

STATE OF OKLAHOMA } S.S.  
CLEVELAND COUNTY }

**FILED**

1 IN THE DISTRICT COURT OF CLEVELAND COUNTY  
2

STATE OF OKLAHOMA

DEC 19 2022

3 In the office of the  
Court Clerk MARILYN WILLIAMS

**COPY**

4 STATE OF OKLAHOMA, )  
5 Plaintiff, )  
6 vs. ) Case No. CF-2019-1273  
7 DALLAS CHRISTOPHER NORTON, )  
8 Defendant. )

9  
10 VOLUME II

11 TRANSCRIPT OF PROCEEDINGS

12 HAD ON JUNE 22, 2022

13 AT THE CLEVELAND COUNTY COURTHOUSE

14 BEFORE THE HONORABLE THAD BALKMAN

15 DISTRICT JUDGE

16 AND A JURY

19 **RECEIVED**

20 DEC 29 2022

21 APPELLATE DIVISION

25 REPORTED BY: ANGELA THAGARD, CSR, RPR, CRR

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1 EXHIBITS  
2

3 STATE'S EXHIBITS:  
4

	IDENTIFIED	OFFERED	ADMITTED
NO. 1	65	66	66
NO. 2	65	66	66
NO. 3	65	66	66
NO. 4	65	66	66
NO. 5	65	66	66

7

8 DEFENDANT'S EXHIBITS:  
9

	IDENTIFIED	OFFERED	ADMITTED
NO. 1	78	78	78
NO. 2	80	81	81
NO. 4	83	84	84
NO. 5	84	85	85
NO. 6	85	85	86
NO. 7	90	90	90
NO. 3	293	294	NOT ADMITTED

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1                   (For prior proceedings, see Volume I of this transcript.  
2                   Following the evening recess, proceedings resumed as  
3                   follows, within the hearing of the jury:)

4                   THE COURT: Welcome back. I want to give you a  
5                   couple more instructions before we invite the parties to make  
6                   opening statements.

7                   As jurors, it is your responsibility to determine the  
8                   credibility of each witness and the weight to be given the  
9                   testimony of each witness. In order to make this  
10                  determination, you may properly consider the overall reaction  
11                  of the witness while testifying, his or her frankness or lack  
12                  of frankness, his or her interest or bias, if any, the means  
13                  and opportunity the witness had to know the facts about which  
14                  he or she testifies, the reasonableness or unreasonableness of  
15                  his or her testimony in light of all the evidence in the case.

16                  You're not required to believe the testimony of any  
17                  witness simply because he or she is under oath. You may  
18                  believe or disbelieve all or part of the testimony of any  
19                  witness. It's your duty to determine what testimony is worthy  
20                  of belief and what testimony is not worthy of belief.

21                  It's my responsibility as the judge to ensure the  
22                  evidence is presented according to the law, to instruct you as  
23                  to the law, and to rule on objections raised by the attorneys.  
24                  No statement or ruling by me is intended to indicate any  
25                  opinion concerning the facts or the evidence.

1           It's the responsibility of the attorneys to present  
2 the evidence, to examine and cross-examine witnesses, and to  
3 argue the evidence. No statement or argument of the attorneys  
4 is evidence.

5           From time to time during the trial the  
6 attorneys may raise objections. When an objection is made, you  
7 shouldn't speculate on why it was made. When an objection is  
8 approved or sustained by me, you should not speculate on what  
9 might have occurred or what might have been said had the  
10 objection not been sustained.

11          Throughout the trial, I ask you to remain alert and  
12 attentive. Do not form or express an opinion on this case  
13 until it is submitted to you for your decision. Do not discuss  
14 this case among yourselves until that time. Do not tell  
15 anybody about the case, discuss the case with anyone else or  
16 permit anyone else to discuss the case in your presence. This  
17 includes whether in person or by electronic, telephonic, or  
18 other means.

19          Do not talk to the attorneys, the defendant, or  
20 witnesses. If anyone should attempt to discuss this case with  
21 you, please report that incident to me or to the bailiff  
22 immediately.

23          This case must be decided solely upon the evidence  
24 presented to you in the courtroom, free from any outside  
25 influence. This means that during the trial, you must not

1 conduct any independent research about the case, the matters in  
2 the case, the individuals, the witnesses, the attorneys, or  
3 organizations in the case.

4 In other words, you should not consult  
5 dictionaries or other reference materials, search the internet  
6 or websites, blogs, or use any other electronic tools to obtain  
7 information about the case or to help you decide the case.

8 Do not read any news reports or obtain any  
9 information from other sources about the trial or the issues or  
10 the parties or witnesses involved in the case, or do not listen  
11 or watch any news reports, if there are any. Also, do not  
12 attempt to visit any scene or investigate the case on your own.

13 Now, the State will begin by reading the Information.  
14 The State will then give an opening statement. And the  
15 attorney for the defendant may give an opening statement after  
16 the attorney for the State or may elect to reserve his opening  
17 statement until the conclusion of the evidence by the State.

18 Opening statements are not evidence. But they serve  
19 as a guide so that you may better understand and evaluate the  
20 evidence when it is presented.

21 Following the opening statements, witnesses are  
22 called to testify. Witnesses are sworn and then examined and  
23 cross-examined by the attorneys. Exhibits may also be  
24 introduced into evidence.

25 After the evidence is completed, I will instruct you

1 as to the law applicable to the case. The attorneys are then  
2 permitted closing arguments. Closing arguments are not  
3 evidence and are permitted for purposes of persuasion only.

4 When closing arguments are completed, the case will  
5 be submitted to you. You'll then retire to consider your  
6 verdict.

7 At this time, I'll invite the State to make its  
8 opening statement to you.

9 MS. AUSTIN: Thank you, your Honor.

10 Ladies and gentlemen, like Judge Balkman just said,  
11 it is my duty under the laws and customs of the State of  
12 Oklahoma to read you the Information filed in this case. What  
13 the Information is, is the charging document that sets forth  
14 the allegations against this defendant.

15 In the District Court of the 21st Judicial District  
16 of the State of Oklahoma, sitting in and for Cleveland County,  
17 State of Oklahoma, Plaintiff, versus Dallas Christopher Norton,  
18 Case No. CF-2019-1273.

19 Amended information, Count I: I, Greg Mashburn, the  
20 undersigned district attorney of said county, in the name and  
21 by the authority of the State of Oklahoma give information that  
22 in said County of Cleveland County, and in the State of  
23 Oklahoma, Dallas Christopher Norton did then and there  
24 unlawfully, willfully, knowingly, and wrongfully commit the  
25 crimes of Count I, lewd or indecent acts to a child under 16, a

1       felony.

2                     On or between the 1st day of September, 2017, and the  
3                     1st day of June, 2019, the crime of lewd acts with a child was  
4                     feloniously committed by the defendant who knowingly and  
5                     intentionally touched the vagina of Brianna Jackson, date of  
6                     birth 10/16/2007, with his hand in a lewd and lascivious manner  
7                     for sexual gratification when Brianna Jackson was between the  
8                     ages of 10 and 11 years old and defendant was at least three  
9                     years older than Brianna Jackson. Contrary to the form of the  
10                    statutes in such cases made and provided and against the peace  
11                    and dignity of the State of Oklahoma.

12                   Count II, lewd or indecent acts to a child under 16,  
13                   a felony. On or between the 1st day of September, 2017, and  
14                   the 1st day of June, 2019, the crime of lewd acts with a child  
15                   was feloniously committed by this defendant who knowingly and  
16                   intentionally forced Brianna Jackson, date of birth, 10/16 of  
17                   2007, to touch his penis with her hand in a lewd and lascivious  
18                   manner for sexual gratification when Brianna Jackson was  
19                   between the ages of 10 and 11 years old and defendant was at  
20                   least three years older than Brianna Jackson. Contrary to the  
21                   form and statutes in such cases made and provided and against  
22                   the peace and dignity of the State of Oklahoma. Signed Greg  
23                   Mashburn, District Attorney.

24                   To these charges the defendant has entered a plea of  
25                   not guilty, which places the burden on the State of Oklahoma to

1 prove these charges beyond a reasonable doubt. And that's a  
2 burden that the State of Oklahoma -- we gladly accept that  
3 burden. We will prove to you through evidence that will be  
4 presented in court here that these crimes were committed.

5           This isn't a case that's going to take a very long  
6 time. It's going to be a brief case, but that doesn't mean  
7 it's not extremely important.

8           Brianna Jackson will come in here and tell you what  
9 has gone on in her life and what was going on during this  
10 timeframe. In 2017, Brianna Jackson lived with her mother at  
11 that time, Tiffany. And Tiffany was starting a relationship  
12 with this defendant.

13           Brianna already had a couple of other siblings.  
14 Obviously, her mom and dad were divorced. Her dad lived in  
15 Arizona. She had two siblings. And when her mom started  
16 dating this defendant in May, June of 2017, he already had  
17 children also.

18           The relationship progressed, and by fall of 2017,  
19 they had moved into a rent house together, Tiffany and Brianna  
20 and her two brothers, and the defendant and his children.

21           Now, defendant's children, their mom -- this  
22 defendant's ex-wife lived locally, and so they would go to  
23 visitation with her occasionally. Brianna would go see her dad  
24 in Arizona occasionally. So it wasn't quite as often. It was  
25 on holidays, and she would generally spend summers in Arizona.

1 So that meant that a majority of the time, she was here in  
2 Oklahoma, living in this house with her mom and this defendant  
3 and his children.

4                  Everything was fine when they moved in.

5 Brianna liked Dallas Norton. She got along with him and his  
6 children. Of course, there was the sibling rivalry that went  
7 on and all those things with blended families that sometimes go  
8 on. But everything was fine. It was progressing as it should.

9                  Brianna was developing a relationship with the  
10 defendant. She was -- she liked him. She spent time with him  
11 just as the other -- Tiffany's other children did also.

12 Eventually, they get married. Dallas Norton and Tiffany get  
13 married, Tiffany Norton, in June of 2018.

14                  Now, their relationship wasn't perfect and there was  
15 some arguing and things like that that went on. Nothing that  
16 doesn't happen in some relationships, but it got worse. And it  
17 eventually got worse and there were some times that they  
18 separated and Dallas Norton wouldn't live with them for a  
19 period of time but then there were times that he would come  
20 back. So you will hear about those different times of  
21 transition.

22                  Everything was fine between Brianna Jackson and this  
23 defendant until it wasn't. You will hear Brianna say that she  
24 liked spending time with Dallas Norton up until this defendant  
25 touched her.

1                   The night that this happened, her mom had gone out  
2 with some friends. And she had -- all the other kids were  
3 there. They were in the living room. They were building a  
4 fort. Things were going on. Not all the kids were there but  
5 some of them.

6                   And Brianna went into the master bedroom to cuddle or  
7 snuggle with the defendant. It is something she had done  
8 before. It was something she was comfortable doing. It was  
9 something that had always been okay. Until this date.

10                  She will tell you she was in the bed with this  
11 defendant watching TV. They were talking and chatting. And  
12 then this defendant took his hand and started running his hand  
13 up her thigh. He then moved her -- positioned her in a way  
14 that he wanted her. And then he put his hand inside her  
15 underwear of her pants and began to touch her vagina with his  
16 fingers.

17                  She will tell you what that felt like, what she did,  
18 how long it went on, and what exactly his fingers did to her as  
19 a 10 or 11-year-old child.

20                  She can't tell you the exact date this happened  
21 because she didn't write it down, of course. But she knows  
22 that at the time, she thought her parents were happy. She  
23 thought Brianna -- I'm sorry. She thought Tiffany and this  
24 defendant were happy.

25                  So while this defendant is touching her vagina and

1       she is panicking and not knowing what to do as a young child,  
2       she moves. And she moves and positions herself away so that  
3       the defendant's hand is taken away from her vagina.

4                 At that point, if that wasn't enough, he then grabs  
5       her hand and he takes her hand and places her hand up on top of  
6       his penis with his hand on the outside of his hand and curls it  
7       around his penis. She said that she could feel his penis  
8       through -- he had his underwear on. She could feel it through  
9       his underwear and she could feel what it felt like. As a child  
10      she describes it as it was sticking up.

11               She then was able to move her hand. And when she  
12     does, the defendant says to her, It's okay. It's okay. She's  
13     able to get up off the bed and go to her bedroom -- go to the  
14     bathroom first to check -- she said she wanted to check her  
15     private and make sure everything was okay. And then she went  
16     to her room. And then she told no one. She thought her  
17     parents were happy and she didn't want to ruin it.

18               So time goes on in this relationship. And other  
19     things happen with the defendant that made her uncomfortable,  
20     but nothing to this extent. She said she was able to move or  
21     able to stay away. She never went in to cuddle with him again,  
22     snuggle with him alone. And she never says anything.

23               Time goes on and Brianna goes for visitation with her  
24     dad in the summer of 2019. When she leaves, the relationship  
25     between Tiffany Norton and Dallas Norton is falling apart. And

1 when she leaves for Arizona, she goes on visitation, that is  
2 the time that these -- the defendant and Tiffany break up. And  
3 he moves out and they were moving on at that point. But  
4 Brianna's in Arizona and she's with her dad.

5 Tiffany Norton, in July of 2019, is at a Wal-Mart and  
6 -- here in Norman, and she runs into one of their old  
7 babysitters. And the old babysitter tells her something that  
8 had gone on when she had been in the home and had contact with  
9 this defendant and that concerned her.

10 So she decided she needed to contact her ex-husband  
11 in Arizona and have her check in with Brianna -- have him check  
12 in with Brianna and make sure nothing has happened to Brianna.  
13 So she asks her ex-husband, Jeffrey Jackson, Would you ask  
14 Brianna if anything has happened to her when we lived with  
15 Dallas.

16 So Jeffrey Jackson, not knowing what is going on, had  
17 no contact with this household -- he never lived in that  
18 household. He and his current wife sit down with Brianna and  
19 ask her if anything has happened to her.

20 Brianna breaks down and tells them that this  
21 defendant has touched her, and tells them details -- a little  
22 detail, but not everything. At that point, Jeffrey Jackson  
23 doesn't know what to do. There's a discussion he has over the  
24 phone with Tiffany Norton about who's going to call the police.

25 And ultimately, since he's been the one that was

1 told, he contacts the police in Arizona. They tell him to  
2 contact the police in Norman, Oklahoma. So that is what is  
3 done. He contacts the police.

4 Brianna Jackson eventually comes home to Norman from  
5 her visitation with her dad and she is -- she goes to a  
6 forensic interview. And you will hear through testimony what a  
7 forensic interview is. It's a child friendly interview that is  
8 done in a way to best preserve that evidence and get that from  
9 a child without the necessary evil of talking to them again and  
10 again and again.

11 And it's recorded. So you will get to see that  
12 interview with Brianna Jackson in 2019. And she is 11 years  
13 old at the time. And she's going to -- you see how she acts,  
14 what she says has happened to her, and what this has done to  
15 her.

16 When she comes into court to talk to you, she's 14  
17 years old. She has grown up quite a bit. And you're going to  
18 be able to tell the difference in her words that she uses and  
19 her mannerisms and that she's obviously grown up.

20 So a forensic interview is done where she is asked  
21 non-leading questions, because that is how the format is done  
22 in a forensic interview. And Brianna Jackson tells that  
23 interviewer what has happened to her.

24 She'll tell you how she felt when she comes into  
25 court, and you will hear it on the video. And what you will

1 hear is that this defendant, during that timeframe, he was  
2 living in her home and behaving as her stepparent, and as a  
3 person who had access to her quite a bit, that he violated her  
4 and that he changed his role from stepparent -- she wasn't a  
5 stepdaughter anymore -- stepparent/stepdaughter to perpetrator  
6 and victim.

7                 And we believe, ladies and gentlemen, at the close of  
8 the evidence, that you will find this defendant has committed  
9 these two crimes that we have alleged beyond a reasonable  
10 doubt. And we will ask that you find this defendant guilty and  
11 that you set the appropriate punishment. Thank you.

12                 THE COURT: Thank you, Ms. Austin.

13                 Mr. Nedwick?

14                 MR. NEDWICK: Thank you, your Honor.

15                 Good morning. I first want to start where the State  
16 started. The State, Ms. Austin, read to you the charges in  
17 this case and she also told you that Mr. Norton has entered a  
18 plea of not guilty to those charges.

19                 And that's important to remember, that he has  
20 maintained the things that you just heard from Ms. Austin and  
21 the things that are charged, he didn't do those things. So  
22 keep that in mind and keep in mind that they were only  
23 allegations.

24                 Now, the purpose of the opening statement, as the  
25 Judge described, is to provide a little guidance to you all and

1 tell you all our opinion of what we think the evidence is going  
2 to be.

3 There's going to be a lot about these times, these  
4 dates. So when I talk about the dates, I'm going to try to  
5 slow down and give you a minute. I know a lot of you talked  
6 about -- when the Judge was talking to you guys in voir dire,  
7 you asked about being able to take notes and the importance of  
8 dates and remembering dates.

9 So at any rate, I will try to slow down when I come  
10 across important or significant dates before I start explaining  
11 why the date is important.

12 Let me start there with November of 2016.

13 That's November 26, 2016. That's an important date.  
14 That is the date when Mr. Norton's son, who was around 9 or 10  
15 years old at the time, suffered a terrible accident. He was  
16 burned over most of his body and would spend the next six or  
17 seven months in the hospital.

18 The reason that is a significant date is because that  
19 event is what led to Mr. Norton and Tiffany Norton ultimately  
20 meeting one another and their families becoming blended.

21 Prior to that, Mr. Norton and his three children and  
22 his wife, Christy Norton, all lived in an intact home. And  
23 then -- and Mr. Norton was working, and Ms. Norton was a  
24 stay-at-home mom with the children.

25 The evidence is going to show that on that date,

1 November 26, 2016, this accident happens while  
2 Ms. Norton is watching Austin. Because of that event, She  
3 ultimately feels so guilty it really impacts her and she kind  
4 of goes a little bit off the rails.

5 And prior to -- or shortly thereafter, she talks with  
6 Mr. Norton, her husband at the time, and says, Look, I'm not  
7 doing well, will you take care of the kids. And he agrees to  
8 do that. And she moves out of the home.

9 So from that time, up until the time when Tiffany  
10 Norton comes into the picture in 2017, Christy Norton has moved  
11 out by her own choosing and is working, and Mr. Norton had quit  
12 his job to care for all three of their children, including  
13 Austin, who's now in the hospital. So much of Mr. Norton's  
14 time is spent at the hospital over these next six or seven  
15 months.

16 During that time, Tiffany -- her name wasn't Norton  
17 at the time. And forgive me, I don't know what her last name  
18 was at the time. But she contacts Mr. Norton. They've never  
19 met before. They don't know one another. But the evidence is  
20 going to show that she contacts him via Facebook page and  
21 introduces herself and basically is sympathetic about his son's  
22 situation.

23 And from that, she starts communicating -- or the two  
24 of them start communicating back and forth. And then that  
25 relationship evolves during that time period when Austin is

1 still hospitalized.

2                 The next date that's important to remember is October  
3 of 2017. So about a year later, Austin is out of the hospital.  
4 He's been released, and that is when Tiffany and Dallas decide  
5 to move in together and they rent the house there at 1500 Fawn  
6 Crossing where all of this is alleged to have taken place.

7                 So that happens right around September/October of  
8 2017. They did live in another trailer briefly before that,  
9 but that would have been about a month. Since all of these  
10 events happened there or alleged to have happened at that Fawn  
11 Crossing address, the important date there is when they moved  
12 in, which is somewhere around the end of September or October  
13 of 2017.

14                 They lived there in that home, their two families.  
15 And Mr. Norton still has the primary care of his children, per  
16 his wife at the time's preference. So all of the children now  
17 live there at the home with Tiffany and Dallas. And that  
18 includes Mr. Norton's oldest daughter, Tayra, his son, Austin,  
19 and their youngest child, female, a little girl named Riley  
20 (phonetic).

21                 During that time, once Austin is released from the  
22 hospital and they're living together, he's still requiring a  
23 lot of care, home care, which Dallas, his ex-wife, and Tiffany  
24 are all contributing to that.

25                 This Bailey Ferguson that you heard of, the

1 babysitter, that's when she came into the home and was  
2 primarily there to homeschool Austin. He couldn't go to  
3 school. So that's why -- her purpose there was to homeschool  
4 him, and she's 17, 18 years old; 17, and then 18 ultimately  
5 before she leaves the job.

6 So once they get married in June -- so the next  
7 important date is June 14, 2018. That's when they actually get  
8 married. Now, that's important for more than one reason.  
9 Because the evidence is going to show that -- when this was  
10 first reported, these allegations were first made, the evidence  
11 is going to show that the allegations were that this happened  
12 in November or December of 2018.

13 Later, Ms. Austin talked to you about that forensic  
14 interview. That was about a week -- little over a week later.  
15 Brianna -- the evidence is going to show that Brianna -- and  
16 you're going to see that interview. She's going to be adamant  
17 that she doesn't remember when it happened. She's not going to  
18 say November or December. She's going to say, I don't know, I  
19 don't remember, I don't remember.

20 The one thing she will say over and over again is  
21 that it happened before they got married. So that's why that  
22 June 14, 2018 or -- yeah, 2018 date is also significant,  
23 because it relates to these allegations.

24 The next date that is important is September 8, 2018.  
25 That is the date when Mr. Norton and his children moved out of

1       that house and he and Tiffany separated. They -- that's a  
2       pretty short time from the time they were married to him moving  
3       out and them separating, but that's that date, September 8,  
4       2018. That's another important date.

5              Because the evidence is going to show that from that  
6       date, September 8, 2018, all the way up to December 30, 2018,  
7       Mr. Norton never spent another night in that home. It wasn't  
8       until after December 30, 2018 that he moved back into that  
9       home.

10             So from September 8, 2018 to December 30, 2018, he  
11       and his children are no longer living in that home. And while  
12       there was interaction between Mr. Norton's family and Tiffany's  
13       family, there was no overnights over there at that time.

14             The evidence is also going to show that during that  
15       time period, even though they had separated, Brianna would  
16       still -- and Mr. Norton was in another relationship with a  
17       person named Shyanne Pike -- and Brianna would still request to  
18       go over and hang out with Dallas. And you're going to hear  
19       from those witnesses that they actually did things together  
20       during that time when he was out of the home, like never in  
21       that home.

22             You'll hear from Shyanne Pike. She'll describe how  
23       they went fishing. Brianna asked to go fishing with them. She  
24       took them to a farm that her family owns and did things with  
25       her out there. So this was a very cordial, to say the least,

1 relationship. No animosity, no fear, no uncomfortable  
2 feelings, anything like that. We don't believe the evidence  
3 will show that there's anything present to indicate that.

4 The next date that is of importance is shortly after  
5 Dallas and his children move back into the home, and that's  
6 January 5, 2019. When Dallas and his children move back into  
7 the home, Brianna was in Arizona. She had been in Arizona for  
8 the Christmas break, which was customary, visiting her father.

9 It wasn't until January 5th that she returns from  
10 Arizona. And now for the first time, Brianna, Dallas, and his  
11 kids are all under the same roof again.

12 May 10, 2019, that is when Brianna, again, which was  
13 customary in the relationship with her parents and her father,  
14 leaves Oklahoma on May 10, 2019, goes to Arizona to spend the  
15 summer out there.

16 You'll hear evidence that between that  
17 timeframe, January 5th and May 10th, their relationship was the  
18 same as it was before. You're going to hear testimony and see  
19 exhibits that indicate that Brianna was still very comfortable  
20 with Mr. Norton, called him dad, literally, right up to the day  
21 she left for Arizona. So there is no change -- we believe the  
22 evidence is going to show that there is no change in that  
23 relationship.

24 Shortly after Brianna leaves for Arizona or a couple  
25 of weeks towards the end of May or early June,

1 Mr. Norton and Tiffany are fighting again and he says, That's  
2 it. He moves out, and he never returns. He has divorce papers  
3 prepared and presents those to Tiffany. And then on June 27th,  
4 Tiffany signs those divorce papers.

5 And then on July 14th, that is the day the  
6 allegations were made, as Ms. Austin indicated to you. What  
7 Ms. Austin didn't talk to you about -- I want to go into a  
8 little more detail about what those allegations were when they  
9 were initially made back on July 14th.

10 Those allegations both to -- what was reported both  
11 to Arizona and Oklahoma law enforcement and to child welfare in  
12 Arizona and Oklahoma at the time was that this -- that the  
13 child said, that between November and December, Mr. Norton  
14 walked into the living room wearing nothing but his underwear,  
15 sat down on the sofa next to her, and put his hand in her pants  
16 and touched her vagina. She also -- that original statement  
17 was that after he did that, he put her hand on his penis.

18 So this allegation at the time, while she's out in  
19 Arizona, is very specific. November/December, he walks in the  
20 living room in his underwear, sits down on the sofa next to  
21 her, and touches her. That remains the only story out there.

22 July 15th, the next important date. That is the date  
23 when Ms. Norton, Tiffany, files a protective order. She puts  
24 that in the protective order. That on November or December of  
25 2018, these things happened.

1                   Next important date, sometime about four -- probably  
2 four or five days later, after -- well, probably five days  
3 later, after the allegations are made, Brianna returns back to  
4 Oklahoma and is staying with her mother. So that's right around  
5 the 19th to 20th of July.

6                   Again, every record that we have, whether it be from  
7 Oklahoma or Arizona, still saying the same thing, as far as  
8 those allegations. No changes.

9                   On the 22nd of July, a few days later, after being  
10 home with her mother, Brianna goes and has that interview. In  
11 that interview -- you're going to hear that interview and  
12 you're going to see that she says not that this happened in  
13 November or December, but that she doesn't remember when it  
14 happened, but she knows it was before they were married.

15                  She's also going to -- a big change in the story --  
16 we're not talking about minor details, we're talking about big  
17 stuff -- is that it didn't happen in the living room. It  
18 happened in the bedroom. And so that is her story in the  
19 forensic interview, which you'll hear.

20                  And she's testified again a time or two since then,  
21 and she's maintained that; essentially, the story she told in  
22 the forensic interview, with some minor differences. But one  
23 thing she's been adamant about is she doesn't know when it  
24 happened, except for it happened before they were married.

25                  And you'll hear evidence and you'll hear her describe

1 very -- details about the wedding itself. You know, that it  
2 was shortly after school let out. It was a sunny day and all  
3 those kind of things. So she's very clear on that.

4 Those are really the dates that are at least the most  
5 important. And I think if you have those dates -- an  
6 understanding of those dates, as the evidence comes in, that  
7 will help guide you and help you understand the evidence as it  
8 comes in, as long as you're clear on those things that -- those  
9 dates that I mentioned there.

10 So from that time, when Brianna makes these  
11 allegations, Mr. Norton, the evidence is going to show, is  
12 under a cloud, not of suspicion, but essentially of guilt.  
13 There's virtually no investigation done to determine why is the  
14 child changing her story so significantly on big things. At  
15 least there's nothing in the reports. Maybe somebody's going  
16 to come in and explain that, but it would be for the first  
17 time.

18 So there's none of that. You're going to see that  
19 the detective assigned to the case never even went out and took  
20 photographs or even looked at where this was supposed to have  
21 happened. Just took the words without looking. Does this even  
22 match up with the physical environment that she's talking  
23 about?

24 Did he interview the people that were present,  
25 because that part of the evidence I didn't mention. Brianna

1 has maintained all along that there were -- virtually, all the  
2 children were home and awake and playing in the house when this  
3 happened. Whether it was in the living room or in the bedroom,  
4 that's been consistent, that the kids were all there. Maybe  
5 one wasn't, but at least four.

6 Some other things they didn't do -- and perhaps the  
7 detective will come in and testify slightly different than  
8 this. But, again, from everything that I've been provided,  
9 there's no indication that he interviewed a single witness in  
10 this case in person.

11 Any investigation that he did consisted of calling  
12 people over the phone. Calling Tiffany Norton, calling Jeffrey  
13 Jackson, that kind of thing. That's it. He didn't look at  
14 those people in the eye and see -- read body language, eye  
15 contact, anything like that.

16 So the evidence is going to show that there was  
17 little or no police investigation. Instead, it was simply  
18 everybody taking Brianna's words as true from the beginning, no  
19 matter whether they contradicted or anything else, and doing  
20 nothing else to investigate.

21 That's what the evidence, we believe, is going to  
22 show. And we're confident that that is going to be far short  
23 of proof beyond a reasonable doubt. And we will ultimately ask  
24 you to do what you've been instructed to do, which is to hold  
25 the State to that burden of beyond a reasonable doubt, and if

1       they don't get there, to find Mr. Norton not guilty.

2              Thank you.

3              THE COURT: Thank you, Mr. Nedwick.

4              All right. I believe we're going to invoke the Rule  
5       of Sequestration by agreement. Is that correct?

6              MS. AUSTIN: Yes, your Honor.

7              THE COURT: All right. If the attorneys will help me  
8       enforce that rule, I will appreciate it.

9              All right. State may call its first witness.

10             MS. AUSTIN: Thank you, your Honor. State calls  
11      Tiffany Norton.

12                          TIFFANY NORTON

13      was called as a witness, and after having been first duly  
14      sworn, testifies as follows:

15                          DIRECT EXAMINATION

16      BY MS. AUSTIN:

17      Q      Would you please state your name.

18      A      Tiffany Norton.

19      Q      And if you could -- Ms. Norton, if you could scoot up a  
20      little bit and pull that microphone right to you. This podium  
21      is kind of in a weird position. You're going to have to turn  
22      and look this way to me. I'm sorry.

23              Tiffany Norton. Is that correct?

24      A      Yes.

25      Q      And can you tell us what you do for a living.

1 A I'm a nurse.

2 Q And what type of nurse?

3 A Licensed practical nurse.

4 Q Is there a --

5 THE COURT: Let me stop you real quick.

6 Our microphone and sound system is really outdated.

7 So unfortunately, it's not really strong. If you'll just  
8 really put that microphone right up to your mouth so we can  
9 hear you, I would appreciate it. Thank you.

10 Q (By Ms. Austin) And you said you're a licensed nurse?

11 A Uh-huh. Yes.

12 Q And what type of nursing do you do?

13 A Geriatric and skilled rehab.

14 Q And do you -- you've done that same type of nursing for  
15 several years, or have you done different types?

16 A Different types.

17 Q And geriatric and skilled nursing, what does that mean?

18 A I work at a facility that's half nursing home and half  
19 skilled rehab. So I take care of patients who are there in  
20 rehab and go home.

21 Q How long have you been working as a nurse?

22 A 11 or 12 years.

23 Q Do you have any children?

24 A Yes.

25 Q Okay. What are your kids' ages and names?

1 A Dylan is 20, Brianna is 14, and Connor is 17.

2 Q And who's their father?

3 A Jeff Jackson.

4 Q Okay. And does Jeff -- does he go by Jeff Jackson or what

5 name does he go by?

6 A He goes by Chad.

7 Q Okay. Is that his middle name?

8 A Yes.

9 Q And where does Jeff Jackson -- we'll just call him that

10 for purposes of today. Where does he live?

11 A Arizona.

12 Q And when did you separate or divorce from Mr. Jackson?

13 A I don't remember the exact year, but it's like 15 or 16

14 years ago.

15 Q And did you live here in Oklahoma when that happened?

16 A Yes.

17 Q Okay. And then did he move to Arizona after that or how

18 did that work?

19 A Yes. He moved after that.

20 Q Has he always lived in Arizona while the kids were growing

21 up?

22 A No. He lived in Oklahoma part of that time.

23 Q Okay. And do you have some type of custody or visitation

24 arrangement with Mr. Jackson?

25 A Yes.

1 Q And what is that?

2 A He gets summers, and then we alternate holidays.

3 Q And has that worked for several years that way?

4 A Yes.

5 Q Okay. Ever since he lived in Arizona?

6 A Yes.

7 Q And does that work out pretty well?

8 A Yes.

9 Q Okay. Do you know a person by the name of Dallas Norton?

10 A Yes.

11 Q And how do you know Dallas Norton?

12 A I was married to him.

13 Q Okay. And do you see him in the courtroom today?

14 A Yes, I do.

15 Q Can you please tell us where he's seated and what he's  
16 wearing?

17 A Right there (indicating), and he's wearing a blue-ish  
18 shirt.

19 Q Okay. There are three gentlemen sitting at the table --

20 A He's the one in the middle.

21 Q Okay. Thank you.

22 MS. AUSTIN: May the record reflect identification of  
23 the defendant?

24 THE COURT: Yes, The record will so reflect.

25 MS. AUSTIN: Thank you.

1 Q (By Ms. Austin) And you said that you were married to him.  
2 When -- do you remember when your relationship started with  
3 him?

4 A It was probably around July of '17.

5 Q Okay. And is that when you met him? Or tell us about  
6 that.

7 A That's when we started, like, dating.

8 Q Okay. Had you met him prior to that?

9 A Just through, like, Messenger and things like that.

10 Q How did you meet him?

11 A Through Facebook and his son had gotten hurt.

12 Q Okay. And when you say, Through Facebook and his son had  
13 gotten hurt, tell us what you mean by that.

14 A He lived by my parents at the time, and his son was in a  
15 really bad accident. And like following, like, Facebook posts  
16 and stuff, and that's how we started talking.

17 Q Now, was there a lot of social media talk about what had  
18 happened to his son?

19 A Yes.

20 Q And was there pages that people followed?

21 A Yes.

22 Q And did you follow one of those pages?

23 A Yes.

24 Q And through that page, did you start communicating with  
25 Dallas Norton?

1 A Yes.

2 Q And did you communicate through there and meet in person,  
3 or how did that work?

4 A Yes. We communicated through there and then we met in  
5 person.

6 Q And when you met in person, did you just start your  
7 relationship, or how did that happen?

8 A We talked for a few weeks and hung out, and then our  
9 relationship started.

10 Q And did he have children?

11 A Yes.

12 Q And what -- how many children did he have and what were  
13 their names?

14 A Three. Tayra, Austin, and Riley.

15 Q And who was the oldest?

16 A Tayra.

17 Q And you said his son had been in an accident. Which son  
18 had been in an accident?

19 A Austin.

20 Q Okay. How old was Austin when you guys started dating?

21 A I want to say around 10 -- 9, 10.

22 Q And did there -- did you meet his children when you  
23 started dating?

24 A Yes. Austin was the first one.

25 Q Okay. And tell us about that.

1 A I went to the hospital to visit Austin with his dad. And  
2 we hung out there for a little bit. And then I met his  
3 daughters, like, the next day or something like that.

4 Q When you met him, was he in a relationship with someone  
5 else or was he married or how was it?

6 A He was married, but they were separated.

7 Q And did you -- during that time, did you ever have any  
8 contact with his ex-wife or the wife that he was married to at  
9 that time?

10 A No.

11 Q Okay. Now, when you said that you started dating, did you  
12 introduce your children to him?

13 A Yes.

14 Q And did -- at some point, did you guys decide that you  
15 were going to move in together?

16 A Yes.

17 Q Where was Austin? Was he still in the hospital when you  
18 moved in together?

19 A No. No, he wasn't.

20 Q Okay. And when you moved in together, where did you move  
21 to?

22 A It was a trailer in Lexington Crossing.

23 Q And was that your home or his home? How was it?

24 A It was his.

25 Q His home. And so did you and your children move in there?

1 A Yes. But it was for a short period of time.

2 Q And then did you move someplace else?

3 A Yes, we did.

4 Q Where did you move to?

5 A We moved to a house and in Fawn Run Crossing, in a  
6 neighborhood.

7 Q Fawn Run Crossing, is that the name of the street?

8 A Yes.

9 Q And in Norman?

10 A Yes.

11 Q Okay. And do you remember the address at Fawn Run  
12 Crossing?

13 A I think it was 1500.

14 Q And was that a house that you guys signed a lease together  
15 or did one of you sign it or how was that?

16 A We both signed it.

17 Q Okay. And do you know when you moved in there?

18 A August of '17.

19 Q And so when you moved into that home together, tell us how  
20 big was the house, like how many bedrooms and what was the  
21 arrangements?

22 A It was a three bedroom, two bath. I want to say it was  
23 about 16 or 1700 square feet. The girls shared a room with  
24 bunk beds and then the boys shared a room with bunk beds, and  
25 then we had our own room.

1 Q So with your kids and his kids, was there three boys and  
2 three girls?

3 A Yes.

4 Q Okay. Now, Austin had been in an accident. What type of  
5 accident was he in?

6 A He was burned.

7 Q Okay. And so as a nurse, did you assist with that in some  
8 way?

9 A Yes.

10 Q What did you do?

11 A I changed his dressings, helped with his colostomy bag,  
12 took him to therapy, showed up for surgeries.

13 Q And so were you able to provide a little more help on that  
14 because of your experience and your background than --

15 A Yes.

16 Q -- than say other people? But the defendant, did he help  
17 also?

18 A Yes.

19 Q Okay. So it wasn't like you were doing it all. It was a  
20 group effort?

21 A Correct.

22 Q Okay. Now, once you moved in there, where did your  
23 children go to school?

24 A Eisenhower Elementary, I think is the name of it. And  
25 then the middle school, Longfellow. And then I think Dylan was

1       in high school at Norman North.

2       Q     Now, is that the school that your kids had been at -- same  
3       schools they'd been at before you moved there?

4       A     Yes.

5       Q     So they didn't switch schools when you moved there?

6       A     No.

7       Q     Okay. And what was the routine in the house there?

8       A     We got up for school, I took them to school, sometimes I  
9       would pick them up, but most of the time, Dallas picked them  
10      up.

11      Q     And were you working at the time?

12      A     Yes.

13      Q     Was the defendant working at the time also?

14      A     No.

15      Q     Were there times throughout your relationship that you  
16      both had jobs?

17      A     Yes.

18      Q     Okay. Was it -- Austin need constant care there for a  
19      while during your relationship?

20      A     Yes.

21      Q     So the defendant had to stay home with him?

22      A     Yes, sometimes.

23      Q     Now, was there ever any restrictions you put on access  
24      that the defendant would have to your children?

25      A     No.

1 Q Why not?

2 A Because he's a dad. He has three kids. Like, he can  
3 manage to help take care of everything.

4 Q Did you ever see any reason to restrict access in any way?

5 A No.

6 Q Was he alone with your children sometimes?

7 A Yes.

8 Q Were you alone with his children sometimes?

9 A Yes.

10 Q Okay. Ever any concerns about that?

11 A No.

12 Q Did you ever hire any babysitters to help out?

13 A Yes.

14 Q And tell us about that.

15 A Bailey, I actually met through Dallas. It was his best  
16 friend's daughter. We hired her to come in and take care of  
17 Austin and be at home with Austin because we needed somebody.  
18 And Austin was homeschooled, and so she was at our house all  
19 the time.

