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IN THE DISTRICT COURT IN AND FOR OKLAHOMA COUNTY,
STATE OF OKLAHOMA

STATE OF OKLAHOMA,)
)
Plaintiff,)
vs.) CASE NO.: CF-2014-5869
)
DANIEL K. HOLTZCLAW,)
)
Defendant.)

FILED IN DISTRICT COURT
OKLAHOMA COUNTY

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TRANSCRIPT OF THE JURY TRIAL

HAD ON THE 18TH DAY OF NOVEMBER, 2015,
BEFORE THE HONORABLE TIMOTHY R. HENDERSON,
DISTRICT JUDGE IN AND FOR OKLAHOMA COUNTY,
OKLAHOMA CITY, OKLAHOMA

* * * * *

VOLUME XI OF XVIII

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REPORTED BY: Kristin L. Taylor, RPR

2506-2762

1 THE COURT: Call your next witness.

2 MR. GIEGER: Thank you, Judge.

3 Your Honor, at this point I'd call Detective Kim
4 Davis subject to being able to call her again in trial, at
5 this point Detective Davis.

6 THE COURT: All right. Let's make sure the
7 exhibits get --

8 MR. GIEGER: I'm doing that right now, Judge.
9 I'll try to get them in order too so we don't lose them.

10 (Detective Kim Davis was sworn.)

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

15 THE WITNESS: Kim, K-I-M; Davis, D-A-V-I-S.

16 THE COURT: All right. Thank you.

17 DETECTIVE KIM DAVIS,
18 was called as a witness, after having been first duly sworn,
19 and testified as follows:

20 DIRECT EXAMINATION

21 BY MR. GIEGER:

22 Q I know you've been introduced already, Detective, but
23 can you tell the jury a little bit about your work
24 experience with the Oklahoma City Police Department?

25 A I've been on the police department for over 28 years.

1 of that as well?

2 A Yes, schools that you want to go to that the department
3 can send you to. CLEET requires you -- the Council for Law
4 Enforcement Education and Training require so many hours.
5 We had a sex crimes CLEET had required us to have I think
6 six hours of sex crimes during one of our years of training.
7 And I actually wrote that program for the police department
8 and taught the trainers who were going to train it.

9 Q Detective Davis, you were assigned -- were you assigned
10 on June 18th of 2014, to the investigation of the case that
11 has led to us being here today?

12 A Yes.

13 Q How many months has that investigation spanned?

14 A Since court started really.

15 Q So basically since the reports started it's been
16 ongoing; is that fair?

17 A Yes.

18 Q I want to turn your attention then back to the morning
19 of June 18th, 2014.

20 A Okay.

21 Q How was it that you were first made aware that there
22 had been an allegation that an Oklahoma City police officer
23 had engaged in sexual misconduct with a civilian?

24 A I was on call -- the on-call detective for sex crimes.
25 And I got a phone call from the supervisor.

1 Q And it may be obvious what on call means but why don't
2 you tell us -- since you used that word, what does that mean
3 to be on call?

4 A We rotate. We're on call for a week at a time. And
5 that means you can be called out at any time, day or night,
6 to respond to -- to a call that meets our criteria. Those
7 would be a first-degree burglary/rape which means someone
8 has broken into your house and someone's been sexually
9 assaulted. If patrol is on something and they need a search
10 warrant to get into a house we have to respond to do the
11 search warrant. If someone is abducted and raped.

12 Q Let me ask this: Was this a call-out?

13 A Yes.

14 Q Okay. When did you get the call if you recall
15 approximately and what did you do upon receiving that first
16 information?

17 A It was at 4:00 in the morning.

18 Q 4:00 in the morning?

19 A Yes.

20 Q What did you do?

21 A We have one hour to respond. I responded to Southwest
22 Medical Center.

23 Q And at Southwest Medical Center did you come in contact
24 with Jannie Ligons?

25 A Yes.

1 Q Did you have an opportunity to interview Jannie Ligons
2 at that time?

3 A Yes.

4 Q Mr. Adams asked questions of Jannie Ligons in regards
5 to how many marijuana cigarettes she smoked, whether it was
6 one or two or took a hit off of one or -- do you remember
7 those questions?

8 A Yes.

9 Q What do you remember her saying to you about that?

10 A She had told me that she smoked marijuana at -- when
11 she was at Mac's house. She had made reference to two
12 marijuana cigarettes. She didn't tell me that she smoked
13 all of the two marijuana cigarettes. She had made reference
14 that she had smoked from -- that there were two in the house
15 and she had smoked from them.

16 Q And in fairness to Mr. Adams, what did you put in your
17 report about that?

18 A That she smoked two marijuana cigarettes.

19 Q All right. At that time in your investigation was it
20 significant to you if she smoked one or two marijuana
21 cigarettes that night?

