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IN THE DISTRICT COURT IN AND FOR OKLAHOMA COUNTY

COPY

STATE OF OKLAHOMA

STATE OF OKLAHOMA,)
)
Plaintiff,)
vs.)
)
DANIEL K. HOLTZCLAW,)
)
Defendant.)

CASE NO.: CF-2014-5869

**FILED IN DISTRICT COURT
OKLAHOMA COUNTY**

MAY 03 2016

TIM RHODES
COURT CLERK

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TRANSCRIPT OF THE JURY TRIAL

HAD ON THE **24TH DAY OF NOVEMBER, 2015,**
BEFORE THE HONORABLE TIMOTHY R. HENDERSON,
DISTRICT JUDGE IN AND FOR OKLAHOMA COUNTY,
OKLAHOMA CITY, OKLAHOMA

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VOLUME XIII OF XVIII

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MAY 26 2016

ATTORNEY GENERAL

**FILED
IN COURT OF CRIMINAL APPEALS
STATE OF OKLAHOMA**

MAY 26 2016

**MICHAEL S. RICHIE
CLERK**

REPORTED BY: Kristin L. Taylor, RPR

3029-3259

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and jurors present.)

THE COURT: All right. Let the record reflect that all members of the jury are present. Counsel for the State, counsel for the defendant, the defendant is present..

You may call your next witness.

MS. McCONNELL: State calls Michelle Holland.

THE COURT: Step before me.

(Lieutenant Michelle Holland was sworn.)

THE COURT: All right. If you'll have a seat over here in this chair. Once you get situated, pull that microphone right around in front of you. If you would state your name and spell it for us, please.

THE WITNESS: Michelle Holland. M-I-C-H-E-L-L-E,
H-O-L-L-A-N-D.

THE COURT: All right. Thank you.

You may proceed.

MS. McCONNELL: Thank you.

LIEUTENANT MICHELLE HOLLAND,
was called as a witness, after having been first duly sworn,
and testified as follows:

DIRECT EXAMINATION

BY MS. McCONNELL:

Q How are you employed currently, ma'am?

A I'm a police lieutenant -- Oklahoma City police lieutenant.

1 Q And so may I address you as Lieutenant Holland?

2 A Yes.

3 Q And, Lieutenant Holland, what is your current
4 assignment?

5 A I'm assigned to day shift at Springlake currently.

6 Q Was that your assignment back on May 24th of 2015?

7 A No, I was assigned to third shift at that time.

8 Q Okay. And are you a supervisor within Springlake?

9 A Yes, I am.

10 Q Okay. And there's been testimony that Officer
11 Holtzclaw was also assigned to Springlake Division, were you
12 his supervisor back in May of 2014?

13 A No, I was not.

14 Q Have you ever been his supervisor?

15 A I have not.

16 Q Back in May 24th of 2014, did you respond to a call at
17 Northeast 23rd and Kelley?

18 A Yes, I did.

19 Q Why did you respond to that location?

20 A One of the people that worked for me at the time,
21 Sergeant Williams, had received a call. And the female that
22 he made contact with said that an Oklahoma City officer
23 forced her to perform oral sex. So he called me.

24 Q And you were Officer Williams' supervisor back in May,
25 2014?

1 A Yes, I was.

2 Q Why were you called to the scene as a supervisor?

3 A Because on any kind of major incident they -- they
4 would call for a supervisor to make notifications and kind
5 of direct the -- the actions from that point forward.

6 Q And about what time did you get to the scene?

7 A About 3:30 in the morning.

8 Q And who was at the scene whenever you arrived?

9 A There was several officers. Sergeant Williams was
10 training at the time; so his recruit, Jonathan Thomas, was
11 there. Sergeant Shane Bullard was there. And I don't
12 recall if there was another officer there or not.

13 Q And this female that you've spoken of who's making this
14 report, was she at the scene as well?

15 A Yes, she was.

16 Q And is that Terri Morris?

17 A Yes, it is.

18 Q Was there also a male individual there with her?

19 A Yes.

20 Q Was that Christopher Shelton?

21 A Yes, it was.

22 Q Okay. And when you get there what is Terri Morris'
23 demeanor like?

24 A She was crying. She was very upset. She was twisting
25 around. She was pulling on her clothes. Anytime anybody

1 would talk to her she would -- she would just become very
2 upset.

3 Q How many years have you been with Oklahoma City Police
4 Department?

5 A Sixteen.

6 Q And during those 16 years have you had the occasion to
7 view people who are under the influence of drugs?

8 A Yes.

9 Q Based on that experience did it appear to you as if
10 Terri Morris was under the influence of drugs?

11 A She did appear to be under the influence of drugs. I
12 asked the officers at the scene about that and they had told
13 me that she had admitted that she was.

14 Q Did you take a statement or did you speak with Terri
15 Morris about this potential sexual assault by a police
16 officer?

17 A Yes, I did.

18 Q After you spoke with her what did you do?

19 A I called the on-call sex crimes supervisor to see if
20 they were going to send on-call detectives out. I talked to
21 that supervisor who did not -- it was not a call-out in his
22 opinion. And then I called the watch commander to advise
23 him what the allegations were.

