

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 JAY O'QUINN, taken on
Tuesday, June 25, 2019, before Leslie B. Doyle,
Certified Court Reporter (LA #93096), at the Law
Offices of Avant & Falcon, 429 Government Street,
Baton Rouge, Louisiana, commencing at 9:02 a.m.

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21
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23
24
25

I N D E X

Caption	1
Appearances	3
Agreement of Counsel	4
Examination	
BY MS. CRAFT	6, 151
BY MR. FALCON	149
Reporter's Certificate	153 - 154
Witness' Certificate	155

* * *

EXHIBITS

EXHIBIT 12.....	47
Louisiana Board of Ethics Consent Order	
EXHIBIT 13.....	58
"State Troopers Association backs John Bel Edwards"	
EXHIBIT 14.....	66
Commander Log	

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1 APPEARANCES :

2

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15

16 ALSO PRESENT :

17 MICHELE GIROIR
18 JAY OLIPHANT
19 CALVIN W. BRAXTON, SR.
20 DAVID YOUNG

20

21 * * *

22

23

24

25

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 JAY O'QUINN, on
5 June 25, 2019, is hereby being taken for discovery
6 purposes and for any and all purposes authorized
7 under the Louisiana Code of Civil Procedure.

8

9 The witness reserves the right to read and
10 sign the deposition. The original is to be
11 delivered to and retained by Jill L. Craft, Esq.,
12 for proper filing with the Clerk of Court.

13

14 All objections, except those as to the
15 form of the question and the responsiveness of the
16 answer, are considered reserved until trial or other
17 use of the deposition.

18

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.

1 JAY O'QUINN,
2 having been first duly sworn, was examined
3 and testified as follows:

4 * * *

5 MS. CRAFT: And I'm lodging an
6 objection for the record. Yesterday we
7 had the designated representative of the
8 State Troopers Association, Mr. David
9 Young, throughout the deposition of my
10 client. Today, Mr. O'Quinn is apparently
11 designated as the representative of the
12 LSTA. I note that Mr. Young is also
13 present in the room, and I object pursuant
14 to 614 on sequestration of witnesses. You
15 are not allowed to change or shift the
16 corporate representative throughout
17 depositions. Otherwise, it just kind of
18 defeats the whole purpose.

19 What I have agreed to do this morning
20 is not waive my objection. We'll take it
21 up with the judge at a time when we can,
22 since he's an ad hoc appointed
23 specifically for this case, but I'm not
24 waiving that objection.

25 Ready?

1 MR. FALCON: Go ahead.

2 MS. CRAFT: Usual stipulations,
3 reserving all objections except as to the
4 form of the question, responsiveness of
5 the answer.

6 EXAMINATION

7 BY MS. CRAFT:

8 Q. Mr. O'Quinn, my name is Jill Craft, and I
9 represent Mr. Braxton, seated to my left, in
10 connection with a lawsuit that's pending in
11 Natchitoches Parish.

12 It's very important during the course of
13 this deposition you understand what I'm asking you,
14 and if at any time you do not, please tell me to
15 stop and rephrase, and I'm happy to do so.

16 It's also important, nods of the head yes
17 or no cannot be taken down by the reporter. So you
18 need to make sure to answer out loud. And my final
19 instruction is rather unique to me insofar as I may
20 ask you to spell names, places or things. It's not
21 to test your spelling. It's just a lot easier for
22 our reporter to get those down as we go along. Is
23 that fair enough?

24 A. Yes, ma'am.

25 Q. Would you give me your full name and

1 address, please, sir?

2 A. It's James Clifton O'Quinn, II. My home
3 address is 153 Grande Maison Boulevard.

4 Q. Grande what?

5 A. Grande Maison Boulevard.

6 Q. Okay.

7 A. G-R-A-N-D-E M-A-I-S-O-N. That's in
8 Mandeville, Louisiana, 70471.

9 Q. And can you walk me through your
10 educational background, sir, starting with where and
11 when you graduated high school?

12 A. I graduated Bogalusa High School, and
13 after a couple of different colleges, I graduated
14 from USM. I think it was 2002 or somewhere
15 thereabouts.

16 Q. When did you graduate high school?

17 A. 1992.

18 Q. So then ten years later, you ended up at
19 USM; is that correct?

20 A. Yes, ma'am. I don't know the exact year
21 '99, 2000, somewhere in that three-year span I
22 graduated, but I had gone back to school after
23 beginning employment with Louisiana State Police.

24 Q. And what is your degree in from -- is it
25 University of Southern Mississippi?

1 A. Yes, ma'am.

2 Q. What's your degree in?

3 A. Criminal justice.

4 Q. Is that a Bachelor of --

5 A. Yes.

6 Q. -- Science?

7 A. Arts.

8 Q. Arts. And let me finish my question.

9 It's going be very difficult for our reporter to get
10 everything down if you talk over me. Is that fair
11 enough?

12 A. Sure.

13 Q. All right. So you said you attended some
14 other schools between '92 and roughly 2002?

15 A. Yes, ma'am.

16 Q. What other schools?

17 A. Louisiana Tech in Ruston and Mississippi
18 College in Clinton, Mississippi.

19 Q. And did you -- were you able to carry any
20 credits forward from either of those --

21 A. Yes, ma'am.

22 Q. Let me finish.

23 A. I'm sorry.

24 Q. -- from either of those institutions in
25 conjunction with your degree from USM?

1 A. Yes, ma'am.

2 Q. Okay. Now, with respect to employment at
3 State Police, was that your first law enforcement
4 employment?

5 A. Yes, ma'am.

6 Q. And tell me when you went to the academy.

7 A. 1997.

8 Q. And which academy did you attend, for the
9 record?

10 A. Louisiana State Police Academy.

11 Q. Here in Baton Rouge?

12 A. Yes, ma'am.

13 Q. And how long did you attend the academy?

14 A. I believe it was 17 weeks, I think.

15 Q. Did you graduate with any particular
16 honors or awards?

17 A. Not that I recall, ma'am.

18 Q. And upon graduation from the academy, you
19 did what and where?

20 A. I was assigned to patrol at Troop L in
21 Mandeville.

22 Q. And that's where you're originally from;
23 is that right?

24 A. I'm from Bogalusa.

25 Q. And who was your first commander at Troop

1 L?

2 A. Kevin Armstrong.

3 Q. And what was his rank?

4 A. Captain.

5 Q. Did you have a shift supervisor?

6 A. Yes, ma'am. I think we have two sergeants
7 and a lieutenant. I believe the shift supervisor at
8 the time, if I'm not mistaken, was Lieutenant Otis
9 Alford.

10 Q. Otis Alford?

11 A. Alford.

12 Q. Who was your FTO?

13 A. We have several.

14 Q. Who was your first one?

15 A. Jeff Jones.

16 Q. And what was his rank at the time?

17 A. I believe he was trooper first class.

18 Q. And how long did you remain in the FTO
19 program before you were allowed to go out on your
20 own?

21 A. It was the minimum. I don't recall the
22 number of weeks. Maybe ten weeks. I'm not sure.

23 Q. Did you receive any counseling during your
24 initial term in the FTO program?

25 A. No, ma'am.

1 Q. And then after you finished the field
2 training officer program, what was your rank?

3 A. Trooper.

4 Q. And that would have been in what year?

5 A. That would have been in 1997.

6 Q. And did you remain on Otis Alford's shift?

7 A. I did, ma'am, but I don't remember how
8 long.

9 Q. And how long did you stay in patrol at
10 Troop L?

11 A. I left patrol in, I believe it was 2013, I
12 believe.

13 Q. Can you walk me through the ranks that
14 you've held since '97?

15 A. So I was trooper -- how our rank structure
16 works, trooper, TFC, which is primarily a tenured
17 designation, and then senior trooper and master
18 trooper. I obtained TFC after five years, trooper
19 first class.

20 Q. So that would be 2002?

21 A. Yes, ma'am.

22 Q. Okay. And then senior trooper when?

23 A. I never made senior trooper. I was
24 promoted to sergeant in 2007.

25 Q. So you skipped two ranks to sergeant?

1 A. No, ma'am. That's -- well, like I said,
2 the TFC, ST, senior trooper, those designations are
3 based on tenure. So you're eligible to test for
4 sergeant at five years of experience. So I don't --
5 you could call it skipping ranks. It's not
6 necessarily skipping ranks, it's just the trooper
7 TFC, ST, those are all just tenure ranks so you're
8 really a trooper. That's your rank is a trooper.
9 If you want to -- it's not a ascension, if you will,
10 like a sergeant, lieutenant, captain, where you
11 test, you're reviewed and interviewed and get
12 promoted, promotional panel. That does not happen
13 between trooper, senior trooper, et cetera.

14 Q. So you don't get any additional pay when
15 you make the rank of master trooper?

16 A. It gets convoluted, because at the time,
17 you actually did. You received a -- I don't recall
18 the percentages, but you got a little bit of a pay
19 increase between, I think it was, trooper first
20 class and senior trooper; but when they redid the
21 pay structure, all that went away. So currently,
22 that's correct, you don't receive a pay increase
23 just for making those particular steps.

24 Q. Okay. So you tested for sergeant in 2007
25 or before?

1 A. I had tested in the prior years before
2 2007.

3 Q. So did you ever end up on the list before
4 2007?

5 A. I did. I don't recall how many. I know
6 it was at least one list I had made before that.

7 Q. So were there occasions where you tested
8 for sergeant and didn't pass, for lack of a better
9 phrase?

10 A. I don't recall ever not receiving a
11 passing score.

12 Q. Not making the list?

13 A. I don't recall ever not making the list.

14 Q. So you tested one time and you got on a
15 list one time before your promotion?

16 A. No, ma'am. I began testing immediately
17 upon eligibility, which is five years. I think you
18 could actually test within your fourth year in
19 anticipating of having a score and getting promoted,
20 but I tested several times. I don't recall ever not
21 getting a passing score. Whether there was a list
22 or not, I don't recall if every year I tested there
23 was a list presented for promotion. You get your
24 test and you retain your score in the hope that
25 there will be a list formed for a vacant spot.

1 Q. Okay. So are you telling me, then, that
2 you stayed on the list for how many years, five, or
3 stayed testing five times? How did that work?

4 A. You tested -- you test annually, yes.

5 Q. Okay. So who was responsible for your
6 promotion to sergeant in 2007?

7 A. The captain under whose command I was
8 promoted was Luke Pingno.

9 Q. Spell Pingno, please.

10 A. P-I-N-G-N-O.

11 Q. And he was out of where?

12 A. Troop L.

13 Q. And who assisted you, if you will, in
14 getting the sergeant position? Did you have anybody
15 make recommendations for you?

16 A. If they did, I don't know about it.

17 Q. And who made the decision to promote you?

18 A. I would assume the superintendent makes
19 the ultimate decision.

20 Q. Well, let's not assume. Do you know?

21 A. The superintendent promotes, so it would
22 be the superintendent. That was Colonel Whitehorn
23 at the time, I think.

24 Q. Do you know if any of the rank structure
25 below the superintendent had input in your ability

1 to be promoted to sergeant?

2 A. I don't have any independent knowledge of
3 what they discussed, ma'am.

4 Q. Okay. I'm not asking for independent
5 knowledge. Do you know otherwise? You heard, maybe
6 somebody said, hey, man, I'll put --

7 A. No, ma'am.

8 Q. Let me finish -- a good word in for you,
9 anything like that?

10 A. No, ma'am. I don't know.

11 Q. Okay. So what -- when you attained the
12 rank of sergeant, what were you doing in terms of
13 duties at that time?

14 A. I was a patrol trooper.

15 Q. And did you remain on patrol?

16 A. I did.

17 Q. And after obtaining the rank of sergeant
18 in patrol in 2007, tell me about what you've been
19 doing at State Police.

20 A. So I was patrol sergeant until, I think it
21 was 2013, and then I transferred to our hazardous
22 materials, emergency services unit.

23 Q. And I see that logo on your shirt. Is
24 that where you remain today?

25 A. Yes.

1 Q. And who was responsible for your transfer
2 to emergency services?

3 A. I believe the chief of staff makes that
4 decision.

5 Q. Who was that?

6 A. Charlie Dupuy.

7 Q. Dupuy is D-U-P-U-Y?

8 A. Yes, ma'am.

9 Q. Did you know Mr. Dupuy before you were
10 transferred to emergency services?

11 A. When I first met Charlie Dupuy, he was the
12 sergeant in our training academy.

13 Q. So you had known him since '97?

14 A. Yes, ma'am.

15 Q. Did you consider him a friend?

16 A. I would consider him a friend.

17 Q. Did y'all socialize together?

18 A. Well, we'd see each other at, like, a
19 convention, LSTA convention, but as far as away from
20 that, I wouldn't -- I don't recall anything else.

21 Q. So was the transfer to emergency services,
22 was that a position based out of headquarters, or
23 was that a position still over in the
24 Bogalusa/Mandeville area?

25 A. Well, it's kind of a broad area as far as

1 a normal troop, so the -- that particular region
2 covers from west of the Mississippi River all the
3 way to Tangipahoa Parish, which is part of the Troop
4 L area.

5 Q. Okay. And when you first transferred over
6 there as -- and you retained your rank of sergeant;
7 is that correct?

8 A. No, ma'am. I took a demotion, a voluntary
9 demotion.

10 Q. To what rank?

11 A. To technician trainee.

12 Q. Why did you take a demotion?

13 A. Because I wanted the job.

14 Q. Had you had any disciplinary issues in
15 conjunction with your patrol duties?

16 A. I think I've had some complaints lodged
17 against me, but no -- I don't recall any discipline
18 where you receive time off, if that's what you're
19 asking.

20 Q. Okay. What kind of complaints?

21 A. I was chewing tobacco one time on a
22 traffic stop and a gentleman called a complaint in
23 on me. There was a young lady that told -- I guess
24 she -- I don't know if it's her or her father; it's
25 been a long time -- that asked -- said I asked her

1 inappropriate questions on a traffic stop.

2 Q. Sexual questions, right?

3 A. I don't think so. I think I asked her
4 where she was going, things like that. All of those
5 were -- I don't know what the proper term was, if it
6 was exonerated or not withheld or whatever, but I
7 was never disciplined or counseled for those things.

8 Q. Were they actually ever investigated?

9 A. Yes, ma'am.

10 Q. By whom?

11 A. I believe that particular one was on
12 Lieutenant Alford's shift. I think the one where I
13 was chewing tobacco was -- I think that was
14 Lieutenant Louie Paretti.

15 Q. And Paretti is P-A-R-R-E-T-T-I?

16 A. P-A-R-E-T-T-I.

17 Q. And the one about the chewing tobacco,
18 that compliant wasn't just that you were chewing
19 tobacco. Wasn't there some complaint about you
20 being rude or spitting?

21 A. I don't remember, ma'am. Maybe so. I
22 don't recall.

23 Q. Right. Wasn't the complaint had to do
24 with something about the person you had pulled over
25 or in custody complained that you were spitting at

1 them?

2 A. Ma'am, I don't -- I've never spit at
3 anybody, so I don't recall that at all.

4 Q. Okay. Have you had any complaints about
5 rude behavior towards the public?

6 A. I don't recall any.

7 Q. You had the female and then the tobacco.
8 Any others?

9 A. There was one where -- I know it was a --
10 I think it was a gentleman in a Volkswagen Beetle,
11 that he called in a complaint that I had anger
12 issues.

13 Q. And do you recall the substance of that
14 complaint, sir?

15 A. No, ma'am. I remember they wrote a
16 lengthy letter to the troop.

17 Q. The person you had an encounter with; is
18 that correct?

19 A. Yes. That's correct.

20 Q. And so was that investigated at all?

21 A. Yes.

22 Q. And do you know who investigated that?

23 A. I don't recall.

24 Q. Did those investigations occur at the
25 troop level or through internal affairs?

1 A. I believe they were all at the troop
2 level.

3 Q. Correct me if I'm wrong, but at that time,
4 I guess it would be in the 2000s, did State Police
5 have a policy regarding investigation of trooper
6 complaints having to go through IA?

7 A. I'm sure there was a policy. I could not
8 testify to the accuracy of what the policy was in
9 2000. I have no idea.

10 Q. Do you know who made the decision to
11 investigate the complaints involving you at the
12 troop level as opposed to internal affairs?

13 A. I don't know.

14 Q. Mr. Pingno -- if I asked you I apologize,
15 but were you friends with him?

16 A. He was our commander. I would say we were
17 friendly.

18 Q. Okay. In conjunction with your work at
19 Troop L, did you ever have occasion to work with a
20 Trooper Sandage?

21 A. Yes.

22 Q. And can you tell me whether or not you had
23 any interactions with Trooper Sandage at Troop L
24 regarding his claims that he was forced out of State
25 Police?

1 A. I don't -- Scott Sandage and I, I think I
2 maybe rode with him one day on FTO. I don't know
3 him well. I knew that he had -- I say I know. I
4 believe that it was a -- he had a lawsuit against
5 State Police that he was forcibly -- or ostracized,
6 for lack of a more accurate term. I don't know of
7 anything other than that.

8 Q. Did you have any involvement in not
9 providing backup to him?

10 A. No, ma'am.

11 Q. Were you aware of that practice occurring?

12 A. Ma'am, I've never not backed up a trooper
13 that needed it.

14 Q. Okay. So you said you took a demotion to
15 technician trainee because you wanted the job. Was
16 there any pending complaints at the time?

17 A. Not that I know of, ma'am.

18 Q. Was it recommended that you take this
19 position because of anger issues?

20 A. No, ma'am.

21 Q. So you took a cut in pay, too?

22 A. Actually, I was red circled. My pay
23 remained the same.

24 Q. And you did not retain the rank of
25 sergeant?

1 A. That is correct.

2 Q. You took the rank of technician; is
3 that --

4 A. Technician trainee.

5 Q. Understood. So when you say your pay was
6 red circled, that means your pay remains the same,
7 even though you're in a category lower that doesn't
8 support the pay that you're receiving; is that
9 correct?