22 A No, it was significant to --

23 Q What I mean is the difference between one marijuana
24 cigarette or two marijuana cigarettes, was that significant
25 to you? And I didn't mean to cut you off.

1 A No. No.

2 Q That was -- my question is the difference between one
3 and two, that distinction wasn't important to you?

4 A No.

5 Q Why not?

6 A It was important that she was truthful with me because
7 a lot of people don't want to tell you they were smoking
8 dope because they think they're going to get in trouble. So
9 that was important to me. And at this point I am
10 investigating a victim of a sexual assault. If she smoked
11 dope, she smoked dope. I'm not investigating that.

12 Q After you had an opportunity to interview Ms. Ligons at
13 the hospital, what did you do after that in furthering your
14 investigation? What was your next step if you recall?

15 A Went up to -- it's called Surety Insurance. I went up
16 there because that's right at 50th and Lincoln. And there
17 were cameras on the outside of the building so I went up to
18 see if we could get some type of video surveillance.

19 MR. GIEGER: May I approach, your Honor?

20 THE COURT: Yes.

21 Q (By Mr. Gieger) I'm going to go ahead and show you,
22 ma'am, Exhibits Number 70 through 73 inclusive, 83 -- I'm
23 sorry. 69 through 73 inclusive and 83. Can you take a
24 second and look at those photographs, please. Tell me if
25 you recognize the area that is depicted in those

1 photographs.

2 You know what, I'm going to pull 83 out for a
3 minute and I apologize for handing them to you all at once.
4 I just want you to look at 69 through 73 for now, please.

5 A Okay. Yes, I recognize them.

6 Q Is that the area that you described near the Old Surety
7 Life Insurance Company that you went to?

8 A Yes.

9 MR. GIEGER: Offer those exhibits, your Honor. 69
10 through 73.

11 MR. ADAMS: No objection, your Honor.

12 THE COURT: All right. State's Exhibit Number 69,
13 70, 71, 72, and 73 will be admitted without objection.

14 Q (By Mr. Gieger) I'm going to show you 69 first so you
15 can help me get oriented here a little bit. Can you see
16 that?

17 A I can.

18 Q Okay. You got your bearings and the directions and all
19 that?.

20 A Yes.

21 Q That's an overhead view obviously; correct?

22 A Correct.

23 Q What is it an overhead view of?

24 A Basically the intersection of 50th and -- Northeast
25 50th and Lincoln.

1 when I'm pointing right here do you actually see those
2 little dots that are on that building?

3 A Yes.

4 Q Are those dots cars?

5 A Yes.

6 Q So from this aerial photo -- and so the jury
7 understands this was taken off of Google Maps; correct?

8 A Correct.

9 Q It wasn't a photograph taken that you're aware of on
10 June 18th to show how things were?

11 A No.

12 Q All right. Then there's a large building right here
13 and it has -- it's labeled as well. Do you recall what that
14 building is?

15 A I may not say the words in the right order. It's like
16 the Oklahoma County Commissioners Association or something.

17 Q Had Ms. Ligons told you during your interview about the
18 location of the Northeast 50th and Lincoln intersection
19 being where the alleged crime had occurred?

20 A Yes.

21 Q Is that why you went there?

22 A Yes.

23 Q And when you went there you told me that you learned
24 about video surveillance at the Old Surety Life Insurance
25 Company. Tell me about that, please.

1 experience and all that from prior testimony or do you want
2 me to go through it again for this record?

3 THE COURT: Any -- any objection to that?

4 MR. ADAMS: No, your Honor.

5 THE COURT: All right.

6 Q (By Mr. Gieger) Detective Davis, you have testified
7 previously that you came in contact initially with the
8 defendant in this case, Daniel Holtzclaw, in regards to your
9 investigation of an alleged sexual assault of a victim named
10 Jannie Ligons on June 18th, 2014; is that correct?

11 A Yes.

12 Q Your initial conversation or your initial contact where
13 you had an opportunity to actually inquire of Mr. Holtzclaw
14 or talk to him occurred where?

15 A The Springlake briefing station.

16 Q And do you recall approximately what time of day it was
17 whenever you first made contact with him at the Springlake
18 briefing station?

19 A It was a little before 4:00 p.m.

20 Q In the afternoon of June 18th?

21 A Yes.

22 Q 2014?

23 A Yes.

24 Q Do you remember where you were in the station whenever
25 you had that conversation?

1 during the daytime hours, sometime that afternoon. I'm
2 assuming, it may have been before that, you tell me -- where
3 you met with some command personnel in trying to figure out
4 who this officer was?

