

10TH JUDICIAL DISTRICT COURT

PARISH OF NATCHITOCHEs

STATE OF LOUISIANA

CALVIN W. BRAXTON, SR.

NUMBER: C-90,284

VERSUS

LOUISIANA STATE TROOPERS
ASSOCIATION AND JAY OLIPHANT

Deposition of JASON STARNES, taken via Zoom
videoconference at the Law Offices of Jill L.
Craft, Attorney at Law, 329 St. Ferdinand Street,
Baton Rouge, Louisiana, on Monday,
September 21, 2020, commencing at 9:08 a.m.

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A P P E A R A N C E S

REPRESENTING THE PLAINTIFF:

Jill L. Craft, Esquire
Attorney at Law
329 St. Ferdinand Street
Baton Rouge, Louisiana 70802

REPRESENTING THE DEFENDANT, LOUISIANA STATE
TROOPERS ASSOCIATION:

Floyd J. Falcon, Jr., Esquire
Avant & Falcon
429 Government Street
Baton Rouge, Louisiana 70802

REPRESENTING THE DEFENDANT, MAJOR JAY OLIPHANT:

Steven M. Oxenhandler, Esquire
Gold, Weems, Bruser, Sues & Rundell
2001 MacArthur Drive
Alexandria, Louisiana 71301

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A P P E A R A N C E S

REPRESENTING THE DEFENDANT, LOUISIANA STATE POLICE:

Ben L. Mayeaux, Esquire

Elizabeth B. Bloch, Esquire

Neuner Pate

1001 West Pinhook Road, Suite 200

Lafayette, Louisiana 70503

ALSO PRESENT:

Calvin Braxton, Sr.

Jay Oliphant

Mr. Aucoin

Reported By:

DESIREE DELATTE
Certified Court Reporter
Registered Professional Reporter

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S T I P U L A T I O N

It is stipulated and agreed by and among counsel for the parties hereto that the deposition of the aforementioned witness is hereby being taken in accordance with the Louisiana Code of Civil Procedure, for all purposes allowed, in accordance with law, pursuant to notice;

That the formalities of reading and signing are specifically not waived; that the formalities of sealing, certification and filing are specifically waived;

That all objections, save those as to the form of the question and the responsiveness of the answer, are hereby reserved until such time as this deposition, or any part thereof, may be used or sought to be used in evidence.

* * * * *

DESIREE DELATTE, Certified Court Reporter in and for the State of Louisiana, officiated in administering the oath to the witness.

* * * * *

1 JASON STARNES,
2 after having been first duly sworn by the
3 above-mentioned Court Reporter did testify as
4 follows:

5 MS. CRAFT:

6 And if all the lawyers can make
7 their appearances for the court reporter
8 formally on the record.

9 MR. FALCON:

10 Floyd Falcon for the Troopers
11 Association.

12 MR. OXENHANDLER:

13 Steve Oxenhandler for Colonel
14 Oliphant.

15 MR. MAYEAUX:

16 Ben Mayeaux for Louisiana State
17 Police.

18 MS. CRAFT:

19 Mr. Falcon.

20 MR. FALCON:

21 Yes. Floyd Falcon for The
22 Troopers Association.

23 MS. CRAFT:

24 Sorry. You cut out on this end.

25 Jill Craft on behalf of Mr. Calvin

1 Braxton. And, counsel, I am requesting
2 that these depositions, as we've done so
3 far, remain subject to sequestration, so
4 in that regard, I would ask counsel to
5 identify who is present in the room with
6 each of y'all, if somebody come in or
7 goes out, for the court reporter's
8 purposes and so the record is complete,
9 if we can also identify those people,
10 Mr. Oxenhandler.

11 MR. OXENHANDLER:

12 That's Colonel Oliphant in the
13 room with me. That's all.

14 MR. FALCON:

15 Mr. Aucoin is in the room with me.

16 MR. MAYEAUX:

17 And Beth Bloch, attorney of
18 record, from our office is also here at
19 state police headquarters.

20 MS. CRAFT:

21 And is there any representative of
22 state police there as well?

23 MR. MAYEAUX:

24 No, ma'am. Just Mr. Starnes.

25 MS. CRAFT:

1 And present in my room with the
2 court reporter is Mr. Braxton.

3 EXAMINATION

4 BY MS. CRAFT:

5 Q. Okay. Mr. Starnes, my name is Jill Craft,
6 and I represent Calvin Braxton, who is seated in
7 this room to my right. Your deposition is being
8 taken pursuant to Zoom, which means it's more
9 important than ever that you wait until I finish my
10 question before you start answering. It's also
11 important nods of the head "yes" or "no" cannot be
12 taken down by the court reporter, so you need to
13 make sure to answer out loud. And my final
14 instruction is rather unique to me insofar as I may
15 ask you to spell names, places, or things. I'm not
16 here to test your spelling. It's just much easier
17 to get those down as we go along.

18 Is that fair enough?

19 A. Yes.

20 Q. Mr. Starnes, do you have in front of you
21 the exhibits from the depositions so far?

22 A. No, I do not.

23 MR. MAYEAUX:

24 I have them.

25 MS. CRAFT:

1 Okay. I have, counsel, for the
2 record, 24 exhibits. Does that match
3 with what you have?

4 MR. MAYEAUX:

5 No, I've got 20.

6 MR. OXENHANDLER:

7 I have 19.

8 MS. CRAFT:

9 Okay. What I'm going to do is --
10 where can I send these real quick? You
11 guys got a fax number?

12 MR. MAYEAUX:

13 E-mail them to you?

14 MR. OXENHANDLER:

15 Sure.

16 MS. CRAFT:

17 Where do you want them, gentlemen?

18 MR. MAYEAUX:

19 You can e-mail them to
20 bloch@neunerpate.com.

21 MS. CRAFT:

22 Okay. We'll take a short break,
23 and let me give these to my staff, and
24 then we'll be right back.

25 (Off the record.)

1 BY MS. CRAFT:

2 Q. Mr. Starnes, can you give me your full
3 name and address, please, for the record?

4 A. Excuse me. Jason Starnes.

5 MR. MAYEAUX:

6 Business address.

7 THE WITNESS:

8 Address is 7901 Independence
9 Boulevard, Baton Rouge 70806.

10 BY MS. CRAFT:

11 Q. Can you walk me through your educational
12 background, starting with where and when you
13 graduated high school, please, sir?

14 A. Graduated high school, Central High School
15 in 1990. Attended Southeastern Louisiana
16 University, LSU, in addition to Northwestern State
17 University. I have approximately 105 hours of
18 college degree credit.

19 Q. And is there some particular course or
20 courses of study that you've concentrated in for
21 your 105 hours?

22 A. General studies.

23 Q. And am I correct that you do not have a
24 degree; is that right?

25 A. That's correct.

1 **Q. Do you hold any certificates or**
2 **certifications?**

3 A. Yes.

4 **Q. In?**

5 A. Various trainings within state police.
6 I've attended Northwestern University police staff
7 and command, also their executive management
8 program through Northwestern at Evanston, Illinois.

9 **Q. Okay. Run those for me again. You had**
10 **one at Northwestern State; is that correct?**

11 A. Northwestern University in Evanston,
12 Illinois.

13 **Q. Okay.**

14 A. Their public safety program. I've
15 attended the police staff and command school in
16 addition to the same program, the executive
17 management program in Evanston.

18 **Q. When did you attend those?**

19 A. Police staff and command, I believe, was
20 in 2010. And I think the executive management
21 program was in 2015.

22 **Q. Okay. Can you walk me through your**
23 **employment history, starting after high school,**
24 **please?**

25 A. While attending college, I worked at the

1 Louisiana Bankers Association. Basically, I was a
2 student worker, office administrator. Then I was
3 hired in 1995 by Louisiana State Police, completed
4 the training academy, and I've been employed with
5 state police since that time.

6 **Q. Okay. Can you me through the positions**
7 **and ranks that you've held at LSP since 1995?**

8 A. Starting off as a cadet. Then I was a
9 trooper. Promoted to sergeant. Promoted to
10 lieutenant. Promoted to captain. Promoted to
11 major. And my current position now as lieutenant
12 colonel for Deputy Superintendent Bourgeois.

13 **Q. Okay. Can you tell me what years you made**
14 **those particular ranks?**

15 A. Started with state police in 1995. I was
16 promoted to sergeant, I think, in 2001. Promoted
17 to lieutenant in 2009, I think, 2008 or 2009.
18 Captain, promoted to captain in 2012, major in
19 2015, and lieutenant colonel in 2016.

20 **Q. How did you get the promotion to**
21 **lieutenant colonel?**

22 A. There was a position, unclassified
23 position created approved by the State Police
24 Commission for the rank of lieutenant colonel to
25 serve in the chief administrative officer's

1 position overseeing office management and finance.

2 Q. Okay. You're going to have to go a little
3 bit slower for our court reporter. Are you telling
4 me, in 2016, the Louisiana State Police Commission
5 created a lieutenant colonel position that was over
6 management and budget?

7 A. That's correct.

8 Q. Was Mr. Braxton on the State Police
9 Commission at that time?

10 A. I believe he was, yes.

11 Q. And do you recall who was the executive
12 director of the State Police Commission at that
13 time?

14 A. It would have been Cathy --

15 Q. Who, sir?

16 A. Cathy Derbonne.

17 Q. Spell it for the reporter, please.

18 A. C-A-T-H-Y, Derbonne, D-E-R-B-O-N-N-E.

19 Q. Okay. And who was responsible for seeking
20 approval or creation of that position?

21 MR. MAYEAUX:

22 Object to the form.

23 You can answer.

24 BY MS. CRAFT:

25 Q. You can answer it.

1 A. Colonel Mike Edmonson was the
2 superintendent at the time.

3 **Q. I realize he was --**

4 A. So he would have approved the request to
5 Senate for the commissions, ultimately to approve
6 it, to create it.

7 **Q. But whose idea was it, sir?**

8 A. I guess it would have been Colonel
9 Edmonson.

10 **Q. Do you know?**

11 A. Well, he was the superintendent, so it
12 would have been his decision.

13 **Q. I understand, sir, but weren't there**
14 **discussions with you before that position was**
15 **actually created?**

16 A. Yes.

17 **Q. Okay. That's what I'm getting at. So**
18 **tell me about those discussions, sir.**

19 A. I think there were discussions about, at
20 the time, the undersecretary's position was vacant.
21 Prior to my promotion, I was given additional
22 assignment of over kind of filling in for that
23 position while it was vacant over the course of
24 those months -- excuse me. Over the course of the
25 next few months, the idea was to create that

1 position to serve in that role on a permanent
2 basis.

3 **Q. Okay. So who are those discussions with?**

4 A. Discussions with Colonel Edmonson. It was
5 discussed with, I guess, legal counsel, other
6 senior people within the agency.

7 **Q. What other senior people?**

8 A. I don't know.

9 **Q. Well, who were you --**

10 A. I can't recall exactly.

11 **Q. Do you remember who you were talking with?**

12 A. I talked to Colonel Edmonson. I talked to
13 the chief of staff, Charley Dupuy. Talked to
14 Ronnie Jones, who was the confidential assistant.

15 **Q. Did you talk to anybody at LSTA?**

16 A. Not that I recall.

17 **Q. Do you know if a copy of the proposed**
18 **position was sent to LSTA before it was presented**
19 **to the commission?**

20 A. I do not.

21 **Q. Have you ever held any positions in LSTA?**

22 A. Yes.

23 **Q. What?**

24 A. I served on the board at the headquarters
25 affiliate president and board member.

1 **Q. Okay. You were the headquarters affiliate**
2 **president. What does that mean?**

3 A. The board of directors is comprised of
4 representation from all of the troops and -- which
5 is nine troops -- and headquarters, so there's ten
6 board positions, and each one of those board
7 positions are elected by the members of those
8 affiliates to serve as a president and board
9 member.

10 **Q. Okay. And when did you serve on the**
11 **board?**

12 A. I'm trying to recall the dates. I want to
13 say it was around 2010 to maybe 2012.

14 **Q. Did you maintain membership at LSTA**
15 **throughout your employment with the state police?**

16 A. Yes.

17 **Q. And so what happened in 2012? Did you**
18 **rotate off the board, or what happened?**

19 A. Yes. When I was promoted to captain, I
20 could no longer serve in that position as a board
21 member.

22 **Q. Did you maintain any position with the**
23 **board -- with LSTA thereafter besides just being a**
24 **member?**

25 A. No, ma'am.

1 Q. Did you serve on any committees?

2 A. No, ma'am.

3 Q. Okay. Tell me, what is your relationship
4 to Mr. Oliphant?

5 A. Co-worker.

6 Q. Have you ever worked with him in the same
7 unit or same troop?

8 A. No, ma'am.

9 Q. Okay. Can you walk me through the
10 positions that you've held. We talked about, going
11 backwards, your current position of lieutenant,
12 colonel, deputy, superintendent. When you started
13 off as a trooper, where were you assigned to?

14 A. Troop A in Baton Rouge.

15 Q. And then where did you go?

16 A. After I worked at Troop A for 12, 13
17 years, I transferred to headquarters as a sergeant
18 in the concealed handgun permit unit.

