

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

JANNIE LIGONS, SHANDAYREON )  
HILL, TABATHA BARNES, TERRI )  
MORRIS, SYRITA BOWEN, CARLA )  
JOHNSON, KALA LYLES, )

Plaintiffs, )

-vs- )

No. CIV-16-184-HE

CITY OF OKLAHOMA CITY, a )  
Municipal corporation, )  
DANIEL HOLTZCLAW, BILL CITY, )  
BRIAN BENNETT, ROCKY GREGORY, )  
JOHN AND JANE DOES, all in )  
their individual capacity, )

Defendants. )

VIDEOTAPED DEPOSITION OF KIM DAVIS

TAKEN ON BEHALF OF THE DEFENDANTS

IN OKLAHOMA CITY, OKLAHOMA

ON JANUARY 29, 2019

REPORTED BY: KASEY D. EGELSTON, CSR

1 comes in for an interview and they confess, you do  
2 the actual arrest. I have investigated many serial  
3 rapists, but as far as I've done the hands-on  
4 arrest, I can't think of any.

5 Q Okay. Yeah. Let me put it this way. How  
6 many investigations that resulted in the arrest of  
7 serial rapists were you involved in?

8 A I couldn't give you a number. I mean, I  
9 can sit here and count. Are you just saying serial  
10 rapists or serial -- I mean, we have other serial  
11 crimes too in there.

12 Q I'm just looking for sex crimes. Any kind  
13 of sexually-related crimes where you believe -- and  
14 I'm just looking for a ballpark figure over the 17  
15 years or so you were there -- I'm sorry, 15 in the  
16 sex crimes unit, how many investigations, ballpark  
17 figure, that you were involved in that resulted in  
18 the arrest of a serial rapist?

19 A I'm just going to throw out 10. And I'm  
20 throwing it out there.

21 Q And are you including Mr. Holtzclaw in that  
22 number?

23 A I could, yes.

24 Q Okay. And did you play any role in his  
25 arrest physically?

1 A No.

2 Q Do you know if Mr. Gregory was -- Mr.  
3 Sellers was ever a suspect for any of Detective  
4 Gregory's girls?

5 A I don't know if suspect is the right word.  
6 I know they talked about him, but that was in his  
7 case and I really wasn't in his cases. And I don't  
8 know that suspect is a good word, so I don't know.

9 Q Okay. I think -- did you ever take any  
10 steps to determine whether or not Sergeant Sellers  
11 was the perpetrator of the sexual assaults upon the  
12 women you investigated?

13 A No.

14 Q Can you tell me if you had any other  
15 suspects other than Detective Holtzclaw that you  
16 investigated?

17 A I did not.

18 Q Did you know Detective Thomas back at the  
19 time of the Holtzclaw investigation? Jonathan  
20 Thomas?

21 A I've never even heard that name.

22 Q Okay. Is it fair to say that basically the  
23 accusation made by Ligons was that she was stopped  
24 and orally sodomized at 2:00 a.m. by an OCPD cop?

25 A Yeah, that's fair.

1 Q When was the first time you saw Ms. Lignons?

2 A In the emergency room that morning.

3 Q Okay. And what was the hospital again?

4 A Southwest.

5 Q All right. Can you explain to me what --  
6 who was present when you initially began to talking  
7 with Ms. Lignons in the emergency room?

8 A Just me.

9 Q Were you in uniform?

10 A No.

11 Q And were there doctors or nurses present  
12 during your discussion with Ms. Lignons?

13 A No. They might have been in and out, you  
14 know, like taking vitals or something, but if that  
15 was the case, I would have stopped. I don't  
16 interview victims in front of other people.

17 Q Okay. Can you describe everything you  
18 recall about Ms. Lignons' demeanor and what you said  
19 to her and what she said to you at that time?

20 A I mean, yeah, I can recall a lot of it.  
21 What --

22 Q Yeah. And I don't want you to have to go  
23 to your report. I'm just asking you from your  
24 recollection, what can you tell me about your  
25 encounter with Ms. Lignons for the first time in the

1 emergency room?

