

1 Q. Thank you.

2 MS. BARNETT: Pass the witness.

3 MR. JONES: No questions, Judge.

4 THE COURT: Thank you. May he finally
5 be excused.

6 MS. BARNETT: Yes, Judge.

7 MR. JONES: I think he can.

8 THE COURT: Call your next witness.

9 MS. BARNETT: Let me see if Sergeant
10 Richards is here.

11 May I proceed?

12 THE COURT: You may.

13 **K. RICHARDS,**
14 having been first duly sworn, testified as follows:

15 **DIRECT EXAMINATION**

16 BY MS. BARNETT:

17 Q. I think when we left off yesterday,
18 Sergeant Richards, we were right at you had arrived
19 at the car and were about to look in. Do you recall
20 that?

21 A. Yes.

22 Q. That's my memory of it anyway.

23 A. Yes, ma'am.

24 Q. Tell me what you saw?

25 A. They were already detaining the three

1 individuals in the car. I approached, everything was
2 under control. You could see several articles
3 scattered throughout the car. They started doing the
4 inventory and search of the vehicle. During that
5 inventory search of the vehicle a credit card was
6 located.

7 Q. Where was the credit card located?

8 A. I believe it was in the trunk.

9 Q. And did you see that credit card?

10 A. Yes, I did.

11 Q. Did it have Travoy Hollie's name on it?

12 A. No, it did not.

13 Q. What name was on it?

14 A. I don't have my report in front of me, I
15 don't remember the name.

16 Q. Would you like your -- do you think your
17 memory would be refreshed?

18 A. Yes, if I heard the name.

19 Q. Sue Crozier?

20 A. Yes.

21 Q. And so what did you do with that
22 information?

23 A. I then ran that name through our computer
24 data base in our cars to see if it would be listed as
25 a complainant or as a victim in any of our police

1 reports.

2 Q. Now, when you say you ran that name through
3 y'all's database, whose are you talking about?

4 A. The Houston Police Department.

5 Q. If Sue Crozier was a complainant in a
6 burglary in say Pasadena or the Harris County
7 Sheriff's Office or some other jurisdiction, would
8 that have shown up in your computer database?

9 A. No, ma'am.

10 Q. What happened when you ran it?

11 A. I got no hit what we call it, it did not
12 show up as being a victim or complainant in our
13 database. So I then called Harris County Sheriff's
14 Office and talked with an investigator over the phone
15 and ran her name through their database.

16 Q. What did he come up with?

17 A. That she was a victim, a complainant in a
18 burglary.

19 Q. So were you able to talk with her?

20 A. No, I was not.

21 Q. Now, after you found the credit card, what
22 else -- let me just back up for a minute. You found
23 a credit card that was in the trunk, was there other
24 property in the trunk?

25 A. Yes. There was all kinds of electronics

1 and such.

2 Q. Was there property in the front seat?

3 A. Scattered throughout the whole driver
4 compartment as well.

5 Q. In the back seat?

6 A. Yes.

7 Q. Is this basically a sedan? What kind of
8 vehicle was this, do you recall?

9 A. Yes, an Impala.

10 Q. Did y'all take the property? When you stop
11 a vehicle and somebody is detained and they've got
12 let's say their own VCR in there, do you take custody
13 of it? What do you do?

14 A. If we have no reason that the property is
15 stolen we would leave it in there and just inventory
16 it.

17 Q. What do you mean by inventory it?

18 A. We would note it on a record slip, tow slip
19 that it's in the car to protect.

20 Q. Like tow driver decides to steal a VCR, he
21 won't be able to blame y'all?

22 A. Right, it's documented.

23 Q. In this case the property you found in the
24 car, did you determine if any of the electronics or
25 credit card belonged to Travoy Hollie?

1 A. No, we did not.

2 Q. What did y'all do with all of that
3 property?

4 A. We tagged it in our property room.

5 Q. Do you know whether or not there was
6 another -- was it your responsibility to write down
7 all the different articles?

8 A. No, one of my officers did.

9 Q. Okay. Now, after stopping the vehicle --
10 after the vehicle was stopped and looking at the
11 property and talking to the sheriff's office, was
12 there anything further that you could do with the
13 case from HPD as far as the property from the car?

14 A. No, ma'am.

15 Q. Did you know how many burglaries the
16 property in the car represented?

17 A. At that time, no, ma'am.

18 Q. What did y'all decide to do with the
19 property?

20 A. We tagged it and called the investigator in
21 Harris County and had him do his investigation.

22 Q. Do you know whether or not he was able to
23 locate any more of the victims from burglaries based
24 on the property?