10 A. Yes, ma'am. The way I understand it, your
11 pay remains the same until such time as your new
12 rank reaches the same level.

13 Q. Catches up to it?

14 A. Yes.

15 Q. And so who made the decision to allow you
16 to red circle your pay?

17 A. I was contacted by Commander -- it was --
18 Taylor Moss was my commander at the time.

19 Q. Taylor Moss?

20 A. M-O-S-S, yes.

21 Q. And he was over?

22 A. Emergency services.

23 Q. Understood. And so tell me about your
24 tenure in emergency services. You went there in
25 2013, you were a technician trainee, and then you

1 became something else; is that right?

2 A. Technician.

3 Q. And when did you become a technician?

4 A. After one year.

5 Q. So were you on probation in that position
6 for a year or...

7 A. Essentially, yes.

8 Q. And when you became technician, did your
9 red circle pay catch up with your title?

10 A. Yes.

11 Q. So now we're at 2014; is that right?

12 A. Yes.

13 Q. So tell me what you do as a technician.

14 A. We respond to a number of different
15 things. We do lots of training, but we're
16 responsible in Louisiana -- we regulate the
17 hazardous materials industry to some degree. So we
18 respond to, if you have a leaking rail car, truck,
19 there's an explosion at a plant, somebody gets hurt
20 in a plant or exposed to a chemical. Those are all
21 things under our purview that we respond to.

22 Q. Okay. And since 2014, tell me about your
23 tenure in emergency services.

24 A. Well, we just -- as I said, we respond to
25 different incidents. We train. We travel to

1 different places and do firefighting. We train in
2 that. We go to our level A suits. We got to --

3 Q. I'm sorry. Level what?

4 A. Level A. We go -- the outbreak suits.
5 And we go to -- there's a training facility in
6 Alabama we go to, and we are exposed to poisonous
7 gases, things like that, and then we come back to
8 Louisiana and bring those skills to use for the
9 public, public safety.

10 Q. You're embroidered badge reads
11 "Technician." You retain the rank of technician as
12 we sit here today?

13 A. Senior technician, yes.

14 Q. Senior technician. When did you become a
15 senior technician?

16 A. My third year in the unit.

17 Q. So by my math, that's looking like 2016?

18 A. Yes.

19 Q. And at that point in time, when you became
20 a senior technician, did your red circle pay, which
21 had disappeared -- had you received a raise in
22 conjunction with that position?

23 A. Yes, ma'am. So after technician, the rank
24 of technician is equivalent to sergeant's pay, if
25 you will. So as technician -- sorry. Senior

1 technician is equivalent to lieutenant's pay by the
2 traditional rank.

3 Q. And did you have to test for a lieutenant
4 position?

5 A. There's certain training requirements,
6 yes, you have to meet, certain schools that you have
7 to attend and pass.

8 Q. Okay. But not tests in the -- and I'm
9 going to say in the civil service State Police
10 Commission --

11 A. That's correct.

12 Q. -- lingo?

13 A. Yes.

14 Q. Understood. Who was responsible for your
15 promotion to senior technician?

16 A. The superintendent.

17 Q. Did somebody recommend you seek that
18 promotion?

19 A. No, ma'am. It's just -- my experience has
20 been, you meet the criteria and your supervisor
21 knows you meet the criteria. What the logistics are
22 that happened, I don't know. I've never been on
23 that side of it.

24 Q. Did you have to apply for it?

25 A. No.

1 Q. So it wasn't a posted position; is that
2 right?

3 A. No.

4 Q. So how did you hear about it being open,
5 so to speak?

6 A. Well, there's no opening. You just
7 transition. It's not a change in a position, if you
8 will, like a position -- a transfer from a patrol to
9 a detective that has to be posted. It's just simply
10 contained to one individual. You just ascend in
11 your skill level in that -- more of a vertical
12 transition.

13 Q. And that's where you are today, at the
14 senior technician position?

15 A. Yes, ma'am.

16 Q. Have you ascended further since you became
17 a senior technician?

18 A. No, ma'am.

19 Q. Okay. We talked about complaints, if you
20 will, while you were at the troop level. Have you
21 had any complaints since you've been in emergency
22 services?

23 A. Not that I'm aware of.

24 Q. Okay. Now, do you have any affiliation
25 with the Louisiana State Troopers Association?

1 A. Yes, ma'am.

2 Q. And for the record, I'm going to call that
3 LSTA, but I talk fast so I want to make sure I'm
4 pretty clear with that lingo. Tell me when you
5 first joined the LSTA.

6 A. In 1997.

7 Q. And that was upon your graduation from the
8 academy?

9 A. At some point in the academy. I don't
10 remember when. I believe we signed up in the
11 academy. The academy is a bit of a blur, but I know
12 when I got out of the academy, I was an LSTA member,
13 so...

14 Q. Okay. And so since you began your
15 affiliation with the LSTA in '97, can you tell me if
16 you've held any positions?

17 A. Yes, ma'am. I was the vice-president at
18 Troop L, the Troop L affiliate. And then at the end
19 of 2012, our president resigned. I became the
20 president, and I was serving in that role of the
21 Troop L president from 2013 through 2015, I guess it
22 was.

23 Q. And then?

24 A. I ran for and was elected the statewide
25 LSTA president.

1 MR. OXENHANDLER: I'm sorry. I didn't
2 hear that.

3 MR. FALCON: Statewide president.

4 BY MS. CRAFT:

5 Q. And when did you run for the statewide
6 presidency?

7 A. 2015.

8 Q. And when did you get sworn into office?

9 A. January 1st, 2016.

10 Q. Did you have any particular platform you
11 ran on?

12 A. I just -- my sales pitch, if you will,
13 would be that -- my work history and what I had done
14 as the troop president at Troop L.

15 Q. So tell me what the duties were as
16 vice-president at Troop L.

17 A. Not many. What my experience was, we had
18 a president and a secretary/treasurer that
19 essentially ran that office. And quite honestly, I
20 didn't do a whole lot.

21 Q. So what does the union do at Troop L? You
22 said, that office. Is there an office in the
23 physical Troop L location for the union?

24 A. No, ma'am.

25 MR. FALCON: I don't think that --

1 excuse me. Interpose -- your question
2 presumes that the LSTA is a union. I
3 don't believe that it is.

4 MS. CRAFT: Oh, okay.

5 BY MS. CRAFT:

6 Q. Well, what would you call it, sir?

7 A. It's an association.

8 Q. An association. You pay dues?

9 A. Yes.

10 Q. And a lot of the troopers pay dues?

11 A. Yes.

12 Q. How much -- if you know, what percentage
13 of troopers belong to the -- you called it
14 association?

15 A. (Nods head.)

16 Q. What percentage of troopers?

17 A. I don't know the exact percentage.

18 Q. Guess for me. I'm not going to hold you
19 to it.

20 A. 95, 97 percent.

21 Q. And the dues are how much?

22 A. I think they're \$15 or 16.50 a pay period,
23 I think.

24 Q. So they come out of your paycheck?

25 A. Yes, ma'am.

1 Q. And they go to the association?

2 A. Yes, ma'am.

3 Q. And do you have the right not to join the
4 LSTA if you want?

5 A. Certainly, yes.

6 Q. Understood. And does the LSTA, to your
7 knowledge, have any role in negotiating pay or
8 benefits or anything like that for the troopers?

9 A. As far as negotiations, we don't
10 negotiate. That has been my experience. We
11 certainly advocate.

12 Q. Advocate how?

13 A. Approach the legislature or command staff,
14 the Department, and explain that there are issues
15 that need to be addressed.

16 Q. What about with the Commission? They set
17 your pay, don't they?

18 A. The Commission -- I have not, myself, had
19 an experience with that, so I couldn't speak to it.

20 Q. So the answer is, no, the LSTA, to your
21 knowledge, doesn't have any involvement in dealing
22 with the Commission in the setting of pay?

23 A. No. I have not -- well, let me say, we
24 have had communication with them regarding pay, so,
25 yes, but I wouldn't call it a negotiation. That's

1 not the way I would describe it.

2 Q. Understood. Okay. So I was asking you
3 about the office that the association had at Troop
4 L.

5 A. Uh-huh.

6 Q. Was that a physical office space inside of
7 Troop L?

8 A. No.

9 Q. Where was it located?

10 A. There's no physical office.

11 Q. Okay. So when you used the phrase
12 "office," you meant what?

13 A. You'd have to go back and give me the
14 context.

15 Q. I asked you about what you did as the
16 vice-president, and you said, well, in our office,
17 we didn't -- I didn't do much.

18 A. That particular office, that position.

19 Q. The position?

20 A. Uh-huh.

21 Q. Okay. So where did you have meetings for
22 the Troop L members of LSTA?

23 A. Various locations.

24 Q. Like what?

25 A. Like a restaurant or the troop.

1 Q. Okay. So how often did the association
2 have meetings of its members at the troop?

3 A. It's sporadic. I would -- if we want to
4 just put a ballpark number on it, say quarterly,
5 bimonthly.

6 Q. Was it more often than not at the troop?

7 A. I don't recall, ma'am. I don't recall the
8 percentage of where the meetings were.

9 Q. The association is a private organization,
10 right?

11 A. Yes.

12 Q. Is it a private nonprofit?

13 A. Yes.

14 Q. Do you know if it got permission from the
15 State of Louisiana to use the premises at Troop L to
16 hold its meetings?

17 A. I have no idea.

18 Q. Okay. So when you became president of
19 Troop L LSTA, you said 2013 to 2015, what were your
20 duties then?

21 A. Well, because we had a change -- we lost
22 an office -- officers, three in number. We went
23 down to one in number, which was me. So what I
24 wanted to do and what the platform I kind of
25 implemented was to become more engrained in the

1 community, to raise money for troopers that needed
2 it at the time, if they had a family emergency or
3 whatever the case might have been, and also just to
4 get support in the community, explain to people what
5 troopers do, and just become -- have more of a
6 presence, if you will.

7 Q. So how did you implement that?

8 A. We began fundraising. We started a
9 fundraiser.

10 Q. The "we" being the --

11 A. LSTA at Troop L.

12 Q. Okay.

13 A. And that was the primary thing. That was
14 the biggest undertaking that we did while I was
15 there.

16 Q. So you began fundraising how?

17 A. We first started with a sporting clays
18 tournament.

19 Q. And where was that conducted?

20 A. At Covey Rise in Husser, Louisiana.

21 Q. At where?

22 A. Covey Rise.

23 Q. C-O-V-Y?

24 A. C-O-V-E-Y.

25 Q. Rise in?

1 A. Husser.

2 Q. Husser.

3 A. H-U-S-S-E-R, Louisiana.

4 Q. Is that a private facility?

5 A. Yes.

6 Q. So when the funds were collected, they
7 went where, to LSTA or --

8 A. Yeah. I know we submitted paperwork to
9 the LSTA, the main office, but we had a bank account
10 at Troop L. That's where the money was deposited
11 from the fundraiser.

12 Q. When you say you had a bank account at
13 Troop L, you mean on the physical premises of Troop
14 L you had --

15 A. No, ma'am.

16 Q. What do you mean?

17 A. A private bank.

18 Q. I get that. Did you maintain the books
19 and records of the LSTA Troop L accounting at Troop
20 L?

21 A. We actually had a filing cabinet at Troop
22 L, yes.

23 Q. So you physically, the private
24 association, nonprofit, occupied physical space at
25 Troop L?

1 A. We had a drawer in a filing cabinet, yes,
2 ma'am.

3 Q. Okay. And to your knowledge, did anyone
4 with the State approve the usage of public property
5 for the purposes of the private association?

6 A. The sup- -- I can say this to that: I
7 never asked for specific permission. The drawer was
8 there before I got there, and I continued to keep
9 paperwork in that drawer.

10 Q. I know these questions may seem a bit
11 silly, but the reason that I'm asking is, you do
12 understand, as a public officer, there are things
13 you can and cannot do within the bounds of the State
14 Code of Ethics. Are you familiar with that?

15 A. Sure.

16 Q. For example, you cannot, as a public
17 officer, make political contributions; you
18 understand that?

19 A. Yes.

20 Q. And you cannot, as a public officer,
21 utilize your position for personal gain; you
22 understand that?

23 A. Yes.

24 Q. That's why I'm asking --

25 A. Sure.

1 Q. -- about this private nonprofit
2 association utilizing public property for its own
3 purposes.

4 When you conducted the fundraising
5 activities as president of the Troop L LSTA faction,
6 if you will, did you do that on the premises of
7 Troop L?

8 A. No.

9 Q. Where did you do that?

10 A. The fundraising was at Covey Rise.

11 Q. Okay. How about the activities leading up
12 to it? You would sell tickets; is that right?

13 A. No, ma'am.

14 Q. You didn't?

15 A. We didn't sell tickets.

16 Q. Well, how did you promote this fundraiser?

17 A. We had a flyer, and it was given to
18 businesses or private individuals, and they were
19 asked if they wanted to participate.

20 Q. Flyer printed where?

21 A. I don't recall what -- Kinko's or some --
22 it wasn't printed at Troop L.

23 Q. And handed out by who?

24 A. Troopers.

25 Q. On the clock or off?

1 A. I don't recall. Probably both.

2 Q. Okay. Now, you said, also, at some point
3 in time at Troop L, then you became the president
4 elected statewide, and you were sworn in effective
5 January 1st, 2016; is that correct?

6 A. Yes.

7 Q. So tell me what duties you have as the
8 president of LSTA.

9 A. Through the bylaws, I guess I'm the -- the
10 president is the -- I'm trying to think of the right
11 word -- the head of the organization. As far as the
12 day-to-day, our executive director manages that,
13 but -- I can't think of the right word, but the
14 decision-maker for the organization.

15 Q. Do you have a board?

16 A. Yes, ma'am.

17 Q. And how many folks are on the board?

18 A. I think it's 11, 12. Thirteen counting
19 me.

20 Q. So we'll say 13 including you and an
21 executive director. That's Mr. Young seated here;
22 is that correct?

23 A. Yes.

24 Q. Any other officers of the LSTA? And I'm
25 talking about non-board member folks.

1 A. Well, you have -- and this is different
2 for different troops. So you have the individual
3 troop presidents. Those are members of the board.
4 Now, at the troop level, they may have a
5 vice-president or a secretary/treasurer, or whatever
6 other office they deem necessary on that local
7 level.

8 Q. So the board for the State Troopers
9 Association is made up of the presidents from the
10 individual affiliates and you as the president of
11 the association?

12 A. As well as the secretary/treasurer.
13 They're selected statewide.

14 Q. Understood. That's how we get our 13
15 members?

16 A. Yes, ma'am.

17 Q. Okay. Now, with respect to operations of
18 the board, do you know whether or not the board has
19 any input into political endorsements, for example?

20 A. We do not have input in political
21 endorsements, no.

22 Q. Do you know if the LSTA issues political
23 endorsements?

24 A. We have before.

25 Q. Before when?

1 A. We have in the past.

2 Q. In the past, when?

3 A. We endorsed John Bel Edwards.

4 Q. Do you remember when that was?

5 A. 2015.

6 Q. And did you have any involvement in that?

7 A. I did.

8 Q. What was your involvement in that?

9 A. I polled the individual board members and
10 asked them if they thought we should have Mr. Young
11 make that endorsement.

12 Q. To your knowledge, had the LSTA endorsed
13 any other political candidates before 2015?

14 A. I'm not -- I don't have any individual
15 knowledge of that. I'm told that there was a long
16 time ago, but I couldn't speak individually to that.

17 Q. Told by who?

18 A. Just different troopers. I couldn't give
19 you a name, but just remember being told several
20 times that.

21 Q. How long has Mr. Young been the executive
22 director of the LSTA?

23 A. Around 20 years.

24 Q. Okay. So the endorsement of what would
25 become Governor Edwards in 2015, you have not -- the

1 State Troopers Association has not endorsed another
2 candidate since then; is that correct?

3 A. That's correct.

4 Q. Why?

5 A. Because membership dictates that we not.

6 Q. What do you mean?

7 A. Well, the membership voted that we
8 would -- well, actually, the board took action that
9 we would not make another endorsement until --
10 unless it was voted on by the entire membership.

11 Q. So there was an issue with that?

12 A. Yes, ma'am.

13 Q. What was the issue?

14 A. Troopers wasn't happy that we made an
15 endorsement.

16 Q. Okay. And so when you say they weren't
17 happy, how did they express their dissatisfaction?

18 A. To their troop presidents, who then
19 discussed it with the other troop presidents on the
20 board.

21 Q. Was there also an issue at that time --
22 and I say at that time, I'm going to say late -- or
23 2015/2016 timeframe, where you had members of the
24 State Troopers Association asking questions about
25 political donations being given to candidates?

1 A. Yeah. There was some discussion about
2 that, yes.

3 Q. In fact, correct me if I'm wrong, but
4 didn't you, as a member of this board, receive a
5 letter or letters from retired troopers requesting
6 that the board produce records relating to political
7 contributions being made by the LSTA?

8 A. We probably did. I don't recall
9 specifically a letter from somebody, but it's
10 possible.

11 Q. Do you remember in January of 2016, as a
12 board, LSTA board on your watch, taking a vote to
13 deny access to those records requested?

14 A. I don't recall that.

15 Q. So what do you recall about folks asking
16 questions, folks meaning members of LSTA, asking
17 questions about political donations being made by
18 LSTA?