24 Q Is calling the on-call sex crimes supervisor and the
25 watch commander something that you would do just in any

1 case?

2 A In any case where an officer is accused of something
3 like this, yes.

4 Q Okay. And you said that a sex crimes detective didn't
5 respond to the scene that night?

6 A No.

7 Q After you made those phone calls did you have any
8 further contact with Terri Morris?

9 A Yes, a couple hours later at about 5:30 -- I think it
10 was about 5:30 we received a call to the 36th and Prospect
11 area, the Sooner Haven Apartments. I didn't know at the
12 time -- before I responded I didn't know that it was Terri.
13 The call was a female was knocking on a door trying to get
14 into an apartment. And when I arrived it was Terri trying
15 to get into that apartment.

16 Q And when you made contact with Terri Morris that time
17 did you talk with her about the sexual assault?

18 A Not anymore.

19 Q What happened when you made contact with her that time?

20 A Just talked to her about where she was gonna go, who
21 she was gonna stay with. Told her she needed to find
22 someplace to go. And she found an apartment there in the
23 complex.

24 Q Even though an on-call sex crimes detective didn't
25 respond to 23rd and Kelley that night did you still make a

1 report about your contact with Terri Morris?

2 A Yes, I did.

3 Q And would that report be sent to sex crimes for an
4 assignment of the case at that point?

5 A The original report would've been sent for an
6 assignment and then they would get all the supplemental
7 reports.

8 MS. McCONNELL: Okay. May I have a moment, your
9 Honor?

10 (Counsel for the State confer.)

11 MS. McCONNELL: I'll pass the witness, your Honor.

12 THE COURT: All right. Any cross-examination?

13 CROSS-EXAMINATION

14 BY MR. ADAMS:

15 Q Lieutenant Holland, the first time you came in contact
16 with Ms. Morris would've been on April the 24th of 2014, at
17 about 3:00 in the morning; is that correct? About 3:30 a.m.

18 A It was May 24th at about 3:30.

19 Q I apologize. May the 24th of 2014 at approximately
20 3:30 a.m.

21 A Yes.

22 Q And at that point in time is it your understanding that
23 she was involved in a domestic dispute? Do you know
24 anything about that?

25 A I don't know anything about that.

1 Q In any event, whenever you arrived there she was making
2 allegations that she had been assaulted by a member of the
3 Oklahoma City Police Department; correct?

4 A Yes.

5 Q And she told you that --

6 A Yes.

7 Q -- personally.

8 And she told you it was about three or four days
9 prior to the 24th; correct?

10 A Yes.

11 Q And you even put in your report that that would make it
12 May the 20th or the 21st of 2014; correct?

13 A That is correct.

14 Q And then after you did that you took down her
15 information and then you made the -- the referral to the sex
16 crimes on-call detective; correct, Lieutenant Ramos?

17 A Yes.

18 Q And he declined to do any further investigation for
19 whatever reason; correct?

20 A He declined to respond to the scene that evening.

21 Q And Ms. -- Ms. Morris was allowed to leave or go.

22 A That is correct.

23 Q And approximately two hours later there was another
24 phone call that came in from some apartment complexes;
25 correct?

1 A Correct.

2 Q And the name of the apartment complex?

3 A Is Sooner Haven.

4 Q Sooner Haven?

5 And she was attempting to gain entry into an
6 apartment that was not hers; correct?

7 A Right.

8 Q And she was banging on the door.

9 A Yes.

10 Q And the police were called.

11 A Right.

12 Q And when they arrived the same male individual who was
13 with her previously whenever you first talked to her about
14 the assault was at that apartment complex; correct?

15 A His car was there. I don't remember if I saw him or
16 not.

17 Q She was banging on a female's door trying to gain
18 entry; correct?

19 A Right.

20 Q It is your understanding that he was inside that
21 apartment.

22 A Yes.

23 Q Okay. And eventually someone from some other apartment
24 there in that complex told her she could spend the night
25 there; correct?

1 A Right.

2 Q But at all times she maintained that this assault that
3 had occurred on her that she was talking about and upset
4 about had occurred what she told you was either the 20th or
5 the 21st of May of 2014; correct?

6 A Yes.

7 MR. ADAMS: Pass the witness, your Honor.

8 THE COURT: All right. Any redirect?

9 MS. McCONNELL: No, your Honor.

10 THE COURT: All right. Thank you, Lieutenant.
11 You can step down.

12 Call your next witness.

13 MS. McCONNELL: State calls Detective Gregory.

14 THE COURT: Detective Gregory, let me remind you
15 you're still under oath.

16 THE WITNESS: Yes, sir.

17 THE COURT: You may proceed.

18 MS. McCONNELL: Thank you, your Honor.

19 DETECTIVE ROCKY GREGORY,
20 was called as a witness, after having been previously duly
21 sworn, and testified as follows:

22 DIRECT EXAMINATION

23 BY MS. McCONNELL:

24 Q Detective Gregory, were you assigned to investigate the
25 case involving Terri Morris?