

1 JAG NO: 2015-0665A

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2 DEPOSITION OF: JAMES ENGLERT - July 1, 2015

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4 IN RE THE ARBITRATION OF:  
5 MICHAEL and DESIREE DAVIS,  
6 Claimants,  
7 and  
8 LITTLETON PUBLIC SCHOOL DISTRICT,  
9 Respondent.

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11

12 PURSUANT TO NOTICE, the deposition of  
13 JAMES ENGLERT was taken on behalf of the Claimants at  
14 950 17th Street, Suite 2400, Denver, Colorado 80202,  
15 on July 1, 2015, at 9:30 a.m., before Ashley D. Mahe,  
16 Registered Professional Reporter and Notary Public  
17 within Colorado.

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A P P E A R A N C E S

For the Claimants:  
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Also Present:  
 Michael Davis  
 Desiree Davis  
 Carol Lembke  
 Sarah Goodrum  
 William Woodward  
 Michael Jones

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1 WHEREUPON, the following proceedings were  
 2 taken pursuant to the Colorado Rules of Civil  
 3 Procedure.  
 4 \* \* \* \* \*  
 5 JAMES ENGLERT,  
 6 having been first duly sworn to state the whole truth,  
 7 testified as follows:  
 8 EXAMINATION  
 9 BY MR. ROCHE:  
 10 Q. Good morning. I think you've met  
 11 everybody, but just in case you haven't, I want to  
 12 make the rounds. Obviously you know  
 13 Mr. and Mrs. Davis. I think you know Carol Lembke as  
 14 well. At the end of the table on our side are Bill  
 15 Woodward and Sarah Goodrum, and they work for the  
 16 University of Colorado, the University of Northern  
 17 Colorado respectively. And they will be helping with  
 18 the report that is being prepared at the end of this  
 19 arbitration. So I think everybody else on this side  
 20 of the table you probably also know, but just in case  
 21 you don't, next to Erin is Steve Everall. He is  
 22 counsel to Littleton Public Schools, and next to him  
 23 is Mike Jones, he is an assistant superintendent at  
 24 Littleton Public Schools.  
 25 A. Okay.

5

1 Q. And at the end of the table is Ashley,  
 2 she is our court reporter. And she is going to be  
 3 taking down everything that anybody says during the  
 4 course of the deposition. I don't know if you've been  
 5 through a deposition, so I'll just ask, is this a new  
 6 experience for you?  
 7 A. Yes, it is.  
 8 Q. Okay. I'm sure you've gotten a preview  
 9 of it on how this process works, but there's a couple  
 10 rules of the road that I think are helpful to cover at  
 11 the beginning of every one of these. First and  
 12 foremost, Ashley can type really fast, but she can  
 13 only type on one machine at a time. So it's important  
 14 for us not to talk over each other. I don't think  
 15 that will happen very often today, but occasionally it  
 16 does. Generally what happens is you'll know where I'm  
 17 going with a question, and you want to get the answer  
 18 out even before I'm done. So what I will do is I will  
 19 wait for your answers to be done before I ask the next  
 20 question, and I would ask that you wait until my  
 21 question is over before you start your answer. Okay?  
 22 A. Okay.  
 23 Q. That will also give Erin the opportunity  
 24 or Steve the opportunity if they want to object to one  
 25 of my questions, that pause will give them a chance to

6

1 do that. Okay?  
 2 A. Okay.  
 3 Q. You'll also have the opportunity to read  
 4 a written transcript. What Ashley is doing is typing  
 5 all of this down, there will be a written transcript  
 6 prepared. You'll have the opportunity to read,  
 7 review, and if you want, edit it for accuracy or if  
 8 you just said something wrong over the course of today  
 9 and you want to change your answer, you'll have the  
 10 right to do that, just so you know.  
 11 A. Okay.  
 12 Q. A couple of other simple rules, and,  
 13 again, I don't envision these being a problem. Head  
 14 shakes and uh-huhs and huh-uhs are very hard for  
 15 Ashley to take down and for us to make sense of after  
 16 the fact when everybody will be reading this  
 17 transcript. So verbal answers are much better for  
 18 clarity sake. You just did a head shake.  
 19 A. Yes, I know.  
 20 Q. And everybody does -- when I give that  
 21 instruction, everybody shakes their head yes. So  
 22 that's another rule of the road. Only two others I  
 23 want to cover. One, there will come a time today when  
 24 I ask a question that makes no sense to you, and it's  
 25 because my brain is ahead of my mouth or my mouth is

