

10TH JUDICIAL DISTRICT COURT  
PARISH OF NATCHITOCHEs  
STATE OF LOUISIANA

NUMBER: C-90,284

CALVIN W. BRAXTON, SR.

VERSUS

LOUISIANA STATE TROOPERS ASSOCIATION AND

JAY OLIPHANT

Deposition of CHARLES DUPUY, taken on  
Tuesday, November 24, 2020, before Leslie B. Doyle,  
Certified Court Reporter (LA #93096), at the Law  
Office of Jill L. Craft, 329 St. Ferdinand Street,  
Baton Rouge, Louisiana, commencing at 1:06 p.m.

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11 \* \* \*

12

13 EXHIBITS

14

15 (None)

16 \* \* \*

17

18

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3

1 APPEARANCES:

2

3 REPRESENTING THE PLAINTIFF:

4 JILL L. CRAFT, ESQ.

5 KAITLIN WALL, ESQ.

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9

10 REPRESENTING JAY OLIPHANT:

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12 VIDEOCONFERENCE)

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16

17 REPRESENTING THE LOUISIANA STATE TROOPERS

18 ASSOCIATION:

19 FLOYD J. FALCON, JR., ESQ.

20 AVANT & FALCON

21 429 GOVERNMENT STREET

22 BATON ROUGE, LOUISIANA 70802

23

24 ALSO PRESENT:

25 JAY O'QUINN

\* \* \*

4

1 S T I P U L A T I O N

2

3 It is stipulated and agreed by and between

4 all Counsel that the testimony of CHARLES DUPUY, on

5 November 24, 2020, is hereby being taken for

6 discovery purposes and for any and all purposes

7 authorized under the Louisiana Code of Civil

8 Procedure.

9

10 The witness reserves the right to read and

11 sign the deposition. The original is to be

12 delivered to and retained by Jill L. Craft, Esq.,

13 for proper filing with the Clerk of Court.

14

15 All objections, except those as to the

16 form of the question and the responsiveness of the

17 answer, are considered reserved until trial or other

18 use of the deposition.

19

20

21

22 \* \* \*

23 Leslie B. Doyle, Certified Court Reporter

24 in and for the State of Louisiana, officiated in

25 administering the oath to the witness.

5

1 CHARLES DUPUY,

2 having been first duly sworn, was examined

3 and testified as follows:

4 \* \* \*

5 EXAMINATION

6 BY MS. CRAFT:

7 Q. Mr. Dupuy, as you know, my name is Jill

8 Craft, and I represent Mr. Braxton, seated to my

9 left, in connection with a lawsuit pending in

10 Natchitoches Parish.

11 It's very important during the course of

12 this deposition you understand what I'm asking you,

13 and if at any time you do not, please tell me to

14 stop, rephrase, I don't understand, and I'll be

15 happy to accommodate you.

16 It's also important, nods of the head yes

17 or no cannot be taken down by the reporter. And as

18 we are all wearing masks, I'm going to ask you to

19 kind of take a little extra time, take a deep breath

20 before you answer the questions, because it's very

21 difficult if we're talking all over each other and,

22 more importantly, because we have the masks, it's a

23 little bit more difficult to understand what we're

24 saying. Is that fair enough?

25 A. Sure.

6

1 **Q. The good news is, our court reporter has**  
 2 **taken some of the depositions in this case.**  
 3 **Although ordinarily I would ask you to spell names,**  
 4 **places or things, not to test your spelling, it's**  
 5 **just much easier for our reporter. But as she has**  
 6 **already taken some of the depositions, I think we're**  
 7 **pretty good on spellings. Is that fair enough?**  
 8 A. That's good, because I don't know if I'd  
 9 be helpful.  
 10 **Q. Can you give me your full name and**  
 11 **address, please, sir?**  
 12 A. Charles Ray Dupuy, D-U-P-U-Y, 13029 West  
 13 Waterside Drive, Baton Rouge, Louisiana 70818.  
 14 **Q. And you are here pursuant to a subpoena;**  
 15 **is that correct?**  
 16 A. Yes.  
 17 **Q. And are you aware of other efforts we had**  
 18 **taken before getting you served with a subpoena to**  
 19 **take your deposition?**  
 20 A. No.  
 21 **Q. Did you ever talk to any of the witnesses**  
 22 **about you giving your deposition or they giving**  
 23 **their depositions in this case?**  
 24 A. I've talked to other people that have  
 25 given depositions --

8

1 **Q. Okay. Was it somebody -- was it**  
 2 **Mr. Mayeaux? Does that sound right?**  
 3 A. He was an attorney. I'm assuming he was  
 4 representing the State Police.  
 5 **Q. Okay. Did you -- when you say you gave a**  
 6 **statement, what do you mean? Was it recorded? Did**  
 7 **you write it down?**  
 8 A. No. He just talked to me about possible  
 9 questions that I would be asked in a deposition and  
 10 asked me to answer, and I did.  
 11 **Q. At the time you met with this attorney,**  
 12 **you were no longer employed by State Police; is that**  
 13 **right?**  
 14 A. That's correct.  
 15 **Q. So can you tell me what you told him?**  
 16 A. He asked me about JESTC.  
 17 **Q. You're going to have to spell that for the**  
 18 **reporter.**  
 19 A. J-E-S-T-C. It's the Joint -- I forgot  
 20 what the acronym stands for. Joint Emergency  
 21 Training Center -- Services Training Center. He  
 22 asked me about JESTC. He asked me about the bar at  
 23 JESTC. He asked me about Colonel Oliphant's  
 24 incident report. That's about all I remember.  
 25 **Q. What did you recall with respect to the**

7

1 **Q. Who?**  
 2 A. -- that were giving depositions.  
 3 Rodney Hyatt, Jason Starns. I think  
 4 that's it.  
 5 **Q. Are you friends with either Mr. Hyatt or**  
 6 **Mr. Starns?**  
 7 A. Both.  
 8 **Q. And do you recall socializing with them at**  
 9 **your house prior to them giving their depositions?**  
 10 A. I don't know if it was prior to, but,  
 11 yeah, they've socialized at my house.  
 12 **Q. And did you guys talk about the**  
 13 **depositions when they were at your house?**  
 14 A. Only that they were -- either did their  
 15 deposition or were going to.  
 16 **Q. Did you tell either of those gentlemen**  
 17 **that you were giving your deposition, too?**  
 18 A. Yeah. I had been contacted by the state  
 19 and went and did a pre-deposition briefing, and the  
 20 attorney for the state told me that they would be  
 21 contacting me to come do the deposition.  
 22 **Q. Who was that?**  
 23 A. I can't remember the guy's name. It  
 24 was -- he worked for the AG's office. I did it -- I  
 25 did it at State Police.

9

1 **bar at JESTC?**  
 2 A. The facility at JESTC -- I don't want to  
 3 bore anybody, but if you go back in time, the State  
 4 Police, Department of Public Safety, entered into an  
 5 agreement with the State Department to train foreign  
 6 police officers from around the world. Originally,  
 7 they were housed at the training academy on  
 8 Independence Boulevard. When they finished building  
 9 the compound at State Police, they had to find a  
 10 facility to house the inmates and also expand the  
 11 training facilities for that program, because it's  
 12 revenue for the state -- or the State Police.  
 13 So in contract negotiations -- of course,  
 14 I was a sergeant when all this was happening, so I'm  
 15 going by my memory of what was happening. The state  
 16 entered a contract with the State Department, and  
 17 the State Department requested specific facilities  
 18 to be in place for these police officers, one,  
 19 because it was, you know, in a -- I guess a rural  
 20 setting. They wanted a entertainment/recreational  
 21 facility, along with a bar, banquet space to have  
 22 their class graduation meals, because they were  
 23 outsourcing all that at graduation time. So when  
 24 they built JESTC, they built that facility at JESTC,  
 25 so...

10

1 **Q. Who is it that wanted there to be a bar?**  
 2 A. That would have to be the State Department  
 3 or the third party contractor.  
 4 **Q. Do you know that to be true?**  
 5 A. That's what I was told. I don't know if  
 6 it's true or not.  
 7 **Q. You were told by who?**  
 8 A. Now, that specifically, I don't know.  
 9 Again, I was a sergeant, so -- maybe Dale Hall.  
 10 **Q. Did you have some sort of role at the**  
 11 **training academy or at JESTC?**  
 12 A. Yeah. I was -- I spent 14 years at the  
 13 training academy. I helped design the driving track  
 14 that's on the JESTC facility.  
 15 **Q. The driving what?**  
 16 A. The driving track.  
 17 **Q. And JESTC is part of the State Police**  
 18 **training facility; is that right?**  
 19 A. Yes.  
 20 **Q. And you mentioned Lieutenant Hall. He**  
 21 **was --**  
 22 A. Lieutenant Colonel Hall.  
 23 **Q. Lieutenant Colonel Hall. He was the head**  
 24 **of State Police training; isn't that correct?**  
 25 A. He was -- let's see if I can remember

11

1 this. He was the captain in charge of the  
 2 anti-terrorist tactics program, then he was promoted  
 3 to major over training. But he was the one who was  
 4 involved in the plans, the architectural plans, what  
 5 was going to be included in the facility, the  
 6 dormitories. They had -- originally were going to  
 7 put a swimming pool out there, gymnasium, things of  
 8 that nature, which that never occurred, so -- and  
 9 then it was built, then he became chief of staff.  
 10 **Q. So when you said you think the State**  
 11 **Department is the one who insisted there be a bar**  
 12 **there, you mean the federal State Department?**  
 13 A. Yeah. And I don't know if "insisted" is  
 14 the right word. I think it was a request, but I  
 15 don't know. I wasn't part of those negotiations.  
 16 **Q. So sitting here, you don't have any**  
 17 **factual basis for that statement?**  
 18 A. No. Nope.  
 19 **Q. And you said because it was in a rural**  
 20 **setting. Isn't JESTC in Zachary?**  
 21 A. Well, it's in the Zachary city limits, but  
 22 it's off by the river, so there's nothing relatively  
 23 close to that facility. There's a prison there, and  
 24 it's surrounded by chemical plants, so it's, you  
 25 know, I guess in the dumps out there, so...

12

1 **Q. So can you tell me who supplied the liquor**  
 2 **for the bar?**  
 3 A. Yeah, the Louisiana State Troopers  
 4 Association entered an agreement with the State  
 5 Police to provide a bartender and the liquor. They  
 6 got the liquor license.  
 7 **Q. And when did that agreement come into**  
 8 **existence?**  
 9 A. I don't know. I don't know. I don't know  
 10 the date that happened.  
 11 **Q. And are you telling me that the State**  
 12 **Troopers Association, the union, paid a bartender to**  
 13 **serve liquor at the JESTC facility in a bar there?**  
 14 A. Yes.  
 15 **Q. For how long?**  
 16 A. Maybe seven months, maybe eight months.  
 17 **Q. Who was the bartender?**  
 18 A. Oh, I have no idea.  
 19 **Q. And how long did the State Troopers**  
 20 **Association provide liquor for the bar operated at**  
 21 **JESTC?**  
 22 A. Until they shut operations down because it  
 23 was vacant. It was supposed to be a profitable  
 24 scenario for the Troopers Association. It wasn't.  
 25 You had a third party contractor called Triple

13

1 Canopy, and they wanted to use the facility to have  
 2 downtime so their instructors wouldn't be on the  
 3 street, on the road, along with the students, so  
 4 that was the premise behind it.  
 5 **Q. You said it wasn't profitable. How do you**  
 6 **know that that was the agreement on LSTA's part?**  
 7 **Were you part of those discussions at LSTA?**  
 8 A. No. I was -- I want to say I was a  
 9 captain at the time, so they had those discussions  
 10 with Colonel Hall.  
 11 **Q. So all you know is what maybe somebody**  
 12 **else told you?**  
 13 A. Correct.  
 14 **Q. Okay. Now, isn't it true that LSTA**  
 15 **continued to provide liquor to that facility?**  
 16 A. Once the bar was closed, I would say only  
 17 if there was some kind of social event out there.  
 18 **Q. Do you know that to be true, or are you**  
 19 **guessing?**  
 20 A. I think that's true.  
 21 **Q. I understand from some prior testimony**  
 22 **that there were occasions where the Colonel of State**  
 23 **Police, Mr. Edmonson, would put in requests or**  
 24 **orders for particular liquor from the State Troopers**  
 25 **Association. Do you know anything about that?**

14

1 A. I do not.

2 **Q. Did you yourself request that the State**

3 **Troopers Association provide liquor out there?**

4 A. No. Unless we were having a function that

5 they were involved in.

