

Guilt Innocence Phase
August 11, 2017

1 A. Honestly I don't remember, sir.

2 Q. You don't remember it, fine.

3 Did y'all also retrieve a bunch of
4 shredded paper in the garage?

5 A. I remember noting a bunch of it. I don't know
6 if they retrieved it or not. You would have to ask
7 Deputy Campos.

8 Q. Okay. That's fair enough. That's fair enough.
9 I think that's all I have. Thank you so much.

10 THE COURT: All right. Any redirect,
11 State?

12 MS. BARNETT: No, Judge.

13 THE COURT: May he be excused?

14 MS. BARNETT: Yes, Judge.

15 MR. SECREST: He may.

16 THE COURT: All right. State, call your
17 next.

18 MS. BARNETT: Deputy Campos.

19 THE COURT: (Swear in of the witness.)
20 State, you may proceed.

21 MS. BARNETT: Thank you.

22 **DIRECT EXAMINATION**

23 BY MS. BARNETT:

24 Q. Would you please state your name for the
25 record, sir.

Guilt Innocence Phase
August 11, 2017

1 A. First name Raymond. Last name is Campos,
2 C-a-m-p-o-s.

3 Q. And how are you employed, sir?

4 A. I'm a deputy with the Harris County Sheriff's
5 Office.

6 Q. How long have you been with the Harris County
7 Sheriff's Office?

8 A. Approximately 30 years.

9 Q. And where are you currently assigned?

10 A. I'm currently assigned to the auto theft
11 division of the sheriff's office.

12 Q. What do you do there?

13 A. Mainly deal with title fraud, motor vehicle
14 fraud investigation.

15 Q. What does that mean?

16 A. Fake, washed titles, forged titles. I do
17 investigation on the titles, which usually involve a
18 stolen motor vehicle.

19 Q. How long have you done that?

20 A. Since January of this year.

21 Q. What did you do before that?

22 A. I was previously assigned as a crime scene
23 investigator with the sheriff's office.

24 Q. How long were you a crime scene investigator?

25 A. Approximately five years.

Guilt Innocence Phase
August 11, 2017

1 Q. Okay. What made you want to transfer?

2 A. I was actually recruited by two former
3 supervisors.

4 Q. All right. So as a crime scene unit, what did
5 you do when you were assigned there?

6 A. Basically investigated violent crime scenes,
7 documented and collected evidence.

8 Q. And what kind of training did you get as a
9 crime scene investigator?

10 A. Various training, crime scene investigation,
11 photography, the collection of evidence, the processing
12 of evidence, and also latent fingerprint examination.

13 Q. Okay. I want to take you back to December 26
14 of 2012 and ask if you recall going to a location at
15 9538 Kelsey Meadows in Harris County, Texas?

16 A. Yes, I do.

17 Q. All right. Were you aware of that -- that
18 residence or something that had happened there prior to
19 going on December 26?

20 A. That is correct.

21 Q. How -- what did you know about it?

22 A. That there was a homicide involved in the
23 residence.

24 Q. Were you involved in the initial investigation
25 on the 23rd of December?

Guilt Innocence Phase
August 11, 2017

1 A. I was not.

2 Q. Okay. And does that -- is it just rotation
3 that it's somebody's turn to go the crime scene? Is
4 that how -- how does it work? Can you explain that?

5 A. It's a rotation system.

6 Q. What does that mean?

7 A. Basically if I'm first on the list and
8 something comes into the office, I take that incident.
9 The number two person in line when the other call comes
10 in, the number two person takes that call. It's on a
11 rotation basis.

12 Q. And were you aware that Carpenter had the call
13 on the 23rd?

14 A. Yes, I was.

15 Q. Okay. So now we're on the 26th. They asked
16 for a crime scene unit to go out to the house. Were you
17 assigned or what happened?

18 A. I was actually in the office when homicide
19 investigator Sergeant Dousay called into the CSU office.
20 I picked up the phone. He requested the homicide --

21 MR. SECREST: Excuse me. Excuse me to
22 interrupt you, Deputy Campos. I object to the hearsay.

23 THE COURT: Sustained.

24 Q. (BY MS. BARNETT) Did you speak with Sergeant
25 Dousay?

Guilt Innocence Phase
August 11, 2017

1 A. Yes, I did.

2 Q. And did he make a request?

3 A. He did.

4 Q. And what did you do?

5 A. I met Sergeant Dousay at the location in
6 question.

7 Q. Okay. Now, what did you go to the location
8 prepared to do?

9 A. To collect a backpack that was in the garage.

10 Q. Okay. Did you bring a photographer with you?

11 A. Yes, I did.

12 Q. Why?

13 A. I -- before I went en route, I advised my
14 supervisor, my command at the time, that I was en route
15 to meet with Sergeant Dousay. We had a newly assigned
16 crime scene investigator. So I was instructed to take
17 that investigator out for training purposes. Once on
18 location I assigned that investigator to take
19 photography.

20 Q. All right. Was there a scene photo -- photo
21 done or was there a video of the scene done?

22 A. Yes. I actually took the scene video for
23 training purposes.

24 Q. All right. Now, you were instructed to go out
25 and take the backpack; is that right, green and black

Guilt Innocence Phase
August 11, 2017

1 backpack?

2 A. That is correct.

3 Q. Was there anything else that you were
4 instructed to do?

5 A. We were just instructed to take the backpack
6 and while on scene I actually spoke to lead homicide
7 investigator Carpenter and he requested if there were
8 any shredded papers in the garage, we need to collect
9 that also.

10 Q. Carpenter was crazy about that shredded paper,
11 wasn't he?

12 A. Yes. He wanted to make sure that I collected.

13 Q. All right. Did you?

14 A. I did.

15 Q. Okay. All right. So, aside from the green and
16 black backpack and the shredded paper, what else were
17 you requested to take a look at or to take?