7

1 ahead of my brain, something happens. When I ask a  
 2 question that doesn't make sense to you or you don't  
 3 understand it, will you tell me, because I'll fix the  
 4 question to the best of my ability if you do.  
 5 A. Okay.  
 6 Q. Thanks. Then finally, this is not meant  
 7 to be an endurance test, because if it were, you would  
 8 win. So if you ever want to take a break, just tell  
 9 me. We're going to take a break every hour, hour and  
 10 a half anyway. Don't be wedded to that schedule  
 11 though. If you want to take a break, whether it's to  
 12 talk to Erin, use the restroom, clear your head,  
 13 gather your thoughts, whatever the reason, feel free  
 14 to do so. Just tell me, and we'll take five minutes.  
 15 Okay?  
 16 A. Okay.  
 17 Q. And my only request on that guideline is  
 18 if there is a question pending when you want to take  
 19 the break, will you answer that before we take the  
 20 break and then we'll move on to something else?  
 21 A. Okay.  
 22 Q. Great. You and I obviously know each  
 23 other. I think you know, as I said, most of the  
 24 people in the room. One question I have of you is --  
 25 I'm happy to refer to you as Deputy Englert,

8

1 Mr. Englert, James, however you prefer.  
 2 A. James is fine.  
 3 Q. Okay. Thank you. James, will you tell  
 4 us what your job description is?  
 5 A. I'm a deputy with the Arapahoe County  
 6 Sheriff's Office, and I'm in an assignment as a school  
 7 resource officer at the sheriff's office.  
 8 Q. And as I understand it, you are and have  
 9 been for some time the school resource officer at  
 10 Arapahoe High School?  
 11 A. Yes. I was counting this morning, and  
 12 it's -- I've been there eight years. It will be eight  
 13 years in September.  
 14 Q. Wow, you don't look old enough to be  
 15 doing this for eight years. And all eight years has  
 16 been at Arapahoe?  
 17 A. No. I've probably been a school resource  
 18 officer for about ten years total. The first couple  
 19 of years, or year and a half, I was at the elementary  
 20 schools and then I was -- I worked at Thunder Ridge  
 21 Middle School for about a year, and then I was  
 22 transferred to Arapahoe in September of 2007.  
 23 Q. So the eight years that you're referring  
 24 to, is eight years as a school resource officer at  
 25 Arapahoe?

9

1 A. Correct.

2 **Q. What are the job responsibilities -- what**

3 **are your job responsibilities as a school resource**

4 **officer at Arapahoe?**

5 A. As a school resource officer, I'm

6 basically a resource for the school. My overall

7 concern, you know, is safety and security of the

8 building, but like my day-to-day functions are just a

9 lot of it is being seen by the kids, being accessible

10 for the kids, the staff, maybe talk to classes about

11 drugs, alcohol. Depending on where I need to be in

12 the building, you know, usually like law enforcement

13 somewhat related, a lot of it is answering questions

14 for kids.

15 **Q. Okay. As the school resource officer,**

16 **are you in -- physically on the Arapahoe High School**

17 **campus all day during the school day?**

18 A. Yes.

19 **Q. Barring other -- you know, if you have to**

20 **go back to the office or something like that?**

21 A. Yes. Yes.

22 **Q. And do you have a schedule that you**

23 **generally follow while you're there?**

24 A. Yes. I start my day, each day, at 6:45

25 and I end at 2:45. I work an eight-hour shift. The

10

1 school wants me there as soon as I can get there in

2 the morning. I try to get there about 7:00, and then

3 I leave 2:15, 2:20, just, you know, because there is

4 drive time from headquarters to the school.

5 **Q. Right. So you're there before the first**

6 **bell, and you leave after the last bell of the school**

7 **day at Arapahoe?**

8 A. Yes, generally. Unless something comes

9 up like driving, I stop somebody, or running late or

10 something barring means coming in later.

11 **Q. And you're in uniform when you're at the**

12 **school?**

13 A. Yes.

14 **Q. And once you get to the school, do you**

15 **have a set list of -- and I'm talking about in the --**

16 **prior to December of 2013 time frame --**

17 A. Okay.

18 **Q. -- for now, and I'll try to clarify that**

19 **as we go. Some questions will be in the -- about what**

20 **your job responsibilities were prior to the shooting,**

21 **and I'll also be asking questions about what your job**

22 **responsibilities were and how they changed following**

23 **the shooting. Okay?**

24 A. Okay.

25 **Q. So prior to the shooting that occurred in**

11

1 **December of 2013, did you have a routine or a schedule**

2 **that you followed once you got to Arapahoe High**

3 **School?**

4 A. Yes.

5 **Q. Tell us about that.**

6 A. Let me -- prior to December 13, my hours

7 were different, I think, and I'm trying to remember.

