

## Testimony of Kathryn Long

DIRECT EXAMINATION

18

19 BY MR. GREG DAVIS:

20 Q. Would you please tell us your full  
21 name.

22 A. My name is Kathryn Long. L-o-n-g.

23 Q. Ms. Long, how are you employed?

24 A. I'm a forensic serologist at the

25 Intsitute of Forensic Science in Dallas.

Sandra M. Halsey, CSR, Official Court Reporter

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1 Q. Okay. And what is a forensic

2 serologist?

3 A. Any time there is any kind of a crime

4 scene, or a rape that has happened, the police agency or

5 a doctor will collect evidence from the crime scene and

6 bring it into us. We can then identify any kind of body

7 fluids from the scene, and identify things as being

8 human, and as what kind of fluids they are, if they are

9 seminal fluid or blood.

10 Q. All right. How long have you been

11 employed by the Southwestern Institute of Forensic

12 Sciences?

13 A. Two years and eleven months.

14 Q. Can you give us an idea of your

15 background and training for the position which you now

16 hold?

17 A. I have a Bachelor of Science in

18 Medical Technology from the University of Texas at El

19 Paso. I have worked eight years in clinical

20 laboratories, mostly in supervisory positions.

21 I have been working at the Institute

22 for three years. We have an ongoing continuing education

23 program. I am a member of the American Society of

24 Clinical Pathologists, and also a member of the Southwest

25 Association of Forensic Scientists.

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1 Q. Okay. From time to time, do you work

2 on cases with a Charles Linch?

3 A. Yes, sir, I do.

4 Q. And is he a trace evidence analyst

5 there at the Southwestern Institute of Forensic Sciences?

6 A. Yes, sir, he is.

7 Q. And I guess, just so I don't have to  
8 say it over and over, do we sometimes refer to that as  
9 SWIFS?

10 A. Yes, sir.

11 Q. Okay. I want to direct your attention  
12 back to June 6th, 1996, and ask whether or not you and  
13 Charles Linch went to 5801 Eagle Drive in Rowlett, Texas?

14 A. Yes, sir, we did.

15 Q. Do you remember about what time of the  
16 day that you and Mr. Linch arrived there?

17 A. I have it my notes that we arrived  
18 there at 12:27.

19 Q. All right. P.M.?

20 A. Yes, that would be in the afternoon,  
21 yes, sir.

22 Q. All right. When you got there were  
23 Rowlett police officers present at the residence?

24 A. Yes, sir, they were.

25 Q. I want to ask you, how long were you  
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1 there that day?

2 A. Almost three hours. We left a little  
3 after 3:00.

4 Q. Okay. And during that time period

5 that you were there, were you checking certain areas,  
6 either in or out of the house for evidence of blood?

7 A. Yes, sir, I was.

8 Q. All right. I want to direct your

9 attention to the garage of that residence. And, do you  
10 recall whether or not you tested any areas in the garage  
11 for possible blood?

12 A. Yes, sir, I did.

13 Q. What areas of the garage did you test?

14 A. There was an obvious stain that was in  
15 the garage. It tested negative for the presence of  
16 blood. It kind of -- it had a syrupy consistency, maybe  
17 a melted Popsicle or Kool Aid.

18 There were also two other stains that  
19 I tested and also collected from the garage floor. There  
20 was one that was near to the doorway into the laundry

21 room, and also, there was one that was a little farther  
22 from the laundry room. But they were both relatively  
23 close to the laundry room door.

24 Q. All right. I now have out, in front  
25 of the jury, photographs that have previously been

1 admitted as State's Exhibit 40-A and 40-B. Can you see  
2 those?

3 A. Yes, sir.

4 Q. Shows the garage area. Would you mind  
5 stepping down please, and point out for the members of  
6 the jury, if you can, where you were testing for blood in  
7 the garage?

8 A. Okay.

9

10 (Whereupon, the witness

11 Stepped down from the

12 Witness stand, and

13 Approached the jury rail

14 And the proceedings were

15 Resumed as follows:)

16

17 A. There was a stain here that again was

18 syrupy.

19 Q. All right. I'll tell you what, if you

20 will step around here everybody can see. If you will,

21 Miss Long, just point to the area there that you were

22 testing.

23 A. There was this stain here. It was

24 negative for the presence of blood. And there were also

25 some stains that were around here, by the -- there was a

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1 sign on the garage door that said, Popcorn for sale.

2 That is approximately where I lifted the two other

3 stains, the two actual blood stains.

4 Q. Okay. The area that you are referring

5 to as having kind of a syrupy texture to it, was that the

6 larger area here in State's Exhibit 40-B?

7 A. Yes, sir. Right in the center here.

8 Q. Okay. Now, did any areas in the

9 garage test positive for blood?

10 A. Yes, sir. Again, there was some

11 stains actually that were on the sign and there were some

12 stains near the sign. The two that I collected were

13 actually on the cement near the sign.

14 Q. Okay. Again, about what time of the

15 afternoon is it that you test this area of the garage and

16 find a positive result for blood?

17 A. It was shortly after we got there, so

18 it would have been around 12:30.

19 Q. When it tested positive, the blood, in  
20 that portion of the garage, did you take samples to be  
21 analyzed later on?

22 A. Yes, sir, I did.

23 Q. Was anyone with you when you tested  
24 those areas that turned out to be positive for blood?

25 A. Yes, sir. Mr. Lynch was with me, and  
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1 I believe also Mr. Cron was in the room.

2 Q. James Cron?

3 A. Yes, sir.

4 Q. The area that you have just told us  
5 about where you took the samples, were there any other  
6 areas in the garage where you found blood?

7 A. Other than the spots on the

8 posterboard, like I said, that had the drinks and popcorn  
9 for sale. And the two that I collected from the actual  
10 cement floor, I didn't see any other stains.

11 Q. Okay. Now, let me ask you whether or  
12 not on that date you had occasion to go to the kitchen  
13 sink area?

14 A. Yes, sir.

15 Q. Did you have an opportunity to look at  
16 the sink?

17 A. Yes, sir, I did.

18 Q. And can you describe the appearance of  
19 the sink when you first looked at it on June 6th?

20 A. At first glance, just looking at the  
21 kitchen sink, the front of the sink had a tremendous  
22 amount of blood on it. And the actual basins appeared to  
23 be clear. But on closer inspection, there was about  
24 seven stains that we could visually see, that appeared to  
25 be -- they were dried but they appeared to be like washed  
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1 out blood, like someone had washed their hands or somehow  
2 blood had mixed with water in the sink and had actually  
3 dried in little spots in the sink.

4

5 (Whereupon, the following  
6 mentioned items were  
7 marked for  
8 identification only  
9 after which time the  
10 proceedings were

11 resumed on the record  
12 in open court, as  
13 follows:)

14

15 BY MR. GREG DAVIS:

16 Q. If you would, look at State's Exhibit  
17 109-A and 109-B. Tell me whether or not these  
18 photographs truly and accurately depict the sink area as  
19 it appeared on June 6th of 1996?

20 A. It seems there was a little more blood  
21 on top, I believe that might have been collected, but  
22 that is a pretty close representation.

23 Q. Okay.

24

25 MR. GREG DAVIS: Your Honor, at this  
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1 time, we'll offer State's Exhibits 109-A and 109-B.

2 MR. RICHARD C. MOSTY: No objection.

3 THE COURT: State's Exhibits 109-A and  
4 B are admitted.

5

6 (Whereupon, the items

7 Heretofore mentioned

8 Were received in evidence

9 As State's Exhibit Nos. 109-A

10 and 109-B for all purposes,

11 After which time, the

12 Proceedings were resumed

13 As follows:)

14

15 BY MR. GREG DAVIS:

16 Q. Do we see blood near the kitchen sink

17 here in 109-B?

18 A. Yes, sir. There was also a stain on  
19 the bottom of the left-hand handle of the cabinet.

20 Q. Okay. And first of all, let me just

21 ask you, if my pen is now pointing at an obvious area of  
22 blood here?

23 A. Yes, that is correct.

24 Q. And did you find any evidence of blood

25 actually running down the cabinets there in front of the  
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1 sink?

2 A. Yes, there was.

3 Q. And those are also evident, are they

4 not, in the photographs as kind of red streaks?

5 A. Yes, sir.

6 Q. And, you were also talking about a  
7 handle to one of the cabinets; is that right?

8 A. Yes, sir, the left handle to pull out  
9 the cabinet. There is a stain on the bottom of the  
10 handle.

11 Q. Okay. On the bottom portion?

12 A. Yes, sir, where it would not have been  
13 dripped down, it would have been transferred somehow to  
14 the bottom of it.

15 Q. How about the right handle?

16 A. No, sir, that was negative. I didn't  
17 see any stains on that.

18 Q. Okay. So am I now pointing at the  
19 portion, the bottom portion of the left knob where you  
20 found evidence of blood?

