

1 IN THE DISTRICT COURT IN AND FOR WAGONER COUNTY

2 STATE OF OKLAHOMA

3 STATE OF OKLAHOMA,)
4 PLAINTIFF,)

5 -VS-)

CASE NO. CF-18-167

6 WILLIAM WOOLLEY, III,)
7 DEFENDANT.)

8 STATE OF OKLAHOMA,)
9 PLAINTIFF,)

10 -VS-)

CASE NO. CF-18-167

11 LISA K. WOOLLEY,)
12 DEFENDANT.)

WAGONER COUNTY
JAMES E. HIGHT
COURT CLERK

2018 AUG 30 PM 1:30

WAGONER COUNTY, OKLA
FILED
IN DISTRICT COURT

13 **NOTICE OF FILING**

14 PLEASE TAKE NOTICE THAT on the 30th day of
15 August, 2018, the undersigned Registered Professional
16 Reporter delivered to the Court Clerk of Wagoner County
17 the Original Transcript of the proceedings held on the 31th
18 day of July, 2018, before the Honorable Doug Kirkley, in
19 the City of Wagoner, County of Wagoner, State of Oklahoma,
20 consisting of 188 pages.

Carol L. Rasmussen

21 Carol L. Rasmussen
22 Oklahoma Registered Professional Reporter
23 Certificate No. 01710

24 RECEIVED this 30 day of August, 2018.

Julie Belman
25 Court Clerk (or Deputy)

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LISA K. WOOLLEY,)
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DEFENDANT.)

CASE NO. CF-18-168

WAGONER COUNTY, OKLA.
FILED
IN DISTRICT COURT
2018 AUG 30 PM 1:31
WAGONER COUNTY
JAMES E. HIGHT
COURT CLERK

TRANSCRIPT OF PRELIMINARY HEARING

HAD ON THE

31ST DAY OF JULY, 2018

BEFORE THE

HONORABLE DOUG KIRKLEY

Reported by:
CAROL L. RASMUSSEN, RPR
Registered Professional Reporter
WAGONER COUNTY COURTHOUSE
307 East Cherokee
Wagoner, Oklahoma 74467
(918) 485-7938

COPY

A P P E A R A N C E S

1
2
3 **MS. MICHELLE KEELY**, Assistant District Attorney, Wagoner
4 County Courthouse, 307 East Cherokee, Wagoner, OK 74467,
5 appearing on behalf of the State.
6

7 **MR. MIKE FISHER**, Assistant District Attorney, Wagoner
8 County Courthouse, 307 East Cherokee, Wagoner, OK 74467,
9 appearing on behalf of the State.
10

11 **MR. ALLEN SMALLWOOD**, Attorney At Law, 1310 South Denver,
12 Tulsa, OK 74119, appearing on behalf of the Defendant,
13 William Woolley.
14

15 **MR. GREGORY COPELAND**, Attorney At Law, 800 South
16 Butternut Avenue, Broken Arrow, OK 74012, appearing on behalf
17 of the Defendant, Lisa Woolley.
18

19 **MR. CHADWICK RICHARDSON**, Attorney At Law, 800 South
20 Butternut Avenue, Broken Arrow, OK 74012, appearing on behalf
21 of the Defendant, Lisa Woolley.
22
23
24
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I N D E X

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PROCEEDINGS

1
2 THE COURT: Let's go on the record in case
3 number CF-18-168; State of Oklahoma versus Lisa Woolley.
4 Mike Fisher, Michelle Keely are for the State. Gregory
5 Copeland, Chad Richardson are present with Ms. Woolley. We
6 are set for preliminary hearing.

7 We also have CF-18-167; State of Oklahoma versus
8 William Woolley, III. Mike Fisher, Michelle Keely are for
9 the State. Allen Smallwood is present for Mr. Woolley.
10 Also set for preliminary hearing.

11 My understanding, counselors, by -- for preliminary
12 hearing purposes only, we have combined these matters.
13 There's also, I see, a notice to admit hearsay statements by
14 and through another witness. Do we need to take that up
15 first or are we ready to have the State present it's first
16 witness or any motions?

17 MR. SMALLWOOD: Your Honor, based upon
18 conversations with Ms. Keely, it's my understanding that she
19 intends to call the SANE nurse, who took -- purportedly took
20 a statement from this child, which I believe was taken
21 shortly after a forensic interview was also taken of the
22 child. And there are certain circumstances where that
23 witness can testify to statements that a child made under
24 2803.1, but the statute is clear that the child has to
25 testify. And my experience has always been that the

1 child -- if they are going to present that sort of hearsay
2 testimony under that statute, the child has to testify first.
3 And then if the other circumstances are made, the -- by the
4 State, then that testimony can sometimes be admissible. So
5 as long as the statutory requirements are met, I think the
6 Court is certainly within it's authority and power to allow
7 that testimony in. But those requirements need to be met
8 first, in my view.

9 THE COURT: Okay. Ms. Keely.

10 MS. KEELY: Judge, I believe the statute
11 basically says that the child has to be available. The
12 child is available. The child is upstairs. In fact, I have
13 numerous witnesses present today. Shane Greer, Danny
14 Elliott, Clayton Woolley, Meagan Sinclair, Yolanda Martinez
15 and Liz Crockett, who are all present and in the courthouse.
16 So, Judge, he is a child. He is a child. He is well under
17 the age of 12-years-old. He's six-year's-old today and he
18 is available. He's upstairs. I don't anticipate having the
19 child testify, but he is available should the State decide
20 to call him.

21 THE COURT: Okay. Mr. Copeland and
22 Mr. Richardson, do you have anything to add to the argument?
23 I take it you're in agreement with Mr. Smallwood, but I
24 didn't want to assume everybody was together.

25 MR. RICHARDSON: Yes, Judge, I concur.

1 MR. COPELAND: And, Your Honor, my
2 understanding, she intends to call the witness via video and
3 we object to that. We have a right to confront the witness.
4 One of the issues that we have with video, is that there's a
5 lot of minutia that goes on in the transition of
6 communication. This child is, basically, five and a half
7 years old and the child has a learning issue, as it relates
8 to his speech specifically. It's in the records and chart
9 regarding his schooling. That his ability to communicate is
10 below his actual age. And so to have this video and the
11 situation -- what they are trying to propose here without us
12 being able to eyeball the witness, confront the witness, be
13 able to take a read on the witness. Because there's a lot
14 of nonverbal communication that goes on in a cross
15 examination of a witness. And I need to be able to feel
16 that child out and see where he's going with his testimony.
17 I can't do that through a video. And so we would object.

18 And under 12-2611 -- is it 7? 7, I believe the Court
19 would have to find that -- there has to be an actual hearing
20 and a finding that that particular child would be harmed in
21 order to allow the State to do what they are wanting to do.
22 And it would take an expert witness, Your Honor, and
23 consultation with some psychologist.

24 THE COURT: Ms. Keely.

25 MS. KEELY: I think there's two issues here.

1 One, is the first issue with regard to statements by a child
2 regarding physical or sexual abuse admissibility. That is
3 clearly under Title 12, Section 23 -- or 2803.1.

4 THE COURT: Right.

5 MS. KEELY: (A) (2) (A), which says, "The child
6 or incapacitated person either: Testifies or is available
7 to testify at the proceedings in open court or through an
8 alternative method pursuant to the provisions of the Uniform
9 Child Witness Testimony by Alternative Methods Act or
10 Section 2611.2 of this Title." So, Judge, I think that's
11 our first issue. And the first issue is, that the State has
12 already said that the child -- who I don't think there's any
13 objection that the child is below 12-years-old, okay. He's
14 six-years-old. I think all of us know that.

15 THE COURT: Okay.

16 MS. KEELY: And I don't think that's unfair.
17 And he is available to testify. He's upstairs.

18 THE COURT: Okay.

19 MS. KEELY: So, Judge, with that, the State
20 would ask that it come in. Additionally, Judge, I would
21 tell you that it's sexual assault nurse examiner. And so
22 not only would the testimony come in through the notice of
23 intent to introduce hearsay statements of a child under the
24 age of 12-years-old, but it would come in under the
25 exception for a person who is being told something or

1 telling something to somebody for the purpose of diagnosis
2 and treatment. Because this is a SANE nurse; so I think it
3 comes in under both.

4 Judge, then I think we go to his second objection,
5 which is if the child is to testify, whether or not the
6 child should be allowed to testify by Skype. Judge, that is
7 specifically even pointed at in the statute that I just
8 read. 23 -- 2803.1(A) (2) (A), where it talks about the
9 Uniform Child Witness Testimony by Alternative Means. And
10 it also talks about 2611.2. So it's 2611.2 of Title 12 and
11 2611.4 of Title 12 where it talks about a child who can
12 testify by alternative means. That means would be Skype,
13 Judge. It's not a video testimony. It's Skype. And I
14 think if we get to the point where for some reason we have
15 to call the child, then I anticipate -- I'm sure that the
16 Court would have a hearing with regard to whether or not to
17 have testimony through Skype.

18 THE COURT: Okay. Yes, sir.

19 MR. SMALLWOOD: Your Honor, all I can tell
20 you, Judge, is I've been doing this for 43 years. I have
21 never seen in a preliminary hearing, in a charge of this
22 nature, that the State made probable cause with purely
23 hearsay statements that cannot be substantively -- that are
24 not sworn. The statements made in the forensic interview,
25 as well as in -- which he made no allegations of any kind of

1 molestation -- as well as in the SANE interview, were not
2 sworn statement and they cannot be used substantively.

3 Additionally, with respect to the use of alternative
4 means, I would direct the Court's attention to 12 OS Section
5 2611.7. And I would like to read three short paragraphs.

6 "In a criminal proceeding, the judge or presiding officer
7 may allow a child to testify by alternative method only in
8 the following situations: The child might testify otherwise
9 in an open forum in the presence and full view of the finder
10 of fact if the judge or presiding officer finds by clear and
11 convincing evidence that the child would suffer serious
12 emotional trauma that would substantially impair the child's
13 ability to communicate with the fact finder if required to
14 testify in the open forum." There has been zero evidence to
15 support that. And we certainly feel like that the only
16 person -- or the only type of evidence that would justify
17 that finding would come from an expert witness.

18 THE COURT: Okay.

19 MR. RICHARDSON: And, Your Honor, we would
20 also object on the grounds that Ms. Keely has said it was
21 for diagnostic purposes. But I think it's clear the SANE
22 examine was not done for diagnostic purposes. It starts off
23 with no history; no, the patient presents with any
24 particular complaint, or anything like that. So I don't
25 think it's for diagnostic purposes at all.

1 THE COURT: All right. I understand the
2 argument regarding the substantive versus diagnostic. But
3 it does say -- and I don't want to -- I will state, and it's
4 stipulated, Mr. Smallwood and Mr. Copeland and
5 Mr. Richardson has been doing this for a long time. I get
6 that. What your history is, I don't know. Today, I look at
7 a statute and says, clearly, testify or is available to
8 testify. The State's telling me that he; right? He is
9 available. I've read that notice. The factors I take into
10 fact is spontaneity, the mental state of the declarant,
11 whether the terminology used is unexpected of a child of
12 similar age, whether there's lack of motive to fabricate. I
13 haven't seen any of those things that would make me feel like
14 that they are being coached, which is what I think that the
15 statute is telling the court to look for. Truly under the
16 age of 13, which is -- it says -- it starts out, "a statement
17 made by a child who has not attained the age of 13." So I'm
18 going to allow the hearsay statements. I'm going to have to
19 take up whether it's substantive or diagnostic or whatever
20 means it is.

21 Yes, sir, Mr. Copeland.

22 MR. COPELAND: Your Honor, the State may
23 clarify it a little bit. But for the record, on behalf of
24 Mrs. Lisa Woolley, I wanted to submit to the Court, this is
25 *Kennedy versus State*. If you look at paragraph 11, Your

1 Honor, I've got it highlighted with an underline.

2 THE COURT: Okay.

3 MR. COPELAND: And, Your Honor, the first
4 question it says in paragraph 11 -- and you are looking
5 about the middle of the paragraph there. It says, "Thus the
6 crucial question is whether the declarant's out-of-court
7 statements were reasonably pertinent to diagnosis or
8 treatment. In deciding whether the proffered statements
9 were reasonably pertinent to diagnosis or treatment, most of
10 the other jurisdictions have adopted a two-part test:
11 Number one" -- here's the first part. "Was the declarant's
12 apparent motive" -- in other words, was Clayton's apparent
13 motive, "consistent with receiving medical care." In other
14 words, it focuses on the child. "Number two, was it
15 reasonable for the physician to rely on the information in
16 diagnosis or treatment." And then it goes on. The very
17 last sentence says, "we" -- and this is the State of
18 Oklahoma now. "We hereby adopt the same two-part test in
19 determining the admissibility of a declarant's out-of-court
20 statements for purposes of medical treatment or diagnosis."

21 So what this tells the court, Judge, is, like you just
22 said, you would have to make a determination. If they can
23 lay a foundation, perhaps maybe, but I don't see where we
24 are going to get that. And we want that -- without a
25 preconceived judgment that you are going to allow that in,

1 we would reserve the right to strike the evidence upon voir
2 dire, upon cross examination of the SANE nurse.

3 THE COURT: Ms. Keely, did you want to
4 respond to the -- before I let you call your first witness?

5 MS. KEELY: Judge, I would just point out
6 number 12.

7 THE COURT: Did you want to look at the case?
8 I don't know if he gave you a copy.

9 MS. KEELY: Yes, sir. We have a copy of
10 Kennedy versus State. Thank you, sir.

11 THE COURT: Look at paragraph 12.

12 MS. KEELY: When we look at paragraph 12, it
13 talks about that the -- how the court did actually find that
14 in that particular case that it was made for the purpose of
15 diagnosis and treatment to Dr. Block. Dr. Block is a
16 well-known person who worked for the Justice Center in Tulsa
17 for years. Not only was he known to the local community in
18 Tulsa, he was known to the State and he was known to the
19 nation. But -- is known to the nation. I'm sorry. He
20 hasn't passed. So, Judge, I understand that we'll have to
21 do the predicate. I think it comes in under that. I also
22 think it comes in under the State's notice, which is why the
23 State gave notice of intent to introduce hearsay statements.

24 THE COURT: Okay. Thank you. I feel like
25 everybody has made their record and I appreciate that. Any

1 other matters we need to take up before the State calls it's
2 first witness? For instance, invoke the Rule or anything of
3 that nature?

4 MR. RICHARDSON: Judge, I would invoke the
5 Rule. But one last record I would like to make, is that I
6 don't believe the nurse can medically make a diagnosis;
7 so -- I think a doctor is required for that. I don't think
8 this exam was done with any intention of presenting it to a
9 doctor for diagnosis.

10 THE COURT: Okay. Thank you very much for
11 making your record. Ms. -- the Rule of Sequestration will
12 be invoked. That means that if you're a witness in this
13 matter, you have to step outside in the hallway. You don't
14 have to stay in the hallway. We have, hopefully, other
15 places for you, but make yourself accessible. Don't talk
16 about your testimony with anyone except for the attorneys,
17 which is appropriate.

18 Anything else before the State calls it's --

19 MR. COPELAND: Your Honor, we would ask that
20 Kay Saunders be recognized as a witness for the defense and
21 that she step outside.

22 THE COURT: Kay Saunders?

23 MR. COPELAND: Yes, Your Honor. She's right
24 back here.

25 THE COURT: Ms. Saunders, you're recognized

1 as a witness for the defense at this time. Ms. Woolley,
2 could be Mr. Woolley as well, but either way, you need to
3 step outside in the hallway and not discuss your testimony
4 with anyone except for the attorneys, all right? Until you
5 are called into here. Thank you.

6 MS. KEELY: Judge, prior to calling my first
7 witness, I would say a couple of things. First of all, this
8 is Detective Danny Elliott. He is the main investigator on
9 this particular case and we would ask for him to be made
10 case agent to allow him to be excused from the Rule of
11 Sequestration and to sit at the State's table today.

12 THE COURT: That exception will be noted.

13 You want to be heard on that?

14 MR. SMALLWOOD: We object to that. He's also
15 going to be a witness if this case gets to a jury trial. It
16 simply is unfair and lack of due process to allow a witness
17 as crucial as the investigating law enforcement officer to
18 be included from the Rule.

19 MR. COPELAND: Agree, Your Honor. We also
20 endorse that objection.

21 MR. RICHARDSON: And without a -- no reason
22 for him to be in here, Your Honor.

23 THE COURT: Okay. Thank you. I know we've
24 got a big audience. The Rule -- I think the public policy
25 behind it is the State -- these two attorneys represent the

1 State. The State has a right to have a person that's
2 representing the State. It does give the exception for the
3 investigating officer. So he stands there representing the
4 State. I will grant the exception to the Rule, over the
5 objection of the attorneys.

6 So anything else folks?

7 MS. KEELY: Yes, Judge. With regard to -- I
8 anticipate -- well, I understand that there is a person who
9 was in the courtroom that they say that may be a witness for
10 the defense. We would call into Court's attention Title 22,
11 Section 258, the preliminary hearing statute. Notify the
12 Court that the State has made all law enforcement reports
13 available to the defense more than five days ago. And so we
14 will be objecting to the defense calling any witnesses,
15 should it get to that.

16 THE COURT: Okay.

17 MR. RICHARDSON: Just for the record, we may
18 want to call her for purposes of bond as well.

19 THE COURT: Okay. It does -- I understand
20 now the State's saying that the Cut-Off Rule is in play.
21 There's also 259, that the defense, in preliminary hearings,
22 has to make an offer of proof as to why they are calling a
23 witness. I understand and I appreciate everyone letting me
24 know what the -- what we are going to be anticipating. But
25 I'm not going to make a ruling on that yet. We'll find out

1 where we are when you finish with your testimony or when I
2 get to a point where I think you've made it, then I'll start
3 asking the attorneys their positions.

4 MS. KEELY: Yes. Thank you, sir.

5 THE COURT: You're welcome. Any -- do you
6 need to call your first witness? Anything else we need to
7 take up preliminarily?

8 MS. KEELY: Yes, sir. Judge, before we
9 start, I would want to place everybody on notice that I
10 anticipate the State requesting to add an additional count
11 of sexual abuse to a minor child. That count would be under
12 the lewd mol statute where it talks about a person having a
13 child look upon sexual acts that are being made in presence
14 of the child. That's also referred to, if you'll look at in
15 the Notice of Intend to Introduce Hearsay, where Clayton
16 talks about seeing papa having sex with Elijah.

17 THE COURT: Okay. I understand. I will --
18 you're making a notice. I appreciate that. Putting the
19 attorneys on notice, as well, that you anticipate the
20 evidence at this preliminary hearing will support that
21 additional count. And we'll see where it goes. Thank you.

22 MS. KEELY: Yes, sir. Thank you, sir. And
23 at this point, State would offer into evidence State's
24 Exhibit Number 1, which is certified copy of Petition for
25 Guardianship of Minor Children and for Ex Parte Appointment

1 of Special and General Guardians, filed November 13th of
2 2012.

3 THE COURT: So is that all one packet or --

4 MS. KEELY: No. I have --

5 THE COURT: Three documents?

6 MS. KEELY: Actually, Judge, I have 15
7 documents.

8 THE COURT: Okay. All -- 1 through 15? Is
9 that what -- I'm just trying to get a number first before we
10 start arguing them.

11 MS. KEELY: Judge, I apologize to the Court.
12 I did not number these very well. I have 1 through 13 and I
13 have 15 and 16. And, Judge, they are all certified
14 documents from the guardians of Clayton Woolley and Elijah
15 Woolley.

16 THE COURT: Okay. All guardianship --

17 MR. SMALLWOOD: Your Honor, I don't
18 anticipate, that on behalf of William Woolley, we are going
19 to have any objection to those. If the State would go
20 through those briefly for the record and describe what they
21 are, we are not going to dispute the fact that this child
22 was in the physical custody of my client.

23 THE COURT: I appreciate that. I concur with
24 the defense attorneys on that. We need to -- for this
25 record to be clear, we need to know all 15 documents and

1 what they are, please.

2 MS. KEELY: Yes, sir. Thank you.

3 THE COURT: We can take that time now to do
4 that.

5 MS. KEELY: The first document, which I've
6 already listed, State's Exhibit Number 1, it actually shows
7 petitioner's address as 29388 East 19th Street South, Broken
8 Arrow, Oklahoma. Identifies the County of Wagoner.
9 Identifies Mr. and Mrs. Woolley as maternal grandparents.
10 This particular document is signed by William Woolley, III
11 and Lisa K. Woolley.

12 MR. SMALLWOOD: For purposes of preliminary
13 hearing, Mr. William Woolley will stipulate to the accuracy
14 of that document without authentication.

15 MR. RICHARDSON: We don't have any objection
16 to that either, Your Honor.

17 THE COURT: Thank you. Be admitted.

18 MS. KEELY: State's Exhibit Number 2 is
19 Letters of Special Guardianship filed on November 13th of
20 2012, showing that the guardian of Clayton Bradley Woolley
21 is William H. Woolley, III and/or Lisa K. Woolley.

22 MR. SMALLWOOD: On behalf of Mr. Woolley, we
23 would stipulate, without authentication, that that's an
24 accurate copy.

25 MR. RICHARDSON: The same. No objection.

1 THE COURT: Thank you. Be admitted.

2 MS. KEELY: State's Exhibit Number 3 is
3 District Court of Wagoner County, filed November 13th, 2012,
4 UCCJEA Affidavit whereby William H. Woolley, III and/or Lisa
5 K. Woolley are lawful age. State that they live at the
6 present address of 29388 East 19th Street in Broken Arrow,
7 which is in the County of Wagoner. And that the place where
8 the child has lived for the last five years is 29388 East
9 19th Street South, Broken Arrow.

10 MR. SMALLWOOD: On behalf of William Woolley,
11 we would so stipulate.

12 MR. RICHARDSON: We would stipulate as well,
13 Your Honor.

14 THE COURT: Thank you. It will be admitted.

15 MS. KEELY: State's Exhibit Number 4 is filed
16 November 27th, 2012. And it's dated -- I'm sorry. On
17 November 27th. It's Order Appointing Guardians. State's
18 Exhibit Number 4. Bradley Clayton Woolley. The guardians
19 who are appointed are, again, William Woolley, III and Lisa
20 Woolley.

21 MR. SMALLWOOD: On behalf of Mr. Woolley, we
22 would so stipulate, Judge.

23 MR. RICHARDSON: No objection, Judge.

24 THE COURT: Be admitted.

25 MS. KEELY: State's Exhibit Number 7, is not

1 a filed document, but it is in the court file in case number
2 PG-12-118. And that is in the Matter of the Guardianship of
3 Clayton Bradley Woolley. This is a Report of Guardianship
4 of the Person, where it talks about, "I, William H. and Lisa
5 K. Woolley" were guardians. That their present place of
6 abode is 130 West Fulton Street in Broken Arrow. It's filed
7 in Wagoner County. And, basically, it's the report of the
8 year where they have had him.

9 MR. SMALLWOOD: No objection. We'll
10 stipulate on behalf of Mr. William Woolley.

11 MR. RICHARDSON: No objection on behalf of
12 Ms. Woolley.

13 THE COURT: So you're talking about the
14 annual report?

15 MS. KEELY: Yes, sir, it is.

16 THE COURT: Thank you. Got it. Be admitted.

17 MS. KEELY: And the next is actually filed on
18 January 28th of 2015. Order Approving Annual Reports. It
19 was made on January 15th and the annual reports cover a
20 period from November 21st, 2013, to January 7th of 2015.
21 And it's signed by Judge Shook.

22 MR. SMALLWOOD: We would so stipulate on
23 behalf of Mr. Woolley.

24 MR. RICHARDSON: No objection, Your Honor.

25 THE COURT: Be admitted.

1 MS. KEELY: The next document is filed on
2 March 14th, 2016, in the same case, PG-12-118. It's the
3 Annual Report on the Guardianship of the Person, whereby,
4 Lisa K. Woolley and William H. Woolley filed guardianship
5 and it's the annual report with regard to guardianship that
6 was referred to in State's Exhibit Number 8. And this is
7 State's Exhibit Number 9.

8 MR. SMALLWOOD: On behalf of Mr. William
9 Woolley, we so stipulate, Judge.

10 MR. RICHARDSON: No objection.

11 THE COURT: Be admitted. So it's a second
12 annual report.

13 MS. KEELY: Judge, State's Exhibit Number 10
14 was filed on March 15, 2016, In the Matter of the
15 Guardianship of Clayton Bradley Woolley, case number
16 PG-12-118. Whereby, Judge Shook approved an annual report
17 on the 14th of March, 2016. The reports were from the
18 period of January 8th, '15 to March 14th of 2016.

19 MR. SMALLWOOD: On behalf of Mr. William
20 Woolley, we will so stipulate.

21 MR. RICHARDSON: We have no objection.

22 THE COURT: Be admitted.

23 MS. KEELY: Your Honor, State's Exhibit
24 Number 11 was filed on February 17th, 2017, and -- in case
25 number PG-12-118 regarding Clayton Bradley Woolley.

1 Whereas, William H. Woolley and Lisa K. Woolley had the
2 guardianship of Clayton Bradley Woolley. It is the Report
3 On the Guardianship of the Person.

4 MR. SMALLWOOD: On behalf of Mr. William
5 Woolley, we will so stipulate, Judge.

6 MR. RICHARDSON: We have no objection, Judge.

7 THE COURT: Be admitted. Thank you.

8 MS. KEELY: Judge, State's Exhibit Number 12
9 is Order of Approving Annual Reports, which we just looked
10 at. Or -- I'm sorry. Just admitted. In the Matter of the
11 Guardianship of Clayton Bradley Woolley, case number
12 PG-12-118. Now on the 20th day of March 2017, the annual
13 report covering the period from March 15th, 2016, to
14 February 27th, 2017.

15 MR. SMALLWOOD: On behalf of William Woolley,
16 we will so stipulate, Judge.

17 MR. RICHARDSON: No objection, Judge.

18 THE COURT: Be admitted.

19 MS. KEELY: Your Honor, State's Exhibit 13 is
20 the Report On the Guardianship of the Person, filed in case
21 number PG-12-118, In the Matter of Guardianship of Clayton
22 Bradley Woolley. I'm showing that William H. Woolley and
23 Lisa K. Woolley had the guardianship and it's their annual
24 report. State's Exhibit Number 13.

25 MR. SMALLWOOD: On behalf of William Woolley,

1 we will so stipulate.

2 MR. RICHARDSON: No objection.

3 THE COURT: Be admitted.

4 MS. KEELY: Your Honor, State's Exhibit
5 Number 15 is In the Matter of Guardianship of Elijah Creed
6 Woolley, case number PG-17-20, showing that the petitioner's
7 are William H. Woolley, III, Lisa K. Woolley. It's
8 regarding Elijah Creed Woolley born on January 16th, 2017.
9 It is signed by both Mr. William Woolley and Lisa K. Woolley
10 where they are asking for guardianship of Elijah Creed.

11 MR. SMALLWOOD: On behalf of William Woolley,
12 we will so stipulate.

13 MR. RICHARDSON: No objection, Your Honor.

14 THE COURT: Be admitted.

15 MS. KEELY: And, Your Honor, finally we have
16 State's Exhibit Number 16, which is the Emergency Order
17 Appointing Special Guardians, in case number PG-17-20, of
18 Elijah Creed Woolley, showing that Judge Shook appointed Mr.
19 and Mrs. Woolley as guardians on 17, February of 2017.

20 MR. SMALLWOOD: On behalf of William Woolley,
21 we will so stipulate.

22 MR. RICHARDSON: No objection, Your Honor.

23 THE COURT: Be admitted.

24 MR. SMALLWOOD: It's my understanding, Judge,
25 that there simply is not an Exhibit 14; is that correct?

1 MS. KEELY: There's not an Exhibit 14
2 included in this. I anticipate that Exhibit 14 will later
3 be offered and that is the SANE report.

4 THE COURT: Okay. Thank you very much. With
5 that --

6 Yes, ma'am. Anything else?

7 MS. KEELY: Not before I call my first
8 witness. Thank you for the Court's patience and indulgence.

9 THE COURT: The State can call it's first
10 witness.

11 MS. KEELY: Thank you, sir.

12 MR. COPELAND: Your Honor, one moment.

13 THE COURT: Absolutely.

14 Ms. Keely, you can call your first witness.

15 MS. KEELY: Yes, sir. Thank you, sir. The
16 State calls Meagan Sinclair, please.

17 THE COURT: Hello, ma'am. Get seated and get
18 comfortable. I'm going to need to swear you in. Raise your
19 right hand, please. Do you solemnly swear or affirm to tell
20 the truth, the whole truth and nothing but the truth, so
21 help you God?

22 THE WITNESS: Yes.

23 THE COURT: All right. I'm going to turn
24 that microphone on. Is that good right now?

25 THE WITNESS: Uh-huh.

1 THE COURT: All right. You can inquire,
2 Ms. Keely.

3 MS. KEELY: Thank you, sir.

4 **MEAGAN SINCLAIR**

5 being first duly sworn to testify the truth, the whole truth
6 and nothing but the truth, testified as follows:

7 **DIRECT EXAMINATION**

8 **BY MS. KEELY:**

9 Q Ms. Sinclair, do you have an occupation, profession or
10 employment?

11 A Yes.

12 Q And what is that, please?

13 A I'm a registered nurse.

14 Q And how long have you been a registered nurse?

15 A Ten years.

16 Q And what type of education or training do you have to
17 be a registered nurse?

18 A I received an Associate of Science from Connors State
19 College in 2009.

20 Q And where all have you worked as a registered nurse?

21 A I've worked in ICU, I've worked in a hospital, worked
22 in surgery mostly.

23 Q And have you had occasion to work with children?

24 A Yes.

25 Q And when have you had an occasion to work with

1 children?

2 A In the last two years as a sexual assault nurse
3 examiner.

4 Q What type of training do you have to be a sexual
5 assault nurse examiner?

6 A I received a certification from Oklahoma State
7 University in Tulsa.

8 Q Now, when you work with children, are there any special
9 precautions that you use that you might not use when you
10 work with adults?

11 A Can you clarify --

12 MR. COPELAND: Excuse me, Your Honor. Is
13 there a way to get a microphone on the ADA so I can hear?

14 THE COURT: Yes. You'll have to take -- just
15 a second everyone.

16 MS. KEELY: Judge, I can try talking louder.

17 THE COURT: Try that microphone and see if it
18 works.

19 MS. KEELY: Testing.

20 MR. COPELAND: Thank you, Your Honor.

21 THE COURT: You're welcome.

22 Q (Ms. Keely) With regard to your training to be a
23 sexual assault nurse examiner, do you have any special
24 things or precautions that you take whenever you're talking
25 to children?

1 A Whenever I'm talking to children? Yes. I mean,
2 there's different -- we communicate different with a child
3 than with an adult.

4 Q Okay. And how do you communicate differently with a
5 child than an adult?

6 A With a child, I would use very direct questions. Not
7 use words that are large that they wouldn't understand.

8 Q Okay. And have you been taught the difference between
9 a leading question or a suggestive question and an
10 open-ended question?

11 A Yes.

12 Q And when did you learn that?

13 A In my nurse training ten years ago and then also in my
14 sexual assault nurse examiner training.

15 Q Now, in your sexual assault nurse examiner training,
16 what did you talk about in regard to leading questions?

17 A Not to ask leading questions.

18 Q Okay. And do you follow your training when you act as
19 a sexual assault nurse examiner?

20 A Yes.

21 MR. RICHARDSON: Your Honor, I'm going to
22 impose an objection to generally whether she follows her
23 training. We are just talking about this specific instance.

24 THE COURT: Well, did you want to respond,
25 Ms. Keely?

1 MS. KEELY: Judge, I think it goes toward
2 being a predicate. They made objections prior to this. I
3 just want to make sure -- I'm trying my best to make a good
4 predicate for the Court.

5 MR. RICHARDSON: I just want to know what she
6 did in this instance, not generally speaking. That's what
7 the question was generally speaking whether she did that.

8 THE COURT: I understand. I'm going to
9 overrule it. It's a foundational question. Unless you
10 three are stipulating to her qualification? Okay. No.
11 Then I'll overrule it.

12 Q (Ms. Keely) Now, as a sexual assault nurse examiner,
13 do you work somewhere as a sexual assault nurse examiner?

14 A Yes. I'm a contract employee of Kid's Space in
15 Muskogee.

16 Q Okay.

17 MR. SMALLWOOD: Pardon me. I didn't get the
18 name of the institution, Judge.

19 A Kid's Space.

20 MR. SMALLWOOD: Kid's Space?

21 A Uh-huh.

22 MR. SMALLWOOD: Thank you.

23 Q (Ms. Keely) Okay. And how long have you worked as a
24 sexual assault nurse examiner?

25 A About a year and a half.

1 Q And in a year and a half, how many individuals have you
2 had an occasion to work with?

3 A Approximately around 85.

4 Q Okay. And are some of them children?

5 A Yes.

6 Q What percent are children?

7 A Probably 75 percent.

8 Q Okay. When you do an examination as a sexual assault
9 examiner, how do you conduct that examination?

10 A From start to finish?

11 Q Yes.

12 A Okay. So I bring the child into the examination room.
13 I build a rapport with the child and ask them different
14 things, like what is their favorite color, what do they like
15 to do. Just kind of get the child comfortable with me.
16 Just feeling comfortable in the room. I then talk about
17 body parts with the child and different names that they have
18 for all of their body parts, including private body parts,
19 so I know that the child and I are on the same page. And
20 then I obtain a history from the child. History of sexual
21 assault, if there has been one. And then I do a physical
22 examination, a head-to-toe assessment of the child,
23 specializing in genital examination.

24 Q Okay. And after you do that examination, what do you
25 do?

1 A I talk with the child more if I need to, educate the
2 child if I need to, refer the child if I need to if it's
3 indicated.

4 Q Okay. And when you say, refer the child if I need to,
5 what do you mean by that?

6 A Primary care doctor, gynecologist, any outsourced type
7 referrals.

8 Q Now, you mentioned you take a history from the child.
9 Why do you take a history?

10 A That's what I do with every patient that I have,
11 regardless of -- if it's sexual assault or wherever I'm
12 working, obtain a history.

