

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION

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:
DISTRICT OF COLUMBIA : Docket Number: CDC-24676-09
:
vs. :
:
:
LERoy THORPE, :
:
Defendant. :
: Tuesday, May 4, 2010
----- x Washington, D.C.

The above-entitled action came on for a hearing
before the Honorable FREDERICK SULLIVAN, Magistrate Judge,
in Courtroom Number 120.

APPEARANCES:

On Behalf of the Government:

VANESSA PHILLIPS, Esquire
Office of the Attorney General for the
District of Columbia

On Behalf of the Defendant:

E. SCOTT FIRELSON, Esquire
Washington, D.C.

10-02761

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(By Mr. Fireison)		13		
Detective Amber Chesla				
(By Ms. Phillips)	20			
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<u>On behalf of the Defendant:</u>				
Derrick Barrett				
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<u>On behalf of the Government</u>		
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P R O C E E D I N G S

1
2 DEPUTY CLERK: Your Honor, turning back to your
3 trial matter, District of Columbia v. Leroy Thorpe.
4 MS. PHILLIPS: Vanessa Phillips on behalf of the
5 District of Columbia, Your Honor.
6 THE COURT: Okay.
7 DEPUTY CLERK: 2009-CDC-24676.
8 MR. FIREISON: --, Your Honor.
9 THE COURT: Okay.
10 MR. FIREISON: Your Honor, I apologize --
11 problem. I couldn't call the clerk.
12 THE COURT: That's all right. Don't worry about
13 it. We're getting to it. You're here on time.
14 MR. FIREISON: All right. Thank you, Your
15 Honor.
16 THE COURT: All right. Are we ready to go?
17 MS. PHILLIPS: I'm sorry, Your Honor.
18 THE COURT: Is the Government ready to go?
19 MS. PHILLIPS: Yes, Your Honor.
20 THE COURT: Okay.
21 (Pause.)
22 MS. PHILLIPS: The Government calls Mr. Shelton.
23 THE COURT: Who?
24 MS. PHILLIPS: Mr. Shelton.
25 THE COURT: All right, go ahead.

1 (Pause.)

2 THE COURT: How are you doing? Come on up, yeah
3 right up here.

4 Thereupon,

5 **JESSIE SHELTON**

6 having been called as a witness for and on behalf of the
7 Government, and having been first duly sworn by the Deputy
8 Clerk, was examined and testified as follows:

9 DEPUTY CLERK: Good afternoon, you can have a
10 seat.

11 THE COURT: Okay.

12 **DIRECT EXAMINATION**

13 BY MS. PHILLIPS:

14 Q Sir, please state your name and spell your last
15 name for the record?

16 A Good afternoon. My name is Jessie Warren
17 Shelton. My last name is spelled S-H-E-L-T-O-N.

18 Q By whom are you employed?

19 A I am employed with the District Government,
20 Office of Unified Communications.

21 Q In what capacity?

22 A I'm a telecommunications transcriptionist
23 responsible for the reception of 911 calls and the
24 subsequent dispatch of emergency first responders.

25 Q What are your duties?

1 A My duties, at the request of both the United
2 States Attorney's Office and the Office of the Attorney
3 General we provide the 911 calls and the field responders
4 in criminal, civil and juvenile matters before the court.

5 Q Have you received any training in becoming a
6 transcriber?

7 A Yes.

8 Q Describe that training.

9 A We're trained to do the emergency 911 calls.
10 We're trained to do the dispatch and we're trained in the
11 acquisition of 911 calls and those dispatches and the
12 authentication of that information.

13 Q Please explain how 911 calls are recorded.

14 A Simply we have a system called the CAD, the
15 Computer Assisted Dispatch system. It basically when
16 someone makes a 911 call it assists the 911 operator in
17 creating an even chronology of that call. That call is
18 then based on the nature of it, if it's an emergency call,
19 it is then transferred to a PSA, a Patrol Service Area,
20 which you probably know it as District One, District Two,
21 District Three, through Seven. It is then dispatched
22 according to the emergency nature of it by a dispatcher
23 within its own.

24 Q Are there any other recordings that are recorded
25 at that time?

1 A Yes, the 911 call -- it is recorded, only event
2 chronology. Once it is sent to the zone for the
3 dispatcher and dispatched to let's say 1D it is then
4 recorded on that event chronology as well, that dispatch
5 as well. I'm sorry, yes.