19 Q. Okay. And then where?

20 A. And then I was promoted to lieutenant in
21 investigative support section.

22 Q. And is that also a headquarters?

23 A. Yes. It's located in Baton Rouge.

24 Q. Okay. And then what?

25 A. Then I was transferred as a lieutenant

1 from investigative support over to the operational
2 development section --

3 **Q. And then what?**

4 A. -- at headquarters.

5 As a lieutenant, I was transferred. It
6 was a lateral transfer to operational development
7 section.

8 **Q. Okay. And then what?**

9 A. And then I was promoted to captain as the
10 commander over the operational development section.

11 **Q. Okay. And?**

12 A. And then I was promoted to -- in 2015, I
13 was promoted to major over support service.

14 **Q. And then what position did you hold
15 between support services and the lieutenant colonel
16 position?**

17 A. None.

18 **Q. Okay. So you went directly from being the
19 major over support services to the lieutenant
20 colonel position; is that correct?**

21 A. Yes, ma'am.

22 **Q. Can you tell me what it was you did in
23 investigative support?**

24 A. I was the executive officer for that
25 section, reported to the commander, and served in

1 that capacity.

2 **Q. Okay. What does investigative support**
3 **services do?**

4 A. Investigative support is over criminal
5 intelligence and our fusion center.

6 **Q. And your what?**

7 A. Fusion center.

8 **Q. What is that?**

9 A. Fusion center is a collaboration of
10 investigative analysts that work in conjunction
11 with criminal intelligence investigators where they
12 take information. It's part of not only state,
13 local, but federal agencies working together in to
14 share intelligence information and analyze it.

15 MS. CRAFT:

16 Court reporter, did you get that
17 thing? Was it "fusion services"?

18 THE COURT REPORTER:

19 I have "fusion center."

20 THE WITNESS:

21 Fusion center.

22 MS. CRAFT:

23 Fusion center, F-U-S-I-O-N?

24 THE WITNESS:

25 F-U-S-I-O-N, that's correct.

1 MS. CRAFT:

2 Sorry. We were having trouble.

3 You were cutting out.

4 BY MS. CRAFT:

5 Q. Okay. And can you tell me what
6 operational development does?

7 A. Operational development is a planning and
8 research section for the department. They're
9 involved in tracking and monitoring legislation
10 represented in the Department of the Legislature,
11 policy management, and development research
12 functions and serves as kind of an administrative
13 core hub to do staff work and staff reports, staff
14 studies, those type of things for senior command
15 and the colonel.

16 Q. And support services, what do you do, or
17 what did you do?

18 A. As a major command inspector, I had
19 oversight over the crime lab, criminal records
20 division, our fleet and supply offices.

21 Q. I'm sorry. Did you think link and supply,
22 L-I-N-K?

23 A. No. Fleet, cars or vehicles department.

24 Q. Fleet?

25 A. Fleet, yes.

1 Q. Okay. Can you tell me, in any of your
2 positions, whether or not you worked closely in
3 terms of developing or facilitating policies to be
4 presented to the State Police Commission?

5 A. Yes, I did.

6 Q. And when did you perform those functions?

7 A. That would primarily have been at the time
8 spent in operational development.

9 Q. So I have that as being sometime in
10 2000 -- after you got promoted to lieutenant until
11 2015; does that sound about right?

12 A. That would be correct.

13 Q. And so what were your duties as it related
14 to facilitating policies to be presented to the
15 commission?

16 A. Well, we would work with the -- you know,
17 do research for policy development to make any
18 requests for rule -- changes to rules or revisions
19 to the State Police Commission rules in working
20 through the director and the Commission itself to
21 present information.

22 Q. Okay. At some point in time, did you
23 become aware of the Commission itself conducting
24 some sort of investigation or inquiry into
25 political donations by commission members?

1 A. I remember that.

2 **Q. What do you remember about that?**

3 A. I remember that there was a complaint
4 filed and an investigation ensued regarding, I
5 guess, what was the complaint of prohibited
6 political activity.

7 **Q. Who was the complaint filed by?**

8 A. I don't remember.

9 **Q. Do you know whether or not it was**
10 **Mr. Braxton or any other member of the Commission?**

11 A. I don't remember.

12 **Q. Do you know whether or not it was a**
13 **complaint filed by the then executive director of**
14 **the Commission?**

15 A. I don't remember.

16 **Q. Who was the complaint filed with?**

17 A. I think it was filed to the Commission
18 itself.

19 **Q. And at that time, you were in operational**
20 **development, or do you remember when that was?**

21 A. I don't think I was in operational
22 development at that time, but I don't remember
23 exactly the timeline.

24 **Q. Do you remember what year?**

25 A. Not exactly.

1 Q. Do you remember what rank you held when
2 you learned about that?

3 A. I was probably a major at the time.

4 Q. So maybe sometime around 2015 or
5 thereafter?

6 A. That sounds close.

7 Q. And how do you remember hearing about the
8 complaint being filed to the Commission?

9 A. Because it was just general conversation
10 and general knowledge.

11 Q. Okay. What was the general conversation,
12 general knowledge?

13 A. Just in general, being discussed, people
14 talking about it. Just -- it was just known,
15 widely known.

16 Q. People talking about it in what respect,
17 sir?

18 A. Not necessarily with any respect other
19 than the fact that somebody had filed a complaint
20 relative to political donations.

21 Q. Okay. Do you recall being aware of some
22 issue regarding political -- prohibited political
23 donations by the LSTA; in other words, money
24 funneled from troopers through LSTA to make
25 political contributions, as opposed to what I asked

1 you about, which was political donations by
2 committee members?

3 MR. MAYEAUX:

4 Do you understand the question?

5 THE WITNESS:

6 Yeah, can you repeat the question,
7 please?

8 BY MS. CRAFT:

9 Q. Right. Mr. Starnes, I asked you about
10 whether or not you'd become aware of some issue
11 regarding political donations by Commission
12 members. My question now is: Are you aware of a
13 situation where there was an allegation of
14 prohibited political donations by the LSTA
15 utilizing trooper funds?

16 A. Yeah. I apologize. I misunderstood your
17 first question, so my responses were related to the
18 question you're posing in front of me now.

19 Q. Okay. So then let me back up. Did you
20 become aware of an issue regarding political
21 donations by Commission members?

22 A. I remember hearing -- I think I remember
23 hearing something on the news about that.

24 Q. I missed the last part of your response,
25 sir. What was that?

1 A. I don't remember exactly, but I do I
2 remember hearing something about it. The source of
3 where I heard it, I don't remember. I don't know
4 if it was something from the news or a news article
5 or something.

6 **Q. Did you know that the LSTA was making**
7 **political contributions utilizing money from**
8 **troopers?**

9 A. Yes.

10 **Q. How did you know that?**

11 A. Well, probably because I served on the
12 Board at some time. I don't know if it was -- had
13 happened then, but I don't know that it was -- I
14 think that was, again, just some general knowledge.

15 **Q. So to your knowledge, had that process of**
16 **the LSTA making political donations utilizing**
17 **trooper money been going on since you served on the**
18 **board?**

19 A. I don't remember.

20 **Q. Well, you came off the Board, you told me,**
21 **in 2012. Was it going on back in 2012?**

22 A. I don't remember.

23 **Q. Okay. Do you know if the practice**
24 **continued through 2016 or so?**

25 A. That, I do not know for sure.

1 Q. How was the money gathered from the
2 troopers for the LSTA to make the political
3 donations or contributions?

4 A. Well, you pay -- members pay monthly
5 membership dues to be a member of the association,
6 but that's not the only -- other than that, that's
7 the only thing that I'm aware of.

8 Q. So in order to make a contribution for
9 LSTA when they made these political contributions
10 with trooper funds, was there a vote taken from
11 anybody, or was it just -- I mean, how was that
12 decided?

13 A. I don't know.

14 Q. Well, how are candidates selected to
15 receive those donations using trooper funds?

16 A. I don't know.

17 Q. Excuse me?

18 A. I'm not sure. I don't know.

19 Q. Okay. In 2015, you said that there was
20 some talk about that, that activity, that a
21 complaint had been filed to the Commission, and
22 you've corrected me and said you understood the
23 complaint was one that the LSTA was making
24 donations utilizing trooper funds; is that right?

25 MR. MAYEAUX:

1 Object to the form.

2 You can answer the question.

3 THE WITNESS:

4 Yes.

5 BY MS. CRAFT:

6 Q. Okay. And so in my first line of
7 questioning, you had told me that that practice,
8 you heard about it or the general conversation, it
9 being discussed was roughly when you were in a
10 major position, which then I asked you 2015 or
11 thereafter, and you said yes; is that correct?

12 A. Yes, ma'am.

13 Q. Okay. Prior to 2015, you said that you
14 were aware that this practice had been occurring;
15 is that right?

16 MR. MAYEAUX:

17 Object to the form.

18 THE WITNESS:

19 I've heard of that. I don't
20 necessarily know. I think that was,
21 again, general, widely-known general
22 knowledge.

23 BY MS. CRAFT:

24 Q. And do you know if it was the State
25 Troopers Association that was actually making the

1 donations using trooper money or whether it was the
2 executive director who was doing it?

3 A. My understanding, it was the executive
4 director on behalf of the Association.

5 Q. Okay. And where did you get that
6 understanding from?

7 A. Well, the executive director was a
8 registered lobbyist for the Association that would
9 represent the Association's interest at the
10 legislature.

11 Q. That was David Young; is that correct?

12 A. It would have been David Young at that
13 time; that's correct.

14 Q. And can you tell me, when you said people
15 were talking about it, what were they saying?
16 Like, "Oh, my God, we're doing this thing," or, "We
17 didn't know," or, "This is terrible"? What?

18 A. I think just general conversations.

19 Q. Well, I don't know what general
20 conversations you were privy to, so tell me what
21 you remember about that general conversation, sir.

22 A. I don't remember anything other than
23 general conversation.

24 Q. Did you have an understanding that there
25 was some sort of prohibition against state police

1 **officers engaging in political activity?**

2 A. I'm aware of the commission rules that do
3 prohibit certain types of political activity.

4 **Q. And were you also aware of the Louisiana**
5 **Constitution Article 10, Section 47 that says the**
6 **same thing?**

7 A. No, I'm not familiar with the
8 constitutional provision, but I know that
9 they're -- a lot of them are mirrored in the
10 commission rules.

11 **Q. Okay. Did you have this awareness of the**
12 **commission rules prohibiting political activity by**
13 **troopers in 2015 when you first heard about this or**
14 **when you started hearing about this?**

15 A. Yes, I was aware of the rule.

16 **Q. So in the general conversations that you**
17 **were privy to, do you remember anybody expressing**
18 **concern that this was a violation of the law or a**
19 **commission rule?**

20 A. No, I don't recall that discussion taking
21 place.

22 **Q. How about with you? Do you recall there**
23 **being any concern about the notion that this**
24 **practice may be in violation of the law?**

25 A. No.

1 Q. Is there some sort of mechanism utilized
2 to try to, for lack of a better phrase -- this is
3 to mind -- might skirt around the provisions of the
4 commission rules regarding prohibited political
5 donations and activity?

6 MR. MAYEAUX:

7 Object to the form.

8 THE WITNESS:

9 No.

10 BY MS. CRAFT:

11 Q. You can answer it.

12 A. Yeah. My answer is no.

13 Q. Okay. Did you know that dues you were
14 paying as a member were going to fund political
15 activity?

16 A. Yes.

17 Q. And how did you know that?

18 A. I guess just having knowledge that, at
19 times, there were, from the associations I have, it
20 doesn't necessarily mean it was specifically
21 membership money.

22 Q. Well, you sat on the Board, sir. What
23 other sources of income did the State Troopers
24 Association have other than the dues?

25 A. They sell magazines for ads. There's

1 other -- they receive private donations from
2 citizens.

3 Q. So ads and magazines and private
4 donations?

5 A. That's -- yes.

6 Q. And so is it your testimony that you
7 didn't think that, when LSTA or its executive
8 director were making these political contributions,
9 that they were not using the funds from the
10 members?

11 A. I don't know exactly on the -- from an
12 accounting perspective what dollars went where, but
13 at no time it was done -- was acting in any
14 inappropriate manner.

15 Q. At no time what, sir?

16 A. Did I think that any donations being made
17 were inappropriate or being done to circumvent any
18 other process.

19 Q. Did that opinion of yours change at some
20 point in time, sir?

21 A. No.

22 Q. You're aware, are you not, that there was
23 an ethical ruling, right? A consent decree between
24 LSTA and the State Ethics Commission?

25 A. I'm aware of it, but I don't have the

1 details.

2 **Q. Okay. How are you aware of it?**

3 A. Again, general conversation.

4 **Q. With who?**

5 A. With everyone. It was -- it's being
6 posted and written about in blogs, publicly,
7 information and discussion about it.

8 **Q. Okay. Tell me about that, please. Blogs,**
9 **how so?**

10 A. There's people that have public websites
11 that they post and write information.

12 **Q. Who?**

13 A. There's one particular blog called
14 Louisiana Voice. I want to say there was another
15 website started -- but I cannot tell you the name
16 of it -- by a different person.

17 **Q. Do you remember who that person was?**

18 A. I think it was Mr. Robert Burns.

19 **Q. Robert who?**

20 A. Burns. Burns.

21 **Q. Robert Burns?**

22 A. Yes, ma'am.

23 **Q. Do you have Exhibit No. 12 in front of**
24 **you?**

25 MR. MAYEAUX:

1 Give us a minute. Is that the
2 consent decree?

3 MS. CRAFT:

4 Yeah.

5 MR. MAYEAUX:

6 Yeah, we got it.

7 BY MS. CRAFT:

8 Q. Sir, sitting in front of you is a consent
9 order from the Louisiana Board of Ethics, which
10 we've attached to these depositions as Exhibit No.
11 12. Have you seen that document before?

