

Reconstruction

- Why do we need it?
- What kinds of cases?
- I got blood.. What else could I need?
- It's just an accident..



Accident or Crime?



Reconstruction

- Crash Reconstruction
 - How/why did the crash happen
- DRE Reconstruction
 - How was the driver impaired
- Case Reconstruction
 - Rebuilding the entire case



Does Every case need a reconstruction?



State vs Pedro Ferman

- Single vehicle crash
- Defendant suffers SBI
- Passenger(wife) dies





Issues

- Investigators pushed “accident” not crash
- No interview of defendant
 - Or surviving passenger
- No vehicle inspection or recon
- How could a crash like this happen?
- Was this even a crime?

How do we get there?

- Interview the defendant
 - At hospital and at station
 - polygraph
- Vehicle inspection
 - Lexus / Toyota acceleration issues?
 - Lexus engineer flew out from California to inspect the brake and accelerator

How do we get there?

- Crash reconstruction
 - 60 mph crash in a parking lot
- Fiesta video
 - Complainant in the store
 - Complainant getting into car – no seatbelt
 - Car pulling away, pushing a vehicle out of his way
- Witness statements
 - 2 constables watched entire crash

Answers

- Argument with wife over \$\$
- Video of her getting into car just prior to crash
- Defendant tells wife “we are all going to die” moments before crash
- Defendant planned on leaving country day after with crash with child – and without wife

Pedro Ferman



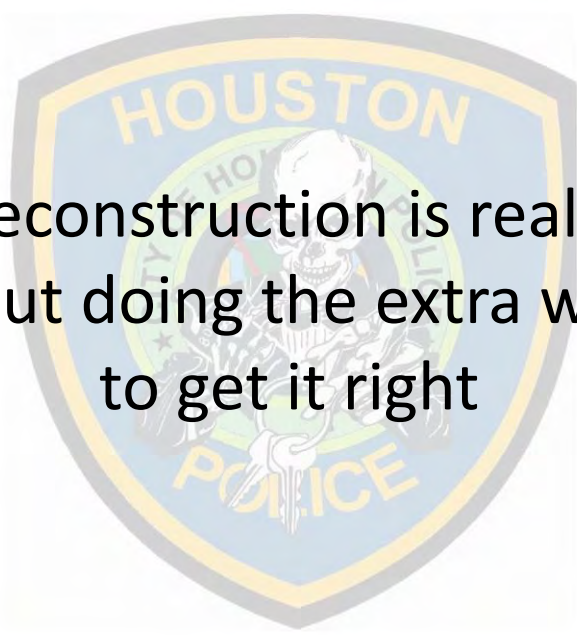
- Charged with Murder
- Pled to lesser offense of Crim Neg Homicide

State vs Yovino and Taylor



Convert video to WMV



The Houston Police Department badge is a shield-shaped emblem. It features a central figure of a minuteman soldier holding a rifle. The word "HOUSTON" is written in a yellow arc at the top, and "POLICE" is written in a yellow arc at the bottom. The background of the badge is blue and green.