6 Q Bringing your attention to the 911 call that was
7 made on October 19th, 2009 at 5:08 p.m. what kind of
8 machine did you use to produce the 911 CD?

9 A We have what we call an audio retrieval system
10 that's connected to a CAD system, the Computer Assisted
11 Dispatch. Every call that comes in is trunked to this
12 audio receiver system. What we do is we pull the event
13 chronology from the CAD, that is that chronology you have
14 in your possession now counselor. We go to the CAD system
15 and we code in that -- whatever that position is right
16 before you see those four numbers that designate the
17 operator. Once we code that into the system it will pull
18 up that event. That even is then -- I can then simply
19 push a button and listen to that 911 call. What I did in
20 this incidence is pull that event up, listen to that 911
21 call, place the CD in my hard drive and made a copy of
22 that 911 call, which I believe you have in your possession
23 right there.

24 Q You created this when?

25 A This morning.

1 MS. PHILLIPS: Let's see. Your Honor, the
2 Government is marking the 911 CD as Government Exhibit No.
3 3.

4 THE COURT: You better put a sticker on it.
5 We've got some up here probably. Do you have some
6 stickers?

7 (Pause.)

8 MS. PHILLIPS: Your Honor, the Government's
9 marking the 911 CD as Government's Exhibit No. 3.
10 (Government's Exhibit No. 3 was
11 marked for identification.)

12 MS. PHILLIPS: I'm showing it to defense
13 counsel. He has a copy.

14 (Pause.)

15 BY MS. PHILLIPS:

16 Q Officer Shelton, I'm showing you what is
17 Government's Exhibit No. 3. Is this the CD that you
18 brought in this morning?

19 A Yes, ma'am, it is and that's my signature on it.

20 (Pause.)

21 Q Is it in the same condition as it was when you
22 brought it in this morning?

23 A Yes, it is, counsel.

24 MS. PHILLIPS: Your Honor, at this time the
25 Government offers Exhibit No. 3 into evidence.

1 MR. FIREISON: No objection to Exhibit No. 3,
2 Your Honor.

3 THE COURT: Okay, it'll be admitted.
4 (Government's Exhibit No. 3 was
5 admitted into evidence.)

6 MS. PHILLIPS: Your Honor, at this time the
7 Government wishes to play it on the --

8 THE COURT: Go ahead.

9 MS. PHILLIPS: -- court device.

10 THE COURT: Go ahead.

11 (Pause.)

12 (Thereupon, the audio recording played for the
13 Court was reported but is not transcribed here.)

14 BY MS. PHILLIPS:

15 Q Mr. Shelton, is that the recording that you
16 heard this morning when you made the tape?

17 A Yes, it is counsel.

18 Q Is there anything else that accompanied the
19 recording that you brought with you today?

20 A Yes. I made a copy -- I printed two copies of
21 the event chronology and I signed it. I believe that
22 might be it in your hand counselor.

23 Q Can you explain what the event chronology is?

24 A Yes, the event chronology is simply the written
25 narrative of that event you just heard.

1 MS. PHILLIPS: Your Honor, Government is marking
2 the event chronology as Government's Exhibit No. 4. I'm
3 showing it to defense counsel.

4 (Government's Exhibit No. 4 was
5 marked for identification.)

6 (Pause.)

7 MS. PHILLIPS: Defense counsel has a copy in his
8 possession.

9 (Pause.)

10 BY MS. PHILLIPS:

11 Q Mr. Shelton, is this the event chronology that
12 you brought with you this morning?

13 A Yes, it is. That's my signature and today's
14 date.

15 Q Can you please read lines one through two.

16 MR. FIREISON: Objection, Your Honor.

17 THE COURT: What is it? This is the chronology?

18 MS. PHILLIPS: Yes, Mr. Shelton --

19 THE COURT: What is this the protocol for this
20 911 call here?

21 THE WITNESS: Yes, it is, Your Honor.

22 MS. PHILLIPS: Yes, it is.

23 THE COURT: Okay. Go ahead you can, you can
24 cross-examine him on it.

25 MR. FIREISON: Okay, Your Honor.