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**JASON SCHROEDER,**

having been first duly sworn, testified as follows:

**DIRECT EXAMINATION**

**BY MR. BALLENGEE:**

Q. Mr. Schroeder, would you please introduce yourself to the jury?

A. My name is Jason Schroeder. I'm the manager of the trace evidence laboratory for the Harris County Institute of Forensic Sciences.

Q. And how did you become -- well, what kind of training did you receive in order to obtain that position?

A. I have a bachelor of science degree in forensic biology; I have a master's of science degree in pharmacy, with an emphasis on forensic sciences; as well as an MBA. And for GSR specifically, we have an extensive training program that initiates in-house and on-the-job training or OJT beginning with competence, an initial competency test, and then proficiency examinations not to exceed a year.

Q. Are you certified in forensic analysis?

A. In GSR, yes, sir.

Q. And have you testified as an expert in -- excuse me -- GSR before?

A. Yes, sir, I have.

1 Q. And "GSR" is what again?

2 A. Gunshot residue.

3 Q. Have you testified on few or on many occasions?

4 A. I would say many.

5 Q. And where have you testified?

6 A. Primarily in Harris County and occasionally in  
7 nearby counties as well.

8 Q. You said that you work at the Harris County  
9 Institute of Forensic Sciences?

10 A. Yes, sir, that's correct.

11 Q. And what kind of organization is that?

12 A. It's formerly the Harris County Medical  
13 Examiner's Office. We weren't through a name change  
14 about three or four years ago. The duties that it  
15 houses is a wide range of forensic analysis.

16 Q. Is it affiliated with any sort of law  
17 enforcement?

18 A. No, sir. For Harris County only, but no direct  
19 affiliation with any law enforcement agency.

20 Q. Do you generally handle any specific agency  
21 cases?

22 A. Primarily Harris County Sheriff's Department.  
23 We do service, I believe, 28 law enforcement agencies  
24 within the county and Harris County and provide  
25 fee-for-service analysis for areas outside Harris County

1 agencies as well.

2 Q. How is gunshot residue testing conducted?

3 A. It's conducted via scanning electron  
4 microscope. We commonly refer to it as SEM. And that's  
5 just a form of microscopy where a beam of electrons  
6 replace a traditional light source, which is the type of  
7 microscope that we are all familiar with from high  
8 school chemistry lab. And this beam of electrons gives  
9 us both a picture, and more importantly elemental  
10 information. And it's this elemental information that  
11 allows us to say whether gunshot residue was present or  
12 not.

13 Q. Were you asked to conduct residue testing in  
14 the case involving Laboratory No. JAJ-10-003762?

15 A. Can I refer to my notes, sir?

16 Q. Yes, you may.

17 A. Yes, sir, I was.

18 Q. And what was submitted to you in that testing  
19 or in that -- under that laboratory number?

20 A. Under that laboratory number, my agency  
21 received six gunshot residue kits with the request for  
22 analysis.

23 Q. And how was that analysis done?

24 A. With the -- per our SOP and with the previously  
25 mentioned SEM, scanning electron microscope.

1 Q. And I'm showing you what's been previously  
2 marked as State's Exhibits 55, 56, 57, 58, 59, 60. And  
3 I believe that's it. Do you recognize those exhibits  
4 (indicating)?

5 A. Yes, sir, I do.

6 Q. And what do you recognize those exhibits to be?

7 A. These are reports issued by my laboratory and I  
8 recognize them both by the unique identifier, the  
9 laboratory case number, as well as my electronic  
10 signature as the issuer of the reports.

11 Q. And what laboratory case number is on each of  
12 those reports?

13 A. Each report reflects JAJ-10-003762.

14 Q. Does it also have a -- go ahead and check all  
15 of the reports.

16 A. And a subsequent suffix, -002 through -007, for  
17 a total of six reports.

18 Q. And does it also have a corresponding  
19 cross-reference number?

20 A. Yes, sir. Each report cross references  
21 ML10-1293.

22 Q. And are these records, are they kept in the  
23 regular course of business?

24 A. Yes, sir, they are.

25 Q. Are they made by somebody with personal

1 knowledge of the facts recorded?

2 A. Yes, sir, they are.

3 Q. And does the Harris County forensic center  
4 maintain custody of these records?

5 A. Yes, sir, we do.

6 Q. Are you familiar with these records?

7 A. Yes, sir.

8 Q. And who made these records?

9 A. I'm the issuer of the report, of each report.

10 Q. Were they made at or near the time of those  
11 reports being completed -- excuse me -- of those -- that  
12 testing being completed?