Reconstruction is really
about doing the extra work
to get it right



Event →

Crash/DWI Stop

Scene Evidence




Event →

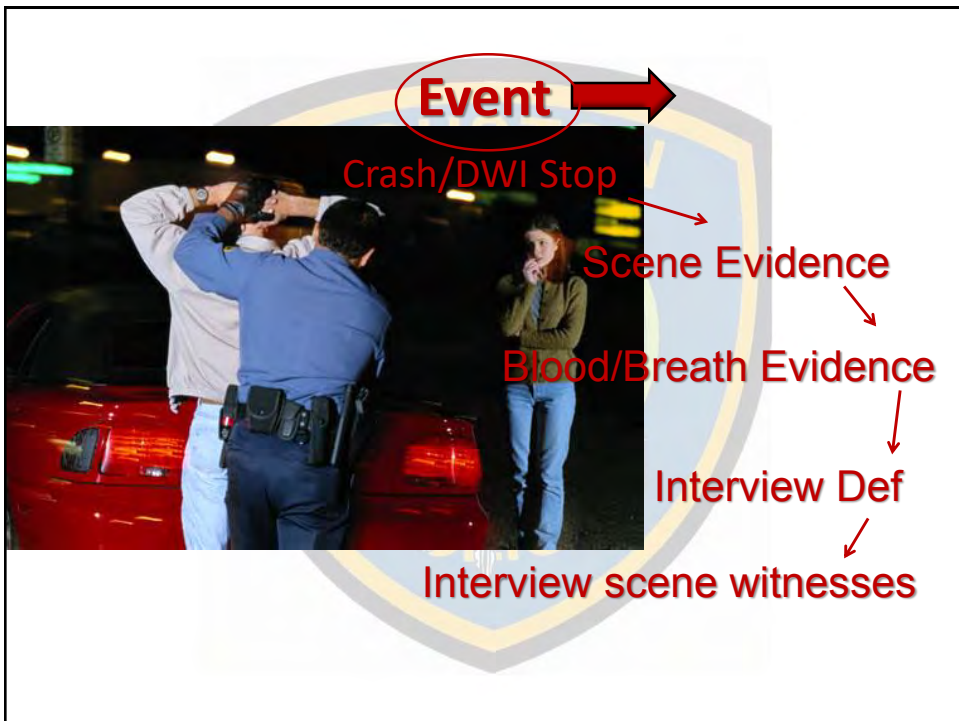
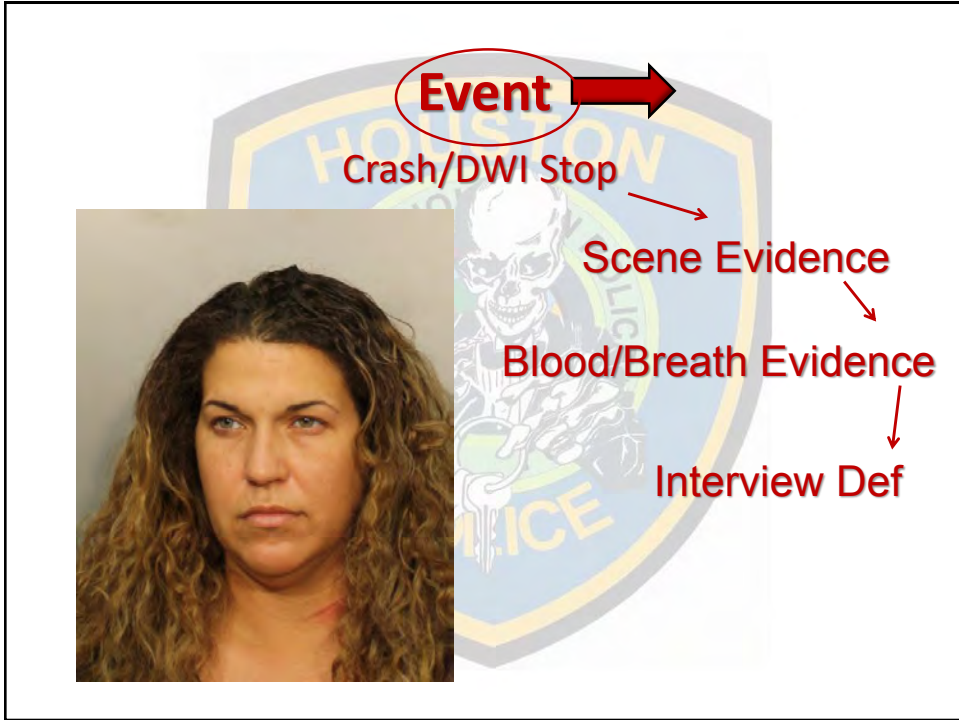
Crash/DWI Stop

