

Prosecution - Opening Statement

18 THE COURT: All right. You may make
19 your opening statement.
20 MR. GREG DAVIS: Read the indictment
21 first?
22 THE COURT: Excuse me. Thank you very
23 much. Let's present the indictment first. Thank you.
24 MR. GREG DAVIS: Yes, sir.
25 Good morning, ladies and gentlemen.
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1 Again, my name is Greg Davis, and along with Mr. Shook and
2 Miss Wallace, I represent the State of Texas in this case.
3 I am now going to read to you the True
4 Bill of Indictment, which has been returned by the Dallas
5 County Grand Jury in this case. It reads as follows:
6 "True Bill of Indictment. In the name
7 and by the authority of the State of Texas, the Grand Jury
8 of Dallas County, State of Texas, duly organized at the
9 January Term, A.D. 1996, of the 194th Judicial District
10 Court, Dallas County, in said court, at said Term, do
11 present that one Darlie Lynn Routier, defendant, on or
12 about the 6th day of June A.D. 1996, in the County of
13 Dallas and said State did, unlawfully, then and there,
14 intentionally and knowingly, cause the death of Damon
15 Christian Routier, an individual, hereinafter called
16 deceased, by stabbing the said Damon Christian Routier
17 with a knife, and the deceased was, at the time of the
18 offense, under six years of age."
19 It concludes: "Against the peace and
20 dignity of the State."
21 It is signed by John Vance, Criminal
22 District Attorney of Dallas County, Texas. And it's also
23 signed by Ray W. Paul, Senior, who is the foreman of the
24 Grand Jury.
25 THE COURT: To the indictment, Mr.
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1 Mulder, how does you client plead?
2 MR. DOUGLAS MULDER: Yes, sir, your
3 Honor, and ladies and gentlemen of the jury, the defendant
4 pleads not guilty.
5 THE COURT: All right. The State may
6 make your opening statement.
7 MR. GREG DAVIS: Thank you.
8 May it please the Court.
9 Ladies and gentlemen, on June the 6th,

10 of 1996, the evidence will show that five-year-old Damon
11 Christian Routier, and his six year old brother Devon,
12 were stabbed and murdered in their own home in Rowlett,
13 Texas. And Rowlett being a small suburb in eastern Dallas
14 County.

15 Now, the evidence will show in this
16 case how these two children were murdered, who murdered
17 them, and the reasons why they were murdered. And in the
18 process, ladies and gentlemen, the evidence in this case
19 will show to you, that this woman here, Darlie Lynn
20 Routier, and no other person, is the individual who
21 stabbed and murdered her own children as they lay sleeping
22 in their own home on June the 6th, 1996.

23 The evidence will show you that the
24 real Darlie Routier is, in fact, a self-centered woman, a
25 materialistic woman, and a woman cold enough, in fact, to

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1 murder her own two children.

2 Now, the evidence in this case also

3 will show you that the defendant's husband is named Darin.

4 Darin Routier. Now, Darin owned and operated a small

5 electronics business in Rowlett, Texas. And he did very

6 well. He was a hard worker.

7 In 1993, the Routier family moved into

8 a new two-story home in Rowlett, in a nice neighborhood.

9 Their address was 5801 Eagle Drive. It was a corner lot.

10 The evidence will show that when they

11 moved into that home, they started to buy the kinds of

12 things that would show their success: A lighted fountain,

13 satellite dishes, jewelry, fancy clothes, leather

14 furniture and a Jaguar automobile.

15 And 1994 was another good year. And

16 1995 was even better. But, again, instead of reinvesting

17 the money from that business back into that business, the

18 evidence will show that the defendant and her husband kept

19 on spending those profits on themselves.

20 And this time, in 1995, there were

21 several vacations. There was a nine thousand dollar

22 redwood spa for their backyard. And there was a

23 twenty-four thousand dollar cabin cruiser for the lake,

24 Lake Ray Hubbard, which is close to Rowlett.

25 Now, as 1996 began, everything still

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1 looked good on the surface for this defendant. The

2 evidence will show that beneath the surface, things were

3 starting to change. For, you see, in 1996, Darlie Routier

4 had a new baby. That baby was keeping her very busy. Her
5 other two children Devon and Damon were also keeping her
6 busy.

7 Secondly, she hadn't been able to lose
8 the weight from her pregnancy. She was having problems
9 there also.

10 And perhaps most importantly, the
11 evidence will show to you that the money train from
12 Darin's business was beginning to peter out. His business
13 was flattening out as 1996 began.
14 When we come to June the 5th, 1996, the
15 evidence is going to show you that those problems began to
16 worsen, and they had worsened over time. By that date,
17 this defendant right over here, still had not lost the
18 weight that she had gained during her pregnancy. And that
19 had led her by June the 5th, 1996, to begin taking diet
20 pills in order to try to get back that figure. She was no
21 longer the glamorous, blond center-of-attention by that
22 date.