21 A. Yes, sir.

22 Q. And again, what type of blood stain  
23 did this appear to be?

24 A. It was more -- it was not dripped down  
25 from above. It was somehow transferred to the bottom of  
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1 the handle.

2 Q. The stain that you were looking at  
3 there, would it be consistent with an individual with

4 blood on her hand reaching down and pulling that knob in  
5 order to open that cabinet door?

6 A. Yes, sir.

7 Q. Okay. Now, you had said that the  
8 inside portion of the sink had a washed out appearance;  
9 is that correct?

10 A. Yes, sir.

11 Q. All right. Did you ever have an  
12 opportunity to open the cabinet doors there underneath  
13 the sink to look inside?

14 A. Yes, sir, I did.

15

16

17 (Whereupon, the following

18 mentioned item was

19 marked for

20 identification only

21 after which time the

22 proceedings were

23 resumed on the record

24 in open court, as

25 follows:)  
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1  
2 BY MR. GREG DAVIS:  
3 Q. If you would, please look at State's  
4 Exhibit 109-C. Does this photograph truly and accurately  
5 depict the items that were underneath the kitchen sink  
6 when you viewed it on June 6th, 1996?  
7 A. Yes, sir, as best as I can recall it.  
8 I just remember there was a lot of cleaning products  
9 underneath.

10  
11 MR. GREG DAVIS: Your Honor, at this  
12 time be will offer 109-C.  
13 MR. RICHARD C. MOSTY: No objection.  
14 THE COURT: State's Exhibit 109-C is  
15 admitted.

16  
17 (Whereupon, the above

18 mentioned item was  
19 received in evidence  
20 as State's Exhibit  
21 No. 109-C,

22 for all purposes, after  
23 which time, the

24 proceedings were  
25 resumed on the record,  
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1 in open court,  
2 as follows:)

3  
4 BY MR. GREG DAVIS:  
5 Q. Again, as we look at this photograph,  
6 do we see cleaning agents underneath the sink in the  
7 cabinet area?  
8 A. Yes, sir.  
9 Q. When you opened the cabinet door there  
10 to look inside underneath the sink, did you see anything  
11 else, Miss Long, that caught your attention?  
12 A. There was also a slight streak on the  
13 inside of the cabinet door, towards the bottom. So it  
14 would have been on this edge, the left-hand cabinet door,  
15 there was a very small streak, presumptive tests for

16 blood was positive on that.

17 Q. Let me ask you, I'm pointing at an  
18 area of the photograph now, 109-C. Do you recognize what  
19 I am pointing at?

20 A. Yes, sir.

21 Q. What is that?

22 A. It appears to be a streak of blood,  
23 which would have corresponded to when the cabinet was  
24 actually shut.

25 Q. All right. The streak of blood that I  
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1 am pointing at, was that visible with the cabinet door  
2 closed?

3 A. No, sir, it was not.

4 Q. This is something that you saw only  
5 after you opened up the cabinet door; is that right?

6 A. Yes, sir.

7 Q. Okay. Now, when you looked in the  
8 sink itself, could you see any visible blood inside?

9 A. Yes, I could.

10 Q. Okay. And describe the blood that you  
11 could actually see.

12 A. Again, there were several stains.  
13 Most of them were -- the ones that I saw were on the  
14 left-hand basin, and they appeared to have a washed out  
15 appearance.

16 Q. How about the faucet on the sink, was  
17 there any visible blood there?

18 A. No, there was not.

19 Q. Okay. Did you test the sink area for  
20 possible blood?

21 A. Yes, sir, and also the handle.

22 Q. All right. Let's talk about the sink  
23 itself. First of all, what did you do in order to test  
24 for blood?

25 A. We have a presumptive test for blood  
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1 that we use in the field and also in our office. It's a  
2 simple color change reaction test.  
3 What we do is, anytime we see a stain,  
4 is we take a sterile damp swab and we swab the area, and  
5 then we add chemicals to the swab, and if there is a  
6 color change reaction, then it is positive presumptively  
7 for blood.

8 Q. Okay. Did you get any positive

9 reactions inside the sink?

10 A. Yes, sir, I did.

11 Q. All right. Now, let's talk about the

12 faucet where you had seen no visible blood. Did you test  
13 that also?

14 A. Yes, sir, I did.

15 Q. And what kind of reaction did you get  
16 when you tested the faucet?

17 A. The handle was positive.

18 Q. Positive for blood?

19 A. Yes, sir.

20

21 THE COURT: You might speak into the  
22 microphone a little bit better, because the last two  
23 jurors are having a tough time hearing you.

24 THE WITNESS: All right.

25 THE COURT: Go ahead.

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1

2 BY MR. GREG DAVIS:

3 Q. After you had had the positive  
4 reactions for blood at the sink, did you then take blood  
5 samples from the sink?

6 A. Yes, sir. I selected some of the  
7 better stains and collected those.

8 Q. So, as I understand it then, on June  
9 6th, did you collect blood samples from the garage floor?

10 A. Yes, sir.

11 Q. And did you also collect blood samples  
12 from the kitchen sink and also the faucet of the sink?

13 A. Yes, sir, that's correct.

14 Q. Were there any other blood samples  
15 that you collected out there on June 6th, 1996?

16 A. I also collected a sample from the  
17 front of the formica in front of the sink.

18 Q. Okay.

19 A. Very strong, obvious stain.

20 Q. Okay. So you had the garage floor,  
21 the kitchen sink and then the area of the formica right  
22 in front of the sink, right?

23 A. Yes, sir, that's correct.

24 Q. Now, let me take you forward to June  
25 11, 1996. And ask you whether or not you went back out

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1 to 5801 Eagle with Charles Linch?

2 A. Yes, sir, I did.

3 Q. And on that date, did you test any  
4 areas outside the house for possible blood?

5 A. Yes, sir, I did.

6 Q. What areas did you test?

7 A. I tested the gate, the outside gate, I  
8 tested the latch that was on the fence and also the latch  
9 portion on the gate.

10 Q. Okay. What were the results?

11 A. They were all negative for the  
12 presumptive test of blood.

13 Q. On June 11th, did you collect any  
14 blood samples?

15 A. Yes, sir, I did.

16 Q. All right. And can you tell us what  
17 blood samples that you obtained out there on June 11th?

18 A. I collected three from the carpet.

19 Q. Would this be in the family room?

20 A. Yes, sir.

21 Q. So you had three from the carpet in  
22 the family room?

23 A. Yes, sir.

24 Q. Okay.

25 A. One from a chair, it appears.

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1 Q. Is that a chair in the family room  
2 again?

3 A. Yes, sir.

4 Q. Okay.

5 A. Some samples from the wall and also  
6 the brass plate on the wall leading into the kitchen.

7 Q. Okay. Now this wall, would this have  
8 been a wall, a section of the wall close to the switch  
9 plate in the kitchen area?

10 A. Yes, sir.

11 Q. And you also got the switch plate  
12 itself; is that right?

13 A. Yes, sir, I collected a sample off the  
14 switch plate.

15 Q. Okay.

16 A. And then also, took one sample from  
17 one couch in the family room, and also three samples from  
18 another couch in the family room.

19 Q. All right. Now, the couch where you  
20 took the one sample, is that the couch closest to the

21 windows facing the back yard?

22 A. Yes, sir.

23 Q. Okay. The other three, would they be

24 from the couch that is nearest to the kitchen area?

25 A. Yes, sir, that's correct.

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1 Q. I have got -- did you take a total of

2 10 blood samples then?

3 A. Yes.

4 Q. Did you do anything else out there on

5 June 11th, besides take blood samples and test the gate

6 and latch for possible blood?

7 A. No, sir.

8 Q. Since June 11th, 1996, have you been

9 back out to 5801 Eagle Drive?

10 A. No, I have not.

11 Q. Let me ask you, whether or not since

12 June 6th, 1996, whether or not you have received certain

13 blood and other evidence for analysis?

14 A. Yes, sir, I have.

15 Q. First of all, have you obtained the

16 blood of the defendant in this case, Darlie Routier?

17 A. Yes, sir, we drew blood samples from

18 Darlie Routier.

19 Q. Okay. Do you recognize her as the

20 lady over here with the jacket over her dress?

21 A. Yes, sir, I do.

22

23 MR. GREG DAVIS: Your Honor, at this

24 time we will have the record reflect this witness is

25 referring to the defendant, please.

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1 THE COURT: Yes, sir.

2

3 BY MR. GREG DAVIS:

4 Q. Did you actually obtain the blood

5 sample yourself?

6 A. No, I witnessed the blood drawn.

7 Carolyn Van Winkle actually drew the blood. She is our

8 DNA analyst.

9 Q. Okay. Was the blood sample of Darin

10 Routier also obtained?

11 A. Yes, sir.

12 Q. And from the medical examiners, did  
13 you obtain blood samples of Damon Christian Routier and  
14 Devon Rush Routier?

