**Handout #7: DIRECT AND CROSS EXAMINATION OF NEIGHBORHOOD WITNESS**

**CHILD ABDUCTION CASE**

1. THE COURT: OKAY. WELCOME BACK, LADIES AND GENTLEMEN.
2. ONCE AGAIN, I APOLOGIZE. IT SEEMS LIKE THIS HAS
3. BEEN A DAY WHERE LOOSE ENDS NEED TO BE TIED UP, AND YOU FOLKS
4. HAVE HAD TO COOL YOURSELVES IN THE HALLWAY WHILE WE'VE BEEN
5. TYING 'EM UP, BUT HOPEFULLY WE'LL GET ON TRACK HERE.
6. MR. DUSEK.
7. MR. DUSEK: CHRISTINA HOEFFS.
8. THE COURT: LET'S GET THE WITNESS.
9. CHRISTINA HOEFFS, +
10. PLAINTIFF'S WITNESS, HAVING BEEN SWORN, TESTIFIED AS FOLLOWS:
11. THE COURT: PLEASE HAVE A SEAT, MA'AM.
12. THE CLERK: WOULD YOU PLEASE STATE YOUR NAME AND SPELL IT
13. FOR THE RECORD.
14. THE WITNESS: CHRISTINA HOEFFS. SPELL THE NAME OR JUST
15. THE LAST?
16. THE COURT: FULL NAME IS EASY.
17. THE WITNESS: C-H-R-I-S-T-I-N-A, LAST NAME IS H-O-E-F-F-S

1. **DIRECT EXAMINATION +**
2. BY MR. DUSEK:
3. Q. GOOD MORNING, MA'AM.
4. A. GOOD MORNING.
5. Q. IS THAT ON?
6. A. YES.
7. Q. WHAT PART OF TOWN DO YOU LIVE IN, MRS. HOEFFS?
8. A. SABRE SPRINGS.
9. Q. HOW LONG HAVE YOU LIVED UP THERE?
10. A. FOUR AND A HALF YEARS.
11. Q. DO YOU KNOW AN INDIVIDUAL BY THE NAME OF DAVID
12. WESTERFIELD?
13. A. I DO NOW.
14. Q. DO YOU KNOW WHO HE IS?
15. A. I DO NOW.
16. Q. DO YOU SEE HIM IN COURT TODAY?
17. A. YES.
18. Q. WOULD YOU POINT HIM OUT PLEASE AND DESCRIBE WHERE
19. 3 HE'S SEATED AND WHAT HE'S WEARING TODAY?