19 A. I remember there being some discussion of
20 some troopers didn't know that political
21 contributions were made. I did know. I knew
22 that --

23 Q. You did know?

24 A. Yes, I did know. I knew that Mr. Young,
25 as our lobbyist, had made contributions, attended

1 events. There was never any discussion during my
2 time on the board about, do we tell David to go here
3 or there, you know, to direct those moneys. That
4 was never a discussion I was privy to, if they
5 happened. But I did know that endorsements were
6 made -- I'm sorry -- contributions were made by
7 Mr. Young.

8 Q. Out of LSTA moneys?

9 A. Yes.

10 Q. And that's moneys collected from troopers
11 and retired troopers?

12 A. Well, as far as the individual account, I
13 don't know that. I don't know if it's from a dues
14 account. That, I don't know.

15 Q. So are you telling me, then, with respect
16 to the political contributions being made by LSTA,
17 as a member of the board and as president in L and
18 president of the whole whammy, you had no idea what
19 contributions were being made by LSTA to what
20 politicians?

21 A. As president, we've not made -- since I've
22 been president, we have not made any contributions.
23 Prior to that -- I'm sorry. Can you go back to your
24 question?

25 Q. I guess here's where I am. You're -- I

1 don't think you are. You're not suggesting that
2 Mr. Young would just go out and write checks to
3 politicians as he chose and that the LSTA governing
4 folks had no involvement in that, or are you?

5 A. I never had any involvement in a decision
6 that way. No, ma'am. My --

7 Q. Go ahead.

8 A. My trust was in David Young as a lobbyist
9 to do what's best for the association. That's part
10 of his job description, as I understood it at the
11 time. Now, again, since I've been president, we've
12 not made any contributions, political contributions,
13 at all that I'm aware of. So prior to that, I was
14 never a part of any discussion about who do we give
15 money to.

16 Q. Do you know if anyone was?

17 A. I don't know.

18 Q. Had you heard anything about that?

19 A. I've never even asked that. My assumption
20 was always that David Young knew best, as our
21 employee, and made those decisions and made those
22 contributions as he saw fit.

23 Q. Well, y'all have stopped that practice,
24 right?

25 A. We have not made any contributions since

1 2015.

2 Q. And that's because an issue was raised
3 about it being in violation of law, right?

4 A. That's not the way I appreciate it. I
5 think there was -- we had procedurally some
6 problems.

7 Q. What do you mean?

8 A. We had -- in the way that the checks were
9 being written.

10 Q. What do you mean?

11 A. I believe David had written checks out of
12 his personal account and was reimbursed by the
13 association. And the way I appreciate it now, the
14 association should be writing those checks directly.

15 Q. Who told you that?

16 A. That was a discussion, I believe,
17 Mr. Falcon and I and the board had.

18 Q. When?

19 A. Maybe 2016.

20 Q. Was that while you were president? So
21 that would have been, what, January of 2016?

22 A. I don't recall the specific month. I
23 don't.

24 Q. You became aware, did you not, that the
25 State Police Commission or members of the Commission

1 were looking into the propriety of these donations?

2 A. I want to say I remember, first, that it
3 was the ethics board, if I recall correctly.

4 Q. Okay. Do you know how it ended up at the
5 ethics board?

6 A. I'm sure someone made a complaint.

7 Q. What makes you so sure?

8 A. I remember hearing there was a complaint,
9 and I'm sure I saw it at some point.

10 Q. Hearing from whom?

11 A. Mr. Young and Mr. Falcon.

12 Q. And you heard what specifically?

13 A. That a complaint was lodged, that there
14 was a violation in the way the contributions were
15 made.

16 Q. Okay. What about the complaint lodged and
17 what about the violation?

18 A. If I remember correctly, that the -- as I
19 said, that the check -- the contribution should have
20 been written directly from the LSTA and not from
21 Mr. Young, who would then be reimbursed by the LSTA.

22 Q. And, again, is it your testimony that you
23 had no idea who Mr. Young was making contributions
24 to?

25 A. I never discussed with anyone what

1 contributions were going where as far as a
2 decision-making process, no.

3 Q. What about the reimbursements?

4 A. That was never a discussion I was privy
5 to, either.

6 Q. It wasn't discussed during any of the
7 board meetings?

8 A. It may have been, but I don't recall it.

9 Q. Y'all had a treasurer, or no?

10 A. We did.

11 Q. And so did you -- when you had your
12 meetings of -- and I'm calling the big board, the
13 big board --

14 A. Uh-huh.

15 Q. -- did you have a treasurer's report at
16 each meeting?

17 A. I don't recall ever having a treasurer's
18 report at those meetings.

19 Q. Did you ever receive a treasurer's report?

20 A. No, ma'am. Our treasurer was barely
21 keeping minutes, to be quite honest with you.

22 Q. Who was that?

23 A. Steven LaFargue.

24 Q. Spell that last name.

25 A. L-A-F-A-R-G-U-E.

1 Q. Okay. You mentioned that you have seen
2 the consent order; am I right about that?

3 A. Can I take a look at it?

4 Q. Sure.

5 A. I think so.

6 Q. I'm going to show you a document which
7 we're going to mark and attach as Exhibit #12. I'm
8 picking up with the numbers where I left off. Let's
9 stick that on the front page, if you don't mind.

10 (Deposition Exhibit #12 was marked for
11 identification.)

12 A. (Reviewing document.)

13 Q. Is that the consent order, sir?

14 A. It looks so, yes, ma'am.

15 Q. That's the one that you're familiar with;
16 is that correct?

17 A. I wouldn't call myself familiar with it,
18 but it looks vaguely familiar.

19 Q. Okay. Now, the consent order which we're
20 attaching as Exhibit #12 is dated November 9th,
21 2016. Is that your signature, by the way, on pages
22 11 of 12 and 12 of 12, LSTA through its duly
23 authorized agent, or no? Is that Mr. Young's
24 signature?

25 A. Right here?

1 Q. Yes.

2 A. That is Mr. Young's signature, yes.

3 Q. Did you see this document at all before
4 Mr. Young signed it?

5 A. Ma'am, I'm not 100 percent certain I've
6 even seen this document. I just -- some of the
7 information looks familiar to me.

8 Q. Okay. This document, as I indicated, was
9 signed November 9th, 2016.

10 A. Uh-huh.

11 Q. Tell me what happened between 2015 leading
12 up to November 6th, 2016, as it relates to the
13 Ethics Commission.

14 A. I don't know specifically a timeline. I
15 know there was an ethics complaint made, as I said
16 earlier, and then there was some discussion made
17 about, does the LSTA fight the complaint, so to
18 speak, or do we work for a reduction in a fine, pay
19 the fine, and with a consent that there was a
20 wrongdoing for whatever type, and then move on. It
21 was presented to us that the financially responsible
22 decision would be to just reduce the fine, pay it
23 and move on and not fight the complaint.

24 Q. Reduce the fine to what?

25 A. Well, from what I remember, and I

1 apologize if I'm not exactly accurate, the
2 discussion was it would cost us about \$17,000 or so
3 to fight the complaint. I think we wind up paying
4 \$5,000. Again, I hope that's correct. Something to
5 that effect.

6 Q. And this process, when you first --
7 between the time you first became aware of it and
8 November of 2016, took how long?

9 A. I don't remember the dates, ma'am. I
10 couldn't tell you a timeline.

11 Q. How about in relation to when you became
12 president of the big board, which was January of
13 2016? Was the complaint to the Ethics Commission,
14 to your knowledge, already done then?

15 A. I don't know.

16 Q. At every meeting that you had in 2016
17 leading up to November 2016, can you tell me whether
18 or not the ethics complaint was discussed?

19 A. We had discussed it at some meetings, yes.

20 Q. And would it be fair to characterize the
21 complaint as fairly significant?

22 A. Yes.

23 Q. It wasn't something y'all were blowing
24 off?

25 A. No, ma'am.

1 Q. Okay. And so would it be fair to say that
2 it was something that at least you and/or your
3 fellow members of the board had some angst about?

4 A. Certainly.

5 Q. And did you ever figure out who filed the
6 complaint?

7 A. I don't know for sure, ma'am. I'm certain
8 there's a record of it.

9 Q. I get it, but who did you think filed it?

10 A. I would assume it was -- because I think
11 they had filed other complaints, was Jessie Perry or
12 Scott Perry, I think the name is, Leon Millet, maybe
13 Tanny DeVillier.

14 Q. Who?

15 A. Tanny DeVillier. I think that's his name.

16 Q. Tanny?

17 A. I think it's Tanny. That's how I --
18 that's how I've heard the name.

19 Q. You think T-A-N-I, maybe? We'll just
20 guess.

21 MR. YOUNG: N-N-Y.

22 THE WITNESS: N-N-Y.

23 BY MS. CRAFT:

24 Q. N-N-Y.

25 A. Yeah.

1 Q. Okay.

2 A. Those are the names that come to mind.
3 I'm not sure if those are the ones on the document.

4 Q. Okay. At the same time, as I understand
5 it, there was also some investigation, if you will,
6 that had begun before the State Police Commission.
7 Are you familiar with that?

8 A. Yeah. But please clarify which one. It
9 starts to blend together. Forgive me.

10 Q. Sure. The one as it relates to the
11 political contributions.

12 A. Okay.

13 Q. You're familiar with that, are you not?

14 A. Yes.

15 Q. And you were aware when you became
16 president that the State Police Commission was
17 investigating this political contribution issue,
18 correct?

19 A. I don't know when the investigation began.
20 I'm not sure it was right away when I first became
21 president, but at some point, yes.

22 Q. Sure. And so would it be fair to say that
23 the investigation of the complaint involving the
24 political contributions by LSTA caused you and your
25 fellow members of the board some angst?

1 A. Yes.

2 Q. And did you affiliate Mr. Braxton as
3 having any role on the Commission with respect to
4 that complaint?

5 A. Mr. Braxton was a Commission member at
6 some point. I don't know at what point he was on
7 the board, but I do know that he was there during
8 part of that time.

9 Q. And were you familiar with any of the
10 statements that Mr. Braxton was making regarding the
11 investigation of the political contribution issue?

12 A. I don't recall any statements that he
13 made.

14 Q. Did you go to any of those Commission
15 meetings?

16 A. Yes, ma'am.

17 Q. And who did you attend those Commission
18 meetings with?

19 A. I would go alone. I don't think I ever
20 walked in with anybody or traveled with anybody
21 there, but I was there. Mr. Young was probably at
22 some of those. Other troopers, members of the
23 command staff. I mean, it's various ones at each
24 meeting.

25 Q. Mr. Falcon was present; is that right?

1 A. Yes. I'm sure at some of them, yes.

2 Q. Do you remember or do you recall a meeting
3 in February of 2016 where Mr. Braxton got
4 particularly heated?

5 MR. FALCON: I'm sorry. Repeat --

6 MS. CRAFT: February.

7 MR. FALCON: Repeat it. I couldn't
8 hear it.

9 MS. CRAFT: February 2016, where
10 Mr. Braxton got particularly heated.

11 A. I don't recall specifically, no, ma'am.

12 BY MS. CRAFT:

13 Q. Do you remember a meeting where
14 Mr. Braxton got heated, and I'm saying heated, as it
15 relates to some sort of issue with his daughter
16 being arrested?

17 A. I don't recollect a particular meeting
18 where he got heated, no, ma'am.

19 Q. Do you remember anything about
20 Mr. Braxton's daughter being arrested?

21 A. I do. I remember reading a complaint that
22 was written.

23 Q. A complaint written by whom?

24 A. I believe it was Captain Oliphant at the
25 time. At the time Captain.

1 Q. Okay. Let me try and see if I can zero in
2 on terminology for my purposes.

3 A. Uh-huh.

4 Q. The term "complaint," as I understand
5 State Police procedure and policy, has a particular
6 meaning, yes?

7 A. Yes.

8 Q. And the term "complaint," when a trooper
9 makes a complaint, has what kind of implications?

10 A. When a trooper makes a complaint?

11 Q. Yes. Involving a member of the public.

12 A. I don't recall a trooper making a
13 complaint. I'm not appreciating that.

14 Q. Well, I think Colonel Oliphant, you said,
15 made --

16 A. Well, he wrote an incident report. If I
17 said complaint, I misspoke.

18 Q. You did say complaint.

19 A. Okay. Well, my apologies. He crafted an
20 incident report, if I'm not mistaken.

21 Q. Okay. Let me ask you about that. Now, I
22 know that you went through the academy. I asked
23 you, you told me it was like 17 weeks.

24 A. Uh-huh.

25 Q. It's true, is it not, that in the academy,

1 you are trained, I think in at least one or two
2 units, about report writing, correct?

3 A. Yes, ma'am.

4 Q. And would it be fair to characterize that
5 training in the academy about report writing about
6 being thorough, correct?

7 A. I'm sure, yes.

8 Q. Timely, right?

9 A. I would think so.

10 Q. Are you also trained anything with respect
11 to the keeping of notes?

12 A. I don't recall any training on note
13 taking, no, ma'am.

14 Q. How about evidence, like if you had a tape
15 or something?

16 A. I don't recall specific training, I'm
17 sorry, regarding that. As I said, in the State
18 Police academy, you train, but it is -- it's quite a
19 blur.

20 Q. Well, then let's talk about when you were
21 on the road.

22 A. Uh-huh.

23 Q. When you had an incident, under what
24 circumstances would you write an incident report?

25 A. I've written incident reports if something

1 happens to your unit, your police car, something
2 falls on the unit, you hit something in the road
3 that doesn't rise to the level of what you would
4 call a crash. Those are incident reports that I'm
5 familiar with.

6 Q. What other circumstances do you write an
7 incident report?

8 A. If you have something stolen from your
9 vehicle, you may write an incident report, may make
10 a report about it.

11 Q. Well, that's a crime.

12 A. But you would write an incident report.

13 As I understood it at the time --

14 Q. Sure.

15 A. -- you would write an incident report
16 about what you know happened.

17 Q. About the crime?

18 A. My car was parked here, whatever.

19 Q. My radio was stolen?

20 A. A statement. Right.

21 Q. Crime, right? Yes?

22 A. I guess so, yes.

23 Q. Sure. And it's true, is it not, that you
24 would write incident reports sometimes relating to
25 issues that you might investigate, right?

1 A. Meaning specifically what?

2 Q. Well, if I look at the State Police policy
3 and procedure, is there a section that deals with
4 what an incident report is?

5 A. I'm sure there is. I don't know what it
6 says.

7 Q. Well, are you guessing?

8 A. Yeah, I'm guessing. I'm not --

9 Q. Okay.

10 A. I'm certain there's something that says
11 about incident reports. I just feel that's probably
12 in there.

13 Q. How about we just not guess. If you don't
14 know, I don't know.

15 A. I don't know.

16 Q. Okay. So in this particular circumstance,
17 you were aware, you said, that Colonel Oliphant
18 wrote a complaint -- I'm sorry. You said --
19 retracted that and said an incident report.

20 A. I believe that's what it was, yes.

21 Q. Okay. When did you first hear about some
22 sort of, for lack of a better phrase, incident
23 involving Mr. Oliphant and Mr. Braxton?

24 A. Ma'am, I couldn't tell you specifically
25 when I first heard about it. This has been going on

1 for so long and it's so convoluted, I couldn't give
2 you a specific timeline.

3 Q. Before I get off the subject, I'm going to
4 show you a document which I'm going to mark and
5 attach as #13. You know, feel free to say, you're
6 crazy, Jill, but it's something I got in a public
7 records request from the State.

8 (Deposition Exhibit #13 was marked for
9 identification.)

10 A. Okay.

11 Q. And it is -- it looks like some sort of
12 document that was issued by The Advocate, and then
13 attached to it were some contributions.

14 Now, you mentioned to me earlier that at
15 some point in time the State Troopers Association
16 endorsed John Bel Edwards; is that correct?

17 A. Yes, ma'am.

18 Q. And to your knowledge, that was the last
19 time they've endorsed a candidate --

20 A. Yes, ma'am.

21 Q. -- on your watch?

22 A. Yes, ma'am.

23 Q. Okay.

24 A. And that was on my watch, so to speak. I
25 was not an officer.

1 Q. Understood. This refers to some sort of
2 runoff in November, and I'm thinking that was
3 November of 2015. So for timing purposes, does that
4 sound about right?

5 A. I would think so, yes, ma'am.

6 Q. So we're attaching that as #13.

7 All right. So we were talking about some
8 sort of incident, you said, with respect to
9 Mr. Oliphant.

10 A. Uh-huh.

11 Q. Did you see any drafts of the incident
12 report that were created?

13 A. You mean prior to the final one that was
14 submitted to the Department?

15 Q. Yes, sir.

16 A. No, ma'am.

17 Q. Here's why I'm asking. You guys have a
18 computerized system, don't you, for making reports?

19 A. Not one I utilize.

20 Q. So how would you do a report?

21 A. When I do a report --

22 Q. Let me give this to the reporter.

23 A. When I do a report, say a haz-mat report,
24 we -- I guess in a way it's computerized. We upload
25 it. We draft the report and it's a document.

1 It's -- I don't know if it's a PDF, whatever it is.
2 Do a document, and then we upload it to a certain
3 drive, you know, via the Internet.

4 Q. And then what?

5 A. And then your supervisor goes in, and
6 however his system of checking it is, I'm not privy
7 to that, but he approves or sends it back to you for
8 amendment or correction or whatever.

9 Q. How does something get assigned a report
10 number?

11 A. At the troop, when I was the -- you had
12 a -- back then, when you would generate a report, it
13 would automatically assign a number to it.

14 Q. So there would be no circumstance where a
15 report number would be added?

16 A. I have -- I don't know about that. I
17 don't know how you -- if you can or you can't.

18 Q. Here's why I'm asking. In the incident
19 report that I've seen with respect to -- and I'm
20 calling it, quote, this situation -- in fact, let me
21 see if I've got copies. I don't know if they made
22 all my copies. Probably not.

