q. (BY MS. JOHNSON) And it says a thoroughbred always  
10 stands out, right, but the would-be thoroughbred would fade  
11 in the stretch but the pedigreed mud kicker, she'll come up,  
12 catch them big every time. So in other words, when it comes  
13 to knowing a good ho, you can always tell by da doh. Looks  
14 may always be deceiving but a lie is never told by the  
15 amount of money I would be receiving.

16 What does all that refer to, based on your  
17 training and expertise?

18 A. Just using the term "pedigree mud kickers" is  
19 another term. It's been around a long time in the pimping  
20 game. That refers to a hard-working prostitute. He's just  
21 telling her that, you know, you could be a thoroughbred and  
22 you can be a female that has a lot of desired physical  
23 attributes but not be a hard worker but he's -- then another  
24 term, you can be a pedigree mud kicker, just a hard-working  
25 girl and have more potential than what you first do as a

1 thoroughbred.

2 Q. It says, It crossed my mind when you say you were  
3 making 5 to 6 a night, so I'm going to give you some  
4 strengthen from a distance. An average bitch will go out in  
5 the street and work hard as hell until she gets 500, then  
6 she'll end up bullshitting the rest of the night, even  
7 though the night is still very young because she thin -- I  
8 guess -- what's that say? Can you figure that out?

9 A. I believe it is, just because of the way it was  
10 photocopied, "She thinks."

11 Q. She thinks she's made enough for the night's trap.  
12 Have we heard that phrase "trap" before?

13 A. Yes, I referred to it earlier.

14 Q. In the cell phone?

15 A. Yes.

16 Q. Long before he ever met this 15-year-old girl?

17 A. Yes.

18 Q. And what's he referring to in this language here?

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

21 THE COURT: Overruled.

22 A. Based on my experience, saying that, you know, he  
23 may have a trap or a quota of 5 to \$600 a night but, you  
24 know, the encouragement he's going to give her and how he's  
25 going to improve her, he'll make her better than the average

1 prostitute and that she will -- she'll be a better  
2 prostitute and that even though she's made her night's  
3 quota, she's not going to quit for the night; she's going to  
4 keep on making more money.

5 Q. (BY MS. JOHNSON) Okay. All right. Average ho,  
6 500 to 600 a night, sounds like money, 500 or 600 ain't  
7 really shit, Sunshine. Only the very best get to live like  
8 the best and I'm speaking from experience. What's that tell  
9 you?

10 A. That -- well, he's saying that, you know, if you  
11 want to be a quality prostitute and you want to be someone  
12 better than the average prostitute, you got to work hard and  
13 make more than 500, 600 a night and that he has experience  
14 in working with these type of women.

15 Q. Okay. It says, Sunshine, you've set your mind to  
16 think big if you want to do big things. You have to feel  
17 like you're getting higher, higher and closer to your dreams  
18 and then close your eyes because then you can feel it in  
19 your sleep. Always strive for the best and I promise you we  
20 will see the success.

21 What are your thoughts about that? What's he  
22 talking about?

23 MR. JOHNSON: Objection, Your Honor,  
24 speculation and relevance.

25 Q. (BY MS. JOHNSON) Based on your training and

1 experience.

2 *THE COURT:* Overruled.

3 A. Based on my training and experience, this is, in my  
4 mind, vintage finesse pimp, recruiting a female, using terms  
5 that he's going to make her achieve all of her dreams.

6 Q. (BY MS. JOHNSON) Her dreams or his dreams?

7 MR. JOHNSON: Objection, Your Honor,  
8 speculation and relevance.

9 *THE COURT:* Sustained.

10 Q. (BY MS. JOHNSON) Okay. Once again, the more  
11 progression, a hoe (sic) lot less stressing or in the better  
12 world, 5- or 600 ain't shit when you could be making a  
13 thousand. That's how I want you to start thinking now that  
14 you fucking with Pimping Dough. What's he referring to  
15 himself as there?

