



*J. C. Wood - August 26, 2014  
Direct Examination by Ms. Gaido*

1 A. Born in Dallas, raised in the Houston area.

2 Q. Did you go to high school down here?

3 A. Yes, ma'am, I did.

4 Q. Where did you go?

5 A. Langham Creek High School.

6 Q. What did you do upon graduating from Langham  
7 Creek?

8 A. In 1988, I joined the United States Marine  
9 Corps. I was gone for six years and returned to Houston  
10 in 1994.

11 Q. What did you do in the Marine Corps?

12 A. I was in the infantry.

13 Q. And did you serve abroad?

14 A. Yes, ma'am, I did.

15 Q. Where did you serve?

16 A. I served in Okinawa, Japan; Thailand; Saudia  
17 Arabia with Desert Storm; Korea. Several places.

18 Q. What did you do when you got back to Houston?

19 A. I worked in construction from '94 to '95 and  
20 then applied to the Houston Police Department in '94 and  
21 got hired in 1995.

22 Q. What kinds of training does someone applying  
23 to the Houston Police Department get upon joining?

24 A. Your training begins with the academy. You  
25 attend the academy for six months, Monday through

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1 Friday, 8:00 to 5:00. The first ten weeks is all law,  
2 criminal procedure. Then you move into the necessary  
3 skills of a police officer, tactics, traffic stops,  
4 things of that nature.

5 Q. What's the first assignment that you got when  
6 you came out of the academy?

7 A. I worked patrol.

8 Q. How long were you in patrol?

9 A. Little over three years.

10 Q. What did you do after that?

11 A. I transferred to the Homicide Division where I  
12 was a crime scene investigator for ten years.

13 Q. What did you do after leaving the Homicide  
14 Division?

15 A. I promoted while I was in the Crime Scene  
16 Unit, went back there as a supervisor, left there in  
17 2008 and transferred out to Westside patrol where I  
18 worked as a sergeant in the patrol and I took over the  
19 Westside Gang Unit in August of 2010.

20 Q. Is that your current assignment?

21 A. No, ma'am. I had the Westside Divisional Gang  
22 Unit from August of 2010 until May of last year and then  
23 I transferred to the Gang Division, which is a larger,  
24 more proactive gang unit for the entire city.

25 Q. Are you currently studying to be a lieutenant?

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1           A.     Yes, ma'am.

2           Q.     Can you tell the jury just briefly about that  
3 process?

4           A.     I took the written examination for lieutenant.  
5 I'm sitting No. 15 out of 108 going into the assessment  
6 process.

7           Q.     Bringing us back to why we're here today, were  
8 you employed with the Houston Police Department on  
9 April 11, 2013?

10          A.     Yes, ma'am, I was.

11          Q.     And what were you doing that day with regard  
12 to your assignment?

13          A.     I was the sergeant that supervised the  
14 Westside Divisional Gang Unit, which was responsible for  
15 investigating gang members, gang crimes and other Part 1  
16 felony crimes in the southwest Houston area. Dairy  
17 Ashford, Bissonnet, Beechnut, Beltway, 59, that area.

18          Q.     While you were on duty that day, did you have  
19 occasion to run into someone that you now know to be  
20 William Columbus Horhn?

21          A.     Yes, ma'am. I stopped at the Chevron gas  
22 station to get a drink at the intersection of Brant Rock  
23 and 3800 block of South Dairy Ashford. While I was  
24 inside that store, I recognized a black male who came  
25 into the store who was a known documented gang member,

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1 someone that we had actively been investigating.

2 He did not initially recognize me as I  
3 was in plain clothes. He exited the store and went back  
4 out to his car. I watched him. When he went back out  
5 to the car, he met up with William Horhn, who is seated  
6 at the defense table in the red shirt.