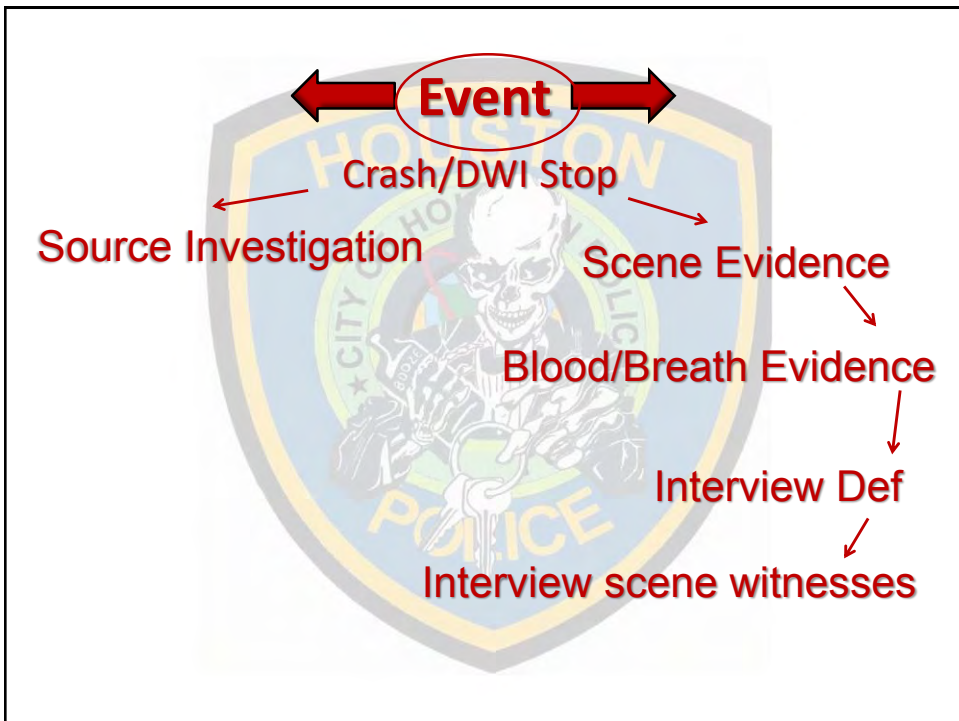
Scene Evidence

Blood/Breath Evidence



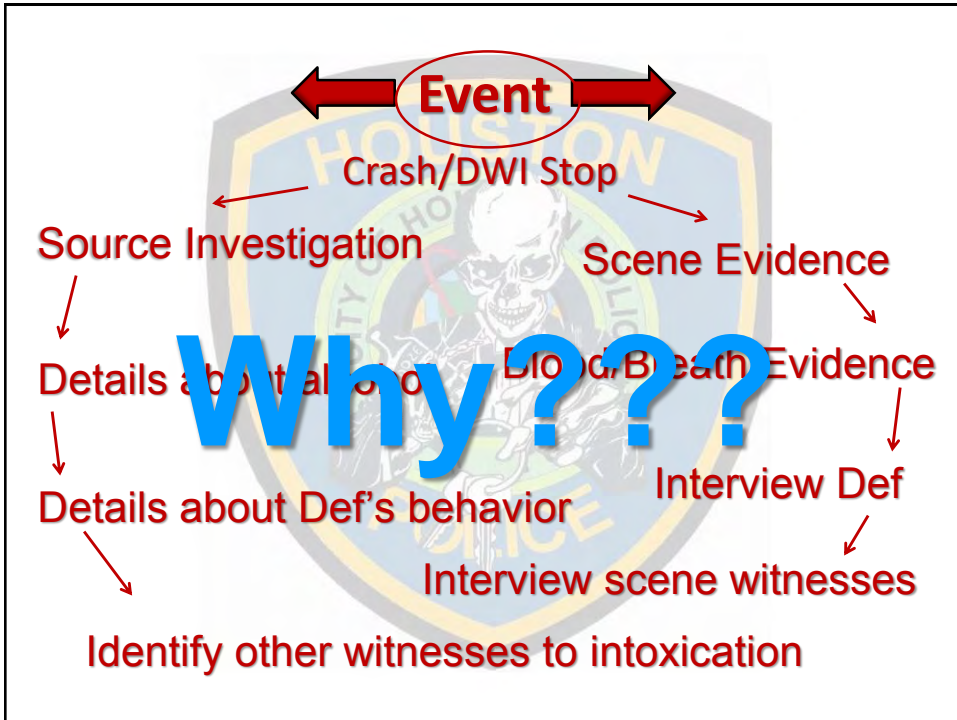
TOXICOLOGY			
Date	01/23/10	Units	Ref Range
Time	03:50:00		
Procedure			
Etoh (%)	.238	%	
Ethanol Lv1	238	mg/dL	











Why???

How much evidence do I really need??

Why???