12 A. No, ma'am. Excuse me. No, ma'am.

13 Q. Have you heard anything about it?

14 A. As I previously stated, I was aware that
15 Ethics had issued something, but I have not looked
16 at this.

17 Q. If you look at page 12 of 12, it has a
18 date signed by the LSTA of November 9, 2016; am I
19 right?

20 A. Yes.

21 Q. In the beginning, if you look at the case
22 number, the consent order is 2015-1385; do you see
23 that?

24 A. Where is that?

25 Q. On the very first page.

1 A. Yes.

2 Q. Was it your understanding that the notion
3 of this political donation utilizing trooper
4 monies, that first complaint was sometime in 2015?

5 A. I don't know.

6 Q. And given that this was signed in November
7 of 2016, does that help us at all target when it
8 was you were hearing this, quote, unquote, talk
9 about these political donations?

10 A. Could you repeat that question?

11 Q. Given that it looks it was signed by LSTA
12 on November 9, 2016, does that help kind of narrow
13 down your timeframe as to when you started hearing
14 the talk about this?

15 A. Yes.

16 Q. If you flip through the documents, sir, on
17 Page 1, it starts with the first allegation, which
18 is on October 25, 2015, David Young made a \$5,000
19 contribution to John Bel Edwards. Do you see that
20 part?

21 A. I do.

22 Q. And then it says, the next day, on October
23 26th, LSTA reimbursed David Young \$5,000 for the
24 contribution made to Mr. Edwards. Do you see that
25 part?

1 A. Yes, ma'am.

2 Q. If you flip through, it talks about
3 donations of a similar nature made in October of
4 2015, September of 2015, August of 2015, June and
5 July of 2015; on Page 3, April and May of 2015;
6 page 4, March of 2015, donations from 2014 as
7 reflected on pages 4 and 5. Was it your
8 understanding that this practice reached back at
9 least three years?

10 MR. MAYEAUX:

11 From when? Object to the form.

12 BY MS. CRAFT:

13 Q. Sorry. It reached back to at least 2014,
14 according to this document; is that right, sir?

15 A. That's what I'm looking at, yes.

16 Q. Now, you said you rotated off the Board in
17 2012. Can you tell me if the practice was
18 occurring while you were on the Board in 2012?

19 A. I don't remember.

20 Q. Would there be any records that would tell
21 us whether or not this was occurring while you were
22 on the Board?

23 A. I don't know.

24 Q. Now, in this consent decree, as I
25 understand it, at Page 7, at Paragraph 40, it

1 refers to LA-RS-18:1505.2A. Talks about a penalty.

2 Do you know anything about that?

3 A. No.

4 Q. And on Paragraph 42, it says, "As
5 evidenced by the signature of a duly-authorized
6 representative below, LSTA knowingly and of its own
7 free will agrees that the charges are factually
8 supported by the stated fact and degrades that it
9 violated LA-RS-18:1505.2A."

10 Do you see that part?

11 A. Yes, ma'am.

12 Q. Was that part of the talk that LSTA
13 admitted it had violated a provision of Louisiana
14 law?

15 A. I don't remember.

16 Q. On Page 9, there's an order and decree
17 where it finds that LSTA violated LA-RS-18:1505.2A,
18 and then it assesses a penalty of \$5,000. Do you
19 see that?

20 A. Yes.

21 Q. Do you have any information to dispute
22 that LSTA did not, in fact, violate the statute as
23 outlined in Exhibit 12?

24 A. No.

25 Q. Okay. When you said earlier that you were

1 aware that a complaint had been filed to the
2 Commission, did you become aware of a complaint
3 also being filed with the Ethics Commission?

4 A. I recall hearing that a complaint had been
5 filed with Ethics.

6 Q. And do you recall who it was you heard had
7 filed said complaint?

8 A. No.

9 Q. Well, who were you talking to about
10 someone or something has filed a complaint with
11 Ethics?

12 A. It was general common knowledge.

13 Q. General common knowledge among whom?

14 A. Of people that are, I guess, discussing
15 current events going on, whether it's the LSTA or
16 the department.

17 Q. Okay. Well, in 2015 and 2016 -- correct
18 me if I'm wrong -- your work station was
19 headquarters; is that right?

20 A. Yes, ma'am.

21 Q. So was it general common knowledge at
22 headquarters?

23 A. I would assume so, yes.

24 Q. Okay. Aside from you assuming, who else
25 were you talking to other than people at

1 headquarters at the time?

2 A. I don't know.

3 Q. Did you have any conversations with David
4 Young, for example, about either the complaint that
5 was filed with the Commission or the Ethics
6 Commission?

7 A. I don't remember.

8 Q. When was the last time you talked to David
9 Young?

10 A. I don't remember. It's been quite a
11 while.

12 Q. Okay. Before Mr. Young left the State
13 Troopers Association, how often did you talk to
14 him?

15 A. Occasionally.

16 Q. Meaning what?

17 A. Meaning I don't know. Occasionally.

18 Q. And what would you talk to him about?

19 A. Lots of things.

20 Q. Okay. Like what?

21 A. Personal stuff, work stuff, legislation.

22 Q. Mr. Starnes --

23 A. Fishing.

24 Q. All right. What? What personal stuff,
25 for example?

1 A. Fishing.

2 Q. Okay. What legislation?

3 A. All kinds of legislation.

4 Q. Okay. Sir, I didn't walk in your shoes,
5 so when I'm asking you these questions, I'm asking
6 you to tell me, not in general terms, what you
7 remember, talking to Mr. Young about.

8 A. I can't remember everything I've talked to
9 Mr. Young about over the years that I've known him.

10 Q. Okay. Well, tell me what you do remember,
11 sir.

12 A. Well, I am telling you what I do remember,
13 and we talked about, when I said legislation, and
14 you said -- I can't tell you specifically what
15 because there could be 500 different pieces of
16 legislation that we track in any particular
17 session.

18 Q. Are you telling me you don't remember
19 anything that you discussed with Mr. Young
20 regarding legislation? Nothing?

21 A. No, nothing specific.

22 Q. Okay. What other things did you talk to
23 Mr. Young about before he left LSTA?

24 A. We talked about all -- I mean, what you
25 would talk to any other person that you are around

1 or associate with. Everything under the sun.

2 Q. Well, sir, I need you to tell me what you
3 do remember. Again, I don't walk in your shoes --

4 A. I don't remember with any specificity.

5 Q. Mr. Starnes, let me finish.

6 A. Okay.

7 Q. I am not walking in your shoes, so when
8 you make statements like things you would talk to
9 anybody else about, I don't live in the same world
10 you do, so I would like for you to tell me what you
11 remember, please.

12 A. I can't remember specifically anything.

13 Q. Did you talk --

14 A. General conversation.

15 Q. Did you talk to him about the Commission?

16 A. I'm sure, at some point, we did.

17 Q. Like what?

18 A. I don't remember.

19 Q. Did you talk to him about Ms. Derbonne?

20 A. I don't remember.

21 Q. Did you talk to him about Mr. Braxton?

22 A. I don't remember.

23 Q. Were you aware, at some point in time, of
24 some effort to have Mr. Oliphant write a report
25 that the LSTA could then request as a public

1 record?

2 A. Can you ask that again, please?

3 Q. Are you aware or do you recall anything
4 about, at some point, having Mr. Oliphant put
5 together some sort of report that the LSTA could
6 then request as a public record?

7 A. No.

8 Q. You never heard anything like that?

9 A. I've heard about -- I'm trying to recall.
10 I remember hearing something about an issue
11 involving Colonel Oliphant at the time, but I can't
12 tell you where I heard it, how I heard it, or what
13 specifically it was in regard.

14 Q. Did you review any drafts of any report
15 prepared by Mr. Oliphant?

16 A. In regards to what?

17 Q. An alleged incident occurring in December
18 of 2015?

19 A. No, ma'am.

20 Q. Have you ever seen an incident report
21 prepared by Mr. Oliphant?

22 A. No, ma'am.

23 Q. If you wouldn't mind, in front of you, do
24 you have Exhibit No. 24? Do you have it, sir?

25 A. Yes, ma'am.

1 Q. Exhibit 24 starts with an e-mail from Jay
2 Oliphant dated June 6, 2016, to Kevin Reeves. The
3 subject matter is LSP Commission member Calvin
4 Braxton, and it has Calvin Braxton versus Trooper
5 Linebaugh dot doc.

6 Do you see that?

7 A. Yes, ma'am.

8 Q. What was Mr. Reeves' position in June of
9 2016?

10 A. I think it would have been region 3 major
11 over patrol.

12 Q. Region 3 includes the Natchitoches area;
13 is that right?

14 A. Yes, ma'am.

15 Q. And you would have been a lieutenant
16 colonel in 2016; is that right?

17 A. Not -- in 2016, but not on this date.

18 Q. Okay. When in 2016 did you get your
19 promotion?

20 A. It would have been in August of 2016, but
21 I don't remember the exact date.

22 Q. Okay.

23 A. I think it may be August 15th maybe.

24 Q. So in June of 2016, you were the major
25 over support services; is that right?

1 A. Yes, ma'am.

2 Q. Yes?

3 A. Yes.

4 Q. And did support services have any role
5 with respect to the State Police Commission or its
6 members?

7 A. Not specifically, no.

8 Q. If you look at page 2 of Exhibit No. 24,
9 it appears to be some sort of incident report with
10 the incident occurring on December 5, 2015. Do you
11 see that part?

12 A. Yes.

13 Q. Can you tell me, sir, in your history of
14 being a trooper, has there ever been an occasion
15 where you wrote a report, an initial report about
16 an incident six months after the fact?

17 A. I don't recall.

18 Q. Well, sir, if I go look at your training,
19 it's going to tell me, is it not, that the initial
20 incident reports need to be completed as soon as
21 possible in time relation to the incident
22 occurring, right?

23 A. Perhaps, yes.

24 Q. Well, sir, you're not telling me, are you,
25 that, for example, you had some sort of traffic

1 stop, and then six months later, you have a great
2 epiphany and just decide to write an initial
3 incident report about it; am I right? You don't do
4 that, do you?

5 A. I'm not aware that I have.

6 Q. In fact, your training is, sir, is it not,
7 for you to put together the initial reports as
8 close to the incident occurring so your memory and
9 recollection is better, right?

10 A. Generally.

11 Q. Isn't there a general order that relates
12 to when a trooper or an LSP employee is to turn in
13 their initial reports?

14 A. I'd have to go back over the policy manual
15 to see exactly how it reads.

16 Q. But there is a general order, isn't there,
17 sir, about when you're supposed to turn in your
18 initial reports?

19 A. Yes.

20 Q. And isn't it true that you're supposed to
21 turn in your initial reports by the end of the
22 shift?

23 A. Not necessarily.

24 Q. Okay. When not necessarily?

25 A. Well, if I were to make some type of

1 enforcement action, criminal arrest, whatnot, and
2 it happens to be at the end of the shift, there's
3 no way I could get a report in before the end of
4 the shift.

5 Q. According to the general order, then it
6 would be due by the end of the next shift; isn't
7 that correct?

8 A. Not necessarily.

9 Q. Excuse me?

10 A. Not necessarily. Whenever you say "next
11 shift," it depends on when your next shift could
12 be.

13 Q. Okay. Well, can you tell me then, sir, is
14 it permissible, under the general order, to wait
15 six months to file an initial report?

16 A. I don't know.

17 Q. You have disciplined people, have you not,
18 sir, for failing to turn in their initial reports
19 in a timely fashion, right?

20 A. I don't recall if I've disciplined someone
21 for that or not.

22 Q. You've written them up for it, sir, right?
23 Issued counselings, issued written counselings to
24 troopers that you commanded for not turning in
25 their initial reports in a timely manner?

1 A. I don't know that.

2 Q. Have you ever signed off on discipline to
3 any trooper for failing to turn in an initial
4 report in a timely manner?

5 A. I don't recall.

6 Q. You worked on the roads for how many
7 years, 10, 12, 12 years?

8 A. Approximately 12 years.

9 Q. Excuse me?

10 A. Yes, approximately 12 years.

11 Q. And in the 12 years that you worked at
12 Troop A, you were on the road; is that right?

13 A. That's correct.

14 Q. And in those 12 years, was there ever an
15 occasion that you can think of where you turned in
16 an initial report six months after the incident
17 occurred?

18 A. No.

19 Q. Who was your troop commander at Troop A
20 when you were there for the 12 years?

21 A. I had several.

22 Q. Okay. Who?

23 A. Lane Ryland, Brian Wynne.

24 Q. Brian what?

25 A. Wynne.

1 Q. Spell it, please.

2 A. W-Y-N-N-E. I had Captain Aaron Chabaud.

3 Q. Spell it, please.

4 A. Captain Danny Baxter.

5 Q. Chabaud is spelled how, sir?

6 A. C-H-A-B-A-U-D.

7 Q. And are you telling me that there was no
8 occasion where either Mr. Wynne or Mr. Baxter issue
9 an e-mail or some sort of edict about you troopers
10 getting your reports in, in a timely manner?

11 A. I don't remember.

12 Q. Do you remember receiving an e-mail from
13 Mr. Baxter while you were at Troop A directed to
14 all troopers about you guys need to start getting
15 your reports in, in a timely manner?

