

Testimony of Jody Fitts

DIRECT EXAMINATION

12

13 BY MR. TOBY L. SHOOK:

14 Q. Tell us your name, please.

15 A. Jody Fitts, F-I-T-T-S.

16 Q. And how are you employed, sir?

17 A. I'm a registered nurse at Baylor

18 University Medical Center.

19 Q. Okay. Tell the jury your education

20 and training you have to hold that position.

21 A. I've been a nurse for three years,

22 registered nurse; about a year and three months in the

23 emergency room, two years before that in ICU, and about

24 eight and a half years as an emergency paramedic before

25 that.

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1 Q. Okay. And where do you work?

2 A. I work at the emergency department

3 there at Baylor University Medical Center in downtown

4 Dallas.

5 Q. Okay. How long have you been at

6 Baylor?

7 A. A year and a half now.

8 Q. And you are an emergency room nurse;

9 is that correct?

10 A. That's correct.

11 Q. Tell the jurors what your duties are,

12 as an emergency room nurse.

13 A. We -- at the emergency room there at

14 Baylor, we take care of anything from what we call

15 primary care patients, which is any kind of little small

16 injury or illnesses, all the way up to a major trauma.

17 We are a major trauma center there in the city.

18 Q. Okay. Let me turn your attention to

19 June 6th, 1996 and ask if you were on duty during those

20 morning hours?

21 A. I was. I was supposed to have left at

22 2:00 AM that day, but it was an extremely busy night so I

23 stayed over.

24 Q. Okay. Around -- a little after 3:00

25 or so did you get notice that there would be some

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1 patients coming in that were -- that had been stabbed --

2 some stabbing victims?

3 A. Right. We got -- actually the call we
4 received, was that five minutes out we had a multiple
5 stab victim, five-year old coming in.

6 Q. Okay.

7 A. And then it was just a few minutes
8 after that, that we got a call that we would be getting
9 a -- the child they said they had been doing CPR on, and
10 we got prepared for that. And then we got a second call,
11 saying that we would be getting a second patient, a
12 female, the mother of the child that was awake and
13 talking.

14 Q. Okay. And what did you do in
15 preparation for that?

16 A. There are several things we have to
17 do. We have to -- there's a lot of staffing situations
18 that we have to do. Each major trauma patient gets two
19 nurses assigned to them immediately. And we have to
20 actually don garb, that is our trauma gear, that covers,
21 and things in glasses, things to protect us from
22 different things. And there's equipment, IV bags, and
23 any kind of equipment we may possibly use, we set it out.

24 Q. Did you get ready in time to receive
25 the female victim?

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1 A. Not as well as we would like to. We
2 only had a couple of minutes notice for the lady that was
3 coming in. Of course, the child we were very prepared
4 for him in the major trauma room up front. There were
5 several other major trauma victims in our other trauma
6 rooms down the side, so we had our last room, way down
7 the hall, and we set it up for the lady that was coming
8 in.

9 Q. And, did you see the patient as she
10 arrived?

11 A. Yes, sir, I did. I was standing
12 outside -- the hall that we were in -- the room we were
13 in is at the end of a long hall, with the front door at
14 the other end of it.
15 I then put on all my stuff, some of
16 our technicians were setting up the equipment in the room
17 and I was standing outside of the room, waiting for this
18 stretcher to come in. And as they came in, I could hear
19 the lady screaming. And could see her in the stretcher
20 as she came down the hall.

21 Q. What was she screaming?

22 A. She was screaming two different
23 things. The first thing I heard was her screaming asking
24 for pain medication. "I need pain medication," something

25 along that line.

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1 And then she would alternate that with
2 "Why did they kill my boys? Why did they kill my boys?"
3 That was in the hall. As I saw her coming, then I had to
4 get into the room to get ready. And once she hit the
5 room she kept asking us "Why would he kill my boys? Why
6 would he kill my boys? And then, "Give me something for
7 pain."

8 Q. Okay. Now, you saw her as they were
9 taking her down towards the room; is that right?

10 A. Right. I was staring at her down the
11 hall.

12 Q. Had the boy arrived already?

13 A. The boy was there in the room
14 completely opposite down the way -- way down, down at the
15 end of the hall. As they wheeled her by that room, her
16 head was turned as if looking into that room.