23 Also by that date, the baby, his name
24 was Drake. By this time he was eight months old. Drake,
25 Devon and Damon were again -- were taking up more and more
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1 of her time. And by this time, she was becoming angry
2 because, in fact, her lifestyle that she had grown
3 accustomed to, the vacations, the buying sprees, the nice
4 things, the freedom, those things were starting to go
5 away, and she was beginning to become very angry by that
6 time.

7 You will also see that by 1996, by June
8 the 5th, on that date, the Jaguar automobile, it wasn't
9 running, so she had no transportation. That cabin cruiser
10 on the lake, by that time, it wasn't running either. And
11 there were problems at Darin's business. The evidence
12 will show again, that business was starting to flatten
13 out.

14 By June the 5th, the Routiers, the
15 defendant and her husband, had no savings accounts, no
16 retirement accounts. They had very little money in the
17 bank. I mean, the house was still there, the boat was on
18 the lake, but there was very little money in the bank.
19 And we're going to show you, that on that date there was
20 under two thousand dollars cash available to these people
21 by that date.

22 The evidence is going to show to you,
23 that by June, the situation had become bad enough, that on
24 June the 1st of 1996, now we're talking only five days
25 before the murder of these two children in their home;

1 that the Routiers tried to borrow five thousand dollars
2 from a bank in Rowlett. Because of their credit
3 situation, they were turned down on that loan. That's the
4 situation that we see on June the 5th, 1996.
5 Now, during that evening, the evidence
6 is going to show to you that the two boys, Devon and
7 Damon, were downstairs in the family room. And we'll be
8 referring to it as either the family room, or as the
9 Routiers sometimes referred to it as the Roman room.
10 They were in the family room sleeping,
11 watching television, the defendant was down there, at
12 times her husband was downstairs also.
13 About 1:00 a.m. that morning, both boys
14 were asleep on the carpet, by a couch where the defendant
15 was, close to a big screen television. They had been
16 watching TV that evening. By this time they were sound
17 asleep.
18 About 1:00 o'clock in the morning, the
19 defendant's husband came to her and told her that he was
20 going to go ahead and go upstairs to the master bedroom
21 and go to sleep. Baby Drake was already up there in his
22 bassinet.
23 The defendant, at that time, at 1:00
24 o'clock in the morning, told her husband, "I'm not going
25 to go upstairs, I'm going to stay downstairs with the two
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1 boys."
2 You see, the defendant was a very light
3 sleeper, and she had complained to her husband that the
4 baby would keep her awake simply by turning in his crib.
5 And for that reason, she said, "I'll stay down here with
6 the two boys tonight, and I will sleep down here."
7 So, at 1:00 o'clock in the morning, the
8 situation will be, that we have Devon, we have Damon, we
9 have only one other person downstairs with them. And that
10 person is the defendant right over here, Darlie Lynn
11 Routier.
12 Now, sometime between 1:00 a.m., and
13 2:30 a.m., on the morning of June the 6th, 1996, both
14 Devon and Damon were stabbed to death. The evidence will
15 show to you that Devon Routier, the six-year-old, was
16 stabbed twice in the chest. The first stab wound to the
17 upper chest penetrated his pulmonary artery, and it went
18 into his right lung.
19 The second stab wound that you will

20 hear about, is lower in the chest, and that entered into
21 his liver. And the evidence will show to you that
22 six-year-old Devon died face up, on the carpet, with his
23 eyes open. Supposedly, as his mother, the defendant, was
24 sleeping on a couch in that very same room where he died.
25 Now, the evidence will show you that
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1 five-year-old Damon was also stabbed. That child was
2 stabbed four times in the back. Some of those wounds
3 penetrated through his lungs, others through his liver,
4 and he died as a result of those stab wounds.
5 The evidence will show you that he was
6 stabbed at least one time in the back, again, as his
7 mother supposedly was sleeping on a couch, nearby where he
8 was attacked. But the evidence will show to you that he
9 didn't die immediately. Damon somehow struggled across
10 the floor of that family room, towards the hallway, and
11 towards the kitchen, before collapsing on the floor.
12 And when the first police officers got
13 there to that scene that morning, and when the paramedics
14 got there, they found him face down, gasping for breath,
15 with his eyes open. But the evidence will show to you
16 that Damon Christian Routier died before the paramedics
17 could get him to the hospital that morning.
18 Now, you will hear from police
19 officers, who dealt with the defendant. You will hear
20 from paramedics who dealt with the defendant that morning
21 also. You will hear from doctors who treated her, and you
22 will hear from personnel from Baylor Hospital in Dallas,
23 nurses, and other medical personnel over there who dealt
24 with her that morning. And you'll hear them tell you that
25 that morning, immediately after these attacks on her
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1 children, this defendant was not in shock. This defendant
2 was awake, she was alert, and she was very coherent.
3 You will hear them tell you how they
4 had conversations with her, in which she was able to
5 follow their instructions, and able to give very detailed
6 information to them about herself, and about events, and
7 about her condition.
8 You will hear, from those very same
9 people, that this woman over here, Darlie Lynn Routier,
10 that morning, while she is at the scene at 5801 Eagle
11 Drive, made absolutely no attempts to help either of her
12 two children, either Devon or Damon. She never asked
13 about their condition, never asked about where they were

14 going, made absolutely no inquiries about her two children
15 at 5801 Eagle Drive.

