

Testimony of Phyllis Jackson

DIRECT EXAMINATION

12

13 BY MR. TOBY L. SHOOK:

14 Q. Ms. Jackson, how are you employed?

15 A. I'm employed by Baylor Health Care

16 System Police Department.

17 Q. Okay. And, you're a police officer

18 with them?

19 A. Yes, sir, I'm a corporal in patrol.

20 Q. How long have you been with them?

21 A. Six years.

22 Q. Does Baylor Hospital have its own

23 police department?

24 A. Yes, sir, we do.

25 Q. Okay. And what is your jurisdiction?

Sandra M. Halsey, CSR, Official Court Reporter

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1 A. Anywhere on the Baylor Health Care

2 System Property, whether it's in Dallas, or any of the

3 affiliates that are nearby.

4 Q. Okay. They have more than just one

5 central location; is that right?

6 A. That's correct.

7 Q. About how big is your department?

8 A. We have about 50 sworn officers.

9 Q. Okay. And you've been with them six

10 years?

11 A. Yes, sir.

12 Q. Okay. Let me ask you if you were on

13 duty on July -- I'm sorry, June 6th, 1996?

14 A. Yes, sir, I was.

15 Q. What time did you come on duty?

16 A. That evening I came on at 10:15.

17 Q. Okay.

18 A. On the 5th.

19 Q. Okay. So that would be the 5th of

20 June?

21 A. Correct.

22 Q. And, where were you assigned?

23 A. In the Robert's Building.

24 Q. Okay. And, what were your duties

25 there?

Sandra M. Halsey, CSR, Official Court Reporter

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1 A. To patrol the floors, just walk

2 through, check doors, make sure everything is locked up.

3 Relieve other officers for breaks if necessary.
4 Q. Okay. Sometime in the early morning
5 hours were you contacted to help assist with some
6 witnesses and some victims?
7 A. I went down to the emergency
8 department and one of the fellow officers told me of the
9 Routiers being at the hospital, and he needed a break, so
10 I relieved him for a break.
11 Q. Okay. And about what time was that?
12 A. It was about 4:45.
13 Q. In the morning?
14 A. Yes, sir.
15 Q. Okay. Did you meet Darin Routier at
16 that time?
17 A. Yes, sir, I did.
18 Q. And where was he located when you met
19 him?
20 A. He was in family room number 1,
21 outside of the emergency department.
22 Q. And how was he dressed?
23 A. He had on blue jeans and a white
24 t-shirt.
25 Q. Okay.
Sandra M. Halsey, CSR, Official Court Reporter
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1
2 (Whereupon, the following
3 mentioned item was
4 marked for
5 identification only
6 after which time the
7 proceedings were
8 resumed on the record
9 in open court, as
10 follows:)
11
12 BY MR. TOBY L. SHOOK:
13 Q. Let me show you what's been marked as
14 State's Exhibit No. 54 and ask you if you can identify
15 that Polaroid photo.
16 A. Yes, sir.
17 Q. Is that a photo of Darin Routier?
18 A. Yes, it is.
19 Q. How he appeared that day?
20 A. Yes, sir.
21
22 MR. TOBY L. SHOOK: Okay. We'll offer
23 State's Exhibit 54.
24 THE COURT: What is that number, Mr.

25 Shook?

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1 MR. TOBY L. SHOOK: Number 54.

2 THE COURT: Thank you. All right.

3 MR. DOUGLAS D. MULDER: No objection.

4 THE COURT: All right. State's

5 Exhibit 54 is admitted.

6

7 (Whereupon, the item

8 Heretofore mentioned

9 Was received in evidence

10 As State's Exhibit No. 54

11 For all purposes,

12 After which time, the

13 Proceedings were resumed

14 As follows:)

15

16

17 BY MR. TOBY L. SHOOK:

18 Q. Shortly thereafter, did you come to

19 meet some Rowlett detectives?

20 A. Yes, sir, I did.

21 Q. Okay. And did you take them to a

22 certain location in the hospital?

23 A. Yes, sir. After Officer Avilar

24 returned from break I escorted Detective Patterson and

25 Frosch from the Rowlett Police Department up to 2-south

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1 ICU.

2 Q. Okay. And, what was at that

3 particular location?

4 A. They wanted to interview Mrs. Routier.

5 Q. Okay. And did you take them actually

6 into her room?

7 A. Yes, sir, I did.

8 Q. Who was present there?

9 A. Chris Wielgosz. He's an RN.

10 Q. Okay.

11 A. He was there. Sheila Jackson, she's a

12 night administrator. She was inside the room. She asked

13 me to come in to discuss media and stuff if they showed

14 up at the hospital.

15 Q. Okay. So did you talk to Mrs. Jackson

16 at that time?

17 A. Yes, sir, I did.

18 Q. Did the Rowlett detectives then begin

19 to talk to Mrs. Routier?