18 A. There were several items that homicide
19 investigators asked that we process for latent
20 impressions, which training investigators did.

21 Q. Okay. And what were those items?

22 A. One was, if I recall correctly, a Waterpik; and
23 the another one was a box that a A/C jump-starter kit
24 was contained in.

25 Q. All right. And they were specific about those

Guilt Innocence Phase
August 11, 2017

1 two items?

2 A. That is correct.

3 Q. And do you know -- no -- do you know why they
4 asked you to take prints from those two items?

5 MR. SECREST: Objection, hearsay.

6 THE COURT: Sustained.

7 MS. BARNETT: It's a yes or no answer.

8 A. No.

9 Q. (BY MS. BARNETT) Okay. Now, while you were
10 there -- when you got there, what did you do?

11 A. First I assigned, of course, Deputy Kirkley to
12 take photography. Once he finished his photography at a
13 particular point, I then came behind him and started my
14 videography, which is the video.

15 Q. Okay. And then -- so, did you see the green
16 and black backpack?

17 A. Yes. It was located within the garage.

18 Q. Who was there besides you and Kirkley?

19 A. Sergeant Dousay and Investigator Carrizal were
20 also on location.

21 Q. Were there any other members of the family
22 members that were there?

23 A. Yes. I spoke to Ms. Elizabeth Melgar.

24 Q. All right. And who is -- do you know who
25 Elizabeth Melgar is?

Guilt Innocence Phase
August 11, 2017

1 A. I was advised it was a daughter, family member.

2 Q. Okay. Daughter of Jaime Melgar and the
3 defendant?

4 A. Correct.

5 Q. Okay. And how -- is she a child or an adult or
6 what?

7 A. She is an adult.

8 Q. All right. Was she there by herself?

9 A. I don't recall.

10 Q. Did you see the defendant there?

11 A. No, I did not.

12 Q. All right. So as far as you know, there was
13 just one family member there?

14 A. Yes.

15 Q. Were you paying attention to who all was there,
16 really?

17 A. No, I was not. I was concentrating on what I
18 had to collect.

19 Q. Do you know whether or not Elizabeth helped
20 point out where the green and black backpack was?

21 A. I do not know.

22 Q. I think what you said is you'd gotten there,
23 you take video of the scene; is that right?

24 A. Photography, then the video.

25 Q. Photography, then the video. All right. And

Guilt Innocence Phase
August 11, 2017

1 what do you do after that?

2 A. At this point we're looking for a specific
3 item. We just went straight to the backpack and
4 collected the backpack.

5 Q. Now, when you collected the black backpack, was
6 it -- did it have anything in it?

7 A. Yes.

8 Q. What did it have in it?

9 A. It had some -- an XBox-type gaming system and
10 some jewelry.

11 Q. All right. Did you know anything in advance
12 about the XBox being there?

13 A. I did not.

14 Q. Did you know anything about the jewelery being
15 there?

16 A. No.

17 Q. As far as you knew, the backpack was going to
18 be empty?

19 A. Correct.

20 Q. But it wasn't?

21 A. Correct.

22 Q. What did you do with the backpack eventually?

23 A. The backpack was taken back to the lab, where I
24 was able to take an inventory of the contents of the
25 bag.

Guilt Innocence Phase
August 11, 2017

1 Q. Okay. And did you do that?

2 A. I did.

3 Q. And what happened with the items that were
4 inside the backpack?

5 A. The bag and the items contained within the
6 backpack were submitted to the Institute of Forensic
7 Sciences for DNA analysis.

8 Q. And do you know if that was done?

9 A. To my knowledge it was.

10 MS. BARNETT: May I approach the witness?

11 THE COURT: You may.

12 Q. (BY MS. BARNETT) Let me show you what's been
13 marked for identification purposes as State's
14 Exhibit 667. Would you take a look at this and tell me
15 whether or not you can identify this?

16 A. Yes, I can.

17 Q. And how can you identify it?

18 A. It's the green backpack that I collected from
19 inside the garage.

20 MS. BARNETT: Your Honor, we would offer
21 State's Exhibit 667.

22 THE COURT: All right. Any objection?

23 MR. SECREST: No objection.

24 THE COURT: State's Exhibit 667 is
25 admitted.

Guilt Innocence Phase
August 11, 2017

1 Q. (BY MS. BARNETT) I'm going to show you what's
2 been marked as 654. The defense counsel has agreed that
3 I can take this out and put it in a plastic bag. So,
4 let's take a look at 664, and tell me whether or not you
5 can identify it.

6 A. I can.

7 Q. How can you identify it?

8 A. By my initials on the evidence tape and by the
9 bar coding on the exterior of the packaging.

10 Q. Does it look like it's the same -- the same
11 item that -- what you tagged?

12 A. Yes, it does.

13 Q. Take a look at 665. Can you identify that?

14 A. I can.

15 Q. What is it?

16 A. It's jewelry also contained in the backpack.

17 Q. Is that the same jewelry that you tagged on
18 December 26, 2012?

19 A. Yes, it is.

20 Q. 656, can you identify that?

21 A. I can.

22 Q. How can you identify it?

23 A. It's also the jewelry that was contained within
24 the backpack.

25 Q. All right. Are there your personal -- on all

Guilt Innocence Phase
August 11, 2017

1 of these, is your handwriting on it?

