

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-

) CASE NO. CIV-16-184-HE

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

Defendants. )

VIDEOTAPED DEPOSITION OF

RON CHRISTOPHER BACY

TAKEN ON BEHALF OF THE PLAINTIFFS

IN OKLAHOMA CITY, OKLAHOMA

ON MARCH 27, 2019

REPORTED BY: TRENA K. BLOYE, CSR

1 that's needed you're conduit of information to your  
2 chain of command.

3 But at the exact same time you have the ability  
4 to learn. It's not something you can't learn. You're  
5 inundated with cases from multiple units every day. You  
6 learn through this process.

7 And when you have people like a Denise Wenzel  
8 or DEPUTY CHIEF like Johnny Kuhlman who had homicide  
9 experience, you learn from your successes and your  
10 failures. You never make -- I can only speak for  
11 myself. I tried never to make the same oversight  
12 mistake twice. I had really good mentors above me.

13 And if you had a question about something you  
14 could always ask the investigators and they were more  
15 than willing to tell you, this is why I did this, this  
16 is why I did that. So it's something you can learn, but  
17 that's not your job to investigate those cases.

18 Q Did you have any conversations or -- let me  
19 ask. Obviously you had conversations with Denise Wenzel  
20 about the Holtzclaw investigation. Do you recall the  
21 first conversation that you had with Denise -- with  
22 Maj. Wenzel about the Holtzclaw investigation?

23 A Yes.

24 Q When was that conversation?

25 A I'm getting caught up on a date. But I believe

1 it was the Sunday of May 25th of 2014.

2 Q And how did the conversation -- who initiated  
3 the conversation?

4 A I did.

5 Q All right. And why did you initiate a  
6 conversation with Maj. Wenzel?

7 A I had just had a conversation with Lt. Miguel  
8 Ramos who called me about some call, I don't remember,  
9 some -- some incident he wanted to advise me of. And he  
10 mentioned to me that he'd gotten a call the previous  
11 night that he didn't send detectives out on. And I  
12 immediately called her and let her know that that had  
13 occurred.

14 Q Okay. So Det. Ramos (sic.) called you about  
15 one matter, and then during the -- that conversation he  
16 told you about the -- a different matter that you  
17 decided then needed to be run up the chain; is that  
18 correct?

19 A Correct.

20 Q Do you recall what the initial phone call was  
21 about?

22 A I don't. I'm sorry. It's been about  
23 four-and-a-half, five years.

24 Q When Det. Ramos told you about the second  
25 matter, the sexual assault allegation against an

1 officer, is that -- that's the second matter; correct?

2 A I don't remember the order in which he  
3 explained it.

4 Q Okay. But the sexual assault allegation  
5 against an officer is what you called detective -- I  
6 mean -- Maj. Wenzel about; correct?

7 A Yes. For clarification, can I just say it's  
8 Lt. Ramos.

9 Q Lt. Ramos, yes.

10 A Yes.

11 Q And feel free to correct me in the future.

12 Did you have a conversation with Lt. Ramos of  
13 why he didn't send a detective out that night he  
14 received the allegation?

15 A Yes.

16 Q And what did he say?

17 A I don't recall the exact wording. I was  
18 notified that a woman made allegations that she had been  
19 raped by a police officer, and he had made the  
20 determination that, for whatever reason, he wasn't going  
21 to send detectives out. I advised him that anything  
22 that's officer involved, not only do we send detectives  
23 but we notify the chain of command. And I told him I  
24 would immediately have to call Maj. Wenzel and let her  
25 know, which is what I did.

1 are for 90 days until rescinded or until made policy or  
2 extended. We have standard operating procedures. So  
3 there -- when you say written policy I don't think you  
4 can blanket it all in one statement.

5 Q (By Mr. Solomon-Simmons) Okay. Fair enough.

6 MR. SMITH: Do you need a break?

7 THE WITNESS: If we're going to do that,  
8 yeah, I will take one.

9 MR. SMITH: Do you want to stop here  
10 while you're getting it or do you want to ask him --

11 MR. SOLOMON-SIMMONS: Oh, I have it.

12 MR. SMITH: Okay.

13 MR. SOLOMON-SIMMONS: Let's take a break.

14 VIDEO OPERATOR: Off the record.

15 (A break was had from 10:34 to 10:42  
16 a.m.)

17 VIDEO OPERATOR: Back on.

18 (Plaintiffs' Exhibit 1 was marked for  
19 identification and made a part of the  
20 record.)

21 Q (By Mr. Solomon-Simmons) Captain, I have placed  
22 a document in front of you. Have you seen this document  
23 before?

24 A Yes.

25 Q Can you please identify it for the record?

1           A     It is the Revisions of Callout Procedures for  
2     the investigations bureau.

3           Q     And would this have been the callout procedure  
4     that was in force in May of 2014?

5           A     Yes.

6           Q     I want you to read -- you see on this first  
7     page where it's bolded, like if you go half way down the  
8     document where it says, "The following procedures should  
9     be followed." Do you see that?