20 A. Yes, sir, they did.

21 Q. Okay. Did you stay in the room for

22 any length of time after that?

23 A. I was in the room, and then I had to

24 leave on some calls and then I came back to the room.

25 Q. So you were in and out of the room?

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1 A. Yes.

2 Q. Okay. And how close were you to the

3 detectives and Mrs. Routier?

4 A. Initially when I went in, I was about

5 20 feet away, but upon leaving and reentering, probably

6 as close as seven feet.

7 Q. Okay. Were you able to observe her

8 and the detectives?

9 A. Yes, sir.

10 Q. And, were you able to hear the

11 conversation they were having?

12 A. Parts of it.

13 Q. When you were in the room --

14 A. While I was in the room.

15 Q. And not occupied with something with

16 Ms. Jackson?

17 A. That's correct.

18 Q. Okay. Did -- well, what was Mrs.

19 Routier -- what was her appearance at the time?

20 A. She was awake, oriented, she answered

21 the questions that the officers asked.

22 Q. Did she seem to understand the

23 questions they were asking?

24 A. Yes, she did.

25 Q. Okay. And were you able to hear her

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1 answers as to some of the questions they asked her?

2 A. Yes, I was.

3 Q. Okay. Were you there when she talked

4 about how this attack had occurred?

5 A. Yes, sir. On -- what I heard was,

6 when she said that she awoke with a man on top of her.

7 Q. Okay. And what did she say happened

8 then?

9 A. And, she described him as a white male

10 with shoulder length, dark-colored hair, and she said

11 they struggled. And as he fled, she picked up a knife

12 and chased him to the garage area.

13 Q. Okay. Did she -- and she said this
14 man was on top of her when she woke up?
15 A. That's correct.
16 Q. Okay. Did she say where she was when
17 this happened?
18 A. She said she was in the living room,
19 that her and her two sons had fell asleep in front of the
20 television that evening.
21 Q. Okay. Had she said why they were
22 sleeping downstairs or anything like that that you
23 recall?
24 A. She had said that she had been
25 sleeping downstairs for about a week because she had been
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1 real restless and she didn't want to keep waking Mr.
2 Routier up.
3 Q. Okay. And then she chased this man
4 out, and he dropped the knife; is that right?
5 A. She said she had picked the knife up
6 and chased him. And, once she realized she was wounded,
7 she came back and had laid the knife on the kitchen
8 counter top.
9 Q. Okay. What's the next thing that you
10 remember her telling them?
11 A. She said Mr. Routier came to the top
12 of the stairs and then that he came on downstairs.
13 Q. Okay. And then what happened?
14 A. The next thing I remember is, she was
15 saying that she wore rings on all 10 of her fingers, and
16 she described most of them in specific detail. That she
17 had taken them off earlier that evening and laid them on
18 the kitchen counter top.
19 Q. Okay. So she had had rings on
20 earlier, on every finger, and put them on the kitchen
21 counter top?
22 A. Yes, sir.
23 Q. And, what was her description of the
24 rings?
25 A. There was one she said she wore on her
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1 forefinger that was a quarter carat. And then some of
2 the others were described as clusters of gems set in
3 gold.
4 Q. Okay. And then the description of the
5 attacker was a white male?
6 A. Yes, sir. She said a white male,

7 shoulder length, dark hair, wearing a ball cap.

8 Q. Okay. And did she go into any other
9 details about him, other than that?

10 A. She said that -- Detective Frosch was
11 in the room, and she said that the assailant was about
12 the same build as Detective Frosch.

13 Q. Okay. Did she have him face one way
14 or the other when she was doing that?

15 A. Well, she said that she could not
16 describe his face, that all she could describe was from
17 the back. So, Detective Frosch had turned around. And
18 she said that he was about the same build.

19 Q. About the same build, same size?

20 A. Yes, sir.

21 Q. Okay. Did she say anything about any
22 windows being open, anything like that?

23 A. Yes, sir. She said the window in the
24 garage had been opened due to the cat being out in the
25 garage because the cat was in heat.

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1 Q. Okay. The Rowlett detectives, how did
2 they ask questions?

3 A. They did an interview, how you
4 interview any victim of any crime, just trying to figure
5 out what had happened at the home.

6 Q. They weren't interrogating her?

7 A. No, sir, not at all.

8 Q. Anything like that, were they?

9 A. No, sir.

10 Q. Was it a pretty long and methodical
11 process?

12 A. They kind of went with, at the
13 beginning -- the parts that I heard -- from the beginning
14 towards, till, you know, the paramedics and all that got
15 there. And, they just asked questions and she answered
16 them. Or sometimes, you know, she might have made
17 another statement and they went from there.