23 MR. FALCON: You need the incident
24 report, Jill?

25 MS. CRAFT: Well, I've got a whole

1 stack of stuff, so give me a second and
2 let me see what I've got. It looks like
3 they made one. Yeah. Do you have it? It
4 was like Exhibit # --

5 MR. FALCON: That's what I was looking
6 for. I have it here, though.

7 MS. CRAFT: I think it was attached to
8 Exhibit #1.

9 MR. OXENHANDLER: It's attached to the
10 original petition.

11 MS. CRAFT: Yeah. Exhibit #1, I think
12 was your exhibit yesterday.

13 BY MS. CRAFT:

14 Q. So sitting in front of you is what we
15 introduced yesterday as Exhibit #1. It's the
16 petition. Then attached to it was an incident
17 report, and we talked about it yesterday, in all
18 fairness.

19 A. Okay.

20 Q. So here's my questions for you. At the
21 bottom of the page, I believe that is Mr. Oliphant's
22 signature. Does that look right?

23 A. It looks like it says, Captain. I could
24 see how that could be Captain Oliphant, yes, ma'am.

25 Q. This form that this document's on, that's

1 a computerized form; is that correct?

2 A. Computerized -- I mean, it's a computer
3 document. It's an electronic document.

4 Q. Right. And so you type into the
5 electronic document; is that right?

6 A. Yes, ma'am.

7 Q. You've used this form before in
8 conjunction with what?

9 A. Like a traffic incident, or I've given
10 statements when I've investigated like a -- when I
11 was a supervisor, I had a trooper had some activity
12 that was investigated or was in a crash, and I would
13 draft a document like this and submit it with a
14 finding, if you will, a suggestion of -- as to what
15 action to take.

16 Q. Okay. But you've used it for traffic
17 violations, right?

18 A. I don't -- not like you're thinking, I
19 don't believe. More along the lines of
20 trooper-related. I don't -- I've never submitted a
21 document, that I recall, related to a traffic -- a
22 citation or anything like that.

23 Q. So trooper-related in terms of trooper
24 misconduct-related?

25 A. Not necessarily. If a trooper was

1 involved in a crash, there was a form like this or
2 similar to it -- and this is going back several
3 years -- that we would submit to the troop commander
4 saying what happened and what our suggestion was, if
5 any.

6 Q. Okay. Now, on to 1 attached to Exhibit
7 #1, it's got a data personnel number, you see that?

8 A. Yes, ma'am.

9 Q. And for the record, that looks to me like
10 P, as in Paul, 00086497.

11 A. Yes.

12 Q. Do you know what that is?

13 A. Do I know what that is?

14 Q. Yeah.

15 A. It's a personnel number.

16 Q. Do you know if that's Mr. Oliphant's
17 number?

18 A. I don't.

19 Q. Okay. Now, you said that you had read
20 this incident report before; is that right?

21 A. Years ago, yes.

22 Q. When was the first time you remember
23 seeing it?

24 A. I think that, if I remember correctly,
25 Mr. Falcon got a copy of it, requested it from the

1 Department.

2 Q. When?

3 A. I don't recall the date.

4 Q. Okay. Was that before or after the State
5 Troopers Association sent, just so I'm clear, this
6 first letter, let me get to it, which is also
7 attached to Exhibit #1? The first letter is dated
8 July 11th, 2016.

9 A. Okay.

10 Q. Do you know if the State Troopers
11 Association requested that report through Mr. Falcon
12 in conjunction with the writing of that letter in
13 July of 2016?

14 A. I believe he would have received --
15 obviously, this is in response to the incident
16 report that was written, so I would have seen it
17 before then, before July 11th.

18 Q. You were president at that time; am I
19 right?

20 A. Yes.

21 Q. Okay. So tell me what led up to the
22 writing of the July 11th, 2016, letter to, it looks
23 like, the governor, and then it's cc'ed to a whole
24 bunch of people. Whose idea was that?

25 A. To write a letter to the governor?

1 Q. That letter.

2 A. I believe we had a board discussion about
3 this letter.

4 Q. So it was the entire LSTA that made that
5 decision; is that right?

6 A. The board.

7 Q. Okay. And so when did the idea first
8 arise?

9 A. I don't recall the first time it arose.

10 Q. Do you know if anyone affiliated with the
11 LSTA asked Mr. Oliphant to put together a report?

12 A. I don't believe that happened. I
13 certainly did not ask Mr. Oliphant to draft a
14 report.

15 Q. You don't believe what happened?

16 A. I don't believe anyone -- an LSTA
17 representative approached Mr. Oliphant about writing
18 a letter or writing an incident report.

19 Q. Okay. Who's Lieutenant Hyatt, H-Y-A-T-T?

20 A. I guess that would be Rodney Hyatt.

21 Q. And who is he?

22 A. He is currently a lieutenant. I think
23 he's at the crime lab, maybe. He is also a LSTA
24 board member.

25 Q. Was he an LSTA board member on May 10th,

1 2016?

2 A. Yes.

3 Q. Here's why I'm asking. I'm going to show
4 you a document which we're going to mark and attach
5 as Exhibit #14.

6 (Deposition Exhibit #14 was marked for
7 identification.)

8 And I'm going to represent to you, for the
9 record, that these are some notes that I received in
10 a public records request to, I believe, the
11 governor's office and/or State Police. There's an
12 entry, if you wouldn't mind turning to it, dated May
13 10th, 2016.

14 A. Okay.

15 Q. As I see that entry, it says, while
16 attending the LSP awards ceremony, I had the
17 opportunity to speak with Lieutenant Rodney Hyatt,
18 who asked about my interaction with Calvin Braxton
19 of the LSP Commission. We had some discussion about
20 how he tried to get me to reassign Trooper Jayson
21 Linebaugh.

22 Jayson is spelled J-A-Y-S-O-N. Linebaugh
23 is L-I-N-E-B-A-U-G-H.

24 Lieutenant Hyatt informed me that he had
25 been told numerous things about the incident and

1 thanked me for standing up to him. I told him I was
2 just doing the right thing.

3 And then this is the part I wanted to ask
4 you about.

5 A. Uh-huh.

6 Q. He writes, he asked that I submit an
7 affidavit to the LSTA in lieu of me having to
8 testify before the LSP Commission.

9 Do you know anything about that?

10 A. No, ma'am.

11 Q. What was that about? Do you know who,
12 besides Mr. Hyatt, on the LSTA board requested that
13 Mr. Oliphant submit an affidavit in lieu of
14 testimony?

15 A. Ma'am, I don't have any idea about who he
16 would have approached. I know you're not in the
17 organization. I don't recall anybody ever
18 approaching a Louisiana State Police captain and
19 asking or directing him to do anything. I certainly
20 don't recognize that.

21 Q. Here's why I'm asking.

22 A. Uh-huh.

23 Q. I think, and, you know, I could be wrong,
24 at the time Mr. Oliphant was, in fact, a captain,
25 right?

1 A. I believe -- yes, ma'am.

2 Q. And the rank of lieutenant is below that
3 of a captain, correct?

4 A. Yes, yes.

5 Q. So the lieutenant couldn't give a captain
6 a direct order, right?

7 A. Not generally speaking, no.

8 Q. But somebody above the captain could?

9 A. Certainly.

10 Q. Or a captain with more seniority than
11 Mr. Oliphant could? Maybe yes, maybe no?

12 A. Yes.

13 Q. But certainly a major?

14 A. Sure.

15 Q. Certainly a lieutenant colonel?

16 A. Certainly.

17 Q. Certainly a colonel?

18 A. Yes.

19 Q. Certainly the superintendent?

20 A. Yes.

21 Q. Which was who at the time?

22 A. Colonel Edmonson.

23 Q. Okay. And what was Mr. Reeves' position
24 with State Police in May of 2016?

25 A. I don't know, ma'am. I believe he was a

1 major. I'm not certain.

2 Q. That would have been above Mr. Oliphant's
3 rank, correct?

4 A. At the time, yes.

5 Q. And he's now what with State Police?

6 A. He's the colonel.

7 Q. Okay. So do you have any idea what this
8 business is about submitting an affidavit to LSTA in
9 lieu of Mr. Oliphant testifying before the
10 Commission? Was there some sort of hearing coming?

11 A. Ma'am, I don't recognize that statement,
12 so I don't -- I can't speak to it. I don't know.

13 Q. Here's why I'm asking.

14 A. Uh-huh.

15 Q. You told me that there was a discussion by
16 the LSTA board about the incident report and the
17 incident involv- -- and I'm saying incident --
18 involving Mr. Braxton and his daughter's arrest for
19 DWI, which occurred in December of 2015. And then
20 we talked about it in the lines of the creation of
21 the July 11th, 2016, letter that was created by the
22 LSTA and sent out.

23 A. Uh-huh.

24 Q. Right?

25 A. Yes.

1 Q. So can you tell me, does this help refresh
2 your memory that there was a board discussion
3 sometime around April or May of 2016 about some sort
4 of plan to have a hearing involving Calvin Braxton?

5 A. I don't have an independent recollection
6 of that, ma'am. I don't. And going back to this
7 statement about Rodney Hyatt speaking with then
8 Captain Oliphant, that does not refresh my memory at
9 all. I don't recall that at all.

10 Q. Was there ever a discussion with the LSTA
11 board, or with Mr. Young himself, about provoking
12 some sort of hearing involving Mr. Braxton?

13 A. I think that's what the letter asked for,
14 a hearing, based on, I guess, the comments he had
15 made in the incident report, if that's what you're
16 asking.

17 Q. I'm a little curious, and I asked you
18 about report writing and the way you were trained in
19 the academy. So I understand that one of the things
20 that you are specifically taught in the academy is
21 that you are to write reports as contemporaneously
22 as possible, correct?

23 A. Yes.

24 Q. In fact, if I looked at the Peace Officer
25 Bill of Rights, right, you couldn't go back and

1 write up an officer for an alleged offense that
2 occurred more than six months earlier, right? You
3 got a 60-day window?

4 A. I don't know that. I don't know what it
5 says exactly.

6 Q. Okay. Have you ever written a report
7 about a, quote-unquote, incident six months after it
8 occurred?

9 A. I don't think I have.

10 Q. Because your training dictates that you do
11 it as close to the incident as possible, correct?

12 A. Generally speaking, yes.

13 Q. Okay. So tell me what you heard with
14 respect to Mr. Oliphant coming out and writing some
15 sort of incident report more than six months after
16 the alleged incident involving my client. How did
17 that come about?

18 A. And I can't tell you specifically because
19 I don't remember.

20 Q. Understood.

21 A. But I do remember having some
22 conversations with other troopers about what had
23 transpired between Mr. Braxton and Captain Oliphant.

24 Q. Which other troopers?

25 A. I don't remember specifically who it was,

1 but I just remember having those conversations that
2 Mr. Braxton had done some things that were improper.

3 Q. Like what?

4 A. Like wanted the trooper transferred,
5 threatened the trooper as far as using his power as
6 a commissioner against that trooper, should that
7 trooper find himself in front of the Commission for
8 a disciplinary matter or whatnot. And upon hearing
9 those things, thinking that that was not right.

10 And then, again, I don't remember who, but
11 that the incident report was coming out, was going
12 to be -- or had been submitted and were waiting for
13 it to be entered into the Department records so we
14 could do a public records request and read the
15 document and then respond from there.

16 Q. How did you know it had been submitted?

17 A. I don't remember hearing specifically. I
18 just remember hearing that it had been submitted and
19 that it was going to be part of the record.

20 Q. So this was some sort of plan; like, if he
21 submits the incident record, it becomes a public
22 record, then we can get it and we can use it?

23 A. I don't recall it being a plan like that.
24 I remember hearing that the report had been
25 submitted, and that once it became part of the

1 departmental public record, we could request it.

2 Q. The plan was to request it, right?

3 A. Well, once it was going to be -- yeah.

4 Once it was submitted and we knew it was there, then
5 we would request it and respond from there.

6 Q. And respond how? Was that part of the
7 plan, which was, once we get the report, then we're
8 going to request Mr. Braxton's removal?

9 A. From what I appreciate, you get the report
10 and see what's in the report, and then you draft a
11 response, if it's necessary from there. Not a --
12 you're making it sound like we know what's in the
13 report, we're just waiting on it, and then we're
14 going to draft a response that way.

15 Q. Well, with all due respect, I'm not making
16 it sound any way. I'm just looking at what I have
17 attached as Exhibit #14. And I'll represent to you,
18 as represented to me, that these are Mr. Oliphant's
19 notes that he made of events that transpired leading
20 up to the incident report which is dated June 2nd,
21 2016 --

22 A. Okay.

23 Q. -- almost a month after this entry he's
24 making on May 10th.

25 So the reason that I'm asking this is, it

1 sounds like at least one of your board members knows
2 darn well what is coming in the report, right,
3 because he's asking for an affidavit, and he's
4 asking for testimony in some sort of board hearing,
5 which I don't think was ever scheduled.

6 A. If that's accurate -- again, that's not
7 something I recalled at all -- then, yeah. I mean,
8 this is before -- this is Colonel -- I'm sorry --
9 Captain Oliphant's notes on May 10th, and he drafted
10 the report later, and there was some kind of
11 contact, according to these notes.

12 Q. That's what -- I think what I'm trying to
13 get at. In these discussions that you had with your
14 board, didn't y'all discuss the fact that you were
15 going to have a hearing based on what was coming in
16 Mr. Oliphant's report at some point?

17 A. Ma'am, I don't recall discussing it. I
18 don't recall discussing there's going to be a
19 hearing about the report.

20 Q. But that was the goal?

21 A. The goal was to make sure that we don't
22 have a Commission member that's going to mistreat
23 troopers.

24 Q. Understood. So this business about
25 Mr. Hyatt talking about in lieu of testimony before

1 the commission, your testimony under oath today is
2 you have no earthly idea what that is?

3 A. I don't recall this at all.

4 Q. Okay. Mr. Hyatt, are you friends with
5 him?

6 A. Yes.

7 Q. You're personal friends with him, right?

8 A. Yes.

9 Q. And how long have you been personal
10 friends with Mr. Hyatt?

11 A. I've known Mr. Hyatt a long time. I
12 wouldn't say we've been friends. We've gotten to
13 know each other better since I've been on the board,
14 which was 2013.

15 Q. Okay. So tell me every conversation you
16 had with Mr. Hyatt about the incident report,
17 whether it was drafted, going to be drafted or
18 provided by Mr. Oliphant.

19 A. I don't recall a specific conversation
20 with Rodney related to the report.

21 Q. How about generally?

22 A. I don't recall any specifics of any
23 conversation with Mr. Hyatt about it. I'm sure we
24 discussed it. I'm not denying that. I just don't
25 recall the details.

1 Q. Here's why I'm asking.

2 A. Uh-huh.

3 Q. You see after the part that I read you,
4 I've asked you, it reads, I advised him -- meaning
5 Mr. Hyatt -- I wouldn't have a problem at all
6 testifying, if needed, and either way would be okay
7 with me.

8 A. Okay.

9 Q. I later sought the advice of Major Reeves.
10 He's the colonel now?

11 A. Yes.

12 Q. And told him of my conversation with
13 Hyatt.

14 Do you know anything about that?

15 A. No.

16 Q. What's your relationship with Mr. Reeves?

17 A. He's the colonel and I'm a trooper under
18 his command.

19 Q. Are you friends?

20 A. I think that would be a little strong. I
21 mean, we're friendly.

22 Q. Let me ask you a question. Were you ever
23 aware of the presence of some sort of bar on State
24 Police property?

25 A. There was a bar at JESTC in Zachary, our

1 training facility.

2 Q. JESTC?

3 A. Uh-huh.

4 Q. And how is that spelled for the reporter?

5 A. J-E-S-T-C-E. I'm sorry. J-E-S-T-C.

6 Q. Who ran the bar?

7 A. It was before my time. We have not run a
8 bar out there under my tenure as LSTA president, so
9 I don't know how it was run. I'm told, discussion
10 we had with Mr. Young, was that the LSTA at some
11 point ran that bar, ran the facility.

12 Q. And provided the liquor?

13 A. I'm assuming so, yes.

14 Q. Do you know if that was through
15 Mr. Goldring, who was also a State Police Commission
16 member?

17 A. I don't know.

18 Q. He runs a liquor outlet, doesn't he?

19 A. He think he owns some liquor companies.

20 Q. Sure. Did Mr. Young tell you that
21 Mr. Goldring was the supplier of the liquor on State
22 property?

23 A. No.

24 Q. Okay. Well, let me ask you a question.

25 Did this bar run by the State Troopers Association

1 have a license?

2 A. I don't know.

3 Q. Do you know if it had permission to run a
4 bar on State property, this private association
5 you've referred to?

6 A. I don't know.

7 Q. You never went?

8 A. I've been in the facility, yes.

9 Q. I thought you had. So tell me what kind
10 of cocktails you had in the bar.

11 A. I think I probably had a Crown Royal.

12 Q. How many times have you been to that bar?

13 A. Over the course of my career, maybe --
14 while they were serving liquor there?

15 Q. Yeah.

16 A. Maybe four or five times.

17 Q. So would it be fair to say it was an open
18 secret among State Police, hey, we got a bar that's
19 run by LSTA at the training grounds?