15 A. Yes, we did.

16 Q. Okay. Now, in your lab there in  
17 Dallas, have you analyzed certain pieces of evidence to  
18 determine whether or not there is human blood on that  
19 item?

20 A. Yes, sir.

21 Q. First, let me refer you to -- this is  
22 going to be State's Exhibit 42-A, it's a window. And I  
23 believe your records will reflect this as your item  
24 number 1, correct?

25 A. Well --

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1 Q. I'm sorry, it's number 47. This would  
2 be your item 47.

3 A. Yes, sir.

4 Q. Okay. Did you, in fact, test this  
5 window for evidence of human blood?

6 A. Yes, sir, I did.

7 Q. Okay. Can you tell the members of the  
8 jury, what sort of test that you did on this window?

9 A. What I did was, I went through,  
10 there's several -- there's numerous, tiny little spots on  
11 top of the window, and also on the window ledge.

12 What I did was, I went through and I  
13 tested all of those spots for the presumptive test, a  
14 presumptive test for blood. What we then did, was I  
15 collected the spots that were positive.

16 Q. Okay. So let me ask you then: Can we  
17 see some of these spots? Are they about the size of a  
18 pinhead, is that pretty accurate?

19 A. Yes, sir.

20 Q. Okay. Along the top of the window and  
21 also on the ledge of the window, right?

22 A. Yes, sir.

23 Q. Okay. Did they test positive for  
24 blood?

25 A. Yes, sir, some of them did.

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1 Q. Okay. Now, once you had the test back  
2 as positive for blood, did you then attempt to determine  
3 whether or not it was human blood or not?

4 A. Yes, sir, I did.

5 Q. Okay. And did you do an additional  
6 test to do that?

7 A. Yes, sir, I did.

8 Q. And, was this human blood on the  
9 window?

10 A. It came back that it was not human  
11 blood.

12 Q. Okay.

13 A. And there was also four stains on the  
14 actual window glass.

15 Q. All right.

16 A. I believe those have been circled.

17 Q. Based on your experience, do you have  
18 an opinion as to whether or not the blood that you found  
19 here on the window, and the window ledge would be  
20 consistent with blood dropped by an insect?

21 A. Yes, sir. We have had this experience  
22 with cars. When you are driving, and you manage to get  
23 bugs on your windshield, we get the same kind of  
24 reactions.

25 Q. Okay. Any human blood found on this  
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1 window, State's Exhibit 42-A?

2 A. No, sir, there was not.

3 Q. Did you also receive a window screen  
4 along with State's Exhibit 42-A?

5 A. Yes, sir, I did.

6 Q. Okay. Did that come to you from the  
7 Rowlett Police Department, also?

8 A. Yes, sir.

9 Q. Was it torn at the time that you  
10 examined it? Do you remember it being torn?

11 A. Yes, sir, it was.

12 Q. Was it your understanding that that  
13 window screen had been on this window at one time?

14 A. Yes, sir.

15 Q. Did you also test that window screen  
16 for evidence of blood and human blood?

17 A. Yes, sir. What I did was I took a --  
18 I put it under the microscope and looked at the  
19 individual where it had been cut or torn. I didn't see  
20 any presumptive -- anything that I would consider blood.

21 And then I went back. And I swabbed  
22 it and it was, at the tear, it was negative for blood. I  
23 then tested the whole screen for the presence of blood.  
24 There was one very, very, small spot on one side of the  
25 screen that would be very similar in appearance to the

1 stains that we found on the window.

2 Q. Okay. So, along the cut of the  
3 window, did you find any evidence of any sort of blood?

4 A. No, sir.

5 Q. And on the screen itself, did you find  
6 evidence of blood, but not human blood?

7 A. On the actual frame of the screen, I  
8 had a presumptive test positive for blood. It was such a  
9 small stain, there was no further testing that I could  
10 do.

11 Q. Okay. Was its size and appearance  
12 consistent with what you had seen here on the window?

13 A. Yes, sir.

14 Q. All right. Miss Long, let me show you  
15 State's Exhibit 21 and 22. I believe these will be your  
16 items, 123 and 124. Do you recognize these two items?

17 A. Yes, sir, I do.

18 Q. Okay. Did you also receive these two  
19 items for testing?

20 A. Yes, sir.

21 Q. All right. In your testing, did you  
22 find any evidence of blood on either State's Exhibits 21  
23 or 22?

24 A. No, sir, I did not.

25 Q. Now, throughout your testing, did you  
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1 receive other items that came to you from 5801 Eagle  
2 Drive?

3 A. Yes, sir.

4 Q. Okay. Let me direct your attention  
5 here to State's Exhibit 93. And I believe this will be  
6 your item number 69; is that right?

7 A. Yes, sir, that's correct.

8 Q. Okay. On State's Exhibit No. 93, did  
9 you test that for blood?

10 A. Yes, sir, I did.

11 Q. Did it come back positive?

12 A. Yes, sir.

13 Q. And did you take blood samples from  
14 State's Exhibit No. 93?

15 A. Yes, sir, I did.

16 Q. Was there also a multi-colored  
17 comforter that arrived at your office?

18 A. Yes, sir.

19 Q. And I believe, is that your item  
20 number 18?  
21 A. Yes, sir.  
22 Q. If you will look at State's Exhibit  
23 No. 70, does this appear to be the same comforter that  
24 you tested at your lab?  
25 A. Yes, sir, it does.  
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1 Q. Okay. Did you also obtain a blood  
2 sample from State's Exhibit No. 70?  
3 A. Yes, sir, I collected three stained  
4 portions, and also one unstained portion.  
5 Q. Okay. Let me show you what has been  
6 marked as State's Exhibit No. 82. I believe this will be  
7 your item number 31. Do you recognize that?  
8 A. Yes, sir, I do.  
9 Q. Okay. Did you obtain a sample from  
10 the handprint itself on State's Exhibit No. 82?  
11 A. Yes, sir, I cut out this portion right  
12 here, I just cut some of the carpet fibers off the top.  
13 Q. If you will look at State's Exhibit

14 No. 23?  
15 A. Okay.  
16 Q. And I believe that would be your item  
17 number 25? Is that correct?

18 A. Yes, sir.  
19 Q. Okay. Did you also obtain blood  
20 samples from State's Exhibit No. 23?  
21 A. Yes, sir, I cut five stains from  
22 those.  
23 Q. Okay. And if you will, please look at  
24 State's Exhibit No. 86. I believe this will be your item  
25 number 70. This rug, do you recall whether or not you  
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1 obtained blood samples from that rug also?  
2 A. Yes, sir, I cut six stain marks from  
3 the rug.  
4 Q. Okay. And Miss Long, let me show you  
5 the two items that have been marked as State's Exhibits  
6 64 and 65, I believe they are your item number 28, two  
7 towels. And ask you whether or not you obtained blood  
8 samples from each of those two towels?  
9 A. Yes, sir, I did.

10 Q. Okay. Miss Long, if you will look at  
11 State's Exhibit No. 66, I believe this will be your item  
12 number 30, a white towel, a rag. Did you obtain a blood  
13 sample from that item?

14 A. Yes, sir, I did.

15 Q. If you will, please look at State's  
16 Exhibit No. 60, a sock, and I believe that will be your  
17 item number 27. Did you obtain a blood sample from  
18 State's Exhibit No. 60?

19 A. Yes, sir, I cut two stains from this  
20 sock.

21 Q. If you will please look at State's

22 Exhibit No. 39, a baseball cap. I believe this will be  
23 your item number 68. Did you obtain a blood sample from  
24 this item?

25 A. Yes, sir, I cut three stains from  
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1 this and also one unstained portion.

2 Q. Okay. And State's Exhibit No. 71-A  
3 and 71-B, two Reebok tennis shoes. And I believe these  
4 will be your items 103. Do you recall taking blood  
5 samples from each of these shoes?

6 A. Yes, sir.

7 Q. And I'll ask you to look at State's

8 Exhibit No. 62. I believe this will be your item number  
9 26. Do you recall taking a blood sample from that item  
10 also?

11 A. Yes, sir, I do. I actually cut two  
12 samples from that blanket.

13 Q. Okay. State's Exhibit No. 61, a green  
14 blanket, your item number 21. Do you recall taking a  
15 blood sample from this item also?

16 A. Yes, sir.

17 Q. Okay. State's Exhibit No. 67. I  
18 believe this will be your item number 2, do you recall  
19 taking blood samples from this?