16 A. I don't remember.

17 Q. Is it possible, sir?

18 MR. MAYEAUX:

19 Object to the form.

20 BY MS. CRAFT:

21 Q. You can answer it.

22 A. Possible.

23 Q. All right. Page 2 of Exhibit No. 24.

24 This is, in nature of report, initial report by
25 employee, and it looks like it has a date of

1 December 5, 2015, a time, 2:47 in the morning.

2 Do you know if that reflects the time that
3 this alleged incident supposedly occurred or what?

4 A. I'm not sure.

5 Q. Did you ever talk to Mr. Oliphant about
6 any interactions he had with Calvin Braxton?

7 A. No, ma'am.

8 Q. The nature of the incident on this report
9 is Louisiana State Police Commission member Calvin
10 Braxton. How is that a nature of an incident?

11 MR. MAYEAUX:

12 Object to the form.

13 BY MS. CRAFT:

14 Q. Go ahead. You can answer it.

15 A. More like a subject line, I guess.

16 Q. Okay. But when you fill out these
17 incident reports, sir, when it says "nature of the
18 incident," you're supposed to describe generally
19 the conduct; am I correct?

20 A. Not necessarily, no.

21 Q. How were you trained?

22 A. I'm sorry. Could you repeat that?

23 Q. How were you trained to fill out these
24 reports, sir?

25 A. I don't know that I was specifically

1 trained on how to fill out this particular incident
2 report.

3 Q. Well, is this particular incident report a
4 common report form that is used at state police?

5 A. Yes.

6 Q. And it's true, is it not, that you fill
7 out this incident report for incidents that are,
8 like, for example, DWIs, right?

9 A. The DWI would go on a uniform DWI arrest
10 report.

11 Q. Okay. So what kind of reports go on this
12 form?

13 A. These are used for various types of
14 reporting of incidents, something that's not
15 necessarily a criminal arrest. It could be just a
16 document, any type -- various types of incidents.
17 Nothing specific.

18 Q. Tell me, like what, sir?

19 A. When you come to document somebody claimed
20 they had a rock hit their windshield, doesn't meet
21 the definition of crash report. It would be
22 documented on this. It's used for internal
23 reporting to document particular -- any incident
24 that could have occurred that's anything other than
25 criminal arrests, crash reports, DWIs, stuff like

1 that, that's used for various applications.

2 Q. Where is that written down? If I want to
3 find out what this form is used for at state
4 police, what do I need to look at?

5 A. You'd have to look at, potentially look at
6 the departmental policy to see what it says.

7 Q. Which departmental policy?

8 A. I don't know off the top of my head.

9 Q. Well, isn't it your job to be responsible
10 for department policies?

11 A. To some degree, yes.

12 Q. Okay. So what department policy do I need
13 to ask for?

14 A. Again, I don't know. I can't tell you off
15 the top of my head.

16 Q. Well, in your tenure at state police, what
17 have you used this form for?

18 A. To document various incidents like I
19 previously described.

20 Q. So if I go back and pull yours, I'm going
21 to see one for rock in a windshield. What else?

22 A. Perhaps.

23 Q. What else?

24 A. I can't recall.

25 Q. If you go to the next page of the document

1 beyond the initial incident report, there's also an
2 e-mail from Mr. Oliphant to Mr. Reeves. This is
3 dated June 7th. The subject is "Calvin Braxton."
4 And then it has attachments, "Calvin Braxton
5 incident report 060616." Do you see that?

6 A. Yes, ma'am.

7 Q. Did you ever see any version of this
8 document before --

9 A. No, ma'am.

10 Q. -- that I'm talking about with incident
11 report attached?

12 A. No, ma'am.

13 Q. Did you talk to anybody at headquarters
14 about this report?

15 A. Not that I can recall.

16 Q. When did you first hear about it?

17 A. I don't remember.

18 Q. How did you first hear about it?

19 A. Again, I don't remember.

20 Q. In the document, there's also an e-mail
21 from LaTerica. That's L-A- capital T-E-R-I-C-K-A
22 Chatman, dated June 7, 2016 to Jay Oliphant from
23 the Ms. Chatman. It also is to Kevin Reeves dated
24 June 8th. Do you know anything about this
25 document?

1 A. No, ma'am.

2 Q. Do you know what Ms. Chatman's job was?

3 A. No, ma'am.

4 Q. Now, at some point in time, you said that
5 you were in charge of records; is that right?

6 A. No, ma'am.

7 Q. You never had any involvement with records
8 at state police?

9 A. Yes.

10 Q. Okay. What was your involvement? I think
11 you told me you oversaw criminal records, criminal
12 lab, fleet and supply and support services; is that
13 right.

14 A. Right.

15 Q. Yes or no?

16 A. The criminal -- yes. The criminal
17 records, its formal name is the Bureau of Criminal
18 Identification Information. They maintain
19 Louisiana criminal history, oversee the automated
20 fingerprint system, process expungement orders, and
21 various other things dealing with criminal records,
22 which includes the concealed handgun unit, traffic
23 records unit, et cetera.

24 Q. So that would include if somebody did a
25 search on the Louisiana law enforcement

1 telecommuting system, right? That be would under
2 you and support services?

3 A. Yes, ma'am.

4 Q. Yes?

5 A. Yes.

6 Q. Okay. Do you have Exhibit 21 in front of
7 you?

8 A. Okay, I have it.

9 Q. Do you know anything about this public
10 records request submitted by Mr. Braxton?

11 A. No, ma'am.

12 Q. Did you know anything about Officer
13 Oliphant running a background on a vehicle?

14 A. No, ma'am.

15 Q. You never heard anything about that?

16 A. (Witness shaking head.)

17 Q. No, sir?

18 A. No.

19 Q. Did you know anything about any
20 publication by Mr. Oliphant accusing my client of
21 murder?

22 A. No, ma'am.

23 Q. Did you hear any allegations by anyone
24 affiliated with state police that they believed my
25 client committed murder some 25 years ago in

1 Shreveport?

2 A. No, ma'am.

3 Q. Were you aware of another report issued by
4 Mr. Oliphant as it related to my client in 2018?

5 A. No, ma'am.

6 Q. Did you hear anything about that, sir?

7 A. No.

8 Q. Let me see if I can get you there. You
9 have in front of you Exhibit 22; is that right?

10 A. I have it.

11 Q. Okay. And towards the back, there are
12 some entries. One of them is an August 11, 2016,
13 Thursday entry. Most of it's blacked out. Do you
14 see that? It's at line --

15 A. How far down?

16 Q. About two-thirds. Do you see it?

17 A. I found it.

18 Q. It says, "I spoke with Thurman Miller who
19 stated Calvin Braxton was at the LPS Commission
20 meeting and was rather quiet. He stated Braxton
21 vote for 'everything' on the agenda, which is very
22 unusual. I later talked to [blank], who stated he
23 had spoken to Braxton as well. He stated Braxton
24 told him he voted for things on the agenda he
25 ordinarily wouldn't have voted for."

1 **My first question is: Who's Therman**
2 **Miller?**

3 A. He was a state trooper.

4 **Q. From where?**

5 A. Region 3, somewhere -- Alexandria,
6 Natchitoches, maybe. I'm not sure.

7 **Q. Did you at all talk to Mr. Braxton at any**
8 **time?**

9 A. No, ma'am.

10 **Q. Did you hear anything about this, this**
11 **being the entry on August 11th, where Mr. Braxton**
12 **voted for everything on the agenda and that being**
13 **very unusual?**

14 A. I'm not familiar with any.

15 **Q. The next page in this document, which is**
16 **Exhibit 22, is a Facebook posting by Mr. Oliphant.**
17 **Do you see that? It's the very next page from**
18 **where you were, sir. It's got handwriting on it.**

19 A. I see it.

20 **Q. At the top, it says, "Posted after getting**
21 **a call from Doss." Who's Doss?**

22 A. I don't know.

23 **Q. You don't know who T.J. Doss is?**

24 A. I know who T.J. Doss is.

25 **Q. Who is T.J. Doss?**

1 A. He's a state trooper.

2 Q. And where does he work?

3 A. He works out of the Shreveport area.

4 Q. Where was he working in 2018?

5 A. I don't recall.

6 Q. You said at the beginning of your
7 deposition you had, quote, heard things and things
8 had been posted on blogs. Do you recall ever
9 seeing this Facebook posting by Mr. Oliphant, which
10 he there's a handwritten date on the top of April
11 3, 2018, evening?

12 A. No, ma'am, I've never seen it.

13 Q. You've never seen this document before,
14 sir?

15 A. No, ma'am.

16 Q. Or any version of this document, sir?

17 A. Not that I'm aware of.

18 Q. Were you aware of some allegation by
19 Mr. Oliphant that my client somehow tried to
20 intimidate and retaliate against him?

21 A. Ask that question again, please.

22 Q. Were you aware of any allegation that my
23 client tried to intimidate or retaliate against
24 Mr. Oliphant in any fashion?

25 A. No, ma'am.

1 Q. You never heard anything about that?

2 A. Not that I recall.

3 Q. In 2018, your position was what with state
4 police, sir?

5 A. What year?

6 Q. 2018.

7 A. Lieutenant colonel.

8 Q. And you reported to whom?

9 A. I report to our chief of staff and the
10 superintendent colonel.

11 Q. Names, please?

12 A. That would have been -- chief of staff was
13 Mike Noel, and the colonel was Kevin Reeves.

14 Q. And Mr. Reeves is still the colonel; is
15 that correct?

16 A. Yes, ma'am.

17 Q. Did you ever have any conversations with
18 Mr. Reeves about Calvin Braxton?

19 A. No, ma'am.

20 Q. How about with Mike Noel?

21 A. No, ma'am.

22 Q. How about with Mr. Oliphant?

23 A. No, ma'am.

24 Q. Did you have any conversations with
25 Mr. Young about Mr. Oliphant and any concerns he

1 may have had?

2 A. Not that I recall.

3 Q. Did you have any conversations with
4 Mr. Slaton, S-L-A-T-O-N, about Calvin Braxton or
5 Mr. Oliphant?

6 A. Not that I recall.

7 Q. Or Charley Dupuy?

8 A. Not that I can recall.

9 Q. Did you know anything about the issuance
10 of an incident report, a second incident report
11 accusing Calvin Braxton of having somebody follow
12 Mr. Oliphant?

13 A. I'm not aware of that.

14 Q. Have you ever seen any such documents,
15 sir?

16 A. No, ma'am.

17 Q. Did you ever talk to Mr. Reeves about
18 that?

19 A. No, ma'am.

20 Q. When is the last time you talked to
21 Mr. Oliphant?

22 A. It would have been last week at work.

23 Q. About?

24 A. Hurricane Sally.

25 Q. Did you talk to him about your deposition?

1 A. No, ma'am.

2 Q. Have you ever talked to him about your
3 deposition or any depositions that have been taken
4 or the fact they've been taken?

5 A. No, ma'am.

6 Q. Can you look at Exhibit 20, please, sir?

7 On the first page of Exhibit 20, it starts
8 with a forwarded message from a Sherry Jameson,
9 J-A-M-E-S-O-N, March 2, 2018. Who is Sherry
10 Jameson?

11 A. I don't know.

12 Q. Huh?

13 A. I don't know.

14 Q. At the top of that page, it's from Jay
15 Oliphant dated March 2, 2018, at 3:03 p.m. to David
16 Staton, Kevin Reeves, and Mike Noel, incident
17 report attached. Have you ever seen that e-mail,
18 sir, or the attachment?

19 A. No, ma'am.

20 Q. And in 2018, you were the lieutenant
21 colonel; is that right?

22 A. That's correct.

23 Q. And you reported to Mr. Reeves and
24 Mr. Noel?

25 A. Correct.

1 Q. Did Mr. Oliphant have any reporting
2 structure through you in the chain of command?

3 A. No, ma'am.

4 Q. How often did you have command staff
5 meetings in 2018?

6 A. Generally, we did them weekly. Once a
7 week, once every two weeks.

8 Q. And are you telling me that in none of
9 those meetings in 2018, 2019, or even 2020, Calvin
10 Braxton was never mentioned?

11 MR. MAYEAUX:

12 Object to the form.

13 BY MS. CRAFT:

14 Q. You can answer it.

15 A. I don't recall.

16 Q. And are you telling me, in any of those
17 meetings in 2018, 2019, and 2020 that Mr. Oliphant
18 and some issues he may or may not have with Calvin
19 Braxton was never mentioned?

20 A. I haven't had conversations with
21 Mr. Oliphant about that.

22 Q. Now, you told me the incident report form
23 is not used for documenting potential crimes; is
24 that true?

25 MR. MAYEAUX:

1 Object to the form.

2 MS. CRAFT:

3 You can answer it.

4 MR. MAYEAUX:

5 [Inaudible.]

6 THE WITNESS:

7 Can you ask me that one more time,
8 please?

9 MS. CRAFT:

10 Okay. And, Mr. Mayeaux, we can't
11 hear you when you're making your
12 objections.

13 MR. MAYEAUX:

14 Okay. I'll speak up.

15 MS. CRAFT:

16 Great.

17 BY MS. CRAFT:

18 Q. Mr. Starnes, my question was: You told us
19 early on about the incident report. You said it
20 was not used to document potential crimes. You
21 said, and I quote, There are other forms for that.