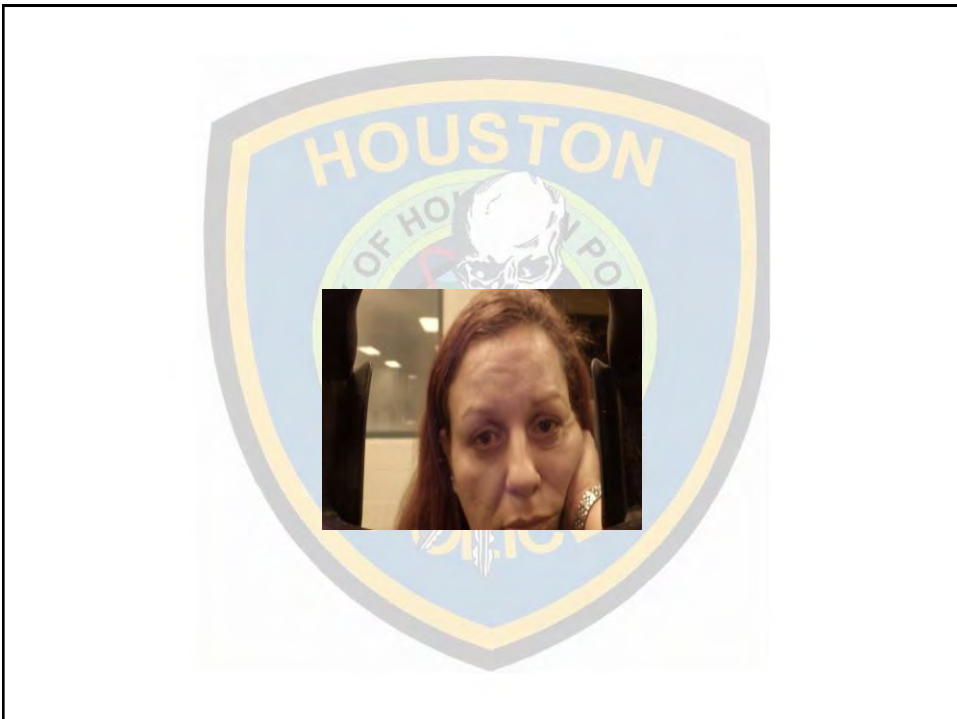
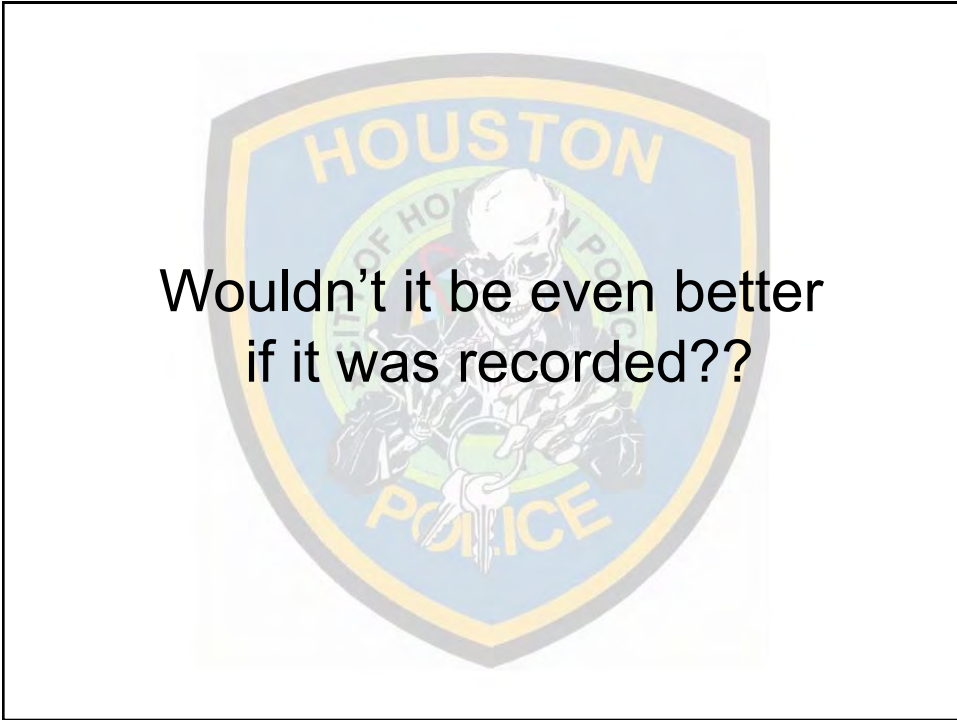
1. Larry Flynt Evidence....

OBSCENE amount!



Horizontal Gaze Nystagmus

- It's the most reliable SFST
- Only three of the seven drug categories cause HGN
- The HGN test MUST be done correctly to be effective followed up by VGN
- Officers need to know how to testify about HGN





DRE Reconstruction

- By definition, a DRE Reconstruction is the post-incident process of collecting, analyzing, and interpreting evidence in order to reconstruct the subject's state of sobriety at the time of the incident.