2 A. It is.

3 Q. And your -- and your name on it?

4 A. That's correct. It's on the bar code itself.

5 Q. Take a look at 657. Can you identify that?

6 A. Yes, I can.

7 Q. How can you identify it?

8 A. By my initials on the seal and the bar code
9 itself.

10 Q. Another piece of jewelry that was collected
11 from the green and black backpack; is that right?

12 A. That is correct.

13 Q. State's Exhibit 658, take a look at that. Do
14 you recognize it?

15 A. I do.

16 Q. How do you recognize it?

17 A. By my initials and again the bar code.

18 Q. All right. And all of these have -- whose
19 handwriting is this?

20 A. That is my handwriting.

21 Q. And does your handwriting appear on all of
22 these envelopes?

23 A. Yes.

24 Q. Does your name appear on all of these
25 envelopes?

Guilt Innocence Phase
August 11, 2017

1 A. Yes.

2 Q. 659, do you recognize that item?

3 A. Yes, I do.

4 Q. How do you recognize it?

5 A. Again by my initials and the bar coding.

6 Q. Is this the same piece of jewelry you took
7 along with the others with the green and black backpack?

8 A. That is correct.

9 Q. 660, do you recognize that?

10 A. I do.

11 Q. How do you recognize it?

12 A. By my initials and the bar coding.

13 Q. All right. This is again the same piece of
14 jewelry that you took from the black and green backpack?

15 A. That is correct.

16 Q. 661, do you recognize that, sir?

17 A. Yes, I do.

18 Q. How do you recognize it?

19 A. By my initials and the bar code itself.

20 Q. And also your what -- your looking through your
21 offense report. These are notated in your offense
22 report, are they not?

23 A. That is correct.

24 Q. 662, look at that, sir.

25 Do you recognize that?

Guilt Innocence Phase
August 11, 2017

1 A. Yes, I do.

2 Q. Now, did you -- when you tagged 662, you didn't
3 put it on blue paper, did you?

4 A. I did not.

5 Q. And that's an addition, isn't it?

6 A. That is correct.

7 Q. 663, take a look at that, please.

8 Do you recognize that, sir?

9 A. Yes, I do.

10 Q. How do you recognize it?

11 A. Again the jewelry taken from within the
12 backpack also contains my initials and the bar code.

13 Q. 664?

14 A. I do.

15 Q. How do you recognize that, sir?

16 A. The rings were actually recovered from a drawer
17 in the kitchen.

18 Q. Okay. 665?

19 A. Also rings that were recovered from the kitchen
20 area.

21 Q. And 666?

22 A. Also a ring recovered from the drawer in the
23 kitchen area.

24 Q. All right. And so all of these exhibits that I
25 have just now shown you from State's Exhibit 654 through

Guilt Innocence Phase
August 11, 2017

1 State's Exhibit 666, these are all items that you
2 recovered from the Melgar house on Kelsey Meadows on
3 December 26, 2012?

4 A. That is correct.

5 MS. BARNETT: Your Honor, we would offer
6 them into evidence and let the record reflect I'm going
7 to tender these to opposing counsel.

8 MR. SECREST: May I have a few moments,
9 Your Honor?

10 THE COURT: You may.

11 MR. SECREST: We have no objection to the
12 admissibility of those exhibits.

13 THE COURT: All right. State's Exhibit
14 654 through 666 are admitted.

15 MS. BARNETT: May I publish these?

16 THE COURT: You may.

17 Q. (BY MS. BARNETT) Now, these items of jewelry
18 that you collected, were they in any type of -- can
19 you -- where -- how were they in the backpack? Were
20 they in boxes? Were they wrapped in plastic? What --
21 how were they?

22 A. No. They were just thrown into the backpack.

23 Q. Okay. And there -- some of these pieces are
24 small. How did you -- how were you able to recover all
25 of them?

Guilt Innocence Phase
August 11, 2017

1 A. When I took the backpack back to the lab, I
2 used -- of course, the larger items you're able to see
3 visibly. When I was finished collecting the larger
4 items, I then applied an ALS, which is an alternative
5 light source for a bright black light into the backpack;
6 that way, I can see the smaller items, if any.

7 Q. Okay. Let me start with 654. Does it look
8 like a pair of earrings?

9 A. Yes, that is correct.

10 Q. Possibly diamonds or can you tell?

11 A. I can't tell.

12 Q. 655, a necklace. Looks like a nice necklace?

13 A. Correct, a necklace.

14 Q. 656?

15 A. Some type of earring or pendant, I'm not sure.

16 Q. 666, some type of ring?

17 A. That is correct.

18 Q. 665, now was this something that was recovered
19 from the kitchen?

20 A. I would need to confirm -- 4KA; that is
21 correct.

22 Q. And 664, was this also something that was
23 recovered from the kitchen?

24 A. May I confirm my item number on the bar code,
25 please? Above that one.

Guilt Innocence Phase
August 11, 2017

1 Q. Sorry.

2 A. That's okay. That is correct, from the kitchen
3 area.

4 Q. Now, I want to ask you about this one, State's
5 Exhibit 662.

6 MS. BARNETT: May I approach the witness?

7 THE COURT: You may.

8 Q. (BY MS. BARNETT) How did you describe 662?

9 A. Just clear stone.

10 Q. Okay. Now -- all right. Is the clear stone on
11 top of the blue paper?

12 A. No. It's laying within the backpack.

13 Q. Okay. I'm sorry. Is it now on top of blue
14 paper?

15 A. Yes, it is.

16 Q. Okay. Is this something difficult to see?

17 A. It is.

18 Q. But yet you found it in the backpack?

19 A. Yes, with the use of the ALS.

20 MS. BARNETT: May I walk this in front of
21 the jury, Your Honor?

22 THE COURT: You may.

23 Q. (BY MS. BARNETT) How in the world did you find
24 this?

25 A. I wouldn't have been able to without the ALS.

Guilt Innocence Phase
August 11, 2017

1 Q. And this is loose with the other pieces of
2 jewelry that were in the backpack; is that right?

3 A. That is correct.

4 Q. And you don't know if this is -- what it is, do
5 you? You don't know if it's diamond, a real diamond or
6 fake diamond, you don't know?