20 A. Yes, sir, I do.

21 Q. Okay. In addition to this, did a  
22 white rag also come to you for blood analysis?

23 A. Yes, sir.

24 Q. State's Exhibit No. 66. Let me have  
25 you look at that.

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1 A. Yes, sir.  
2 Q. Do you recognize that?  
3 A. Yes, sir.  
4 Q. Okay. Did you also take a blood  
5 sample from that?  
6 A. Yes, sir, from this corner right here.  
7  
8 MR. RICHARD C. MOSTY: Mr. Davis, I  
9 missed the SWIFS number.  
10 MR. GREG DAVIS: This is State's  
11 Exhibit No. 66.  
12 MR. RICHARD C. MOSTY: What is the  
13 SWIFS number?  
14 MR. GREG DAVIS: The SWIFS number is  
15 number 30.  
16 THE COURT: All right.  
17 MR. DOUGLAS MULDER: That is a white  
18 rag.  
19 MR. GREG DAVIS: Is that already done?  
20 Okay. What I am looking for right now is State's Exhibit  
21 No. 63, which is another -- another rag, a plaid rag.  
22  
23 BY MR. GREG DAVIS:  
24 Q. While we're looking for that, Miss  
25 Long, let me ask you if some additional items came to you  
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1 from the medical examiner's office in the cases of Damon  
2 and Devon Routier?

3 A. Yes, sir.  
4 Q. Okay. With regards to Damon Routier,  
5 did a black T-shirt come to you for analysis there?

6 A. Yes, sir.  
7 Q. Did that come from Dr.  
8 Townsend-Parchman?

9 A. Yes, sir, it did.  
10 Q. Now, with regards to Devon Routier,  
11 did you receive from Dr. Joni McClain the following

12 items: A pillow, a pillow case, a gray and black  
13 blanket, and some shorts?

14 A. Yes, sir. I did. And also, a  
15 transport sheet and the autopsy reports.

16 Q. And, with regard to the items that  
17 came to you from Dr. McClain, if you can see State's

18 Exhibit 11-C, do you see a gray and black blanket here in  
19 State's Exhibit 11-C?

20 A. Yes, sir.

21 Q. Does that appear to be the same  
22 blanket that accompanied the other items regarding Devon  
23 Routier from Dr. McClain?

24 A. Yes, sir.

25 Q. Was there also a pillow and a pillow  
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1 case?

2 A. Yes, sir, but by the time I got them,  
3 I believe they were separated. It was just -- there's a  
4 pillow and a pillow case.

5 Q. Okay. Let me ask you to look at the  
6 pillow here in State's Exhibit 11-F, the Power Ranger  
7 pillow. Does that appear to be the, I guess, it's

8 actually going to be the pillow case portion of the  
9 pillow that came from Dr. McClain?

10 A. Yes, sir, it did.

11 Q. And the accompanying pillow, was that  
12 along with the pillow case, correct?

13 A. Yes, sir.

14 Q. And you also indicated that Dr.  
15 McClain sent over to you certain shorts, were they Power  
16 Ranger shorts as seen here in State's Exhibit 11-E?

17 A. Yes, sir, they were.

18 Q. Okay. I think we have found State's  
19 Exhibit No. 63, I believe it will be your item number 29.  
20 And let me ask you again, whether or not you took any  
21 blood samples from State's Exhibit No. 63?

22 A. It's a wash cloth. Yes, sir, I did.

23 Q. Okay. And that is your item number  
24 29, right?

25 A. Yes, sir, that's correct.

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1 Q. Miss Long, let me show you a T-shirt,  
2 that's State's Exhibit No. 25, and I believe your item  
3 number 24. Do you recognize this item also?

4 A. Yes, sir, I do.

5 Q. Okay. Did you take certain blood  
6 samples from State's Exhibit No. 25?

7 A. Yes, sir, I did.

8

9 (Whereupon, the above  
10 mentioned items were  
11 marked for

12 identification only  
13 as State's Exhibits  
14 Nos. 110-A, B and C,  
15 after which time the  
16 proceedings were  
17 resumed on the record  
18 in open court, as  
19 follows:)

20

21 BY MR. GREG DAVIS:

22 Q. Miss Long, I want to step back for  
23 just a moment before we talk about these items. Have you  
24 look at the photographs that have been marked as State's  
25 Exhibit 110-A, 110-B and 110-C. Do you recognize these  
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1 photographs to be true and accurate depictions of the  
2 kitchen sink there at Eagle as they appeared on June 6th,  
3 1996?

4 A. Yes, sir.

5

6 MR. GREG DAVIS: Your Honor, at this  
7 time, we will offer State's Exhibits 110-A, 110-B and  
8 110-C.

9 MR. RICHARD C. MOSTY: No objection.

10 THE COURT: State's Exhibits 110-A,  
11 110-B and 110-C are admitted.

12

13 (Whereupon, the items  
14 Heretofore mentioned  
15 Were received in evidence  
16 As State's Exhibit Nos. 110-A,  
17 110-B, and 110-C, for all purposes,

18 After which time, the  
19 Proceedings were resumed  
20 As follows:)

21 BY MR. GREG DAVIS:

22 Q. As the jury looks at these, will we  
23 see some writing inside the sink?

24 A. Yes, sir.

25 Q. Is that writing that you placed there?  
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1 A. Yes, sir.

2 Q. And what is that to indicate?

3 A. Those were the positive -- the spots  
4 that I found that were positive for blood.

5 Q. Okay. And when you mark a side, do  
6 you label it as a T-1 or a T-2?

7 A. When I am going to collect something,  
8 I label it as, I give it a "T" number, that is a test  
9 area number. I didn't collect all the stains from the  
10 sink. There are some that have just been marked with a  
11 plus sign. That's just to indicate to me, and in future  
12 photographs, that those areas were positive.

13 Q. Okay. Miss Long, let me show you

14 State's Exhibit No. 122. And, if you will, as we go  
15 through this diagram, does this appear to be a floor plan  
16 of a part of the house out there at 5801 Eagle Drive?

17 A. Yes, sir, it does.

18 Q. Okay. As we look in the utility  
19 portion of this house, at the portion representing the  
20 baseball cap, do you see two samples there?

21 A. Yes, sir.

22 Q. Okay. Do they accurately reflect the  
23 fact that you took at least two samples from that  
24 baseball cap?

25 A. Yes, sir.

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1 Q. All right. Do you see the kitchen  
2 sink?

3 A. Yes, sir.

4 Q. All right. Do you see some T-numbers  
5 here, actually, 9-T-7, 9-T-6, 9-T-4, 9-T-8? Do they

6 reflect samples that you took from the kitchen sink?

7 A. Yes, sir, they do.

8 Q. Okay. Similarly, are there numbers,  
9 reflecting accurately, samples that you took from the  
10 item 70, the rug sitting in front of the kitchen sink?

11 A. Yes, sir.

12 Q. Okay. And those are all designated as  
13 70 and then with a T-number; is that right?

14 A. Yes, sir.

15 Q. Okay. We have a representation of a  
16 vacuum cleaner. Are there samples noted as 69 and then  
17 with a T-number, and do they accurately reflect samples  
18 that you took from the vacuum cleaner?

19 A. Yes, sir, they do.

20 Q. Are there two samples over here on the  
21 wall close to the switch plate labeled as 55 and 56? And  
22 do they accurately reflect samples that you took from  
23 that portion of the wall?

24 A. Yes, sir, they do.

25 Q. Okay. Looking in the family room, the  
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1 area as you come in the hall and to the left, do we have  
2 a representation of an individual there, Damon Routier?  
3 And do we have samples listed, 25-T-3  
4 and 25-T-5, as well as 13-T-1, and do they represent  
5 samples that you took from his clothing?

6 A. That would be with the child facing --

7 with the face down?

8 Q. Yes.

9 A. Yes, sir, that's correct.

10 Q. Okay. Do we also see the couch that

11 is closest to the kitchen, and do we have three samples,  
12 52, 53 and 54? Do they represent samples that you took  
13 from the couch?

14 A. Yes, sir, they do.

15 Q. Over by the chair, do we have two

16 samples listed as 50 and 49, and do they represent  
17 samples that you took from the carpet near that chair?

18 A. Yes, sir, they do.

19 Q. Moving across here to the child

20 representing Devon Routier, do we have a sample of 3-T-2,  
21 that represents accurately a sample that you took from  
22 the gray and black blanket?

23 A. Yes, sir.

24 Q. Do we have the shorts as 3-T-6?

25 A. Yes, sir.

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1 Q. Two samples that you took from the  
2 pillow and the pillow case, the Power Ranger item, are  
3 they listed as 3-T-1 and 3-T-4?

4 A. Yes, sir.

5 Q. And these accurately reflect samples  
6 that you took from this area; is that right?

7 A. Yes, sir.

8 Q. Do we have a sample 57, close to the  
9 coffee table on the carpet, does that accurately reflect  
10 the sample that you took in that part of the house, too?

11 A. Yes, sir.

12 Q. Moving over here to the green blanket,  
13 do we have a sample 21-T-1 that represents the sample  
14 that you took from that area?