22 Is that true?

23 MR. MAYEAUX:

24 Object to the form.

25 BY MS. CRAFT:

1 Q. You can answer that.

2 A. That's not necessarily the case. I think
3 the incident report form is a versatile tool that's
4 used for a variety of reasons to document other
5 things that may not be specific to an arrest.

6 Q. Okay. And then when I asked you where the
7 policy is, you said you weren't sure. So are you
8 sure now?

9 A. No. I'm sure that -- I don't know what
10 specific policy in which it would be covered, but
11 if it is, it would be somewhere in the manual.

12 Q. Okay. So this is all a guess on your
13 part, right? You don't know whether there's even a
14 policy as it relates to the incident report form;
15 is that right?

16 A. As I previously stated, that I would have
17 to look at the policy manual to see what parts and
18 how it read to determine if there's any
19 applicability to the question that you're asking.

20 Q. Okay. Well, that kind of begs the
21 question for me. I thought you told me you thought
22 there was a policy, but you didn't know what policy
23 said. Are you telling me now you don't know
24 whether or not there's even a policy as it relates
25 to the use of the incident report form?

1 A. I know the incident report form is
2 referred to in the policy, but, again, I would have
3 to go back, specifically read to answer the
4 question as specifically as what you're asking me.

5 **Q. Okay. So there is at least a policy that**
6 **refers to the use of the incident report form; is**
7 **that right?**

8 A. I said report forms are referred to within
9 the policy, but, again, I can't answer your
10 question any more specifically, not without
11 actually going and researching to see what it says.

12 **Q. On Exhibit 20, the second page of it is an**
13 **incident report. Again, it's initial report by**
14 **employee. He's got a date of February 21, 2018, at**
15 **3:25 in the morning. Do you see that?**

16 A. Yes, ma'am.

17 **Q. I do have that right, right; 0325 hours is**
18 **3:25 in the morning?**

19 A. Correct.

20 **Q. Okay. And this is to Lieutenant Colonel**
21 **Staton from Major Jay Oliphant. Is that right?**

22 A. Yes, ma'am.

23 **Q. Lieutenant Colonel Staton is on command**
24 **staff; is that right?**

25 A. At the time, he was.

1 Q. Okay. And was Major Oliphant on command
2 staff in 2018?

3 A. He was a major at the time. Lieutenant
4 Colonel Staton was the deputy superintendent over
5 the patrol at that time.

6 Q. Okay. So was Major Oliphant part of those
7 weekly meetings of command staff you told us about?

8 A. No, ma'am.

9 Q. But Lieutenant Colonel Staton was; is that
10 right?

11 A. Yes.

12 Q. Okay. This has nature of the incident,
13 public intimidation by Calvin Braxton, slash,
14 officer safety concern. Is it your sworn
15 testimony, sir, that this incident or the contents
16 of this February 21, 2018, dated incident report
17 was never discussed in any command staff meeting?

18 A. I don't recall.

19 Q. Sir, how many times since you've been at
20 headquarters has a trooper accused a member of the
21 community of public intimidation?

22 A. I don't know.

23 Q. Would it be fair to say that's a fairly
24 rare situation?

25 A. Perhaps.

1 Q. Well, how about you? Have you ever filed
2 an incident report of public intimidation/officer
3 safety concern against anybody else?

4 A. I have documented public intimidation with
5 arrestees in the past.

6 Q. Right. And that would be in an arrest
7 report, right?

8 A. Because it was a criminal arrest that was
9 made, and that was in the course of making the
10 arrest.

11 Q. In this particular document, it looks like
12 it's dated March 2, 2018. Do you recognize that as
13 Mr. Oliphant's signature?

14 A. No.

15 Q. Now --

16 A. I'm not familiar with his signature.

17 Q. Now, is there a difference between an
18 incident report and an arrest report in terms of
19 whether one is a public record or not?

20 A. I don't know the answer to that question.

21 Q. Okay. On the second page of this
22 document, the first paragraph, it says, "To
23 somewhat confirm someone is watching my client/our
24 every move has caused great concern for my safety
25 and the safety of my family. I have no idea what

1 Calvin Braxton's intentions are, and I'm not sure
2 what he is capable of specific to harming me or my
3 family. What's even more concerning to me is the
4 mysterious and untimely death of a woman named
5 Lydia Rachal, whom Calvin Braxton was allegedly
6 dating at the time of her death several years ago.
7 Rachel's death, ultimately ruled a suicide,
8 occurred in a hotel located in the
9 Shreveport/Bossier City area. The fact that Calvin
10 Braxton's name was closely connected to this woman
11 at the time of her death is enough reasonable
12 suspicion for me to be concerned for my safety and
13 the safety of my family. It would be my suggestion
14 that Louisiana State Police review the case file
15 regarding the death of Lydia Rachal to determine
16 the actual manner of death and/or determine if
17 there was any possibility of foul play.
18 Additionally, I'm requesting that Louisiana State
19 Police conduct a personal threat assessment
20 regarding the capabilities of Calvin Braxton,
21 Gregory Friedman, and Aaron Friedman to potentially
22 harm me or my family."

23 Do you see that, sir?

24 A. No. I follow, but I couldn't find it in
25 here.

1 Q. Second page of the report.

2 A. It's in Exhibit 20?

3 Q. First full paragraph. You're on Exhibit
4 20, right?

5 A. Yes, ma'am.

6 Q. Okay. First of all, do you know anything
7 about the suicide of Lydia Rachal?

8 A. No, ma'am.

9 Q. Have you ever heard anything about it
10 before?

11 A. No, ma'am.

12 Q. If the suicide occurred in Shreveport, was
13 investigated and closed in Shreveport, what
14 jurisdiction would the state police have over a
15 25-year-old suicide?

16 MR. MAYEAUX:

17 Object to the form.

18 BY MS. CRAFT:

19 Q. Subject to it, you can answer, sir.

20 A. I guess if there was information, that
21 come cases can be reopened. They have in the past.

22 Q. Okay. Well, let me ask you something,
23 sir. In this particular section of the report, is
24 there anything in this section that provides any
25 information for the purposes of reopening a

1 **25-year-old suicide?**

2 MR. MAYEAUX:

3 Object to the form.

4 BY MS. CRAFT:

5 **Q. You can answer.**

6 A. I'm not sure.

7 **Q. Do you see anything in here, sir, as a**
8 **trained police officer that, in your opinion, would**
9 **allow there to be a reopening of a 25-year-old**
10 **suicide?**

11 A. I'm not sure.

12 **Q. Sir, do you even know who Gregory Friedman**
13 **or Aaron Friedman?**

14 A. No.

15 **Q. Do you know if they had something to do**
16 **with the suicide by Ms. Rachal?**

17 A. I don't know.

18 **Q. Can you tell me, in your state police**
19 **training, are you guys trained to act on rumor and**
20 **speculation or facts?**

21 A. Can you ask me that one more time?

22 **Q. In your state police training, are you**
23 **trained to act on rumor and speculation or act on**
24 **facts?**

25 A. I think the answer to that is what do you

1 consider acting on something?

2 Q. Okay. Well, in this case, sir, apparently
3 Mr. Oliphant was calling for the state police to
4 reopen a 25-year-old suicide. Do you see that?

5 A. Yes, ma'am.

6 Q. Wouldn't you expect Mr. Oliphant to have
7 some facts before he asked the state police to
8 reopen a 25-year-old suicide, especially in his
9 position of being a major?

10 MR. MAYEAUX:

11 Object to the form.

12 BY MS. CRAFT:

13 Q. Subject to it.

14 A. Well, I don't -- I can't speculate as to
15 what Colonel Oliphant knew, didn't know, how it was
16 stated, or if there's other information. I'm not
17 familiar, and I don't know.

18 Q. One of your colleagues testified in his
19 deposition that, when you fill out an incident
20 report, you're supposed to only put the facts.
21 Does that sound right, sir?

22 MR. MAYEAUX:

23 Object to the form.

24 BY MS. CRAFT:

25 Q. You can answer it.

1 A. I think the facts as stated, but the
2 opportunity to provide, I guess, whether it's an
3 officer's opinion or insight based on what those
4 facts are.

5 Q. Okay. But you would agree with me, would
6 you not, that the officer, at the end of the day,
7 is to document facts. If they have an opinion
8 based on the facts presented, they're still
9 documenting facts initially; isn't that right?

10 A. I would agree with that.

11 Q. So if somebody's reading this, for
12 example, you would agree with me that, according to
13 Major Oliphant, one of the top four ranks in state
14 police is, in fact, accusing my client of being
15 involved in some sort of murder?

16 MR. MAYEAUX:

17 Object to the form.

18 BY MS. CRAFT:

19 Q. That's a fact, right, sir?

20 A. I don't see where there was any
21 accusations written here as I'm reviewing. Of
22 course, I've never seen this before, so I'm trying
23 to go through it as we're talking.

24 Q. So can you tell me why the Louisiana State
25 Police would have reopened an investigation in a

1 25-year-old suicide based on this from Major
2 Oliphant?

3 MR. MAYEAUX:

4 Object to the form.

5 BY MS. CRAFT:

6 Q. You can answer it, sir.

7 A. I don't know.

8 Q. But you do know and did hear that state
9 police reopened the investigation of the suicide of
10 Ms. Rachel, didn't you?

11 MR. FALCON:

12 Object to the form.

13 BY MS. CRAFT:

14 Q. You can answer it.

15 A. I'm not aware of that.

16 Q. How about a threat assessment? What's
17 that?

18 A. I think it's just an assessment based on
19 information to determine if there is a viable
20 threat, you know, for concerns.

21 Q. Is a threat assessment a term of art for
22 state police?

23 A. A term of what?

24 Q. Art. It has a specific meaning for state
25 police?

1 A. I don't know that it has a specific
2 meaning for state police.

3 **Q. Have you ever heard of a threat assessment**
4 **before, sir?**

5 A. Yes.

6 **Q. Okay. In what context have you heard of a**
7 **threat assessment before?**

8 A. We do threat assessment evaluations for
9 any kind of high-profile event. Various -- you
10 know, for security concerns, security measure
11 assessments. That's commonly done.

12 **Q. Okay. On what basis does state police**
13 **conduct a threat assessment?**

14 A. What do you mean on what basis?

15 **Q. I mean, for example, you don't get to walk**
16 **into headquarters tomorrow and say, "Hey, I want**
17 **you to do a threat assessment on Jill Craft,"**
18 **right? You have to have a factual basis in order**
19 **for state police to even undertake that obligation;**
20 **am I right?**

21 MR. MAYEAUX:

22 Object to the form.

23 BY MS. CRAFT:

24 **Q. You can answer it.**

25 A. Well, I think a determination to do an

1 assessment would be based on an evaluation of
2 information being provided.

3 **Q. Information as fact; is that what you**
4 **said?**

5 A. As whatever information is being provided.

6 **Q. And that --**

7 A. It would have to come later.

8 **Q. Okay. So can you tell me why state police**
9 **conducted a threat assessment on Calvin Braxton?**

10 MR. MAYEAUX:

11 Object to the form.

12 BY MS. CRAFT:

13 **Q. You can answer it.**

14 A. I don't know. I don't know that they did.

15 **Q. Excuse me?**

16 A. I'm not aware that they did.

17 **Q. How is it that you're not aware that they**
18 **did if you are telling me you didn't even know**
19 **anything about this report or Mr. Oliphant or any**
20 **concerns he had with Mr. Braxton? How is it that**
21 **you know one way or the other?**

22 MR. MAYEAUX:

23 Object to the form.

24 BY MS. CRAFT:

25 **Q. You can answer it.**

1 A. I don't know if an assessment was done or
2 not. I'm not aware of that.

3 Q. Okay. If an assessment was done, can you
4 tell me under what circumstances in conjunction
5 with your affiliation with state police an
6 assessment would have been done on a private
7 individual?

8 A. I guess it would have been based on the
9 information being provided for that determination
10 to be made.

11 Q. Okay. And so the threat assessment
12 itself, it's conducted how?

13 A. Generally, it would be somebody from an
14 investigative perspective. I don't know exactly
15 what all would be involved in doing a threat
16 assessment on an individual.

17 Q. But you would expect there would have been
18 communication, right, of some kind of information
19 to the person or persons conducting the threat
20 assessment, correct?

21 A. Yes.

22 Q. And so in this case, can you tell me, from
23 Mr. Oliphant to state police headquarters to
24 whoever did the threat assessment, to how many
25 people was this information contained in this

1 document communicated about Calvin Braxton?

2 MR. MAYEAUX:

3 Object to the form.

4 BY MS. CRAFT:

5 Q. If you know?

6 A. I have no clue. I don't know. I have no
7 idea.

8 Q. On Page 2 of the document, Mr. Oliphant
9 writes, "I was so concerned that I contacted the
10 Louisiana State Police/Troop E and requested that
11 they make frequent security checks around my
12 residence. I've also advised LSP/E to contact the
13 Natchitoches Parish Sheriff's Office to conduct the
14 security checks as well." Do you see that part?

15 A. Yes, ma'am.

16 Q. Who was over the Troop E area in 2018?

17 A. Wait, say it again.

18 Q. Who was over Troop E?

19 A. Who was over Troop E?

20 Q. Yes.

21 A. At this time, maybe [inaudible].

22 Q. Who?

23 A. Captain Smith.

24 Q. To whom did Captain Smith report?

25 A. Major Oliphant.

1 Q. So does it seem odd to you, sir, that
2 Major Oliphant, who's over Troop E -- it's in his
3 region -- is saying that he contacted Troop E and
4 requested they make frequent security checks around
5 his residence?