DRE Reconstruction

- Mostly for fatal crashes
- Experienced DRE's only
- Recon will put the pieces together when a crash investigation is lacking, or unable to be complete from the beginning
- Used to link the evidence together

State vs Sarah Brannon

- April 11, 2013
- Brannon was a wrong way driver on US 59 downtown Houston
- Stuck and killed Cynthia Hunter in a head on crash at 60 mph
- Brannon was critically injured and not expected to survive her injuries

But she lived....

WHAT DO WE DO NOW???

DRE Reconstruction

- Find a DRE and start sucking up
- Collect offense reports, photos, toxicology reports, crash reconstruction, videos, witness statements, medical records... and anything else available
- DO NOT EXPECT MIRACLES – if there is no evidence, there is no recon
- This is not a rush job.. Give it a little time

State vs Sarah Brannon

- Brannon had 6 different drugs, 4 categories, in her system at the time of the crash
- Brannon pled guilty and a PSI was held in November 2015.
- Sentenced to 12 years TDCJ
- The judge cited the DRE reconstruction multiple times as the reason for the sentence

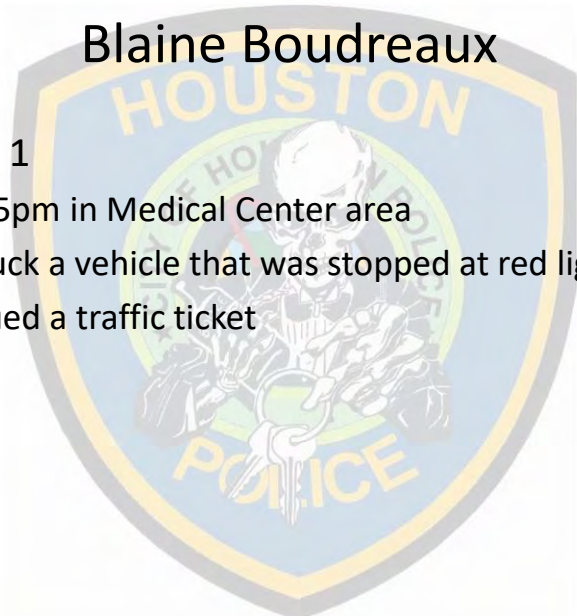
Blaine Boudreaux

- April 26, 2015
- Boudreaux was involved in 4 crashes in 2 ½ hours
- Two of those crashes were fatal



Blaine Boudreaux

- Crash 1
 - 3:35pm in Medical Center area
 - Struck a vehicle that was stopped at red light
 - Issued a traffic ticket



CITY OF HOUSTON MUNICIPAL COURTS
CITIZEN COPY

Pay or Resolve this ticket before your court date or YOU MUST APPEAR

Ticket # **136051474**

Court # **3** Time **7** AM (P-M) Date **7/7/15**

For locations and hours see page 4, call 311 or (713) 837-0311, or visit www.houston.tx.gov/courts

Last Name: **BOUDREAUX** First Name: **BLAINE** M DL CDL ID MC # **24837601** ST **TX**

Race **W** Sex **M** DOB **6/19/1980** Age **35** Height **510** Veh Lic **BXX0658** ST **TX** Color **BLK** Make **RAM** Model **TRUCK** Occ Front Occ Back

Home Address: **18807 PAULIFIED** City **HOUSTON** ST **TX** ZIP **77084** Area Code Home Phone _____

Work Address _____ City _____ ST _____ ZIP _____ Area Code Work Phone _____

#1 Speeding Construction zone Workers present School zone Sign Flashing beacon

MPH in a _____ MPH zone _____ Time from _____ to _____

#2 Ran Red Light Stop line Crosswalk #5 No Seat Belt Comm. Veh. Driver Juvenile (8-16)

#3 Ran Stop Sign Stop line Crosswalk #6 No Inspection Expired on: _____

#4 No DL Expired on: _____

Violate restriction code _____ to wit: _____

#7 No Registration No Front Plate Expired on: _____

#8 Failure to establish Financial Responsibility (No Insurance) 1st Offense on: _____