13 Q Okay. And how does that help you?

14 A That helps me to know what I need to look for, just to
15 know what's happened to that patient before I examine them.

16 Q Does it assist with diagnosis and treatment?

17 A Yes.

18 Q And how is that? How does it assist you?

19 A Well, by obtaining the history, I can form a medical
20 diagnosis. And off of that diagnosis is what my treatment
21 is based off of.

22 Q Now, what kind of treatments do you offer?

23 A Medications, referrals, lab testing sometimes.

24 Q Okay. Now, do you have any way that any of this is
25 recorded?

1 A What do you mean?

2 Q Are your findings written down or recorded in some way?

3 A Yes. I have a report and everything is written in that
4 report.

5 Q Do you write a report in every single sexual assault
6 nurse examination that you do?

7 A Yes.

8 Q Okay. Did you happen to meet a person by the name of
9 Clayton Woolley on March 31st of 2018?

10 A Yes.

11 Q And what was the purpose for meeting Clayton Woolley?

12 A Clayton was referred to me for a sexual assault
13 examine.

14 Q And where were you when you received that?

15 A At Kid's Space.

16 Q And did you actually do a sexual assault examination on
17 Clayton Woolley?

18 A Yes, I did.

19 Q And when you did that examination on Clayton Woolley,
20 did you follow all of the procedures that you do in every
21 single case?

22 A Yes, I did.

23 Q And were those according to training?

24 A Yes.

25 Q And at the end of the sexual assault examination, did

1 you write a report?

2 A Yes, I did.

3 Q And was your report accurate?

4 A Yes.

5 Q Did it include parts of the examination, including the
6 history?

7 A Yes.

8 MR. COPELAND: I'm sorry. Include what?

9 MS. KEELY: Parts of the examination,
10 including the history.

11 MR. COPELAND: History. Okay.

12 MR. SMALLWOOD: Your Honor, on behalf of
13 Mr. William Woolley, we would ask -- if this is going to be
14 offered at this point and time, we would ask that the Court
15 withhold a ruling on it's admissibility pending cross
16 examination.

17 THE COURT: All right. Does -- Mr. Copeland,
18 are you in agreement with that?

19 MR. COPELAND: Yes, Your Honor. We concur
20 with that.

21 THE COURT: I take it the State is wanting to
22 have the witness identify it first and then I will take that
23 under advisement for -- subject to cross examination.

24 MS. KEELY: Yes, sir. Thank you, sir. Your
25 Honor, at this time, may I approach the witness?

1 THE COURT: You may.

2 Q (Ms. Keely) I'm going to show you what's been marked
3 as State's Exhibit Number 14. Can you look at that
4 document, please?

5 A Uh-huh.

6 Q Do you recognize that document?

7 A Yes.

8 Q And what is that document?

9 A That is my report.

10 Q And is that the report -- well, when did you complete
11 that report?

12 A 3-31-18.

13 Q And would that be the report that you did with regard
14 to Clayton Woolley?

15 A Yes.

16 Q And is that a complete copy of your report?

17 A Yes.

18 Q Anything added or taken away?

19 A No.

20 Q Okay.

21 MS. KEELY: Your Honor, at this time we would
22 offer into evidence State's Exhibit Number 14.

23 MR. COPELAND: Your Honor, same objection we
24 referred to a while ago.

25 THE COURT: I understand. I will make a

1 ruling that the foundation is laid. That it is accurate and
2 authenticated. I will take it under advisement, subject to
3 cross, in regards to the -- some substantive ruling. All
4 right. Thank you very much. So that will be 14.

5 MS. KEELY: Thank you, sir.

6 Q (Ms. Keely) Now, when you started out, where did you
7 meet Clayton?

8 A At Kid's Space.

9 Q Okay. And how did that come about?

10 A He was --

11 MR. COPELAND: Met Clayton at where?

12 A Kid's Space. He was brought in by Yolanda Martinez
13 with DHS.

14 Q (Ms. Keely) And where did you talk to Clayton?

15 A In my examination room.

16 Q Okay. And is that where you met Clayton?

17 A Yes.

18 Q And how were you dressed that day?

19 A I don't remember.

20 Q Okay. And when you met Clayton, what did you talk
21 about?

22 A Can you clarify that question?

23 Q Yes. Did you talk about his family?

24 A No.

25 Q And when you -- well, did you take a history from

- 1 Clayton?
- 2 A Yes, I took a history from Clayton.
- 3 Q And how did you take a history from Clayton?
- 4 A The same way that I always do.
- 5 Q Okay. And can you tell me how that is?
- 6 A Yes. Clayton and I talked a little bit, just like I
- 7 said, rapport building with him. Getting to know him. Just
- 8 getting him comfortable. And then we talked about body
- 9 parts and naming different body parts.
- 10 Q Did he have names for his private -- did he have a name
- 11 for his penis?
- 12 A Yes.
- 13 Q And what did he call his penis?
- 14 A Privates.
- 15 Q Did he have a name for his butt?
- 16 A Yes.
- 17 Q And what did he call his butt?
- 18 A Butt.
- 19 Q Okay. And did he have a name for his nose?
- 20 A Yes.
- 21 Q What did he call his nose?
- 22 A Nose.
- 23 Q Did he have a name or his arms?
- 24 A Yes.
- 25 Q What did he call his arms?

1 A Arms.

2 Q Okay. Was he able to accurately name body parts?

3 A Yes.

4 Q Okay. And did you determine how old Clayton was at
5 that time?

6 A He's five.

7 Q And were the words that he was using consistent with
8 what you might expect for a five-year-old to call things?

9 A Yes.

10 Q Okay. Did he seem to be able to talk to you or did it
11 appear like somebody had told him what to say?

12 MR. COPELAND: Objection. Leading, Your
13 Honor.

14 THE COURT: I'll overrule it. I think she's
15 laying a foundation for it.

16 You can answer it. If you need --

17 A Can you reask the question again?

18 Q (Ms. Keely) Yes. Did -- were his words seeming --
19 well, did it seem like he was answering your questions
20 spontaneously or did it appear that somebody has coached
21 him?

22 MR. COPELAND: Objection. Compound, Your
23 Honor. Object to form.

24 THE COURT: I'll overrule it.

25 A He was answering the questions spontaneously. I didn't

1 feel as if he had been coached or anything like that.

2 Q (Ms. Keely) All right. Now, did you go through a
3 history with Clayton?

4 A Yes.

5 Q And how did you go through the history with Clayton?
6 What did you ask him?

7 A Well, I started by talking about the body parts. And
8 then I asked him if he had ever seen anyone's body parts,
9 private body parts. And he responded by talking about
10 Meredith and Matthew, some of the neighborhood kids, they
11 had showed each other their private body parts.

12 Q Okay. And after that, did you continue talking to him?

13 A Yes.

14 Q Okay. What did you learn next?

15 A I asked him if he had ever seen anyone put their
16 private body parts on anyone else's body.

17 Q And what did he say?

18 A He said that papa puts his private body parts in
19 Elijah's butt and then he pointed to his anus.

20 Q Okay.

21 A He said it happens everyday.

22 Q Okay. Did he say anything else with regard to that?

23 MR. COPELAND: Your Honor, we are -- I hope
24 Court's recognized we have a running objection on all of
25 this testimony and we reserve the right to strike all of

1 this testimony.

2 THE COURT: Okay. I understand.

3 You can answer the question, please.

4 Q (Ms. Keely) Did he say anything -- what did -- did he
5 say what Elijah did when papa did that?

6 A I asked him where it happened and he said in the living
7 room on the couch. And he said Elijah be crying and crying
8 when it happens and then he gets a spanking.

9 Q And did your conversation with Clayton continue?

10 A Yes.

11 Q Okay. And how did that happen? What happened next?

12 A I asked Clayton if anyone had ever put their private
13 body parts on his body. And he said that papa had put his
14 privates on his -- on Clayton's butt in the shower one time
15 and that grandma saw it happen.

16 Q Now, did Clayton describe papa's private part?

17 A Yes, he did.

18 Q And how did he describe papa's private part?

19 A He said it was black fur with a private.

20 Q Okay. And when he told all of that to you, did you
21 later write that down?

22 A Yes, I did.

23 Q And when did you write that down?

24 A That day.

25 Q Okay. And was that for the purpose of diagnosis and

1 treatment?

2 A Yes.

3 Q Okay. Now, when he said that papa did that, did you
4 find out who papa was?

5 A Yes.

6 Q And who was that?

7 A William Woolley.

8 Q Okay. Now --

9 A I always have --

10 MR. COPELAND: Objection. There's no
11 question posed, Your Honor.

12 THE COURT: Okay.

13 MR. SMALLWOOD: Judge, we are going to object
14 to this. We have no idea how she found out "papa" is
15 William Woolley.

16 THE COURT: Okay. I understand. She -- you
17 can lay your foundation.

18 MS. KEELY: Yes, sir. Thank you.

19 Q (Ms. Keely) Now, did you talk to Clayton about family
20 members and who people were?

21 A He talked about his brother and he talked about papa.

22 Q Okay. And did you -- how did you know who papa was?

23 A I asked him. I clarified that with him.

24 Q Okay. And what did he say?

25 A He said William.

1 Q Okay. And so after you took a history, did you
2 actually do a physical examination on Clayton?

3 A Yes.

4 Q And how do you do the physical examination?

5 A It's a head-to-toe examination, just like I would with
6 any patient that I have. So listen to heart, listen to
7 lungs, look in their ears, look in their nose. Just a full
8 head-to-toe assessment.

9 Q And why do you do that full head-to-toe assessment?

10 A For medical diagnosis and possible treatment.

11 Q Okay. And when you actually did that head-to-toe, did
12 you find anything that concerned you with regard to Clayton?

13 A No, I did not.

14 Q Okay. Now, in your training and experience, when
15 things are within normal limits, does that necessarily mean
16 that a child has never been touched or sexually abused?

17 A No.

18 MR. SMALLWOOD: Object to this, Judge. This
19 witness is not competent, nor have we established any kind
20 of predicate that she's competent, to make that kind of
21 determination.

22 THE COURT: Did you want to respond?

23 MS. KEELY: Judge, I think we've laid a
24 foundation. She's a sexual assault nurse examiner, she's
25 been an RN for ten years, 75 percent of her practice is

1 children. She does treatment, she refers children out.

2 THE COURT: Okay. I'll overrule the
3 objection.

4 You can answer.

5 A Can you repeat the question, please?

6 Q (Ms. Keely) Yes. Whenever you see -- whenever you
7 have an examination and have findings within normal limits,
8 does that mean that a child has never been abused?

9 A No.

10 Q With regard to Clayton, did you actually make any
11 additional referrals?

12 A No, I did. Not in this instance, no.

13 Q Okay. What does Clayton call his grandma?

14 A I believe it was grandma.

15 MS. KEELY: Your Honor, I pass the witness at
16 this time.

17 THE COURT: Mr. Copeland, do you have any
18 questions?

19 MR. COPELAND: Yes, Your Honor.

20 **CROSS EXAMINATION**

21 **BY MR. COPELAND:**

22 Q Hello, Ms. Sinclair.

23 A Hi.

24 Q You and I have never met, have we?

25 A No, we have not.

1 Q Okay. Ma'am, I want to ask you a couple of questions
2 about your experience as a nurse. You said you got training
3 at OSU -- you said medical center?

4 A My SANE training, yes.

5 Q I'm sorry?

6 A My SANE training.

7 Q Your SANE training?

8 A Oklahoma State University Health and Science Center in
9 Tulsa.

10 Q Where did you get your nursing background?

11 A Connors State College.

12 Q And you became a registered nurse through Connors?

13 A Yes.

14 Q And how long ago was that?

15 A Approximately ten years ago.

16 Q And in that ten years, where have you worked besides --
17 what did we call it? Child Space? What did you call it?

18 A Kid's Space.

19 Q Kid's Space?

20 A Yeah.

21 Q Okay. Where have you worked besides Kid's Space?

22 A I've worked at the hospital in Muskogee.

23 Q Muskogee Regional?

24 A St. Francis/Muskogee Regional, yes. Most of my work
25 was there.

- 1 Q Most of your work was at Muskogee?
- 2 A Uh-huh.
- 3 Q What did you do for St. Francis?
- 4 A I worked in endoscopy and operating room.
- 5 Q What did you do in the operating room?
- 6 A I was a circulator.
- 7 Q What were you circulating?
- 8 A The operating room.
- 9 Q Well, what does that mean?
- 10 A It means you're the nurse for the operating room.
- 11 Q So you're keeping track of things?
- 12 A Yes.
- 13 Q What are you keeping track of?
- 14 A Lots of different things.
- 15 Q Can you give us some examples?
- 16 A Counts on needles.
- 17 Q I'm sorry?
- 18 A Counts on needles.
- 19 Q Counts on needles. Okay. And when you are making
20 counts of needles, you document that; correct?
- 21 A Yes, sir.
- 22 Q And you document that because you want to make sure
23 that no needle gets inside a person wrongly; is that true?
- 24 A That's correct.
- 25 Q That's one of the very big reasons; correct?

1 A Yes.

2 Q Because in those situations, you could end up facing,
3 you know, hurting someone or you could end up causing a
4 lawsuit to be filed against the hospital?

5 A Absolutely.

6 Q All right. And so you understand the importance of
7 documentation; do you not?

8 A Yes, sir.

9 Q And so when it comes to documentation, people can
10 actually, such as in this case, if you don't properly
11 document something, then it could actually cause a wrong
12 person to go to jail or cause an innocent person go to jail
13 just as much as it could cause a person in the hospital to
14 die on the table or get an infection later. Have a needle
15 in them that they have to take and be extracted. Would that
16 be true? Just as important?

17 A I don't feel like I'm qualified to answer that
18 question. I document what I document.

19 Q Well, a lot of nurses and people that have had cases
20 filed against them have document -- you know, they just que
21 sera document what it is that they'll document. My question
22 to you, ma'am, is what's your obligation as far as
23 documenting in this case?

24 A I'm a very good documenter. I always document
25 accurately.

1 Q So you rank yourself up there in the top one to ten
2 documenters?

3 A I'm pretty good.

4 Q So on a scale of one to ten, you would be a number ten;
5 is that correct? Would that be an accurate description?

6 A I wouldn't answer that question.

7 Q You don't know how to answer that?

8 A I wouldn't answer that question.

9 Q You would not answer that?

10 A No.

11 Q Why wouldn't you answer that?

12 A Well, that's --

13 Q You're on the witness stand.

14 A -- a statistical question. I don't know if I'm a
15 number ten.

16 Q Ma'am, nobody knows how they evaluate themselves more
17 than you do. How do you evaluate yourself on documentation?

18 A I would say that I'm a very good documenter. I take it
19 very seriously.

20 Q One of the best?

21 MS. KEELY: Objection. This has been asked
22 and answered.

23 THE COURT: I'll sustain the objection.

24 Q (Mr. Copeland) Well, ma'am, I mean, do you think that
25 you documented everything in this case?

1 A Yes, sir.

2 Q Okay.

3 MR. COPELAND: Your Honor, may I approach?

4 THE COURT: You may.

5 Q (Mr. Copeland) Now, you've testified that State's
6 Exhibit 14 is a complete report; is that right?

7 A Yes, sir.

8 Q There's no other notes or anything that you made
9 regarding this case that are floating around somewhere that
10 haven't been provided? You reviewed this?

11 A Yes, I have.

12 Q Or you just took the word of the prosecutor that this
13 was complete? And -- no reflection on you.

14 A I have reviewed the report.

15 Q You have reviewed this?

16 A Yes, sir.

17 Q As -- contemporaneous of when she submitted it to the
18 Court?

19 A I don't know.

20 Q Did you go through this when she handed it to you?

21 A Just now?

22 Q Yeah. When she handed it to you?

23 A I looked through it to make sure it was -- yeah.

24 Q Okay. So you're confident in this?

25 A Yes.

- 1 Q All right. You also said you are a good historian.
2 Would that be true?
- 3 A A good historian?
- 4 Q Historian. You take history. You do that with every
5 patient you said.
- 6 A I do do it with every patient.
- 7 Q And that applies to both patients that are medical
8 patients and you said -- you described it as sexual abuse
9 evaluations. Is that what you described it as? Use your
10 word. Tell me.
- 11 A Yes.
- 12 Q Your words? Is that -- what do you call it? Sexual
13 abuse evaluation?
- 14 A Sexual assault exam.
- 15 Q Okay. And the purpose of that exam is to do what?
- 16 A The purpose of that exam is for the medical diagnosis
17 and treatment of that patient.
- 18 Q Medical diagnosis. You said medical diagnosis?
- 19 A Yes.
- 20 Q So sexual abuse is a medical diagnosis according to
21 you?
- 22 A No. No.
- 23 Q Okay. So why would you say it's for the purpose of a
24 medical diagnosis and treatment?
- 25 A Well, nurses use a list of NANDA approved medical

1 diagnoses.

2 Q Okay. Please tell the Court what that means?

3 A Okay. Nurses are not allowed to diagnosis a patient
4 like a doctor would, with, like, congestive heart failure or
5 asthma or COPD. Nurses use a list of approved NANDA
6 diagnosis to treat their patients.

7 Q NANDA representing what? What does that mean?

8 A The acronym for NANDA?

9 Q Yes, ma'am.

10 A I'm not sure.

11 Q You don't know what NANDA means and you are required to
12 comply with it. Is that true?

13 A I'm -- I can't --

14 Q You are required to comply with it; correct?

15 A Yes.

16 Q Okay. So -- so NANDA is this policy and procedure or
17 would you call it a standard of care?

18 A Standard of care.

19 Q Okay. Is it a standard of care for -- is it a standard
20 of care for medical patients only?

21 A For all patients.

22 Q Well, not everybody is a patient, but you're saying all
23 patients?

24 A Or any patient that I would treat.

25 Q Okay. Any patient that you would treat?

1 A Uh-huh.

2 Q What treatment did you do in this particular case
3 regarding Clayton Woolley? What treatment?

4 A I did not have any referrals for Clayton. I did not --
5 there was no indication for medication for Clayton. My
6 treatment for Clayton was the physical exam.

7 Q So the treatment was the physical exam?

8 A Yes.

9 Q I'm trying to understand that, Ms. Sinclair. Is it Ms.
10 or Mrs.?

11 A Mrs.

12 Q Okay. Mrs. Sinclair. So you equate a -- you equate an
13 exam as treatment?

14 A Absolutely.

15 Q With treatment?

16 A Yes.

17 Q But you weren't doing a referral?

18 A It was not indicated.

19 Q And there was no medication given?

20 A No.

21 Q No test run; right?

22 A Not --

23 Q What physical evidence did you have on your examination
24 that indicated any kind of non-medication or any kind of
25 non-referral?

1 A Can you clarify that question?

2 Q What do you do when you do a referral?

3 A Some children I refer to their primary care doctor or
4 gynecologist.

5 Q But what is that for? For injuries?

6 A It depends.

7 Q Okay.

8 A There's a wide variety of reasons.

9 Q Well, give me other reasons besides what you've stated
10 so far.

11 A That I would refer a child to a primary care?

12 Q Yes. Besides injuries.

13 A Injuries. Infection. Possible --

14 Q Do you refer them for a psych eval?

15 A -- pregnancy. I refer for counseling. If I needed to
16 refer for a psych eval, I would.

17 Q Did you refer any counseling to Clayton in this case?

18 A No, I did not.

19 Q And you gave no referral to any doctor and you gave no
20 medication. All you did was look at him; is that correct?

21 A That's correct.

22 Q So is it true, Mrs. Sinclair, that a nurse -- in the
23 State of Oklahoma it is an unlawful act for a nurse to do a
24 diagnosis. Isn't that true?

25 A Can you clarify that, please?

1 Q It's an unlawful act --

2 MR. COPELAND: What happened to my sound,
3 Judge?

4 THE COURT: I didn't know you guys were using
5 it.

6 Q (Mr. Copeland) It's an unlawful act -- hold on a
7 second. It's an unlawful act for a nurse to do a diagnosis
8 in the State of Oklahoma, is it not?

9 A Which type of diagnosis are you referring to?

10 Q Well, you just tell us what -- what nurse is going to
11 represent to this Court that there's a diagnosis out there
12 that you can actually make, besides taking vital signs and
13 seeing how fast someone is breathing or taking a
14 temperature. What diagnosis are you available to make as a
15 nurse?

16 A A NANDA approved diagnosis.

17 Q A what?

18 A NANDA approved diagnosis.

19 Q A NANDA approved?

20 A Yes.

21 Q Give us a list of those.

22 A It's a very very long list.

23 Q Well, give me five of them.

24 A Interruptive family process, fear or anxiety,
25 hopelessness, ineffective --

1 Q So those are observations, those are not diagnoses.
2 Would you agree?

3 A Those are nursing diagnoses, yes.

4 Q So you're telling -- you're representing to this
5 Court --

6 THE COURT: That's -- please don't do that.

7 MR. COPELAND: I'm sorry, Judge.

8 Q (Mr. Copeland) You're representing to this Court that
9 fear is a diagnosis?

10 A A nursing NANDA approved diagnosis, yes.

11 Q And that's not something a lay person can do?

12 MS. KEELY: Judge, I'm going to object.

13 THE COURT: I'll sustain the objection.

14 Q (Mr. Copeland) Earlier you said -- what were you
15 discussing when -- and what question were you answering when
16 it came to how was it that Clayton knew that the person that
17 you were describing was referring to William?

18 A How did I know that?

19 Q Yeah. What was the question being posed to you? Do
20 you recall?

21 A What question did I ask Clayton?

22 Q No. No. You were being asked a question by the State
23 here about how was it that you tied in and Clayton's
24 statement to you, how did it refer to -- how did you
25 conclude that that was referring to William, the grandpa?

1 A Okay. I asked Clayton.

2 Q You asked Clayton and then you gave the answer and said
3 that he said William?

4 A Yes.

5 Q Did you put that in your report anywhere?

6 A I did not put that in my report.

7 Q Why not? Why would you not put that important item in
8 the report?

9 A I just didn't put it in there.

10 Q Do you think it's an important item?

11 MR. COPELAND: Sorry, Judge.

12 THE COURT: That's okay.

13 Q (Mr. Copeland) Do you think it's an important item,
14 Mrs. Sinclair?

15 A I guess it may be important to some.

16 Q Well, is it important to you? That's what we are
17 asking. That's what we are here to find out is what your
18 skills are as a nurse, what your qualifications are and how
19 you see this case since you were obligated or -- as part of
20 your duty, to make a referral, if need be.

21 MS. KEELY: Judge, I'm going to object to
22 this question. First of all, I think it's confusing.
23 Second of all, it's certainly compound.

24 THE COURT: Well -- okay. Do you understand
25 the question, Ms. Sinclair?

1 A He's asking if I think it's important to put it in my
2 report that I asked Clayton who papa was.

3 THE COURT: Okay. I'm going to overrule the
4 objection. Please answer that question.

5 A I guess you could say it's important.

6 Q (Mr. Copeland) Well, let me --

7 A It's not my primary focus. My primary focus is Clayton
8 and treating him.

9 Q Well, your primary focus also has to -- well, this is
10 about fact gathering, according to what your report is all
11 about, is it not? One of your duties is to try to gather
12 facts?

13 A Yes.

14 Q And in gathering facts, you know that these cases are
15 going to potentially wind up in court; correct?

16 A Correct.

17 Q And you know that these cases can wind up in court
18 two years down the road sometimes; correct?

19 A Correct.

20 Q You also understand that memory has a tendency to wane,
21 does it not, over time?

22 A Sure.

23 Q And that's all the more reason why it's important to
24 write things down and write them down accurately?

25 A Uh-huh.

1 Q You also mentioned Gabe. Did you put Gabe in this
2 report?

3 A No.

4 Q Okay.

5 A I don't even know who that is.

6 Q So do you think it's important, two years down the
7 road, to have the documentation instead of testifying by
8 your memory as it relates to critical facts that might send
9 someone to prison for their life? Ma'am, for their life.
10 Do you think that's important?

11 A Can you repeat the question. I think I've already
12 answered it, but can you repeat it.

13 Q Ma'am, how important is it, to you, to get the facts
14 accurately recorded and documented, but you didn't document
15 them. I want to know how important that is to you?

16 A I've already answered that question.

17 Q Well, you said it's somewhat important or very
18 important?

19 MS. KEELY: Judge, I'm going to object.

20 MR. COPELAND: I don't think she's clear on
21 it, Your Honor.

22 THE COURT: I'll sustain the question. She's
23 answered it. She said it twice. It may be important to a
24 lot of others.

25 Q (Mr. Copeland) Let me ask this this way then. If

1 you're in the situation as the Woolley's are, would you want
2 someone to write something down accurately that reflects
3 whether or not charges are filed against them?

4 MS. KEELY: Objection.

5 THE COURT: Okay. I'll sustain the
6 objection.

7 Q (Mr. Copeland) Ma'am, why didn't you write that in the
8 report about him relating and identifying William as a
9 culprit?

10 A I just didn't.

11 Q I just didn't. Do you find that somewhat cavalier?

12 MS. KEELY: Objection, Your Honor.

13 THE COURT: I'll sustain the objection.

14 Q (Mr. Copeland) Do you find that as fulfilling your
15 obligation under NANDA or any other standard as a nurse?

16 A My focus was on Clayton and obtaining a history from
17 Clayton. And I'm a nurse, I'm not for the prosecution. I'm
18 just doing my job examining Clayton. Did I ask him? Yes.
19 Did I put it in my report, no, sir.

20 Q So how are you going to remember something two years
21 later if you don't write it down?

22 A If I didn't remember it two years later I would just
23 say I don't remember.

24 Q But do you see the importance that it doesn't have to
25 get to two years later if people do their -- fulfill their

1 obligations and write things accurately that maybe can be
2 critiqued properly for lawyers and judges and DA's and
3 investigators? Instead you just wrote a synopsis or a
4 summary without putting the detailed facts. Would that be
5 true? Would you characterize that as true?

6 MS. KEELY: Objection.

7 THE COURT: Mr. Copeland -- I'll sustain the
8 objection. I understand you're wanting her to agree with
9 you. But now it's becoming harassment. You're trying to
10 embarrass her.

11 MR. COPELAND: Your Honor, I'm just trying to
12 establish the facts on behalf of my client.

13 THE COURT: I think you're going further than
14 that. I'll let you continue your cross examination.

15 MR. COPELAND: Thank you, Judge.

16 Q (Mr. Copeland) Now, Mrs. Sinclair, would you
17 accurately describe your report, in the handwritten portion,
18 as a summary?

19 A As a summary?

20 Q Yes, ma'am?

21 A It's a report. It's --

22 Q Well, I mean, it doesn't have everything that happened
23 in this, does it? Doesn't have the history that you took,
24 does it?

25 A It does have the history that I took.

1 Q Well, okay.

2 MR. COPELAND: Let me approach, Your Honor?

3 Can I?

4 THE COURT: You may.

5 Q (Mr. Copeland) Let me hand you State's Exhibit 14.

6 And you please identify for the Court where this history is

7 that you're identifying?

8 A Okay. So on this page I get a medical history.

9 Q A medical history?

10 A Yes, sir.

11 Q Okay. You want to read into the record what you're

12 saying is a medical history?

13 A Asking about allergies, primary care doctor, any
14 psychosocial history, current on immunizations, medications,
15 any medical diagnosis that they've had, weight.

16 Q Okay. Is anything checked?

17 A Yeah. It's all filled out.

18 Q Okay. Are you -- not current on immunizations. You
19 asked him if he was immunized?

20 A No. I put unknown because there was no one there that
21 would know that.

22 Q Mentally, emotionally challenged. Did you check that?

23 A No, sir.

24 Q Did you ask him about his mental health?

25 A No, sir. He's five.

1 Q Okay. So you -- so basically -- virtually, the only
2 thing you asked him about was nothing? Because you don't
3 have anything check?

4 A No. I filled out this whole entire page, to the best
5 of my knowledge, with who was there to answer the questions
6 for him, which was Yolanda Martinez.

7 Q But you've listed people living in the household;
8 correct?

9 A Yes, sir. That information was given to me by Yolanda
10 Martinez.

11 Q So it wasn't given to you by the alleged patient.
12 You're calling him -- are you calling him a patient?

13 A Yes. He's a patient. He was my patient.

14 Q Well, if you're calling him a patient, why does it say
15 "victim's description of assault" at the very top of the
16 title of the page if he's a patient? It says victim.

17 A Well, if you read in the report I refer to him as my
18 patient the whole way through.

19 Q Let me ask you the question again. What's at the top
20 of that page? What's the title?

21 MS. KEELY: Judge, I'm going to object. It
22 speaks -- the document speaks for itself.

23 MR. COPELAND: Your Honor, the document is
24 not in evidence. I'm asking her what she understands and
25 how it is that she's filled out these reports and what her

1 intent is. That goes directly to her intent.

2 THE COURT: Okay. I'll let her answer the
3 question. Why she put down -- if she did. I don't know if
4 she put that in there. But why she put victim. You can
5 answer that question.

6 A Well, I referred to the patient in handwriting as my
7 patient. This is it standard form that we use for all
8 sexual assault examinations and it does say victim at the
9 top, but I did not write that.

10 Q (Mr. Copeland) Okay. But I understand that. But it
11 doesn't say patient, does it, at the top?

12 A No. It says victim.

13 Q Okay. So the state looks at this -- utilizing that --
14 is that a supplied form by the state?

15 A No.

16 Q Okay. Who supplies that form?

17 A Kid's Space.

18 Q Kid's Space?

19 A Yes.

20 Q Okay. And so why are you utilizing a form that says
21 victim on it from Kid's Space?

22 A This is a standard report that I use for every patient
23 that I see.

24 Q So when people come to Kid's Space, are -- is there a
25 presumption that they've been sexually molested?

1 A There's question.

2 Q Is there a presumption at all?

3 A No. There's question.

4 Q You do agree that the term victim has a connotation
5 that there's a presumption that someone has been victimized?

6 MS. KEELY: Judge, I'm going to object.

7 MR. COPELAND: I'm just asking if she -- Your
8 Honor, I got to know, on her testimony, what her intent is
9 and how she interprets this and when she's writing it, why
10 that heading it there and what she's supposed to put
11 underneath it.

12 THE COURT: I understand. But you're asking
13 a question as to whether it has a connotation. That's not
14 the question that -- that you just described asking. So
15 please rephrase your question.

16 Q The term "victim," does it have a connotation to you as
17 it relates to whether the person is a patient or victim?

18 MS. KEELY: Objection. Relevance.

19 THE COURT: I'll let her answer it.

20 A Are you asking me to define victim?

21 Q (Mr. Copeland) I'm asking you, when you see the word
22 victim up here, it says "victim's description of the
23 assault;" right? And then you wrote a description, didn't
24 you?

25 A Yes.

1 Q So you're responding to that query that says victim's
2 descriptions of assault; right?

3 A Uh-huh.

4 Q So do you look at that and think, well, he's a victim?

5 A No.

6 Q Okay. So what are you -- what are you attempting to do
7 when you first visit with him?

8 MS. KEELY: Judge, I'm going to object. This
9 has been asked and answered.

10 THE COURT: Okay. I'll sustain the
11 objection. She's answered the question.

12 Q (Mr. Copeland) Now, what was the reason that he was
13 brought to you or -- speaking of Clayton?

14 A What was the reason Clayton was brought that me?

15 Q Yes, ma'am.

16 A Clayton was referred to me by DHS for the exam.

17 Q So it wasn't Clayton's decision to come see you. Would
18 that be true?

19 A I wouldn't say so, no.

20 Q You would say no; correct?

21 A Yeah.

22 Q And so Clayton didn't have the -- any need whatsoever
23 to come see you from his own prospective. Isn't that true?

24 MS. KEELY: Objection.

25 MR. COPELAND: And, Your Honor, this goes

1 directly to Kennedy versus State. The first element is his
2 motive as to why he's seeking treatment. It is relevant.

3 THE COURT: Did you want to respond,
4 Ms. Keely?

5 MS. KEELY: It calls for speculation unless
6 she talked to Clayton about it.

7 THE COURT: Okay. You're saying -- okay.
8 You would have to lay a little more foundation,
9 Mr. Copeland. It is speculation. You're asking her about
10 Clayton's motive for coming to see --

11 MR. COPELAND: Well, Your Honor, I would
12 submit to the Court that this whole thing is speculation.
13 When he presents to her, it's all speculation. She gets to
14 know him and she's writing conversations that she's having
15 with him. So when I ask her the question, what's his --
16 what's your understanding -- what's your belief as to why he
17 thinks he's there? That goes right into whether -- she
18 could actually eliminate the possibility that he has an
19 actual hand in this and a motive that would prevent this
20 information from coming into court. It's an exception to
21 the hearsay rule they are seeking to utilize and we are
22 saying it doesn't apply. So it's directly on point.

23 MS. KEELY: That wasn't his question.

24 THE COURT: Right. I agree. Rephrase your
25 question, please.

1 Q (Mr. Copeland) Mrs. Sinclair, when -- do you know
2 what -- do you have any indication what the motive of Clayton
3 had when he came to you to see you? Did he have any motive
4 whatsoever?

5 A I don't know.

6 Q Well, taking the circumstances, you look at the fact
7 that someone brought him there, that he was referred by DHS.
8 You have that knowledge; correct?

9 A Yes.

10 Q You were able to deduce things and take logic into
11 account in these issues; correct?

12 A Able to --

13 Q You were able to deduce things and make logical
14 conclusions, as a nurse, and render opinions and diagnoses
15 and you have to look at situations and exclude others --

16 A Right.

17 Q So you use logic?

18 A Right.

19 Q Utilizing logic as it relates to the fact that he
20 presented as a referral from DHS, can you sit here -- as you
21 sit here today, can you conclude that there was no
22 motivation on the part of Clayton Woolley to present to you?
23 He had no hand in it at all. He was a victim of the State?

24 MS. KEELY: Objection.

25 THE COURT: I'll sustain the objection.

1 MR. COPELAND: Your Honor, can I understand
2 why the Court's sustaining this?

3 THE COURT: Because you're making statements.
4 You're making statements that are not a part of the
5 evidence.

6 MR. COPELAND: Let me rephrase then, Your
7 Honor.

8 THE COURT: Assuming facts not in evidence.
9 I couldn't think of the -- go ahead.

10 Q (Mr. Copeland) Mrs. Sinclair, as you were able to
11 deduce logically, wouldn't it be true, that you can
12 conclude, on a reasonable basis, based off the referral from
13 DHS, that Clayton had no hand and no motive to be presented
14 to you. True?