20 MR. FALCON: Objection as -- what's
21 the -- open secret? What do you --

22 MS. CRAFT: Understood.

23 BY MS. CRAFT:

24 Q. You don't understand what open secret
25 means, sir?

1 A. I kind of don't.

2 Q. Okay. People knew; state troopers knew,
3 right?

4 A. I didn't know it was a secret at all,
5 though.

6 Q. Right. It was wide open; everybody knew,
7 right?

8 A. I mean, I knew. I knew there was a
9 facility there on the grounds where we could buy
10 alcohol.

11 Q. You purchased the alcohol?

12 A. Well, I never bought any myself, no.

13 Q. But you saw people purchase the alcohol at
14 that bar?

15 A. Well, I saw people drinking it. Let me
16 rephrase that. People were drinking.

17 Q. Okay. So you went in and got free liquor
18 on State property provided by a private association?

19 A. I just know I didn't pay for it. I
20 never --

21 Q. Who paid for yours?

22 A. I don't know.

23 Q. Well, who was tending the bar?

24 A. There was a young lady. I don't recall
25 her name.

1 Q. Was she a state trooper?

2 A. No. I don't believe so.

3 Q. Was she a former state trooper?

4 A. I think it was a trooper's daughter, I
5 think. I'm not --

6 Q. A trooper's daughter. Who paid her?

7 A. I don't know.

8 Q. Are you telling me, as an officer in the
9 Louisiana State Police, that you walked into a bar
10 on public property, you paid zero money to get Crown
11 Royal served by some girl, and you never asked a
12 question about it?

13 A. No.

14 Q. How many times have a walked in a bar not
15 on State property and said, hey, man, I'll take a
16 Crown over here, and not paid for it?

17 A. I've never done it.

18 Q. You understand, do you not, sir, by virtue
19 of your public service, you're not allowed to
20 receive anything free from anybody?

21 A. Well, from my appreciation was that the
22 LSTA ran the bar and the LSTA was paying for the
23 refreshments that were provided there.

24 Q. Paying who?

25 A. Ma'am?

1 Q. Paying who?

2 A. Whoever owned the bar. That's not
3 something I was privy to when I went. That's not
4 something that I knew or even thought about, that
5 this bar was being run by the Troopers Association
6 or whatever.

7 Q. But it was on State property, right?

8 A. Yes.

9 Q. So was the Troopers Association paying the
10 State of Louisiana for the gratuitous operation of a
11 bar?

12 A. I don't know.

13 Q. You never asked?

14 A. I never asked.

15 Q. You have since, haven't you?

16 A. Ma'am?

17 Q. You have since, haven't you?

18 A. Since the bar has been shut down, I have
19 honestly not asked about the bar.

20 Q. Who shut it down?

21 A. I don't know.

22 Q. How did it get shut down?

23 A. I don't know.

24 Q. When did it get shut down?

25 A. Before I was president. That's all I

1 know.

2 Q. 2015?

3 A. Okay.

4 Q. And were you aware of Mr. Braxton raising
5 some issues about the existence of the bar at a
6 State Police Commission meeting?

7 A. I don't recall specifically him raising an
8 issue about it. He may have.

9 Q. Generally, you recall there being an issue
10 raised about the operation of that bar?

11 A. I do.

12 Q. And do you recall or were you present
13 during that meeting?

14 A. I don't remember.

15 Q. Here's why I'm asking.

16 A. Uh-huh.

17 Q. As I understand from what my client has
18 told me and some of the videos that I've seen, in
19 all candor, Mr. Braxton basically raises his hand
20 and says, look, I've been to the bar, and that, at
21 the meeting, there was actually a representation
22 that it didn't exist. Do you remember anything like
23 that?

24 A. No.

25 Q. Do you remember anybody trying to cover up

1 the existence of the running of the bar on State
2 property?

3 A. No.

4 Q. How was it received when the bar was
5 closed by the troopers?

6 A. I don't recall hearing anything about it
7 being closed.

8 Q. Okay. Well, were folks happy or unhappy
9 that they could no longer drink free Crown Royal in
10 the bar on State property?

11 A. I don't recall ever knowing that the bar
12 had closed. You've got to --

13 Q. It's still open?

14 A. Not -- not to my knowledge.

15 Q. Okay. So how is it that you have the
16 knowledge it's no longer open?

17 A. Because that was a conversation we had
18 whenever there was some issues raised about the bar,
19 that it was no longer functioning.

20 Q. Conversations you had with whom?

21 A. Well, I've spoken to David about it, just
22 in general.

23 Q. Okay. So when did you speak to David
24 about it?

25 A. At some point during the discussion about

1 what was -- how it was run or whatever.

2 Q. During the discussion in 2016?

3 A. I don't recall what year it was, ma'am.

4 Q. Or 2015?

5 A. I don't recall.

6 Q. Was there some sort of bright line as to
7 who could go in the bar, like based on your rank?

8 A. Not to my knowledge.

9 Q. Did you see any of the superintendents up
10 in there?

11 A. I don't recall seeing a superintendent
12 there.

13 Q. How about command staff?

14 A. Yes.

15 Q. Who?

16 A. Charlie Dupuy, I've seen him there.

17 Q. And you said you've been five to six
18 times?

19 A. Guesstimating, ballpark, yes.

20 Q. And when you saw Mr. Dupuy in there, I
21 know he was a member of command staff, but for the
22 record, what was his rank?

23 A. Lieutenant colonel.

24 Q. Did you ever see Mr. Oliphant up in the
25 bar drinking?

1 A. I don't recall ever seeing him there.

2 Q. Okay. Who else on command staff did you
3 see in the bar drinking?

4 A. Lieutenant Colonel Dupuy is the only one I
5 can recall, and that was after the Carpe Diem
6 initiative. I think that was 2013.

7 Q. And what's that, for the record?

8 A. That was a -- I guess a concentrated
9 effort for troopers to go to work in the City of New
10 Orleans and essentially fight crime, if you will.

11 Q. Okay. And so when you were in the bar,
12 were you ever in uniform or partial uniform, like
13 you are today?

14 A. No, ma'am.

15 Q. Did you change first?

16 A. I'm sure I did. I wasn't in uniform.

17 Q. I'm sorry?

18 A. I wasn't in uniform, so I don't know if I
19 had changed from what I was wearing that day. I
20 don't recall that specifically.

21 Q. Did you see anybody else in uniform in the
22 bar?

23 A. I don't recall seeing anybody in uniform
24 in the bar.

25 Q. What were you doing up at the training

1 facility besides being in the bar?

2 A. For that particular one, I think we had a
3 debriefing about the event.

4 Q. State Police official business?

5 A. I guess so.

6 Q. And then was the debriefing -- did that
7 occur in the bar, or did you adjourn to the bar
8 after the debriefing?

9 A. I believe we had a -- and I'm not sure,
10 but I believe we had a debriefing in the classroom,
11 discussed what happened at the events, and then had
12 dinner and went to the bar.

13 Q. Dinner at the facility?

14 A. Yes, ma'am.

15 Q. There's food there, too?

16 A. I think that -- well, they have food
17 there, yes.

18 Q. Okay. Is there a hotel, too, or is that a
19 fantasy, as well?

20 A. Hotel.

21 Q. Is the hotel still operating?

22 A. As far as I know, yes, ma'am.

23 Q. And can folks off the street go use the
24 hotel?

25 A. I believe they contract it out. I don't

1 know the specifics of how they operate, but I think
2 outside agencies or companies can lodge there for
3 training.

4 Q. They can rent it if they have training
5 business on premises?

6 A. I think so, yes, ma'am.

7 Q. Understood. Now, you were telling me
8 about some conversations you had with Mr. Young with
9 respect to the bar and/or its ultimate closure.
10 Tell me everything you remember about those.

11 A. I don't remember specifically. Like I
12 said, the -- that was not part of my purview,
13 managing the bar. It hasn't been in operation since
14 I've been president. So, specifically, I don't
15 recall ever talking much about it, just that it was
16 not operating anymore.

17 Q. When you mentioned the discussions with
18 Mr. Young, you waved your hand as it relates to
19 Exhibit #14, you said when all this stuff was going
20 on. This stuff, I'm assuming, is the incident
21 report relating to Mr. Braxton.

22 Did you have discussions with Mr. Young
23 about the operation of the bar before you became
24 president or after you became president?

25 A. After. I don't recall ever discussing it

1 before I became president.

2 Q. Okay. In those discussions with
3 Mr. Young, do you recall either him or you or
4 anybody bringing up Mr. Braxton's name as, look,
5 he's against it?

6 A. I don't recall that.

7 Q. Is it possible, sir?

8 A. It's possible, yes.

9 Q. Now, with respect to the document in front
10 of you, he writes, Mr. Oliphant, he told me to stand
11 by on writing the letter to LSTA -- to the LSTA, and
12 he would get with Lieutenant Colonel Staton,
13 S-T-A-T-O-N, for advice.

14 Who's that fellow?

15 A. Lieutenant Colonel Staton, he's retired
16 now.

17 Q. Who was he at the time in 2016?

18 A. A lieutenant colonel. I'm not sure what
19 area he was over.

20 Q. Was he part of command staff?

21 A. Yes.

22 Q. And then Mr. Oliphant writes, he later
23 suggested that I, instead, submit an incident report
24 regarding LSP Commission member Calvin Braxton
25 through the chain of command, and if LSTA wanted to

1 get a copy, they could get -- they could by a public
2 records request.

3 Do you see that part?

4 A. Yes.

5 Q. Here's my question. If an incident occurs
6 on your watch while you're doing your job as a state
7 trooper, under what circumstances do you have to get
8 an order from your superior officer to write an
9 incident report?

10 A. I don't know. It's never happened to me.

11 Q. It would be fair to characterize, at least
12 what you've read, to be an unusual occurrence,
13 correct?

14 A. It would be unusual in my experience.

15 Q. Okay. Here's the other thing I'm asking.
16 It's kind of obvious to me, but I just want to make
17 sure. This entry is dated May 10th, 2016, Tuesday.
18 Does it appear to you from your read that the entry
19 on May 10th, 2016, actually includes incidents all
20 of which didn't necessarily occur on May 10th?
21 Because, see, we got this business, he later
22 suggested that I, those types of things. If you
23 don't know, that's okay.

24 A. I don't know. All I can go by is what I'm
25 seeing right here.

1 Q. Lieutenant Colonel Staton, he's part of
2 the LSTA?

3 A. Yes.

4 Q. And is he also on the board?

5 A. No, ma'am. I'm not sure if he's currently
6 a member, honestly. Sometimes when people retire,
7 they don't retain their membership.

8 Q. Do you ever talk to him about Mr. Braxton
9 and the incident report?

10 A. No, ma'am.

11 Q. Have you ever talked to him about the
12 political contribution issue?

13 A. No, ma'am.

14 Q. Or the bar?

15 A. No, ma'am.

16 Q. There's a whole bunch of blackout. It's
17 almost like a federal report, but we can skip
18 forward. And then I got some sort of entry that
19 looks like June 6th, 2016. You see that part? It's
20 at the bottom of the page. Go back. It's at Line
21 11 -- one more. Looks like it's supposed to be at
22 Line 1164, although I don't know what the lines
23 mean. Do you recognize this document, by the way,
24 as anything?

25 A. No. I don't recognize the document.

1 Q. I was wondering because I was going to ask
2 you, as a longtime LSP employee, whether or not this
3 was some sort of LSP form.

4 A. Not that I've seen.

5 Q. Okay. So on the entry that starts at Line
6 1164, June 6th, 2016, Monday, at 1165 line, it says,
7 I was advised to submit the following report up the
8 chain of command.

9 Do you see that part?

10 A. Yes.

11 Q. Again, an officer of then Captain
12 Oliphant's standing would have had to receive an
13 order from someone of higher rank; is that correct?

14 A. An order to do what?

15 Q. Submit this report.

16 A. I don't know that he'd have to receive an
17 order to submit a report. He could submit a report
18 on his own.

19 Q. Well, he says, I was advised to submit the
20 following report up the chain of command.

21 A. It doesn't sound like he was ordered. It
22 sounds like he was advised. I don't know what that
23 means.

24 Q. Do you know by whom?

25 A. No.

1 Q. But you're telling me, at some point in
2 time, LSTA knew that the incident report was, quote,
3 on its way?

4 A. I don't know if we knew it was on its way
5 or we knew it had been submitted, ma'am. I don't
6 recall the -- how we learned about the incident
7 report specifically being available.

8 Q. Okay. Let's flip sort of, if you can, and
9 I'm using the lines on the document, Line 1278.
10 Would you read that for the record, please?

11 A. The information above is supposed to be
12 used in order to facilitate Calvin Braxton's removal
13 from the LSP Commission.

14 Q. Do you know what that's about?

15 A. Am I allowed to assume that it's from the
16 incident report and the activities there?

17 Q. Well, what exactly did Mr. Braxton do
18 wrong, according to the incident report?

19 A. Is it here?

20 Q. Yes. It's attached to Exhibit #1.

21 A. From what I recall, without looking at the
22 document directly, he tried to have Colonel --
23 Captain Oliphant reassign a trooper, insinuated or
24 maybe directly stated that if the trooper was to
25 come before the Commission, that he would not

1 receive fair treatment. That's what I understand it
2 to be.

3 Q. Okay. Now, I know that you've written
4 tickets before, right?

5 A. Yes, ma'am.

6 Q. And here's why I'm asking. I represent
7 folks who've gotten tickets. One of the things that
8 I'm familiar with is a charge of public
9 intimidation.

10 A. Sure.

11 Q. You've cited people for that before,
12 right?

13 A. I think so. I seem to remember, yes.

14 Q. Correct me if I'm wrong, but I've seen
15 tickets where somebody gets pulled over and they
16 mouth off and say, you don't know who I am or who I
17 know, and they'll get cited for public intimidation.
18 Have you ever cited somebody for that?

19 A. Yeah. But we typically -- I think I have,
20 but, honestly, troopers are very -- my experience
21 has been -- very tolerant. It's going to have to go
22 to the nth degree.

23 Q. Meaning?

24 A. It would have to be not just, I'm going to
25 have your job. I would say -- I hate to project on

1 somebody else, but it would have to be more than
2 just a simple one-sentence statement for me to cite
3 somebody for that or arrest them for it. That's my
4 personal feelings on it.

5 Q. That would fall within officer discretion
6 as to whether or not to cite somebody for that
7 crime?

8 A. Sure.

9 Q. Okay. But you would agree with me, would
10 you not, as a state trooper, if you witness a crime
11 occurring, you are supposed to take action at the
12 time, right?

13 A. Generally speaking, yes.

14 MS. CRAFT: Can we take a short break?
15 I just need to use the restroom real
16 quick.

17 MR. FALCON: Sure.

18 (Recess.)

19 BY MS. CRAFT:

20 Q. I neglected to ask you this, but did you
21 ever become aware of there being any recording of
22 any conversations between Mr. Oliphant and
23 Mr. Braxton?

24 A. I don't recall any -- audio recording?

25 Q. Or any kind of recording?

1 A. No.

2 Q. Did you ever hear anything about that?

3 A. I don't recall hearing about any kind of
4 recording.

5 Q. Or video or anything like that?

6 A. No, ma'am.

7 Q. Did you ever talk to Mr. Oliphant about
8 his report?

9 A. No, ma'am.

10 Q. Have you ever talked to Mr. Oliphant at
11 all?

12 A. Yes, ma'am.

13 Q. About what?

14 A. I spoke to him about his new baby to be
15 recently. I've spoken to him at a Troop E meeting
16 when he was still a captain at Troop E. We don't
17 speak regularly.

18 Q. Did you ever talk to him about anything
19 relating to the State Police Commission?

20 A. I don't think we ever spoke about the
21 Commission.

22 Q. Who is Murphy Paul?

23 A. The chief of Baton Rouge City Police.

24 Q. Who was he with State Police?

25 A. He was lieutenant colonel when he left.

1 That was his rank when he left State Police.

2 Q. And was he a member of LSTA?

3 A. I believe so.

4 Q. Has Mr. Oliphant ever had any role in
5 LSTA, to your knowledge?

6 A. I don't recall specifically. I want to
7 say I thought he was a board member at one time, but
8 I don't know for sure.

9 Q. You all have a convention, right?

10 A. Yes, ma'am.

11 Q. Is that an annual convention?

12 A. Yes.

13 Q. And so I'm assuming you can't shut down
14 State Police for y'all to have a convention, right?

15 A. Correct.

16 Q. So what kind of folks go to the LSTA
17 convention?

18 A. Troopers, active and retired, their
19 families.

20 Q. Where was it held in 2016? That would
21 have been your first year as president.

22 A. I think it was in Lafayette. I'd have to
23 go back and be sure. I think it was Lafayette.

24 Q. Is it a one-day convention, two days,
25 three days?

1 A. Typically, from my recollection, it's a
2 Thursday, Friday -- Thursday evening, Friday and
3 Saturday normally.

4 Q. And y'all book a hotel?

5 A. Yeah. The affiliate president of whatever
6 affiliate is hosting it handles, I would say, nearly
7 all the arrangements for that.

8 Q. Do folks have to pay to go?

9 A. Yes.

10 Q. Unless they're a member of the board,
11 right?

12 A. I think typically, from what I understand,
13 and I don't -- that's not my role is to keep those
14 books, but I think the affiliate that's hosting
15 normally pays for the board members' hotel or
16 whatever, the room.

17 Q. Okay. And what is typically the agenda at
18 the -- what was the agenda in 2016, if you remember?

19 A. I don't recall.

20 Q. Like, what do y'all have -- you normally
21 have dinner on Friday night and --

22 A. Typically, there's a dinner, some sort of
23 gathering on Friday night. There's typically a
24 meeting of the delegates from different troop areas.

25 Q. What are delegates?

1 A. So you'd have a delegate, just say -- just
2 for instance, Troop L, their representation for the
3 entire membership of Troop L would -- their
4 representation would be, say, five troopers that
5 would attend the convention as representatives of
6 the home affiliate and discuss whatever matters are
7 pertinent to that area.