Agency: _____ County: _____

Accident Report # **052691715-0**

Offense Date **4/26/15** TIME _____ AM / P.M. SEARCH Y/N
CONSENT Y/N
ARREST Y/N

OFFICER NAME **SPOTT**

#9 **FAILED TO CONTROL SPEED (ACC)**

#10

Notes / Witness name, address, phone / Witness name and ID#

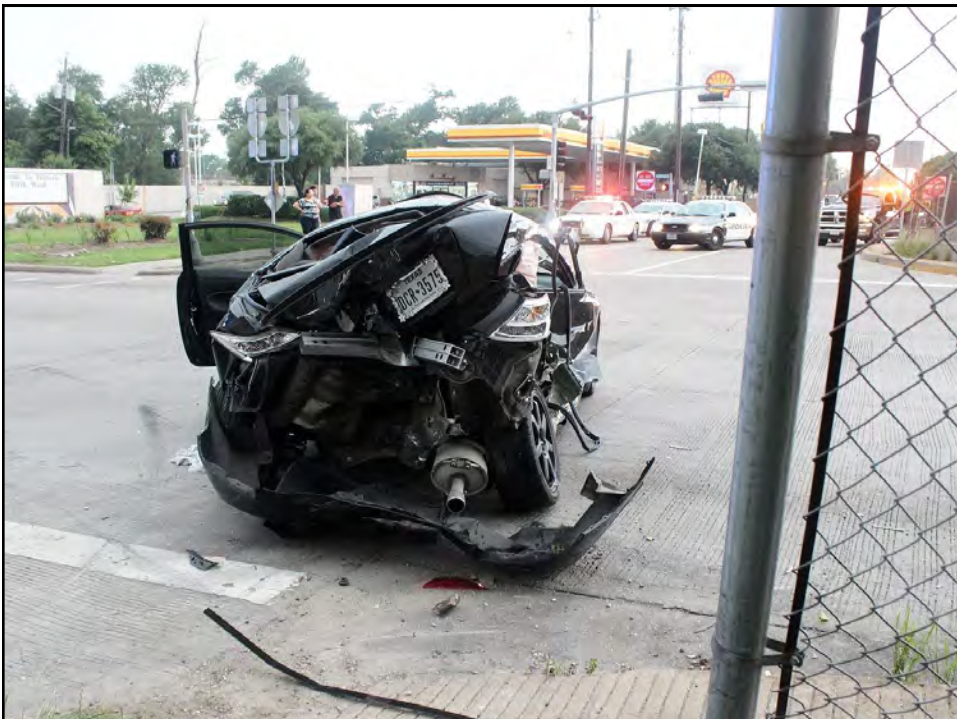
Blaine Boudreaux

- Crash 1
 - 3:35pm in Medical Center area
 - Struck a vehicle that was stopped at red light
 - Issued a traffic ticket
- Crash 2
 - 5:00pm in Midtown area
 - Witness stated that he was definitely “high”
 - Officer made contact but took no action
 - Released from scene at approximately 5:35pm



Blaine Boudreaux

- Crash 3
 - Southeast Houston
 - Fatal hit and run
- Crash 4
 - East Houston
 - Ran red light striking vehicle, killing a 6 year old
 - Arrested and charged with intox manslaughter







Blaine Boudreaux

- The 4 crashes helped develop a timeline
- Witness statements, Boudreaux recorded voice, crash video and tox report
- DWI charges were filed on the two crashes that the HPD officers failed to properly act
- The DRE reconstruction helped file 2 Intox Manslaughters, Intox Assault, FSRA causing death and 2 DWI's

Prescription History

Patient Address	Doctor Name & Address	Pharmacy Name & Address	Issue Date ⁽¹⁾	Fill Date ⁽²⁾	Drug, Strength & Quantity	Pharmacy RX Number	Refill # ⁽³⁾
1226 Briarstead Dr, Richmond, TX, 77406	Dr. MUHAMMAD SHAIKH, 11327 BISSONNET DRIVE, HOUSTON, TX, 770990000	CVS PHARMACY, INC., 10902 BISSONNET RD., DBA: CVS/PHARMACY # 05882, HOUSTON, TX, 77099-0000	09/17/2012	09/17/2012	HYDROCODONE AND CHLORPHENIRAMI NE P, 8 MG/5 ML-10 MG/5 ML, #120	00534589	
1226 Briarstead Dr, Richmond, TX, 77406	Dr ANA CORTEGUERA, 16605 SOUTHWEST FREEWAY, SUGAR LAND, TX, 774790000	WALGREEN CO., 9810 S. MASON RD., DBA: WALGREENS #11970, RICHMOND, TX, 77406-0000	09/17/2012	09/18/2012	HYDROCODONE AND CHLORPHENIRAMI NE P, 8 MG/5 ML-10 MG/5 ML, #60	0256682	0
1226 Briarstead Dr, Richmond, TX, 77406	Dr ANA CORTEGUERA, 16605 SOUTHWEST FREEWAY, SUGAR LAND, TX, 774790000	CVS PHARMACY, INC., 6900 GRAND MISSION BLVD., DBA: CVS/PHARMACY # 05484, RICHMOND, TX, 77407-0000	10/03/2012	10/04/2012	ZOLPIDEM TARTRATE, 12.5 MG, #30	00199307	