15 MS. KEELY: Objection. Calls for facts not
16 in evidence. Calls for speculation. It's not even relevant
17 to today's hearing.

18 THE COURT: Okay. I'll overrule it. He's
19 asking her if she knows; so I'll let her answer that.

20 MR. COPELAND: Thank you, Judge.

21 A Can you rephrase the question? I'm not sure what
22 you're asking.

23 Q (Mr. Copeland) Sure. When Clayton Woolley is
24 presented -- you testified that Ms. Martinez from DHS
25 presented him to you on a referral; correct? She referred

1 him to you?

2 A Correct.

3 Q As a nurse, understanding what usually goes on in those
4 situations, someone from state DHS hands the child off to
5 you and says, here, do an exam?

6 A Right.

7 Q In your experience, has it been that a child that's
8 five-years-old has any directive or any indication that he's
9 the one that's making these decisions or is it just he has
10 no motivation to be there other than the fact that the state
11 has caused it to be?

12 A I didn't discuss that with Clayton.

13 Q No, no, no. I'm not asking if you discussed it. I'm
14 asking you, are you able to logically conclude, on the
15 witness stand as you sit here today, that that's most likely
16 the case?

17 MS. KEELY: Objection, Your Honor.

18 THE COURT: Okay. I'll sustain the
19 objection.

20 MR. COPELAND: Well, Your Honor, we would
21 submit that the State has the burden of proof on the element
22 as it relates to Kennedy versus State to show that that
23 motive was not -- was not on the part of Clayton.

24 THE COURT: Thank you.

25 Q (Mr. Copeland) So on page two of Plaintiff's

1 Exhibit 14?

2 A Uh-huh.

3 Q Are you the one that filled out the information here
4 about your name, Meagan Sinclair? Do I need to bring it up
5 there or are you familiar with the form enough?

6 A Yes. I'm familiar with the form.

7 Q So where it says "contact/intake information," who
8 filled that out?

9 A I did.

10 Q Where it says Clayton -- or excuse me. Where it
11 says -- does say Clayton. Where it says "client/patient
12 information,"?

13 A Uh-huh.

14 Q Who filled that out?

15 A I did.

16 Q Where it says, "assailant information," who filled that
17 out?

18 A I did.

19 Q Okay. And you wrote in here, William Woolley; is that
20 right?

21 A I need to look at it to make sure. I'm sure --

22 MR. COPELAND: Your Honor, I my I approach
23 again?

24 THE COURT: You may.

25 A Yes, I wrote that in.

- 1 Q (Mr. Copeland) You wrote William Woolley?
- 2 A Yes. That's my handwriting.
- 3 Q Now, when did you fill that out?
- 4 A 3-31-18.
- 5 Q 3-31-18?
- 6 A Yep.
- 7 Q But what time of day? What sequence?
- 8 A I would have to look at the form again. I believe it
9 was around 8:00. So between 8:49 and 10:49.
- 10 Q Okay. You're saying that this indicates when you fill
11 this out? The whole thing?
- 12 A Yes.
- 13 Q So you're talking about 8:00 in the evening? 8:49?
- 14 A Yes.
- 15 Q Until 22:49?
- 16 A Yes.
- 17 Q So how much time did you spend with Clayton himself?
- 18 A Two hours.
- 19 Q You spent two hours conversing with Clayton?
- 20 A Not conversing. The whole time.
- 21 Q How much time did you spend conversing with him?
- 22 A Maybe 15 minutes.
- 23 Q So you were asked on direct by the State a question
24 about is there a mechanism by which you record these
25 interviews. Is there? Other than your own report that you

1 hand wrote?

2 A Well, I don't do interviews.

3 Q Well, you don't interview -- you don't call this
4 interviewing the patient?

5 A Absolutely not.

6 Q You call it interviewing the victim?

7 A No. I don't do interviews.

8 Q What do you call it? Just an exam?

9 A Obtaining a medical history.

10 Q Taking a medical history. And what in this medical
11 history has to do with getting into conversations about
12 privates and individuals that were next door neighbors where
13 you wrote Meredith and Matthew's privates were by a tree and
14 you saw Meredith and Matthew and they showed each other
15 privates? What does that have to do with medical?

16 A Well, the medical history focuses on sexual assault.
17 My focus as a sexual assault nurse is sexual assault.

18 Q So in evaluating a sexual assault, what is it that you
19 are to be looking for?

20 A There's lots of things. Can you clarify what you are
21 asking?

22 Q Ma'am, you're the trained individual here that -- I
23 can't educate you on it. I need you to educate me on it.
24 You're here to tell the Court what it is you know as an
25 expert.

1 A What I'm looking for -- can you just repeat the
2 question, please?

3 Q As -- when you're doing an evaluation for sexual
4 assault, what is it that you're looking for?

5 A Well, I'm looking to see if there has been any sexual
6 assault. What the sexual assault was. And examination of
7 the body.

8 Q Okay. Well, what are you looking for in a situation
9 where there's absolutely no physical evidence? What are you
10 looking for for evaluation?

11 A After I've examined the patient?

12 Q Ma'am, I'm talking about -- you got an individual like
13 Clayton Woolley that comes up?

14 A Uh-huh.

15 Q And he's brought to you by DHS. What's the -- how are
16 you supposed to evaluate that? What are you looking for?

17 MS. KEELY: Judge, I'm going to object. This
18 is asked and answered.

19 MR. COPELAND: Not been asked and answered on
20 cross for sure, Your Honor.

21 THE COURT: I'll overrule it. She can answer
22 it.

23 A What am I looking for when I obtain -- when I do the
24 physical examination?

25 Q (Mr. Copeland) You're a trained -- you're a nurse

1 trained -- allegedly trained in sexual -- the art of sexual
2 assault evaluation; is that true?

3 A Right.

4 Q Is it art or is it a science? It's an art; isn't it?

5 A I wouldn't say that.

6 Q Well --

7 A It's training. It's my training.

8 Q Well, you're having to draw -- like a doctor. A
9 doctor, he's practicing -- he's practicing -- he's got some
10 science involved, like, maybe physical evidence, but when
11 you got no physical evidence, it's an art because you are
12 utilizing your training; is that not true?

13 MS. KEELY: Judge, I'm going to object.

14 THE COURT: I'll sustain the objection.

15 Q (Mr. Copeland) So, again, I'll ask you, what is it
16 you're looking for when a patient -- when an individual like
17 Clayton Woolley presents himself to DHS? What are you
18 looking for for sexual assault?

19 MS. KEELY: Objection. Asked and answered.

20 MR. COPELAND: She's not answered it, Your
21 Honor.

22 THE COURT: Okay. I'll let her answer that.

23 A I understand what you're saying now. I haven't
24 answered that question.

25 Q (Mr. Copeland) Thank you.

1 A So I'm looking for lots of things when I examine a
2 patient. I'm looking for infection. I'm looking for --
3 looking at their skin. I'm looking for disease processes,
4 different things. I'm doing a full examination of that
5 patient. Look for anything that's not within normal limits.

6 Q Okay. And so what did you find that was abnormal
7 limits on Clayton Woolley?

8 A Nothing. Clayton's exam was within -- everything was
9 normal.

10 Q So you found absolutely nothing physically; correct?

11 A Everything was normal.

12 Q Okay. So what was the reason you didn't make a
13 referral?

14 A There was no indication.

15 Q Okay. So there was no indication medically speaking
16 and no indication psychologically speaking; is that true?

17 A I -- there was no indication to make any referral; so I
18 did not.

19 Q Well, referrals involve both medical and psychological
20 you testified to; am I wrong?

21 A Correct.

22 Q I am wrong or correct is does include those?

23 A It does include those.

24 Q Thank you. So, again, my question is, you found no
25 need and no indication that there was a psychological

1 referral needed, as well as medical; correct?

2 A Correct.

3 Q Now, why -- what's the reason for getting the
4 information on who else lives in the household? When you
5 look at page three of your exam report?

6 A That's standard questions that we ask.

7 Q But what's the purpose of those questions?

8 A If there's other children in the home, to make sure
9 that -- if there is a refer -- if there's a need to generate
10 a DHS referral for those other children.

11 MR. COPELAND: I did it again, Judge.

12 THE COURT: Okay.

13 Q (Mr. Copeland) So your testimony, as I understand it,
14 is that you listed these individuals so that way you know
15 who else is a potential risk or is it for someone else who
16 is in the house that may be a culprit? What is the purpose
17 of this actual reasoning in your mind?

18 A The purpose for it is if I need to generate a referral
19 for other children in the home. And when you do generate a
20 referral, they always ask who all is in the home.

21 Q Do you know what the purpose though actually is? I
22 mean, yeah, you do it because it's procedure to get into
23 point A to point B on a referral. But my question is, is
24 why is this in the procedure? What's the logic behind it?
25 What's the merit behind it?

1 A I just answered that.

2 Q Well, you stated that it was to -- if you need a
3 referral?

4 A If I need to call in a referral to DHS hotline abuse
5 report -- if I need to report abuse to DHS, they always ask
6 who all is in the home. And so that's why we ask that.

7 Q Do you have any knowledge as to whether it's because
8 they want to go protect the rest of the other family members
9 if you think there's a need for a referral?

10 A I don't work for DHS.

11 Q Does a referral have anything to do with a diagnosis of
12 sexual abuse?

13 A Does a referral have anything to do with diagnosis --

14 Q Of sexual abuse?

15 A No. Those are two separate things.

16 Q So a referral is only -- either medical or
17 psychological or to DHS?

18 A No. A referral is just a referral. It's not medical
19 or psychosocial.

20 Q Who are you referring to, ma'am?

21 A I guess we are miscommunicating. A referral is if I
22 suspect abuse. A referral to DHS is if I suspect abuse.

23 Q That's what I just asked you.

24 A Okay.

25 Q And maybe you answered. Because you can't make a

1 diagnosis of sexual assault; can you? Correct? You can
2 not?

3 A Make a diagnosis of sexual assault?

4 Q Yes. You can not?

5 A I can record if a patient describes sexual assault.
6 There is no -- there is a NANDA diagnosis rape.

7 Q You record if what happens?

8 A You're asking me if there's a diagnosis for sexual
9 assault.

10 Q I'm asking if you can make a diagnosis for sexual
11 assault. I'm saying you can not. Do you agree?

12 A Under NANDA, I can make a diagnosis of rape. Rape is a
13 NANDA approved diagnosis.

14 Q Any other diagnosis that you can make?

15 A There's lots.

16 Q So your testimony is, that in Oklahoma, as a nurse, you
17 can make diagnosis under NANDA?

18 MS. KEELY: Judge, I'm going -- this is --
19 objection. Asked and answered.

20 THE COURT: I'm sorry.

21 MS. KEELY: Objection. Asked and answered.

22 MR. COPELAND: If she can just answer the
23 question and we wouldn't have to argue.

24 THE COURT: She's answered it. I'll sustain
25 the objection. She's answered it. I've got it even in my

1 notes.

2 Q (Mr. Copeland) So how many times in your report did
3 you write the word that you asked a question of Clayton?

4 A I don't know.

5 MR. COPELAND: Your Honor, may I approach?

6 THE COURT: You may.

7 Q (Mr. Copeland) Can you review that, please.

8 A You are wanting me to tell you how many times I asked a
9 question?

10 Q Yes, ma'am.

11 A Okay. So you want me to read this whole thing and
12 count?

13 Q Well, no. You can read it, but you don't need to read
14 it out loud. I just want you to review it, if it refreshes
15 your recollection.

16 A Okay. Approximately eight.

17 MR. COPELAND: Your Honor, may I approach
18 again, please?

19 THE COURT: Yes.

20 Q (Mr. Copeland) Okay. So it says, "patient brought to
21 the exam by Yolanda Martinez?"

22 A Yes.

23 Q Is it Yolanda?

24 A Yes.

25 Q "DHS worker. Wagoner County PD officer, Elizabeth

1 Crockett present?"

2 A Yes.

3 Q "No law enforcement or DHS worker in the room during
4 the exam?"

5 A Uh-huh. Correct.

6 Q "Patient states he calls genital area privates plus
7 bottom equals butt." Is that --

8 A That's an "and" sign, but, yes.

9 Q "And bottom equals butt."

10 A Yes.

11 Q "Patient states he played doctor by the tree and saw
12 Meredith and Matthew's privates." Correct?

13 A Yes.

14 Q "Patient states we pulled our pants down, but not our
15 underwear." Correct?

16 A Correct.

17 Q Okay. Here's one. "Asked patient if he had ever seen
18 anyone put their privates on anyone else's body."

19 A Yes.

20 Q "Patient states papa puts his privates in Elijah's butt
21 right here."

22 A Yes.

23 Q "Patient pointed" -- or "PT pointed when saying right
24 here pointed to his own anal area."

25 A Yes.

1 Q So far we've got one; right?

2 A Yes.

3 Q "Patient then stated it happens everyday." Number two.

4 "Asked patient where it happens. Patient states in the
5 living room on the couch."

6 A Yes.

7 Q "Patient states he be crying and crying when it
8 happens. Then he gets a spanking."

9 A Yes.

10 Q There's number three.

11 A Okay.

12 Q "When asked patient where everyone else is when papa
13 puts his privates in Elijah, patient states grandma sees him
14 do it. She don't say nothing. She just watches TV."

15 A Yes.

16 Q Okay. Here's number four. "When asked patient what
17 papa's privates look like, patient states it looks like
18 black fur and then" -- "and then his private." What do you
19 mean by that?

20 A That's exactly what Clayton said. I don't know what he
21 meant by that.

22 Q Here's number five. "Asked patient if papa did it to
23 Elijah one time or lots of times? Patient responds lots of
24 times."

25 A Okay.

1 Q "When asked patient where papa's hand are" so that
2 would be number six; right?

3 A Okay.

4 Q "Where papa's hands are when he does it to Elijah,
5 patient states he puts his hands on Elijah's butt." Right?

6 A Okay.

7 Q Here's number seven. "Asked patient if anyone had ever
8 put their privates on him. Patient states papa put his
9 private on my butt one time in the shower." So we are at
10 seven right here; right? We are at seven?

11 A Yep.

12 Q Here's eight.

13 A Okay.

14 Q "When asked patient if anyone saw papa do that to him,
15 patient states grandma saw it happen to me. Patient then
16 states papa said don't tell anybody about that. Patient
17 left exam at DHS worker's -- worker Yolanda Martinez."

18 A That's a "with." That's a nursing abbreviation.

19 Q Okay. Yeah. You're right. "Patient left exam with
20 DHS worker Yolanda Martinez." And then you sign it; is that
21 right?

22 A Yes.

23 Q So you asked him eight questions and that's all you
24 asked him?

25 A Yes.

1 Q But we know that you asked him more; correct? Because
2 you didn't mention anything about how he indicated it was
3 William; right?

4 A Yes.

5 Q And you didn't mention anything here about how he
6 indicated the name Gabe, his brother, came up; correct?

7 A I don't know -- I didn't ask him anything about Gabe.
8 I don't even know who he is.

9 Q You testified on direct about Gabe. Do you remember
10 that?

11 A Do what?

12 Q You mentioned Gabe on direct. Do you remember that?

13 A No. I don't even know who Gabe is.

14 MS. KEELY: Objection.

15 THE COURT: She's answered it. She said no
16 she didn't.

17 Q (Mr. Copeland) Okay. Well, let me ask it this way.
18 If you can't remember what you said in direct, doesn't that
19 kind of prove the point of why you should write everything
20 down to talk about something two years later as opposed to
21 when you can't remember something 20 minutes earlier?

22 MS. KEELY: Objection. Argumentative.

23 THE COURT: Okay. I'll sustain the
24 objection.

25 Q (Mr. Copeland) But do you see the point?

1 MS. KEELY: Objection. Argumentative.

2 THE COURT: Mr. Copeland, she's saying she
3 didn't say anything on direct about Gabe, you're saying she
4 did. There's a dispute there. But -- so -- and Ms. Keely
5 is right. That's argumentative. She doesn't agree with
6 you.

7 Q (Mr. Copeland) Let me ask it this way. You understand
8 that, hypothetically speaking, without you admitting it, if
9 you testified about Gabe in direct testimony, but you can't
10 remember it now, doesn't that highlight the very reason you
11 need to write things down?

12 MS. KEELY: Objection. Argumentative.
13 Assumes facts not on evidence.

14 THE COURT: I understand. He's saying
15 hypothetically. He's trying to get to the point of it needs
16 to be written down. She can answer that.

17 A I can answer the question. I didn't testify anything
18 about Gabe. I don't know who Gabe is. I didn't put
19 anything in my report about Gabe. I don't know who or what
20 you're talking about.

21 Q (Mr. Copeland) So are you about -- are you as sure
22 about that statement as everything else you put in your
23 report?

24 MS. KEELY: Judge, I'm going to object.

25 MR. COPELAND: I'm asking -- it goes to her

1 veracity, Your Honor.

2 MS. KEELY: Judge, I'm going to object. What
3 I'm going to say is, I want to clear up the record right
4 now. I think counsel is confused. She testified about
5 Elijah. Elijah --

6 THE COURT: Go ahead. I'm sorry to
7 interrupt. Make your record.

8 MS. KEELY: I'm sorry. Elijah is a brother
9 and she testified about him. There was no testimony about
10 somebody named Gabe.

11 THE COURT: Okay. I'll sustain the
12 objection.

13 Q (Mr. Copeland) So what conclusions did you draw in
14 this evaluation?

15 A His physical exam was normal and he gave a history of
16 sexual assault.

17 Q Okay. So if he gave a history of sexual assault and
18 you make that conclusion, what are you supposed to do?

19 A In this incident or generally speaking?

20 Q In this incident. What are you supposed to do?

21 A I report that to the DHS worker.

22 Q So the mere fact that someone gives a history of
23 something alleged to be a crime, such as sexual assault,
24 doesn't mean that a crime happened, does it?

25 MS. KEELY: Objection. That's not for her to

1 determine.

2 THE COURT: Okay. I'll sustain the
3 objection.

4 A Can you repeat the question, please.

5 THE COURT: No. You don't have to answer it.

6 A I'm sorry. I'm sorry.

7 Q (Mr. Copeland) I'll rephrase. Ma'am, if someone tells
8 you and gives you a history of something, does it mean that
9 that history is accurate just because they tell you?

10 A No.

11 Q Okay. So as a nurse, what's your duty to look behind
12 the facts or the statements that are made by an individual,
13 especially a five-year-old, to test the veracity or accuracy
14 of those statements? You as a nurse, what's your
15 obligation?

16 A My obligation is to ask the questions and document.

17 Q So you're just a reporter, basically?

18 A I'm a nurse.

19 Q But you said your duty and obligation is just to
20 report; is that right?

21 MS. KEELY: Objection, Judge. It's not --

22 MR. COPELAND: I'm trying to get
23 clarification, Your Honor.

24 THE COURT: She's not -- doesn't need
25 clarification. I'll sustain the objection.

1 Q (Mr. Copeland) Are you trying to find out if sexual
2 abuse actually occurred or are you just trying to find out
3 if it might have occurred?

4 A That's part of my examination is to see if sexual abuse
5 has occurred.

6 Q Okay.

7 A Or if there's been a sexual assault.

8 Q So part of your duty is to determine whether someone
9 has been sexually abused?

10 A Yes.

11 Q And so did you conclude there was sexual abuse, if that
12 was your duty?

13 A Sexual abuse was disclosed to me.

14 Q But did you conclude there was sexual abuse, if that is
15 your duty? Reciting what someone told you in a history in
16 saying, yeah, I verified they told me that.

17 A It's not my job to determine if sexual abuse occurred.
18 I'm asking the patient, I'm writing down what they are
19 telling me.

20 Q Didn't you just testify --

21 A And I --

22 Q I'm sorry. You may finish your answer.

23 A And going off of what the patient tells me. That's how
24 I conclude my exam.

25 Q Okay. But didn't you just testify, ma'am, that it's

1 your duty to determine -- one of the facets of your duty is
2 to determine whether or not sexual abuse occurred? You said
3 yes.

4 A As part of the history that I obtain.

5 Q Part of it. So how do you tell us that that's not what
6 you were trying to do in this case? Is that not part of
7 your duty?

8 A Can you clarify the question?

9 Q Didn't you just testify that it was your duty, but then
10 you backed out of it by saying it wasn't your duty? In this
11 particular case?

12 A It is my duty to obtain a medical history asking about
13 if sexual abuse has occurred.

14 Q So that's your only duty, is to determine if there was
15 history given?

16 A That is a small part of it.

17 Q No. I got to find out what your whole part is? That's
18 why we are here.

19 A I treat the patient as a whole. It's not just sexual
20 abuse. There's other -- other things.

21 Q Were you treating Clayton Woolley for something other
22 than suspected abuse?

23 A Was I treating him? I did a physical examination of
24 him.

25 Q Well, were you -- what were you doing whenever he was

1 presented to you? I need to understand. What's your goal?
2 What is your overall purpose?

3 MR. COPELAND: I'm still not clarified on
4 this, Judge. It seems like she's going back and forth to
5 me.

6 THE COURT: I don't. Okay.

7 MS. KEELY: Objection. Asked and answered.

8 THE COURT: I'll sustain the objection.

9 Q (Mr. Copeland) So you -- is it your testimony -- I
10 want this locked down. Is it your testimony that you did
11 not conclude there was sexual abuse?

12 A Clayton disclosed sexual abuse.

13 Q Yes or no, ma'am. Yes or no. I don't want you to
14 repeat to me a sentence that you are contextualizing
15 yourself over and over. Yes or no question, yes or no
16 answer. Did you --

17 A That is not a yes or no answer. Clayton disclosed
18 sexual abuse to me.

19 Q Okay. You're telling me there's not a yes or no answer
20 to the question, did you conclude if there was sexual abuse
21 on Clayton?

22 A Clayton disclosed sexual abuse to me.

23 MR. COPELAND: Your Honor, I feel like she's
24 playing word games with me. She's not answering the
25 question. It's a yes or no. I'm asking her a simple

1 question. Did she conclude something and she's doing a run
2 around on me.

3 THE COURT: Okay. Can you answer that
4 question? He's asking if you concluded.

5 A I concluded what Clayton told me.

6 Q (Mr. Copeland) And what does that mean, please?

7 Clarify for the Court what that means. You concluded what
8 Clayton told you. Does that mean you're just reciting again
9 what Clayton told you?

10 A I concluded there was sexual abuse based off of what
11 Clayton told me.

12 Q You concluded there was sexual abuse?

13 A From what Clayton told me. I can't testify to the fact
14 whether there was or there wasn't. I just know what he told
15 me. I'm not -- I'm just a nurse that -- it's not my -- part
16 of what I --

17 Q So it's not --

18 A -- determine whether it happened or not. I'm not --
19 I'm a neutral party.

20 Q So your not making a diagnosis then?

21 A I do make a medical diagnosis.

22 Q You made a medical diagnosis that he -- you can't make
23 a medical diagnosis that he was sexually abused? You're
24 telling us one thing and saying another.

25 MS. KEELY: Objection, Your Honor.

1 MR. COPELAND: Your Honor, I'm not trying to
2 be argumentative.

3 THE COURT: She's answered the question.
4 Let's move on. I'll sustain the objection.

5 Q (Mr. Copeland) So how did you -- so your testimony is
6 now that you concluded that, based off what he told you,
7 there was sexual abuse. Is that an accurate recitation of
8 what you said?

9 A That's what Clayton told me. I think I've already said
10 it's not my job to --

11 MS. KEELY: Judge, I'm going to object at
12 this point. There's no question in front of her.

13 THE COURT: That's true. You have to answer
14 the question.

15 Q (Mr. Copeland) You were about to say what is your --
16 it's not your job to do what?

17 MS. KEELY: Judge, I'm going to object. It's
18 not her job to do what? That's not relevant.

19 THE COURT: I understand. I'll sustain the
20 objection. You need to formulate your question, sir.

21 Q (Mr. Copeland) Is it true, that it's not your duty to
22 determine that this child was sexually abused?

23 A It is not my duty to determine whether the sexual abuse
24 occurred or not. It's my job to listen to the patient,
25 treat the patient. That's my job.

1 Q Is that your final answer?

2 MS. KEELY: Judge, I'm going to object.

3 THE COURT: I'll sustain the objection.

4 Q (Mr. Copeland) Is it your job, at all, to try to
5 assist people that will be looking at your file to get an
6 accurate evaluation of whether sex abuse occurred or not
7 since you were not in a duty or obligation to determine
8 that?

9 MS. KEELY: Objection to the form of the
10 question.

11 THE COURT: Okay. I'll overrule it. I think
12 she can understand it. If she can't, she can ask for
13 clarification.

14 A Can you clarify the question, please?

15 Q (Mr. Copeland) Is it your duty as a nurse, to assist
16 by getting documents accurately, by however it is you
17 assist, to make sure there's an accurate result down the
18 road for someone who does conclude sexual abuse occurred,
19 since you're not the one who determines if sexual abuse
20 occurred?

21 A Are you asking if it's my job to make sure my documents
22 are accurate?

23 Q No. I'm asking you, do you assist -- is there any way
24 that you are supposed to be assisting in this process to get
25 an accurate result? Because somebody is going to make a

1 judgment call, and somebody did, and this got charges filed.
2 So I want to know, is there some way that you are to assist,
3 in your capacity as a nurse, to make sure that there's an
4 accurate result? Is there any way or method that you are
5 supposed to make sure that happens or does not happen or
6 what?

7 MS. KEELY: Objection, Judge. Object to the
8 form of the question.

9 THE COURT: Okay. I'll overrule it. I'll
10 let her answer. He's trying to explain it to her. I
11 understand it's compound.

12 A Can you -- can you -- I don't -- assist who?

13 Q (Mr. Copeland) Okay. As -- your duty as a nurse, when
14 you evaluate the patient, when you make a referral, you're
15 going to pass something along, I assume; is that correct?
16 You are going to pass something along; right? You're going
17 to pass your report on; right?

18 A I don't pass my report along. My report is available
19 for DHS and law enforcement.

20 Q Do you feel it's incumbent as a nurse, realizing when
21 there's a potential life long penal punishment on someone,
22 to make sure what you do is accurate to assist the process?

23 A Yes.

24 Q And would you agree; that failure to get something
25 accurate or leave something out of the report does not

1 assist the process in the proper way?

2 MS. KEELY: Objection. Relevance.

3 THE COURT: Well, I'm going to overrule it.

4 You can answer that.

5 A Yes.

6 Q (Mr. Copeland) Thank you. Now, in assisting the
7 process, would you think it would be wise to ask questions
8 about his home life? About Clayton's home life?

9 A That's not part of the history that I obtain.

10 Q Okay. Well, I'm not asking what you did. I'm asking
11 you, do you think it is wise to ask about -- someone who is
12 telling you they were sexually abused, to ask about his home
13 life. Whether it would be, how does grandma and grandpa
14 treat you? Are they kind to you? Do they act in a loving
15 way towards you? Do they beat you?

16 A That's not part of my job.

17 Q So the part -- your job is not in any way, shape, or
18 form actually include getting information as it relates to
19 how the family dynamics are; is that true?

20 A That's true.

21 Q Let me ask you -- back to topic we talked a little bit
22 about earlier, but ask you the following questions.

23 A Okay.

24 Q We discussed a little bit about the importance of you
25 getting things accurate in your reports and recording them.

1 Whether there was an ability to record, other than your own
2 report; correct? Do you remember that?

3 A Uh-huh.

4 Q Is that a yes?

5 A Yes.

6 Q Is there a reason why these interviews with you are not
7 video or audio taped?

8 A I don't conduct interviews.

9 Q Is there a reason why -- what you do call it? You call
10 it an exam? Is that what you call it?

11 A Yes.

12 Q Is there a reason why these exams are not video or
13 audio taped?

14 A There would be no reason to.

15 Q Well, are you sure about that?

16 A I'm sure about that. What I do is not for prosecution.
17 It's just a nursing exam.

18 MR. COPELAND: One minute, Your Honor.

19 THE COURT: Certainly.

20 Q (Mr. Copeland) So Mrs. Sinclair, you've testified that
21 the time in was 20:49 and the time out was 22:49?

22 A Yes, sir.

23 Q Okay. That's two hours?

24 A Yes, sir.

25 Q And you said you spent how much time? Like, 15 minutes

1 with him? Is that what you testified to asking him --

2 A Just obtaining the medical history was probably about
3 15 minutes.

4 Q Well --

5 A I don't -- it was probably about 15 minutes.

6 Q What's the -- what do you call -- you call the medical
7 history when you wrote in here stuff about papa and the tree
8 and all of those subjects and topics in your handwritten
9 report?

10 A It's a medical history.

11 Q That's a medical history?

12 A (Witness nods head.)

13 MS. KEELY: Judge, may the record reflect
14 that she nodded her head yes.

15 THE COURT: The record will so reflect.

16 MR. COPELAND: I'm sorry?

17 MS. KEELY: I said, may the record reflect
18 that she nodded her head yes.

19 A Yes. I'm sorry.

20 THE COURT: Okay. Yeah. So reflected.

21 Q (Mr. Copeland) Was Elijah seeking treatment when you
22 did the exam?

23 A No.

24 Q Okay. Excuse me. I misstated it. Was Clayton seeking
25 treatment when you did the exam?

1 A Can you clarify that?

2 Q Was Clayton, the five-year-old that you had this
3 interview with and that you took this history with, was he
4 seeking treatment when you did this exam?

5 A No.

6 Q Was Clayton seeking to be evaluated when you did this
7 exam?

8 A I'm not sure.

9 Q Can you render an opinion as it being more likely than
10 not, that he was not seeking to have this exam done?

11 A I did not discuss that with him.

12 Q Did you talk to him about the prior forensic interview
13 he did where he absolutely said nothing culpable against
14 these defendants over here?

15 MS. KEELY: Judge, I'm going to object to
16 counsel's comments. There's nothing in the record with
17 regard to what was said in the forensic exam and I don't
18 know that she knows or not.

19 THE COURT: Rephrase the question, please.

20 Q (Mr. Copeland) You know who Yolanda Martinez is?

21 A Yes. I met her on March 31st, 2018.

22 Q That's the first time you ever met her?

23 A Yes.

24 Q Okay. Did she tell you that she had done a video of
25 him? What they call a forensic interview?

1 A No.

2 Q So you were not familiar, at all, with the video and
3 the context of the fact that he had an hour and 30 minute
4 long video that had no incrimination against the defendants?

5 MS. KEELY: Objection, Your Honor. This is
6 outside --

7 MR. COPELAND: I'm asking if she knows.

8 MS. KEELY: Judge, objection. This is
9 outside the scope of direct.

10 MR. COPELAND: Most cross is.

11 THE COURT: I'll sustain the objection. I
12 tell you what we are going to do. Let's take a five minute
13 recess. Let's go off the record.

14 (A brief recess was had, after which the following transpired
15 in open court:)

16 THE COURT: Let's go back on the record in
17 case number CF-18-168; State of Oklahoma versus Lisa Woolley
18 and CF-18-167; State of Oklahoma versus William Woolley,
19 III. The parties are present. The attorneys are present.

20 I would like to remind the witness, you are still under
21 oath.

22 And, Mr. Copeland, you can initiate your cross
23 examination again.

24 Q (Mr. Copeland) Ready to continue?

25 A Yes, sir.

1 THE COURT: Yes.

2 MR. COPELAND: I was talking to the witness,
3 Your Honor. Thank you.

4 THE COURT: She's important. Thank you for
5 asking her.

6 Q (Mr. Copeland) Now, Mrs. Sinclair, when you refer
7 children for counseling, under what circumstances would you
8 refer a child for counseling?

9 A Usually when there's not DHS involvement. If they have
10 disclosed sexual assault.

11 Q And why is that? Why does it hinge on whether or not
12 there's DHS involvement?

13 A If there's DHS involvement, they put things in place
14 for that child's services and counseling and all of that.

15 Q And what circumstances are indicia would you advise to
16 say that this person needs to be referred for counseling?

17 A What circumstances?

18 Q What indicia of a child in this situation would cause
19 you to refer a child for counseling, assuming that DHS is
20 not involved?

21 A If there was sexual assault.

22 Q Well, but you've concluded you can not determine if
23 there's sexual assault and that's not your duty; correct?

24 A Correct.

25 Q So are you saying there's never a situation where you

1 are going to refer someone because you can never determine
2 there's sexual assault?

3 A If they have disclosed sexual assault to me.

4 Q The answer is only if they've disclosed sexual assault
5 to you, that's when you do it. Is that your answer?

6 A Yes.

7 Q Earlier he you mentioned about -- or we talked about
8 the fact that William is not in the report; right?

9 William -- excuse me. Just so we are clear. In response to
10 your inquiry of Clayton about who papa is, you claim his
11 response was William; correct?

12 A Yes.

13 Q Are you sure -- are you as sure about that answer as
14 you were about your testimony here today?

15 MS. KEELY: Objection. Asked and answered.

16 THE COURT: Okay. I'm going to let her
17 answer that. I think she --

18 Q (Mr. Copeland) Do you understand the question?

19 A Yes. Yes.

20 Q So the answer is is that -- the answer to that is yes?

21 A Yes.

22 Q You said that you're not here for the prosecution;
23 correct?

24 A Correct.

25 MS. KEELY: Objection. Asked and answered.

1 MR. COPELAND: I'm just getting
2 clarification. I want to know if that's the answer.

3 THE COURT: She said yes. Right.

4 Q (Mr. Copeland) Okay. So can you tell me how many
5 times you've been for the defense? Since you're not here
6 for -- have you ever been for the defense?

7 A I'm a neutral party.

8 Q So you talked about your training in leading questions.
9 Do you remember that?

10 A Yes, sir.

11 Q That was on direct; correct?

12 A Yes.

13 Q You asked this question and you stated you asked this
14 question. Asked the patient if he had ever seen anyone put
15 their privates on anyone else's body. Papa puts his
16 privates in Elijah's butt right here. You don't think
17 that's leading at all to be suggestive to a child that's
18 five-years-old if someone -- asked him that question about
19 whether they have seen someone put their privates on them?