5 A Yes.

6 Q Do you remember when that was? Was it before you went
7 to Chesapeake or after if you remember?

8 A I believe it was after Chesapeake.

9 Q After Chesapeake?

10 A Yes.

11 Q So then you went back downtown again?

12 A Correct.

13 Q Tell me about who was in that meeting and what
14 information you had learned, or they were able to tell you.
15 Did it -- did you learn information in that meeting that
16 assisted your investigation?

17 A Yes.

18 Q Tell me about who was in that meeting and what you
19 learned.

20 A Detective Gregory, myself, Chief Johnny Kuhlman and
21 Major Denise Wenzel and probably Lieutenant Muzny which is
22 my lieutenant.

23 Q Your supervisors?

24 A Correct.

25 Q And higher up the food chain?

1 A Yes.

2 Q All right. What information if any did you learn from
3 their efforts that assisted you in your investigation?

4 A They had ran through AVL all of second shift Springlake
5 officers with a 2013 car, because those car are all black.

6 Q Are those the cars that have the big police letters?

7 A Right.

8 Q And why were you looking at those cars?

9 A Because Jannie said that he -- that the officer was in
10 a newer car which is all black and it has the big white
11 letters on it.

12 Q You said AVL. I think I may have mentioned AVL in my
13 opening statement. Tell the jury what your understanding of
14 AVL is.

15 A It's automated vehicle locater. It's GPS on the cars.

16 Q Okay. So the police cars have GPS on them?

17 A Yes.

18 Q Do you know for -- for the GPS to be working what has
19 to be on in the car?

20 A Have to have your computer on.

21 Q Have to be logged into the system?

22 A Right.

23 Q All right. So I interrupted you. You met with these
24 and they were discussing AVL for the newer model cars with
25 the police on the side. And what -- what information was

1 helpful to you?

2 A They had eliminated all of the officers by AVL that had
3 been at -- there were no officers that had been at 50th and
4 Lincoln except they couldn't eliminate Mr. Holtzclaw because
5 his AVL was not on.

6 Q And were they looking at a specific time period?

7 A Yes, at 6:18 at -- right after two shift.

8 Q And, again, tell me when two shift starts and two shift
9 ends?

10 A 4:00 p.m. to 2:00 a.m.

11 Q So sometime around the 2:00 a.m. period they tried to
12 see did anybody who had one of these kind of cars, were they
13 at 50th and Lincoln?

14 A Right.

15 Q Nobody was from Springlake but one officer had his
16 system turned off?

17 A Right.

18 Q All the other officers had their systems turned on?

19 A Correct.

20 Q Who was that officer?

21 A Daniel Holtzclaw.

22 Q Once you identified Daniel Holtzclaw as being the
23 person who you don't know where he was at that time --

24 A Right.

25 Q -- what decisions were made or what did you do in your

1 impartial in your investigations; correct?

2 A Yes.

3 Q And you know that's a critical part of you being a
4 detective.

5 A Correct.

6 Q Because you can change the lives of people with the
7 signature of your pen; correct?

8 A Somewhat, yes.

9 Q Now in regards to this investigation of Daniel
10 Holtzclaw you first became aware of it on June the 18th of
11 2014.

12 A Right.

13 Q And you were actually dispatched you went out to the
14 hospital; correct?

15 A Yes.

16 Q And you testified yesterday about all the things you
17 did and talked to Ms. Ligons. You then went out to the
18 alleged scene and you viewed that and viewed where you
19 thought there might have been some video that was later
20 recovered and stuff; correct?

21 A Yes.

22 Q Now that video -- the video that we played yesterday in
23 court, that's the only video we have in this case; correct?

24 A Yes.

25 Q I mean, there's no other video that's going to surface

1 A No.

2 Q -- so we can see your end of the conversation?

3 A No.

4 Q And so you then also talked to Officer Holtzclaw about
5 his sex drive; correct?

6 A I think so, yes.

7 Q Well, you asked him how often he had sex, did you not?

8 A Yes.

9 Q And you said he was a 27-year-old good-looking
10 well-built guy?

11 A Yes.

12 Q Would you say that -- and he said he liked to have sex
13 about once a day?

14 A Yes.

15 Q Do you find that unusual or bizarre?

16 A That's a lot for me, but maybe not for him.

17 Q Then during the conversation Officer Holtzclaw is -- he
18 was asked specifically: Have you ever been accused of
19 anything like this before?

20 A Yes.

21 Q And he told you no.

22 A Correct.

23 Q During this entire investigation over all this did you
24 have an opportunity to go back and see whether or not he was
25 accused of anything like this up in Eastern Michigan?

