

Testimony of Officer Steve Ferrie

DIRECT EXAMINATION

12

13 BY MR. GREG DAVIS:

14 Q. Would you please tell us your full
15 name.

16 A. Stephen Joseph Ferrie, F-E-R-R-I-E.

17 Q. Mr. Ferrie, are you a Rowlett Police
18 Officer?

19 A. Yes, sir.

20 Q. How long have you been with the
21 Rowlett Police Department, sir?

22 A. For approximately eight years.

23 Q. All right. Are you a patrolman out
24 there?

25 A. Yes, sir.

Sandra M. Halsey, CSR, Official Court Reporter
1385

1 Q. Let me ask you: I want to direct your
2 attention to June the 6th of 1996, and I ask you whether
3 or not you were instructed to go to 5801 Eagle Drive?

4 A. Yes, sir, I was.

5 Q. Do you recall approximately what time
6 that morning that you got to Eagle Drive?

7 A. It was approximately 4:00 AM.

8 Q. All right. And when you got to the
9 residence, did you meet with any other officers out
10 there?

11 A. Yes, sir.

12 Q. And do you recall who you met with?

13 A. Yes, sir. I met with Sergeant Ward.

14 Q. Okay. He was a sergeant. Correct?

15 A. Yes, sir.

16 Q. Was he your supervisor?

17 A. Yes, sir.

18 Q. Did you have occasion after meeting
19 with Sergeant Ward to accompany him down the alley behind
20 Eagle Drive?

21 A. Yes, sir, I did.

22 Q. And, did you assist him in the search
23 of that alley for possible evidence?

24 A. Yes, sir, I did.

25 Q. Did you yourself retrieve any items?

Sandra M. Halsey, CSR, Official Court Reporter
1386

1 A. No, I did not.

2 Q. All right. Were you with Sergeant

3 Ward when you saw -- when a white sock was seen next to a
4 garbage container?

5 A. Yes, sir.

6 Q. Did you have an opportunity also to
7 see that sock?

8 A. Yes, sir.

9 Q. Was the sock retrieved by you or
10 Sergeant Ward?

11 A. Sergeant Ward located the sock first.

12 Q. All right. Did you then go over there
13 and look at it?

14 A. Yes, sir.

15 Q. Did another Rowlett officer then
16 retrieve the sock for evidence?

17 A. Yes, sir.

18 Q. Do you remember who that was?

19 A. Yes, sir.

20 Q. Who was that?

21 A. It was Officer Mayne.

22 Q. David Mayne?

23 A. Yes, sir.

24 Q. All right. Is he with the physical
25 evidence section out there?

Sandra M. Halsey, CSR, Official Court Reporter
1387

1 A. Yes, he is.

2 Q. Okay. And did you and Sergeant Ward
3 search the entire alley?

4 A. Yes, we did.

5 Q. Is that the only item that came to
6 your attention during the entire search?

7 A. Yes, sir.

8 Q. Now, do you know about how long it
9 took for you and Sergeant Ward to search the alley?

10 A. I would estimate approximately 45
11 minutes.

12 Q. All right. And after you finished the
13 search, did you leave the location or did you do
14 something else out there at that location?

15 A. After I assisted the search of the
16 alley, I was assigned to guard the crime scene at the
17 front door.

18 Q. When you got up to the front door,
19 Officer, was there another Rowlett officer already there?

20 A. Yes, sir, there was.

21 Q. Who was that?

22 A. Officer Steve Wade.

23 Q. All right. So was it your

24 responsibility then to take his place there at the front

25 door?
Sandra M. Halsey, CSR, Official Court Reporter
1388

1 A. Yes, sir.
2 Q. And did you do that?
3 A. Yes, I did.
4 Q. Okay. And what were your instructions
5 when you got to that front door? What were you suppose
6 to do?
7 A. To prevent anybody from coming inside
8 the residence.
9 Q. All right. And when you got there to
10 the front door, did you start any sort of a log or any
11 kind of written record regarding whoever might go in or
12 come out of that house?
13 A. Yes, sir, I did.
14 Q. Okay. And again, what's the purpose
15 of keeping a log such as that?
16 A. To keep track of the people who
17 entered the crime scene and when they leave.
18 Q. All right.
19
20
21
22 (Whereupon, the following
23 mentioned item was
24 marked for
25 identification only
Sandra M. Halsey, CSR, Official Court Reporter
1389