20. A. YES. HE'S SEATED TO MY LEFT WEARING A GRAY SUIT
21. AND BLUE AND BURGUNDY TIE.
22. THE COURT: THE RECORD WILL REFLECT IDENTIFICATION.
23. BY MR. DUSEK:
24. Q. WHERE DOES HE LIVE IN RELATION TO WHERE YOU LIVE?
25. A. DIRECTLY BEHIND ME.
26. Q. AND COULD YOU DESCRIBE FOR US THE ELEVATION BETWEEN
27. YOUR HOUSE AND HIS HOUSE?
28. A. MY HOUSE IS ELEVATED. HIS HOUSE SITS BELOW.
29. Q. DO YOU KNOW WHO MOVED INTO THE NEIGHBORHOOD FIRST,
30. YOU OR MR. WESTERFIELD?
31. A. MR. WESTERFIELD.
32. Q. SO WE'RE TALKING ABOUT THE SAME THING, LET ME SHOW
33. YOU WHAT'S BEEN MARKED AS COURT'S EXHIBIT 28, THIS PHOTO DISPLAY
34. BOARD LABELED AT THE TOP "WESTERFIELD RESIDENCE EXTERIOR."
35. DO YOU SEE WHAT I HAVE DEPICTED HERE?
36. A. YEAH.
37. Q. DO YOU SEE MR. WESTERFIELD'S RESIDENCE?
38. A. YES.
39. Q. WHICH ONE?
40. A. EXHIBIT "A".
41. Q. PHOTOGRAPH "A" IS SHOWING THE FRONT OF THE HOUSE?
42. A. YES, SIR.
43. Q. AND YOU LIVE ON THE STREET DIRECTLY BEHIND?
44. A. YES.
45. Q. I'D LIKE TO DIRECT YOUR ATTENTION BACK TO FRIDAY
46. NIGHT, FEBRUARY 1ST OF THIS YEAR.
47. WERE YOU AT HOME THAT EVENING?
48. A. YES.
49. Q. WHERE IS YOUR MASTER BEDROOM LOCATED IN YOUR HOUSE?
50. A. UPSTAIRS.
51. Q. FRONT OF THE HOUSE OR THE BACK OF THE HOUSE?
52. A. IN THE BACK.
53. Q. WHEN YOU LOOK OUT THE BACK OF THE HOUSE WHAT DO YOU
54. SEE FROM YOUR MASTER BEDROOM WINDOWS?
55. A. I SEE THE BACK OF MR. WESTERFIELD'S HOME. THERE'S
56. A HOME TO THE LEFT. I DON'T KNOW WHO LIVES THERE. I CAN SEE
57. JUST THE FAR CORNER, AND I CAN SEE THE MOUNTAIN TOPS ABOVE THAT.
58. Q. THAT EVENING ON THE 1ST OF FEBRUARY DO YOU RECALL
59. ABOUT WHAT TIME YOU WENT TO BED?
60. A. 10 O'CLOCK.
61. Q. HOW CAN YOU REMEMBER?
62. A. I WAS WATCHING A TELEVISION PROGRAM.
63. Q. DO YOU REMEMBER WHERE YOU WERE WATCHING IT?
64. A. IN BED.
65. Q. DID YOU NOTICE ANYTHING UNUSUAL AT THAT TIME IN
66. REGARDS TO MR. WESTERFIELD'S RESIDENCE?
67. A. NO.
68. Q. AT SOME LATER TIME THAT EVENING, DID YOU?
69. A. YES.
70. Q. ABOUT WHEN WAS THAT?
71. A. I SHUT THE TV OFF ABOUT 10:30 TO GO TO SLEEP AND
72. THE LIGHT WAS ON, HIS BACK LIGHT WAS ON 'CAUSE IT WAS SHINING
73. KIND OF INTO MY WINDOW
74. Q. WOULD THIS BE AN INTERIOR OR EXTERIOR LIGHT FROM
75. HIS RESIDENCE?
76. A. EXTERIOR OUTSIDE LIGHT.
77. Q. DO YOU HAVE ANY SHADES OR CURTAINS ON YOUR WINDOWS?
78. A. A BLIND.
79. Q. WHAT WERE THE CONDITION, OPEN, CLOSED WHEN YOU WENT
80. 9 TO BED?
81. A. CRACKED.
82. Q. SO HOW COULD YOU TELL HIS LIGHT WAS ON?
83. A. IT WAS ILLUMINATING THROUGH THE CRACKS.
84. Q. WAS THAT UNUSUAL?
85. A. NOT REALLY FOR THAT TIME.
86. Q. WHAT WAS THE NEXT THING THAT YOU NOTICED?
87. MR. FELDMAN: OBJECTION, VAGUE AS TO TIME.
88. THE COURT: OVERRULED.
89. YOU MAY ANSWER.
90. BY MR. DUSEK:
91. Q. THAT EVENING WHAT WAS THE NEXT THING YOU NOTICED?
92. A. WELL, I WENT TO SLEEP. I GOT UP AT ABOUT
93. 2:00-SOMETHING, JUST AFTER 2:00.