18 Q. You weren't in the room for the entire
19 interview, were you?

20 A. No, I was not.

21

22 MR. DOUGLAS MULDER: Object to the
23 leading.

24 THE COURT: Sustained. Let's phrase
25 our questions properly, please.

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1

2 BY MR. TOBY L. SHOOK:

3 Q. And, at sometime later did these
4 detectives contact you to execute an affidavit?

5 A. Yes, sir, they did.

6 Q. Do you remember when that was?

7 A. Well, it was a few days after the
8 night of the meeting her on June 6th.

9 Q. Did you do that for them?

10 A. Yes, sir, I did.

11 Q. Okay.

12

13

14 (Whereupon, the following

15 mentioned item was

16 marked for

17 identification only

18 after which time the

19 proceedings were

20 resumed on the record

21 in open court, as

22 follows:)

23

24

25

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1 BY MR. TOBY L. SHOOK:

2 Q. Let me show you what's been marked as
3 State's Exhibit 56, and ask you if that's a copy of the
4 affidavit you gave?

5 A. Yes, it is.

6 Q. Okay.

7

8 MR. TOBY L. SHOOK: That's all the

9 questions I have, Judge.

10 THE COURT: All right.

11 MR. DOUGLAS MULDER: Can I see that

12 exhibit? Thank you.

13

14

15 CROSS EXAMINATION

16

17 BY MR. DOUGLAS MULDER:

18 Q. You said the detectives -- Mrs.

19 Jackson?

20 A. Yes, sir.

21 Q. Contacted you a few days after this

22 incident?

23 A. Yes, sir.

24 Q. And you gave them a statement that
25 day?

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1 A. Not that particular day. That
2 affidavit is, the date on it where I signed it was when
3 it was notarized.

4 Q. Okay. Well, did you type up the
5 statement, or did they type up the statement?

6 A. I typed it up.

7 Q. You typed it up yourself?

8 A. Yes, sir.

9 Q. I take it you typed it up from notes
10 that you had made?

11 A. I typed it up from memory.

12 Q. You typed it up from memory?

13 A. Yes, sir.

14 Q. Okay. And, did you have it notarized
15 at or about the time that you gave the statement?

16 A. I had it notarized when I took it to
17 the Rowlett Police Department.

18 Q. And I assume they contacted you and
19 said, "give us statement." And, you got back to them in
20 your usual prompt fashion?

21 A. Yes, sir.

22 Q. The statement is dated sometime in
23 July; is it not?

24 A. Yes, sir, it is.

25 Q. And that's what you meant by a few
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1 days later?

2 A. No, sir, they contacted me before the
3 3rd of July.

4 Q. Okay. Well, at any rate, your story
5 is that you took no notes?

6 A. It was not my investigation.

7 Q. Right.

8 A. So, no, sir, I did not take any notes.

9 Q. And who else was in that room at that
10 time?

11 A. Chris Wielgosz.

12 Q. Okay.

13 A. He's an RN.

14 Q. Was he taking notes?

15 A. He was tending to her medical needs.

16 Q. What was he doing, if you could tell

17 us?

18 A. He was sitting near her bedside and

19 occasionally he would -- she had some kind of monitor or

20 something hooked up, and he would tell her not to, you

21 know, move her arm or something.

22 Q. How many times did that happen?

23 A. A few times.

24 Q. Two times or three times?

25 A. About three.

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1 Q. About three times? And he would tell

2 her "Don't move your arm, you're setting off the alarm"?

3 A. Yes.

4 Q. Okay. What else was he doing?

5 A. I believe he was charting. I'm not

6 sure.

7 Q. Making notes about what she was

8 saying?

9 A. I don't know.

10 Q. Okay.

11 A. I was not near him. He was on the

12 further side of the room than where I was, so I was not

13 overlooking his shoulder seeing what he was doing.

14 Q. I take it it was a room about this

15 size?

16 A. It's not quite this large.

17 Q. Not -- it's for four people, so it

18 wouldn't be quite this big?

19 A. Well, it's for four people, but it's

20 still not quite this large.

21 Q. Gosh, four people, they would have

22 plenty of room, wouldn't they?

23 A. Well --

24 Q. In a room this size.

25 A. Well, okay. I don't understand your

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1 question.

2 Q. How big was this room? You said it

3 wasn't quite this size.

4 A. The ICU pods are just a little beyond

5 the doors there, not all the way to the back.

6 Q. How many beds in each pod?

7 A. Just four.

8 Q. Four. And were there any other people

9 in the other beds?

