

OCPD Det. Kim Davis's Phone Interview with Sherry Ellis on 8/1/2014

Sherry Ellis (SE): Hello?

Kim Davis (KD): Is this Sherry?

SE: Yes.

KD: Sherry, this is Detective Davis.

SE: Yes ma'am?

KD: Okay. You sound frantic in your messages.

SE: Oh yeah because I—because I don't know—because I don't know what's going on.

KD: It's okay. That's why I called—that's why I'm been wanting to find you and just ask you something, okay?

SE: Okay.

KD: I have received a tip on—I been working—I work in sex crimes, and I've been working some cases, and I received a tip that you may have been sexually assaulted by a police officer.

SE: Yes I have. But I I didn't say anything because I didn't—because I know that the—I know police department and police they all stick together.

KD: Well, **we ain't sticking together on this one.**

SE: Oh, oh okay.

KD: So I would like to interview you.

SE: Okay well I, uh, it happened—it happened to me like maybe, I'd say, 3 months ago. I was walking down the street and I got stopped and he run—he run he run a check on me and he founds out that I have some city warrants and tickets that he asked me what did—what did he—what did I feel like got needed to be done and I told him: Well what does he mean?

KD: Uh-huh.

SE: He said: Well, what do you think that—needs to be done about the situation, um, Sherry? And I was like—and still I was like: What do you mean? What do—what do I think? He said: Well, uh, what—what do you think? Cuz do you need to go to jail? And I'm like: Well, I got tickets. Are you gonna take me to jail or are you not?

KD: Uh-huh.

SE: And next thing I know...[pause]...hey I gots to go to the bathroom, cuz this is like very very very ...

[inaudible response from someone in her house]

[01:59]

SE: **And next thing I know, he pulled his thing—he pulled his penis out and put it into my face. And then after that he put me back in the back of the police car and he took me to the park over there on, uh...over there off of Miramar—took me out and told me to pull my pants down.**

KD: K.

SE: **And then he said that I was free to go. And he let me walk off.** I didn't never get his badge number, I don't know anything. I was terrified. I just didn't know what was going on because he was all—he he said—I do that. Or he was going—I don't know. I didn't know, whether if I still did it or if—

KD: It's alright.

[02:36]

SE: --he gonna take me to jail, or what. **He was a black man.**

KD: K.

SE: Okay. But I don't know his name or anything. But it happened—it happened in like maybe, uh, I'd say maybe 3 or 4 months ago. **And I told—I told a couple of people. I told my my husband, and, uh, he told me to go to the, uh, to the hospital, but had—I had had sex with him too and he said that if I had sex with him and him it wouldn't matter—it wouldn't have made no no difference. It wouldn't have made—it's wouldn't, it wouldn't have did any good. Or something he told me.**

KD: Tell me what the—and, and, and, I'm not—I wanna interview you in person, so—

SE: Okay, but he also, that night when he picked me up, he also, uh, called in and that's how he found out that I had, uh, I had city warrants. I don't have any county warrants, I have city warrants.

KD: Did he do that on his radio or on the computer or...?

SE: Huh?

KD: Did he call—call you in to check you for warrants on your [sic] radio--

SE: Yeah he called me—

KD: --or on your [sic] computer?

SE: Yeah, he called—he called—he called me in to check for the—check for them on his—on the police computer.

KD: Computer or did he say it on the radio?

SE: Uh, he—he pulled it up on the computer—

KD: On the computer.

SE: And then he called—then he called in.

KD: Called, like on the telephone?

SE: On his, uh, thing.

KD: On his radio?

SE: On the police—yeah. And then they told him that I have—that's when, that's how he found out that I have warrants. City warrants.

KD: Okay, okay. What, um—

SE: **He was in a black and white police car.**

KD: Did he, um, just like I said: I don't want to go into depth here because I think it's rude that I talk to you about a sexual assault on the phone. I wanna schedule a time to interview you, but what was the sexual assault?

SE: Uh, well, when I—when he first—when he first pulled me over and he was asking me what we was gonna do about the situation, then, um, I was looking down and then when I looked up he had pulled his penis out and had—and had it like in my—cuz I was sitting in the back of the police car, and he was standing up over me and he pulled his penis out and had it in my face.

KD: Did, did he put it in your mouth?

SE: Yes he did. And then after I did the—I did that, he told me to get back—he told me I had to get back in the police—the back of the police car and he drove into the par—he drove me, drove me into the park right there off of Miramar and 16th and Miramar, that park, and went in the back of uh—behind this building, and told me to get out and pull my pants down. And I bent over and he had sex with me. He had sex. And then he told me, he told me—then he told me I was free to go. And he let me walk off.

KD: Okay.

