

1 Community Supervision Day Reporting Center.

2 *THE DEFENDANT:* True.

3 *THE COURT:* All right. Be seated, please.

4 Counsel, you may call your first witness.

5 *MS. BURRO:* State calls Rommell Williams.

6 *THE COURT:* Right up here, please, sir. If
7 you would, please raise your right hand.

8 *(Witness sworn.)*

9 *THE COURT:* Have your seat. Would you please
10 state and spell your name for my court reporter?

11 *THE WITNESS:* Rommell Williams, R-O-M-M-E-L-L.

12 *THE COURT:* You may proceed.

13 **ROMMELL WILLIAMS,**

14 having been first duly sworn, testified as follows:

15 **DIRECT EXAMINATION**

16 Q. *(BY MS. BURRO)* Mr. Williams, how are you employed?

17 A. I'm a community supervision officer formerly with
18 the day reporting center.

19 Q. And you work for Harris County?

20 A. Yes, I do.

21 Q. Were you assigned to supervise Devin Roper?

22 A. Yes, I was.

23 Q. And is Devin Roper in the courtroom today?

24 A. Yes, he is.

25 Q. Would you identify him by an article of clothing?

1 A. Yes.

2 Q. What is it?

3 A. Orange jumpsuit.

4 MS. BURRO: May the record reflect he's
5 identified the defendant?

6 THE COURT: The record will so reflect.

7 Q. (BY MS. BURRO) What were you assigned to supervise
8 him for?

9 A. He came through the day reporting center. He was
10 transferred to me, I believe, in January, 2012.

11 Q. And what was he placed on probation for?

12 A. Robbery.

13 Q. And do you know the cause number?

14 A. Not offhand, I do not.

15 MS. BURRO: May I approach the witness?

16 THE COURT: You may.

17 A. Cause number is 1285734.

18 Q. (BY MS. BURRO) And those records that you're
19 looking at, what are those?

20 A. This is his case file.

21 Q. And are you the custodian of records for that case
22 file?

23 A. Yes, I am.

24 Q. And are those records kept in the regular course of
25 business of supervising probationers?

1 A. Yes, it is.

2 Q. And are the entries made in there made at or about
3 the time that they happen?

4 A. Yes, they are.

5 Q. Are they made by somebody with personal knowledge
6 of the events?

7 A. Yes, they are.

8 MS. BURRO: Your Honor, I'd like to offer into
9 evidence the probation file for Mr. Roper.

10 THE COURT: You want me to take judicial
11 notice?

12 MS. BURRO: Yes, take judicial notice.

13 MS. NEEDHAM: Your Honor, I have no objection
14 except for the -- anything that has to do with the drug
15 tests and recent testimony from probation that it is not
16 accurate on some of the drug tests.

17 THE COURT: If only that were true.

18 MS. NEEDHAM: It was there, though. But I
19 have no objection on the rest of it.

20 THE COURT: All right.

21 MS. BURRO: The State will withdraw any
22 evidence on the UAs.

23 THE COURT: All right. The Court will take
24 judicial notice of the probation file in its entirety.

25 Q. (BY MS. BURRO) Mr. Williams, on January 24th,

1 2012, did the defendant fail to report?

2 A. If this is a date I can recall, it may have been a
3 day -- without checking the file -- there was, I know, a
4 instance where he was warned about his pants and he came in
5 late with his pants saggy and I turned him around.

6 *THE COURT:* Why don't you check the file so we
7 can make sure if he actually reported on that day or not.

8 *THE WITNESS:* Sure.

9 A. Sorry. On the 24th, he was 40 minutes late. So,
10 he did report but he was 40 minutes late.

11 *THE COURT:* Okay.

12 Q. (BY MS. BURRO) What about on February 6th or
13 February 8th, 2012? Did he report on February 8th, 2012?

14 A. He reported on February 8th but he was 45 minutes
15 late and was not allowed to attend the group.

16 Q. What about February 13th, 2012? Did he report on
17 that date?

18 A. No, he did not.

19 Q. And February 15th, 2012, did he report on that
20 date?

21 A. No, he did not.

22 Q. Did he ever provide a job search log while he was
23 on supervision?

24 A. No, he did not.

25 Q. And did he enroll in and complete a youthful

1 offender program?

