

IN THE THIRD JUDICIAL DISTRICT COURT
PARISH OF UNION, STATE OF LOUISIANA

STATE OF LOUISIANA

IN THE INTEREST OF

JUVENILE DOCKET

DORIAN MORRIS

PROCEEDINGS HAD in the above entitled and numbered cause before His Honor R. Wayne Smith, Judge of the Third Judicial District Court, State of Louisiana, at Farmerville, Louisiana, on the 27th day of March, 2007.

APPEARANCES:

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REPORTED BY:

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State of Louisiana

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1 (The juvenile, the
2 juvenile's counsel and state's
3 counsel were present in open
4 court.)

5 MR. HAMPTON: Good morning, Your Honor.

6 THE COURT: Good morning.

7 MR. HAMPTON: This is State of Louisiana, in
8 the Interest of Dorian Morris. This is a
9 continued custody hearing. He was picked up on a
10 charge of manslaughter, and we're prepared to go
11 forward with the 72-hour hearing at this point,
12 Your Honor.

13 THE COURT: All right.

14 MR. EARLE: We're ready also, Your Honor.

15 THE COURT: At this time, the Court will
16 assign the juvenile's representation to the
17 Indigent Defender Board, through Mr. Robert Earle,
18 and the record should note Mr. Earle's presence
19 and that of the juvenile. You may proceed.

20 MR. HAMPTON: I understand we have some family
21 members in here -- the mother, the father, the
22 grandmother, and a couple of brothers. If we're
23 going to have testimony from them, I would ask --
24 I have no objection to their being in here, but if
25 we're going to have testimony, I'd ask that the
26 rule be invoked.

27 MR. EARLE: There won't be any testimony from
28 them.

29 MR. HAMPTON: Okay.

30 THE COURT: All right. Is it going to be
31 stipulated to?

32 MR. HAMPTON: No, sir.

1 MR. EARLE: No, sir.

2 THE COURT: This is not a stipulated --

3 MR. HAMPTON: We're going to take some
4 testimony.

5 THE COURT: Of course, this should be a closed
6 hearing, as I appreciate it.

7 MR. HAMPTON: Yes, sir.

8 THE COURT: Because it's a juvenile
9 proceeding. So we'll have to close the courtroom,
10 except for the appropriate personnel, the
11 defendant and his counsel. Who are your
12 witnesses?

13 MR. HAMPTON: My witnesses are Officer Jackson
14 and Officer Doster.

15 THE COURT: Okay. And they're both here?

16 MR. HAMPTON: Yes, sir.

17 THE COURT: All right, sir. And do you have
18 witnesses, Mr. Earle?

19 MR. EARLE: No, sir. All we have here is just
20 the members of the family. Of course, we'd ask
21 that the police officers be placed under the rule
22 also if we're going to put both of them on.

23 THE COURT: All right. They'll be placed
24 under the rule. Is the mother present?

25 MR. HAMPTON: Yes.

26 THE COURT: Is she the guardian?

27 MR. HAMPTON: The father, too.

28 THE COURT: Is he the father, too? You're the
29 father, and as the father -- is the child living
30 with you, sir?

31 THE FATHER: Yes, sir.

32 THE COURT: And are you and the mother living

1 together?

2 THE FATHER: Yes, sir.

3 THE COURT: Y'all are living together? Y'all
4 can remain in the courtroom.

5 THE FATHER: All right.

6 THE COURT: All right. The others will need
7 to depart the courtroom, except for the witnesses.

8 (A number of persons left the courtroom.)

9 THE COURT: What's your name, young man?

10 THE JUVENILE: Dorian Morris.

11 THE COURT: Mr. Earle, would you move that
12 microphone over in front of him?

13 THE JUVENILE: Dorian Morris.

14 THE COURT: All right. You can be seated, and
15 just speak -- speak loudly so I can hear you.

16 THE JUVENILE: Dorian Morris.

17 THE COURT: All right. And where do you live?

18 THE JUVENILE: 147 Legion Road, Spearsville,
19 Louisiana.

20 THE COURT: Where?

21 THE JUVENILE: Spearsville, Louisiana.

22 THE COURT: Spearsville? And how long have
23 you lived there?

24 THE JUVENILE: Around four years now.

25 THE COURT: And how old are you?

26 THE JUVENILE: Fifteen.

27 THE COURT: What school are you going to?

28 THE JUVENILE: Spearsville High.

29 THE COURT: All right. What grade are you in?

30 THE JUVENILE: Tenth grade.

31 THE COURT: Now, do you understand that this
32 is a hearing that's been brought or this is a

1 proceeding that's been brought by the State which
2 alleges that you have committed a crime which is
3 referred to as manslaughter?