94. Q. IN THE EARLY MORNING HOURS?
95. A. YES.
96. Q. WHY DID YOU GET UP?
97. A. THE BABY CRY ALERTED ME THAT MY SON WAS CRYING.
98. Q. HOW OLD WAS YOUR SON?
99. A. AT THAT TIME TWO AND A HALF.
100. Q. WHAT DID YOU DO WHEN YOU HEARD YOUR SON CRYING?
101. A. WENT AND CHECKED ON HIM.
102. Q. DID YOU NOTICE ANYTHING UNUSUAL WHEN YOU WENT TO
103. CHECK WITH YOUR SON?
104. A. NOT WHEN I WENT TO CHECK. I JUST WENT AND I GOT
105. HIM BACK TO SLEEP. I CAME BACK INTO THE ROOM. I NOTICED THAT
106. THE LIGHT WAS STILL ON.
107. Q. WAS THAT UNUSUAL AT THAT TIME?
108. A. YES. I THOUGHT IT WAS JUST BECAUSE IT WAS SO LATE.
109. Q. DID YOU INQUIRE OR CHECK OUTSIDE THE WINDOW?
110. A. I DID. I WENT TO THE BLINDS TO LOOK OUT TO SEE IF
111. THERE WAS ANYTHING WRONG -- JUST TO LOOK OUT. IT MADE ME WANT
112. TO CHECK.
113. Q. WHAT DID YOU SEE?
114. A. I LOOKED OUT AND I JUST SAW THE LIGHT WAS STILL ON
115. AND THE HOUSE WAS PRETTY MUCH LOCKED DOWN.
116. Q. WHAT DO YOU MEAN BY "LOCKED DOWN"?
117. A. WELL, WHEN I SAY THAT, MY THOUGHT WAS -- AT THAT TIME WAS –
118. I THOUGHT I HOPE HE DIDN'T LEAVE AND GO TO THE
119. DESERT AND LEAVE HIS LIGHT ON FOR THE WEEKEND BECAUSE, AGAIN, IT
120. WAS SHINING INTO MY ROOM AND I WAS THINKING I HOPE HE DIDN'T DO
121. THAT. AND I THOUGHT THAT 'CAUSE ALL THE BLINDS WERE SHUT DOWN
122. IN A VERY UNIFORM MANNER. EVERY -- EVERY ONE WAS COMPLETELY
123. CLOSED, EVEN THE BACK DOOR, AND THERE WERE NO WINDOWS OPEN AT
124. ALL.
125. Q. AND THESE WOULD BE BLINDS ON WHAT PART OF HIS HOUSE?
126. A. THE BACK SIDE OF HIS HOME.
127. Q. HAD YOU EVER SEEN IT LIKE THAT BEFORE?
128. A. AT THAT TIME I REMEMBER SPECIFICALLY THINKING ABOUT
129. IT, THINKING WOW, THAT'S WEIRD. WHY IS EVERYTHING SHUT DOWN
130. LIKE THAT? AND NO, I DON'T REMEMBER SEEING IT FULLY SHUT DOWN.
131. THAT'S WHAT MADE ME THINK EITHER HE HAD TAKEN OFF TO THE DESERT,
132. AND THEN I THOUGHT WELL, I DON'T SEE THE MOTOR HOME THERE SO
133. MAYBE HE DIDN'T GO. AND I THOUGHT WELL, MAYBE HE'S ON VACATION
134. OR SOMETHING.
135. Q. BUT YOU HAD NEVER SEEN THE REAR OF MR.
136. WESTERFIELD'S HOUSE THAT SEALED UP BEFORE?
137. A. I DON'T EVER REMEMBER SEEING IT THAT WAY. IT'S
138. SOMETHING THAT MADE ME STOP AND THINK WHY IS EVERYTHING CLOSED
139. UP LIKE THAT. HE MUST BE GONE.
140. (MARKED FOR ID: = TRIAL EX. 60 PHOTO BOARD/4 )