6 **Q. So are there occasions where the State**

7 **Troopers Association provided liquor out there?**

8 A. I'm sure there are.

9 **Q. Did you yourself make those requests?**

10 A. Not that I recall, no.

11 **Q. And this was a state facility; is that**

12 **correct?**

13 A. Yes, ma'am.

14 **Q. And it wasn't a bar that I or any other**

15 **member of the public could just wander into, right?**

16 A. No. Well, I guess if you were out there,

17 you could have gone in.

18 **Q. Well, have you ever seen any member of the**

19 **public out there that wasn't there on some sort of**

20 **business?**

21 A. No. Unless they were, you know, training

22 out there or attending some function.

23 **Q. Now, I am correct that JESTC was a state**

24 **facility; is that right?**

25 A. Yes.

16

1 **Q. Did you know Mr. Braxton to have some**

2 **issue with the operation of the bar?**

3 A. No.

4 **Q. So you have no idea whether or not anybody**

5 **at the State -- with the State Police Commission,**

6 **any of its commissioners or executive director**

7 **raised any issue or asked any questions about it?**

8 A. Not to my knowledge.

9 **Q. Can you walk me through the positions you**

10 **held at State Police starting with where and when**

11 **you were first assigned when you started?**

12 A. I graduated in 1990, and I was assigned to

13 Troop A. I stayed there for four and a half years.

14 Then I was assigned to protective services beginning

15 in, I think, February of '94. I stayed there until

16 December, when I was transferred to the training

17 academy.

18 **Q. December of '94?**

19 A. Yes, ma'am.

20 **Q. And then, so in December of '94, January**

21 **of '95, you went to the academy; is that right?**

22 A. Went to the academy, yes, ma'am.

23 **Q. And what rank did you have at that time?**

24 **Sergeant?**

25 A. I was a sergeant at the mansion, but

15

1 **Q. And you said that at some point you**

2 **thought the State Troopers Association got a liquor**

3 **permit, but it's true, is it not, that liquor**

4 **continued to be served at JESTC even after there was**

5 **no longer a valid liquor permit?**

6 A. Well, I don't know this, so in order for

7 you to sell liquor and receive money, you have to

8 have a liquor license. I think after they shut the

9 bar down, there was no more selling of alcohol.

10 **Q. So they just gave it away?**

11 A. Yeah. I mean, if the troopers had an

12 in-service or the annual SWAT training, they would

13 request the Troopers Association, you know, provide

14 the food and adult beverages. That's been done

15 before.

16 **Q. When was the last time, to your knowledge,**

17 **folks got free liquor at the state facility out**

18 **there?**

19 A. Specifically, I can't tell you. I don't

20 remember.

21 **Q. You are aware, are you not, that at some**

22 **point in time, there was an issue or concern raised**

23 **by the State Police Commission concerning the**

24 **operation of the bar on state property, right?**

25 A. No. I'm not aware of that.

17

1 that's what we call paper rank. It's only because

2 of the position I held at the mansion. So when I

3 left, I went back to my trooper rank, and then I was

4 promoted to sergeant in gaming and transferred back

5 to the training academy shortly after that.

6 **Q. So in order to get your promotion, they**

7 **transferred you to gaming, where there was an empty**

8 **sergeant slot, you got your promotion, and they sent**

9 **you back to the academy?**

10 A. Yeah. That's when they had the shooting

11 accident that occurred at the facility, so the

12 person involved in that shooting incident was the

13 person who was going to do the job that I was doing,

14 so they sent me back because of my certifications

15 and qualifications.

16 **Q. And so then you remained at the academy as**

17 **a sergeant for how long?**

18 A. I want to say it was 2006, I was promoted

19 to lieutenant at the training academy. And then I

20 think it was 2008 when I was promoted to captain in

21 internal affairs.

22 **Q. Okay. And?**

23 A. Then I was moved from internal affairs

24 when Colonel Edmonson became the superintendent, and

25 I was moved to operational development as a captain.

18

1 **Q. When was that?**  
 2 A. I can't remember when -- whenever Colonel  
 3 Edmonson took over as superintendent, so I don't  
 4 remember the date. I guess -- I don't remember the  
 5 date.  
 6 **Q. Okay. And then what?**  
 7 A. Then I was promoted to major back in  
 8 training, and then I was promoted to lieutenant  
 9 colonel of support, which includes the training  
 10 academy and other commands, and then I was promoted  
 11 to chief of staff.  
 12 **Q. When was that?**  
 13 A. I would say that was 2012.  
 14 **Q. And was that under Mr. Edmonson, as well?**  
 15 A. Yes.  
 16 **Q. And when did you leave State Police?**  
 17 A. I left the State Police in -- officially  
 18 in May of 2018.  
 19 **Q. What do you mean, officially?**  
 20 A. Well, I had taken -- my mother had fell  
 21 and broke her pelvis, so I was off taking care of  
 22 her as a sole provider for her. I called retirement  
 23 because the original retirement date they gave me,  
 24 if I was to reach 100 percent, was June of 2018. I  
 25 called retirement to find out how much leave I was

20

1 **Q. Can you tell me whether or not you ever**  
 2 **heard of anybody running Calvin Braxton's license or**  
 3 **information?**  
 4 A. No.  
 5 **Q. How about a Gregory Friedman or his**  
 6 **daughter, Erin?**  
 7 A. I don't know who that is.  
 8 **Q. Now, we were talking about what you told**  
 9 **the lawyer for the State Police, and you said you**  
 10 **talked to him about JESTC. Have you told me**  
 11 **everything you remember telling him about JESTC?**  
 12 A. Yes.  
 13 **Q. Was he taking notes at the time you were**  
 14 **talking to him?**  
 15 A. I don't think so.  
 16 **Q. And you said it wasn't recorded, or it**  
 17 **was?**  
 18 A. It was not, not to my knowledge.  
 19 **Q. And then you also told me that you talked**  
 20 **to him about Colonel Oliphant's incident report.**  
 21 **Tell me what you told him.**  
 22 A. We were in the State Police cafeteria. I  
 23 can't tell you the date. It was a morning. Myself,  
 24 Colonel Edmonson, Ronnie Jones, Major Flinchum.  
 25 **Q. Spell that, please.**

19

1 burning and how that was going to affect my  
 2 retirement date, and they said that they had  
 3 miscalculated and I was at 100 percent, so I went  
 4 ahead and filed my retirement papers.  
 5 **Q. When did you start burning your leave?**  
 6 A. It had to be in February, March.  
 7 **Q. Of 2018?**  
 8 A. Yes.  
 9 **Q. And prior to that, were you off or were**  
 10 **you still actively working?**  
 11 A. No, I was working.  
 12 **Q. Describe for me the position of chief of**  
 13 **staff when you held it. What did you do?**  
 14 A. I ran day-to-day operations at State  
 15 Police.  
 16 **Q. What does that mean?**  
 17 A. State Police is broken down into three  
 18 separate organizational functions. Patrol, uniform  
 19 patrol, which is the troop's enforcement, along with  
 20 TES, haz-mat, motor carrier, all fall under the  
 21 patrol commander. There's the Bureau of  
 22 Investigation, which is narcotics, detectives,  
 23 insurance fraud, gaming. And then you have support  
 24 command, which is the crime lab, fleet, supply,  
 25 training, criminal records.

21

1 A. Oh, I can't.  
 2 **Q. I think it's F-L-I-N-C-H-U-M.**  
 3 A. I think that's right.  
 4 **Q. Cathy?**  
 5 A. Cathy, yeah.  
 6 **Q. Okay.**  
 7 A. Colonel Staton came in and asked to speak  
 8 to me, and he said that the LST had requested  
 9 Captain Oliphant, at the time, document what his  
 10 interaction, phone calls with Calvin Braxton.  
 11 Colonel Staton thought it would be better if Captain  
 12 Oliphant did an incident report. We briefed Colonel  
 13 Edmonson. Colonel Edmonson agreed, so...  
 14 And let me say this: Captain Oliphant  
 15 reported that to Major Reeves, who was his patrol  
 16 major. Major Reeves reported it to Colonel Staton.  
 17 Colonel Staton reported it to me. I reported it to  
 18 Colonel Edmonson.  
 19 **Q. Okay. What did you brief Colonel Edmonson**  
 20 **on?**  
 21 A. Oh, I didn't brief him. Colonel Staton  
 22 did.  
 23 **Q. What did he say?**  
 24 A. Same thing I just told you. That someone  
 25 had requested that Captain Oliphant document his

22

1 interactions or conversations with Mr. Braxton, and  
 2 Colonel Staton thought it would be better if it was  
 3 done in an incident report.  
 4 **Q. Actually what you said was LSTA had**  
 5 **requested Colonel Oliphant document; is that**  
 6 **correct?**  
 7 A. Yes.  
 8 **Q. Who at LSTA had requested Colonel Oliphant**  
 9 **document his interactions with Mr. Braxton?**  
 10 A. I don't know.  
 11 **Q. Do you know how close in time it was to**  
 12 **actual interactions between Mr. Braxton and**  
 13 **Mr. Oliphant? In other words, was it several months**  
 14 **later?**  
 15 A. No, I don't know.  
 16 **Q. And you don't know who at LSTA?**  
 17 A. No.  
 18 **Q. Had you ever talked to anyone at LSTA**  
 19 **regarding Mr. Oliphant preparing a report or some**  
 20 **sort of documentation?**  
 21 A. No.  
 22 **Q. Okay. And so then the decision was made,**  
 23 **as I understand it, that you guys would tell**  
 24 **Mr. Oliphant to prepare a report, and then LSTA**  
 25 **could get it through a public records request; is**

24

1 **communicated to the State Troopers Association?**  
 2 A. I don't know.  
 3 **Q. Well, did you guys discuss that at all?**  
 4 A. No.  
 5 **Q. Are you telling me, sir, that it wasn't**  
 6 **discussed at all, the fact that Mr. Oliphant could**  
 7 **prepare that incident report and then LSTA could get**  
 8 **it that way through normal channels?**  
 9 A. It wasn't discussed with me.  
 10 **Q. Did you hear anything about that, sir?**  
 11 A. No.  
 12 **Q. Okay. So how were you guys going to**  
 13 **address the fact that, according to you, it was the**  
 14 **State Troopers Association wanting that**  
 15 **documentation?**  
 16 A. Well, he didn't provide the information to  
 17 State Troopers Association. He did the internal  
 18 incident report.  
 19 **Q. But you knew, did you not, that an**  
 20 **incident report is a public record?**  
 21 A. Yes, it is.  
 22 **Q. And isn't that something you all**  
 23 **discussed?**  
 24 A. That it was a public record? No.  
 25 **Q. Did you discuss at all who would be able**

23

1 **that right?**  
 2 A. No. Whether they could get it through --  
 3 the LSTA could get it through a public records  
 4 request was not the reason he was doing an incident  
 5 report.  
 6 **Q. Well, why was he doing the incident**  
 7 **report?**  
 8 A. To document his interaction with  
 9 Mr. Braxton.  
 10 **Q. Why was that six months after the fact?**  
 11 A. That's when it came to me, so -- that's  
 12 when Colonel Staton came to me. So I knew nothing  
 13 about any of this until it was brought to my  
 14 attention then.  
 15 **Q. Okay. I guess where I'm confused is, as I**  
 16 **understand what you told me, is this all started**  
 17 **because LSTA had requested that Colonel Oliphant**  
 18 **document his interactions with Calvin Braxton. You**  
 19 **all were sitting at a table, am I correct,**  
 20 **discussing it, right?**  
 21 A. In the cafeteria.  
 22 **Q. And then it was decided that Colonel**  
 23 **Oliphant would prepare an incident report?**  
 24 A. That's correct.  
 25 **Q. And so how was that going to get**