10 A. No, sir.

11 Q. Okay. How many of y'all were in this
12 room at the time you say you were there?
13 A. About five of us.
14 Q. Okay. Who were they?
15 A. Well, six of us.
16 Q. Okay.
17 A. Mrs. Routier, Detective Patterson,
18 Detective Frosch, Sheila Jackson and Chris Wielgosz.
19 Q. Sheila Jackson?
20 A. Yes, sir.
21 Q. And who was she?
22 A. She's a nursing administrator. She's
23 a nurse who is the nursing administrator at nighttime at
24 Baylor.
25 Q. Okay. And why was she there?
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1 A. She was there because that's --
2 anytime media is expected and all, you know, incidents
3 when media is expected, she will go. And then she wanted
4 to talk to the Rowlett officers to see if they knew if
5 her name had been released yet, and if the hospital had
6 been released.
7 Q. Did she stay there for the entire
8 time?
9 A. No, sir, she was in and out as well.
10 Q. She was in and out and you were in and
11 out?
12 A. Yes, sir.
13 Q. Okay. I mean, where does Sheila --
14 what was Sheila --
15 A. Jackson.
16 Q. Where does Sheila Jackson office?
17 A. She offices on -- now on the first
18 floor of Truett.
19 Q. Where was she officing at that time?
20 A. I'm not exactly sure. They had just
21 relocated the offices. So, I'm not real sure if she was
22 on the first floor of Roberts or on the first floor of
23 Truett.
24 Q. Was Ms. Jackson taking notes?
25 A. No, she was not.
Sandra M. Halsey, CSR, Official Court Reporter
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1 Q. Okay. Was Mr. Wielgosz taking notes?
2 A. I do not know what Mr. Wielgosz was
3 doing.
4 Q. Okay. You said he was charting.

5 A. I believe he looked like he had a
6 chart in his hand, but I do not know what he was doing
7 for sure.

8 Q. Okay. Do you know if the Rowlett
9 Police Officers recorded this conversation that was had?

10 A. I do not know.

11 Q. Okay. Well, did you see a video
12 camera there?

13 A. I did not see any type of recording
14 device.

15 Q. Okay. So, you're telling us that
16 there was not a video camera there?

17 A. I'm not telling you that. I'm telling
18 you I do not know. I did not see any type of recording
19 device.

20 Q. Well, I mean, that's something that
21 you would see if it were there, isn't it?

22 A. If it was a tape recorder, it could be
23 in a pocket.

24 Q. Okay. But how about a video recorder,
25 that couldn't be in a pocket, could it, and do much good?

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1 A. No, sir, I did not see one.

2 Q. Okay. You didn't see a video
3 recorder?

4 A. No, I did not.

5 Q. And you don't know anything about --
6 or at least, you didn't see a tape recorder where it was
7 exposed?

8 A. Correct.

9 Q. Okay. Were either of the detectives
10 taking notes?

11 A. Yes, I believe they were.

12 Q. Okay. You were, I think you said
13 seven feet from the bed; is that right?

14 A. That's correct.

15 Q. And -- but you weren't taking notes,
16 you're sure of that?

17 A. I'm sure of that.

18 Q. Okay. And which of the detectives
19 were taking notes?

20 A. Detective Frosch.

21 Q. All right. And did you see him
22 actually take notes?

23 A. I saw him take -- write in the, what
24 we call a whip-out book.

25 Q. In a whip-out book? Do you carry a

1 whip-out book, too?
2 A. Yes, I do.
3 Q. Okay. And you had your whip-out book
4 with you at that time?
5 A. Yes, sir, I did.
6 Q. Okay. But it wasn't your
7 investigation, so no reason for you to take notes?
8 A. That's correct.
9 Q. All right. Were you there when they
10 initially arrived and began this interrogation?
11 A. Yes, sir, I was.
12 Q. And then you left at some point?
13 A. I left and I returned.
14 Q. All right. How long had you been
15 there when you left?
16 A. Probably between 5 and 10 minutes.
17 Q. Okay. And how long did this entire
18 interrogation last?
19 A. It was -- the interview, I'm not
20 exactly sure, but I would say at least 30 minutes.
21 Q. Okay. All right. Now, when you --
22 were you there when it ended?
23 A. I was outside in the hallway.
24 Q. What were you doing out there?
25 A. Talking to Mrs. Jackson again.
Sandra M. Halsey, CSR, Official Court Reporter
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1 Q. Okay. You had lost interest in the
2 interview?
3 A. It was not my investigation, I was
4 trying to take care of the hospital needs and our needs.
5 And they had asked if we could get Mr. Routier a pair of
6 scrubs --
7 Q. Okay.
8 A. -- to put on, and that's what I was
9 trying to do.
10 Q. You were asking Sheila Jackson about
11 some scrubs?
12 A. Yes, sir.
13 Q. Does she handle the scrubs as well as
14 the publicity?
15 A. She handles everything
16 administratively at Baylor at nighttime.
17 Q. Okay. Now, where did you go when you
18 left?
19 A. I -- which time?