1 after which time the
2 proceedings were
3 resumed on the record
4 in open court, as
5 follows:)
6
7 MR. GREG DAVIS: May I approach, your
8 Honor?
9 THE COURT: You may.
10
11 BY MR. GREG DAVIS:
12 Q. Officer Ferrie, let me show you what's
13 been marked for identification purposes as State's
14 Exhibit 34-B. Do you recognize that document, sir?
15 A. Yes, I do.
16 Q. All right. Is this the crime log that
17 you began generating at 5:57 AM on June 6, 1996?
18 A. Yes, sir.

19 Q. And the first entries, would those be
20 your entries, sir?
21 A. Yes, sir.
22 Q. All right. Now, does this log
23 actually show what time that you took over the door from
24 Officer Wade?
25 A. Yes, sir.
Sandra M. Halsey, CSR, Official Court Reporter
1390

1 Q. And what time did you take it over?
2 A. 5:57 AM.
3 Q. Now, let's talk about the front of the
4 house. Was there an area of the front portion of the
5 house that had been taped off?
6 A. Yes.
7 Q. All right. And do you recall the
8 first time that anyone entered into the area in front of
9 the house that had been taped off?
10 A. Yes, sir.
11 Q. And would that be reflected on your
12 log here?
13 A. Yes, sir.
14 Q. And do you recall at this point what
15 time that was?
16 A. I believe it was 6:03 AM.
17 Q. And do you recall actually who came
18 inside that taped-off area?
19 A. I have to view the log.
20 Q. Okay.
21 A. At 6:03 AM, Sergeant Walling, Sergeant
22 Nabors and Officer Mayne and James Cron entered the taped
23 area.
24 Q. All right. So you had a -- so, as I
25 understand then, you had Sergeant Walling, you knew who
Sandra M. Halsey, CSR, Official Court Reporter
1391

1 he was. Correct?
2 A. Yes, sir.
3 Q. Matt Walling?
4 A. Yes, sir.
5 Q. David Mayne, you've already told us,
6 he was a member of the Physical Evidence Section; is that
7 correct?
8 A. That's correct.
9 Q. David Nabors. Who is David Nabors?
10 A. That's Sergeant David Nabors, he's
11 with the patrol division also, physical evidence.
12 Q. Is he also the supervisor over the

13 Physical Evidence Section?

14 A. Yes, sir.

15 Q. And you had also made a note that a

16 James Cron entered the taped area. Now, who is James

17 Cron?

18 A. He is a -- I'm not sure exactly what

19 his title is. I know he deals with crime scenes.

20 Q. Okay. He was somebody that you knew.

21 Correct?

22 A. Not personally. It's a name that I

23 had heard in the past.

24 Q. Okay. And he then accompanied

25 Walling, Nabors and Mayne, the four of them together then

Sandra M. Halsey, CSR, Official Court Reporter

1392

1 came in the taped off area. Right?

2 A. Yes, sir.

3 Q. Okay. And are they the first people

4 that actually came in the taped off area?

5 A. Yes, sir.

6 Q. Now, at that point, when these four

7 came in the taped off area, had anybody come inside the

8 house?

9 A. No, sir.

10 Q. When is the first time that anyone

11 entered 5801 Eagle Drive after you took over the front

12 door?

13 A. It was at 6:09 AM.

14 Q. All right. And can you tell us the

15 names of the persons who actually went into the house?

16 A. Yes, sir. It was Karin Neal, David

17 Mayne and Sergeant Walling.

18 Q. Okay. So we have David Nabors -- I'm

19 sorry, David Mayne and Matt Walling. Correct? From

20 Rowlett PD?

21 A. Yes, sir.

22 Q. And Karen Neal, was she a member of

23 the police department or was she a civilian?

24 A. She was a civilian.

25 Q. Was it your understanding that she was

Sandra M. Halsey, CSR, Official Court Reporter

1393

1 a neighbor?

2 A. Yes, sir.

3 Q. So they entered the house at 6:09; is

4 that right?

5 A. That's correct.

6 Q. Can you tell us how long those three

7 individuals remained in the house?

