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

(1) TABATHA BARNES, et al.,	)	
	)	
Plaintiffs,	)	
	)	
-vs-	)	No. CIV-16-184-HE
	)	
(1) CITY OF OKLAHOMA CITY, a	)	
municipal corporation, et al.,	)	
	)	
Defendants.	)	

\* \* \* \* \*

**DEPOSITION OF DEMETRIA MICHELLE CAMPBELL**

TAKEN ON BEHALF OF THE DEFENDANTS

IN OKLAHOMA CITY, OKLAHOMA

ON FEBRUARY 15, 2018

COMMENCING AT 9:01 A.M.

\* \* \* \* \*

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**REPORTED BY: BETH A. MCGINLEY, CSR, RPR**

1           **Q**     **(By Ms. Gooch)** Do you recall what occurred on  
2 November 5th, 2013?

3           **A**     Yes.

4           **Q**     Okay. Please tell me.

5           **A**     I left to get food for my daughter.

6           **Q**     I'm sorry, you left, what?

7           **A**     To get food.

8           **Q**     Oh, to get food?

9           **A**     For my daughter.

10          **Q**     Okay.

11          **A**     While going to the food place to get the food,  
12 Officer Holtzclaw ran up on me.

13          **Q**     Okay.

14          **A**     Snatched me up, pushed me against the wall, put  
15 me in handcuffs. Slammed my face against the wall.

16          **Q**     Okay.

17          **A**     Was perverted.

18          **Q**     Okay.

19          **A**     Put me in his car, drove away with me. Took me  
20 back to the scene. Put me out and said that they said it  
21 wasn't me.

22          **Q**     Okay. Thank you for that. I'm going to break  
23 down just a few of the things that you said.

24                    You said that Officer Holtzclaw ran up on you.  
25 Could -- what do you mean when you say "he ran up on you"?

1 question: Was it dark?

2 **A** (Moved head up and down).

3 **Q** Is that a yes?

4 **A** Yes.

5 **Q** Okay. You said he was holding a flashlight,  
6 turned on, so I presumed it must have been dark.

7 **A** Yes.

8 **Q** Okay. You mentioned some of the things that he  
9 did. One of the things you said, "He was perverted."  
10 Could you explain -- and I'm sorry to make you have to  
11 discuss this, but I do have to ask you: Could you explain  
12 what you mean when you say, "He was perverted"?

13 **A** Well, he had me against the wall. He had an  
14 erection.

15 **Q** Okay. I'm going to ask some specific questions  
16 about that. When you say you were "against the wall,"  
17 were you face against -- was your -- you know, the front  
18 of your body facing the wall?

19 **A** Yes.

20 **Q** Okay. Do you recall what you were wearing on  
21 that occasion?

22 **A** Yes.

23 **Q** What were you wearing?

24 **A** Jeans.

25 **Q** Okay.

1           **A**     A burgundy shirt.

2           **Q**     Okay.

3           **MR. MUMINA:**   Is that all you were wearing?

4           **THE WITNESS:**   No.

5           **MR. MUMINA:**   Okay. Explain fully what you were  
6 wearing.

7           **A**     I, also, had on a black jacket.

8           **Q**     **(By Ms. Gooch)** Okay. So I take it, from your  
9 answer, you felt what, you -- you say, was an erection; is  
10 that correct?

11          **A**     Yes.

12          **Q**     Okay. So you didn't see an -- is it -- is it  
13 fair to say, you did not observe an erection?

14          **MR. MUMINA:**   No, I'm going to object to that.  
15 I...

16          **Q**     **(By Ms. Gooch)** You --

17          **MR. MUMINA:**   "Observe."

18          **MS. GOOCH:**   Okay.

19          **Q**     **(By Ms. Gooch)** You can answer the question, to  
20 the best that you can. Did you observe Mr. Holtzclaw have  
21 an erection, on this occasion, with your own eyes?

22          **A**     I felt it.

23          **Q**     Okay. Where, on your body, did you feel it?

24          **A**     My butt.

25          **Q**     Okay. Do you have -- how long did you feel this

1           **A**     The admitting nurse asked me my name.

2           **Q**     Okay.  What else did she ask you?

3           **A**     "What happened?"

4           **Q**     Okay.  Did you tell -- we've already talked  
5 about you told her what happened, right?

6           **A**     I told her, "I've been assaulted."