4 THE JUVENILE: Yes, sir.

5 THE COURT: Do you understand I've appointed
6 Mr. Earle to represent you in connection with this
7 proceeding?

8 THE JUVENILE: Yes, Your Honor.

9 THE COURT: Do you understand that the purpose
10 of this hearing is simply to determine whether
11 there is reason to believe that you committed the
12 offense brought by the State? Do you understand
13 that?

14 THE JUVENILE: Yes, Your Honor.

15 THE COURT: You understand that?

16 THE JUVENILE: Yes, Your Honor.

17 THE COURT: All right. Now, the other purpose
18 of this hearing is to determine where you're going
19 to remain while this proceeding is pending. Do
20 you understand that?

21 THE JUVENILE: Yes, Your Honor.

22 THE COURT: Now, you have the right to remain
23 silent; you're not required to testify. You can't
24 be forced to incriminate yourself in any way. Do
25 you understand that?

26 THE JUVENILE: Yes, Your Honor.

27 THE COURT: You have any questions you want to
28 ask me?

29 THE JUVENILE: No, Your Honor.

30 THE COURT: All right. You may proceed.
31 Who's your first witness?

32 MR. HAMPTON: Officer Dewayne Jackson.

1 THE COURT: All right.

2 MR. EARLE: We would ask that Officer Doster
3 be removed from the courtroom, under the rule if
4 he's going to testify.

5 THE COURT: All right. Mr. Doster, would you
6 come up here, please. I'm going to have both
7 witnesses come forward. Both of you are being
8 placed under the rule of court. As you know, that
9 means you're going to be removed from the
10 courtroom while the testimony of the other witness
11 is being given so that you can't see or hear their
12 testimony. You are prohibited from discussing the
13 facts of the case among yourselves or with anyone
14 else while this proceeding is underway, except
15 that you may answer questions that the attorneys
16 have of you either in or out of court, provided
17 that's out of the presence of the other witnesses.
18 Do both of you understand those instructions?

19 (Affirmative responses were elicited.)

20 THE COURT: Would both of you raise your right
21 hands and be sworn.

22 (The oath was administered to the witnesses
23 collectively by the clerk.)

24 THE COURT: All right, Mr. Doster. If you'll
25 step outside, please, and you can go this way with
26 the bailiff.

27 The record should note that the only persons
28 present are the ones the Court stated at the
29 commencement of these proceedings that would be
30 permitted to remain in the courtroom. You may
31 proceed.

32 ///

1 -----
2 DEWAYNE JACKSON
3 -----

4 called as a witness by counsel
5 for the State, being first duly
6 sworn, testified as follows:

7 DIRECT EXAMINATION

8 BY MR. HAMPTON:

9 Q. Officer, would you state your name and your occupation,
10 please?

11 A. Officer Dewayne Jackson, Farmerville Police Department.

12 Q. Are you also employed at some point, at some times in
13 Spearsville?

14 A. Bernice Police Department, sir.

15 Q. For the Bernice Police Department? Where were you
16 employed on March 24?

17 A. Bernice Police Department.

18 Q. All right. Were you working a shift there that day?

19 A. Yes, sir.

20 Q. Okay. Did you have occasion to make an arrest of
21 Dorian Morris that day?

22 A. Yes, sir.

23 Q. Okay. When did you first become aware that there was
24 some -- a situation in Bernice that required your attention?