8 A. Karen Neal remained in the house for
9 two minutes.

10 Q. Okay. Only two minutes?

11 A. Yes, sir.

12 Q. Okay. So, she went in at 6:09; is
13 that right?

14 A. That's correct.

15 Q. And she came out at 6:11; is that
16 right?

17 A. Yes, sir.

18 Q. Okay. How about David Mayne and Matt

19 Walling. Did they come out at 6:11? Or did they remain
20 in the house?

21 A. They remained in the house.

22 Q. Okay. When is the next time that
23 anyone else actually went in to 5801 Eagle Drive?

24 A. At 6:11 James Cron entered the house
25 and Sergeant Nabors entered the house.

Sandra M. Halsey, CSR, Official Court Reporter
1394

1 Q. Okay. So at 6:11 we have David Mayne.

2 Correct?

3 A. Yes, sir.

4 Q. We have Sergeant Matt Walling?

5 A. Yes, sir.

6 Q. We have Sergeant David Nabors; is that
7 right?

8 A. Yes, sir.

9 Q. And we have James Cron; is that right?

10 A. That's correct.

11 Q. Okay. Those four individuals are
12 inside the house at 6:11 AM on June 6th?

13 A. Yes, sir.

14 Q. What is the next entry as far as
15 someone going into the house or coming out of the house?

16 When did that next occur?

17 A. At 6:37 AM.

18 Q. Is that someone going into the house
19 or is that someone coming out of the house?

20 A. That's someone leaving the house.

21 Q. All right. And who left the house at
22 6:37?

23 A. Sergeant Nabors, Sergeant Walling and
24 James Cron.

25 Q. Okay. Was it your understanding that
Sandra M. Halsey, CSR, Official Court Reporter
1395

1 they had been doing a walk through of the house?
2 A. Yes, sir, of the crime scene.
3 Q. So, first person in, you got Walling,
4 Mayne, and Karen Neal at 6:09. Right?
5 A. Yes, sir.
6 Q. Karen Neal was out at 6:11?
7 A. Yes, sir.
8 Q. And then you have three police
9 officers and James Cron in there from 6:11 until 6:37 AM;
10 is that right?
11 A. Yes, sir.
12 Q. Do you recall how long that you
13 remained on the door that morning, sir?
14 A. I was relieved of that duty at 7:15
15 AM.
16 Q. Okay. And during the time that you
17 were on that front door, did any other civilians enter
18 into that residence besides James Cron, who went in with
19 the Rowlett Police Department?
20 A. Yes, sir.
21 Q. Okay. Who else went in?
22 A. Robin Price from the ME's office --
23 oh, I'm sorry, she entered the taped area.
24 Q. Okay. So, she's not actually in the
25 house. Right?
Sandra M. Halsey, CSR, Official Court Reporter
1396

1 A. That's correct.
2 Q. And that's a field agent from the
3 Medical Examiner's Office; is that right?
4 A. Yes, sir.
5 Q. So, the only civilians then would have
6 been Karen Neal, for two minutes, and James Cron. Right?
7 A. At 6:59 Robin Price, Mr. Cron,
8 Sergeant Nabors and Sergeant Evans entered the house.
9 Q. Okay. So now you have police
10 officers, James Cron, the medical examiner's agent now.
11 Sergeant Evans, is that Sergeant Lamar Evans?
12 A. Yes, sir.
13 Q. Is he also a supervisor with the
14 Rowlett Police Department?
15 A. Yes, he is.
16 Q. All right. Now, again, how long did
17 you stay on the front door?
18 A. Until 7:15 AM.
19 Q. All right. Now, after 7:15 AM, did an
20 officer relieve you there at the front door?
21 A. Yes, sir.
22 Q. And who was that?