141. Q. I'VE HAD MARKED AS COURT'S EXHIBIT 60 A PHOTO
142. DISPLAY BOARD LABELED AT THE TOP "HOEFF'S RESIDENCE." IT HAS
143. FOUR PHOTOGRAPHS LABELED "A" THROUGH -- MAN, WE MISSED "C". WE
144. GOT HE "B", "D" AND "E". I DIDN'T DO IT.
145. DO YOU SEE WHAT WE HAVE DEPICTED IN PHOTOGRAPHS "A"
146. AND "B", MA'AM?
147. A. YES.
148. Q. WHAT DO THEY SHOW?
149. A. THAT'S WHAT I SEE WHEN I LOOK OUT MY WINDOW.
150. Q. UPSTAIRS OR DOWNSTAIRS?
151. A. MY UPSTAIRS BEDROOM WINDOW, IF I LOOK OUT THAT IS
152. WHAT I SEE.
153. Q. WERE YOU PRESENT WHEN WE TOOK THESE PHOTOGRAPHS?
154. A. YES.
155. Q. PHOTOGRAPH "A", WHAT ROOM IS THAT TAKEN FROM YOUR
156. HOUSE?
157. A. MY BEDROOM.
158. Q. AND PHOTOGRAPH "B", WHAT ROOM IS THAT TAKEN FROM
159. YOUR HOUSE?
160. A. MY BATHROOM.
161. Q. WOULD THEY BE ON OPPOSITE ENDS OF YOUR UPSTAIRS
162. RESIDENCE?
163. A. YES.
164. Q. IN THE WHITE HOUSE WITH THE GREY COLORED ROOF,
165. WHOSE HOUSE IS THAT?
166. A. THAT'S MR. WESTERFIELD'S HOUSE.
167. Q. WERE PHOTOGRAPHS ALSO TAKEN DOWNSTAIRS FROM YOUR
168. HOUSE?
169. A. YES.
170. Q. PHOTOGRAPH "D", WHAT IS THAT SHOWING?
171. A. THAT'S OUT MY BOTTOM FLOOR WINDOW.
172. Q. TOWARDS MR. WESTERFIELD'S RESIDENCE?
173. A. YES. YOU CAN SEE HIS HOUSE STICKING UP A LITTLE BIT.
174. Q. AND PHOTOGRAPH "E", WHAT DOES THAT SHOW US?
175. A. THAT'S OUT THE WINDOW ALSO. LOOKS LIKE THE
176. NEIGHBOR'S HOUSE NEXT TO HIM.
177. Q. FROM THE DOWNSTAIRS CAN YOU SEE MR. WESTERFIELD'S
178. WINDOWS OR BLINDS FROM YOUR HOUSE?
179. A. NO.
180. Q. YOU INDICATED YOU WERE AWARE THAT HE HAS OR HAD A
181. MOTOR HOME?
182. A. YES.
183. Q. HOW DO YOU KNOW THAT?
184. A. 'CAUSE I SEEN IT.
185. Q. OKAY.
186. DID YOU SEE IT THERE THAT WEEKEND?
187. A. NO.
188. Q. APPROXIMATELY HOW LONG HAD IT BEEN SINCE YOU LAST
189. REMEMBER SEEING IT IN THE NEIGHBORHOOD?
190. A. IT HAD BEEN SOME TIME. I CAN'T SPECIFICALLY SAY.
191. I KNOW IT WASN'T THAT WEEK, 'CAUSE I THOUGHT ABOUT THAT THAT
192. NIGHT AS WELL. I THOUGHT WELL, DID I SEE HIM PACKING UP THIS
193. WEEK AT ALL? AND I DIDN'T.
194. Q. IN SOME TIME, WHAT DOES THAT MEAN FOR YOU? AN
195. APPROXIMATION, I UNDERSTAND.
196. A. WEEKS. AT LEAST WEEKS. PERHAPS A MONTH OR LONGER.
197. -- I COULDN'T SAY WHEN THE LAST TIME WAS.
198. MR. BOYCE: OBJECTION, NO QUESTION PENDING.
199. THE COURT: OVERRULED. SHE CONCLUDED HER ANSWER.
200. NEXT QUESTION.
201. 22 BY MR. DUSEK:
202. Q. I ASSUME YOU DIDN'T MARK IT ON THE CALENDAR?
203. A. NO.
204. Q. WHEN YOU WOULD SEE THE MOTOR HOME IN THE
205. NEIGHBORHOOD, WOULD YOU NOTICE ANYTHING ABOUT WHAT WAS GOING
206. ON WITH THE MOTOR HOME OR HOW LONG IT WOULD BE THERE?
207. A. TYPICALLY, IT WOULD BE PARKED THERE I WOULD NOTICE
208. A DAY OR TWO PRIOR AND THEN HE WOULD LEAVE. HE WOULD PACK UP
209. ITEMS THAT LOOKED LIKE CAMPING ITEMS.
210. Q. WHERE WOULD HE PARK IT WHEN YOU SAW IT?
211. A. ON THE SIDE OF HIS RESIDENCE ON BRIARLEAF.
212. Q. DO YOU HAVE TO GO -- DO YOU HAVE TO GO BY THAT AREA
213. TO GET TO YOUR HOUSE?
214. A. YES, IF I LEAVE OR GO.
215. MR. FELDMAN: YOUR HONOR, I DIDN'T HEAR THE WITNESS'
216. ANSWER, I'M SORRY.
217. THE COURT: NEITHER DID I.
218. MADAME INTERPRETER, TRY TO GET A LITTLE CLOSER TO THE
219. MICROPHONE.
220. OPHELIA, PLEASE READ BACK THE LAST ANSWER.
221. (RECORD READ)
