

1 THE WITNESS: Yes, sir.

2 THE COURT: You may proceed.

3 MS. DAVIDSON: Thank you, Judge.

4 MICHAEL SAMS,

5 having been first duly sworn, testified as follows:

6 DIRECT EXAMINATION

7 BY MS. DAVIDSON:

8 Q Can you introduce yourself to the ladies and
9 gentlemen of the jury.

10 A I'm Deputy Sams of the Harris County
11 Sheriff's Department crime scene division.

12 Q How long have you been with the Harris
13 County sheriff's office crime scene division?

14 A Since August of 2005.

15 Q As a crime scene officer with the Harris
16 County sheriff's office, can you tell the jury what
17 you do?

18 A I basically go in and investigate crime
19 scenes of a heinous nature. Usually there's a death
20 involved, or -- and also it could be like a bank
21 robbery, high profile type cases.

22 Q How long have you been a crime scene
23 investigator?

24 A Since 2005, August.

25 Q And what did you do pre-crime scene

1 investigating?

2 A I worked in the jails, detention. Also for
3 three years I was an undercover narcotics officer.

4 Q So in sum total, how long have you been a
5 police officer?

6 A Oh, going on about -- around 17 years, 16,
7 17 years.

8 Q Okay. Were you employed as a crime scene
9 investigator with the Harris County sheriff's office,
10 on May 16th of 2008?

11 A Yes, I was.

12 Q Did you have an occasion to get called out
13 to 6607 Springfield Garden Lane?

14 A Yes, I was.

15 Q And is that a location in Harris County,
16 Texas?

17 A Yes, it is.

18 Q First, let me ask you this. As a crime
19 scene unit investigator, do you have any special
20 training that allows you to be able to do that?

21 A Yes. We go through several -- well,
22 hundreds of hours of training. We do fingerprint
23 evaluation and analysis, to actual crime scene
24 analysis. How to maintain custody of property, of
25 evidence that we collect. The collection of the

1 evidence, and how to submit it.

2 Q Okay. And this -- this fingerprint analysis
3 that you talk about, you're trained to look for
4 prints?

5 A Yes.

6 Q Are you also trained to be able to identify
7 whether there are sufficient characteristics to say
8 who the print belongs to?

9 A Yes.

10 Q And have you done that on a few or many
11 occasions?

12 A Yes.

13 Q Back on May 16th of 2008, what time of the
14 day or night was it that you were dispatched to that
15 location on Springfield Garden Lane?

16 A I was dispatched at approximately
17 11:45 the -- that day -- 11:45 at night.

18 Q Okay. And when you got the dispatch, where
19 were you?

20 A I was at the CSU offices.

21 Q And where are the CSU offices for the
22 sheriff's office?

23 A At 1301 Franklin.

24 Q Downtown?

25 A Downtown.

1 Q How long did it take you to get from 1301
2 Franklin to that location?

3 A Usually -- I can probably get anywhere in
4 the city within about 30 minutes. Between 30 and 40
5 minutes.

6 Q Okay. When you go out to a scene such as
7 this one, do you go out in a private vehicle, or what
8 kind of car do you take out there?

9 A At that time we were issued trucks. They're
10 equipped with the equipment that we'll basically need
11 that day on that scene -- well, not that day. But we
12 have various different types of equipment we carry
13 with us to different scenes.

14 Q And what type of equipment is that?

15 A From fingerprint equipment to tools for
16 digging into walls to get bullets, projectiles,
17 camera equipment, video equipment, things of that
18 nature.

19 Q When you got to that scene, can you tell the
20 jury what's the first thing you did?

21 A Usually, the first thing I'll do when I get
22 to a scene is I'll speak with the first responders
23 that get to the scene, to get an idea of exactly what
24 I'm looking at or what I have to deal with.

25 Q And do you recall who the first responders

1 were you that you talked to on this date?

2 A I know it was precinct four. The exact
3 officer, I don't know. But I know it was precinct
4 four.

5 Q Okay. Then what did you do?

6 A Then I'll usually will go into the scene,
7 place gloves on, and go in. Depends on what the
8 situation is. If it's the floors are really messy
9 and nasty, I may put on some, what we call booties,
10 to cover your shoes. Or -- but usually I'll glove up
11 and then go in and actually review the scene myself.

12 Q Tell the jury what you saw when you got
13 inside that residence?

14 A I had made entry through the garage, which
15 then leads through a laundry and into a hallway. I
16 then made my way down a hallway into a room where
17 there was a -- the first body. I was told that there
18 were two bodies on the scene. I made my way to the
19 first body and observed the -- the room and the
20 situation, what was -- what had happened there.

21 Q Deputy, I'm going to show you what's in
22 evidence as State's Exhibit No. 5. It's been
23 diagrammed. Were you responsible for doing this
24 diagram?

25 A Yes, I was.

1 Q Tell the jury where -- using the diagram
2 itself and touching your screen next to you, where
3 you went in at the time when you first got there?

4 A Made my way through the garage, through the
5 laundry room, and into this room, bedroom number one
6 (indicating.)

7 Q And when you're just first surveying the
8 scene, what are you doing?

9 A I'm evaluating what does the scene look
10 like. Is the scene what it appears to be. Just
11 basically getting a feel, and evaluating, analysis --
12 analyzing the scene. What am I going to need. Am
13 I -- need to get anything specialized, or anything of
14 that nature.