25

1 **to access the incident report?**  
 2 A. No.  
 3 **Q. But this was a command decision at State**  
 4 **Police; is that correct?**  
 5 A. There was an incident that occurred  
 6 between Mr. Braxton and a troop commander. His  
 7 major and lieutenant colonel requested that he  
 8 document it in an incident report, and we agreed.  
 9 **Q. Did you understand at all any kind of --**  
 10 **how long it took for the information to filter up to**  
 11 **you? Like --**  
 12 A. No.  
 13 **Q. Let me ask a better question. Did you**  
 14 **know when the incident actually first occurred?**  
 15 A. I do not.  
 16 **Q. Did you ever talk to Mr. Oliphant about**  
 17 **any interactions he claims to have had with Calvin**  
 18 **Braxton?**  
 19 A. No.  
 20 **Q. I'm going to show you a document, sir,**  
 21 **which we've already attached to these depositions as**  
 22 **Exhibit #24. It starts as an e-mail from**  
 23 **Mr. Oliphant dated June 6th, 2016, to Kevin Reeves.**  
 24 **The subject is, LSP Commission Member Calvin**  
 25 **Braxton, and the attachments are identified as,**

26

1 Calvin Braxton versus Trooper Linebaugh dot Docx,  
 2 with an X, submitted for your review. In it also,  
 3 sir, for the record, are some other e-mails  
 4 regarding minor adjustments made to the document,  
 5 and attached, I believe, are two different versions  
 6 of an incident report.  
 7 Can you tell me if you've seen any portion  
 8 or portions of that document before?  
 9 A. (Reviewing documents.) I don't know.  
 10 Q. Excuse me?  
 11 A. I don't know. I don't know if I -- I  
 12 don't know if that went across my desk or not.  
 13 Q. Okay. That, referring to an incident  
 14 report where it has the date of incident December 5,  
 15 2015, and it looks like, on the last page, it's  
 16 signed by Mr. Oliphant on June 2nd, 2016. Do I have  
 17 those dates right?  
 18 A. Yes.  
 19 Q. And is that the incident report that,  
 20 according to you, LSTA wanted Colonel Oliphant to  
 21 document his interaction with Mr. Braxton?  
 22 A. I don't want to say that the LTSA asked  
 23 for an incident report or not. What I was told is,  
 24 the LSTA asked Captain Oliphant to document his  
 25 interaction. The State Police, Colonel Staton

28

1 Q. And it looks like the report was not  
 2 finalized until June 2nd, 2016. Can you explain the  
 3 six-month time delay?  
 4 A. No.  
 5 Q. Did you know about any interactions  
 6 between Calvin Braxton and Mr. Oliphant in December  
 7 of 2015?  
 8 A. No.  
 9 Q. Had you heard anything about it?  
 10 A. No.  
 11 Q. Can you tell me when it was you had this  
 12 interaction that you've described with you, Cathy  
 13 Flinchum and Ronnie Jones, Mr. Edmonson and  
 14 Mr. Staton?  
 15 A. I don't remember the date. It was in the  
 16 morning.  
 17 Q. Do you remember what month or what time of  
 18 year?  
 19 A. No.  
 20 Q. Or what year?  
 21 A. Had to be 2016, I'm assuming, since that's  
 22 when the incident report was written.  
 23 Q. Can you tell me, if you don't mind, on the  
 24 incident report, the first page of it, in Exhibit  
 25 #26, it says, the nature of incident, Louisiana

27

1 wanted the incident report.  
 2 Q. Okay. Is this the incident report?  
 3 A. It looks like it.  
 4 Q. When was the last time you looked at this  
 5 incident report, sir?  
 6 A. If I looked at it at all, it would have  
 7 been I guess whenever they submitted it, so I guess  
 8 in June of 2016.  
 9 Q. Did you review it when you were talking to  
 10 the lawyer?  
 11 A. No.  
 12 Q. Did he show you any documents?  
 13 A. No.  
 14 Q. In this particular incident report, sir,  
 15 if you can look at the last pages of Exhibit #26 --  
 16 that's the signed version of the incident report --  
 17 it looks like the date of the incident occurred on  
 18 December 5th, 2015; is that right?  
 19 A. Where am I supposed to be looking at?  
 20 Q. Right here, first page of it.  
 21 A. I'm sorry.  
 22 Q. It's all right. See in the upper  
 23 right-hand corner, date of incident, 2:47 in the  
 24 morning?  
 25 A. Yes.

29

1 State Police Commission Member Calvin Braxton. Did  
 2 you know Calvin Braxton?  
 3 A. I've talked to Mr. Braxton twice on the  
 4 phone, and I think I've testified at the Commission  
 5 hearings where he was present. I don't know how  
 6 many.  
 7 Q. All right. What did you talk to him on  
 8 the phone about?  
 9 A. He called -- actually, he called Colonel  
 10 Edmonson and Colonel Edmonson hand me the phone, and  
 11 it was about a Trooper Shawn Boyd, who was going  
 12 through a IA investigation and had not been truthful  
 13 in the interview.  
 14 Q. So what did you and Mr. Braxton talk  
 15 about?  
 16 A. Well, at that point in time, we had a  
 17 standing policy that if you lied in internal  
 18 affairs, you would be terminated, and that was the  
 19 recommendation on Mr. Boyd. And Mr. Braxton was  
 20 asking if there was anything that Mr. Boyd or  
 21 Trooper Boyd could do to avoid being terminated, and  
 22 I said, yeah, he could tell the truth. And that's  
 23 ultimately what he did.  
 24 Q. Okay. So was there anything else you  
 25 recall about that conversation with Mr. Braxton?



30

1 A. That's all.

2 **Q. Was there --**

3 A. That's the only time I talked to

4 Mr. Braxton on the phone.

5 **Q. Was there anything untoward about his**

6 **discussion with you?**

7 A. No. It was fine.

8 **Q. And you said that was the only time you**

9 **talked to him on the phone. What about in person?**

10 A. I think I may have said hello, but other

11 than that, not an engaged conversation.

12 **Q. Did you ever see him at the bar up at the**

13 **training facility?**

14 A. No.

15 **Q. Did you know anything about Mr. Braxton's**

16 **positions on the State Police Commission, whether he**

17 **was pro State Police, for lack of a better phrase,**

18 **anti State Police?**

19 A. I think he seemed -- he seemed very pro

20 State Police.

21 **Q. What about Cathy Derbonne? She was the**

22 **executive director; is that right?**

23 A. That's correct.

24 **Q. How did you feel about her?**

25 A. I like Cathy.

32

1 A. Well, she was the executive director of

2 the Commission, so any time we would do a policy

3 change or -- we worked really hard on the pay

4 adjustment for State Police, so they were involved

5 in that from afar. And then any appeals that would

6 occur would happen at the Commission, so I would

7 testify as chief of staff on disciplinary cases, so

8 I would interact with her there.

9 **Q. The pay adjustments you referred to, it's**

10 **true, is it not, that there was a pay adjustment**

11 **proposed for the command staff to the exclusion of**

12 **the remainder of the state troopers, right?**

13 A. As far as?

14 **Q. They got a pay raise. You all got a pay**

15 **raise.**

16 A. Well, the way it actually went down was

17 that civil service -- or State Police Commission

18 protected employees were given a pay raise. I can't

19 tell you the date. It was during the general

20 administration, the last year of the general

21 administration. When -- after the rank and file

22 were given their pay raises, Colonel Edmonson

23 requested that the unclassified command staff be

24 adjusted at the same rate that the rest of the

25 department was being paid. The general

31

1 **Q. Did you assist in forcing her to resign?**

2 A. No.

3 **Q. Did you talk to her about that?**

4 A. No.

5 **Q. Did you talk to anybody about creating a**

6 **scenario wherein Cathy Derbonne would quit?**

7 A. No.

8 **Q. How about where she would be fired?**

9 A. No.

10 **Q. Did you have any conversations with anyone**

11 **about any accusations involving Cathy Derbonne in**

12 **her performance as executive director?**

13 A. No.

14 **Q. Did you ever make any statements to**

15 **anybody that, as a result of cameras or some -- I**

16 **guess some press asking questions about Mr. Braxton,**

17 **that you thought you were going to get fired?**

18 A. No.

19 **Q. Or that you were going to be blamed for**

20 **that?**

21 A. No.

22 **Q. Did you have any interactions with Cathy**

23 **Derbonne?**

24 A. Yes.

25 **Q. How so?**

33

1 administration chose not to implement it because

2 they were leaving, and they left it for the next

3 governor.

4 When Governor Edwards went in, we sat down

5 with the chief of staff, Ben Nevers. We

6 discussed -- at that point in time, a State Police

7 major was making more than the lieutenant colonel he

8 worked for. So we discussed -- matter of fact, all

9 the appointed, including Colonel Edmonson, were

10 making their former salaries. So we chose to bring

11 all of the lieutenant colonels up to major pay, and

12 then request the pay adjustment for the senior

13 command staff through the Edwards administration,

14 which they granted.

15 **Q. There was an issue about the -- whether or**

16 **not those raises were legal or illegal; isn't that**

17 **right?**

18 A. I don't know. I think there were people

19 complaining that the process wasn't followed

20 properly, but I don't -- I don't know what that is.

21 **Q. One of those people complaining was Cathy**

22 **Derbonne; is that right?**

23 A. Cathy was complaining because she wanted

24 her pay to be equal to that of a State Police major,

25 and that the Commission, who is the people who pay

34

1 her and set her salary -- I can't tell you what that  
 2 scenario was. I know that the then undersecretary,  
 3 Jill Boudreaux, had talked against that to the  
 4 Commission, if I remember that correctly.  
 5 **Q. You don't recall there being an issue**  
 6 **about whether or not the pay raises you, the command**  
 7 **staff, gave each other had been done properly?**  
 8 A. No.  
 9 **Q. So then you don't remember Calvin Braxton**  
 10 **raising an issue on the Commission that you, the**  
 11 **command staff, were not entitled to those raises**  
 12 **because they hadn't been properly signed off on?**  
 13 A. He may have, but I'm not aware of that.  
 14 **Q. And, sir, can you tell me how much money**  
 15 **you got as a result of that raise?**  
 16 A. I was making 122,000, and my pay went to  
 17 161.  
 18 **Q. And I'm right, am I not, that you fell in**  
 19 **the category of your last three highest pay, you**  
 20 **would get the average of that for the purposes of**  
 21 **your retirement?**  
 22 A. Yes.  
 23 **Q. So it was important to you that you get**  
 24 **the raise to 160-plus thousand dollars a year for**  
 25 **the last three years you worked there; isn't that**

36

1 **Q. My question was, you made the statement**  
 2 **that the increase in salary to 160 only benefited**  
 3 **you eight months. The reality is, you got that pay**  
 4 **increase in 2017. You were out on leave until May**  
 5 **of 2018. It was actually a lot longer than eight**  
 6 **months; isn't that right?**  
 7 A. No. I was reassigned to major. I was not  
 8 chief of staff.  
 9 **Q. Oh.**  
 10 A. So I went back to my major salary.  
 11 **Q. So when I went through the positions with**  
 12 **you, you were chief of staff in 2012. When did you**  
 13 **become a major again?**  
 14 A. So that would be '16 -- or, hang on, let  
 15 me -- '17.  
 16 **Q. So in 2017, you received more money, did**  
 17 **you not, because you were in a major position?**  
 18 A. No. I went back to my major rank, which  
 19 was what I was making before I got the pay raise.  
 20 **Q. I thought you told us that the majors were**  
 21 **making more than the lieutenant colonels until that**  
 22 **changed.**  
 23 A. Until we raised the -- them up to 141,  
 24 which is what all majors were making. So I got that  
 25 bump, and then a year and a half later, I got the

35

1 **right?**  
 2 A. Yeah, but I didn't get the 161 for the  
 3 last three years I worked there.  
 4 **Q. You got it for the last how many years?**  
 5 A. I got it for eight months.  
 6 **Q. Okay. And that helped your retirement?**  
 7 A. Oh, yeah.  
 8 **Q. The pay raises for the command staff, sir,**  
 9 **correct me if I'm wrong, were actually in 2017. Do**  
 10 **you remember that?**  
 11 A. For the senior command staff?  
 12 **Q. Yes, sir.**  
 13 A. Yeah. It was a year and -- it was over a  
 14 year and a half after the rank and file got theirs.  
 15 **Q. I understand, sir, but when you made the**  
 16 **statement --**  
 17 A. The original pay plan as it was created,  
 18 and it was created by State Police in operational  
 19 development, included the lieutenant colonels. When  
 20 we were going through the legislative process, the  
 21 lieutenant colonels were deemed unclassified and  
 22 their salaries could be set by the appointed  
 23 authority, which was the colonel of State Police.  
 24 So that's why they -- we weren't granted the pay  
 25 raise when the rest of it was implemented, so...