20 Q And so when she was -- do you know Bailey's last name?

21 A Ferguson.

22 Q When she came into the home, was the purpose to take care  
23 of Austin or all the kids?

24 A Austin, and then the other kids would be there after  
25 school until I got home.

1 Q So she would be there during the day until one of you two  
2 relieved her?

3 A Right.

4 Q Okay. Now, you said that you met her through the  
5 defendant?

6 A Uh-huh.

7 Q Because he knew her family or something of that nature?

8 A Yes.

9 Q And she was about how old?

10 A 15 or 16.

11 Q And how long did she babysit for your kids or for all the  
12 kids?

13 A I would say probably around eight months maybe, six to  
14 eight.

15 Q And when she was there, would you go pick her up or would  
16 someone drive already -- or was she able to drive? What was  
17 the deal?

18 A In the beginning someone dropped her off. And then she  
19 would stay the night sometimes too.

20 Q And what would be the purpose of her staying the night  
21 sometimes?

22 A Just to make it easier on everybody else, and she liked  
23 being at the house.

24 Q And when she would stay the night, where would she sleep?

25 A Usually in the living room on the couch.

1 Q While this relationship is going on, you guys move into  
2 this house in August of '17, do you guys do things together as  
3 a family?

4 A Yes, when we have time. I was working two jobs, so there  
5 wasn't a whole lot of free time.

6 Q When you say you were working two jobs, what kind of jobs  
7 were you working?

8 A I was an assistant director of nursing at a nursing home,  
9 and then -- I was pulling extra shifts there, and then I did  
10 home health some.

11 Q So were you gone from the home quite a bit?

12 A Yes.

13 Q Okay. And then during this time, after Bailey is there  
14 then, is the defendant working also?

15 A Yes. He was reposing cars.

16 Q Now, you said that there were not -- you were busy, but  
17 there were times that you did things as a family?

18 A Yes, absolutely.

19 Q Now, were your kids, all besides Austin, were they all in  
20 school? Austin was the only one that was homeschooled?

21 A Correct.

22 Q Now, Brianna, what is Brianna's date of birth?

23 A 10/16/07.

24 Q Okay. So when you guys move in together in '17, she's 9,  
25 getting ready to turn 10. Is that right? August of '17.

1 A Yeah. I think she was going to be 10.

2 Q And then the -- was she the youngest, or was anyone  
3 younger than her?

4 A Riley was younger than her.

5 Q Okay. How old was Riley? Like how many years younger  
6 than Brianna?

7 A I don't remember. I want to say she was like 6 when we  
8 moved in.

9 Q So was she about three or four years younger than Brianna?

10 A Yes.

11 Q And then who was the oldest?

12 A Dylan.

13 Q Now, so Riley was around -- was about three years younger.  
14 What about Tayra? What was her age? Older? Younger?

15 A She was older than Brianna.

16 Q About how much?

17 A Probably two years.

18 Q So once you moved in with the defendant in the fall of  
19 2017, at some point do you guys get married?

20 A Yes. In June of '18.

21 Q Okay. And was that something that you planned for a  
22 period of time, or was it just a spur of the moment thing? How  
23 was it?

24 A It was planned for a few months.

25 Q And when it was -- was it a small wedding? How was it?

1 A It was a small wedding.

2 Q Where did you get married?

3 A In Goldsby.

4 Q And did all of your children attend?

5 A Yes.

6 Q Now, we had talked before about that the defendant was  
7 married when you first started dating him. At some point, did  
8 he get divorced?

9 A Yes, he did.

10 Q When did that happen, if you know?

11 A I don't remember. It was sometime in that year. It had  
12 been a little bit longer than six months.

13 Q The year that you moved in together?

14 A Yes.

15 Q Okay. So by the time you're getting married in June of  
16 '18, has he been divorced for a period of time?

17 A Yes.

18 Q Okay. And so were all the children in the wedding or how  
19 was it?

20 A Yes, they all were.

21 Q Okay. And during this timeframe that they were -- did  
22 everything appear okay to you?

23 A Yes.

24 Q Ever notice any issues with any of the children in the  
25 home with the defendant?

1 A No.

2 Q Now, when you got married in the fall -- I'm sorry, the  
3 summer of 2018, were things good?

4 A Yes, for a short period.

5 Q And then in the fall of 2018, does -- do you guys  
6 separate?

7 A Yes, we did.

8 Q Okay. And when you separate, where -- I mean, do you move  
9 out? Does he move out? What happens?

10 A He moved out.

11 Q And during that time, how long are you separated?

12 A It was five or six months.

13 Q And did you file for divorce during that timeframe?

14 A Yes, I did.

15 Q And when did you file for divorce, if you know?

16 A It was in December of '18. And then we revoked it because  
17 he moved back in in January of '19.

18 Q Okay. So when you separate in the fall of 2018, when you  
19 say he moves out, where does he move to?

20 A He moved to Little Axe to a different trailer right down  
21 the street from his old home.

22 Q Did you say Little Axe?

23 A Uh-huh.

24 Q Is that a yes?

25 A Yes.

1 Q Okay. And does he start a relationship with someone else?

2 A Yes.

3 Q And who was that person?

4 A Her name is Shyanne.

5 Q And you were aware of that relationship?

6 A Yes.

7 Q And did the kids go over and see him?

8 A Yes.

9 Q And why was that?

10 A Because our kids were still close.

11 Q Okay. So when he moved out, did his children move out

12 also?

13 A Yes.

14 Q And so when your children -- would all three of your

15 children go over to visit him?

16 A Not always, no.

17 Q Tell us how it happened or what went on.

18 A Brianna usually went. She enjoyed hanging out with Austin

19 and Riley.

20 Q And would they go to the defendant's house or was it this

21 Shyanne's house or what was it?

22 A It was the defendant's house.

23 Q Okay. And would it be for entire weekends or just for a

24 day? How was it?

25 A Sometimes it was on the weekend. Sometimes it was just

1 the night.

2 Q Would your other sons ever go?

3 A Not always. I think Connor went once or twice. But they  
4 are more of momma boys.

5 Q Do what?

6 A They are more of like -- to be with their momma.

7 Q And Dylan was a little older anyway, wasn't he, at that  
8 point? He was a high schooler?

9 A Yeah. Yeah.

10 Q Now, during this time that you're separated, did you  
11 maintain a relationship with the defendant at all? Were you  
12 continuing to talk to him or anything like that?

13 A Yes.

14 Q Now, you said that you filed for divorce. And if records  
15 show you filed December 14, 2018, do you have any reason to  
16 disagree with that?

17 A No. That's correct.

18 Q And had you had discussions with him about you were going  
19 to file, or how did that work?

20 A Yes. We discussed it back and forth and came to the  
21 agreement, and that's when I filed.

22 Q Okay. And then at some point, just a few weeks later, he  
23 moved back in?

24 A Right.

25 Q Did he come over to the home any during that time?

1 A Yes.

2 Q And tell us about that.

3 A He would come to visit. Him and his girlfriend would come  
4 to ball games because Brianna played basketball. Family  
5 gatherings. He was there at Christmas.

6 Q Did Brianna go visit her dad over that holiday?

7 A No.

8 Q Okay. Did she alternate -- how did holidays work?

9 A If they wanted to go, then we let them go. If they didn't  
10 and they wanted to stay with me, then they stayed with me.

11 Q And so you had filed for divorce at that point, but you  
12 are still maintaining contact and the kids are maintaining  
13 contact. Why did you do that?

14 A Because it's not the kids' fault that their dad and I  
15 didn't get along.

16 Q And so do you maintain a relationship with Austin and his  
17 other children?

18 A Yes.

19 Q Did -- once you filed for divorce, does -- how did he move  
20 back in? I mean, did you guys have a discussion about it? Did  
21 you guys -- did he move out from Shyanne or was he living with  
22 Shyanne or how was it?

23 A He was living with Shyanne at the time he came over for  
24 Christmas. We had a discussion, discussed it for two or three  
25 weeks. And then finally decided he was going to move back in,

1 and I called off the divorce.

2 Q And so when did he move back in?

3 A It was in January sometime.

4 Q And then you dismissed the divorce. Is that right?

5 A Yes.

6 Q And if records show January 8th of '19, so right around  
7 the first week of January?

8 A Yes.

9 Q Okay. And so when he moved back in, did all of his  
10 children move back in also?

11 A Yes.

12 Q Okay. Now, when we say move in, move out, is that all of  
13 their furniture, everything? How did that work?

14 A Yes, everything.

15 Q And was Brianna there when he moved back in?

16 A I don't remember.

17 Q Now, when he moved back in, were things better?

18 A For a short period, yes.

19 Q Did you -- during this time, did you ever notice anything  
20 with Brianna and the defendant where you thought he was  
21 uncomfortable or she was uncomfortable with him?

22 A Other than when I worked at night, she would cry to go to  
23 work with me. I thought it was just her being her normal self.

24 Q And when the defendant lived in the home at night, his  
25 daughters lived there also?

1 A Yes, unless they were with their mom. His oldest one  
2 spent a lot of time with her mom.

3 Q What about the youngest one? Did she usually stay there?

4 A Yeah. She was usually at home.

5 Q So Brianna slept in a room with someone else?

6 A Yes.

7 Q Were there times that you would go out and do things with  
8 friends and the defendant would watch all the kids?

9 A Yes.

10 Q Okay. Was that something that happened often or rarely?

11 A Occasionally.

12 Q Okay. That -- not unusual, and he would go out and do  
13 things and you would watch all the kids?

14 A Yes.

15 Q Okay. Was there a time -- any time during this  
16 relationship that you went to a casino with friends?

17 A Yes.

18 Q Was there a time at any time during this relationship that  
19 you went to a concert with friends?

20 A Yes.

21 Q Did the kids -- or girls, I'm sorry -- ever go to the  
22 daddy/daughter dance?

23 A Yes.

24 Q Did they go with the defendant?

25 A With the defendant and my oldest son who always took my

1 daughter.

2 Q Okay. So when you lived together -- when is the  
3 daddy/daughter dance? Do you know what month that usually is?

4 A It's usually in February.

5 Q And so you guys were living together in February of '18  
6 before you got married, right?

7 A Uh-huh. Yes.

8 Q And then again in February of '19, after he moved back in?

9 A Yes.

10 Q Did they go to the daddy/daughter dance both of those  
11 years?

12 A I don't know about the first, but the second year, yes.

13 Q And you said that Brianna went with --

14 A Dylan.

15 Q Dylan? Okay. Had Dylan taken her before?

16 A Yes.

17 Q And tell us about that.

18 A Dylan had always taken her since her dad moved away. And  
19 so I would take them and drop them off. And then I think the  
20 time that they went together, I rented a limo for everybody.

21 Q And you said the time they all went together, you mean the  
22 defendant and his daughters also?

23 A Yes.

24 Q Okay. Was that something that Brianna enjoyed doing with  
25 Dylan?

1 A Yes.

2 Q Did you ever have any concerns about the defendant and  
3 Brianna's relationship?

4 A No.

5 Q So he's moved back in January of 2019. Is Bailey Ferguson  
6 still babysitting for you at that point?

7 A No.

8 Q Okay. And when Bailey is babysitting for you, you said it  
9 was about eight months. Do you know why -- I mean, did Bailey  
10 quit or how did that happen?

11 A Bailey just up and quit and didn't show up.

12 Q Like didn't show up one day?

13 A Uh-huh, yes.

14 Q And so were you guys planning on her being there that day  
15 and she just didn't?

16 A Yes.

17 Q So did you contact her or did the defendant contact her or  
18 what happened?

19 A If I remember right, we both tried contacting her.

20 Q Did she respond that she wasn't going to work for you  
21 anymore?

22 A Yes.

23 Q Was there a reason given at that time?

24 A No.

25 Q And so did that kind of leave you in a difficult

1 situation?

2 A Yes, it did.

3 Q Do you know, was that before or after the defendant had  
4 moved out and then moved back in?

5 A I think it was after, but I'm not sure.

6 Q Did you get someone else in the home to help with Austin  
7 after Bailey quit?

8 A Yes. His dad helped a lot.

9 Q I'm sorry?

10 A His dad helped a lot.

11 Q Like the defendant's dad?

12 A Yes.

13 Q Okay. I mean, even if Bailey wasn't there, you guys took  
14 the steps to make sure that Austin was taken care of?

15 A Absolutely.

16 Q Either you or the defendant, but you guys made sure?

17 A Yes.

18 Q Okay. Now, when -- this spring that you're living  
19 together, does everything seem to be okay up until the time of  
20 summer visitation?

21 A No.

22 Q Okay.

23 A Mr. Norton and I had talked about a divorce. He quit his  
24 job and was looking for a new one. And so we -- we had plans  
25 to divorce.

1 Q You had what?

2 A We had plans to divorce.

3 Q Was this before Brianna and the kids went to Arizona?

4 A Yes.

5 Q Did the kids know this was going on?

6 A No, they did not.

7 Q When did Brianna go to Arizona that summer?

8 A I want to say it was May.

9 Q And would -- when she would go to Arizona for the summer,  
10 would all three of your kids go or how was it?

11 A No. It was usually Brianna and Connor for sure. Dylan  
12 was older, so sometimes he would go and sometimes he didn't.

13 Q And this summer, the one in 2019, did Dylan go with them?

14 A No.

15 Q But did Brianna and Connor go?

16 A Yes.

17 Q And you said it was May. Would it be early May?

18 A Late May. It was usually after school was out.

19 Q Okay. So after school is out, Brianna goes with her  
20 brother to Arizona. Any concerns when they go?

21 A No.

22 Q Okay. So after Brianna leaves, the kids leave for  
23 Arizona, do you then stay with the defendant or what happens?

24 A Yeah. We still lived together until June, I believe. And  
25 then he got an apartment.

1 Q Okay. And did you guys make a decision about your  
2 relationship at that point?

3 A Yes. We were discussing what we wanted in the paperwork  
4 for our divorce, and we were still friends. He fixed my car, I  
5 loaned him money, a lawnmower, things like that.

6 Q So still talking, but not living together?

7 A Correct.

8 Q Had his children moved out also?

9 A Yes.

10 Q So the discussion that was going on about the divorce,  
11 were you guys using an attorney, or how was it working?

12 A No. We were not planning on using an attorney in the  
13 beginning.

14 Q Okay. And had you -- anybody drawn up paperwork, or what  
15 were you doing?

16 A We were in the process of typing it up. He said that he  
17 would take care of it and drop it off.

18 Q And did he do that?

19 A I want to say once, but then I didn't agree with the stuff  
20 that was in there. And so we were still focusing on what we  
21 wanted it to say exactly.

22 Q Now, you said you didn't agree. Were you arguing about  
23 it?

24 A No.

25 Q And were you communicating -- well, how were you

1 communicating?

2 A Via text, phone calls, he would come over.

3 Q And so had you signed anything at any point prior to  
4 anything being filed?

5 A No.

6 Q And did you tell Brianna or Connor, who were in Arizona --  
7 did you tell them that you guys were getting a divorce?

8 A No.

9 Q Okay. So as the summer goes on, he's moved into an  
10 apartment. You're living in a house. Does he begin dating  
11 someone else?

12 A Yes.

13 Q And do you begin dating someone else?

14 A Yes.

15 Q Okay. And are you both aware that you are in  
16 relationships with other people?

17 A Yes.

18 Q Is that causing problems?

19 A No.

20 Q How would you characterize your relationship during that  
21 July of '19 -- how was your relationship?

22 A It was fine. I mean, we were friends. He helped me out.  
23 I helped him out.

24 Q But you were getting a divorce?

25 A Yes.

1 Q And you had -- he already moved his stuff out. Did he  
2 have anything at the house?

3 A No.

4 Q Okay. Now, had you signed -- on June 27th of '19, had you  
5 signed divorce papers?

6 A No.

7 Q So did the defendant ever present you with any divorce  
8 papers and have you sign them prior to you guys filing  
9 anything?

10 A I didn't sign anything.

11 Q Okay. I want to talk to you about July 14, 2019. Did you  
12 see Bailey Ferguson on that day?

13 A Yes.

14 Q And where did you see Bailey Ferguson?

15 A At Wal-Mart.

16 Q Had you seen her -- well, when was the last time you saw  
17 her before that?

18 A I couldn't tell you. It was probably the last day she  
19 babysat for me.

20 Q So hadn't seen her in between the time she quit and until  
21 July of '19?

22 A No.

23 Q And were you -- did you have someone with you when you  
24 were at Wal-Mart?

25 A Yes.

1 Q Who was with you?

2 A Zach.

3 Q Who was Zach?

4 A My boyfriend.

5 Q And did -- without telling us what Bailey told you, did  
6 she tell you information that was concerning to you?

7 A Yes, she did.

8 Q Were you surprised by that information?

9 A Yes, I was.

10 Q Okay. So what did you do with that information?

11 A I went home after my grocery shopping. And my daughter  
12 didn't want to come home from Arizona, and we were discussing  
13 why she didn't want to come home because she wouldn't tell us  
14 why.

15 And so I called her dad, and I said, can you please  
16 talk to Brianna and get a reason why she does not want to come  
17 home.

18 Q Did you tell him what Bailey Ferguson had told you?

19 A Yes, I did.

20 Q And so what did you ask him to ask Brianna?

21 A I just said, Talk to her and ask her why she doesn't want  
22 to come home and tell her that you need an answer.

23 Q Did you tell him to ask her if anything had happened to  
24 her?

25 A I think so, yes.

1 Q And did you -- did he put you on speakerphone, did he hang  
2 up, or how did that go?

3 A He hung up.

4 Q When -- that day when you called your ex-husband, this --  
5 Mr. Jackson, right?

6 A Uh-huh, yes.

7 Q -- and you asked him to do this, what did Brianna think  
8 the status of your relationship with the defendant was?

9 A That we were still together.

10 Q You hadn't told her that he moved out or anything?

11 A I very rarely talk to my kids when they're with their dad.

12 Q And did she know you had a new boyfriend, he had a new  
13 girlfriend, any of that?

14 A No.

15 Q And did -- as far as you know, she thought she would be  
16 coming home and things would be the same?

17 A Yes.

18 Q So you tell your -- you tell Jeffrey Jackson, Please talk  
19 to Brianna. Does he call you back?

20 A Yes, he does.

21 Q And when he does, did -- without telling us what he said,  
22 did he tell you some upsetting information?

23 A Yes, he did.

24 Q Did he tell you exactly, like, word for word what he had  
25 learned from Brianna?

1 A No.

2 Q And did he paraphrase it or what did he --

3 A He just gave me the short end of it and said that he was

4 calling the police.

5 Q Okay. And so is there discussion about where to call the

6 police and what to do?

7 A Yes.

8 Q Okay. And so does he end up calling them?

9 A Yes.

10 Q And what do you do?

11 A I called Mr. Norton.

12 Q And why did you call him?

13 A Because I was angry.

14 Q And did you talk to him?

15 A Yes, I did.

16 Q And when you talked to him, what did you say?

17 A I told him that Brianna didn't want to come home because

18 she said that he touched her inappropriately.

19 Q And what was his response?

20 A You're going to believe a 10-year-old girl over me, and

21 said he didn't do it and that she was lying.

22 Q So what did you do?

23 A I hung up on him after I cussed him out.

24 Q And did you talk to Brianna?

25 A No.

1 Q And why not?

2 A Because I didn't want to know anything. I -- that was --  
3 as a mom, it's hurtful.

4 Q Did she want to talk to you according to your ex-husband  
5 or --

6 A No.

7 Q Now, your ex-husband, was he remarried?

8 A Yes.

9 Q Okay. And so did you know the -- his new wife?

10 A Yes.

11 Q And did you like her?

12 A Yeah.

13 Q Okay. And so was she there for all of this also?

14 A I think so, yeah.

15 Q Did you trust your ex-husband and believe that she was in  
16 good hands in Arizona?

17 A Absolutely.

18 Q Okay. Now, once your ex-husband, Jeff Jackson, had called  
19 the police, did the Norman Police Department contact you also?

20 A Yes.

21 Q Was Brianna still in Arizona?

22 A Yes.

23 Q And at some point, is it important to get her back here  
24 for her to be interviewed?

25 A Yes.

1 Q So does she come home -- wait until the full visitation or  
2 what happens?

3 A No. He brought her back within a week.

4 Q Okay. And he being?

5 A Her dad, Jeff.

6 Q And when she got back in Oklahoma, did you talk with her  
7 about what she said happened?

8 A No.

9 Q Did you take her to a forensic interview?

10 A Yes, I did.

11 Q Did her dad go with you also?

12 A No.

13 Q Did he stay here in Norman when he came here with Brianna?

14 A Yes. He stayed for a few days.

15 Q And did you talk with her about specifics about what she  
16 had said to her dad?

17 A No.

18 Q And why not?

19 A Because it wasn't for me to discuss, and I was advised not  
20 to.

21 Q Okay. And who advised you not to?

22 A The police department.

23 Q Did they tell you to wait until after she was interviewed  
24 to talk with her?

25 A Correct.

1 Q Now, was -- did DHS get involved also?

2 A Yes.

3 Q Did you cooperate with them?

4 A Absolutely.

5 Q Okay. When you went to the Mary Abbott House, the  
6 forensic interview, the place called the Mary Abbott House --  
7 is that right?

8 A Yes.

9 Q Did you guys talk about it on the way there?

10 A No.

11 Q Did she know what she was going for?

12 A Yes.

13 Q And what did you tell her she was going for?

14 A I told her that she had to be interviewed by a special  
15 officer so that they could get to the bottom of what happened.

16 Q And after the forensic interview, did you file for a  
17 protective order?

18 A Yes.

19 Q And when you filed for that protective order, did you --  
20 well, you had the right information in there. Is that right?

21 A Correct.

22 Q Who did you get that information from to write that in the  
23 protective order?

24 A Her dad.

25 Q Did you ever get that from Brianna?

1 A No.

2 Q Okay. And so what you wrote down there was what Jeff  
3 Jackson told you?

4 A Correct.

5 Q Did you take Brianna to counseling after this all  
6 happened?

7 A Yes, I did.

8 Q Where did she go to counseling?

9 A Is it Bethesda? However it's --

10 Q Bethesda?

11 A Yeah.

12 Q How long did she go to counseling?

13 A Over a year, or right about a year.

14 Q After this came out in July of '19, did Brianna have any  
15 further contact with the defendant?

16 A No.

17 Q Okay. So when she left for Arizona, was that the last  
18 time she had seen him?

19 A Yes.

20 Q Okay. After all of this is going on and the protective  
21 order and these charges are filed, do you talk with Brianna  
22 very much about what happened with the defendant?

23 A No.

24 Q And why not?

25 A Because it's hurtful when something happens to your child

1 and I didn't -- I didn't need to know the details.

2 Q If she had tried to talk to you about it, would you have  
3 talked with her about it?

4 A Yes.

5 Q But she did not try to talk to you about it?

6 A No, she did not.

7 Q Okay. At some point, did you file for divorce against the  
8 defendant?

9 A Yes, I did.

10 Q And when you filed for a divorce, it was in October of  
11 '19. Is that right?

12 A Yes.

13 Q So this all came out in July of '19, but you didn't file  
14 until October?

15 A Correct.

16 Q Did you do it by yourself by communicating with him again,  
17 or did you do it differently this time?

18 A I did it by myself with an attorney.

19 Q And that was granted in December of '19. Is that right?

20 A Yes.

21 Q Okay. Now, we've talked a lot about this relationship and  
22 everyone's ages. I forgot to ask you what was -- what's the  
23 defendant's age? Do you know when his date of birth is?

24 A I think it's in March.

25 Q Okay.

1 A I don't remember.

2 Q Do you know how old he is?

3 A He was younger than I am. So he's probably 37, 38. I  
4 don't know.

5 Q Now?

6 A Yeah.

7 Q Like 37, 38 now?

8 A Yeah.

9 Q Okay. Now, we talked about Brianna not having any further  
10 contact with the defendant after she left for visitation. What  
11 about your other children? Did they have any contact with him?

12 A No.

13 Q Now, I want to go back for a second. When the police were  
14 called in July of '19, your ex-husband called them, but then  
15 you called -- they called you at some point and you spoke with  
16 them?

17 A Yes.

18 Q Did an officer come out to the house?

19 A Yes.

20 Q And what was the purpose of the officer coming out to the  
21 house?

22 A I guess to make a report from me.

23 Q And you said DHS -- you fully cooperated with them. Was  
24 Brianna even here at first when DHS first started  
25 investigating?

1 A No, she was not.

2 Q Where was she?

3 A In Arizona with her dad.

4 Q At some point when she arrives back here in Oklahoma, does  
5 everyone continue to talk with DHS?

6 A Yes.

7 Q Okay. Now, this house I want to talk to you about in a  
8 second, you said it's three bedroom, two bath. Is that right?

9 A Yes.

10 Q Now, how is the configuration as far as the master bedroom  
11 is with the other bedrooms?

12 A When you walk in the front door, the master bedroom and  
13 bathroom is to the right. It's the very first door. Then  
14 there's a short hallway. And then you have the living room,  
15 dining room, and kitchen. And to the left is the other  
16 bedrooms and the bathroom. And then there's a laundry room.

17 Q So kind of a split plan where the master is away from the  
18 other bedrooms?

19 A Yes.

20 Q Does the master bedroom door open into the living room?

21 A No.

22 Q Where does it open into?

23 A The hallway.

24 Q So if you're in the living room, you can't see into the  
25 master bedroom?

1 A No.

2 Q Okay.

3 MS. AUSTIN: May I approach the witness, your Honor?

4 THE COURT: You may.

5 Q (By Ms. Austin) Going to show you what's been marked for  
6 identification purposes as State's 1, 2, 3, and 4. Do you  
7 recognize these?

8 A Yes.

9 Q What are these?

10 A Pictures of our house.

11 MR. NEDWICK: I can't hear her, Judge. I'm sorry.

12 THE WITNESS: They're pictures of our house.

13 Q (By Ms. Austin) And is this the house on Fawn Run  
14 Crossing?

15 A Yes.

16 Q And this house on Fawn Run Crossing, you said it was in  
17 Norman. Is that right?

18 A Yes.

19 Q Is it also in Cleveland County?

20 A Yes.

21 Q Now, these photographs, they're not the best, but they  
22 show the layout of the house. Is that right?

23 A Yes.

24 Q I'm also going to show you a -- can you look at this and  
25 tell me on State's Exhibit No. 5, what is that?

1 A Layout of my old house.

2 Q And is this the layout that is the photographs that we  
3 have here, State's 1 through 4?

4 A Yes.

5 Q And is this the house on Fawn Run Crossing?

6 A Yes.

7 Q And does this show the locations of the bedrooms and the  
8 living room, garage, all of those things?

9 A Yes.

10 Q Almost looks just like a sketch looking down in. Is that  
11 right?

12 A Yes.

13 Q Is it accurate as to what your house looked like that you  
14 lived in with the defendant and your children?

15 A Yes.

16 MS. AUSTIN: Your Honor, at this time the State moves  
17 for admission of State's 1 through 5.

18 MR. NEDWICK: No objection, your Honor.

19 THE COURT: State's Exhibits 1 through 5 will be  
20 admitted into evidence.

21 (Discussion was had at the bench.)

22 MR. NEDWICK: State's Exhibit 5 is my exhibit, so  
23 it's going to have a defendant's exhibit number on it as well.

24 THE COURT: That's fine. We have State's Exhibit 5.  
25 So we can have two of the same exhibit.

1 MS. AUSTIN: Yeah.

2 (In open court.)

3 MS. AUSTIN: May I publish, your Honor?

4 THE COURT: You may.

5 Q (By Ms. Austin) I'm going to show you State's Exhibit No.  
6 5 first, and I'm going to actually turn it this direction.

7 Okay. So can you tell us -- kind of go through this  
8 for a second. Down at the bottom here, what is this?

9 A That's the small front porch that we have to the front  
10 door.

11 Q So this (indicating) is the front door where you come in.  
12 Is that right?

13 A Correct.

14 Q And this (indicating) is a --

15 A Short hallway.

16 Q And then the first door on the right, is this --

17 A Was our bedroom.

18 Q The master bedroom, okay. And then there's a master  
19 bathroom here (indicating)?

20 A Yes.

21 Q Is the only access to this master bathroom through the  
22 master bedroom?

23 A Yes.

24 Q Okay. And then there's this hallway. Is there a door  
25 along this hallway (indicating)?

1 A There's a closet door.

2 Q Okay. And then is there access into the garage?

3 A No. You have to go through the laundry room.

4 Q Okay. And that's where we see laundry room right here  
5 (indicating). Is that right?

6 A Correct.

7 Q So the laundry room, there's a door here (indicating) that  
8 goes into the garage?

9 A Correct.

10 Q Okay. And then we have the living room. Is this above  
11 here (indicating), kind of when you walk through down the  
12 hallway then into the living room? Is that right?

13 A Yes. Yes.

14 Q I'm going to show you State's Exhibit No. 1. What are we  
15 looking at here?

16 A My hallway, the closet door, and the laundry room door and  
17 part of the living room.

18 Q So is this -- as if you were walking in through the front  
19 door, this is what you see?

20 A Yes.

21 Q And to the right on this photograph, this is going to be  
22 the master bedroom?

23 A Yes.

24 Q And this door is --

25 A A closet.

1 Q A closet. And then the next door is?

2 A Laundry room.

3 Q Okay. So this is just a picture of this hallway that we  
4 see here (indicating)?

5 A Correct.

6 Q So if you're in the living room, in order to get to the  
7 master bedroom you have to walk down this hallway that we see  
8 here in State's Exhibit No. 1?

9 A Yes.

10 Q Okay. So then this area opens -- looks like the living  
11 room opens into the dining room and the kitchen. Is that  
12 right?

13 A Yes.

14 Q Show you State's 2. What are we looking at here?

15 A My living room and dining room and the entrance to the  
16 kitchen.

17 Q Okay.

18 A And the entrance.

19 Q I'm sorry, what?

20 A And the entrance to the hallway to the other bedrooms.

21 Q Okay. So State's 1 that we see here, we can see this  
22 little table. Is this this table here in State's 2?

23 A Yes.

24 Q So that's just walking in the house a little further?

25 A Yes.

1 Q Now, I think you said that this is the dining room  
2 (indicating) and then there's an entrance to the bedrooms. Is  
3 that right?

4 A Yeah, the hallway.

5 Q Is this this arched walkway we can see here (indicating).

6 A Yes.

7 Q Okay. So this is this hallway on State's 5 that leads  
8 down to what is labeled main bathroom, BJ room, boys room, and  
9 kitchen?

10 A Correct.

11 Q Okay. But the access to the kitchen is around this way  
12 (indicating), not down this hallway (indicating)?

13 A Correct.

14 Q Okay. State's 3, it's a little blurry. What are we  
15 looking at here?

16 A The laundry room door and the hall closet.

17 Q And that's that same table again. Is that right?

18 A Correct.

19 Q So this -- if you turn down this hallway (indicating) that  
20 takes you to the master bedroom?

21 A Correct.

22 Q And then this way (indicating) takes you to the children's  
23 bedrooms?

24 A Correct.

25 Q And this one's really dark, and I apologize.

1     But State's Exhibit No. 4, what are we looking at here?

2     A     The front door.

3     Q     So this is standing by that table over here (indicating)  
4       and looking back towards the front door?

5     A     Correct.

6     Q     So the bedroom -- master bedroom would be off to the left?

7     A     Correct.

8     Q     And that closet off to the right?

9     A     Right.

10    Q     Okay. Now, the way that these rooms are labeled, was this  
11      Brianna and the other girls' rooms (indicating)?

12    A     Yes.

13    Q     And this is the room that the boys were in (indicating)?

14    A     Correct.

15    Q     This bathroom -- is this the bathroom that all the  
16      children share?

17    A     Yes.

18    Q     Did the children ever use the master bathroom?

19    A     Yes.

20    Q     Were they allowed in your bedroom?

21    A     Yes.

22    Q     Was there like an off limits space or anything like that,  
23      or were they allowed --

24    A     No. They were allowed.

25    Q     Okay. And during the entire time you lived in this house,

1 even when you said the defendant moved in and then moved out  
2 again, when he moved back in, did the room configurations stay  
3 the same, boys' room/girls' room?

4 A Yes. Nothing changed.

5 Q Okay. When they moved out, did they take their bunk beds  
6 with them, or did the bunk beds stay in there for the girls?

7 A I think he took them. But he also bought other beds too.

8 Q Because when they moved out, Brianna would have had a room  
9 by herself?

10 A Correct.

11 Q But then Austin -- I'm sorry. Connor and Dylan would  
12 still continue to share a room?

13 A Yes.

14 Q Okay. Now, after the July of '19, when you call the  
15 police and the police come and speak with you, do you stay  
16 living in this Fawn Run Crossing house?

17 A No.

18 Q Okay. How long do you stay living there?

19 A A few weeks.

20 Q Okay. Was your lease up?

21 A Yes.

22 Q Okay. So you guys had lived there almost a year?

23 A Two years.

24 Q Two years, I'm sorry, at that point. And did you move  
25 someplace else?

1 A Yes, I did.

2 Q And by the time Brianna's going in to be forensically  
3 interviewed, she knows that you're moving at that point?

4 A Yes, she does.

5 Q Okay. So there was -- you stayed there for the summer.  
6 Were you planning on moving before this came out, or was that  
7 something that changed once this information came out?

8 A I had talked about moving so that I didn't have to  
9 continue to work two jobs. But my daughter said she didn't  
10 want to live in that house because of what happened to her, so  
11 we moved.

12 Q So you had -- when you initially moved in with the  
13 defendant, you were two incomes, at times, at home. And then  
14 when he moved out, it was you responsible for the entire home?

15 A Correct.

16 Q Now, this arrangement that you had where your kids went to  
17 see their dad over the summer, did that continue after 2019?

18 A Yes.

19 Q I mean, has Brianna continued to go there for summers and  
20 things of that nature?

21 A Yes.

22 Q Where is Brianna in school now?

23 A She was homeschooled.

24 Q Was she homeschooled when all of these things happened?

25 A No.

1 Q Was she homeschooled immediately after or what happened?  
2 A She went to school for a short period and then she wanted  
3 to try homeschooling because she was in counseling and things,  
4 and so we tried homeschooling.

5 Q And, of course, this was July of '19. So that school  
6 year, that spring, we had COVID anyway, so they went online.  
7 Was it -- after COVID, did she stay home --

8 A Yes.

9 Q -- after that? But now is she going to go back into  
10 public schools?

11 A Yes, she is.

12 Q And you said that she is 14 now. Is that right?

13 A Yes.

14 Q Okay.

15 MS. AUSTIN: If I can have just one second, your  
16 Honor.

17 Q (By Ms. Austin) Thank you, ma'am.

18 MS. AUSTIN: Pass the witness.

19 THE COURT: I think we should take a break. So why  
20 don't we start back at 10:40. And then we can -- once we  
21 resume from our break, we'll allow for Mr. Nedwick to  
22 cross-examine the witness.

23 All right. So jurors, you may stay in the courtroom  
24 if you like, but be back by 10:40.

25 (Recess was had.)

1                   THE COURT: Mr. Nedwick, you're invited to  
2 cross-examine.

3                   MR. NEDWICK: Thank you, your Honor.

4                   CROSS-EXAMINATION

5 BY MR. NEDWICK:

6 Q       Good morning, ma'am. My name is Keith Nedwick. I think  
7 we met one other time in a courtroom back in January.

8 A       Yes.

9 Q       I have a few questions for you. And some of it's going to  
10 be just clarifying some things that you guys talked about on  
11 direct examination.

12                 First, just to clarify, when you said a police  
13 officer came to your house, that was a uniformed police  
14 officer, right?

15 A       Yes.

16 Q       Not a detective?

17 A       I'm not sure. He was in uniform, I know.

18 Q       He was there, as you described it, to take the initial  
19 report, correct?

20 A       Yes.

21 Q       And that was the same day you learned -- the same evening  
22 you learned of these allegations, right?

23 A       Yes.

24 Q       There was also a detective involved in this case that  
25 contacted you later, correct?

1 A Yes.

2 Q And he is not the person that came out to your house?

3 A I don't remember.

4 Q You don't remember ever having anything more than a  
5 telephone conversation with a detective, correct?

6 A Correct.

7 Q And these photographs that you -- well, you described  
8 these -- I'm referring to State's 1 through 4. You described  
9 those as photographs of your house?

10 A Yes.

11 Q Actually, no officer or detective ever came out to your  
12 house and took photographs, did they?

13 A No.

14 Q These are taken from the body camera of the reporting  
15 officer who came out there and took that initial report. Isn't  
16 that correct?

17 A I guess. That's what I was told.

18 Q Okay. And so when we look at State's -- when we look at  
19 State's Exhibit 1, that is a still shot of the officer from his  
20 body cam as he's walking into your residence. Is that correct?

21 A Yes.

22 Q And then State's No. 2, again, that is not something that  
23 the officer intentionally took a photo of while you guys are  
24 being interviewed or while he was there, is it?

25 A No.

1 Q That is a still shot of him standing in the living room,  
2 talking to you. And it looks like there's another individual  
3 in the room. Who is that?

4 A My oldest son.

5 Q And his name is Dylan?

6 A Dylan.

7 Q How old is he at the time?

8 A I want to say he's 15, almost 16.

9 Q At the time -- is he your oldest?

10 A Yeah.

11 Q Okay. So that would have been -- that would have been  
12 July of 2019. So he would have been 17, wouldn't he?

13 A Seventeen, yes.

14 Q I'm sorry?

15 A Yes.

16 Q Okay. And then State's 3, I think you said that was a  
17 photo of the doorway into laundry room. Is that right?

18 A Yes, and a closet.

19 Q And the closet. Okay. And again, that's not something  
20 you saw him take a photo of intentionally to document anything  
21 or anything like that?

22 A No.

23 Q Probably captured it as he was leaving the residence on  
24 his way out?

25 A I guess. I don't know.

1 Q And then this here, State's Exhibit 4, that dark hallway  
2 there, that, again, would have been not something that you saw  
3 him -- Officer Pierce stop and take a photo of, right?

4 A Correct.

5 Q And that would have -- that view would have been captured  
6 on his body cam as he's leaving the residence after having  
7 interviewed you, correct?

8 A Correct.

9 Q Ma'am, I'm going to ask you some questions about State's  
10 Exhibit 5 as well. Okay?

11 A Okay.

12 Q Which way is the least confusing way to put this?

13 A The other way.

14 Q Tell me when to stop.

15 A Right about -- right there.

16 Q Like that (indicating)?

17 A Yeah.

18 Q Okay.

19 A Yes.

20 MR. NEDWICK: Your Honor, I'm also going to mark this  
21 as Defendant's Exhibit 1, and I have a blowup of it.

22 THE COURT: All right. I'm assuming no objection  
23 from the State?

24 MS. AUSTIN: No, your Honor.

25 THE COURT: It will be admitted into evidence.

1 Q (By Mr. Nedwick) Okay. Ma'am, if I can ask you a few  
2 questions about this exhibit, State's 5/Defendant's Exhibit 1.  
3 Again, Officer Pierce did not come out to your residence and  
4 sketch out a diagram of your home, did he?