15 A. Yes, sir.

16 Q. Do we have a blue blanket with the  
17 sample of 26-T-2, and does that accurately reflect a  
18 sample that you took from that item?

19 A. Yes, sir.

20 Q. Do we have another item, 31-T-3, that  
21 represents the sample that you took from the bloody palm  
22 print?

23 A. Yes, sir.

24 Q. Do we have an item 58 that represents  
25 a sample that you took from the couch, closest to the  
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1 windows, facing the back yard?

2 A. I'm sorry on the 31?

3 Q. Yes.

4 A. I actually collected T-1.

5 Q. Okay.

6 A. So T-3 would have been cut later by  
7 the DNA analysts.

8 Q. All right. Is 31-T-3, is going to be  
9 a sample actually taken by the DNA people later on?

10 A. Yes, sir.

11 Q. 31-T-1, would it be in that same area  
12 shown on the diagram?

13 A. Yes, sir.

14 Q. Let's make sure you have got that.

15 A. Yes, sir.

16 Q. Miss Long, with regards to the T-shirt  
17 down here in front of me, State's Exhibit No. 25, how  
18 many times did you take samples from the T-shirt?

19 A. Twice.

20 Q. All right. The first time that you  
21 took samples, how many blood samples did you take?

22 A. I took seven.

23 Q. All right. And would you have labeled  
24 those T-1 through T-7?

25 A. Yes, sir.

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1 Q. All right. Do you recall when you  
2 took those samples?

3 A. Actually, those were done on June the  
4 24th, 1996.

5 Q. Okay. And when you took the samples,  
6 is it necessary to actually cut cloth out of the T-shirt  
7 in order to get those samples?

8 A. On that shirt, yes, it was. Unless  
9 there was some portion that was -- the blood was actually  
10 caked on and we could take flakes off, but in that  
11 instance, we actually cut cloth out of the actual shirt.

12 Q. All right. And as you would take a

13 sample, I see a hole here that has a T-1 next to it, is  
14 that the way that you would indicate where you had taken  
15 sample?

16 A. Yes, sir.

17 Q. Okay. And that would be true for T-1  
18 through T-7; is that right?

19 A. Yes, sir.

20 Q. Now, when is the second time that you  
21 took samples from the T-shirt?

22 A. It actually spanned over two days;  
23 September 12th and September the 13th, 1996.

24 Q. All right. And again, would these now  
25 be T-8 through T-15?

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1 A. Yes, sir.

2 Q. And again, did you indicate those, I  
3 see a hole here that has a T-9, again, would you indicate  
4 your samples the same way that you did the first time?

5 A. Yes, sir.

6 Q. Miss Long, if you would please look at  
7 the photographs that I have had marked as State's Exhibit  
8 120 and 121. Do you recognize State's Exhibit 120 to be  
9 a photograph from the front of the T shirt, State's  
10 Exhibit No. 25?

11 A. Yes, sir.

12 Q. And do you recognize State's Exhibit  
13 121 to be a photograph of the back portion of State's

14 Exhibit No. 25?

15 A. Yes, sir.

16 Q. All right. On these two photographs,  
17 have we indicated where you took your T samples, T-1  
18 through 15?

19 A. Yes, sir.

20 Q. Okay. And the locations that we have  
21 shown here on these photographs, do they accurately  
22 reflect where you took those samples from?

23 A. Yes, sir.

24 Q. Now, Miss Long, in addition to the

25 samples that you took from the T-shirt, State's Exhibit  
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1 No. 25 -- let me ask you whether or not you have ever met  
2 an individual by the name of Terry Labor?

3 A. Yes, sir, briefly.

4 Q. Okay. And would you tell the members  
5 of the jury when and where you met him?

6 A. I met him at our laboratory in Dallas  
7 on August the 23rd, 1996.

8 Q. All right. And did he come to the lab  
9 with anyone?

10 A. Yes, sir, he came with two of his  
11 colleagues.

12 Q. Who were they?

13 A. I'm not sure of the gentlemen's names.  
14 I didn't really meet them.

15 Q. Bart Epstein?

16 A. That was one of them.

17 Q. Okay. Any lawyers with him?

18 A. No, sir, not to the best of my  
19 knowledge.

20 Q. Okay. When Mr. Labor came there, did  
21 he inform you that he had been employed by the attorneys  
22 representing Darlie Routier?

23 A. Yes, sir.

24 Q. And, when he came to your lab there in  
25 August of 1996, did he, in fact, take samples also from  
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1 this T-shirt?

2 A. Yes, sir, he did.

3 Q. All right. And when Mr. Labor took  
4 those samples, did he also mark where he had taken them?

5 A. Yes, sir, he did. I believe he used  
6 A, an alphabetical numbering system.

7 Q. Okay. For instance, let me -- I'm

8 just looking here at the left sleeve. Do you see a large  
9 hole with the letter F and then, the initials, it appears  
10 TLL?

11 A. Yes, sir.

12 Q. Is that the way that he sampled and  
13 the way that he actually documented which samples that he  
14 had taken?

15 A. Yes, sir.

16 Q. Do you remember how many samples that

17 Mr. Labor took on behalf of Mrs. Routier?

18 A. I believe he took six.

19 Q. Did he take that --

20 A. He took -- I'm sorry -- he took seven.

21 Q. He took seven samples?

22 A. Yes, sir, A through G.

23 Q. Was that done out there at your

24 laboratory in Dallas?

25 A. Yes, sir, it was.

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1 Q. While he was out there, did you have

2 any conversations with Mr. Labor or watch him, what he

3 was doing?

4 A. I kind of watched what he was doing,

5 but I didn't really have any conversation with him.

6 Q. Now, let me ask you, prior to

7 testifying today, have you and I discussed what you did

8 in this case?

9 A. Yes, sir.

10 Q. Did we have conversations while we

11 were still in Dallas about what you had done with regards

12 to these items in front of us?

13 A. Yes, sir.

14 Q. All right. And let me ask you whether

15 or not you have spoken with any of the gentlemen here at

16 the other table, either Mr. Mosty, Mr. Mulder, Mr.

17 Hagler, Mr. Glover or Mr. Douglass here?

18 Have you spoken with any of them?

19 A. Yes, sir, I have.

20 Q. Okay. When did you meet with these

21 people?

22 A. It was on New Year's Eve, 1996.

23 Q. All right. Who did you meet with?

24 A. Mr. Mulder and Mr. Mosty and their

25 investigator.

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1 Q. Okay. Is that Mr. Harrell here in the

2 corner?

3 A. Yes, sir.

4 Q. And, do you recall how long that

5 meeting took place?

6 A. It was approximately two hours. I had

7 to leave early.

8 Q. Okay. Who else was present at that

9 meeting?

10 A. Charles Linch.

11 Q. And during that meeting, did Mr. Mosty

12 or Mr. Mulder ask questions of you and Mr. Linch?

13 A. Yes, sir, they did.

14 Q. Okay. And did you provide information

15 to them?

16 A. Yes, sir.

17 Q. Did you supply them with any notes

18 that you had generated in this case?

19 A. Yes, sir, I did.

20 Q. Mr. Linch, did he do the same?

21 A. I'm not really sure if Charlie gave

22 them any copies of notes, but I believe he was open to

23 that.

24 Q. Okay. So you spoke with them New

25 Year's Eve and you were there for the meeting about two

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1 hours, right?

2 A. Yes, sir, that's correct.

3 Q. Was the meeting still going on when

4 you left?

5 A. Yes, sir.

6

7 MR. GREG DAVIS: Your Honor, at this

8 time I will pass the witness for cross examination. And,

9 prior to her testimony, Miss Long has made a copy of all

10 of her notes. And I am giving those to Mr. Mosty at this

11 time. They should be complete.

12 MR. RICHARD C. MOSTY: May I have a

13 few moments, your Honor?

14 THE COURT: You may.

15 MR. RICHARD C. MOSTY: Is this my

16 copy?

17 MR. GREG DAVIS: Yes, sir.

18

19

20

21 CROSS EXAMINATION

22

23 BY MR. RICHARD C. MOSTY:

24 Q. Miss Long, the notes that you gave me,

25 these are a lot more than the ones that we talked about

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1 on the 31st, is it not?

2 A. Yes, sir, it is.

3 Q. That was just about one specific --

4 A. Yes, sir.

5 Q. Two pages, if I remember right.

6 A. Yes, sir.

7 Q. In addition to these notes, have you

8 written any reports?

9 A. Yes, sir, I have.

10 Q. And what are those dated?

11 A. I have one dated September the 19th,

12 1996; September the 10th, 1996; and January the 6th,

13 1997.

14 Q. May I see those? I don't think I have

15 ever seen those. You don't happen to have an extra copy,

16 do you?

17

18 MR. GREG DAVIS: Let's see. I think I

19 have got one.

20 THE WITNESS: I have an extra copy of

21 the last one.

22 MR. GREG DAVIS: The one on January

23 6th?