23 A. Officer Ray Clark.
24 Q. So, is he with the Rowlett Police
25 Department again?
Sandra M. Halsey, CSR, Official Court Reporter
1397

1 A. Yes, sir.
2 Q. Okay. So, whatever entries after that
3 time would have been made by Officer Clark. Right?
4 A. Yes, sir.
5 Q. And, was a running log made during the
6 entire time the Rowlett Police Department had possession
7 of this house?
8 A. Yes, sir.
9 Q. Okay. I want to take you back to
10 after 7:15 AM now. Did you leave 5801 Eagle or did you
11 stay there?
12 A. I stayed there.
13 Q. And just tell us what you started
14 doing after you left the front door then.
15 A. I was posted on the perimeter of the
16 residence, on the crime scene taped area.
17 Q. All right. Did you have occasion to
18 talk with certain neighbors out there?
19 A. Yes, I did.
20 Q. All right. Did you have occasion to
21 talk with an individual identified to you as Julie
22 Hightower?
23 A. Yes, sir.
24 Q. Is that a woman that lived on
25 Willowbrook?
Sandra M. Halsey, CSR, Official Court Reporter
1398

1 A. Yes, sir.
2 Q. What was the purpose of you talking to
3 Julie Hightower?
4 A. At that time I was posted at the alley
5 way behind 5801 Eagle, and I was instructed to stop any
6 vehicle that came out of the alley and make contact with
7 the resident, or whoever was in the vehicle.
8 Q. What was the purpose of talking with
9 them?
10 A. Just to ask them if they had heard or
11 seen anything in the area that night that appeared to be
12 suspicious or out of place.
13 Q. Okay. So you talked to Julie
14 Hightower. Was she able to give you any information?
15 A. No, she was not.
16 Q. Did you also talk to an individual by

17 the name of Eileen Schermer?

18 A. Yes, sir.

19 Q. Is she a neighbor also of the
20 Routiers, in that neighborhood?

21 A. Yes, sir.

22 Q. Okay. Was she able to give you any
23 information about what might have happened in there?

24 A. No, she was not.

25 Q. While you were talking with her, did
Sandra M. Halsey, CSR, Official Court Reporter
1399

1 you discuss the Routier's financial situation?

2 A. Yes, sir.

3 Q. Did she give you any information?

4 A. She brought the subject up.

5

6 MR. DOUGLAS MULDER: Judge, we are
7 going to object to anything that was said.

8 THE COURT: Sustained.

9

10 BY MR. GREG DAVIS:

11 Q. Do you recall about what time it was
12 that you talked to Eileen Schermer?

13 A. It was approximately 8:30 AM.

14 Q. Besides Julie Hightower and Eileen
15 Schermer, do you recall speaking with any other neighbors
16 out there that morning?

17 A. No, sir.

18 Q. Officer Ferrie, how long did you
19 remain out there at the location?

20 A. I left -- I'm not sure of the exact
21 time, but I left sometime in the early morning.

22 Q. Okay. We've indicated that you made a
23 portion, or you began the actual crime log -- or crime
24 scene log. Right?

25 A. Yes, sir.

Sandra M. Halsey, CSR, Official Court Reporter
1400

1 Q. And did you also prepare a handwritten
2 report of your activities out there that day?

3 A. Yes, sir, I did.

4

5

6

7 (Whereupon, the following

8 mentioned item was

9 marked for

10 identification only

11 after which time the
12 proceedings were
13 resumed on the record
14 in open court, as
15 follows:)

16

17 BY MR. GREG DAVIS:

18 Q. Let me just show you the two pages
19 here, that have been marked for identification purposes
20 as State's Exhibit 34-C.

21 Do you recognize those to be copies of
22 the report that you prepared concerning your activities
23 on June 6th, 1996?

24 A. Yes, sir.

25 Q. Is that the only report that you
Sandra M. Halsey, CSR, Official Court Reporter
1401

1 prepared in this case?

2 A. Yes, sir.

3 Q. Typed or handwritten?

4 A. That's correct.

5

6 THE COURT: What was that number?

7 MR. GREG DAVIS: That was 34-C, your
8 Honor.

9 THE COURT: All right.

10

11 BY MR. GREG DAVIS:

12 Q. Officer Ferrie, prior to coming here
13 to Kerrville, have you and I had a chance to talk about
14 your involvement in this case?