222. MR. FELDMAN: THANK YOU, YOUR HONOR.
223. BY MR. DUSEK:
224. Q. LET ME HAVE YOU LOOK BACK AT COURT'S EXHIBIT 28
225. AGAIN, THE ONE LABELED "WESTERFIELD'S RESIDENCE EXTERIOR."
226. DO YOU SEE IN PHOTOGRAPH "A" WHERE YOU WOULD
227. TYPICALLY SEE THE MOTOR HOME PARKED FOR THAT COUPLE DAY PERIOD
228. WHEN YOU SAW IT IN THE NEIGHBORHOOD?
229. A. YES.
230. Q. WHERE WOULD THAT BE IN THAT PHOTOGRAPH, MA'AM?
231. A. IT WOULD BE TO THE LEFT OF HIS RESIDENCE AND UP,
232. SAY WHERE THAT GREEN CAR IS, THERE'S A WHITE VAN AND A GREEN
233. CAR. IT WOULD BE PERHAPS PARTED RIGHT IN THAT AREA.
234. Q. COULD YOU TAKE A BLACK FELT PEN HERE AND PUT AN "X"
235. AT THE APPROXIMATE LOCATION?
236. A. (WITNESS COMPLYING.)
237. Q. YOU'VE DONE THAT?
238. A. NO, I'M STILL THINKING.
239. Q. OH.
240. A. SORRY.
241. Q. ALL RIGHT. THANK YOU, MA'AM.
242. WOULD YOU SEE ANYONE AROUND THE MOTOR HOME WHEN IT
243. WAS PARKED THERE?
244. A. I SAW MR. WESTERFIELD AND WHAT I ASSUMED TO BE HIS
245. SON SOMETIMES OUT IN THE DRIVEWAY.
246. Q. IN THEIR DRIVEWAY?
247. A. IN THEIR DRIVEWAY.
248. Q. HOW COULD YOU SEE THEIR DRIVEWAY FROM YOUR HOUSE?
249. A. I WOULD ONLY SEE AND OBSERVE THIS ACTIVITY, IF I
250. WAS COMING OR GOING -- COMING OR LEAVING MY RESIDENCE. THAT'S
251. HE ONLY WAY I COULD SEE IF I WAS DRIVING BY OR WALKING BY.
252. Q. AND AS WE LOOK AT PHOTOGRAPH "A" IN EXHIBIT 28,
253. 1WHEN YOU COME TO YOUR HOUSE FROM BEING OUT, DO YOU HAVE TO
254. DRIVE BY THE FRONT OF THE WESTERFIELD RESIDENCE AND TURN RIGHT
255. ON THAT STREET THAT WE SEE IN EXHIBIT "A"?
256. A. THAT'S -- YES. THAT'S TYPICALLY THE WAY I LOOK AT
257. IT. YOU CAN ALSO GO STRAIGHT, BUT TYPICALLY I'D GO BY HIS
258. RESIDENCE, MAKE THE RIGHT WHERE THE MOTOR HOME IS PARKED.
259. Q. DID YOU KNOW THE VAN DAM FAMILY?
260. A. NO.
261. Q. HAD YOU EVER SEEN DANIELLE OUT ON THE STREET?
262. A. NO.
     1. MR. BOYCE: OBJECTION, SPECULATION.
     2. THE COURT: OVERRULED. SHE SAID NO. NEXT QUESTION.
     3. MR. DUSEK: THANK YOU, MA'AM.
     4. THE COURT: ALL RIGHT. CROSS-EXAMINATION.
263. **CROSS-EXAMINATION +**
264. BY MR. BOYCE:
265. Q. THIS IS A NEIGHBORHOOD WITH A LOT OF CHILDREN IN IT, ISN'T IT?
266. A. YES, SIR.
267. Q. AND YOU'VE SEEN A LOT OF CHILDREN IN THE NEIGHBORHOOD?
268. A. YES.
269. Q. YOU DON'T KNOW WHO THE VAN DAMS ARE, THOUGH, DO YOU?
270. A. I DO NOW.
271. Q. BUT AT THE TIME YOU DIDN'T?
272. A. NO.
273. Q. YOU -- REFERRING TO EXHIBIT 60, WHEN WERE THESE PHOTOGRAPHS
274. TAKEN?
275. A. MAYBE A MONTH AGO I'M GUESSING.
276. Q. WHO WERE YOU WITH WHEN THE PHOTOGRAPHS WERE TAKEN?
277. A. MR. DUSEK, THE PERSON TO HIS LEFT -- I FORGOT YOUR
278. NAME -- AND A PHOTOGRAPHER.
279. Q. THE PERSON TO THE LEFT, REFERRING TO SERGEANT HOLMES?
280. A. OKAY.
281. Q. IS THAT NEXT TO MR. DUSEK?
282. A. YES.
283. Q. AND A PHOTOGRAPHER, DO YOU KNOW WHO THE PHOTOGRAPHER
284. WAS?
285. A. FROM THE DA'S OFFICE.
286. Q. ANYONE ELSE?
287. A. MY HUSBAND WAS ALSO PRESENT.
288. Q. THE PHOTOGRAPH "A", THAT'S -- WHERE IS THAT
289. PHOTOGRAPH TAKEN FROM? WHERE WOULD THE PHOTOGRAPHER BE
290. STANDING?
291. A. HE STOOD IN MY BEDROOM NEXT TO MY BED, I BELIEVE.