7 MS. GAIDO: Your Honor, may the record  
8 reflect that the witness has identified the defendant?

9 THE COURT: The record will reflect.

10 Q. (BY MS. GAIDO) Upon seeing Mr. Horhn, the  
11 defendant, what was your next step?

12 A. I saw Mr. Horhn standing outside by the other  
13 two males who I knew were documented gang members. I  
14 immediately called the uniformed officers that worked  
15 for me on the phone and notified them that I had seen  
16 Mr. Horhn standing out by the car. I had also known  
17 that he was wanted for active warrants for his arrest.  
18 So, I had the uniformed officers come to that location  
19 and lawfully detain him to determine if the warrants  
20 were valid.

21 Q. Can you tell the jury a little bit about why  
22 you keep up with someone's active warrants and how you  
23 do that?

24 A. Mr. Horhn, along with other gang members in  
25 the area, we monitor them. We know their criminal

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1 history. We know what their activities are as far as  
2 what type of crimes they're involved in.

3 THE COURT: Approach for a minute.

4 (At the Bench, on the record.)

5 MS. GAIDO: I admonished him.

6 THE COURT: I want to make sure that  
7 going forward the questioning comports with the  
8 understanding in the agreement of the parties.

9 MS. GAIDO: Your Honor, do you mind if --  
10 I admonished him. Do you mind if I lead him a little  
11 bit to avoid --

12 THE COURT: Well, I'll allow you to get  
13 into and avoid any questions that get into that area.

14 MS. GAIDO: Yes, Your Honor.

15 THE COURT: If there is anything else,  
16 then I'll excuse the jury for a moment one way or the  
17 other.

18 MS. GAIDO: Yes, Your Honor.

19 (In open court.)

20 Q. (BY MS. GAIDO) Sergeant, I'm going to rephrase  
21 your question, if you don't mind. All right.

22 Do you, as part of your job, keep up with  
23 warrants of people that you know to be in your patrol area?

24 A. Yes, ma'am, we do.

25 Q. Was that the case with this particular

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1 defendant?

2 A. Yes, ma'am, it was.

3 Q. Can you tell the jury generally how you go  
4 about checking on a warrant to see if it's active?

5 A. When we identify certain individuals who we're  
6 interested in locating because they have outstanding  
7 warrants for their arrest through the computer system,  
8 we can run them by name, date of birth, social security  
9 number, driver's license number through what's referred  
10 to as NCIC, National Crime Information Center, the  
11 Houston Crime Information Center, the Southeast Texas  
12 Crime Information Center. Other police agencies who  
13 issue warrants for people's arrest put that information  
14 into one of those three databases. As we enter their  
15 identifying information in there, if they are flagged  
16 for having an outstanding warrant, what is referred to  
17 as "a hit" will come up showing them having an  
18 outstanding warrant. That is preliminary information.  
19 We then have to verify that the warrant is active upon  
20 arrest with whatever agency issued that warrant.

21 Q. Did you believe that on April 11, 2013, that  
22 the defendant had an open warrant?

23 A. Yes, ma'am.

24 Q. What happened after you -- well, can you tell  
25 the jury how you radio out for someone? Do you call

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1 someone specifically or do you just send something out  
2 over the airways?

3 A. Normally, if I was doing regular police  
4 activities in an unmarked vehicle in a plain clothes  
5 capacity, I would radio to the uniformed support  
6 officers and other plain clothes officers that were  
7 there. Unfortunately, because I was out of my vehicle,  
8 the only access I had was my cell phone. So, I called  
9 one of the uniformed officers directly that I knew who  
10 was working with me that day, notified him of who I  
11 observed. He then, by radio, notified the other  
12 uniformed officers that were also working with us and  
13 they came to that location.

14 Q. Which officers came to the location that day?

15 A. I called Officer Mishka (phonetic) and Officer  
16 O'Neill. I talked to Mishka directly over the phone and  
17 then Officer Flora and Officer Miako (phonetic) also  
18 came to the location. Two-man marked units.

19 Q. We've been talking about that Chevron station.  
20 Can you tell the jury exactly where the Chevron station  
21 was located?

22 A. It's on the northwest corner of the  
23 intersection between Brant Rock and South Dairy Ashford,  
24 the 3800 block of South Dairy Ashford.