7           **Q**     Okay.  Was your conversation with the admitting  
8 desk lady very short?

9           **A**     Yes.

10          **Q**     A minute?

11          **A**     Maybe.

12          **Q**     Okay.  Do you remember the name of the nurse who  
13 came out to the waiting room to get you?

14          **A**     No.

15          **Q**     Did you believe this person was a nurse?

16          **A**     Yes.

17          **Q**     Was it female?

18          **A**     Yes.

19          **Q**     Was she white?

20          **A**     Yes.

21          **Q**     Do you remember her hair color?

22          **A**     Blonde.

23          **Q**     Do you remember her age range?

24          **A**     I would say late 30s.

25          **Q**     Okay.

1           **A**     Or early -- early 40s.

2           **Q**     Was she polite and courteous to you?

3           **A**     Very.

4           **Q**     Okay.  When she comes out to you at the -- in  
5 the waiting room, do you have any discussion with her at  
6 that time?

7           **A**     Yes.

8           **Q**     What discussion do you have in the waiting room  
9 with the nurse?

10          **A**     She said, "What's happened to you?"  I said, "I  
11 was assaulted by a police officer."  And they knew me.  
12 She knows my face, because they had seen me back and forth  
13 throughout the hospital with my daughter from time to  
14 time.

15          **Q**     Okay.

16          **A**     She said, "Oh, my God.  Let me get you to the  
17 back."  So she took me to the back and --

18          **Q**     Okay.  So it sounds like that conversation with  
19 the nurse in the waiting room at the ER was also very  
20 short at that time?

21          **A**     Yes.

22          **Q**     A minute, maybe?

23          **A**     Yes.

24          **Q**     Okay.  And then does she take you to the back?

25          **A**     Yes.

1           **Q**     And in my mind, when you say "the back," I'm  
2 picturing, like, she takes you to, like, a little ER  
3 treating room; is that fair?

4           **A**     She took me to a triage area.

5           **Q**     Okay. So what -- can you describe the area that  
6 you're referencing, the triage area?

7           **A**     A chair; they check your blood pressure.

8           **Q**     Okay. Did she check yours?

9           **A**     Yes.

10          **Q**     Do you remember if it was normal or not?

11          **A**     I don't remember.

12          **Q**     At that time, November of 2013, did you have any  
13 blood pressure problems?

14          **A**     No.

15          **Q**     Okay. Do you remember her advising you if your  
16 blood -- anything about your blood pressure at that time?

17          **A**     No.

18          **Q**     Okay. Other than taking your blood pressure,  
19 did she do anything -- any other kind of medical  
20 diagnostic testing or examination of you?

21          **A**     No.

22          **Q**     Did she ask you any questions?

23          **A**     No. She said she was going to get me to the  
24 back as quickly as she could.

25          **Q**     Okay. Now, when you say "the back," are you

1 talking about something separate from the triage?

2 **A** Yes.

3 **Q** Okay. And did that occur? She gets you to the  
4 back as quickly as possible?

5 **A** Yes.

6 **Q** So were you in the triage area maybe a minute or  
7 two?

8 **A** Yes.

9 **Q** Okay. Do you have any -- in the triage area, do  
10 you have any communication with anyone other than this  
11 nurse?

12 **A** No.

13 **Q** Okay. I'm going to call her "the blonde nurse."  
14 Is that okay with you?

15 **A** Yes.

16 **Q** Because I don't know if we're going to run into  
17 other nurses later, so let's -- so we're on the same page,  
18 I'm going to refer to her as the blonde nurse.

19 **A** Yes.

20 **Q** So does the blonde nurse take you to the back?

21 **A** Yes.

22 **Q** Where is the back?

23 **A** Another area, curtains, you know, beds.

24 **Q** Okay. Like, an ER room, like you see on TV,  
25 maybe?

1           **A**     Yes.

2           **Q**     Okay.  And what occurs in that ER room?

3           **A**     Can I back up?

4           **Q**     Sure.

5           **A**     I just remembered something.  As she was sitting  
6 there and typing in information about my blood pressure  
7 and -- she said, "Can you tell me what happened?"  And I  
8 said, "Yes.  I got out of my car to get food, an officer  
9 attacked me, basically."