Legend: (1) Prescription issue date; (2) Prescription fill date; (3) If original prescription zero, otherwise refill numbers one through six.

8/19/2013 1:45:43 PM

****State of Texas - CONFIDENTIAL****

Page: 3 of 13

Blaine Boudreaux



- Tox Results
- Xanax – no script
- Adderall – multiple scripts
- Trial was in September 2018 on the charge of Felony Murder

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[G+](#) SHARE

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Houston man gets 80 years in prison for causing deadly crash rampage in single day



00:31 01:35

EMBED </> MORE VIDEOS ▾

ABC13's Mayra Moreno has more on the sentencing of a man convicted of murder in a crash spree from 2015

Junkie sentenced to die in prison for deadly drugged-driving rampage

By [Joshua Rhett Miller](#)

October 3, 2018 | 11:05am | Updated



Videos



N Def. Loren Zoeller

- Def rear-ends a vehicle on highway causing rollover & ejection of passenger.
- 18 yoa passenger, Jasmine Smith, dies.
- Drank at topless bar "Legz"

Videos





Videos



N Def. Loren Zoeller

New Info from Video:

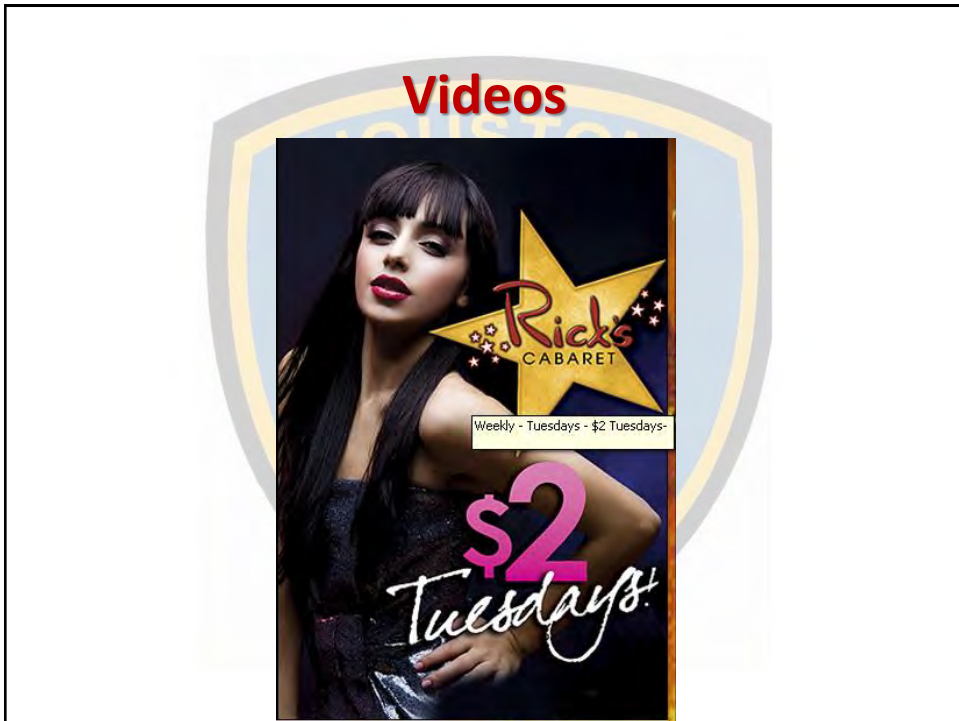
1. knows bartender
2. got stronger drinks
3. falls in parking lot
4. hits building as he pulls out
5. leaves parking lot with lights off