7 A. I have no idea.

8 Q. It would be hard to find if you lost it, right?

9 A. Yes, ma'am.

10 Q. How is it that you went into the kitchen?

11 A. We were directed into the kitchen by the
12 homicide investigators on location.

13 Q. All right. And did they direct you to the
14 kitchen drawer?

15 A. That is correct.

16 Q. And do you know why?

17 A. No idea.

18 Q. All right. So, when you went to the kitchen
19 drawer -- when you open -- did they open it for you and
20 did they say, hey, take a picture of this and collect it
21 or what -- how did that go down?

22 A. The investigators already had the drawer opened
23 and they directed our attention to the drawer itself,
24 the rings contained within the drawer, and we were asked
25 to collect those items.

Guilt Innocence Phase
August 11, 2017

1 MS. BARNETT: And Your Honor, may I walk
2 these two items that were collected from the kitchen
3 drawer in front of the jury?

4 THE COURT: You may.

5 MS. BARNETT: May I approach the witness?

6 THE COURT: You may.

7 Q. (BY MS. BARNETT) I'm going to show you what's
8 been marked as State's Exhibit 671. Could you take a
9 look at that and tell me whether or not you can identify
10 it?

11 A. The case number appears to be my writing. It's
12 probably the DVD of the video that I obtained.

13 Q. Okay. Does it fairly and accurately represent
14 the scene video that you took December 26 of 2012?

15 A. Without looking at it, I can't guarantee you.

16 Q. All right. We'll do that later.

17 MS. BARNETT: And I'll pass the witness.

18 THE COURT: Okay. Cross-examination, you
19 may proceed.

20 **CROSS-EXAMINATION**

21 BY MR. SECREST:

22 Q. Deputy Campos, how are you, sir?

23 A. Doing well. How are you, sir?

24 Q. I am well. Have we ever met before?

25 A. I don't think so, but you look familiar.

Guilt Innocence Phase
August 11, 2017

1 Q. I don't think I've ever had the pleasure.

2 So, let's make sure I understand this.
3 You were not out there on December 23, 24. The only
4 time you went out there was at the request of the
5 homicide detectives to meet them at the residence on
6 December 26, 2012?

7 A. That's correct.

8 Q. Okay. And your understanding was that
9 basically there was a backpack with something in it, but
10 go out there and retrieve it and it process it and do
11 what you normally do with any kind of possible evidence?

12 A. That is correct. We were advised to collect
13 the bag and at their request, the homicide
14 investigators' request, inventory the bag and then
15 submit the bag and the contents for DNA analysis.

16 Q. There you go. So, you answered the question.
17 So bottom line, you've got to process it. By that I
18 mean you're going to make sure that everything is
19 documented and then the best you can, you're going to
20 ultimately, not you personally, but ultimately going to
21 swab what you can as far as the contents are concerned
22 to see if you can pick up any DNA?

23 A. That's correct. It would be analyzed by the
24 analyst at the medical examiner's office.

25 Q. Okay. What about part of your duties as a CSU

Guilt Innocence Phase
August 11, 2017

1 officer, would you look for latent prints? Is that part
2 of what you do?

3 A. That is correct.

4 Q. Were you ever asked to look for any latent
5 prints on any of this stuff that was in the backpack?

6 A. No, I was not.

7 Q. Okay. And where would that direction come
8 from? Would that be something that the detectives would
9 make a decision on?

10 A. It would be a combined effort between us and
11 homicide investigators, but at that particular incident
12 they preferred that the items be sent off for DNA
13 analysis.

14 Q. Okay. So again, they preferred that the items
15 be sent off with DNA analysis, I get that, but at least,
16 as far as you know, no request was ever made to try to
17 pick up any latent prints off of anything?

18 A. Not off the contents of the backpack.

19 Q. Thank you, sir.

20 So, would you look at your offense report?
21 I assume you have that there with you?

22 A. Yes, sir.

23 Q. Thank you. And that's your Supplement No. 11,
24 Deputy Campos?

25 A. Yes, sir.

Guilt Innocence Phase
August 11, 2017

1 Q. If you look at pages, I guess it starts on the
2 very first page, then it goes on up through about the
3 middle of the fourth page, which is titled the inventory
4 of each specific item; is that fair?

5 A. There is an inventory on page, it starts on 5
6 of 8.

7 Q. Actually look at your first page, unless I'm
8 missing something. Does it seem to itemize the shredded
9 paper, the black and green backpack; or maybe I have a
10 different copy or something?

11 MR. SECREST: May I approach the witness,
12 Your Honor?

13 THE COURT: You may.

14 A. Okay. You're actually looking under the
15 property section of the report.

16 Q. (BY MR. SECREST) Okay. I'm sorry. That's
17 cool, but the bottom line is at least the way the
18 numbers are paginated and although it says properties,
19 that's right, on the front page we start talking
20 specifically about each individual item?

21 A. Yes, sir.

22 Q. Thank you. And the first item, of course, is
23 the backpack, right?

24 A. It's going to be Item 1G, shredded paper.

25 Q. Okay. Do you recall where that backpack was

Guilt Innocence Phase
August 11, 2017

1 located, sir, when you all entered the premises on
2 December 26?