2 A She was very distraught. She was crying.  
3 She was relieved that she wasn't killed. She kept  
4 reiterating that she thought he was going to kill  
5 her. She answered all of my questions with no, you  
6 know, she didn't balk at any of my questions. And  
7 they get personal when you're talking about a sexual  
8 assault. And obviously I was personal with her  
9 about her mental health history and her drug usage  
10 and all of that. So I want to say that she was very  
11 distraught, but she was also very relieved.

12 Q How long did that conversation last?

13 A A minimum of an hour.

14 Q Aside -- was there anything physically,  
15 aside from her demeanor, but was there any bruises  
16 or any scrapes or anything like that upon her at  
17 that time?

18 A No.

19 Q A black eye. Okay. Was she able to  
20 coherently speak to you?

21 A Yes.

22 Q Did you have any idea -- strike that.

23 Did you form any opinion as to who had done  
24 this to her at the time you were speaking to her at  
25 that time?

1 A No, I had no idea.

2 Q At the conclusion of your potentially  
3 hour-long discussion with her, can you say whether  
4 or not you believed her?

5 A At that point I didn't see any reason for  
6 her not to be telling me the truth. I didn't have  
7 any reason to not believe her.

8 Q I think you knew a little bit at that point  
9 in time about the case Gregory was working on, not a  
10 lot, but you knew he was investigating an accusation  
11 that an OCPD officer had assaulted a woman; correct?

12 A That's about all I knew, yes.

13 Q At that point in time -- let's take the  
14 conclusion of your discussion on that occasion with  
15 Ms. Ligons, did you think about the situation  
16 Gregory had been investigating?

17 A Sure.

18 Q Do you recall what Ms. Ligons said to you  
19 during that conversation about the appearance of her  
20 attacker?

21 A Like the physical description that she  
22 gave?

23 Q Yes.

24 (Phone rings)

25 THE WITNESS: I've got to get that.

1 MR. SMITH: Okay. That's the call  
2 she's --

3 MR. JOHNSON: Sure.

4 MR. SMITH: And I know you were in the  
5 middle of a question, but she's got to take it.

6 MR. JOHNSON: That's fine.

7 (Break was had from 11:15 to 11:22)

8 THE VIDEOGRAPHER: Back on.

9 MR. JOHNSON: Okay. Great. Can you  
10 just read the last question I asked back?

11 THE REPORTER: Sure can.

12 "Do you recall what Ms. Ligons said to  
13 you during that conversation about the appearance of  
14 her attacker"?

15 Q (By Mr. Johnson) And I'm just asking from  
16 your personal knowledge, not from your report.

17 A She obviously said it was a male. He was  
18 big. He had blond hair. She didn't look at his  
19 name tag or his badge. And that's -- I don't  
20 remember an age. I would have to look. If you  
21 don't want me to look, I won't look.

22 Q Okay. Did she try to get a license plate  
23 did you say?

24 A No.

25 Q All right. Did you ask her if she got a

1 license plate?

2 A I don't know if I asked her, but if she  
3 would have got one, I would have put it in my  
4 report. But she told me -- she said it was one of  
5 the newer cars. At that time we had two different  
6 cars on the street. We may still. Some are black  
7 and white, like the quarter panels are black, but  
8 the doors are white. And then when we got new cars,  
9 they were all black with big white letters, and she  
10 did tell me it was one of the newer cars.

11 Q And what car was Holtzclaw driving that  
12 evening?

13 A One of the newer cars. He -- when you're  
14 assigned a car, it's yours.

15 Q Could you ever drive another car or?

16 A If your car was down or in the shop, then  
17 they would give you what's called a pool car that  
18 just sits at the station. Kind of an extra.

19 Q Are records kept of that type of thing?

20 A Yes.

21 Q So can you think of any situation where an  
22 officer would be assigned to one car, yet they would  
23 take another car and records would not reflect that?

24 A No. That wouldn't happen.

25 Q Okay. Okay. Do you know why she didn't

1 get his name tag if she was in close contact with  
2 him?

3 A She was afraid -- she thought he was going  
4 to kill her and she was afraid if he saw her looking  
5 at his name tag, that that would just escalate  
6 things.

