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

COPY

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

FILED IN DISTRICT COURT
OKLAHOMA COUNTY

FEB 29 2016

TIM RHODES
COURT CLERK

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46

TRANSCRIPT OF THE JURY TRIAL

HAD ON THE 3RD DAY OF NOVEMBER, 2015,

BEFORE THE HONORABLE TIMOTHY R. HENDERSON,

DISTRICT JUDGE IN AND FOR OKLAHOMA COUNTY,

OKLAHOMA CITY, OKLAHOMA

RECEIVED

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MAY 26 2016

VOLUME II OF XVIII

ATTORNEY GENERAL

FILED
IN COURT OF CRIMINAL APPEALS
STATE OF OKLAHOMA

MAY 26 2016

MICHAEL S. RICHIE
CLERK

REPORTED BY: Kristin L. Taylor, RPR

264-488

1 lawsuit against the City of Oklahoma City and the police
2 department and Daniel Holtzclaw.

3 What I'm going to ask you to do is what you all
4 promised you would do in voir dire, just let all the
5 evidence come in before you make a decision. But I will ask
6 this of you and I can assure you of this: After you've
7 heard all of the evidence and you've listened to everything
8 that everyone has to say, and all the exhibits are in and
9 all the stipulations are in, I'm going to ask you to do the
10 only right and just thing for Daniel Holtzclaw and that's to
11 let him go back home to his family.

12 Thank you, your Honor.

13 THE COURT: All right. Thank you.

14 Mr. Gieger, call your first witness.

15 MR. GIEGER: Thank you, your Honor.

16 State calls Jannie Ligons.

17 THE COURT: All right. Ma'am, raise your right
18 hand.

19 (Jannie Ligons was sworn.)

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

24 THE WITNESS: Jannie Ligons. J-A-N-N-I-E. Last
25 name, L-I-G-O-N-S.

1 THE COURT: All right. Thank you.

2 Mr. Gieger, you may proceed.

3 MR. GIEGER: Thank you, your Honor.

4 JANNIE LIGONS,

5 was called as a witness, after having been first duly sworn,
6 and testified as follows:

7 DIRECT EXAMINATION

8 BY MR. GIEGER:

9 Q Ms. Ligons, do you live here in Oklahoma City?

10 A Yes, sir.

11 Q I want to turn your attention if I can back about --
12 oh, a little bit -- about a year and a half ago, give or
13 take a few days, back to the time of June of 2014. Do you
14 remember that time?

15 A Yes, sir.

16 Q At that time, ma'am, where -- what part of Oklahoma
17 City were you living in?

18 A Oklahoma City, Oklahoma.

19 Q Like northwest? Southeast?

20 A Northwest.

21 Q Northwest part of Oklahoma City.

22 Who were you living with?

23 A My daughter at that time, sir.

24 Q Okay. Tell the jury your daughter's name, please.

25 A Marisha Ligons.

1 Q -- off of Lincoln?

2 A Uh-huh.

3 Q That's the direction you're trying to go?

4 A Uh-huh.

5 Q Okay.

6 THE COURT: Ma'am, could I get you to answer
7 verbally instead of just uh-huh so we can make sure the
8 record's clear as to what you're saying?

9 THE WITNESS: Okay.

10 THE COURT: Thank you.

11 Q (By Mr. Gieger) It's about 2:00 a.m. or a little after
12 2:00 a.m.?

13 A Yes, sir.

14 Q Is there a lot of traffic on the street or not?

15 A It's not.

16 Q Now you've talked about another car. So tell me when
17 you first -- where are you if you remember when you first
18 noticed this other vehicle that you're telling me about?

19 A Like, passing 50th and Kelley at the lights.

20 Q Okay. So going west on 50th past Kelley heading toward
21 Lincoln. Am I understanding right?

22 A Correct.

23 Q Okay. Tell me what that car does. What do you
24 remember about it?

25 A First I noticed it on the side of me. And then it got

1 behind me.

2 Q Okay. When you say he's on the side of you are --
3 which lane are you in? Are you in the lane closest to the
4 curb --

5 A The curb.

6 Q -- or in the middle lane?

7 A The curb.

8 Q Okay. So when he comes beside you he's coming up on
9 your side, the driver's side of the car?

10 A Right.

11 Q Does he come up all the way beside you where you can
12 see him or what do you remember about that?

13 A No, he come up to where he could see me. He came up
14 beside me. And then he got behind me. When he stopped me
15 in the car he got behind me.