6 A. That doesn't necessarily sound odd.

7 Q. Have you ever requested that somebody make
8 security checks around your residence?

9 A. Yes.

10 Q. When?

11 A. I was constructing a new home, and twice
12 it was burglarized for electric wire within a
13 week's period of time, and so I did make a request
14 for some increased patrols through the area where
15 the house was being built because they were
16 stealing the wire out of the house.

17 Q. State police help or local law
18 enforcement?

19 A. Both.

20 Q. Okay. And, sir, in this case, if
21 Mr. Smith was over Troop E, this directive that's
22 reflected in this report would have come from his
23 commanding officer, Mr. Oliphant, correct?

24 A. Yes.

25 Q. And --

1 A. So you're saying -- yeah. The request was
2 made from Mr. Oliphant to I guess it was Captain
3 Smith at that time.

4 **Q. His subordinate, right?**

5 A. Yes.

6 **Q. And then do you know who Mr. Oliphant**
7 **advised at state police Troop E to make contact**
8 **with the Natchitoches Parish Sheriff's Office?**

9 A. No, I don't know.

10 **Q. You indicated that you've spoken to**
11 **Mr. Oliphant, you said, within the last week. What**
12 **is his current position at state police?**

13 A. Lieutenant colonel and deputy
14 superintendent over patrol.

15 **Q. So he got a promotion since 2018; is that**
16 **right?**

17 A. Correct.

18 **Q. He went from the region commander over**
19 **Region 3; is that right?**

20 A. Yes, ma'am.

21 **Q. Do what?**

22 A. Yes, that's correct.

23 **Q. And when did he get that promotion?**

24 A. I don't recall the date of his promotion.

25 **Q. How about what year?**

1 A. I don't remember when he was promoted.

2 Q. Has it been within this last year, 2020,
3 or was it in 2019?

4 A. It was before 2020.

5 Q. And who was responsible for promoting him
6 to lieutenant colonel over uniform patrol?

7 MR. MAYEAUX:

8 Object to the form.

9 BY MS. CRAFT:

10 Q. Go ahead. You can answer it.

11 A. That would have been Colonel Kevin Reeves.

12 Q. And did you have input in that decision to
13 promote Mr. Oliphant to lieutenant colonel?

14 A. Not that I recall.

15 Q. It wasn't the subject of some command
16 staff meetings?

17 A. I don't know.

18 Q. Is Mr. Oliphant at the same rank and level
19 as you now?

20 A. Yes, ma'am.

21 Q. And is he also stationed at headquarters?

22 A. Yes. He has a state-wide command, but
23 yes. He has an office here in Baton Rouge.

24 Q. And he actually goes to his office in
25 Baton Rouge five days a week, doesn't he?

1 A. I don't know what his schedule is. I
2 don't see him every day.

3 Q. Okay. Do you know if he's got an office
4 somewhere else, sir?

5 A. No.

6 Q. And does he participate in the weekly
7 command staff meetings that y'all have with
8 Mr. Reeves?

9 A. Yes, ma'am.

10 Q. And are you telling me that at no time
11 during any of those weekly command meetings Calvin
12 Braxton's name was ever mentioned?

13 MR. MAYEAUX:

14 Object to the form. Asked and
15 answered.

16 Answer it again.

17 THE WITNESS:

18 Not that I can recall.

19 BY MS. CRAFT:

20 Q. And Mr. Oliphant's never made any comments
21 to you about Calvin Braxton?

22 A. No, ma'am.

23 Q. So then are we to assume that Mr. Oliphant
24 is no longer scared of Calvin Braxton?

25 MR. FALCON:

1 Object to the form.

2 BY MS. CRAFT:

3 Q. You can answer it.

4 A. I can't speculate as to that.

5 Q. Excuse me?

6 A. I can't speculate to answering that
7 question. I don't know.

8 Q. Well, do you know if, in his capacity of
9 lieutenant colonel, Mr. Oliphant has continued to
10 request of subordinate officers that they perform
11 or have performed additional security checks for
12 him?

13 MR. FALCON:

14 Object to the form.

15 THE WITNESS:

16 I don't know. I'm not aware of
17 that.

18 BY MS. CRAFT:

19 Q. Sir, did you know anything about liquor
20 being served at one of the training facilities?

21 A. Yes.

22 Q. What do you know about that?

23 A. Liquor was served after hours at the
24 training facility for different classes or other
25 things that were going on.

1 **Q. Well, you guys actually had a**
2 **fully-functioning bar, didn't you?**

3 A. When you said we had, who's we?

4 **Q. State police had --**

5 A. If the department --

6 **Q. -- a fully functioning bar?**

7 A. Yeah, it's a --

8 MR. MAYEAUX:

9 Let her finish her question.

10 Go ahead, Jill.

11 MS. CRAFT:

12 I am.

13 BY MS. CRAFT:

14 **Q. Sir, state police had a functioning bar on**
15 **its training facility premises; did it not?**

16 A. Yes, as part of the state's facility.

17 **Q. And how long did the state police have a**
18 **functioning bar on its premises at the training**
19 **facility?**

20 A. I don't know how long. I believe since it
21 was constructed. The facility built with those --
22 with that area and that recreational room when it
23 was originally constructed.

24 **Q. And so when it was first operated, there**
25 **was a full-time or there was a bartender there; is**

1 that right? Or a couple of them?

2 A. No.

3 Q. Excuse me?

4 A. I'm not aware of that.

5 Q. Did you ever have a drink at that bar?

6 A. Yes.

7 Q. And how was it served to you?

8 A. Sometimes I served myself.

9 Q. Okay. And --

10 A. Or somebody else in the group would
11 volunteer.

12 Q. Okay. Was there an employee that actually
13 tended bar or somebody who worked as a bartender
14 there?

15 A. No. We were all employees. It was
16 departmental people that were there using the
17 facility.

18 Q. Sir, at some point in time, you became
19 aware of a complaint being filed about that too,
20 right?

21 A. To what extent?

22 Q. To any extent, sir. I'm not qualifying.
23 I said "a complaint."

24 A. A complaint in regards to what?

25 Q. The operation of the bar.

1 A. Yeah, I think there was something. If I
2 recall, maybe somebody said something to the State
3 Police Commission about that.

4 **Q. Was that Mr. Braxton too?**

5 A. But I don't recall -- I'm not aware. I
6 don't know.

7 **Q. Are you married, sir?**

8 A. Yes.

9 **Q. And what does your wife do for a living?**

10 A. She worked for the State.

11 **Q. She worked for the State where, sir?**

12 A. Office of Motor Vehicles.

13 **Q. Has she always worked at the Office of**
14 **Motor Vehicles?**

15 A. No.

16 **Q. Where did she work before?**

17 A. She worked for a bank at one point.

18 **Q. Where has she worked for with the State,**
19 **and how long has she been with the Office of Motor**
20 **Vehicles?**

21 MR. MAYEAUX:

22 Object to the form.

23 THE WITNESS:

24 I think she started in 2002.

25 BY MS. CRAFT:

1 Q. And what does she do for Office of Motor
2 Vehicles?

3 A. She's a headquarters administrator.

4 Q. She's what?

5 A. She's a headquarters administrator, motor
6 vehicle administrator.

7 Q. Sir, with respect to the alcohol complaint
8 or the complaint regarding the bar, I am correct
9 that the operations of that bar changed after the
10 complaint was made; is that right?

11 A. I'm not aware of that.

12 Q. Well, did you know that LSTA was buying
13 the liquor that was being served on public
14 property?

15 A. I'm sure they may have at some point.

16 Q. And did you know that the colonel, then
17 Colonel Edmonson, was putting in orders for
18 specific types of liquor to LSTA to supply the
19 alcohol to that bar facility at the training
20 center?

21 MR. MAYEAUX:

22 Object to the form.

23 BY MS. CRAFT:

24 Q. You can answer it.

25 A. I'm not aware of that.

1 Q. When you were on the Board for the LSTA,
2 was the bar being operated at the training
3 facility?

4 A. Operated by whom?

5 Q. Anybody.

6 A. Well, it was utilized.

7 Q. Did you guys pay for your drinks?

8 A. No. We either -- it was furnished by the
9 people that were utilizing it or there may have
10 been situations where the LSTA did, as a sponsor
11 member benefit, provide food and/or beverages.

12 Q. So who could go to this bar?

13 A. The people that were utilizing the
14 training facility.

15 Q. So it wasn't open to the public?

16 A. No.

17 Q. So how is it that Mr. Braxton had drinks
18 at that bar?

19 A. I don't know.

20 Q. Were there ever private individuals at
21 that bar when you were there?

22 A. Yes.

23 Q. Like who?

24 A. It could have been somebody like Mr. -- as
25 you say, Mr. Braxton -- that was invited if there

1 was some type of a social event going on. We've
2 had people from other police agencies from out of
3 state that have come and stayed at the facility to
4 do training classes and meetings.

5 **Q. What about folks that weren't there for**
6 **that, that were brought in, invited?**

7 A. It would have been other business
8 associates that we work with.

9 **Q. Have you ever invited people to come have**
10 **a drink with you at that bar?**

11 A. No.

12 **Q. Have there been any politicians having**
13 **drinks at that bar?**

14 A. I don't recall.

15 **Q. Have you seen a politician having drinks**
16 **at that bar?**

17 A. I don't recall.

18 MS. CRAFT:

19 All right. If we can take about a
20 ten-minute break, let me get my notes
21 together, and we'll see where we're at.

22 MR. OXENHANDLER:

23 All right.

24 MS. CRAFT:

25 Off the record at 10:43.

1 (Off the record.)

2 BY MS. CRAFT:

3 Q. Mr. Starnes, did I understand your lawyers
4 correctly earlier that the reason Mr. Reeves can't
5 give his deposition today is because a trooper
6 died; is that true?

7 A. You're asking me?

8 Q. Yes. Is that true?

9 A. I don't know that the -- I know a trooper
10 has been involved in an accident, but I have no
11 details of it.

12 Q. You know it's Officer Hollingsworth, don't
13 you, the one involved in the accident?

14 A. That's what I heard, but I don't know
15 anything other than that.

16 Q. He was just interviewed about a week ago.
17 He drove into a tree this morning. You know that,
18 right?

19 A. You know more than I do, then.

20 Q. He's the one that's accused of beating
21 Mr. Greene to death in Union Parish, that guy?

22 A. I don't know that he's been accused of
23 that.

24 Q. So, sir, when the lawyers made the
25 statement earlier that Mr. Reeves can't come today

1 because a trooper has died, you know that to be a
2 false statement; am I right?

3 MR. MAYEAUX:

4 Object to the form.

5 MR. FALCON:

6 Jill, that was me, and I
7 understood that he was dead. As it
8 turns out, he's just in critical
9 condition.

10 MS. CRAFT:

11 Right. He drove into a tree.

12 MR. MAYEAUX:

13 Nobody --

14 MS. CRAFT:

15 He's not in any kind of critical
16 condition.

17 BY MS. CRAFT:

18 Q. So, Mr. Starnes, can you tell me why
19 Colonel Reeves is not showing up for his
20 deposition?

21 A. No, I can't.

22 Q. And didn't you see Mr. Reeves this
23 morning?

24 A. No, ma'am, I have not.

25 Q. Now, sir, were you also the subject of

1 some sort of complaints by Louisiana State
2 Commissioners and the former executive director
3 about you staying at the barracks free?

4 A. Not that I'm aware of.

5 Q. Did you stay at the barracks, sir?

6 A. I used the facilities at the training
7 academy.

8 Q. Did you use that when you were separated
9 from your wife?

10 MR. MAYEAUX:

11 Object to the form.

12 BY MS. CRAFT:

13 Q. You can answer it.

14 A. I used it -- there was a room that was
15 assigned I used essentially as a locker room.

16 Q. But did you sleep there, sir?

17 A. For a period of time.

18 Q. Did you sleep there, sir?

19 A. On a couple of nights, I did.

20 Q. And you were aware that that behavior by
21 you was being questioned among the State Police
22 Commission, right, the use of the barracks for
23 personal reasons, right?

24 MR. FALCON:

25 Objection to form.

1 THE WITNESS:

2 No, I'm not aware of that.

3 BY MS. CRAFT:

4 Q. Are you aware of a private investigator
5 following Mr. Braxton around?

6 A. No, ma'am.

7 Q. Did you have any conversations with
8 Mr. Dupuy at any time where it was mentioned about
9 hiring a private investigator to follow
10 Mr. Braxton?

11 A. Not that I recall.

12 Q. Well, it would seem to me that would be
13 something you would recall, right, sir? Because
14 that seems a little unusual.

15 MR. MAYEAUX:

16 Object to the form.

17 THE WITNESS:

18 I don't recall having a
19 conversation with him about that.

20 BY MS. CRAFT:

21 Q. Okay. Did you ever hear Mr. Dupuy say
22 anything about that, sir?

23 A. Not that I can recall.

24 Q. And did you hear anybody make any comments
25 about the state police going after Calvin Braxton?

1 A. Hear statements from whom?

2 Q. Anybody, sir.

3 A. About going after Calvin Braxton?

4 Q. You heard my question?

5 A. I'm trying to make sure I understand your
6 question. No, ma'am.

7 Q. Never heard that?

8 A. Not that I recall. Not that I can recall.

9 Q. How about from Rodney Hyatt?

10 A. No.

11 Q. Were you aware of Mr. T.J. Doss being
12 assigned to headquarters at some point in time?

13 A. Yes.

14 Q. And wasn't he assigned to headquarters to
15 monitor the activities of Executive Director Cathy
16 Derbonne?

17 A. Not -- to my recollection, that was not
18 his assignment. He --

19 Q. But he did --

20 A. -- served as the chairman over the State
21 Police Commission.

22 Q. But you were aware, were you not, that he
23 was at least monitoring her activities, where she
24 was coming from, where she was going to, right?