25 A. Approximately 11:40, 11:45, we got a call from a
26 resident stating that there was a large crowd, a disturbance
27 going on at the club house, so myself and Officer Doster
28 went to the club house and observed a large crowd there, and
29 we pulled up. We turned on the lights and everybody started
30 running around and I observed a group of young kids carrying
31 a guy that was covered with blood, saying he --

32 Q. Let me stop you right there, and let me just break this

1 testimony up just a little bit. Where is the club house?

2 A. It's off of Highway 2 West coming in to Bernice.

3 Q. Is it inside Bernice city limits?

4 A. Yes, sir.

5 Q. Okay. And what is that -- is it a place that young
6 people frequent?

7 A. They use it for various reasons, birthday parties or
8 social events.

9 Q. When you arrived, you saw several -- you had your
10 lights on, is that right?

11 A. Yes, sir.

12 Q. And people began running away? Is that right?

13 A. Yes, sir.

14 Q. Do you have an approximation as to how many people were
15 gathered there?

16 A. Maybe a hundred or so. Little bit, probably little bit
17 over that.

18 Q. Okay. You said you got out of your car? Is that
19 right?

20 A. Yes, sir.

21 Q. And you approached some of the young people? Is that
22 correct?

23 A. I just stood there, you know, to visualize the scene
24 and see what was going on, and that's when I observed them
25 bringing the victim.

26 Q. What did you observe? I'm sorry.

27 A. I observed several of the kids carrying a victim to a
28 patrol car. It was closer to Officer Doster's car, and they
29 just laid him on the ground and, you know, saying, "Call the
30 ambulance," and he was just bleeding everywhere.

31 Q. Did you know the victim?

32 A. No, sir.

1 Q. Did you later identify the victim?

2 A. I did not. Officer Doster did.

3 Q. Do you know the victim's name?

4 A. The last name is Harris. That's all I can get from it.

5 Q. And could you tell where he was wounded?

6 A. Not at the time. I just seen blood on his shirt.

7 That's at the time.

8 Q. Was he responsive or talking or anything?

9 A. No, sir.

10 Q. Do you know who carried him to the patrol car?

11 A. No, sir.

12 Q. What happened as far as those kids, those people who
13 had carried him to the patrol car? Did they leave, or did
14 you question them?

15 A. Well, a few -- I'll say about a minute or so after we
16 observed him laying on the ground and with, you know, all
17 the commotion going on, a bunch of kids yelled out, "There
18 he goes. He's trying to run. He's trying to go." And so I
19 seen a lot of kids running toward a car, a white car, and it
20 pulled out the driveway so I got in pursuit of it, which
21 probably was maybe a block or two, and the car pulled on
22 over and I observed two black males inside the vehicle.

23 Q. Okay. Do you know who the driver was?

24 A. It's going to be a Mr. Loyd subject.

25 Q. Okay. And he was driving the car?

26 A. Yes.

27 Q. Who else was in the car with him?

28 A. Dorian Morris, in the back seat.

29 Q. The juvenile that's here in court today?

30 A. Yes, sir.

31 Q. And when you pulled him over, was he in Bernice?

32 A. Yes, sir.

1 Q. Still in Bernice?

2 A. Yes, sir.

3 Q. Did you ask what happened when you made the stop?

4 A. I conducted a felony stop. I had the driver exit the
5 vehicle at gunpoint and had him walk back behind his car and
6 get on his knees and I patted him down for weapons and after
7 I got him patted down, I told him to stand to the side, and
8 I also had Mr. Morris at gunpoint and had him come out and
9 patted him down and handcuffed him.

10 Q. Okay. Did either of them have weapons on their
11 persons?

12 A. No, sir.

13 Q. Did any of them make any statements to you?

14 A. The driver, Mr. Loyd, told -- well, I asked. I said,
15 "Where is the knife," or "Where is the weapon?" Mr. Loyd
16 told me -- well, he pointed in the car, pointed at Dorian,
17 stating that he threw the knife in the glove compartment.

18 Q. Did you go to the glove compartment and look for the
19 knife?

20 A. Not immediately. Not immediately, but I did.

21 Q. What did you do immediately after he made that
22 statement to you?

23 A. I made sure -- I looked inside the vehicle, made sure
24 no one else is in the vehicle, and I secured Mr. Morris in
25 my car and had the driver (unintelligible) behind my car.