24 THE WITNESS: Yes.

25 MR. GREG DAVIS: Okay. Here is the

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1 January 6th.

2 MR. RICHARD C. MOSTY: I have seen

3 that one. I know I've got that one.

4 THE WITNESS: These are the other two.

5 MR. RICHARD C. MOSTY: All right. May

6 I get Mr. Douglass to maybe go make a copy of these?

7 THE COURT: Oh, yes.

8 THE WITNESS: I might have copies with

9 me. I do have copies.

10 MR. RICHARD C. MOSTY: These are not

11 the originals that you gave me, are they?

12 THE WITNESS: Those are the originals.

13 MR. RICHARD C. MOSTY: How about we

14 switch?

15 THE WITNESS: Okay.

16

17 BY MR. RICHARD C. MOSTY:

18 Q. All right. Miss Long, I -- because of

19 how some of these things are labeled, I'm a little

20 confused on some of it. I want to try to clarify that

21 with you.

22 A. Okay.

23 Q. How many total rags did you analyze?

24 A. Well --

25 Q. It seems like sometimes they are

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1 referred to it as rags, sometimes as wash cloths.

2 A. Actually, there appears to be 10 of

3 the smaller towels, wash-cloth-type kitchen towels.

4 Q. Okay. Combining all of that, towels,

5 rags, wash cloths, whatever they are, there are 10 of

6 them?

7 A. There were also some other large type

8 beach towels that I analyzed.

9 Q. Okay. Ten rags or wash cloths, and

10 how many beach towels?

11 A. Seven that were actually submitted to

12 the laboratory.

13 Q. Now, when you create a number, let's

14 take a rag, for instance. You put that in a number under

15 your system as just 1 through whatever?

16 A. I'm sorry. I don't understand the

17 question.

18 Q. Well, we were referring a lot to your

19 item number 1, which is a different State's Exhibit

20 Number. How do you at SWIFS number? And let's just talk

21 about those things that you were involved in.

22 A. Each case that we have is assigned an

23 FL number, it could be a 90 or whatever year it is, the

24 last two numbers of the year. And the P number to

25 indicate that it belongs in the physical evidence

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1 division, then it gets a one thousand number.

2 Q. Okay.

3 A. From there, our evidence registrar

4 then assigns individual numbers, starting from one to

5 each item that is submitted. We get items from the

6 medical examiner's office, we also get items from the

7 police department.

8 In this case, I actually went out and

9 collected my own items. So there were several different

10 agencies submitting items. She just went down the list

11 and went 1 through, I believe, a hundred and twenty-four

12 or so, and assigned each item its own number.

13 Q. In consecutive order?

14 A. Yes, sir.

15 Q. How do you do the blood sampling?

16 A. What type of blood sampling? Dried  
17 samples from the scene, or --  
18 Q. Yes, samples from the scene, or  
19 objects at the scene?  
20 A. Each of those was given its own  
21 number.  
22 Q. Okay. And that begins with a 1, 2, 3?  
23 A. Right. Everything, from the medical  
24 examiner or from the police departments or from myself  
25 were each given a number in chronological order, 1  
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1 through 100 and something.  
2 Q. For instance, how do you do the Ts? I  
3 mean, there are two Ts, three -- what is the T?  
4 A. The T is test area.  
5 Q. Okay.  
6 A. Usually, with each item, say there is  
7 a number 12 or number 13 was a T-shirt. The T-shirt

8 itself was number 13. However, each stain that I cut  
9 from the shirt was assigned its own number. A test area  
10 is the stain -- with actual stain on it.  
11 On some instances there were items

12 that didn't have any blood on them. You know, there  
13 would be one part that was bloody and one part that

14 wasn't. I tried to collect a part that isn't bloody and  
15 a part that is bloody, in case there is some kind of dye  
16 reaction or something, where we have a substrate control,  
17 which is just a part of the item that is not stained.

18 Q. So, if I have got, for instance, T-1  
19 through 4, that's going to tell me that you took four  
20 samples off of that item?

21 A. Yes, sir, that's correct.

22 Q. But does that tell me whether or not  
23 they had blood on them or not?

24 A. No, sir.

25 Q. Then you have to go to the remainder  
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1 of your report or your test to identify which did and  
2 which didn't?

3 A. Yes, sir, that's correct.

4 Q. Now, and I noted that when you took  
5 that picture of the sink, at that point, had you wrote

6 (sic) on that sink?

7 A. Yes, sir, I did.

8 Q. Okay. And, did you put your initials  
9 on there?

10 A. No, sir, I did not.

11 Q. Okay. But did you photograph it then?

12 A. I did not photograph it. An officer  
13 from the Rowlett Police Department did.

14 Q. Okay. But that was to document what  
15 you had done for future reference?

16 A. Yes, sir, because my notes are just my  
17 own notes, kind of an artist rendering thing, they are  
18 not exact. The photograph depicts much more accurately  
19 what was actually there.

20 Q. And in that Exhibit, I think it was

21 No. 110, you were really just focusing in on those areas,  
22 the photographer was just focusing in on those areas that  
23 you had picked out?

24 A. Yes, sir. I had actually tested the  
25 sink, indicated the positive areas, then I called him  
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1 over and asked him to photograph it.

2 Q. And by that time, you were actually  
3 looking inside the sink bowl itself?

4 A. Yes, sir, as closely as possible.

5 Q. Okay. And you indicated that there  
6 was blood mixed with water in that sink area?

7 A. It was diluted out blood.

8 Q. And from your training you can tell  
9 that?

10 A. Yes, sir.

11 Q. And, it would have been consistent  
12 with someone running -- after there had been some blood

13 in that sink, of wetting a wash towel or running water or  
14 something, so that water then spills into the sink area  
15 where the blood already was?

16 A. Or, you could be wringing out a rag,  
17 or you could be washing blood off of your hands. Or like  
18 -- yes, sir.

19 Q. Anyway, there is blood there, then  
20 water comes out of the sink and whatever activity you are  
21 doing is then going to create that diluted blood?

22 A. Yes, sir, that's correct.

23 Q. Okay. And, the streaked area that you  
24 described, did that appear to be something that had run

25 down and dripped inside?  
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1 A. No, sir, it did not.

2 Q. Okay.

3 A. You could not -- it was not detectable  
4 without opening the door of the cabinet.

5 Q. All right. When you set about to  
6 sample an item, how do you choose that? How do you say,  
7 "I'm going to take one sample, or two," or, I think the

8 most -- I remember you saying was six, maybe, or in that  
9 neighborhood?

10 A. I believe on the Victoria's Secret  
11 nightshirt, I actually collected almost 15 stains.

12 Q. Over two different times?

13 A. Yes, sir.

14 Q. Okay. But how does -- how do you go  
15 about that? For instance, you're out at the scene and

16 there is this bloody footprint in the garage. How do you  
17 go about deciding what to collect?

18 A. I wouldn't have exactly called it a  
19 bloody footprint. It was a transfer stain. Because it  
20 was in the garage, that seemed to be an important area at  
21 that time, the alleged perpetrator would have left  
22 through the garage, according to the victim's story.  
23 If there was any blood in the garage,  
24 that would have been important at that time.

25 Q. Well, I don't mean to quibble with  
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1 whether or not it is a footprint or whatever it is, it is  
2 a bloody area. Can we with agree on that?

3 A. Yes, sir.

4 Q. All right. How did you choose how to  
5 take a blood sample out -- out of what part of that  
6 bloody area? How do you make that decision?

7 A. There was actually two stains that I  
8 collected in the garage. I collected them because they  
9 were in the garage. It was an important area at that  
10 time, because the victim's story stated that the  
11 perpetrator had left through that area.

12 Q. You and I are not clicking. We're --  
13 I'm saying, -- and then let me get off the -- let me go  
14 somewhere else.

15 Let me go to -- you are down at the  
16 Dallas County Courthouse and someone has been shot out in

17 front and you see a bloody spot, and a smudge, and a  
18 footprint and, you know, areas of blood?  
19 A. If it was --  
20 Q. And they say to you, "We would like  
21 for you to sample that."  
22 How do you go about that process,  
23 saying, "I'm going to take a sample from here or there or  
24 yonder." How do you go about that process?  
25 A. It's a matter of putting together the  
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1 story. Was there a suspect that was injured or possibly  
2 injured? Is the area where the blood is, is it open to  
3 the elements?  
4 Q. I'll take care of that for you.  
5 A. Okay.  
6 Q. There is a bloody spot and I am the

7 investigator. No, no, there is a bloody area, more or  
8 less, as big as this sheet. And I am the investigator  
9 and I say, "I would like for you, Miss Long, to sample  
10 that." You don't take the whole thing?  
11 A. It would kind of be impractical.