25 Q. Is that a location that's here in Harris



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1 County, Texas?

2 A. Yes, ma'am, it is.

3 Q. Did those officers eventually arrive at the  
4 scene?

5 A. Yes, they did.

6 Q. What happened after the officers got there?

7 A. Both marked uniformed police cars came up.  
8 Four uniformed officers got out and approached  
9 Mr. Horhn, as well as persons that were identified  
10 there. Then myself and another plain clothes officer  
11 went out and met with those officers. All three  
12 defendants were detained. Identifying information was  
13 obtained from them. Although we knew them by sight, we  
14 confirmed who their identity was and entered that in the  
15 computer system to see if all or any of the three are  
16 wanted on warrants.

17 Q. When you saw the defendant initially, where  
18 was he located?

19 A. Standing outside of the vehicle by the gas  
20 pumps in the middle of the parking lot.

21 Q. Was there someone else out there with him,  
22 without going into who it was?

23 A. Yes. There was two other black males that  
24 were known to be documented gang members.

25 Q. Do you know of a Houston Police Department

1 policy with regard to inventorying someone's possessions  
2 when they are arrested?

3 A. Yes. Whether you're lawfully detained or  
4 arrested, our department policy states that you will  
5 place the person in handcuffs. That is both for their  
6 safety and the safety of the officers that are  
7 interacting with that person. We can also conduct a  
8 cursory or a high-risk search of their waistband for  
9 weapons. If they have any identifying information on  
10 them, such as a wallet, you can search that wallet for  
11 identifying information to confirm that they possess a  
12 driver's license, social security card or any other  
13 identifying information that would confirm their  
14 identity.

15 Q. Was that the end of your involvement in this  
16 particular case or was there anything else?

17 A. That essentially ended it. The uniformed  
18 officers then took the investigation and moved forward  
19 with it from there.

20 MS. GAIDO: Pass the witness, Your Honor.

21 THE COURT: Ms. Meador?

22 **CROSS-EXAMINATION**

23 Q. (BY MS. MEADOR) Sergeant, you said when  
24 someone is detained, you can do kind of a pat search of  
25 them; is that correct?

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1           A.     Yes.

2           Q.     And wouldn't it be routine that every person  
3 that you arrest and put in handcuffs that you would pat  
4 them down?

5           A.     Yes.

6           Q.     And this happened April 11, 2013, about 3:00  
7 in the afternoon?

8           A.     Correct.

9                   MS. MEADOR:  Nothing further, Your Honor.

10                  THE COURT:  Anything else?

11                  MS. GAIDO:  Not from the State, Your  
12 Honor.

13                  THE COURT:  You may step down.

14                  May this witness be excused?

15                  MS. MEADOR:  Yes, Your Honor.

16                  THE COURT:  You're excused.

17                  Call your next.

18                  MS. GAIDO:  Your Honor, the State calls  
19 Officer O'Neill.

20                  THE COURT:  Ladies and gentlemen, this  
21 witness has been sworn outside your presence.

22                  State.

23                  MS. GAIDO:  Thank you, Your Honor.

24

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*Terrance O'Neill - August 26, 2014*  
*Direct Examination by Ms. Gaido*

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**TERRANCE O'NEILL,**

having been first duly sworn, testified as follows:

**DIRECT EXAMINATION**

Q. (BY MS. GAIDO) Good morning.

A. Morning, ma'am.

Q. Would you please introduce yourself to our jury?

A. Terrance O'Neill.

Q. And, Officer O'Neill, where are you from originally?

A. Originally from -- in the department?

Q. No, in life.

A. From outside Boston, Massachusetts.

Q. Did you go to school up there?

A. Yes, ma'am, I did.

Q. How did you get down here to Houston?

A. I just moved down for the job.

Q. What job would that be?

A. With the Houston Police Department.

Q. When did you join the Houston Police Department?

A. Approximately five and a half years ago.

Q. What does it mean to join the Houston Police Department? What do you have to do?

A. Our main responsibilities in patrol capacity