2 A. From my records, he enrolled but he didn't pay for
3 the class; so, therefore, he wasn't able to get a completion
4 certificate.

5 MS. BURRO: Pass the witness.

6 THE COURT: Ms. Needham?

7 MS. NEEDHAM: Thank you, Your Honor.

8 **CROSS-EXAMINATION**

9 Q. (BY MS. NEEDHAM) Mr. Williams, can you explain to
10 us -- you said that he came to you on a day reporting in
11 January of 2012.

12 A. His first date was January 10th, yes.

13 Q. Okay. And why did he -- why was he instructed to
14 do the day reporting?

15 A. Because he was unemployed and also our program
16 services assists people in finding work and other services.

17 Q. How often -- can you explain a little bit about
18 what the day reporting center does?

19 A. The first 15 days they're required to report for
20 the first 15 days and complete our life skills class, which
21 are Monday, Wednesday and Fridays at 10:30 AM, and then they
22 will meet with me on Tuesday and Thursdays at the scheduled
23 time for the first 15 days. From there they'll go to the
24 job readiness classes. Those are ten classes once a week.
25 They will meet with the officer once a week. After that ten

1 weeks, they will go to the employment specialist groups once
2 a week and meet with the officer once a week until they find
3 employment.

4 Q. And I'm going to direct your attention back to the
5 date of the 24th of January. Was there also a notation in
6 the file that Devin appeared sick that day?

7 A. Yes, it was. The 24th?

8 Q. Yes, January 24th, 2012.

9 A. Yes.

10 Q. Okay. And he showed up anyway?

11 A. Yes.

12 Q. Okay. And as far as the late policy, what is the
13 late policy?

14 A. Usually we give a grace period for the groups of
15 maybe 15 to 30 minutes. Office visits, there is no grace
16 period for that. We have a scheduled time. There are times
17 that are allowed for tardiness. But I believe in
18 Mr. Roper's case he has been warned before and it just
19 couldn't continue to happen.

20 Q. And when are probationers instructed about being
21 late? If you're late, then we're going to count it as you
22 not showing up?

23 A. In the initial orientation and during the office
24 visits.

25 Q. Now, we also -- I want to -- if you can look into

1 the GED part of your file, I don't know -- regarding him
2 taking GED classes. Now, he was instructed to start his GED
3 classes on May 30th of 2011; is that correct, to be enrolled
4 by then?

5 A. I have to look at the conditions to say that.

6 Says here May 30th, 2011, according to the
7 conditions, yes.

8 Q. Okay. And then he had two years to complete it
9 after that date?

10 A. Yes, ma'am.

11 Q. Okay. And when did Devin enroll in the GED
12 classes?

13 A. I have no record of him enrolling. He brought
14 documentation that he was going to HCC but no formal
15 enrollment papers, no attendance logs.

16 Q. So there's no attendance log. So, at the time of
17 his arrest, was he at HCC? Was he enrolled March 21st,
18 2012, at HCC?

19 A. Again, this is what he brought me but there's no
20 proof that he actually attended. I don't --

21 Q. Okay.

22 A. He brought the documentation, though, yes.

23 Q. So, you had documentation that he was actually
24 enrolled but there's no attendance records.

25 A. This doesn't say that he's enrolled, so I couldn't

1 take this as any type of enrollment.

2 Q. Oh, okay. As far as -- in some of the instances
3 when Devin was enrolling in class, did he explain to you
4 that occasionally he did not have the financial ability to
5 do the classes or to complete the classes such as the youth
6 offender or the antitheft class?

7 A. Yes, he did state that.

8 Q. That he couldn't pay for the certificate?

9 A. Correct.

10 Q. Did you ever instruct him that he could apply for
11 financial assistance to finish those classes?

12 A. No, I did not.

13 Q. You did not.

14 A. No.

15 MS. NEEDHAM: Nothing further, Your Honor.

16 THE COURT: Counsel?

17 MS. BURRO: Nothing else, Your Honor.

18 THE COURT: I have a question.

19 THE WITNESS: Yes, ma'am.

20 THE COURT: As far as youthful offender, did
21 he actually go to the class; he just didn't get the
22 certificate because he didn't pay, or did he just sort of
23 enroll and not go?

24 THE WITNESS: I can let you -- life skills,
25 cognitive skills -- yes, he went, just could not complete or