8 Q. So was Mr. Oliphant a delegate?

9 A. I don't recall that.

10 Q. Well, it's true, is it not, that in terms
11 of folks who attend the convention, it's generally
12 folks who are delegates, right, and members of the
13 board?

14 A. No. It can be anybody. I mean, it's not
15 just generally delegates, no. I would say most of
16 the people that go probably are not delegates.

17 Q. Okay. Do you know why Mr. Oliphant
18 attended the convention in 2016?

19 A. If he attended, I'm assuming because he
20 wanted to. I don't know.

21 Q. You have no recollection of him holding
22 any position with LSTA at that time?

23 A. I don't recall him -- other than being a
24 member.

25 Q. And Murphy Paul, was he some sort of --

1 did he have some position with LSTA?

2 A. Not to my knowledge.

3 Q. Did typically the command staff attend the
4 LSTA conventions?

5 A. I think the command staff has attended
6 more than they've not, in my experience.

7 Q. Here's why I'm asking. If we can -- we
8 talked about Line 1278 in Exhibit #14, which was the
9 information above is supposed to be used in order to
10 facilitate Calvin Braxton's removal from the LSP
11 Commission. Then I want to skip forward to Line
12 1311, which is dated June 23rd, 2016, a Thursday.

13 A. Uh-huh.

14 Q. Now, you told me conventions typically are
15 Friday and Saturday, right?

16 A. My experience, it's been Thursday evening
17 and then Friday and Saturday, yes.

18 Q. Thursday is a social event?

19 A. For the most part, yes.

20 Q. Okay. In this document at Line 1312,
21 Mr. Oliphant writes, this evening I had the
22 opportunity to speak with Lieutenant Colonel Murphy
23 Paul while attending the LSTA convention in
24 Lafayette, Louisiana.

25 Do you have a recollection of Mr. Oliphant

1 being at the LSTA convention in Lafayette,
2 Louisiana?

3 A. No, ma'am.

4 Q. Do you remember where it was held at?

5 A. Lafayette.

6 Q. Where in Lafayette?

7 A. I don't recall the hotel.

8 Q. About how many people attended the
9 conventions that year?

10 A. I don't know.

11 Q. You have no earthly idea?

12 A. 200. I don't know.

13 Q. Mr. Oliphant writes, during the
14 conversation, Paul asked me what was up with Calvin
15 Braxton. I told him I didn't know what the deal
16 was, but he needed to leave the issue with Linebaugh
17 alone, because he's, Braxton, wrong. I said, Calvin
18 was upset and wanted the guy transferred because he
19 arrested his daughter. Paul asked why would he want
20 him transferred and was it because he was doing his
21 job. And then he put in parenthesis, facetious. I
22 told him he felt like his daughter shouldn't have
23 been arrested because he was on the LSP Commission.
24 Once again, I told Paul that Calvin needs to leave
25 this issue alone.

1 Did you have any conversations with either
2 Murphy Paul or Mr. Oliphant about this particular
3 exchange?

4 A. No, ma'am.

5 Q. Have you ever talked to Murphy Paul about
6 Calvin Braxton?

7 A. No, ma'am.

8 Q. Or the incident report?

9 A. No, ma'am.

10 Q. And then he wrote, Paul stated there is no
11 way Colonel Edmonson was going to allow that to
12 happen.

13 Do you know what that's referring to?

14 A. No, ma'am.

15 Q. And then Mr. Oliphant writes, I told him I
16 wasn't going to let it happen. I asked Paul did he,
17 Paul, even know who Linebaugh was, and he stated he
18 didn't. Then he says, I pointed Linebaugh out, who
19 was sitting just a few feet away.

20 Do you know Officer Linebaugh?

21 A. I've met him, yes.

22 Q. How have you met him?

23 A. I met him at training.

24 Q. Like at the academy?

25 A. Yeah. I think we were at a in-service,

1 annual in-service.

2 Q. Was that -- did you see him in the bar,
3 too?

4 A. Not that I recall, no.

5 Q. Does he have some position with LSTA, even
6 a delegate position?

7 A. Well, delegates are chosen every year. It
8 could be a different delegate every year. I don't
9 know if Linebaugh has ever been a delegate. I know
10 that he's a member, last I checked. Not that I
11 checked, but last I knew. As far as any other
12 positions, I don't know. Has he ever had one or
13 not, I don't know.

14 Q. Do you recall seeing him at the convention
15 in 2016?

16 A. Not specifically, no, ma'am.

17 Q. Paul stated, he writes, he has told Calvin
18 to stop mentioning his name when he's talking to
19 people because he still works here, LSP. He stated
20 Calvin was a friend of his, but he needed to
21 understand he had a job to do. I advised Paul that
22 Calvin had stopped calling me since I told him I
23 wasn't going to move Linebaugh.

24 Do you know anything about that?

25 A. No, ma'am.

1 Q. Okay. Then there's an entry on July 13th,
2 2016. Now, that's two days after, as I understand
3 it, feel free to refresh your memory, that the LSTA
4 sent the letter to the governor and others, which is
5 attached to Exhibit #1.

6 A. Is that in here?

7 Q. Yes, sir. Am I right about that?

8 A. This is -- yeah, July 11th is when the
9 letter looks like it was dated, and then July 13th
10 is on the notes.

11 Q. Did you see drafts of the July 11th, 2016,
12 letter before it went out?

13 A. I don't recall seeing it specifically. I
14 don't recall seeing it.

15 Q. Do you remember discussing the contents of
16 the July 11th, 2016, letter?

17 A. I know we discussed it. I don't remember
18 specific details regarding the discussion.

19 Q. And why was it, if at all, there was some
20 decision to try to remove Mr. Braxton from the
21 board?

22 A. From the Commission?

23 Q. From the Commission.

24 A. I just remember the discussion regarding
25 what he had asked, what was in the report

1 referencing him trying to have the trooper removed
2 and, as I said earlier, the trooper would not
3 receive fair treatment. So if we have a trooper
4 that may not receive fair treatment regarding and
5 because of some action of a Commission member,
6 obviously we would not want that to take place and
7 we'd ask the Commission member to be removed.

8 Q. And, also, I think you've told me
9 Mr. Braxton, at least you were aware, made some
10 statements about this bar on public property?

11 A. I don't recall a specific statement that
12 he made about a bar.

13 Q. I understand. And then you were aware
14 that Mr. Braxton was also sort of involved in the
15 investigation of the political contributions by
16 LSTA, right?

17 A. If he was on the Commission at the time, I
18 don't recall a specific action or his involvement
19 with the investigation.

20 Q. Are you at all familiar with any practices
21 by any of the superintendents of State Police of
22 receiving free hotel rooms and meals?

23 A. I'm not familiar with that.

24 Q. That's never happened to you?

25 A. Getting a free hotel or meal?

1 Q. Yes, sir.

2 A. Free meaning what, that I didn't pay for
3 it myself?

4 Q. Yes, sir.

5 A. The association has certainly paid for
6 hotels for me.

7 Q. Has there ever been occasions where you've
8 gone to a hotel and the association didn't pay for
9 it, you didn't, either?

10 A. Not that I'm aware of.

11 Q. Are you at all familiar with folks
12 requesting Mr. Braxton and/or one of his business
13 partners to provide them free hotel rooms, state
14 troopers?

15 A. I'm not familiar with that at all.

16 Q. Never heard anything about that?

17 A. Not me personally, no.

18 Q. Has it ever been discussed at the LSTA
19 office or in the meetings about Mr. Braxton or his
20 business partner, Mr. Friedman, I believe?

21 A. I don't know who Mr. Friedman is, and I
22 don't know -- free hotels rooms and those names mean
23 nothing to me. I don't even understand the
24 relationship.

25 Q. Did you ever see Mike Edmonson riding

1 around in some sort of vehicle on the streets of New
2 Orleans with a bottle of wine and his family members
3 being driven around by a trooper?

4 A. No, ma'am.

5 Q. Did you know anything about Mr. Edmonson
6 while he was State Police superintendent receiving
7 free hotel rooms at the Renaissance Hotel?

8 A. I don't know anything about that, no.

9 Q. Or leaving unpaid bar tabs and food bills
10 for Mr. Braxton or his business partner to pick up?

11 A. No, ma'am.

12 Q. How about any other troopers, like, for
13 example, Mr. Dupuy, Charlie?

14 A. Being -- receiving free --

15 Q. Yes.

16 A. -- whatever? I don't know anything about
17 that, no.

18 Q. Okay. So I was going to direct your
19 attention to a July 13th entry. I asked you about
20 the July 11th, 2016, letter. And correct me if I'm
21 wrong with respect to the letter. You told me you
22 don't remember seeing a draft of it. Do you
23 remember anything at all about the discussion
24 concerning the letter or its sending?

25 A. I remember speaking with Mr. Falcon about

1 a constitutional provision in which we could ask
2 that the Commission member that we felt was unfit to
3 serve, we could petition the governor for a -- to
4 have a hearing and the governor could decide whether
5 or not to remove that Commission member.

6 Q. You were aware, were you not, that at
7 least three prior State Police Commission members
8 had made improper campaign donations in 2015, right?

9 A. I don't remember the date, but I do know
10 that there were some contributions made.

11 Q. And all three of them had to remove -- or
12 remove themselves from the Commission, right?

13 A. I think they all resigned, yes.

14 Q. Mr. Goldring was one of those people, the
15 liquor guy?

16 A. I believe so, yes.

17 Q. And Mr. Goldring, correct me if I'm wrong,
18 has been a supporter of the LSTA for a number of
19 years, right?

20 A. I know he's made donations to Trooper
21 Charities, I know specifically.

22 Q. Yes, sir. Size of those donations, sir?

23 A. The one I'm aware of is \$3,000.

24 Q. To what?

25 A. Louisiana Trooper Charities, I believe it

1 was.

2 Q. That's something that the LSTA manages?

3 A. Yes, ma'am.

4 Q. How about other donations by Mr. Goldring,
5 the liquor guy, to the LSTA?

6 A. I'm aware that he donated, I think it
7 was -- I don't know if it was 2,000 or \$2,500
8 recently to Trooper Charities to purchase vests for
9 troopers, and he also donated some product to a
10 fundraiser.

11 Q. Liquor?

12 A. Yes.

13 Q. When?

14 A. It was right before Easter this year. I
15 don't recall the date specifically.

16 Q. Do you know how many other occasions
17 Mr. Goldring has donated liquor to the LSTA or
18 Trooper Charities?

19 A. No, ma'am.

20 Q. Have you seen him at the offices of LSTA?

21 A. Mr. Goldring?

22 Q. Yes.

23 A. No, ma'am.

24 Q. Have you ever socialized with him?

25 A. No. I've met him a couple times.

1 Q. Have you met him with Mr. Young?

2 A. I don't believe so.

3 Q. Let me ask you a question. With respect
4 to Mr. Goldring, when the issue of political
5 contributions came about, did you understand that he
6 reluctantly removed himself from the board?

7 A. I don't know the circumstances of that.

8 Q. Did you know that he was unhappy about him
9 having to remove himself from the board?

10 A. No, ma'am. I don't know the situation,
11 no.

12 Q. Do you know who replaced him?

13 A. No.

14 Q. Do you -- are you aware at all, meaning
15 have you heard or heard about -- and, again, hearsay
16 is all fair game in this room.

17 A. Uh-huh.

18 Q. -- about any conversations that
19 Mr. Goldring may have had with Mr. Young or any
20 member of the board at the State Troopers
21 Association?

22 A. Regarding -- in general?

23 Q. Anything.

24 A. Not specifically with Mr. Young or the
25 board, not that I know of a conversation. I'm not

1 aware of, no.

2 Q. Do you recall generally any discussions
3 that Mr. Goldring may have had?

4 A. No.

5 Q. Now, the entry on July -- oh, sorry, the
6 letter July 11th --

7 A. Uh-huh.

8 Q. -- it got cc'ed to whom?

9 A. It's on the back. Cathy Derbonne, State
10 Police Commission members, Colonel Michael Edmonson,
11 Taylor Townsend, Lenore Feeney and Jay O'Quinn.

12 Q. So you got a copy of it?

13 A. I must have.

14 Q. But you knew what it was going to say
15 before you got a copy of it, correct?

16 A. I don't recall that specifically.
17 Normally, we would have a conversation with
18 Mr. Falcon before we send something regarding us,
19 but I can't specifically say I saw the letter before
20 it was sent.

21 Q. Did the board for LSTA authorize the
22 sending of the July 11th, 2016, letter?

23 A. I don't recall that.

24 Q. Do you know who authorized the sending of
25 the July 11th, 2016, letter, if anyone?

1 A. Ma'am?

2 Q. If anyone.

3 A. I don't recall.

4 Q. Was Mr. Falcon, to your knowledge, acting
5 as an agent of the LSTA at the time of the sending
6 of the July 11th, 2016, letter?

7 A. Best of my knowledge, yes.

8 Q. Okay. Now, you understood, did you not,
9 that once you sent that letter to the State Police
10 Commission members, Ms. Derbonne, the executive
11 director, and certainly the governor, that it would
12 become a public record; is that right?

13 A. Certainly.

14 Q. And can you tell me how the letter got
15 delivered to the governor and the other folks cc'ed?

16 A. I don't know.

17 Q. Do you know if it was hand-delivered?

18 A. I don't know.

19 Q. Do you know if a copy of it was given to
20 any member of the media?

21 A. I don't know.

22 Q. Did you hear anything about that?

23 A. I don't recall hearing that.

24 Q. Was that something discussed in the board
25 meeting, about getting this letter in the hands of

1 certain people, like who we're going to send it to?

2 A. I don't recall a discussion regarding
3 that, no.

4 Q. Okay. The entry at 1326 is dated July
5 13th.

6 A. Uh-huh.

7 Q. At 1327, it says, I received a call this
8 morning from LSP Chief of Staff Charlie Dupuy, who
9 stated Calvin Braxton had received a phone call from
10 Colonel Edmonson about my letter that I had written.
11 He stated Braxton was not happy at all and told them
12 I was lying. Dupuy said he was giving me a courtesy
13 call to make me aware of the letter being delivered.

14 Do you know what that's referring to?

15 A. No, ma'am.

16 Q. Do you know if that's referring to the
17 July 11th letter, incorporating also Mr. Oliphant's
18 report?

19 A. I don't know.

20 Q. Then he wrote, he was also making sure I
21 was good and that I wasn't worrying about anything
22 happening to me. I took the comment as him saying
23 that Colonel Edmonson, being that he and Braxton are
24 friends, was good with the report, as well.

25 Do you know who reviewed the report,

1 Mr. Oliphant's report, up the chain of command
2 before it was issued?

3 A. No, I don't.

4 Q. On the next page he writes, later that
5 morning I received a call from Colonel Edmonson
6 indicating that he really supports me and the fact
7 that I wrote the report on Braxton. He asked had I
8 talked to Calvin. I told him I hadn't. He stated
9 he's going to suggest that Braxton step down from
10 his position as Commission member as a result of my
11 report and one submitted by the LSTA, which I
12 haven't read. He stated he would be a fool to fight
13 this.

14 Do you know anything about that?

15 A. No.

16 Q. Did you have any conversations or were you
17 present when any conversations occurred with Colonel
18 Edmonson about Mr. Braxton?

19 A. No.

20 Q. And I guess let me ask you this: Having
21 read what Mr. Oliphant wrote about this he's going
22 to suggest that he, meaning my client, step down,
23 correct me if I'm wrong, on this document it appears
24 that that statement by Mr. Oliphant was written --
25 let me get my timing right -- a month after he wrote

1 at Line 1278, the information above is supposed to
2 be used in order to facilitate Calvin Braxton's
3 removal from the LSP Commission?

4 A. Could you ask me that again, ma'am?

5 Q. Sure. See on 1278, that's a June 6th
6 entry. That's what Mr. Oliphant wrote in his June
7 6th entry. Do you see that part? I had you read
8 that sentence at 1278.

9 A. This information is -- okay, I see that.

10 Q. Uh-huh. So then we flip forward and now
11 we're in July, July 13th, and then Mr. Oliphant's
12 talking about that he had received a call from
13 Colonel Edmonson and that Colonel Edmonson is going
14 to suggest Braxton step down as a result of my
15 report and one submitted by LSTA, which I haven't
16 read.

17 Did it appear to you that Mr. Oliphant, at
18 least as of June 6th, knew exactly what his report
19 was going to be used for?

20 A. I can't -- I can't speak to what his
21 intentions are, ma'am.

22 Q. Well, you certainly don't dispute that, at
23 least in this document, he wrote he knew exactly
24 what was going to happen with his report on June
25 6th?

1 A. I don't presume to know what he knew.

2 Q. Understood. Then he writes at Line 1338,
3 Colonel Edmonson called again a short while later,
4 stating he had sent me contact information and asked
5 that I contact Senator Robert Tarver of Shreveport,
6 who had some questions about the occurrence of
7 events. Upon speaking to Tarver, he asked what
8 happened. He stated Braxton had called him and was
9 very emotional. After speaking to Tarver and
10 advising him of some details, at Colonel Edmonson's
11 request, he stated he certainly understood and
12 agreed with my position in doing the right thing.
13 He further stated that Braxton is his friend and
14 he's going to do whatever he can do to help, but
15 he's also going to tell him to step down from his
16 position.

17 Do you see that part?

18 A. Uh-huh. Yes.

19 Q. Do you know if Mr. Young ever had any
20 conversations with Mr. Oliphant?

21 A. Not that I know of.

22 Q. Well, my client didn't step down at that
23 time, correct?

24 A. I don't know when he stepped down.

25 Q. Well, let's see if we can figure that out.

1 Attached to the petition is another letter that LSTA
2 wrote, and this one is dated -- I don't want to get
3 the date wrong -- it's right in front of this one.
4 No, no. Go this way. No, this way. There you go.
5 Now, that letter is dated what?