25 A. I believe he was.

1 Q. In this case did you make a report?

2 A. I didn't.

3 Q. Did some of the things that you did were
4 they reflected in the report by other officers?

5 A. Yes, they were.

6 Q. Would it refresh your memory if you were
7 allowed to look at the report regarding whether or
8 not you spoke to Sue Crozier?

9 A. Yes, it would.

10 MS. BARNETT: Your Honor, may I
11 approach the witness?

12 THE COURT: You may.

13 A. Yes, I remember.

14 Q. (BY MS. BARNETT) All right.

15 MR. JONES: What page of the report
16 were you showing him?

17 MS. BARNETT: 2.01.

18 MR. JONES: Thank you.

19 Q. (BY MS. BARNETT) Were you able to contact
20 Sue Crozier?

21 A. Yes, I was.

22 Q. When you talked to Ms. Crozier what did you
23 tell her?

24 A. That we located the credit card.

25 Q. Did she tell you that something had

1 happened to her?

2 A. Yes, she did.

3 Q. Now, was there anything else in that car
4 that belonged to Sue Crozier?

5 A. The laptop.

6 Q. Were you able to give some description of
7 the laptop to Ms. Crozier such that she was able to
8 tell you whether or not it was hers?

9 A. Yes. The Arabic writing language whatever.

10 Q. Did she tell you whether or not she had
11 been burglarized?

12 A. Yes, she did.

13 MR. JONES: Your Honor, I object to
14 the leading character.

15 THE COURT: Objection was?

16 MR. JONES: Leading.

17 THE COURT: Rephrase it.

18 Q. (BY MS. BARNETT) So she identified for you
19 what you've testified to as a credit card and a
20 laptop computer?

21 A. Yes.

22 Q. One of the other suspects in the vehicle --
23 there were three, were there not?

24 A. Yes.

25 Q. One of the other suspects in the vehicle --

1 was there something about his phone that you noticed?

2 A. Yes, I did.

3 Q. What's that?

4 A. That on the phone there was messages going
5 back and forth to some other people about trying to
6 attempt to sell some narcotics and some stolen -- or
7 some TVs and other articles such as that.

8 Q. Did you find any TVs in the vehicle?

9 A. No.

10 Q. And that was not Travoy Hollie, though, was
11 it?

12 A. Not his phone.

13 Q. It was somebody else's phone?

14 A. Yes, it was.

15 MS. BARNETT: I'll pass the witness.

16 THE COURT: Mr. Jones.

17 **CROSS-EXAMINATION**

18 BY MR. JONES:

19 Q. That person, do you recall that person's
20 name?

21 A. I would have to look at my report to recall
22 which one of the two.

23 Q. Would it have been Mr. Simien, would that
24 help you?

25 A. Yes.

1 Q. Now, Mr. Simien was not arrested for theft?

2 A. That day none of them were arrested. I
3 don't know what the county did after that.

4 Q. You ultimately arrested and charged Mr.
5 Hollie with theft; is that correct?

6 A. I didn't charge him with theft.

7 Q. Now, the items that you found that were the
8 property of Ms. Crozier were found in the trunk, the
9 laptop and the credit card?

10 A. I don't remember exactly where the laptop
11 was found.

12 Q. But you contacted Ms. Crozier relative to
13 her credit card?

14 A. Yes.

15 Q. And spoke with her. Would that be
16 reflected -- did you do the inventory? Who did the
17 inventory?

18 A. Another officer did.

19 Q. Who was that?

20 A. Either Officer Chaffin or Officer Lombardo.

21 Q. Are they here?

22 A. I think Officer Chaffin is and I think
23 Officer Lombardo is on the way.

24 Q. Did you ever see Travoy Hollie go to the
25 trunk?

1 A. No.

2 Q. You investigated no other burglaries in
3 connection with this stop, did you?

4 A. No, sir, I didn't.

5 Q. You did not arrest anybody for any other
6 burglaries in connection with this stop?

7 A. No, sir, I didn't.

8 Q. You did not return any property to anyone
9 other than -- well, did you return any property to
10 Ms. Crozier?

11 A. No. I believe we tagged it.

12 MR. JONES: Pass the witness.

13 MS. BARNETT: I don't have anymore
14 questions, Judge.

15 THE COURT: May he finally be excused?

16 MR. JONES: Bye.

17 THE WITNESS: Thank you.

18 THE COURT: Thank you. Call your next
19 witness.

20 MS. BARNETT: We call Officer Chaffin.

21 THE COURT: Officer has been sworn.

22 THE WITNESS: Good morning, Judge.

23 THE COURT: Good morning.

24 MS. BARNETT: May I have a second,
25 Judge? Excuse me, I'm sorry.