5 A No.

6 Q And that is the home where these allegations allegedly --  
7 the allegations are that everything that happened, happened in  
8 this home, correct?

9 A Yes.

10 Q And likewise, when a detective was assigned to this case,  
11 a detective didn't come out and diagram this residence either,  
12 did he?

13 A No.

14 Q And do you know that this is a diagram that Mr. Norton had  
15 me prepare? Did you know that?

16 A No.

17 Q So we were talking a few minutes ago about State's 1  
18 through 4, and where that footage came from. And you indicated  
19 that on State's 1, that was incidentally captured on the  
20 officer's body cam as he was entering the residence and walking  
21 towards the living room. Is that correct? State's 1 is this  
22 one (indicating).

23 A Yes.

24 Q And then let me ask you, I don't see any photos, still  
25 shots of body cam or anything else that would indicate that the

1      officer ever walked past this living room here. Is that  
2      accurate from your recollection? He stayed in the living room?

3      A      Correct.

4      Q      He never walked down this hallway (indicating) to see  
5      where the children's room was, correct?

6      A      Correct.

7      Q      He never asked you where the master bedroom was, did he?

8      A      Not that I remember, no.

9      Q      And he certainly never went into the master bedroom, did  
10     he?

11     A      No.

12     Q      And likewise, there are no -- no detective, once the  
13     detective was assigned to the case, ever came out and asked you  
14     to show them the master bedroom, correct?

15     A      No. No.

16     Q      They never -- a detective never came out and asked you to  
17     show where the kids' rooms were or anything else, correct?

18     A      No.

19     Q      And the detective never sat down with you and even looked  
20     at a diagram like this one and asked you questions about where  
21     these events would have occurred, did he?

22     A      No.

23     Q      Ma'am, I'm going to show you what I've marked as  
24     Defendant's No. 2. Do you recognize that as being an accurate  
25     photo of the residence you've been talking about there at 1500

1 Fawn Run?

2 A Yes.

3 Q And that does accurately depict the house as you remember  
4 it?

5 A Yes.

6 Q Okay.

7 MR. NEDWICK: Move for admission of Defendant's 2,  
8 your Honor.

9 MS. AUSTIN: No objection.

10 THE COURT: Defendant's Exhibit 2 will be admitted  
11 into evidence.

12 MR. NEDWICK: Permission to publish, your Honor?

13 THE COURT: Yes, you may.

14 Q (By Mr. Nedwick) Now, Defendant's 2 is the exterior of the  
15 home there at 1500 Fawn Run, correct?

16 A Yes.

17 Q Or as it is alleged, the crime scene, correct?

18 A Correct.

19 Q And you didn't see any detective or officer come out and  
20 take that photo, did you?

21 A No.

22 Q As far as you know, they did not, correct?

23 A Correct.

24 Q You mentioned that Dylan, your 17-year-old son, was there  
25 on July 14th when Officer Pierce came to take an initial report

1 from you?

2 A Yes.

3 Q And he's the one that was depicted in one of the State's  
4 exhibits sitting close to you?

5 A Yes.

6 Q And the detective did not question him about what happened  
7 on this night when Brianna says that she was touched  
8 inappropriately, correct?

9 A Correct.

10 Q Now, as you understand the allegations, he was home and in  
11 the house there on the night when Mr. Norton is alleged to have  
12 abused her, correct?

13 A I don't know. I was never told the full story.

14 Q Okay. I thought you testified on direct that you were at  
15 the forensic interview?

16 A I was, but I wasn't allowed back there.

17 Q Okay. So it's your testimony that you don't know what the  
18 allegations are?

19 A I know that the allegations are that he touched her  
20 inappropriately.

21 Q Okay. But nothing more -- nothing more than that. That's  
22 all you know?

23 A Correct.

24 Q At any rate, nobody ever interviewed Dylan?

25 A No.

1 Q You testified about one daddy/daughter dance that you were  
2 confident that they had attended, they being Brianna and  
3 Mr. Norton, but you're unsure if it was both years. Is that  
4 correct? Did I understand that correctly?

5 A Correct.

6 Q Okay. And that daddy/daughter dance occurs in February  
7 each year. Is that right?

8 A February or March, yeah.

9 Q Okay. So on -- which one were you certain of by the way?

10 A The one that they were wearing blue dresses, because I  
11 rented a limo that time.

12 Q You're not sure if that was 2018 or 2019?

13 A It was most recent, because they were bigger.  
14 So it would have been '19.

15 Q I'm going to show you what I have marked as Defendant's  
16 Exhibit 4. If you can just take a look at that real quick.

17 A That's the one I remember.

18 Q Do you recognize what's depicted there in that photo?

19 A Yes.

20 Q What is it?

21 A The girls and the boys going to the daddy/daughter dance.

22 Q And that's as you remember it?

23 A Yes.

24 Q And I think you said due to the way they're dressed and  
25 their size, you believe that that is the 2019 -- in February of

1       2019?

2       A      Right. Right.

3                    MR. NEDWICK: I move for admission, your Honor.

4                    MS. AUSTIN: No objection.

5                    THE COURT: Defendant's Exhibit 4 will be admitted.

6                    MR. NEDWICK: May I publish, your Honor?

7                    THE COURT: Yes, you may.

8       Q      (By Mr. Nedwick) Ma'am, would you identify this person  
9       that is depicted here in Defendant's 4?

10      A      That's Dylan.

11      Q      And this person (indicating)?

12      A      Brianna.

13      Q      This person (indicating)?

14      A      Riley.

15      Q      This person (indicating)?

16      A      Tayra.

17      Q      And then who is this (indicating)?

18      A      Dallas.

19      Q      And that's when you rented a limousine for them --

20      A      Correct.

21      Q      -- to transport them? Ma'am, I'm going to show you what  
22      I've marked as Defendant's Exhibit No. 5. Do you recognize  
23      that as being a photo of the same people in Defendant's 4, but  
24      a year earlier?

25      A      Yes.

1 Q And, again, that would have been the daddy/daughter dance  
2 of 2018 -- in February of 2018, correct?

3 A Yes.

4 MR. NEDWICK: Move for admission of Defendant's No.  
5, your Honor.

6 MS. AUSTIN: No objection.

7 THE COURT: Defendant's Exhibit No. 5 will be  
8 admitted into evidence.

9 Q (By Mr. Nedwick) Ma'am, you testified on direct about a  
10 wedding that all the children participated in in June of 2017,  
11 I believe -- or excuse me, 2018.

12 A Correct.

13 Q Correct? And that was a wedding -- that's when you and  
14 Mr. Norton got married, correct?

15 A Correct.

16 Q I'm going to show you what I've marked as Defendant's No.  
17 6. Do you recognize that photo?

18 A Yes.

19 Q What is it?

20 A Our wedding day. It's Dallas and our kids.

21 Q Okay. And that photo, Defendant's 6, accurately depicts  
22 your memory of the wedding day?

23 A Yes.

24 Q Okay.

25 MR. NEDWICK: Move for admission of Defendant's No.

1       6, your Honor.

2                  MS. AUSTIN: No objection.

3                  THE COURT: Defendant's Exhibit 6 will be admitted  
4 into evidence.

5       Q     (By Mr. Nedwick) Okay. Thank you, Ms. Norton, for  
6 assisting me with those exhibits. I appreciate your help on  
7 that.

8                  I want to go over a couple other things that you  
9 testified to on direct examination. You mentioned that even  
10 after you guys separated in September of 2018, that you guys  
11 still interacted and showed up at surgeries?

12     A     Correct.

13     Q     And one of those surgeries was Austin had a surgery in  
14 December of 2018. Is that -- do you remember that?

15     A     I think so.

16     Q     And that is the timeframe -- and you went to that surgery,  
17 correct?

18     A     Yes, I believe so.

19     Q     And the kids and his then girlfriend was there --  
20 Mr. Norton's girlfriend, Shyanne, as well?

21     A     Yes.

22     Q     And so during that time, in December, is -- before he  
23 moved back in, that's when you guys started kind of  
24 reconciling, correct?

25     A     Yeah. It was around Christmastime.

1 Q Okay. Including that surgery, which was before Christmas,  
2 right?

3 A Correct.

4 Q And then ultimately, he came over to your house for an  
5 early Christmas celebration and exchanged gifts, allowed the  
6 kids to get your gifts, and everything like that, correct?

7 A Correct.

8 Q They didn't spend the night or anything, did they?

9 A Not that I remember, no.

10 Q They didn't spend the night until he moved back in, isn't  
11 that right, in January?

12 A No. They stayed over whenever they asked to stay over.

13 Q Okay.

14 A Even when we were separated.

15 Q Okay. I'm talking about Mr. Norton. I should have been  
16 more clear. He didn't until after Christmas -- in January when  
17 he moved back in?

18 A Correct.

19 Q Now, there was something else that was a little bit  
20 different than I recall things. You had an understanding or a  
21 memory that Brianna did not go to Arizona for Christmas, and  
22 maybe I misunderstood it, but for Christmas of 2018. Is that  
23 your recollection, or did I mishear that?

24 A I don't think they came back early.

25 Q I'm sorry?

1 A They either came back early or we may have split the  
2 holiday. I honestly don't remember for sure.

3 Q Okay. Maybe I should clarify it a little bit more. When  
4 I say for Christmas, I don't necessarily mean the day  
5 Christmas, but for sure, they went to -- out to Arizona during  
6 the Christmas break?

7 A Yes.

8 Q Just like they had every year, correct?

9 A Yeah. They didn't go every year, but yes, you're correct.

10 Q And it was my understanding that they returned on January  
11 5th of that year. Does that jog your memory?

12 A It was after New Year's. Now it does.

13 Q Okay.

14 A They always had to be back before school started.

15 Q Ma'am, we've seen at least one exhibit there -- you  
16 testified earlier about how even after they moved back in,  
17 Mr. Norton still had -- and we're talking about January 2019 --  
18 he still had access to Brianna and all your other kids,  
19 correct?

20 A Yes.

21 Q And they still did things, correct?

22 A Yes.

23 Q And one of those exhibits is the daddy/daughter dance,  
24 which was obviously after they moved back in in 2019, right?

25 A Yes.

1 Q And some other things that they did, you recall Brianna  
2 and Riley painting his toenails?

3 A Yes.

4 Q And that was in February of 2019 as well, towards the end  
5 of the month, correct?

6 A I don't remember.

7 Q Okay. But you do remember that it was after he had moved  
8 back in?

9 A Yeah.

10 Q And there's also a trip to ice skating, where you all went  
11 ice skating with the kids -- or at least Mr. Norton did with  
12 the girls. Do you remember that?

13 A No.

14 Q You said that once he moved back in, Brianna left for  
15 Arizona sometime in May of 2019 for the summer break. Is that  
16 right?

17 A Yeah. It was usually after school was out.

18 Q Okay. And do you remember -- now, she would commonly  
19 refer to Mr. Norton as dad. Isn't that correct?

20 A Yes.

21 Q And that was throughout the relationship, right?

22 A Yes.

23 Q And that never changed, correct?

24 A Correct.

25 Q In May of 2019, just before leaving for Arizona -- I'm

1 going to show you what I've marked as Defendant's 7. Do you  
2 recognize what's depicted there in Defendant's 7?

3 A That is my daughter.

4 Q That's your daughter, Brianna?

5 A Yes.

6 Q And what is she wearing?

7 A His coveralls. She was putting away laundry and thought  
8 it was funny.

9 Q So -- and you remember that, her doing that, and you  
10 remember that she thought it was funny, correct?

11 A Correct.

12 MR. NEDWICK: I'd move for admission of Defendant's  
13 No. 7, your Honor.

14 MS. AUSTIN: No objection.

15 THE COURT: Defendant's Exhibit 7 will be admitted  
16 into evidence.

17 MR. NEDWICK: Permission to publish, your Honor?

18 THE COURT: You may.

19 Q (By Mr. Nedwick) So there in Defendant's No. 7, just  
20 before going to her father's for summer break in May of 2019,  
21 she was wearing Mr. Norton's clothes, his coveralls, and you  
22 remember the message she sent with that?

23 A No.

24 Q And she said, Look, I'm daddy.

25 A I don't remember.

1 Q But you do remember she was quite happy and comfortable  
2 when this photo was taken?

3 A Yeah. We were all playing.

4 Q She certainly doesn't look distressed in that photo, does  
5 she?

6 A No.

7 Q Or uncomfortable wearing Mr. Norton's coveralls, right?

8 A Yeah.

9 Q There was another thing that I could have had wrong from  
10 my understanding of the case that you testified to in -- on  
11 direct that I hope you'll help me clarify. I thought on direct  
12 you said that you never signed any divorce papers in June of  
13 2019, when Mr. Norton moved out?

14 A Nothing was finalized.

15 Q Well, that --

16 A I don't remember signing anything, no.

17 Q That's what I want to clarify, is finalized versus  
18 signing. Do you remember -- isn't it true that you were  
19 presented with a divorce decree and you reviewed it and finally  
20 signed it on June 27th and had it notarized? Do you remember  
21 doing that?

22 A I don't recall.

23 Q Do you remember telling Officer Pierce that you did that  
24 after looking at your messages --

25 A No.

1 Q -- to refresh your memory?

2 A I don't remember.

3 Q Would it might help refresh your memory if you saw a  
4 transcript of your interview with Detective Pierce -- or excuse  
5 me -- Officer Pierce?

6 A Sure.

7 MS. AUSTIN: Can we approach, your Honor?

8 THE COURT: You may.

9 (Discussion was had at the bench.)

10 MS. AUSTIN: Your Honor, I object to this form of  
11 impeachment. I think that's not the proper way to do it is  
12 show a transcript that has been prepared. It's a transcript  
13 that we don't have a copy of. I don't know who prepared it. I  
14 think he has asked her if she said it. She said she didn't  
15 remember. I think he can ask her and give her the opportunity  
16 to explain or deny, and say, If Officer Pierce's body cam  
17 indicates this, do you have any reason to disagree with that.  
18 Give her the opportunity. If she says, No, I didn't say that,  
19 then he can call Officer Pierce to say, Did she say this to  
20 you. That's the appropriate way to impeach a witness on a  
21 statement.

22 MR. NEDWICK: And that's the distinction, your Honor.  
23 This is not impeachment because she didn't say, I didn't make  
24 that statement. She said she didn't remember. I asked her if  
25 it would help refresh her memory to look at a transcript of it.

1       If it doesn't refresh her memory, she'll say, No, that doesn't  
2       refresh my memory. If it does, then she'll say, Yes, that  
3       refreshes my memory, I did say that, and I do remember that.  
4       If she says, No, then, of course, that's actually how I will  
5       impeach her, using the other officer.

6                  MS. WHATLEY: But the way that you refresh --

7                  MR. NEDWICK: This is not impeachment.

8                  MS. WHATLEY: But the way you refresh somebody's  
9       memory is with their own statement, not a statement that's been  
10      prepared by a transcript by someone that we don't have the  
11      transcript. And we don't know who prepared the transcript, and  
12      neither does she. You would just refresh her with the actual  
13      statement that she made, which is from Officer Pierce and on  
14      the body cam.

15                 MR. NEDWICK: Okay. What I could do, Judge, if  
16      that's really a big deal, if I doctored the transcript, we have  
17      the audio and the video. I can give that to her to refresh her  
18      memory. I can go right to it because we have it marked,  
19      obviously, time stamped. So she can put the headphones on,  
20      listen to her own words, and see if that refreshes her memory  
21      if we need to go through that.

22                 THE COURT: Well, I agree with the State's objection.  
23      I don't think it's a proper way to introduce this evidence.

24                 MR. NEDWICK: It's not been introduced as evidence,  
25      your Honor. It's strictly refreshing. If she says, No, there

1       is no evidence at this point. The evidence will come in  
2       properly later through a different witness. That's the  
3       distinction here.

4                 This is not something where we're introducing any  
5       evidence. If she reviews it or listens to it and says, No, I  
6       didn't say that, then that's her testimony and remains her  
7       testimony. This is not evidence. This is refreshing the  
8       memory. This is exactly how it's done.

9                 And if we want to do it the more time consuming way  
10      with the audio, that's no problem. Still won't take very long.

11                MS. WHATLEY: I guess the point is, she's on a body  
12      cam making a statement in her own voice versus a transcript by  
13      reading a statement. So the point is, she can watch herself  
14      making the statement and be like, Yeah, I said that, versus a  
15      transcript.

16                My point is not that Mr. Nedwick doctored something.  
17      It's just the fact that we don't have a copy of the transcript.  
18      We don't know if it was done by a official reporter. We have  
19      no idea. And the proper way to refresh somebody's memory is  
20      letting them watch their statement since it is audio and video  
21      recorded.

22               THE COURT: Then that's how we'll do it.

23               MR. NEDWICK: Okay.

24               MS. AUSTIN: You do have that to provide to her?

25               MR. NEDWICK: Yes, I do.

1 MS. AUSTIN: And just the laptop to show just to her?

2 MR. NEDWICK: Yeah. So that's the way I'll do it.

3 I'll bring it over.

4 (In open court.)

5 Q (By Mr. Nedwick) Ms. Norton, while Mr. Douglas is getting  
6 that video of your interview cued up, I would like to ask you a  
7 few more questions, and we'll come back to that. Okay?

8 You mentioned on -- in your direct examination that  
9 you had planned on moving before these allegations had  
10 surfaced. Is that right?

11 A We had talked about it. He and I had talked even about  
12 changing houses, because I went from two to three incomes,  
13 because I was working two jobs and he was working part of the  
14 time, to one person. And I didn't want to work as much  
15 anymore. So it wasn't a definite decision to move, but our  
16 lease was coming up, and it was being considered, yes.

17 Q So there was a period of time, after these allegations  
18 surfaced on July 14th, that you still lived in that house,  
19 correct?

20 A Yes.

21 Q And somebody lived there with you. Who was that adult  
22 person who lived there with you?

23 A Victor.

24 Q What's Victor's last name?

25 A Boatright.

1 Q Say it again.

2 A Boatright.

3 Q And he lived there at that address with you guys. That's  
4 after Brianna came back from Arizona, right?

5 A Yes. But he wasn't there all the time. He was a truck  
6 driver.

7 Q Okay. But when he was in town, he lived there or stayed  
8 there?

9 A Part of the time, yes.

10 Q And he was actually there and answered the door when DHS  
11 came at least one time, right?

12 A I don't recall, but probably. He was there.

13 Q Did you -- did you ultimately move from that residence  
14 there?

15 A Yes, I did.

16 Q And how much longer was it that you moved from that  
17 residence?

18 A Not long at all. Less than a month.

19 Q So less than a month later, you went ahead and got a new  
20 place?

21 A Yes.

22 Q So probably around August of 2019?

23 A Uh-huh.

24 Q And did you move just you and the kids, and where did you  
25 move?

1 A I moved in with Zach in Yukon.

2 Q So that was August you moved to Yukon?

3 A I think so, yes.

4 Q And Zach is a different boyfriend than Victor, right?

5 A Victor wasn't my boyfriend.

6 Q Okay. Zach, his last name is what?

7 A Wall.

8 Q And was he the person that was with you on -- or excuse me  
9 -- yeah, July 14th, when you ran into Bailey at the -- at  
10 Wal-Mart?

11 A Yes.

12 Q So you moved to Yukon with him in August of 2019. Now, do  
13 you still live in Yukon?

14 A No.

15 Q Where do you live now? And you don't have to give the  
16 address.

17 A I live in Moore.

18 Q And Mr. Wall does not live with you, does he?

19 A No. He passed away.

20 Q I'm sorry to hear that. Did he pass away before you guys  
21 separated?

22 A No.

23 Q Back in January of -- when we did the preliminary hearing,  
24 I believe a gentleman named Mario Morris --

25 A Yes.

1 Q -- was your boyfriend and living with you guys at the  
2 time?

3 A Yes.

4 Q Are you still living with him?

5 A No.

6 Q Okay. He can't get the audio to play right now. And  
7 rather than waste everybody's time, let me ask you this. If  
8 Officer Pierce comes in and recalls you telling him that you  
9 signed papers and notarized papers in June of 2019, do you have  
10 any reason to dispute that?

11 A Not if he recalls it, no.

12 Q Okay. And he would have got that from you in that  
13 interview. It's simply that you don't remember it?

14 A I just don't remember it.

15 Q You're not saying it didn't happen. You just don't  
16 remember?

17 A I just don't remember it.

18 Q Okay. Thank you.

19 MR. NEDWICK: May I have just a moment, your Honor?

20 THE COURT: You may.

21 MR. NEDWICK: Pass the witness, your Honor.

22 REDIRECT EXAMINATION

23 BY MS. AUSTIN:

24 Q And Ms. Norton, if there were some papers that you signed  
25 from the defendant, those were never filed anywhere. Is that

1 right?

2 A Correct.

3 Q He didn't file them. You ultimately had to file for  
4 divorce in October?

5 A Correct.

6 Q But if you signed paperwork -- I mean, for all intents and  
7 purposes, in June of 2019, you guys were done. You were over,  
8 you were getting divorced. You had move both moved on?

9 A Correct.

10 Q No reason for you to ever see him again and no reason for  
11 him to see you or your children again?

12 A No. Other than the fact we were friends still.

13 Q And when this paperwork thing was going on, it was civil  
14 and friendly. Is that right?

15 A Yes.

16 Q And if you had signed them, that meant you agreed and you  
17 guys were going to be divorced, right?

18 A Right.

19 Q Now, all of these things that were asked of you about the  
20 body cam and photographs and things like that -- and I think  
21 what Mr. Nedwick asked you is no one came in and documented  
22 these things. Is that what he asked you?

23 A Yes.

24 Q But, in fact, they were documented because that's what  
25 body cams are for is to document talking to someone and what

1 the scene is, right?

2 MR. NEDWICK: Objection as to leading, your Honor.

3 THE COURT: Sustained.

4 Q (By Ms. Austin) What's a body cam for?

5 A To keep a record of things that are said and done.

6 Q And that's -- that's what we have here, is we have  
7 photographs from what went on on the body cam. Is that right?

8 MR. NEDWICK: Objection. Leading.

9 THE WITNESS: Correct.

10 THE COURT: Sustained.

11 Q (By Ms. Austin) Now, I think we've seen -- regardless of  
12 how these photos were taken, what do they depict?

13 A The layout of my house and where everything was at.

14 Q Okay. When this officer was in the home -- you were asked  
15 if he didn't walk past the bedrooms. Would there have been a  
16 reason for him to walk past the bedrooms and what would that  
17 have been?

18 A Like a reason to walk past the master?

19 Q Yes. Or past -- into the other rooms.

20 A There was no reason to. My kids weren't home.

21 Q Okay.

22 A Only Dylan.

23 Q You were asked about whether or not a detective came out.  
24 Do you know the difference between an officer and a detective?

25 A They're all in uniform, so no.

1 Q When you were asked about being at the forensic interview,  
2 what happened when you took her to the forensic interview?  
3 Where did you go, where did she go, what happened?

4 A I stayed in the lobby area, and they took her back to a  
5 room. And that's --

6 Q Are you able to hear or see anything that she is saying or  
7 anything that anyone's asking her?

8 A No.

9 Q And you were asked about what you know about this, and I  
10 think you said, Touched inappropriately.

11 A Yes.

12 Q Is that the words that were told to you or is that you  
13 generalizing or how is it?

14 A That's the words that her dad told me on the phone.

15 Q Were there any private part words used or anything like  
16 that?

17 A Not initially, no.

18 Q Okay. But at some point, those words were said to you?

19 A Right.

20 Q But when you say touched inappropriately, are you just  
21 trying to --

22 A For general purposes.

23 Q Okay. The photos that we've seen with the daddy/daughter  
24 dance and with, I think, the wedding, these were photos that  
25 you were present at?

1 A Correct.

2 Q Did you take the photos of the daddy/daughter dance?

3 A Correct.

4 Q So you were standing right there and could see the  
5 interactions between everyone?

6 A Yes.

7 Q Did it surprise you that Dallas Norton didn't touch your  
8 daughter in front of you?

9 A No.

10 Q You wouldn't expect him to, would you?

11 A No.

12 Q At the wedding, lots of people around?

13 A Yes.

14 Q Okay. This photo of Brianna wearing the coveralls, did  
15 you take that photo?

16 A Yes.

17 Q So you were present during that?

18 A Yes.

19 Q And when she's smiling, who is on the other side of the  
20 camera?

21 A Me.

22 Q So she's not alone with the defendant at that time?

23 A No.

24 Q And you were asked some questions about who was in the  
25 home, things like that. So this person, Victor, that was

1 living with you, why was Victor living with you?

2 A He was a truck driver and he was helping me pay the bills.

3 Q Was he a friend?

4 A Yes.

5 Q Had you known him for a long time?

6 A Yes.

7 Q And then you were asked some questions about when --  
8 preliminary hearing when you came and dating a person named  
9 Mario Morris. I think it said January. Do you know what year  
10 that was?

11 A Like when we started dating?

12 Q The year that you came to preliminary hearing?

13 A Yeah. It was last year.

14 Q Okay. If the records reflect January of 2020, do you have  
15 any reason to disagree with that?

16 A No.

17 Q Okay. How long were you and Mario together?

18 A Almost two years.

19 Q Okay. All of these questions you were asked about a  
20 detective and a detective not coming out, is it your fault or  
21 Brianna's fault that a detective didn't come out?

22 A No.

23 Q Okay. All right.

24 MS. AUSTIN: I have nothing further. Thank you.

25 THE COURT: Thank you, ma'am.

1 MR. NEDWICK: Nothing further from me, Judge.

2 THE COURT: You may be excused. Thank you.

3 MR. NEDWICK: Can we approach?

4 THE COURT: Yes, you may.

5 MR. NEDWICK: While the witness is still in the  
6 courtroom?

7 THE COURT: Yeah.

8 (Discussion was had at the bench.)

9 MR. NEDWICK: All of the State's witnesses have  
10 received a subpoena from me. So when you say excused, I just  
11 want to -- maybe you should let them know that --

12 THE COURT: Subject to --

13 MR. NEDWICK: Yeah. And there's no reason for any of  
14 my witnesses to be here before tomorrow, right? So I have no  
15 objection of them being told they can leave for the day.

16 MS. AUSTIN: So you want them to actually appear  
17 tomorrow?

18 MR. NEDWICK: As of right now, yes. I don't know if  
19 I'll need them or not. Just depends on the evidence coming up.

20 MS. AUSTIN: Will you do the courtesy of letting us  
21 know if you're going to actually call them so they don't have  
22 to take off work if they don't really need to be here?

23 MR. NEDWICK: Of course.

24 MS. AUSTIN: Okay.

25 MR. NEDWICK: But obviously this is important to

1 Mr. Norton and --

2 MS. AUSTIN: Well, absolutely.

3 MR. NEDWICK: -- we're going to have our witnesses  
4 available.

5 (In open court.)

6 THE COURT: Ms. Norton, you are excused subject to  
7 being called back by Mr. Nedwick, subject to the subpoena he  
8 issued you.

9 THE WITNESS: Okay.

10 THE COURT: State may call its next witness.

11 MS. WHATLEY: State calls Officer Pierce.

12 TROY PIERCE

13 was called as a witness, and after having been first duly  
14 sworn, testifies as follows:

15 DIRECT EXAMINATION

16 BY MS. WHATLEY:

17 Q Officer Pierce, if you would go ahead and state your full  
18 name for the record and then spell it for our court reporter.

19 A My name is Officer Troy Pierce, T-R-O-Y, P-I-E-R-C-E. I  
20 work for the Norman Police Department.

21 Q And how long have you worked for the Norman Police  
22 Department.

23 A Approximately four years.

24 Q And in what capacity are you employed by the Norman Police  
25 Department?

1 A I am assigned as a patrol officer.

2 Q Has all of your time as a law enforcement officer been  
3 with the Norman Police Department?

4 A No, ma'am.

5 Q Where have you previously worked as a law enforcement  
6 officer?

7 A I previously worked with the Cleveland County Sheriff's  
8 Office as a patrol deputy.

9 Q How long were you with the Cleveland County Sheriff's  
10 Department?

11 A As a patrol officer, for approximately three years.

12 Q Do you have any other experience with the sheriff's  
13 department?

14 A Yes. I worked at the jail as a detention officer and  
15 later as a sergeant from 2012 to 2015.

16 Q Total, how many years do you have experience as being or  
17 as working with law enforcement or as a law enforcement  
18 officer?

19 A Approximately 10 years.

20 Q Okay. Were you working in that capacity on July 14, 2019?

21 A Yes.

22 Q And at that time, were you working as a patrol officer  
23 with the Norman Police Department?

24 A Yes.

25 Q Did you take a -- I guess a call report for a possible

1 sexual assault case?

2 A Yes.

3 Q Could you just kind of briefly tell the Court or the jury  
4 how that's different than, like, responding to, like, an  
5 ongoing robbery?

6 A Yeah. When it comes to any type of child abuse  
7 investigations, specifically from the patrol officer's  
8 standpoint, we are not given the adequate training to fully  
9 investigate them. They are handled completely different.

10 Being that most -- specifically sexual abuse  
11 allegations are after the fact, the crime has already occurred  
12 at some point in time and sometimes they are reported days,  
13 months, even years after the incident occurred. What is  
14 required to get a child to -- their testimony allowed in court  
15 and to fully investigate it -- what is needed is a forensic  
16 interview.

17 We are not trained in my capacity to do that. That  
18 is done by professionals. So the primary focus for a patrol  
19 officer during those investigations is document whether or not  
20 -- or my -- correction, sorry. Document if the child is safe  
21 at the given time that we are called to the incident, and then  
22 to get the initial statements of any allegations or disclosures  
23 and then to identify all parties involved, all the children  
24 involved, to document any witnesses. And then to later contact  
25 the Oklahoma Department of Human Services and let them know of

1 the incident.

2 And then that information is forwarded to our  
3 investigators who are specifically trained for those types of  
4 investigations.

5 Q And were you notified about doing this sort of  
6 documentation for a specific case that involved a child by the  
7 name of Brianna Jackson?

8 A Yes.

9 Q Was there something that was a little bit different about  
10 this case?

11 A Yes.

12 Q Okay. And would that have been that the call came through  
13 like in a different way?

14 A Yes. It was a phone contact. The biological father of  
15 the child lives in Arizona. And the child was visiting for  
16 summer visitation at the time that the incident was disclosed  
17 to the father.

18 Q And so initially, had there been some sort of phone call  
19 in Arizona, and then you get contacted by Arizona, or how did  
20 that -- how did that come about?

21 A I was contacted by the biological father, who said he was  
22 -- received a phone call from the child's biological mother who  
23 resides here in Norman.

24 Q Okay.

25 A Of an incident that she was concerned about.

1 Q Okay. Hold on a second. Without telling me what other  
2 people said, sorry, you just get notified that the actual  
3 allegations took place -- just want to make sure we're not  
4 testifying to what other people said.

5 But allegations take place here, but at the time  
6 you're receiving this notification, child's actually not in  
7 Oklahoma. Is that correct?

8 A That is correct.

9 Q And you're taking this information via the phone?

10 A That's correct.

11 Q And you're getting this information from who?

12 A From the biological father.

13 Q And he's in Arizona?

14 A That's correct.

15 Q And you're getting information that we believe or there's  
16 reason to believe that these incidents occurred in Norman?

17 A That's correct.

18 Q Were you given a specific location?

19 A Yes, ma'am.

20 Q Did you go to the -- did you go to this location?

21 A Yes.

22 Q And what address was that?

23 A It was 1500 Fawn Run -- I can't remember the full --

24 Q Would it be Crossing?

25 A Yes, that is correct.

1 Q And is that located within the city of Norman?

2 A That is correct.

3 Q Cleveland County?

4 A Yes.

5 Q And that would be state of Oklahoma as well?

6 A Yes, ma'am.

7 Q And then when you get this information over the phone from  
8 biological father, do you get, like, the details? Like names  
9 and addresses of children that would have been in the home at  
10 the time that this incident is believed to have occurred?

11 A Yes.

12 Q And then you go to that specific address. Is that  
13 correct?

14 A That is correct.

15 Q And who is at the address -- and do you go that same day  
16 to that address?

17 A Yes.

18 Q Who is at that address when you go there?

19 A The biological mother and I believe one of the other  
20 children.

21 Q Now, at the time that you go to that address, what's the  
22 purpose of going to that address at Fawn Run Crossing?

23 A Just to get the initial statement from the mother.

24 Q Okay. Now, just to be clear, the information that you get  
25 from Dad, and any information you get from Mom, do you ever

1 speak with the child, Brianna Jackson?

2 A No, ma'am.

3 Q And why do you, as a patrol officer, never speak to  
4 Brianna Jackson?

5 A When it comes to children investigations, for a forensic  
6 interviewer to interview the child, the child must not be  
7 questioned or interviewed multiple times.

8 Q Okay. And so is that something that is kind  
9 of -- I mean, for lack of a better phrase, is that beat into  
10 your head as a patrol officer?

11 A Absolutely.

12 Q You are not to speak to children about sexual assault  
13 allegations?

14 A That is correct.

15 Q So you never speak to Brianna Jackson about any of these  
16 disclosures that she has made?

17 A That is correct.

18 Q So all of the information that you get as it relates to  
19 disclosures comes from third parties?

20 A That is correct.

21 Q Okay. But you do speak to her mother, Tiffany Norton?

22 A That's correct.

23 Q And you do go to the address on Fawn Run Crossing?

24 A That is correct.

25 Q When you are assigned a call of this nature and it's not,

1 you know, like an active emergency situation, do you or are you  
2 assigned like a body cam?

3 A Yes.

4 Q Okay. As a Norman Police Department officer and as a  
5 patrol officer, does every patrol officer have body cam?

6 A Yes.

7 Q Has Norman Police Department patrol officers had body cam  
8 the entire time you've been a patrol officer?

9 A Yes.

10 Q Do you have any specific, I guess, policies about like  
11 turning on your body cam when you go out to a residence?

12 A Yes.

13 Q Okay. Do you also activate them whenever you respond to  
14 like a 911 phone call?

15 A Yes.

16 Q Was your body cam activated when you went to the address  
17 at Fawn Run Crossing?

18 A I believe so.

19 Q And is that just standard operating procedure?

20 A Yes.

21 Q As a patrol officer, are you equipped with a department  
22 issued camera to take photographs at scenes?

23 A Some are, some are not.

24 Q If you are equipped to take photos, is there like an extra  
25 -- extra name or like extra category that you have assigned to

1 you?

2 A There are officers that are categorized as a technical  
3 investigator, a TI, who are specifically assigned cameras to  
4 take photographs of scenes.

5 Q And do you have -- does that require specific training?

6 A Yes.

7 Q And do you have that specific training?

8 A No, ma'am.

9 Q Okay. And if you do not have the specific training to be  
10 a technical investigator, would you have a photograph [sic] to  
11 take photos at a crime scene?

12 A Some officers are assigned point and shoot cameras in the  
13 exigent circumstance that a TI is not available.

14 Q Did you have one on the night that you went to Tiffany  
15 Norton's home at Fawn Run Crossing?

16 A I do not believe so.

17 Q And would your presence at that home on that night have  
18 been considered an exigent circumstance?

19 A No, ma'am.

20 Q Could you just explain to the jury what -- like when you  
21 say exigent circumstance, I think I know what you mean, but  
22 could you explain to the jury what you mean by that?

23 A Yes. So for an exigent circumstance to arise where a  
24 technical investigator is not needed or is not called out,  
25 would be a scene that of -- there's not a whole lot of physical

1       evidence to be observed or collected, so that a patrol officer,  
2       such as myself, can briefly take some photographs.

3                 Anything that requires evidence collection or  
4       anything that shows there is a scene of some type of dispute or  
5       any type of visual evidence that could be submitted to the  
6       Court, then a technical investigator will be dispatched to the  
7       scene whenever they become available.

8       Q      Is it also sometimes -- I mean, could something like, you  
9       know, a crime scene that occurs outside and there is, you know,  
10      rain moving in, and you don't want it to, like, wash away any  
11      blood or any evidence on scene, something of that nature --

12      A      Yes.

13      Q      -- also be an example of an exigent circumstance?

14      A      Yes, ma'am.

15      Q      Okay. Now, at the time that you're there, this is still  
16      just a situation where you're just gathering this initial  
17      report to make sure that it gets passed along to a different  
18      division within the Norman Police Department. Is that correct?

19      A      That's correct.

20      Q      And what would that different division of the Norman  
21      Police Department have been?

22      A      That would have been our criminal investigation center.

23      Q      Within the criminal investigation center, is that where  
24      like the detectives work?

25      A      That is correct.

1 MS. WHATLEY: Can I have a moment, your Honor?

2 THE COURT: You may.

3 Q (By Ms. Whatley) I want to talk to you just for a second  
4 about -- you had mentioned the information that you would do  
5 for DHS in a DHS referral. Do you recall that?

6 A Yes, ma'am.

7 Q Okay. Just kind of explain to me the process for  
8 initiating a DHS referral under these circumstances and why you  
9 would do that as a patrol officer.

10 A Yes, ma'am. State law requires that any patrol officer  
11 that gets even allegations of any type of child abuse must  
12 contact the Oklahoma Department of Human Services and notify  
13 them of whatever allegations are made, the location of it, any  
14 and all persons that live inside the house, including adults  
15 and children, and then provide all that information to them,  
16 and then make police records available to them.

17 Q I'm sorry. I didn't hear you. Make police reports --

18 A Available to them.

19 Q Okay. To the Department of Human Services?

20 A That's correct.

21 Q Okay. So this was kind of just standard operating  
22 procedure. Whenever the police department has been notified of  
23 some sort of disclosure of this nature, then you would pass  
24 that information along to the Department of Human Services?

25 A That is correct.

1 Q To make sure that they had the information they needed to  
2 make sure that all children were safe?

3 A That is correct.

4 Q Okay.

5 MS. WHATLEY: Pass the witness.

6 CROSS-EXAMINATION

7 BY MR. NEDWICK:

8 Q Good morning, Officer.

9 A Good morning, sir.

10 Q How are you?

11 A Good. How are you?

12 Q I'm doing well. I don't have many questions for you, but  
13 I wanted to ask you about that initial phone call that you took  
14 from the biological father.

15 A Yes.

16 Q Did you take notes during that phone call?

17 A I'm sure I did, yes.

18 Q And was it recorded?

19 A Believe so, yes.

20 Q Did you do something to preserve that recording?

21 A I log it as we do with any other call. I turn off the  
22 body camera, and then I select one of multiple categories to  
23 save it.

24 Q Okay. So that's how you would have recorded it? Even  
25 though it was a phone call, you would have used your body cam

1 to record it?

2 A Yes.

3 Q Okay. And it sounds like that's standard operating  
4 procedure?

5 A That's correct.

6 Q And did you do that in this case?

7 A I believe so, yes.

8 Q Now, I have not received any recording of that. And I'm  
9 wondering if you have specifically checked, even though it's  
10 your standard procedure, that you did that in this particular  
11 case?

