

UNCUFF the Innocent · Daniel Holtzclaw case records

Deposition of Daniel Holtzclaw, October 21, 2019: pages cited on this site

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1 A That's correct.

2 Q And you used a term earlier called
3 "proactive policing," you remember saying that word?

4 A Correct.

5 Q Who taught you about proactive policing?

6 A It was probably through academy and
7 probably through field training officers.

8 Q And what is proactive policing?

9 A Basically initiating activity by yourself
10 and not waiting for a dispatch to dispatch you a
11 call, actually being active and setting a tone, I
12 guess, as far as your community, making your
13 presence known to deter violence, deter criminal
14 activity, just being a good officer in general.

15 Q Were you encouraged by your supervisors at
16 Springlake to be proactive, be a proactive police
17 officer?

18 A They encourage every rookie, cadet that
19 comes out of academy to do that.

20 Q And what is -- can you just -- I'm not
21 obviously not a police officer, can you explain
22 vividly, give me an example of proactive policing?

23 A Proactive policing would be making traffic
24 stops, initiating your own traffic stops, actually
25 getting outside your car and making contact with

1 fellow citizens on the streets. You know, from my
2 end, I was a gung-ho officer, that's what I did,
3 that's -- that's how I carry myself, through
4 athletics, like you said, you can probably relate,
5 went to college, had a chance at NFL, not to be
6 cocky or arrogant, that's not who I am, I'm just
7 giving you a background of who I -- who I am. And
8 so I carried that blue collar mentality that helped
9 me reach those goals and dreams of mine to law
10 enforcement, and so that work ethic carried along,
11 so I carried that along on the streets.

12 So me going out and being proactive means
13 me going out, getting out of my car, stepping up to
14 three gangbangers and not being scared and actually
15 interacting with them, making a rapport, open
16 dialogue between me and them, seeing how, you know,
17 what they're up to, anything I can help them with,
18 actually coming out and, you know, deterring
19 violence before it actually happens, especially in
20 those high target areas of gang violence.

21 Q How did you guys decide what was a high
22 target area?

23 A I would probably say Springlake in
24 particular is probably your -- a lot of officers
25 would probably say your highest gang area. It's the

1 birthplace of the 107 Hoover Crips, and that area
2 actually is where I patrolled that.

3 Q Were you -- when you had these proactive
4 contacts with individuals, did you have to somehow
5 record that and provide that information to your
6 superiors?

7 A You could either -- you could write it on
8 your activity log and say, hey, I'm out, you know,
9 making contact with so and so, or you could just
10 step out of the car, and as an officer, you're going
11 to make contact with hundreds of people a day,
12 you're going to make contact with whether it's
13 dispatch calls or being proactive and going to
14 county jail, whatever the case may be. It's not
15 every time you're going to know and dial in,
16 especially I'll make -- I'm coming out of, you know,
17 my car to try to contact this person, I'm coming out
18 of my car to contact that person, so at times, no, I
19 did not, I did not write it all down all the time.

20 Q But once you contact an individual, like
21 you used the example going to three gangbangers and
22 you start talking to them, that's the same as what's
23 called a field interview; correct?

24 A That's correct.

25 Q And were you aware that Oklahoma City

1 home of this 107 Hoover Crips, is Springlake
2 considered a high crime area?

3 A I would probably say the highest crime
4 area out of all Oklahoma City.

5 Q Now, why would you say that, were you told
6 that?

7 A From my experience in gangs, it seems like
8 throughout my time, it has the most drive-bys,
9 homicides, more gang calls compared to the other
10 areas in Oklahoma City.

11 Q And because of this designation as a high
12 crime area at Springlake Division, was it more
13 emphasis or was there a lot of emphasis on proactive
14 policing?

15 A Absolutely.

16 Q So it's not unusual, in your experience,
17 for Springlake officers to stop, talk to people,
18 field interview individuals for, you know, if
19 they're walking down the street at 11:00 at night?

20 A No, I think that's same thing as --
21 there's different shifts on in Oklahoma City Police
22 Department, so being a proactive officer doesn't
23 matter if it's nighttime or morning time or out
24 bright, you know, you're being proactive, you're
25 making contact.

1 correct?