8 I think it was 7:00 to 3:30, because we actually

9 worked 8 1/2 hour days with a 30-minute lunch, and

10 this is prior to December of '13. So the hours were a

11 little bit different. And, I'm sorry, rephrase your

12 question about my schedule.

13 **Q. Sure. What I'm trying to get an**

14 **understanding of is in that pre-December 2013 time**

15 **frame, what did your ordinary day look like or consist**

16 **of?**

17 A. I would get to the school, probably like

18 7:20-ish, you know, right when the -- usually when the

19 school bell was ringing. My office was in the

20 guidance office, which is just on the west side of the

21 cafeteria. I would go in there and drop my lunch off,

22 you know, say hi to some of the secretaries. Usually

23 I would -- for the first hour or so, I would just walk

24 around and kind of -- maybe walk around the school, do

25 a lap. There was no set schedule of where I had to be

12

1 at a certain time in the building at any time. I just

2 tried to vary it. Just not be somewhere where

3 somebody would expect I would be all the time just for

4 -- you know, just to change things up.

5 But I always parked on the south side of

6 the school so kids knew I was in the building.

7 Normally I would walk around, say hi to people, see if

8 anything comes up, if there was something that maybe a

9 counselor got some information that I had to follow up

10 on or, you know, I'd talk to the administrators, just

11 wave and see if they needed anything and let people

12 know that I was in the building.

13 **Q. So the first hour would be -- would it be**

14 **fair to call that sort of a broad status check of**

15 **what's happening in the building and with the people**

16 **in the building?**

17 A. Yes. Yeah. Correct.

18 **Q. And after that, what else made up your**

19 **day?**

20 A. I would -- I mean, on average, like I

21 said, I would walk around, make myself visible, go to

22 my office, follow up on some e-mails. You know, if I

23 was working on something, go to my office and do that.

24 Lunch is at 10:30 or 10:31, I can't remember the exact

25 time. Generally prior to December '13, I would leave

13

1 the building and -- since we have an open campus, I  
 2 would go outside -- if it were summertime, I might  
 3 ride my bike around. In the winter, I would take my  
 4 patrol car and drive, you know, maybe through the  
 5 shopping center on the south side and on the east side  
 6 of the school in the neighborhoods. Maybe follow up  
 7 -- you know, look for a kid smoking pot in the  
 8 neighborhoods. And at first lunch, 10:30 to 11:09, I  
 9 think I would be -- you know, I would drive around.  
 10 Then there was like a 30-minute break  
 11 between the two lunches. 11:09 to 11:34, I think. I  
 12 think I'm off a little bit. I might come back in the  
 13 building, but I usually stayed outside maybe doing  
 14 traffic around the school. Second lunch ends at  
 15 12:09. At 12:09, I would come in the building, park  
 16 on the south side, grab my lunch, and go eat my lunch  
 17 in the faculty lounge just on the east side of the  
 18 cafeteria in the building.  
 19 **Q. Okay. And that would get you through,**  
 20 **essentially, fourth hour, if you will?**  
 21 A. Yes. Correct. That was at the end of  
 22 fourth hour and then at 11:00 whatever -- I'm sorry,  
 23 12:15 or something, I can't remember, starts fifth  
 24 period, and that goes for like 59 minutes. And like I  
 25 said, I was in the building usually to finish the day

14

1 past that point.  
 2 **Q. And that was my next question, is after**  
 3 **you get through that period of time, so noon or so,**  
 4 **from noon until 2:30 or 3:00, what did your day**  
 5 **consist of?**  
 6 A. Kind of the same thing. I mean, I would  
 7 eat my lunch, follow up if I was working on a report  
 8 or whatever. And, you know, do things after -- you  
 9 know, have lunch after that, and like same thing, be  
 10 visible, be in my office, whatever. It depended on  
 11 what I did. I mean, I really didn't have a -- I don't  
 12 have a set place I need to be at a certain time. Like  
 13 I didn't have to be -- like at 1 o'clock, be in the  
 14 cafeteria or anything like that.  
 15 **Q. And you didn't keep in the academic world**  
 16 **what we call office hours --**  
 17 A. Right.  
 18 **Q. -- where kids or teachers could have a**  
 19 **set time for you to be available to come talk to you**  
 20 **privately about any concerns that they had?**  
 21 A. No.  
 22 **Q. Okay.**  
 23 A. No.  
 24 **Q. But that is something that both students**  
 25 **and teachers did on a regular basis with you, correct?**