37

1 second bump.  
 2 **Q. What years?**  
 3 A. The pay raise was in '16, so we went up in  
 4 '16, in, I want to say August, to major pay; and  
 5 then in '17, after the -- I'm sorry. Maybe it was  
 6 '15, and then '16 is when we got the -- that's when  
 7 the flood happened, so we got the pay raise to the  
 8 current lieutenant colonel's pay, I want to say it  
 9 was in September or August of '16.  
 10 **Q. That's when the command staff got the pay**  
 11 **raise?**  
 12 A. Senior command staff, yes.  
 13 **Q. So then, for your benefit, did it help**  
 14 **you?**  
 15 A. For my benefit, it ran until March of '17,  
 16 when I was reassigned to my hard rank of major.  
 17 **Q. Why were you reassigned?**  
 18 A. They said they wanted to go in a different  
 19 direction.  
 20 **Q. Who?**  
 21 A. The Governor's office.  
 22 **Q. They reassigned you from chief of staff to**  
 23 **major over what?**  
 24 A. I was major over training.  
 25 **Q. Who in the Governor's office told you**

38

1 that?

2 A. Actually, Colonel Reeves told me that.

3 **Q. Okay. And he told you, quote, they want**

4 **to go in a different direction?**

5 A. When I was interviewing for the

6 superintendent's job, Matthew Block and Mark

7 Cooper -- I think Matthew Block is the one who said

8 it, that we appreciate your service, but we've

9 decided to go in a different direction. I asked him

10 if that meant I would stay as chief of staff. He

11 said that was a decision for the next colonel to

12 make. I said, okay.

13 And then when Colonel Reeves went in, he

14 said he was told that I couldn't stay as chief of

15 staff, that he didn't want me to retire, and asked

16 me if I would stay. I said, well, I'll look at the

17 numbers and make that decision. And it was

18 beneficial for me to stay another year, so that's

19 what I did.

20 **Q. So Colonel Reeves told you it was actually**

21 **someone in the Governor's office who suggested you**

22 **not stay as chief of staff?**

23 A. That's what he told me.

24 **Q. Looking at the report in front of you,**

25 **sir, it is addressed -- you have to go to the last**

40

1 Above me would be Colonel Mike Edmonson.

2 **Q. Okay. Do you remember any reaction you**

3 **had one way or the other after reading this report?**

4 A. No.

5 **Q. Can you tell me why -- or a better**

6 **question, if there was any consideration to**

7 **arresting Mr. Braxton as a result of the contents of**

8 **this report?**

9 A. No.

10 **Q. Did you talk to anybody about whether or**

11 **not Mr. Braxton's behavior could be considered**

12 **criminal?**

13 A. No.

14 **Q. You became aware, did you not, that a copy**

15 **of this report was sent to the Governor in**

16 **connection with the LSTA letter sent to the**

17 **Governor; is that right?**

18 A. Yes.

19 **Q. And when did you first learn that was**

20 **going to happen?**

21 A. After the Governor got it, I would assume.

22 **Q. Well, I don't want you to assume. I want**

23 **you to tell me what you remember.**

24 A. I don't remember when I knew, but it was

25 after it had been received by the Governor's office.

39

1 **couple of pages in Exhibit #26. At the beginning of**

2 **the report, sir. Here, I'll help you. Go back to**

3 **the first page of that report. No. Keep going.**

4 A. Keep going this way (indicating)?

5 **Q. Yeah.**

6 MR. FALCON: Jill, you said it's 26 or

7 24 that we're talking about?

8 MS. CRAFT: Let me make sure I get the

9 number right. 24. Sorry.

10 MR. FALCON: Yeah.

11 BY MS. CRAFT:

12 **Q. In 24, that's the report; am I correct?**

13 A. Yes.

14 **Q. Okay. Now, can you tell me why the report**

15 **was addressed to Major Kevin Reeves?**

16 A. Because that's Captain Oliphant's

17 supervisor.

18 **Q. And in the chain of command at that time**

19 **in December -- I'm sorry -- December and June of**

20 **2016, how would the chain go from there?**

21 A. I'm sorry. I don't understand.

22 **Q. Above Mr. Reeves, who was in the chain?**

23 A. Oh, above Reeves would be Colonel Staton.

24 **Q. Okay.**

25 A. Above Staton would be me, Charles Dupuy.

41

1 **Q. How are you sure of that?**

2 A. Because I didn't know anything about it

3 until then.

4 **Q. You didn't know anything about the LSTA**

5 **letter?**

6 A. Yeah, the records request.

7 **Q. You did not know that the State Troopers**

8 **Association had requested the incident report?**

9 A. I don't remember. I may have.

10 **Q. Okay. So tell me how you learned that**

11 **there had been a letter written by the State**

12 **Troopers Association to the Governor's office in**

13 **2016.**

14 A. I don't remember. I'm assuming it was in

15 a discussion with other people that were aware of

16 it, but I don't know who those are.

17 **Q. You were aware that it was again sent to**

18 **the Governor's office for a second time in 2017,**

19 **correct?**

20 A. No.

21 **Q. You didn't know about that?**

22 A. Nope.

23 **Q. You didn't hear anything about that?**

24 A. No.

25 **Q. When did you first join the State Troopers**

42

1 Association?  
 2 A. When I --  
 3 Q. We're going to leave this out.  
 4 A. I'm sorry.  
 5 Q. No, no. You can look at it. I just don't  
 6 want you to put it away again, then we have to dig  
 7 for it again.  
 8 A. When I graduated from the State Police  
 9 training academy in 1990.  
 10 Q. You said you were at Troop A; is that  
 11 right?  
 12 A. Yes.  
 13 Q. Did you work with Jennifer Mistretta at  
 14 Troop A?  
 15 A. I did.  
 16 Q. Did you work with her during the troubles  
 17 that occurred at Troop A?  
 18 A. Yeah.  
 19 Q. And were you a witness to how she was  
 20 treated at Troop A?  
 21 A. No.  
 22 Q. Now, sir, did you remain a member of the  
 23 State Troopers Association when you held the  
 24 position of chief of staff?  
 25 A. Yes.

44

1 A. No.  
 2 Q. When was the last time you talked to  
 3 Mr. Young?  
 4 A. Three weeks ago.  
 5 Q. Did you talk to Mr. Young about Calvin  
 6 Braxton at any time?  
 7 A. No.  
 8 Q. Did you ever make any suggestions to  
 9 Mr. Young about how to handle or deal with Calvin  
 10 Braxton while Calvin was on the State Police  
 11 Commission?  
 12 A. No.  
 13 Q. Did anyone affiliated with the State  
 14 Troopers Association complain about how Calvin  
 15 Braxton voted or the positions he took on the  
 16 Commission?  
 17 A. Not to me.  
 18 Q. Well, did you hear anything about that?  
 19 A. No.  
 20 Q. In the report, as I understand it, there  
 21 is some reference to a discussion allegedly between  
 22 Colonel Edmonson and Mr. Braxton. That's on page 3  
 23 of 5 of that report.  
 24 A. Okay.  
 25 Q. Can you tell me whether or not you ever

43

1 Q. Tell me about your involvement with the  
 2 State Troopers Association over the years.  
 3 A. Let's see. I was president of the  
 4 Trooper's -- I was affiliate president at Troop A,  
 5 and then I was statewide president for eight years.  
 6 Q. From when to when?  
 7 A. I want to say 1999 until I became a  
 8 captain in 2008.  
 9 Q. And then what?  
 10 A. And then you're -- after you're a rank of  
 11 captain and above, you're just an associate member,  
 12 so you can't really participate in the daily  
 13 operations of the Troopers Association.  
 14 Q. So were you on the board for the State  
 15 Troopers Association at some point in time?  
 16 A. I was when I was the Troop A president. I  
 17 was the statewide president, so I ran the meetings.  
 18 Q. And was Mr. Young the executive director?  
 19 A. Yes.  
 20 Q. And were you friends with Mr. Young?  
 21 A. Yes.  
 22 Q. And have you remained friends with  
 23 Mr. Young?  
 24 A. Yes.  
 25 Q. Has he socialized at your house with you?

45

1 talked to Colonel Edmonson about any discussions he  
 2 may or may not have had with Mr. Braxton?  
 3 A. He only told me he was going to call  
 4 Mr. Braxton. He didn't tell me what, when, where,  
 5 how, why.  
 6 Q. When did he tell you he was going to call  
 7 Mr. Braxton?  
 8 A. After Colonel Staton requested an incident  
 9 report.  
 10 Q. Okay. In that meeting, did Colonel  
 11 Edmonson ever tell you whether or not he had ever  
 12 spoken to Calvin about Calvin's daughter getting the  
 13 DWI?  
 14 A. He didn't tell me what him and Mr. Braxton  
 15 spoke about.  
 16 Q. Did he ever tell you he had ever spoken to  
 17 Mr. Braxton around the time Mr. Braxton's daughter  
 18 got a DWI?  
 19 A. Not that I'm aware of.  
 20 Q. The only time he told you that he was,  
 21 quote, going to call Calvin about some incident  
 22 between Mr. Braxton and Mr. Oliphant was when you  
 23 had the meeting and it was discussed, LSTA wants  
 24 Mr. Oliphant to document his interaction; is that  
 25 correct?

46

1 A. That's correct.

2 **Q. Do you know whether or not Mr. Edmonson**

3 **reviewed this report before it was issued?**

4 A. I don't know.

5 **Q. What was the process for an incident**

6 **report in 2016?**

7 A. Normally, an incident report stays within

8 the section that it's written in.

9 **Q. What do you mean?**

10 A. Well, for instance, if you're a trooper

11 and you come out and your car has got a dent in the

12 door, you would write an incident report. So it

13 would be recorded and placed in a file so you'd have

14 documentation that the trooper reported the ding,

15 because it's got to be fixed and repaired. Troopers

16 lose weapons, misplace weapons. Troopers have

17 weapons stolen out of cars. Incident reports are

18 created for those. Interactions between troopers,

19 especially if they were to get heated or an

20 argument, would be recorded in an incident report,

21 so you'd have all the information to determine

22 whether, you know, there was rationale and reason to

23 send it to internal affairs or whether there should

24 be a further investigation based on what was written

25 in the incident report.

48

1 **submitted a report?**

2 A. Well, you would look at the date of the

3 incident and then the date of the report. You'd

4 probably do a verbal reprimand to begin with and

5 then do a progressive discipline model on it.

6 Sometimes you're doing reports after the fact

7 because no one believed it should be documented, you

8 know. That happens, too. And then you hear other

9 sides of stories, and then you do document it, so...

10 **Q. But this one wasn't usual; am I correct?**

11 **It wasn't usual from the standpoint that**

12 **Mr. Oliphant didn't contemplate putting together**

13 **this report until he was asked to by State Troopers**

14 **Association, as you understand it, right?**

15 A. As I understand it, yes.

16 **Q. Okay. And when he did so, he created this**

17 **report that was with the blessing, if you will, of**

18 **the command staff at State Police, right?**

19 A. At the direction of the command staff, not

20 the blessing.

21 **Q. The direction?**

22 A. Yes.

23 **Q. Got it. And, sir, with respect to this**

24 **incident report, am I correct that the typical**

25 **timeframe per policy is that incident reports or**

47

1 **Q. I get it, that's what you said was**

2 **normally, but this particular incident report was**

3 **not handled the same way; am I correct?**

4 A. The only thing handled differently was it

5 was written after the event occurred.