3 A. The backpack itself was --

4 Q. Yes, sir.

5 A. -- actually in the garage.

6 Q. Okay. You remember it being kind of -- well,
7 let me throw up a picture real quick.

8 MR. SECREST: For the record I'm showing
9 Deputy Campos State's Exhibit 581.

10 Q. (BY MR. SECREST) Does that kind of refresh your
11 recollection of the location of the backpack?

12 A. Yes, towards the center of the garage, I guess.

13 Q. Okay. In fact in your offense report you guys
14 actually measured in feet and inches specifically where
15 the backpack was located prior to the time that you
16 retrieved it. That would be part and parcel of a
17 thorough investigation?

18 A. Yes, sir, it was measured.

19 Q. Now, when you -- I'm going to come back to the
20 backpack, but while you're there, M.V. Carpenter wanted
21 the shredded paper picked up, right?

22 A. That is correct.

23 Q. So where did you retrieve that from?

24 A. If I recall correctly, there was some shredded
25 paper in the garage, and I believe in an office area, a

Guilt Innocence Phase
August 11, 2017

1 room within the residence.

2 Q. Okay. And then who directed you to the
3 location where the wedding rings were found?

4 A. That would have been the homicide investigators
5 on location with me.

6 Q. Okay. Do you know why they were not located on
7 December 23 and 24 when the CSU units and the
8 investigators were in the home at that time?

9 A. No, sir, I do not.

10 Q. That's fine.

11 When in this process did you shoot your
12 video?

13 A. Prior to the collection of any evidence.

14 Q. Okay.

15 MR. SECREST: Your Honor, at this time I
16 would ask that the video be published.

17 THE COURT: All right.

18 MS. BARNETT: And I assume that it's
19 been -- it's in evidence?

20 THE COURT: 671.

21 MS. BARNETT: I offered it.

22 THE COURT: It's admitted.

23 Q. (BY MR. SECREST) So, while the detectives we're
24 doing their thing, protocol would be when the CSU unit
25 gets there prior to conducting your investigation of

Guilt Innocence Phase
August 11, 2017

1 retrieving evidence, normally you would do a video of
2 the area that you're getting ready to take evidence from
3 or examine?

4 A. In this case the video, it's not normal for us
5 to do a video whenever we do a follow-up. The video was
6 done mainly for training purposes on that day. So I
7 went ahead and obtained the video.

8 Q. I see, thank you.

9 I guess this doesn't have any audio?

10 A. No, sir, it does not.

11 Q. That's fine. Can you walk us through a little
12 bit as to what we're doing? Obviously you're trying to
13 identify the location?

14 A. I established the street's name.

15 Q. Now, what time of the evening is it?

16 A. Approximately 6:00 p.m. when we arrived on
17 location.

18 Q. It looks pretty dark out there to me; is that
19 fair?

20 A. Yes, sir.

21 The address of the residence.

22 Q. Okay.

23 A. The vehicle parked in the driveway.

24 Q. Was it your understanding that that very
25 vehicle had been parked inside the garage on the

Guilt Innocence Phase
August 11, 2017

1 left-hand side on the evening of December 23rd and 24th,
2 or do you have any knowledge of that?

3 A. I have no idea. I'm sorry.

4 Q. Thank you. What are you trying to demonstrate
5 here, Deputy Campos?

6 A. Actually what I was trying to do was help
7 Investigator Kirkley with photography. The reason the
8 light is -- basically, I'm painting with light. That's
9 what it's called when we're taking photography at night
10 is an extended exposure.

11 Q. Okay.

12 A. The extent of the light from the flashlight
13 helps illuminate that particular exposure on that
14 particular photo.

15 Q. So, it's so dark out there you'd rather bring
16 another light source to it?

17 A. That's correct.

18 Q. Okay. What are you trying to demonstrate here?
19 What are you trying to document for possible later
20 usage?

21 A. Well, again being that I had Deputy Kirkley
22 with me in his training phase and we were advised to
23 concentrate on the garage, I'm basically videotaping the
24 mid and closeups of the condition the garage door is
25 showing, either forced entry or lack of forced entry.

Guilt Innocence Phase
August 11, 2017

1 Q. Okay. And it's apparent, is it not, there is
2 no forced entry into the garage door, right?

3 A. There's not.

4 (Break taken.)

5 Q. (BY MR. SECREST) Deputy Campos, in an effort
6 not to alienate everybody in the courtroom, I'm not
7 going to force us all to watch this video; and that's
8 not a reflection on Deputy Kirkley's work, okay?

9 A. Oh, that's fine.

10 Q. But let me ask you this: So, bottom line, what
11 you're trying to do is give Deputy Kirkley an
12 opportunity to use the video camera and be involved in a
13 crime scene. But primarily, you're, what, you're trying
14 to show the condition of the premises when you were
15 there?

16 A. Correct. Mainly, I actually took the video,
17 again, for training purposes.

18 Q. Okay.

19 A. It was to demonstrate to Deputy Kirkley how to
20 take the video basically when collect -- going into the
21 garage. This is a video taken as if we had no idea what
22 we were going to collect in the garage. It's just
23 documentation, video documentation of the contents and
24 the condition of the interior of the garage.

25 Q. Thank you so much.

Guilt Innocence Phase
August 11, 2017

1 Let's -- we're going to move ahead in the
2 video. We're going to show you one other item before we
3 part company with this exhibit.

4 And where are you now?

5 A. If I recall correctly, it's the attic space
6 above the garage.

7 Q. Are those crutches?

8 A. I think it's a paddle, canoe paddle.

9 Q. Let's go back for a second, if we could.

10 A. Those are crutches and a canoe paddle.

11 Q. And a paddle. Okay. We're both right. Okay.

12 Fine. And that you recall was in the attic?

13 A. That's correct.

14 Q. Thank you.

15 Now, what are we seeing here?

16 A. It's just the contents of the cabinet located
17 within the garage.

18 Q. What is that image of, please, sir?

19 A. Contents of a cabinet that was located in the
20 garage.

21 Q. Now, is that the interior door to the house
22 right to the left of the cabinet that you're taking a
23 photograph of?