16 Q At some point did you notice it was a police car?

17 A Yes, I knew it was a police car.

18 Q When did you notice it was a police car?

19 A When I saw those letters on the side that say "police."
20 Big white letters, sir.

21 Q Was that whenever he was beside you?

22 A Uh-huh. I could tell.

23 Q Okay. And then you noticed then a police car's now
24 pulled in behind you?

25 A Correct.

1 Q What are you thinking?

2 A I didn't know what to think because I was just driving.
3 I just thought it was the police just getting behind me.

4 Q Did you get nervous?

5 A Not really. But if a police get behind me I got a
6 little nervous. That's just natural.

7 Q You're just paying attention he's back there?

8 A Right.

9 Q Did you swerve, ma'am?

10 A No, I did not.

11 Q Were you intoxicated?

12 A Not at all, sir.

13 Q What happened next?

14 A He got -- when he got behind me as I passed the -- the
15 lights was red on Lincoln. And when I got ready to take off
16 on the lights when it changed green he pulled his -- he
17 turned his lights on. And then I pulled over.

18 Q Okay. So you actually came to a stop at the light at
19 50th and Lincoln?

20 A Uh-huh. Correct.

21 Q And your memory is the lights change and instead -- did
22 you -- why didn't you turn onto Lincoln and go on north to
23 go toward I-44? Why'd you --

24 A I really don't know. Just a -- I guess because he got
25 behind me and I just kept straight.

1 Q Okay. But are you actually in that intersection then
2 when the lights come on? The -- the police lights. Or are
3 you past the intersection or do you remember?

4 A I was, like, on a -- just about the end of the
5 intersection, sir.

6 Q Okay. So you've gone through --

7 A Yes.

8 Q -- the intersection of Lincoln and you remember the
9 lights coming on?

10 A Correct.

11 Q What'd you do?

12 A I pulled over, sir, and stopped.

13 Q Tell me what happened.

14 A And then I could -- when he pulled behind me and he got
15 out of his car and came to my car. And that's when I opened
16 up my car door because my window don't let down the driver's
17 side. So I had to open up my car door.

18 Q The driver's window won't roll down?

19 A No, sir.

20 Q So you open the door. What happens?

21 A And he came to my car. And he said: I stopped you
22 because I see you were swerving. I say: Swerving? I said:
23 No, sir. I said: I wasn't swerving.

24 Q Were you rude to him?

25 A Excuse me?

1 Q Were you rude to him?

2 A Not at all.

3 Q Okay. When you say -- the way you just said it to me
4 was "No, sir, I wasn't swerving." Is that the words you
5 used?

6 A Yes, sir.

7 Q Okay. What if anything did he respond and what
8 happened next?

9 A He told me -- when he -- well, when he looked in the
10 car he saw that cup there. He say: What is that you're
11 drinking? I say: That's Kool-Aid, sir. I say: You can
12 taste it if you want to. You know, by this time he axed
13 (sic) me to get out of the car. I got out of the car and he
14 told me to walk back to his car. I walked back to his car
15 and he was walking -- I was walking to his car, he was
16 walking backwards. I remember him saying: Was you nervous
17 or was I nervous. And I'm, like, no, sir, you know. So as
18 I walked back to his car he axed (sic) me to put his hands
19 on -- my hands on top of his car.

20 Q All right. Now hang on just a minute. I want to make
21 sure I'm understanding where you're at. You've gone through
22 the intersection of 50th?

23 A Uh-huh.

24 Q And you've stopped. Then are you still on the inside
25 lane so that -- so it'd be the north lane of 50th? Do you

1 know what I mean? Are you still next to -- you pull over
2 next to the curb?

3 A At the curb, right.

4 Q Did you actually stop on 50th Street or did you pull
5 off on some --

6 A I pulled -- I was, like, there on Beverly Drive at that
7 --

8 Q Just right there?

9 A -- corner. Uh-huh.

10 Q And then he's behind you?

11 A Yes, sir.

12 Q And you've walked back to his car?

13 A Correct.

14 Q So are you standing on the curb side of the street or
15 are you standing on the lane side? You understand?

16 A The lane side.

17 Q Okay. So when you're -- is there traffic going by or
18 not?

19 A No, sir.

20 Q Okay. What happens next?

21 A When I get to his police car I put my hands on -- on
22 the top of his car for him to search me. He starts
23 searching me. He said: You got -- let me know if you got
24 any illegal drugs on you. If I find any on you then I'm
25 taking you to jail. I say: I don't have any illegal drugs

1 on me, sir. So he patted me down and didn't find any. So
2 at this point in time he opened up his car door and I gets
3 in his -- his police car.