6 **Q. Six months later?**

7 A. Yeah.

8 **Q. So that was abnormal?**

9 A. I wouldn't say it's abnormal. It's

10 unusual.

11 **Q. You were in internal affairs; am I right?**

12 A. I was.

13 **Q. Tell me how many times you investigated**

14 **troopers for not completing their reports timely.**

15 A. I don't know if that's an internal affairs

16 investigation.

17 **Q. So the answer is, no, you never did that?**

18 A. Unh-unh. Not for reporting, no.

19 **Q. How about in a command position? Do you**

20 **recall ever cautioning or reprimanding or**

21 **disciplining any troopers under your command for not**

22 **timely turning in their reports?**

23 A. Sure.

24 **Q. And what guideline do you use for**

25 **determining whether or not someone has timely**

49

1 **reports need to be turned in by the end of the**

2 **shift?**

3 A. I'd have to look at policy again, but that

4 sounds reasonable.

5 **Q. And so can you tell me under what**

6 **circumstances was this report directed to be**

7 **prepared six months after the alleged interaction,**

8 **except for what you told us, which was LSTA asked**

9 **for it?**

10 A. LSTA asked for Captain Oliphant to

11 document his conversation. I don't know if they

12 asked him for a report. Colonel Staton, on

13 abundance of caution, recommended that we do an

14 incident report and document the interaction between

15 Captain Oliphant and Mr. Braxton, and we agreed that

16 that was the best course of action.

17 **Q. Did you ever hear why LSTA wanted**

18 **Mr. Oliphant to document his interaction with**

19 **Mr. Braxton?**

20 A. No.

21 **Q. See, here's why I'm asking. I could run**

22 **into a state trooper tomorrow at the Chevron down**

23 **the corner.**

24 A. Uh-huh.

25 **Q. There would be no reason necessarily for a**

50

1 state trooper to document that. Could you tell me  
 2 why, if you know, LSTA was asking for any  
 3 interaction between Mr. Oliphant and Mr. Braxton to  
 4 be documented, especially six months later?  
 5 A. I don't -- I don't know.  
 6 Q. You never heard anything about that?  
 7 A. No.  
 8 Q. You were an internal affairs investigator.  
 9 Are you telling me you weren't at least curious as  
 10 to why LSTA was requesting that Mr. Oliphant  
 11 document an interaction that had occurred six months  
 12 earlier?  
 13 A. I was an internal affairs investigator,  
 14 that's correct. I made sure that I stayed out of  
 15 the Trooper Association's day-to-day operations and  
 16 business. It's not my concern. My concern, as  
 17 chief of staff, was the day-to-day operations of the  
 18 State Police. The Troopers Association is a labor  
 19 organization. Their focus should be concerned with  
 20 the -- this is my opinion -- the quality of the  
 21 troopers, their benefits, a fair testing and  
 22 promotional process, and retirement, so...  
 23 Q. So you were --  
 24 A. Not the direction that the department  
 25 should move and focus on, not the day-to-day

52

1 Mr. Braxton, as a member of the Commission, had  
 2 raised questions about illegal donations by  
 3 Mr. Young and the State Troopers Association --  
 4 A. No.  
 5 Q. -- to politicians?  
 6 A. No.  
 7 Q. Did you hear anything about that later?  
 8 A. Yeah. I had heard that -- oh, forgive me.  
 9 I can't remember the man's name. He's a retired  
 10 trooper, was complaining.  
 11 Q. Mr. Millett, M-I-L-L-E-T-T?  
 12 A. That's him. And --  
 13 Q. He was complaining to the Commission,  
 14 right?  
 15 A. Right. And another trooper, former  
 16 captain, Jesse Perry.  
 17 Q. They were complaining to the State Police  
 18 Commission?  
 19 A. About the LSTA's donations to political  
 20 campaigns.  
 21 Q. And Ms. Derbonne, the executive director,  
 22 it was your understanding she reported that to  
 23 various outlets; am I right?  
 24 A. I'm sorry? Say that again.  
 25 Q. She reported it to various outlets; am I

51

1 operations of State Police.  
 2 Q. So you weren't at least curious as to why  
 3 the State Troopers Association six months later  
 4 wanted Mr. Oliphant to document some interaction he  
 5 had with Mr. Braxton? Not curious at all?  
 6 A. No.  
 7 Q. You knew, did you not, that there had been  
 8 a complaint filed over straw political donations  
 9 being made by the Troopers Association illegally?  
 10 A. Yes.  
 11 Q. And that was at the same time the State  
 12 Troopers Association is asking Mr. Oliphant to  
 13 document interactions with Mr. Braxton; is that  
 14 right?  
 15 A. I don't know. I guess.  
 16 Q. Okay. Well, let's see. In Exhibit #12,  
 17 this is a consent order. It's dated -- it's consent  
 18 order 2015, which corresponds to the year of the  
 19 complaint, dash 1385. It's in the matter of  
 20 Louisiana State Troopers Association and David  
 21 Young.  
 22 Did you ever become aware of that, that  
 23 consent order?  
 24 A. No.  
 25 Q. Can you tell me whether or not in 2015

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1 correct?  
 2 A. Who?  
 3 Q. Cathy Derbonne?  
 4 A. Yes.  
 5 Q. And you knew that Mr. Braxton, likewise,  
 6 raised an objection to these donations, correct?  
 7 A. No.  
 8 Q. You didn't know?  
 9 A. No.  
 10 Q. Did you know whether or not he assisted  
 11 Ms. Derbonne in the reporting of these illegal  
 12 political donations?  
 13 A. I do not.  
 14 Q. Okay. Tell me who you talked to about  
 15 these illegal political donations.  
 16 A. I don't remember who we were talking to.  
 17 It was in the paper and on the news, so...  
 18 Q. I'm talking about before it was in the  
 19 paper.  
 20 A. Oh, I don't know. I have no idea about --  
 21 I don't know.  
 22 Q. And you were aware, were you not, that  
 23 there was an issue raised about members of the State  
 24 Police Commission themselves having made illegal  
 25 political donations, right?

54

1 A. In the paper.

2 **Q. In the paper. You never heard about that**

3 **from anybody else?**

4 A. No.

5 **Q. Did you talk to anyone affiliated with the**

6 **State Troopers Association about the illegal**

7 **political donations, either by then Commission**

8 **members or by the State Troopers Association and its**

9 **executive director?**

10 A. No.

11 **Q. Can you tell me, what were some of the**

12 **other issues, to your knowledge, that either**

13 **Ms. Derbonne or Mr. Braxton were raising as it**

14 **relates to illegalities?**

15 A. I don't know.

16 **Q. What was the reaction? Were people happy**

17 **or unhappy?**

18 A. About?

19 **Q. Mr. Braxton raising issues.**

20 MR. FALCON: What people?

21 MS. CRAFT: Any people.

22 A. Not that I'm aware of.

23 BY MS. CRAFT:

24 **Q. How about you? What was your reaction?**

25 A. I didn't have any. I mean, it was fine.

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1 A. Yes.

2 **Q. Now, sir, I'm going to show you another**

3 **document which we've previously attached as Exhibit**

4 **#20. This is another incident that I wanted to ask**

5 **you about. It appears to be some sort of incident**

6 **that Mr. Oliphant wrote up March 2nd, 2018. The**

7 **date of the incident is allegedly February 1st,**

8 **2018. Do you know anything about that incident?**

9 A. I do not.

10 **Q. You never heard about it before?**

11 A. No.

12 **Q. Were you gone from State Police in March**

13 **of 2018?**

14 A. I was on leave with my mother.

15 **Q. Did you hear anything about some sort of**

16 **alleged incident between Mr. Braxton and --**

17 A. No.

18 **Q. -- Mr. Oliphant?**

19 A. No.

20 **Q. Did you hear about it subsequently?**

21 A. The attorney asked me if I knew anything

22 about a second incident report, and I told him no.

23 **Q. The attorney you met with?**

24 A. Yeah.

25 **Q. Did you know anything about a Facebook**

55

1 **Q. What was fine?**

2 A. That they raised questions about the

3 contributions. If the contributions weren't done

4 properly, then they should be looked at.

5 **Q. Did you know anything about requests from**

6 **the media concerning Mr. Braxton?**

7 A. Not that I -- not that I know of or

8 recall. I don't know.

9 **Q. Did you hear anything about Lee Zurik**

10 **making requests for information on Calvin Braxton**

11 **from the State Police Commission?**

12 A. No.

13 **Q. I'm going to show you a document which**

14 **we've already attached as Exhibit #16. It looks**

15 **like a public records request or a request from Lee**

16 **Zurik on July 14th, 2017.**

17 A. Okay.

18 **Q. Have you ever seen that document before?**

19 A. I have not.

20 **Q. Did you hear anything about that,**

21 **Mr. Zurik doing an investigation into Calvin Braxton**

22 **and some incident report between he and**

23 **Mr. Oliphant?**

24 A. I saw the news report.

25 **Q. By Mr. Zurik; is that correct?**

57

1 **posting by Mr. Oliphant accusing my client of**

2 **improprieties?**

3 A. No.

4 MR. OXENHANDLER: Objection to form.

5 BY MS. CRAFT:

6 **Q. This Exhibit #20, which is a March 2018**

7 **incident report, had you heard anything about**

8 **Mr. Oliphant accusing Mr. Braxton of being involved**

9 **in some sort of murder?**

10 A. No.

11 **Q. Or questionable death?**

12 A. No.

13 **Q. Did you talk to anyone -- and let me ask**

14 **specifically. Did you talk to anybody, like**

15 **Lieutenant Colonel Murphy Paul, about Calvin**

16 **Braxton?**

17 A. I don't know. I may have.

18 **Q. Did you ever call Mr. Oliphant about**

19 **Calvin Braxton?**

20 A. No.

21 **Q. Never happened?**

22 A. No.

23 **Q. I'm going to show you a document which**

24 **we've attached to these depositions as Exhibit #14.**

25 **This purports to be some sort of diary that**

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1 Mr. Oliphant prepared. He documented on July 13th,  
 2 2016, Wednesday, I received a call this morning from  
 3 LSP Chief of Staff Charlie Dupuy, who stated Calvin  
 4 Braxton had received a phone call from Colonel  
 5 Edmonson about my letter that I had written. He  
 6 stated Braxton was not happy at all and told them I  
 7 was lying. Dupuy said he was just giving me a  
 8 courtesy call to make me aware of the letter being  
 9 delivered. He was also making sure I was good and  
 10 that I wasn't worrying about anything happening to  
 11 me. I took the comment as him saying that Colonel  
 12 Edmonson, being that he and Braxton are friends, was  
 13 good with the report, as well.  
 14 **What do you know about that?**  
 15 A. Well, obviously, that's what happened,  
 16 so...  
 17 **Q. Well, you tell me what you remember, sir,**  
 18 **because he may have written it down wrong.**  
 19 A. No.  
 20 **Q. No, what? He didn't write it down wrong?**  
 21 A. I don't think so.  
 22 **Q. So tell me about that call.**  
 23 A. I can't remember the call.  
 24 **Q. I'm sorry?**  
 25 A. I can't remember the call. I'm sure I

60

1 A. Right.  
 2 **Q. I'm talking about 2016.**  
 3 A. This incident report, I had to have seen  
 4 or known about.  
 5 **Q. That's the one from June 2nd, 2016; is**  
 6 **that right?**  
 7 A. Correct.  
 8 **Q. Okay. Well, I'm asking you about the**  
 9 **letter.**  
 10 A. I don't know anything about that.  
 11 **Q. Let me finish.**  
 12 A. I'm sorry.  
 13 **Q. This letter is dated July 11th, 2016. On**  
 14 **July 13th, 2016, Mr. Oliphant is documenting, I**  
 15 **received a phone call this morning from LSP Chief of**  
 16 **Staff Charlie Dupuy, who stated Calvin Braxton had**  
 17 **received a phone call from Colonel Edmonson about my**  
 18 **letter that I had written. He stated Braxton was**  
 19 **not happy at all and told them I was lying. Dupuy**  
 20 **said he was just giving me a courtesy call to make**  
 21 **me aware of the letter being delivered.**  
 22 **What letter? What letter was being**  
 23 **delivered?**  
 24 A. I don't know. I'm assuming he's talking  
 25 about the incident report --