25 A. I'm not aware of that.

1 **Q. How did he come to get assigned to**
2 **headquarters?**

3 A. Because he was working as the chair in his
4 capacity as the elected member from the active
5 working troopers, serve on that commission.

6 **Q. Right, sir. But how did he come to get**
7 **assigned to headquarters?**

8 A. I don't know.

9 **Q. And what was he doing at headquarters on**
10 **his assignment?**

11 A. I don't know that either.

12 **Q. Well, what did you see him doing at**
13 **headquarters?**

14 A. I don't recall. He wasn't working for me.

15 **Q. Who was he working for?**

16 A. I don't recall.

17 **Q. When was the last time you talked to**
18 **Mr. Doss?**

19 A. I talked to him maybe two weeks ago.

20 **Q. About?**

21 A. Being called in reference to a training
22 assignment that was going on at one of the casinos
23 in Shreveport area that needed an agreement signed
24 and who would be the appropriate person at the
25 agency to sign that and where to route it.

1 Q. Sir, it is your sworn testimony you never
2 heard anything about a private investigator
3 following Calvin Braxton?

4 A. I don't recall.

5 Q. Let me see if I get this straight. And,
6 again, is it your testimony that that never
7 happened or that you just don't remember it ever
8 happening?

9 A. I'm not aware of that.

10 Q. Okay. And you never heard anything about
11 that; am I correct?

12 A. Not that I can recall.

13 Q. Can you tell me what the talk was among
14 the troopers as it related to Calvin Braxton's
15 potential vote on the state police raise?

16 A. On the state police raise?

17 Q. Yes.

18 A. You're referring to approval of the pay
19 plan?

20 Q. I'm just asking the question about the
21 raise, sir. I'm not qualifying it.

22 A. I don't recall any discussion about --
23 other than seeking approval to have the Commission
24 approve the pay plan.

25 Q. And do you recall there being a discussion

1 about Mr. Braxton's vote in particular?

2 A. No, ma'am, I don't recall that.

3 Q. Did you ever meet with the former
4 executive director, Cathy Derbonne?

5 A. Yes, I've met with her.

6 Q. When?

7 A. Over numerous times and throughout her --
8 while she held a position as the executive
9 director.

10 Q. Were you aware of any move or attempt to
11 have her resign?

12 A. I recall there being some issues within
13 her job as the commission.

14 Q. Like what?

15 A. There was, I think, an issue where she
16 provided some testimony at a legislative hearing,
17 but I don't recall the specifics or the details.

18 Q. Sir, you sat in a meeting with her about
19 the testimony as it related to the budget; don't
20 you remember that, their testimony at the
21 legislature?

22 A. I sat in a meeting with her?

23 Q. Yes, sir.

24 A. Okay. I don't remember that, but --

25 Q. And so what was the issue with her

1 testimony at the legislature? Were you --

2 A. Ma'am, I don't --

3 Q. -- accusing her of being -- of testifying
4 falsely or what?

5 A. I don't recall the details.

6 Q. What do you remember, if anything, about
7 it?

8 A. Not very much, because I wasn't involved
9 with any of that.

10 Q. Okay. Well, I hear you say "not very
11 much." I'm asking you to tell me what it is you do
12 remember.

13 A. And I explained to you, I remember hearing
14 something about an issue with testimony being
15 provided to the legislature at a budget hearing.

16 Q. Hearing from whom?

17 A. I don't remember.

18 Q. Hearing what?

19 A. Some issue with money being provided by
20 her to the legislative committee.

21 Q. And what position did you hold at state
22 police at that time?

23 A. I don't remember the date when this
24 happened, but I was probably a major at the time or
25 a captain.

1 **Q. Were you present when Cathy testified**
2 **before the legislature?**

3 A. I don't remember.

4 **Q. You were over budget, weren't you?**

5 A. Yes, but I'm not familiar with the State
6 Police Commission's budget.

7 **Q. Okay. Was there some discussion about how**
8 **Calvin Braxton was going to vote on the proposed**
9 **pay plan?**

10 A. On the proposed what? Pay plan?

11 **Q. Yes.**

12 A. Yeah, the video was cutting out.

13 No, I don't recall any discussion about
14 his particular vote.

15 **Q. Sir, when was the last time you talked to**
16 **Charley Dupuy?**

17 A. Yesterday morning. I saw him at the
18 grocery store.

19 **Q. Yesterday being a Sunday?**

20 A. Yes.

21 **Q. And are you and Mr. Dupuy friends?**

22 A. Yes.

23 **Q. Did you talk to him at all about him**
24 **giving his deposition?**

25 A. I knew that he was coming to give one, and

1 I actually saw him one day before he came up here
2 for a meeting.

3 **Q. What was he meeting at headquarters for?**

4 A. I think he was meeting to discuss the
5 deposition.

6 **Q. With who?**

7 A. With, I guess, the state's attorney.

8 **Q. Which state's attorney?**

9 A. Mr. Mayeaux.

10 **Q. And when was that?**

11 A. I don't know. Weeks ago.

12 **Q. Okay. What does Mr. Dupuy do for a living
13 now, sir?**

14 A. He works for a private industry trucking
15 company.

16 **Q. What private industry trucking company?**

17 A. I don't know if I can get the name exactly
18 right. I think it's RC, RLC Trucking, something
19 like that.

20 **Q. And what do they do?**

21 A. They own a trucking company.

22 **Q. Okay. Sir, what trucking do they do?**

23 A. I don't know. I don't work for the
24 company. I don't know exactly.

25 **Q. Mr. Dupuy didn't tell you anything about**

1 what he does for a living, sir?

2 A. Yes. He works as a safety consultant for
3 the trucking company. Safety director. I don't
4 know exactly what his title is.

5 Q. And did he tell you where he works?

6 A. Yes. At RC, RLC Trucking.

7 Q. I'm sorry. Physically where he works,
8 sir.

9 A. He works -- he's all over the place. He
10 has a company vehicle, and he travels. He works by
11 phone or computer.

12 Q. Okay. What interaction does he have with
13 state police?

14 A. None that I'm aware of.

15 Q. Or Department of Public Safety?

16 A. None. He's in private industry.

17 Q. You talked to him on yesterday morning.
18 You said you saw him at state police headquarters
19 meeting with Mr. Mayeaux about his deposition.
20 Before yesterday morning, when was the last time
21 you talked to him?

22 A. Either probably last Thursday or Friday.

23 Q. And what did you talk to him about?

24 A. I don't know if I can recall specifically.

25 Q. Okay. Well, give it your best shot, sir.

1 **Tell me what you do remember.**

2 A. We probably talked about LSU football game
3 coming up. May have talked about playing golf.
4 Just general conversation.

5 **Q. Do you live near Mr. Dupuy, or did you**
6 **call him on his cell phone?**

7 A. We live near each other.

8 **Q. Okay. Where does he live? Let's try it**
9 **that way.**

10 A. He lives in the City of Central.

11 **Q. Where, sir?**

12 A. In a house. I don't know what his address
13 is. He lives in a neighborhood off of Lovett Road.

14 **Q. A neighborhood off of what?**

15 A. Lovett Road.

16 **Q. Okay. You've been to his house, right?**

17 A. Yes, I have.

18 **Q. Okay. How far is his house from yours?**

19 A. Three or four minutes. Couple miles.

20 **Q. What neighborhood?**

21 A. Mine or his?

22 **Q. His.**

23 A. Village at Magnolia Square.

24 **Q. What is it?**

25 A. Village at Magnolia Square.

1 Q. When was the last time you've been to his
2 house, sir?

3 A. I'm trying to think. I think it was not
4 this weekend, the weekend before.

5 Q. Why?

6 A. Maybe two weeks ago.

7 Q. Why?

8 A. Grill hamburgers.

9 Q. Do you have Mr. Dupuy's cell phone number,
10 sir?

11 A. I do.

12 Q. What is it?

13 A. I'll have to get it off my phone.
14 (225) 938-3349.

15 Q. Do you have his address on your cell
16 phone, sir?

17 A. No, I do not.

18 Q. Do you have his employer phone number on
19 your cell phone, sir?

20 A. Do I have his what?

21 Q. Employer number.

22 A. His work phone number?

23 Q. Yeah.

24 A. No. That's the only number that I have
25 for him.

1 Q. Have you been to his place of business?

2 A. No, I have not.

3 Q. When you saw him a couple of weeks ago
4 meeting with Mr. Mayeaux about his deposition, were
5 you present during that meeting?

6 A. No, I was not.

7 Q. And do you know what Mr. Mayeaux and
8 Mr. Dupuy discussed?

9 A. No, I do not.

10 Q. You saw him at state police headquarters;
11 is that right?

12 A. Yes, ma'am.

13 Q. And where were they meeting?

14 A. My assumption is they were meeting here in
15 the office of legal affairs.

16 Q. Okay. Why is that your assumption? Did
17 you not see him there or what?

18 A. Well, no, I saw him in the building, but I
19 didn't see him in this office.

20 Q. Okay. Did you talk to him after he got
21 done with his interview with Mr. Mayeaux?

22 A. Yeah. I think we chatted for a minute
23 after that.

24 Q. What did he tell you?

25 A. I don't recall.

1 Q. Have you talked to him about his meeting
2 with Mr. Mayeaux?

3 A. Yeah. He told me that he had his meeting.

4 Q. And did you guys talk at all about
5 Mr. Braxton or his lawsuit?

6 A. We talked in general about the fact that
7 we were getting ready to have this deposition and
8 what it was in reference to.

9 Q. Okay. What did you say?

10 A. I don't recall everything that I said.

11 Q. Well, tell me what you do remember, sir.

12 A. Not a whole lot.

13 Q. Well, I get it. You tell me the parts you
14 do remember, sir.

15 A. It was a general conversation about the
16 deposition and trying to -- what are going to be
17 the topics or the questions going to be. I don't
18 know. I don't know. And, essentially, there's a
19 whole lot that I don't know because I'm not
20 involved with any of that or haven't been or didn't
21 have any knowledge of that, and it's as basic and
22 simple as that.

23 Q. What did he say?

24 A. He kind of said the same thing, but he
25 didn't get into specifics about what they

1 discussed, and I didn't ask him to.

2 Q. Sir, what if anything have you and
3 Mr. Dupuy discussed since that time about the
4 depositions or Mr. Braxton or his lawsuit?

5 A. Nothing.

6 Q. When you saw him yesterday morning, did he
7 tell you he was coming to do his deposition today?

8 A. No.

9 Q. Did you tell him you were doing your
10 deposition today?

11 A. No.

12 Q. Do you know who it was that made the
13 decision to make Mr. Dupuy not available for his
14 deposition today?

15 MR. MAYEAUX:

16 Object to the form.

17 THE WITNESS:

18 I don't know that he's not
19 available.

20 BY MS. CRAFT:

21 Q. Okay.

22 A. I don't know whether or not. I don't
23 know. You're asking me a question that I don't
24 know anything about.

25 Q. Well, when you talked to him yesterday,

1 are you telling me you didn't discuss at all the
2 fact that both of you were scheduled for your
3 depositions today?

4 A. No. I saw him at the grocery store, and
5 we talked for about five minutes while I picked up
6 something that I had forgotten previously, and that
7 was it.

8 Q. And you have not spoken to him at all,
9 even when you were at his house having hamburgers,
10 about him giving his deposition the same day as
11 you?

12 A. No, ma'am, I wasn't aware of that.

13 Q. Excuse me?

14 A. I don't know when he was scheduled to have
15 his deposition.

16 Q. Well, did he tell you wasn't going to show
17 up for his deposition?

18 A. No, ma'am.

19 Q. Did he tell you at all about his
20 intentions to give a deposition?

21 A. No, ma'am.

22 MS. CRAFT:

23 Counsel, that's all I have for him
24 at this point in time, but I am going to
25 note for the record, to the extent you

1 guys have already talked to Dupuy, we
2 certainly have made requests. I got an
3 e-mail, Mr. Mayeaux, from your office
4 when we said we were having trouble
5 getting him served with you telling us
6 we need to find some other address for
7 him, and, apparently, you've already met
8 with him. Look, I don't play these
9 games. It's hard enough for me get my
10 client in here. It's hard enough for
11 all of us in COVID to be doing these
12 depositions, and I certainly don't
13 appreciate people playing games about
14 getting witnesses produced for their
15 depositions.

16 So with that said, I'm going to
17 hold this record open. I'm going to
18 also ask that you guys make every effort
19 to get Mr. Dupuy up here for his
20 deposition. I'm also objecting to
21 Mr. Reeves not appearing for his
22 deposition, because there's no dead
23 trooper at all, so I'm expecting that
24 Mr. Reeves give his deposition today as
25 noticed, period.

