

1 All right. State, call your next
2 witness, please.

3 MR. GILLIAM: State calls Deputy
4 Jameson.

5 THE BAILIFF: This witness was
6 previously sworn, Judge.

7 THE COURT: Come up, please.

8 THE WITNESS: Yes, sir.

9 THE COURT: All right. You may
10 proceed.

11 MR. GILLIAM: Thank you, Judge.

12 **JOSEPH JAMESON,**

13 having been first duly sworn, testified as follows:

14 **DIRECT EXAMINATION**

15 **BY MR. GILLIAM:**

16 Q. Would please introduce yourself to us?

17 A. I'm Deputy Joseph Jameson.

18 Q. How are you employed, Deputy Jameson?

19 A. A full-time deputy with the Harris
20 County Sheriff's Office.

21 Q. How long have you been a deputy with the
22 Harris County Sheriff's Office?

23 A. Eighteen years.

24 Q. And where are you currently stationed
25 right now or assigned?

1 A. 701 North San Jacinto.

2 Q. What do you do for your assignment or
3 job duties?

4 A. I work in the Operations Division.

5 Q. What does that entail?

6 A. It's the overall security of whatever --
7 whatever facility we're at. We respond to necessary
8 calls.

9 Q. And what facility are you assigned to
10 now?

11 A. 701.

12 Q. Is that in Harris County, Texas?

13 A. That is correct.

14 Q. And is 1201 Baker Street, is that the
15 Harris County Jail -- one of the jails? Excuse me.
16 1200 Baker Street.

17 A. 1200 is, yes.

18 Q. And is that in Harris County, Texas?

19 A. That is correct.

20 Q. Are you a certified peace officer in the
21 State of Texas?

22 A. Yes, sir.

23 Q. I'm going to direct your attention to
24 December 8th of 2014. Were you notified regarding
25 an incident with an inmate named Allford?

1 A. That is correct.

2 Q. What did you do once you were notified
3 regarding that incident?

4 A. I gathered the necessary information. I
5 contacted the D.A. to see if we could accept
6 charges.

7 Q. Did you interview the witnesses
8 regarding what had happened during that incident?

9 A. That is correct.

10 Q. What did you learn the incident was
11 about?

12 A. An aggravated assault.

13 Q. And did you learn who the aggravated
14 assault -- who the victim or complainant was in that
15 aggravated assault case?

16 A. That is correct.

17 Q. Who was that victim?

18 A. The victim was a white shirt.

19 Q. And a white shirt, just so we
20 understand --

21 A. I'm sorry. A civilian jailer.

22 Q. And was that Detention Officer Michael
23 Lee that you learned?

24 A. That is correct.

25 Q. And just to be clear, you weren't there

1 when the actual incident happened; is that correct?

2 A. That is correct.

3 Q. Did you interview other white shirts or
4 civilian detention officers who witnessed the
5 incident?

6 A. That is correct.

7 Q. And did you have an opportunity to
8 interview the inmate, Allford?

9 A. That is correct.

10 Q. And did Mr. Allford make any statements
11 to you?

12 A. He did.

13 Q. What did he tell you?

14 MR. SCOTT: May it please the
15 Court, I would object. He obviously would have been
16 in custody at that particular time.

17 THE COURT: Overruled.

18 Q. (By Mr. Gilliam) What did Mr. Allford
19 say to you? You can go ahead and tell us exactly
20 what he said.

21 A. Exactly what he said?

22 Q. Yes, sir.

23 A. "I don't fuck with white boys."

24 Q. And after you conducted your interviews
25 of the witnesses and you attempted to interview the

1 defendant, what did you do?

2 A. I contacted the D.A., and the D.A.
3 accepted aggravated assault charges on the
4 defendant.

5 MR. GILLIAM: Pass the witness,
6 Your Honor.

7 THE COURT: Defense?

8 MR. SCOTT: Thank you, Your Honor.

9 **CROSS-EXAMINATION**

10 **BY MR. SCOTT:**

11 Q. Were you at 1201 Baker when you received
12 the call about the follow-up that you did? Were you
13 physically there, or did you have to come from some
14 other facility to interview the witnesses?

15 A. Did you mean 1200 or 1201?

16 Q. 1200 Baker Street.

17 A. I was at 1200. I was assigned to 1200
18 Baker Street at the time.

19 Q. Okay. All right. The -- what is an ARS
20 report?

21 A. It's an automated report system report.

22 Q. What does that do?

23 A. All police report systems are done under
24 ARS.

25 Q. Okay. It says that you were assigned to

1 the first floor Visitor Control Center; is that
2 correct?

3 A. That is correct.

4 Q. All right. So that you -- through
5 necessity, is that where you were when you received
6 the call?

7 A. That is correct.

8 Q. And then where did you go after that?

9 A. To the second -- well, actually I went
10 to the clinic first and then the second floor.

11 Q. The -- your purpose, I gather, then,
12 Deputy, was to generate a report that would have in
13 it information that you were given about what had
14 occurred in relation to the incident, correct?