24 A. That is correct.

25 Q. So would it be fair to say what you basically

Guilt Innocence Phase
August 11, 2017

1 were focused on would be the contents of the cabinet; is
2 that right?

3 A. That is correct.

4 Q. Now, you had received instructions from the
5 homicide detectives to return to the scene of the crime
6 in order to photograph and videotape the garage doors
7 themselves to show no forcible entry, right?

8 A. We actually were there to collect a backpack.
9 I demonstrated how to take the photographs and
10 videography of the scene if we didn't know what we were
11 looking for.

12 Q. Okay. But you spent a lot of time, it looked
13 like to me, looking at the integrity of the garage
14 doors, seeing if there's been any kind of prying or any
15 kind of disruption of the door; is that fair?

16 A. Yes, that's correct.

17 Q. And you did that for what purpose?

18 A. For training purposes for Deputy Kirkley.

19 Q. Okay. But did anybody ever ask you to inspect
20 the integrity of the interior door?

21 A. No, they did not.

22 Q. And is that the condition that the interior
23 door was in at least when you were there?

24 A. That is correct.

25 Q. Okay. And again no one -- did anybody ask you

Guilt Innocence Phase
August 11, 2017

1 to look at the locking mechanism or look at the hardware
2 on the door, the doorknobs itself?

3 A. They did not.

4 Q. Thank you.

5 All right. I think that's enough of that.

6 Now, I want to be clear here, first thing
7 you could see in the backpack, and for the record that's
8 State's 667. It was on the ground in the location that
9 we saw in the previous photograph by the left garage
10 door, couple of feet inside the garage door, correct?

11 A. That is correct.

12 Q. And when you saw the backpack, it looked like
13 some kind of a piece of electronics in it?

14 A. That is correct.

15 Q. Okay. And that piece of electronics turned out
16 to be an XBox?

17 A. XBox-type gaming system.

18 MR. SECREST: Mr. Barnett, do you have
19 that here?

20 MS. BARNETT: It's in the property room,
21 sir.

22 MR. SECREST: Okay.

23 Q. (BY MR. SECREST) From your understanding, the
24 XBox itself was actually processed for evidence?

25 A. It was submitted for DNA analysis.

Guilt Innocence Phase
August 11, 2017

1 Q. Thank you. Okay. So, did you actually unpack
2 this bag while you were out there on the December 26th?

3 A. I did not. I opened the bag to see if there
4 was anything in the bag; and once I verified there was
5 something in the bag, I made the decision to take it
6 back to the lab to do a thorough inventory of the bag.

7 Q. Okay. And so when you got to the lab, you used
8 that special light you were talking about?

9 A. Yes, sir.

10 Q. Okay. And so you took out -- would you look at
11 your inventory again? Do you have that in front of you,
12 sir?

13 A. Yes, sir.

14 Q. So with respect to the backpack, you found the
15 backpack itself, you found an Xbox 360, correct?

16 A. Yes, sir.

17 Q. And what is an Xbox 360, do you know?

18 A. I have no idea.

19 Q. It looks kind of like a VCR, DVD player?

20 A. That is correct.

21 Q. Okay. And did you find some components to go
22 with it?

23 A. That's correct.

24 Q. And for the record you found a Xbox, one Xbox
25 control, fair statement?

Guilt Innocence Phase
August 11, 2017

1 A. Correct.

2 Q. One silver XBox controller?

3 A. Correct.

4 Q. One XBox Kinect sensor, K-i-n-e-c-t sensor with
5 cord?

6 A. The sensor.

7 Q. Yes, sir?

8 A. Yes.

9 Q. Sensor with cord, is that what you put?

10 A. I just had the one XBox sensor. Are you
11 looking actually in the property?

12 Q. I'm looking page 7 under the heading,
13 collecting evidence. Page 7 of your report.

14 A. Okay. I'm with you.

15 Q. So I'm accurate, one XBox Kinect sensor with
16 cord?

17 A. Yes, sir.

18 Q. And one Gears of War case with Gears of War CD
19 game?

20 A. Correct.

21 Q. Do you have a clue what the Gears of War is?

22 A. I have no idea.

23 Q. Okay. Don't feel like the Lone Ranger.

24 Okay. And then as I understand it, at the
25 bottom of the backpack, you found various pieces of

Guilt Innocence Phase
August 11, 2017

1 jewelry that Ms. Barnett was speaking with you about
2 previously; is that correct?

3 A. Yes, that's correct.

4 MR. SECREST: May I approach the witness,
5 Your Honor?

6 THE COURT: You may.

7 Q. (BY MR. SECREST) I want to talk to you about
8 the jewelry that's in the bottom of the backpack, okay?

9 A. Okay.

10 Q. What I'm trying to do is not confuse anyone,
11 hopefully not myself. I'm not, at this point,
12 addressing the jewelry that was in the kitchen drawers.

13 A. Okay.

14 Q. So when we look at this jewelry, would you --
15 and you're not a jeweler, correct?

16 A. That is correct.

17 Q. Okay. And I'm not either, but would you say
18 that this stuff is kind of nice, I mean at least based
19 upon your, whatever understanding is of jewelry?

20 A. It sparkles.

21 Q. Fair enough.

22 And obviously you didn't see all of the
23 jewelry that was in the house earlier, right?

24 A. That is correct.

25 Q. But these pieces here appear to be -- could be

Guilt Innocence Phase
August 11, 2017

1 silver, could be diamonds, maybe they're not, but that's
2 the way they appear, correct?

3 A. That is correct.

4 Q. And here we have a piece of jewelery and it
5 looks like maybe it's silver but who knows, maybe
6 platinum, maybe it's tin, but does this look kind of --
7 like kind of nice stuff?