1 A Yes.

2 Q And was he?

3 A No.

4 Q Did you go back to his hometown of Enid, Oklahoma, to
5 determine whether or not he was ever accused of anything
6 like this in Enid, Oklahoma?

7 MR. GIEGER: Relevance, your Honor.

8 THE COURT: Overruled.

9 THE WITNESS: I don't know if I did specifically
10 but a detective did; it was done.

11 Q (By Mr. Adams) Would you agree with me that at no time
12 in Enid, Oklahoma, has Officer Holtzclaw ever been accused
13 of anything like this?

14 A I agree with you.

15 Q Then you asked him about: You weren't one of those
16 football players.

17 A Right.

18 Q What -- what did you mean by that?

19 A I followed up with football players that we see on the
20 news, you know, how we're always seeing football players on
21 the news that are accused of rape. And when he said that he
22 hadn't been under the accusations of that, I said, so you
23 weren't one of those football players that we see on the
24 news.

25 Q And he told you what?

1 A It's a vagina.

2 Q Okay. And he says sex and -- and he -- and you say:
3 Sex; what about anal sex? You're asking him --

4 A Then I asked, yes.

5 Q What's the purpose of asking -- clearly, Ms. Ligons did
6 not allege he had anal sex with him (sic). Why are you
7 asking about anal sex? To see if he's a sexual deviant of
8 some kind?

9 A No. No. I was just trying to see what he preferred
10 because we had the -- we had Jannie saying oral and then we
11 had Terri Morris saying oral. And I'm trying to see if
12 that's his preference. Some guys would rather have a blow
13 job than have sex.

14 Q And he tells you: No, I don't like it that way. And
15 you say, okay; correct?

16 A Correct.

17 Q Then there's some discussions about Terri Morris; and I
18 think that Mr. Gieger cleared up some of it on direct
19 examination. When the interview first starts with
20 Mr. Holtzclaw you would agree that Ms. Morris had lied in
21 regards to any location of any alleged event if it ever took
22 place to begin with; correct?

23 A I knew very little about Terri Morris' case. And I was
24 just kind of rolling with Detective Gregory on the questions
25 with that because I -- I hadn't at that point had any

1 involvement in her case or interviewing her or anything.

2 Q In any event, the locations -- from what -- what she
3 eventually says to what she said at the time, it was all
4 kind of messed up at the time.

5 A Yes.

6 Q Any event he denies even knowing Terri Morris. And
7 he's actually shown two pictures of Ms. Morris; correct?

8 A Correct.

9 Q But as Officer Holtzclaw's looking at those two
10 photographs of Ms. Morris he thinks they're two different
11 people.

12 A Correct.

13 Q And is it because the pictures are so distinctively
14 different?

15 A She's really different in her pictures, yes.

16 Q And he's -- and he tells you point-blank, I've never
17 seen either -- I don't know who either one of those people
18 are; correct?

19 A Yes.

20 Q And in fact he tells you that her name doesn't even
21 ring a bell.

22 A Right.

23 Q And then when he talks about coming down to the --
24 because -- Officer Holtzclaw would not be one of the patrol
25 officers you would expect to see on a frequent basis

1 differently -- but sometime in December or January --
2 December of 2013 and/or January of 2014; correct?

3 A Correct.

4 Q All right. Similar to the other cases that you
5 investigated and the other cases Detective Gregory
6 investigated, after she told you about the events, not only
7 the first event but then the subsequent two events, what did
8 you do in order to try to verify whether or not she was
9 giving you accurate information?

10 A Once back at the office after interviewing her I
11 checked AVL maps. I checked Varuna to see if he ran her in
12 Varuna. I checked crime information to see if he ran her
13 through crime information. And then the locations that she
14 told me that -- where she was stopped, I would check the AVL
15 to see if he in fact was at that location and if that time
16 that he was at that location matched up with the time that
17 he ran her through Varuna.

18 Q So similar to the other documents we've seen, did you
19 compile those types of documents as well?

20 A Yes.

21 Q Ma'am, in regards to the first stop either in January
22 or December, did Florene Mathis give you a detail that was
23 different than what other ladies that you had talked to that
24 did say something happened to them had said?

25 A She said that a female came over and searched her.

1 Detective Davis as to the Rosetta Grate investigation.

2 THE COURT: All right. Detective Davis, you're
3 still under oath.

4 THE WITNESS: Yes, sir.

5 THE COURT: You may proceed.

6 DETECTIVE KIM DAVIS,
7 was called as a witness, after having been previously duly
8 sworn, and testified as follows:

9 DIRECT EXAMINATION

10 BY MR. GIEGER:

11 Q Detective, you heard Ms. Grate's testimony about your
12 initial contact with her at the Oklahoma County Jail. Tell
13 me how her name was given to you or how she was identified
14 as a potential suspect in this investigation.