4 Q Which side are you on? Are you on the driver's side or
5 the passenger side?

6 A Of his car? I was on the passenger side.

7 Q The passenger. So you've made your way around -- if
8 you're still facing -- are you still facing west?

9 A Okay. Okay. When I -- when I -- when I walk back from
10 the street I went over to the passenger side.

11 Q Okay.

12 A That's where he patted me down on the passenger side.

13 Q You said something a moment ago about him having you
14 place your hands on top of his car?

15 A Correct.

16 Q Where did -- what part of his car did you touch? The
17 front part, back part, where was it?

18 A I think the front part, sir.

19 Q Like, the hood of the car? Or back in the -- where the
20 passenger -- where the doors are.

21 A Where the doors are at the top.

22 Q Okay. Up at the top?

23 A Uh-huh.

24 Q All right.

25 A Correct.

1 Q And was he searching you whenever that happened? Is
2 that -- or what -- why did he have you put your hands up
3 there?

4 A So he could search me.

5 Q And did he?

6 A Yes, sir.

7 Q How did he search you?

8 A He just -- he just patted me down, sir.

9 Q Okay. Like, your sides or how?

10 A My sides, yeah, and my pockets and --

11 Q Okay. Did you think he had done anything inappropriate
12 at that point?

13 A No, sir.

14 Q All right. He told you that if I find something on you
15 you're going to jail?

16 A Correct.

17 Q That make you nervous or not?

18 A No.

19 Q But those are his words "you're going to go to jail if
20 I find something"?

21 A Yes.

22 Q Okay. And so he puts you now in the back seat on the
23 passenger side?

24 A Correct.

25 Q Does he close you into the car, like, are you all the

1 way in, shut into it?

2 A Yes, sir.

3 Q Okay. What happens at that point?

4 A Then he goes back to my car. And he, I guess, search
5 my purse and, I guess, check the cup that's sitting there in
6 the cup holder.

7 Q You're saying you guess. Can you see what he's doing?

8 A No, sir.

9 Q Okay. You just know that he -- but you saw him go back
10 to your car?

11 A To my car.

12 Q Could you tell if he got into your car?

13 A I could tell he got into my car.

14 Q You could see that.

15 A I could see that.

16 Q Okay. And when you said he's looking at your purse or
17 looking at the cup you're just assuming that's what he was
18 doing?

19 A Yes, sir, because things was -- wasn't like the way
20 they was when I got back in the car. So I know he went
21 through my purse.

22 Q Okay. Later when this is over and you get back in your
23 car you notice things are moved around?

24 A Right.

25 Q That's part of your assumption that he was looking at

1 stuff?

2 A Right.

3 THE COURT: All right. Mr. Gieger, I think we'll
4 stop with the testimony at this point since it's about seven
5 minutes to 5:00.

6 Ladies and gentlemen, we're going to recess for
7 the evening.

8 MR. GIEGER: Judge, may she step down?

9 THE COURT: Yes. Go ahead, ma'am, and step down.

10 I'll need you to leave your notepads in your seats
11 for the evening. The courtroom will be locked so no one
12 will be looking at your notepads. I need to admonish you
13 not to talk about the case, not to let anyone talk to you
14 about the case, not to listen to any radio reports, TV
15 reports, Internet. Don't watch any news or anything at all.
16 You know, it may be a little bit difficult because you turn
17 on a TV in the morning or whatever you do, but don't do it.

18 Now, again, when you get home your families are
19 going to say: Well, what happened today at court? And you
20 can tell them you're on a jury and that's all you can tell
21 them. And they're going to ask you: Well, what kind of
22 case is it? They may even ask you is it that case that I've
23 watched on TV? You can't say anything about it. It's just
24 not proper. It's not proper for you to talk about it at
25 all.

C E R T I F I C A T E

STATE OF OKLAHOMA)
) SS:
COUNTY OF OKLAHOMA)

I, KRISTIN L. TAYLOR, a Certified Shorthand Reporter within and for the State of Oklahoma, DO HEREBY CERTIFY that as such reporter, I reported in machine shorthand on the 3rd day of November, 2015, the proceedings had in CF-2014-5869 and that the foregoing pages of typewriting constitute a full, true, correct and complete transcript of said hearing.

WITNESS my hand and seal of office on this 23rd day of February, 2016.

Kristin L. Taylor
Kristin L. Taylor, CSR, RPR



Kristin L. Taylor
State of Oklahoma
Certified Shorthand Reporter
CSR #1829

My Certificate Expires 12/31/16