12 A I have not, no.

13 Q Okay. So you're just assuming that you would have done it  
14 and downloaded it to the master file on a computer, correct?

15 A That is correct.

16 Q Okay. But you're also taking notes?

17 A That's correct.

18 Q You made a report, correct?

19 A Correct.

20 Q Did you bring a copy of your report with you?

21 A I did, sir.

22 Q Did you review it before you came in?

23 A Yes, sir.

24 Q All right. I'm going to try to also do what Counsel did  
25 so I tell you ahead of time. I'm not looking for particulars

1       when I -- that you would have taken statements from other  
2       people on. So just understand that.

3           I'm just asking you questions about those -- about the  
4       statements, but it's just background. Don't get into the  
5       subjects of it.

6       A     Yes.

7       Q     This statement you took from the father, was there anybody  
8       else on the call?

9       A     No.

10      Q     Did -- now, he relayed more to you than just a simple, my  
11       daughter said that she was inappropriately -- correct? More  
12       details?

13      A     Yes.

14      Q     And you documented those details in your report, correct?

15      A     That is correct.

16      Q     Those details included where it happened, correct?

17      A     Yes.

18      Q     When it happened, correct?

19      A     Approximately, yes.

20      Q     And who was present?

21      A     Yes.

22      Q     At any time after you took that call and made your report,  
23       did you ever talk to Mr. Jackson -- that's his name, the  
24       biological father, right?

25      A     Yes.

1 Q Jeffrey Jackson. Did he ever call to clarify anything  
2 with you?

3 A Not with me, no.

4 Q Okay. And you never changed your report from what -- or  
5 supplemented it, correct?

6 A Correct.

7 Q From that initial conversation with him over the phone?

8 A That is correct.

9 Q Now, also, when -- after you got off the phone with him,  
10 was it the same night you went out and visited with Ms. Norton,  
11 Tiffany Norton?

12 A Yes.

13 Q And that was recorded on your body cam, right?

14 A That is correct.

15 Q And did -- you didn't take any photos that night, did you?

16 A No, sir.

17 Q And you didn't walk the entire interior of the home, did  
18 you?

19 A No, sir.

20 Q You just went from the front door into the living room,  
21 and then from what's depicted there on your body cam, talked to  
22 her from a position where you were standing in the living room?

23 A I believe that is correct, sir.

24 Q Okay. There was another individual there. His name was  
25 Dylan, you said?

1 A Yes.

2 Q And he was -- you didn't ask him any questions relating to  
3 allegations or anything like that?

4 A No, sir.

5 Q Did you ask him any questions about where people sleep or  
6 anything like that?

7 A No, sir.

8 Q Counsel asked you questions about not having a camera.  
9 You didn't -- well, you said you didn't think you had a camera  
10 that night.

11 A That is correct.

12 Q But you didn't look, right? That wasn't something you  
13 were intending on doing anyway, is photographing, correct?

14 A That is correct.

15 Q So you didn't look to see if you actually had a camera  
16 that night, right?

17 A I was recently issued one. But I do not know the exact  
18 timeframe, whether or not I did or did not have it at the time  
19 of this --

20 Q Sure.

21 A -- particular incident.

22 Q I gotcha. You had your cell phone, correct?

23 A That is correct.

24 Q And you had the capability to -- your cell phone has the  
25 capability to take photos, correct?

1 A Yes, it does.

2 Q And it's not uncommon for officers to use their cell  
3 phones in a variety of ways in their official capacity, is it?

4 A That is correct.

5 Q And that goes for personal cell phones or City-issued cell  
6 phones?

7 A That is correct.

8 Q When Counsel was asking you some questions about the  
9 process for these type of investigations, it sounded like you  
10 were expecting that there would be -- you would forward your  
11 report to the investigative department or --

12 A Yes.

13 Q I forget what you called it.

14 A Criminal investigation division.

15 Q Okay. And then it would be assigned to a detective. Is  
16 that the way it works?

17 A Yes, sir.

18 Q And that happened in this case, right?

19 A Yes, sir.

20 Q And so when -- and you expected that to happen in this  
21 case, that a detective would take over?

22 A Yes, sir.

23 Q And do the actual investigation part of this?

24 A That is correct.

25 Q You were simply there to document the initial statement,

1 as you said earlier?

2 A That is correct.

3 Q So you expected the detective would go out and interview  
4 these witnesses, correct?

5 A Yes.

6 Q A more in-depth interview than simply taking a statement?

7 A Yes.

8 Q You thought the detective will come out and take any  
9 photos that are necessary, that kind of thing?

10 A That is correct.

11 Q Are you aware that that did not happen in this case?

12 A I am not, sir.

13 Q Certainly would have been your expectation, based on your  
14 training and experience, that a detective would have come and  
15 conducted interviews face-to-face with witnesses, correct?

16 A That is correct.

17 Q And also visited the crime scene, correct?

18 A Not necessarily, but yes.

19 Q Okay.

20 MR. NEDWICK: Pass the witness, Judge.

21 REDIRECT EXAMINATION

22 BY MS. WHATLEY:

23 Q Officer Pierce, I just want to clarify a couple of things.  
24 Based on what you knew about the initial disclosure, you were  
25 aware that a forensic interview had not taken place at the time

1 you were at the residence. Is that correct?

2 A That is correct.

3 Q So is it safe to say you weren't even sure if that was the  
4 only crime scene?

5 A That is correct.

6 Q Didn't even know if there were multiples or not?

7 MR. NEDWICK: Objection, your Honor. Leading.

8 THE COURT: Overruled.

9 Q (By Ms. Whatley) You can answer the question.

10 A That is correct.

11 Q So really didn't actually know a whole lot about the  
12 disclosure?

13 A That is correct.

14 Q So wouldn't have known what you needed to take pictures  
15 of?

16 THE COURT: I'll sustain leading this time.

17 Q (By Ms. Whatley) Officer Pierce, did you know what to take  
18 pictures of?

19 A No, ma'am.

20 Q As it relates to the recordings that Mr. Nedwick asked you  
21 about, you saying you believe that it was tagged appropriately,  
22 can you kind of just explain the process for tagging things  
23 within the Norman Police Department system?

24 A Yes. We are all issued body cameras. The process of  
25 activating it is you push the button on the front of the

1       camera, it will activate the video and audio recordings. When  
2       you're done recording, you press the button twice in the center  
3       and then it will give you a selection screen of different  
4       categories to select how you would like the evidence recorded  
5       as.

6                 Some of the selections have a much shorter lifespan in  
7       the system. And after a certain time period, they are purged  
8       from the system completely.

9       Q       And what does being purged from the system completely  
10      mean?

11      A       Deleted.

12      Q       And if something's not tagged appropriately and it purges,  
13      it's just deleted permanently. Is that correct?

14      A       That is correct.

15      Q       Does sometimes -- well, are there malfunctions within this  
16      tagging system?

17      A       Yes.

18      Q       Has that happened before to you?

19      A       Yes.

20      Q       Okay. Where something that you believe has been tagged  
21      appropriately wasn't?

22      A       That is correct.

23      Q       Okay. Based on you tagging something appropriately or  
24      uploading it appropriately, once you do that, can somebody else  
25      within your system search for your cameras?

1 A Yes.

2 Q Okay. Would that be like supervisors?

3 A I do not know who all has access to that.

4 Q Do you know if detectives within the criminal  
5 investigations division can search for body cam?

6 A I believe so.

7 Q Okay. I want to talk to you for a second about the cell  
8 phones. I think Mr. Nedwick asked you a question about if you  
9 had your cell phone on you.

10 I want to make sure I understood you correctly. As I  
11 understand -- well, I'll just let you -- I'll just ask this.

12 Does Norman Police Department issue department issued cell  
13 phones, or do you use a personal cell phone while you're on  
14 duty?

15 A The Norman Police Department has recently started issuing  
16 police issued phones. But the majority of the time, we have  
17 our own personal cell phones.

18 Q And are there particular policies that Norman Police  
19 Department or the City of Norman wants you to abide by with  
20 your personal cell phone when you are on duty?

21 A Yes.

22 Q And is one of those taking photographs with your personal  
23 cell phone at a crime scene?

24 A No.

25 Q Okay. Do they encourage you to take crime scene photos on

1 your personal phone at a crime scene?

2 A They do not.

3 Q Is it frowned upon?

4 A Yes.

5 Q Okay. And why is that?

6 A Because then that would leave our personal cell phones up  
7 to discovery so that anyone may look at it.

8 Q And would that be defense attorneys subpoenaing records on  
9 your personal phone to get things from your personal phone to  
10 use in a criminal case?

11 A That is correct.

12 MS. WHATLEY: Pass the witness -- or no further  
13 questions.

14 THE COURT: Officer Pierce, thank you.

15 THE WITNESS: Thank you, sir. May I be excused?

16 THE COURT: You can be excused, yes.

17 THE WITNESS: Thank you.

18 THE COURT: All right. I think we'll go ahead and  
19 break for lunch at this point in time. It's 11:50. Let's be  
20 back at 1:30. And we'll have you assemble in the jury room at  
21 1:30.

22 Please leave your notes with you -- or on your chairs.  
23 Don't take them with you. And remember my admonition that I've  
24 given you earlier. And we'll be back here and be ready to go  
25 at 1:30.

1                   (After recess was had, discussion was had at the bench.)

2                   MS. AUSTIN: This next witness is the witness we had  
3 subject to a Burks, slash, res gestae motion. And the Court  
4 found on January 31st that the evidence was res gestae.

5                   So just for purposes of the record, because the Court  
6 found it was res gestae and not Burks, I don't believe we need  
7 to read a limine instruction.

8                   MR. NEDWICK: And so is this the only record we're  
9 going to make on this?

10                  Judge, we reurge our objection to this testimony at all  
11 relating to prior bad acts. The Court has previously found  
12 that it's res gestae because it explains why Tiffany Norton  
13 called the father, who then asked the accuser about  
14 inappropriate touching.

15                  That has already been established, and it was  
16 established through the testimony of Tiffany. She was told --  
17 she testified to the jury that she was told that there was --  
18 the babysitter said that there was inappropriate comments. And  
19 as a result of that, she contacted her husband out in Arizona  
20 and asked him to ask.

21                  So that's been established in a way that isn't quite as  
22 damaging to the defendant than allowing uncharged bad acts,  
23 which have been universally recognized since the beginning of  
24 time, the principle is that you're to be convicted, if at all,  
25 on the charges that you're charged with -- on the crimes that

1 you're charged with.

2         This evidence and testimony from this witness is  
3 extremely prejudicial, and it has no more bearing on this case  
4 as far as relevance than to explain why this young lady was --  
5 or Brianna was asked about inappropriate touching.

6         That's already been done. Ms. Norton said that she ran  
7 into the babysitter, and the babysitter told her that he had  
8 sent some inappropriate messages or made her feel  
9 uncomfortable. So that has already been established. We  
10 object to it. That's where this should end.

11         MS. AUSTIN: And, Judge, I would point out that I did  
12 not ask and Ms. Norton did not say that there was -- she said  
13 inappropriate comments or inappropriate touching or any of that  
14 stuff.

15         I asked her, Did you receive some information from  
16 Ms. Ferguson, and she said, Yes. And I said, Based on that  
17 information, what did you do. I was very clear not to get any  
18 of the hearsay statements in because that was part of the  
19 argument that we had on January 31st when we argued this.

20         This Court has found that it is essential to the chain  
21 of events, which is what makes it res gestae. And you heard  
22 testimony, you heard argument. We provided the Court with case  
23 law on January 31st. And I think that is still appropriate and  
24 would ask that the Court uphold the previous ruling.

25         THE COURT: I'm going to reiterate and, again, allow

1 for the State to introduce testimony from Ms. Ferguson over  
2 defendant's objection. As I previously ruled during the  
3 January 31st hearing, I believe that this testimony is  
4 appropriate as res gestae.

5 MR. NEDWICK: Okay. I'll make an objection when the  
6 specific question comes up and then will you note a continuing  
7 objection?

8 THE COURT: Yes.

9 MR. NEDWICK: Thank you.

10 MS. AUSTIN: Thank you.

11 (In open court.)

12 MS. WHATLEY: State calls Bailey Ferguson.

13 BAILEY FERGUSON,

14 was called as a witness, and after having been first duly  
15 sworn, testifies as follows:

16 DIRECT EXAMINATION

17 BY MS. WHATLEY:

18 Q Ms. Ferguson, if you would, go ahead and state your name  
19 for the record and then spell it for our court reporter.

20 A Bailey Ferguson, B-A-I-L-E-Y, F-E-R-G-U-S-O-N.

21 Q And Ms. Ferguson, do you know someone by the name Dallas  
22 Norton?

23 A Yes, ma'am.

24 Q How do you know that person?

25 A He was a family friend.

1 Q And was there ever a time where you did some babysitting  
2 for Dallas Norton?

3 A Yes, ma'am.

4 Q And at the time that you did some babysitting for Dallas  
5 Norton, was he married to someone by the name of Tiffany  
6 Norton?

7 A Yes.

8 Q When you did some babysitting for Dallas and Tiffany, was  
9 there a particular place that they lived at?

10 A Yes.

11 Q Where -- do you remember the address of that house that  
12 they lived at?

13 A I don't remember the exact address. I believe it was Fawn  
14 Run Crossing Street.

15 Q And what was the reason -- I mean, obviously, I know what  
16 babysitting is for, but was there a particular reason that they  
17 needed your services?

18 A Yes, ma'am.

19 Q And what was that reason?

20 A Their son, Austin, he had gotten in an accident. So I was  
21 there to help take care of Austin.

22 Q Now, the dynamics of Tiffany and Dallas's household, was  
23 that -- were they like a blended family or did they only have  
24 kids together? What was the situation?

25 A Yes. They have a blended family.

1 Q What were the kids that were in the home when you would be  
2 there helping out?

3 A Typically during the day, school hours, it would just be  
4 Austin. After hours, when school got let out, it would be  
5 Connor, Riley, Brianna -- and Connor.

6 Q Now, was there also another child in the home? I say  
7 child. But was Dylan also in the home?

8 A Yes. Dylan lived at home.

9 Q But did you babysit Dylan?

10 A No, ma'am.

11 Q Was he too old to be babysitting?

12 A Correct.

13 Q Now, Austin required some special assistance. Is that  
14 correct?

15 A Yes.

16 Q Was he also, at that time that you were helping babysit,  
17 you said -- was some special medical things going on or --

18 A Yes, ma'am.

19 Q What was going on at that time?

20 A He had scarring, so I would have to help massage his  
21 scarring. He had a colostomy bag. I would have to change the  
22 colostomy bag.

23 Q Do you -- at this time, how old were you?

24 A At that time, I was 17.

25 Q And what was your school situation like?

1 A I was full-time school as well.

2 Q And how did you attend school?

3 A Online.

4 Q And so where would you -- or how did you find the time to  
5 do your school?

6 A Just during the day, you know, whenever he wasn't needing  
7 help or whenever he was also doing schoolwork, that's when I  
8 would do mine.

9 Q Okay. That microphone, if you can kind of move it. The  
10 acoustics in here are not really that great. This is one of  
11 the oldest courtrooms in this courthouse. And so I can hear  
12 you okay, but sometimes I think it's harder in the courtroom.  
13 So try -- you can move that around if you can and try to speak  
14 into the microphone.

15 What was that again about how you would get your  
16 schoolwork done?

17 A I would do it during the day whenever he was doing  
18 schoolwork or whenever he wasn't requiring help.

19 Q And then part of your duties as kind of being at the  
20 house, did you also -- were you also there to assist him in  
21 trying to make sure that he did his schoolwork?

22 A Yes, ma'am.

23 Q What were your duties as it related to the other children  
24 who were not there during school hours?

25 A Just keep an eye on them, make sure they were all right.

1 Q And how long did you do these things for Tiffany and  
2 Dallas?

3 A I would say close to a year.

4 Q Do you know or do you remember if they were married for  
5 the entire time that you were providing these services?

6 A I don't believe that they were married the full time that  
7 I was there.

8 Q Okay. Do you think they were married part of the time  
9 that you were working for them?

10 A Yes, ma'am. They were married part of the time.

11 Q The entire time that you were working for them, were they  
12 at that address at Fawn Run Crossing?

13 A No, ma'am.

14 Q Did you ever work for them in a different location?

15 A Yes.

16 Q Do you know where that was at?

17 A It was the Lexington trailer park, over off of Flood, I  
18 believe.

19 Q Is that a trailer park located in Norman?

20 A Yes, ma'am.

21 Q And were your duties at that location -- at that address  
22 the same as they were at Fawn Run Crossing?

23 A Yes.

24 Q Was this a -- the services that you provided, this kind of  
25 babysitting, was this a full-time sort of thing? Like a Monday

1 through Friday, every day of the week kind of thing or  
2 part-time? How did that work?

3 A It was full-time.

4 Q And did you -- did you have a vehicle?

5 A Not a steady vehicle.

6 Q How would you get to and from their house?

7 A My mother would pick me up and drop me off.

8 Q And then what were -- kind of what were your hours that  
9 you had to be or that you were expected to be at their home?

10 A I believe it was around 7:00 in the morning, when  
11 everybody was getting ready to leave for work. And then I  
12 would leave whenever one of them got home, 5:00, 6:00.

13 Q Did their work times like vary in terms of who got home  
14 first?

15 A Yes. It just depended, but they did vary.

16 Q And then were you kind of -- you got to clock out as soon  
17 as one of them got home?

18 A Yes, ma'am.

19 Q Were you ever expected to take children to school or was  
20 it just kind of you've got to be at the house at a particular  
21 time in the morning?

22 A Correct. I wasn't required to take anyone to school. I  
23 just had to be at the house.

24 Q Now, was there ever a point in time in which you're like,  
25 man, I've got to find a different job?

1 A Yes.

2 Q Kind of tell me about that. What led you to want to find  
3 a different job?

4 A I started wanting to find a different job. The kids  
5 starting getting a little unruly, harder for me to watch them,  
6 them listening to me. And then I also -- I just wasn't happy  
7 with the pay I was getting.

8 Q Do you remember the pay?

9 A Yes. It was around 300 a month.

10 Q A month?

11 A Yes, ma'am.

12 Q And this was full time?

13 A Yes, ma'am.

14 Q Now, I think you told me, if I remember correctly, that  
15 you were around 17 years old at the time that you were working  
16 for the Nortons?

17 A Yes, ma'am.

18 Q Do you know what year in high school you would have been?

19 A I would have been a senior. I would have been a junior  
20 finishing up and going to senior year.

21 Q Now, you said that you were doing online school. I'm  
22 unfamiliar. Does that work the same, or do you just work at  
23 your own pace through online school?

24 A Yeah, you work at your own pace.

25 Q At some point, do you decide to end your employment with

1 the Nortons?

2 A Yes, ma'am.

3 Q And was there anything in particular that happened that  
4 caused you to end your employment?

5 A No.

6 Q Was it kind of a combination of things?

7 A Yeah. The children not listening and the pay.

8 Q Okay. Was there anything else that had kind of happened  
9 that made you feel uncomfortable or anything?

10 A Yeah. Dallas started making comments, and they made me  
11 uncomfortable. And combined with the pay and the children, it  
12 just wasn't working out for me anymore.

13 Q Kind of just like a perfect storm of it being time to  
14 leave?

15 A Yes, ma'am.

16 Q Okay. What were some of those -- you said, I think,  
17 uncomfortable comments. What were some of those comments?

18 MR. NEDWICK: Objection, your Honor.

19 THE COURT: We'll note your objection. Overruled.

20 Q (By Ms. Whatley) You can answer the question.

21 A Thank you. Most of them were just about my body, how good  
22 my body looked, along the lines of how well I'm filling out.

23 Q How well you were filling out?

24 A Yes, ma'am.

25 Q How good you looked, how well you were filling out. Any

1 others that you can recall?

2 A No, ma'am.

3 Q So those comments in combination with kind of the lack of  
4 pay and just unruly kids, kind of just looking for a different  
5 job?

6 A Yes, ma'am.

7 Q Did you find a different job?

8 A Yes, I did.

9 Q And where was that at?

10 A The first job was Hollywood Corners in Norman.

11 Q And what's that?

12 A It is a bar and grill.

13 Q A bar and grill?

14 A Yes, ma'am.

15 Q And you said the first job was Hollywood Corners. Was  
16 there a different job?

17 A Yes, ma'am. The other one was AmeriCash Loans.

18 Q Do you recall around what time this was that you kind of  
19 quit working for the Nortons and started these other jobs?

20 A I believe I quit working with the Norton family, I would  
21 say, around spring, early summer.

22 Q Do you recall what year?

23 A 2018.

24 Q Now, you had previously mentioned that you were kind of  
25 either -- a junior to senior year. Do you know what year you

1 graduated high school?

2 A Yes, ma'am, 2019.

3 Q And were you still online when you graduated high school?

4 A Yes.

5 Q Now, at some point, did something happen in addition to  
6 those comments that made you feel uncomfortable with Dallas?

7 A Whenever I had -- I was already done working for him --  
8 for the family. I was working at AmeriCash Loans and he sent  
9 me some pictures of his penis.

10 Q Okay. I want to kind of back up for a second. You said  
11 you were working at AmeriCash. Is that correct?

12 A Yes, ma'am, that's correct.

13 MR. NEDWICK: Continuing objection, your Honor?

14 THE COURT: We'll note your continuing objection.

15 Q (By Ms. Whatley) So you were done working for Hollywood  
16 Corners. Is that correct?

17 A Yes, ma'am.

18 Q You're working for AmeriCash, and you said he sent you  
19 some pictures of his penis?

20 A Yes.

21 Q Is this -- it's via -- it's electronically that he sends  
22 you these pictures?

23 A Correct.

24 Q Was this a text message? App? How did he send you these  
25 pictures?

1 A It was through an app, Snapchat.

2 Q I do not have Snapchat. So for those of us in the  
3 courtroom that do not have Snapchat, could you explain to us --  
4 you don't have to go into great detail, but how does Snapchat  
5 work?

6 A So you can just send pictures back and forth. And after,  
7 you know, you send them and the receiver opens them, they're  
8 gone. You can also chat on there, just kind of text messaging,  
9 but it disappears after the receiver opens the messages.

10 Q Okay. And again, walk me through it a little bit. So is  
11 Snapchat like an app that you can download on your phone?

12 A Yes.

13 Q Would you have a user name on Snapchat?

14 A Yes.

15 Q And your user name doesn't necessarily have to be tied to  
16 your -- like your legal name?

17 A No, ma'am.

18 Q Do you also have a -- like a photograph tied to your user  
19 name?

20 A Yes.

21 Q Or you could?

22 A Yes.

23 Q And then you also mentioned that you could -- within this  
24 app, this Snapchat app, you can send like instant messages?

25 A Yes.

1 Q Like you can chat back and forth. Would that be private  
2 chats?

3 A Yes.

4 Q Okay. So similar -- I'm going to kind of date myself here  
5 -- similar to Facebook Messenger?

6 A Yes.

7 Q Okay. And -- but as soon as you open those messages, at  
8 some point they disappear?

9 A Correct.

10 Q Now, would they disappear if you had screenshotted them?

11 A They still would have disappeared, but I would have had  
12 the screenshot.

13 Q So the screenshot could be saved on your phone, but they  
14 would disappear from the app itself?

15 A Correct.

16 Q Now, in order to be sent messages back and forth on the  
17 app Snapchat, would you have to be friends with someone?

18 A Yes.

19 Q So prior to receiving these pictures from Dallas Norton on  
20 Snapchat, had you been friends with him on Snapchat?

21 A Yes, ma'am.

22 Q Had you been friends with him on Snapchat when you were  
23 babysitting for him?

24 A Yes, ma'am.

25 Q Had you been friends with him prior to babysitting for

1 him?

2 A Yes.

3 Q Did this have to do with like being family friends?

4 A Correct.

5 Q What's the connection there? Like how are you family  
6 friends with him?

7 A My little brother, Brayden, and Austin were friends.

8 Q Okay. And Austin is his son -- is Dallas's son?

9 A Yes.

10 Q So his son and your little brother are friends?

11 A Yes.

12 Q Okay. So you had previously -- prior to receiving  
13 pictures of his penis, you had previously communicated with him  
14 on Snapchat?

15 A Correct.

16 Q At this same user name?

17 A Yes.

18 Q Okay. Kind of tell me what's going on when you receive  
19 these pictures of his penis?

20 A It just started as like casual conversation, you know, how  
21 are you doing, what have you been doing. Just I'm doing fine,  
22 working. And then they just got sent unsolicited.

23 Q Okay. Now, is this kind of like friendly back and forth,  
24 hey, what's up, what's going on? Is that something that -- are  
25 those kinds of conversations things that you would frequently

1 have conversations with the defendant in that way, or was this  
2 kind of unusual?

3 A Every once in a while, you know, we would have  
4 conversations.

5 Q Were they mostly kept to friendly, hey, what's up?

6 A Small talk.

7 Q Small talk?

8 A Yes, ma'am.

9 Q Okay. And then you said just unsolicited you get pictures  
10 of his penis.

11 A Yes, ma'am.

12 Q Was there one picture or more than one picture?

13 A There were two pictures.

14 Q Was the defendant's face in those pictures?

15 A No, ma'am.

16 Q Can you describe -- let me back up for a second. How did  
17 you know that they were pictures of the defendant's penis if  
18 his face was not in the photos?

19 A I recognized the couch and also a shirt.

20 Q So I want to first talk about the picture with the couch  
21 in it. Where did you recognize the couch from?

22 A In the house that was on Skyridge Road.

23 Q Is the house that was on Skyridge Road, is that the house  
24 previously that you were talking about being in the -- a house  
25 off Lexington where you were talking about?

1 A (Indicating in the negative.)

2 Q No?

3 A No, ma'am.

4 Q Okay. Sorry. You were shaking your head in a way that  
5 indicated no, and I just took that as a no. But the court  
6 reporter's going to get mad at me.

7 So there was a house that was in a trailer park over in  
8 Lexington Crossing. Is that correct?

9 A That's correct.

10 Q And then there was a house that was on Skyridge road. Is  
11 that correct?

12 A Yes. I didn't babysit at the Skyridge house.

13 Q Okay. How do you know what the couch looks like in  
14 Skyridge Road?

15 A I had been inside the house.

16 Q And that's the couch that you recognized?

17 A Yes, ma'am.

18 Q And that was in one of the photos that you saw the penis?

19 A Yes.

20 Q Okay. And was there anything else in that photo that you  
21 recognized?

22 A I could recognize the couch and the shirt.

23 Q What did you recognize about the shirt?

24 A I believe it was an American Fighter shirt, and I had seen  
25 him wearing them quite frequently.

1 Q Was -- in these photos, was -- like was the defendant  
2 sitting down or standing? Or kind of describe that for me.

3 A Yes. The photos looked like he was sitting down, and then  
4 next to it was a Monster can.

5 Q Did you know the defendant to drink Monster drinks?

6 A Yes.

7 Q Now, these two photos that were sent to you, were they  
8 sent like back to back or how did that happen?

9 A Yes. They were sent together in one message.

10 Q And this is kind of right after these, you know, back and  
11 forth, hey, how's it going, what's up kind of conversations on  
12 Snapchat?

13 A Yes, ma'am.

14 Q Okay. When you received those messages, what did you do?

15 A I opened them, swiped out, and blocked him.

16 Q When you -- in the photos, was the defendant's penis  
17 erect?

18 A Yes.

19 Q In both of the photos?

20 A Yes.

21 Q You didn't try to take any screenshots or save the photos  
22 or anything like that?

23 A No, ma'am.

24 Q And once you -- what happens once you block someone on  
25 Snapchat?

1 A They can't contact you anymore.

2 Q And if you block someone on Snapchat, are you able to then  
3 like go back in and try to retrieve any of those messages?

4 A No. Because they disappear once you open them.

5 Q How long would you say, based off your memory, was it that  
6 you were sent these messages after you quit babysitting?

7 A It had been several months, because I worked at Hollywood  
8 Corners and had been at the AmeriCash Loans job for a few  
9 months.

10 Q Now, I know earlier when I was asking you questions, when  
11 you were babysitting for the Nortons, you were still in high  
12 school and you were 17. When you received these messages, how  
13 old were you?

14 A I was 18.

15 Q And had you graduated high school?

16 A I was about to.

17 Q Okay. But you were 18 years old?

18 A Yes, ma'am.

19 Q How did it make you feel?

20 A Weird, awkward.

21 Q Did you immediately say anything to anyone?

22 A No.

23 Q At some point down the line or down the road, do you run  
24 into Tiffany Norton at a Wal-Mart?

25 A Yes, ma'am.

1 Q Does she ask you, you know, kind of a question about why  
2 you quit working for them?

3 A Yeah. She just asked how I was doing and, you know, what  
4 made me want to quit.

5 Q And do you tell her some of the same things you've told me  
6 today about pay and the comments that made you feel  
7 uncomfortable?

8 A Yes, ma'am.

9 Q Do you then proceed to tell her about these other things  
10 that happened months later?

11 A Yes.

12 Q The same things that you have told us today in this  
13 courtroom?

14 A Yes, ma'am.

15 Q Did Tiffany in any way, you know, tell you or, you know,  
16 try to say anything to you like, hey, I think he's  
17 inappropriate or done inappropriate things? Or was that  
18 something you said on your own accord?

19 A She never brought it up. I'm the one that brought it up.

20 Q At the time that you had this conversation with Tiffany,  
21 did you know or have any idea about any sexual abuse  
22 allegations as it related to Brianna Jackson?

23 A I did not.

24 Q As you sit here today, do you have any idea about  
25 specifics?

1 A Not specifics.

2 Q Okay. You obviously know that you're here to testify in  
3 this case?

4 A Yes, ma'am.

5 Q And you've had to come in and testify in this case. But  
6 you only know what you're here to testify about?

7 A Correct.

8 Q And no one has told you what to testify to?

9 A No, ma'am.

10 Q Okay.

11 MS. WHATLEY: Can I have a moment, your Honor?

12 THE COURT: You may.

13 Q (By Ms. Whatley) In the -- you said that you were family  
14 friends with -- family friends with the defendant. That was  
15 kind of your connection to babysitting for the defendant and  
16 Tiffany Norton. Were you friends on social media platforms  
17 with the defendant and Tiffany Norton?

18 A Yes.

19 Q Once you got the pictures of the defendant's penis, and  
20 you blocked him on Snapchat, did you block him on other social  
21 media platforms or just Snapchat?

22 A Yes. I blocked him on everything I had him on, every  
23 social media platform.

24 Q And has he remained blocked on all those social media  
25 platforms even today?

1 A Yes, ma'am.

2 Q Did you block Tiffany Norton on social media platforms?

3 A No, ma'am.

4 Q Have you remained friends with her on social media  
5 platforms?

6 A We're not friends on Facebook. Tiffany and I are friends  
7 on Snapchat.

8 Q Do the two of you communicate on social media sometimes?

9 A Sometimes. Very rarely.

10 Q Could you explain to me kind of what the extent of that  
11 communication is?

12 A Yeah. Snapchat you can post selfies. Typically she'll  
13 just write, You look beautiful, or send hearts, and that's the  
14 extent.

15 Q Okay. Again, since I'm not familiar with Snapchat, is  
16 that -- sending hearts, is that like similar to liking a photo  
17 of something?

18 A Yes.

19 Q Okay. Is -- has she ever told you how to testify at all?

20 A No, ma'am.

21 Q Has she ever had any conversations with you about any  
22 disclosures that Brianna has made?

23 A No.

24 Q Or anything you should say that would like be helpful to  
25 testify to in a court hearing or anything of that nature?

1 A No, ma'am.

2 MS. WHATLEY: Pass the witness.

3 CROSS-EXAMINATION

4 BY MR. NEDWICK:

5 Q Good afternoon, Ms. Ferguson.

6 A Good afternoon.

7 Q Ms. Ferguson, you've mentioned just before I got up that  
8 Tiffany sends you messages sometimes saying, You look  
9 beautiful, on social media. Is that right? ,

10 A Yes.

11 Q And that's in response to selfies that you'll post?

12 A Correct.

13 Q Okay. And these compliments that Mr. Norton sent to you  
14 were likewise of that nature. You would post a selfie, and he  
15 would say, You look beautiful, You're looking great, things of  
16 that nature. Is that right?

17 A That's right.

18 Q As far as the timing of these messages, I thought you said  
19 that you quit the job in spring of 2018, but I may have got  
20 that wrong. Is that what you today anyway said?

21 A Right. It was after I turned 18, I know for a fact. We  
22 had celebrated my 18th birthday at the Norton house. And then  
23 shortly thereafter, I was there for a few months, then I had  
24 quit.

25 Q Okay. Do you remember previously testifying that it was

1 the end of the year -- in 2018, more towards the end of the  
2 year, 2018?

3 A Not that I can recall.

4 Q Okay. When's your birthday?

5 A My birthday is October 9, 2000.

6 Q Okay. So that alone tells us it was closer to the end of  
7 the year, not the spring, right?

8 A Right.

9 Q Since we know it was after your birthday. So those  
10 comments that you spoke of while you were still babysitting  
11 there, those were not any kind of requests to do anything with  
12 you physically or anything like that, were they?

13 A No, sir.

14 Q They were, again, in the nature of, You're looking nice,  
15 You're -- that kind of stuff?

16 A Correct.

17 Q And you had been around Mr. Norton for many, many years to  
18 some degree, correct?

19 A Correct.

20 Q And he had never done anything inappropriate with you or  
21 tried to do anything inappropriate with you, had he?

22 A No, he had not.

23 Q And you had an opportunity to certainly observe him around  
24 Brianna during this time when you worked there with them in  
25 their house for over a year, year and a half, whatever it was.

1           Did you see -- ever see anything inappropriate that he  
2 -- of a sexual nature that he did or said to Brianna?

3 A     No. I did not see anything of that nature.

4 Q     And Brianna, the entire time you worked there, did she  
5 seem comfortable around Mr. Norton?

6 A     Yes.

7 Q     Did they get along?

8 A     Yes.

9 Q     Tell me about that.

10 A    They were very close. I was over there pretty often, so I  
11 did see them together. Nothing ever screamed out at me that  
12 she was uncomfortable. Nothing I saw, you know, made me feel  
13 like she felt uncomfortable.

14 Q    Okay. You mentioned that part of the reason you quit  
15 working there was the children had gotten unruly. Is that  
16 right?

17 A    Correct.

18 Q    And some of that unruly behavior on behalf of the children  
19 was Tiffany's sons making sexually inappropriate comments in  
20 the household. Is that correct?

21 A    That was one of the many.

22 Q    Including touching you inappropriately?

23 A    Yes, he did.

24 Q    And you brought that to Tiffany's attention. Is that  
25 correct?

1 A Yes.

2 Q And did he get in trouble for that?

3 A Yes, he did.

4 Q During that time, right up until the time you quit, you  
5 were still occasionally needing a ride to and from the Norton  
6 house, correct?

7 A Yes, that's correct.

8 Q And sometimes it was Mr. Norton who gave you a ride,  
9 correct?

10 A Yes.

11 Q The two of you were alone in a car, nobody else around,  
12 right?

13 A Correct. There was no one else.

14 Q And he never propositioned you or did anything or said  
15 anything to you in those instances when you were alone like  
16 that?

17 A No, he did not.

18 Q Now, Counsel asked you about these pictures. Just to  
19 clarify, you said he sent these to you or maybe it was in  
20 response to her question. Maybe that's where it came from.  
21 And you agreed with it. But you know these photos came from  
22 his Snapchat account, correct?

23 A Correct.

24 Q You don't know that he sent them? In other words, he  
25 didn't say anything to you that would make you think he was

1 going to send you some photos of this nature, right?

2 A Correct.

3 Q And when you talked about them kind of coming out of the  
4 blue, the conversations that you were talking about, were you  
5 guys actually conversing on Snapchat messenger?

6 A Yes.

7 Q Those were not close in time to when these photos randomly  
8 came through, were they?

9 A The conversation before he -- I got sent the pictures?

10 Q Yes.

11 A Yes. If I recall, we were having conversation, they were  
12 sent unsolicited. Just --

13 Q During a conversation. You think you were having a  
14 conversation at the time?

15 A Yes. But it was small talk conversation.

16 Q Okay. And if it was July 14th when you ran into Tiffany  
17 Norton at Wal-Mart, how long before running into Tiffany do you  
18 think it was that you received those photos?

19 A I would say early summertime. I would say end of May,  
20 June.

21 Q Okay. And you graduated in June as well?

22 A Yes.

23 Q And you invited Mr. Norton -- even though you had quit the  
24 job, you invited Mr. Norton to attend your graduation, correct?

25 A Correct.

1 Q And you and Mr. Norton had conversations, text exchanges,  
2 whatever you want to call them, that were just the two of you  
3 goofing around, correct?

4 A Correct.

5 Q You remember in March of 2019, after you had quit,  
6 obviously, you informing him through text message that you had  
7 received a call maybe from a creditor, I don't know, but you  
8 told the creditor, according to you, that you're his -- he's  
9 your baby daddy, and you were joking around with Mr. Norton  
10 about that when you informed him?

11 A Yes.

12 Q And that's the kind of stuff that you guys did at that  
13 time. You saying, unsolicited, he's my baby daddy to somebody  
14 who doesn't know either one of you, apparently?

15 A Right.

16 Q A creditor. And then you relaying that to Mr. Norton and  
17 laughing about it together, correct?

18 A Correct.

19 Q These photos that you received, those -- it sounded like  
20 the things that you described as familiar were from a different  
21 house than the one he was living in at the time. Is that  
22 correct?

23 A Correct.

24 Q Like from the best of your knowledge, when you say you  
25 recognized them as being from another house, how long ago was

1 it that you knew them -- him to be in that house?

2 A I can't recall exactly how long. He had been moved out of  
3 the Skyridge house.

4 Q The Skyridge house was -- was that before the marriage or  
5 after the marriage or what?

6 A That was before Tiffany and Dallas's marriage.

7 Q Okay. But it wasn't a house that they lived in together?

8 A No.

9 Q So this goes back -- this predates -- whenever those  
10 photos were taken, it predates Dallas and Tiffany even being  
11 together?

12 A Yes.

13 Q Right? So we're talking about 2016 or 2017, prior to  
14 that?

15 A Correct.

16 Q Other than Brianna, when you would watch the kids or when  
17 you were over there, did you become familiar with Dallas's  
18 oldest daughter, Tayra?

19 A Yes.

20 Q And her age was closer to yours. Is that right?

21 A Yes, that's correct.

22 Q She's still younger than you, but pretty close?

23 A Correct.

24 Q And then I think you said Dylan might have been the same  
25 age as you or maybe even older? Was -- about the same age?

1 A Yeah. He was about the same age.

2 Q Okay. So you weren't necessarily babysitting everybody  
3 there. Your job was to help make sure that Austin did his  
4 homework and that he was cared for when Tiffany or Dallas  
5 wasn't there.