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1 called him. He said I did, so I did.  
 2 **Q. What letter?**  
 3 A. What letter what?  
 4 **Q. What letter are you referring to? What**  
 5 **letter is this referring to?**  
 6 A. His incident report.  
 7 **Q. Well, I'm going to show you a document.**  
 8 **It was attached to our petition, which is Deposition**  
 9 **Exhibit #1. It's a letter dated July 11th, 2016, to**  
 10 **Governor John Bel Edwards, Re: Calvin W. Braxton,**  
 11 **Sr.**  
 12 **Can you tell me if that's the letter being**  
 13 **referred to on July 13th when you called**  
 14 **Mr. Oliphant?**  
 15 A. No. I was talking about the incident  
 16 report. I've never seen that letter.  
 17 **Q. You've never seen the letter?**  
 18 A. No.  
 19 **Q. So when I asked you earlier about the two**  
 20 **letters that were delivered and you said something**  
 21 **about, you knew that they -- there had been letters,**  
 22 **you had never seen them?**  
 23 A. I have never seen the -- I've never seen  
 24 this incident report.  
 25 **Q. The 2018 one?**

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1 **Q. I don't want --**  
 2 A. -- because that's what I'm talking about.  
 3 **Q. Well, I don't want you to assume. Is that**  
 4 **what you told him? Hey, the incident report has**  
 5 **been delivered to Calvin Braxton --**  
 6 A. I don't remember.  
 7 **Q. Let me finish.**  
 8 **-- on July 13th, 2016? Is that what you**  
 9 **were telling him, or were you telling him about the**  
 10 **July 11th, 2016, letter?**  
 11 A. I've never seen the July letter, so  
 12 there's no way I was talking to him about that  
 13 letter, because I don't know nothing about it.  
 14 **Q. So are you telling me that Colonel**  
 15 **Edmonson delivered to Calvin Braxton a copy of**  
 16 **Mr. Oliphant's June 2nd, 2016, report on July 13th,**  
 17 **2016?**  
 18 A. I don't know what Colonel Edmonson  
 19 delivered to Mr. Braxton.  
 20 **Q. Well, what were you telling Mr. Oliphant**  
 21 **was delivered?**  
 22 A. Again, I don't remember the conversation,  
 23 so my recollection is about the incident report.  
 24 **Q. Did you ever make any notes of any**  
 25 **interactions you had with Mr. Oliphant?**



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1 A. No.

2 **Q. Now, the report, it had to be approved**

3 **through the chain of command, the June 2016 report;**

4 **am I correct?**

5 A. Which -- I don't understand what you mean,

6 approved.

7 **Q. Okay. Was it approved through the chain**

8 **of command?**

9 A. I'm guessing it was given to the major and

10 sent to Colonel Staton, so I don't know if you call

11 that approved or received.

12 **Q. Well, do you know under what circumstances**

13 **a commander above Mr. Oliphant would be making**

14 **changes to the incident report?**

15 A. I had no idea about changes to the

16 incident report.

17 **Q. Under what circumstances would that occur,**

18 **if you know?**

19 A. I guess if there was an incorrect spelling

20 or the person writing the incident report remembered

21 something else that occurred. I don't know.

22 **Q. Did you talk to anybody about changes that**

23 **had been made?**

24 A. No. I mean, incident reports are written

25 every day in State Police, so I don't see those

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1 **Colonel Edmonson told him to call me and tell me to**

2 **move the guy. He said he had spoken to Thurman**

3 **Miller, who told him, Braxton, that Colonel Edmonson**

4 **and Charlie Dupuy told him, Miller, to take**

5 **Linebaugh under his wing and that everything was**

6 **going to be all right.**

7 **Do you remember anything about that?**

8 A. I don't recall that specific conversation,

9 but it sounds reasonable.

10 **Q. Then he writes, I advised Braxton that I**

11 **asked Miller about the incident, and he adamantly**

12 **denied telling him, Braxton, that. He said there**

13 **was a lot of other stuff that Miller said, but he**

14 **didn't take it at heart. He said he always wondered**

15 **what Miller had to do with any of it anyway and why**

16 **would they be telling him about Linebaugh. He**

17 **stated he called me out of respect, about Miller**

18 **taking Linebaugh under his wings, telling me to,**

19 **quote, watch out because they, Edmonson and Charlie,**

20 **have Miller trying to take care of things concerning**

21 **Linebaugh.**

22 **What's that about?**

23 A. I don't know.

24 **Q. Well, did you ever talk to Mr. Linebaugh?**

25 A. No.

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1 incident reports.

2 **Q. Well, you saw this one.**

3 A. I was told about this one.

4 **Q. You didn't see it?**

5 A. If I did, I don't remember it, but I

6 probably did. I probably did. I'm sure I did. I'm

7 sure Colonel Staton sent me a copy of it.

8 **Q. Did you ever tell -- do you know who**

9 **Thurman Miller is?**

10 A. I do.

11 **Q. Do you recall ever making any statements**

12 **to Thurman Miller that he was to take Officer**

13 **Linebaugh under his wing?**

14 A. I could have.

15 **Q. And why was that?**

16 A. Thurman is an experienced trooper.

17 Linebaugh was a rookie. They're both from

18 Natchitoches Parish, so...

19 **Q. Here's why I'm asking. In Mr. Oliphant's**

20 **diary of conversations, he says on one of his**

21 **pages -- it's at line 1410 of Exhibit #14. He**

22 **says -- let's see. He stated he did say what he**

23 **said, and he said what he said because of what he**

24 **was told by Colonel Edmonson. That's Mr. Oliphant**

25 **referring to Mr. Braxton, I believe. He said**

65

1 **Q. Did you ever talk to him about any**

2 **interactions he had with Mr. Braxton's daughter?**

3 A. No.

4 **Q. Then he writes, he asked why -- he asked**

5 **why he would have a reason to lie. He said if**

6 **Thurman Miller denied it, why didn't I call him back**

7 **and let him know that. I advised Braxton that it**

8 **would only cause dissention, so I did not call and**

9 **tell him. I advised Braxton that since Miller**

10 **denied that he ever said anything about taking**

11 **Linebaugh under his wing, it was not important.**

12 A. Is that Captain Oliphant saying that?

13 **Q. Yes, sir.**

14 A. Okay.

15 **Q. About you. You don't remember anything**

16 **about that?**

17 A. Unh-unh. No, ma'am.

18 **Q. He writes on August 8th, in his diary,**

19 **2016, he says, attended an LSP commander's meeting**

20 **in Baton Rouge, Louisiana, at LSP HQ at 900 hours.**

21 **I spoke with Colonel Dupuy briefly, and he mentioned**

22 **Kimberly McKneely making comments on the Louisiana**

23 **Voice.**

24 **Tell me about that conversation you had**

25 **with Mr. Oliphant.**

66

1 A. I don't remember that. I don't know who  
 2 Kimberly McKneely is. Maybe she's a trooper.  
 3 **Q. Do you know what Louisiana Voice is?**  
 4 A. It's a blog. McKneely is a trooper; is  
 5 that right?  
 6 **Q. I don't know, sir. I'm asking the**  
 7 **questions.**  
 8 A. So I'm sorry. I was just trying to get  
 9 clarification.  
 10 **Q. I'm just asking about what Mr. Oliphant**  
 11 **attributes to you, sir.**  
 12 A. I understand. I can't tell you if  
 13 McKneely is a trooper or not, so...  
 14 **Q. Then he says, he, meaning you, suggested**  
 15 **that I have a computer audit done on all**  
 16 **administrative staff.**  
 17 **What's that about?**  
 18 A. I don't remember.  
 19 **Q. Then he wrote, he, meaning you, stated he**  
 20 **would have Mike Sittig, S-I-T-T-I-G, get with me on**  
 21 **the audit. Who's that?**  
 22 A. Sittig. He's the AT.  
 23 **Q. Why were you wanting the administrative**  
 24 **staff to be audited?**  
 25 A. I don't remember.

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1 A. No. I could have been, but I don't know  
 2 if I was or not.  
 3 **Q. Do you remember a meeting where**  
 4 **Mr. Braxton was, in the words that Mr. Oliphant**  
 5 **reported, unusually quiet?**  
 6 A. Do I remember the meeting? No.  
 7 **Q. Do you remember a meeting where**  
 8 **Mr. Braxton was unusually quiet?**  
 9 A. I would only go to the -- so no is the  
 10 answer to your question. But just to put it in  
 11 context, I would only go to testify in appeals. So  
 12 I don't know the day-to-day operations of the  
 13 Commission or the interactions of the commissioners.  
 14 **Q. So the answer to my question is, you don't**  
 15 **recall there being a meeting that you witnessed**  
 16 **Mr. Braxton being unusually quiet?**  
 17 A. Correct.  
 18 **Q. And my other question is, do you recall**  
 19 **any meetings where Mr. Braxton, quote, voted for**  
 20 **everything, including things he wouldn't have**  
 21 **ordinarily done as a commissioner?**  
 22 A. No.  
 23 **Q. August 11th, 2016, do you know if that**  
 24 **relates in any way to the July 11th, 2016, letter**  
 25 **sent to the Governor, enclosing a copy of**

67

1 **Q. Why were you telling Mr. Oliphant anything**  
 2 **about that?**  
 3 A. I'm -- I don't remember. I don't know.  
 4 **Q. Then he says, during one of the breaks at**  
 5 **the meeting, Murphy Paul approached and started**  
 6 **talking about Calvin Braxton. He stated that Calvin**  
 7 **Braxton was the one telling Colonel Edmonson that**  
 8 **he, Paul, was going to be the next LSP colonel.**  
 9 **Paul stated he told Calvin not to mention his name**  
 10 **like that ever again.**  
 11 **Do you remember any of that?**  
 12 A. No.  
 13 **Q. There's an entry on August 11th, 2016,**  
 14 **where Mr. Oliphant reports, I spoke with Thurman**  
 15 **Miller, who stated Calvin Braxton was at the LSP**  
 16 **Commission meeting today and was rather quiet. He**  
 17 **stated Braxton voted for, quote, everything, end**  
 18 **quote, on the agenda, which is very unusual. Then**  
 19 **he says, I later talked to -- and it's blacked out,**  
 20 **I don't know who that is -- who stated he had spoken**  
 21 **to Braxton, as well. He stated Braxton told him he**  
 22 **voted for things on the agenda he ordinarily**  
 23 **wouldn't have voted for.**  
 24 **Do you remember being at the LSP**  
 25 **Commission meeting in August of 2016?**

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1 **Mr. Oliphant's report?**  
 2 A. I do not.  
 3 **Q. Do you know if the two events were tied?**  
 4 A. I do not.  
 5 **Q. Can you tell me about any other**  
 6 **conversations you had with Mr. Oliphant regarding**  
 7 **Calvin Braxton, if any?**  
 8 A. No.  
 9 **Q. Bad question. Any conversations you had**  
 10 **with Calvin Braxton regarding -- I mean, with**  
 11 **Mr. Oliphant regarding Calvin Braxton?**  
 12 A. No.  
 13 **Q. Okay. I'm going to show you a document**  
 14 **which we've attached as Exhibit #23. It is a series**  
 15 **of e-mails, including e-mails from you, in the**  
 16 **June/July 2016 timeframe. It starts at the back, on**  
 17 **the last two pages. The last page is an e-mail from**  
 18 **Kevin Reeves to David Staton regarding Calvin**  
 19 **Braxton, June 8th, 2016, I have attached Captain**  
 20 **Oliphant's incident report concerning Calvin**  
 21 **Braxton.**  
 22 A. Okay.  
 23 **Q. Do you remember anything about that**  
 24 **e-mail?**  
 25 A. No.