7 Q All right. Did -- at this time did Daniel  
8 Holtzclaw have blond hair?

9 A No.

10 Q Can you tell me then if she said my  
11 attacker had blond hair and Holtzclaw didn't have  
12 blond hair, how you can believe Daniel Holtzclaw did  
13 this?

14 A When I went to -- when they determined --  
15 command told me that he was the only one they  
16 couldn't account for, Springlake, because he logged  
17 off his computer. So it was determined that I was  
18 going to go talk to him. When I went to Springlake  
19 Station before lineup, he wasn't there yet. I  
20 didn't know what he looked like or what color his  
21 hair was at this point. I talked to Captain Clifton  
22 and told him we were there to talk to Holtzclaw and  
23 told him a description and he had told me that  
24 Holtzclaw didn't have blond hair, but he said it's  
25 no big deal because everybody has blond hair under

1 the LED lights of a scout car.

2 Q Who said that?

3 A Captain Clifton. Jason Clifton.

4 Q Do you know where he is these days?

5 A He's the major over investigations now.

6 Q Okay. From your personal experience, do  
7 you believe that everyone has blond hair because of  
8 the police lights?

9 A I don't know. Because they've changed  
10 light bars so many times since I've been out on the  
11 streets and when I do respond on call, I don't know  
12 that I've ever paid attention. Because when I  
13 respond on a call out, by the time I get there, the  
14 lights aren't on the police cars. They're just  
15 parked there and I really haven't paid any  
16 attention.

17 Q Okay. Was there -- did the fact that Ms.  
18 Ligons said my attacker had blond hair in any way  
19 suggest to you that Holtzclaw didn't do this?

20 A Well, when she told me that, I didn't know  
21 who Holtzclaw was still.

22 Q But later on did you ever think, wow, I  
23 don't know that he did this because she said he had  
24 blond hair?

25 A No. Because he told me that he made the

1 A Uh-huh.

2 Q What were the circumstances, if you know,  
3 that were present that caused them to become  
4 involved in the investigation?

5 A They got -- I don't know why they did what  
6 they did in pulling the avail and stuff. I didn't  
7 know that they were doing that. But they got  
8 involved because they knew allegations had been made  
9 against a police officer.

10 Q Okay. Had they been involved in the other  
11 investigations that you've had against police  
12 officers?

13 A They get bossy, if you will.

14 Q Okay.

15 A And they'll make -- like usually you're  
16 juggling about 20 cases at a time and they may say  
17 you'll stop working all of your other cases until  
18 you work on this one. They get kind of bossy.

19 Q So besides making you focus on that case,  
20 how are they bossy?

21 A They will -- they're not directly bossy to,  
22 like, you. But they might go to the lieutenant and  
23 say -- for example, when Rocky was looking for Terri  
24 Morris, I remember kind of feeling sorry for him.  
25 Because every day, have you found Terri Morris?

1 Drop everything you're doing and you get out there  
2 and you find Terri Morris. And then Rocky and Tim  
3 would go out. And the next day, have you found  
4 Terri Morris? You drop every -- they just get  
5 bossy.

6 Q Okay. Did they ever communicate to you why  
7 they wanted you to focus solely on those cases?

8 A They couldn't have an officer out there  
9 committing crimes.

10 Q Okay. We may have already covered this.

11 A Okay.

12 Q So forgive me.

13 A That's fine.

14 Q How does your supervisor -- well, does your  
15 supervisor keep track of the status of your  
16 investigations?

17 A There is -- what's it called? Like once a  
18 quarter you would have to go in with them and sit  
19 down and go -- he had a list -- where he got the  
20 list, I don't know. And say -- he might say, what's  
21 the status of this? It's been on your caseload for  
22 a while. And I would look and say, oh, I'm still  
23 waiting on DNA on that to have it closed. And he  
24 would have a list and once a quarter you would go in  
25 sit down and you would say, oh, that one is over.

1 don't know where he was in his investigation, if he  
2 was ready to talk to Holtzclaw. You've got to be  
3 ready for an interview, especially an interview of  
4 that magnitude.