6 A Correct.

7 Q Is that right? Now, but that doesn't mean that you didn't  
8 get frustrated with the behavior of the kids, even though you  
9 weren't there to babysit them, right?

10 A Right.

11 Q Now, Tiffany would ask you if there was a conflict between  
12 the kids and stuff of that nature when she came home, wouldn't  
13 she?

14 A Yes. She asked me how the day went.

15 Q Okay. And in addition, she had installed surveillance  
16 cameras inside the home there where you watched the kids.  
17 Isn't that correct?

18 A Yes.

19 Q And those were located -- I'm going to show you what has  
20 been previously admitted as Defendant's 1. Those were located  
21 -- one right here (indicating) in the dining room. Is that  
22 correct?

23 A Yes, that's correct.

24 Q And the other one located here (indicating) in the living  
25 room above the fireplace. Is that correct?

1 A Yes, that's correct.

2 Q And those were plugged in. They weren't battery operated,  
3 right?

4 A Yes. They did have plugs.

5 Q And they also had microphones where she could -- if she  
6 saw something going on, she'd say, Hey, I told you guys not to  
7 be scuffling or whatever in the house, right?

8 A I don't recall ever hearing a microphone.

9 Q Okay. Fair enough. But you recall seeing those cameras,  
10 and that goes for the entire time that you guys were in that  
11 house, correct?

12 A That's correct.

13 Q Right up to the end.

14 Bailey, if you'll give me a moment. I don't want to  
15 substitute my memory for yours. But I wanted to just take a  
16 look here and see. I thought that you had told me previously  
17 in your testimony that there were no messages that came along  
18 with those pictures.

19 So if you'll bear with me, I just wanted to review that  
20 and see if that was the case or I made a mistake. Okay?

21 A Okay.

22 Q One more question. Was there a time when you worked there  
23 at the Norton house when Austin didn't live there, or was it  
24 strictly when they lived there?

25 In other words, when they moved out -- when Dallas and

1 his family moved out, you no longer worked at the 1500 Fawn  
2 Run, correct?

3 A Correct. I didn't work there after they had moved.

4 Q Okay. And you're certain of that, right?

5 A Yes, I'm certain.

6 Q Okay. Well, I'm having trouble finding that. So your  
7 memory may be better than mine on that issue, and I appreciate  
8 all your testimony. I'm going to check with my colleague here  
9 and that might be all I have for you.

10 A Thank you.

11 Q Okay. That's all I have for you now, Ms. Ferguson.

12 Remember, you do have a subpoena from us. So if you'd just  
13 contact my office, they'll let you know if you need to come  
14 back, at least from our subpoena.

15 A Okay.

16 THE COURT: Ms. Whatley?

17 MS. WHATLEY: Yes, your Honor.

18 REDIRECT EXAMINATION

19 BY MS. WHATLEY:

20 Q Mr. Nedwick asked you a couple of questions about -- it  
21 was a lot of questioning dealing with comments from Tiffany  
22 Norton about, you know, being pretty and things of that nature.

23 But the comments that Mr. -- the defendant was making  
24 to you, Mr. Norton, was making to you about your body and the  
25 way that you looked, those were via Snapchat, but also in

1 person, correct?

2 A Correct.

3 Q Has a woman ever told you that you were filling out  
4 nicely?

5 A No.

6 Q Is that something that mostly only men have ever said?

7 A Yes.

8 Q Okay. The questions that Mr. Nedwick asked you about, the  
9 -- I want to make sure I have the houses correct, because it  
10 was a little confusing, about knowing where the couch was and  
11 things like that from the two penis pictures. The one couch  
12 was at Skyridge, correct?

13 A Correct.

14 Q And then the other picture, you recognized the shirt?

15 A Correct.

16 Q Was there anything else in that picture that you  
17 recognized?

18 A No. It looked like it was taken in a car. So the shirt  
19 was the only thing that I could recognize.

20 Q Okay. And the Skyridge house, when had you been in that  
21 house?

22 A Several times.

23 Q And was that prior to -- well, you just tell me, when was  
24 that?

25 A It was before Dallas and Tiffany were together. Fourth of

1 July, and also, you know, we would just go over there as a  
2 family to go hang out.

3 Q So that predates the defendant's relationship with  
4 Ms. Norton?

5 A Correct.

6 Q Okay. That helps me. There was also a couple of  
7 questions about some sort of communication about joking around  
8 about a creditor and a baby daddy message and laughing about  
9 that. And I wasn't sure that I understood the context of that.  
10 Do you recall that?

11 A I do recall that.

12 Q Could you explain that to me?

13 A Yeah. I had a creditor from a loan place call me, and she  
14 kept asking where Dallas was. And I said that he was my baby  
15 daddy so if you find him, let me know.

16 Q Okay. So that was just like the joke that you said?

17 A Yes.

18 Q Do you have any idea why a creditor from a loan place  
19 would be calling you looking for the defendant?

20 A I assume he owed them money.

21 Q Do you know why they would be calling you?

22 A I mean, I worked at a loan place. So I know he has put  
23 references to get loans. So I assume I was one of the  
24 references.

25 Q Okay. And does that just go back to the family friend

1 working for him, babysitter, that sort of thing?

2 A Correct.

3 Q Okay. Now that -- thank you. That provides some sort of  
4 context for me. Whenever these messages were coming through to  
5 you via Snapchat, did you ever say anything to the defendant  
6 that would invite that sort of communication?

7 A No.

8 Q Okay. At that time that he sent you those pictures, did  
9 the defendant have -- in addition to you guys being friends on  
10 social media, did he have your cell phone number?

11 A Yes.

12 Q And he could have -- I mean, so he could have reached out  
13 to you to contact you just by your cell phone?

14 A Correct.

15 Q Did he ever reach out and text you and tell you he was  
16 sorry or that that was a mistake?

17 A No.

18 Q So he never told you he was sorry and that he didn't mean  
19 to send you those photos?

20 A No.

21 Q The video cameras that Mr. Nedwick asked about, the  
22 cameras. I couldn't tell, I think because of the way -- my  
23 view was just blocked, but it appeared that he was pointing to  
24 video cameras in the living room. Is that where he was  
25 pointing?

1 A Yes.

2 Q Okay. Both of them being in the living just in different  
3 locations in the living room?

4 A One was in the living room. It was on the mantle. The  
5 other one was above the dining room.

6 Q Okay.

7 A Dining room table.

8 Q Okay. Thank you. You -- he had asked you something about  
9 a microphone, and Tiffany even speaking through the microphone.  
10 And you said that you don't ever recall that happening. Is  
11 that correct?

12 A Yeah. Correct. I don't recall that.

13 Q Do you know if the -- if the cameras were even working?

14 A Most of the time, from what I can remember, I know for  
15 sure the one above the mantle was unplugged most of the time.

16 Q So your knowledge of these cameras is that they were  
17 there, but you don't know if they were in working order?

18 A Correct.

19 Q They weren't like linked to like an app on your phone or  
20 anything?

21 A No, ma'am.

22 Q Okay. So you just know that they were in the room, but  
23 you have no idea if they were functional or not?

24 A Correct.

25 Q Okay. The person that you know as Dallas Norton, is that

1 person in the courtroom?

2 A Yes, ma'am.

3 Q Could you point to him and identify an article of clothing  
4 he's wearing?

5 A Blue shirt -- purple shirt.

6 Q There are three individuals that are sitting at this  
7 table. Could you tell me where he's seated at the table?

8 A He's seated in the middle.

9 MS. WHATLEY: Your Honor, would the record reflect  
10 identification of the defendant by this witness?

11 THE COURT: Yes, the record will so reflect.

12 MS. WHATLEY: The State has no further questions for  
13 this witness.

14 THE COURT: Thank you, Ms. Ferguson. You may be  
15 excused.

16 MR. NEDWICK: One question, your Honor?

17 THE COURT: I'll permit you that.

18 RECROSS-EXAMINATION

19 BY MR. NEDWICK:

20 Q Ms. Ferguson, I think I found what I was looking for here.  
21 It was when Ms. Austin was asking you questions, not when I was  
22 asking you questions.

23 Do you remember telling Ms. Austin back when you  
24 testified on January 31st --

25 MS. WHATLEY: Your Honor, at this time, the State's

1 going to object because that is outside the scope of redirect.

2 MR. NEDWICK: She talked to her about these  
3 statements.

4 THE COURT: I'm going to overrule the objection.

5 Q (By Mr. Nedwick) Do you recall Ms. Austin asking you if  
6 there were any communications earlier that day that let you  
7 know he was going to be sending anything?

8 A I do recall her asking that.

9 MS. WHATLEY: Objection, your Honor. I'm going to  
10 renew my objection to outside the scope of State's redirect.

11 THE COURT: Why don't you come on up to the bench.

12 (Discussion was had at the bench.)

13 THE COURT: The State's objecting that this is  
14 outside the bounds of redirect?

15 MS. WHATLEY: Yeah. Because I didn't ask any  
16 questions about communications earlier in the day. You're  
17 asking about Snapchat.

18 I didn't ask any questions about comments earlier in  
19 the day or any questions about what was testified to at a  
20 hearing in January, which is what he's asking about.

21 MR. NEDWICK: I know you didn't ask questions about  
22 the hearing. You asked questions, though, about the pictures  
23 that he sent and also the nature of the comments and if they  
24 were the kind that women had said to her.

25 MS. WHATLEY: No. I asked her if she said anything

1 to him that would warrant that kind of communication, and she  
2 said no. And then I asked her if the comments about her body  
3 filling out nicely is anything a woman has ever said to her  
4 because of the questions you asked her on cross.

5 MR. NEDWICK: Uh-huh.

6 MS. AUSTIN: And her questions were, were those in  
7 person, or were they over the phone. I mean, you know, the  
8 text that she sent in person.

9 MR. NEDWICK: You already ruled on it, and then when  
10 I started asking the question, she objected again.

11 THE COURT: What is the testimony you want to bring  
12 up from a hearing?

13 MR. NEDWICK: She just says that no, I don't recall  
14 any messages.

15 THE COURT: Well --

16 MR. NEDWICK: If I can show you.

17 MS. AUSTIN: And as long as you read the entire  
18 sentence, because it can be misunderstood.

19 Since it's out -- I still believe it's outside the  
20 scope, would we be permitted to ask a follow-up question about  
21 it?

22 THE COURT: I'll think about it.

23 (In open court.)

24 Q (By Mr. Nedwick) Ms. Ferguson, I appreciate your patience.

25 MR. NEDWICK: May I approach the witness, Judge?

1                   THE COURT: Yes, you may.

2 Q     (By Mr. Nedwick) I'll just let you take a look beginning  
3 at line 23. Just kind of read that to yourself. And I may let  
4 you explain your testimony. I'm not trying to put words in  
5 your mouth or anything like that.

6 A     Thank you. I got it.

7 Q     Okay. So back when Ms. Austin asked you about it in  
8 January -- and then maybe it wasn't the exact same question  
9 that you were asked today, I don't know. But basically, she  
10 said, Was there any communication earlier that day that let you  
11 know that he would be sending anything. And you say said not  
12 that you recall, correct?

13 A     Correct.

14 Q     Okay.

15                   MR. NEDWICK: Nothing further, Judge.

16                   THE COURT: I'm going to excuse Ms. Ferguson at this  
17 point in time.

18                   We're going to excuse Ms. Ferguson at this time.

19                   MS. WHATLEY: Okay.

20                   THE COURT: All right. Thank you, Ms. Ferguson.

21                   THE WITNESS: Thank you.

22                   THE COURT: State may call its next witness.

23                   MS. WHATLEY: Can we approach, your Honor?

24                   THE COURT: Yes.

25                   (Discussion was had at the bench.)

1 MS. WHATLEY: Our next witness is Jeffrey Jackson.  
2 And this is the one where we need to do the hearing outside the  
3 presence of the jury.

4 THE COURT: Okay.

5 MS. WHATLEY: I don't expect that to take that long.

6 (In open court.)

7 THE COURT: All right. Jurors, we're going to go  
8 ahead and take our afternoon break a little bit early at this  
9 time. And the reason being, I've got to conduct a hearing  
10 outside your presence.

11 So it is 2:24. I'm going to try and aim to have us  
12 start right back at 3:00. I would like for you to assemble in  
13 the jury room and wait for us to be ready to go right at 3:00.  
14 All right?

15 (Jurors excused.)

16 THE COURT: Ms. Austin, you're recognized.

17 MS. AUSTIN: If I can have one second.

18 THE COURT: Yeah.

19 MS. WHATLEY: State calls Jeffrey Jackson.

20 THE COURT: Mr. Jackson, I'm Judge Balkman. Welcome  
21 to our courtroom. I'm going to place you under oath.

22 JEFFREY JACKSON

23 was called as a witness, and after having been first duly  
24 sworn, testifies as follows:

25 DIRECT EXAMINATION

1 BY MS. WHATLEY:

2 Q Mr. Jackson, would you please state your name for the  
3 record and then spell it for the court reporter.

4 A Jeffrey Chad Jackson, J-E-F-F-R-E-Y, C-H-A-D,  
5 J-A-C-K-S-O-N.

6 Q And I'm sorry, I interrupted you. Do you also -- because  
7 I think we've heard your name a couple of different ways. Your  
8 name is Jeffrey Jackson, but you go by what?

9 A Chad.

10 Q Okay. I will be calling you Mr. Jackson.

11 Do you know someone by the name of Brianna Jackson?

12 A Yes, I do.

13 Q Who is Brianna to you?

14 A My daughter.

15 Q And what is Brianna's date of birth?

16 A October 16th, I honestly don't remember the year right  
17 now.

18 Q Are you a little nervous?

19 A Little bit.

20 Q Have you ever testified before?

21 A No, ma'am.

22 Q Okay. Now, do you share custody of Brianna with Tiffany  
23 Norton?

24 A I have visitation.

25 Q Okay. And do you and Tiffany share other children other

1 than just Brianna?

2 A Yes.

3 Q And what other children do you have with Tiffany?

4 A Connor Jackson and Dylan Jackson.

5 Q And in addition to -- I mean, well, in general, what's  
6 your custody arrangement?

7 A Where I get them throughout the summertime. She gets them  
8 through the school year. And then we go back and forth on who  
9 gets them during the holidays.

10 Q Do you have any set visitation schedules for holidays or  
11 is it kind of just you guys just work it out?

12 A Just work it out.

13 Q I want to talk a little bit about the summer of 2019. Was  
14 Brianna at your home in Arizona at that time?

15 A Yes.

16 Q Was she exercising visitation with you at that time?

17 A Yes.

18 Q In the summers, is the visitation with your children  
19 usually longer than like during the school year?

20 A Usually just during the summertimes.

21 Q They're able to kind of spend a little bit longer time?

22 A Yes.

23 Q At that time, in the summer of 2019, were all of your  
24 children visiting or just some of your children?

25 A Just Connor and Brianna.

1 Q Was there a reason for that?

2 A Dylan works. He was old enough. He was going to high  
3 school and had a part-time job, stuff like that.

4 Q Okay. Now, while Brianna was visiting with you, was there  
5 a time in which something was brought to your attention by  
6 Tiffany?

7 A Yes, there was.

8 Q Okay. Now, based on a conversation that you had with  
9 Tiffany, did you then have a conversation with Brianna?

10 A Yes, I did.

11 Q When you had this conversation with Brianna, who all was  
12 present for this conversation?

13 A Myself, my wife, and Brianna.

14 Q Where did this conversation take place?

15 A On the back porch.

16 Q Is this at your home?

17 A Yes.

18 Q In Arizona?

19 A Yes, ma'am.

20 Q And is it just you, your wife, and Brianna?

21 A Yes.

22 Q And What is your wife's name?

23 A Caitlin Jackson.

24 Q And what -- kind of what is the purpose of you having this  
25 conversation with Brianna?

1 A Tiffany had called me and said that -- said they needed to  
2 make sure that Brianna was okay, because she had talked to  
3 someone and heard some stories and needed me to find out if she  
4 was okay or if anything had happened to her.

5 Q Was that the extent of what you knew at that time?

6 A Yes, ma'am.

7 Q Okay. Now, based on that information, did you first share  
8 that information with Caitlin?

9 A Yes.

10 Q And then you and Caitlin have a brief conversation?

11 A Yes, ma'am.

12 Q And then that's when you have a conversation with Brianna?

13 A Yes.

14 Q Kind of explain to the Court, like, how do you approach it  
15 with Brianna?

16 A Basically, had her sit down on the back porch with Caitlin  
17 and I had her -- or just asked her if everything was okay, if  
18 anything had happened to her to cause her to be upset or  
19 anything like that.

20 At first, she kind of blew it off and just, Yeah, I'm  
21 okay, nothing's happening. But you could just tell she was  
22 uneasy. Within about three or four minutes, she was like, you  
23 know, I wasn't being honest about it. I need to tell you what  
24 happened. And that's when she explained to me. At that point,  
25 it was the bedroom incident that she told me about.

1 Q Okay. So I want to back up for a second. Because you  
2 said at first she kind of says, you know, everything's fine.  
3 But you could tell -- you kind of didn't believe that?

4 A Correct.

5 Q Now, how could you tell -- what made you believe that that  
6 was not, like, the truth?

7 A Her facial reaction. Just the way she answered it. Just  
8 one of those things you feel as parent, you know that there's  
9 something not right.

10 Q Okay. So when she initially says kind of everything's  
11 fine, but her body language is telling you differently, what do  
12 you do in those moments? Do you just kind of sit there do you  
13 push her for more info or do you just let it be?

14 A At that point just kind of sit there. You know, just,  
15 Okay, just checking on you, just we're concerned about you,  
16 just, you know -- basically just letting her know that we had  
17 her back no matter what happened.

18 Q Okay. And then was it a long amount of time or was it a  
19 short amount of time that she then says, No, I have something I  
20 need to tell you.

21 A It was honestly like three, four, five minutes, something  
22 like that. It was very short.

23 Q And then at that time, what did she say?

24 A Basically, that's when she said that she had gone to the  
25 bedroom to spend some time with her mother and Dallas. That

1 her mother had gone to the living -- or the kitchen, I'm sorry,  
2 to cook food, and that's when Dallas came over and started  
3 touching her.

4 Q Did she say where?

5 A She said it was on her vagina.

6 Q Were there anymore -- was there anything else about that  
7 at that time -- anymore details that she said at that time?

8 A Just basically how uncomfortable she was and how she  
9 didn't know how to deal with it at the time, stuff like that.

10 Q Did she say -- you know, when she said that Dallas touched  
11 her on her vagina, did she say what with?

12 A His hand.

13 Q Did she say if it was under the clothes or over the  
14 clothes?

15 A If I remember right, she said it was under her shorts that  
16 she was wearing at the time.

17 Q And again, this was -- she said this happened in the  
18 bedroom at their home in Norman?

19 A Correct.

20 Q Is that correct?

21 A Yes.

22 Q Is this something that happened kind of just -- she kind  
23 of just spills it out?

24 A Yes.

25 Q Okay. Are you asking a whole lot of follow-up questions

1 or is she just spilling the beans?

2 A At that point, she just kind of spilled the beans, just  
3 because we didn't want to press her on it.

4 Q And why did you not want to press her on it?

5 A We didn't want to give her any ideas. We wanted her to be  
6 totally honest, and whatever happened happened. I'm not going  
7 to give her any ideas of something to say.

8 Q Okay. If you don't remember, that's okay. But how long  
9 do you think, like, this initial -- like her initial statement  
10 went on for with you?

11 A We were out there probably 20, 30 minutes talking.

12 Q Was most of that talking like comforting her, or was it  
13 her telling you what happened?

14 A Her telling us what happened only lasted maybe 10 minutes.  
15 The rest, it was just comforting and talking and reassuring  
16 her.

17 Q Once she tells you what happened -- well, does she tell  
18 you -- she told you that it was Dallas. Is that correct?

19 A Yes.

20 Q And once she tells you that, what do you do?

21 A At that point, I finish talking to her about it and all  
22 that stuff. Then I called her mother, explained to her what it  
23 was. As soon as I got off the phone with her mother, then I  
24 called the Norman Police Department.

25 Q And is that because you believed it happened in Norman?

1 A Yes.

2 Q Okay. Earlier, I think you were a little bit nervous and  
3 you couldn't remember her birthdate, Brianna's birthday. Is it  
4 6/16/07?

5 A 10/16/07.

6 Q 10/16/07. See I'm trying to trick you.

7       Okay. Now, when you -- then you call Norman Police  
8 Department. Is there -- and she's still with you in Arizona.  
9 Is that correct?

10 A Correct.

11 Q After -- after you call her mom, do you give her mom a  
12 whole lot of details?

13 A No. At that point, I just said that there was something  
14 that happened. At that point, yes, I did say she said Dallas  
15 touched her. But as far as going into details, I didn't. At  
16 that point, I just said, I'm going to call the police  
17 department and press charges.

18 Q Okay. So then you call the police. And then at some  
19 point, you bring Brianna back, is that correct, to Norman?

20 A Yes.

21 Q For a forensic interview?

22 A Yes.

23 Q Do you ever tell her what to say?

24 A No.

25 Q Okay. Do you ever give her information about what she

1     needs to say to police or the interviewers or anything like  
2     that?

3     A     No.

4     Q     While she's still in your custody before you bring her  
5     back to the custody of her mom, are there other statements that  
6     are made while she's in your custody to either you or your  
7     wife?

8     A     To my wife.

9     Q     Okay. Whenever you are reporting things to the police,  
10    are you also telling police kind of just all the information  
11    that you have?

12    A     Yes.

13    Q     But what you've testified today to the Court, that's what  
14    that initial statement was?

15    A     Yes.

16    Q     Okay. But when you called the police, you kind of told  
17    them everything, even the things that maybe Brianna told  
18    Caitlin and then Caitlin told you?

19    A     Yes.

20    Q     Okay. And what was the purpose in you passing along that  
21    information to the police?

22    A     I felt like they needed to know the full story. Even  
23    though I didn't have it the first call, they needed to hear  
24    more about -- all of it.

25    Q     Whenever -- were there some things that maybe Brianna --

1 some statements maybe Brianna would make to Caitlin that you  
2 weren't there for?

3 A Yes.

4 Q Would you go back and ask Brianna about those things?

5 A No. I would only just listen to what Caitlin said and go  
6 from there. I wouldn't confront Brianna again unless she felt  
7 like talking to me about it.

8 Q Okay. So just to be clear, what you testified to today,  
9 that conversation out on the porch, that's that initial  
10 disclosure to you?

11 A Correct.

12 Q And that was that the defendant touched her on her vagina  
13 with his hand in the bedroom?

14 A Yes.

15 Q Okay. Do you recall if Brianna ever said anything at that  
16 time about -- about the defendant making her touch his penis?

17 A I don't remember clearly on that part of it.

18 It might have -- there was so much going on at that point.

19 Q Okay. But what you remember --

20 A No.

21 Q -- based off your best memory, it's the hand -- her -- her  
22 telling you that the defendant touched her vagina with his  
23 hand? That's what you remember?

24 A Yes. Yes.

25 Q Okay.

1 MS. WHATLEY: Can I have a moment, your Honor?

2 THE COURT: Yes, you may.

3 MS. WHATLEY: Pass the witness.

4 CROSS-EXAMINATION

5 BY MR. NEDWICK:

6 Q Mr. Jackson, so the statement that Brianna told you -- and  
7 that was July 14th, correct?

8 A Yes.

9 Q That was a single incident, correct?

10 A Yes.

11 Q And you say that she told you that she was home at the  
12 family home, her mother -- she went into the bedroom where her  
13 mother and Dallas were located in their bedroom, correct?

14 A Yes.

15 Q Eventually, Tiffany got up to go cook dinner, and that's  
16 when some touching took place in the bedroom, correct?

17 A Yes.

18 Q Touching of the vagina?

19 A Yes.

20 Q And that was the only time she said he touched her vagina,  
21 correct?

22 A At that point, yes.

23 Q Are you indicating that she later said that he touched her  
24 vagina at a different time?

25 A Only to my wife.

1 Q Okay. Well, we're talking about to you. But so there  
2 were more than one conversation with Brianna?

3 A No, only the one.

4 Q Okay. I'm having trouble understanding that, because the  
5 one on the porch revealed one touching of the vagina, correct?

6 A Yes.

7 Q That was in the bedroom. Mom and Dallas were in the  
8 bedroom, correct?

9 A Yes.

10 Q So when was there another conversation about touching?

11 A None with me.

12 Q Okay. So when -- there was another conversation though  
13 that you're aware of. When was that? The next day?

14 A Either the next day or -- yeah, I believe it was the next  
15 day is when that happened.

16 Q Okay. And as I understood that statement, and you tell me  
17 if I'm wrong, but that statement was still that he had only  
18 touched her vagina once. But she felt like on another  
19 occasion, he was going to touch her vagina. Is that the  
20 statement that you're familiar with?

21 A No. That is incorrect.

22 Q So that's not something you relayed to anybody with Norman  
23 PD?

24 A I relayed it to them the next day, whenever my wife told  
25 me what Brianna had told her.

1 Q Okay. So let's back up. What did you relay to Norman PD  
2 on the 14th?

3 A The best I remember, is that he had came -- or that she  
4 had gone to their bedroom and that whenever Tiffany had walked  
5 out to cook supper, he had touched her vagina.

6 Q Okay.

7 A And then -- yeah, that was it at that particular time.  
8 That I remember.

9 Q And then you called the detective back the next day?

10 A Yes.

11 Q Or excuse me, an officer back the next day?

12 A Yes.

13 Q And what did you tell them then?

14 A At that point, it was basically that he had tried to touch  
15 her again a little bit later.

16 And I believe at that point is when I heard the story  
17 of -- she told my wife about an incident in the living room.

18 Q Okay. And what was that incident? What did you relay to  
19 the police anyway?

20 A Was that, basically, he had walked in just in his  
21 underwear and sat down beside her and also tried to touch her  
22 vagina then. At that point, that he wanted her to touch his  
23 penis.

24 Q Okay. Was there anything else that you relayed to police?

25 A Not that I remember.

1 Q Was there anything that you knew that you didn't relay to  
2 the police on either the 14th or the 15th?

3 A Not that I remember.

4 Q When you relayed this stuff to police, you told them that  
5 it happened in November or December. Is that correct?

6 A Yes.

7 Q And that was based upon what Brianna told you?

8 A Based upon the best she could remember, yes.

9 Q Okay. Do you remember what specifically she said  
10 regarding November or December?

11 A Just that she didn't remember the specific time. She just  
12 thought it was around that time because it was around  
13 Christmastime.

14 Q Okay. And she was talking about the most recent  
15 Christmastime?

16 A I'm honestly not sure on the date on that. She just knew  
17 it was around Christmastime. She didn't remember whether it  
18 was the one immediately before or the one prior to that.

19 Q Okay. There was something else that I was a little  
20 unclear on. I thought you initially tried to report it to the  
21 police in Arizona?

22 A No.

23 Q Was there a police officer near your home or something  
24 like that that you guys talked to at a fence or?

25 A Yes. There was a police officer there, and I asked him if

1 I should report it to the Arizona Police Department since we  
2 lived there or if it should be the Norman Police Department.  
3 And he said report it to Norman Police Department because  
4 that's where she lives, that's where her primary residence is.

5 Q Okay. When was that that you had that conversation?

6 A That would have been the next day. I had already reported  
7 it to the Norman Police Department. But I needed to find out  
8 if I also needed to report it to the Arizona Police Department  
9 as well.

10 Q So where did you have that conversation?

11 A Outside the front gate of my front yard.

12 Q Had you called the police or you just happened to see a  
13 police officer?

14 A Just happened to see a police officer out there.

15 Q Okay. And was it just you out there or was Brianna out  
16 there with you?

17 A Just me.

18 Q Just you?

19 A Uh-huh.

20 Q And so you see a uniformed police officer and just  
21 approach him and ask those questions?

22 A They come and sit in front of our residence sometimes to  
23 watch cars and stuff. So I just asked what the -- basically  
24 what the law is as far as Arizona's concerned to -- since I am  
25 the primary -- since I live there, I'm the primary resident

1 there, if I need to report it to them as well.

2 Q Okay. And you're certain that Brianna wasn't with you  
3 when you had that conversation with the officer?

4 A Yes.

5 Q Was there -- did you talk to two different Norman PD  
6 officers?

7 A The first time I called, I talked -- I believe there were  
8 separate officers, yes. The first time I called, it was one.  
9 And the second time, I didn't ask for any specific officer.  
10 They just gave me an officer on the phone.

11 Q And that would have been the case both times, right? Or  
12 maybe the second time you asked for the same officer you had  
13 spoken to the night before but he wasn't available?

14 A I don't remember ever asking for the same officer. I just  
15 wanted to make sure it was reported.

16 Q Okay. So you were just directed to whomever?

17 A Yes.

18 Q And then at some point, a detective was assigned to the  
19 case here in Oklahoma. Did you talk to that detective?

20 A I believe so.

21 Q And was that in person or over the phone?

22 A Phone.

23 Q Did you -- what did you relay to that detective? Did he  
24 ask you about what the disclosures were?

25 A I honestly don't remember right now exactly that

1 conversation, other than probably just basically repeated the  
2 same thing I told, over the phone, the other officers.

3 Q Okay. All right. I appreciate you answering my  
4 questions.

5 A Yes, sir.

6 MS. WHATLEY: I have no further questions as it  
7 relates to questions for purposes of this hearing, your Honor.

8 THE COURT: Okay. Do we want to excuse Mr. Jackson?

9 MS. WHATLEY: Yes, your Honor, at this time.

10 THE COURT: All right. Mr. Jackson, you're excused  
11 for now.

12 (Mr. Jackson exits.)

13 THE COURT: Arguments?

14 MS. WHATLEY: Yes, your Honor. Based on Title 12,  
15 Section 2803.1, based off the fact that the State has given  
16 notice to the defense that the child was a child under the age  
17 of 13 at the time that the statement was made, the fact that we  
18 have now had a hearing conducted outside the presence of the  
19 jury, the State believes that based off the statements made by  
20 the witness, that at the time the statement was made, the  
21 content and totality of the circumstances surrounding the  
22 taking of the statement provides sufficient indicia of  
23 reliability so as to render it inherently trustworthy.

24 And that the statements made to Jeffrey Jackson,  
25 specifically the statements made on the porch that we elicited

1 today, should be entered as statements that are an exception to  
2 the hearsay rule. And would ask that the Court allow the State  
3 to enter those statements and to elicit those -- only those  
4 specific statements from Mr. Jackson in the presence of the  
5 jury.

6 THE COURT: All right. Thank you, Ms. Whatley.

7 Mr. Nedwick?

8 MR. NEDWICK: Your Honor, I'm not going to argue the  
9 reliability of it. I think Counsel knows that that's the first  
10 time that story's been told in any report or anything else.

11 I don't have any objection to that coming in, because  
12 if it's not elicited through the State, I'll certainly call  
13 him, as he is subpoenaed by me, after Brianna testifies,  
14 because it's an entirely different story.

15 So it will be coming in as impeachment if not for under  
16 the hearsay rule. So I have no objection.

17 THE COURT: Well, the State will be allowed to call  
18 Mr. Jackson and elicit the testimony. They've met the burden  
19 of showing that there's sufficient reliability and  
20 trustworthiness. And therefore we can proceed with calling  
21 Mr. Jackson and eliciting that testimony in the presence of the  
22 jury.

23 I would like to take a 10-minute break. So we'll go  
24 ahead and resume promptly at 3:00. Thank you.

25 (A recess was taken, after which the following

1           transpired in open court, within the hearing of the  
2           jury, all parties present:)

3           THE COURT: State's recognized to call its next  
4 witness.

5           MS. WHATLEY: State calls Jeffrey Jackson.

6                           JEFFREY JACKSON

7           was called as a witness, and after having been first duly  
8 sworn, testifies as follows:

9                           DIRECT EXAMINATION

10 BY MS. WHATLEY:

11 Q       Mr. Jackson, if you would, state your name for the record.

12 A       Jeffrey Chad Jackson.

13 Q       And do you know someone by the name of Brianna Jackson?

14 A       I do.

15 Q       Who is Brianna Jackson to you?

16 A       My daughter.

17 Q       In addition to Brianna Jackson being your daughter, do you  
18 have other children?

19 A       Yes.

20 Q       Who are your other children?

21 A       Connor Jackson and Dylan Jackson.

22 Q       Connor Jackson and Dylan Jackson?

23 A       Yes.

24 Q       And are those your children with Tiffany Norton?

25 A       Yes.

1 Q And do you have other children with someone else?

2 A Yes.

3 Q What are the names of those children?

4 A Sierra Jackson and Matthew Jackson.

5 Q Where do you currently live? You don't have to give me an  
6 address, just a general location.

7 A Tucson, Arizona.

8 Q How long have you lived there?

9 A Four and a half years.

10 Q And since you have been in Arizona, where do your children  
11 -- Connor, Dylan, and Brianna -- where do they primarily live?

12 A In Oklahoma.

13 Q And do you share custody or, like, have visitation with  
14 them?

15 A Visitation.

16 Q And how -- just briefly tell me how that works.

17 A Usually get them throughout the summertime. And then  
18 through school season, she gets them. Then we split up  
19 holidays.

20 Q Is the -- the visitation in the summer, is that the  
21 longest -- usually the longest visitation?

22 A Yes.

23 Q Since they're out of school for a longer period of time?

24 A Yes.

25 Q And the visitation throughout the school year, is that

1 kind of one of those things where is it -- I mean, is it an  
2 easy thing? Do you just kind of figure it out amongst you and  
3 Tiffany or you and the kids who has who during which holidays?

4 A Just kind of figure out in the moment. Talk to their  
5 mother and then she'll ask them, and then kind of let them  
6 decide what they want to do.

7 Q Okay. I want to draw your attention back to the summer of  
8 2019. At that time, were any of your children with Tiffany  
9 exercising their summer visitation with you?

10 A Connor and Brianna were.

11 Q And where was Dylan at that time?

12 A He stayed here. He had a job. Doing high school stuff,  
13 all that.

14 Q So high school kids don't want to come out and visit their  
15 dad as much?

16 A Exactly.

17 Q Okay. So at that time, everything kind of going normal,  
18 like usual with summer visitation?

19 A Yes.

20 Q At some point during that summer, specifically around July  
21 14, 2019, does Tiffany ever reach out to you and have a  
22 concerning conversation with you?

23 A Yes, she did.

24 Q At the time that Tiffany reaches out to you, based on your  
25 conversation, do you -- your conversation with Tiffany, do you

1 then have a conversation with Brianna based on what Tiffany  
2 tells you?

3 A Yes, I do.

4 Q Okay. Now, what did Tiffany tell you?

5 A Basically, at that point, it was -- she had talked to a  
6 friend that she knew and that she had heard some rumors and  
7 wanted to make sure that Brianna was okay and nothing had  
8 happened to her.

9 Q Did she give you any specifics?

10 A No, she didn't.

11 Q Did she give you a name?

12 A No.

13 Q Did you really even know what she meant by that?

14 A I had my suspicions, but no.

15 Q Based off that information, what did you then do?

16 A I talked to my wife, and we went outside on the back porch  
17 with Brianna, just us three, and had a conversation with her.

18 Q Hold on one second.

19 A Okay.

20 Q What is your wife's name?

21 A Caitlin Jackson.

22 Q And how do you spell Caitlin?

23 A C-A-I-T-L-I-N.

24 Q And so you and Caitlin go out on the -- did you say the  
25 porch?

1 A Yes.

2 Q To have a conversation with Brianna?

3 A Yes.

4 Q Do you and Caitlin kind of first have a little powwow  
5 before you speak with Brianna?

6 A Yes.

7 Q Was that for you to just kind of relay some information to  
8 Caitlin?

9 A Yes.

10 Q When you had that conversation with Tiffany, was it just  
11 you and Tiffany on the phone?

12 A Yes.

13 Q Okay. So Tiffany wasn't on speakerphone?

14 A No.

15 Q Okay. And so did you just share with Caitlin the extent  
16 of the conversation that you had with Tiffany?

17 A Yes, I did.

18 Q Whenever you had that conversation with Brianna -- and it  
19 was just the three of you, correct?

20 A Yes.

21 Q What -- kind of tell me how you approached it. Like what  
22 did you say?

23 A I basically just made -- told her that I talked to her  
24 mother, and she was worried about her. And just wanted to make  
25 sure that things were okay that nothing happened to her.

1 Q And did you say it just like that?

2 A Yes, best I remember.

3 Q Just how you said it to me?

4 A Yes.

5 Q And you said, From what I remember?

6 A Yes.

7 Q Okay. And are you testifying today based on -- based on  
8 your memory?

9 A Yes.

10 Q And we're -- well, we're here today and it's June of 2022.  
11 And we're talking about a conversation that happened July 14,  
12 2019. Is that correct?

13 A Yes.

14 Q And you weren't recording this conversation?

15 A No.

16 Q You didn't take notes of this conversation?

17 A No.

18 Q Okay. So just based off your memory alone?

19 A Yes.

20 Q What was Brianna's first response to that question?

21 A She first said that she was okay and that everything was  
22 fine.

23 Q Was there anything about the way she was behaving that  
24 made you think otherwise?

25 A Just her facial expressions and just the way she answered

1 the questions just kind of threw me off.

2 Q And why was that?

3 A It's not normal for her. She doesn't usually respond the  
4 way that she did.

5 Q And how did she respond?

6 A She just seemed withdrawn. Wasn't specifically clear.  
7 Just kind of, like I said, withdrawn about it all.

8 Q Okay. How was her body language?

9 A She kind of started squirming around like she was nervous.

10 Q Squirming around like she was nervous?

11 A Yes.

12 Q And you said that was abnormal for her?

13 A Yes.

14 Q When she responded that way -- and, again, this is all  
15 obviously nonverbal, right?

16 A Yes.

17 Q And then verbally, what did she say?

18 A Basically, just after a few minutes, she said that  
19 something did happen. And then she kind of gave me the details  
20 of that specific period.

21 Q Okay. Now, before she kind of then gives you details, in  
22 between the time where she says everything is fine but her body  
23 language is kind of, you know, telling you differently, did  
24 you, you know -- like what did you say? Did you say anything  
25 to pressure her into saying something? Like what were you

1 doing in between those two times?

2 A Basically, I just told her that no matter what happened  
3 that we were there for her and just that if she ever needed to  
4 talk about anything that we were open. If I wasn't there, that  
5 Caitlin was there. We were there to listen if she needed to  
6 talk about anything ever.

7 Q How long -- to the best of your memory, how long do you  
8 think it was between the time where she said she was fine and  
9 then where she starts to tell you something?

10 A Four to five minutes.

11 Q Okay. And what does she tell you?

12 A Basically, that Dallas and Tiffany had been in their  
13 bedroom and she had gone in there to spend some time with them.  
14 That Tiffany had gotten up and went into the kitchen to start  
15 cooking something, and that's when Dallas reached over and  
16 started touching her.