26 Q. Was anybody else around?

27 A. Officer Taylor, Farmerville Police Department. She
28 assisted me.

29 Q. Did you search the car or look for the knife?

30 A. Yes, sir. I searched the car and also took photos of
31 where the knife was at, then removed it and took photos on
32 the trunk of the knife.

1 Q. What did you do with the knife from there?

2 A. I secured it in my vehicle and later tagged it as
3 evidence.

4 Q. Did you remove any other evidence at that point?

5 A. No, sir.

6 Q. But it's your testimony that Mr. Loyd told you that
7 Dorian Morris is the one who threw the knife in the glove
8 compartment?

9 A. Yes, sir.

10 Q. Did anything make you believe a knife had been used in
11 the incident?

12 A. Not until Officer Taylor told me there was a knife
13 involved, after she come from the hospital. And I described
14 the knife to her, and she said, well, it might be a match.

15 Q. Did Dorian Gray -- Dorian Morris make any statements to
16 you?

17 A. He was trying to talk to me, and I kept telling him,
18 you know, don't -- I can't talk to you, you're a juvenile,
19 you got to wait till your parents get here, and then just
20 waited till his parents got there, read him his rights, and
21 didn't want to make a statement till he talked to a lawyer.

22 Q. He never made any statements to you?

23 A. Well, in the back, he just told me that he didn't do
24 it; I mean, he didn't know if he cut the guy or not, he
25 didn't do it, you know. "Officer Jackson, I didn't do it."
26 You know, "I don't know what's going on." You know. He
27 just didn't remember. Saying he had got hit with a log and
28 several people jumped on him and was hurting him.

29 Q. As I understand, the Sheriff's Office has taken over
30 the investigation in this matter? Is that right?

31 A. I believe so, sir.

32 Q. Have you taken any written or recorded statements from

1 any witnesses?

2 A. Yes. Mr. Loyd only.

3 Q. Okay. And what did Mr. Loyd tell you in his statement
4 regarding the incident?

5 A. He's telling me about an incident that happened at
6 school in Spearsville and that they wanted Mr. Morris to
7 come to the party, probably to jump him, which I think that
8 occurred, which occurred.

9 Q. So, basically, he told you there had been a fight
10 resulting from something that happened at school?

11 A. Yes, sir.

12 Q. Did Mr. Loyd tell you that he saw Dorian Morris with a
13 knife?

14 A. He did not say.

15 Q. Did he see the incident where the victim was cut or
16 stabbed?

17 A. No, sir.

18 Q. Did you later find out the victim had been stabbed or
19 cut with a knife?

20 A. Yes, sir.

21 Q. Did the victim die?

22 A. Yes, sir.

23 Q. Was he declared dead at the scene, Officer Jackson, or
24 was he transported to a hospital?

25 A. A couple of kids had brought him to where we was at.
26 They didn't wait on the ambulance so they took him to
27 Tri-Ward their selves by POV, private vehicle.

28 MR. HAMPTON: I have no further questions,
29 Your Honor.

30 MR. EARLE: Officer Jackson, I just have a few
31 questions.

32 ///

1 CROSS-EXAMINATION

2 BY MR. EARLE:

3 Q. I think you said the statement you got from the
4 juvenile named Loyd.

5 A. Yes, sir.

6 Q. That he told you that it was pretty much a setup, that
7 they wanted to get Mr. Morris, the juvenile, there so they
8 could jump him?

9 A. Yes, sir.

10 Q. Did that cause you to think maybe if a group did jump
11 him that this might be self-defense?

12 A. Yes, sir.

13 Q. Well, if it could have been self-defense, why was a
14 decision made to arrest this juvenile for manslaughter?

15 A. At the present time, we had a little evidence dictating
16 and, also, people pointing out the car that left the scene.

17 Q. So, if I understand your testimony, the only evidence
18 that you had were people saying there he goes, he's running?