20 Q. How many times did you leave?
21 A. A few times.
22 Q. Is that two or three or four?
23 A. I was in and out of the room several
24 times, probably about three times.
25 Q. About three times?
Sandra M. Halsey, CSR, Official Court Reporter
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1 A. Yes.
2 Q. Where did you go the first time you
3 left?
4 A. I had a call to respond to.
5 Q. Okay.
6 A. It was a disturbance in the emergency
7 department.
8 Q. Oh, there was a disturbance in the
9 emergency department?
10 A. Yes, sir.
11 Q. And so you went down there?
12 A. I headed that direction and then it
13 was canceled.
14 Q. Okay. How far did you go?
15 A. I got down to the basement.
16 Q. Okay. From what floor was this on?
17 A. Second floor.
18 Q. Okay. You got, I assume, walked down
19 the hall to the elevators?
20 A. That's correct.
21 Q. Is that what you did?
22 A. Yes, sir.
23 Q. And I assume you had to wait for an
24 elevator?
25 A. They run pretty quickly at nighttime.
Sandra M. Halsey, CSR, Official Court Reporter
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1 Q. Maybe your experience is different
2 from mine.
3 A. Well, during the daytime, it's
4 different.
5 Q. Well, during any time.
6 A. Well, during daytime you can't get
7 them, but at nighttime the service elevator goes pretty
8 quickly.
9 Q. Especially when you're in a hurry.
10 But at any rate you got in an elevator?
11 A. Yes.
12 Q. And got down to the basement?
13 A. Yes.

14 Q. How many floors down is that from the
15 second floor? Is it three or four?
16 A. It would just be, the first floor is
17 beneath the second and the basement is below that.
18 Q. Just one basement level?
19 A. Yes, sir.
20 Q. Did you go to the emergency room?
21 A. No, I did not.
22 Q. So you had a radio with you, I assume?
23 A. That's correct.
24 Q. So you're in this interview room and
25 your radio is there that can be activated; is that right?
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1 A. Yes, sir.
2 Q. Okay. So you left in response to your
3 activated radio?
4 A. That's correct.
5 Q. And did you pick it up and check out?
6 A. Yes.
7 Q. Say, "I will be down there"?
8 A. Yes, I did.
9 Q. About how long did that take?
10 A. Not very, just a matter of a few
11 minutes. Once I got to the basement, they said "Cancel.
12 Everything was under control."
13 Q. I assume you're out of the elevator by
14 that time?
15 A. I had just exited it.
16 Q. Well, you had to push the button and
17 wait for an elevator again, didn't you?
18 A. Yes, sir.
19 Q. Okay. And then you go back up to this
20 room where they're having the interview --
21 A. Uh-huh. (Witness nodding head
22 affirmatively.)
23 Q. -- on a matter that's not of your
24 concern? That's your story; is that right?
25 A. It's not a matter of an investigation
Sandra M. Halsey, CSR, Official Court Reporter
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1 that my department was investigating.
2 Q. Okay. Well, the only thing you were
3 supposed to do was take the -- show the police officers
4 where she was?
5 A. I was showing them where she was, and
6 I was going to bring them back down when they needed to
7 come back down.

8 Q. You didn't think they could find their
9 way out of there?
10 A. It's a big hospital. They were not
11 familiar with the hospital.
12 Q. Okay. What I asked you was: You
13 didn't think they would be able to find their way out of
14 there?
15 A. No, I didn't.
16 Q. Okay. So, at any rate you went back
17 up; is that right?
18 A. That's correct.
19 Q. Okay. And how long were you there
20 before you left again?
21 A. Probably 10 minutes.
22 Q. You were there about 10 minutes?
23 A. Maybe, probably about 10.
24 Q. Were they asking her questions, or was
25 she just narrating this?
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1 A. They had asked a few questions, and a
2 few times she would add to whatever they asked.
3 Q. Okay. And, at this time were you
4 still some 20 feet away from her?
5 A. No, sir, I was a little closer.
6 Q. Did you go up there and say, "Excuse
7 me, but I, you know, had an emergency here and had to
8 leave and could somebody bring me up to date on what's
9 happened in the 5 or 10 minutes I've been gone?"
10 A. No, sir.
11 Q. You didn't do that?
12 A. No, sir.
13 Q. Well, did you look on Mr. Frosch's
14 notes to see where he was?
15 A. No, sir, I did not.
16 Q. And, again, you didn't take notes?
17 A. No, sir, I did not.
18 Q. Okay. And, how long were you there
19 before you had to leave again?
20 A. I just said 10 minutes.
21 Q. Okay. Where did you go when you left
22 this next time?
23 A. Out into the hallway.
24 Q. All right. And what was your purpose
25 in doing that?
Sandra M. Halsey, CSR, Official Court Reporter
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1 A. At that time Mrs. Jackson was out in
2 the hallway, and she had asked me if she could speak to
3 one of the investigators.

4 Q. All right. And what did you tell her?

5 A. I told her I would see what I could do
6 for her.

7 Q. Okay. That didn't take long, I
8 wouldn't guess, did it?

9 A. No.

10 Q. Okay. A minute, two minutes?

11 A. Three.

12 Q. Three minutes?

13 A. Yes, sir.

14 Q. Okay. So you ducked back in?

15 A. Yes, sir.

16 Q. And, you know, "Excuse me, I don't
17 want to interrupt, but could one of you step out in the
18 hall?"

19 A. Well, Detective Patterson was looking
20 my way, so I asked if he could speak to the
21 administrator.

22 Q. Okay. And did he?

23 A. Yes, he did.

24 Q. Okay. He was the one who wasn't
25 taking notes?

Sandra M. Halsey, CSR, Official Court Reporter
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1 A. That's correct.