16 A. Based on my training and experience, he's referring  
17 to himself as Pimping Dough. That's his pimp name.

18 Q. Always strive to get more. You might have nights  
19 when you make 5- or 600 in three hours but that don't mean  
20 you slow down but you keep going until you reach your full  
21 potential and you might have slow nights where it might take  
22 awhile to make the trap but daddy understands when I know  
23 fasho (sic) that you being my bottom bitch, you a  
24 hard-working ho, above the average ho that's going to give  
25 it your all, so I ain't mad when you come up a little short.

1                   Can you explain to us, based on your training  
2 and experience and expertise, what some of those terms are  
3 referring to in those sentences?

4           A.    Yes.  Based on my training and experience, as I  
5 alluded earlier, many pimps use the term "daddy."  They want  
6 their prostitutes to refer to them as daddy and it's just a  
7 means to bring that girl into a family.  A lot of pimps will  
8 tell the girls that you're now part of the family, I'm the  
9 daddy of the family and I'm going to provide for you.

10                   He's saying that he's not going to be one of  
11 those pimps that will penalize her too bad for not going out  
12 and making the quota, that she understands that, you know,  
13 there may be times when they may not make that amount but he  
14 expects her to work hard and make it and he expects her to  
15 make more than that.

16           Q.    Okay.  And it says, Because I know fasho you gave  
17 it your all but if I know a bitch is lazy and be  
18 bullshitting, daddy going to go hard on the bitch if she  
19 come up short so it don't become an every-night thing.

20                   What's he talking about there, based on your  
21 training and experience and expertise?

22           A.    Based on my training and experience, "going hard on  
23 a bitch" could refer to physical assaults.  It could mean  
24 that he's going to withhold love, affection and attention.  
25 He may not let her come back to the hotel or house or

1 wherever they're staying until she works hard, until she  
2 makes the rest of the money. She may spend her entire night  
3 out until the morning hours until she makes the quota.

4 Q. So, given that, what he's already told us he is,  
5 what about this circumstance with Cherokee out in  
6 California, whose family's kicked her out, she doesn't have  
7 any place to go, where this other girl he's talking to, he's  
8 saying, Hey, why don't you come with me to California.

9 Based on your training and experience and expertise, does  
10 that sound like a setup to put them in this type of  
11 situation?

12 MR. JOHNSON: I'm going to object on a couple  
13 grounds. One, it is a mischaracterization of the evidence;  
14 two, that it calls for speculation.

15 THE COURT: Sustained.

16 Q. (BY MS. JOHNSON) Based on your training and  
17 experience and expertise, if somebody is removed from their  
18 home city or their situational support, does that put them  
19 in a position of weakness?

20 A. Yes, based on my training and experience, it's very  
21 common that pimps want to remove them from familiar  
22 surroundings. If they're from a small town, they want to  
23 get them out of the area so they become more reliable on the  
24 pimp.

25 Q. It says, Besides all that, Sunshine, I hope all is

1 well and this letter reaches you and I want to know what you  
2 know of the game, like, do you know how to stay in pocket?  
3 Do you round up a bunch of regulars and know how to keep 'em  
4 and pretty much how you go about shit on da blade.

5 Explain some of those new terms that we've  
6 seen in this letter.

7 A. Based on my training and experience, when he says,  
8 I want to know what you know about the game, the game he's  
9 referring to is the prostitution/pimping business.

10 Q. How about "staying in pocket"? What's that mean?

11 A. When he refers to "staying in pocket," the term  
12 "staying in pocket" is -- there are several rules in the  
13 game that pimps will provide their females to abide by.  
14 Many of them are just generally accepted as rules of the  
15 game. One of them is that you don't look at other males  
16 directly in the eye because that could be a pimp and under  
17 the old rules of the game, if you look at another male  
18 directly in the eyes, you're out of pocket, he has the  
19 ability to take you away from your current pimp and now  
20 you're his pimp; or if you're withholding all of the money  
21 or any of the money and not providing all the money to the  
22 pimp, you're out of pocket. Out of pocket is just simply a  
23 term saying that you're not abiding by the pimp's rules.  
24 Q. And you mentioned this staying in pocket or looking  
25 another pimp in the eye means you want to move, so

1 effectively, in your training and experience and expertise,  
2 are these women treated as property?

