

1 THE COURT: All right. Come on up,
2 ma'am. Please raise your right hand.

3 (Witness sworn.)

4 THE COURT: Have a seat, please.
5 Make sure you speak into that microphone for us.
6 Thank you.

7 You may proceed.

8 MR. AYERS: Thank you, Your Honor.

9 **GABRIELLA GARZA,**

10 having been first duly sworn, testified as follows:

11 **DIRECT EXAMINATION**

12 **BY MR. AYERS:**

13 Q. Ma'am, could you please tell the jury
14 your name for the record?

15 A. Gabriella Garza.

16 Q. And, Ms. Garza, how are you employed?

17 A. I work for Harris County Pretrial
18 Services.

19 Q. And what does someone in your employ at
20 the Harris County Pretrial Services, what do you do?
21 What's your daily activity?

22 A. We collect information for the judges.

23 Q. And information from who?

24 A. From the defendants.

25 Q. Okay. And I guess a wide variety of

1 information, correct?

2 A. Right.

3 Q. And for the judges to use in deciding
4 issues relative --

5 A. Yes.

6 Q. -- to bonds, pretrial release and things
7 like that. Fair statement?

8 A. Yes.

9 Q. In this particular case were you the
10 person with Pretrial Services who compiled the
11 information regarding Mr. Deigo Rojas?

12 A. Yes.

13 Q. One of the things that you checked into,
14 is it fair to say, is the person's criminal record?

15 A. I didn't do the criminal record. I only
16 did the interview.

17 Q. All right. Is there someone there in
18 Pretrial Services that does verify the person's
19 criminal record?

20 A. Well, individually if we have to do the
21 criminal history, we'll do it. If we don't have
22 time, we have someone else do it.

23 Q. All right. Well, my question was
24 someone there at Pretrial typically checks someone's
25 criminal record, right?

1 A. Yes. Yes.

2 Q. And that's very important, isn't it?

3 A. Yes.

4 Q. And you don't just rely on what you're
5 told by a defendant, right? You verify it somehow?

6 A. No. We run their criminal history.

7 Q. All right. So you have access to the
8 official criminal history data that you check; is
9 that correct?

10 A. Yes.

11 Q. And is that information then placed in a
12 record, in a report --

13 A. Yes.

14 Q. -- in the normal course of business?

15 A. Yes.

16 Q. And you work for Pretrial Services and
17 you could be considered a custodian of those
18 reports, correct?

19 A. Yes.

20 Q. You have access to them, right?

21 A. Yes.

22 MR. AYERS: Your Honor, may I
23 approach the witness?

24 THE COURT: May.

25 Q. (By Mr. Ayers) Or actually do you have

1 a copy of the Pretrial Report --

2 A. Yes.

3 Q. -- for this case? I just want to ask
4 you one simple question.

5 According to that report -- and you're
6 saying the data is placed in there by people with
7 personal knowledge of that information, correct?

8 A. Right. Yes.

9 Q. Did someone verify the criminal record
10 in Mr. Rojas' case?

11 A. I'm pretty sure we did, yes.

12 Q. Well, is it there in the report as is
13 normally the case?

14 A. Yes.

15 Q. Okay. And according to that, would you
16 agree with me it shows he has one prior misdemeanor
17 conviction?

18 A. Yes.

19 Q. Does it show that he has any felony
20 convictions?

21 A. No.

22 MR. AYERS: Pass the witness,
23 Judge.

24 THE COURT: State.

25 MS. FAIAZ: Judge, may we approach?