15 A She was in a stack of packets that I received from
16 Lieutenant Muzny.

17 Q Same -- same type of stuff we talked about at length
18 yesterday. He gave you a list of -- I don't want to use
19 that word.

20 He gave you some information that he got from the
21 Unit 800 master list and the CIU list, he made notes and
22 then he gave you the packet and said go talk to her?

23 A Correct.

24 Q Thank you.

25 Did you -- how'd you contact her? How'd you find

1 her?

2 A Checked EJS and found that she was in jail.

3 Q You just used a word that I don't that we've used yet.

4 What's EJS?

5 A It is -- the county jail operates it. And we can pull
6 up EJS and it'll tell us -- you can run a name and you can
7 tell if someone's in jail, if they've ever been in jail.

8 Q Is it yet another database?

9 A Yes.

10 Q All right. One more database law enforcement uses?

11 A Yes.

12 Q All right. You also heard Mr. Grate testify about a
13 telephone conversation; do you remember that? Where he was
14 contacted in regards to trying to find Rosetta? I'm sorry,
15 you didn't do that.

16 A Johnnie Grate?

17 Q Yes, sir -- ma'am.

18 A I didn't call him. I went to his house.

19 Q I apologize.

20 You heard about him talking about you guys
21 visiting. Did you do that?

22 A Yes.

23 Q Okay. And did you ask -- did you tell him you're
24 looking for her?

25 A Yes.

1 Q Did you tell him why?

2 A Yes.

3 Q Okay. What'd you tell him?

4 A I told him that I wanted to talk to her and -- about a
5 sexual assault.

6 Q And then you found her on your own though in the county
7 jail?

8 A Right.

9 Q All right. You went to county jail, you talked to her.
10 Again, I want to know if you can tell me -- have you had an
11 opportunity even to listen to that recorded interview before
12 you testified?

13 A Part of it.

14 Q What did you tell her whenever you walked in to start
15 the conversation? Tell us -- tell us how that went.

16 A First thing I said is: What's up with that hair?
17 Because it looked like it did today. And she said: What's
18 up with your face? And just -- we kind of just --

19 Q Nice.

20 A -- seemed to hit it off a little bit. And I said: You
21 probably don't even know why I'm -- why we're here. Because
22 I went over with my partner.

23 Q Okay. And did she respond to you?

24 A Yes, she said: How do you know, did he confess?

25 Q When she said that, what'd you think?

1 A I -- I --

2 Q When she said that. I apologize.

3 A I knew what she was talking about.

4 Q So she apparently had assumed -- strike that.

5 Did you interview her at that time?

6 A I did.

7 Q Did she give you information consistent with what she
8 testified to today?

9 A Yes.

10 Q All right. Ma'am, as a result of that did you do what
11 you had done in other -- with other victims in this regard?
12 First of all did she tell you the location where she first
13 came in contact with Officer Holtzclaw?

14 A Yes.

15 Q And was that location significant to you?

16 A Yes.

17 Q Why?

18 A Because it's the general area where he's coming in
19 contact with all these girls.

20 Q I'm gonna go ahead and hand you several different
21 exhibits, ma'am. Going to give you 239, 242, 241, 243, 244
22 and 245; do you recognize those documents?

23 A I do. The same type documents that we've been getting
24 on all the cases.

25 Q And are they consistent with your investigation and

1 accurate in regards to trying to determine if contact was
2 actually made at the area of 14th and Jordan?

3 A Yes.

4 MR. GIEGER: Offer 241, 243, 244, 245, 242 and
5 239.

6 MR. ADAMS: No objection, your Honor.

7 THE COURT: All right. State's Exhibit Number
8 239, 242, 241, 243, 244 and 245 will be admitted.

9 Q (By Mr. Gieger) First of all, Detective, I want to
10 show you State's Exhibit Number 239. Is this another AVL
11 map?

12 A Yes, it is.

13 Q If I backed it up are we looking at -- well, it's hard
14 to see. Jordan Avenue is shown in yellow?

15 A Correct.

16 Q And is this 14th Street?

17 A Correct.

18 Q If I move it up just a little bit, the AVL shows on
19 April 24th at 7:07 -- this is not military time, this is
20 regular time the way normal people tell time.

21 A Correct.

22 Q Showing zero knots at 7:07:55.

23 A Yes.

24 Q 7:12:55.

25 A Yes.

1 Q 7:02:55, so it looks like there's several zero-points
2 but basically from 7:02 to 7:12, give or take four minutes
3 and 59 seconds on either end; correct?