15 Q And what did you see in this bedroom,
16 bedroom number one?

17 A I found the body of Joyce Owens lying on the
18 bed.

19 Q Okay. Then what did you do?

20 A Once I observed that room, I then made my
21 way back down the hallway, where they said that the
22 second body was located here, to Alberta Walker
23 (indicating.)

24 Q Then what?

25 A Once again, made my way into the kitchen

1 and -- let's see -- made my way into the kitchen, and
2 just basically looked to see how much blood and
3 basically what her wounds looked like from what I
4 could see, without moving the body.

5 Q Okay. And then what did you do?

6 A Then I probably -- then I went through the
7 rest of the house, master bedroom, the other --
8 bedroom number two, the living room, family room.
9 Just observing the rest of the house to see what it
10 looked like.

11 Q After doing your initial assessment, what
12 did you do?

13 A I then had a couple of more CSIs with me at
14 the time. And I then will delegate what I would want
15 them to do, to assist me in -- at the scene.

16 Q And what did you delegate to them?

17 A I needed a video done. We usually do videos
18 on all homicides.

19 Q And what is your purpose for doing a scene
20 video?

21 A It's to capture the scene on -- on moving
22 film. And also we do still shots. And I also
23 delegated one of the CSIs to do still shots.

24 Q So when you arrived on the scene, you do
25 your initial walk through. You then did a video and

1 took pictures. Have you collected anything at all,
2 as far as evidence, prior to doing the scene video or
3 taking pictures?

4 A No. Nothing is moved. That is the very
5 last thing we do is move anything. Everything stays
6 where it's at. It's videotaped, it's filmed, it's
7 measured, and it's documented.

8 Q I'm going to show you what I've marked for
9 identification purposes as State's Exhibit No. 4. I
10 want you to take a look at that CD, and tell me what
11 that is?

12 A It's a CD. It looks like a scene video.

13 Q Okay. Have you had an opportunity to view
14 State's Exhibit No. 4, prior to your testimony today?

15 A Yes.

16 Q Does State's Exhibit No. 4 fairly and
17 accurately depict what you and the other CSUs
18 observed when you first got to the home, on May 17th,
19 early morning hours of May 17th, 2008?

20 A Yes.

21 MS. DAVIDSON: Your Honor, at this time
22 I'm going to offer into evidence State's Exhibit
23 No. 4, and tender it to counsel for her inspection.

24 MS. SWALLERS: No objection, Your
25 Honor.

1 THE COURT: All right. State's Exhibit
2 No. 4 is a admitted.

3 (State's Exhibit No. 4 was admitted.)

4 MS. DAVIDSON: Permission to publish it
5 to the jury, Judge.

6 THE COURT: You may.

7 (State's Exhibit No. 4 begins to play.)

8 (Counsel changes tapes.)

9 THE COURT: Excuse me, Counsel.

10 MS. DAVIDSON: Yes, sir?

11 THE COURT: About how long do you think
12 this is going to take?

13 MS. DAVIDSON: I think it's about ten
14 to 15 minutes, Judge.

15 THE COURT: Okay. Thanks. If anyone
16 has to have a break, raise your hand.

17 (Video continues to play.)

18 THE COURT: The record will reflect
19 that Exhibit State's 4 was played from 2:37 to
20 4:25 p.m. here in open Court, in front of the jury.
21 The jury came into open Court at 2:30. It's about
22 two hours since you've been here in open Court.

23 We're going to take a break for 15
24 minutes, which will put us ten till 5:00. Then we're
25 going to break at 5:00. So, we're going to take a

1 break now until tomorrow at 10:00.

2 And Deputy Sams, if you would, be back
3 about 10:00 tomorrow morning, and we'll pick up where
4 we left off.

5 During this break and all breaks,
6 remember the instructions I gave you. Do not discuss
7 the case at all with anyone. Don't make any scene
8 investigations. Don't make any independent
9 investigations involving any person, place, or thing
10 or issue in this case either electronically or
11 otherwise. Just have a good evening. See you
12 tomorrow.

13 Oh, one other thing. Again, as -- as
14 today. Our lunch wasn't until about 1:00 o'clock.
15 So, if you want to bring a snack or something, bring
16 it. Because we're not going to have anything to eat
17 until 1:00 o'clock. So, see you tomorrow.

18 THE BAILIFF: All rise. Come this way.

19 (Jury exits courtroom.)

20 THE COURT: Be seated, please.

21 See y'all tomorrow at 10:00.

22 (Court adjourned.)

23

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1 STATE OF TEXAS

2 COUNTY OF HARRIS

3

4 I, Tammy L. Adams, Official Court Reporter
5 in and for the 178th District Court of Harris, State
6 of Texas, do hereby certify that the above and
7 foregoing contains a true and correct transcription
8 of all portions of evidence and other proceedings
9 requested in writing by counsel for the parties to
10 be included in this volume of the Reporter's Record
11 in the above-styled and numbered cause, all of which
12 occurred in open court or in chambers and were
13 reported by me.

14 I further certify that this Reporter's
15 Record of the proceedings truly and correctly
16 reflects the exhibits, if any, offered by the
17 respective parties.

18 I further certify that the total cost for
19 the preparation of this Reporter's Record is \$(See
20 Volume 16), and was paid by Harris County.

21

22 WITNESS MY OFFICIAL HAND this the 3rd day
23 of January, 2012.

24

25

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27

/s/Tammy L. Adams

28

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