20 A No, sir.

21 Q Or on anyone's body?

22 A No, sir.

23 Q No?

24 A No, sir.

25 Q Do you think it's suggestive?

1 A No, sir.

2 Q Do you think that children have any tendency,
3 whatsoever, to take things that they hear that's new to them
4 and start extrapolating that and interposing that into their
5 conversations?

6 A I'm not sure what you're asking.

7 Q I'm asking you, do you think that children, when they
8 get a new topic, like for instance, if Clayton had never
9 heard this phraseology about someone putting a penis on or
10 in somebody's butt or on their body, do you think that
11 children can take that information and start to run with it,
12 extrapolate it and start involving it in their subsequent
13 conversations? Do you think that's a possibility?

14 A Are you asking my opinion?

15 Q Yes.

16 A I don't believe so.

17 Q You don't believe that children can do that?

18 A I believe they are -- I guess can be some
19 circumstances, yes. But...

20 Q So did you have any desire to know his family history
21 as it relates to -- not a medical situation. But I'm
22 talking about, did you have any desire to know the dynamics
23 of the family unit and what was going on in the household at
24 the time of this exam?

25 MS. KEELY: Objection. Relevance as to her

1 desire. And the question with regard to family dynamics has
2 been asked and answered.

3 THE COURT: I'll sustain the objection.

4 Q (Mr. Copeland) Did you see it as your duty to
5 understand anything about the dynamics of the household?

6 MS. KEELY: Objection. Asked and answered.

7 THE COURT: I'll overrule it. She can answer
8 that.

9 A Can you repeat the question, please?

10 Q (Mr. Copeland) Did you have any duty in your mind or
11 understanding that -- to learn what the dynamics were of the
12 household?

13 A No, sir.

14 Q Did you ever ask Clayton to describe this penis that he
15 alleged -- you state he told you he saw?

16 A Yes, sir.

17 Q And what was his answer to that? What did it look
18 like?

19 A Black fur and private.

20 Q And did you ask him if it was flaccid or hard?

21 A No, sir.

22 Q Why wouldn't you ask that?

23 A It's not relevant.

24 Q You don't find it relevant to find out whether a man
25 accused of sexual molestation is turned on physically or

1 sexually?

2 A (Witness shakes head.)

3 Q And has indication that he's turned on and aroused?

4 A Not for what I was doing, no.

5 Q Do you think that's information that someone down the
6 chain would want to know from your position?

7 A I'm not sure what you're asking.

8 Q At any point in time while you're doing this exam, did
9 you think that somebody is probably going to want to know if
10 this person is -- papa had a hard-on or had, you know, the
11 terminology would be, or had an erect penis?

12 A That didn't cross my mind.

13 Q And you're trained as a SANE nurse; is that correct?

14 A Yes.

15 Q And they didn't teach you in your training to observe
16 and hear conversations and follow-up and ask follow-up
17 questions or contextualized questions to get more
18 information?

19 A Yes, they did.

20 Q You didn't -- you didn't see it was a good context to
21 have in this situation?

22 A No, sir.

23 Q Now, you said you were -- spent two hours with him; is
24 that right?

25 A Yes, sir.

1 Q Okay. I think we were interrupted right before break
2 on that issue. So you said for 15 minutes you were talking
3 to him and you made your report on that -- this one half
4 pages; correct? That you hand wrote? Out of that
5 15 minutes?

6 A Yes. Yes, sir.

7 Q So what were you doing for the other hour, 45 minutes?

8 A Rapport building, body part naming, physical
9 examination.

10 Q How much time did you spend rapport building?

11 A I don't know exactly.

12 Q And the reason you don't know exactly is because you
13 didn't put that in your report. Would that be true?

14 A That is correct.

15 Q And how much time you spent rapport building would be
16 an interesting piece of information to have for someone
17 that's looking at it later to find out how much time you
18 spent with him getting him comfortable or how quick he
19 blurted something out without you getting him comfortable.
20 Would that be true?

21 A I don't know if it would be important to someone or
22 not. It's not something that I put in my report.

23 Q So you were rapport building. What was the other thing
24 you said you were doing in that hour and 45 minutes?

25 A Physical examination.

1 Q Anything else?

2 A Collecting swabs.

3 Q Anything else?

4 A Writing up the report was included in that time.

5 Q So what was Clayton doing while you were writing the
6 report?

7 A He was with DHS. Yolanda.

8 Q So really, when you say that you spent two hours with
9 him, you weren't spending two hours with him. Would that be
10 true?

11 A I would say most of that two hours was with him.

12 Q But we really don't know the time on that, do we?

13 A I don't keep that specific time detail.

14 Q Well --

15 A Ever.

16 Q You know, as a nurse, when someone comes in -- and you
17 said you worked as a surgical nurse. And they keep a
18 timesheet of everything that happened; correct? Even when
19 the doctor de-scrubs and walks out of the room, they keep a
20 timesheet on it.

21 MS. KEELY: Objection. Relevance as to what
22 happens --

23 MR. COPELAND: It's foundational, Your Honor.

24 THE COURT: Okay. I'll overrule it.

25 A Yes, sir.

1 Q (Mr. Copeland) So you understand that keeping time is
2 an issue when it comes to how important things were. We've
3 already discussed that. Don't you agree that you should
4 have kept time on these issues?

5 A I don't agree.

6 Q Why not?

7 A There is no reason to keep a detailed of every single
8 thing that you're doing and how much time that it takes.

9 Q Well, the surgical nurses would disagree with that,
10 wouldn't they?

11 MS. KEELY: Judge, I'm going to object.

12 THE COURT: I'll sustain the objection.

13 Q (Mr. Copeland) But as we sit here today, we don't know
14 what time you spent doing your report. We don't know what
15 time you spent doing the physical exam. We don't know what
16 time you spent building rapport or collecting swabs;
17 correct?

18 MS. KEELY: Objection. Asked and answered.

19 Q (Mr. Copeland) Is that true?

20 MS. KEELY: Objection.

21 MR. COPELAND: Excuse me. I'm sorry.

22 THE COURT: I'll let her answer.

23 A That is true.

24 Q (Mr. Copeland) And it's because you didn't think it
25 was important; correct?

1 MS. KEELY: Objection. This has been asked
2 answered.

3 THE COURT: Okay. I will sustain that.

4 Q (Mr. Copeland) Now, because of the way your report is
5 worded, how you've written it, is there a way we can tell
6 how much information was supplied by Ms. Martinez on this
7 report versus what was supplied by Clayton?

8 A I can tell you.

9 Q Please tell me.

10 A Okay. Can I see the report?

11 MR. COPELAND: Your Honor, may I approach?

12 THE COURT: You may.

13 Q (Mr. Copeland) Can you tell by looking at that report,
14 you know, how much information was by Ms. --

15 A Okay. You said report. I thought you meant the whole
16 entire thing.

17 Q Well, go ahead and start with that. Go ahead and do
18 the whole thing.

19 A Okay. So Mrs. Martinez signed the consent. She gave
20 the address, the date of birth. I mean, there's -- she gave
21 the address and date of birth. She gave who all was in the
22 home. Allergies. She did not know about immunizations.
23 She gave the medication information, the medical history
24 information and that there was a history of domestic
25 violence. And then to her knowledge, she answered the

1 questions about anal or genital injuries, surgeries,
2 diagnostic procedures, medical treatment. She answered
3 those questions. Within the last 60 days. And that's it.

4 Q So was there anything by Mrs. Martinez that wound up in
5 your handwritten report that you wrote?

6 A No, sir.

7 Q Do you know why Ms. Martinez was brought to you? Or
8 excuse me. Strike that. Do you know why Clayton was
9 brought to you by Ms. Martinez?

10 A Do you know I know why Clayton was brought to me?

11 Q Yes.

12 A By Mrs. Martinez?

13 Q Yes.

14 A Yes, sir.

15 Q What was the reason?

16 A That there was possible sexual abuse of a sibling.

17 Q Did she tell you the sibling's name that she was
18 referring to?

19 A Elijah.

20 Q So this exam -- this exam was basically to investigate
21 allegations; correct?

22 A No, sir.

23 Q Well, you said you were to do an exam based off of her
24 bringing him to you for possible sexual abuse allegation.

25 No?

1 A No, sir. The exam was -- the patient was referred for
2 that reason.

3 Q So you're saying that your exam was not to investigate?

4 A No, sir.

5 Q Well, if -- is it your testimony that medical
6 professionals and doctors and nurses do not investigate,
7 like, symptoms or try to -- so that way they can come up
8 with a diagnosis?

9 A I guess you could say that. Investigate the body.

10 Q Okay. So in that context, the exam was to investigate
11 allegations; correct?

12 A Well, I think -- I think I would need for you to
13 clarify what you mean by investigate.

14 Q Well, before Clayton had ever got there, had you been
15 told that Clayton had ever alleged that he was sexually
16 abused?

17 A No.

18 Q So the first time that you saw him, there's really no
19 allegation whatsoever, but your exam is to investigate
20 allegations because of some other allegation about another
21 child. A sibling.

22 A No, sir.

23 Q No?

24 A No.

25 Q So what is it you're disagreeing with whenever you

1 answer no with my question? What is it?

2 A My exam was not for an investigation.

3 Q Well, you just got through telling me that you would
4 agree that nurses can investigate, doctors investigate?

5 A Investigate the body.

6 Q You take slides, you look inside the body, you do
7 x-rays, you are investigating; right?

8 MS. KEELY: Objection. This is asked and
9 answered.

10 THE COURT: Okay. I'll sustain the
11 objection.

12 Q (Mr. Copeland) So you disagree with the concept of
13 that's considered investigating? Doing an exam and actually
14 trying to see what is going on with the patient?

15 A Well, I think there would be two definitions to
16 investigating.

17 Q Ma'am, what is the purpose of Kid's Space? You said
18 you worked there.

19 A I'm a contract employee.

20 Q Okay. What is the purpose of Kid's Space? What is it?

21 A Kid's Space is a child advocacy center.

22 Q Oh, it's a child advocacy center?

23 A Yes, sir.

24 Q So you're sitting there in a position to advocate for
25 children; is that true?

1 A Yes, sir.

2 Q And in doing so, that's why they got the forms that we
3 discussed that say victim on the top of it instead of
4 patient. Would that be true?

5 A What is why they have the form that says victim?

6 Q Because they are advocating. They are advocating for
7 children so they call them a victim. When they walk in,
8 they call them a victim. They assume that these are sexual
9 abuse allegations when there's been no prior sexual abuse
10 allegations. There's been no complaint by the child.

11 MS. KEELY: Objection.

12 THE COURT: Okay. I'll -- if she knows.
13 I'll let her answer it if she knows.

14 A Can you repeat the question, please?

15 MR. COPELAND: Would you have please read
16 that question back to her.

17 (At this time the last question was read by the court
18 reporter.)

19 A I'm not really sure what he's asking.

20 MR. COPELAND: Your Honor, I'll move on.

21 Q (Mr. Copeland) So you said that you were to diagnose
22 fear earlier; is that correct?

23 A To diagnose --

24 Q That's one of your diagnoses is fear?

25 A Yes, sir.

1 Q But in this case you didn't diagnose fear, did you?

2 A Actually, my diagnosis was fear in this case.

3 Q Well, you wrote in here that he's smiling; right?

4 A Right.

5 Q You wrote in here that he has no tears?

6 A No tears.

7 Q No tears. He wasn't crying?

8 A No.

9 Q No tears.

10 A Tears.

11 Q They are the same spelling. So no tears or lacerations
12 is what you mean; is that right?

13 A Correct.

14 Q So he's smiling. What was he smiling for? Do you
15 know?

16 A Just when we were talking.

17 Q And so you diagnosed him with fear. Fear from what?

18 A Fear was my nursing diagnosis. He was -- seemed
19 fearful of talking.

20 Q Well, were you aware that he had been through an hour
21 and a half of grilling by Mrs. Yolanda Martinez just a few
22 hours before?

23 MS. KEELY: Objection. Outside the scope.
24 Assumes facts not in evidence.

25 MR. COPELAND: Your Honor, it takes into

1 account why -- it effects her diagnosis directly and she
2 needs to talk about that.

3 THE COURT: Okay. Well, you're asking if
4 she's aware. You're adding facts, like an hours worth. So
5 I'm going to sustain the objection. It's assuming facts.
6 But I think it's proper to ask if she's aware of any
7 interviews beforehand.

8 MR. SMALLWOOD: May I talk to counsel just
9 briefly?

10 THE COURT: Sure.

11 Q (Mr. Copeland) Ma'am, do you know who Ms. Lambert is
12 from DHS? Did you ever meet a Ms. Lambert?

13 A I don't recall.

14 Q Are you aware that Ms. Lambert had an hour and a half
15 grilling or conversation with -- video taped conversation
16 with Clayton just before coming to you?

17 A I knew that the child had had a forensic interview,
18 yes.

19 Q Okay. So your interpretation that the child was
20 reluctant to talk, could very well be explained by the fact
21 that he's tired of talking. In fact, in that very interview
22 he was tired of talking and wanted a break several times.
23 Are you familiar with that?

24 A I'm not sure what you're asking me.

25 Q Well, would that -- would that piece of information --

1 adding piece of information go to your input to -- influence
2 you on saying that the child is reluctant to talk?

3 A Because he had a forensic interview?

4 Q Ma'am, you understand that --

5 A He had a break in between.

6 Q Well, every child is not the same, you agree with that;
7 right?

8 A I agree with that.

9 Q They all have different needs, they all have different
10 desires and they all have different reactions to things;
11 correct?

12 A Right.

13 Q So did you even account for the possibility that he was
14 tired and tired of being grilled or tired of being asked
15 questions from authorities or individuals he didn't know?
16 Did you take that into account?

17 A Yes, sir.

18 Q Well, where did you put in your report that you
19 diagnosed him with fear? Did you put that in your report?
20 Am I missing that?

21 A That is not in my report, sir.

22 Q Oh, it's not in your report? Your diagnosis it not in
23 your report?

24 A That is correct.

25 Q Do you find that -- do you think that was important?

1 A Yes, sir.

2 Q You do think it's important?

3 MS. KEELY: Objection.

4 MR. COPELAND: I want to make sure I heard
5 her, Your Honor.

6 THE COURT: You did. I'll sustain the
7 objection.

8 Q (Mr. Copeland) So if you thought that was important,
9 why is it not in your report?

10 A I'm currently working to get that NANDA diagnosis added
11 to my report, but it's not in my report.

12 Q You are currently -- I'm sorry. You're what?

13 A I'm currently working on getting the NANDA diagnosis
14 added to my report. But it is not in the report there. No,
15 it is not.

16 Q Now, did -- what you describe -- you said you were
17 trying to get what diagnosis added?

18 A It's irrelevant really. But...

19 Q Well, no, it's not irrelevant to my client. It's not
20 irrelevant to these people sitting here, I assure you.

21 A Okay. There's no nursing diagnosis in that report that
22 you have right there.

23 Q Is there another report? We already said this is all
24 of your notes. Is there more you're getting ready to make?

25 A No, that is it.

1 Q This is it?

2 A That is it.

3 Q Do you intend to amend it?

4 A No. No. No.

5 Q What are you referring to, ma'am? I'm trying to follow
6 your testimony here, but you're telling us that you're
7 trying to get something amended?

8 A No. I'm working on adding NANDA diagnosis to my future
9 reports.

10 Q Okay. Endo diagnosis?

11 A NANDA diagnosis.

12 Q NANDA.

13 A But it is not in that report.

14 Q So you're trying -- you're wanting to amend the NANDA
15 diagnosis?

16 A No. I'm wanting to add a list of NANDA diagnoses to my
17 future reports and I'm working on that. But it is not in
18 that report right there.

19 Q So this was March 31st, 2018, what is it you know now
20 that you didn't know back then?

21 A Just experience.

22 Q You've had more experience in diagnosing patients and
23 children and therefore you've learned more?

24 A No.

25 Q Ma'am, what do you mean by you've had more experience

1 since March 31st, 2018, that makes you want to amend this?
2 What?

3 A It's just part of the process. Sometimes documentation
4 needs to be amended.

5 Q Documentation needs to be amended? So you're -- so
6 this is your final exam? This is your final report?

7 A That's it.

8 Q Okay. But it's not your final report because you are,
9 getting ready to amend it; right?

10 A No, I'm not going to amend that.

11 Q You're going to amend something totally different?
12 What are -- you've got to have something to amend to amend
13 it. You have to have something that's an original to amend
14 that original.

15 A I already explained. Future reports. I'm working on
16 adding NANDA diagnoses to future reports.

17 Q Ma'am, we are talking 120 days out from right -- from
18 the time that this first report was made. You have made no
19 notes -- or your notes are greatly lacking, including the
20 diagnosis we are talking about. You're telling this Court
21 that you want to amend it?

22 A No, I'm not.

23 Q You're wanting to create a new report?

24 MS. KEELY: Judge, objection. This is
25 argumentative. It's asked and answered.

1 MR. COPELAND: Judge, she's not clarified
2 this. The record clear on that. She's not --

3 THE COURT: I'm clear, but -- I don't know
4 why you're not. But you can ask her.

5 A Documentation does not stay the same for forever. It's
6 a constant process as things change.

7 Q (Mr. Copeland) Okay. But your terminology has been
8 that you want to amend something. What do you want to
9 amend?

10 A I already told you what I wanted to amend.

11 Q You want to amend a NANDA report, which we don't have,
12 because --

13 A No.

14 Q A NANDA diagnosis you want to amend?

15 A No.

16 Q Well, then tell us what you're amending. Why is that
17 so hard?

18 A Because I've already explained it twice.

19 Q Well, maybe I'm just not as smart as you. I need to
20 know. Please tell me.

21 A The reports that we have -- the blank reports that we
22 have, I'm working on possibly adding NANDA diagnoses to
23 those for future exams. That's what I was saying.

24 Q So you're talking about -- you're wanting to change
25 your procedures; is that correct? Is that what you mean by

1 that?

2 A Potentially.

3 Q So how did -- so what you're admitting here today then,
4 is that you realized, when you interviewed Clayton Woolley,
5 you didn't have your proper procedures in place or you
6 realized that something is missing in my procedures and
7 evaluation. Isn't that true?

8 A No, that's not true.

9 Q Then why would you need to amend it, to change it based
10 off this case?

11 A I didn't say it was based off this case.

12 Q Ma'am, you testified --

13 A No, sir, I did not.

14 Q Yeah. You're testifying. You testified. You don't
15 know what I'm getting ready to ask you.

16 A I didn't testify that I was wanting to add NANDA
17 diagnosis based off of this case.

18 Q You testified that your whole -- the chronology of your
19 testimony was, that because of your diagnosis of fear and it
20 wasn't in this report, that you intended to amend something?

21 A No, it was not because of the diagnosis of fear. It
22 didn't have anything to do with this case.

23 Q Then why did you throw that out there?

24 A I don't know.

25 Q What's the reason you want to change your policies and

1 procedures now going forward?

2 MS. KEELY: Objection. Relevance.

3 THE COURT: Okay. I'll sustain the
4 objection.

5 Q (Mr. Copeland) But your diagnosis -- are you going to
6 put an amended diagnosis of fear in here?

7 A No, sir. That document right there will not be
8 amended.

9 Q Why not? Do you think that anybody, including a jury
10 that might come into this case, deserve to know that your
11 diagnosis is written down somewhere? You might forget what
12 your diagnosis was unless you review your testimony
13 two years from now.

14 MS. KEELY: Objection.

15 THE COURT: I'll sustain that objection.

16 Q (Mr. Copeland) Do you agree with that? Do you agree
17 that you might forget your testimony by the time trial rolls
18 around as it relates to diagnosis of fear because it's not
19 written down?

20 MS. KEELY: Objection. That's not true.
21 It's going to be recorded.

22 THE COURT: Okay. I'll sustain the
23 objection.

24 MR. COPELAND: What was her reasoning for the
25 objection, Your Honor?

1 THE COURT: It's going to be recorded. She's
2 taking it down as we speak.

3 Q (Mr. Copeland) Ma'am, you didn't record it?

4 A No, sir, I did not.

5 Q Okay. And so is it your intent now to review your
6 testimony prior to trial based off the court reporter's
7 recording of your diagnosis you're rendering here today in
8 court?

9 MS. KEELY: Objection, Your Honor.

10 THE COURT: I'll sustain the objection. She
11 was just arguing -- or making an objection to your
12 misstating a fact. It has nothing to do with the witness.

13 MR. COPELAND: Your Honor, it has to do with
14 refreshing her recollection. How is she going to remember
15 it at trial?

16 THE COURT: I understand. But that's not
17 proper before this Court right now.

18 Q (Mr. Copeland) So you determined that -- you
19 determined that Clayton Woolley answered questions
20 appropriately for his age?

21 A Yes.

22 Q Do you think he ever gets mixed up about who he's
23 referring to when he tells people stories about who he's
24 referring to?

25 A I don't know.

1 Q But you're saying in that isolated incident of
2 15 minutes, he spoke to you appropriately?

3 A Yes, sir.

4 Q Did you ever question the veracity of him saying that
5 it happens everyday that his brother is being raped? Did
6 you ever question that veracity?

7 A What do you mean by veracity?

8 Q Did you ever question the accuracy of that statement
9 that it happens everyday that my one-year-old brother is
10 being raped in the living room?

11 A No, sir.

12 Q You never questioned it?

13 MS. KEELY: Objection. Asked and answered.

14 THE COURT: I'll sustain the objection.

15 Q (Mr. Copeland) Why didn't you question it?

16 A Why didn't I question if he was telling the truth or
17 not?

18 Q Yeah. Are you even trying to test his veracity?

19 A No. Just obtaining a history.

20 Q So basically your diagnosis, other than fear, is all
21 based off of whatever the patient tells you what the
22 diagnosis is? Isn't that true?

23 A No, sir.

24 Q Well, if you don't challenge them, you don't look at
25 the evidence, I mean, you agree that -- you agree, as a

1 nurse, does it make sense to you that if -- do you know
2 how -- do you understand the opening size hole of the anus of
3 a one-year-old? Are you familiar with that?

4 A Yes, sir.

5 Q Does it make sense to you that a child that is raped on
6 a daily basis would be alive a year later?

7 A I can't answer that.

8 Q Would it surprise you that he didn't have sepsis or
9 extreme tears in a child that size?

10 MS. KEELY: Objection. That assumes facts
11 not in evidence.

12 THE COURT: Okay. I'll sustain that
13 objection.

14 MR. COPELAND: Well, Your Honor, it goes to
15 what she wrote in her report and it goes to her validity as
16 a nurse making a diagnosis that this child was sexually
17 molested or her diagnosis that this child had fear from
18 sexual molestation.

19 THE COURT: Ms. Keely.

20 MS. KEELY: Judge, he's assuming facts and
21 he's talking about facts that are not in evidence. And, in
22 fact, he is not talking about the facts. He's
23 misrepresenting facts.

24 THE COURT: Okay. I'll --

25 MR. COPELAND: That's certainly not my

1 intent. I don't agree with that.

2 THE COURT: I'll sustain the objection.

3 Q (Mr. Copeland) So basically, you rendered no
4 evaluation on the credence of these statements by a
5 five-year-old that has a speech hindrance and speech
6 pathology issue? Did you?

7 A Can you clarify your question?

8 Q This statement, all of the things that you wrote in
9 this -- in the State's Exhibit 14, your handwritten notes,
10 you gave basically no judgment call on the credence of all
11 of the statements that were given to you. Is that true?

12 A I'm not sure what you're asking me.

13 Q Well, you understand what the word credence means;
14 correct?

15 A No, sir.

16 Q Okay. Let me use a different word. You gave no
17 judgment call on the truthfulness and accuracy of these
18 statements by a five-year-old that has a speech impediment
19 issue?

20 MS. KEELY: Judge, I'm going to object.
21 That's assuming facts not in evidence with regard to speech
22 impediment issue. We've heard nothing about that.

23 THE COURT: Okay. I'll sustain the
24 objection.

25 MR. COPELAND: Let me lay a foundation, Your

1 Honor.

2 Q (Mr. Copeland) Mrs. Sinclair, did you take a history
3 and learn anything about this child's problems of being
4 under his age and speaking and communicating?

5 A Are you saying did I know any of that?

6 Q Yes.

7 A No, sir, I did not.

8 Q Did you try to learn any of that when you made your
9 evaluation and took your medical history?

10 A Did I try to learn if he had a speech -- if I would
11 have noticed a speech issue, I would have documented it.

12 Q If you noticed it. So would it be fair to say that
13 this form that you fill out regarding all the medical issues
14 is not really relevant to a five-year-old that has a speech
15 impediment?

16 A I didn't notice a speech impediment.

17 Q I'm asking you a different question, ma'am. I'm asking
18 you, is it fair to say, that this form that you fill out
19 regarding the medical information that you fill out in it,
20 the questionnaire or whatever you utilize on here, is it
21 fair to say it's not geared to be relevant to a
22 five-year-old with a speech impediment?

23 MS. KEELY: Objection. Calls for
24 speculation.

25 THE COURT: I'll -- if she can answer it,

1 I'll let her answer it. He's asking her knowledge.

2 A I still conduct an exam and if I notice a speech
3 impediment, I document it.

4 Q (Mr. Copeland) Again, I'll ask my question. The next
5 question I'm posing to you, ma'am. The question is, is the
6 medical information that you gather that's prompted by this
7 form in State's Exhibit 14, is it geared to be relevant
8 toward a five-year-old with a speech impediment?

9 A Is that form geared for a five-year-old with a speech
10 impediment?

11 Q Yes. Is it geared to learn anything about that
12 information? Is it geared toward that? Is it relevant to
13 him?

14 A Yes.

15 Q It is geared toward that?

16 MR. COPELAND: Your Honor, may I approach?

17 THE COURT: Sure.

18 Q (Mr. Copeland) Would you please identify for the Court
19 in State's Exhibit 14, where that is showed -- what you're
20 relying upon to give that testimony?

21 A This report is relevant for all children. It's a
22 general report.

23 Q So all --

24 A Whether they have a speech impediment or they don't,
25 this is the form. There is no other form.

1 Q Does that form prompt you to consider speech issues
2 when it comes to you relying on communication and the
3 veracity?

4 A If there are speech issues, then I document those
5 speech issues.

6 Q I'm not asking that. I'm asking you, does it account
7 for the situation of a five-year-old with speech issues to
8 help you evaluate that child?

9 A There's no speech issues documented. I didn't notice
10 any speech issues.

11 Q But my point is about the form. The form itself. It's
12 not geared to help you identify that issue, is it?

13 A Yes, I would say so.

14 Q Okay. What part in there is it that helps you identify
15 a speech issue?

16 A I would just -- if there was a speech issue, I would
17 document it. There is nowhere in the form that asks if
18 there's a speech issue, if that's what you're asking. There
19 is nowhere that says, "is there a speech issue." But if
20 there's a speech issue, then I document it.

21 Q So it's not -- it's not hard to concede that that
22 document is not geared toward identifying children with a
23 speech issue, is it? Can you just concede that? Do you
24 disagree?

25 A I wouldn't say that.

1 Q You wouldn't. You want to butt heads about this and --

2 MS. KEELY: Judge, objection.

3 THE COURT: I'll sustain the objection.

4 MR. COPELAND: Judge, it's getting
5 frustrating. All I'm asking the Court to admonish her to
6 answer the question when she's asked. She's sidestepping
7 every question.

8 THE COURT: I disagree. We are going to take
9 a lunch break. We will be in recess. I am going to go off
10 the record.

11 (The lunch recess was had, after which the following
12 transpired in open court:)

13 THE COURT: Let's go back on the record in
14 case number CF-18-168; State of Oklahoma versus Lisa
15 Woolley. The attorneys are present. Ms. Woolley is
16 present. We took a lunch break. We are also on the record
17 in CF-18-167; State of Oklahoma versus William Woolley, III.
18 The attorneys are present. Mr. Woolley is present. Also
19 taking a lunch break.

20 We have -- I apologize. I should know your name.
21 Ms. Sinclair on the witness stand. Ma'am, I would like to
22 remind you, you are still under oath.

23 Mr. Copeland, you can reconvene your cross examination.

24 MR. COPELAND: I have a few questions.

25 THE COURT: Okay.

1 Q (Mr. Copeland) Ms. Sinclair, are you ready to
2 continue?

3 A Yes, sir.

4 Q I want to ask you a little bit about the physical exam.
5 What did that entail?

6 A A head-to-toe assessment.

7 Q And was that all of it? I mean, when you say that, can
8 you give us more description or is it just you look at their
9 head and you look at their toes?

10 A It's a full assessment of all the body. All body
11 parts.

12 Q So you're just looking for physical observations?

13 A Yes.

14 Q But you did not find any physical issues that indicated
15 sexual abuse; correct?

16 A That is correct.

17 Q Now, is there a difference between how you deal with
18 children that you're doing exam for sexual abuse as it
19 relates to how you deal with a five-year-old versus a
20 10-year-old?

21 A No, sir.

22 Q Is there a difference on how you evaluate or -- well,
23 does that apply as to how you approach the questioning a
24 child, whether it's a five-year-old or 10-year-old?

25 A How I talk with a five-year-old versus a 10-year-old?

1 Q How you approach the questioning, yes.

2 A I would say it's pretty close to the same.

3 Q But as you sit here today, you made no judgment call
4 on -- as I held up the State's 14 earlier, I don't know where
5 it went. You remember me holding it up and asking, did you
6 come to any conclusions or make any judgments about the
7 reliability of that statement? You made no judgements about
8 reliability; is that true?

9 A That is correct.

10 Q All right.

11 MR. COPELAND: Nothing further.

12 THE COURT: Mr. Smallwood.

13 MR. SMALLWOOD: Thank you, Judge. Where is
14 State's 14?

15 THE COURT: Right here.

16 **CROSS EXAMINATION**

17 **BY MR. SMALLWOOD:**

18 Q Ms. Sinclair, my name is Allen Smallwood. I'm William
19 Woolley's attorney.

20 A Okay.

21 Q You indicated that you currently work for a child
22 advocacy center by the name of -- or that's entitled Kid's
23 Space in Muskogee?

24 A Yes. I'm a contract employee.

25 Q And do you do any other medical nursing work, other

1 than that?

2 A For Kid's Space?

3 Q No. For anybody. Any other entity. Do you have a
4 private practice?

5 A I have a full time job.

6 Q Where?

7 A I would like to keep that confidential if I can.

8 THE COURT: I'm sorry. You can't. There's
9 no --

10 Q (Mr. Smallwood) Let me ask you this. Is it a medical
11 nursing job?

12 A Yes, it is.

13 Q And do you -- do you operate in the same capacity at
14 that job that you would at Kid's Space? As far as having
15 patients and doing histories and that sort of thing?

16 A Yes.

17 Q Is it a fair statement to say that the individuals you
18 deal with at Kid's Space are all suspected of being victim's
19 of some sort of abuse, physical, sexual, something?

20 A We don't always know.

21 Q But they are brought to you based upon suspicions of
22 that?

23 A Suspicions, yes.

24 Q All of them?

25 A Sexual or physical abuse, yes.

- 1 Q Some sort of sexual or physical abuse?
- 2 A Yes.
- 3 Q And do you have a top age limit at which you are the
4 examiner or not?
- 5 A What do you mean?
- 6 Q Well, I've done a lot of SANE exams. Often times SANE
7 exams are conducted on adult women?
- 8 A Yes.
- 9 Q You don't do that?
- 10 A I do do SANE exams on adult women, yes.
- 11 Q And I believe you said you've done 85 and approximately
12 75 percent of those have been on children?
- 13 A Roughly, yes.
- 14 Q Okay. You are not a judge; correct?
- 15 A That is correct.
- 16 Q You are not a court reporter?
- 17 A No, sir.
- 18 Q And you have no legal authorization to administer an
19 oath for someone to tell the truth?
- 20 A No, sir.
- 21 Q And no oath was administered by Clayton Woolley
22 prior -- by you, prior to this exam?
- 23 A No.
- 24 Q And as far as you know, no oath was administered by
25 anyone to Clayton Woolley prior to your exam of Clayton;

1 correct?

2 A Correct.

3 Q Okay. And State's Exhibit 14, other than a few things
4 that are not included in here?

5 A Uh-huh.

6 Q Represents all of the preparatory work that you did
7 with Clayton and all of the information you received from
8 him and any conclusions you reached; correct?

9 A Correct.

10 Q And there is nothing in State's 14 indicating that you
11 had any kind of a colloquy or any kind of a conversation
12 with Clayton in which you informed him how important it was
13 for him to tell the truth or to tell only what really
14 happened, did you?

15 A No, sir.

16 Q Okay. And so at the time that you -- that you
17 performed your examination and asked him the questions that
18 you asked him and received the information that you
19 received, you don't have any idea if he knew that he was
20 supposed to tell you the truth or what really happened or
21 that he was supposed to tell you whatever he wanted to tell
22 you, do you?

23 A No, sir.

24 Q Okay. And the information in here on page two -- and
25 if you need to look at this just ask.

1 A Okay.

2 Q It says, "assailant information, name: William
3 Woolley?"

4 A Yes.

5 Q And this is a form?

6 A Uh-huh.

7 Q But the cursive writing is in your handwriting;
8 correct?

9 A I don't write in cursive.

10 MR. SMALLWOOD: Can I approach?

11 THE COURT: You may.

12 Q (Mr. Smallwood) The non-printed part of that form is
13 in your handwriting?

14 A Which part?

15 Q The non-printed. The non-printed form part is in your
16 handwriting?

17 A That's my handwriting. Yes, this is all --

18 Q In your handwriting?

19 A Yes. That's all my handwriting.

20 Q So how did you learn and from whom did you learn that
21 William Woolley was the assailant in this case?

22 A From Clayton.

23 Q What was the chronology of how you filled out this
24 report? And by that I mean, were you filling this report
25 out as you spoke to Clayton or did you perform your

1 examination, both physical and oral, and then filled out the
2 report?

3 A Some parts are filled out prior to examination. The
4 information I obtained from Yolanda Martinez. And then some
5 parts are filled out while I'm doing the examination and
6 some of it is filled out after I do the examination.

7 Q The information that William Woolley was listed as the
8 assailant on page two of this form, you say you got that
9 from Clayton?