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1 **Q. Then the second to last page, it looks**  
 2 **like it's an e-mail from David Staton, June 10th,**  
 3 **2016, to you, Subject, Calvin Braxton. Do you**  
 4 **remember that e-mail?**  
 5 A. Yeah. I said that Staton would have sent  
 6 me an e-mail on the incident report, so that's what  
 7 that is.  
 8 **Q. He writes, Lieutenant Colonel -- LTC**  
 9 **Dupuy, I am forwarding this incident report up the**  
 10 **chain of command for review and consideration.**  
 11 **Captain Oliphant did the right thing in supporting**  
 12 **his trooper in the appropriate performance of his**  
 13 **duties, but the report raises serious concerns about**  
 14 **the possible inappropriate attempt to influence the**  
 15 **public safety mission of the department. Thank you,**  
 16 **Dave.**  
 17 **Do you remember anything about that?**  
 18 A. Other than receiving the e-mail, no.  
 19 **Q. Let me ask you something.**  
 20 A. All right.  
 21 **Q. If, as he wrote, Mr. Staton wrote, that it**  
 22 **raised serious concerns about Mr. Braxton, can you**  
 23 **tell me why nobody at State Police did anything for**  
 24 **six months?**  
 25 A. Well, this is after --

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1 **Q. Got it. You hadn't heard about it**  
 2 **beforehand?**  
 3 A. No.  
 4 **Q. What about Mr. Staton? Did he ever tell**  
 5 **you he knew about it back in December?**  
 6 A. The way I understand it, when Colonel  
 7 Staton came in the cafeteria is when he gained  
 8 knowledge that Captain Oliphant had been requested  
 9 to document his interactions between himself and  
 10 Mr. Braxton, and that Colonel Staton thought it  
 11 should be in an incident report.  
 12 **Q. Here's why I'm asking.**  
 13 A. Okay.  
 14 **Q. You see, if Mr. Reeves, Mr. Edmonson,**  
 15 **Mr. Staton, Mr. Hyatt, all knew that there was some**  
 16 **claim by Mr. Oliphant that Mr. Braxton asked for**  
 17 **some sort of punishment or special treatment arising**  
 18 **out of this DWI in December of 2015, if they knew in**  
 19 **December of 2015, or even January or February of**  
 20 **2016, wouldn't you have asked -- or wouldn't you**  
 21 **have expected somebody to be documenting that, what**  
 22 **he's referring to here? He says, serious concerns**  
 23 **about possible inappropriate influence, attempt to**  
 24 **influence.**  
 25 A. Well, that's Colonel Staton's words.

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1 **Q. Six months.**  
 2 A. -- Captain Oliphant wrote the incident  
 3 report, so apparently -- or having knowledge of  
 4 it -- or not having knowledge of it prior to the  
 5 incident report being written, couldn't act on it  
 6 anyway.  
 7 **Q. So are you telling me that you didn't have**  
 8 **any knowledge that there had been some interaction**  
 9 **between Mr. Oliphant and Mr. Braxton until you saw**  
 10 **the report?**  
 11 A. I didn't know the extent of it till I saw  
 12 the report.  
 13 **Q. Well, what does that mean?**  
 14 A. That he's documented everything that him  
 15 and Mr. Braxton discussed.  
 16 **Q. So did you know about it beforehand? You**  
 17 **had heard something about it?**  
 18 A. Well, I was briefed by Colonel Staton  
 19 about it.  
 20 **Q. At that lunch meeting where you guys**  
 21 **decided you would do an incident report?**  
 22 A. Right.  
 23 MR. FALCON: Breakfast meeting.  
 24 A. Breakfast meeting.  
 25 BY MS. CRAFT:

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1 **Q. Uh-huh.**  
 2 A. And that's his interpretation.  
 3 **Q. Well, you don't think it raises questions,**  
 4 **sir?**  
 5 A. I think that that's a troop commander's  
 6 issue. I think the troop commander should resolve  
 7 it at his level. I don't think it should rise  
 8 higher than the troop commander. He's the person  
 9 who assigns his personnel at his troop and directs  
 10 where they're going to be working and what they're  
 11 going to be doing. So I don't know why it would  
 12 need to go any higher than the troop commander.  
 13 **Q. Okay. Well, again, if Mr. Staton knew,**  
 14 **for example, in December of 2015 that this**  
 15 **interaction, according to Mr. Oliphant, had**  
 16 **occurred, wouldn't you have expected him to do**  
 17 **something?**  
 18 A. You'd have to ask Colonel Staton that.  
 19 **Q. I did. I'm asking you.**  
 20 A. I don't know.  
 21 **Q. What about Mr. Hyatt? What was his**  
 22 **position in June of 2016?**  
 23 A. Rodney Hyatt?  
 24 **Q. Yes, sir.**  
 25 A. He was a lieutenant.

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1 **Q. Okay. Mr. Reeves, what was his position?**  
 2 A. He was a major.  
 3 **Q. He was over Mr. Oliphant; is that right?**  
 4 A. That's correct.  
 5 **Q. Wouldn't you have expected Mr. Oliphant,**  
 6 **if he knew about some interaction between**  
 7 **Mr. Oliphant and Mr. Braxton in December of 2015, to**  
 8 **have taken some action?**  
 9 A. Again, it's -- when you read the incident  
 10 report, he's talking about being called by  
 11 Mr. Braxton about moving the trooper, and he didn't  
 12 move the trooper. So I don't know what else he  
 13 would need to do.  
 14 **Q. Well, wasn't it also Mr. Oliphant's**  
 15 **contention that Mr. Braxton threatened Trooper**  
 16 **Linebaugh and wanted him punished, or that if he**  
 17 **appeared in front of him as a Commission member, he**  
 18 **might not be so favorable?**  
 19 A. That is in there, yes.  
 20 **Q. Sir, if I did that, as a member of the**  
 21 **public, and I had even the possibility of being able**  
 22 **to influence some sort of trooper or punish them for**  
 23 **arresting one of my kids, isn't that a crime?**  
 24 MR. OXENHANDLER: Object to form.  
 25 BY MS. CRAFT:

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1 A. Well, I would assume because he was  
 2 requested to document the interactions between him  
 3 and Mr. Braxton.  
 4 **Q. Here's where I have trouble, and maybe you**  
 5 **can help me understand it.**  
 6 A. Okay.  
 7 **Q. Mr. Oliphant was the troop commander in**  
 8 **Natchitoches Parish, right, or over that area?**  
 9 A. Yes.  
 10 **Q. Right? He claims that Mr. Braxton engaged**  
 11 **in some sort of public intimidation of him, right?**  
 12 MR. OXENHANDLER: Object to the form.  
 13 MS. CRAFT: Okay.  
 14 BY MS. CRAFT:  
 15 **Q. Go ahead. You can answer it.**  
 16 A. I'm sorry. You're going to have to ask it  
 17 again.  
 18 **Q. Mr. Oliphant claims that Mr. Braxton**  
 19 **engaged in some sort of public intimidation. You**  
 20 **know that, right?**  
 21 MR. OXENHANDLER: Objection to form.  
 22 BY MS. CRAFT:  
 23 **Q. You can answer it.**  
 24 A. Are we talking about the '16 incident  
 25 report?

75

1 **Q. You can answer it.**  
 2 A. I don't know.  
 3 **Q. Don't you guys arrest people for things**  
 4 **like public intimidation when they are trying to**  
 5 **interfere with or impair some officer's ability to**  
 6 **handle their business?**  
 7 A. We would charge you with public  
 8 intimidation.  
 9 **Q. Right. And that phrase "public**  
 10 **intimidation," that's a term of art, right? That's**  
 11 **a crime, right?**  
 12 A. If you're found guilty of, yeah.  
 13 **Q. Sure. So, again, sir, if you have**  
 14 **somebody like, let's just say Mr. Oliphant -- if he**  
 15 **characterized his interaction with Mr. Braxton as,**  
 16 **quote, public intimidation, end quote, wouldn't you**  
 17 **have expected him, as a law enforcement officer, to**  
 18 **do something then?**  
 19 A. If he believed it was valid, yeah.  
 20 **Q. What do you mean, if he believed it was**  
 21 **valid?**  
 22 A. If he believed it was public intimidation,  
 23 why didn't Captain Oliphant arrest him?  
 24 **Q. Why didn't he document it down instead of**  
 25 **waiting six months? Any explanation for that?**

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1 **Q. Yes, sir.**  
 2 A. I mean, saying that if the trooper came in  
 3 front of him, and I don't want to misquote it, so...  
 4 **Q. That's all right.**  
 5 A. I can't find it in the statement.  
 6 **Q. Well, I can make this question a little**  
 7 **simpler.**  
 8 A. Okay.  
 9 **Q. Here's what I understand. The only thing**  
 10 **that changed between December of 2015, when the**  
 11 **interaction alleged -- Mr. Oliphant alleges to have**  
 12 **occurred between he and Mr. Braxton, and June 2nd,**  
 13 **2016, in terms of preparing a document documenting**  
 14 **what happened, was the fact that the State Troopers**  
 15 **Association requested it.**  
 16 **Is there anything else you're aware of in**  
 17 **that ensuing six months that would explain why**  
 18 **nobody bothered to document this alleged interaction**  
 19 **between Mr. Braxton and Mr. Oliphant?**  
 20 MR. OXENHANDLER: Object to form.  
 21 BY MS. CRAFT:  
 22 **Q. You can answer it.**  
 23 A. No. I don't know.  
 24 **Q. Tell me, in your career with State Police,**  
 25 **how many times you are aware or heard of the State**

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1 Troopers Association asking any trooper to document  
 2 an interaction, besides this one.  
 3 A. I don't know.  
 4 Q. You made a statement earlier, that it's  
 5 not the job of the State Troopers Association to be  
 6 involved in the day-to-day affairs of the State  
 7 Police; is that true?  
 8 A. That's correct.  
 9 Q. So can you tell me in this circumstance  
 10 why it is you think the State Troopers Association  
 11 decided to get involved in the day-to-day operations  
 12 of the State Police?  
 13 A. Well, that's not the day-to-day operations  
 14 of State Police, but, no, I don't know.  
 15 Q. Well, it is, is it not, when the State  
 16 Troopers Association is asking a ranking officer to  
 17 document an interaction that he himself never  
 18 bothered to document for six months?  
 19 A. Well, undoubtedly, he documented a lot of  
 20 stuff based on his diary, so I'm assuming in his  
 21 diary all this is documented in there.  
 22 Q. Well, I don't want you guessing.  
 23 A. Okay.  
 24 Q. I really don't want you guessing, but I'll  
 25 show you the little document that I have. It's

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1 the position of Mr. Oliphant wait six months?  
 2 A. I don't know.  
 3 Q. You wouldn't have waited six months, would  
 4 you have, sir?  
 5 A. No.  
 6 Q. I asked you about some e-mails that I  
 7 have, and I showed you the one where, it was back  
 8 here, about the public -- raises serious concerns  
 9 about possible inappropriate attempt to influence  
 10 the public safety mission.  
 11 Can you tell me whether or not there was  
 12 any discussion, that you heard about, as to whether  
 13 or not there should be charges pursued on Calvin  
 14 Braxton?  
 15 A. No, not that I'm aware of.  
 16 Q. Or how about getting him removed from the  
 17 State Police Commission? Was there some discussion  
 18 about that?  
 19 A. Not with me.  
 20 Q. Did you hear anything about that, sir?  
 21 A. No.  
 22 Q. So I asked you earlier about approving the  
 23 report. After you got the e-mail from Mr. Staton,  
 24 did you signal to anybody that you approved this  
 25 report, the June 2016 report?