4 A Correct.

5 Q Were you able to determine whether or not the defendant
6 in this case was on duty and working that day?

7 A Yes.

8 Q Again, this is at 7:00 in the afternoon, so would it be
9 the line-up for April 24th?

10 A Yes.

11 Q State's Exhibit Number 244, does it show -- and I'll
12 move it over -- he's on duty, 1782 Officer Holtzclaw; was he
13 working that day?

14 A Yes.

15 Q The Varuna log -- the Varuna log is State's number 243,
16 shows at 19:06 -- now we're back to military time, is that
17 7:06?

18 A Yes.

19 Q Is that consistent with the AVL map showing a zero
20 speed at the location Rosetta Grate said she encountered
21 this defendant?

22 A Yes.

23 Q And we see that Officer Holtzclaw's badge number,
24 computer terminal was -- ran Rosetta Ra'nee Grate.

25 A Correct.

1 Q CIU log 241 dated April 24th, 2014, this log was run at
2 19:00 hours; again, that's 7:00 p.m.?

3 A Right.

4 Q The second entry, ma'am, on that Charlie45, that's
5 Officer Holtzclaw's unit?

6 A Yes.

7 Q Rosetta Ra'nee Grate and her date of birth. And does
8 it show that she was clear for warrants at that time?

9 A Yes.

10 Q Was it significant to you at this point that you were
11 able to find -- and let me ask a predicate question.

12 Had you run AVL to determine where Rosetta Grate
13 possibly could've been on April 24th before you went and
14 talked to her?

15 A There's -- there's no way to do that.

16 Q Okay. And what do you mean?

17 A Well, one, I don't have a date to run.

18 Q Well, you had the AVL -- I mean, you had the CIU and
19 Varuna run that Muzny had gone through and given to you;
20 correct?

21 A Okay. Yeah, correct.

22 Q Okay. But tell me about AVL if you don't know the
23 location to look.

24 A If you don't know the location to look -- I could say
25 can you give me the location he was for a ten-hour shift, it

1 (With all parties present, the following
2 proceedings were had in court in the
3 presence of the jury.)

4 THE COURT: Let the record reflect that all
5 members of the jury are present. Counsel for the State,
6 counsel for the defendant, the defendant is also present.

7 Mr. Adams, are you ready for your
8 cross-examination?

9 MR. ADAMS: Yes, your Honor.

10 THE COURT: All right. Detective Davis, if you'll
11 retake the stand. Let me remind you you're still under
12 oath.

13 THE WITNESS: Yes, sir.

14 THE COURT: You may proceed.

15 MR. ADAMS: Thank you, your Honor.

16 CROSS-EXAMINATION

17 BY MR. ADAMS:

18 Q Detective Davis, just so we can kind of remember where
19 we were when we left off, you had discussed your interview
20 with Ms. Grate to the jury; correct?

21 A Correct.

22 Q And that interview took place on August the 27th of
23 2014?

24 A Correct.

25 Q And that was at the Oklahoma County Jail?

1 A Correct.

2 Q What did that have to do with -- what was the
3 significance of that for your investigation?

4 A Then I needed to keep looking.

5 MR. GIEGER: Pass the witness.

6 THE COURT: Cross-examination?

7 MR. ADAMS: Yes.

8 CROSS-EXAMINATION

9 BY MR. ADAMS:

10 Q Detective Davis, so we can get a visual picture of the
11 time line of events here, your very first contact ever with
12 Ms. Copeland was on October the 13th of 2014 by way of
13 telephone; correct?

14 A No, that's when I actually met with her.

15 Q Okay. Your very first conversation with her was by way
16 of telephone?

17 A Correct.

18 Q Okay. On what date?

19 A I don't have the day.

20 Q So the date's not reflected anywhere in your report but
21 the first time you ever made contact with her was prior to
22 October the 13th of 2014; correct?

23 A Correct.

24 Q And on that day you talked -- you tell her that you're
25 investigating an officer being inappropriate with women;

1 correct?

2 A Correct.

3 Q And she tells you that she had been sexually assaulted
4 by an Oklahoma City police officer.

5 A Correct.

6 Q And you set up a meeting with her on October the 13th
7 of 2014 in Texas.

8 A Correct.

9 Q In Garland I believe.

10 A Correct.

11 Q Now what's important to note here though is -- is that
12 Ms. Copeland -- prior to you meeting with her in person she
13 did have her daughter get on the Internet and pull up all
14 the articles about Officer Holtzclaw; correct?

15 A No.

16 Q Okay. If you take a look at your report -- and I'm
17 referring to your report dated 10/13 of '14. Third page,
18 last paragraph. Does that refresh your memory that in fact
19 Ms. Copeland stated that she -- she contacted her daughter,
20 looked on the Internet for any information about this
21 officer. Her daughter found articles and she saw a picture
22 of the officer. She said that is the officer who assaulted
23 her. Would you agree with me that that occurred prior to
24 your meeting with her in Garland, Texas?