2 Q. Okay. So he went out in the hall?

3 A. Yes.

4 Q. You saw him go out there?

5 A. Yes.

6 Q. Did you go out there with him?

7 A. Yes, I did.

8 Q. And what did y'all talk about out in
9 the hall?

10 A. Media. If it had been released that
11 she had been brought to Baylor Hospital. And about
12 getting Mr. Routier scrubs at that point.

13 Q. Getting Mr. Routier scrubs?

14 A. Yes.

15 Q. Okay. And, you weren't in charge of
16 scrubs?

17 A. No, sir.

18 Q. Who wanted to get him scrubs?

19 A. Detective Patterson. Well, he didn't
20 say scrubs, but just something else to wear.

21 Q. Okay. They wanted his clothes, didn't
22 they?

23 A. Yes, sir.
24 Q. Okay. And you would give him scrubs
25 rather than just handing him a blanket, or a towel or
Sandra M. Halsey, CSR, Official Court Reporter
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1 whatever?
2 A. Yes, sir.
3 Q. Okay. And -- all right. So, did you
4 duck back into the room?
5 A. I remained in the hallway with
6 Detective Patterson and Mrs. Jackson while they were
7 there.
8 Q. How long was that? How long did that
9 take?
10 A. Just a few minutes.
11 Q. All right. Did you locate some scrubs
12 for him?
13 A. Yes, we did.
14 Q. Okay. And did you go get them?
15 A. No, sir, I did not.
16 Q. Did somebody -- was somebody sent for
17 them?
18 A. Yes, sir, someone was.
19 Q. All right. Where was Mr. Routier at
20 that time?
21 A. He was still down in the family room
22 by the emergency department.
23 Q. That would be down on what floor?
24 A. The basement.
25 Q. Okay. Had you seen him when you were
Sandra M. Halsey, CSR, Official Court Reporter
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1 down there to attend to the scuffle in the emergency
2 room?
3 A. I did not go to the scuffle in the
4 emergency room.
5 Q. No, I know you didn't, but --
6 A. I had seen --
7 Q. He wasn't in the emergency room, he
8 was in the family room, wasn't he?
9 A. That's correct. But I didn't make it
10 all the way down there.
11 Q. Well, the family room is next to the
12 emergency room, or in that area, isn't it?
13 A. Yes, it is.
14 Q. Okay.
15 A. But it's not near the elevators.
16 Q. Okay. Did you back into the pod?

17 A. Yes, I did.
18 Q. Okay. And --
19 A. Or actually, I just kind of stood in
20 the doorway.
21 Q. Was the doorway open?
22 A. Yes, it was.
23 Q. Okay. And how about Mr. Patterson.
24 What did he do?
25 A. He went back around by her bedside.
Sandra M. Halsey, CSR, Official Court Reporter
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1 Q. Okay. Where was he -- in relation to
2 her bedside, would you tell us where Mr. Patterson was?
3 A. Near her feet. Not way down on the
4 end, but on that -- if she's laying in the bed, he was on
5 her left side, down towards the end of the bed.
6 Q. Okay.
7 A. Not at the end of the bed, but the
8 side over there.
9 Q. Were her feet covered?
10 A. Yes, they were.
11 Q. What were they covered with?
12 A. They were covered with a sheet.
13 Q. Okay. Did you see her hands?
14 A. Yes, I did.
15 Q. Okay. Did you notice anything unusual
16 about them?
17 A. No, I did not.
18 Q. When I say "unusual," I mean were
19 they, for example, bloody?
20 A. No, they weren't.
21 Q. Okay. You're sure about that, I
22 assume, you have a fairly keen senses of observation?
23 A. Yes, sir.
24 Q. You're sure about the hands being not
25 bloody?
Sandra M. Halsey, CSR, Official Court Reporter
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1 A. Yes.
2 Q. That's something a trained
3 investigator like you would remember, isn't it?
4 A. I'm not an investigator, sir.
5 Q. Well, you're a trained --
6 A. Patrol officer.
7 Q. Pardon?
8 A. I'm a patrol officer.
9 Q. All right. Well, patrol officers
10 investigate from time to time, don't they?