8 A. It's sparkly and shiny.

9 Q. Okay. That's as far as I'm going to get you,
10 and that's fair enough.

11 Now, State's 662, that's a real small
12 diamond, assuming it is a diamond and you couldn't even
13 see it until later on in your light and that's why you
14 put it on top of this blue piece of cardboard?

15 A. I collected it. I didn't put it on the
16 cardboard.

17 Q. Who put it on the cardboard?

18 A. I have no idea.

19 Q. Fair enough.

20 Now, let me show you what's previously
21 been admitted into evidence as Defense Exhibit 2396; and
22 have you ever seen this photograph?

23 A. No, sir.

24 Q. And for the record let me do it this way
25 quickly but I would like the jury to see this, but for

Guilt Innocence Phase
August 11, 2017

1 the record, 2396 is the photograph taken by M.V.
2 Carpenter outside your presence when he was at the home
3 on December 23 and 24, basically two days before you
4 were there, okay?

5 So again here's the photograph. And I
6 know you weren't at the crime scene, but this photograph
7 clearly shows several small boxes where one would put
8 jewelry or jewelry could be placed. See here where I'm
9 pointing?

10 A. Correct.

11 Q. Okay. And all the jewelery you found was at
12 the bottom of the backpack?

13 A. That's correct.

14 Q. Okay. So if I'm a home invader and I have a
15 backpack, okay, and I've left off from the premises,
16 let's just assume that and I go through the bathroom and
17 I'm looking for nice stuff as fast as I can, I can grab
18 that stuff and of course it's in plastic bags, but I can
19 throw the jewelry without all this plastic as fast as I
20 get it in the bag, correct? And then I can retrieve an
21 XBox and all the controllers and some games that go with
22 it and all of that would fit in this box, right? I mean
23 this bag.

24 A. Yes.

25 Q. And ultimately when you find the backpack and

Guilt Innocence Phase
August 11, 2017

1 you unload the backpack, you're telling us everything
2 that we've talked about in court was in the backpack
3 except the electronic components that are still in the
4 property room of the Harris County Sheriff's Department.

5 A. The electronics were also in the backpack.

6 Q. I'm sorry. What I meant to say is everything
7 we're seeing here in court except for the electronics
8 that was clearly in the backpack but they're not in
9 court today.

10 A. That is correct.

11 Q. Okay. I'm sorry I confused you on that.

12 A. It's okay.

13 Q. Help me out here. What do you do with the
14 contents of the backpack, put it in your trunk?

15 A. No. The contents of -- when I collected the
16 backpack?

17 Q. Yes, sir.

18 A. When I collected the backpack, everything
19 remained within the backpack.

20 Q. Right.

21 A. And it was secured in the front seat of my
22 vehicle.

23 Q. And then from there where do you go?

24 A. Straight to the CSU lab.

25 Q. And where is that located?

Guilt Innocence Phase
August 11, 2017

1 A. At that time it was located at 1301 Franklin,
2 here in downtown.

3 Q. Okay. And then once you enter that building,
4 what do you do with the evidence that you've now
5 collected?

6 A. That is actually secured in my evidence locker.

7 Q. Okay. And then how long does it stay there?

8 A. Until I report to duty the next day.

9 Q. And then when you report to duty the next day,
10 what do you with the contents of the bag and the bag
11 itself?

12 A. That would be removed from the evidence locker
13 room, and at that time it will be inventoried and
14 packaged to be sent off for analysis.

15 Q. So then that's when you would actually type up
16 a numerical inventory of exactly what it was you found
17 in the bag?

18 A. Correct.

19 Q. And then you segregate those items that are
20 going to be sent to the Harris County Institute of
21 Forensic Science for DNA testing?

22 A. That's correct?

23 Q. Okay. And so help me there with that process.
24 So once that determination is made, what do you
25 physically do with those items that are going to be

Guilt Innocence Phase
August 11, 2017

1 submitted to the laboratory for later testing?

2 A. Those are submitted into the transfer --
3 evidence transfer lockers, and at that time we had a
4 rotation where one investigator would collect all the
5 evidence from the transport lockers and transfer all the
6 evidence to the proper location.

7 Q. In this situation the proper location would be
8 the Harris County Institute of Forensic Sciences?

9 A. Some went there, and other items went to our
10 property room.

11 Q. Okay. So as far as all of the items that were
12 swabbed for DNA -- for possible DNA, that went to the
13 Harris County Institute of Forensic Sciences?

14 A. Right.

15 Q. And so were you basically involved in the
16 process any time after all this?

17 A. No, sir.

18 Q. Let me just -- so we understand the process.
19 So once the evidence is taken to the Harris County
20 Institute of Forensic Science, then they do whatever DNA
21 analysis or whatever they're capable of doing at that
22 location?

23 A. That's correct.

24 Q. And then they write a report and then you all
25 are provided a copy of the report?

Guilt Innocence Phase
August 11, 2017

1 A. The primary homicide investigator and the
2 primary crime scene investigator will have obtained
3 copies of those reports.

4 Q. Okay. Do they send a copy of the report to the
5 suspect?

6 A. No.

7 Q. And at some point then do you all go back to
8 the Harris County Institute of Forensic Science and
9 retrieve the evidence that has now been in, my word,
10 processed?

11 A. I believe the Institute of Forensic Sciences
12 has a person that delivers that to the property room.

13 Q. Okay. So then that's transferred back to the
14 Harris County Sheriff's Department property room and it
15 stays there until it is needed in court, if it ever is?