10          A     Yes. "For after hours callout investigators,"  
11     yes.

12          Q     Okay. So I want you to turn the page and go to  
13     the page that ends in 674, Oklahoma City's production  
14     674. In the middle of that page it says, "Sex Crimes  
15     Unit." Do you see that?

16          A     Yes.

17          Q     All right. Would you agree that this is a  
18     listing of cases or incidents where a sex crimes  
19     lieutenant must send out a detective to investigate one  
20     of these particular crimes --

21                   MR. SMITH: Object to the form.

22          Q     (By Mr. Solomon-Simmons) -- or allegations?

23          A     No, I wouldn't agree.

24          Q     Why wouldn't you agree?

25          A     Because you said must. I would use the term

1 should.

2 Q Okay. Well, if you go back to the first page  
3 of that document, the last bullet point on that  
4 document, could you read it for the record?

5 A In cases involving department employees where a  
6 callout is required, the unit supervisor who will  
7 respond -- the unit supervisor will respond with the  
8 on-call investigators.

9 Q Okay. Now, so would you agree it says, "where  
10 a callout is required"?

11 MR. SMITH: Object to the form.

12 A You're wanting me to agree that it says that?

13 Q (By Mr. Solomon-Simmons) Right.

14 A Yes.

15 Q Okay. And so when you read that bullet point,  
16 go back to page 5674. Do you agree that the lieutenant  
17 is required to call out the on-call investigator any  
18 time a sex crime is involving a department employee as a  
19 victim or suspect which has been reported?

20 MR. SMITH: Object to the form.

21 A Could you restate that? I'm sorry.

22 Q (By Mr. Solomon-Simmons) Do you agree that  
23 Lt. Ramos, pursuant to this policy which is Plaintiff's  
24 Exhibit 1, he's required to call out the investigator  
25 once he received notice that a victim was reporting that

1 she had been sexually assaulted by an Oklahoma City  
2 police officer?

3 MR. SMITH: Object to the form.

4 A No. I would say that he should have. I won't  
5 say that he was required. If we go back to the very  
6 first page, second paragraph, first line says, "The  
7 on-call lieutenant has the discretion to call out an  
8 investigator using his or her best judgment. All  
9 situations cannot be addresses in this memorandum."

10 The statement in this memorandum is a -- these  
11 are callout procedures, they are a guideline. They are  
12 not policies, procedures or rules.

13 Q (By Mr. Solomon-Simmons) What is your  
14 understanding when someone says this should be followed?  
15 Is that a directive?

16 MR. SMITH: Object to the form.

17 A Should means it's a guideline. It doesn't say  
18 must, which would be definite. Should means -- it's a  
19 guideline. What the callout procedures are are  
20 basically a guideline. They are not the Bible, but it's  
21 a guideline to give you some -- not just for the  
22 callouts, the on-call investigative supervisors, but for  
23 the patrol supervisors who are going to make those calls  
24 at 3:00 or 4:00 in the morning and wake people up, to  
25 have an idea if it fits, kind of, the scope of what we



1 might, or investigators might respond to.

2 Q (By Mr. Solomon-Simmons) So why did you tell  
3 Lt. Ramos that he should have called out the  
4 investigator and he should have notified you once he  
5 knew about the allegation?

6 A These are guidelines, but they do suggest a  
7 course of action. When there is a department employee  
8 accused of something such as a sexual assault we should  
9 send investigators out.

10 Q And why should you send investigators out?

11 A Because it is what we would consider to be a  
12 high-profile incident.

13 Q Would you agree that such high-profile  
14 incidents, the investigation should start immediately?

15 A I believe it's baby steps and we should go  
16 piece by piece and just work it as it comes. So -- am I  
17 answering your question?

18 Q No, sir. Do you believe, because it's a  
19 high-profile incident involving a department employee,  
20 that the investigation should start as soon as possible?

21 A If possible, yes.

22 Q And the first step -- would you agree the first  
23 step in an investigation after receiving the initial  
24 report is having an actual investigator assigned to that  
25 particular case?

1 Q Who made that decision to wait until Tuesday to  
2 start working on Terri Morris's case?

3 A I don't remember.

4 Q Who would have had the authority to make that  
5 decision?

6 A Maj. Wenzel would have that authority to make  
7 that call. Deputy Chief Kuhlman would have the  
8 authority to make that call.

9 Q So either Maj. Wenzel or Deputy Chief Kuhlman  
10 made the decision to wait until Tuesday to start -- for  
11 an investigator to start working on Terri Morris's case.  
12 Is that your testimony?

13 A I'm saying I don't recall who made the  
14 decision.

15 Q Well, I'm trying to make sure I understand.  
16 You're saying the two people you named, Deputy Chief  
17 Kuhlman and Maj. Wenzel would have been the two  
18 individuals who would have made that call.

19 A It could have been the Chief of Police. I  
20 don't know. I don't know, beyond speaking to my major  
21 at the time, Maj. Denise Wenzel, I don't recall what  
22 conversation she had and how far up the chain of command  
23 the information went on that date.

24 Q But you didn't make the call to wait to Tuesday  
25 to start the investigation. Is that your testimony?