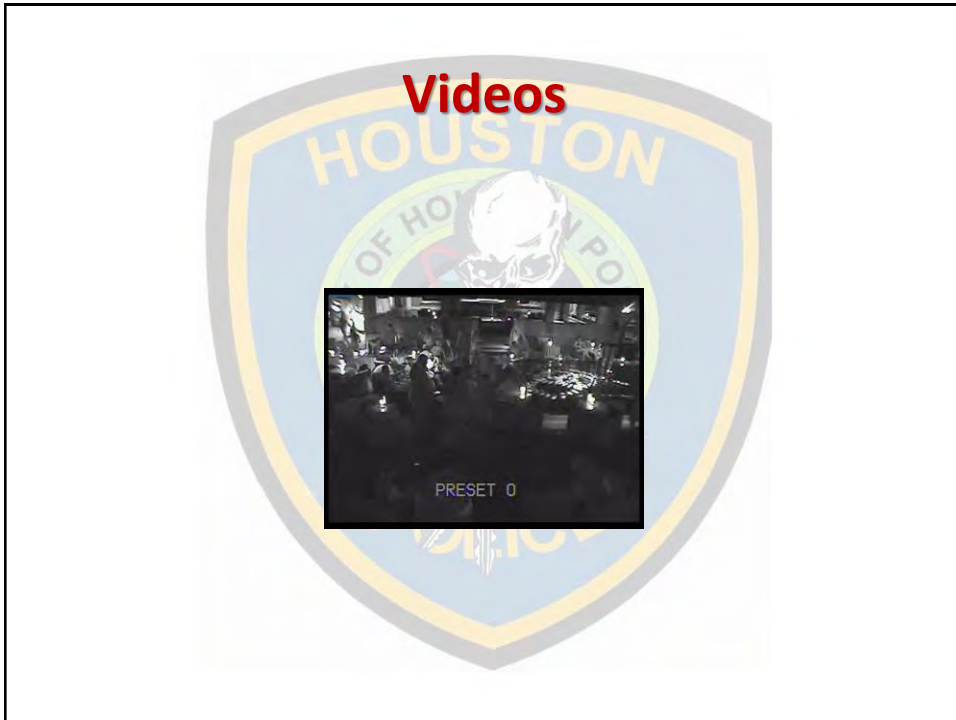
Videos



Def. Erasmo Ramirez

- Def rear-ends a vehicle on highway at 130 mph
- Kills 18 yoa driver, Emily Jones
- 0.26 BAC
- Drank at topless bar "Rick's"





Videos



Def. Erasmo Ramirez

New Info from Video:

1. Drink special
2. drinking for 4 ½ hours prior to crash
3. Drank at least 12 beers and 5 shots
4. Likes to get lap dances....
5. Doesn't like to pay for dances
6. Gets thrown out of club
7. Chugs beer before leaves



ARE YOU DRUNK?

YES

NO

Social Media



Social Media





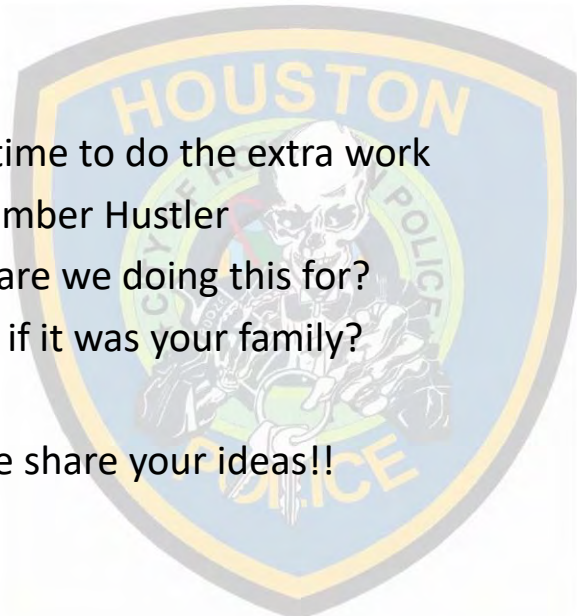




Jail Calls

- All about ME, ME, ME!
- What's going to happen to me?
- How long am I going to be in jail?
- What happened to my car?
- How high is my bond?
- Can I get probation?
- It was an accident!
- I just need counseling!



- 
- Take time to do the extra work
 - Remember Hustler
 - Who are we doing this for?
 - What if it was your family?
 - Please share your ideas!!

**WEAR YOUR
VEST**

**WEAR YOUR
SEATBELT**

NO EXCEPTIONS

NO EXCUSES

Questions??

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832-463-9759 city cell

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