17 Q Did she say where he touched her?

18 A Her vagina.

19 Q Did she say what part of his body he touched her with?

20 A Hands.

21 Q Okay. So his hands on her vagina?

22 A Correct.

23 Q In the bedroom?

24 A Yes.

25 Q And Tiffany was not in the bedroom when this happened?

1 A Correct.

2 Q According to Brianna?

3 A Yes.

4 Q Did she say whether this was under the pants, over the  
5 pants?

6 A Under.

7 Q Okay. Was there anything else related to that statement  
8 at that time?

9 A Not that I remember, no.

10 Q Okay. Was that pretty much the gist of it?

11 A Yes.

12 Q How long do you think she's explaining kind of --  
13 explaining that to you and Caitlin?

14 A The whole period, maybe 10, 15 minutes at the most.

15 Q Do you -- did you have any idea when this had happened?

16 A Not at that point, no.

17 Q Did you have any idea where it had happened at that time?

18 A Just in the bedroom. That's all I knew at that point.

19 Q Did you believe it had happened in Norman at least?

20 A Yes. Yes.

21 Q Okay. Now, when you are given kind of these initial  
22 statements from Brianna, what do you say to her?

23 A To Brianna?

24 Q Yes.

25 A Basically, just at that point, no matter what happened, it

1 wasn't her fault. Just to reassure her we were there for her  
2 no matter what. Any time she needed to talk about it, that she  
3 could. That we weren't going to ask her any questions about  
4 it.

5 I wanted her to know that whenever she felt open to  
6 talk about it, we were there for her.

7 Q Did you, you know, like prod her for more information or  
8 more details about anything?

9 A No. No.

10 Q Once she said -- once you knew that something had  
11 happened, then what did you do?

12 A I called Tiffany, explained to her -- explained at least  
13 some of the information that I had received. And then I told  
14 Tiffany I was going to call the Norman Police Department. And  
15 I called them and reported it.

16 Q Now, I want to make sure that I'm clear. When Tiffany  
17 first called you, did you even have like a name? Did she even  
18 give you the name Dallas Norton?

19 A No.

20 Q When you asked your daughter if something had happened,  
21 did you give her the name, Dallas?

22 A No.

23 Q Did you even indicate that you were asking questions about  
24 something sexual in nature?

25 A No.

1 Q Now, did you call Norman Police Department the same day  
2 that Brianna tells you about these things?

3 A Yes.

4 Q Now, this is during the time that Brianna is having  
5 visitation with you. Is that correct?

6 A Yes.

7 Q Was there ever a time that you think you have additional  
8 information that Norman Police Department needs to know?

9 A Yes. The next day.

10 Q And so what did you do when you had additional  
11 information?

12 A I called the Norman Police Department and told them  
13 basically there was more information that I had heard, just to  
14 make sure that they understood. There was further -- it went  
15 further.

16 Q Okay. Now, at the time Brianna was exercising visitation  
17 with you, were there times that after she had told you and  
18 Caitlin these things that you believe that she had also maybe  
19 said a couple of things or maybe shared some of these things  
20 with Caitlin?

21 A Caitlin told me that she had said that, yes.

22 Q Okay. So the statements that you have testified to today,  
23 those are statements that were made to you on the porch?

24 A Yes.

25 Q But there may have been other statements that were made to

1 Caitlin that Caitlin shared with you, that then you made Norman  
2 Police Department aware of?

3 A Yes.

4 Q Okay. But those were not statements that were made  
5 directly to you?

6 A No.

7 Q Did you ever question your daughter about statements you  
8 learned about from Caitlin?

9 A No.

10 Q Did you ever question your daughter about anything that  
11 she told you about what had happened to her?

12 A No.

13 Q Did you ever question Brianna about things that she told  
14 you had happened to her?

15 A No.

16 Q After you contacted the Norman Police Department, was  
17 there some sort of decision made that she needed to come back  
18 for a forensic interview?

19 A Yes.

20 Q How did you receive that information?

21 A I believe that Tiffany called me and told me when she was  
22 going to be set up for that.

23 Q And so was there a decision made that like she needs to be  
24 back in Norman by a certain date?

25 A Yes.

1 Q Were you okay with that?

2 A Yes.

3 Q And did you understand, like, the reasoning that she  
4 needed to be here for that?

5 A Yes.

6 Q And were you okay with that?

7 A Yes.

8 Q Did you ever tell Brianna what she needed to say in that  
9 interview?

10 A No.

11 Q Did you ever tell her what she needed to testify to?

12 A No.

13 Q And just to be clear, I think I asked you, you know,  
14 specifically about, you know, recordings during that initial  
15 conversations on the porch. But have you had a whole lot of  
16 conversations with your daughter about what happened to her?

17 A No.

18 Q Have you had any -- I mean, aside from those initial kind  
19 of conversations that happened while she was there for  
20 visitation in Arizona in July of 2019, have you had any  
21 conversations about it?

22 A No.

23 Q Have you -- had you let Brianna know she can talk to you  
24 if she needs to? I mean, kind of tell me as a parent where  
25 you're at on that.

1 A Basically I just let her know that no matter what she  
2 needs to talk about, whether it's -- no matter what it is, that  
3 I'm always there for her. And that I'm always there for  
4 support no matter what it is. So if she feels open to talk,  
5 then she can.

6 Q So it's not a thing like you were like, don't talk to me.  
7 It's just if you want to share you can, I'm here to listen sort  
8 of thing.

9 A Correct.

10 Q Okay. And were you aware if Brianna ever received  
11 counseling services or was in counseling services?

12 A Yes, she was.

13 Q Okay. Now, prior to your knowledge of these statements  
14 that your daughter made to you concerning the -- you know, her  
15 being touched by the defendant, did you know who Dallas Norton  
16 was?

17 A Yes.

18 Q And had you met him?

19 A Very little, yes.

20 Q Okay. And is that just based on, like, where you live and  
21 where they live?

22 A Yes.

23 Q Okay. Had you had -- I mean, were your prior dealings  
24 friendly?

25 A Yeah.

1 Q Okay. I mean, I'm sure they were limited, right?

2 A Yes.

3 Q Your dealings? I asked you a little bit about some of  
4 your prior, you know, talkings with Brianna about, you know,  
5 the specifics and things like that. And I talked to you about  
6 the statements that were made on the porch.

7 At any time that you were talking to your daughter  
8 about what had happened to her, were you ever recording those  
9 statements?

10 A No.

11 Q Were you ever, you know, writing them down, you know, in a  
12 journal or recording them so that you could remember what she  
13 was saying word for word?

14 A No.

15 Q Were you ever expecting to have to come into a courtroom  
16 and testify about the statements that your daughter made to you  
17 about these initial disclosures of sexual abuse?

18 A No.

19 Q And so your testimony today and the statements that you're  
20 making to us today in the courtroom, that's based off your best  
21 memory of the statements that were made to you three years ago?

22 A Yes, ma'am.

23 MS. WHATLEY: Pass the witness.

24 CROSS-EXAMINATION

25 BY MR. NEDWICK:

1 Q Hello, Mr. Jackson. So if I understand you correctly, you  
2 and your wife had a conversation with Brianna on the porch.  
3 And when you first asked her if there was anything wrong or  
4 that she needed to talk about, her answer was, No, everything's  
5 fine. Is that correct?

6 A Yes.

7 Q And then four or five minutes later is when she made a  
8 disclosure to you or said that everything wasn't okay, right?

9 A Yes.

10 Q And then at that point is when she told you the things you  
11 testified to on direct examination about Dallas and Brianna's  
12 mother being in their master bedroom, Brianna goes into the  
13 room, Tiffany leaves the bedroom, goes to cook dinner, and  
14 that's where the touching of the vagina happens, correct?

15 A Yes.

16 Q And Counsel asked you there towards the end if you were  
17 recording this conversation as she relayed it to you and you  
18 said you were not, right?

19 A Correct.

20 Q But you were paying attention, weren't you?

21 A Yes.

22 Q It's not every day that your daughter discloses sexual  
23 abuse, correct?

24 A Correct.

25 Q And it was shortly after she relayed to you these

1 allegations that you called the Norman Police Department and  
2 relayed what Brianna had told you to the Norman Police  
3 Department?

4 A Yes.

5 Q Correct? Not much of a delay at all between those two  
6 things?

7 A No. No.

8 Q Less than an hour?

9 A Yes.

10 Q So right after learning these things from Brianna, you  
11 call Norman PD, tell them what she told you?

12 A Yes.

13 Q And when you talked to the Norman Police Department -- I  
14 know it was over the phone. Was it a clear -- was it clear  
15 reception, everything like that? You could hear one another at  
16 least from your end just fine?

17 A Yes.

18 Q The officer didn't indicate to you by anything he said  
19 that he was having difficulty hearing you, correct?

20 A Correct.

21 Q And so during that conversation with Brianna -- backing up  
22 just a little bit. She told you that this incident was the  
23 only time that he -- her vagina was touched, correct?

24 A She did not say that was the only time.

25 Q She did not say that.

1 A She just told me about that time. She did not say, This  
2 is the only time.

3 Q Okay. Thank you for clarifying that.

4 Did you -- when you called Norman PD, did you tell them  
5 that Brianna told you that this was the only time?

6 A Only time that I knew of at that point.

7 Q Okay. So that's what we're talking about. On this  
8 initial disclosure, Brianna told you that this was the only  
9 time this happened, the touching of the vagina?

10 A Yes.

11 Q That patio conversation on July 14th?

12 A Yes.

13 Q That's what we're talking about, to be clear.

14 A Okay.

15 Q She told you during that conversation with your wife there  
16 with you that there had only been one time when he touched her  
17 vagina?

18 A Yes.

19 Q Correct? And she also said that it was November or  
20 December of 2018?

21 A I don't know the specific year, but yes. It was around  
22 the November/December time period, yes.

23 Q That's what she told you? Brianna?

24 A Yes.

25 Q And that's not something you were unclear on, that you

1 were uncertain of. You wouldn't have relayed it to the police  
2 that way if you were uncertain about what she had told you,  
3 correct?

4 A Correct.

5 Q So everything you relayed to the police, not only was it  
6 close in time, but you were doing all you could to be accurate  
7 and relay what Brianna was saying to you, not your own  
8 editorials or anything else, correct?

9 A Yes.

10 Q I want to ask you some more questions about what it was  
11 that you specifically told Norman PD. And to be clear, I'm  
12 talking about on the 14th, July 14th, shortly after Brianna  
13 disclosed this to you.

14 A Okay.

15 Q You had another conversation the next day with Norman PD,  
16 correct?

17 A Yes.

18 Q A shorter conversation?

19 A Yes.

20 Q On the 15th --

21 A Yes.

22 Q -- of July? And that was not with the same officer?

23 A Not that I'm aware of.

24 Q Officer Pierce was on the 14th, and a different officer on  
25 the 15th, correct?

1 A Yes.

2 Q Okay. So during your conversation with Officer Pierce on  
3 the evening of the 14th, is it your testimony that you did not  
4 tell Officer Pierce that Brianna told you that she was sitting  
5 on the couch and Dallas came in the living room in nothing but  
6 his underwear and sat next to her? That's on the 14th.

7 A As far as I remember, that was the next day when I got  
8 information, best I remember.

9 Q Okay. So it's your testimony that that statement, you did  
10 not make to the police on the 14th?

11 A If it is on there and it shows that it's on there, then I  
12 would have made that statement. But it also has been three  
13 years ago. So I don't remember clearly right now.

14 Q Yeah, I understand. But I'm just asking you if what you  
15 told Officer Pierce the night you called him, right after  
16 Brianna relayed this to you, is the same thing you just told  
17 this jury that Brianna told you?

18 A Correct.

19 Q Okay. That's all we're trying to do is get to the bottom  
20 of that.

21 A Correct.

22 Q And so I'm asking you, did you tell Officer Pierce, not  
23 that this happened in the bedroom, but it happened on the sofa  
24 -- excuse me, couch is the term -- the couch? When Brianna was  
25 sitting there on the couch, Mr. Norton came in wearing nothing

1 but his underwear, sat next to her, and touched her vagina?

2 MS. WHATLEY: Objection, your Honor. Asked and  
3 answered.

4 THE COURT: Overruled.

5 THE WITNESS: Could you repeat the question, please?

6 Q (By Mr. Nedwick) Did you tell Officer Pierce on the night  
7 of the 14th that Brianna told you that she was sitting on the  
8 couch in the living room, Mr. Norton walks in the living room  
9 wearing nothing but his underwear, sits next to her on that  
10 couch in the living room, and puts his hand in -- under her  
11 shorts and touches her vagina? Did you tell him that?

12 A I honestly don't remember right off which day it was that  
13 I told him that, but I do remember telling him that, yes. I  
14 just don't remember if it was the day of or the day after.

15 Q Well, what did she tell you that night? It would have to  
16 be --

17 A That night, it was only about the bedroom incident.

18 Q Okay. So if I understand things, the only thing that you  
19 could have told him on the 14th was the bedroom --

20 A True.

21 Q -- thing, correct?

22 A True.

23 Q Did you tell -- well, let me ask you this. Did Brianna  
24 tell you on the porch there that in the bedroom, Mr. Norton put  
25 her hand on his penis or tried to?

1 A Not that I remember.

2 Q Okay. Did you tell Officer Pierce that night that Brianna  
3 told you that he had done that?

4 A I honestly don't remember.

5 Q Now, let's go to the statement on the 15th. You called  
6 Norman PD back on the 15th because your wife had relayed to you  
7 that although there had been only one touching of the vagina,  
8 Brianna said that she had -- Mr. Norton had tried more than  
9 once after that over the next couple of months. Is that  
10 correct?

11 A Yes. Yes.

12 Q And that's what you relayed to the officer on the 15th?

13 A Yes.

14 Q And you said that that conversation on the patio on the  
15 14th with Brianna, when she gave you those details, that lasted  
16 10 or 15 minutes?

17 A The details alone, yes. The whole conversation about 30.

18 Q Okay. And you also talked to an Arizona police officer  
19 about this --

20 A Yes.

21 Q -- disclosure, didn't you?

22 A Yes.

23 Q And if I understand you correctly, this encounter with the  
24 Arizona police officer was near your home? Like out front or  
25 something like that?

1 A Yes.

2 Q And it was kind of random?

3 A Yes.

4 Q You didn't seek him out, and he didn't seek you out. He  
5 wasn't responding to a call, correct?

6 A Correct.

7 Q And this was after Brianna had told you these things on  
8 July 14th, correct?

9 A Yes.

10 Q And during that conversation with the Arizona Police  
11 Department personnel, you were concerned that maybe you should  
12 be making a report with Arizona as well, correct?

13 A Yes.

14 Q And he assured you that what you had done is exactly what  
15 you were supposed to do. If it happened back in Oklahoma,  
16 report it back in Oklahoma?

17 A Correct.

18 Q Here's the important part I wanted to make clear. Brianna  
19 wasn't present when you were talking to that officer, correct?

20 A No. I don't believe she was, no.

21 Q Well, you testified earlier that you were certain she  
22 wasn't there.

23 A Okay. I'm sorry. Then yes, she was not there. It was  
24 just me.

25 Q Are you certain that she wasn't there? I don't care

1 either way. I just want --

2 A To the best of my memories, yes, she was not there.

3 Q Okay.

4 A It was just me.

5 Q Just the two of you, you and the officer?

6 A Yes.

7 Q Do you remember if it was like early in the morning like  
8 when you went out to get the paper? Well, nobody gets the  
9 paper anymore, I guess.

10 A I don't remember what time of day it was.

11 Q Okay. And you, again, just randomly ran into this person,  
12 the officer, right?

13 A The one I see parked out there quite a bit. So yeah.

14 Q So they were in a vehicle, a cruiser?

15 A Yes. They were on duty, patrolling the area. They just  
16 sit down, waiting for people to drive through, just checking  
17 speeds, something like that.

18 Q So I'm sorry. I was saying he was in the cruiser when you  
19 talked to him. But maybe that wasn't correct. He was outside  
20 the cruiser?

21 A He was in the cruiser.

22 Q He was in his cruiser when you talked to him?

23 A Yes.

24 Q Okay. You testified earlier that when it comes to the  
25 Christmas or holiday visitation, you guys are kind of flexible

1 -- you guys being you and Tiffany -- over the years. Is that  
2 right?

3 A Yes.

4 Q But one thing's for sure, they always come out there. It  
5 may not be on Christmas day. One year they might be at your  
6 house on Christmas day, the next year they might be at  
7 Tiffany's or -- but during that break, they normally come out  
8 there?

9 A Correct.

10 Q While they're out of school, correct?

11 A Yes.

12 Q And they came out there in 2018, just before Christmas --  
13 or in December of 2018, correct?

14 A To the best of my memory, yes.

15 Q And maybe you recall that there was snow back in Oklahoma,  
16 and they were excited, they were hoping the snow would still be  
17 there when they returned?

18 A I honestly don't remember.

19 Q Does that jog your memory?

20 A I don't remember.

21 Q Okay. But anyway, that was the normal routine?

22 A Yes. Can I also throw in something real quick? Sometimes  
23 it's Christmas, sometimes it's Thanksgiving. So it's not  
24 always Christmas when they're out there. So that varies.

25 Q Okay. There was a time, after you talked to the officer

1 on the 14th and the officer on the 15th, that you spoke over  
2 the phone with a detective in Norman, correct?

3 A I believe so, yes.

4 Q And do you remember what the purpose of that phone call  
5 was?

6 A I think they basically just wanted to go over what I had  
7 spoke with -- spoke to the officers about before, if I remember  
8 right.

9 Q Okay. So from your recollection, the detective repeated  
10 what he had in the report from the officers that took your  
11 statement?

12 A Correct.

13 Q And read it -- talked to you about what they had and just  
14 confirmed that that was accurate?

15 A I believe so, yes.

16 Q Okay. Didn't dig in a whole lot deeper?

17 A Not that I remember, no.

18 Q Did you make any corrections to what he told -- what his  
19 understanding of the facts were?

20 A Not that I remember.

21 Q Was there -- were there any other communications with law  
22 enforcement, including that same detective, or was it one phone  
23 call?

24 A I believe that was it.

25 Q Just one?

1 A Believe so.

2 Q Maybe the two of you spoke for an update just to tell you  
3 kind of where the case was?

4 A They might have. I'm not sure. I don't remember that  
5 part of it. I remember speaking to him one time. And after  
6 that, it could have been just an update every once in a while,  
7 but I don't remember for sure.

8 Q Okay. And they didn't speak to you directly about  
9 coordinating the forensic interview. You and Tiffany just  
10 talked about that?

11 A Correct.

12 Q She relayed any information you needed about when that was  
13 going to take place?

14 A As far as I remember.

15 Q By the way, did you bring Brianna back, or did Tiffany go  
16 out and get Brianna?

17 A If I remember right, I brought her back all the way that  
18 time.

19 Q Okay. I had seen something where Tiffany was planning on  
20 picking her up in Santa Rosa. Does that sound right?

21 A That's generally how we meet. But if I remember right,  
22 that year I brought her all the way back because I wanted to be  
23 there for her through that. I remember -- if I have that right  
24 in my head, yes.

25 Q Okay. So did you come all the way and then stick around

1 for the forensic interview?

2 A If I remember right, I think I did.

3 Q Okay. And that would have only been a couple days later,  
4 like July 22nd or something like that, and it would have been  
5 at the Mary Abbott House here in Norman.

6 A I believe I brought her all the way back that time and  
7 stayed around for that, if I remember.

8 Q Okay.

9 MR. NEDWICK: May I have just a moment, Judge?

10 THE COURT: Yes.

11 MR. NEDWICK: Thank you, Mr. Jackson.

12 MS. WHATLEY: Just a few questions, your Honor.

13 REDIRECT EXAMINATION

14 BY MS. WHATLEY:

15 Q Mr. Jackson, I asked you several questions about those --  
16 the initial disclosure. But did Brianna tell you more things  
17 later? Did more things come out after that initial disclosure?

18 A She never really said any more to me. It was mainly to my  
19 wife, if anything was said.

20 Q Do you sometimes get confused about the mixing of those  
21 things?

22 A I do.

23 Q Okay. And is it kind of safe to say that it came out in  
24 bits and pieces a little bit? I mean --

25 A Yeah.

1 Q -- some of these things? And did you try to ask follow-up  
2 questions about that or just kind of leave it be and let the  
3 police and the forensic interviewers do their jobs as it  
4 relates to follow-up questions?

5 A I let them do all that because I didn't want to suggest  
6 anything.

7 Q Okay. As it relates to the questions -- Mr. Nedwick asked  
8 you a lot of questions about the things that you told police  
9 and telling them this thing or telling them that thing.

10 Have you been able to review any recordings? I know  
11 you didn't personally make any recordings, but have you been  
12 able to review any recordings that you're on that maybe the  
13 police recorded you on?

14 A I have not, no.

15 Q Have you been able -- the police didn't have you write  
16 like your own written statement as to, you know, these are the  
17 things my daughter told me, and have you write that out close  
18 in time to when Brianna told you these things?

19 A No.

20 Q So you haven't had the ability to review your own  
21 statement?

22 A Correct.

23 Q So what Mr. Nedwick was reading to you was the police  
24 report of the officer?

25 A Yes.

1 Q Is that correct?

2 A Yes.

3 Q Okay. There was also some discussion about that timeframe  
4 that you were -- there was a little bit of discussion about  
5 this timeframe that I believe you testified that you and your  
6 wife, Caitlin, were sort of trying to figure out the timeline.  
7 And you were very particular about saying -- it was like  
8 Christmastime. Is that right?

9 A Yeah. The best I remember, it was around Christmastime,  
10 is when we thought it happened, but we weren't sure.

11 Q And not sure on year?

12 A Correct.

13 Q Is that correct? Not sure on year?

14 A Correct.

15 Q And also, I mean, Christmastime for a lot of people, I  
16 mean, these days it could be November, December, up through  
17 January, seems like Christmas decorations are out in October.

18 A Right.

19 Q I mean, it seems like it goes for a long time now, right?

20 A Right.

21 Q Fair to say? And that's just y'all's best -- was that you  
22 and Caitlin's best, I guess, attempt at trying to figure out a  
23 date?

24 A Pretty much, yeah.

25 Q Did you ask a whole lot of questions about that?

1 A No. We didn't get into details on that very deep  
2 honestly.

3 Q Okay.

4 MS. WHATLEY: Can I have a moment, your Honor?

5 THE COURT: Yeah.

6 Q (By Ms. Whatley) I just want to be clear, Mr. Jackson.  
7 When you gave this information to the police, were you just  
8 trying to give them as much information as possible?

9 A Yes.

10 Q And some of this information was from firsthand knowledge.  
11 Is that correct?

12 A Yes.

13 Q And some of the information was obviously secondhand  
14 knowledge from your wife, Caitlin?

15 A Yes.

16 Q Is that correct?

17 A Yes.

18 Q And you would even call the police back and give them  
19 updated information. Is that correct?

20 A Yes.

21 Q You just wanted them to have as much information as  
22 possible?

23 A Yes.

24 Q And as you sit here today, you're testifying based off the  
25 best that your memory is today, right?

1 A Yes.

2 Q Even though you were reporting these things three years  
3 ago. Is that correct?

4 A Yes.

5 MS. WHATLEY: I have no further questions for this  
6 witness, your Honor.

7 MR. NEDWICK: Just two questions, Judge.

8 THE COURT: Yes.

9 RECROSS-EXAMINATION

10 BY MR. NEDWICK:

11 Q Mr. Jackson, I just want to clarify because we don't want  
12 to be imprecise here. Counsel said that information came in  
13 bits and pieces from Brianna to you guys.

14 A Yes.

15 Q And you said that was accurate. But to be clear, the bits  
16 and pieces as far as any kind of allegations or description,  
17 that all happened on the 14th or the 15th. After that, there  
18 was no more conversations about any of this, correct?

19 A From what I remember, no, there wasn't.

20 Q So when we talk about bits and pieces, we're talking about  
21 she said something on the 14th on the porch, and then  
22 apparently something else to your wife on the 15th -- on the  
23 15th or after the porch meeting on the 14th.

24 But regardless, you relayed all of that to Norman PD,  
25 the new stuff that you learned on the 15th?

1 A Yes.

2 Q Brianna didn't tell you anything more after the 15th?

3 A Not that I remember, no.

4 Q And your wife didn't tell you more things on the 15th --  
5 after the 15th? Excuse me.

6 A Not that I remember, no.

7 Q Counsel asked you if you were able to review your  
8 statement. She said that you hadn't seen the police report.  
9 She accurately indicated that I was reading from the police  
10 report when I was asking you those questions.

11 A Correct.

12 Q And you didn't get a chance to review that, right?

13 A Yes.

14 Q But you did have an opportunity to talk to the detective  
15 as you've testified to a few moments ago. And he repeated back  
16 what he understood from the police reports, and you confirmed  
17 that information when he did that?

18 A Yes.

19 Q Didn't change anything, or say, Whoa, you got it wrong, or  
20 anything like that?

21 A Not that I remember, no.

22 Q Okay.

23 MR. NEDWICK: That's all I have, Judge. Thank you.

24 THE COURT: Mr. Jackson, thank you very much.

25 MS. AUSTIN: State calls Brianna Jackson.

BRIANNA JACKSON

2 was called as a witness, and after having been first duly  
3 sworn, testifies as follows:

DIRECT EXAMINATION

5 BY MS. AUSTIN:

6 | O Good afternoon. Can you please tell us your name..

7 A Brianna Jackson.

8 Q And Brianna, how old are you?

9 A Fourteen.

10 Q And can you tell us when your birthday is?

11 | A October 16, 2007.

12 Q I'm going to ask you to pull up to that microphone just a  
13 little bit. It sounds like your voice is kind of cracking a  
14 little bit. So we just need to make sure that everybody can  
15 hear you. Okay? So you said October 16, 2007?

16 A Yes.

17 Q And so in four months, you're going to be 15. Is that  
18 right?

19 A Yes.

20 | Q Okay. Where are you going to go to school in the fall?

21 A Moore - Moore High School.

22 | P a g e Moore High School?

23 A Uh-huh.

24 Q And have you gone to Moore High School before?

25 A No.

1 Q Okay. Will that be -- I'm sorry, Moore schools. Have you  
2 gone to Moore schools at all?

3 A No.

4 Q So that'll be your first time going to Moore schools. So  
5 new school and new school system. Is that right?

6 A Yes.

7 Q Where did you go to school last year for your eighth grade  
8 year?

9 A Noble.

10 Q And did you go to Noble schools for a period of time?

11 A Yes.

12 Q And did you go -- what grades did you do in Noble?

13 A Sixth through eighth.

14 Q Did you do those in person or did you do those online?

15 A The first two years was in person and last year was  
16 online.

17 Q Okay. And do you think you like in person or online  
18 better?

19 A In person.

20 Q Okay. Why is that?

21 A Because there's more people.

22 Q Okay. Do you like being around people?

23 A Yes.

24 Q Okay. What kind of things do you like to do in your spare  
25 time?

1 A Color and cook.

2 Q Cook? What type of things do you like to cook?

3 A Like cake and stuff like that.

4 Q Okay. So you like to bake things?

5 A Uh-huh.

6 Q Do you also decorate them or just bake them?

7 A Just bake them.

8 Q Okay. Pretty good at it?

9 A Uh-huh.

10 Q Does everyone else like to eat the things you bake?

11 A Yes.

12 Q Okay. Does your mom help you do that or is that something  
13 you've learned how to do on your own?

14 A Learned how to do on my own.

15 Q Do you bake things for your family when they're not home  
16 and have things for them when they come home?

17 A Sometimes.

18 Q Okay. Do you -- you said you like to color. What kind of  
19 things do you like to color?

20 A Just anything.

21 Q Do you like draw different things or just like color  
22 pictures?

23 A Both.

24 Q What about sports? Do you like any sports?

25 A Yes.

1 Q What sports do you like?  
2 A Basketball and softball.  
3 Q Basketball and softball. Have you played those sports all  
4 of your life or off and on or how has it been?  
5 A Off and on.  
6 Q Okay. Have you been playing recently?  
7 A No.  
8 Q Okay. Are you going to try to play next year?  
9 A Yes.  
10 Q Which sports are you going to try and do next year?  
11 A Basketball.  
12 Q Basketball. Is that the one you like best?  
13 A Uh-huh.  
14 Q And I'm going to ask you when you're answering questions  
15 if you can say yes or no, because remember, she's typing down  
16 everything you say. I know that's hard, and I'll correct you  
17 if I need to, but I'm not trying to get onto you. It's just  
18 easier for Angie.  
19 Okay. So can you tell us who is in your family?  
20 A My two brothers, my stepsister and my mom and my dad and  
21 my stepdad.  
22 Q Okay. So you said your two brothers. What are your  
23 brothers' names?  
24 A Connor and Dylan.  
25 Q And are they older than you or younger than you?

1 A Older.

2 Q And how old is Dylan?

3 A 20 or 21.

4 Q And how old is Connor?

5 A 17.

6 Q And you said your stepsister?

7 A Yes.

8 Q What's your stepsister's name?

9 A Abby.

10 Q And how old is Abby?

11 A Eleven.

12 Q And do you all live in the same home?

13 A Yes.

14 Q And then you said your mom. What's your mom's name?

15 A Tiffany.

16 Q And what's your dad's name?

17 A Jeff.

18 Q Does he live in your home?

19 A No.

20 Q Where does he live?

21 A In Arizona.

22 Q And then you said your stepdad?

23 A Yes.

24 Q What's your stepdad's name?

25 A John.

1 Q And so do you live with your mom and your stepdad here in  
2 Oklahoma?  
3 A Yes.  
4 Q Do you visit your dad in Arizona?  
5 A Yes.  
6 Q How often do you get to see your dad?  
7 A Like every summer and sometimes Christmas.  
8 Q Okay. And does he come here or do you go there?  
9 A I go there.  
10 Q In summer, do you go just for a little bit or how do  
11 summers work?  
12 A I usually go for the whole summer.  
13 Q Do you like doing that?  
14 A Sometimes.  
15 Q Okay. Why sometimes?  
16 A Because I don't like my stepsister.  
17 Q You don't like your stepsister?  
18 A Huh-uh.  
19 Q Okay. How old is your stepsister?  
20 A She's also 11.  
21 Q So your dad lives in Arizona. Is he married?  
22 A Yes.  
23 Q What is his wife's name?  
24 A Caitlin.  
25 Q And does he have children with Caitlin?

1 A Yes.

2 Q That's your stepsister?

3 A (Witness nodding in the affirmative.)

4 Q And she's 11. What's her name?

5 A Sierra.

6 Q And do you have any other step siblings?

7 A Yes.

8 Q Who else is there?

9 A Matthew.

10 Q And how old is Matthew?

11 A 9.

12 Q So you've got a 9 and an 11-year-old stepbrother and

13 stepsister. When you go out to Arizona, do you get along with

14 them?

15 A Not really.

16 Q Okay. You're only there a little bit of the year. They

17 live there all the time. Is that right?

18 A Yes.

19 Q Does that cause some problems?

20 A Yes.

21 Q Okay. Do you get along with your stepbrother?

22 A A little bit.

23 Q What about your stepmom?

24 A Yeah.

25 Q Okay. And do you like going out to see your dad?

1 A Yes.

2 Q Did you -- we're in the middle of the summer now, kind of  
3 June almost July. Have you been able to go out to Arizona yet?

4 A No.

5 Q Are you going to go out to Arizona?

6 A Yes.

7 Q Do you know when you're going to do that?

8 A At the end of this week.

9 Q At the end of this week. Okay. And how long are you  
10 going to get to stay?

11 A A month.

12 Q And then come back for school to start?

13 A Yes.

14 Q Okay. Hot out in Arizona, isn't it?

15 A Yes.

16 Q Is it any hotter than here though?

17 A No.

18 Q Same thing? They always say it's a dry heat. Does it  
19 really feel any different when you're out there?

20 A No.

21 Q So your mom lives with your -- married to your stepdad  
22 now. Can you tell me, has your mom ever been in a relationship  
23 with a person named Dallas Norton?

24 A Yes.

25 Q How old were you when your mom was in a relationship with

1 Dallas Norton?

2 A 10 or 11.

3 Q Okay. And do you know, did you -- they first start dating  
4 or how did that work?

5 A They first started dating.

6 Q Okay. At some point, did you guys -- did you move in with  
7 him?

8 A Yes.

9 Q Okay. And where did you first move in with Dallas Norton?

10 A In Norman. It was in a neighborhood.

11 Q And did he have any kids?

12 A Yes.

13 Q How many kids did he have?

14 A Three.

15 Q Okay. Boys or girls?

16 A Two girls and one boy.

17 Q And so when he -- your mom and Dallas Norton started  
18 dating, did you all move in together, you and your brothers,  
19 and Dallas Norton and his kids?

20 A Yes.

21 Q Okay. How was that?

22 A What do you mean?

23 Q Was it a lot of kids in one house?

24 A Yeah.

25 Q And you said you lived in a neighborhood?

1 A Yes.

2 Q Do you remember how big of a house it was?

3 A It had three bedrooms and a garage.

4 Q And did you -- how were the bedrooms set up with the kids?

5 A So the boys' bedroom was on that side (indicating). Girls  
6 was on that side (indicating). And then the hallway was like  
7 right there (indicating). And then the bathroom was just right  
8 there next to the girls' room. And then the parents' room was  
9 by the front door.

10 And then the kitchen was next to the boys' room on that  
11 side (indicating). And then the dining room was next to the  
12 kitchen.

13 Q Next to the kitchen?

14 A Uh-huh.

15 Q I'm going to show you -- if you can look up to this TV  
16 screen up here, State's Exhibit 5. If this is the diagram of  
17 the house -- we've heard it was. Before you came in here, some  
18 people talked about this. If this is the front door down here  
19 (indicating), and this is the hallway (indicating), does that  
20 look like that house that you lived in with your mom and your  
21 brothers and Dallas Norton?

22 A Yes.

23 Q Okay. And we see over here, it says, BJ room. Wasn't  
24 just your room, was it?

25 A No.

1 Q Whose room was it?  
2 A Riley's and Tayra's and mine.  
3 Q Riley and?  
4 A Tayra.  
5 Q Okay. So the girls' room?  
6 A Uh-huh.  
7 Q Is that yes?  
8 A Yes.  
9 Q Across the way here, is this the boys' room?  
10 A Yes.  
11 Q Okay. And then I think you said that the master -- your  
12 mom and Dallas's room was by the front door?  
13 A Yes.  
14 Q Is that kind of what we see here is -- when you come in  
15 the front door?  
16 A Yes.  
17 Q Okay. When you all moved in there -- do you remember the  
18 name of the street?  
19 A Fawn Run.  
20 Q Fawn Run?  
21 A Crossing.  
22 Q Crossing. Do you know what school you went to?  
23 A Eisenhower.  
24 Q Did you go to Eisenhower before you moved into this house?  
25 A Yes.

1 Q What grades did you go to Eisenhower?

2 A First through fifth.

3 Q So all of your elementary school you went through at  
4 Eisenhower?

5 A Yes.

6 Q What grades -- do you know what grades you went to when  
7 you lived in this house?

8 A No.

9 Q Okay. Now, I think you said that you think you were 9 or  
10. Is that what you said? When they got together, your mom  
11 and Dallas. Is that right? Did I get that wrong?

12 A Like 10 or 11.

13 Q 10 or 11. Okay. Thank you. Did you also -- when you  
14 lived in this house on Fawn Run Crossing, did you go to any  
15 other schools?

16 A No.

17 Q So where did you go to sixth grade?

18 A I went for like the first few months in a Yukon school,  
19 and then it was Noble.

20 Q Noble. Okay. So Yukon schools for the first few months  
21 and then Noble. Would that be after you moved out of this  
22 house?

23 A Yes.

24 Q Okay. So at least while you lived in this house, you went  
25 to Eisenhower. But once you moved out, you started different

1 schools?

2 A Yes.

3 Q Now, you would have been finished at Eisenhower anyway  
4 after the fifth grade. Is that right?

5 A Yes.

6 Q Okay. Now, when your mom started dating Dallas Norton,  
7 did you like him?

8 A Yes.

9 Q What about once you guys moved in together? Did you like  
10 him then?

11 A Yes.

12 Q Was he nice to you?

13 A Yes.

14 Q Was he nice to your brother and sister?

15 A Yes.

16 Q What about the other kids, his kids? Can you tell us  
17 their names?

18 A Riley, Tayra, and Austin.

19 Q Okay. I think we talked about Riley and Tayra shared a  
20 room with you. Is that right?

21 A Yes.

22 Q And then Austin, did he share a room with your brothers?

23 A Yes.

24 Q And are Riley and Tayra older than you or younger than  
25 you?

1 A Riley's younger and Tayra is older.

2 Q What are their age differences? Like how much with you?

3 How much older is --

4 A I don't know.

5 Q Okay. Is Tayra a lot older than you?

6 A No.

7 Q And was Riley a lot younger than you?

8 A No.

9 Q Did you go to Eisenhower with them also?

10 A Yes. Not with Tayra.

11 Q Not with Tayra. So she was a little older, be in middle

12 school?

13 A Uh-huh, yes.

14 Q But Riley was at Eisenhower with you?

15 A Yes.

16 Q Okay. Did you do things as a family when you guys lived

17 at this house on Fawn Run Crossing?

18 A Yes.

19 Q So all six kids and your mom and Dallas Norton?

20 A Yes.

21 Q Was that okay with you?

22 A Uh-huh. I mean yes.

23 Q Okay. Now, your dad was in Arizona. But did you still --

24 well, how did you feel about Dallas -- about Dallas Norton?

25 Was he kind of like a stepdad to you or was he like a dad to

1 you? How was it?

2 A Like a dad.

3 Q Like a dad?

4 A Yes.

5 Q Okay. Did all the kids get along?

6 A Yeah.

7 Q I mean, there was probably fighting and times where you  
8 didn't get along, but for the most part, was it okay?

9 A Yes.

10 Q What about your mom and Dallas Norton? Did they get along  
11 all the time?

12 A No.

13 Q Did you hear fighting between them?

14 A Yes.

15 Q Was there a time that they broke up for a little bit?

16 A I think so.

17 Q Okay. Can you tell us about that?

18 A I don't really remember now.

19 Q Okay. Did they stay living in the same house or did they  
20 -- the kids leave and Dallas Norton leave for a while or did  
21 everybody stay together?

22 A I don't remember.

23 Q At some point, do your mom and Dallas Norton get married?

24 A Yes.

25 Q Do you know if that was -- does it feel like that was soon

1 after you moved into that house on Fawn Run Crossing or a long  
2 time or can you tell us?