12 Q. Not impossible, but it would be  
13 laborious.  
14 A. Correct.  
15 Q. But how do you do that off of that  
16 sheet? Would you just pick the most bloody spot, or the  
17 cleanest spot, or how would you make that choice?  
18 A. If it's one large consistent stain,  
19 you would take a portion of the stain.  
20 Q. For instance, a part of this is --  
21 it's maybe sort of smeared, and part of it appears  
22 undisturbed, and part of it has more blood. Would you --  
23 what part of that would you take?  
24 A. It's something that you would have to  
25 see. You are expecting me to visualize something that  
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1 only you can see. I'm having trouble seeing what is in  
2 your mind.  
3 Q. Actually, I don't see it either.  
4 Well, as an example, the -- you got one of these back.  
5 Did you get these in these bags?  
6 A. Yes, sir.  
7 Q. When you got them? Did they have  
8 evidence tags on them?

9 A. Most of them were sealed containers,  
10 yes, sir.  
11 Q. Did they have like a stapled Rowlett  
12 P.D. evidence tag on them?  
13 A. I believe most of them did.  
14 Q. Okay. But those have somehow gotten  
15 set aside somewhere?  
16 A. I would assume so. I don't know if  
17 Rowlett keeps them or where they have gone since my  
18 examination of the items.  
19 Q. Did one of the rags you tested, did it  
20 come in two rags in one bag?  
21 A. Yes, sir.  
22 Q. And as a serologist, you don't like  
23 that, do you?  
24 A. In a perfect world, that wouldn't be  
25 appropriate.  
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1 Q. Because that can affect the integrity  
2 of what you observe and the sampling you take?  
3 A. I'm not quite sure about that.  
4 Q. Well, you get one bloody item in a bag  
5 with another, blood that was on one can end up on the  
6 other?  
7 A. Yes, sir, but I took samples from both  
8 items.  
9 Q. Well, I understand that. I'm just  
10 talking about the transferring of blood.  
11 A. If there had been a foreign blood type  
12 on one, you know, if there is one blood type on one and  
13 another blood type on the other and they mix together,  
14 the DNA analyst would be able to pick up both blood  
15 types.  
16 Q. Okay. And I don't quarrel with that,  
17 but that DNA analyst wouldn't be able to say, "Was it  
18 originally on that one, or is it originally on that one?"  
19 A. That's correct.  
20 Q. They can't make that determination,  
21 can they?  
22 A. If the items were wet when they were  
23 co-mingled.  
24 Q. And if there is a single spot of blood  
25 of one individual and it happens to get transferred on to  
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1 the other, the DNA analyst can never say, other than it's  
2 blood there. They can't say whether it got there before

3 they were thrown together or after?

4 A. That's correct.

5 Q. Can't find my two rags, but I did have

6 one. Okay. Here is a rag from the scene which is

7 State's Exhibit 87.

8 Now, did you take some samplings from

9 this?

10 A. Yes, sir, I did.

11 Q. Okay. Now, how then does one go about

12 doing that? Making the choice: "I'm going to cut out

13 this spot, but I am not going to cut out that one"?

14 A. This item appeared to be folded when

15 it was submitted to the laboratory. You can see here,

16 the stain that I cut is also consistent with the stain

17 that -- it appears that it has bled through.

18 Q. That is actually a transfer through

19 from one side to another; is that correct?

20 A. Yes, sir. Therefore, I only cut the

21 one stain.

22 Q. Okay.

23 A. I cut the --

24 Q. Let me go over that point with you

25 right now. You are saying that because it appeared

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1 that -- do you assume that -- or was the side that is up

2 now the bloodiest?

3 A. Yes, sir.

4 Q. In your opinion? More bloodier than

5 the other?

6 A. Yes, sir.

7 Q. Okay. And is that more bloody spot

8 was sitting in this manner, would then that blood seep

9 through to the other side?

10 A. Yes, sir, if it was bloody enough.

11 Q. Well, and this one appears that it

12 was, doesn't it?

13 A. Yes, sir.

14 Q. I mean that was your judgment?

15 A. Yes, sir.

16 Q. So you can see that hole, and there is

17 actually blood that has soaked through to the other side

18 of this rag?

19 A. Yes, sir, that is the way it appeared

20 to be.

21 Q. So you made a choice to take, what,

22 the more bloody spot?

23 A. Yes, sir.

24 Q. And then, this other one farther down

25 has blood, and it also appears to have soaked through,

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1 does it not?

2 A. Yes, sir.

3 Q. And why and how would you go about --

4 I'm not really trying to say, "How did you pick this

5 one?" But how, in general, do you look for that? Do you

6 look for a more bloody spot?

7 A. It's the better stain to -- in case,

8 let's say, I needed to do serological analysis on it, if

9 the DNA analysts needed to do DNA analysis on it, if a

10 defense expert wanted to do DNA analysis on it, or a

11 serological analysis, what I try to do is collect enough

12 so that everybody has enough.

13 Q. So you really, in that instance, you

14 are looking for a large spot?

15 A. If -- since the large spot was there,

16 I cut it.

17 Q. Okay. And, these that are over on the

18 other side, you -- those are the ones that you did, that

19 you would think would be -- that you didn't want to take?

20 A. Actually -- there was a line across

21 here, where it appeared to have been folded. So it could

22 have been folded like this at some point. And this stain

23 right here may have been a transfer from that stain.

24 Q. Okay.

25 A. It's only speculation.

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1 Q. Okay. So you just have to look at

2 that and make those judgments, this one might be a good

3 one to take?

4 A. Yes, sir.

5 Q. Because of it's size?

6 A. Yes, sir.

7 Q. Or it's cleanliness or whatever?

8 A. And also, if it's a stain with no

9 other stains intermingling with it, we try to get

10 discrete stains, so that we get clear blood types.

11 Q. Okay. Now, you sort of folded this

12 towel up in a manner that some of the stains seemed to

13 match, correct?

14 A. Yes, sir.

15 Q. And, so, if this were collected and  
16 preserved in that method, of how it was found, for  
17 instance?

18 A. In what method?

19 Q. Well, if it appears that -- if it were  
20 found like this, these blood stains appear consistent and  
21 they were collected in a manner, the person that  
22 collected it could prevent this from staining another  
23 part, could they not?

24 A. Unless it was -- because it appears  
25 that it was bled on while it was folded down that one  
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1 line.

2 Q. Okay. Down this line here?

3 A. It goes all the way. It could have  
4 been like this, or it could have possibly been like this.

5 Q. Okay. So when it's collected, the  
6 position it's in and when it is collected can be  
7 important, can't it?

8 A. I would assume in some instances it  
9 could be.

10 Q. For instance, if it were like this  
11 when I found it and I picked it up and I did like this, I  
12 could make a transfer of blood from one side to the  
13 other?

14 A. If the item was still wet.

15 Q. Right. Right. I'm assuming that the  
16 item is still wet.

17 A. Yes.

18 Q. And, of course, you conclude that when  
19 you take that hole and it's soaked through to the other  
20 side, that is wet blood soaking through, isn't it?

21 A. Yes, sir.

22 Q. So the method in which that is picked  
23 up and then placed in a bag, or how it's kept, can affect  
24 the integrity of what you see later?

25 A. In some instances.

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1 Q. That would be true, for instance, of a  
2 shirt if you got it, and you rumbled it up and threw it  
3 in a bag, and then blood from the shirt soaked through  
4 the shirt itself and down to the bottom of the bag. That  
5 can affect the integrity of what you see later on in the  
6 laboratories?

7 A. Yes, of the actual staining patterns.

8 Q. Right.

9 A. Not of the actual evidence itself.

10 Q. Yeah. It's still going to be blood,

11 but the integrity of where it was at certain times is now

12 compromised?

13 A. Yes, sir.

14 Q. So the location then becomes suspect,

15 even though you can still say that is blood, and you can

16 do whatever.

17 You can hand it on to the DNA people

18 and they can type it. The location of that blood is

19 compromised?

20 A. In stains that would soak through,

21 yes, right.

22 Q. That being wet, you know, a wet object

23 that is thrown in a bag, for instance?

24 A. Yes, and they basically have to be

25 very, very wet.

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1 Q. Well, for instance, this shirt that

2 the State has had you identify, did you look at the

3 bottom of that bag? Mrs. Routier's shirt; that bag that

4 Mrs. Routier's shirt was thrown in?

5 A. Yes, sir.

6 Q. There's blood in the bottom of that

7 bag, isn't there?

8 A. Yes, sir.

9 Q. And that would be consistent with me

10 taking that shirt and throwing it in there, and then that

11 shirt soaking through itself, dripping blood on to the

12 bottom of the bag?

13 A. If -- or if the most bloody portion

14 was actually exposed to the bottom of the bag.

15 Q. It could be either way, couldn't it?

16 A. Yes, sir.

17 Q. It could be that it's just soaking

18 through itself, the bloodiest part is put in on top, and

19 it soaks all the way through to the bottom of the bag?