15 A. That is correct.

16 Q. All right, sir. And, therefore, you had
17 a conversation with Officer Michael Lee, correct?

18 A. That is correct.

19 Q. Just for -- this was all taking place
20 basically in the clinic at that location, correct?

21 A. The conversation with Lee, yes.

22 Q. All right, sir. Did you, likewise, see
23 the inmate, Weylin Allford?

24 A. That is correct.

25 Q. I believe you also observed Officer

1 Davis. He had a swollen and possibly broken right
2 hand; is that accurate, sir?

3 A. That is correct.

4 Q. All right, sir. Also, that Officer
5 Ringle had swelling, likewise, to his right hand,
6 correct?

7 A. That is correct.

8 Q. Also, Officer Harmon had swelling to his
9 right hand; is that correct, sir?

10 A. That is correct.

11 Q. Also, that Officer Garza had swelling to
12 his right hand; is that accurate, sir?

13 A. That is correct.

14 Q. Officer Harmon hit the inmate
15 approximately ten times with a closed fist; is that
16 correct?

17 A. That is correct.

18 Q. In his face and body area, correct?

19 MR. GILLIAM: Objection, Your
20 Honor, hearsay.

21 THE COURT: Sustained.

22 Q. (By Mr. Scott) This is during that
23 investigation where the -- the inmate told you what
24 he had said or what he said about white boys; isn't
25 that correct?

1 A. Repeat that again, please.

2 Q. These interviews that you were having
3 with these officers were at the same time you were,
4 likewise, talking to the inmate about this statement
5 about white boys, correct, all during the same
6 process of the investigation?

7 A. That is correct. That is correct.

8 Q. All right, sir. Officer Garza also said
9 he hit him at least ten times, correct?

10 MR. GILLIAM: Objection, Your
11 Honor, hearsay.

12 THE COURT: Sustained.

13 Q. (By Mr. Scott) Was there a nurse
14 practitioner Klover there or K-L-O-V-E-R? Was that
15 person there, do you recall?

16 A. She was in the area, yes.

17 Q. Would it have been her decision to send
18 him to Ben Taub or did you make that decision?

19 A. That's the doctor's orders.

20 Q. I'm sorry?

21 A. That's the doctor's orders.

22 Q. The doctor's orders were to send him to
23 Ben Taub; is that right?

24 A. They're the ones that make the call on
25 that.

1 Q. So the answer is, yes, they made that
2 decision --

3 A. Yes.

4 Q. -- is that correct?

5 A. Yes.

6 Q. All right. You indicated the inmate had
7 injuries, a large cut across his chest, both eyes
8 were swollen shut?

9 MR. GILLIAM: Objection, Your
10 Honor, hearsay.

11 THE COURT: Sustained. Let's not
12 read from the offense report, please, Mr. Scott.

13 Q. (By Mr. Scott) If you observed these
14 things -- no one told you as to the injuries. You
15 were able to observe the injuries; is that correct?

16 A. That is correct.

17 Q. Were there any injuries to his upper
18 torso?

19 A. Yes, there was.

20 Q. And what might that have been?

21 A. That was a cut on his chest.

22 Q. How about his eyes and face, was there
23 any disfiguration or abnormality about this man's
24 face when you saw him right after this incident?

25 A. Yes, he had facial injuries.

1 Q. I'm sorry?

2 A. Yes, he had facial injuries.

3 Q. And how would you describe those?

4 A. Contusions.

5 Q. Were his eyes swollen shut?

6 A. Yes.

7 Q. Did he have any swelling to his
8 forehead?

9 A. Yes.

10 Q. And how would you describe that?

11 A. May I look at my report?

12 MR. SCOTT: May I approach, Your
13 Honor?

14 THE COURT: You may.

15 A. Severe swelling to his forehead.

16 Q. (By Mr. Scott) Severe swelling to his
17 forehead.

18 How about his nose?

19 A. Swelling to his nose area, also.

20 Q. After you observed him, is that when he
21 made the statement about not messing with white
22 boys?

23 A. That is correct.

24 Q. I guess I need to ask. Were all these
25 deputies -- were they all white boys? Do you

1 remember?

2 A. Not all of them were.

3 MR. SCOTT: Pass the witness, Your
4 Honor.

5 THE COURT: State?

6 MR. GILLIAM: Nothing further from
7 the State, Your Honor.

8 THE COURT: May he be excused,
9 gentlemen?

10 MR. GILLIAM: Yes, Your Honor.

11 MR. SCOTT: Yes, Your Honor.

12 THE COURT: You're free to go.

13 Thank you.

14 State?

15 MR. GILLIAM: State rests, Your
16 Honor.

17 THE COURT: All right.

18 Defense?

19 MR. SCOTT: I'd like to make a
20 motion outside the presence, Your Honor.

21 THE COURT: All right. We're going
22 to send you back to the jury room, folks. We've got
23 some housekeeping matters we need to take care of.

24 This will probably be 10 or 15 minutes or so.

25 THE BAILIFF: All rise for the

1 jury.

2 *(Jury retired.)*

3 THE COURT: All right. Mr. Scott.

4 MR. SCOTT: May it please the
5 Court, at this time the Defense would move for a
6 Motion of Instructed Verdict in that the State has
7 wholly failed to prove the allegations contained
8 within the indictment, that they have failed to
9 prove more particularly that Mr. Lee is, in fact, a
10 public servant, further that the injuries sustained,
11 if any, were of a serious nature.

12 Also, they failed to prove that it
13 occurred here in Harris County, Texas, and/or that
14 it happened on or about December 8th, 2014.

15 And for those reasons, Your Honor,
16 we would make this motion.

17 THE COURT: That's denied. All
18 right.

19 *(Brief recess.)*

20 THE COURT: It was my understanding
21 by speaking to Mr. Scott during the break that the
22 defendant is not going to testify.

23 Is that correct, sir?

24 MR. SCOTT: That is my
25 understanding, Your Honor. At this time I'd like to