17 Q. Okay. Did you see any reaction as she
18 went by that room?

19 A. There was a lot of reactions to
20 everything. But no, I didn't see -- I was concerned. I
21 knew what was going on in that first room. I wasn't
22 involved in there at the time, but I knew what was going
23 on. But, I was very concerned when she turned her head
24 that way, that she would see her son in there, and that
25 would escalate her emotional state. But that's what I
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1 was afraid of.

2 Q. But she continued to yell for pain --

3 A. Right.

4 Q. -- and then "Why," the first thing,

5 "Why did they kill my boys?" And then, "Why did he kill
6 my two boys?"

7 A. Right. In the room she said, "Why
8 would he do that? Why would he kill my boys?"

9 Q. Describe her physical condition when
10 you saw her there in your trauma room.

11 A. She arrived to me completely nude,
12 covered head to toe in dried blood. She had a dressing
13 around her neck and around this right arm.

14 Q. Okay. What did you do then?

15 A. We immediately take them off the
16 stretcher. You've got to understand it was a very
17 stressful situation, it was a horrible sight to see all
18 of this. We get the people lowered onto the table, we

19 have the technicians start bathing them, washing them
20 down.

21 We need to assess what their injuries
22 are right away. And so, as soon as she got over, the
23 technicians there, were taking the dressings off of the
24 arms, and began taking the dressing off the neck here.

25 Q. Okay.

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1 A. And the paramedics were giving us a

2 report about what the injuries were.

3 Q. Her neck was bleeding; is that right?

4 A. Her neck initially was not bleeding.

5 We pulled the dressing off. It was initially not
6 bleeding, but the surgeon there had to explore that wound
7 just a little bit and look at it. And after he had
8 touched it just slightly, a bit of blood squirted out of
9 the wound, which would, to us indicates an arterial
10 bleeding, and that we don't want to mess with that in the
11 emergency room. So we immediately covered that back up.

12 Q. Okay. Now, as far as what the actual
13 damage was, you don't know at that time. Right?

14 A. No. We knew that it was bleeding and

15 some -- indicating some type of arterial bleed. I

16 believe it ended up not being an arterial bleed. But for
17 us, that's not something we need to mess with. You lose
18 a lot of blood that way. You just --

19 Q. You want to make sure that pressure is
20 applied to that wound?

21 A. Right.

22 Q. All right. And did you see the other
23 injuries on her?

24 A. Right. She had another injury up here

25 by her neck. She had this neck wound, and then also one

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1 up here too, two different wounds. And then one, like a
2 stab or puncture wound in her forearm right here.

3 Q. Okay.

4 A. I have a picture of that on my record.

5 Q. Okay. Let me show you what's been
6 marked as State's Exhibit 28-A. Is that the location of
7 the wound you saw on the forearm?

8 A. That's the forearm wound that I saw,
9 yes.

10 Q. Okay. And then State's Exhibit No.

11 28-B, is that the neck area and then the shoulder?

12 A. Right. And then that second wound

13 there.

14 Q. All right. Did you examine other
15 parts of her body, her arms?

16 A. We examined her head to toe.

17 Q. Let me ask you this: Is that

18 something you're concerned about, examining her head to
19 toe?

20 A. Well, certainly, especially with her

21 being covered in blood, and dried blood. That would
22 cover up many injuries. It could cover up all kinds of
23 things.

24 Q. Did you find any other injuries on
25 her?

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1 A. No. Just the simple cuts that I've
2 explained, here, here and here. We rolled her on her
3 back and couldn't find anything.

4 Q. Any other injuries on her right arm at
5 all, other than this cut here?

6 A. No, just a clean stab wound straight
7 through here, or a puncture wound.

8 Q. Okay. What was she -- do you inquire
9 whether she's alert, knows what's going on, that kind of
10 thing?

11 A. Right. We need to determine that
12 right away, so we'll know what we're dealing with,
13 especially in a trauma situation. We want to know if
14 they're oriented right away, so we know to be concerned
15 about head injuries or anything like that.

16 Q. So what do you do for that? How do
17 you determine that?

18 A. We ask them if they know where they're
19 at. If they know if they have any medical allergies, any
20 medical conditions, any surgeries, and if they're taking
21 any medications.