20 A. That could have happened, yes, sir.

21 Q. And you can see blood that has soaked

22 off of this shirt on to the bottom of that bag, can't

23 you?

24 A. Yes, sir.

25 Q. So it's fair to say that the integrity

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1 of the locations of the blood spot on this shirt have  
2 been compromised?

3 A. I wouldn't necessarily say that.

4 Q. Well, of course, you wouldn't  
5 necessarily say it, but it's certainly possible, isn't  
6 it?

7 A. It could have been possible, but as I  
8 said, if the most soaked portion was directly on the  
9 bottom of the bag, that could have been how the bottom of  
10 the bag got wet.

11 Q. Okay. I'll accept that as your theory  
12 that the bloodiest part was put in first. Okay. I'll  
13 accept that.

14 Now, will you also accept my theory

15 that perhaps the bloodiest part was put in on top and  
16 that it went through that way?

17 A. I didn't really see any soaking

18 through stains, but again, I'm not a blood spatter  
19 expert.

20 Q. Well, you see the stains on the  
21 bottom, don't you?

22 A. Yes, sir, on the bottom of the bag.

23 Q. So the fact of the matter is it could  
24 be the way you suggest, and it could be the way I  
25 suggest.

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1 A. Yes, sir.

2 Q. And we will never know, will we?

3 A. No, sir, we won't.

4 Q. Now, the blood that you identified on  
5 the window screen?

6 A. Yes, sir.

7 Q. Now, did I understand that you draw  
8 no -- other than that being blood, you draw no  
9 conclusions from it?

10 A. Yes, sir. It was actually on the  
11 frame of the window screen.

12 Q. I'm going to apologize if I am

13 skipping around, because this is my notes as I am  
14 rambling, so stop me if we are not together. I'm going  
15 to move back to talking about rugs.

16 You told me how many rags you tested,

17 you've told me how many towels you have tested. How many  
18 rugs did you test?

19 A. Are you talking about actual throw  
20 rugs, or sections of carpet?  
21 Q. No, I don't want to talk about carpet.  
22 Let's separate rugs for now. And we can cover carpet  
23 too, if you like. You did two sections of carpet, didn't  
24 you?  
25 A. Yes, sir.  
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1 Q. I'm clear on that one.  
2 A. Two large sections, yes, sir.  
3 Q. Two large sections?  
4 A. Yes, sir. I also cut fibers from the  
5 rug, from the actual carpet.  
6 Q. Okay. The -- now, let's talk about  
7 throw rugs. How many throw rugs were delivered to you?  
8 A. I believe I tested two.  
9 Q. Two. And in your notes, how did you  
10 describe those? What did you number them and how did you  
11 describe them?  
12 A. I got a number 70 rug.  
13 Q. Okay. That is -- is that your number?  
14 A. That is, yes, that is SWIFS number 70.  
15 Q. Okay. And how did you describe that  
16 rug in your notes?  
17 A. It's a floral rug. It measures 27  
18 inches by 45 inches. The tag reads, 100 percent cotton,  
19 handwoven rug, style, Kennsington. It had a green and  
20 mauve floral pattern in the center with a green,  
21 checkered border.  
22 Q. Is that State's Exhibit 68?  
23 A. Yes. It's our item number 70.  
24 Q. Okay. Does your item number 70 show  
25 on there?  
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1 A. Yes, sir.  
2 Q. So, item number 70 is State's Exhibit  
3 No. 68?  
4 A. Yes, sir.  
5 Q. What other rugs did you test?  
6 A. I tested a throw rug. It was SWIFS  
7 Exhibit Number 101.  
8 Q. Okay. And how was that rug described?  
9 A. It was basically a green throw rug  
10 with fringe on both ends. It measured about 42 inches by  
11 approximately 29 inches.

12

13 MR. RICHARD C. MOSTY: Is that in  
14 evidence?

15 MR. GREG DAVIS: Number 104? Yes.

16 MR. RICHARD C. MOSTY: Is 104 the  
17 SWIFS number?

18 THE WITNESS: The SWIFS number was  
19 101.

20 MR. RICHARD C. MOSTY: 101.

21 MR. GREG DAVIS: I don't think that is  
22 in evidence, Richard. I don't recall putting it in  
23 evidence.

24 MR. RICHARD C. MOSTY: Okay.

25

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1 BY MR. RICHARD C. MOSTY:

2 Q. Mr. Davis informs me that he doesn't  
3 think that that SWIFS 101 is in evidence. But it is a  
4 green throw rug?

5 A. Yes, sir.

6 Q. Did you take any samples off that one?

7 A. Yes, sir, I did.

8 Q. How many?

9 A. I collected six samples.

10 Q. Those would then be numbered 101-T?

11 A. T-1 through T-6.

12 Q. 1 through 6?

13 A. Yes.

14 Q. Okay. Did you test those for blood?

15 A. Yes, sir, I did.

16 Q. And was any of that or all of that  
17 positive?

18 A. Yes, sir, they were.

19 Q. All?

20 A. All six.

21 Q. Did you test any other rugs?

22 A. No, sir, I don't recall testing any  
23 other rugs.

24 Q. Two rugs. And so I am clear, a total  
25 of two rugs, being one that was floral, and one, was it,

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1 tell me that was solid?

2 A. Yes, sir, it was.

3 Q. And that is no other rugs that you  
4 tested?

5 A. No, sir.

6 Q. And were any other rugs delivered to  
7 you?

8 A. No, sir.

9 Q. Have you tested everything that was  
10 delivered to you for blood, or after visually observing  
11 it, obviously?

12 A. No, sir, I have not.

13 Q. Okay.

14 A. There were some water samples

15 collected at the scene, and some plumbing that was

16 collected at the scene, that I did not test.

17 Q. They delivered you the kitchen sink,  
18 literally, didn't they?

19 A. I did the kitchen sink myself at the  
20 scene, so I didn't get the kitchen sink, but we did get  
21 quite a bit of plumbing and water samples.

22 Q. And you did not do blood testing on  
23 those items?

24 A. No, sir.

25 Q. But is there anything else that you  
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1 did not do, at least go look for samples on?

2 A. Sir?

3 Q. Other evidence, other than the  
4 plumbing, that was delivered that you did not test for or  
5 sample for blood?

6 A. No, sir.

7 Q. Okay.

8 A. I don't believe there is anything else  
9 that we did not test.

10 Q. And, the total of the samples on the  
11 T-shirt that you identified were: 1 through 7 on the  
12 first go-through, and 8 through 15 on the second  
13 go-through?

14 A. Yes, sir, that's correct.

15 Q. And you have not participated in any  
16 subsequent sampling to that shirt?

17 A. No, sir, I have not.

18

19 MR. RICHARD C. MOSTY: That's all I  
20 have, your Honor.

21 THE COURT: All right.

22

23

24

25

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1 REDIRECT EXAMINATION

2

3 BY MR. GREG DAVIS:

4 Q. Miss Long, on that T-shirt, did I

5 understand you to say that you didn't see any evidence of  
6 soaking through?

7 A. No, sir.

8

9 MR. GREG DAVIS: That's all.

10

11

12 RECROSS EXAMINATION

13

14 BY MR. RICHARD C. MOSTY:

15 Q. Miss Long, when was the last time --

16 when was the first time that you ever saw that T-shirt?

17 A. It was on June the 24th, 1996.

18 Q. Eighteen days after this incident?

19 A. Well --

20 Q. Trust me, it was 18 days.

21 A. Yes, sir.

22 Q. By that time, it was dry, wasn't it?

23 A. Yes, sir.

24 Q. You never saw it when it was wet, did

25 you?

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1 A. No, sir, I did not.

2 Q. And in fact, you never looked at that

3 shirt to see what had soaked through or had not, that is

4 not your job, is it?

5 A. That's correct.

6

7 MR. RICHARD C. MOSTY: Thank you.

8 MR. GREG DAVIS: Miss Long, I have no

9 more questions.

10 THE COURT: All right. You may step

11 down, ma'am.

12 THE WITNESS: Thank you.

13 THE COURT: All right.

14 In view of the time, ladies and

15 gentlemen, we will adjourn now until Monday morning at

16 9:00 o'clock.

17 The same instructions as always. Do

18 not discuss this case among yourselves or with anyone  
19 else, at the present time. If someone tries to talk to

20 you about anything in this case, please tell the bailiff  
21 who is with you at the time.

22 Do no investigation on your own. You

23 will decide this case on the testimony that you hear and  
24 the evidence that you receive in this courtroom.

25 Should you read or hear anything about

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1 this case on radio, TV or the newspapers, please, or

2 should you hear about it or see it or anything like that,

3 please ignore it. Because again, the outside accounts or

4 anything are immaterial, and you will decide this case on

5 just the testimony that you hear and the evidence you

6 receive in this courtroom.

7 So we will see everybody at 9:00

8 o'clock on Monday.