3 *MR. JOHNSON:* Objection, Your Honor,  
4 relevance.

5 *THE COURT:* Overruled.

6 A. 100 percent in my eyes and what I've seen and the  
7 hundreds of females I spoke to, a female prostitute is  
8 property, property of the pimp.

9 Q. (*BY MS. JOHNSON*) And so we've seen here -- who  
10 knows the age of these other two women that he's talking  
11 about --

12 *MR. JOHNSON:* Objection, Your Honor, sidebar.

13 *THE COURT:* Sustained.

14 Q. (*BY MS. JOHNSON*) We already know that he's pimped  
15 out a 15-year-old child. What's the significance of him  
16 having that kind of control over a 15-year-old?

17 *MR. JOHNSON:* Objection, Your Honor,  
18 relevance.

19 *THE COURT:* Sustained.

20 Q. (*BY MS. JOHNSON*) What about the blade"? What does  
21 that mean?

22 A. The "blade" is a term that refers to a street where  
23 prostitutes congregate and obtain business. It's just --  
24 it's a term -- it's the same thing that you will hear people  
25 refer to the track, the blade, the stroll. It's strictly a



1 reference of a street where prostitutes work.

2 Q. It says, Keep your head up, stay strong because as  
3 the days go on, they can never hold you too long. Yours  
4 sincerely, yo daddy. What's he referring to himself as  
5 there?

6 A. Daddy.

7 Q. And so what -- you mentioned -- what does that term  
8 mean?

9 A. When he says, "yo daddy," my training and  
10 experience and -- leads me to believe this female is already  
11 chose up with him and this is her pimp.

12 Q. So again, this is activity that's occurring while  
13 we're in the jail. Is there any indication to you, based on  
14 the phone calls that we've already heard, based on the  
15 letters that you've seen, that he stopped pimping?

16 A. No, he's continuing to pimp from jail.

17 Q. Right now?

18 A. Yes.

19 Q. Or while this case has been pending, correct?

20 A. Correct.

21 Q. I want to play for you one more call on this  
22 Cherokee that we talked about earlier. And this is on  
23 December 25th, 2013.

24 *(Audiotape played and stopped.)*

25 Q. *(BY MS. JOHNSON)* So we hear again these references

1 to, If I could have touched the ground, I could have proved  
2 your family wrong. I'm not mad at you, though. What's he  
3 referring to, if you know, in your training and experience  
4 and expertise, based on what we heard in the earlier calls?

5 A. Based on my training and experience, he's referring  
6 that if he could show her the game, he could make her into  
7 something and make her family proud.

8 Q. Okay. I want to play this additional call.

9 *(Audiotape played and stopped.)*

10 Q. *(BY MS. JOHNSON)* Okay. So, we heard there,  
11 talking to this girl, she says, I don't really talk to my  
12 family about you, obviously. And he says, Really, right now  
13 I wish I could put you on one of my hustles. You got to be  
14 solid. You got to do it. I wish I was on the other side;  
15 it'd be different. What's he referring to when he says, I  
16 wish I could put you on one of my hustles?

17 MR. JOHNSON: Objection, Your Honor,  
18 speculation.

19 THE COURT: Overruled.

20 A. Based on my training and experience, he's saying he  
21 wished that she was part of his stable, he could teach her  
22 the game.

23 Q. *(BY MS. JOHNSON)* And again, this is to the same  
24 number, to Cherokee at 818-538-1690, but it's not off his  
25 call where he wouldn't expect that we're listening to it,

1 correct?

2 A. Correct.

3 Q. Okay. Let me play the end of this call for you  
4 here.

5 (Audiotape played and stopped.)