22 Q. Okay. Did she seem alert and oriented
23 to you?

24 A. Yes. Mrs. Routier was able to answer
25 all my questions.

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1 Q. Okay. Do you watch for signs of shock
2 when the patients come in there?

3 A. Sure we do. What you're asking me
4 about shock is not what we call medical shock, but an
5 emotional state of shock. We're concerned about that.
6 She was quite able to answer all my questions, correct.

7 Q. Responded to all of your questions you
8 asked?

9 A. I even asked her what medications she
10 had been taking.

11 Q. What did -- and is it important to
12 find out if they're on any medications?

13 A. Sure. We need to know exactly what
14 medications they're on, in case we give them something
15 that might in some way not work with the medicine.

16 Q. What medication was she on?

17 A. She told me she was on Fastin and
18 Pondimin, neither of those medications I had never dealt
19 with. I found out since then that they're diet control,
20 appetite-suppressant-type medication. And she told me --
21 I asked her, I don't know what those are for, and she
22 told me that they were diet pills.

23 Q. Okay. So she was on diet pills?

24 A. Um-hum. (Witness nodding head
25 affirmatively).

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1 Q. All right. Was she in there any great
2 length of time?

3 A. She was in -- I had her in there
4 exactly 13 minutes.

5 Q. Okay. And then they take her off to
6 surgery?

7 A. Yes.

8 Q. Okay. Did you remove a necklace from
9 her neck?

10 A. Right. When the technicians pulled
11 the dressing off the wound on her neck, a chain was freed
12 around her neck. I took that off, set it aside, and
13 later, I believe, one of the other nurses handed that
14 over to the Rowlett Police Department.

15 Q. Okay. Was that under the gauze?

16 A. It was underneath the dressing the
17 paramedics had applied.

18

19 (Whereupon, the following
20 mentioned item was

21 marked for

22 identification only

23 after which time the

24 proceedings were

25 resumed on the record

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1 in open court, as
2 follows:)

3

4

5 BY MR. TOBY L. SHOOK:

6 Q. Okay. Let me show you what's been
7 marked as State's Exhibit 26. Does this appear to be the
8 necklace?

9 A. This looks similar to the necklace. I
10 couldn't tell you if it was exactly the same one or not.

11 Q. Okay. And it was unattached?

12 A. It was unattached.

13 Q. Okay.

14 A. I didn't have to undo it.

15 Q. Okay.

16

17 MR. TOBY L. SHOOK: Judge, I would
18 like to enter this for record purposes, at this time.

19 THE COURT: State's Exhibit what?

20 MR. TOBY L. SHOOK: 26.

21 THE COURT: For record only?

22 MR. TOBY L. SHOOK: Yes, sir.

23 THE COURT: Any objection?

24 MR. DOUGLAS MULDER: Not for record
25 purposes.

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1 THE COURT: All right. State's
2 Exhibit No. 26 is admitted for record purposes only.

3

4 (Whereupon, the item
5 heretofore mentioned
6 was received in evidence
7 as State's Exhibit No. 26
8 for record purposes only,
9 after which time, the
10 proceedings were resumed
11 as follows:)

12

13

14 BY MR. TOBY L. SHOOK:

15 Q. Do you see Ms. Routier here in the
16 courtroom today?

17 A. Yes, sir. Her hair is a little bit
18 different, but that's her.

19 Q. And the scar we see here, is that the
20 area that y'all were applying pressure to?

21 A. Yes, sir, that's exactly where I had
22 seen it.

23

24 MR. TOBY L. SHOOK: Okay. That's all
25 the questions we have, Judge.
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1 MR. PRESTON DOUGLASS: I don't have
2 any questions, Judge.

3 THE COURT: This gentlemen will be
4 excused to go back to Dallas? Both sides agree to excuse
5 him?

6 MR. PRESTON DOUGLASS: Yes, sir.

7 THE COURT: Thank you for coming, sir.

8 Watch your step down.

9 MR. TOBY L. SHOOK: We'll call Chris
10 Whielgosz.

11 THE COURT: All right. Is the jury
12 all right breakwise so far? All right. Thank you.
13 Please raise your right hand, please.