15

1 A. Correct.  
 2 **Q. Students would come to you and say, Hey,**  
 3 **I've got a concern about X, Y, Z, or I heard this**  
 4 **about some other student?**  
 5 A. Correct.  
 6 **Q. And would teachers do the same thing?**  
 7 A. Yes.  
 8 **Q. And administrators?**  
 9 A. Yes.  
 10 **Q. And that was -- that's a significant part**  
 11 **of your job is to be available to hear that**  
 12 **information from those folks, right?**  
 13 A. Correct.  
 14 **Q. Do you know, did Arapahoe do any training**  
 15 **or any instruction of the students about what kinds of**  
 16 **things they should bring to your attention?**  
 17 A. At the beginning of the school year, you  
 18 know, they would introduce me at the school assembly.  
 19 You know, Here is the school resource officer. I  
 20 don't know if they said specifically like, hey, you  
 21 know -- I mean, they knew I was a police officer, and  
 22 I would come -- I would talk to classes about, you  
 23 know, I'm here for you, tell me what you need. You  
 24 know, if you have a concern about somebody or there is  
 25 a threat or something, you know, come to me.

16

1 I don't know if they were told  
 2 specifically like, This is what you would tell James,  
 3 like he's here for this. I just assumed the kids  
 4 would know I'm a police officer. I would hope you  
 5 could come to me. And that's a big part of it is as  
 6 an SRO, you try to break down those barriers of, Okay,  
 7 here is the cop, you may have had a bad experience on  
 8 the street. I'm in the building, I'm just talking to  
 9 you one on one. You know, I'm not -- I'm your friend,  
 10 I'm not your buddy, but if you need something, I can  
 11 help you out.  
 12 **Q. Right.**  
 13 A. So -- and that's why I'm saying hopefully  
 14 the kids would understand that. Like I said, I don't  
 15 know if they needed to be told, This is what you need  
 16 to tell Deputy Englert.  
 17 **Q. And that's part of what I'm trying to**  
 18 **figure out is whether or not the students were told,**  
 19 **These are the kinds of issues you bring to Deputy**  
 20 **Englert, and these other issues are the type you**  
 21 **should bring to the school, either teachers,**  
 22 **administrators, or anything like that. Was there any**  
 23 **line drawn like that that you know of?**  
 24 A. Not that I know of.  
 25 **Q. Okay. And let me -- I want to get into**

17

1 **the kinds of things that you commonly heard about from**  
 2 **students, teachers, administrators, and the like. But**  
 3 **before we do that, I want to ask about some of your**  
 4 **other duties and responsibilities. You -- one of the**  
 5 **things that I know that you have done as part of your**  
 6 **work at Arapahoe is parking, going through the parking**  
 7 **lot, I mean, writing tickets, that kind of thing. Can**  
 8 **you give me any sense of how much of your day**  
 9 **consisted of dealing with parking issues?**  
 10 A. I don't give tickets in the parking lot,  
 11 that's the school.  
 12 **Q. Okay.**  
 13 A. They give their -- they have a school  
 14 ticket, it's a \$10 ticket. I would give tickets on  
 15 Franklin Street. Usually that's where the parking  
 16 issues happened, and that's the City of Centennial.  
 17 And generally that would be -- if I was out there, if  
 18 the traffic deputy hadn't already gone by and given  
 19 somebody tickets, I would go by and give kids tickets  
 20 for parking outside of the -- you know, along the  
 21 posted sign and give tickets that way. But that's the  
 22 only -- I mean, that's probably the first 10, 20  
 23 minutes of my lunch, if I did go out there and give  
 24 tickets on the street. And generally, the majority of  
 25 the time, the traffic people went out -- the traffic