1 MR. MAYEAUX:

2 Well, he's not going to appear.

3 MS. CRAFT:

4 He's not what?

5 MR. MAYEAUX:

6 He's not going to appear today.

7 MS. CRAFT:

8 Why?

9 MR. MAYEAUX:

10 He's dealing with a state police
11 emergency is what I was told.

12 MS. CRAFT:

13 And, Mr. Mayeaux, I'm going to
14 tell you that the information I got on
15 the break is 100 percent contrary to
16 that. And it's a game. I have been
17 trying to take Mr. Reeves' deposition
18 for almost a year now. I was told early
19 last week that you guys were going to
20 pull something, that he was not going to
21 show for his deposition. So, again, we
22 have motions set. You guys have all
23 filed motions. I have made my intention
24 clear on who I want to depose, and this
25 business about, well, you need to call

1 somebody else to find Mr. Dupuy when
2 you, yourself, Mr. Mayeaux, met with him
3 and have contact information about his
4 deposition is not going to fly. I don't
5 intend --

6 MR. MAYEAUX:

7 Jill, you got a motion to file,
8 file it.

9 MS. CRAFT:

10 Excuse me.

11 MR. MAYEAUX:

12 If you have a motion you want to
13 file, file it.

14 MS. CRAFT:

15 Then consider this.

16 MR. MAYEAUX:

17 I'm not going to argue with you
18 over a deposition.

19 MS. CRAFT:

20 Mr. Mayeaux, I'm not going to sit
21 here and play games. Mr. Reeves is
22 noticed for his deposition. You have
23 not filed a motion to quash it. I
24 expect him to be present, so I'm going
25 to leave the court reporter on here. We

1 have apparently attempted to serve
2 Mr. Riecke. He's scheduled for 1:00. I
3 expect Mr. Reeves to show up for his
4 deposition.

5 MR. MAYEAUX:

6 Well he's not. Not today.

7 MS. CRAFT:

8 Well, you have not filed a motion
9 to quash, Mr. Mayeaux, and this
10 deposition --

11 MR. MAYEAUX:

12 He's not served with a subpoena
13 either.

14 MS. CRAFT:

15 Excuse me.

16 MR. MAYEAUX:

17 He's not served with a subpoena.
18 I have nothing to quash, so if I have
19 been lied to and there is no state
20 police emergency that Colonel Reeves is
21 dealing with, well, then we'll get to
22 the bottom of that, but that's the
23 information I was provided.

24 MS. CRAFT:

25 Mr. Mayeaux, you were served with

1 a Notice of Deposition, and I have your
2 confirmation as an officer of the court
3 that he was going to be produced without
4 a subpoena.

5 MR. MAYEAUX:

6 Correct. And that was my
7 intention and belief until this morning
8 when I arrived in this building.

9 MS. CRAFT:

10 And you guys told me before we got
11 on the record that there was a dead
12 trooper, which is false.

13 MR. MAYEAUX:

14 "You guys" did not. I told you he
15 was dealing with a state police
16 emergency. Mr. Falcon can speak for
17 himself.

18 MS. CRAFT:

19 Again, I expect Mr. Reeves to
20 appear for his deposition. If he
21 doesn't, then I guess I'll take whatever
22 action I have to, but you guys have --

23 MR. MAYEAUX:

24 Understood.

25 MS. CRAFT:

1 -- filed, and you've assured me as
2 an officer of the court that he would be
3 produced without a subpoena. I issued a
4 notice of deposition, and you guys
5 frankly are not complying with your
6 obligations, so as I indicated, I'm
7 leaving this record open. I expect
8 Mr. Reeves to be produced for his
9 deposition. We'll see what happens with
10 Mr. Riecke at 1:00. You know, but with
11 that said, we're hanging out here in the
12 conference room.

13 Anybody have any questions for
14 Mr. Starnes?

15 MR. OXENHANDLER:

16 Yes, I have some questions.

17 Floyd, do you have questions?

18 MR. FALCON:

19 No.

20 MR. OXENHANDLER:

21 I just have a few questions.

22 EXAMINATION

23 BY MR. OXENHANDLER:

24 **Q. Good morning, Mr. Starnes. My name is**
25 **Steve Oxenhandler, and I represent Colonel**

1 Oliphant.

2 Earlier in the deposition, Ms. Craft spoke
3 to you about the Louisiana Board of Ethics consent
4 order, which was Exhibit No. 12. You want to just
5 pull that in front of you real quick?

6 A. Okay.

7 Q. Do you have any knowledge, sir, of whether
8 Colonel Oliphant had anything to do with LSTA
9 political contributions or any political activity?

10 A. No, sir. I don't have any knowledge
11 thereof.

12 Q. Thank you. I'm going to turn to something
13 else. I'm going to talk to you for a few minutes
14 about the incident report, not specifically,
15 because I think you testified earlier, did you not,
16 that you were not familiar with Colonel Oliphant's
17 June 2, 2016, incident report or March 2, 2018,
18 incident report, are you?

19 A. No, sir.

20 Q. Today was the first time that you saw
21 those, right?

22 A. Correct.

23 Q. All right. In this lawsuit, Calvin
24 Braxton has argued that an incident report is only
25 to document crimes or trooper misconduct

1 contemporaneously as it occurs.

2 In your experience, are incident reports
3 used only to document trooper misconduct or crimes?

4 A. No, sir.

5 Q. I think you testified earlier that -- I
6 wrote it down -- an incident report is a versatile
7 tool, correct?

8 A. Yes, sir, that's correct.

9 Q. In other words, isn't it true that an
10 incident report can be used to report on something
11 that a trooper has been ordered or is documenting
12 over a period of time, and at the end of the
13 documentation period, write up what they have
14 documented in an incident report?

15 MS. CRAFT:

16 Object to the form. It calls for
17 speculation. He said he doesn't know.

18 MR. OXENHANDLER:

19 He didn't say that.

20 MS. CRAFT:

21 Yes, he did, and I'm --

22 MR. OXENHANDLER:

23 Go ahead and answer, sir.

24 MS. CRAFT:

25 Mr. Oxenhandler, I'm also

1 objecting to the form because it's
2 leading, in addition to requiring
3 speculation.

4 BY MR. OXENHANDLER:

5 Q. Go ahead, sir. You can answer.

6 A. Yes.

7 Q. And you'd agree with me, would you not,
8 that timely manner means -- is a pretty broad term
9 and can be interpreted depending on the
10 circumstances of the incident?

11 MS. CRAFT:

12 Object to the form.

13 THE WITNESS:

14 Yes, I agree with that.

15 BY MR. OXENHANDLER:

16 Q. Colonel, if a state trooper believed that
17 he or she was being followed and was under
18 surveillance by some person and that it was his or
19 her belief that the life and lives of his family
20 may be in danger, would it be proper for the
21 trooper to request a personal threat assessment
22 regarding the person he believed may be posing the
23 threat?

24 MS. CRAFT:

25 Object to the form and further

1 objection under 701.

2 BY MR. OXENHANDLER:

3 **Q. Go ahead, sir.**

4 A. Yes. I don't think that that would be an
5 unreasonable request to make.

6 MR. OXENHANDLER:

7 Thank you. Those are all the
8 questions that I have.

9 MS. CRAFT:

10 I do have a follow-up.

11 EXAMINATION

12 BY MS. CRAFT:

13 **Q. Sir, Mr. Starnes, what evidence do you**
14 **have that Mr. Oliphant was being followed and under**
15 **surveillance by Calvin Braxton at any time?**

16 A. I don't know that I personally have any
17 evidence other than what's been documented in that
18 incident report.

19 **Q. Okay. Do you know of anything outside of**
20 **what Mr. Oliphant put in that incident report, the**
21 **accusations involving Calvin Braxton; do you know**
22 **anything outside of that?**

23 A. No, ma'am.

24 **Q. So are you really testifying that what is**
25 **contained in Mr. Oliphant's report that went from**

1 **March of 2018 is a factual basis for state police**
2 **to conduct a threat assessment involving**
3 **Mr. Braxton?**

4 MR. MAYEAUX:

5 Object to the form.

6 BY MS. CRAFT:

7 **Q. You can answer it.**

8 A. Well, I don't know. I don't know if
9 there's more information other than what's just
10 been documented there.

11 **Q. Okay. Well, my question is: Is what's**
12 **contained in that document that you said you looked**
13 **at and you just answered questions about, is that**
14 **sufficient to trigger a threat assessment against**
15 **Mr. Braxton?**

16 MR. MAYEAUX:

17 Object to the form.

18 BY MS. CRAFT:

19 **Q. Go ahead. You can answer it.**

20 A. I don't know. It may be.

21 **Q. It may be under what circumstances, sir?**

22 A. I guess it would depend on the discretion
23 of the investigator as to whether it was contained
24 in writing, in addition, whether follow-up
25 interviews, additional information obtained, and to

1 make a decision whether we're going to follow
2 through with a threat assessment.

3 **Q. You mean additional communications by**
4 **Mr. Oliphant to third parties and others about**
5 **Mr. Braxton; is that what you're talking about?**

6 MR. MAYEAUX:

7 Object to the form.

8 THE WITNESS:

9 No. I'm referring to an
10 investigator doing a follow-up to go and
11 maybe review what has been put in
12 writing.

13 BY MS. CRAFT:

14 **Q. What investigator?**

15 A. Any police officer, criminal investigator.

16 **Q. Is that a guess on your part, sir?**

17 **Because I asked you earlier if you knew anything**
18 **about reopening the investigation and that kind of**
19 **stuff, and I thought you told us you didn't.**

20 A. I don't.

21 **Q. Okay. So are you guessing, sir?**

22 A. Yes. I'm providing and you're asking for
23 my opinion, so I'm giving you an opinion based on
24 some making some assumptions.

25 **Q. Okay. So it's a guess, right?**

1 A. That's your words, not mine.

2 Q. Okay. You have no facts, sir, to support
3 whether or not anybody did anything in terms of
4 following up with Mr. Oliphant or, more
5 importantly, other communications Mr. Oliphant may
6 have given to other people, right? You don't know?

7 A. Correct.

8 Q. And you told us you didn't even know if
9 state police had reopened the suicide investigation
10 from 25 years ago; you had no information about
11 that; is that right?

12 A. Yes, ma'am, that's correct.

13 Q. Did you say, "Ma'am, that's correct"?

14 A. Yes.

15 MS. CRAFT:

16 Okay. I have nothing further at
17 the time with the caveat that I made in
18 my statement on the record and
19 particularly as it relates to these
20 depositions, but we'll be here.

21 MR. MAYEAUX:

22 Anybody else? Court reporter,
23 please note that we'd like to read and
24 sign once the transcript is prepared.

25 (Deposition adjourned at 11:33 a.m.)

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WITNESS' CERTIFICATE

I, JASON STARNES, read or have had the foregoing testimony read to me and hereby certify that it is a true and correct transcription of my testimony, with the exception of any attached corrections or changes.

JASON STARNES

---- Signed with corrections noted.

---- Signed without corrections noted.

DATE OF DEPOSITION: SEPTEMBER 21, 2020

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REPORTER'S PAGE

I, DESIREE DELATTE, Certified Court Reporter in and for the State of Louisiana, the officer, as defined in Rule 28 of the Federal Rules of Civil Procedure and/or Article 1434(B) of the Louisiana Code of Civil Procedure, before whom this proceeding was taken, do hereby state on the Record:

That due to the interaction in the spontaneous discourse of this proceeding, dashes (--) have been used to indicate pauses, changes in thought, and/or talkovers; that same is the proper method for a Court Reporter's transcription of proceeding, and that the dashes (--) do not indicate that words or phrases have been left out of this transcript;

That any words and/or names which could not be verified through reference material have been denoted with the phrased "(spelled phonetically)."

DESIREE DELATTE
 Certified Court Reporter
 Registered Professional Reporter

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REPORTER'S CERTIFICATE

I, DESIREE DELATTE, Certified Court Reporter in and for the State of Louisiana, as the officer before whom this testimony was taken, do hereby certify that JASON STARNES, after having been duly sworn by me upon authority of R.S. 37:2554, did testify as hereinbefore set forth in the foregoing 117 pages;

That this testimony was reported by me in the stenotype reporting method, was prepared and transcribed by me or under my personal direction and supervision, and is a true and correct transcript to the best of my ability and understanding;

That the transcript has been prepared in compliance with transcript format guidelines required by statute or by rules of the board, and that I am informed about the complete arrangement, financial or otherwise, with the person or entity making arrangements for deposition services;

That I have acted in compliance with the prohibition on contractual relationships, as defined by Louisiana Code of Civil Procedure Article 1434 and in rules and advisory opinions of the board;

That I have no actual knowledge of any prohibited employment or contractual relationship, direct or indirect, between a court reporting firm and any party litigant in this matter nor is there any such relationship between myself and a party litigant in this matter. I am not related to counsel or to the parties herein, nor am I otherwise interested in the outcome of this matter.

Dated this 12th day of October, 2020.

DESIREE DELATTE
Certified Court Reporter
Registered Professional Reporter

1 Errata Sheet

2

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

4 DATE OF DEPOSITION: 09/21/2020

5 NAME OF WITNESS: Jason Starnes

6 Reason Codes:

7 1. To clarify the record.

8 2. To conform to the facts.

9 3. To correct transcription errors.

10 Page ____ Line ____ Reason ____

11 From _____ to _____

12 Page ____ Line ____ Reason ____

13 From _____ to _____

14 Page ____ Line ____ Reason ____

15 From _____ to _____

16 Page ____ Line ____ Reason ____

17 From _____ to _____

18 Page ____ Line ____ Reason ____

19 From _____ to _____

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