

COPY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

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

FILED IN DISTRICT COURT
OKLAHOMA COUNTY

MAR 16 2016

TIM RHODES
COURT CLERK

46

* * * * *

TRANSCRIPT OF THE JURY TRIAL

HAD ON THE 6TH DAY OF NOVEMBER, 2015,
BEFORE THE HONORABLE TIMOTHY R. HENDERSON,
DISTRICT JUDGE IN AND FOR OKLAHOMA COUNTY,
OKLAHOMA CITY, OKLAHOMA

* * * * *

VOLUME V OF XVIII

REPORTED BY: Kristin L. Taylor, RPR

1 A Yeah, just me and Jonaye.

2 Q So you were out -- you weren't in an apartment, you
3 were sitting outside in the parking lot?

4 A Yes, ma'am.

5 Q Were you doing any type of drugs with Jonaye Stafford
6 on that day?

7 A Yes.

8 Q What type of drugs were you doing?

9 A It was PCP.

10 Q And how do you -- how do you do PCP?

11 A You smoke it on a cigarette.

12 Q Okay. Did Oklahoma City police officers make contact
13 with you while you were at Liberty Station Apartments?

14 A Yes, ma'am.

15 Q Tell me about where you were and how that contact
16 happened.

17 A We were backed in in the apartments, like, on the first
18 entry of the apartments. And all of a sudden we see the
19 police is pulling in the apartments. And they went to the
20 middle -- they turned in and went to the middle of the
21 apartments. And they came back fast around and they pulled
22 in front of the truck that we were in.

23 Q And you said "they pulled in front," was there just one
24 car or more than one car?

25 A It was more than one car.

COPY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

IN THE DISTRICT COURT IN AND FOR OKLAHOMA COUNTY

STATE OF OKLAHOMA

STATE OF OKLAHOMA,)
)
Plaintiff,)
vs.)
)
DANIEL K. HOLTZCLAW,)
)
Defendant.)

CASE NO.: CF-2014-5869

FILED IN DISTRICT COURT
OKLAHOMA COUNTY

APR - 5 2016

TIM RHODES
COURT CLERK

46 _____

* * * * *

TRANSCRIPT OF THE JURY TRIAL

HAD ON THE 10TH DAY OF NOVEMBER, 2015,
BEFORE THE HONORABLE TIMOTHY R. HENDERSON,
DISTRICT JUDGE IN AND FOR OKLAHOMA COUNTY,
OKLAHOMA CITY, OKLAHOMA

* * * * *

VOLUME VI OF XVIII

REPORTED BY: Kristin L. Taylor, RPR

1 we're gonna search you anyway. He placed me in the back
2 seat.

3 Q Were you handcuffed in the back seat?

4 A No, ma'am.

5 Q Okay. What happened after you got in the back seat?

6 A The officers were over at the car. Other officers were
7 speaking with Jonaye and I guess they were searching the car
8 and waiting for a woman police to come. And when she came
9 they pulled me back out and then they searched me.

10 Q Okay. And when you say "they searched me" who
11 specifically --

12 A She did. She searched me. And just the other ones
13 just stood around.

14 Q So the female officer was the only one who was laying
15 hands on your body to search you?

16 A Right.

17 Q And whenever this female officer searched you, what
18 happened?

19 A She searched me and she found something, and when she
20 found it I -- I crushed it.

21 Q Okay. And when you say she found something did she
22 find a vial of PCP?

23 A Yes, ma'am.

24 Q And when you say you crushed it, tell me what you mean
25 by that.

1 A I tried to get rid of it and I crushed it in my mouth.

2 Q Okay. Was it a glass vial?

3 A Yes, ma'am.

4 Q After you crushed that glass vial did it have PCP in it
5 as well?

6 A Yes, ma'am.

7 Q And was an ambulance called for you?

8 A Yes, ma'am.

9 Q Did you ride in the ambulance?

10 A Yes, I rode in the ambulance to the apartment -- to the
11 hospital.

12 Q Did any police officers ride inside the ambulance with
13 you?

14 A No, ma'am.

15 Q Do you know what hospital you were taken to?

16 A I was taken to Southwest Medical.

17 Q Once you got to Southwest Medical Center what was the
18 first thing that happened?

19 A They got me there and when they took me out they put me
20 in a shower. Right as they took me in there was a shower
21 somewhere close.

22 Q Right inside the entrance area?

23 A Yes, ma'am.

24 Q Okay. What happened when you got in the shower?

25 A And they took everything off of me. And then they just

1 Q I mean, his squad car -- he's got one of the new squad
2 cars that says "police" down the sides, lights, sirens,
3 everything; correct?

4 A Correct.

5 Q And you know that you're in trouble.

6 A Yes, well, I didn't think I was because I knew I -- I
7 knew that at that moment I didn't think I was -- would go to
8 jail because I didn't think -- I didn't know that -- I
9 didn't think they would find anything.

10 Q Okay. So although you've been smoking PCP in the car
11 and you have it poured on your body, you were still under
12 the opinion it's going to be okay they're not going to find
13 anything on me?

14 A Because if they do, well, I -- I'm not gonna lie. When
15 he threw it in I knew they were coming and I tried to hide
16 it because I didn't want them to find it.

17 Q So -- but -- but I'm just talking about at the point in
18 time that the female officer shows up to search you, you
19 think everything's okay and you're not going to jail; right?

20 A Right.

21 Q Because -- although you have it poured on you and
22 you've smoked it and you know it's illegal you think
23 everything's okay because you didn't think they were going
24 to find the PCP?