25 A Yes, prior to the meeting. I thought you meant prior

1 to me getting ahold -- okay.

2 Q Prior to you meeting with her in Garland, Texas on
3 October the 13th of 2014, her daughter got on the Internet
4 along with Ms. Copeland and looked up the articles regarding
5 Officer Holtzclaw and actually found a picture of him on the
6 Internet. And she said that's the officer; correct?

7 A That -- yes, that's correct.

8 Q So then you showed up to interview Ms. Copeland in
9 Garland, Texas on October the 13th of 2014; correct?

10 A Right.

11 Q And during this interview you told us what she -- what
12 she told you; correct?

13 A Yes.

14 Q Okay. And is what she testified to here today.

15 A Yes.

16 Q And you would agree with me that it was Officer
17 Holtzclaw that initiated the initial radio contact on the
18 initial traffic stop; correct?

19 A You're --

20 Q It was Officer Holtzclaw who initiated contact with the
21 police department here in Oklahoma City about his initial
22 contact with Ms. Copeland.

23 A Yes.

24 Q And he initiates a traffic stop.

25 A Correct.

1 sworn, and testified as follows:

2 DIRECT EXAMINATION

3 BY MR. GIEGER:

4 Q Detective, in regards to your investigation of Kala
5 Lyles and the allegations she made against Officer
6 Holtzclaw, can you tell the jury how you came in contact
7 with her, please?

8 A Her probation officer called me and told me he had a
9 client there that had disclosed some information.

10 Q You heard her testify. Is that essentially consistent
11 with the way you remember she told him and he told you?

12 A Yes.

13 Q And then you -- did you respond to his office to
14 interview her?

15 A Yes.

16 Q Who went with you?

17 A Detective Homan.

18 Q And was it recorded?

19 A Yes.

20 Q Did the probation officer sit in on the interview or
21 did you do that --

22 A No.

23 Q -- with just the three of you?

24 A Just the three of us.

25 Q Ma'am, at any time during your interactions with the

1 probation officer were there any discussions of leniency or
2 giving her some credit because of the allegations that she
3 made?

4 A No.

5 Q And as of this date has any of that happened to your
6 knowledge or --

7 A I don't know anything that's happened to her cases.

8 Q All right. Ma'am, you heard her testify in regards to
9 the traffic ticket that she allegedly had received by
10 Officer Holtzclaw sometime earlier, perhaps within a year or
11 so; do you remember that?

12 A Yes.

13 Q What efforts did you go through to try to figure out
14 whether or not that was the correct officer or that she had
15 come in contact with Holtzclaw sometime about a year
16 earlier?

17 A I called our Court Clerk's office, the City Court
18 Clerk's office and asked about any citations that she had
19 received. They told me what citations she had received and
20 I asked what officer wrote those citations and they told me.

21 Q Had she received citations consistent with her memory?

22 A Yes.

23 Q But was it Officer Holtzclaw who wrote those citations?

24 A No.

25 Q In regards to contact during the summer of 2014 with

1 Ms. Lyles, there's been a date of June 25th of 2014
2 mentioned, is that ever a date that Ms. Lyles told you that
3 she had contact with Officer Holtzclaw?

4 A No.

5 Q In fact was Officer Holtzclaw still active duty on
6 June 25th of 2014?

7 A No, he'd already been put on suspicion.

8 Q What date was that, ma'am?

9 A June 18th.

10 Q And on June 18th were you able to determine whether or
11 not Officer Holtzclaw had contact with Kala Lyles?

12 A Yes.

13 Q In that regard, ma'am, prior to Mr. Boling, the
14 probation officer contacting you, is information on Kala
15 Lyles part of what you received in packets from Detective --
16 from Lieutenant Muzny or was she even on the radar?

17 A She was in the packets. And I had gone to her last
18 known Varuna address and that's where her parents lived.
19 And I'd left a card.

20 Q So you had made some efforts to try to get ahold of
21 her?

22 A Yes.

23 Q But the way that that actually came about was through
24 the probation officer in the way that essentially has been
25 played out or rather testified to here today; is that

1 correct?

2 A Correct.

3 Q But in regards to June 18th, was that date significant
4 to you in your investigation?

5 A Yes.

6 Q And was it significant to you in regards to trying to
7 determine whether or not Officer Holtzclaw had come in
8 contact with other women on June the 18th?

9 A Yes.

10 Q Why?

11 A Because that's the same day that I got the call out on
12 Jannie Ligons.

13 Q Now before I talk more about June 18th, had Ms. Lyles
14 actually come in contact based upon documents within the
15 Oklahoma City Police Department with Ms. Lyles previously
16 before June 18th?