10                   She said, "Oh, my God, I'm so sick of this  
11 happening."  She said, "You hold on just a minute."  She  
12 said, "No" -- she got her phone.  She made the phone call  
13 and said, "I need someone in authority to come to the  
14 hospital to talk with a patient concerning an incident  
15 that has just happened between the patient and an officer.  
16 Do not send me a street police.  I need someone in  
17 authority."  She hung up the phone.

18           **Q**     Okay.  Can I stop you there for just a moment?

19           **A**     Yes.

20           **Q**     Did you have an understanding of where she had  
21 called at that point?

22           **A**     I just guessed it was the police department.

23           **Q**     And I get that makes sense.  We, obviously -- as  
24 we sit here today, we realize that.  At the time, were you  
25 thinking she's calling a police department versus the

1 hospital security? I mean, did you have any inkling --

2 **A** No, the police department.

3 **Q** Okay. Have you told me everything you recall  
4 her saying, that you heard her say on the phone when she  
5 called the police department at that time?

6 **A** Yes.

7 **Q** Okay. When she hung up -- or did she hang up  
8 the phone?

9 **A** Yes.

10 **Q** Did she indicate to you what she -- information  
11 she learned from the person on the other end of the phone?

12 **A** No. She just told me that I'd go to the back  
13 and someone would see me.

14 **Q** Okay. So did she say to you, "They are sending  
15 someone out to talk to you," or anything like that?

16 **A** She said, "They will send -- I'm taking you to  
17 the back." She said, "Someone will come and see you." So  
18 I assumed she meant the officer.

19 **Q** Okay. You assumed she meant an officer, not a  
20 medical doctor?

21 **A** I already knew the doctor was coming.

22 **Q** Okay. All right. So the blonde nurse takes you  
23 to the back, to the ER room that we just -- that you  
24 described a moment ago. Do you sit down on a gurney or a  
25 bed?

1           **A**     Yes.

2           **Q**     Do you lay down?

3           **A**     No.

4           **Q**     Okay. I take it, you're in your street clothes  
5 at this point?

6           **A**     Yes.

7           **Q**     Do you have any conversation in the ER room with  
8 the blonde nurse?

9           **A**     No.

10          **Q**     Does she leave you there alone?

11          **A**     Yes.

12          **Q**     Okay. How long are you there alone?

13          **A**     I'm not certain on the time frame.

14          **Q**     Okay. Was it several minutes, if you recall,  
15 was it an hour? Do you have any idea?

16          **A**     It didn't seem long.

17          **Q**     Okay. Then does somebody come in?

18          **A**     Yes.

19          **Q**     Okay, let me back up.

20                    While you're in there alone, are you doing  
21 anything other than just sitting on a bed?

22          **A**     Crying, sobbing.

23          **Q**     Okay. Do you make any communications with  
24 anybody on your cell phone?

25          **A**     No.

1           **Q**     Okay. Do you recall if there were patients in  
2 any other ER room --

3           **A**     Yes.

4           **Q**     -- that was near you?

5           **A**     Yes.

6           **Q**     You indicated the one you were in had a curtain?

7           **A**     Yes.

8           **Q**     If the curtain is pulled back, can you see other  
9 bed -- another bed in another room, essentially?

10          **A**     Yes.

11          **Q**     Okay. And you do recall that there were other  
12 people in other beds in that area?

13          **A**     Yes.

14          **Q**     Did you have any communication with them?

15          **A**     At one point, yes.

16          **Q**     Okay. Have we -- in the sequence of events,  
17 have we gotten to that point yet?

18          **A**     No.

19          **Q**     Okay. So I want to make sure we get to that.  
20 So, if I forget to ask you about it, feel free to tell me.

21                 So you're sitting in the ER room alone, crying  
22 and sobbing, for what doesn't -- what's not -- not a very  
23 long time, and then does somebody come in?

24          **A**     Yes.

25          **Q**     Who?

1           **A**     A doctor.

2           **Q**     Do you remember his -- was it a he or a she?

3           **A**     A he.

4           **Q**     Do you remember his name?

5           **A**     I don't.

6           **Q**     Do you remember his age?

7           **A**     Older gentleman.

8           **Q**     Remember his -- is he white or black?

9           **A**     White.

10          **Q**     Do you remember his hair color?

11          **A**     Not certain.

12          **Q**     Okay. Do you see any other doctors?

13          **A**     No.