6 Q. (BY MS. JOHNSON) We heard there she sounds to be  
7 pretty intoxicated, right?

8 A. Correct.

9 Q. And he says, I think that liquor got you sounding  
10 super sexy?

11 A. Yes.

12 Q. I'm going to fuck the shit out of you, girl. I  
13 hope I'll be home by February, correct?

14 A. Correct.

15 Q. You mentioned earlier, what is the impact or  
16 reasons that pimps might have drugs accessible and available  
17 for their girls?

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

20 THE COURT: Overruled.

21 A. Pimps normally use drugs to maintain their victims  
22 or maintain their prostitutes. It's not frequent that we  
23 see pimps using what's considered hard-core drugs because  
24 then those girls become addicted to those drugs and it's  
25 more harder for the pimp to control the female but it's very

1 frequent that they'll provide marijuana, ecstasy, Xanax,  
2 over-the-counter painkillers to keep them prostituting, keep  
3 them under their control.

4 MS. JOHNSON: Your Honor, I pass the witness.

5 THE COURT: Counsel?

6 MR. JOHNSON: Briefly, Judge.

7 **CROSS-EXAMINATION**

8 Q. (BY MR. JOHNSON) Special Agent, who is Cherokee?

9 A. A female.

10 Q. You ever met her?

11 A. Never.

12 Q. Ever talked to her?

13 A. Never.

14 Q. Do you have any real idea of what the relationship  
15 between Cherokee and Mr. Miles is?

16 A. That's kind of, like, an open-ended question.

17 Q. Let me -- you're basically guessing at what their  
18 relationship is right now, aren't you?

19 A. Based on my training and expertise.

20 Q. Right. You're guessing, right?

21 A. I don't believe I'm guessing. I believe I'm  
22 providing a logical answer.

23 Q. Do you know for certain what the answer is?

24 A. No.

25 Q. Then you're guessing, correct? Whether it's a

1 hypothesis, which is an educated guess, or just a random  
2 hunch, you're guessing, correct?

3 A. Sure.

4 Q. Because you don't know what the relationship is, do  
5 you?

6 A. No.

7 Q. Okay. Now, you talk about -- you talked with the  
8 prosecutor about all these special terms that are used in  
9 the pimp game, hoes and traps and blades, right?

10 A. Yes.

11 Q. Did you hear any of that in the conversation with  
12 Cherokee?

13 A. I don't know -- on that conversation? No, I don't  
14 know about the previous one.

15 Q. Right. You don't remember hearing any of those  
16 terms when he was talking to Cherokee, do you?

17 A. Not on that, no.

18 Q. As a matter of fact, you say that -- when we talked  
19 earlier, you talked about, you know, the family being -- one  
20 of the things the pimps try to do is they try to draw the  
21 people away from their family, correct? But you don't know  
22 why Cherokee was disassociated from her family, do you?

23 A. Well, I believe I do. I believe she said in her  
24 first call, Because of you, my family has pushed me away.  
25 And the first call with Cherokee --

1 Q. Special Agent, do you know why the -- what the  
2 disassociation is?

3 A. Only by what she said.

4 Q. Okay. So you don't really know?

5 A. No.

6 Q. Okay. They may not like him because he's  
7 African-American, correct?

8 A. That would be a guess.

9 Q. They may not like him because he's in custody,  
10 correct?

11 A. Could be possible.

12 Q. Okay. So you don't know what the reason is that  
13 they don't like him, correct?

14 A. I believe the first -- the first conversation with  
15 her, she says, Because of the situation you're in.

16 Q. Okay. That would be that he's in custody, correct?

17 A. Well, your question is because he's in custody and  
18 I think that's -- they would -- from what she said at the  
19 initial call, that would be yes, that's why they don't like  
20 him.

21 Q. And this girl from the January 30th call, you ever  
22 talk to her?

23 A. Never.

24 Q. Okay. Do you know who she is?

25 A. No.

1 Q. Okay. Do you know anything about her relationship  
2 with Mr. Miles?

3 A. No.

4 Q. Okay. And there was a phone conversation from  
5 August where somebody was talking about going to a strip  
6 club and spending money at a strip club and going over here  
7 and going over there. Who was the person who was going to  
8 those strip clubs?