6 A. This letter (indicating)?

7 Q. Yes, sir.

8 A. June 19th.

9 Q. Of?

10 A. 2017.

11 Q. So that's one year after the letter and
12 the report that we've been talking about; is that
13 correct?

14 A. According to the document, yes, ma'am.

15 Q. Well, okay. And that letter, June 19th,
16 2017, was written on behalf of the State Troopers
17 Association; is that right?

18 A. Yes.

19 Q. And did you see that letter before it was
20 sent out?

21 A. I don't recall if I saw it before it went
22 out.

23 Q. Did you know about it?

24 A. I'm sure I did.

25 Q. So tell me what happened in that ensuing

1 year between July of 2016 and now we're in June of
2 2017. What happened with respect to Mr. Braxton?

3 A. I'm assuming he was still on the
4 Commission at that point. I don't know what
5 happened. What do you mean?

6 Q. Was there a continuing discussion about
7 Mr. Braxton being removed?

8 A. I think there was some general discussion
9 during -- from the time the incident report was made
10 until Mr. Braxton eventually, I guess -- I don't
11 know if he resigned, but in that -- in the middle of
12 those two events, the report and the resignation, if
13 that's what it was, there was certainly some
14 discussion about whether he was, in our eyes, fit to
15 serve on the Commission.

16 Q. Discussion by whom?

17 A. Troopers in general.

18 Q. But that had been over a year, right?

19 A. Yes. I guess so.

20 Q. Okay. Here's why I'm asking.

21 A. Uh-huh.

22 Q. As I understand it, there was a gentleman
23 by the name of Taylor Townsend. Do you know -- are
24 you familiar with him?

25 A. I know who he is generally.

1 Q. And you know that he was hired by the
2 executive director of the State Police Commission to
3 investigate the political contribution business?

4 A. Yes.

5 Q. And would it be fair to say that the LSTA
6 and its executive director were not happy about that
7 investigation?

8 A. I think at the end of it we were not found
9 to be at fault, or if you want to call it that, from
10 the Commission, so I'm happy about that.

11 Q. You were not found at fault based on what?

12 A. Mr. Townsend's investigation. And I think
13 they actually had to go back and rewrite a decision,
14 if you will, and vote on it again well after the
15 fact. I don't know the date. I recall there being
16 some discussion about a lack of a written finding, I
17 think it was, by Townsend.

18 Q. Here's why I'm asking. This letter here,
19 it's June 19th, 2017, did you understand that that
20 letter was disseminated on the eve of the meeting
21 wherein Mr. Taylor Townsend was going to present his
22 findings and Mr. Braxton, on the board, was going to
23 vote whether or not to determine if LSTA violated
24 the law?

25 A. I don't recall that, ma'am.

1 Q. Do you recall that being the timing, sir?

2 A. I don't recall that being the timing, no.

3 Q. But you wouldn't dispute it, would you?

4 A. I don't know yes or -- either way.

5 Q. But you understood, did you not, in that
6 ensuing year after the issue first arose, that
7 Mr. Braxton had not changed his position relative to
8 the giving of political contributions by state
9 troopers through Mr. Young? You knew he hadn't
10 changed his mind. He was as opposed to it then as
11 he was in the beginning.

12 A. His view on that topic is neither here nor
13 there for me. I don't know whether he changed his
14 view, what his view was. I don't recall specific
15 information being disseminated from Mr. Braxton
16 to -- about what he thought about it. He may have.
17 I don't recall it.

18 Q. You said that the State Troopers
19 Association at some point in the future was cleared,
20 right, so you said, by the Commission?

21 A. The Commission took no action against
22 the -- yes.

23 Q. When the Commission took no action,
24 correct me if I'm wrong, Mr. Braxton had been forced
25 from the Commission?

1 A. I don't recall if he was on the Commission
2 at that time or not.

3 Q. And he had been replaced by somebody else?

4 A. If you say so. I don't recall the date.

5 Q. The executive director, Cathy Derbonne --

6 A. Yes.

7 Q. -- she was forced from the Commission,
8 too, right?

9 A. I believe she resigned.

10 Q. She resigned before Mr. Townsend could
11 deliver his report?

12 A. I don't recall that.

13 Q. Did the Commission -- I'm sorry. Did the
14 State Troopers Association have any discussions
15 about removing Ms. Derbonne as a result of this
16 political contribution investigation? I mean, she
17 started it.

18 A. I never discussed removing Cathy Derbonne.

19 Q. But you knew she's the one that hired
20 Mr. Townsend.

21 A. I don't know that. I knew he was doing
22 the investigation. I don't know how -- I don't
23 pretend to know how the Commission conducts their
24 business is what I mean.

25 Q. So who was on the Commission that,

1 according to you, cleared you? I know Mr. Braxton
2 was off. I think Ms. Derbonne was out as executive
3 director. Which other ones got removed in the
4 meantime or removed themselves before you got this,
5 quote-unquote, clearance?

6 A. I know Mr. Kyle had resigned. I think
7 Mr. Breaux was still on the Commission. I think
8 T.J. Doss was still on the Commission.

9 Q. And what about his girlfriend, Mr. Doss'
10 girlfriend; was she still on the Commission, too?

11 A. There was a lady, Monica Manzella. I
12 don't know if she was his girlfriend or not when she
13 was on the Commission. But, yes, she was there, I
14 think. Other than that, I would just have to just
15 go back and review the Commission meeting.

16 Q. Were you at the meeting when that
17 happened, the hooray, we've been cleared meeting?

18 A. I don't specifically remember it. I'm
19 sure I was. I haven't missed many.

20 Q. I'm sorry. You haven't missed a meeting?

21 A. I haven't missed many.

22 Q. Okay. Understood. So can you tell me, in
23 advance of the meeting with the, hooray, we've been
24 cleared from the political contribution allegation,
25 whether or not there was any discussion at LSTA

1 about how the individual members left on the
2 Commission were going to vote?

3 A. I don't recall a discussion regarding
4 that.

5 Q. Did you, in advance of going to Commission
6 meetings, take a look at the agenda and try to
7 figure out who's on the board, who's going to vote
8 for what, what's going to happen?

9 A. I don't recall specifically discussing
10 that.

11 Q. How about in general terms?

12 A. Well, generally speaking, we would discuss
13 what's on the agenda at every Commission meeting.

14 Q. Okay. In general terms, you would also
15 discuss what position the LSTA was going to take,
16 right? I mean, that's your job theoretically.

17 A. Yeah. Generally speaking, we would form
18 some sort of opinion, if it's something that affects
19 us or troopers.

20 Q. Have you ever talked with any of the
21 Commission members about matters coming up on the
22 agenda?

23 A. Yes.

24 Q. Who?

25 A. At the time, I talked to T.J. Doss, who

1 was our Commission representative.

2 Q. About what in particular?

3 A. About whatever was on the agenda.

4 Q. Okay. What else, or who else?

5 A. Just talked about -- I don't recall a
6 specific conversation regarding a specific topic.

7 Q. True or not true: As a State Police
8 officer, if I, in my vehicle, follow you around,
9 that can be a crime; is that correct?

10 A. I don't know. I don't know what the crime
11 would be.

12 Q. Stalking?

13 A. Could be.

14 Q. Public intimidation?

15 A. Could be.

16 Q. Certainly, if I -- if you expressed I'm in
17 fear for my family's safety and my safety as a
18 trooper because Jill Craft is following me in a car,
19 that could constitute the crime of public
20 intimidation, right?

21 A. I don't know the specifics or the elements
22 of the crime, ma'am. I don't know.

23 Q. Well, let me ask you this: As a sworn
24 commissioned law enforcement officer in the State of
25 Louisiana, it's true, is it not, that if you're

1 aware of any behavior that might constitute a crime,
2 you are obligated to act?

3 A. Yes.

4 Q. So if you, as a state trooper, believed
5 that some member of the public was placing you
6 and/or your family's safety in jeopardy, you would
7 be obligated to take some action?

8 A. That's very broad. If my family's safety
9 is in jeopardy, am I compelled to act?

10 Q. Yes.

11 A. Of course, as a -- if it's my family, I
12 am, for sure.

13 Q. If you wouldn't mind, look at Exhibit #1.
14 And the last page I'm going to refer you to is a
15 Facebook posting, which I believe was posted by
16 Mr. Oliphant sometime after February of 2018. It's
17 the very last page.

18 A. Which one?

19 Q. This one (indicating). First of all, you
20 became aware, did you not, that I, on behalf of
21 Mr. Braxton, was submitting public records requests,
22 right? You knew about that?

23 A. I don't recall a public records request
24 from you, hearing about that.

25 Q. You never heard anything about it?

1 A. I don't recall hearing about it, no.

2 Q. Understood. This is a Facebook posting,
3 I'll represent to you, that I understand
4 Mr. Oliphant posted after what's attached would have
5 been my public records request --

6 A. Okay.

7 Q. -- dated February, I think, 2nd or so.
8 Have you seen this Facebook posting before?

9 A. No.

10 Q. Today is the first time?

11 A. Yeah. I don't recall seeing this.

12 Q. Let me ask you something. What's the
13 policy of Louisiana State Police regarding the use
14 of social media?

15 A. I don't believe -- I don't know exactly
16 what the policy says, but it -- I believe it
17 addresses using departmental emblems and things.
18 That's just prohibited or discouraged. I don't know
19 what the terminology is.

20 Q. Well, on your watch, you're aware of some
21 troopers that have been at least counseled, if not
22 disciplined, for inappropriate postings they've made
23 on social media, right?

24 A. I don't know specifically, no.

25 Q. But you've heard about that, right?

1 A. I've heard of it, yes.

2 Q. Sure. You've had some troopers, have you
3 not, that posted racially insensitive things on
4 social media and they've gotten in trouble for it,
5 right?

6 A. Oh, I don't know about that.

7 Q. Sexually inappropriate things, they've
8 gotten in trouble for it?

9 A. I don't know about that, either.

10 Q. Is it your understanding that State Police
11 does not have any kind of policy regarding what
12 troopers can post on social media?

13 A. No. I think -- from what I appreciate the
14 policy to say, and I don't know it verbatim,
15 obviously, is that it more dictates what you cannot
16 do as far as using departmental emblems or whatnot.

17 Q. Okay. In this Facebook posting, I wanted
18 to ask you a few questions. Mr. Oliphant writes --
19 and I'm at the second sentence -- however, over the
20 last few months, I've been subjected to personal
21 attacks purely due to an ethical decision I made in
22 December 2015.

23 Do you know what he's referring to?

24 A. No.

25 Q. During that time, I refused to succumb to

1 threats and intimidation from a local Natchitoches
2 businessman whose daughter was arrested by an
3 officer under my command.

4 Do you see that part?

5 A. Yes.

6 Q. It is against Louisiana law, is it not, to
7 threaten and intimidate an officer?

8 A. Public intimidation?

9 Q. Yes.

10 A. Yes.

11 Q. Then he writes, sometime between then and
12 now, this local businessman has allegedly hired
13 private investigators or, quote, someone, end quote,
14 to follow me and watch my every move.

15 Do you know anything about that?

16 A. No.

17 Q. Had you heard anything about that?

18 A. I want to say I did, but I couldn't tell
19 you specifically, so I'd hesitate to -- I don't want
20 to guess about that.

21 Q. Do you know if Mr. Oliphant ever filed any
22 kind of criminal complaint or cite criminal charges
23 against Mr. Braxton?

24 A. I don't know if he did or if he had a
25 grounds to. I'm not privy to that.

1 Q. And then he writes, I have observed a
2 suspicious vehicle, with an S, near my residence,
3 which have been confirmed to have a direct
4 connection with this local and wealthy businessman.

5 Do you know anything about that?

6 A. No.

7 Q. Do you know what the direct connection is?

8 A. Between what?

9 Q. What he's referring to?

10 A. No.

11 Q. I must admit, as calm and collective as
12 I've tried to be throughout my life, this one has me
13 concerned due to safety reasons.

14 Do you see that part?

15 A. Yes.

16 Q. This is an officer, a state trooper --

17 A. Uh-huh.

18 Q. -- who's saying he has safety concerns.

19 Under your oath and your job, is he obligated to
20 take action?

21 A. I mean, there's a certain degree of
22 discretion, I guess, with this. I don't know. I
23 don't know what this is referring to, ma'am.

24 Q. How about his commanding officers? You
25 tell me they have discretion. Here's an officer of

1 rank who's saying, I have safety concerns.

2 A. Ma'am, I don't -- this is a document
3 someone else wrote. I can't comment effectively on
4 what it means to that person. I don't know.

5 Q. You're telling me that you've never issued
6 a ticket or made an arrest for improper telephone
7 communications or improper wire communications,
8 ex-husband saying, I hate that no good bitch, and
9 then you make the arrest or issue the citation;
10 never happened?

11 A. I've never done that, no.

12 Q. Okay. And then he writes, to confirm
13 someone is, in fact, following or watching me has
14 caused a great amount of fear for me and my family.

15 Do you know anything about that?

16 A. No.

17 Q. He writes, rest assured, I will do
18 whatever is necessary to protect those who are near
19 and dear to me, including myself.

20 Do you know anything about that?

21 A. No.

22 Q. I have recently been advised this
23 individual has been in contact with various media
24 outlets pressuring them to release coverage
25 indicating he has proof that I've committed or have

1 been committing some form of payroll fraud.

2 Do you know anything about that?

3 A. No, ma'am.

4 Q. This is a clear and obvious attempt to
5 continue to intimidate and retaliate against me for
6 not giving me [sic] what he wanted, in that, I
7 adamantly refused to reassign and/or relocate the
8 officer who arrested his daughter.

9 That part, does that sound like public
10 intimidation to you?

11 A. He references intimidate.

12 Q. Would you expect an officer now currently
13 of the rank of lieutenant colonel to take action if
14 he personally believed a crime had been committed?

15 A. If he believes a crime has been committed,
16 I expect he would probably take action, yes. I
17 don't know what that -- how that references a
18 Facebook post specifically. I mean, this is --
19 that's two different things in my mind.

20 Q. With respect to the Facebook posting by
21 Mr. Oliphant, can you tell me whether or not you're
22 aware if he's received any disciplinary action,
23 including nondisciplinary letter of caution or a
24 verbal warning?

25 A. I don't know.

1 Q. Now, in your position at LSTA, correct me
2 if I'm wrong, you guys are plugged in to when an
3 officer is disciplined, right? I mean, that's part
4 of your function, too.

5 A. We're not plugged in, no. If an officer
6 is disciplined and approaches the LSTA for some
7 guidance or something of that nature, that's how we
8 become aware of it, I guess.

9 Q. Well, don't you provide legal services for
10 troopers who are in trouble?

11 A. The board can -- yes, the board can make
12 that decision.

13 Q. Okay. Who is Thurman Miller?

14 A. I believe he's a trooper. I believe he
15 works at Troop E.

16 Q. Troop E is where?

17 A. Based out of Alexandria.

18 Q. Is he under the command of Mr. Oliphant?

19 A. Mr. Oliphant is the patrol lieutenant
20 colonel. So if Thurman is still in patrol, then he
21 would be under his purview, yes.

22 Q. If you wouldn't mind, on the document
23 which is Exhibit #14, would you flip to the entry
24 that has a date of August 11th, 2016.

25 A. Say it again. I'm sorry. Where am I

1 looking?

2 Q. August 11th, 2016. I'm sorry. This
3 document, which is Exhibit #14.

4 A. Okay.

5 Q. In it Mr. Oliphant writes, I spoke with
6 Thurman Miller -- T-H-U-R-M-A-N Miller -- who stated
7 Calvin Braxton was at the LSP Commission meeting
8 today and was rather quiet. He stated Braxton voted
9 for everything on the agenda, which is very unusual.
10 I later talked to blank, I don't know who that is,
11 who stated he had spoken to Braxton, as well. He
12 stated Braxton told him he voted for things on the
13 agenda he ordinarily wouldn't have voted for.

14 Now, you said you've been to the majority
15 of the meetings, right?

16 A. Yes.

17 Q. Do you remember attending the one in
18 August of 2016?

19 A. No, ma'am.

20 Q. Do you recall Mr. Braxton voting in favor
21 of every initiative the State Troopers Association
22 put up?

23 A. No, ma'am.

24 Q. Do you recall there being a sea change in
25 his behavior after y'all sent the letter out?

1 A. I don't recall observing a change in his
2 behavior. I don't see Mr. Braxton enough to
3 establish a pattern, I guess.

4 Q. So do you have any reason to dispute
5 what's recorded here, that it was unusual for
6 Mr. Braxton to vote for, quote, everything on the
7 agenda?

8 A. I can't dispute or confirm what's there on
9 the page.

10 Q. Do you know whether or not Mr. Braxton,
11 after your letter was made public in July of 2016,
12 gave up for a while and said, look, I'm not
13 fighting, I don't care?

14 A. I don't know what Mr. Braxton did.

15 Q. Did you ever talk to Thurman Miller about
16 Calvin Braxton?

17 A. I have spoken to Thurman, yes.

18 Q. And tell me about that.

19 A. Thurman, I guess for broad strokes -- I
20 don't remember the specific conversation, but just
21 that Mr. Braxton was -- shouldn't remain on the
22 Commission.

23 Q. When was that?

24 A. I don't recall the date, ma'am. Sometime
25 after the incident report was written.

1 Q. Sometime after June of 2016?

2 A. Is that the date of it?

3 Q. Yes, sir.

4 A. Okay. Yes.

5 Q. And tell me where you had this
6 conversation.

7 A. I don't remember, ma'am. I just remember
8 in generalities.

9 Q. Well, was he affiliated with LSTA?

10 A. He's an LSTA member.

11 Q. Okay. Was he a delegate or
12 representative, or whatever y'all call each other?

13 A. One of the different things. Delegates
14 are at conventions. I don't recall if Thurman
15 Miller has ever been a delegate. I know he's a
16 member.