14          **Q**     Okay. So when we talk about the ER doctor,  
15 we're going to talk about -- I'm just going to call him  
16 "the ER doctor," this older, white gentleman.

17          **A**     Uh-huh.

18          **Q**     Is that okay?

19          **A**     Yes.

20          **Q**     All right. So when the ER doctor comes in, what  
21 exchange did the two of you have?

22          **A**     He asked me what happened.

23          **Q**     And what -- okay. And what do you tell him?

24          **A**     Told him the same thing I told you. "Going to  
25 get food for my daughter, a police officer runs up on me,

1 snatches me up, has me up against the wall, handcuffs me,  
2 puts me in his car." In between sobs, I'm...

3 **Q** Okay. And so I get that you're sobbing as  
4 you're telling him this. And I understand what you just  
5 told me that you told him. I'm going to ask you the same  
6 question I've asked with the other people.

7 When you tell him you're assaulted, do you use  
8 that word, "assault"?

9 **A** Yes.

10 **Q** Do you tell him about the perverted acts that  
11 we've discussed here today that Holtzclaw did?

12 **A** No.

13 **Q** Okay. What is the doctor's response to you as  
14 you are telling him these events and sobbing?

15 **A** He was really kind. Patted me on my shoulder  
16 and said, "Sweetie, I'm sorry."

17 **Q** I'm sorry, he patted -- what did you say?

18 **A** My shoulder.

19 **Q** He patted you on the shoulder?

20 **A** Yes.

21 **Q** Okay.

22 **A** Said, "I'm really sorry."

23 **Q** Okay.

24 **A** "We're going to get you some tests done real  
25 quick." And he said, "We'll try and get you squared

1 daughter." I said, "I did not need this. I'm going to my  
2 car" -- I said, "from my car to the building, he runs up  
3 on me, snatches me up, has me up against the wall,  
4 handcuffs me." I said, "And it all could have been  
5 avoided had he listened."

6 **Q** Okay.

7 **A** I said, "He wouldn't listen to me."

8 He said, "What do you mean 'he wouldn't  
9 listen?'" He said, "What are you -- were you trying to  
10 tell him something?"

11 And I said, "Yes, I was asking him if he would  
12 just tell me who he thought I was. I told him that I  
13 could have proven to him that I was not the individual."  
14 I said, "But he wouldn't hear that. He wouldn't let me  
15 explain to him anything. He wouldn't let me" -- I said,  
16 "He wouldn't explain to me, he wouldn't listen, he  
17 just" -- I said, "He was hateful." I said, "And I don't  
18 deserve that. He was hateful, he was" -- I said, "He's  
19 prejudiced against" -- I said, "He made me feel like  
20 trash." I said, "He was perverted."

21 I said, "And I didn't need this." I said, "My  
22 life has been hectic, I don't need him and this type of  
23 behavior." I said, "If he had said from the beginning --  
24 I had my license, I had proof of insurance." I said, "In  
25 my purse, I even have the title to the car." I said, "But

1 he wouldn't explain and he wouldn't allow me to explain."

2 He said, "I need more detail, from you, what  
3 happened." I told him in detail what happened. I said,  
4 "He was perverted while I was against the wall." I said,  
5 "He slammed my head against the wall as hard as he could."  
6 I said, "He was angry." I said, "And the one mistake that  
7 Oklahoma City has made is hiring him as an officer. He  
8 does not deserve to be called one of Oklahoma City's  
9 finest." I said, "He is hateful."

10 He said, "How do you know?" I said, "You could  
11 see it in his eyes." I said, "He was almost like a  
12 ravaged animal." I said, "He -- he wouldn't listen at  
13 all." I said, "I don't know" -- I said, "I really didn't  
14 believe he was an officer because of his behavior." I  
15 said, "It's -- it's unacceptable behavior." I said, "And  
16 if Oklahoma City knows, like I know, they would get him  
17 off of the force because I'm afraid of what he may do to  
18 the next black person."

19 He said, "Ms. Campbell, how do you know that he  
20 was prejudiced?" I said, "His eyes." I said, "He looked  
21 at me as though I were trash," I said, "as though I were a  
22 nobody." And I said, "I'm sure what he thought was that  
23 he had grabbed an uneducated black woman, someone that he  
24 could bully and push around and do whatever," I said, "and  
25 I honestly believe he had other intentions for me." I

1 vehicle --

2 **A** Yes.