11 A. Initially.
12 Q. Okay. But, you're trained as an
13 observer, aren't you?
14 A. Yes, sir.
15 Q. In fact, that's what you were there
16 for, you were there to learn, weren't you?
17 A. Yes, sir.
18 Q. Okay. So, you're telling us that
19 you -- you're telling this jury under oath you remember
20 her hands not being bloody?
21 A. That's correct.
22 Q. Okay. Do you remember any marks on
23 her?
24 A. She had bandages on her.
25 Q. Where did she have the bandages?
Sandra M. Halsey, CSR, Official Court Reporter
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1 A. On her neck and on her right arm.
2 Q. Okay. And where was the bandage on
3 the right arm, if you recall?
4 A. It was about right here.
5 Q. Okay. Have you seen photographs of it
6 since?
7 A. Yes, sir, I have.
8 Q. And who showed you those photographs?
9 A. Prosecutor Shook.
10 Q. Okay. When did he do that?
11 A. I believe I saw them on Tuesday.
12 Q. This is Thursday.
13 A. Yes, sir.
14 Q. Do you remember when it was Tuesday?
15 A. Around noon.
16 Q. At the YO?
17 A. Yes, sir.
18 Q. Is that where you're staying?
19 A. Yes, sir.
20 Q. When did you come down here?
21 A. Monday.
22 Q. Okay. In preparation for your
23 testimony here today?
24 A. Yes, sir.
25 Q. Okay. Have you had plenty of time?
Sandra M. Halsey, CSR, Official Court Reporter
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1 A. More than enough.
2 Q. All right. Had you seen the pictures
3 at another, -- any other time?
4 A. No, sir.

5 Q. Okay.

6 A. Other than on TV.

7 Q. You've followed the case, have you

8 not?

9 A. Kept up with it.

10 Q. Well, just as a -- I mean, we

11 understand it wasn't your investigation, because you

12 don't do investigations, but you felt like you were kind

13 of a part of it?

14 A. I was curious about it.

15 Q. Okay.

16 A. Yes, sir.

17 Q. Okay. Did you have occasion to

18 observe her arms in any more detail, other than the

19 bandage?

20 A. That was it.

21 Q. Okay. Would you notice -- have

22 noticed if her -- if her arms were bloody?

23 A. Yes, sir, I would have.

24 Q. Okay. And are you telling us that

25 you, at least eye-balled her arms and --

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1 A. When she was describing the rings she

2 had her hands up.

3 Q. Okay. And that's when you could see

4 that her hands weren't bloody?

5 A. That's correct.

6 Q. And you remember that?

7 A. Yes, I do.

8 Q. Okay. And at the same time you

9 examined her arms with your well-trained eye; is that

10 right?

11 A. Well, I was looking in her direction,

12 yes, sir.

13 Q. You don't know whether or not she had

14 blood on her feet, do you?

15 A. No, sir, I do not.

16 Q. Okay. Now, how long when you went

17 back in for the -- what is this, the third time?

18 A. I believe that's correct.

19 Q. Actually the fourth time you went into

20 the room, you left three times. Were you going back in

21 now?

22 A. I stayed more in the doorway, just

23 waiting for the investigators to finish.

24 Q. And where would that -- I get the

25 impression this is a big room. Is it as wide as this

Sandra M. Halsey, CSR, Official Court Reporter
1010

1 room?

2 A. Yes, sir.

3 Q. Okay. Is it wider?

4 A. I don't believe so.

5 Q. That's curious. It's just the same

6 width as this room?

7 A. No, not exactly, but it looks

8 approximately.

9 Q. So it was about square, was it? Back

10 to where that man is?

11 A. Just a little beyond those doors.

12 Q. Okay. Where was the room from where

13 the -- or the door to the room from where her bed was?

14 A. Well, as you entered the doorway, her

15 bed was there to the left. There's beds on either side,

16 one here, one here, one there and one there. Down the

17 middle is a computer and a sink and all kinds of medical

18 stuff.

19 Q. Okay. So, the fourth time you entered

20 the room, you -- and at no time did you say, "Hey,

21 fellows, I'm here to learn. Could you bring me up to

22 date on what's going on?"

23 A. No, I did not.

24 Q. Okay. And, how long were you in there

25 the fourth time you entered the room?

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1 A. Until they came close to finishing up.

2 Probably the amount of time, it was probably at least 30

3 minutes while we were up there.

4 Q. Okay. All right. You're saying from

5 start to finish it was probably 30 minutes; is that

6 right?

7 A. I believe so, yes, sir.

8 Q. Okay. And you were there, whatever

9 time it took, until they finished up?

10 A. Yes, sir.

11 Q. Okay. Did Mrs. Routier, did she

12 cooperate with them?

13 A. Yes, she was very cooperative.

14 Q. Okay. Was she pleasant to them?

15 A. Yes, she was.

16 Q. Okay. How long was Sheila Jackson in

17 the room with y'all?

18 A. I'm not sure the length of time that

19 she was in there.

20 Q. Okay.

21 A. Like I said, when I left -- so I don't

22 know if she remained in there or if she left or not, so I

23 really don't know.

24 Q. Okay. Was she there when you got

25 back?

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1 A. She was on that floor.

2 Q. What does that mean?

3 A. Well, she was still in that ICU unit.

4 I don't know if she was particularly in -- if you're

5 referring to the first time, she was still in the room.