10 A Yes.

11 Q And you are telling this Court that Clayton Woolley
12 referred to his grandfather as William Woolley?

13 A I don't think he said Woolley.

14 Q Did he say William?

15 A He identified --

16 Q Ma'am, did he say grandpa is William?

17 A I believe he called him papa.

18 Q Right. Who told you papa was William?

19 A Clayton.

20 Q How did he tell you that? If he didn't use the word
21 William, who did?

22 A I don't recall exactly how.

23 Q Isn't it a fact, ma'am, that you said, isn't your
24 grandfather's name William? Your papa's name William? And
25 Clayton said yes?

1 A No.

2 Q How did William get on --

3 A That would be a leading question and I don't believe
4 that I asked that.

5 Q How did William get on the form in your handwriting?
6 What was the source of William?

7 A I wrote it on the form.

8 Q And who told you the word William?

9 A Clayton.

10 Q In response to what question?

11 A I don't remember the question that I asked.

12 Q Well, ma'am, isn't it a fair statement to say, that the
13 question must have been an attempt, by you, to establish
14 that papa and William were the same person?

15 A Yes.

16 Q And how did you go about doing that?

17 A I don't remember how I went about doing it in that
18 instance.

19 Q Well, ma'am, Clayton Woolley never volunteered on his
20 own that, oh, by the way, ma'am, my papa's name is really
21 William. He didn't say that, did he?

22 A I don't recall.

23 Q You don't recall. And the reason you don't recall and
24 the reason you can't answer that question is because,
25 although you had access to recording equipment, you chose

- 1 not to use it; correct?
- 2 A There would be no indication to record a nursing exam.
- 3 Q Ma'am, the question is, do you have recording equipment
- 4 at the place where you work? Kid's Space?
- 5 A Not in my examination room.
- 6 Q Do you have recording equipment at the place where you
- 7 work at Kid's Space?
- 8 A There is recording equipment there.
- 9 Q And you had access to it?
- 10 A No.
- 11 Q You could not have used it?
- 12 A No.
- 13 Q How so?
- 14 A It's not for a SANE exam. It's -- there would be no
- 15 reason for me to record it.
- 16 Q Well, ma'am, my pen is not necessarily for signing
- 17 checks, but you can use it for that. You could have used
- 18 that recording equipment had you chosen to?
- 19 A No, sir.
- 20 Q Is there a prohibition and some kind of protocol to
- 21 keep you from using recording equipment?
- 22 A I -- probably HIPAA. Probably be a HIPAA violation.
- 23 Q Probably be a HIPAA violation?
- 24 A Uh-huh.
- 25 Q Well, we don't know the answers to those questions

1 because you didn't either put it in your report or you don't
2 have the memory of it; correct?

3 A To which questions? Yes.

4 Q Papa equalling William?

5 A I don't have the -- no. Nothing is recorded.

6 Q Okay. Ma'am, when you are not doing kid's
7 examinations, but when you're doing examinations with
8 perhaps children who are not suspected of being victim's of
9 abuse, a parent or a custodian brings a child to you with
10 some sort of physical complaint or injury or something. You
11 perform a history at that time?

12 A I don't see pediatric patients outside of Kid's Space.

13 Q Well, other medical people do, don't they?

14 A Yeah.

15 Q And if a nurse is performing a pediatric exam of a
16 child, the best way -- particularly a child five or six
17 years of age, the best way to obtain an accurate and
18 complete history would be to talk to the people who have
19 custody of that kid; right?

20 A Right.

21 Q And the people who had custody of this child on May --
22 or physical custody within 24 hours of the time you
23 performed this exam, were William and Lisa Woolley, were
24 they not?

25 A Can you repeat the question, please?

1 Q On the 30th of March, 2018, the physical and legal
2 custodians of Clayton, and Elijah for that matter, were
3 William and Lisa Woolley, were they not?

4 A I don't know if -- I don't know. I can't answer that.

5 Q Well, the State of Oklahoma has entered into a
6 stipulation with the defense that Clayton and Elijah Woolley
7 had been in the physical custody of these people virtually
8 their entire lives.

9 A Okay.

10 Q Do you have any information to contradict that?

11 A No.

12 Q Would those people not be the best people to obtain a
13 history of the conditions of this child, the complaints of
14 this child, and the manner in which this child had been
15 treated?

16 A Yes.

17 Q Did you ask to talk to Lisa and William Woolley to
18 obtain that information?

19 A No, sir.

20 Q Could have done that and chose not to; right?

21 A I don't know how that would have been possible.

22 Q Did you ask?

23 A No.

24 Q Did you ask anybody else to do that for you?

25 A No.

1 Q What information did you receive from any source, prior
2 to you meeting Clayton Woolley, regarding anything about
3 this case?

4 A What information did I receive prior to examining
5 Clayton?

6 Q Yes, ma'am.

7 A Just the information I received from Ms. Martinez.

8 Q And what was that?

9 A That was that they had removed Clayton from the home
10 for -- due to possible sexual assault of Elijah.

11 Q But not of Clayton?

12 A No.

13 Q And she didn't inform you that an hour and a half
14 statement had been taken from Clayton in a forensic
15 interview in which he made no allegations against his
16 grandfather or grandmother at all?

17 A I knew he had had the forensic interview. I don't know
18 what took place during the forensic interview.

19 Q And Ms. Martinez didn't tell you that? Didn't tell you
20 the contents of that information?

21 A No.

22 Q Okay. During the course of you working with Kid's
23 Space, have you testified for an accused person?

24 A For an accused person?

25 Q Yes.

1 A I've only testified one time.

2 Q Other than today?

3 A Yes.

4 Q And that was for the State of Oklahoma? Prosecution?

5 A I just testified to -- I don't know if it was actually
6 for --

7 Q What type of proceeding was it in?

8 A It was a preliminary.

9 Q In a criminal case?

10 A Yes.

11 Q And the charge was some sort of sexual abuse or
12 physical -- child abuse?

13 A Correct.

14 Q Isn't it a fact, Ms. Sinclair, that not all adult
15 genital and contact with a child's body is criminal?

16 A I'm not sure what you're asking.

17 Q Don't parents often times take showers and baths with
18 young kids?

19 A Sometimes.

20 Q And, I mean, I remember taking a bath with my mother
21 68 years ago. But I remember taking a bath with my mother.
22 I didn't have any clothes on, she didn't have any clothes
23 on. I might have touched her breasts, her private parts,
24 she might have touched mine. Is that a crime? While we are
25 splashing around and taking a bath?

1 A No.

2 Q Is it a sexual assault when a parent changes a child's
3 diaper and touches their genitals in the process doing that?

4 A No.

5 Q And all Clayton told you, with respect to having
6 someone place their penis on him, was that this occurred in
7 a shower -- when his papa was in a shower and Clayton was in
8 the shower with him?

9 A Correct.

10 Q In the presence of his grandmother?

11 A Correct.

12 Q Were you informed from any source that both of these
13 children had difficulty with constipation, diarrhea,
14 defecation issues of that nature?

15 A No, sir.

16 Q You were not informed that there were times when
17 Clayton would defecate in his pants because he wasn't
18 wearing diapers and a quick way to clean him would be to put
19 him in the shower with William and have him wash him off and
20 then give him back to his grandmother? You weren't informed
21 of that?

22 A No, sir.

23 Q Would that be an innocent touching of an adult penis on
24 a child's body?

25 A Would what be?

1 Q Having a grandfather wipe poop off a child in a shower
2 and innocently touch the front was his genitals while
3 handing him back to his grandmother. Would that be a
4 situation of sexual abuse?

5 A If an adult's penis accidentally touched the child in
6 the shower?

7 Q Yes.

8 A No.

9 Q Okay. Now, you indicated when this happened, you asked
10 Clayton to describe his papa's privates?

11 A Yes, sir.

12 Q And he described it in a way that I suppose an adult
13 would interpret it, pubic hair and then the private?

14 A Right.

15 Q Has it not been your experience, ma'am, that when an
16 adult sexually abuses a child, it's for the sexual
17 stimulation of the adult?

18 A Can you clarify that?

19 Q When an adult male sexually abuses a child, it is
20 invariably for the sexual stimulation of the adult?

21 A I don't know what the adult's intent would be.

22 Q If everybody admits that it was a sexual abuse
23 situation? Everybody admits that the adult was intending to
24 sexually abuse a child, that would be for the sexual
25 stimulation of the adult, would it not?

1 A I mean, I don't know what the adult's intent is. I
2 don't know.

3 Q Let's say the adult told you his intent was to sexually
4 abuse a child?

5 A Okay.

6 Q Wouldn't that be for the sexual stimulation of the
7 adult?

8 A I guess it would depend, because --

9 Q What if I told you --

10 A Not everyone's intent is the same.

11 Q What if I told you that I'm going to sexually abuse my
12 five-year-old granddaughter by trying to have sex with her
13 and I'm going to do it because I enjoy having sex with my
14 five-year-old granddaughter. Why is that occurring? What
15 is my intent?

16 A I don't know.

17 Q I've told you what my intent is, ma'am. I want to
18 sexually abuse my granddaughter.

19 A Okay.

20 Q So that's for my sexual stimulation, it's not for
21 her's, is it?

22 A Right.

23 Q And what happens when an adult male, otherwise
24 functional, is engaging in a sexual act, even a perverted
25 one? What is the condition of that guy's penis?

1 A It's not really my job to describe that or -- that's
2 not my job.

3 Q Did you ask Clayton, after he told -- described his
4 papa's privates, was it sticking straight out or was it
5 going straight down?

6 A I did not ask him.

7 Q You don't think that's important?

8 A No, sir.

9 Q To make a distinction between an intentional sexual act
10 and an accidental touching?

11 A No, sir.

12 Q Clayton certainly didn't tell you it was sticking
13 straight out, did he?

14 A No, sir.

15 Q Did Clayton tell you when this alleged rape of Elijah
16 occurred everyday since apparently he had been alive, if he
17 had any clothes on such as diapers, underwear, jeans?

18 A He did not say.

19 Q Did you ask him?

20 A No, sir.

21 Q Be kind of hard for an adult male, even with an
22 erection, to penetrate the anus of a 14-year-old(sic) child
23 with a diaper on; wouldn't it?

24 A Yes.

25 Q If I understand you correctly, ma'am, you understand

1 your function to be to perform the exam as you've been
2 taught to perform it?

3 A Uh-huh.

4 Q To take a history from the child, to ask the child in a
5 way that you think is appropriate, if anything bad has
6 happened to you or what has happened to you or what hasn't
7 happened to you, and to write down anything -- whatever the
8 child tells you; correct?

9 A Yes.

10 Q And you're not to cross examine the child or ask for
11 explanations or perform any kind of a credibility
12 determination as to the information you're receiving?

13 A No, sir. I just write down what they say.

14 Q So if a child told you that a spaceship came down,
15 landed, and little green men came out and sexually abused
16 me, you would put that in your report?

17 A Yes, sir.

18 MR. SMALLWOOD: Pass the witness, Your Honor.

19 THE COURT: Ms. Keely, do you have any
20 redirect?

21 MS. KEELY: I do.

22 **REDIRECT EXAMINATION**

23 **BY MS. KEELY:**

24 Q If a child told you that a spaceship came down, would
25 you believe the child? That a spaceship came down?

1 A Probably not.

2 Q Okay. Did you believe Clayton?

3 A Yes, I did.

4 Q Now, on State's Exhibit Number 14. When you talked to
5 Clayton -- after he told you grandma saw it happen to me,
6 what did he say?

7 A He said, papa said don't tell anybody about that.

8 Q Did that sound very innocent to you? Like an innocent
9 touch?

10 MR. SMALLWOOD: Judge, I'm going to object to
11 that. She said she can't form these kinds of opinions and
12 that's what the prosecutor is asking.

13 MR. COPELAND: Same objection, Your Honor.

14 THE COURT: I'll sustain the objection.

15 MS. KEELY: Judge, at this time, we would
16 offer, again, State's Exhibit Number 14.

17 THE COURT: Any objection to it,
18 Mr. Smallwood?

19 MR. SMALLWOOD: I have no objection.

20 THE COURT: Mr. Copeland?

21 MR. COPELAND: Yes, Your Honor, we object.

22 Under Kennedy versus State, Your Honor, we would reurge the
23 Court to consider the testimony that's been given today.

24 There's no testimony that supports the admittance of this
25 particular document, Your Honor. She can not give a

1 diagnosis. She can not assess whether there's an accurate
2 statement given even by the child. There's no reliability.
3 Under the two-part test, it says, was the declarant's
4 apparent motive consistent with receiving medical care.
5 Your Honor, she was not able to indicate to the Court one
6 way or the other. I tried to get into that and they
7 objected. And I told the Court it's their burden of proof
8 to show that issue. They can not show to the Court what the
9 declarant's apparent motive was. She couldn't even speak to
10 it. She had no idea why he was presented to her other than
11 he was supposed to be subjected to an exam presented to her
12 by DHS.

13 So under Kennedy versus State, Your Honor, it's a 1992
14 Oklahoma CR 67, the two-part test is: Was the declarant's
15 apparent motive consistent with receiving medical care, and
16 number two: Was it reasonable for the physician to rely on
17 the information for diagnosis or treatment. The language
18 here is very clear. It talks about his motive, but also
19 says a physician to rely on their information. She's not a
20 physician. She's not a physician in any sense. She's
21 testified she's only a nurse.

22 This test, Your Honor, this two-part test, has been
23 roundly adopted by the Oklahoma Criminal Court of Appeals.
24 So the precedent that this Court is obligated to follow is
25 that it can not be permitted to be presented. They don't

1 have a foundation to enter into this hearsay and that's what
2 they are seeking to admit. They are seeking to admit this
3 statement. We have reserved our right to object during this
4 cross examination to see if they could lay a foundation.
5 They have not met that burden. They have not laid that
6 foundation, Your Honor.

7 We ask the Court to strike her testimony, to strike the
8 admission of this report. And that's the issue, Your Honor.
9 They don't have a foundation laid.

10 THE COURT: Okay. Did you want to respond to
11 the aspect of the first prong? I'm just asking if you do.
12 I'm willing to make my ruling.

13 MS. KEELY: Judge, I don't think that Kennedy
14 goes to the admissibility of this particular document. I
15 mean, I think that we can argue whether or not to talk about
16 her testimony is diagnosis and treatment, but with regard to
17 the admissibility of State's Exhibit 14, Kennedy is not
18 applicable.

19 THE COURT: Okay.

20 MS. KEELY: It's a report. She sponsored it.
21 She said it's a true and accurate report. She wrote it
22 down.

23 THE COURT: Well, I understand. But you're
24 wanting it to be used for the out-of-court statement of the
25 declarant; right?

1 MS. KEELY: All right.

2 THE COURT: Am I --

3 MS. KEELY: Well, inevitably, yes.

4 THE COURT: You put them on notice for the
5 hearsay statement.

6 MS. KEELY: I have. Inevitably, yes.

7 THE COURT: Okay.

8 MS. KEELY: So with regard to that, Judge,
9 she has testified today that she does have the ability to
10 make diagnosis, treatment. That she took the history, as
11 well as did a physical examination for the purposes of
12 diagnosis and treatment. She's talked about the things that
13 she can diagnose, she's talked about the things -- how she
14 can treat, the things that she can prescribe. When we look
15 at 13 in Kennedy, it says, "We do find error, however, in
16 the magistrate's decision to strike the testimony of Diane
17 Roberts and Amy Ward. It appears from the court record that
18 the magistrate was utilizing 12 OS Supp. 1984, 2803.1 in his
19 determination of the reliability." Judge -- and it talks
20 about my burden at the preliminary hearing is to establish
21 probable cause. I haven't -- I have additional questions
22 with reliability, but it should be admissible.

23 MR. COPELAND: Your Honor, may I respond?

24 THE COURT: Okay.

25 MR. COPELAND: Your Honor, what the State is

1 now arguing and when they cite paragraph 13 where she read
2 into the court's record that it appears from the record that
3 the magistrate was utilizing 12-2803.1. The Court is
4 familiar with State versus Juarez?

5 THE COURT: Uh-huh.

6 MR. COPELAND: The court -- in fact, counsel
7 for the defense was handed by the State, 2013 Oklahoma
8 Criminal Court of Appeals 6, for the very purpose,
9 apparently, to bypass the issue of having testimony by -- as
10 part of rebutress of her argument, to have testimony by
11 Clayton Woolley, the five-year-old. 2803 is a different
12 issue. 2803.1.

13 The issue that we are raising here that's in Kennedy,
14 there's more than one issue that was raised on behalf of
15 that defendant. But what was resolutely decided in Kennedy
16 versus State, Your Honor, is there's a two-part test. They
17 have to follow it and it strictly has to be obeyed, because
18 of the reliability issue. Because that's the exception to
19 the hearsay rule. And the whole issue about hearsay is
20 whether or not it's actually reliable. It can't be reliable
21 whenever you've got a five-year-old that's being -- just
22 reciting something that's not being challenged by the SANE
23 nurse that they are trying to admit, in a round about way,
24 this particular information. There's no testimony, no
25 supporting facts that say what the declarant's apparent

1 motive. They had the obligation to lay the foundation.
2 They have not laid that foundation. And it's not reasonable
3 for a physician to rely on. It's not reliable for anyone to
4 rely on, but she's not a physician, Your Honor. We ask that
5 it be stricken. That that not be -- be barred from being
6 admitted and part of the record.

7 THE COURT: Okay. I'm going to overrule your
8 objection. Because in paragraph 12 it says, it's not
9 absolutely clear that declarant's motive. However, the
10 statement was made during the course of an interview with
11 the, in this case, the doctor. Commentary in 2803 indicates
12 that the exception covers statements made to doctors.
13 However, it's not limited to doctors. It can be made to
14 ambulance driver's, hospital attendants, medical personnel,
15 even family members. So whether it's a doctor or a SANE
16 nurse, I feel, is not as important. It may be for
17 credibility purposes in front of a jury, for admissibility
18 it is not. And it indicates, through this case, they let
19 the statement in because it was an important part of the
20 evaluation, which this witness has stated. So 14 will come
21 in over objection.

22 Q (Ms. Keely) Now, when you talked to Clayton, did you
23 tell him who you were?

24 A Yes.

25 Q Did you tell him you were a nurse?

1 A Yes.

2 Q Did you tell him what you were going to do?

3 A Yes.

4 Q Okay. What did you tell him that you were going to do?

5 A That we would talk and then I would look at his body

6 and make sure his body is healthy.

7 Q Okay. And when you talked to Clayton, was he

8 consistent?

9 A Consistent?

10 Q Did he ever say anything that was inconsistent? Did he

11 ever give you inconsistent statements? In other words, say

12 one thing and then say another that was exactly the

13 opposite?

14 A Not that I recall.

15 Q Okay. And when you talked to Clayton, were his

16 statements made spontaneously or were they based off

17 suggestions?

18 A Both.

19 Q Okay. Can you tell me about that?

20 A Which question or what are you pertaining to exactly?

21 Q Okay. Did Clayton answer your questions?

22 A Yes.

23 Q Okay. And did those answers appear to be spontaneous

24 or did they appear to be rehearsed?

25 A Spontaneous.

1 Q Okay. And did those answers appear to be coached in
2 any way?

3 A No.

4 Q Okay. And when you said that you made a diagnosis of
5 fear, did Clayton appear to be afraid of you?

6 A No.

7 Q Okay. Did he appear to be afraid of just talking?

8 A Yes.

9 Q Okay. And did you determine -- well, strike that.
10 What did he seem to be most afraid of talking about?

11 A When he was in the shower --

12 MR. COPELAND: Your Honor, I object to
13 suggestive on the answer and where she's going with this is
14 leading.

15 THE COURT: I was reading. So tell me --
16 restate your question, please.

17 Q (Ms. Keely) What did he seem to be afraid about
18 talking about?

19 THE COURT: You can answer that.

20 A Okay. When he was talking about being in the shower
21 with papa.

22 Q (Ms. Keely) Okay. Did you have any difficulty
23 understanding Clayton?

24 A No.

25 Q Did he appear to have any difficulty understanding you?

1 A No.

2 MS. KEELY: Your Honor, at this time, I'll
3 pass the witness. Thank you.

4 THE COURT: Mr. Copeland, do you have any
5 other questions for Ms. Sinclair?

6 MR. COPELAND: Yes, Your Honor.

7 **RECROSS EXAMINATION**

8 **BY MR. COPELAND:**

9 Q Ms. Sinclair, you're saying that he looked afraid to be
10 talking to you about talking about being in the shower with
11 his grandpa?

12 A Yes, sir.

13 Q You're going to have to speak up.

14 A Yes, sir.

15 Q What does it look -- what did it look like when he was
16 afraid of talking about that?

17 A He just dropped his head.

18 Q And what time of day was this discussion?

19 A 8, 9:00 at night.

20 Q And so him dropping his head, did you think of any
21 other possible interpretations of a child dropping their
22 head in the middle of a conversation with an adult after 12
23 hours of dealing with the death of someone in their family,
24 dealing with conversations with authorities, and all of the
25 stuff that happened to him that day? Can you think of any

1 other interpretation, other than being afraid, and that's
2 the explanation of why he dropped his head?

3 A That was just my assessment.

4 Q Your assessment can be wrong; is that true?

5 A It can be, yes.

6 Q Would it be true that your assessment is likely wrong
7 in this situation?

8 A I don't believe so. It's just my assessment.

9 Q Well, you would agree with me, would you not, that
10 there are -- there are nefarious interpretations and there
11 are non-nefarious interpretations that can be made out of a
12 perception of you talking to a child. Would you agree with
13 that?

14 A Can you clarify that, please?

15 Q Ma'am, you had a choice between a non-nefarious
16 interpretation of him dropping his head and a nefarious
17 interpretation.

18 A I don't know what nefarious and non-nefarious means.

19 Q Incriminating, an evil association. In other words,
20 you had a choice between a non-evil situation that you could
21 have chose, a very innocent explanation, or an evil one
22 that's associated a with a child molester. And you chose --
23 you had a choice there; correct?

24 A No, sir.

25 Q You didn't have a choice? Why not?

1 A It was just my assessment. He just -- that was just my
2 assessment.

3 Q Would you want your assessment to be accurate and
4 right?

5 A Yes.

6 Q Would you want it to ring true with justice for
7 somebody that might go to jail for life?

8 A Yes.

9 Q So you didn't write this fact that he was fearful of
10 being in the shower with his grandpa in your report, did
11 you?

12 A No.

13 Q Okay. Wouldn't that be, like, one of the most
14 important things that you would want to display for those
15 that would read it later or to comprehend the facts on what
16 occurred is by writing that in a report that he's afraid of
17 his grandpa?

18 A It wasn't that he was afraid of his grandpa. It was
19 that he just seemed fearful of talking with me.

20 Q Well, ma'am, you're making it sound like he was afraid
21 to talk about the issue with his grandpa?

22 A No.

23 Q Is he afraid to talk about the issue about his grandpa
24 or just afraid to talk period? Do you know?

25 A I don't know.

1 Q Okay. How did you know that it didn't appear -- when
2 you were asked by the assistant district attorney,
3 Ms. Keely, that it didn't appear that he was coached in any
4 way. How did you know that? How did you make that
5 conclusion? Just now when you were talking with Ms. Keely?

6 A It just didn't seem that he did.

7 Q Just didn't seem. Are there any ground rules by which
8 you make these conclusions or is it just, you know, you pull
9 out of air it just didn't seem that way to you?

10 A That's just my opinion.

11 Q Is there any ground rules that you utilize to come to
12 these opinions? In other words, do you have any criteria
13 that you follow to reach these types of conclusions?

14 A No, sir.

15 Q Earlier when you testified as the reason why you
16 were -- when you were asked by counsel for Mr. Woolley, you
17 were asked a question about why you didn't record it and you
18 had access to recording equipment. But you used it as --
19 your explanation was that it might violate HIPAA. Do you
20 remember that answer?

21 A Yes, sir.

22 Q Would that also apply to a HIPAA violation if you've
23 got police officers that are listening outside the door of
24 your exam room and overhearing your conversation? Would
25 that be a violation of HIPAA?

1 A I'm not sure.

2 Q So you really don't know --

3 A I would have to look at HIPAA policy.

4 Q Well, you know HIPAA -- when it comes to recording --
5 are you -- well, I'm sorry. Your testimony is you don't
6 really look at HIPAA policy?

7 A No. I said I would have to look at HIPAA policy.

8 Q So at the time you did all of this and all of these
9 questions you were answering for yourself, you did not know
10 HIPAA policy; isn't that true?

11 A I did know the HIPAA policy. I don't know that part of
12 the HIPAA policy that you're asking me about.

13 Q Well, are you saying there's no way that you're
14 allowed, under HIPAA, to record an exam?

15 A I would not believe so, no.

16 Q Well, do they record moving hearts beating under, you
17 know, using heart monitors and do they record
18 echocardiograms, do they record x-rays? Those are all
19 recording devices. Are you saying that applies to HIPAA
20 too?

21 MS. KEELY: Objection, Your Honor.

22 Relevance.

23 THE COURT: Okay.

24 MR. COPELAND: It tests her, Your Honor.

25 THE COURT: I'll sustain the objection. You

1 two are on different types of recordings.

2 Q (Mr. Copeland) Well, ma'am, does it violate HIPAA to
3 utilize echocardiogram?

4 MS. KEELY: Objection, Your Honor. Relevance
5 to this case.

6 THE COURT: I'll sustain the objection.

7 Q (Mr. Copeland) So you're basically saying that the
8 sole reason you chose, when you had the option to, you chose
9 not to utilize a recording to preserve all of this testimony
10 or the contents of this being accurate, your sole reason for
11 that was you suspected it violated HIPAA?

12 A I mean, it wasn't even an option.

13 Q Why wasn't it an option? I think that Mr. Smallwood
14 was trying to ask you that. Why wasn't it an option?

15 A I don't record any exams. It was not even a thought.

16 Q Well, wouldn't it be a shorthanded way to make sure it
17 was accurate and you could actually go utilize it and make
18 your notes actually complete instead of finding out for the
19 first time -- a defendant might find out for the first time
20 at a hearing or a trial what your actual opinions were and
21 what you have found and not be prejudiced?

22 MS. KEELY: Objection, Your Honor, to the
23 form of the question.

24 THE COURT: I'll let her answer it. It's a
25 fair question.

1 A It's not policy to record SANE exams.

2 Q (Mr. Copeland) I'm sorry?

3 A It's not standard of care to record SANE exams. The
4 SANE exam is to take care of the patient.

5 Q Is it standard of care not to write down your diagnosis
6 of fear?

7 MS. KEELY: Judge, objection. Argumentative.

8 THE COURT: I'll sustain the objection.

9 MR. COPELAND: Well, Your Honor, I've never
10 asked if that's a standard of care. And she's telling us
11 what standard of care is and I've got to be able to
12 challenge that credibility of her saying what standard of
13 care is if it doesn't line up with what other things she
14 says is standard of care and doesn't.

15 THE COURT: It's the form of the question.
16 It's argumentative the way you asked it.

17 MR. COPELAND: One moment, Your Honor.

18 THE COURT: Sure.

19 Q (Mr. Copeland) Ms. Sinclair, do you have an opinion as
20 to why they record the forensic interview?

21 A No, sir.

22 Q Are you -- so as you sit here today and before this
23 Court representing yourself as a SANE sexual abuse network
24 examiner --

25 MS. KEELY: Objection, Your Honor.

1 MR. COPELAND: I don't even know if I got the
2 question out.

3 THE COURT: Well --

4 MS. KEELY: Judge, he said sexual assault
5 network examiner.

6 MR. COPELAND: I said network?

7 MS. KEELY: Yes.

8 THE COURT: You did.

9 MR. COPELAND: I thought I said sexual
10 assault nurse examiner.

11 THE COURT: No, sir.

12 MR. COPELAND: My bad.

13 Q (Mr. Copeland) Ms. Sinclair, as you sit here today as
14 a -- representing to the Court you are an expert and been
15 trained in the field as a sexual assault nurse examiner?

16 A Correct.

17 Q You don't think that -- you don't think that you should
18 be allowed to record these videos?

19 A No, sir. There would be no reason to.

20 Q But you don't have any knowledge as to why they record
21 the videos for a forensic exam?

22 A No, sir.

23 Q They didn't train you as a sexual assault nurse
24 examiner on the purpose of recording and getting accurate
25 information?

1 A No, they did not. Not for a forensic interview, no.

2 Q Well, did they teach you that, at all, for your
3 purposes?

4 A Huh-uh. No.

5 Q Okay. Now, I'm pretty sure, and the record will
6 reflect this, or you tell me, but on my cross examination
7 before we broke for lunch, I'm pretty sure that you denied
8 knowing anything about a forensic interview, didn't you?

9 A No, sir, I did not.

10 Q Okay.

11 MR. COPELAND: Nothing further, Your Honor.

12 THE COURT: Yes.

13 **RE CROSS EXAMINATION**

14 **BY MR. SMALLWOOD:**

15 Q Ms. Sinclair, does Kid's Space have any kind of written
16 policy or protocol manual or something that's been reduced
17 to writing to govern --

18 A Yes.

19 Q Okay. Can that be produced? I know not today, but
20 that's available?

21 A Yes.

22 Q Okay.

23 MR. SMALLWOOD: That's all I have, Judge.

24 THE COURT: Thank you.

25 Ms. Keely, anything else?

1 MS. KEELY: No, I have nothing further.

2 THE COURT: You can step down. Thank you
3 very much, ma'am.

4 Are you ready for your next witness?

5 MS. KEELY: Judge, I think there's a
6 stipulation.

7 THE COURT: Okay. Great.

8 MS. KEELY: I was going to wait --

9 THE COURT: You can come on through.

10 MS. KEELY: I was going to wait until she
11 left so I didn't violate --

12 THE COURT: Yeah. I understand. Because I
13 saw your coordinator go out. I didn't know if you were
14 needing to make an announcement, and you are. Yes. What
15 stipulation are we talking about?

16 MS. KEELY: Yes, sir. Thank you, sir. Your
17 Honor, I believe both counsels have agreed to stipulate that
18 if Shane Greer was called, he would testify that he's the
19 Department of Human Services investigator assigned to the
20 case with regard to Clayton Woolley and William Woolley.
21 That he would be able to identify Ms. Lisa Woolley, who is
22 present in the courtroom by her attorney. That he would be
23 able to identify Mr. William Woolley, III, who is sitting at
24 the counsel table, as well. And that he would testify that
25 the people who were living in the household at the time were

1 Lisa Woolley, who is the grandmother; William Woolley, who
2 is the grandfather; and Glory Woolley, who is their aunt.
3 And that would be between July 12th of 2012 to March 29th of
4 2018. I believe that's our stipulation to the Court.

5 THE COURT: They are conferring with their
6 clients.

7 MR. SMALLWOOD: May I confer with my client?

8 THE COURT: Yes. Absolutely.

9 MR. SMALLWOOD: On behalf of Mr. Woolley, we
10 will agree to the stipulation as described by the State and
11 ask that that be entered into the record in lieu of the
12 testimony of that witness.

13 THE COURT: Mr. Copeland?

14 MR. COPELAND: We also stipulate as it
15 relates to going to March 29th. We are not stipulating that
16 that's the end of the guardianship. You're not representing
17 that to the Court, are you? The child did not die until
18 March 30th. You all didn't start --

19 MS. KEELY: That's fine. Yeah. Until
20 March -- I'm not -- I'm sorry, I'm not trying to be ugly.
21 Through March 29th of 2018. I'm not saying that's the end of
22 the guardianship, but that would be the period of time.

23 THE COURT: Okay. With that --

24 MR. COPELAND: That the representation is
25 they were guardians during that timeframe?

1 MS. KEELY: Yes.

2 MR. COPELAND: And lived in the house?

3 MS. KEELY: Yes.

4 THE COURT: Okay. The Court will accept that
5 stipulation.

6 Ms. Keely, you can call your next witness.

7 MS. KEELY: Judge, with that stipulation, I
8 think, at this time, the State rests.

9 THE COURT: Does the State -- or excuse me.
10 Mr. -- I apologize. Mr. Smallwood, do you have any motions
11 or witnesses you would like to present?

12 MR. SMALLWOOD: Your Honor, we have no
13 witnesses. We would briefly like to argue a demur and
14 perhaps a further reurging of a motion to reduce bond.

15 THE COURT: Okay. Give me the demur first.
16 We'll take up the bond in just a moment before I rule on
17 whether I bind over or not, because I'll lose jurisdiction
18 if I do that. But I will definitely take up bond.

19 Yes, Ms. Keely.

20 MS. KEELY: Judge, I apologize. If I can
21 interrupt. I know that the Court can make any findings that
22 the Court may. I believe I announced at the beginning of
23 this, count -- the additional counts.

24 THE COURT: You did.

25 MS. KEELY: And so I am asking the Court to

1 make those additional count findings with regard to the
2 Defendants. And I know that the Court has the dates up
3 there. I would appreciate -- I would ask to be heard with
4 regard to the specified dates.

5 MR. SMALLWOOD: I would ask that the State
6 make detailed motion to add a count before I proceed.

7 THE COURT: I agree with you there. Okay.
8 You're going to make an argument on the added count.

9 MS. KEELY: Yes, sir.

10 THE COURT: Or counts.

11 MS. KEELY: With regard to Mr. William
12 Woolley, we would ask to amend the Information to be
13 consistent with the information given today. And those
14 would be the dates, July 12th, 2012, to March 29th of 2018,
15 with regard to Count I. With regard to Count II, we would
16 very respectfully request to add an additional count. The
17 date being January 16th, 2017, to March 29th, 2018, and
18 sexual abuse of a minor child by exposing Clayton Woolley to
19 sexual acts between William Woolley, III and Elijah Woolley
20 between those dates.

21 With regard to Ms. Lisa Woolley, again, we would very
22 respectfully request to amend the dates to be consistent
23 with the testimony and exhibits that were given today. And
24 that would be July 12th of 2012, to 29 March 2018. We would
25 very respectfully request to add a Count II, the enabling

1 sexual abuse of a minor child, those dates between
2 January 16th, 2017, and March 29th of 2018, willingly,
3 willfully permitted William Woolley to sexually expose
4 himself and lewdly molest Elijah Woolley in the presence of
5 Clayton Woolley.