19 A. Yes, sir. And also the driver stating that he threw
20 the knife in the glove compartment.

21 Q. Well. But you didn't talk to the driver at that time.
22 You talked to the driver after you stopped the car.

23 A. Yes.

24 Q. I'm talking about when you got in behind the car and he
25 stopped after about a block.

26 A. Yes, sir.

27 Q. Up till that point, the only evidence you had was that
28 he's running?

29 A. Yes, sir.

30 Q. You didn't know who had started -- who was the
31 aggressor, who had started the fight or who had hit who, did
32 you?

1 A. No, sir.

2 Q. And you still don't really know, do you?

3 A. No, sir.

4 Q. You're wearing a Farmerville P.D. uniform, and you're
5 also employed at Bernice Police Department the same time?

6 A. Part-time. I was off duty at Farmerville.

7 Q. Okay.

8 A. And on my off days at Farmerville, I work Bernice part-
9 time.

10 Q. How long you been doing that?

11 A. Since May of '05.

12 Q. And when you say part-time, how many days do you
13 usually work at Bernice?

14 A. Three days at the -- three days minimum, maybe four
15 days out of the week.

16 Q. You've worked at several law enforcement agencies in
17 North Louisiana, haven't you, Officer Jackson?

18 A. Yes, sir.

19 Q. Used to work at Grambling, didn't you?

20 A. Yes, sir.

21 Q. And you lost your job at Grambling, didn't you?

22 A. I quit, sir.

23 Q. You quit? Okay. What about the Union Parish Sheriff's
24 Office?

25 A. I got fired.

26 Q. You been fired from any more police officers, or police
27 positions other than the --

28 A. No, sir.

29 Q. -- Union Parish?

30 A. No, sir.

31 Q. Where else have you worked?

32 A. I'm the manager at (inaudible) Apartments.

1 Q. No, sir. Where else have you worked as a police
2 officer?

3 A. Just Farmerville and Grambling and Union Parish
4 Sheriff's and Lillie.

5 Q. That's all?

6 A. And Lillie, Lillie police officer.

7 Q. Are you still working there?

8 A. No, sir.

9 Q. Why?

10 A. I just didn't want to work.

11 Q. You weren't fired there, or you quit?

12 A. Too many jobs.

13 Q. Did you quit, or were you fired?

14 A. I quit.

15 Q. Okay. Your statement is you've only been fired from
16 one police agency which is the Union Parish Sheriff's Office
17 in your career as a police officer?

18 A. Yes, sir.

19 Q. Okay. So, be sure I understand, your testimony is
20 that -- if I understand you right. If I didn't, then
21 correct me. This could've just as easily been self-defense
22 as it was manslaughter, couldn't it?

23 A. Yes, probably.

24 MR. EARLE: That's all the questions I have.

25 THE COURT: Is there any redirect?

26 MR. HAMPTON: Just a couple, Your Honor.

27 REDIRECT EXAMINATION

28 BY MR. HAMPTON:

29 Q. Mr. Loyd that you questioned, how old is he?

30 A. I can't recall.

31 THE COURT: No one can testify.

32 MR. HAMPTON:

1 Q. Is he a juvenile?

2 A. No, sir.

3 Q. Okay. He's an adult?

4 A. Yes, sir.

5 Q. Did he go to the party with Dorian Morris?

6 A. Yes, sir.

7 Q. And it was his story that Dorian Morris had been
8 jumped? Is that right?

9 A. Yes, sir.

10 Q. Did you understand him to be a friend of Dorian Morris?

11 A. Yes, sir.

12 Q. Do you know whether or not his story is true that
13 Dorian Morris was jumped?

14 A. Not at this time.

15 MR. HAMPTON: No further questions, Your
16 Honor.

17 MR. EARLE: I have no recross.

18 THE COURT: Thank you for your testimony. You
19 may step down.

20 (Witness excused)

21 MR. HAMPTON: Call Officer Danny Doster.
22 May I proceed, Your Honor?

23 THE COURT: You may proceed.

24 -----

25 DANNY DOSTER

26 -----

27 called as a witness by counsel
28 for the State, being first duly
29 sworn, testified as follows:

30 DIRECT EXAMINATION

31 BY MR. HAMPTON:

32 Q. Officer, state your name and your occupation, please.