

1 THE COURT: Call your next witness.

2 MS. ALLEN: Thomas Goodman.

3 THE BAILIFF: Judge, this witness has not
4 been sworn.

5 THE COURT: All right. Please raise your
6 right hand to be sworn.

7 (Witness sworn.)

8 THE COURT: All right. If you'll have a
9 seat, please.

10 Ms. Allen, you may proceed.

11 MS. ALLEN: Thank you, Your Honor.

12 **THOMAS GOODMAN,**
13 having been first duly sworn, testified as follows:

14 **DIRECT EXAMINATION**

15 BY MS. ALLEN:

16 Q. Would you please tell the ladies and gentlemen
17 of the jury your name?

18 A. My name is Thomas Goodman.

19 Q. And how do you spell Goodman?

20 A. G-O-O-D-M-A-N.

21 Q. How are you employed, Mr. Goodman?

22 A. I'm a electronic monitoring technician.

23 Q. What is an electronic monitoring technician?

24 A. I install and service electronic monitoring
25 equipment for a company called G4S. We have a Harris

1 County contract to do their electronic monitoring.

2 Q. When you say you have a contract to do
3 electronic monitoring, what kind of monitoring is that?

4 A. We put ankle bracelets on people that are on
5 house arrest. We actually monitor them to ensure they
6 are abiding by the curfews set by the Court.

7 Q. So, if someone is on bond on a criminal case
8 here in Harris County, Texas, is it possible for the
9 Judge to order them to wear an ankle monitor?

10 A. Yes, ma'am.

11 Q. If the monitor is on a person -- we call it an
12 ankle monitor because it goes around their leg; is that
13 right?

14 A. That's correct.

15 Q. Is it possible for a Judge to say, I want to
16 know every time the person leaves the area where they
17 live?

18 A. Yes.

19 Q. How far -- how does a monitor work? Is it
20 phone lines, or how is that?

21 A. The monitoring device is actually placed in the
22 home connected to the phone line which is how it
23 transmits data. Whenever the device on their ankle
24 comes within range, it says that the person has come
25 into the home; and when it goes out of range, it says

1 they left and it documents the time they come and go.

2 Q. So, if someone is on house arrest and they
3 leave their home, will the monitor record that?

4 A. Yes.

5 Q. And is that done in the regular course of
6 business of your business?

7 A. Yes, it is.

8 Q. And is there a transmission from the monitor in
9 the home to another location?

10 A. The -- yes, the transmission would go from the
11 monitor to the monitoring center, and they would copy
12 whatever officer is handling that particular individual
13 from Harris County.

14 Q. And you said your job is to install the
15 monitors and -- the ankle monitor and the monitoring
16 equipment, correct?

17 A. Yes, that's correct.

18 Q. Did you have an opportunity prior to May 5th of
19 2010, to install an ankle monitor on the person seated
20 to my right in the blue shirt?

21 A. I don't recall his face, but I'm assuming
22 you're talking about Mr. Reyes, I'm sorry, Flores.

23 Q. Mr. Flores. Were you assigned to go to 4203
24 Dragonwick and install an ankle monitor on a person
25 there?

1 A. Yes, I was.

2 Q. And was that person on bond out of the 338th
3 District Court at that time?

4 A. Yes, ma'am.

5 Q. Did you go and install the ankle monitor?

6 A. Yes, I did.

7 Q. Did you explain how it worked to him?

8 A. Basically, the officer presiding over him
9 explained to him what the parameters were as far as what
10 he could do. And normally what I do is just reiterate
11 what they said, that you have to be in whatever hours
12 they said they were on curfew.

13 Q. Is there a way that the equipment notifies the
14 monitoring center if something goes wrong with the
15 equipment or the phone line or something like that?

16 A. Yes, ma'am.

17 Q. So, itself, kind of a self-policing thing?

18 A. Yes, it would, yes, transmit that information
19 to the monitoring center.

20 Q. And the report that is generated you said will
21 report when the person leaves the range and when the
22 person comes back into the range; is that right?