3 A A long time.

4 Q Okay. And when they got married, did they have a wedding  
5 that you guys all went to?

6 A Yes.

7 Q And how was that?

8 A It was pretty cool.

9 Q Okay. What was cool about it?

10 A Like it was like all white. It was like really fancy.

11 Q Really fancy?

12 A Uh-huh.

13 Q Did you get to be in the wedding?

14 A Yes.

15 Q What did you do in the wedding?

16 A I just walked down.

17 Q Walked down the aisle?

18 A Uh-huh.

19 Q Did you have a dress that you got to wear?

20 A Yes.

21 Q Did it match anybody else's dress or how was it?

22 A I didn't wear a dress. I wore like a shirt.

23 Q A shirt?

24 A Uh-huh.

25 Q Okay. Did -- your brothers, were they in the wedding

1 also?

2 A Yes.

3 Q What about the other kids, Tayra and Riley? Were they in  
4 the wedding also?

5 A Yes.

6 Q Now, during -- living in this house with your mom and  
7 Dallas Norton, did you still continue to go see your dad?

8 A Yes.

9 Q And when would you go see your dad?

10 A Every summer and every other Christmas.

11 Q Okay. So that kept happening when you were living in this  
12 house on Fawn Run?

13 A Yes.

14 Q Now, you said every other Christmas. Why was it that way  
15 or do you know?

16 A I don't know.

17 Q Would you go a different holiday if you didn't go  
18 Christmas?

19 A No.

20 Q Would you ever go out there for Thanksgiving?

21 A No.

22 Q So some Christmases with your mom, some with your dad?

23 A Yes.

24 Q Did your mom or dad ever let you choose whether or not you  
25 wanted to go out there?

1 A Yeah.

2 Q At some point, did you guys -- living in that house, did  
3 you guys, as the kids, have a babysitter named Bailey Ferguson?

4 A Yes.

5 Q And tell me, what did Bailey do there at the house there  
6 for you guys?

7 A She watched Austin.

8 Q Did she watch you guys too?

9 A Sometimes.

10 Q About how old were you, do you think, when that was going  
11 on?

12 A 9 or 10 or 11.

13 Q Because the whole time you lived in this house, the oldest  
14 you would have been is fifth grade?

15 A Yes.

16 Q Do you know -- and I'm not -- you may not know. Do you  
17 know what year your mom and Dallas Norton got married?

18 A No.

19 Q Okay. Do you know if it was in the summertime or  
20 wintertime?

21 A Like in the beginning of summer.

22 Q And we've talked a lot -- I'm sorry. I keep saying Dallas  
23 Norton. Can you tell us, do you see Dallas Norton in the  
24 courtroom today?

25 A Yes.

1 Q Can you please tell us where he's seated and what he's  
2 wearing?

3 A He's right there (indicating). He's wearing a light blue  
4 shirt.

5 MS. AUSTIN: Okay. May the record reflect  
6 identification of the defendant?

7 THE COURT: The record will so reflect.

8 Q (By Ms. Austin) Did you like -- did you like Bailey?

9 A Yes.

10 Q Did -- you said that she was -- mainly was there for  
11 Austin. Why?

12 A Because he got burned.

13 Q Okay. So what did Bailey do?

14 A She watched him do his schoolwork and stuff.

15 Q Did he go to school with you guys?

16 A Like for one year. Like he went to fourth grade.

17 Q Before that, did he go to school or was he homeschooled?

18 A Homeschooled.

19 Q Homeschooled. Did Bailey help him with that?

20 A Yes.

21 Q Did he need special -- kind of special things done to help  
22 him with his injuries?

23 A Yes.

24 Q And would -- who would do that?

25 A My mom and Dallas.

1 Q Did Bailey do that sometimes when she was there with him?

2 A I don't know.

3 Q Were there times that Bailey was there with Austin and you  
4 weren't there?

5 A Yes.

6 Q Did you have more contact with Bailey or would you say  
7 that Austin did?

8 A Austin.

9 Q Now, I know we talked a little bit ago and said that you  
10 liked the defendant, Dallas Norton, and got along with him and  
11 everything. Did you do fun stuff with him?

12 A Yes.

13 Q What kind of things did you do?

14 A We went fishing and went to the park and stuff.

15 Q Went to?

16 A The Park.

17 Q A park? Do you remember going -- did you ever go to the  
18 daddy/daughter dance?

19 A Yes.

20 Q Did you go with Dallas Norton?

21 A I went with my brother. He went with his kids.

22 Q Okay. So you went with your brother. Which brother?

23 A Dylan.

24 Q And then Dallas went with his kids you said?

25 A Yes.

1 Q But you all kind of went together as a group?

2 A Yeah.

3 Q Were you okay with that?

4 A Yes.

5 Q At some point, did your feelings towards the defendant  
6 change a little bit?

7 A Yes.

8 Q Okay. Was it something that happened or just over time or  
9 what was it?

10 A Something that happened.

11 Q Okay. Do you know how old you were when something  
12 happened?

13 A Like 10 or 11.

14 Q Where did you live when something happened?

15 A Fawn Run Crossing.

16 Q Okay. So this house that's up here (indicating)?

17 A Yes.

18 Q And do you know, was it -- well, can you give us a time of  
19 when it happened? Do you know?

20 A No.

21 Q Would you know if it was before or after your mom and the  
22 defendant got married?

23 A Before.

24 Q Before. And when this happened, was this the first time  
25 that something had happened with the defendant to make you not

1 like him?

2 A Yes.

3 Q Now, after -- we're going to talk in a minute about what  
4 happened. But did you -- you didn't like him afterwards, but  
5 did you -- did you hate him?

6 A No.

7 Q And why not?

8 A Because I didn't really know, like, what actually happened  
9 and stuff. Like that feeling.

10 Q Okay. Confusing?

11 A Uh-huh.

12 Q Did you try to -- were you not nice to him or did you act  
13 differently towards him?

14 A No.

15 Q Why not?

16 A Because I was scared and I didn't know anything.

17 Q Can you tell us what is the first thing that happened that  
18 caused you to not like Dallas Norton anymore?

19 A He touched me.

20 Q Where were you when he touched you?

21 A In his bedroom on the bed.

22 Q Okay. So his bedroom. Is that also the bedroom that your  
23 mom -- your mom and his bedroom?

24 A Yes.

25 Q And where was -- well, where was everyone else when this

1       happened?

2       A      Connor and Austin and Dylan were in the living room. I  
3       don't remember where Tayra and Riley were, and my mom was at a  
4       concert.

5       Q      Your mom was what?

6       A      At a concert.

7       Q      And I'm not -- you're cutting out a little bit with your  
8       voice, I'm sorry. You're a little hoarse it sounds like.  
9       Okay. So you said she was at a concert?

10      A      Yes.

11      Q      So did your mom sometimes go do things or have to be  
12     somewhere and you were home alone with all the kids and Dallas  
13     Norton?

14      A      Yes.

15      Q      Did that ever -- had that ever bothered you before if you  
16     had to do that?

17      A      No.

18      Q      Did your mom work quite a bit?

19      A      Yes.

20      Q      And sometimes did Dallas Norton watch you while she was at  
21     work?

22      A      Yes.

23      Q      Now, you said this happened on his bed in that -- in the  
24     master bedroom that we can see there?

25      A      Yes.

1 Q Okay. What were you doing in there?

2 A I was just going to lay down with him, I think, like  
3 cuddle.

4 Q Going to go lay down with him and cuddle?

5 A Yes.

6 Q Is that something that you had done before?

7 A Yes.

8 Q And had it ever been a problem before?

9 A No.

10 Q Would you say you had done that one time or more than one  
11 time before?

12 A More than once.

13 Q Would you be the only one that would cuddle with him or  
14 would the other kids cuddle with him also?

15 A Other kids.

16 Q Some of the other kids in the house?

17 A Yes.

18 Q And when you went in there to cuddle, you said -- who was  
19 in the living room?

20 A Austin, Connor, and Dylan.

21 Q And then I think you said you didn't know where Tayra and  
22 Riley were?

23 A Yeah.

24 Q Do you know if they were home?

25 A No.

1 Q Okay. But you know Austin, Connor, and Dylan were in the  
2 living room?

3 A Yes.

4 Q What were they doing in the living room?

5 A Connor and Austin were building a fort, and Dylan was  
6 sitting there watching them.

7 Q Was the TV on or anything like that?

8 A I don't remember.

9 Q Okay. So they were building a fort. What were they  
10 building a fort out of?

11 A Like sticks and like little ball things. Sticks and  
12 little balls.

13 Q Little ball things?

14 A Uh-huh.

15 Q Was it like a set to build a fort or something they  
16 brought in?

17 A Like a set.

18 Q A set. And did you -- were you helping them first before  
19 you went into the bedroom or how was that?

20 A I don't remember.

21 Q Okay. And so you went in the bedroom to cuddle with the  
22 defendant. Did you get on the bed with him?

23 A Yes.

24 Q And is there -- in this master bedroom, is there a TV in  
25 that master bedroom?

1 A Yes.

2 Q Was it on?

3 A I don't know.

4 Q Okay. Was it like nighttime or he would already be  
5 asleep?

6 A Nighttime.

7 Q Okay. Was everyone else asleep in the house, you think?  
8 Or was the defendant already asleep when you went in there?

9 A No.

10 Q So this master bedroom that we see here, where was the bed  
11 in this room?

12 A It was like on the other side of the door.

13 Q Okay. So this is the door here (indicating), and it looks  
14 like this is the door to the bathroom. Is that right?

15 A Yes.

16 Q So was the bed on this wall (indicating) or this wall  
17 (indicating)?

18 A The first one.

19 Q Okay. So this wall (indicating), like across from this  
20 door (indicating)?

21 A Yes.

22 Q And was there a TV in the room?

23 A Yes.

24 Q Where was the TV?

25 A Next to the door.

1 Q This door (indicating)?

2 A Yes.

3 Q So was it to the left of it or -- well, in this picture,  
4 was it closer to the front of the house or closer to the living  
5 room?

6 A Front of the house.

7 Q So over on this (indicating). Was it sitting on something  
8 or on the wall?

9 A On the wall.

10 Q So the bed is across over here (indicating), and there's a  
11 TV over there (indicating)?

12 A Yes.

13 Q When you went into the bedroom, what did you do?

14 A I laid down.

15 Q And what was the defendant doing when you got in there?

16 A Laying there.

17 Q And then what happened?

18 A He -- we -- I think we covered up. And then my head was  
19 like on -- like away from the pillows and his head was like on  
20 the pillows. And then whenever we were getting ready to like  
21 go to sleep, I switched my head back to the pillows. And then  
22 he started bringing his thigh up -- his hand up to my thigh.

23 Q Okay. So you said first you were away from the pillows?

24 A Yes.

25 Q So were you doing something when you were away from the

1 pillows?

2 A I was watching TV.

3 Q Okay. So were you -- what part of your body was lying on  
4 the bed?

5 A My stomach.

6 Q Okay. So you're lying on your stomach watching the bed --  
7 watching the TV across the room?

8 A Yes.

9 Q Okay. And you're on your stomach you said?

10 A Uh-huh, yes.

11 Q And then you said at some point, you move. I guess you  
12 said when it was time to do what?

13 A Go to sleep.

14 Q Go to sleep. So were you going to sleep in there?

15 A Yes.

16 Q Or at least -- I mean, have you ever fallen asleep in  
17 there before or this was the first time or how was it?

18 A I have. I've slept in there before.

19 Q If you fall asleep in there, do you stay sleeping in there  
20 all night or does someone move you during the night or do you  
21 know?

22 A I don't know.

23 Q So you move because it's time to go to sleep. How do you  
24 move?

25 A I get on my side of the bed, like closer to the bathroom.

1 Q Okay. Your mom's side of the bed?

2 A Yes.

3 Q And do you get on the pillow?

4 A Yes.

5 Q Okay. With your head, I'm sorry.

6 A Yes.

7 Q Put your head on the pillow?

8 A Yeah.

9 Q And I think you said that he started touching you, your

10 thigh?

11 A Yes.

12 Q What was he touching your thigh with?

13 A His hand.

14 Q Okay. Are you under covers or on top of covers?

15 A I think on top.

16 Q Okay. And how was he?

17 A I don't remember.

18 Q And so can you tell us what happens when he starts --

19 THE COURT: Can you repeat that answer?

20 THE WITNESS: I don't remember.

21 Q (By Ms. Austin) What happens when he starts touching your

22 thigh?

23 A He starts moving it up.

24 Q Moving what up?

25 A His hand.

1 Q Okay. And moving it up what?

2 A My thigh.

3 Q Okay. And then what happens?

4 A He touches my butt under my shorts and panties. And then  
5 he moves his hand to my vagina.

6 Q Okay. Are you laying -- what part of your body is  
7 touching the bed?

8 A I don't remember.

9 Q Okay.

10 A I think my back.

11 Q Your back. And are you laying like facing the ceiling or  
12 are you facing one way or the other? How are you?

13 A I don't remember.

14 Q Okay. How was he?

15 A On his back.

16 Q Okay. And so you said that he first touched your -- I  
17 think you said your butt under your underwear?

18 A Yes.

19 Q And shorts? Did you say shorts?

20 A Yes.

21 Q What did you have on?

22 A I had shorts and a shirt on.

23 Q Shorts and a shirt. Now, do you know if it was pajamas or  
24 was it just shorts and a shirt?

25 A Just shorts and a shirt.

1 Q Okay. And when you are in this bedroom, if you -- are  
2 people in the living room? Can they see in that room or do  
3 they have to walk down a hall?

4 A They have to walk in the hall.

5 Q Can you hear the kids out there in the bedroom when this  
6 is happening?

7 A I don't remember.

8 Q Okay. I'm going to show you State's Exhibit No. 1. If  
9 you'll look up there. This is -- what is this that we're  
10 looking at?

11 A Living room hallway.

12 Q Hallway. Can we see the master bedroom door in this  
13 picture?

14 A No.

15 Q Where is it?

16 A It's behind the camera.

17 Q Okay. Behind the camera. So a little further down here  
18 (indicating) off the picture?

19 A Yes.

20 Q Over on the left or right?

21 A The right.

22 Q Right. So this is the hallway that you would have to walk  
23 down to get into the living room?

24 A Yes.

25 Q So if you're in this room, you can't see -- no one can see

1 into this door unless they're in this hallway?

2 A Yes.

3 Q Okay. Did you ever hear anyone come down the hallway when  
4 this was going on?

5 A No.

6 Q Now, you said that he touched your butt under your  
7 underwear. Is that right?

8 A Yes.

9 Q What was his hand doing?

10 A It was like staying still but moving up. It was like that  
11 (indicating).

12 Q Okay. You said staying still but moving up, and you're  
13 kind of indicating. So hand moving forward?

14 A Yes.

15 Q Was he saying anything to you when that happened?

16 A No.

17 Q And then you said what after that, after his hand was on  
18 your butt?

19 A He moved it to my vagina.

20 Q Okay. And how did he move it to your vagina?

21 A He like -- he moved his hand backwards a little bit and  
22 then like went up.

23 Q Okay.

24 A He went like -- like away from my butt like that way  
25 (indicating) and like (indicating) like to the front.

1 Q Okay. Like over your body?

2 A Yes.

3 Q Okay. Did he completely remove his hand from your butt  
4 and then put it on your vagina, or did it go across your body?

5 A It went across.

6 Q Okay. Is that what you're trying to say? I'm sorry. I  
7 don't want to put words in your mouth.

8 A Yes.

9 Q So you had underwear on. Was this hand moving -- did his  
10 hand move under your underwear around your body or over?

11 A Under.

12 Q And then what happened?

13 A Then he started touching my vagina and like moving his  
14 fingers back and forth.

15 Q Okay. And how were you laying at the time?

16 A I think on my back.

17 Q Okay. And did you say anything?

18 A No.

19 Q Did he say anything?

20 A Yes.

21 Q What did he say?

22 A He said, It will be okay.

23 Q Did you try to move or do anything while that was starting  
24 to happen?

25 A Yes.

1 Q What happened?

2 A I moved over to my side.

3 Q Okay. And before or after he touched your vagina or  
4 during?

5 A During.

6 Q And then what happened when you moved to your side?

7 A Then he -- he moved his hand and then he grabbed my hand  
8 and made me touch his penis with it.

9 Q I'm going to go back for just a second. When you said  
10 that he had you -- he was touching your vagina, and I think you  
11 said he was moving his fingers?

12 A Yes.

13 Q So was it more than one finger?

14 A Yes.

15 Q How many fingers was it?

16 A Two.

17 Q And how do you know that?

18 A I think it was two.

19 Q And why do you think it was two?

20 A Because I didn't feel one at all. I felt like -- it was  
21 like wide.

22 Q Okay. And so it was like wide and it felt like -- and  
23 you're indicating two fingers?

24 A Yeah.

25 Q And what did his fingers do?

1 A They started moving back and forth.  
2 Q Okay. On what part of your body?  
3 A My vagina.  
4 Q And was it on the outside of your vagina or the inside of  
5 your vagina?  
6 A I think the inside.  
7 Q Okay. Did you feel his fingers go inside your vagina?  
8 A I don't remember.  
9 Q Okay. How did it feel?  
10 A Weird.  
11 Q And you said this was before your mom and Dallas Norton  
12 got married?  
13 A Yes.  
14 Q And so you still think -- do you still think you were  
15 around 10 years old when this happened? 10 or 11?  
16 A Yes.  
17 Q Okay. And so did you understand what was happening or  
18 what was going on through your mind?  
19 A I didn't really understand.  
20 Q Okay. What were you thinking?  
21 A I don't know.  
22 Q And when this -- how long did this go on that he was  
23 touching your vagina with his fingers?  
24 A Like a few seconds.  
25 Q Okay. And then you did what?

1 A I moved over to my side.

2 Q Okay. Moved to your side?

3 A Yeah, like facing the back door.

4 Q Okay. So turned towards where you could see the bathroom  
5 door?

6 A Yes.

7 Q So what part of your body would be facing him?

8 A My back.

9 Q Your back, okay. And then what happened?

10 A Then he grabbed my hand, and then he touched his penis  
11 with it.

12 Q And where was he in relationship to you? Like where were  
13 you and where was he? Like could you see him or was he in  
14 front of you? Behind?

15 A Behind me.

16 Q Behind you. And you said he grabbed your hand. How did  
17 he grab your hand?

18 A By my wrist.

19 Q Okay. And you said that he -- I think you said he put it  
20 on his penis?

21 A Yes.

22 Q Could you see that?

23 A Yes.

24 Q Okay. Did you -- how did you see that if you were facing  
25 the bathroom?

1 A I turned away so he could grab my hand. I turned on my  
2 back.

3 Q You turned on your back?

4 A Yes.

5 Q And so when you turned on your back, what did you see when  
6 he was doing this?

7 A I saw his penis up.

8 Q And what do you mean by that?

9 A Like it was just straight up.

10 Q And did he have on underwear?

11 A Yes.

12 Q And so tell us what you saw with his underwear on.

13 A I saw his penis up. And he put my hand on it.

14 Q And was his penis still inside his underwear?

15 A Yes.

16 Q Okay. And then when he took your hand, what did he do  
17 with it?

18 A He made me grab his penis.

19 Q So can you show us how -- like how he did that with your  
20 hand?

21 A It was like that (indicating), but -- and he squeezed it.

22 Q Okay. So you had -- so you showed your hand and then his  
23 hand on the back of your hand?

24 A Yes.

25 Q So what --

1 A His hand was like that (indicating), and like did that  
2 (indicating).

3 Q Okay. Kind of curled your hand?

4 A Yes.

5 Q So what part of your hand had to touch his penis?

6 A My palm.

7 Q Your palm. And so when he curled it around, did you feel  
8 it underneath your hand?

9 A Yes.

10 Q Okay. And then what happened?

11 A Then I took my hand away and I went to the main bathroom  
12 and -- seeing if anything was wrong. And then I went to my  
13 bedroom.

14 Q Okay. You said you took your hand away. Did you -- when  
15 you took your hand away, did he say anything?

16 A I don't remember.

17 Q And did you say anything?

18 A No.

19 Q Did you -- you said you went to the main bathroom. So you  
20 got up from the bed and left?

21 A Yes.

22 Q Did he say anything to you when you left the room?

23 A No.

24 Q Did he follow you?

25 A No.

1 Q And where did you go to?

2 A The main bathroom. And then out to my bedroom.

3 Q Okay. So the one that's marked main bathroom there,  
4 that's where you went?

5 A Yes.

6 Q What did you go in there for?

7 A To see if anything was like wrong with my vagina.

8 Q And why would you go in there to see if there was anything  
9 wrong with your vagina?

10 A Because he touched it. And I didn't know if anything like  
11 moved around because --

12 Q You didn't know what? I'm sorry.

13 A If anything like moved around.

14 Q Okay. Did it hurt?

15 A I don't remember.

16 Q I mean, you went to look at it. Did you go look at it  
17 because it was -- because you thought you needed to or --

18 A Because I needed to, I felt like.

19 Q Okay. And when you went into the bathroom, did you look  
20 at your vagina?

21 A Yes.

22 Q Was there anything wrong with it?

23 A No.

24 Q Okay. When you went through the living room to go to the  
25 main bathroom -- because you would have had to walk through

1 there, right?

2 A Yes.

3 Q Down this hall (indicating), kind of by the living room  
4 and to the bathroom. Did the boys say anything to you?

5 A I don't remember.

6 Q Okay. Did you say anything to them?

7 A No.

8 Q Okay. Do you think you went there slowly or quickly or do  
9 you remember?

10 A I don't remember.

11 Q Okay. And did -- when you got to the bathroom, did you  
12 stay in there very long, or what did you do?

13 A I don't remember.

14 Q And then do you stay in the bathroom all night or what  
15 happens?

16 A No. I went to my bedroom.

17 Q Okay. And what did you do once you got to your bedroom?

18 A I laid down on my bed.

19 Q Did you say anything to anyone about what had happened?

20 A No.

21 Q Why not?

22 A Because I was scared.

23 Q And what were you scared of?

24 A Of him.

25 Q Okay. Had he ever done anything to hurt you before?

1 A No.

2 Q And so did you say anything to your mom?

3 A No.

4 Q Why didn't you say anything to your mom?

5 A They were happy and I was scared.

6 Q Did you feel like your mom was a person you could talk to?

7 A Not really.

8 Q Okay. Why not?

9 A Don't really know.

10 Q Okay. But you said you thought she was happy?

11 A Yes.

12 Q And if you told her this, what did you think would happen?

13 A That she would be mad at me.

14 Q Okay. And did you the next -- I mean, the next day, you

15 obviously still had to see the defendant. Is that right?

16 A Yes.

17 Q Did you say anything to him about what had happened?

18 A No.

19 Q Did he say anything to you?

20 A No.

21 Q How did he act towards you?

22 A The same.

23 Q Okay. Did it seem like anything had happened at all?

24 A No.

25 Q Okay. And so did you -- you obviously continued to see

1 him every day?

2 A Yes.

3 Q And did anything like that happen again?

4 A He tried to touch me again.

5 Q Okay. And tell us about that.

6 A So the first time, it was he tried to touch my boobs.

7 Because he picked me up from school, and then we were like  
8 wrestling, because we always did that, and then he unhooked my  
9 bra and, like, moved his hands to my boobs. Like it was on the  
10 side, but it wouldn't touch them. So I got up and zipped my --  
11 and like put my bra back, and then we left to go to Wal-Mart.

12 Q Okay. So he picked you up from school?

13 A Yes.

14 Q Did he just pick you up or did he pick other kids up too?

15 A Just me.

16 Q Okay. Was that something that happened quite often?

17 A Yes.

18 Q Okay. And when he picked you up from school, you went to  
19 the house?

20 A Yes.

21 Q Was anybody else at the house?

22 A No.

23 Q And what were you guys doing there?

24 A We just went there for like a few minutes, and then we  
25 like -- I don't really remember what we were doing, but I think

1 we just went there for a few minutes to like put my stuff up.

2 Q And you said that you were wrestling?

3 A Yes.

4 Q Is that something that you guys did?

5 A Yes.

6 Q Okay. Was that something you were okay with happening?

7 A Yes.

8 Q Was this before or after the time that he touched you in  
9 the bedroom?

10 A After.

11 Q Okay. And so were you still okay with wrestling him after  
12 that?

13 A Yes.

14 Q And you said that -- wrestling. Like, what do you mean by  
15 that, wrestling?

16 A Like play fighting.

17 Q Play fighting?

18 A Yes.

19 Q Would you be standing, sitting, how would you be?

20 A Standing. He was on his knees and I was standing.

21 Q Okay. And so what were you doing?

22 A I was trying to pin him down.

23 Q And is that something that you guys had done before?

24 A Yes.

25 Q And is that something that you enjoyed doing with him?

1 A Yes.

2 Q And you said that he unhooked your bra. How did he unhook  
3 your bra?

4 A From the back. He was just like moved his hands back to  
5 like where my bra hooked, and then he just unhooked it.

6 Q Okay. And so when he unhooked it, what happened?

7 A He moved his hands from my back to my boobs, like the side  
8 of them.

9 Q The side of your boobs?

10 A Yes.

11 Q Okay. And so all the way around to the front or just like  
12 the sides of your body?

13 A Just like the sides.

14 Q And what did he do on the sides of your body?

15 A He just moved them. I don't really remember.

16 Q And did you stay still for very long or what happened?

17 A I moved as soon as he did it.

18 Q You what?

19 A I moved and like hooked my bra back.

20 Q I'm sorry. Can you repeat that?

21 A I moved like off of him, and I put my bra back.

22 Q Okay. And so you moved off of him. Were you on him?

23 A Yes.

24 Q Okay. How were you on him?

25 A His -- I put my hand on his arms to like hold him down.

1 And then my legs were like across him, like on his stomach.  
2 Q And so had you pinned him down at this point?  
3 A Yes.  
4 Q And so is he reaching up to you?  
5 A Yes.  
6 Q And then you said that you moved off -- you said off of  
7 him?  
8 A Yes.  
9 Q And then you did what?  
10 A I hooked my bra back, and then we went to Wal-Mart.  
11 Q Did you guys talk about that or did you say anything?  
12 A No.  
13 Q Did he say anything when he unhooked your bra?  
14 A No.  
15 Q Like it was a joke or it was some playful thing?  
16 A No.  
17 Q Was that something he had ever done before, was unhook  
18 your bra?  
19 A No.  
20 Q And then you said you went to Wal-Mart?  
21 A Yes.  
22 Q What were you going to Wal-Mart for?  
23 A I don't remember.  
24 Q Were there -- you said there was other times he tried to  
25 touch you. Was there another time he tried to touch you?

1 A Yes.

2 Q Tell us about that.

3 A My mom was cooking in the kitchen and me, Riley, and him  
4 were sitting on the small couch. And we were covered with a  
5 blanket. I was wearing shorts. I think I was wearing shorts.  
6 And then he moved his hand and tried to touch my vagina.

7 Q And so you, Riley, and Dallas Norton are all on the couch?

8 A Yes.

9 Q And is this in the living room?

10 A Yes.

11 Q Okay. I'm going to show you -- and this is not the best  
12 picture, and I apologize -- State's Exhibit No. 2. Is this a  
13 picture of the living room?

14 A Yes, with the small couch. The recliner wasn't there  
15 anymore, but the small couch was like where the recliner is and  
16 then the big couch was on the window.

17 Q Was on the window? Okay. So the furniture was different,  
18 but it was -- was arranged differently, but was it these same  
19 two couches?

20 A Yes.

21 Q Was that a couch over there --

22 A Yes.

23 Q -- that someone's sitting on?

24 A Yes.

25 Q Okay. So it was in this living room in here (indicating)?

1 A Yes.

2 Q Okay. And your mom was where?

3 A Cooking in the kitchen.

4 Q And is that over here (indicating) around this corner?

5 A Yes.

6 Q Can you see into here (indicating)?

7 A Into the dining room?

8 Q I'm sorry. I'm going to use this picture here. If you're  
9 in the kitchen right here (indicating), can you see into the  
10 living room?

11 A A little bit.

12 Q And which wall -- in here on the kitchen, which wall is  
13 the stove on, like where you cook?

14 A The one closest to the boys' room.

15 Q Okay. This wall right here (indicating)?

16 A Yes.

17 Q Okay. Now, you said that you were on the couch with you,  
18 Riley, and Dallas Norton. How were you sitting on the couch?

19 A Riley was on the left side. Dallas was on the right side.  
20 I was in the middle.

21 Q So Riley on the left, Dallas on the right, and you in the  
22 middle?

23 A Uh-huh.

24 Q Is that yes?

25 A Yes.

1 Q And there's a blanket. Do you have the blanket over you?

2 A Yes.

3 Q Just you?

4 A No, all of us.

5 Q All three. And are you guys -- what are you guys doing?

6 A We're just sitting, watching TV.

7 Q And so when you said he tries to touch your vagina, is it

8 over the blanket or under the blanket?

9 A Under.

10 Q And what does he do?

11 A He moves his hand.

12 Q And how does he move his hand?

13 A Just straight forward.

14 Q Does he touch a part of your body?

15 A Yes.

16 Q What part of your body?

17 A My thigh.

18 Q And does he end up touching your vagina?

19 A I don't remember.

20 Q What did you do?

21 A I got off the couch after it.

22 Q Did it go on for a long time or a short time or how was

23 it?

24 A Short time.

25 Q And you say you got off the couch after. Did you get off

1 to -- after it was all over or to make it stop or how?

2 A To make it stop.

3 Q Okay. Did he say anything to you?

4 A No.

5 Q Where did you go?

6 A To the kitchen with my mom.

7 Q Did you say anything to your mom?

8 A No.

9 Q Okay. Was this after the time that it happened in the  
10 bedroom?

11 A Yes.

12 Q Okay. Was there another time that he tried to touch you?

13 A I don't know. I don't think so.

14 Q Okay. Now, was there -- I'm sorry. Did Riley say  
15 anything or see anything when that was happening on the couch?

16 A I don't know.

17 Q Okay. And she was to your left. Is that right? You said  
18 she was on the left side.

19 A She was to my right side.

20 Q Okay.

21 A Like -- so she was --

22 Q So if you're standing in front of the couch looking at the  
23 couch, is Riley sitting on the left or the right?

24 A Left.

25 Q Okay. And then he was sitting on the right side?

1 A Yes.

2 Q Okay. So you were in between the two?

3 A Yes.

4 Q Did you say anything when that was happening?

5 A No.

6 Q Did he say anything when that was happening?

7 A No.

8 Q Now, I know these things had happened. Do you know  
9 whether they happened like right after each other or if there  
10 was a time spacing them out?

11 A Time spacing them.

12 Q Time spacing them out?

13 A Out, yes.

14 Q Okay. And during that time, I mean, did you not -- I know  
15 you said that you didn't like him as much as you did before.  
16 Did you hate him during this time?

17 A No.

18 Q Okay. And what about -- I mean, was he still nice to you  
19 other than these things going on?

20 A Yes.

21 Q Did he buy you things?

22 A Yes.

23 Q Did he buy you things -- did he buy all the kids things?

24 A Yes.

25 Q Did he buy you more than the others?

1 A I don't think so.

2 Q Okay. So treated you fairly with, like, the other kids  
3 when it came to buying things?

4 A Yes.

5 Q Okay. So I want to talk to you about after your fifth  
6 grade year and you're getting ready to go to visitation with  
7 your dad for that last time that you were living in this house.  
8 How are things before you leave for Arizona between your mom  
9 and Dallas Norton?

10 A They were fighting a little bit.

11 Q I'm sorry?

12 A They were fighting a little bit.

13 Q They were fighting a little bit. Was that anything  
14 different?

15 A No.

16 Q Did you think that they were getting ready to break up or  
17 anything like that?

18 A No.

19 Q Okay. And so when you leave for Arizona that summer, do  
20 you think that -- I mean, you're going to Arizona for the  
21 summer and you're going to come back and everything is going to  
22 be the same way it's been?

23 A Yes.

24 Q Okay. And you go to your dad's that summer. Did you want  
25 to stay in Arizona instead of coming back?

1 A Yes.

2 Q Why was that?

3 A Because I was scared of him.

4 Q Okay. And why were you scared of him?

5 A Because I was afraid he was going to hurt me.

6 Q Okay. Now, he never said he was going to hurt you, right?

7 A No.

8 Q Had he ever done anything like hit you or anything like  
9 that?

10 A No.

11 Q Okay. And then so were you scared of what? I mean, if  
12 you can explain it. I know it's hard to explain, but can you  
13 explain it?

14 A I was scared of him touching me again and then like hurt  
15 my mom and me or my brothers.

16 Q But you had never seen him do anything. But he had done  
17 these other things to you. Is that right?

18 A Yes.

19 Q Had you said anything to your dad in Arizona there that  
20 you wanted to stay?

21 A Yes.

22 Q Now, had you said things to your dad before other times  
23 that you'd gone there that you wanted to stay also?

24 A No.

25 Q Okay. Did -- sometimes did you not want to go to Arizona

1 and see your dad and stay?

2 A Sometimes.

3 Q Okay. It's hard to pick up your life and move for several  
4 months, isn't it, as a kid?

5 A Yes.

6 Q Leave all your toys and your friends and everything?

7 A Yeah.

8 Q Okay. But you didn't necessarily like living with your  
9 stepsister though, did you?

10 A No.

11 Q One day, while you're there in Arizona, does your mom --  
12 I'm sorry, your dad and your stepmom, Caitlin, take you out on  
13 the porch and talk to you?

14 A Yes.

15 Q Did you have any idea what they were going to talk to you  
16 about?

17 A No.

18 Q Tell us what happened.

19 A So we -- I just got out of the pool because I hurt myself  
20 on the filter thing. And then I went inside. I was about to  
21 go take a shower, and then they came to me and I think it was  
22 -- no, it was after my shower and I cleaned up my scratch  
23 thing.

24 And then after that, they went and -- they took me to  
25 the porch and asked me, Has Dallas or anybody ever done

1 anything to you like touch you or anything. And then I started  
2 crying and I said, Yes.

3 Q Okay. So did you know they were going to ask you that?

4 A No.

5 Q Okay. Had you ever had any discussions with your dad or  
6 your stepmom about Dallas or anyone touching you?

7 A No.

8 Q Had you ever told them that you didn't like Dallas?

9 A No.

10 Q Okay. So when they asked you, do they ask you, Has Dallas  
11 touched you or has anyone touched you?

12 A They kind of asked both.

13 Q Okay. And what did you tell them?

14 A I said, Yes. And then I cried for a minute. And then --  
15 then I told them.

16 Q Okay. And did you tell them --

17 A I didn't tell them all the details, but I told them like  
18 where and like kind of how.

19 Q So did you say you didn't tell them all the details?

20 A No, I didn't.

21 Q Okay. Just where and how?

22 A Yes.

23 Q And did -- did you tell them -- like all the things we've  
24 talked about today that happened, you didn't tell them all  
25 those things?

1 A No.

2 Q Have you ever told them all those things?

3 A I told my stepmom most of them.

4 Q Okay. What about your dad?

5 A No.

6 Q And when you told them, how did your dad react?

7 A He really didn't react that much. He just said, It's  
8 okay. And then we went inside and then this police officer  
9 outside -- so then my dad and my stepmom went to ask him what  
10 to do, like since they didn't really know. So he asked what to  
11 do if anything like that ever happened.

12 Q And do you know if they called the police?

13 A No.

14 Q Okay. So at some point, though, do you continue to talk  
15 with your stepmom, Caitlin, about what's happened to you?

16 A Yes.

17 Q Do you talk to her like a lot or just kind of -- how is  
18 it?

19 A Bits and pieces.

20 Q And why is it bits and pieces?

21 A Because I didn't really want to talk about it and I really  
22 didn't remember.

23 Q Now, you had left for Arizona in like summertime, like  
24 right after school was out. Is that usually how it happens?

25 A Yes.

1 Q Did it happen the same way that year?

2 A No. It happened like after the wedding.

3 Q Okay. And then if the wedding was the year before that  
4 you told them, because that was in 2018, but you told your dad  
5 and Caitlin in 2019, do you remember if you left right after  
6 school or not?

7 A I left right after school. Because my dad -- his dad  
8 died. We had to go to his funeral and stuff.

9 Q Okay. And would that have been you finishing school at  
10 Eisenhower forever because it was at the end of fifth grade?  
11 Right?

12 A Yes.

13 Q Okay. So did you stay through the end of the school year  
14 at Eisenhower, or did you leave early?

15 A I left early.

16 Q Okay. And when -- and so when you were out there staying  
17 with them, you didn't know if you were going -- you assumed you  
18 were going back home at the end of the summer. Is that right?

19 A Yes.

20 Q Okay. Now, when you left at the end of the school year,  
21 had it been a long time or a short time since something like  
22 these things had happened with Dallas before you left?

23 A A long time.

24 Q Okay. Did they -- these things that you talked about  
25 happening, did they -- you said they were spaced out. Were

1       they spaced out over a long time or months, days, weeks, or do  
2       you know?

3       A      Months.

4       Q      Okay. And then after -- which one was the last thing to  
5       happen?

6       A      Huh?

7       Q      Which -- the last thing -- we've talked about in the  
8       bedroom, on the couch, and the wrestling bra hooking thing.  
9       Which one was the last thing to happen of those three things?

10      A     He tried to -- on the couch.

11      Q     So was that the last thing he tried to do to you?

12      A     Yes.

13      Q     And was that a long time before you left for Arizona or a  
14       short time?

15      A     I don't remember.

16      Q     Okay. Was it like the week before you left?

17      A     No.

18      Q     Okay. But like right before, like enough that you  
19       remembered it really well when you went to Arizona or had it  
20       been a while?

21      A     A little bit longer.

22      Q     Okay. Now, after you told your dad, did you come home  
23       from Arizona early?

24      A     I don't remember.

25      Q     Did you have to come back here to Oklahoma and go and talk

1 to somebody at a little blue house?

2 A Yes.

3 Q Or big blue house, I guess.

4 A Yes.

5 Q Okay. And was that like at the end of the summer, or do  
6 you remember?

7 A Don't remember.

8 Q Okay. Do you know how you got back from Arizona that  
9 year?

10 A No.

11 Q Okay. Did you usually have your mom or dad drive you the  
12 whole way or halfway or how was it?

13 A Halfway.

14 Q So when you came back here to Oklahoma, did you have to go  
15 and talk to somebody about what happened --

16 A Yes.

17 Q -- at that house, the blue house?

18 And when you went there, did anyone tell you kind of  
19 what you were going there for?

20 A No.

21 Q What did you think it was?

22 A I don't really know.

23 Q Did you know that you were going to go talk about what had  
24 happened to you?

25 A No.

1 Q And so did anybody tell you what to say when you went  
2 there?

3 A No.

4 Q When you got home to Oklahoma, before you went to that  
5 house, did you see your mom?

6 A Yes.

7 Q Did you talk to your mom about what you had told your dad  
8 and Caitlin?

9 A No, because she doesn't want to hear it.

10 Q What do you mean by that?

11 A Like she just doesn't want to know everything.

12 Q Doesn't want to know anything -- did she tell you that she  
13 doesn't want to know anything or what -- kind of --

14 A I hear her saying that she doesn't want to know anything.

15 Q Okay. You hear her saying that?

16 A Yeah.

17 Q What has she said to you about it?

18 A Nothing.

19 Q Did she ask you what happened?

20 A No.

21 Q Did you try to tell her what happened?

22 A A few times, but she just tried to stop me.

23 Q Okay. And did she say anything when she tried to stop  
24 you?

25 A No.

1 Q Okay. How does that make you feel?

2 A Okay, because I understand.

3 Q Okay. What do you mean by that?

4 A I understand now. I wasn't able to understand like  
5 before, but I understand now.

6 Q Okay. And tell us what you mean by you understand?

7 A Like I understand why she doesn't want to know anything.  
8 Because I hear a lot of things.

9 Q Okay. And what do you mean by that?

10 A Like I watch YouTube videos and like movies of like moms  
11 and stuff that it happened to their daughter and they went  
12 missing and stuff. And like I know -- I understand because  
13 I've heard like their feelings on it. So I guess it's kind of  
14 like the same thing with my mom.