292. Q. WHAT ABOUT PHOTOGRAPH "B"?
293. A. IN THE BATHROOM.
294. Q. THOSE TWO PHOTOGRAPHS ARE TAKEN TOWARDS MR.
295. WESTERFIELD'S HOUSE; IS THAT CORRECT?
296. A. YES, SIR.
297. Q. WERE YOU EVER ASKED TO REVIEW YOUR TESTIMONY AT A
298. PREVIOUS HEARING IN THIS CASE?
299. A. REPEAT?
300. Q. DID YOU REVIEW ANY DOCUMENTS BEFORE YOU TESTIFIED
301. HERE TODAY?
302. A. TODAY?
303. Q. YES.
304. A. YES.
305. Q. WHAT DID YOU REVIEW?
306. A. MY PRELIMINARY HEARING TESTIMONY.
307. Q. AND THIS WAS A TRANSCRIPT; IS THAT CORRECT?
308. A. YES, SIR.
309. Q. DID YOU ALSO REVIEW ANY REPORTS?
310. A. THE ORIGINAL POLICE REPORT THAT WAS WRITTEN BY ONE
311. OF THE DETECTIVES.
312. Q. THIS WAS A TWO-PAGE REPORT?
313. A. I THINK IT WAS JUST ONE PAGE. IT WAS JUST SHORT --
314. VERY SHORT ONE.
315. Q. DID YOU REVIEW ANY OTHER REPORTS?
316. A. NO, SIR.
317. Q. NOW THE FRIDAY NIGHT THAT YOU NOTICED MR. WESTERFIELD'S
318. LIGHTS ON AT ABOUT 10:30 --
319. A. UM-HMM.
320. Q. -- DID YOU WORK THAT WEEKEND?
321. A. NO.
322. Q. YOU DIDN'T WORK THAT FRIDAY?
323. A. NOT AT ALL.
324. Q. YOU DIDN'T WORK SATURDAY?
325. A. NO.
326. Q. YOU DIDN'T WORK SUNDAY?
327. A. NO.
328. Q. DID YOU WORK THE FOLLOWING MONDAY?
329. A. NO, I DID NOT.
330. Q. OTHER THAN NOTICING MR. WESTERFIELD'S LIGHTS ON AND
331. THE BLINDS CLOSED, IT WAS A NORMAL FRIDAY NIGHT?
332. A. YES.
333. Q. THE ONLY THING UNUSUAL YOU SAW WAS THE BLINDS
334. CLOSED ON THE BACK OF MR. WESTERFIELD'S HOUSE; IS THAT CORRECT?
335. A. YES, AND I THOUGHT ABOUT IT.
336. Q. WHEN YOU LOOKED OUT AT ABOUT 2:00 IN THE MORNING
337. AND SAW THE BLIND CLOSED YOU NOTICED THE UPSTAIRS BLIND CLOSED,
338. IS THAT RIGHT, TO MR. WESTERFIELD'S HOUSE?
339. A. YES, ALL THE BLINDS WERE CLOSED.
340. Q. INCLUDING THE UPSTAIRS BLIND?
341. A. INCLUDING THE UPSTAIRS BLINDS.
342. Q. THE UPSTAIRS BLIND THAT WENT TO THE BATHROOM?
343. A. YES.
344. Q. THE UPSTAIRS BLIND THAT WENT TO ONE OF THE BEDROOMS?
345. A. YES.
346. Q. THE UPSTAIRS BLIND THAT WENT TO THE DOWNSTAIRS
347. KITCHEN AREA, THE DOWNSTAIRS AREA?
348. A. YES.
349. Q. WHAT IS DOWNSTAIRS, AS YOU RECALL?
350. A. WELL, FOR US IT'S THE DINING ROOM AND A LIVING ROOM
351. AREA. I ASSUMED IT WAS THE SAME FOR HIM.
352. Q. DID -- ALSO YOU'VE TOLD US THE BLIND TO THE BACK
353. DOOR WAS CLOSED, TOO?
354. A. YES.
355. Q. AND YOU THOUGHT THIS WAS UNUSUAL BECAUSE YOU
356. NOTICED ALL THE BLINDS IN THE HOUSE WERE CLOSED, IS THAT RIGHT?
357. A. YES.
358. Q. AND YOU'VE NEVER NOTICED THAT BEFORE?
359. A. I HAVEN'T.
360. Q. AND YOU WERE HOME SATURDAY ALSO, IS THAT RIGHT?
361. A. YES.
362. Q. THE HOUSE WAS IN THE SAME CONDITION?
363. A. YES.
364. Q. AND THEN SUNDAY THE HOUSE WAS IN THE SAME CONDITION?
365. A. I DON'T REMEMBER SUNDAY. EVERYTHING HAS BEEN -- IT
366. WAS A LOT OF THINGS GOING ON.
367. Q. SATURDAY YOU REALIZED THAT THERE WAS SOME COMMOTION
368. IN THE NEIGHBORHOOD?
369. A. YES.
370. Q. YOU NOTICED A HELICOPTER OVERHEAD?
371. A. YES, SIR.
372. Q. AND YOU BECAME AWARE THAT THE VAN DAM GIRL WAS MISSING?
373. A. YES. THEY SAID ON THE P.A. THAT THE LITTLE GIRL
374. NAMED DANIELLE, SEVEN-YEARS-OLD, WAS MISSING.
375. Q. WHEN YOU SAY THE P. A. WHAT DO YOU MEAN?