17 Q. Okay. So how would you have occasion to
18 be talking to Mr. Miller, who's based out of
19 Natchitoches, I think?

20 A. Thurman was the Central State Troopers
21 Coalition president, which is another, I guess,
22 representative organization, so as such, Thurman was
23 on the -- I believe he was on the retirement board
24 then, State Police retirement board, so we come in
25 contact that way.

1 Q. You're on the State Police retirement
2 board, too?

3 A. Yes, ma'am.

4 Q. How long have you been on the State Police
5 retirement board?

6 A. It comes with the position, so 2016.

7 Q. Okay. The folks we've discussed today,
8 Mr. Paul, is he on the State Police retirement
9 board?

10 A. Not that I know of.

11 Q. Mr. Miller you said is, right?

12 A. I believe that's similar to my position.
13 It comes with the Central State Troopers Coalition
14 presidency.

15 Q. What is the Central State Troopers
16 Coalition?

17 A. It's another State Police org- -- I don't
18 know that much about the organization. I just know
19 they represent troopers. It's another organization
20 that represents troopers.

21 Q. It's like the LSTA, but smaller?

22 A. I think they have less members than us,
23 yes.

24 Q. Is it a minority organization?

25 A. I think they have some Caucasian members,

1 as well. I don't know what -- if that's a
2 requirement for their organization, I don't know.

3 Q. Is it a majority minority organization?

4 A. I don't know the makeup of their
5 membership.

6 Q. Okay. So you had a conversation, you
7 said, with Mr. Miller at some point in time, and you
8 think it might have been at a State Police
9 retirement board meeting?

10 A. I don't know where it was, ma'am. I just
11 know we had a conversation.

12 Q. Do you remember anything else about it?

13 A. No. I remember talking to him about
14 Mr. Braxton at some point.

15 Q. Did you tell me everything you talked
16 about with Mr. Linebaugh, if anything, relative to
17 Calvin Braxton or the arrest of Calvin's daughter in
18 December of 2015?

19 A. I've never discussed the arrest of
20 Mr. Braxton's daughter with anybody, I don't
21 believe.

22 Q. Or Calvin himself?

23 A. I've never had a conversation with
24 Mr. Braxton related to that.

25 Q. I'm sorry. Mr. Linebaugh was my question.

1 A. Oh. I don't recall ever discussing that
2 with Mr. Linebaugh.

3 MR. FALCON: I think you also asked
4 him about Calvin. You may not have
5 intended to.

6 MS. CRAFT: No. I meant, like, in
7 connection with Calvin or the arrest.

8 BY MS. CRAFT:

9 Q. And Mr. Oliphant, have you told me every
10 conversation you had with Mr. Oliphant relating in
11 any manner to Calvin Braxton?

12 A. I don't recall ever having a -- I think we
13 talked at a LS -- Troop E meeting one time after all
14 this had been done, and I told him I appreciated him
15 standing up for the troopers, but that's the extent
16 of it.

17 Q. After all what had been done?

18 A. After the incident report had been made
19 public.

20 Q. And was it after Mr. Braxton had removed
21 or been removed from the Commission?

22 A. I don't recall that. I don't recall
23 the -- where that was in the time line.

24 Q. What were you doing up at Troop E?

25 A. They have a Troop E affiliate meeting.

1 Q. Okay. Anything else?

2 A. Regarding a conversation with
3 Mr. Oliphant?

4 Q. Yes.

5 A. No, ma'am.

6 Q. And I know I asked you Murphy Paul.

7 A. Uh-huh.

8 Q. What about Mr. Edmonson?

9 A. I've never spoken to Mr. Edmonson about
10 Mr. Braxton.

11 Q. How about Mr. Dupuy?

12 A. I don't recall speaking with Mr. Dupuy
13 about Mr. Braxton.

14 Q. How about Mr. Young?

15 A. In general, like we talked about earlier,
16 I remember speaking about Mr. Braxton's fitness in
17 our eyes to serve on the Commission, but not the
18 specific conversation content.

19 Q. Did you ever verify whether that was true,
20 that my client had made some sort of statement
21 about, I'll get Linebaugh when he comes before me?

22 A. All I know is what the report says.

23 Q. Okay. Now, at some point in time, was
24 there some sort of discussion, if you will, about
25 working things out with Calvin?

1 A. What's that?

2 Q. Some sort of, if Calvin agrees that he'll
3 recuse himself if Linebaugh ever comes before the
4 Commission, we'll drop it?

5 A. I don't know about that.

6 Q. Never heard anything about that?

7 A. Recuse himself if LSTA drops whatever
8 action, request?

9 Q. Or if Linebaugh comes before him.

10 A. I don't recall a discussion like that.

11 Q. Do you know if there was some sort of
12 meeting between Mr. Townsend, Katrina Jackson and my
13 client as it related to the initial issuance of the
14 report and the LSTA letter in 2016?

15 A. I don't know anything about that.

16 Q. Never heard anything about that?

17 A. No, ma'am.

18 Q. Did you have any discussions with
19 Mr. Young in 2016 and 2017 about how you can get
20 Mr. Braxton off the board?

21 A. I remember talking with Mr. Falcon about
22 the provision to ask the governor to have a hearing
23 to remove Mr. Braxton, because, as I understand it,
24 what limited understanding I do have, is that a
25 Commission member can only be removed -- you know,

1 can resign or be removed by the governor after a
2 hearing. That's how I know that works, or that's
3 how I'm told that works.

4 Q. So do you know how it was that
5 Mr. Oliphant in his May 2016 notation knew that
6 there was going to be some sort of hearing?

7 A. I can't speak to what Mr. Oliphant knew.

8 Q. But you are telling me that, at least as
9 far as the LSTA board was concerned, the board at
10 least had some discussion or guidance that there
11 would have to be a hearing provoked by the governor
12 to remove Mr. Braxton?

13 A. At some point, Mr. Falcon advised me of
14 that.

15 Q. Was there ever a vote of the LSTA board to
16 disseminate either of those letters we talked about
17 or push any action against Mr. Braxton?

18 A. I don't recall there being a vote. I'm
19 sure we have a record of it, if there was.

20 Q. Well, that's what I was going to ask. You
21 got somebody who takes minutes?

22 A. Yes.

23 Q. You got somebody who keeps an agenda?

24 A. We have -- yeah.

25 MS. CRAFT: That may be all I have, if

1 you give me just a minute, sir. Oh, wait.

2 I did forget something.

3 BY MS. CRAFT:

4 Q. Are you aware of a circumstance where
5 Mr. Oliphant, for lack of a better phrase, fixed a
6 ticket for Mr. Braxton's wife?

7 A. No, ma'am.

8 Q. Have you ever been asked to help someone
9 out on a ticket?

10 A. Sure.

11 Q. That's something common, as I understand
12 it, right?

13 A. I don't know if it's common or not.

14 Q. And you've certainly done so?

15 A. I've told people how to go about going to
16 the DA's office and pleading their case.

17 Q. Or talking to the trooper involved, right;
18 you've done that?

19 A. Talking about what?

20 Q. The ticket. You have talked to the
21 officer who has issued a ticket before when asked?

22 A. When I'm asked -- if I'm asked for help, I
23 would certainly ask the officer if the person was
24 rude or anything like that before I would assist
25 that person in getting an appointment with the DA or

1 whatever the situation may be. Because if it's --
2 obviously, if someone is rude to a trooper,
3 disrespectful, then I'm not apt to give them any
4 kind of advice.

5 Q. Well, there have been occasions where you,
6 as the president of the LSTA, have actually called
7 troopers who issued tickets when somebody has called
8 you and asked for help, right, and you've called the
9 trooper and said, hey, was this person rude, I'm
10 trying to help them?

11 A. I don't recall specifically since I've
12 been in office that, no.

13 Q. Okay. On those occasions where you have
14 made a call to a trooper asking for help, do you
15 have a recollection of that trooper, then, taking
16 the ticket and either recalling it or telling the
17 DA, hey, I'm not pursuing it?

18 A. No, ma'am.

19 Q. Or just not showing up for court?

20 A. No, ma'am. I don't know anything about
21 that.

22 Q. How often do you get calls for help?

23 A. Not often.

24 Q. Well, what does that mean? Once a year?
25 Once every six months?

1 A. Probably something like that, once a year.

2 Q. Who are some of the folks who've asked you
3 for help?

4 A. I had a friend that was in a traffic
5 accident that asked for some advice on a ticket.

6 Q. And the traffic accident had caused
7 injuries?

8 A. I don't recall.

9 Q. And so you did what?

10 A. I told him the procedure, how to proceed
11 and contact the District Attorney's office and plead
12 their case, so to speak.

13 Q. Or ask for a nonmoving, right?

14 A. They can ask for that.

15 Q. And you've certainly told people, look,
16 you can call and ask for a nonmoving?

17 A. I can tell them how to approach the DA's
18 office and ask for help.

19 Q. Right, including asking for a nonmoving?

20 A. They could certainly do that, yes.

21 Q. Now, with respect to Mr. Braxton, you're
22 aware, are you not, that there was a Lee Zurik
23 report slash exposé that came out, I believe in
24 2017? Are you familiar with that? Right around the
25 time y'all sent that second letter.

1 A. I do seem -- I think he was at a
2 Commission meeting, Lee Zurik, but I'm not 100
3 percent sure.

4 Q. To your knowledge, did anyone affiliated
5 with the LSTA, including its counsel, make any
6 contact, if you know, with Mr. Zurik?

7 A. Not that I know of.

8 Q. Did you talk to Mr. Zurik when he was at
9 that meeting?

10 A. No, ma'am.

11 Q. And did you observe what he was doing at
12 that meeting?

13 A. I don't recall specifically. I think he
14 was trying to talk to Mr. Braxton.

15 Q. Well, you knew there was some issue or at
16 least some allegation that Mr. Braxton had asked
17 Cathy Derbonne to, quote, fix tickets for him,
18 right? You knew that?

19 A. Not at the time. I think I've heard that
20 since.

21 Q. And the term "fixing tickets," I think
22 you've told me, you've assisted people before;
23 they've called and you've said, here's the
24 procedure, contact the District Attorney's office, I
25 may call the trooper and find out if you were rude,

1 you can ask for a nonmoving violation. You've told
2 people that before, right?

3 A. I've given them advice, yes.

4 Q. And if the DA decides to pursue the ticket
5 or not, that's the District Attorney's discretion,
6 right?

7 A. Yes.

8 Q. And you understand there's nothing illegal
9 about that, unless money changes hands?

10 A. Yeah. You're just giving advice. That's
11 the way I do it.

12 Q. Right. So did you ever review any
13 documents that were either sent by or on behalf of
14 Mr. Braxton on at least two occasions relating to
15 help?

16 A. No.

17 Q. Did you talk to Mr. Young at all about
18 that?

19 A. I don't believe we ever discussed that,
20 no.

21 Q. Was that discussed with any members of the
22 LSTA about, if we can't get them with our letter,
23 then we'll get them with an allegation of ticket
24 fixing?

25 A. I've never had that discussion with

1 anybody.

2 Q. Was it coincidental to you that your
3 letter comes out and then Lee Zurik all of a sudden
4 is doing this investigation at the same time into
5 Mr. Braxton, the allegations about the report, we're
6 rehashing it a year later, now we've got this ticket
7 fixing? Was that just pure coincidence, oh, by the
8 way, on the eve of Mr. Townsend turning in his
9 report and what's left of the Commission voting as
10 to whether or not what you did was against the law?

11 A. If it all --

12 Q. That was all a coincidence?

13 A. If it all happened at the same time, I
14 don't know what else it could be.

15 Q. Why did the LSTA wait an entire year to
16 ask the governor again to remove my client for
17 alleged behavior, which, by that point in time, had
18 occurred over 18 months previously?

19 A. I don't know that -- I don't remember the
20 specifics of the conversations that we had or what
21 the delay was.

22 Q. Well, I heard Mr. Falcon -- no offense --
23 whispering something about, because we never heard
24 back from the governor. But you guys aren't going
25 to sit there, if you think somebody did that kind of

1 bad behavior, and let them preside over an entire
2 year's worth of trooper appeals, right? You're
3 going to act.

4 A. What else could we do? We can't remove
5 him on our own.

6 Q. No, but you can keep asking. So did y'all
7 keep asking, or did you just wait until the time was
8 right?

9 A. I never approached the governor or anybody
10 to ask them about Mr. Braxton's removal.

11 Q. But it was a continuing subject of
12 discussion for a year, right?

13 A. We certainly had discussed his removal, or
14 his resignation.

15 Q. Did you know that my client -- well, I'm
16 going to say resigned, but he said he didn't resign.
17 Did you know that a resignation was submitted before
18 the governor issued his press release about a
19 resignation?

20 A. I don't know about that.

21 Q. Did you know it was coming?

22 A. No.

23 MS. CRAFT: If you give us a second.

24 (Recess.)

25

1 BY MS. CRAFT:

2 Q. Have you ever stayed at the Roosevelt
3 Hotel in New Orleans, sir?

4 A. I don't -- no. I think I know that name
5 because they had the Santa Clause or some kind of
6 thing. I don't think I've ever stayed there.

7 Q. Do you know a Mr. Conn, C-O-N-N, who does
8 security for the Roosevelt Hotel?

9 A. No, ma'am.

10 Q. Have you or anyone on your behalf ever
11 requested that Mr. Conn make room arrangements for
12 you free of charge?

13 A. I've never requested that or know anyone
14 that has, to my knowledge.

15 Q. Did you know anything about Mr. Braxton
16 having affiliations with hotel ownership?

17 A. I've heard, just in general, that he had
18 ownership of a hotel and a car dealership.

19 Q. From whom?

20 A. From a number of people. I think Thurman
21 told me that one time.

22 Q. Did you and Mr. Young ever attend a
23 meeting with Mr. Edmonson and maybe Ms. Derbonne
24 about Mr. Braxton remaining on the board?

25 A. No, ma'am.

1 Q. Were you ever present when anyone issued
2 any kind of threats about, we're going to go after
3 Mr. Braxton and his daughter or Mr. Braxton and his
4 family?

5 A. No, ma'am.

6 Q. Did you ever hear anything about that?

7 A. No, ma'am.

8 Q. Did you ever have any meetings with Cathy
9 Derbonne relating to Mr. Braxton?

10 A. No, ma'am.

11 MS. CRAFT: I think that's all I have.

12 Oh, yeah.

13 BY MS. CRAFT:

14 Q. Were you ever present -- did you ever --
15 or were you ever present when there were discussions
16 had with Lee Zurik?

17 A. I've never been anywhere near a discussion
18 with Lee Zurik that I know of.

19 MS. CRAFT: Okay. That's it.

20 MR. FALCON: David?

21 MR. OXENHANDLER: I don't have any
22 questions.

23 MR. FALCON: Just a couple, Jay.

24 EXAMINATION

25

1 BY MR. FALCON:

2 Q. Do you know of anyone with the LSTA
3 requesting that any criminal charges be brought
4 against Mr. Braxton?

5 A. No, sir.

6 Q. Do you know anything about anyone,
7 specifically David Young, but generally anyone with
8 the LSTA going to the Attorney General's office and
9 suggesting that charges -- criminal charges be made
10 against Mr. Braxton?

11 A. No, sir.

12 Q. Do you know anything about anyone with the
13 LSTA, Mr. Young or anyone in general, going to the
14 DA's East Baton Rouge Parish regarding criminal
15 charges being made against Mr. Braxton?

16 A. No, sir.

17 Q. Do you know anything about anyone in
18 Natchitoches -- going to the DA's -- on behalf of
19 the LSTA, going to the DA's office in Natchitoches
20 Parish suggesting that criminal charges be made
21 against Mr. Braxton?

22 A. No, sir.

23 Q. Do you know of any suggestion or any
24 discussion at any time in any LSTA board meeting
25 where there was a suggestion that Mr. Braxton should

1 be criminally charged with anything?

2 A. No, sir. I don't recall anything like
3 that.

4 Q. Do you have any knowledge of Mr. Braxton
5 committing any crime?

6 A. No, sir.

7 MR. FALCON: That's all the questions
8 I have.

9 MS. CRAFT: I do have one follow-up.

10 FURTHER EXAMINATION

11 BY MS. CRAFT:

12 Q. The one question you weren't asked, do you
13 know anything about Ethics Commission charges being
14 filed against Calvin Braxton? Have you heard
15 anything about that?

16 A. No, ma'am.

17 Q. Were you aware that ethics charges were
18 filed against Calvin Braxton?

19 A. No, ma'am.

20 Q. And that he was cleared?

21 A. No, ma'am.

22 MS. CRAFT: That's all I have.

23 COURT REPORTER: Reading and signing?

24 Mr. Falcon, y'all will reserve reading and
25 signing?

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MR. FALCON: Please.
(DEPOSITION CONCLUDED AT 11:50 A.M.)

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 JAY
9 O'QUINN, 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 152 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.

1 Signed this ___ day of _____, 2019.
2
3
4 _____
5 LESLIE B. DOYLE, RPR, RMR, RDR
6 Certified Court Reporter
7 LA Certificate #93096
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WITNESS' CERTIFICATE

I, JAY O'QUINN, the undersigned, do hereby
certify that I have read the foregoing deposition
taken on June 25, 2019, and it contains a true and
accurate transcript of the testimony given by me:

CHECK ONE BOX BELOW:

() Without correction.

() With corrections as reflected on the
Errata Sheet(s)

JAY O'QUINN

DATE

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