2 A That's correct.

3 Q And also search them for narcotics?

4 A That's correct.

5 Q And also put them in the back of your
6 police car and interview them?

7 A That's correct.

8 Q And this was all done based upon your
9 training from the Oklahoma City Police Department?

10 A Correct.

11 Q And also from your supervisors pushing you
12 or encouraging you to do those type of activities;
13 correct?

14 A Supervisors only would push to be
15 proactive.

16 Q And you consider stopping someone and
17 doing a field interview as good police work?

18 A 100 percent.

19 Q And you consider running someone through
20 VARUNA on a casual stop to be good police work?

21 A 100 percent.

22 Q Why?

23 A VARUNA database is basically a good
24 resource for officers to gather intelligence based
25 off the background of that person you're

1 walking down the street and you stopped them and
2 then -- and they were not committing a crime?

3 A You could do the same thing. What I've
4 been trained is to put people in the backseat of a
5 car to eliminate basically either fleeing or
6 basically limit the space so I can investigate
7 what's going on, develop a rapport, talk to them,
8 grab their intelligence, and -- and go in that
9 manner.

10 Q Well, why would you need to investigate
11 someone who's not committing a crime?

12 A I mean, based off the area that I worked
13 at, it was very high crime area, like I said, it's
14 probably the highest violent places to work is
15 Springlake, drive-bys, homicides, list goes on, so
16 just based off that, you know, it's not nothing
17 wrong as far as an officer to go ahead and make
18 contact, develop a rapport within the community,
19 establish your presence, and gather intel.

20 Q Was there any system of checks and
21 balances that you knew of of when a officer would
22 utilize VARUNA checks?

23 A VARUNA is a technology that allows your
24 officer to become more savvy with technology as far
25 as being updated to allow you to be an overall

1 young man that was having a mental health breakdown
2 and you guys had to put him in restraints?

3 A I do.

4 Q Can you tell me about that call, what you
5 remember?

6 A I was working overtime program, I think a
7 Viper program, which is basically a program to set
8 forth the officers go out in specific areas that are
9 high crime areas, and Springlake Division, this was
10 in the northwest side, we got a call about a African
11 American male running naked in the street, telling
12 dispatch he sees dragons and whatnot, through
13 experience and training, you -- you believe that
14 that subject probably is under some type of illegal
15 narcotics, which is soon to be found out that he did
16 have meth, PCP in his system, I think marijuana as
17 well.

18 And we arrived on scene, we seen the guy
19 naked, we did our best to be -- stay professional
20 and to get that subject in custody. We did not use
21 any use of force. The grandmother was there
22 watching the whole thing, actually telling the
23 subject to relax, calm down, let them take you into
24 custody, they're not doing anything wrong to you.
25 He was obviously under -- he was out of touch of

1 board.

2 Q How were you trained to conduct field
3 interviews?

4 A That's the same thing as doing a knock and
5 talk, doing a Terry stop basically, contacting a
6 citizen on the street, if they are willing to talk
7 to you without saying go pound sand, you can't do
8 anything. If they're willing to talk, then you
9 can -- you have the opportunity to fill out a field
10 interview card at your disposal, if you want to as
11 an officer. That gives knowledge to put in the
12 VARUNA database, which, again, VARUNA is very
13 useful, to allow other officers to possibly mark off
14 tattoos that they had, which later on help homicide
15 unit by a witness saying, hey, yeah, the person that
16 shot that person had a tattoo on their left arm, and
17 if a guy -- the officer did a field interview card,
18 that allows them to kind of leave a trail and kind
19 of lead -- get some leads off that suspect. So you
20 have the opportunity, if you want to do a field
21 interview card on that citizen if you want to.

22 Q When you were at the department, were you
23 trained on how -- when and how it was appropriate to
24 search people?

25 A Yes.

1 you placed her in the vehicle?

2 A That's correct.

3 Q Okay. And once you placed her in the
4 vehicle, where did you -- where did you place her?

5 A In the backseat.

6 Q Okay. And then what did you do?

7 A I -- I believe at that time I went back to
8 the scene to try to get the calling party to
9 identify if that was the suspect that stole that
10 vehicle.

11 Q Okay. And how did you get from the scene
12 of the fish market where you had Ms. Campbell in the
13 backseat of your vehicle to the alleged victim?