6 And then other times after that we were out in the

7 hallway together. But I do not know the amount of time

8 she spent in the room.

9 Q. Okay. Did she -- when y'all initially

10 came up there, was she a part of the group that came up?

11 A. She was already in the room.

12 Q. She was in the room?

13 A. Yes, sir.

14 Q. Okay. And, was she in the room when

15 you left to tend to the emergency?

16 A. Yes, sir.

17 Q. Okay. Was she in the room when you

18 got back?

19 A. She was still in the room at that

20 time, yes.

21 Q. Okay. Was she still in the room when

22 you left the next time. As a matter of fact, you left to

23 go out in the hall to talk to her, didn't you?

24 A. Right. We went out there.

25 Q. Did she motion you out, or did she

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1 call you out or --

2 A. We just went out there.

3 Q. Did you indicate to her you wanted to

4 go in the hall, or did she indicate to you that she

5 wanted you to go in the hall?

6 A. I believe there was another staff

7 member in the hallway that needed something from Mrs.

8 Jackson. So she went out and then I went out.

9 Q. Okay. Did she call you out? I guess

10 that is what I'm trying to figure out.

11 A. No, she didn't.

12 Q. I mean, you just went out to -- you

13 weren't really interested in what was going on in the

14 pod, so you went out -- she's your boss. Is she your
15 boss?

16 A. No, she's not.

17 Q. Okay.

18 A. She's just a fellow administrator.

19 Q. Just another employee?

20 A. Yes.

21 Q. Okay. So you just decided you'd go
22 out?

23 A. Needed to take care of the hospital

24 business. And our hospital business is dealing with the
25 media when they arrived.

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1 Q. That's part of your business too?

2 A. Yes, it is.

3 Q. What do you do with the media?

4 A. We have specific areas that the media
5 can come to. And so, upon arrival we check with them,
6 make sure that they're aware of it. And make sure that
7 they stay in the areas that they're supposed to.

8 Q. You don't -- it's not your job to
9 release information to them?

10 A. That's correct.

11 Q. Have you been down to the courthouse
12 there in Dallas?

13 A. Many times.

14 Q. Have you been down there regarding
15 this case?

16 A. No, I have not.

17 Q. Have you been down there as a witness
18 in cases before?

19 A. Yes, sir, I have.

20 Q. Okay. And were you called down there
21 by the district attorney's office?

22 A. Are you referring to this case or any
23 other?

24 Q. No, I'm just talking about case in
25 general.

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1 A. Yes, sir.

2 Q. Okay. You've worked with them, the
3 security police out at Baylor, don't you?

4 A. Baylor has their own police
5 department.

6 Q. No, I know it, but you've worked for
7 the district attorney's office, like you work for the

8 Dallas Police and other police agencies, do you not?

9 A. That's correct.

10 Q. I mean, that's part of your job, isn't

11 it? To cooperate with those different agencies?

12 A. Yes, sir.

13 Q. And about how many times have you been

14 down to the district attorney's office on other matters?

15 A. Countless times. A lot. I've been

16 subpoenaed many times for --

17 Q. How long have you been with the Baylor

18 Police?

19 A. I've been with Baylor six years. And

20 prior to that I was with Dallas County Sheriff's Office

21 for four and a half.

22 Q. Okay. Where did you work in the

23 Sheriff's office?

24 A. I was a detention officer and I worked

25 at intake. But there was numerous times while I was in

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1 intake that I had to go as a witness.

2 Q. Okay.

3 A. So -- on important cases.

4 Q. Okay. Detention, is that sworn

5 personnel?

6 A. No, sir.

7 Q. Okay. When did you leave the Dallas

8 Sheriff's Office as a detention officer?

9 A. July of '90.

10 Q. July of '90?

11 A. Yes, sir.

12 Q. And you went directly with Baylor?

13 A. That's correct.

14 Q. Had lined up the job before you left?

15 A. Yes, I did.

16 Q. Okay. Had you known Officer Patterson

17 or Frosch before this?

18 A. I did not know them personally. I had

19 never seen Detective Patterson. Detective Frosch I had

20 recognized as -- we went through the police academy about

21 the same time.

22 Q. Okay. How long is that academy? Is

23 that a nine week program?

24 A. It was an 11 and a half week.

25 Q. Okay. So you recognized him from the

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1 training, 11 and a half week training program that you
2 had been in?

3 A. I recognized him from being at the
4 regional police academy.

5 Q. Okay.

6

7 MR. DOUGLAS D. MULDER: I believe
8 that's all. Thank you.

9 MR. TOBY L. SHOOK: Nothing further.

10 THE COURT: You may step down, ma'am.

11 I assume this witness will be excused to return to
12 Dallas?

13 MR. DOUGLAS D. MULDER: Yes, subject
14 to the agreement.

15 THE COURT: All right. Thank you,
16 ma'am.

17 THE WITNESS: Thank you, Judge.