16 You will hear also from them how this
17 defendant gave differing stories about what had happened
18 out there that night. You will hear the 911 tape. You
19 will hear that at 2:31 a.m., June 6th, the Rowlett Police
20 Department received a call from the defendant, a 911 call.
21 And you'll hear that tape during this trial, probably
22 today or either tomorrow. You'll hear that tape. And on
23 that tape, you will hear the defendant's voice. You will
24 hear her scream, sometimes very loudly.
25 You will hear the very first story that
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1 she gives to the police about what happened out there that
2 night. You'll hear her say to them that, in fact, that
3 she had seen an intruder while she was sleeping
4 downstairs, that she woke up, she found that her two
5 children had been stabbed, that she had been stabbed, that
6 she saw an intruder. That intruder then started to run
7 from the family room, through the kitchen, to the utility
8 room and finally to the garage.
9 That he was armed with a knife. You
10 will hear her tell the police that she chased that man,
11 while she's unarmed, that she chased this armed intruder
12 through that house, that he threw a knife down in the
13 utility room, that she picked up that knife.
14 Now, you will hear on that tape also,
15 how the focus of Darlie Routier turned very quickly from
16 her two children, who were dying there in her presence, to
17 herself, to the activities of the Police Department
18 personnel who were on the scene, and to the condition of
19 the crime scene.
20 You'll hear her, only five minutes into
21 that tape, say, "this knife was laying over there, and I
22 already picked it up. God, I bet we could have gotten the
23 prints, maybe, maybe." You will hear that being said as
24 her two children are dying and bleeding to death, right
25 there in front of her.

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1 Now, finally, ladies and gentlemen, in
2 this trial, you will hear about the police investigation,
3 the extensive police investigation. And you will see the
4 physical and the scientific evidence that was conducted,
5 and that was preserved and collected out there at that
6 scene.
7 You will see a lot of things,

8 unfortunately, that are going to be very graphic. And I'm
9 just going to apologize in advance for that. There is
10 just no way around it. Some of these things are going to
11 be very difficult for you to look at and to listen to.
12 But the bottom line and the reason why we're going to have
13 to show you those things, is because those things show us,
14 and they'll show you, exactly what happened out there that
15 night. And for that reason, you're going to have to view
16 it, and you're going to have to listen to it.
17 Now, among the things that you will see
18 through that evidence will be that both boys, both Devon
19 and Damon were stabbed with a knife that came from the
20 defendant's own kitchen; a large butcher knife that was
21 kept in her kitchen. You will also see in that evidence,
22 that both boys' injuries were deep stab wounds to the
23 trunk area. And that they were totally inconsistent with
24 the superficial wound that this defendant received on June
25 the 6th, 1996.

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1 That evidence will also show you, that
2 neither the defendant, nor any intruder ever ran through
3 that kitchen and utility room to the garage after the
4 boys' attack, as the defendant claimed. That never
5 happened.
6 You will also see that no intruder ever
7 threw a knife down on that utility room floor as he fled
8 that residence, as the defendant claimed.
9 And you will also see in that evidence
10 that no intruder ever left out of that garage through a
11 window, where a screen had been cut, that evening after
12 the boys' attack. That never happened either, as this
13 defendant claimed it happened that night.
14 And finally, the evidence in this case
15 will show you, beyond any reasonable doubt, that this
16 defendant staged the crime scene before the police got
17 there, to make it appear like an intruder had come in, and
18 that she had had a struggle with that intruder.
19 You will also see, that there is blood
20 on her T-shirt that she was wearing at the time. That her
21 own son's blood is on her T-shirt, and that it was
22 deposited while she was stabbing them to death on June the
23 6th, 1996.

24 And, finally, you will hear that that
25 screen that was cut on that garage window, the place where
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1 this intruder supposedly came into the house to attack the
2 boys, and supposedly left out of the house, as she chased
3 him unarmed. You will see, that the screen is made up of
4 two things: It's made up of fiberglass rods that are also
5 connected with a rubber polymer, a black rubbery
6 substance.

7 And you'll hear that a knife was found
8 inside the defendant's residence, in her kitchen, still in
9 a butcher block, and that knife was examined. And those
10 two very same substances, both the fiberglass rods found
11 in the window screen, and the black rubber material, was
12 found on the blade of that knife.

13 At the conclusion of this case, when
14 all of the testimony is in, I'm going to come before you,
15 and I'm going to ask you to find this defendant guilty,
16 because the evidence we're going to show you through this
17 trial, shows beyond any reasonable doubt that she is, in
18 fact, guilty of the capital murder of five-year-old Damon
19 Christian Routier.

20 Thank you.

21 THE COURT: Thank you, Mr. Davis.

22 Mr. Mosty, the defense will now make an
23 opening statement