16 A. Pending need for court or pending need for
17 further analysis.

18 Q. Thank you and have a nice weekend.

19 A. You too, sir. Thank you.

20 THE COURT: Any redirect?

21 MS. BARNETT: I do, Your Honor.

22 THE COURT: Please resume.

23 **REDIRECT EXAMINATION**

24 BY MS. BARNETT:

25 Q. Certainly the jewelry wasn't found in

Guilt Innocence Phase
August 11, 2017

1 pawnshops, was it?

2 A. No, it was not.

3 Q. It was found inside the garage of the Melgar's
4 residence, right?

5 A. That's correct.

6 Q. And the hypothetical that someone could have
7 put the stuff in the backpack is, I guess, an idea that
8 burglars would have taken it, right?

9 MR. SECREST: I object to her consistent
10 leading.

11 THE COURT: Sustained.

12 Q. (BY MS. BARNETT) Does it likely happen that
13 burglars pool together some property and just leave it
14 at the house?

15 A. Very rarely. It's usually taken.

16 Q. Is it possible that Sandra Melgar could have,
17 in fact, put that jewelry in the backpack?

18 A. At this point I really don't know anybody who
19 could have put it in there.

20 Q. But it could have been anybody that put it in
21 there. The daughter could have put it in there, right?
22 You don't know.

23 A. It's possible.

24 Q. And you don't know that Sandra Melgar could
25 have put the property in the backpack, couldn't she?

Guilt Innocence Phase
August 11, 2017

1 A. I have no idea.

2 Q. And certainly if this was a burglary, then it's
3 not a successful one, is it?

4 MR. SECREST: Object again to the leading
5 nature of the question.

6 THE COURT: Sustained.

7 Q. (BY MS. BARNETT) How many times have you seen
8 burglars take property, put it in a backpack that they
9 don't carry with them or it doesn't belong to them, so
10 they don't have the backpack to begin with. They take
11 the backpack from the homeowner, stuff it with jewelry
12 of the homeowner and leave it there within a limited
13 time?

14 MR. SECREST: Objection, Your Honor.
15 First it's asked and answered. He's already testified
16 to that; and secondly, this is just a sheer hypothetical
17 that he would have no basis of knowledge about.

18 MS. BARNETT: It's in response to his
19 hypothetical, Your Honor.

20 THE COURT: Rephrase the question.

21 Q. (BY MS. BARNETT) How many times have you seen
22 someone purporting to be a burglar burglarize a house,
23 without a backpack and without a weapon, taking a
24 backpack from the homeowner, putting some type of
25 jewelry in it and dropping it off in a garage? How many

Guilt Innocence Phase
August 11, 2017

1 times have you seen that happen?

2 A. I haven't.

3 MS. BARNETT: Pass the witness.

4 THE COURT: May this witness be excused?

5 MR. SECREST: No, Your Honor.

6 THE COURT: You may proceed.

7 **RECROSS-EXAMINATION**

8 BY MS. BARNETT:

9 Q. Obviously, Deputy Campos, you're getting caught
10 in a Ping-Pong match here. You don't know what did or
11 didn't happen on the evening of December 23 and the
12 early morning of December 24, do you?

13 A. I do not.

14 Q. Okay. And certainly one would assume in a
15 normal situation that a burglar, if they're going to
16 steal something, they successfully get it out of the
17 house, correct, unless they're shot in the process,
18 right?

19 A. That's correct.

20 Q. Okay. But do you know, obviously, is there any
21 way to tell whether or not the home invaders in this
22 situation in fact took other property that they were
23 able to get out of the house but weren't successful in
24 taking the backpack with them?

25 MS. BARNETT: Calls for speculation.

Guilt Innocence Phase
August 11, 2017

1 MR. SECREST: Just following up on the
2 line of questions that she asked Deputy Campos on the
3 redirect, Your Honor.

4 MS. BARNETT: He's asking about this case
5 and speculating. He's asking him to speculate.

6 THE COURT: Rephrase to a hypothetical.

7 MR. SECREST: Sure.

8 Q. (BY MR. SECREST) Hypothetically there certainly
9 can be situations where a home invader is certainly
10 wanting to take as much property out of the house as
11 they can, but ultimately something happens. There is an
12 event that is maybe beyond their control and they end up
13 leaving and not taking everything that they wanted to
14 steal from a person, that certainly could happen?

15 A. It's a possibility.

16 Q. Okay. I mean, a lot of possibilities here.
17 It's unfair to you especially at this late hour to ask
18 you to hypothesize, but let me ask you this: Did you
19 know that the backpack in fact was at that very location
20 on December 23, 2012 when M.V. Carpenter took
21 photographs of the garage?

22 A. I do not.

23 MR. SECREST: No further questions.

24 THE COURT: May this witness be excused?

25 MS. BARNETT: Yes.

Guilt Innocence Phase
August 11, 2017

1 THE COURT: Okay. Thank you, Deputy.
2 Have a good weekend.

3 THE WITNESS: You, too.

4 THE COURT: Both sides approach.

5 MS. BARNETT: I've got one short one.

6 THE COURT: State, call your next.

7 MS. BARNETT: Sergeant McConnell.

8 THE COURT: (Swearing in.)

9 You may proceed.

10 MS. BARNETT: Thank you.

11 **DIRECT EXAMINATION**

12 BY MS. BARNETT:

13 Q. Would you please state your name for the
14 record?

15 A. Anthony McConnell.

16 Q. And how are you employed, sir?

17 A. I'm a lieutenant with the Harris County
18 Sheriff's Office, currently assigned to crime scenes.

19 Q. Okay. How long have you been with the
20 sheriff's office?

21 A. Start my 25th year at the end of this month.

22 Q. Okay. Where are you currently assigned?

23 A. Crime scene unit.

24 Q. Okay. I'm sorry. I already asked that. How
25 long have you been in the crime unit, crime scene unit?