3 **Q** -- was his reason?

4 Okay. So when you were with him during that  
5 period of time, whether you were outside the car, inside  
6 the car, or both, did he ever talk to you about your  
7 vehicle, the tags or the title, or anything like that?

8 **A** No.

9 **MS. GOOCH:** Object to the form.

10 **Q (By Ms. D'Antonio)** Did he ever ask you if you --  
11 if the vehicle belonged to you?

12 **A** No.

13 **Q** Any questions that you can recall, from Officer  
14 Holtzclaw, that would indicate that he was trying to find  
15 out whether or not you had stole the vehicle that you were  
16 driving?

17 **A** No.

18 **Q** I'd like to draw your attention to what we --  
19 we'll call it Plaintiff's Exhibit 1 -- well, Demetria  
20 Campbell Plaintiff's Exhibit 1. We can call it that. I  
21 want you to take a look at that. It's a two-page  
22 document. I want you to take a look at that document and  
23 tell me if you recognize it.

24 **A** Yes.

25 **Q** And, of course, it's a copy, correct?

1           **A**     Yes.

2           **Q**     And tell, for the Court, what this document  
3 represents.

4           **A**     It's the card that Lieutenant Bennett gave me at  
5 the hospital.

6           **Q**     And I noticed there's two pages. What is the  
7 second page?

8           **A**     On the back of it, I wrote the officer's name  
9 and what happened and where.

10          **Q**     Okay. So that is your handwriting, correct?

11          **A**     Yes.

12          **Q**     And when was that handwriting placed on this  
13 business card?

14          **A**     At the hospital, the night that I had spoken  
15 with Dr. -- with Lieutenant Bennett.

16          **Q**     Okay. So on November 5th, 2013?

17          **A**     Yes.

18               **MS. D'ANTONIO:** Okay. I'd like to offer this as  
19 an exhibit.

20          **Q**     **(By Ms. D'Antonio)** When you were talking to  
21 Lieutenant Bennett, did he state to you that he was going  
22 to follow-up with you on the questioning that he had  
23 conducted that night?

24          **A**     Yes.

25          **Q**     Okay. How did he say that? What exactly did he

1 hospital?

2 **A** Yes.

3 **Q** What did you tell him?

4 **A** I told him that I had enough on my plate to deal  
5 with, that I did not need that incident added to it, that  
6 my daughter was there, had just been brought in and that  
7 they had just told us that the cancer had made it to her  
8 brain and that she may not even leave the hospital.

9 **Q** Okay. So -- and I asked you if anyone contacted  
10 you from the Oklahoma City Police Department regarding  
11 your statements with Lieutenant Brian Bennett, but did  
12 anyone call you from the DA's office?

13 **A** No.

14 **Q** Anyone send you any correspondence from the DA's  
15 office in reference to that incident?

16 **A** No.

17 **Q** And one more question. When you were talking  
18 with Lieutenant Brian Bennett, at any time did he ask you  
19 for a physical description of the officer that you had  
20 made contact with on November 5th, 2013?

21 **A** No.

22 **Q** So when you gave Holtzclaw's name to him, was he  
23 satisfied with that or did he go further and ask you for  
24 more physical indicators about who he was?

25 **MS. GOOCH:** Object to the form.



1 Let's go to what I believe has been marked as...

2 **MS. D'ANTONIO:** Campbell Exhibit... 1.

3 **MR. SOLOMON-SIMMONS:** 1.

4 **Q (By Mr. Smith)** ...1. There's two pages to  
5 Campbell's Exhibit 1, correct?

6 **A** Yes.

7 **Q** And I believe you testified that the second page  
8 is a -- what you wrote on the back of Officer Bennett's  
9 card, correct?

10 **A** Yes.

11 **Q** This is what -- your statement of what happened  
12 on November 5th, 2013, correct?

13 **A** Yes.

14 **Q** And when did you write that?

15 **A** At the emergency room.

16 **Q** Was it before or after Bennett interviewed you  
17 and left?

18 **A** It was after.

19 **Q** Okay. Do you understand that the accusation or  
20 the belief was that a different car, other than your car,  
21 had been stolen?

22 **A** Could you rephrase that?

23 **Q** Okay. Do you understand that the accusation was  
24 that -- or the belief was, or the suspicion was that it  
25 was a different car that was stolen, other than any car

1           **MR. SMITH:** I don't believe we've -- going to  
2 object to relevance in a deposition.