15 Q So she doesn't want to know because it hurts her?

16 A Yes.

17 Q Okay. Is that what you're trying to say is from what you  
18 gather --

19 A Yeah.

20 Q -- not because she didn't care? I mean, is that what  
21 you're trying to say?

22 A Yeah.

23 Q I just want to make sure that that's what you're saying,  
24 or is there something different?

25 A Huh-uh.

1 Q Did that -- when you were younger, when this first  
2 happened and you told, did that hurt your feelings that your  
3 mom didn't want to know?

4 A No.

5 Q Okay. Now, when you went to this interview, did  
6 you -- do you remember talking to a lady in that room about  
7 what happened to you?

8 A Yes.

9 Q Did you tell her the truth at that interview?

10 A Yes.

11 Q Okay. And to the best of everything that you remembered?

12 A Yes.

13 Q Okay. And were you able to explain to her how it felt and  
14 what went on when these things happened to you?

15 A A little bit.

16 Q Okay. And why just a little bit?

17 A Because I didn't really want to talk about it.

18 Q And but did you try to tell her to the best of your -- of  
19 being able to understand and explain?

20 A Yes.

21 Q Okay. When you went to this interview in July of 2019,  
22 you would have been 11 years old during that interview. Was it  
23 hard for your 11-year-old self to explain these things to a  
24 stranger?

25 A Yes.

1 Q After the interview, did you talk to your mom about it?

2 A No.

3 Q Was there -- well, who was in the room during the  
4 interview with this woman?

5 A Just me and the woman.

6 Q Okay. Did you -- after the interview, did you end up  
7 going to counseling for all of this?

8 A Yes.

9 Q And how long did you go to counseling?

10 A A year.

11 Q Okay. And where did you go, if you know?

12 A Bethesda.

13 Q And Bethesda, was that a counseling for just all kinds of  
14 things or was it very specific counseling?

15 A I think it was specific.

16 Q Okay. Specific for what?

17 A For the things that Dallas did to me.

18 Q Okay. And were you able to talk there about what -- well,  
19 what did you talk about there?

20 A We just talked about how to deal with it.

21 Q And did you go to counseling there at Bethesda by yourself  
22 or in groups with other people?

23 A Groups.

24 Q Did you ever do individual?

25 A No.

1 Q Did you like the counseling?

2 A Yes.

3 Q Okay. And I think you said you went there for about a  
4 year?

5 A Yes.

6 Q Did you start going after you got back from your dad's and  
7 had done the interview or was it a while after that?

8 A I don't remember.

9 Q Okay. Now, you said that you lived in this house. When  
10 you moved home from Arizona after these things happened, did  
11 you stay living in this house?

12 A No.

13 Q Where did you -- well, did you stay there for a little bit  
14 or for not at all?

15 A Not at all.

16 MR. NEDWICK: Your Honor, may we approach?

17 THE COURT: Yes, you may.

18 (The following discussion took place at the bench,  
19 outside the hearing of the jury:)

20 MR. NEDWICK: Can we take a quick break? Or I can  
21 slide out. I don't care.

22 MS. AUSTIN: We did kind of do a longer -- we've been  
23 in since 3:00. So if anybody needs to, I just don't want  
24 somebody to be uncomfortable like he is too. I'm getting close  
25 to being finished. I've probably got 10 minutes left.

1 MR. NEDWICK: I'll be 15 minutes tops.

THE COURT: You want to take a break first?

3 MR. NEDWICK: Desperately.

4 THE COURT: All right. Sounds good.

5 (In open court.)

6 THE COURT: All right. We're going to go ahead and  
7 take a 15-minute break. That will get us right back at 5:00.  
8 Counsel tells me we shouldn't be past 5:30. Let's be back here  
9 at 4:55.

10 | (Recess was had.)

11 Q (By Ms. Austin) Okay. Brianna, we were talking a little  
12 bit earlier about going to counseling and talking to your mom  
13 or not talking to your mom about this. And you said something  
14 about watching some videos on YouTube. What were you watching  
15 those for?

16 A I meant like on Netflix and stuff, like the TV shows.

17 There's a few TV shows that have like little bits and pieces of  
18 like whenever they talk about it like with the police and  
19 stuff.

20 Q Okay. So like shows that have had a scenario of some  
21 sexual abuse in it at some point?

22 A Yes.

23 Q Is this something that you watched before all these things  
24 happened to you or since then?

25 A Since then,

1 Q Okay. Now, I know when you first were asked these things  
2 and told your dad what had happened to you, you were in Arizona  
3 at the time. Is that right?

4 A Yes.

5 Q And you said that you were wanting to stay there in  
6 Arizona so you didn't have to come back here. Is that right?

7 A Yes.

8 Q That didn't happen, did it?

9 A No.

10 Q Okay. You came back here and have always maintained the  
11 same or kept the same visitation schedule with your dad. Is  
12 that right?

13 A Yes.

14 Q Okay. Do you spend any more time with your dad now than  
15 you did?

16 A No.

17 Q Okay. Did you know at the time when you told your dad  
18 what had happened that your mom and Dallas Norton had broken up  
19 over the summer?

20 A Can you repeat that?

21 Q When you told your dad -- in Arizona, when your dad asked  
22 you, did you know that your mom and Dallas Norton had broken up  
23 over the summer?

24 A No.

25 Q Okay. Your mom -- do you talk to your mom much when

1 you're in Arizona?

2 A Like once a week.

3 Q Okay. Did she tell you what was going on at home while  
4 you were out there?

5 A No. She told my brother, Dylan.

6 Q But was Dylan out there with you that year in Arizona?

7 A Yes.

8 Q Does Dylan go with you every year?

9 A Not anymore.

10 Q Okay. Do you know for sure if Dylan was out there with  
11 you that year?

12 A Yes.

13 Q Okay. What about Connor?

14 A Yes.

15 Q Okay. Connor always go?

16 A Yes.

17 Q If your dad says that Dylan wasn't out there that year,  
18 are you just -- do you not remember or do you know?

19 A I knew some probably. I think it was like the year they  
20 got married he was there.

21 Q Sorry?

22 A The year they got married.

23 Q Okay.

24 A That's whenever -- that's the last year Dylan came.

25 Q Okay. Last year Dylan came was the year they got married?

1 Okay. Now, we talked a little bit about this forensic  
2 interview where you went to this blue house and talked to  
3 somebody. Did you know that that was being recorded when you  
4 talked to them?

5 A Yes.

6 Q They tell you that, don't they?

7 A Yes.

8 Q Have you had a chance to watch that video?

9 A No.

10 Q So since the time that you -- it was recorded of you in  
11 2019, you haven't seen that?

12 A No.

13 Q And after you told your dad what had happened to you, have  
14 you seen the defendant -- have you seen Dallas Norton outside  
15 of court?

16 A In his car.

17 Q Okay. Have you had to be in a house with him or be alone  
18 with him or anything like that?

19 A No. No.

20 Q When you guys moved out of this house right after you told  
21 your dad what happened, you said you moved to Yukon for a  
22 little bit and then back to Noble. Is that right?

23 A Yes.

24 Q Did you have a permanent home for a little bit, or were  
25 you kind of bouncing around places?

1 A Bouncing around places.

2 Q Okay. Was that a good thing, a bad thing, how was it?

3 A It was good.

4 Q Okay. And when you moved to Noble, did you stay there in  
5 the same house for a while after that?

6 A For a year.

7 Q Now, I know that -- we talked about when you went to this  
8 forensic interview you were 11 and now you're 14. So a lot of  
9 time has gone by.

10 Do you understand a little more of what happened to you  
11 now as you sit here and talk about it than you did when you  
12 were 11?

13 A Yes.

14 Q Okay.

15 MS. AUSTIN: If I can have just one second?

16 THE COURT: Yes.

17 Q (By Ms. Austin) Brianna, thank you very much for talking  
18 with me and answering my questions. Mr. Nedwick now is going  
19 to have some questions for you too. Okay? Thank you.

20 MS. AUSTIN: Pass the witness.

21 CROSS-EXAMINATION

22 BY MR. NEDWICK:

23 Q Hi Brianna. Brianna, you'll notice there's some water  
24 there. If your throat is still dry, please help yourself.

25 I don't have many questions for you. I just want to

1 clear up some things. You said you bounced around places once  
2 you came back from Arizona --

3 A Yes.

4 Q -- after you made the allegations to your father?

5       When you came back, that was -- you came back to still  
6 the same house at 1500 Fawn Run, right?

7 A No.

8 Q Just for a short time, when you first came back from  
9 Arizona in July?

10 A No. I did not go there at all. I went back there to like  
11 clean stuff and move all my stuff out, but that's it.

12 Q Okay. I thought you had lived there with Victor, a fellow  
13 named Victor?

14 A No. That -- I think that was like for a short time  
15 whenever they broke up. Like whenever Dallas and my mom broke  
16 up.

17 Q Okay. While you were gone that summer?

18 A Yes.

19 Q Okay. And Victor was a boyfriend of your mother's as you  
20 described him --

21 A Yes.

22 Q -- when you testified before?

23       And then you lived also with a gentleman named Zach  
24 Wall?

25 A Yes.

1 Q And that was one of the places that you bounced around to?

2 A Yes. But he was my mom's friend from like a long time

3 ago.

4 Q Zach Wall was?

5 A Yes.

6 Q Where did you guys live?

7 A In a trailer park in the city.

8 Q In Oklahoma City?

9 A Yes.

10 Q And then Mr. Morris?

11 A Yes.

12 Q That was your mom's boyfriend. You guys moved to Yukon

13 and lived with him. Is that right?

14 A No.

15 Q Who did you move to Yukon with?

16 A Zach.

17 Q Zach. Okay. And then when you lived with Morris, where

18 was that?

19 A Norman.

20 Q So you came back to the house in Norman -- to a house in

21 Norman?

22 A Yes. But there was two more places we lived at before

23 that.

24 Q Okay. And then now -- you mentioned John. Is your mom

25 married to --

1 A No.

2 Q Okay. I thought I heard stepdad?

3 A Yes. I call him my stepdad.

4 Q Oh, Okay. You call him your stepdad?

5 A Yes.

6 Q And do you know his last name?

7 A Yes.

8 Q What is it?

9 A Hulse [phonetic].

10 Q And that's who you've lived with now for how long?

11 A A few months.

12 Q Okay. And just to clear up, Dylan -- when you said Dylan  
13 -- you thought that Dylan was out there in Arizona. It may not  
14 have been clear in Ms. Austin's question, but she was, I think  
15 -- I don't want to put words in her mouth.

16 I think she was talking about the last time you were in  
17 Arizona when you made the disclosure or allegations to your  
18 dad. Dylan wasn't out there at that time, was he?

19 A No.

20 Q Okay. I don't want to spend a lot of time on rehashing  
21 this incident. I know it's uncomfortable to talk about. But  
22 there are a couple of things that I want to ask you about.

23 When -- so looking here at Defendant's 1, this door  
24 here (indicating), that's the master bedroom, correct?

25 A Yes.

1 Q And that door was open and Mr. Norton was laying on the  
2 bed. Is that correct?

3 A Yes.

4 Q And you walked in the open door and laid down next to him?

5 A Yes.

6 Q You didn't close the door behind you?

7 A No.

8 Q And he certainly didn't ask you to close the door or tell  
9 you to close the door?

10 A No.

11 Q So you left the door open. And then when all those things  
12 were over, you walked out the same open door into the living  
13 room?

14 A The bathroom. The main bathroom.

15 Q The main bathroom.

16 A Yes.

17 Q And then ultimately to your room?

18 A Yes.

19 Q And your brothers were certainly in the living room?

20 A Yes.

21 Q All three of them, including the stepbrother?

22 A Yes.

23 Q And you said you didn't remember where Tayra and Riley,  
24 your stepsisters, were. But ultimately, when you went to bed,  
25 all three of you shared the same bedroom, correct?

1 A Yes.

2 Q Okay. So all three of you slept in the bedroom that night  
3 too. Is that right?

4 A Yes.

5 Q When your mom -- you're certain your mom was not home?

6 A Yes.

7 Q And to be clear, this incident that you described, that's  
8 the only time you've told anybody that Mr. Norton touched your  
9 vagina, correct?

10 A Yes.

11 Q The one incident in the master bedroom?

12 A Yes.

13 Q Okay. Where you were, as I understood it, laying on your  
14 back, correct?

15 A Yes.

16 Q When he touched your vagina anyway. That's only happened  
17 one time?

18 A Yes.

19 Q And you've never told anybody --

20 A No.

21 Q -- anything different?

22 A No.

23 Q And when you told your -- when you told your dad about  
24 this on the porch in Arizona, did you tell them your mom was  
25 home?

1 A My mom wasn't home.

2 Q My question was, though, did you tell your dad that your  
3 mom was home?

4 A No.

5 Q Did you tell your dad that your mom and Dallas were in  
6 that bedroom together, the master bedroom?

7 A Can you repeat that?

8 Q Did you tell your dad that on the night that Mr. Norton  
9 touched you, that he and your mother had been in the master  
10 bedroom together?

11 A Like the night it happened they were together in the room?

12 Q No. When you walked into the bedroom, they were in there  
13 both together?

14 A No.

15 Q Did you tell your dad that?

16 A No.

17 Q Do you know who Shyanne Pike is?

18 A Yes.

19 Q Would you tell them who -- the jurors who Shyanne Pike is?

20 A It's his ex-girlfriend.

21 Q And when you say ex-girlfriend of Mr. Norton's, but did  
22 you hang out with her some and spend time with her?

23 A Yes.

24 Q And when was that? Was that when -- obviously when he had  
25 moved out of your house and he and your mom were separated?

1 A Yeah. It was like before they got married and -- because  
2 they got together after that again.

3 Q I'm sorry?

4 A They got -- so they had gotten married. But before that  
5 -- like they broke up before they got married, and then they  
6 got together again. And then they got divorced.

7 Q Okay. Let me just show you what -- I'm going to show you  
8 what I've marked as Defendant's Exhibit 3. Do you recognize  
9 that photo?

10 A Yes.

11 Q Is that you in the photo?

12 A Yes.

13 Q And that is at Shyanne Pike's salon where she worked or  
14 owned or ran or whatever. Is that right?

15 A I think so.

16 Q And her dad is dressed there as Santa?

17 A I don't know.

18 Q Okay. You remember going to that salon and taking the  
19 photo?

20 A I only remember a little bit.

21 Q I'm sorry?

22 A I only remember a little bit.

23 Q A little bit?

24 A Yes.

25 Q Okay. But you do remember that's you, correct?

1 A Yes.

2 Q And this accurately depicts you sitting on Santa's lap  
3 there at that salon?

4 A Yes.

5 MR. NEDWICK: Move to admit Defendant's 3, your  
6 Honor.

7 MS. AUSTIN: May we approach, your Honor?

8 THE COURT: Yes.

9 (The following discussion took place at the bench,  
10 outside the hearing of the jury:)

11 MS. AUSTIN: I'm going to object to the relevance of  
12 the photo. I don't think there's been -- and that there's not  
13 been a sufficient foundation laid as to -- well, first of all,  
14 why it's relevant, and second, when it was taken and how in any  
15 way it relates to anything. It's her sitting on the lap of a  
16 person that she says is Shyanne's dad. She doesn't know who it  
17 is. This is not relevant, nor can we say when it was actually  
18 taken.

19 MR. NEDWICK: It's very relevant in that she says  
20 that she was scared of this man, yet when he was moved out of  
21 the house, she was spending time -- consciously and  
22 intentionally spending time with him and his new girlfriend  
23 outside of the house.

24 And this photo depicts what she remembers, which is  
25 going to the salon and sitting on Santa's lap. The fact that

1       she doesn't know it's his dad -- or excuse me, Shyanne's dad is  
2       of no importance. But it's certainly relevant. She's  
3       certainly identifying herself in that photo. Remembers going  
4       to the salon and that it's Shyanne's salon.

5                  THE COURT: To Ms. Austin's point, do we know who  
6       took the photo? What the timeframe was?

7                  MR. NEDWICK: Well, we know what the timeframe was  
8       based upon --

9                  MS. AUSTIN: She doesn't. She hasn't laid the  
10       foundation for the timeframe.

11                 MR. NEDWICK: Okay. Well, the only timeframe that  
12       I've alluded to is -- I haven't alluded to a date. I've only  
13       alluded to a situation where he was moved out and dating  
14       Shyanne. She's familiar with that and she's identified that as  
15       that time period.

16                 MS. AUSTIN: She actually hasn't. You asked her, Did  
17       you go to her salon, and did you sit on this guy's lap. I  
18       mean, that's all -- I don't see how this is relevant in any  
19       shape or form. If he wants to ask her, Did you go visit and  
20       were you around him and when you were around him, did you see  
21       him when your mom wasn't together, I think that's all relevant.

22                 But I don't think that gets proven through a picture of  
23       her sitting on a stranger's lap. I think he can ask the  
24       questions, but a picture of her sitting on someone else's lap,  
25       I don't see how that's relevant whatsoever.

1 He can ask her, Did you still go see him when they weren't  
2 together, to make that point.

3 MR. NEDWICK: Your Honor, I get to prove my case, and  
4 I'm not limited to just testimony.

5 THE COURT: Well, I think there's potentially some  
6 relevancy to that photo, but I'm not sure that you laid a  
7 foundation to admit the photo. I don't know anything about who  
8 took it, timeframe, other information that we normally require  
9 for admission of photographic evidence.

10 MR. NEDWICK: Okay. Well, who took the photo is  
11 normally not a foundational.

12 THE COURT: Well, maybe not.

13 MS. WHATLEY: When it was taken. A general  
14 timeframe.

15 MR. NEDWICK: Christmas while he was moved out of the  
16 house.

17 MS. WHATLEY: But you asked that. She didn't testify  
18 to that. You said that, not her.

19 THE COURT: Yeah.

20 MR. NEDWICK: I asked her the questions, and she said  
21 that she was familiar with it and that it was at Shyanne's  
22 salon.

23 THE COURT: Well, at this point --

24 MR. NEDWICK: Whether she knows the date of that --  
25 she hasn't known the date of half the stuff she's testified to.

1 I don't --

2 THE COURT: But for a photograph, I think it's  
3 required.

4 MR. NEDWICK: I'm sorry, Judge?

5 THE COURT: For a photograph, I think it's required,  
6 generally speaking.

7 MR. NEDWICK: Okay. All right. We'll just move on,  
8 Judge.

9 THE COURT: Okay.

10 (In open court.)

11 Q (By Mr. Nedwick) Okay. What are some of the things that  
12 you did with Shyanne Pike and Mr. Norton?

13 A I don't really know. We usually just -- all I remember is  
14 that we'd hang out at the house.

15 Q I'm sorry. Say that again?

16 A All I remember is that we'd hang -- that we used to hang  
17 out at the house that they lived in.

18 Q You stayed at a house that they lived in?

19 A We used to hang out there. They lived there. I only  
20 visited there.

21 Q Okay. Do you recall also going fishing with Shyanne and  
22 Mr. Norton?

23 A I don't remember Shyanne being there.

24 Q You do or don't?

25 A Don't.

1 Q Okay. And do you remember them going to your basketball  
2 games?

3 A I don't remember Shyanne being there.

4 Q Okay. Do you remember going to Shyanne's farm?

5 A Yes.

6 Q And who went with you to the farm?

7 A I don't remember.

8 Q Okay. What was your relationship with Tayra like?

9 A She was very rude to me. And like we only got along a  
10 little bit.

11 Q You only got along a little bit?

12 A Yes.

13 Q Less so towards the end before they moved out. Is that  
14 right?

15 A What's that mean?

16 Q Well, when you guys first moved in together, did you get  
17 along better?

18 A Yes.

19 Q And then later on, not so much?

20 A Yes.

21 Q Okay. And when you guys were getting along, you would  
22 sometimes talk with her and confide in her if you were mad at  
23 somebody at school and things like that, right?

24 A Yes.

25 Q If you -- if a boy made you mad at school, you would talk

1       with her about that and she was supportive, correct?

2       A      Yes.

3       Q      And if a boy -- well, that's enough there.

4                 I want to just be clear, Brianna. You said that you  
5       gave this information in bits and pieces. I want to understand  
6       that better. That first night on the porch, you gave all the  
7       details about where it happened and what was touched, correct?

8       A      Yes.

9       Q      And you didn't remember it differently later and change  
10      it, right?

11      A      Yes. I remember -- I remembered a little bit more. Like  
12      the first part I said was like almost the same thing. But I  
13      had more, like, stuff I remembered whenever I started talking  
14      more.

15      Q      Okay. And those two incidents that you say he tried to  
16      touch you but didn't succeed in touching you, those are two  
17      things that you told not on that porch that night, but the next  
18      day. Is that correct?

19      A      Yes.

20      Q      And those are the only three incidents that you've talked  
21      about with anybody. Isn't that right?

22      A      Yes.

23      Q      You lived there with your -- one of your brothers is named  
24      Connor, right?

25      A      Yes.

1 Q How did you get along with Connor?

2 A Good. Like a normal brother and sister would.

3 Q He was a little more challenging than Dylan, wouldn't you  
4 say?

5 A Yes.

6 Q Sometimes went out of his way to irritate you and others,  
7 the other kids?

8 A Only sometimes. But that's just because he's autistic.

9 Q Okay. And did sometimes he talk about inappropriate  
10 sexual stuff in front of you guys?

11 A No. No.

12 Q Did you see him touch Bailey Ferguson --

13 A Connor?

14 Q -- on the butt?

15 A Connor?

16 Q Yes.

17 A No. He's not like that.

18 Q Okay. And I think you said that you didn't have any  
19 conversations with your mom about what happened. Is that  
20 right?

21 A Yes.

22 Q You tried to talk to her, but she didn't want to talk to  
23 you?

24 A No.

25 Q Did -- didn't she tell you at some point that she had been

1 --

2 A My dad told me that.

3 Q Oh, your dad told you that.

4 A Yes. After I told him everything that happened. But it  
5 was like a few months apart. And -- no, my stepmom told me.

6 Q Your stepmom told you that --

7 A Yeah. She didn't tell me exactly what happened. She just  
8 told me that my mom -- that happened before, but she didn't  
9 tell me like everything, like who did it and stuff like that.

10 Q Okay. And you said -- so you were having conversations  
11 with the adults, discussing these allegations and things like  
12 that more so than just that one conversation on the back porch  
13 then? You guys were talking about it, or was that later? Did  
14 you say that that was later?

15 A Yes.

16 Q Like how much later?

17 A I don't know.

18 Q More than a week?

19 A Yes.

20 Q It was -- was it while you were still in Arizona before  
21 you returned --

22 A Yes.

23 Q -- to -- before you returned to Oklahoma after telling  
24 them on the porch?

25 A Yes.

1 Q So it was before your forensic interview?

2 A Yes.

3 Q Okay. When you were looking at this diagram up here,  
4 there -- your mother had installed cameras to keep an eye on  
5 you guys, didn't she?

6 A Yes.

7 Q And sometimes --

8 A It was only one camera and it was in the dining room.

9 Q One camera and it was in the dining room?

10 A Yes.

11 Q Okay. And that had audio on it too where she could talk  
12 to you guys through the camera. Is that right?

13 A Yes.

14 Q And sometimes she would do that. Is that right?

15 A Yes.

16 Q And she would get on there and correct you guys if you  
17 were doing something wrong?

18 A Yes.

19 Q Were there other times when she would threaten you guys,  
20 like, look, if I have to get to the bottom of this, then we'll  
21 just look at the video? Did she use it in that manner?

22 A Yes.

23 Q Okay. But you also -- she also watched it live and would  
24 get on there and talk to you guys as you were doing things,  
25 correct?

1 A Yes.

2 MR. NEDWICK: I think that's all I have, your Honor.

3 THE COURT: Thank you.

4 REDIRECT EXAMINATION

5 BY MS. AUSTIN:

6 Q Brianna, I just have a few questions just about some of  
7 the things that Mr. Nedwick just asked you. Now, there was  
8 this girl, Shyanne, that you were asked about that was dating  
9 Dallas Norton at some point.

10 When they were dating, would you go over and visit with  
11 the defendant and his kids?

12 A Yes.

13 Q Was that your decision, or whose decision was that that  
14 you go over there?

15 A It was mine.

16 Q Okay. And why did you want to go over there?

17 A Because I missed his kids and him.

18 Q You still liked him, right?

19 A Yes.

20 Q And so what would -- when you would go over there, were  
21 you ever alone with him?

22 A I don't remember.

23 Q Was -- he was dating Shyanne. Is that right?

24 A Yes.

25 Q Okay. And so was Shyanne with you in the house usually?

1 A Yes.

2 Q The things that you've told us here today that you've  
3 talked about, it sounds like you've talked about something that  
4 happened on the bed and on the couch, and one time when your  
5 mom was in the kitchen on the couch. So there's different  
6 locations and different things that you've talked about. Is  
7 that right?

8 A Yes.

9 Q Okay. When you talked to your dad that day, back on the  
10 patio, did you tell him about any other times other than just  
11 the bed?

12 A No.

13 Q Did you tell your stepmom, Caitlin, about the other times?

14 A Yes.

15 Q On the couch?

16 A Yes.

17 Q And the time your mom was in the kitchen?

18 A Yes.

19 Q Do you know if Caitlin told your dad those things or not?

20 A No. I don't know.

21 Q Okay. Now, you were asked about getting along with Tayra.  
22 Did you and Tayra get into any fights when you guys lived there  
23 together?

24 A Yes.

25 Q Was that something that happened a lot or just every once

1      in a while?

2      A      Every once in a while.

3      Q      And do you think Tayra liked you?

4      A      Not really.

5      Q      Did Tayra and your mom get along?

6      A      Not really.

7      Q      Now, these cameras that we're talking about, those -- you  
8      said there was one in the dining room. Is that right?

9      A      Yes.

10     Q      And was it something that was used all the time by your  
11     mom or sometimes or how was that?

12     A      Sometimes.

13     Q      Okay. At the time that she would go back and say, I'm  
14     going to look on the camera, or something, would it be because  
15     somebody's told her something has happened and she goes back to  
16     look on it?

17     A      No.

18     Q      Okay. When would it be?

19     A      So sometimes she would just get on there while she was at  
20     work to see if we were okay. And if she sees us doing  
21     something we're not supposed to do, and then that's why.

22     Q      Did you guys have access to be able to get on and look and  
23     see the cameras or rewind them or fast forward them or anything  
24     like that?

25     A      No.

1 Q Okay. Now, there was a discussion or some questions asked  
2 of you about your stepmom telling you something about your mom.  
3 Is that what you guys were asking questions about just a second  
4 ago?

5 A Yes.

6 Q So -- and it never really came out completely in your  
7 question. So what did your stepmom tell you?

8 A I don't remember exactly what she told me. But one point  
9 she asked me, Would you have told your mom if she -- Would you  
10 have told your mom what happened if she told you if it happened  
11 to her. But I don't remember exactly what like brought it up.  
12 But I don't really know.

13 Q Okay. So was your stepmom just trying to figure out why  
14 you hadn't told your mom?

15 A Yeah. Because I think my dad asked because he was talking  
16 to the police, or like whoever was getting all the information.  
17 So I told my stepmom -- so I told my stepmom because she asked  
18 the question, and I'm pretty sure she told my dad.

19 Q Told your dad what you said?

20 A Yes.

21 Q Okay. So did your stepmom tell you that something had  
22 happened to your mom?

23 A She didn't tell me exactly, but she told me like a little  
24 bit because -- I kind of knew where she was going a little bit,  
25 but I didn't really know for sure.

1 Q Okay. So it sounds like -- I think what I'm hearing you  
2 say is that your stepmom was telling you that something had  
3 happened to your mom when she was little?

4 A Yes.

5 Q Was that the first time you had ever heard anything about  
6 that?

7 A Yes.

8 Q Have you and your mom ever talked about that?

9 A No.

10 Q Okay. Did she give you details about what happened to her  
11 -- what happened to your mom?

12 A No.

13 Q Why was she telling you that? Did she tell you why?

14 A No.

15 Q Okay. Now, you said that she asked it kind of in the  
16 question of, if you had known that this had happened to your  
17 mom, would you have told her. Was it because -- would you feel  
18 more comfortable telling your mom if you knew your mom had been  
19 through this?

20 A Yeah.

21 Q Okay. But that was -- was that after you had told your  
22 dad and your stepmom what had happened with Dallas Norton?

23 A Yes.

24 Q Okay. Does that change anything? I mean, obviously  
25 didn't make you and your mom talk about it anymore, did it?

1 A No.

2 Q Okay. Now, I know that you said that -- she told you that  
3 your mom was touched, but you did not ask your mom specifically  
4 about that afterwards?

5 A No.

6 Q Okay. Now, I know that you were asked about things coming  
7 out in bits and pieces and more stuff remembered -- remembered  
8 more stuff later. Were these things that you tried to think  
9 about very often?

10 A No.

11 Q And why not?

12 A Because I didn't really want to think about it.

13 Q Why didn't you want to think about it?

14 A Because I was very sad and mad.

15 Q Sad and mad about it?

16 A Yeah.

17 Q Okay. And so once you did have to talk about it with your  
18 stepdad [sic] and stepmom, did it all kind of come back to you  
19 like you've said in bits and pieces?

20 A Yes.

21 Q Okay. And then you told us -- have you told us here today  
22 what you've remembered about what this defendant did to you  
23 when you lived in that home?

24 A Yes.

25 Q Okay. All right.

1 MS. AUSTIN: If I can have one second, Judge.

2 That you think, Brianna. Pass the witness.

3 THE COURT: Brianna, thank you. You can be excused.

4 Jurors, I told you we'd get done at 5:30. It's 5:29.

5 I'm going to excuse you. Remind you of my admonition not to  
6 conduct any research on this case, talk about this case with  
7 anyone, or permit anyone to discuss this case with you.

8 Again, remind you to leave your notes on your chair or  
9 under your chair. Don't forget your badges when you come back  
10 tomorrow. I would like you to be assembled in the jury room by  
11 8:30 tomorrow morning. Thank you very much. Have a good  
12 night.

13 (Jurors excused.)

14 THE COURT: Real quick. There was a question about  
15 Defendant's Exhibit 3. I don't know that you ever moved for  
16 admission of it.

17 MR. DOUGLAS: He did.

18 MR. NEDWICK: Yeah, you denied it emphatically.

19 MS. WHATLEY: Yeah, that's the last one.

20 THE COURT: Was there another one before that?

21 MS. WHATLEY: No. It was the -- that was the one  
22 that had been skipped. So before earlier they had went 1, 2,  
23 and then 3 had been just skipped, and it was like 4, 5, 6, 7.

24 THE COURT: Very good.

25 MS. WHATLEY: I would like to make a quick record

1 real quick. Our office has been in receipt of an e-mail from  
2 Rachel Brown, which is, I guess -- I don't know who Rachel  
3 Brown is but her -- the thing on the bottom says that she's a  
4 legal assistant with Mr. Nedwick's office.

5 She sent an e-mail to Kerrin Lee who is the victim  
6 witness coordinator for our office. She sent this e-mail this  
7 afternoon. And the contents of that e-mail are basically that  
8 she's been trying to reach Kerrin all day today to discuss the  
9 case that's set for jury trial, regarding like subpoenas and  
10 how they've been serving witnesses, and that they need certain  
11 witnesses here tomorrow. And they've attached affidavits of  
12 service on all of them, and that, you know, they need certain  
13 witnesses here tomorrow at 10:30.

14 Our office has no problem -- first of all, Kerrin Lee  
15 was not answering her e-mails because she was in here doing her  
16 job obviously. Number two, we have no problem -- DA's office  
17 has no problem coordinating, like especially civilian  
18 witnesses, victims, things of that nature.

19 It is not the DA's office's job to coordinate defense  
20 witnesses when they are officers with Norman Police Department.  
21 Certainly, we're not trying to make things difficult, but like  
22 obviously, Ms. Lee, nor anybody in our office, we don't work  
23 for the Norman Police Department.

24 And so like those coordination things, like that has to  
25 be done through Mr. Nedwick and his associates. They've got to

1 work with the police department just like our office does to  
2 coordinate those things.

3 And so I just want to make it clear, it's not -- I  
4 mean, I'm not trying to make things more difficult or hard on  
5 anybody. We're happy to assist as it relates to getting  
6 civilian witnesses here, especially the ones that are obviously  
7 victims and care of our office.

8 But when it comes to, you know, attaching, you know,  
9 receipts of service for officers, I mean, that's the Norman  
10 Police Department. That's not the DA's office. We don't do  
11 that.

12 MR. NEDWICK: I can provide some clarity to that,  
13 Judge. We've been communicating directly with all of the  
14 entities; DHS, Norman PD, and then through the DA's office for  
15 the subpoenas that they provided in care of the DA's office and  
16 we served on the DA's office.

17 The reason Rachel sent that e-mail this afternoon is  
18 Ms. Austin and I were speaking earlier, and she was asking me  
19 if they need to be up here all day, and I said that, no, we're  
20 communicating with them, just tell them, as the cover letter  
21 says, have them call our office and we'll tell them, you know,  
22 just be on call or come up here.

23 We provide -- every single day after court, we provide  
24 updates to any of our witnesses, friendly or unfriendly, on,  
25 you know, where we are and what we expect. That's all that was

1 going on.

2           The name came from Ms. Austin. I think there's just a  
3 little bit of miscommunication here. We certainly know who to  
4 talk with at Norman PD and have talked to those people, and the  
5 same with DHS. That was simply over one of the breaks,  
6 Jennifer had just casually said, Yeah, just coordinate with  
7 Kerrin -- was it Kerrin?

8           MS. AUSTIN: Yes.

9           MR. NEDWICK: So I'm sure that's where that comes  
10 from.

11          MS. AUSTIN: For the civilians, because that's who --

12          MR. NEDWICK: Right. Look --

13          MS. AUSTIN: We're fine with the civilians. It just  
14 said in there -- in the e-mail, it says the officers also. And  
15 we just -- we can't be responsible for them.

16          MR. NEDWICK: I understand.

17          MS. WHATLEY: Don't want to be responsible.

18          MR. NEDWICK: I also understood the tone in which  
19 Ms. Whatley was reading the e-mail and attributing the -- that  
20 tone to Rachel. And I can assure you that Rachel does not  
21 generally speak in that tone, the tone that you and I are much  
22 more familiar with, Ms. Whatley.

23          THE COURT: Thanks for the clarification.

24          MS. AUSTIN: I have a question. Mr. Jackson left  
25 today. I don't think there was any statements made to him that

1 he still needed to remain under his subpoena.

2 MR. NEDWICK: Well, they're all still under subpoena.

3 THE COURT: I did not excuse him.

4 MR. NEDWICK: What's that?

5 THE COURT: I did not say he was excused.

6 MS. AUSTIN: Okay.

7 THE COURT: Does the State plan on resting tomorrow?

8 MS. AUSTIN: Yes. Yes.

9 THE COURT: Before noon?

10 MS. AUSTIN: We have the forensic interview to play  
11 still, and it's an hour. An hour with a 10-minute break. So  
12 it's about 48 minutes.

13 We should have, I think, one quick witness before the  
14 forensic interview, and then Ms. Cornett, I think, is what  
15 we're going to have tomorrow. So I'd like to think either  
16 before noon or right at noon at the latest.

17 THE COURT: Okay.

18 MS. AUSTIN: So I think that -- I just know that  
19 Mr. Jackson obviously was interested in watching the rest of  
20 the trial, since he's been kind of out of the loop on what's  
21 going on. But he's not released as a witness, he cannot be in  
22 the courtroom, and I know that.

23 THE COURT: Mr. Nedwick subpoenaed him. So it's up  
24 to Mr. Nedwick.

25 MR. NEDWICK: Yeah. At this point, I'm not -- I'm

1 certainly not releasing him until I get back to the office,  
2 clear my head, figure out where I am on things. And if that --  
3 the forensic interviewer is the only other witness, that gives  
4 me an idea of whether anything else is going to come up that  
5 might have to...

6 MS. AUSTIN: I think we've got -- I think we might  
7 have one more before the forensic interviewer tomorrow. Maybe  
8 we can talk about that.

9 MR. NEDWICK: Okay.

10 MS. AUSTIN: But I do have -- the subpoenas for all  
11 the civilians are listed for 10:30 in the morning tomorrow.  
12 I'm presuming they do not need to be here at 10:30 in the  
13 morning tomorrow since we will have not rested yet.

14 MR. NEDWICK: If you tell me not -- just to make it  
15 more convenient for them to make it after noon, I'm happy to do  
16 that. Relay that to all of them.

17 MS. AUSTIN: Okay. Thank you.

18 THE COURT: Okay.

19 (This concludes proceedings had this date. For further  
20 proceedings, see Volume III of this transcript.)

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1                   IN THE DISTRICT COURT OF CLEVELAND COUNTY  
2                   STATE OF OKLAHOMA

3  
4       STATE OF OKLAHOMA,    )  
5    )  
6    )  
7    Case No. CF-2019-1273  
8       Dallas Christopher Norton,    )  
9    )  
10    )  
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14    )

15    CERTIFICATE OF THE COURT REPORTER

16    I, Angela Thagard, Certified Shorthand Reporter and  
17    Official Court Reporter for Cleveland County, do hereby certify  
18    that the foregoing transcript in the above-styled case is a  
19    true, correct, and complete transcript of my shorthand notes of  
20    the proceedings in said cause.

21    I further certify that I am neither related to nor  
22    attorney for any interested party nor otherwise interested in  
23    the event of said action.

24    Dated this 2nd day of December, 2022.

25      
ANGELA THAGARD, CSR, RPR, CRR  
STATE OF OKLAHOMA  
CERTIFIED SHORTHAND REPORTER  
CSR# 1711  
MY CERTIFICATE EXPIRES: 12/31/2022



26    Angela Kay Thagard  
27    State of Oklahoma  
28    Certified Shorthand Reporter  
29    CSR# 1711  
30    My Certificate Expires 12/31/2022