

New potential witness says Moore Police officer shred previous discipline report days after 2019 crash that killed Moore High School student

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New potential witness says Moore Police officer involved in 2019 crash that killed Moore High School student shred previous discipline report days after deadly incident

Local

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The original version included a typo which has been corrected.

MOORE, Okla. (KFOR) – New evidence could be used in the upcoming trial involving Moore Police Officer Kyle Lloyd.

“I thought I would see her again in 4 hours,” said Emily Gaines’ mother, Dana Gaines, told News 4 in January of 2020.

It’s been over a year since Dana and Bryan Gaines said goodbye to their daughter Emily as she headed out the door to take the ACT.

“All the work she put in was just wasted,” Bryan Gaines said.

Emily, a senior at Moore High School, killed in a crash on December 14th, 2019– less than two weeks before Christmas.

Behind the wheel of the vehicle that hit her, Kyle Lloyd, an off-duty Moore Police Officer.

Lloyd’s car barreling through the intersection at South Sooner Road and Southeast 134th Street in Oklahoma City. Lloyd was speeding at 94 miles-per-hour.

Civil lawsuit reveals where off-duty Moore police officer was going when he struck high schooler’s car, killing her

“Just a senseless act and we want justice and we want him tried,” said, Bryan Gaines, Emily’s dad when News 4 sat down with Emily’s family last year.

Lloyd now charged with 1st degree manslaughter. His jury trial set to start later this month.

New court documents show a Notice of Endorsement of Additional Witnesses.

One of those being a Moore Police Department records clerk saying, “on December 16, 2019... Kyle Lloyd came to her office and requested his discipline file.”

A discipline report was shredded at Lloyd’s request, just two days after the crash that took Emily’s life.

The court document saying the clerk “was unaware at the time she shredded the report that it should have been placed on investigative hold due to pending charges.”

And another witness – a Moore Police officer who investigated a previous collision involving Lloyd.

The document saying Lloyd was on duty in a patrol car on March 18, 2007 when he collided with another vehicle. That other driver was transported to the hospital by ambulance.

Moore officer pleads not guilty in crash that killed high school senior

We spoke with Moore City Attorney Randy Brink, who says officers can remove documents from their discipline file but only after a certain amount of time has passed.

“According to their collective bargaining agreement or what’s commonly known as the union contract, that is contained in the union contract and that is two years,” Brink said.

An additional court document was filed on March 18th— Notice of Intent to Use Evidence or Other Bad Acts or Crimes, saying “the state intends to present evidence the defendant has previously been involved in an automobile collision that resulted in injury to another.”

Oklahoma City Attorney Ed Blau explained the process.

“The law says that you can’t bring in propensity evidence that somebody has a propensity to commit a crime because you have to be tried on the facts of that case. However, the case of BURKS v. State in Oklahoma gives prosecutors kind of a road map that they can bring in evidence of other crimes or bad acts,” Blau said.

On Thursday, Lloyd’s attorney, G. Derek Chance, sent News 4 this statement—

“Kyle Lloyd has not received any Letters of Reprimand regarding vehicular accidents.

The report that was expunged from Mr. Lloyd’s personnel file, in accordance with City policy, involved a horseplay incident from 2011, wherein no one was injured and was in no way related to a motor vehicle or motor vehicle accident.

Mr. Lloyd’s focus remains respecting the grieving process of Ms. Gaines’ family.”

Cleveland County District Attorney Greg Mashburn told News 4 Thursday so far a judge hasn’t said whether the additional evidence will be approved.

Lloyd is still on paid administrative leave. His jury trial is set to start on April 12th.

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