3           **MR. SOLOMON-SIMMONS:** I believe I may, if I feel  
4 like I need to. I'm not from Oklahoma City, sir.

5           **MR. SMITH:** The federal -- okay, so the federal  
6 rules don't apply where you came from?

7           **MR. SOLOMON-SIMMONS:** No.

8           **Q (By Mr. Smith)** I'm going to hand you what's  
9 been --

10           **MR. SOLOMON-SIMMONS:** You will not bully me for  
11 where I came from.

12           **MR. SMITH:** Okay, I'm not trying to bully you,  
13 sir.

14           **MR. SOLOMON-SIMMONS:** Oh, no.

15           **MR. SMITH:** We agreed, at the beginning of this  
16 deposition, to the usual stipulations, which don't include  
17 relevance, and we've allowed Ms. D'Antonio to ask  
18 questions that weren't really relevant, so --

19           **MR. SOLOMON-SIMMONS:** Well, you should have made  
20 your record.

21           **MR. SMITH:** I did make my record. It's called  
22 you -- you don't waive them.

23           **Q (By Mr. Smith)** I'm going to hand you what's been  
24 marked as Defendants' Exhibit No. 2 and ask you if you've  
25 ever seen that document before, ma'am.

1 MS. D'ANTONIO: Thank you.

2 MR. SOLOMON-SIMMONS: Thank you, sir.

3 MR. SMITH: You're welcome. Don't try the stare  
4 down.

5 MR. SOLOMON-SIMMONS: You are funny.

6 MR. SMITH: What?

7 MR. SOLOMON-SIMMONS: I said you are funny, sir.

8 MR. SMITH: Okay. Glad you think so.

9 Q (By Mr. Smith) Have you ever seen those, ma'am?

10 A Yes.

11 Q Okay. And for the record, what are they?

12 A Medical records.

13 Q Okay. Did you ever tell anybody, on the night  
14 of this incident, at the hospital, that Daniel Holtzclaw  
15 perverted you?

16 A Yes.

17 Q Who did you tell at the hospital?

18 A Lieutenant Brian Bennett.

19 Q Okay. When I meant from the hospital -- and  
20 that was a poorly-worded question.

21 Did you tell anybody employed by the hospital  
22 that Daniel Holtzclaw perverted himself?

23 A No.

24 Q Okay. So is that why it's not in these medical  
25 records?

1           **A**     Yes.

2           **Q**     Okay. Why did you not tell the doctors, the  
3 nurses, the technicians, the reception lady, at the  
4 hospital, that Daniel Holtzclaw perverted himself?

5                   **MR. SOLOMON-SIMMONS:** Object to form.

6           **A**     I was ashamed. I felt degraded.

7           **Q**     **(By Mr. Smith)** Okay.

8           **A**     I felt nasty. And I didn't feel that I needed  
9 to disclose it to everyone, already feeling as bad as I  
10 was. I had enough on my plate, as I said before. I did  
11 not want to discuss it with everyone because it wasn't  
12 everyone's business.

13          **Q**     Okay. So you didn't need medical treatment for  
14 it?

15          **A**     No.

16          **Q**     Okay.

17          **A**     Not at that time.

18          **Q**     Have you ever disclosed it to any medical  
19 provider?

20          **A**     Yes.

21          **Q**     Which ones?

22          **A**     My personal doctor.

23          **Q**     And what is the personal doctor's name?

24          **A**     Akram Abraham.

25          **Q**     Okay. Do you know when you did that? Because

1 I've got his records, too, ma'am, and I don't see it in  
2 there. So tell me when --

3 **A** During the follow-ups.

4 **MS. D'ANTONIO:** I'm going to object as to form.  
5 Go ahead.

6 **Q (By Mr. Smith)** Do you know what date?

7 **A** No.

8 **Q** Okay.

9 **MR. SMITH:** And I don't believe I brought any  
10 copies. I've only got the original of this one, and it  
11 wasn't because of anything -- that I was trying to be  
12 funny or whatever.

13 **Q (By Mr. Smith)** But I will mark my only copy as  
14 Plaintiff's Exhibit 3, and I will give it to your lawyer  
15 and let you and your lawyer have an opportunity to look at  
16 it and see if you can find, in there, anywhere where I  
17 have missed it that you described to him the sexual  
18 assault.