15 A. Yes.

16 Q. Do you recall how many times that you
17 spoke with me about your activities out there that day?

18 A. Two times.

19 Q. Okay. Do you recall where the first
20 meeting took place?

21 A. It was in the Dallas County District
22 Attorney's office.

23 Q. All right. Upstairs in the
24 Courthouse?

25 A. Yes, sir.

Sandra M. Halsey, CSR, Official Court Reporter
1402

1 Q. Okay. Did you come to my office?

2 A. Yes, I did.

3 Q. All right. And, did you and I discuss
4 your report and what you had done?

5 A. Yes, sir.
6 Q. Where did the second meeting take
7 place?
8 A. Here in this courtroom or in this
9 building.
10 Q. Okay. And you got into town, what,
11 Sunday night?
12 A. Yes, sir.
13 Q. Been here all week?
14 A. Yes.
15 Q. How many times during the week have
16 you and I spoken about your testimony, your reports or
17 anything else concerning this case?
18 A. Once.
19 Q. When did that take place?
20 A. Today.
21 Q. Let me just ask you: Have you ever
22 had occasion to come to the courthouse where I asked you
23 and several other officers to come to a courtroom?
24 A. Yes, sir.
25 Q. And did you, in fact, do that for me?
Sandra M. Halsey, CSR, Official Court Reporter
1403

1 A. Yes, sir.
2 Q. Okay. And during that time did you --
3 did I ask you to get on the witness stand and tell me
4 what you knew about the case?
5 A. Yes, sir.
6 Q. And did you do that?
7 A. Yes, I did.
8 Q. Okay. So you met with me in Dallas,
9 you told me, and you met with me once in Kerrville; is
10 that right?
11 A. Yes, sir.
12 Q. And State's Exhibit 34-B, the log, and
13 State's Exhibit 34-C, the investigative supplement
14 report, those are the only handwritten reports or typed
15 reports or otherwise that you prepared in this case; is
16 that right?
17 A. Yes, sir.
18
19 MR. GREG DAVIS: Your Honor, I'll
20 tender State's Exhibits 34-B and 34-C to counsel, and
21 I'll pass the witness for cross-examination.
22 THE COURT: Yes, sir.
23
24
25

1 CROSS EXAMINATION

2

3

4 BY MR. DOUGLAS MULDER:

5 Q. Officer Ferrie, I guess for a veteran

6 police officer like you, nothing unusual about meeting

7 with the District Attorney, is there?

8 A. No.

9 Q. Okay. I mean, that would be standard

10 procedure, I imagine, before you testify. Right?

11 A. Yes, sir.

12 Q. Do you recall when Mr. Davis asked you

13 how many times you had met with him?

14 A. Yes, sir.

15 Q. And you told the jury here just

16 moments ago you had met with him twice, didn't you?

17 A. Yes, sir.

18 Q. You said, "Once in his office;" is

19 that right?

20 A. Yes, sir.

21 Q. And once down here in Kerrville?

22 A. Yes, sir.

23 Q. Okay. You didn't tell him about the

24 meeting in the courtroom there in the Dallas County

25 Courthouse, did you?

Sandra M. Halsey, CSR, Official Court Reporter

1405

1 A. That was the meeting in Dallas that I

2 was referring to.

3 Q. In the District Attorney's office?

4 A. Yes, sir.

5 Q. Well, the District Attorney's office

6 doesn't have a courtroom in it, does it?

7 A. Well, I consider that whole building

8 that has a courtroom and an office in it.

9 Q. Well, you consider that whole building

10 the District Attorney's Office?

11 A. Yes, sir.

12 Q. Okay. Even though it occupies but a

13 small portion of the courthouse?

14 A. Yes, sir.

15 Q. Most everybody else calls it the

16 courthouse, don't they?

17 A. I don't know what everybody else calls

18 it.

19 Q. But you didn't mean to overlook the

20 little dress rehearsal that you all had in Dallas, did
21 you?

22 A. That's what I was referring to when I
23 met in Dallas.

24 Q. When you told the jury that you met in
25 the District Attorney's office, you were referring to the
Sandra M. Halsey, CSR, Official Court Reporter
1406

1 deal where y'all went down and got on the witness stand
2 in the courtroom?