13 A. Yes, sir. They were each issued on January  
14 23rd of 2013.

15 MR. BALLENGEE: Your Honor, at this time,  
16 the State offers State's Exhibits 55 through 60 into  
17 evidence.

18 **(State's Exhibit No. 55 through 60 Offered)**

19 MR. BUCKLEY: I don't mind looking, if it's  
20 easier for you.

21 MR. BALLENGEE: All right.

22 MR. BUCKLEY: No objection.

23 THE COURT: 55 through 60, is that what you  
24 said?

25 MR. BALLENGEE: Yes, Your Honor.

1 THE COURT: Admitted.

2 (State's Exhibit No. 55 through 60

3 Admitted)

4 Q. (By Mr. Ballengee) What were the results of the  
5 analysis in this case?

6 A. Can I have one moment to review, sir?

7 Q. Yes. Go ahead.

8 (Pause)

9 A. All six reports were reported as being negative  
10 for the presence of gunshot residue.

11 Q. Now, does report number 55 reference an  
12 individual that the gunshot residue kit was taken from?

13 A. Yes, sir. Report -- my agency would term it as  
14 report number two, State's Exhibit 55, indicates that  
15 the kit is from a Mr. William Watson.

16 Q. And the report analysis on that was?

17 A. Negative for the presence of gunshot residue.

18 Q. What's the significance of a negative analysis?

19 A. A negative analysis very simply means that no  
20 gunshot residue was found on the individual's hands.

21 So, we can't say -- or we do not say that this  
22 individual had any association with the discharge of a  
23 firearm.

24 Q. And then on State's Exhibit No. 56, who was  
25 that in reference -- or what was that gunshot kit in

1 reference to?

2 A. Report three, suffix -004, is a gunshot residue  
3 kit from a Mr. Frederick Gibson.

4 Q. And the analysis on that?

5 A. Negative.

6 Q. And on State's Exhibit No. 57, who was that kit  
7 in reference to?

8 A. Report number one, suffix 002, is a gunshot  
9 residue kit from a Mr. Justin Harris that tested -- or  
10 we reported as being negative for the presence of  
11 gunshot residue.

12 Q. Now, I want to discuss the analysis on Justin  
13 Harris' case. Are there any levels on Justin Harris'  
14 kit that were elevated?

15 A. The analysis indicates individual particles  
16 that we would term insignificant in terms of gunshot  
17 residue.

18 Q. Were they elevated in reference to say the kits  
19 from -- or higher levels than say the kits from No. 55  
20 and 56?

21 A. Relative to the other kits, they looked to be  
22 elevated.

23 Q. And on State's Exhibit No. 58, who is that kit  
24 in reference to?

25 A. Report for suffix 005 is on a Mr. Timothy

1 Stallworth, which was reported as being negative for the  
2 presence of gunshot residue.

3 Q. And on State's Exhibit No. 59, who was that in  
4 reference to?

5 A. Report five, suffix 006, was from an Adrian  
6 King. Reported as being negative for the presence of  
7 gunshot residue.

8 Q. And lastly, State's Exhibits No. 60, who was  
9 that report in reference to?

10 A. Report six, suffix 007, is on a Tevin Williams.  
11 Again, reported as being negative for the presence of  
12 gunshot residue.

13 Q. And to be clear, are there any elevated levels  
14 on Tevin Williams' kit?

15 A. Relative to the other cases, no, sir.

16 Q. Thank you.

17 MR. BALLENGEE: Pass the witness, Your  
18 Honor.

19 MR. BUCKLEY: No questions.

20 THE COURT: No questions.

21 Thank you so much.

22 Are we ready to stop for the day?

23 MR. BALLENGEE: Whatever the Court would  
24 like.

25 THE COURT: All right. Ladies and



1 gentlemen, we've had a long day even though we had a  
2 half day.

3                   So, remember not to discuss the case.  
4 We'll see you back at 9:30 in the morning and we'll  
5 hopefully get the case concluded.

6                   So, with that, we will stand in recess.  
7 Have a nice evening.

8                   THE BAILIFF: All rise for the jury.

9                   (Proceeding recessed)

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**REPORTER'S CERTIFICATE**

1  
2 THE STATE OF TEXAS )  
3 COUNTY OF HARRIS )

4 I, Mary Ann Rodriguez, Official Court Reporter in  
5 and for the 337th District Court of Harris County, State  
6 of Texas, do hereby certify that the above and foregoing  
7 contains a true and correct transcription of all  
8 portions of evidence and other proceedings requested in  
9 writing by counsel for the parties to be included in  
10 this volume of the Reporter's Record, in the  
11 above-styled and numbered cause, all of which occurred  
12 in open court or in chambers and were reported by me.

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

16 WITNESS MY OFFICIAL HAND this the 2nd day of April,  
17 2014.

18  
19  
20 /s/ Mary Ann Rodriguez  
21 Mary Ann Rodriguez, Texas CSR 3047  
22 Expiration Date: 12/31/2015  
23 Official Court Reporter  
24 337th Court  
25 1201 Franklin  
Houston, Texas 77002  
713.755.774