25 MS. McCONNELL: Objection; asked and answered.

1 THE COURT: Overruled.

2 Q (By Mr. Adams) Correct?

3 A Right.

4 Q But the female officer, after placing you in cuffs,
5 starts searching your body; correct?

6 A Yes.

7 Q And does a thorough search and she finds a vial of PCP
8 on your body.

9 A Yes, she does.

10 Q And when she finds that vial of PCP do you change your
11 thinking; now I'm going to jail?

12 A I didn't think about it at that moment, but I'm sure I
13 was. Yeah, yeah I did because then I tried to hide it.

14 Q Well, was the drugs affecting your thought process at
15 all at this point in time?

16 A I knew what was going on. But, you know, it wasn't
17 like -- I wasn't thinking, like -- what I was thinking at
18 that moment is that she found it and I was trying to get rid
19 of it at that moment right there.

20 Q But --

21 A Because I didn't want to go to jail for any drugs.

22 Q But you're not a liar, you're an honest person, are you
23 not?

24 A You're right.

25 Q But you didn't tell her not only have I been smoking

1 PCP and had it poured on me but I've got some in my pants
2 here; you didn't tell her that, did you?

3 A No, I didn't because I didn't want to go to jail for
4 drugs.

5 Q She found it anyway. And when she found it she placed
6 it on the back of the squad car; correct?

7 A Correct.

8 Q And when she placed it on the back of the squad car and
9 you're cuffed, you know the game's up, don't you?

10 A Yes.

11 Q And so you pretended that you were about to faint or
12 pass out, you started wobbling back and forth.

13 A Uh-huh.

14 Q Is that a yes?

15 A Yes, sir. I'm sorry.

16 Q And, again, you're trying to be honest with this cop,
17 aren't you?

18 A It wasn't about being honest at that point. I was just
19 trying to protect myself and make sure I don't, you know --

20 Q So is it your testimony under oath here today that it's
21 okay to lie if you're trying to protect yourself?

22 A No, it's not okay to lie.

23 MS. McCONNELL: Objection; that's a misstatement
24 of her testimony, your Honor.

25 THE COURT: Overruled.

1 Q (By Mr. Adams) Is that your testimony?

2 A No.

3 Q So after she finds the vial and you pretend like you're
4 about to pass out and you're wobbling back and forth you
5 actually can see that PCP vial on the back of that squad
6 car, can't you?

7 A Yes.

8 Q And you pretend or act like you're about to fall down
9 and you lean and you fall over the squad car and you grab
10 the vial of PCP with your mouth.

11 A Yes.

12 Q And when you -- when you grab that vial of PCP with
13 your mouth you then sucked it into your mouth; correct?

14 A Yes.

15 Q And to explain to the jury what the PCP vial is, it
16 looks like a little test tube that's a glass test tube vial
17 of a liquid of PCP; correct?

18 A Correct.

19 Q And it has a cap on it --

20 A Yes.

21 Q -- so it doesn't get spilled; correct?

22 A Right.

23 Q And you -- as you had it in your mouth you crunched
24 down on it with your teeth and you shattered it inside your
25 mouth.

1 A Yes, I did.

2 Q And this made the female officer mad.

3 A It probably did.

4 Q It made every officer on the scene mad, did it not?

5 A Yes, I guess so. Yeah, the -- after that happened they
6 put me to the ground and told me to spit it out and then
7 they put me in the ambulance.

8 Q They had just witnessed you inject -- ingest a lethal
9 substance, had they not?

10 A Yes.

11 Q And the officers took you to the ground, more than one;
12 correct?

13 A Yes, sir.

14 Q They took you to the ground. They were telling you:
15 Spit it out, spit it out now; correct?

16 A Yes, sir.

17 Q And you were trying to get rid of the glass and
18 everything out of your mouth; correct?

19 A Yes.

20 Q But you would agree with me that you swallowed some
21 PCP.

22 A Yes.

23 Q Now after that happened EMSA's called; correct?

24 A Yes.

25 Q And that's the ambulance service for here in Oklahoma

1 City; correct?

2 A Yes, sir.

3 Q I mean, your situation is dire, is it not?

4 A My situation was what?

5 Q Is dire. You're not in very good condition right now
6 after smoking PCP --

7 A No, the --

8 Q -- having PCP --

9 THE COURT: Hang on just a second.

10 Q (By Mr. Adams) Let me finish my question, I'll let you
11 finish your answer.

12 You are in dire circumstances. Not only have you
13 smoked PCP, you've had PCP poured on your skin or pores and
14 now you've ingested PCP; correct?

15 A Uh-huh. Yes, sir.

16 Q And these officers have witnessed that; correct?

17 A Yes, sir.

18 Q And they call EMSA to try to save your life; correct?

19 A Right.

20 Q Now prior to all of these events happening Officer
21 Holtzclaw had tried to get your name from you, had he not?

22 A Yes, sir.

23 Q Because he wanted to run a search on you to determine
24 whether or not you had any wants or warrants out on you;
25 correct?

1 A Yes.

2 Q And he asked you what your name was.

3 A Yes, sir.

4 Q And you lied to him.

5 A Yes, I did.

6 Q I thought you didn't lie.

7 A Well, I mean, I didn't lie on no one else. I lied
8 about my name.

9 Q When you say you didn't lie on no one else, what do you
10 mean by that?

11 A Well, I didn't tell him that, you know -- I just lied
12 about my name. I told him who -- who -- I told him my
13 sister's name.

14 Q So you were willing to burn your sister down to the
15 ground so you could get out of trouble?

16 A Because at that point --

17 Q If you let me finish my question I'll let you finish
18 your answer.

19 A Okay. I'm sorry.

20 Q You just testified you didn't lie on no one else.

21 A Uh-huh.

22 Q That you gave them your sister's name; correct?

23 A Uh-huh. Yes.

24 Q And you had PCP on your body, you'd smoked it and they
25 found a vial that you crushed it in your mouth. You're