19 **MS. D'ANTONIO:** Well, I'm just going to reflect  
20 -- make an objection on the record. We're not aware if  
21 that includes all of those medical records, so my client  
22 will review them, with the caveat that they're inclusive  
23 of everything.

24 **MR. SMITH:** That's inclusive of everything  
25 you've given me, ma'am, but -- but I understand. If you

1 think that there's some that's not there, I'll be willing  
2 to listen to what it is that you think I do not have.

3 **MR. HALL:** Cynthia, can we -- can we get a copy?  
4 I mean, can you --

5 **MS. D'ANTONIO:** Yes, uh-huh. And they're not  
6 numbered, either, page numbers or anything.

7 **MR. SMITH:** They're exactly the way I got them  
8 from you, ma'am. Actually, I didn't get them from you, I  
9 got them from the medical clinic.

10 **MS. D'ANTONIO:** You didn't get them from me.

11 **MR. SMITH:** I apologize, you're right.

12 (Recess was had from 2:00 p.m. to 2:05 p.m.)

13 **MS. D'ANTONIO:** Okay, we're back on the record.  
14 You're still under oath.

15 **Q (By Mr. Smith)** Okay, I'd asked you to look at  
16 the medical records to see if it refreshes your memory  
17 what time -- when you told Dr. -- is it Dr. Abram?

18 **A** Abraham.

19 **Q** Abraham? Could you look at those, please,  
20 ma'am?

21 **A** Okay, I've looked at them.

22 **Q** Do you see any indication there where you told  
23 him that you were sexually assaulted that night?

24 **A** No.

25 **Q** Okay. And I actually see that there's two

1                   **MS. GOOCH:** I'm sorry?

2                   **THE WITNESS:** The 11th.

3                   **Q**     **(By Mr. Smith)** On the 11th?

4                   **A**     Yes.

5                   **Q**     It's just not in the record?

6                   **A**     Not in detail.

7                   **Q**     It doesn't say "sexual," at all, does it?

8                   **A**     No.

9                   **Q**     It doesn't say "perversion"?

10                  **A**     No.

11                  **Q**     It doesn't say any of the words you've used  
12 today?

13                  **A**     No.

14                  **Q**     It doesn't say about "erection"?

15                  **A**     No.

16                  **Q**     But you say you told him that?

17                  **A**     Yes.

18                  **Q**     Okay. I'm going to hand you what's been marked  
19 as Defendants' Exhibit...

20                  **THE REPORTER:** 4;.

21                  **Q**     **(By Mr. Smith)** ...4, if I could ever find it.  
22 I'm sure I've hidden them from me.

23                             I'll ask you if you've ever seen this document  
24 before, ma'am. It is the use of force report done by  
25 Lieutenant Bennett.

1           **MR. SOLOMON-SIMMONS:** Thank you, sir.

2           **MR. SMITH:** You bet.

3           **A**     Okay.

4           **Q**     **(By Mr. Smith)** I -- I think you're going to say  
5 that's not what you told him, but I would like for you to  
6 read the entire thing. It's actually the first two pages.  
7 And I'm going to give you an -- I'm going to ask you about  
8 it, so I'm just saying that's his report, okay? And I  
9 will ask you if that's what you told him or if that's  
10 correct or incorrect, and you'll have your chance, all  
11 right?

12          **A**     Okay. Okay.

13          **Q**     Okay. And just for the record, there's more  
14 than four page- -- two pages here. If you want to read  
15 the whole document, you can read the whole document. I'm  
16 telling you that the first two pages are what is --  
17 supposedly, what you told Lieutenant Bennett, and the next  
18 pages are what Holtzclaw told him. If you want to read  
19 the whole thing, please do. I don't want you to say that  
20 I didn't give you the opportunity.

21           **MS. D'ANTONIO:** And I just want the record to  
22 reflect that the witness has testified she's never seen  
23 this document before, so lack of personal knowledge.

24           So answer the questions the best you can.

25           **MR. SMITH:** And I appreciate that, ma'am.

1                   **MS. D'ANTONIO:** You can tell him when you're  
2 done.

3                   **A**     I'm -- I'm done.

4                   **Q**     **(By Mr. Smith)** Okay. First of all, it's five  
5 pages, not four. I apologize.