6 And those would be our requests, Your Honor.

7 THE COURT: Okay. Mr. Smallwood.

8 MR. SMALLWOOD: Your Honor, with respect to
9 the allegations involving Clayton Woolley, we would demur to
10 the evidence presented by the State of Oklahoma on the
11 grounds that the State has failed to establish probable
12 cause that a crime was committed by competent evidence that
13 complies with statutory and constitutional provisions to
14 allow me to confront witnesses and to exercise about the
15 only right that a criminal accused in the State of Oklahoma
16 has and that's a right to confront and cross examine the
17 accusers.

18 We are -- we are -- we have been denied the opportunity
19 to view this child. We've been denied the opportunity to
20 have this child view his grandparents. The only custodial
21 people who have -- during his lifetime that he can remember
22 who have been responsible for his care and welfare. Without
23 being able to do that, we simply can not render effective
24 assistance of counsel to my client and there is insufficient
25 competent evidence for any kind of bind over order or any

1 kind of a finding of probable cause.

2 With respect to the request for a second count.

3 Sexually abusing a minor child was intended to encompass a
4 multitude of offenses, which could have occurred over an
5 extended per of time, as opposed to individual counts which
6 might be -- which might be separated by periods of time.

7 The State can just as well ask this Court to parse every day
8 in Clayton Woolley's life and end up with 1,900 counts if
9 the logic of the State's argument prevails. That's not why
10 sexual abuse, the specific statute, was passed. It was
11 passed to encompass an allegation of a continuing series of
12 circumstances and not to parse out dozens, if not hundreds,
13 of counts. Partially is what the State is trying to do here
14 and we object to that.

15 THE COURT: Okay. Did you -- let me keep
16 these cases separate. Okay.

17 Did you want to respond to the demur, Ms. Keely?

18 MS. KEELY: Yes, sir.

19 THE COURT: Okay.

20 MS. KEELY: With regard to the availability
21 of the child. Certainly if -- and I don't think that
22 Mr. Smallwood intended this. But if Mr. Smallwood or
23 Mr. Copeland or Mr. Richardson wanted to physically look and
24 see whether or not that child was here and available, I would
25 have no objection to them looking at Clayton. He's here. I

1 don't think that they doubt that I'm telling the truth that
2 he's here. But if that was the case, certainly I would
3 invite them and the Court to, you know, a different room and
4 we could see that Clayton is truly here.

5 With regard to counsel's argument that he can't cross
6 examine the child. Judge, that's exactly why we have child
7 hearsay statements, is so the child doesn't have to be called
8 to the stand. When the Court -- and it happens over and over
9 again, where a child -- and hearsay statements are admitted.
10 In Kennedy versus State, the child had actually been called
11 and then the child refused to testify and the court declared
12 that child unavailable. In Kennedy, they still said that the
13 hearsay statements come in. So you had a child, he was
14 available. We filed our proper notice with regard to
15 hearsay. We would ask that those hearsay statements come in.
16 I think -- well, I believe the Court has already ruled that
17 they do. It comes in under hearsay statements with regard to
18 a child and it also comes in under the exception to hearsay
19 with regard to statements given for the purpose of diagnosis
20 and treatment. So with regard to that, the statement should
21 come in whether or not the child testifies.

22 And certainly, Judge, we have talked about the
23 reliability of a child. When we look at reliability, not
24 only do we just talk about what was said, but how it was
25 said. Certainly his statements were consistent. He never

1 said anything that was inconsistent with being abused. He
2 never told her this happened, oh, wait, no, it didn't happen.
3 In, I believe it was -- no, I'm sorry. In Juarez, they
4 basically talk about they didn't find it credible when the
5 child talked about it being a dream. This child never talked
6 about it being a dream. He talked about the fact that when
7 asked if somebody had ever been touched, he -- I'm sorry. He
8 talked about papa puts his privates in Elijah's butt right
9 here. Judge, that's not something that anyone would expect
10 of a five-year-old. That's not something that we would
11 expect for a five-year-old to even know why or what that
12 would happen. That would be odd that a five-year-old would
13 know --

14 MR. RICHARDSON: Your Honor, I'm going to
15 object. That's argument. The Court -- there's a video tape
16 where those things are suggested to this child. For
17 Ms. Keely to stand there and suggest that there's no reason
18 to think a five-year-old child would know about those things,
19 we got a video showing somebody asked him those questions.

20 THE COURT: Okay. Well, first of all, you're
21 out of line, because this isn't your demur. It's
22 Mr. Smallwood's, but --

23 MR. RICHARDSON: The facts bleed over onto my
24 client as well, Judge.

25 THE COURT: I understand. I made my ruling.

1 But, Ms. Keely, please finish your argument.

2 MS. KEELY: Yes, sir. Thank you, sir.

3 Judge, he puts his privates in Elijah's butt right here
4 and he points at his own body when he says right here.

5 That's something that would be a spontaneous statement that
6 a child might make. Certainly she talked about there was no
7 coaching. When a child says he did this and then points
8 right here at his own bottom, Judge, that's just something
9 that comes out of the blue. That's something a child does.

10 And he says --

11 MR. RICHARDSON: Judge, may I have a
12 continuing objection to her saying that's something out of
13 the blue?

14 THE COURT: Okay. Sure.

15 MS. KEELY: Judge, when asked, you know,
16 where it happened, he said in the living room on the couch.
17 And then without being asked anything else, he be crying and
18 crying when it happens. Judge, again, if a child doesn't
19 know what it feels like to have a penis placed in a butt,
20 that child is not going to know that it hurts. That --
21 crying and crying is consistent with what would happen if
22 someone's penis is placed in another child's bottom. And
23 then he gets a spanking. Then, Judge, he says grandma sees
24 him do it.

25 Furthermore, Judge, when asked what the privates look

1 like, he says it looks like black fur and then his private.
2 Again, Judge, those are the type of words that would be
3 consistent of how a five-year-old might describe an adult
4 man's genitalia in that area. Certainly it's not something
5 that an adult is going to think of to tell a child to say
6 okay if somebody asks you this, you need to respond that
7 way.

8 Judge, furthermore, then when he asks where his hands
9 are, he stated he puts his hands on Elijah's butt. Again,
10 that's not something that sounds particularly coached. It's
11 consistent with sexual abuse of a minor child. When asked
12 if anyone had ever put -- ever put their privates on him, he
13 stated papa put his private on my butt one time in the
14 shower. He said that grandma saw it happen to me and then
15 said papa said, don't tell anybody. Judge, we talk about
16 innocent mistakes. But when somebody says, don't say
17 anything about that, that certainly goes toward a lack of
18 innocence and guilt.

19 We would ask the Court, very respectfully, to bind the
20 Defendant over on both counts.

21 MR. SMALLWOOD: Very briefly, Judge.

22 THE COURT: Yes, sir.

23 MR. SMALLWOOD: There's certainly a
24 distinction between something that is admissible and
25 something that is sufficient to establish, by competent

1 evidence, probable cause in a criminal case. Those are the
2 distinctions.

3 THE COURT: I'm going to hold my ruling on
4 the demur, because I know you want to make argument on bond.
5 But I want to let Mr. Copeland or Mr. Richardson make
6 argument on a demur if they are going to make one.

7 MR. COPELAND: Your Honor, we've got
8 witnesses that we would like to call. And I want to know if
9 the Court wants to hear my demur before we do that?

10 THE COURT: I would like to hear your demur
11 first, please.

12 MR. COPELAND: Your Honor, on behalf of Lisa
13 Woolley, we endorse the arguments that have been submitted
14 by her counsel as it relates to these -- this inability to
15 confront the witness. There's a lot of reading that went on
16 here with the argument by Ms. Keely to the Court. And I
17 think it was established on cross examination that this
18 particular witness was not a well-rounded or sufficient
19 record keeper. Her memory is highly suspect. She is on the
20 record, I know it is, that she mentioned Gabe Woolley twice
21 on direct and when I crossed her about that, she couldn't
22 remember it. We had a discussion on the record, in front of
23 her, on me cross examining her about her not being able to
24 even remember something that happened just 20 minutes
25 earlier, 30 minutes earlier.

1 She's got some deficits, Your Honor, as it relates to
2 her skills. She didn't think it was even remotely important
3 to notice whether or not -- and ask Clayton Woolley whether
4 or not grandpa's penis was flaccid or sticking straight out
5 or was aroused in any way or level. She didn't even find
6 that an important aspect. So I understand the Court has
7 made it's ruling as it relates to letting the report in.
8 Doesn't mean the veracity of the report is necessarily rises
9 to the level as what Mr. Smallwood has just said to probable
10 cause.

11 And we would submit to the Court that for -- to bind
12 over innocent people -- what we submit are innocent people.
13 I submit my client is innocent. To bind them over based off
14 of a hearsay statement that gets in through a loophole on a
15 -- I understand that there's a precedent that the Court has
16 received and has made a ruling as it relates to this, but,
17 Judge, fair is fair. And we've got to have the right to be
18 able to cross examine the complaining witness behind these
19 statements. She did not even -- when I held this up in
20 front of her, Judge, she didn't even -- she wouldn't even
21 endorse the fact that she was trying to challenge this child
22 or even find out whether the statements that this child was
23 making to her were reliable. She had no clue about it. She
24 had no interest in it. She was very cavalier in her
25 approach to how she practices her nursing at this particular

1 safe space for a child that's an advocacy for children.

2 Your Honor, there's a lot of evidence that contradicts
3 what they put on here and we would like to put it on. And
4 for -- we are asking the Court, Judge, as it relates to
5 currently a prior charge and the one that's being amended,
6 to find that there's not probable cause. We demur to it.
7 There's not probable cause to put an issue before trial. I
8 mean, true probable cause, Judge, means it's more likely
9 than not. It's more probable than not that they actually
10 did that. They have not met that burden. I mean, merely
11 because they've got somebody that comes in here and sponsors
12 a hearsay statement of a child, does not meet the burden of
13 actual, actual probable cause under the Constitution of the
14 United States.

15 You know, we have the right to -- you know, due process
16 requires life, liberty and the right, Your Honor, to be free
17 of unnecessary, unreasonable searches and seizures. They've
18 seized these people. They've ruined their lives. They've
19 lost their jobs. They are sitting in jail waiting to be
20 heard by this Court and they are asking hey, can you at
21 least reduce the bond so we can be -- have an ankle bracelet
22 at home. And at least let the facts fall where they may if
23 we are going to be judged before a jury.

24 I'm pleading and asking this Court, in this particular
25 situation, Judge, they have -- there's a test that this

1 Court's got to apply. And it's not the test that it seems
2 to be almost -- and, Your Honor, bear with me. I'm not
3 saying this Court is included, but there's been a lot of
4 rubber stamping across the board in Oklahoma on judges that
5 will just let anything go to the jury. And this is one of
6 those cases that should not go to the jury. It should not
7 be bound over on these facts. If they want to put on
8 Clayton Woolley and actually put him on the stand and let us
9 confront him and let him tell what he did, they have got the
10 burden to do that. They've utilized these exceptions to
11 these laws to try to say they can hide behind these nuance
12 rulings to say, you know, we don't have to do that. And
13 it's just wrong, Judge. There's got to be a court in the
14 land that's going to stand up and put a stop to this kind of
15 gestapo nazi type, throw them in the clink and forget about
16 them and ruin their entire life until you get -- you know,
17 however long it takes to get to trial.

18 So please, Your Honor, we are asking that the Court
19 highly scrutinize these facts. This is a page that's -- you
20 know, she didn't record what she said, she didn't record
21 what she asked. The entire amount of her statement was all
22 over the map as it relates to what she recorded and what she
23 didn't record. She didn't find it important at all to
24 record the fact that she's diagnosing fear. I mean, I guess
25 that's a loophole that the State wants to rely on to say

1 that she can diagnose something to get this in. Is that she
2 can diagnose fear under NANDA. And, Your Honor, it's just
3 not right. It's not right to do this to these people.
4 There's got to be a higher check and balances in a law of
5 the United States of America to bind somebody over to
6 actually face charges and spend, you know, thousands and
7 thousands of dollars on attorney fees and -- presuming they
8 are guilty, essentially.

9 They haven't met this burden, Judge. This Court --
10 there's a distinction -- and Mr. Smallwood and I wholly
11 agree on this. Meeting some kind of -- some kind of nuance
12 under case law to slip this in without having a
13 confrontation clause afforded the opportunity to confront
14 this witness and find out, oh, you know what, all of this
15 really was, Clayton -- isn't it true, all this really was is
16 that grandma handed the child into the shower and he's
17 slippery and grandpa is covered in soap. It's a two minute
18 thing. They are probably rushing to get the child to school
19 on time. And somehow he classifies that in a statement that
20 says, oh, yeah. He put his penis on my butt. But we don't
21 know whether it's flaccid or whether it's hard. We don't.

22 Your Honor, this is the United States of America. We
23 are asking you to check these people. Check the power of
24 the government and stop this. At least make them put on a
25 witness that we can confront that's not -- I mean, that --

1 we are relying on this -- this is reliable to ruin
2 somebody's lives and put them in debt for several hundred
3 thousand dollars potentially. That's nuts. I mean they've
4 lost their jobs, both of them. They've got family members
5 that are flying from Michigan, Judge, to come and ask this
6 Court to see if they can get any kind of justice. There's
7 an entire church here that all believe in these people.

8 THE COURT: I know it's emotional, but please
9 refrain. I've got to hear what's going on. Thank you.

10 Mr. Copeland.

11 MR. COPELAND: Your Honor, as it relates to
12 the new amendment. There's no testimony, Judge, in this
13 document that isolates a timeframe that I can tell. I mean,
14 if she's saying -- I don't see where Mrs. Sinclair put in
15 here that in January 16th, 2018, that my client committed
16 another crime of some sort. That they want to add another
17 charge to her. There's no timeframe on this. It violates
18 due process. It violates fair warning. It violates
19 righteousness by all standards.

20 So we are demurring to this new charge and ask the
21 Court to decline it. Make them go through the proper
22 process. Make them give us a full blown proper hearing on
23 it.

24 And with that, Judge, we would also -- Judge, we would
25 also ask to call Clayton Woolley to the stand in the

1 defense's cases in chief. If they don't want to call him,
2 we will. She said it on record that he's here. We can
3 march him right down here and put him on the witness stand.
4 And we are asking the Court to allow us to do that. And we
5 also have another witness, if the Court wants an offer of
6 proof on that.

7 THE COURT: Just a moment.

8 Did you want to respond to the demur? Or did you want
9 to add, maybe? I know Mr. Richardson said it bled over, but
10 I was trying to keep them separate. He had a right to
11 object. But do you want to respond to any of the -- add
12 anything to your argument against the demur?

13 MS. KEELY: Judge, I would adopt everything
14 that I just argued with regard to Mr. Smallwood's client to
15 Mr. Copeland's client.

16 THE COURT: Okay.

17 MS. KEELY: No, sir.

18 MR. SMALLWOOD: Your Honor, I don't think I
19 demurred to the -- argued against the adding the additional
20 clause.

21 THE COURT: That's true.

22 MR. SMALLWOOD: In addition to everything
23 Mr. Copeland said, there's simply insufficient evidence to
24 get passed the purpose of the sexual abuse statute, which
25 would encompass all of this in a single count.

1 THE COURT: Okay. I'm going to overrule the
2 demurrers. Do you want -- I will hear you on bond first,
3 because I don't want to lose jurisdiction.

4 Mr. Smallwood. I know the State objects. I'm willing
5 to listen to you on bond reduction.

6 MR. SMALLWOOD: Your Honor, I'm not going to
7 reiterate everything that was in my motion to reduce bond,
8 which this Court has heard. But what I haven't heard from
9 the State, and what they generally argue is, this is merely
10 a probable cause determination and there's an assumption
11 that the State's case will improve. Well, Judge, the only
12 thing that's going to happen to the State's case, is it's
13 going to get it's legs cut off at trial and nothing else.
14 So you have heard the State's case. This is as good as it's
15 going to get, Judge. And it simply does not justify the
16 kind of bonds on this evidence that these people, with no
17 criminal history, in a courtroom full of people who will
18 vouch for them, supports. And we would ask that the Court
19 reduce bond on each Defendant to \$50,000.00 a piece.

20 THE COURT: Mr. Copeland or --

21 MR. COPELAND: Your Honor, I would reiterate
22 that motion before this Court loses jurisdiction if it's
23 going to end up doing a bind over. But, again, I implore
24 the Court not to do that as it relates to a bind over.

25 THE COURT: I understand.

1 MR. COPELAND: But as a bare bones minimum,
2 Your Honor, you know, the State can not be presumed to be
3 right here. The child has been removed from the home and
4 has been put in foster care. There's no threat here.
5 There's zero threat. There's been no prior history of crime
6 by these people. And we are asking the Court to, you know,
7 at least balance the equities and cut them some slack and
8 let them get home and raise the Sheltie dogs they got in
9 their back yard and let them make some income again. Let
10 them not lose their house that was entirely paid off because
11 they are good citizens. They were out of debt. And, Your
12 Honor, for those reasons, we will rest as it relates to that
13 issue.

14 THE COURT: Sure. Did you want to be heard
15 on that? I know we've made argument. We've had two or
16 three hearings maybe, but did you want to be heard on that?

17 MS. KEELY: Just respectfully to address one
18 of the things that was brought up by counsel with regard to
19 the State improving it's case for trial, Judge. Just
20 yesterday I was provided with psychotherapy notes and I
21 shared that with Mr. Smallwood this morning. I have not
22 talked to Mr. Copeland and certainly I intend to provide
23 them these notes.

24 THE COURT: Okay.

25 MS. KEELY: But yesterday the psychotherapy

1 note -- one of the psychotherapy notes that I received, the
2 date and time was June 28th, 2018, between three and 4:00
3 p.m. where Clayton basically had met with her. They had
4 fruit snacks. Anyway, Clayton was able to tell her that
5 his --

6 MR. RICHARDSON: I guess I just have an
7 objection on the grounds that I don't know how this relates
8 to bond if that's what she's arguing.

9 THE COURT: Okay. I understand. You were
10 saying -- but I agree. I don't need to hear the content.
11 You're just saying that your case can get better?

12 MS. KEELY: Well, it can. And Clayton has
13 told his psychotherapist --

14 MR. RICHARDSON: Your Honor, impose an
15 objection. It's not relevant in a bond hearing. Unless
16 they are going to be around Clayton, what does it have to do
17 with the safety of the community with these people being out
18 of custody.

19 THE COURT: I understand. I'm just --
20 Mr. Richardson, just a moment. You're not letting me make my
21 ruling. I agreed with you so let me agree with you.

22 I don't need to get into the content. It's a matter you
23 wanted to add to whether your case could get better or not.
24 I understand. But -- and you're saying it can. I don't need
25 to get the details of it.

1 MS. KEELY: Yes, sir. Thank you, sir.

2 THE COURT: Okay.

3 MS. KEELY: And, Judge, with that, we would
4 basically adopt all of the previous arguments and the
5 information we provided to the Court.

6 THE COURT: Okay. Let me hear -- well, let
7 me do this. Because I don't want to -- I've got a lot --
8 four really good attorneys in front of me and I know if I
9 say one thing I might lose jurisdiction and I don't want to
10 do that, because I do want to address the bond. I do feel
11 that there's reason to reduce the bond. When we first heard
12 bond hearing, I knew what I was hearing and reading there
13 was some other things, some other investigations going on.
14 But at this point in time, based upon the evidence and
15 knowing that the child is outside of the home. That will be
16 a condition, though. I will reduce Ms. Woolley's bond to
17 \$50,000.00 with this condition --

18 (Interruption from the Gallery.)

19 THE COURT: Hey, please. If you need to step
20 outside, please do. \$50,000.00. She will need to surrender
21 her passports to the State. Do not leave the State of
22 Oklahoma. And she may not have any contact with the alleged
23 victim.

24 Mr. Woolley will be reduced to \$100,000.00 with those
25 same conditions.

1 In regards to Mrs. Woolley's witness. Did you want to
2 make an offer of proof?

3 MR. COPELAND: Yes, Your Honor.

4 THE COURT: Okay.

5 MR. COPELAND: Let me dig out here, Your
6 Honor.

7 THE COURT: Sure.

8 MR. COPELAND: Your Honor, may I talk to my
9 client for a moment?

10 THE COURT: Absolutely.

11 MR. COPELAND: Your Honor, at this time we
12 are going to -- we are going to reserve and not call our
13 witness, Your Honor.

14 THE COURT: Okay. Thank you. With that
15 said, in regards to Lisa Woolley, CF-18-168. Comes now the
16 Court, after preliminary hearing, finds there's probable
17 cause to believe the offenses, with the amended matter,
18 named in the complaint and the -- I'm going to grant the
19 request for the amendment. Has been committed and there's
20 probable cause to believe the Defendant committed the same
21 in the Information. It is therefore ordered the Defendant
22 be bound over to answer for the same on this newly set bond.
23 District court arraignment. That will be in front of Judge
24 Dennis Shook. I understand, Judge Shook has recused, but I
25 don't have authority to assume it to anybody else. He'll

1 have to do that if he doesn't do the arraignment.

2 MR. SMALLWOOD: Nothing substantial will
3 happen before. We'll just decide what happens then.

4 THE COURT: Thank you. I can -- we'll have
5 to work on some dates real quick. We have August 8th.

6 MR. SMALLWOOD: Horrible day for me, Judge.

7 THE COURT: So I've got August 15th.

8 MR. SMALLWOOD: I could do that in the
9 afternoon.

10 THE COURT: He's got it at 8:00 a.m. in the
11 morning.

12 MR. SMALLWOOD: I can do it. I can make it
13 work, Judge.

14 THE COURT: 15th August. That's within --

15 MR. SMALLWOOD: Because I think we are
16 probably going to get another date at that time.

17 THE COURT: Okay. That's within 30 days.

18 MR. SMALLWOOD: If it's not -- it's within 30
19 days. If not, we'll waive, Judge.

20 THE COURT: Thank you very much for that. In
21 regards -- and therefore, it will be -- district court
22 arraignment, August 15th, 2018, at 1:30 before Judge Dennis
23 Shook.

24 MR. SMALLWOOD: 1:30 or 8:00.

25 THE COURT: 8:00. I am so used to saying

1 1:30. I apologize. 8:00. And Ms. Woolley is remanded back
2 to Wagoner County Jail.

3 Okay. In regards to William Woolley, III, CF-18-167.
4 The Court, after preliminary hearing, finds there's probable
5 cause to believe that the offenses named in the complaint,
6 with the amendment allowed, there's probable cause to
7 believe that the Defendant committed the crimes alleged. It
8 is therefore ordered that he be bound over to answer for the
9 same on the newly set bond. And district court arraignment
10 will be set. Do you gentlemen want August 15th, as well?

11 MR. SMALLWOOD: Yes, sir. That's my --

12 THE COURT: I was asking -- I said Lisa
13 Woolley and I was talking -- so all -- Mrs. Woolley and
14 Mr. Woolley --

15 MR. SMALLWOOD: These bonds are comprehensive
16 for both counts?

17 THE COURT: Yes.

18 MR. SMALLWOOD: And will the State file an
19 amended Information by the 15th of August?

20 MS. KEELY: I anticipate I will, yes.

21 THE COURT: Okay.

22 MR. COPELAND: And, Your Honor, for
23 clarification on my client, it's \$50,000 total bond?

24 THE COURT: Yes.

25 MR. SMALLWOOD: And my client's a \$100,000?

1 THE COURT: Yes. And so we are clear that
2 August 15th is good at 8:00 a.m.?

3 MR. COPELAND: Yes, Your Honor.

4 MR. SMALLWOOD: Yes, sir.

5 THE COURT: That will be before Judge Dennis
6 Shook.

7 And Mr. Woolley will be remanded for the same if I
8 didn't say Mrs. Woolley. Okay. Both parties are remanded
9 to the Wagoner County Jail. Okay.

10 Anything else before we go off the record?

11 MR. COPELAND: No, Your Honor.

12 MR. SMALLWOOD: Not from Mr. Woolley.

13 THE COURT: The record will reflect if it
14 didn't because I didn't get a chance. Mrs. Keely or
15 Mr. Fisher, that they object to the bond reduction. And I
16 understand that. And I will -- I didn't let you speak on
17 that. Thank you.

18 With that, we'll go off the record.

19 (Proceedings concluded.)
20
21
22
23
24
25

C E R T I F I C A T E

1
2
3 STATE OF OKLAHOMA)
) SS.
4 COUNTY OF WAGONER)

5
6 I, Carol L. Rasmussen, a Registered Professional
7 Reporter in and for the State of Oklahoma, do hereby certify
8 on the 31st day of July, 2018, before the Honorable
9 Doug Kirkley, in the District Court of Wagoner County, State
10 of Oklahoma, I reported in machine shorthand the proceedings
11 had and the evidence given, and the above and foregoing is a
12 full, true, correct and complete transcript of the
13 proceedings taken at said time and place.

14
15
16 WITNESS MY HAND THIS 30th day of August, 2018.

17
18 Carol L. Rasmussen

19 Carol L. Rasmussen
20 Oklahoma Registered Professional Reporter
 Certificate No. 01710

WAGONER COUNTY, OKLA.
FILED
IN DISTRICT COURT

2012 NOV 13 AM 8:39

WAGONER COUNTY
RHONDA J. WILSON
CLERK OF COURT

IN THE DISTRICT COURT OF WAGONER COUNTY
STATE OF OKLAHOMA

IN THE MATTER OF THE)
GUARDIANSHIP OF)
Clayton Bradley Woolley)
_____)
_____)
Minor Child(ren))

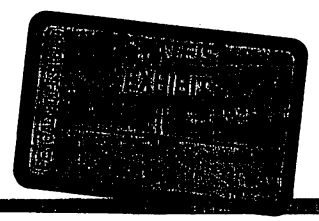
Case No.: PG - 2012 - 118

PETITION FOR GUARDIANSHIP OF MINOR CHILD(REN) AND FOR
EX PARTE APPOINTMENT OF SPECIAL AND GENERAL GUARDIAN(S)

COMES NOW the Petitioner(s), William H. Woolley III and/or Lisa K. Woolley
_____, and allege as follows:

1. That the Petitioner(s) is/are now a residents, in good faith, of Wagoner
County and the State of Oklahoma for six (6) months prior to the filing of this Petition.
2. The Petitioner(s) address is/are: 29388 E. 19th St. S., Broken Arrow, OK 74014
_____.
3. The telephone numbers where the Petitioner(s) may be reached is/are:
(918) 812-6476 (918) 695-6334
_____.
4. The legal name(s), age(s) and date(s) of birth of the minor child(ren) over whom
Petitioner(s) is/are seeking a guardianship is/are: Clayton Bradley Woolley
July 12, 2012 4 months of age

_____.
5. The Petitioner(s) is/are related to the children in the following manner: _____
maternal grandparents
_____.
6. The full legal name(s) of the mother(s) of the minor child(ren) is/are: _____
Desiree Jordan Woolley
_____.
7. The natural mother(s) current or last known address(es) is/are: _____
29388 E. 19th St. S., Broken Arrow, OK 74014
_____.



8. The names of all potential biological father(s) of the minor child(ren), even if their name(s) do not appear upon the minor child(ren)s birth certificate(s), is/are:

unknown

9. The current or last known address(es) for all potential biological father(s) of the minor child(ren) is/are:

10. The minor child(ren)'s natural parents:

- WERE or
 WERE NOT

married at the time of the birth of the minor child(ren).

11. The Court has jurisdiction in this action to make a child custody determination pursuant to the Uniform Child Custody Jurisdiction and Enforcement Act. 43 O.S. §551-101 *et seq.*, in that Oklahoma is the Home-State of the minor child(ren).

12. The minor child(ren)

- ARE or
 ARE NOT

members or eligible for membership with a federally recognized Native American Indian Tribe within the meaning of the Federal or State Indian Child Welfare Acts. If the child(ren) are Indian child(ren), the Tribe must be given notice in compliance with ICWA before a general guardianship can be granted.

13. Petitioner(s) are requesting to be appointed guardian(s) over the minor child(ren)'s:

- PERSON,
 PROPERTY or
 PERSON AND PROPERTY

14. The minor child(ren)

- OWN(S) or
 DO(ES) NOT OWN

real or personal property other than clothing and miscellaneous personal belongings.

15. The minor child(ren)

- DO(ES) or
 DO(ES) NOT

have an anticipated annual income for one (1) year, plus the value of the child's personal property, exceeding \$40,000.00.

16. Appointment of a guardian of the person and/or property of the minor child(ren) is necessary to provide for the general welfare of the child(ren) and to allow the Petitioner(s) to authorize medical and educational services for the child(ren) and/or provide for the management of the minor child(ren)'s property.

17. It is in the best interests of the minor child(ren) that the Court appoint the Petitioner(s) as guardian(s) of the person and/or property of the child(ren).

18. The parent(s) is/are unable to care for the minor child(ren) at this time because:

- The child(ren) has/have been abandoned;
- The child(ren) is/are being neglected;
- The parent(s) is/are using drugs in the home;
- The child(ren) has/have been abused;
- The child(ren) is/are in danger;
- The parent(s) is/are incarcerated;
- One or both parent(s) is/are deceased;
- Explain or Other

19. Ex Parte appointment of Special Guardian is necessary due to the following reason(s):

The natural mother is abusing street drugs, prescription drugs and marijuana. The natural mother suffers from depression and anxiety disorder. The natural mother steals and shoplifts to make money. The natural mother is physically abusive to the family mostly the petitioner Lisa Woolley. The natural mother drives while under the influence and is known to drive with the ward in her car. The natural mother carries drug paraphenlia in a diaper bag that was witnessed recently by the petitioner. The natural mother is using sex to supplement her drug and fiancial needs. The natural mothers drug use and irradic behavior appears to have escalated in the 10 days to two weeks. The ward is in danger of immediate and irreparable harm. The petitioners request witnesses and evidence be allowed at any guardianship proceedings and that standards be set for the natural mother.


20. The Petitioner(s) is/are qualified to serve as guardian(s) of the person and/or property of the minor child(ren). The Petitioner(s) further inform the Court as follows:

- No judge of the District Court is under any financial obligation whatsoever to the Petitioner(s);
- The Petitioner(s) is/are not a minor or incapacitated or partially incapacitated;
- The Petitioner(s) has/have never been convicted of a felony;
- The Petitioner(s) is/are not a person subject to registration under the Oklahoma Sex Offenders Registration Act;
- The Petitioner(s) is/are not insolvent and has/have not declared bankruptcy during the five (5) years prior to filing this Petition;
- The Petitioner(s) is/are not under any financial obligation to the minor child(ren); and
- There are no conflicts of interest that would preclude or be substantially detrimental to the ability of the Petitioner(s) to act in the best interests of the minor child(ren).

Explanation for above if needed. Bankruptcy 2010

WHEREFORE, the Petitioner(s) pray the Court to grant the following relief:

- A. Appoint the Petitioner(s) as guardians of the person and/or property of the minor child(ren);
- B. Waive Bond; and
- C. Grant all other just and appropriate relief.

 , *pro se*


Petitioner
William H. Woolley III

Print Name
29388 E. 19th St. S.

Broken Arrow, OK 74014

Address
(918) 812-6476

Phone(s)

 , *pro se*

Co-Petitioner
Lisa K. Woolley

Print Name
29388 E. 19th St. S.

Broken Arrow, OK 74014

Address
(918) 695-6334

Phone(s)

VERIFICATION

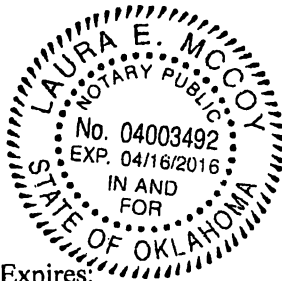
STATE OF OKLAHOMA)
)ss.
COUNTY OF TULSA)

William H. Woolley III and/or Lisa K. Woolley, of lawful age,
being first duly sworn, upon oath depose(s) and state(s): I/we am/are the Petitioner(s)
named above: **PETITION FOR GUARDIANSHIP OF MINOR CHILD(REN) AND
FOR EX PARTE APPOINTMENT OF SPECIAL GUARDIAN(S)**. I/We have read
the foregoing document and understand its contents. I/We hereby state that the facts set
forth in the foregoing document are true and correct to the best of my/our knowledge and
belief.

William H. Woolley III
Petitioner
William H. Woolley III
Printed Name

Lisa K. Woolley
Co-Petitioner
Lisa K. Woolley
Printed Name

Subscribed and sworn to before me this 10 day of November, 2012.



Laura E. McCoy
Notary Public

My Commission Expires:

April 16, 2016

I, James E. Night, Court Clerk to Wagoner
County, Oklahoma, hereby certify that the
foregoing is a true, correct and full copy of
the instrument herewith set out as appears
of record in the Court Clerks Office of
Wagoner County Oklahoma.

this 30 day of June, 2012
James E. Night

WAGONER COUNTY, OKLA.
FILED
RHONDA J. VINCENT
COURT CLERK

2012 NOV 13 AM 9:07

WAGONER COUNTY, OKLA.
FILED
IN DISTRICT COURT

IN THE DISTRICT COURT OF WAGONER COUNTY
STATE OF OKLAHOMA

IN THE MATTER OF THE)
GUARDIANSHIP OF)
Clayton Bradley Woolley)
_____)
_____)
Minor Child(ren))

Case No.: PG - 2012-118

LETTERS OF SPECIAL GUARDIANSHIP

William H. Woolley III and/or Lisa K. Woolley is/are hereby appointed:
 Special Limited General

Guardian(s) of the: Person Property Person and Property
of: Clayton Bradley Woolley

If a Limited Guardian, the guardianship is limited as follows: _____

WITNESS the undersigned Judge of the District Court of Wagoner County, State of
Oklahoma this 13th day of Nov., 2012.

[Signature]

JUDGE OF THE DISTRICT COURT

OATH OF GUARDIAN(S)

I/We, William H. Woolley III and/or Lisa K. Woolley do solemnly
swear or affirm that I/we will discharge all and singular the duties of Guardian(s) of
Clayton Bradley Woolley
According to law, and to the best of my/our ability. So help me/us God.

