

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

ARTHUR GREGORY

TAKEN ON BEHALF OF THE PLAINTIFFS

IN OKLAHOMA CITY, OKLAHOMA

ON FEBRUARY 28, 2019

REPORTED BY: TRENA K. BLOYE, CSR

1 Q Were you aware before today that Mr. Holtzclaw
2 was involved in a use of force incident on November 5th,
3 2013?

4 MR. SMITH: You mean before he met with
5 his attorney?

6 MR. SOLOMON-SIMMONS: I mean before
7 today.

8 MR. SMITH: And don't answer anything
9 that we may have discussed.

10 A I was aware of him possibly being in something
11 on that night. I was on duty.

12 Q (BY MR. SMITH) You were on duty?

13 A Yes.

14 Q And you -- you became aware of it that evening?

15 A Well, I don't know whether I became aware of
16 it. I know there was a call for a lieutenant to go, and
17 Lt. Bennett took the call from me.

18 Q What do you mean "took the call" from you?

19 A He volunteered to go and deal with this
20 situation.

21 Q He volunteered to go?

22 A Yes.

23 Q Okay. So you recall when the call came in, the
24 call --

25 A Not specifically.

1 Q So did you talk to Lt. Bennett about this
2 incident?

3 A I don't remember particulars. I'm sure I asked
4 him if there was something I could do. But, again, it's
5 just a vague remembrance of that night.

6 Q Do you recall why he volunteered to take the
7 call?

8 A I was on another incident and he was close
9 to -- again, I -- I don't want to say, because I don't
10 know specifics about it, but he was close to where he
11 needed to go, closer than I was, and I was on another
12 incident.

13 Q So did he call you and say, "Hey, I'll take
14 this call for you," or did you call him and say, "Can
15 you take this call?"

16 A I believe it was done over the air.

17 Q And what do you mean over the air?

18 A He told dispatch that he would go. I told him
19 I could do it as soon as I cleared off, and he said he'd
20 take care of it.

21 Q Okay.

22 A That's not verbatim. I'm sorry.

23 Q Sure. No problem. Now, so you would have
24 known it involved one of subordinates?

25 A Yes.

1 with Mr. Holtzclaw in November of 2013?

2 A Not that I remember, no.

3 Q And you don't see the significance of -- do you
4 believe you should have been involved in this, these
5 discussions about your direct subordinate?

6 MR. SMITH: Object to the form.

7 A Based on the information in front of me it was
8 taken care of by the appropriate authorities.

9 Q (BY MR. SMITH) Okay. So let's go to the next
10 page. We will get to a stopping point soon.

11 So, obviously, this is the first time you've
12 seen this document; correct?

13 A Yes.

14 MR. SMITH: Object. Other than with your
15 lawyers.

16 A Yes.

17 Q (BY MR. SOLOMON-SIMMONS) So when was the first
18 time you saw this document?

19 A Um, I don't know. It's --

20 MR. SMITH: You don't need to give him a
21 date. If it's with us, just tell him it's with your
22 lawyers.

23 A With the attorney.

24 Q (BY MR. SOLOMON-SIMMONS) Was it in 2014?

25 A No.

1 Q 2015?

2 A No.

3 Q 2016?

4 A No.

5 Q 2017?

6 A No.

7 Q 2018?

8 A No.

9 Q So you saw this document in 2019?

10 A I believe so.

11 Q So you recognize this is a document of a lady
12 by the name of Demetria Campbell as she was giving her
13 story as transcribed by Lt. Brian Bennett?

14 A Yes.

15 Q Do you understand that? Okay. Do you recall
16 what all she -- the complaints that she made against
17 Mr. Holtzclaw as transcribed by Lt. Bennett?

18 A No.

19 Q Okay. Do you want to take just a moment to
20 read it?

21 (The witness reviewed the document.)

22 A Okay.

23 Q Okay. Are you finished reading that?

24 A Yes.

25 Q Okay. Now, if you could read -- let's go to

1 Q (BY MR. SOLOMON-SIMMONS) So you saw
2 Mr. Holtzclaw every day, so you could describe his
3 appearance; correct?

4 A Yes.

5 Q Would you agree that Mr. Holtzclaw had black
6 hair at the time he was your subordinate?

7 A I believe that's correct.

8 Q Would you agree that Mr. Holtzclaw was clean
9 shaven at the time he was your subordinate?

10 A Yes.

11 Q Would you agree that Mr. Holtzclaw was a stocky
12 build in the time he was your subordinate?

13 A Yes.

14 Q Would you agree that Mr. Holtzclaw was clean
15 shaven at the time he was your subordinate?

16 A You've asked that; but, yes.

17 Q Did I ask that? Would you agree that
18 Mr. Holtzclaw could be described as a dark skinned white
19 male?

20 A That was not my impression of him, so I don't
21 know what someone else would have described him as.

22 Q What was your impression?

23 A He was Caucasian.

24 Q Okay. Would you describe it as being a tanned
25 Caucasian?

1 MR. SMITH: Object to the form.

2 A I don't know.

3 Q (BY MR. SOLOMON-SIMMONS) Okay.

4 A I don't know that I have an opinion. Like I
5 said, he's Caucasian. He didn't seem any more tan or
6 less tan than anyone else.

7 Q Okay. And obviously you would consider him to
8 be a male.

9 A Yes.

10 Q In your opinion as your subordinate was
11 Mr. Holtzclaw, did he follow -- strike that.

12 Was Mr. Holtzclaw good about following OCPD
13 policies and procedures in your opinion?

14 A To the best of my knowledge, yes.

15 Q And you would have the best -- you would be the
16 best person to know if he followed policies and
17 procedures; correct?

18 A Yes.

19 Q And why is that?

20 A For the time that he worked for me I was
21 directly responsible for him.

22 Q Do you have any complaints about how
23 Mr. Holtzclaw conducted his police work underneath your
24 leadership?

25 A That's such a broad question there is no way to