SE: And he—and after that happened I stopped walking at night. I mean, I—I—during the day once it gets dark, I I stop walking because I didn't wanna have to—I didn't wanna have to see him no more, cause I was—didn't know what was gonna happen. I didn't want that to happen to me no more so I just stopped walking completely.

KD: What was the name of the park?

SE: Uh, oh, okay, you know where 16th—I don't know the name of the park but you know 16th and Miramar?

KD: Uh-huh.

SE: Northeast 16th and Miramar?

KD: What do you—can you tell me, um—um, I lost my train of thought there. What—where were you walking when he stopped you?

SE: Okay, I was walking from my house. I used to stay on 16th, or, 16th and Terrace. I was walking off of Highland and when I was—I was walking down 16th and Terrace until I hit Highland and then I turned right going down Highland then I passed, uh, 16th Street and Highland, and then I went down just a little bit farther—

KD: Mm-hmm.

SE: Maybe just a block and a half after that is when he pulled me—stopped me.

KD: So were you on Highland when he stopped you?

SE: Yes, I was on H—

KD: Okay.

SE: Yes I was on Highland.

KD: What, um, what—shoot, it's Friday, I'm off Monday—what—what are you doing Tuesday? Can—can I meet with you?

SE: Um...

KD: --Tuesday and...?

SE: Yes, yes you can, um, I'm going to school now. Um, I'm going to school five days a week. As a matter of fact, I'm at school right now.

KD: Where do you go to school?

SE: Uh, OCR.

KD: Okay.

SE: I'm um um—I'm getting my GED.

KD: Good for you.

SE: And, uh, I've been going here for almost 3 weeks now, so, I mean, I'm—I go Monday through Friday from 8:15 to 2:45, so Tuesday I have, uh—I have, uh, lectures, so it's—it's better for me to come on a Tuesday because all I'm doing is sitting listening to this man talk, so that'll give me a break.

KD: What—would you want a break or do you--?

SE: Yeah, I mean I don't have enough lectures—I mean I'm not going to miss anything. It's not—I'm not going to miss too much *[inaudible]* on one day...

KD: What about this—what about this—what about tomorrow?

SE: Uh, tomorrow's Saturday?

KD: Yeah.

SE: Uh, I gotta go out of town tomorrow. Kingfishing.

KD: What about Sunday?

SE: Mm... Sunday I don't—I don't think I have anything planned Sunday, I don't know, but Tuesday is is fine with me. Tuesday is fine.

KD: You tell me what time and where.

SE: Okay. Tuesday... what time—what time and where, uh, where do you want to meet you up at your— at where you are?

KD: Yeah. If you want to just come to the station?

SE: Yeah I have my, um, I have my hu—uh, my boyfriend bring me up there. What—what's the address?

KD: It's the downtown station. Across the street from the county jail?

SE: Downtown station?

KD: Yeah, the Oklahoma City Police Department headquarters?

SE: Oh, okay. Oklahoma... Oklahoma City Police Department.

KD: Mm-hmm. At the—do you know where the county jail is?

SE: Yes, I've been—

KD: Do you know where the police department is, right across the street?

SE: Uh, yeah. I I know I I know somebody that knows somebody that knows where—okay.

KD: We're right across the street from the county jail. East—like on the corner of, um, Colcord and Shartel.

SE: Okay well my—my my boyfriend gets off at 3:30 and I'm gonna have him bring me up there.

KD: So 4 o'clock, then—

SE: So—

KD: You think?

SE: Say it's, I say 4:30.

KD: Tuesday at 4:30.

SE: Yes. Am I gonna be in any trouble?

KD: Absolutely not!

SE: Okay because they said that I was—oh okay. Alright. Because I just kept it to myself.

KD: No. **That and that like I said, I I I got a tip and, um, I'm following up on it** and, and—cuz—and I completely understand where you...you know? **Everybody says, no, cops stick up for themselves and stuff. No. We don't put up with this. It's wrong, it's wrong, it's more than wrong.**

SE: Okay, ma'am.

KD: So—

SE: Well I—well now, now, now I'm feeling a little better cuz I was like, I did nothing since I been at the penitentiary. I been on the straight and narrow road and I been payin' my fines and I was—everything was going through my mind. I'm like, uh...

KD: **You are not in trouble. Um, he is.** And—

SE: Okay.

KD: --I just wanna meet you and—and I wanna do a full blown interview, I want—I mean, I'm gonna ask you a ton of questions. Like, okay, did you take ten steps and then you turn—and, you know, just go into all the details of it.

SE: Okay ma'am. I'll see you, I will see you Tuesday at 4:30.

KD: Okay. Keep my number in case something changes.

SE: Oh yes. I got it. I got it. I got it in my—in my phone.

KD: Okay. Thanks, Sherry.

SE: Okay. Mm-hmm. Bye-bye.