3 A. Yes, sir.

4 Q. Okay. And I guess they should have
5 been able to figure that out, shouldn't they?

6

7 MR. GREG DAVIS: I'll object to
8 sidebar there.

9 THE COURT: Sustained.

10 MR. DOUGLAS MULDER: Well, that was a
11 question directed at --

12 MR. GREG DAVIS: I'll object, again,
13 to sidebar.

14 THE COURT: Thank you. Sustained.
15

16 BY MR. DOUGLAS D. MULDER:

17 Q. You had a judge down there for that,
18 didn't you?

19 A. No, sir.

20 Q. No one played the part of a judge?

21 A. Somebody played the part of a judge.
22 There was not a judge there.

23 Q. Okay. Somebody played the part of a
24 defense lawyer?

25 A. Yes, sir.

Sandra M. Halsey, CSR, Official Court Reporter
1407

1 Q. Okay. And y'all basically sat there
2 in the courtroom and listened to what everybody else
3 testified to, didn't you?

4 A. Yes, sir.

5 Q. Okay. Now, I guess it helps you be
6 consistent with one another, does it not?

7 A. Sure, yes, sir.

8 Q. Okay. Now, your story today is that
9 you went down the alley there behind the Routier house
10 there in Rowlett?

11 A. Yes, sir.

12 Q. And about how long did you and
13 Sergeant Ward search that alley?

14 A. Approximately 45 minutes.
15 Q. Okay. And he had the side the sock
16 was on, I take it?
17 A. No, sir.
18 Q. You had the side the sock was on?
19 A. Yes, sir.
20 Q. Okay. So you were the one who
21 actually found the sock?
22 A. No, sir.
23 Q. Okay. Is there any reason for him to
24 be poaching on your area?
25 A. Yes, sir. He was on the west side of
Sandra M. Halsey, CSR, Official Court Reporter
1408

1 alleyway and I was on the east side. He was
2 approximately one house in front of me, when he was
3 coming out of the driveway of one of the houses he had
4 searched, he came across and noticed the sock before I
5 arrived at it.

6 Q. Okay. So he was actually searching
7 both sides of the alleyway?

8 A. No, sir.

9 Q. Okay. Just in that one occasion he
10 searched that side?

11 A. He located the sock first, and once he
12 located it, he went over there to inspect it.

13 Q. Okay. Now, have you reviewed his
14 report?

15 A. No, sir.

16 Q. Do you have any idea why he would put
17 in his report --

18

19 MR. GREG DAVIS: I'll object to this
20 as being hearsay at this point.

21 THE COURT: Sustained.

22

23 BY MR. DOUGLAS MULDER:

24 Q. You're telling us that Officer Moyne
25 (sic) is the one who actually retrieved the sock?

Sandra M. Halsey, CSR, Official Court Reporter
1409

1 A. Officer Mayne?

2 Q. Mayne.

3 A. Yes. He was called over there for a
4 crime scene of the sock.

5 Q. It wasn't Beddingfield, was it?

6 A. Well, Officer Mayne and Beddingfield

7 both arrived, and Officer Mayne was the one who took

8 custody of it.

9 Q. Okay. So Beddingfield and Mayne were
10 both there now; is that right?

11 A. Yes, sir, they were later called.

12 Q. Okay. So the sock was actually

13 released to the custody of both Mayne and Beddingfield?

14 A. Well, I know that the sock was

15 released to Officer Mayne.

16 Q. But Beddingfield was there as well?

17 A. Yes, sir.

18 Q. Okay. Now, when you went down the

19 alley did you look in the trash containers?

20 A. Yes, sir.

21 Q. Did you dump them out?

22 A. No, sir.

23 Q. Well, you just took the top off and

24 shined a flashlight down in there?

25 A. Well, I recall looking into one trash

Sandra M. Halsey, CSR, Official Court Reporter

1410

1 can that was on the side of a house.

2 Q. Okay. There are trash cans up and

3 down that alley on both sides, aren't there?

4 A. I only remember two being out at the

5 time.

6 Q. You only saw two out?

7 A. That's what I remember, only two out.

8 Q. Okay. And one apparently was there by

9 the sock?

10 A. Yes, sir.

11 Q. Okay. Did you see any knives?

12 A. No, sir, I did not.

13 Q. Did you ever see Sergeant Ward search

14 any of the trash cans?

15 A. I saw Sergeant Ward open the trash can

16 by the sock, and I saw him rip open a bag that was

17 further down the alley.

18 Q. Okay. Did he ever dump any of the

19 contents out of the trash containers?

