

DEPOSITION OF CHRIS JENSEN
January 18, 2011

1 Q: State your name for the court reporter, please.

2 A: My name is Trooper Chris Jensen.

3 Q: What is your occupation or profession, Trooper Jensen?

4 A: I am a trooper.

5 Q: A state trooper in Lone Star?

6 A: Yes, a Lone Star state trooper .

7 Q: What is your age?

8 A: I am now 27.

9 Q: Where were you raised?

10 A: Bovina, which is just south of Bootleg. Cow calling capital of Lone Star. Hence the
11 name.

12 Q: What training did you have to be a state trooper?

13 A: I went to the University of Lone Star down in Austin and got a degree in criminology.
14 After graduation, I attended Lone Star Ranger school, where I learned some of the finer
15 points of criminal law, accident investigation, some civil engineering and physics and
16 that sort of thing. Upon graduation from Trooper school, I became a rookie trooper and
17 was assigned to work with a supervisor who was a senior trooper with 25 years of
18 experience. After working under his supervision for 5 years, I became a full-fledged
19 regular trooper and got my own car.

20 Q: Have you investigated many traffic accidents?

21 A: Well, I don't know what you consider many, but I have investigated 187 traffic accidents
22 in the past 5 years.

23 Q: What kinds of accidents have you investigated?

24 A: I have investigated virtually every type of accident, from motorcycle on motorcycle head
25 on collisions to tractor trailer rigs running through buildings.

TESTIMONY OF CHRIS JENSEN - 1

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1 Q: Did you investigate the accident in which Channing Stockard was killed?

2 A: Yes I did. I got the call on that accident about 7:35 PM on June 22, 2009. I was about 2
3 miles away at the time the call came in, and I responded immediately to the scene with
4 lights and siren.

5 Q: What did you see when you arrived at the scene?

6 A: I observed the automobile that I later learned to be driven by Mitch Murphy buried
7 somewhere under the rear-end of an 18-wheeler trailer.

8 Q: What did you do then?

9 A: I immediately went to the automobile to determine whether there were any injuries, and
10 of course there were. I observed Mitch Murphy, who appeared to be in a semi-conscious
11 state. I also observed the victim, Channing Stockard, who was clearly dead at the scene.

12 Q: What condition was Mr. Murphy in?

13 A: Like I said, he appeared to be dazed and confused.

14 Q: Did you attempt to speak to Mr. Murphy at that time?

15 A: Yes, I asked Mr. Murphy if he was hurt. He responded by saying "Where did that come
16 from?"

17 Q: Did you say anything else to Mr. Murphy?

18 A: Yes, I wanted to know what he meant when he said "Where did that come from?" but he
19 lapsed into unconsciousness and went from not making any sense to not saying anything
20 at all.

21 Q: What did you do then?

22 A: By then the paramedics had arrived along with a couple of other trooper units, so I went
23 about the business of securing the scene and doing an initial investigation.

24 Q: Can you identify Exhibit 1?
25

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1 A: Yes, that is my diagram of the road at the point of the accident. As you can see, it is a
2 four lane divided highway at that point. This is where Highway 66 dips under the
3 overpass of Speedway Road. The accident happened just to the west of the overpass
4 itself.

5 Q: Where was the truck parked after the accident?

6 A: The truck was parked in the right hand traveled portion of the roadway. It was
7 immediately behind an overturned U-Haul trailer.

8 Q: Did you question the driver of the truck at the scene?

9 A: Yes, I asked him why he was parked in the right hand traveled portion of the roadway
10 with his big truck. He said that he saw the U-Haul trailer overturned in the right hand
11 lane of Highway 66 and stopped to render aid. In doing so, he thought his tractor trailer
12 would be more visible to travelers than the U-Haul trailer.

13 Q: Did you ask him whether he had put out any kind of safety devices or taken any safety
14 measures when he got out of his truck?

15 A: Yes, I asked him that. Of course, I could see that he had not put out any flares or cones
16 or any other physical warning devices behind the truck. When I got to the scene, the
17 flashers on the truck were not flashing, although the driver told me he had turned the
18 flashers on before he got out of his cab.

19 Q: Was it possible for you to determine whether the hazard flashing lights had been on at the
20 time of the accident?

21 A: No, I could not make that determination either way.

22 Q: Were the taillights of the truck damaged in any way?

23 A: The right hand taillights were smashed up pretty bad. The left hand lights were
24 undamaged.

25 Q: Did you examine the bulb in the left hand hazard flashing light?

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1 A: I didn't get a good chance to do that, what with all that was going on at the scene.