376. A. MY HUSBAND TOLD ME THAT THE MIKE -- THE SPEAKER ON THE
377. HELICOPTER. THEY WERE ACTUALLY ANNOUNCING THAT THERE WAS A
378. LITTLE GIRL NAMED DANIELLE AGE SEVEN MISSING.
379. Q. POLICE CAME TO YOUR HOUSE THAT DAY, DIDN'T THEY?
380. A. THAT NIGHT.
381. Q. THEY WERE LOOKING FOR THE LITTLE GIRL?
382. A. MY HUSBAND SPOKE TO THEM. HE ANSWERED THE DOOR AND
383. SPOKE WITH THEM. I DON'T KNOW WHAT THE CONVERSATION ENTAILED
384. COMPLETELY.
385. Q. YOU WEREN'T HOME?
386. A. I WAS, BUT DIDN”T HEAR THE CONVERSATION.
387. Q. THE FOLLOWING DAY THE POLICE ALSO CAME TO YOUR
388. HOME, DIDN'T THEY?
389. A. NO.
390. Q. THE FOLLOWING MONDAY THEY CAME TO YOUR HOME, DIDN'T THEY?
391. A. YES.
392. Q. THEY WERE AGAIN LOOKING FOR THE LITTLE GIRL?
393. A. THEY WERE DOING A CANINE SEARCH AT THAT POINT.
394. Q. IN FACT, YOUR HUSBAND ASSISTED THEM IN LOOKING FOR
395. THE LITTLE GIRL, DIDN'T HE?
396. A. YES.
397. Q. WHAT DAY DID HE ASSIST THEM IN LOOKING FOR THE GIRL?
398. A. SATURDAY.
399. Q. DO YOU RECALL WHO THE OFFICERS WERE THAT CAME TO
400. YOUR HOUSE ON FRIDAY -- I'M SORRY -- ON SATURDAY?
401. A. I DID NOT KNOW THEIR IDENTITY. I DID NOT GO TO THE DOOR.
402. Q. BUT YOU REALIZED THAT THERE WERE OFFICERS AT THE
403. DOOR?
404. A. MY HUSBAND TOLD ME.
405. Q. AND ON MONDAY DID YOU KNOW WHO THE OFFICERS WERE
406. THAT CAME TO YOUR HOUSE?
407. A. WHO THEY WERE?
408. Q. YES.
409. A. THEIR IDENTITIES?
410. Q. YES.
411. A. NO.
412. Q. AT SOME POINT YOU REALIZED THAT MR. WESTERFIELD --
413. SOME VEHICLES WERE BEING IMPOUNDED?
414. A. I DID.
415. Q. YOU SAW MR. WESTERFIELD ON TV?
416. A. YES.
417. Q. AND IT WAS AFTER THAT THAT YOU WENT TO -- I GUESS
418. THERE'S A CENTER WHERE EVERYBODY WAS CONGREGATING REGARDING
419. THE MISSING GIRL IN YOUR NEIGHBORHOOD?
420. A. THERE WAS A MOBILE COMMAND POST SET UP, A TRAILER.
421. Q. AND YOU WENT TO THIS MOBILE COMMAND POST AND
422. REPORTED WHAT YOU HAD SEEN THAT YOU NOTED WAS UNUSUAL?
423. A. I DID.
424. Q. AND THIS WAS AFTER YOU SAW MR. WESTERFIELD'S
425. VEHICLE IMPOUNDED, IS THAT RIGHT?
426. A. YES.
427. Q. AND AFTER YOU SAW MR. WESTERFIELD ON TV?
428. A. I THINK I HAD SEEN HIM ON TV AT THAT POINT.
429. Q. AND YOU WENT TO THE COMMAND POST AND YOU SAID YOU
430. NOTED SOMETHING UNUSUAL, AND THAT WAS THAT HIS -- MR.
431. WESTERFIELD'S BLINDS WERE CLOSED ON FRIDAY NIGHT?
432. A. I ACTUALLY WAS BRINGING UP A LIGHT ISSUE MORE THAN
433. ANYTHING, AND I MENTIONED THE BLINDS ALSO. I TOLD THEM I DON'T
434. KNOW IF THIS IS GOOD FOR THE GUY, BAD FOR THE GUY BUT THIS IS AN
435. UNUSUAL CIRCUMSTANCE. THIS IS WHAT I'M GOING TO TELL YOU. DO
436. WHAT YOU WANT ON THE THING. AND I TOLD THEM ABOUT THE LIGHT
437. SHINING ALL NIGHT AND ABOUT THE BLINDS.
438. Q. AND THE REASON YOU REPORTED IT WAS BECAUSE YOU
439. THOUGHT IT WAS UNUSUAL?
440. A. I DID AND I WAS UNSURE IF WHAT I HAD SEEN HAD ANY IMPORTANCE OR
441. NOT, BUT EVENTUALLY, I SAID I'M JUST GONNA LET THEM KNOW, AND SO I
442. DID.
443. Q. YOU REPORTED IT BECAUSE YOU THOUGHT IT WAS UNUSUAL?
444. A. I THOUGHT IT WAS UNUSUAL AND THAT I SHOULD REPORT IT.
445. MR. BOYCE: COULD WE APPROACH SIDEBAR?
446. THE COURT: SURE. OPHELIA.