[Signature]

Guardian

[Signature]

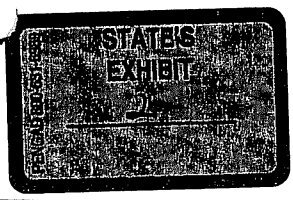
Co-Guardian

Subscribed and sworn to before me this 13th day of Nov., 2012.

[Signature]

JUDGE OF THE DISTRICT COURT

I, James E. Ficht, Court Clerk to Wagoner County, Oklahoma, hereby certify that the foregoing is a true, correct and full copy of the instrument herewith set out as appears of record in the Court Clerk's Office, Wagoner County, Oklahoma.
this 30 day of July, 2012
[Signature]



WAGONER COUNTY
RHONDA J. VINCENT
COURT CLERK

2012 NOV 13 AM 8:39

WAGONER COUNTY, OKLA.
FILED
IN DISTRICT COURT

IN THE DISTRICT COURT OF WAGONER COUNTY
STATE OF OKLAHOMA

IN THE MATTER OF THE)
GUARDIANSHIP OF)
Clayton Bradley Woolley)
_____)
_____)
_____)
Minor Child(ren))

Case No.: PG-2012-118

UCCJEA AFFIDAVIT

William H. Woolley III and/or Lisa K. Woolley, of lawful age,
being first duly sworn, upon oath deposes and states the following information, pursuant
to 43 O.S. §551-209, is true and correct to the best of my/our belief:

1. The present address of the child/children is/are: _____
29388 E. 19th St. S., Broken Arrow, OK 74014

2. The places where the child/children has lived during the last five (5) years
are as follows: 29388 E. 19th St. S., Broken Arrow, OK 74014

3. The names and present addresses of the persons with whom the children
have lived during the past five (5) years (in addition to the parties) are as follows:
Desiree Jordan Woolley 29388 E. 19th St. S., Broken Arrow, OK 74014

4. I/We have not participated as a party or witness or in any other capacity,
in any other proceeding concerning the custody of or visitation with the child/children.

5. I/We do not know of any proceeding that could affect the current
proceeding, including proceedings for the enforcement and proceedings relating to
domestic violence, protective orders, termination of parental rights, or adoptions.



6. I/We do not know the name or address of any person not a party to this proceeding who has physical custody of the children or who claims rights of legal custody or physical custody of, or visitation with the child.

[Signature]
Petitioner

Lisa K. Woolley
Co-Petitioner

William H. Woolley III
Printed name

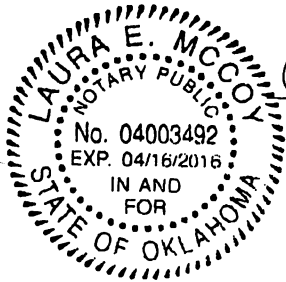
Lisa K. Woolley
Printed name

VERIFICATION

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

Subscribed and sworn to before me this 10 day of November, 2010

My Commission Expires:
April 16, 2016



[Signature]
Notary Public

I, James E. Hight, Court Clerk to Wagoner County, Oklahoma, hereby certify that the foregoing is a true, correct and full copy of the instrument herewith set out as appears of record in the Court Clerk's Office of Wagoner County Oklahoma

MR. JIMMY 18
[Signature]

WAGONER COUNTY OKLA.
FILED
DISTRICT COURT
2012 NOV 27 AM 9:29
WAGONER COUNTY OKLA.
RHONDA L. GIBSON
CLERK

IN THE DISTRICT COURT OF WAGONER COUNTY
STATE OF OKLAHOMA

IN THE MATTER OF THE)
GUARDIANSHIP OF)
Clayton Bradley Woolley)

Case No.: PG- 2012-118

Minor Child(ren))

ORDER APPOINTING GUARDIAN(S)

NOW on this 27th day of Nov, 2012, this action
comes before the Court upon the Petition for Guardianship, filed
by: William H. Woolley III and/or Lisa K. Woolley

The Petitioner(s) appeared in person, *Pro Se*. The Petitioner(s) was/were sworn and
presented testimony to the Court. Based upon the evidence presented, the Court makes
the following findings:

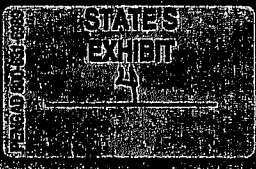
1. The subject of this action is minor children, namely:

Name: Clayton Bradley Woolley
Birthdate: July 12, 2012
SSN: _____
Gender: male

Name: _____
Birthdate: _____
SSN: _____
Gender: _____

Name: _____
Birthdate: _____
SSN: _____
Gender: _____

Name: _____
Birthdate: _____
SSN: _____
Gender: _____



2. Petitioner(s) relationship to the minor child(ren) is/are maternal grandparents
3. Petitioner(s) reside(s) at 29388 E. 19th St., Broken Arrow, OK 74014
4. Petitioner(s) Social Security Number(s) is/are _____
5. The child(ren) will reside during the guardianship at the following address 29388 E. 19th St. in Broken Arrow, Oklahoma.
6. The mother(s) of the minor child(ren) is/are Desiree Jordan Wooley
7. The mother(s) current or last known address(es) is/are 29388 E. 19th St., Broken Arrow, OK 74014
8. The biological father(s) of the minor child(ren) is/are unknown
9. The biological father(s) current or last known address(es) is/are _____
10. The Petitioner(s) provided USPS Certified Mail
with due notice in compliance with 30 O.S. §2-101.
11. The Court has jurisdiction in this action to make a child custody determination pursuant to the Uniform Child Custody Jurisdiction and Enforcement Act. 43 O.S. §551-101 *et seq.* in that Oklahoma is the home state of the minor child(ren). The Petitioner(s) has/have complied with the requirements of the Act.
12. The minor children
 ARE
 ARE NOT
Native American Children within the meaning of the Federal and State Indian Child Welfare Act.

13. The minor child(ren)
 HAVE
 DON'T HAVE
 real or personal property other than clothing and miscellaneous personal belongings.
14. The anticipated annual income of the minor child(ren) for one (1) year, plus the value of the child's personal property
 IS
 IS NOT
 less than \$40,000.00.
15. Appointment of a guardian of the person of the minor child(ren) is/are necessary to provide for the general welfare of the child(ren) and to allow the Petitioner(s) to authorize medical and educational services for the child(ren).
16. The Petitioner(s) is/are qualified to serve as guardian(s) of the person and/or property of the minor children, in that:
 The Petitioner(s) has/have been a resident, in good faith, of the State of Oklahoma for the last one (1) year past;
 No judge of the District Court is under any financial obligation whatsoever to the Petitioner(s);
 The Petitioner(s) is/are not a minor or incapacitated or partially incapacitated;
 The Petitioner(s) has/have never been convicted of a felony;
 The Petitioner(s) is/are not insolvent and has/have not declared bankruptcy during the five (5) years prior in filing this petition;
 The Petitioner(s) is/are not under any financial obligation to the minor child(ren);
 There are no conflicts of interest that would preclude or be substantially detrimental to the ability of the Petitioner(s) to act in the best interests of the minor child(ren); and
 The Petitioner(s) has/have never been subject to the registration requirements of the Oklahoma Sex Offender Registration Act.

Explanation of above if needed:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court
As follows:

A. The Petitioner(s), William H. Wooley III and/or Lisa K. Woolley
is/are appointed:

- Emergency,
- Special or
- General


Guardian(s) of the

- Person,
- Property or
- Person and Property

of the minor child(ren), Clayton Bradley Woolley

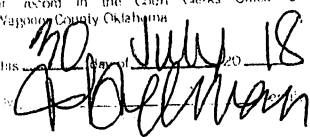
- B. The guardian(s) is/are authorized to provide for the care, medical treatment, education, and welfare of the child(ren).
C. Bond is waived.


JUDGE OF THE DISTRICT COURT


Guardian
William H. Wooley III *Pro Se*
Print name(s)
29388 E. 19th St.
Address
Broken Arrow, OK 74014
Address
(918) 812-6476
Phone Number(s)

Lisa K. Woolley
Co-Guardian
Lisa K. Woolley *Pro Se*
Print name(s)
29388 E. 19th St.
Address
Broken Arrow, OK 74014
Address
(918) 695-6334
Phone Number(s)

I, James E. Hight, Court Clerk to Wagoner County, Oklahoma, hereby certify that the foregoing is a true, correct and full copy of the instrument herewith set out as appears of record in the Court Clerks Office of Wagoner County Oklahoma.

THIS 30 day of July 2018


WAGONER COUNTY, OKLA.
FILED
IN DISTRICT COURT
2012 NOV 27 AM 9:29
MAILED
RHONDA J. WILSON
CLERK

IN THE DISTRICT COURT OF WAGONER COUNTY
STATE OF OKLAHOMA

IN THE MATTER OF THE)
GUARDIANSHIP OF)
Clayton Bradley Woolley)
_____))
_____))
Minor Child(ren))

Case No.: PG - 2012 - 118

LETTERS OF GUARDIANSHIP

William H. Woolley III and/or Lisa K. Woolley is/are hereby appointed:
 Emergency Special General

Guardian(s) of the:
 Person Property Person and Property
of: Clayton Bradley Woolley

The Guardianship shall expire on: _____

WITNESS the undersigned Judge of the District Court of Wagoner County, State of
Oklahoma this 27th day of Nov, 2012

[Signature]
JUDGE OF THE DISTRICT COURT

OATH OF GUARDIAN(S)

I/We, William H. Woolley III and/or Lisa K. Woolley do solemnly
swear or affirm that I/we will discharge all and singular the duties of Guardian(s) of
Clayton Bradley Woolley

According to law, and to the best of my/our ability. So help me/us God.

[Signature] Guardian X *[Signature]* Lisa Woolley Co-Guardian

Subscribed and sworn to before me this 27th day of Nov 2012

[Signature]
JUDGE OF THE DISTRICT COURT

James F. Eght, Court Clerk to Wagoner
County, Oklahoma, hereby certify that the
 foregoing is a true, correct and full copy of
 the instrument herewith set out as appears
 of record in the Court Clerk's Office of
 Wagoner County Oklahoma.
This 30th day of July 2012
[Signature]



WAGONER COUNTY, OKLA
FILED
DISTRICT COURT

2013 DEC 16 AM 9:39

IN THE DISTRICT COURT Wagoner COUNTY
STATE OF OKLAHOMA

JAMES E. HICK
COURT CLERK

IN THE MATTER OF
THE GUARDIANSHIP

P-6-12-118

Clayton Bradley Woolley

ANNUAL REPORT ON THE GUARDIANSHIP OF THE PERSON

I, William H. E. Lisak Woolley, the (Guardian/Limited
Guardian of (Name)

the person) for Clayton Bradley Woolley, am
(Name)

(incapacitated/partially incapacitated) person, hereby submit this (annual, court-ordered) Guardianship Report.

1. The current place of abode of the ward is: 29388 E 19th St S,
Broken Arrow, OK 74014

2. The type of home or facility in which the ward lives is Single Family Dwelling
and the name of the person in charge of the home or facility

is Lisak Woolley

3. My present street address and telephone number is: 29388 E. 19th St S, Broken Arrow
OK 74014 918-695-6334

4. During the last year, I have seen the ward 365 Days ^{per year} times. I otherwise or also have become or remained familiar with the needs and care of the ward as follows:

Food, shelter, Medical care, clothing, and basic needs

The nature of my visits to the ward have been: N/A

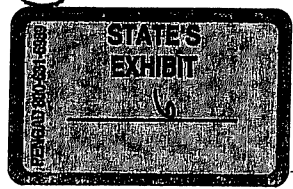
5. The following services are currently being provided to the ward:

Food, shelter, Medical care, clothing and basic needs

6. These services (are) are not) provided for in the current Guardian Plan. The reason they are not shown in the current Guardian Plan is:

SoonerCare, Tanif, Food Stamps

7. The ward was last seen by a physician on: 11-21-2013



The purpose of the visit was: General Checkup

8. I (have, have not) observed any major change in the ward's physical or mental condition during the last year. (If so,) these are my observations: _____

9. I (have, have not) taken any significant action for or on behalf of the ward since the last time I submitted a Guardianship Report. (If so,) I took the following actions: _____

10. There (have, have not) been any significant problems relating to the ward or to my guardianship of the ward since the last time I submitted a Guardianship Report or, if this is an initial report, since the issuance of my letters. (If so,) I have observed these problems: _____

11. It is my opinion that the guardianship (should should not) be continued. (If so,) the basis for my belief is as follows: Mother is in jail currently for drugs and other offenses.

12. I believe the ward (would, would not) be able to manage essential requirements for physical health and safety with fewer restrictions on the ward's ability to act for himself or herself. (If so,) the basis for my belief is as follows: The child is 16 months old and dependent on care.

13. My opinion of the present care being provided to the ward is as follows: Excellent

14. The place of abode of the ward (has, has not) changed since the last guardianship report. (If so,) the place of abode of the ward was changed for the following reasons: _____

I hereby swear that the answers set forth above are true and correct to the best knowledge and belief of the undersigned, subject to the penalties of making a false affidavit or declaration.

11-20-2013

Date

WAD Lisa K. Woolley
Signature of Guardian or Limited Guardian

Telephone: 918-812-6476

30 O.S. § 4-305

I, James E. Hight, Court Clerk to Wagoner County, Oklahoma, hereby certify that the foregoing is a true, correct and full copy of the instrument herewith set out as appears of record in the Court Clerk's Office of Wagoner County Oklahoma.

James E. Hight
Court Clerk
11-20-2013

* Release
from returns
no copy?

IN THE DISTRICT COURT OF WAGONER COUNTY
STATE OF OKLAHOMA

In the Matter of the Guardianship of)
Clayton Bradley Woolley) Case No. PG- 12-118
_____)
an incapacitated person, or minor child(ren).)

REPORT ON THE GUARDIANSHIP
OF THE PERSON

I, William H & Lisa K Woolley, Guardian or Limited
Guardian of Clayton Bradley Woolley,

(an incapacitated person or minor child(ren) hereby submit this Annual Report.

1. The present place of abode of the ward is: 130 W. Fulton St.,
Broken Arrow, OK, 74012

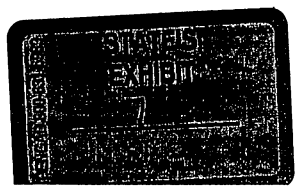
2. The type of home or facility in which the ward lives is
Single Family Dwelling
and the name of the person in charge of the home or facility is
Lisa K Woolley

3. My present street address and telephone number is
130 W. Fulton St., Broken Arrow, OK 74012

4. During the last year, I have seen the ward always times. I otherwise
or also have become or remained familiar with the needs and care of the ward as
follows: Food, Shelter, Medical Care, Clothing and all other needs.

5. The following services are currently being provided to the
ward: Food, Shelter, Medical Care, Clothing and equipment and all
other needs

6. These services (are, are not) provided for in the current Guardianship
Plan. The reason they are not shown in the current Guardianship Plan is:



7. The ward was last seen by a physician on 1-14-15.
The purpose of the visit was well checkup

8. I (have, have not) observed any major change in the ward's physical or mental condition during the last year. If so, these are my observations: _____

9. I (have, have not) taken any significant action for or on behalf of the ward since the last time I submitted a Guardianship Report. If so, I took the following actions: _____

10. There (have, have not) been any significant problems relating to the ward or to my guardianship of the ward since the last time I submitted a Guardianship Report or, if this is an initial report, since the issuance of my Letters of Guardianship. If so, I have observed these problems: _____

11. It is my opinion that the guardianship (should, should not) be continued. If so, the basis for my belief is as follows: Mother is currently in a residential treatment facility, Freedom House, unable to care

12. I believe the ward (would, would not) be able to manage essential ^{for him} requirements for physical health and safety with fewer restrictions on the ward's ability to act for himself or herself. If so, the basis for my belief is as follows: The child is 2 yrs old and needs continuous care.

13. My opinion of the present care being provided to the ward is as follows: Excellent

14. The place of abode of the ward (has, has not) changed since the last Guardianship Report. If so, the place of abode of the ward was changed for the following reason(s): We purchased a new house.

I hereby swear that the answers set forth above are true and correct to the best knowledge and belief of the undersigned, subject to the penalties of making a false affidavit or declaration.

Dated this 7th day of January, 2015.

[Handwritten Signature]

Signature of Guardian or Limited Guardian

130 W. Fulton St

Address

Broken Arrow, OK 74012

City, State, Zip Code

918-812-6476

Phone Number

I, James E. Light, Court Clerk to Wagoner County, Oklahoma, hereby certify that the foregoing is a true, correct and full copy of the instrument hereon set out as appears of record in the Court Clerks Office of Wagoner County Oklahoma.

this 30 day of July, 2018
[Handwritten Signature]

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

WAGONER COUNTY, OKLAHOMA
FILED
DISTRICT CLERK
2015 JAN 28 PM 3:07

IN THE MATTER OF THE GUARDIANSHIP OF)
)
)
)
)
)
)

Clayton Bradley Woolley

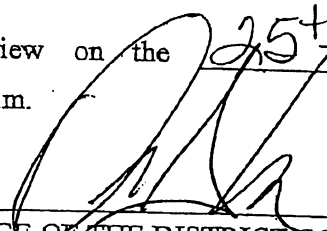
An Incapacitated Person/Minor Child(ren)

Case No. PG- 12-118

ORDER APPROVING ANNUAL REPORTS

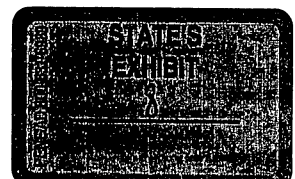
Now on this 26th day of January, 2015, the
Annual Reports covering the period from November 21, 2013, to
January 7, 2015, on the Guardianship of the above
named Ward, having been presented to the Court for approval, and the Court having reviewed
the Annual Reports submitted by the Guardian, FINDS ORDERS, ADJUDGES AND
DECREES AS FOLLOWS:

1. That the Annual Reports are approved as submitted.
2. That the Annual Accounting covering the period from _____, 20____ to _____, 20____ reflecting all receipts and disbursements by the Guardian and the financial statement of the Ward's financial resources is approved as submitted.
3. That this Order Approving Annual Reports is temporary in nature and will become final without any additional written Order on the 16th day after the Annual Reports are filed unless an Objection to the Annual Reports is filed during that fifteen (15) day period.
4. That the Guardian shall file the next Annual Reports at least fifteen (15) days prior to the annual review date.
5. This matter is set for annual review on the 25th day of January, 2016 at 9:00 a.m.



JUDGE OF THE DISTRICT COURT

I, James E. Light, Court Clerk to Wagoner County, Oklahoma, hereby certify that the foregoing is a true, correct and full copy of the instrument herewith set out as appears of record in the Court Clerk's Office of Wagoner County Oklahoma.
James E. Light
Clerk of Court
2015 Jan 18



WAGONER COUNTY, OKLA
FILED
IN DISTRICT COURT

2016 MAR 14 AM 8:42

WAGONER COUNTY
JAMES E. HIGHT
COURT CLERK

IN THE DISTRICT COURT Wagoner COUNTY
STATE OF OKLAHOMA

IN THE MATTER OF
THE GUARDIANSHIP

Clayton Bradley Woolley

P. G - 12-118

ANNUAL REPORT ON THE GUARDIANSHIP OF THE PERSON

1. William H & Lisa K Woolley the (Guardian/Limited
Guardian of (Name)

the person) for Clayton Bradley Woolley am
(Name)

(incapacitated/partially incapacitated) person, hereby submit this (annual, court-ordered) Guardianship Report.

1. The current place of abode of the ward is: 130 W. Fulton St
Broken Arrow, OK 74012

2. The type of home or facility in which the ward lives is Single Family Dwelling
and the name of the person in charge of the home or facility
is Lisa K Woolley

3. My present street address and telephone number is: 130 W Fulton St
Broken Arrow, OK 74012

4. During the last year, I have seen the ward _____ times. I otherwise or also
have become or remained familiar with the needs and care of the ward as follows:

Food, shelter, medical care, clothing, transportation, school &
all other basic needs.

The nature of my visits to the ward have been: N/A

5. The following services are currently being provided to the ward: _____

Food, shelter, medical care, clothing, transportation, school & all other basic needs

6. These services (are, are not) provided for in the current Guardian Plan. The reason
they are not shown in the current Guardian Plan is: _____

Sooner Care, Tanif

7. The ward was last seen by a physician on: _____



The purpose of the visit was: _____

8. I (have, have not) observed any major change in the ward's physical or mental condition during the last year. (If so,) these are my observations: _____

9. I (have, have not) taken any significant action for or on behalf of the ward since the last time I submitted a Guardianship Report. (If so,) I took the following actions: _____

10. There (have, have not) been any significant problems relating to the ward or to my guardianship of the ward since the last time I submitted a Guardianship Report or, if this is an initial report, since the issuance of my letters. (If so,) I have observed these problems: _____

11. It is my opinion that the guardianship (should, should not) be continued. (If so,) the basis for my belief is as follows: Mother has pending felony charges

12. I believe the ward (would, would not) be able to manage essential requirements for physical health and safety with fewer restrictions on the ward's ability to act for himself or herself. (If so,) the basis for my belief is as follows: Child is 3 yrs

old and dependent on care.
13. My opinion of the present care being provided to the ward is as follows: _____

Excellent

14. The place of abode of the ward (has, has not) changed since the last guardianship report. (If so,) the place of abode of the ward was changed for the following reasons: _____

Bought new house

I hereby swear that the answers set forth above are true and correct to the best knowledge and belief of the undersigned, subject to the penalties of making a false affidavit or declaration.

1-2-16
Date

[Signature]
Signature of Guardian or Limited Guardian

Telephone: 918-872-6476

30 O.S. § 4-305

I, _____, Court Clerk of Wagoner County, Oklahoma, hereby certify that the foregoing is a true, correct and full copy of the instrument herewith set out as appears of record in the Court Clerk's Office of Wagoner County Oklahoma.

this 20 day of July, 2016
[Signature]

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

WAGONER COUNTY, OKLA
FILED
IN DISTRICT COURT
2016 MAR 15 AM 11:05

IN THE MATTER OF THE GUARDIANSHIP OF)
Clayton Bradley Woolley)
_____)
An Incapacitated Person/Minor Child(ren))

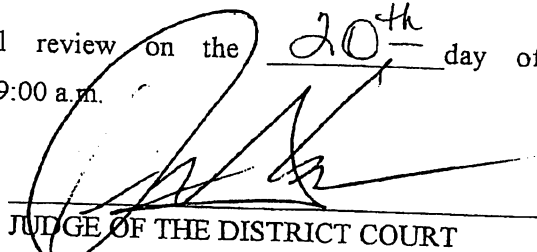
WAGONER COUNTY
JAMES E. HIGHT
COURT CLERK

Case No. PG- 12-118

ORDER APPROVING ANNUAL REPORTS

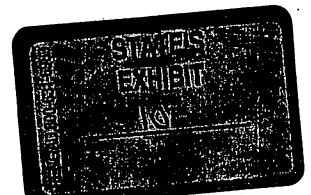
Now on this 14th day of March, 2016, the Annual Reports covering the period from January 8, 2015, to March 14, 2016, on the Guardianship of the above named Ward, having been presented to the Court for approval, and the Court having reviewed the Annual Reports submitted by the Guardian, FINDS ORDERS, ADJUDGES AND DECREES AS FOLLOWS:

1. That the Annual Reports are approved as submitted.
2. That the Annual Accounting covering the period from _____, 20____ to _____, 20____ reflecting all receipts and disbursements by the Guardian and the financial statement of the Ward's financial resources is approved as submitted.
3. That this Order Approving Annual Reports is temporary in nature and will become final without any additional written Order on the 16th day after the Annual Reports are filed unless an Objection to the Annual Reports is filed during that fifteen (15) day period.
4. That the Guardian shall file the next Annual Reports at least fifteen (15) days prior to the annual review date.
5. This matter is set for annual review on the 20th day of March, 2017 at 9:00 a.m.


JUDGE OF THE DISTRICT COURT

James E. Hight, Court Clerk to Wagoner County, Oklahoma, hereby certifies that the foregoing is a true, correct and full copy of the original as the same is on file in the Court Clerk's Office of Wagoner County, Oklahoma.

30 July 18
Ballman



IN THE DISTRICT COURT OF WAGONER COUNTY
STATE OF OKLAHOMA

WAGONER COUNTY, OKLA.
INDEXED
FILED
JAN 17 PM 1:35
JAMES HIGHT
COURT CLERK

In the Matter of the Guardianship of)
Clayton Bradley Woolley) Case No. PG- 12-118
_____)
an incapacitated person, or minor child(ren).)

REPORT ON THE GUARDIANSHIP
OF THE PERSON

I, William H & Lisa K Woolley, Guardian or Limited
Guardian of Clayton Bradley Woolley

(an incapacitated person or minor child(ren) hereby submit this Annual Report.

1. The present place of abode of the ward is: 130 W. Fulton St
Broken Arrow, OK 74012

2. The type of home or facility in which the ward lives is
Single Family dwelling
and the name of the person in charge of the home or facility is
Lisa K. Woolley

3. My present street address and telephone number is
130 W. Fulton St, Broken Arrow, OK 74012

4. During the last year, I have seen the ward _____ times. I otherwise
or also have become or remained familiar with the needs and care of the ward as
follows: Food, shelter, medical care, clothing, transportation, school
and all other needs

5. The following services are currently being provided to the
ward: All needs

6. These services (are, are not) provided for in the current Guardianship
Plan. The reason they are not shown in the current Guardianship Plan is:



7. The ward was last seen by a physician on _____
The purpose of the visit was _____

8. I (have, have not) observed any major change in the ward's physical or mental condition during the last year. If so, these are my observations: _____

9. I (have, have not) taken any significant action for or on behalf of the ward since the last time I submitted a Guardianship Report. If so, I took the following actions: _____

10. There (have, have not) been any significant problems relating to the ward or to my guardianship of the ward since the last time I submitted a Guardianship Report or, if this is an initial report, since the issuance of my Letters of Guardianship. If so, I have observed these problems: _____

11. It is my opinion that the guardianship (should, should not) be continued. If so, the basis for my belief is as follows: Mother currently in Jail.

12. I believe the ward (would, would not) be able to manage essential requirements for physical health and safety with fewer restrictions on the ward's ability to act for himself or herself. If so, the basis for my belief is as follows: Child is 4 yrs old.

13. My opinion of the present care being provided to the ward is as follows: Excellent

14. The place of abode of the ward (has, has not) changed since the last Guardianship Report. If so, the place of abode of the ward was changed for the following reason(s): _____

I hereby swear that the answers set forth above are true and correct to the best knowledge and belief of the undersigned, subject to the penalties of making a false affidavit or declaration.

Dated this 17 day of February,
2017.



Signature of Guardian or Limited Guardian

130w Fulton St

Address

Broken Arrow, OK 74012

City, State, Zip Code

918-812-6426

Phone Number

I, James E. Hight, Court Clerk to Waggoner County, Oklahoma, hereby certify that the foregoing is a true, correct and full copy of the instrument herewith set out as appears of record in the Court Clerks Office of Waggoner County Oklahoma.

30 July 18
J. Hight

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

2017 JUL -7 PM 1:36

IN THE MATTER OF THE GUARDIANSHIP OF)

Clayton Bradley Woolley)

An Incapacitated Person/Minor Child(ren))

Case No. PG-

12-118

ORDER APPROVING ANNUAL REPORTS

Now on this 20th day of March, 2017, the Annual Reports covering the period from March 15, 2016, to February 17, 2017, on the Guardianship of the above named Ward, having been presented to the Court for approval, and the Court having reviewed the Annual Reports submitted by the Guardian, FINDS ORDERS, ADJUDGES AND DECREES AS FOLLOWS:

1. That the Annual Reports are approved as submitted.
2. That the Annual Accounting covering the period from _____, 20____ to _____,

20____ reflecting all receipts and disbursements by the Guardian and the financial statement of the Ward's financial resources is approved as submitted.

3. That this Order Approving Annual Reports is temporary in nature and will become final without any additional written Order on the 16th day after the Annual Reports are filed unless an Objection to the Annual Reports is filed during that fifteen (15) day period.

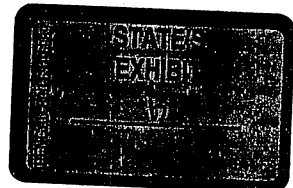
4. That the Guardian shall file the next Annual Reports at least fifteen (15) days prior to the annual review date.

5. This matter is set for annual review on the 19th day of March, 2018 at 9:00 a.m.

I, James E. Hight, Court Clerk to Wagoner County, Oklahoma, hereby certify that the foregoing is a true, correct and full copy of the instrument herewith set out as appears of record in the Court Clerks Office of Wagoner County Oklahoma.

per James E. Hight day July 18 2018
By [Signature]

[Signature]
JUDGE OF THE DISTRICT COURT



IN THE DISTRICT COURT OF WAGONER COUNTY
STATE OF OKLAHOMA

WAGONER COUNTY, OKLA.
FILED
IN DISTRICT COURT
2018 MAR 21 AM 9:45
WAGONER COUNTY
JAMES E. HIGHT
COURT CLERK

In the Matter of the Guardianship of)
Clayton Bradley Woolley)
_____)
an incapacitated person, or minor child(ren).)

Case No. PG- 12-178

REPORT ON THE GUARDIANSHIP
OF THE PERSON

I, William + Lisa K. Woolley, Guardian or Limited
Guardian of Clayton Bradley Woolley,

(an incapacitated person or minor child(ren) hereby submit this Annual Report.

1. The present place of abode of the ward is: 7425 S. Delucca St.
Broken Arrow OK 74014

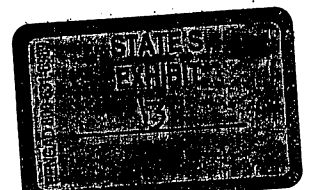
2. The type of home or facility in which the ward lives is
single family dwelling
and the name of the person in charge of the home or facility is _____

Bill + Lisa Woolley
3. My present street address and telephone number is 7425 S. Delucca St.
Broken Arrow, OK. 74014

4. During the last year, I have seen the ward every day times. I otherwise
or also have become or remained familiar with the needs and care of the ward as
follows: Food, shelter, medical, nutritional, clothing, schooling,
church family, transportation, emotional, responsibility, etc.

5. The following services are currently being provided to the
ward: all needs

6. These services (are) are not) provided for in the current Guardianship
Plan. The reason they are not shown in the current Guardianship Plan is:



7. The ward was last seen by a physician on March 2018.
The purpose of the visit was check up

8. I (~~have~~, have not) observed any major change in the ward's physical or mental condition during the last year. If so, these are my observations: _____

9. I (~~have~~, have not) taken any significant action for or on behalf of the ward since the last time I submitted a Guardianship Report. If so, I took the following actions: _____

10. There (~~have~~, have not) been any significant problems relating to the ward or to my guardianship of the ward since the last time I submitted a Guardianship Report or, if this is an initial report, since the issuance of my Letters of Guardianship. If so, I have observed these problems: _____

11. It is my opinion that the guardianship (~~should~~, should not) be continued. If so, the basis for my belief is as follows: mother continuing Teen Challenge program for Women

12. I believe the ward (~~would~~, would not) be able to manage essential requirements for physical health and safety with fewer restrictions on the ward's ability to act for himself or herself. If so, the basis for my belief is as follows: ward is 5 yrs. old

13. My opinion of the present care being provided to the ward is as follows: Excellent

14. The place of abode of the ward (~~has~~, has not) changed since the last Guardianship Report. If so, the place of abode of the ward was changed for the following reason(s): moved to new home

I hereby swear that the answers set forth above are true and correct to the best knowledge and belief of the undersigned, subject to the penalties of making a false affidavit or declaration.

Dated this 21 day of March,
2018.

Signature of Guardian or Limited Guardian

Bell & Lisa Woolley

Address

7425 S. Delucca St.

City, State, Zip Code

Broken Arrow OK. 74014

Phone Number

918-695-6476

918-812-6476

I, James E. Hight, Court Clerk to Wagoner County, Oklahoma, hereby certify that the foregoing is a true, correct and full copy of the instrument herewith set out as appears of record in the Court Clerk's Office of Wagoner County, Oklahoma.

the 30 day of July, 2018

By Hollman

Authorization for Exam by Victim/Parent/Guardian

I hereby request a forensic examination for evidence of sexual assault and prophylactic treatment for potential sexually transmitted infections/diseases. I understand that collection of evidence may include photographing injuries and these photographs may include genitals.

I fully understand that the above requested examination and information is to be used by law enforcement officials in the investigation of a crime and hereby consent to the release of sexual assault information to law enforcement officials.

I acknowledge that I am the victim of a sexual assault (or the parent or guardian of the victim if victim is a minor), and will assist in the prosecution of those responsible to the best of my ability.

Victim Signature: _____ Date: _____

Parent/Guardian: John H. Stotler CWSIT Date: 3-31-18

Law Enforcement Receipt of Evidence

Signing this form will acknowledge I have received the following materials from the Sexual Assault Nurse Examiner:

Please indicate (check) the following received:

1	(Write number of) Sealed Oklahoma State Bureau of Investigation Sexual Assault Evidence Kit(s) containing PERISHABLE evidence (requires IMMEDIATE REFRIGERATION).
1	One copy of the OSBI Sexual Assault History Form completed by the Sexual Assault Nurse Examiner.
0	(number) Sealed paper bags containing the victims clothing.
0	(number) Sealed blood collection tubes inside the OSBI kit containing PERISHABLE evidence (REQUIRES IMMEDIATE REFRIGERATION).
	OTHER:
Signature of Officer: <u>P-T h</u>	
Badge Number: <u>WCSO 7346</u>	



Client Name: Clayton Woolley

Exam Date: 3-31-18

Contact/Intake Information

SANE: Meagan Sinclair Advocate: Kassadee Merrill Exam Date: 3-31-18

Time In: 2049 Time Out: 2249 Circle One: Daytime 4-9 PM After 9 PM

Law Enforcement: Wagoner County Officer: Elizabeth Coddett

Department of Human Services: REF #: UK

County: Wagoner Personnel: Yolanda Martinez

Other Agency: NONE Personnel: NA

Client/Patient Information

Name: Clayton Woolley DOB: 7-12-12 Age: 5 SSN: UK

Race: UK Tribal Affiliation: UK Marital Status: S M D W N/A

Address: 7425 S. Deluka City: Broken Arrow State: OK

Zip: 74014 County: Wagoner Phone: 918 644^{MS} 348 9683

Parent/Guardian Name (if minor child, include relation):

Assailant Information

Assault Location: William^{MS} 7425 S. Deluka Broken Arrow, OK 74014 County: Wagoner # of Alleged Assailants: 1

1. Name: William Woolley Sex: (M) F Age: 60's Race: Caucasian

Relationship to Victim (Circle): Friend (Incest) Stranger Spouse None Other: Grandfather

2. Name: _____ Sex: M F Age: _____ Race: _____

Relationship to Victim (Circle): Friend Incest Stranger Spouse None Other: _____

3. Name: _____ Sex: M F Age: _____ Race: _____

Relationship to Victim (Circle): Friend Incest Stranger Spouse None Other: _____

Client Name: Clayton Woolley

Exam Date: 3-31-18

Minor Child Household Information

IF CLIENT IS MINOR CHILD PLEASE COMPLETE THIS SECTION. IF CLIENT IS ADULT, PLEASE SKIP TO MEDICAL/MH HISTORY.