2 Q: What was the sight distance for Mr. Murphy at the point of the accident?

3 A: Well, Mr. Murphy would have just come over a small rise on Highway 66 and started
4 down into the area of the underpass. From that point, he would have had approximately
5 200 feet of unobstructed vision.

6 Q: Based on your training as a trooper, did you come to a conclusion as to what caused the
7 accident?

8 A: Yes, I determined that the accident was caused by the failure of Mr. Murphy to control
9 his speed and to keep a proper lookout.

10 Q: Why did you conclude that he failed to control his speed?

11 A: Well, because he sped into the back of the truck at something above zero. I really don't
12 know what his speed was when he started this incident, but if he had controlled his speed,
13 the accident would not have happened.

14 Q: Did you issue any citations to Mr. Murphy?

15 A: Yes, two. One for failing to control speed and a second for failing to keep a proper
16 lookout.

17 Q: Why did you give Mr. Murphy a ticket for failure to keep a proper lookout?

18 A: Because he hit the back of a truck in the right hand portion of the highway. That just
19 shouldn't happen. There was a dead girl. It was very upsetting. I knew Channing. These
20 stupid kids get out and do stupid things all the time, and I'm on a mission to stop it. I'm
21 going to make sure Mitch Murphy never kills another one.

22 Q: Can you identify Exhibit 3?

23 A: Yes, Exhibit 3 is my troopers accident report regarding the June 22, 2009 accident that
24 led to this fatality.

25 Q: Does it contain your opinions and conclusions and observations of the accident site?

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1 A: Yes, although I'd have to say that most of the report was written a few weeks later.

2 Q: Is that unusual?

3 A: Not usual and not unusual. We get behind in our work and this was just so upsetting to
4 me that I really didn't want to immediately turn my mind back to it.

5 Q: By the way, did you see or observe any skid marks left by Mr. Murphy's vehicle before it
6 struck the truck?

7 A: Yes, I measured 41 feet of skid marks from Mr. Murphy's car prior to the time it hit the
8 truck.

9 Q: Did the car have an ABS braking system?

10 A: It did, but at least one of the tires locked up anyway.

11 Q: Can you identify Exhibit 2?

12 A: Yes, that is a chart that shows how stopping distance increases as a function of the speed
13 of the vehicle. It is a very common and well known chart used by people in the traffic
14 accident investigation business all the time.

15 Q: Did you use it in reaching your opinions here?

16 A: Yes, I used it to conclude that, given the skid marks and the evident damage to the death
17 vehicle, Murphy was going somewhere close to 100 mph before he began trying to stop
18 or otherwise avoid the accident.

19 Q: Can you identify Exhibit 4?

20 A: Yes, that's a photo of the accident scene as it looked when I arrived, before anything was
21 moved.

22 Q: Does Exhibit 4 fairly and accurately reflect the scene of the accident as you found it?

23 A: Yes.
24
25

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1 Q: Do you have an opinion based on your training and experience as to whether Mitch
2 Murphy was negligent in driving into the back of the parked truck at the time and on the
3 occasion in question?

4 A: Yes, he was negligent.

5 Q: In your opinion, did that negligence result in the death of Channing Stockard?

6 A: Absolutely no doubt about it. Yes.

7 CROSS EXAMINATION:

8 Q: You mentioned a moment ago that you knew Channing. How did you know her?

9 A: Uh, well, it's a pretty small town and all.

10 Q: Did you have any kind of romantic relationship with Channing?

11 A: Okay, so once I asked her if she'd like to go out and get some dinner, watch a movie.
12 She turned me down. Said she had a date with someone else.

13 Q: Do you know who that someone else was?

14 A: Mitch Murphy.

15 Q: How'd you know that?

16 A: I watched him pick her up at her house.

17 Q: What caused you to be in a position to see Mitch pick Channing up at her house?

18 A: As a trooper, we sometimes just park on random streets to set up a little speed trap. I just
19 happened to be parked on the street where Channing lived when I saw Mitch pick her up.

20 Q: Can you identify Exhibit 10?

21 A: That's a trooper discipline notification that my supervisor dropped on me.

22 Q: Did you contest this?

23 A: No, I thought it was best just to keep the whole thing quiet. Bootleg's a pretty small
24 town.

25