6                   **A**     Uh-huh.

7                   **Q**     Okay. The first two purport to be what you told  
8 Lieutenant Bennett. And I understand you've never seen  
9 that document before today, until I just gave it to you.  
10 Do you agree with what -- that that's what you told  
11 Lieutenant Bennett, what's reported in there on the first  
12 two pages?

13                  **A**     Not all of that. Not all of that.

14                  **Q**     Okay. So some of it is what you told him?

15                  **A**     Yes.

16                  **Q**     Okay. Can you tell me what it is that you did  
17 tell him, or is it easier to go and say what you didn't  
18 tell him?

19                  **A**     I did tell him that Holtzclaw had me against the  
20 wall.

21                  **Q**     Okay.

22                  **A**     That he was perverted while he had me against  
23 the wall.

24                  **Q**     Okay.

25                  **A**     I told him that he would not explain why he had

1 Q Okay.

2 A Second sentence. I did not tell him that I  
3 thought he used unnecessary force by placing me against  
4 the wall. I told him that he placed me against the wall  
5 and that he was aggressive.

6 Q Okay.

7 A I told him that he was perverted, that --  
8 there's so much in here that I didn't say, but...

9 Q Okay. Well, let's talk about -- you keep saying  
10 the word "perverted." Is that the word you used?

11 A "Perverted."

12 Q That was the word you told him?

13 A Yes --

14 Q Okay.

15 A -- "perverted."

16 Q All right. And I understand that he summarized  
17 some of the things that you said in the second paragraph,  
18 at least that's my take on it. Is that a correct  
19 assumption, that he's summarizing some of the things that  
20 you have told him about?

21 MS. D'ANTONIO: I'm going to object to  
22 speculation.

23 Q (By Mr. Smith) Ma'am, you can answer it.

24 A Oh, I'm sorry. Repeat that, please.

25 Q Well, we can do it the hard way and I can go

1           **A**     No.

2           **Q**     Okay.  Were you aware that Ms. D'Antonio filed a  
3 tort claim on your behalf?

4           **A**     Yes.

5           **Q**     You've seen that document?

6           **A**     Yes.

7           **Q**     Okay.  If I could get the sticker off...

8                     (Off-the-record discussion between the court  
9 reporter and Mr. Smith.)

10           **MR. SMITH:**  I'm going to mark this one as 5.

11                     And by the way, while I'm thinking of it, I got  
12 Dr. Abraham's records from Dr. Abraham, not from you.

13           **MS. D'ANTONIO:**  Not from me.  Thank you.

14           **MR. SMITH:**  And I apologize.  I'd thought of it  
15 earlier and I just couldn't come to a break, and I  
16 apologize.

17           **MR. SOLOMON-SIMMONS:**  Thank you.

18           **Q**     **(By Mr. Smith)**  I've handed you what's been  
19 marked as Defendants' Exhibit No. 5, and ask you if you've  
20 seen that document before.

21           **MR. HALL:**  Thank you.

22           **A**     Yes.

23           **Q**     **(By Mr. Smith)**  On Page 2 -- and this is Page 2  
24 of the exhibit and Page 2 typed, even -- do you see where  
25 it says, under paragraph marked "A", your claim?

1           **A**     Yes.

2           **Q**     Ma'am?

3           **A**     Yes.

4           **Q**     Okay. The second paragraph, it -- it explains  
5 what your claim is or the facts of it?

6           **A**     Yes.

7           **Q**     Does it say that Daniel Holtzclaw was perverted  
8 towards you at any time?

9           **A**     Which part of the paragraph are you referring  
10 to?

11          **Q**     All of the second paragraph.

12          **A**     Okay. Now, your question again, please?

13          **Q**     Does it ever say in there that Daniel Holtzclaw  
14 was perverted towards you?

15          **A**     No.

16          **Q**     Okay. Without telling me attorney-client  
17 privilege, do you have any explanation why it doesn't say  
18 that?

19                   **MS. D'ANTONIO:** I'm going to object to  
20 attorney-client privilege. Don't answer that.

21          **Q**     **(By Mr. Smith)** I'm going to hand you what's been  
22 marked as Defendants' Exhibit 6, if I can get the label  
23 off. Ask you if you've ever seen that document before.

24                   **MR. SOLOMON-SIMMONS:** Thank you.

25                   **MR. SMITH:** You're welcome.