Sibling(s)/Age(s):	Other Persons Living in Household:	Relationship to Victim:
	Desiree Woolley	Mother
	Lisa Woolley	Grandmother
	William Woolley	Grandfather
	Glory Woolley, 17	Aunt

Client Medical/Mental Health History & Record

Last Menstrual Period: NA Personal Physician/PCP: UK

Allergies: Gluten Primary Language in Home: English

History of (circle all that apply):

- Domestic Violence Stalking Adult Sexual Assault Child Sexual Assault Incest

Special Needs of the Client/Victim (Check all that apply):

- Not Current on Immunizations Current on Immunizations
 Mentally/Emotionally Challenged Physically/Mentally Challenged
 Elderly Battered When Pregnant At Risk (incarcerated, substance abuse)
 Migrant Worker Immigrant IV Drug User Homeless

Currently taking the following medications: none

Other Medical History/Info: none

Weight: 42.4

Medication Administered

SANE Authorized: _____ Medications given to client (check appropriate boxes):

Vantin 400mg given now Zithromax 250mg given now
 Doxycycline 100mg tab BID for 7 days Ovcon/Ovral - 4 tabs given now, 4 tabs 12 hrs later
 Phenargan 25mg - One 30 mins prior to each Ovcon/Ovral dose

Urine Pregnancy Test (circle): NA Neg. Pos.
 If positive, do not give medications. Refer to appropriate OB/GYN provider.

Client Name: Clayton Woolley

Exam Date: 3-31-18

Sexual Assault Information – Victim Description

Location & Physical Surroundings of Assault (bed, field, floor, car, ect.):

In shower

ACTS DESCRIBED BY VICTIM: (If more than one assailant, identify by name on corresponding line...)

Penetration of Vagina by:

Penis: Yes No Attempt Unsure

Finger: Yes No Attempt Unsure

Foreign Object: Yes No Attempt Unsure

Describe Object: *N/A*

Penetration of Rectum by:

Penis: Yes No Attempt Unsure

Finger: Yes No Attempt Unsure

Foreign Object: Yes No Attempt Unsure

Describe Object:

Oral Touching of Genitals of victim by assailant Yes No Attempt Unsure

of assailant by victim Yes No Attempt Unsure

Oral Touching of Anus of victim by assailant Yes No Attempt Unsure

of assailant by victim Yes No Attempt Unsure

Masturbation of victim by assailant Yes No Attempt Unsure

of assailant by victim Yes No Attempt Unsure

Other:

Did ejaculation occur? Yes No Attempt Unsure

If yes, describe:

Did assailant exhibit sexual dysfunction? (Inability to get or maintain erection?)

Yes No Attempt Unsure

Circle if used: Foam Jelly Condom Yes No Attempt Unsure

Lubricant use Yes No Attempt Unsure

Circle if occurred: Licking Kissing Biting

Describe locations on the body (use Bite evidence addendum if needed)

none

Client Name: *Clayton Woolley*

Exam Date: *3-3-18*

PHYSICAL INJURIES AND/OR PAIN DESCRIBED BY VICTIM:

Circle appropriate response below: Y-Yes N-No If circled Yes, describe here:

Lapse of Consciences	Y / <input checked="" type="radio"/> N	
Vomited	Y / <input checked="" type="radio"/> N	
Pre-existing Physical Injuries	Y / <input checked="" type="radio"/> N	
Drug or Alcohol Use by Assailant	Y / <input checked="" type="radio"/> N	
Drug or Alcohol Use by Victim	Y / <input checked="" type="radio"/> N	
Methods Employed by Assailant(s)		Area of Body:
Weapon-inflicted Injuries	Y / <input checked="" type="radio"/> N	
Types of Weapons Used		
Physical blows by (Circle): <i>none</i>	Hands Feet	
Grabbing Grasping Holding	Y / <input checked="" type="radio"/> N	
Other Physical Restraints	Y / <input checked="" type="radio"/> N	
Types of Restraints Used		
Bites	Y / <input checked="" type="radio"/> N	
Choking (Strangulation addendum if needed)	Y / <input checked="" type="radio"/> N	
Burns (Including chemical/toxic)	Y / <input checked="" type="radio"/> N	
Assailant Injured during Assault	Y / <input checked="" type="radio"/> N	
Did assailant take anything from crime scene?	Y / <input checked="" type="radio"/> N	
Threats of Harm	<input checked="" type="radio"/> Y / N	<i>Grandpa's Papa said don't tell anyone"</i>
Other Information:		

POST-ASSAULT HYGIENE/ACTIVITY CHECK ALL THAT APPLY:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Urinated | <input checked="" type="checkbox"/> Brushed Teeth |
| <input checked="" type="checkbox"/> Defecated | <input type="checkbox"/> Oral Gargle/Swish |
| <input type="checkbox"/> Wiped or Washed Genitals | <input checked="" type="checkbox"/> Changed Clothing |
| <input type="checkbox"/> Bath/Shower | <input type="checkbox"/> Removed/Inserted Object-
Tampon, Sponge, Diaphragm, Other |
| <input type="checkbox"/> Douche | |

Client Name: *Clayton Woolley*

Exam Date: *3-31-18*

PERTINENT MEDICAL HISTORY: Y-Yes N-No

Any recent occurrences (60 days):		Summarize:
Anal or Genital Injuries	Y / (N)	
Surgeries	Y / (N)	
Diagnostic Procedures	Y / (N)	
Medical Treatment which may Affect findings of this Exam	Y / (N)	
Regular Condom User	Y / N	
Last Previous Vaginal Intercourse	Date:	N/A
Last Previous Anal Intercourse	Date:	
Last Previous Oral Sex	Date:	

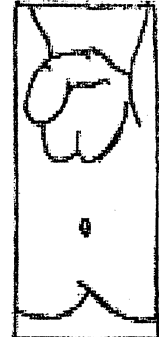
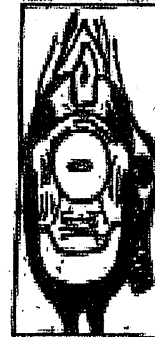
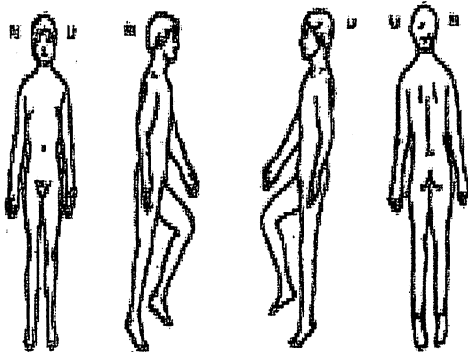
Sexual Assault Information – Examination & Observations

POST-PUBESCENT EXAMINATION (if child is pre-pubescent skip to page 7)

Record general physical appearance and demeanor:

- see attached -

Record INJURIES and FINDINGS on diagrams below. Indicate erythema, abrasions, bruises (detail shape), contusions, induration, lacerations, fractures, bites, burns and stains. Indicate any foreign material on the body. Record SIZE and APPEARANCE of injuries. Note swelling and areas of tenderness. Record Wood's Lamp findings as "WL" on diagrams.

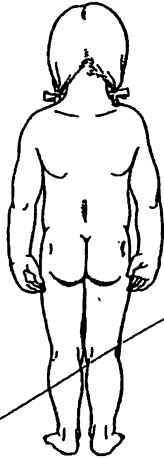
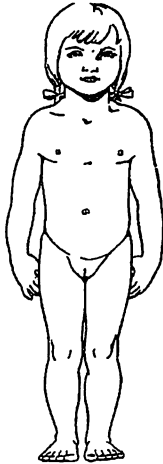


Client Name: Clayton Woolley

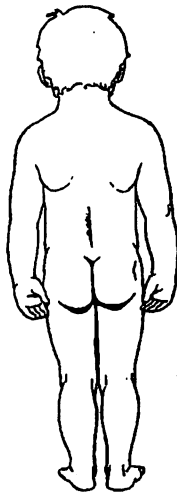
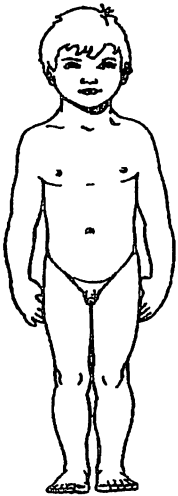
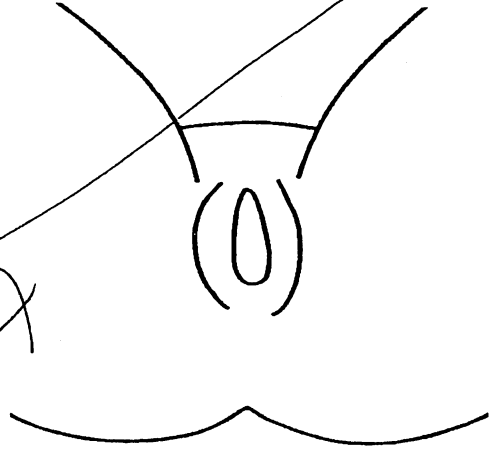
Exam Date: 3-31-18

PRE-PUBESCENT EXAMINATION:

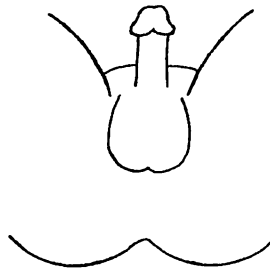
Pulse-
Resp-



N/A



Temp 97.8
Resp 20
Pulse 96
PERL
ABD soft
Skin warm, dry
Lungs CTAX
4 lobes ant.
BS active x 4 quad.



W W

Tanner stage I male 5 y.o. Pt answers questions appropriate for age. Pt smiles. Pt's testes, penile head, penis & anus all WNL. Pt is circumcised. No tears, lacerations, abrasions, scarring noted to genital/anal area. No bodily injury noted, M&M, PIN 3-31-18 2200-

Client Name: Clayton Woolley

Exam Date: 3-31-18

EXAMINATION & OBSERVATIONS CONTINUED

FEMALE		Describe:		
Labia	WNL ABN	N/A		
Clitoris	WNL ABN			
Labia Minor	WNL ABN			
Periurethral Tissue/ Urethral Meatus	WNL ABN			
Perihymenal Tissue (Vestibule)	WNL ABN			
Hymen	WNL ABN			
Posterior Fourchette	WNL ABN			
Fossa Navicularis	WNL ABN			
Vagina	WNL ABN			
Cervix	WNL ABN			
Other	WNL ABN			
MALE		Describe:		
Penis				
Circumcised	<u>WNL</u> ABN			
Urethral	<u>WNL</u> ABN			
Scrotum	<u>WNL</u> ABN			
Testes	<u>WNL</u> ABN			
FEMALE/MALE ANUS		Describe:		
Buttocks	<u>WNL</u> ABN			
Perianal Skin	<u>WNL</u> ABN			
Anal Verge/Folds/Rugae	<u>WNL</u> ABN			
Tone	<u>WNL</u> ABN			
Anal Spasm	<u>WNL</u> ABN			
Anal Laxity	<u>WNL</u> ABN			
Not presence of stool in rectal Ampulia	<u>WNL</u> ABN			
Anal Tone Exam Method	Circle-	<u>Observation</u>	Digital Exam	N/A
Exam Position	Circle-	Lithotomy	Other <u>Supine</u> <u>Side-lying</u>	
Exam Done by Direct Visualization	Circle-	<u>Yes</u>	No	N/A
Colposcopy	Circle-	Yes	<u>No</u>	N/A

Client Name: Clayton Wadley

Exam Date: 3-31-18

VICTIM'S DESCRIPTION OF ASSAULT:

Pt brought to exam by Yolanda Martinez, DHS worker. Wagoner County PD officer Elizabeth Crockett present. No law enforcement or DHS worker in the room during the exam. Pt states he calls genital area "privates" & bottom "butt". Pt states he played "doctor" by the tree and saw "Merebith & Matthew's" privates. Pt states "we pulled our pants down, but not our underwear." Asked pt if he had ever seen anyone put their privates on anyone else's body, pt states "Papa puts his privates in Elijah's butt right here." Pt pointed when saying "right here", pointed to his own anal area. Pt then stated "It happens everyday." Asked pt where it happens, pt states "In the living room, on the couch." Pt states "He be cryin & cryin when it happens, then he gets a spankin." When asked pt where everyone else is when Papa puts his privates in Elijah, pt states "Grandma see's him do it, she don't say nothin, she just watches TV." When asked pt what Papa's privates look like, pt states "it looks like black fur & then his private." Asked pt if Papa did it to Elijah 1x or lots of times, pt responds "lots of times". When asked pt where Papa's hands are when he does it to Elijah, pt states "he puts his hands on Elijah's butt." Asked pt if anyone had ever put their privates on him, pt states "Papa put his private on my butt 1x in the shower." when

Client Name: Clayton Woolley

Exam Date: 3-31-18

Asked pt if anyone saw Papa do that to him,
pt states "Grandma saw it happen to me". Pt
then states "Papa said don't tell anybody
about that." Pt left exam c DHS workers Yolanda
Martinez. Msinclair, RN 3-31-18 2206

Client Name: Clayton Woolley

Exam Date: 3-31-18

SEXUAL ASSAULT HISTORY FORM

(Please Print)

Reporting Officer(s) Name: Elizabeth Crockett

Patient's Name: Clayton Woolley Age: 5 Race: WK Sex: M

Exam Date: 3-31-18 Exam Time: 2100

Last Intercourse Date Prior To Assault: NA Approx. Time: _____

Was Contraception used? NA Yes No Type _____

Location of Assault: 7425 S. Deluka Broken Arrow, OK "In shower"

Date of Assault: WK

Time of Assault: WK

Assailant(s) (No. & Race): 1, Caucasian

Did assailant use a part of the body? (e.g. Penis, Finger) Specify Penis

Was weapon or instrument used? (Specify) Yes No _____

Was condom used? Yes No

Was there penetration of:

VAGINA	<input type="checkbox"/> Attempted	<input type="checkbox"/> Successful	Ejaculation	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Sure
ANUS	<input type="checkbox"/> Attempted	<input checked="" type="checkbox"/> Successful	Ejaculation	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Not Sure
MOUTH	<input type="checkbox"/> Attempted	<input type="checkbox"/> Successful	Ejaculation	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Sure

Describe other pertinent data of assault (breasts bitten, ejaculation on outside of body/skin, etc.)
none

Did cunnilingus take place? Yes No

Was patient menstruating at time of assault? NA Yes No

Date last menstrual period: NA

Did the patient injure the assailant in any way, i.e., scratch, bite, kick, etc.? (Describe) none

Was douche, shower or bath taken between previous intercourse and assault? NA Yes No Time _____

Was douche, shower or bath taken between assault and doctor's examination? Yes No Time _____

Has patient urinated since assault? Yes No Time _____

Has patient defecated since assault? Yes No Time _____

Did patient brush their teeth? Drink? Smoke? Yes No Time _____

Any post sexual assault contact? Yes No Time _____

Were clothes changed? Yes No If yes, are they available? Yes No

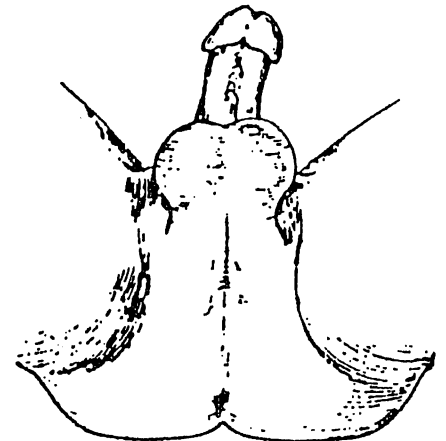
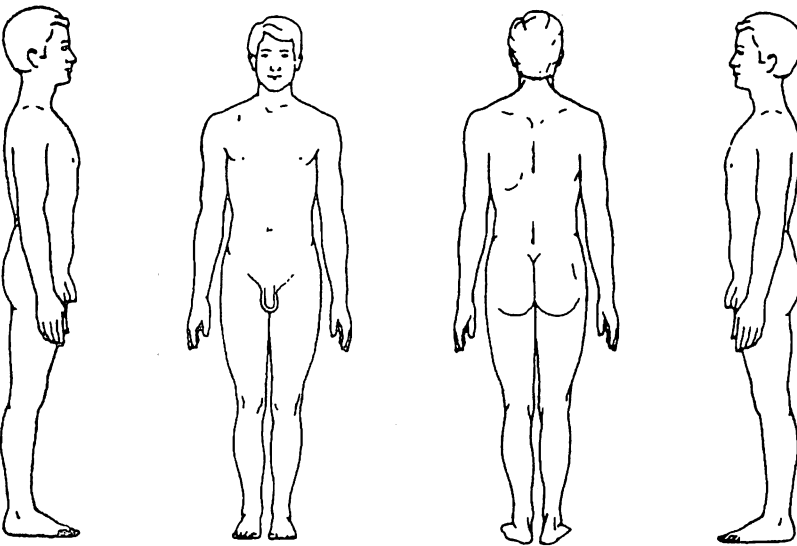
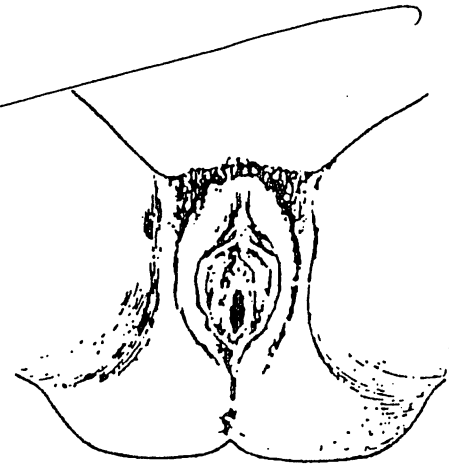
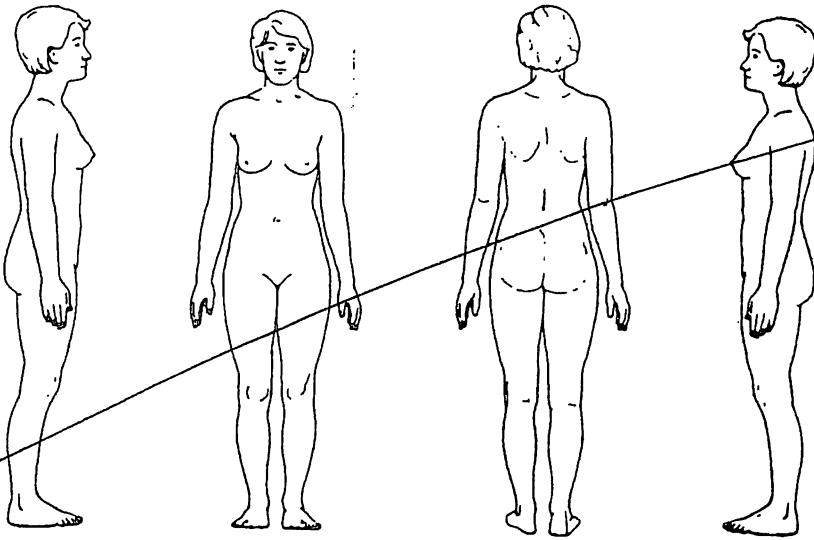
Patient's description of assault _____

see attached

Doctor's/SANE Name Meagan Sinclair, RN 3-31-18 2206

SEXUAL ASSAULT EXAMINATION & OBSERVATION FORM

(Please Print)



Examination & significant observations by the doctor/SANE: Tanner stage I male.

5 y.o. Pt answers questions appropriate for age.
Penile, anal, teste exam w/NL. Pt is circumcised.
MS Sinclair, RN 3-31-18 2206

Patient's Name Clayton Woolley

Doctor/SANE's Name Meagan Sinclair, RN
3-31-18 2206

WAGONER COUNTY OKLA
FILED
2017 FEB 17 PM 1:33
JAMES B. HIGHT
COURT CLERK

IN THE DISTRICT COURT OF WAGONER COUNTY
STATE OF OKLAHOMA

IN THE MATTER OF THE)
GUARDIANSHIP OF)
Elijah Creed Woolley)
Minor Child(ren))

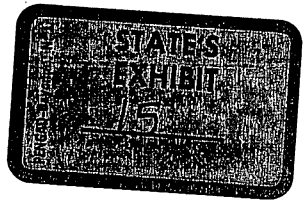
Case No.: PG- 17-20

**PETITION FOR GUARDIANSHIP OF MINOR CHILD(REN) AND FOR
EX PARTE APPOINTMENT OF SPECIAL AND GENERAL GUARDIAN(S)**

COMES NOW the Petitioner(s), William H. Woolley III and/or Lisa K. Woolley, and allege as follows:

1. That the Petitioner(s) is/are now a residents, in good faith, of Wagoner County and the State of Oklahoma for six (6) months prior to the filing of this Petition.
2. The Petitioner(s) address is/are: _____
3. The telephone numbers where the Petitioner(s) may be reached is/are: (918) 812-6476 (918) 695-6334
4. The legal name(s), age(s) and date(s) of birth of the minor child(ren) over whom Petitioner(s) is/are seeking a guardianship is/are: Elijah Creed Woolley
(Jan. 16, 2017) 1 months of age
5. The Petitioner(s) is/are related to the children in the following manner: maternal grandparents
6. The full legal name(s) of the mother(s) of the minor child(ren) is/are: Desiree Jordan Woolley
7. The natural mother(s) current or last known address(es) is/are: _____

X



8. The names of all potential biological father(s) of the minor child(ren), even if their name(s) do not appear upon the minor child(ren)s birth certificate(s), is/are:

unknown

9. The current or last known address(es) for all potential biological father(s) of the minor child(ren) is/are:

10. The minor child(ren)'s natural parents:

- WERE or
- WERE NOT

married at the time of the birth of the minor child(ren).

11. The Court has jurisdiction in this action to make a child custody determination pursuant to the Uniform Child Custody Jurisdiction and Enforcement Act. 43 O.S. §551-101 *et seq.*, in that Oklahoma is the Home-State of the minor child(ren).

12. The minor child(ren)

- ARE or
- ARE NOT

members or eligible for membership with a federally recognized Native American Indian Tribe within the meaning of the Federal or State Indian Child Welfare Acts. If the child(ren) are Indian child(ren), the Tribe must be given notice in compliance with ICWA before a general guardianship can be granted.

13. Petitioner(s) are requesting to be appointed guardian(s) over the minor child(ren)'s:

- PERSON,
- PROPERTY or
- PERSON AND PROPERTY

14. The minor child(ren)

- OWN(S) or
- DO(ES) NOT OWN

real or personal property other than clothing and miscellaneous personal belongings.

15. The minor child(ren)

- DO(ES) or
- DO(ES) NOT

have an anticipated annual income for one (1) year, plus the value of the child's personal property, exceeding \$40,000.00.

16. Appointment of a guardian of the person and/or property of the minor child(ren) is necessary to provide for the general welfare of the child(ren) and to allow the Petitioner(s) to authorize medical and educational services for the child(ren) and/or provide for the management of the minor child(ren)'s property.

17. It is in the best interests of the minor child(ren) that the Court appoint the Petitioner(s) as guardian(s) of the person and/or property of the child(ren).

18. The parent(s) is/are unable to care for the minor child(ren) at this time because:

- The child(ren) has/have been abandoned;
- The child(ren) is/are being neglected;
- The parent(s) is/are using drugs in the home;
- The child(ren) has/have been abused;
- The child(ren) is/are in danger;
- The parent(s) is/are incarcerated;
- One or both parent(s) is/are deceased;
- Explain or Other

19. Ex Parte appointment of Special Guardian is necessary due to the following reason(s):

The natural mother is abusing street drugs, prescription drugs and marijuana. The natural mother suffers from depression and anxiety disorder. The natural mother steals and shoplifts to make money. The natural mother is physically abusive to the family mostly the petitioner Lisa Woolley. The natural mother drives while under the influence and is known to drive with the ward in her car. The natural mother carries drug paraphenlia in a diaper bag that was witnessed recently by the petitioner. The natural mother is using sex to supplement her drug and fiancial needs. The natural mothers drug use and irradic behavior appears to have escalated in the 10 days to two weeks. The ward is in danger of immediate and irreparable harm. The petitioners request witnesses and evidence be allowed at any guardianship proceedings and that standards be set for the natural mother.


20. The Petitioner(s) is/are qualified to serve as guardian(s) of the person and/or property of the minor child(ren). The Petitioner(s) further inform the Court as follows:

- No judge of the District Court is under any financial obligation whatsoever to the Petitioner(s);
- The Petitioner(s) is/are not a minor or incapacitated or partially incapacitated;
- The Petitioner(s) has/have never been convicted of a felony;
- The Petitioner(s) is/are not a person subject to registration under the Oklahoma Sex Offenders Registration Act;
- The Petitioner(s) is/are not insolvent and has/have not declared bankruptcy during the five (5) years prior to filing this Petition;
- The Petitioner(s) is/are not under any financial obligation to the minor child(ren); and
- There are no conflicts of interest that would preclude or be substantially detrimental to the ability of the Petitioner(s) to act in the best interests of the minor child(ren).

Explanation for above if needed. Bankruptcy 2010

WHEREFORE, the Petitioner(s) pray the Court to grant the following relief:

- A. Appoint the Petitioner(s) as guardians of the person and/or property of the minor child(ren);
- B. Waive Bond; and
- C. Grant all other just and appropriate relief.

 , *pro se*

Petitioner
William H. Woolley III

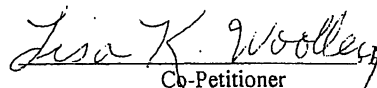
Print Name

Broken Arrow, OK 74014

Address

(918) 812-6476

Phone(s)

 , *pro se*

Co-Petitioner
Lisa K. Woolley

Print Name

Broken Arrow, OK 74014

Address


(918) 695-6334

Phone(s)

VERIFICATION

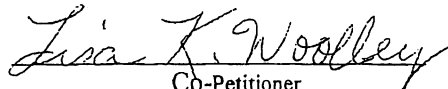
STATE OF OKLAHOMA)
)ss.
COUNTY OF TULSA)

William H. Woolley III and/or Lisa K. Woolley _____, of lawful age,
being first duly sworn, upon oath depose(s) and state(s): I/we am/are the Petitioner(s)
named above: **PETITION FOR GUARDIANSHIP OF MINOR CHILD(REN) AND
FOR EX PARTE APPOINTMENT OF SPECIAL GUARDIAN(S)**. I/We have read
the foregoing document and understand its contents. I/We hereby state that the facts set
forth in the foregoing document are true and correct to the best of my/our knowledge and
belief.



Petitioner
William H. Woolley III

Printed Name



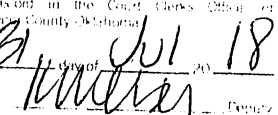
Co-Petitioner
Lisa K. Woolley

Printed Name

Subscribed and sworn to before me this _____ day of _____

Notary Public

My Commission Expires:

I, _____, Clerk of the Court for Wagoner
County, Oklahoma, hereby certify that the
 foregoing is a true, correct and full copy of
 the instrument herewith set out as appears
 of record in the Court Clerk's Office of
 Wagoner County, Oklahoma.
this _____ day of _____, 2018
By:  Clerk

WAGONER COUNTY DISTRICT COURT
FILED

2017 FEB 17 PM 1:33

JAMES H. HIGHT
COURT CLERK

IN THE DISTRICT COURT OF WAGONER COUNTY
STATE OF OKLAHOMA

IN THE MATTER OF THE)
GUARDIANSHIP OF)
Elijah Creed Woolley)
_____)
_____)
Minor Child(ren))

Case No.: PG- 17-20

EMERGENCY ORDER APPOINTING SPECIAL GUARDIAN(S)

NOW on this 17th day of Feb., 2017, this action comes before the Court upon the Petition for Guardianship, filed by William H. Woolley III and/or Lisa K. Woolley

The Petitioner(s) appeared in person, *Pro Se*. The Petitioner(s) was/were sworn and presented testimony to the Court. Based upon the evidence presented, the Court makes the following findings:

- 1. The subject of this action is minor children, namely:

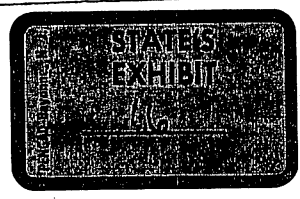
Name: Elijah Creed Woolley
Birthdate: Jan. 16, 2017
SSN: _____
Gender: male

Name: _____
Birthdate: _____
SSN: _____
Gender: _____

Name: _____
Birthdate: _____
SSN: _____
Gender: _____

Name: _____
Birthdate: _____
SSN: _____
Gender: _____

- 2. Petitioner(s) relationship to the minor child(ren) is/are maternal grandparents



14. The anticipated annual income of the minor child(ren) for one (1) year, plus the value of the child's personal property
 IS
 IS NOT
 less than \$40,000.00.
15. Appointment of a Special guardian of the person of the minor child(ren) is/are necessary for the reasons stated in the petition and given in testimony and to provide for the general welfare of the child(ren) and to allow the Petitioner(s) to authorize medical and educational services for the child(ren).
16. The Petitioner(s) is/are qualified to serve as guardian(s) of the person and/or property of the minor children, in that:
- The Petitioner(s) has/have been a resident, in good faith, of the State of Oklahoma for the last one (1) year past;
 - No judge of the District Court is under any financial obligation whatsoever to the Petitioner(s);
 - The Petitioner(s) is/are not a minor or incapacitated or partially incapacitated;
 - The Petitioner(s) has/have never been convicted of a felony;
 - The Petitioner(s) is/are not insolvent and has/have not declared bankruptcy during the five (5) years prior in filing this petition;
 - The Petitioner(s) is/are not under any financial obligation to the minor child(ren);
 - There are no conflicts of interest that would preclude or be substantially detrimental to the ability of the Petitioner(s) to act in the best interests of the minor child(ren); and
 - The Petitioner(s) has/have never been subject to the registration of the Oklahoma Sex Offenders Registration Act.
- Explanation of above checked statement (if needed): _____

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court
 As follows:

- A. The Petitioner(s), William H. Woolley III and/or Lisa K. Woolley,
 is/are appointed:
- Special or
 - General
- Guardian(s) of the
- Person,
 - Property or
 - Person and Property

3. Petitioner(s) reside(s) at _____
_____ X
4. Petitioner(s) Social Security Number(s) is/are _____

5. The child(ren) will reside during the guardianship at the following address
_____ in Broken Arrow, Oklahoma.
6. The mother(s) of the minor child(ren) is/are Desiree Jordan Woolley

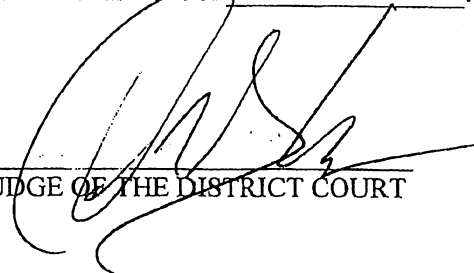
7. The mother(s) current or last known address(es) is/are _____
_____, Broken Arrow, OK 74011 X
8. The biological father(s) of the minor child(ren) is/are unknown

9. The biological father(s) current or last known address(es) is/are _____

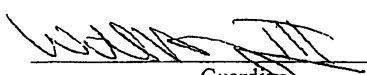
10. The Petitioner(s) did not provide notice as this was a request for ex parte relief.
Notice will be provided in compliance with 30 O.S. §2-101.
11. The Court has jurisdiction in this action to make a child custody determination
pursuant to the Uniform Child Custody Jurisdiction and Enforcement Act, 43 O.S.
§551-101 *et seq.* in that Oklahoma is the home state of the minor child(ren). The
Petitioner(s) has/have complied with the requirements of the Act.
12. The minor children
 ARE
 ARE NOT
Native American Children within the meaning of the Federal and State Indian
Child Welfare Act.
13. The minor child(ren)
 HAVE
 DON'T HAVE
real or personal property other than clothing and miscellaneous personal
belongings.

of the minor child(ren), _____

- B. The guardian(s) is/are authorized to provide for the care, medical treatment, education, and welfare of the child(ren).
- C. Bond is waived.
- D. First Annual Report of the person and/or property is/are due on or by _____, _____. Failure to do so could result in termination of the guardianship.
If guardian of the property inventory is to be filed on or before _____, _____. Failure to do so could result in termination of the Guardianship.
- E. The petitioner requests child support pursuant to 30 O.S. 2001§ 2-108 (B) (1);
 - Child support is not requested.
 - Child support is ordered in the amount of _____.



 JUDGE OF THE DISTRICT COURT



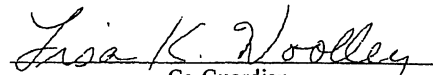
 Guardian
 William H. Woolley III Pro Se

 Print name(s)

 Broken Arrow, OK 74014

 Address
 (918) 812-6476

 Phone Number(s)



 Co-Guardian
 Lisa K. Woolley Pro Se

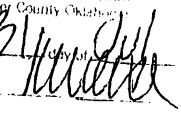
 Print name(s)

 Broken Arrow, OK 74014

 Address
 (918) 695-6334

 Phone Number(s)

I, _____
 County, Oklahoma, hereby
 foregoing is a true, correct
 the instrument hereunto
 of record in the Court
 Wagoner County Oklahoma

 By:  18