79

1 Exhibit #14. Aside from some notes that he makes in  
 2 December of 2015, he does no incident reporting  
 3 until June of 2016.  
 4 A. Okay.  
 5 Q. My question again, sir, was, under what  
 6 circumstances would some sort of commander not  
 7 bother to document in an incident report something  
 8 like this, an interaction with Mr. Braxton, when  
 9 you're telling me that the same guy, if he gets a  
 10 ding on his car, is going to write an incident  
 11 report about it?  
 12 MR. FALCON: Objection to the form of  
 13 the question. It inquires as to -- excuse  
 14 me -- Oliphant's internal state of mind.  
 15 MS. CRAFT: Got it.  
 16 BY MS. CRAFT:  
 17 Q. You can answer it, sir.  
 18 A. I don't know.  
 19 Q. But the incident report you told me -- you  
 20 gave me examples. They would fill out incident  
 21 reports if somebody's vehicle got dinged, if a  
 22 weapon got stolen out of a vehicle, if they  
 23 misplaced their service revolver, right?  
 24 A. Yes.  
 25 Q. So why, if you know, would a commander in

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1 A. No. If I recall correctly, I discussed  
 2 the incident report with Colonel Edmonson. He said  
 3 he was going to call Mr. Braxton.  
 4 Q. You recall that because of the note that I  
 5 read you earlier?  
 6 A. No. I'm sitting here thinking. That's  
 7 why there's not another e-mail going to Colonel  
 8 Edmonson from me.  
 9 Q. So tell me about that discussion.  
 10 A. It was -- he had already been briefed  
 11 about the incident report. I said that I received  
 12 the incident report from Colonel Staton. He said he  
 13 was going to talk to Mr. Braxton.  
 14 Q. Were you aware of Cathy Derbonne's  
 15 departure as the executive director?  
 16 A. Other than she resigned, no, I don't know  
 17 anything about it.  
 18 Q. Were you there the day she resigned?  
 19 A. No.  
 20 Q. Did you know anything about some sort of  
 21 set up with cameras and media being present; she was  
 22 going to be facing an agenda item calling for her  
 23 removal?  
 24 A. No.  
 25 Q. You never heard anything about that?

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1 A. No.

2 **Q. So you had zero involvement, sir, in**

3 **putting out an agenda item as it relates to Cathy**

4 **Derbonne's continued employment --**

5 A. No.

6 **Q. -- or any of the events leading up to her**

7 **resignation?**

8 A. No.

9 **Q. Did you know T.J. Doss?**

10 A. I do.

11 **Q. And how do you know Mr. Doss?**

12 A. He's the -- he was the -- he's a state

13 trooper. He was the Commission -- elected member on

14 the State Police Commission.

15 **Q. Were you friends with him?**

16 A. Yes.

17 **Q. And are you still friends with him?**

18 A. Yes.

19 **Q. You socialize together?**

20 A. Yes.

21 **Q. And did you and Mr. Doss ever discuss**

22 **Cathy Derbonne's continued employment?**

23 A. No.

24 **Q. Never?**

25 A. Never.

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1 **Q. After you left State Police, what did you**

2 **do?**

3 A. Nothing.

4 **Q. Are you doing anything for a living now,**

5 **sir?**

6 A. Yeah.

7 **Q. Okay. What?**

8 A. I am a safety officer, safety director for

9 a trucking company.

10 **Q. Which trucking company?**

11 A. RLC Trucking.

12 **Q. And is that the first job you've had since**

13 **retiring from State Police?**

14 A. Yes.

15 **Q. As the safety director for RLC Trucking,**

16 **do you interact at all with folks at State Police?**

17 A. Only if they write a Federal Motor Carrier

18 violation or they work a crash on a truck that we

19 have under our flag.

20 **Q. So would you say, then, sir, that your**

21 **appearance at the State Police headquarters would be**

22 **rare?**

23 A. Yes.

24 **Q. So you wouldn't be up there like on a**

25 **weekly basis?**

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1 **Q. Did he ever mention to you whether or not**

2 **he was happy or unhappy with Cathy Derbonne's**

3 **performance as the executive director of the State**

4 **Police Commission?**

5 A. We didn't talk about Ms. Derbonne.

6 **Q. Did you and he ever discuss Mr. Braxton?**

7 A. No.

8 **Q. Did you ever talk to anyone affiliated**

9 **with the union about Mr. Braxton?**

10 A. No.

11 **Q. Did you hear anything about a Facebook**

12 **posting by Mr. Oliphant?**

13 A. No.

14 **Q. Now, you were telling me early in the**

15 **deposition about the discussion you had with the**

16 **lawyer. You told me that you talked about the bar**

17 **at JESTC, Colonel Oliphant's incident report. There**

18 **was one other thing that you mentioned. Oh, the**

19 **letter from July of 2016, you were asked about**

20 **whether or not you had seen that. What else did you**

21 **discuss with the lawyer?**

22 A. Talked about JESTC. He asked me about the

23 second incident report, which I'm not aware of. We

24 talked about JESTC. That's pretty much it, that I

25 remember.

85

1 A. No.

2 **Q. When was the last time you were up there?**

3 A. I guess May of -- May of -- March of '18.

4 **Q. That was the last time you were at State**

5 **Police headquarters?**

6 A. Other than when I went and met with the

7 attorney for -- in -- I'm trying to think. Yeah.

8 **Q. And you don't remember what year that was?**

9 A. The attorney?

10 **Q. Yes.**

11 A. That was a month ago or so, two months

12 ago.

13 **Q. Okay. So between two months ago and you**

14 **said May of 2018, you have not been at the State**

15 **Police headquarters?**

16 A. No. I don't think so.

17 **Q. Okay.**

18 A. Maybe --

19 **Q. We can take a short break.**

20 A. Maybe to get a driver's license. I can't

21 remember.

22 MS. CRAFT: Okay. Let's take a short

23 break.

24 (Recess.)

25 MS. CRAFT: Mr. Dupuy, I don't have

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1 any further questions. I don't know if  
 2 the other lawyers do, but before I get off  
 3 my subject, you have the right to read and  
 4 sign this deposition. I know that you  
 5 have given depositions before. That means  
 6 our court reporter will type out the  
 7 transcript of what you have said. You are  
 8 allowed to review it and you're allowed to  
 9 make changes on an errata sheet, which she  
 10 will send you.  
 11 THE WITNESS: Okay.  
 12 MS. CRAFT: That's your right. You  
 13 have to let the court reporter know at  
 14 some point what you want to do.  
 15 THE WITNESS: Yes, I'd like to.  
 16 MS. CRAFT: Anybody else?  
 17 MR. OXENHANDLER: I just have a  
 18 comment. Ms. Craft, you made a statement  
 19 during this deposition, when you were  
 20 questioning Major Dupuy, that you had  
 21 spoken with Colonel Staton.  
 22 COURT REPORTER: Are we on the record?  
 23 MR. OXENHANDLER: You had asked  
 24 Colonel Staton something. And I don't  
 25 recall. We haven't deposed Colonel Staton

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1 yet. Were you referring to a private  
 2 conversation you had with Colonel Staton,  
 3 or did you mean Colonel Starns -- or  
 4 Mr. Starns?  
 5 COURT REPORTER: Mr. Oxenhandler, are  
 6 we on the record?  
 7 MR. OXENHANDLER: Yes.  
 8 MS. CRAFT: Okay. Well, I'm not  
 9 answering your questions, so sorry. Do  
 10 you have any questions of this witness?  
 11 MR. OXENHANDLER: No, I don't have any  
 12 other questions.  
 13 Thank you, Mr. Dupuy.  
 14 MS. CRAFT: Mr. Falcon?  
 15 MR. FALCON: None.  
 16 MS. CRAFT: Okay. You're finished.  
 17 Thank you, sir.  
 18 (DEPOSITION CONCLUDED AT 2:41 P.M.)  
 19  
 20  
 21  
 22  
 23  
 24  
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1 R E P O R T E R ' S C E R T I F I C A T E  
 2 This transcript is valid only for a  
 3 transcript accompanied by my original signature and  
 4 original required seal on this page.  
 5 I, Leslie B. Doyle, Certified Court  
 6 Reporter (LA Certificate #93096), in and for the  
 7 State of Louisiana, as the officer before whom this  
 8 testimony was taken, do hereby certify that CHARLES  
 9 DUPUY, after having been duly sworn by me upon  
 10 authority of R.S. 37:2554, did testify as herein  
 11 before set forth in the foregoing 87 pages; that  
 12 this testimony was reported by me in the stenotype  
 13 reporting method, was prepared and transcribed by me  
 14 or under my personal direction and supervision, and  
 15 is a true and correct transcript to the best of my  
 16 ability and understanding; that the transcript has  
 17 been prepared in compliance with transcript format  
 18 guidelines required by statute or by rules of the  
 19 board, that I have acted in compliance with the  
 20 prohibition on contractual relationships, as defined  
 21 by Louisiana Code of Civil Procedure Article 1434  
 22 and in rules and advisory opinions of the board.  
 23 I further certify that I am not related to  
 24 counsel or to the parties herein, nor am I otherwise  
 25 interested in the outcome of this matter.

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1 Signed this \_\_\_ day of \_\_\_\_\_, 2020.  
 2  
 3  
 4 \_\_\_\_\_  
 5 LESLIE B. DOYLE, RPR, RMR, RDR  
 6 Certified Court Reporter  
 7 LA Certificate #93096  
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1 WITNESS' CERTIFICATE

2

3 I, CHARLES DUPUY, the undersigned, do

4 hereby certify that I have read the foregoing

5 deposition taken on November 24, 2020, and it

6 contains a true and accurate transcript of the

7 testimony given by me:

8

9

10 CHECK ONE BOX BELOW:

11 ( ) Without correction

12 ( ) With corrections as reflected on the

13 Errata Sheet(s)

14

15 \_\_\_\_\_

16

17

18

19 CHARLES DUPUY

20

21 \_\_\_\_\_

22 DATE

23

24

25 REPORTED BY: LESLIE B. DOYLE, RPR, RMR, RDR

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1 Errata Sheet

2

3 NAME OF CASE: CALVIN W. BRAXTON, SR. VERSUS LOUISIANA STATE TROOPERS ASSOCIATION, ET AL

4 DATE OF DEPOSITION: 11/24/2020

5 NAME OF WITNESS: Charles Dupuy

6 Reason Codes:

7 1. To clarify the record.

8 2. To conform to the facts.

9 3. To correct transcription errors.

10 Page \_\_\_ Line \_\_\_ Reason \_\_\_

11 From \_\_\_\_\_ to \_\_\_\_\_

12 Page \_\_\_ Line \_\_\_ Reason \_\_\_

13 From \_\_\_\_\_ to \_\_\_\_\_

14 Page \_\_\_ Line \_\_\_ Reason \_\_\_

15 From \_\_\_\_\_ to \_\_\_\_\_

16 Page \_\_\_ Line \_\_\_ Reason \_\_\_

17 From \_\_\_\_\_ to \_\_\_\_\_

18 Page \_\_\_ Line \_\_\_ Reason \_\_\_

19 From \_\_\_\_\_ to \_\_\_\_\_

20 Page \_\_\_ Line \_\_\_ Reason \_\_\_

21 From \_\_\_\_\_ to \_\_\_\_\_

22 Page \_\_\_ Line \_\_\_ Reason \_\_\_

23 From \_\_\_\_\_ to \_\_\_\_\_

24

25 \_\_\_\_\_



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<b>94</b> 16:15,18,20  <b>95</b> 16:21</p> <hr/> <p style="text-align: center;"><b>A</b></p> <hr/> <p><b>ability</b> 75:5  <b>abnormal</b> 47:8,9  <b>abundance</b> 49:13  <b>academy</b> 9:7 10:11,          13 16:17,21,22 17:5,9,          16,19 18:10 42:9  <b>access</b> 25:1  <b>accident</b> 17:11  <b>accommodate</b> 5:15  <b>accusations</b> 31:11  <b>accusing</b> 57:1,8  <b>acronym</b> 8:20</p>	<p><b>act</b> 71:5  <b>action</b> 49:16 74:8  <b>actively</b> 19:10  <b>actual</b> 22:12  <b>adamantly</b> 64:11  <b>address</b> 6:11 24:13  <b>addressed</b> 38:25          39:15  <b>adjusted</b> 32:24  <b>adjustment</b> 32:4,10          33:12  <b>adjustments</b> 26:4          32:9  <b>administration</b>          32:20,21 33:1,13  <b>administrative</b>          66:16,23  <b>adult</b> 15:14  <b>advised</b> 64:10 65:7,9  <b>afar</b> 32:5  <b>affairs</b> 17:21,23 29:18          46:23 47:11,15 50:8,13          78:6  <b>affect</b> 19:1  <b>affiliate</b> 43:4  <b>affiliated</b> 44:13 54:5          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