9 A. I don't know.

10 Q. All right. Well, it wasn't Mr. Miles, was it?

11 A. Not that I know, no.

12 Q. Okay. And you don't know what relationship  
13 Mr. Miles has with him, do you?

14 A. I do not.

15 Q. Okay. That that could be just somebody that he  
16 knows, correct?

17 A. Correct.

18 Q. That doesn't have to be somebody he quote-unquote  
19 worked with, correct?

20 A. I don't know his association with that person.

21 Q. Who's Malik?

22 A. Malik is the 15-year-old individual related to  
23 Mr. Miles who introduced --

24 Q. It's his family member, correct?

25 A. I believe so, yes.

1 Q. Okay. So, is it peculiar that somebody would want  
2 to talk to somebody in their family?

3 A. On face terms, no.

4 Q. No. Okay. So, he could want to get in contact  
5 with his relative Malik, correct?

6 A. Correct.

7 Q. What's the contents of the letter that went to  
8 Malik?

9 A. I don't know.

10 Q. What's the contents of the Facebook post to Malik?

11 A. I don't know.

12 Q. So he's just trying to get in contact with a  
13 cousin, correct? That's the only thing that we do know,  
14 right?

15 A. Correct.

16 Q. Now, during your course of this entire  
17 investigation, you had the opportunity to speak with  
18 Ms. Jackson?

19 A. I did not personally, no.

20 Q. Did you learn from your investigation that her  
21 sister was a prostitute?

22 A. I personally did not, no.

23 Q. There were some pictures that you looked at,  
24 selfies, on the phone, correct?

25 A. Correct.



1 Q. Okay. That's kind of a new trend, isn't it?  
2 People sending pictures of themselves on their phone?

3 A. I frequently see that with juveniles, yes.

4 Q. Is the only reason that people send selfies related  
5 to prostitution?

6 A. Not that I'm aware of, no.

7 Q. Okay. So, somebody could be sending a picture of  
8 themselves and it have nothing to do with the game, correct?

9 A. Correct.

10 Q. Special Agent, do you ever testify on behalf of the  
11 defense?

12 A. I've never been subpoenaed to do so, no.

13 MR. JOHNSON: One moment, Judge.

14 (Mr. Hochglaube and Mr. Johnson whispering.)

15 Q. (BY MR. JOHNSON) I want to revisit a question that  
16 I asked you earlier. Do you know if Mr. Miles has ever been  
17 convicted of a felony?

18 A. Can you -- I want to be clear. Repeat the  
19 question.

20 Q. Do you know if Mr. Miles had ever been convicted of  
21 a felony offense?

22 A. Yes, I do.

23 Q. And as an adult, has Mr. Miles ever been convicted  
24 of a felony offense?

25 A. Not as an adult.

1 MR. JOHNSON: Pass the witness, Judge.

2 THE COURT: Anything further?

3 MS. JOHNSON: No further questions of this  
4 witness.

5 THE COURT: May this witness be excused?

6 MS. JOHNSON: Yes, Your Honor.

7 MR. JOHNSON: Court's pleasure.

8 THE COURT: Thank you, sir. You're free to  
9 go.

10 THE WITNESS: Thank you.

11 THE COURT: Please just don't talk to anybody  
12 about your testimony.

13 THE WITNESS: Yes, ma'am. Thank you.

14 THE COURT: Thank you.

15 Ladies and gentlemen, why don't we take a  
16 quick break. We'll be in recess until, let's say, 25 after.

17 (Jury not present.)

18 (Recess.)

19 (Jury present.)

20 THE COURT: Be seated, please. And please  
21 call your next witness.

22 MS. JOHNSON: Your Honor, the State rests.

23 THE COURT: State rests. Defense, please call  
24 your witness.

25 MR. HOCHGLAUBE: The defense calls Terrolynn