20 A. Out of the one next to the sock?

21 Q. Yes.

22 A. Not that I recall.

23 Q. Okay. And did he, on down the alley,

24 did he dump out the trash containers?

25 A. I didn't ever see him actually look

Sandra M. Halsey, CSR, Official Court Reporter

1411

1 inside any trash containers.
2 Q. Okay. Except the one by the sock?
3 A. Well, I can't say that he did, and I
4 can't say that he didn't. I specifically saw him rip
5 open a bag as I was passing him down the alleyway.
6 Q. Okay.
7 A. And the one next to the sock, he
8 opened up the top of it.
9 Q. Did you look into the backyards?
10 A. Yes, sir.
11 Q. Okay. And were the gates -- did you
12 actually walk into the backyards?
13 A. No, sir, I didn't.
14 Q. All right. They're six-foot fence, I
15 suspect?
16 A. Yes, sir.
17 Q. Okay. So, about how tall are you?
18 A. Approximately 5'10, 5'11.
19 Q. Okay. So they would be over your head
20 then, wouldn't they?
21 A. Yes, sir.
22 Q. The only way, I guess, you're going to
23 be able to look into the backyard, you're going to have
24 to stand on one of the cross members of the fence and
25 stand on that and shine the flashlight over like that; is
Sandra M. Halsey, CSR, Official Court Reporter
1412

1 that right?
2 A. Well, that's correct. There's also
3 gas mains and utility boxes that I was using to peek over
4 fences.
5 Q. Would you stand on them?
6 A. Yes, sir.
7 Q. All right. And that's the way you
8 searched the backyards?
9 A. Yes, sir.
10 Q. Okay. Sort of peeked over the fence
11 and eyeballed it with a flashlight?
12 A. Yes, sir.
13 Q. Okay. And about how many of those did
14 you do, Officer Ferrie?
15 A. I did all of the houses on the east
16 side of Eagle Drive. I'm not sure exactly how many
17 houses are over there.
18 Q. Okay. What were you looking for?
19 A. Evidence.
20 Q. I mean, what was your idea of evidence
21 at that time?
22 A. Anything that appeared to be out of

23 place.

24 Q. Okay. And you're telling us that in

25 all of the backyards that you looked in, you didn't look

Sandra M. Halsey, CSR, Official Court Reporter

1413

1 in any of the trash cans, or you looked in one?

2 A. There's one there that I recall

3 looking inside of next to a house.

4 Q. But you're saying that all of the

5 backyards you looked into, and all of the trash cans, or

6 the one trash can you looked in, you didn't see anything

7 unusual?

8 A. That's correct.

9 Q. Okay. And I guess the only thing

10 Sergeant Ward saw was the sock; is that right?

11 A. Well --

12 Q. That you know of?

13 A. I couldn't tell you that. I don't

14 know exactly what he saw on his side of the street.

15 Q. Okay. Now, where that sock was found,

16 right across the alley from that, is a white metal fence;

17 is it not?

18 A. Yes, sir.

19 Q. Okay. And one that you can see

20 through the bars that are some 5, 6, 8 inches apart, are

21 they not?

22 A. Yes, sir.

23 Q. Did Sergeant Ward indicate to you that

24 he saw some knives back there?

25 A. No, sir.

Sandra M. Halsey, CSR, Official Court Reporter

1414

1 Q. He didn't?

2 A. No, sir. Not at the time in the

3 alley.

4 Q. When you looked at that particular

5 fence, that's unusual because that was the only one like

6 that up and down the alley, wasn't it?

7 A. Well, I didn't think it was unusual.

8 That was the only wrought iron fence that I believe was

9 over there though.

10 Q. Yeah. The only wrought iron fence up

11 and down the alley though; isn't that correct?

12 A. Yes, sir.

13 Q. Everything else is wood?

14 A. I believe so.

15 Q. So it was unusual to that respect, I

16 guess?

17 A. Yes.

18 Q. Okay. But Sergeant Ward didn't say

19 anything about seeing some knives there or anything of
20 that nature?

21 A. Not at the time when I was in the

22 alleyway with him, no.

23 Q. Okay. I guess this is sort of a

24 subjective test that y'all -- I mean, what may look

25 unusual to you may not look unusual to Sergeant Ward. Is

Sandra M. Halsey, CSR, Official Court Reporter

1415

1 that fair to say?