23 A. Yes, ma'am.

24 Q. And approximately how far away does the ankle
25 monitor have to be from the monitor in the home to alert

1 that it left the area?

2 A. Typically between 100 and 150 feet.

3 Q. And does that depend on the structure of the
4 building that the monitor is in?

5 A. Yes, ma'am.

6 Q. Was there only one person that you put on the
7 ankle -- put an ankle monitor on at the 4203 Dragonwick
8 address?

9 A. Yes, just one.

10 MS. ALLEN: No further questions, Your
11 Honor. I'll pass the witness.

12 THE COURT: All right, Mr. Davis.

13 **CROSS-EXAMINATION**

14 BY MR. DAVIS:

15 Q. So, you're saying that the monitor only
16 measures 100 to 150 feet?

17 A. I said it measures within that range, yes.

18 Q. So, if I'm 200 feet, I'd be outside the range
19 of the monitor?

20 A. Yes.

21 Q. And that would reflect that I've left home?

22 A. Yes, you were out of range, yes.

23 Q. So, this really isn't something to monitor
24 leaving an area, it's to monitor you leaving your house,
25 right?

1 A. Yes.

2 Q. So, now there are actually different types of
3 monitors that can actually monitor where you go?

4 A. Correct.

5 Q. There are some that are GPS monitors that can
6 monitor as you move from one part of the city to the
7 next part of the city?

8 A. That's correct.

9 Q. But the type of monitoring that's going on was
10 sort of like a less intrusive type of monitoring,
11 correct?

12 A. What do you mean?

13 Q. There are some monitors where Judges want to
14 know every step a person goes?

15 A. Yes.

16 Q. Meaning, for example, out of the 230th District
17 Court, that Judge puts people on GPS monitoring, right?

18 A. Right.

19 Q. She wants no know everywhere they go and every
20 moment?

21 A. Correct.

22 Q. Correct?

23 A. Yes.

24 Q. At the time the monitoring that was in question
25 in this particular situation wasn't that type of

1 monitor?

2 A. He was not on GPS monitor.

3 Q. So, someone could walk down to the neighbor's
4 house, basically, and this would show they're out of
5 place?

6 A. Yes, show he left home.

7 Q. And the monitoring is in a situation where a
8 person is prohibited from leaving home on that type of
9 monitoring, right?

10 A. Well, I think the stipulation is they're to
11 remain at their residence during the hours of their
12 curfew.

13 Q. And also that they're supposed to remain at
14 their residence or be back at their residence at certain
15 times?

16 A. Correct.

17 Q. For example, a typical curfew might look like
18 7:00 to 7:00?

19 A. That's correct.

20 Q. 7:00 p.m. to 7:00 a.m., right?

21 A. Correct.

22 Q. A person is supposed to remain in the home when
23 they're not working or during work hours?

24 A. Yes, that's correct.

25 MR. DAVIS: I don't have any other

1 questions.

2 THE COURT: All right, anything further?

3 MS. ALLEN: Nothing further, Your Honor.

4 THE COURT: May Mr. Goodman be excused?

5 MS. ALLEN: Yes, ma'am.

6 THE COURT: All right. Thank you, sir.

7 You may step down.

8 Ladies and gentlemen, we are going to take
9 our morning recess at this time. If you'll step back to
10 the jury room with Deputy Kaminski, we'll be back with
11 you shortly.

12 THE BAILIFF: Rise for the jury.

13 (Jury exits courtroom.)

14 THE COURT: Be seated, please.

15 Let's go ahead and do the proffer or Bill
16 of Exception. Why don't we start with this, I did the
17 other Bill of Exception in the form of a proffer, if
18 there's something that he would need to answer, then
19 I'll bring him in for that. But right now for the
20 purposes of Bill of Exception I'd ask Mr. Davis that you
21 proffer the information that you are attempting to
22 elicit from the witness.

23 MR. DAVIS: I understand, Judge.

24 Basically, there was testimony from Yvonne Stern --

25 THE COURT: First of all, why don't we do