5 Q So what caused you to believe you were  
6 ready to interview him in relation to Jannie Ligons?

7 A Denise Wenzel --

8 Q Okay.

9 A -- caused me to know I was ready.

10 Q What did she say?

11 A You will go talk to him. She's a major. I  
12 do what I'm told.

13 Q Okay. And did she say this -- did she tell  
14 you to go talk to him in context of the meeting that  
15 you had with her the day that you talked to him --  
16 to Holtzclaw?

17 A Yes. Because she said he was eliminated  
18 and you guys are going to go talk to him.

19 Q Okay. Were you aware that in November of  
20 2013 a woman complained to a lieutenant about  
21 actions that Holtzclaw perpetrated against her?

22 A I think some of our victims were 2013. I  
23 don't think any of mine were though.

24 Q So beyond the victims who were involved in  
25 his criminal investigation, were you aware of a

1 THE WITNESS: Uh-huh.

2 DIRECT EXAMINATION

3 BY MR. SMITH:

4 Q Detective Davis, you were asked multiple  
5 questions about Terri Morris and how you do the  
6 investigations and whether Holtzclaw should have  
7 been talked to. Do you ever talk to a suspect or a  
8 possible suspect or involved party before you talk  
9 to the victim?

10 A No.

11 Q When you interviewed Holtzclaw, isn't it  
12 true that Gregory asked Holtzclaw about stopping  
13 Terri Morris and he said he didn't -- or he couldn't  
14 recall?

15 A I know that Rocky asked some questions  
16 about her. And he -- he said that he didn't do  
17 that. I mean, he denied that, yeah. I don't  
18 remember all of the questions that Rocky asked.

19 Q He certainly -- Holtzclaw didn't deny  
20 stopping Ligons, did he?

21 A No.

22 Q I'm going to hand you what's been marked as  
23 Defendant's Exhibit -- Defendant's City Exhibit 1  
24 because we've already got a Defendant's 1.

25 (Defendant City's Exhibit Number 1 was

1 marked for identification purposes and  
2 made a part of the record.)

3 MR. SMITH: Mr. Johnson, this is the  
4 information filed against your client. I've  
5 introduced it many times. I'm sure you have a copy.

6 MR. JOHNSON: I do. I have one in  
7 front of me. Thank you.

8 MR. SMITH: You knew I was going to ask  
9 that. Boy, I've got to get better.

10 MR. JOHNSON: No. You're always kind  
11 enough to do that.

12 Q (By Mr. Smith) If you'll turn to a  
13 document that's attached to it, it starts out with,  
14 In the District Court of Oklahoma, State of  
15 Oklahoma, affidavit, an application for arrest  
16 warrant. And the arrest warrant for the person of  
17 Daniel Holtzclaw. Do you see what I'm talking  
18 about?

19 A Yes.

20 Q Is that your affidavit?

21 A Yes.

22 Q Second paragraph from the bottom.

23 A Of the bottom of the whole end?

24 Q On the first page. It reads, on 5-8-14, an  
25 investigation begun in the sex crime unit in

1 reference to the above-named defendant, an Oklahoma  
2 City police officer, sexually assaulting different  
3 women. What did you mean by that statement?

4 MS. HECKENKEMPER: Object to the form.

5 Q (By Mr. Smith) You can answer.

6 A This is -- on 5-8-14, that was the date  
7 that it was determined -- that Rocky determined that  
8 Holtzclaw assaulted Terri Morris. So that's the  
9 date that I put on the affidavit of when it started,  
10 if you will.

11 Q Okay. You did not mean to say that on May  
12 8th, 2014, a victim came into the sex crimes office  
13 and complained -- or to the OCPD in any form or  
14 fashion and complained about a sexual assault by an  
15 Oklahoma City police officer, did you?

16 A No. No.

17 Q Okay.

18 A In fact, I don't even know when Terri  
19 Morris made a report.

20 Q Okay. Did you ever tell Ms. Ligons, I know  
21 who it is. I think it's Holtzclaw or anything like  
22 that when you interviewed her?

23 A No. I didn't even know Holtzclaw's name.

24 MR. SMITH: No further questions.

25 MS. HECKENKEMPER: I have one more.