17 A Now say that again.

18 Q Were you able to determine whether or not Officer
19 Holtzclaw had come in contact with Ms. Lyles prior to
20 June 18th ever?

21 A I was able to determine that he checked her.

22 Q All right. And that's what I want to do then, I want
23 to talk about that. When was that?

24 A He checked her in Varuna on May 6th, 2014. And he
25 checked her in crime information on April 9th, 2014, May

1 6th, 2014, and then the June 18th, 2014.

2 Q Let me try to catch up with you then. First of all, in
3 regards to the April 9th, I'm going to hand you State's
4 Exhibit Number 353. What is that?

5 A The crime information log.

6 Q Okay. And for what date is that?

7 A April 9th, 2014.

8 Q And does it show that -- apparently does it show that
9 Officer Holtzclaw in fact did in fact check her for warrants
10 that day?

11 A Yes.

12 Q And in regards to that document, State's 353, is it an
13 accurate copy of what you were given from the CIU records
14 keeper?

15 A Yes.

16 MR. GIEGER: Offer State's Exhibit Number 353.

17 MR. ADAMS: No objection, your Honor.

18 THE COURT: All right. State's Exhibit 353 will
19 be admitted.

20 Q (By Mr. Gieger) This is April 9th; correct, ma'am?

21 A Yes.

22 Q And if I look almost to the bottom, but -- well, let me
23 get up here. So this is a log that starts after 5:15 in the
24 afternoon?

25 A Yes.

1 MR. GIEGER: I think that's all, Judge. Pass the
2 witness.

3 MR. ADAMS: I don't have any questions.

4 THE COURT: All right. Thank you, ma'am. You can
5 step down.

6 THE WITNESS: Thank you.

7 THE COURT: All right. You can call your next
8 witness.

9 MR. GIEGER: Kim Davis, your Honor, as to Adaira
10 Gardner.

11 THE COURT: Detective Davis, let me remind you
12 you're still under oath.

13 THE WITNESS: Yes, sir.

14 DETECTIVE KIM DAVIS,
15 was called as a witness, after having been previously duly
16 sworn, and testified as follows:

17 DIRECT EXAMINATION

18 BY MR. GIEGER:

19 Q Detective, in regards to your investigation of the
20 allegations made by Adaira Gardner, let me ask this so that
21 I don't forget later. The location of Ms. Gardner is
22 over -- one of the -- the last scene that we drove by; is
23 that correct?

24 A Correct.

25 Q And it's on the northwest part of Oklahoma City off of

1 Blackwelder in between -- 14th in between Blackwelder and
2 Indiana.

3 A Right.

4 Q Do you recall when Captain Boxwell testified about the
5 redistricting of Springlake Division?

6 A Yes.

7 Q Okay. On June 17th of 2014 did the area that Officer
8 Holtzclaw was assigned to patrol include now that part of
9 town over on the west part of town as well?

10 A Yes.

11 Q So as far as him being in that location that would've
12 been part of his redistricted area that he was supposed to
13 be patrolling.

14 A Correct.

15 Q All right. With that, ma'am, can you explain to the
16 jury how it is that Adaira Gardner first came onto your -- I
17 don't want to use the word -- why did you start looking for
18 her or why did you reach out to Ms. Gates initially to try
19 to find Adaira Gardner?

20 A Once we found out that Kala Lyles was not a DNA match
21 to the unidentified female we decided to look at every
22 female he ran starting before he was put on administrative
23 leave, like, taking the day of administrative leave and
24 working backwards.

25 Q Ma'am, and that's fine. Is that a different approach

1 than what you had been -- than what you've testified before
2 about Lieutenant Muzny bringing you a packet on individuals
3 and saying, go talk to this person?

4 A Correct.

5 Q And explain the difference so that everyone's real
6 clear on why it changed.

7 A Well, I think I'd been through my packet and I still
8 didn't have a DNA match. I think Detective Gregory had
9 found all of his packet and we still didn't have one. So we
10 thought we'd work backwards.

11 Q And, ma'am, during your interview with the defendant
12 that happened on June 18th, had you talked to him about any
13 other females that he had come in contact with that he had
14 been sexual with or in a relationship with?

15 A Yes.

16 Q And had you at this point eliminated the people that he
17 had told you it was a possibility?

18 A Yes.

19 Q That would include his girlfriend; correct?

20 A Correct.

21 Q Were there -- other than his girlfriend did he give you
22 any names of anyone who he had been voluntarily involved
23 with?

24 A No, he didn't.

25 Q And the girlfriend, for the record, is Kerri Hunt;