2 A. No, I wouldn't say that.

3 Q. Oh, you wouldn't say that. Okay.

4 Now, why is it that you post guards on

5 a crime scene?

6 A. To protect the crime scene from any

7 type of contamination from anybody walking inside, and --

8 Q. You mean police officers when they --

9 even trained police officers will contaminate a crime

10 scene?

11 A. I don't know about that.

12 Q. Well, I mean, why didn't you just keep

13 the civilians out and let the police officers go in?

14 A. Well --

15 Q. You know full well that the reason

16 that's done is because police officers contaminate crime

17 scenes, don't they?

18 A. I guess that's possible, they could.

19 Q. Well, sure it is. Have you been to --

20 you've been to murder scenes before, haven't you?

21 A. No, sir.

22 Q. You've never been to a murder scene

23 before?

24 A. No, sir.

25 Q. How long have you been on the police

Sandra M. Halsey, CSR, Official Court Reporter

1416

1 force?

2 A. Eight years. I've been a police

3 officer for about five years, and worked in dispatch for

4 approximately three.

5 Q. Well, you know when they get to a

6 crime scene frequently officers will want to get a drink

7 of water, and use the bathroom or something like, that's

8 not unusual, is it?

9 A. In the house?

10 Q. Yes, sir.

11 A. I would think that would be.
12 Q. Well, that's why you post a guard
13 there so that doesn't happen; isn't that right?
14 A. Well, you don't want everybody walking
15 in into that scene that doesn't have any business being
16 in that scene.

17 Q. That's right. Because it's not
18 unusual to handle evidence, is it, for anyone? I mean,
19 it's a common, it's just a common curiosity that people
20 have. And that's what you are there to prevent, isn't
21 it?

22 A. I would say it would be unusual for
23 people to just pick up evidence.

24 Q. Okay. All right. So it's just good
25 precaution but probably not necessary as long as police
Sandra M. Halsey, CSR, Official Court Reporter
1417

1 officers are there; is that right? As long as the police
2 officers are the ones going in?

3 A. Well, you don't want every police
4 officer that doesn't have any business being in that
5 house to go in there either.

6 Q. That's because they'll contaminate the
7 scene, isn't it? Track around, kick evidence around?

8 A. Not necessarily. But it's just to
9 keep everybody out.

10 Q. Handle things?

11 A. That's possible that they could handle
12 things.

13 Q. I may have misinterpreted what you
14 said when I wrote this down, but I thought you said that
15 civilian Cron, Officers Mayne, Nabors and Walling entered
16 the -- did they just enter the taped area at 6:03?

17 A. Yes, sir.

18 Q. And then they went on into the house
19 at 6:11.

20 A. Yes, sir.

21 Q. Is that correct?

22 A. Yes, sir.

23 Q. Okay. So what did they do? Just kind
24 of walk around the front yard?

25 A. They remained in the front yard. I
Sandra M. Halsey, CSR, Official Court Reporter
1418

1 believe they were discussing what they were going to do
2 inside the residence. I don't know.

3 Q. Okay. And then the same thing with
4 Ms. Price from the Medical Examiner's Office. She

5 entered inside the perimeter and then went into the house
6 a short time later?

7 A. Yes, sir.

8 Q. You had nothing further to do with
9 this case after 7:15 on the 6th of June?

10 A. Occasionally I was posted on the crime
11 scene guard again days later.

12 Q. But you collected no evidence though?

13 A. No, sir.

14 Q. Is that fair to say?

15 A. That's correct.

16 Q. Okay. State's Exhibit No. 34. These
17 are all of your notes?

18 A. Yes, sir. That's going to be my
19 entries and Officer Ray Clark's entries.

20 Q. All right. So after 7:15, I take it,
21 it's going to be Clark?

22 A. Yes, sir.

23 Q. Okay.

24

25 MR. DOUGLAS MULDER: I believe that's
Sandra M. Halsey, CSR, Official Court Reporter
1419

1 all. Thank you, Officer Ferrie.

2 MR. GREG DAVIS: No further questions,
3 your Honor.

4 THE COURT: All right. You may step
5 down, Officer. Thank you.