14 A Probably from there is probably,
15 estimated, 30 yards, give or take, I did that as far
16 as to secure the individual, the suspect, Demetria
17 Campbell, at that time in the vehicle, so the
18 calling party can identify them in a sense to kind
19 of protect the calling party. The nature of the
20 beast in that area is snitching, and basically if
21 you identify that person, that's labeled as
22 snitching, so I -- in my sense, I try to, at my
23 discretion, try to help that calling party from not
24 being identified as a snitch and kind of camouflage
25 him or himself to -- to be able to identify Demetria

1 follows policy, what you're trying to get out of me,
2 is that I was trying to help the calling party in
3 articulation that I don't want that person to be
4 labeled a snitch, everyone knows each other around
5 that area, and so that was my discretion as an
6 officer to protect that person as a, quote, unquote,
7 witness.

8 Q And how were you protecting the
9 complaining party?

10 A Again, I put that suspect, which was
11 Demetria Campbell at the time, in the back of my
12 car, was able to ask the calling party if this was
13 the person that took your vehicle, at that time,
14 that person told me it was not, so that person was
15 able to actually look at the face of Demetria
16 Campbell to see if that was actually the person that
17 stole it and it wasn't.

18 And that kind of helps put that calling
19 party at -- in a sense of a little bit more of a
20 camouflaged area, because Demetria Campbell at that
21 time was in the back of the car, she was limited
22 space, so she couldn't really look around, and my
23 calling party was able to see her real fast and went
24 to take a quick glimpse to see if that was actually
25 the perpetrator, and it wasn't.

1 A From my understanding, correct.

2 Q All right. So she could be -- she
3 could -- she's free to leave, regardless if she
4 asked you, am I free to leave; correct?

5 A She could definitely say, can I go, and I
6 would absolutely 100 percent open that door and let
7 her go.

8 Q But, in fact, if she had the physical
9 ability to open the door herself and leave, she
10 could have done that; correct? She didn't have to
11 ask your permission; right?

12 A That's correct, I think during that time
13 with anyone that I detained, I try to build dialogue
14 through training to build intel to possibly catch
15 the bigger fish. I am a proactive officer, I always
16 try to go after not misdemeanors, but felony
17 arrests, and predominantly the people I came in
18 contact with, her, she had a history with drug use
19 and so she had knowledge, common knowledge of
20 possible, in that area, of the drug dealing going
21 on, what houses to hit, who to talk to during what
22 time, could have been, so I used that as my training
23 to gather intel from becoming a better officer and
24 understanding that, so that helps me become --
25 gather more arrests and help out that community

1 A I can't -- you got -- there's so many
2 people I come in contact with on a daily basis. I
3 mean, I can give you example of, A, if someone got a
4 city warrants, based off the discretion of the
5 officer, you could take them to jail or not, but the
6 discretion on that part is, myself, if I were to
7 take -- everyone that I come in contact with pretty
8 much has city warrants.

9 Now, if you would take yourself out of the
10 field, we're already low manpower, we're supposed to
11 back up our district partner and then it goes sector
12 partner and then goes division. If I were to take
13 myself out of that field and there was a high
14 priority shooting call and I left my district
15 partner out to dry, I'd feel like shit. There's low
16 manpower, okay. For city ticket, for what, a
17 jaywalking, I'm not going to do that, that's my
18 discretion as a police officer.

19 So if I have that on board and I run
20 people for warrants, hey, you got a city warrant,
21 man, I don't worry about that, hey, just by chance,
22 I'm going to go and kick you free, but you know
23 anything about the neighborhood, you don't got to
24 point, just describe it, hey, that house right over
25 there, that's got drugs, there's a person who sells

1 a lot of drugs. That's how I gather intel.

2 Q Okay. So you're saying that these people
3 don't -- that it's not serious charges or criminal
4 activity that you encountered them with?

5 A If it was serious, a felony warrant or
6 anything of felony nature, they're going to jail.

7 Q Okay. So is it possible that these people
8 give you information because they don't want to go
9 to jail on a city ticket?

10 A It's very well possible, but from my
11 experience, a lot of people will talk, you know,
12 everyone has that stereotype about snitches get
13 stitches, everyone snitches, everyone snitches. I
14 work in the gang unit, we worked with the highest
15 leader of the 107 Hoover Crips that their little
16 homies didn't know he was snitching, but he was
17 snitching on all of them, and that's just how --
18 that's how the game is on the streets.

19 Q When did you, to your recollection, gather
20 intel that houses nearby Ms. Barnes or Ms. Barnes'
21 house was used for drug activity?

22 A How did I come about that or when?

23 Q When did you, was that prior to your
24 interactions with her on these two occasions?

25 A I can't give you a specific detail, I