18

1 deputies went out and did that already or the district  
 2 deputies went out and gave tickets.  
 3 **Q. But that was not a significant part of**  
 4 **your day in terms of time?**  
 5 A. No. No.  
 6 **Q. Okay. That's what I was trying to get**  
 7 **at. What was -- well, like I said, I wanted to ask**  
 8 **you about the types of things that you -- that were**  
 9 **brought to your attention at Arapahoe, and, again, I'm**  
 10 **looking right now at the pre-2013 time frame. What**  
 11 **were the most frequent issues that were brought to**  
 12 **your attention by students, for instance?**  
 13 A. I mean, probably the most frequent things  
 14 brought up to my attention from students is probably  
 15 traffic questions. They got a ticket, and they were  
 16 wondering what should they do about it or, Is this  
 17 illegal, how come this cop pulled me over for this  
 18 reason, or something that happened on the weekend  
 19 where the cop showed up at their house because of a  
 20 party and how can we -- you know, maybe talk about  
 21 fourth amendment search and seizure kind of stuff,  
 22 like when we can enter a house or a vehicle for like  
 23 searches and stuff like that.  
 24 That was probably a lot of my questions,  
 25 and it was maybe like once a day or twice a day or

19

1 maybe a couple times a week a kid would ask me a  
 2 question about that. I mean, I'm just thinking off  
 3 the top of my head, and that's the kind of questions I  
 4 remember the most that people would come up and ask  
 5 me.  
 6 **Q. Okay.**  
 7 A. Because a lot of times, somebody might  
 8 pull me into a class and say, Hey, talk about the new  
 9 marijuana laws or talk about driving issues, you know,  
 10 the kind of stuff that teenagers deal with. And  
 11 that's probably the majority of the questions that I  
 12 would deal with from the kids.  
 13 **Q. What about questions about safety? I**  
 14 **mean, what you've described to me are, you're right,**  
 15 **typical teenage questions, you know, that they were**  
 16 **treating you as exactly what you were, which was a**  
 17 **resource.**  
 18 A. Right.  
 19 **Q. Tell me what the law is on cops, and do I**  
 20 **have to pay the ticket if the cop didn't sign it, that**  
 21 **kind of stuff?**  
 22 A. Yes.  
 23 **Q. I'm sure you heard that question, right?**  
 24 A. Right.  
 25 **Q. There was also, I assume, some more**

20

1 **serious and substantive issues that were brought to**  
 2 **your attention on a regular basis. Rumors about**  
 3 **fights, drugs, alcohol, weapons at school, kids who**  
 4 **are in crisis, whether that's suicide risk, those**  
 5 **kinds of things. Would those also -- those types of**  
 6 **issues also get brought to your attention by the kids?**  
 7 A. Yes, they would.  
 8 **Q. And how prevalent were -- I want to set**  
 9 **aside drugs and alcohol for now.**  
 10 A. Okay.  
 11 **Q. How prevalent would issues like threats**  
 12 **and weapons and violence or suicide be in your**  
 13 **experience at Arapahoe in that 2013 time frame?**  
 14 A. Maybe a couple times a week. Kids would  
 15 come to me -- the majority of the time they would go  
 16 to their administrators, and then the administrators  
 17 would let me know about it or the counselors. But a  
 18 lot of times, if counselors got information, it would  
 19 go to the administrators. And then if they thought it  
 20 was necessary, they would involve me. That's the  
 21 majority of the way it happened.  
 22 I mean, I'm just trying to -- generally  
 23 if a kid had a question about, you know, like a  
 24 suspicious person outside, I would -- that would be in  
 25 my area, you know, if it's across the street in a

21

1 parking lot and some guy is sitting in his car  
 2 watching the girls walk by, yeah, I mean, that's --  
 3 I'm going to deal with that. And they would come to  
 4 me with it, you know, since it's not a school thing.  
 5 If a kid is having like locker issues with their  
 6 locker partner, they would go to the administrator.  
 7 Now, if it was maybe bordering like harassment or  
 8 something, they would involve me if it were like a  
 9 criminal thing.  
 10 **Q. Okay.**  
 11 A. So . . .  
 12 **Q. And what about issues -- you mentioned**  
 13 **that a lot of these issues would come from the kids,**  
 14 **but a lot of them would be brought to faculty or**  
 15 **administration, and then the faculty and**  
 16 **administration would bring those issues to you?**  
 17 A. Correct.  
 18 **Q. Generally speaking, what types of issues**  
 19 **did the faculty and administration bring to you as**  
 20 **opposed to dealing with it themselves?**  
 21 A. Usually something that was criminal.  
 22 **Q. So weapons, drugs, alcohol, violence?**  
 23 A. Right. Correct. Yeah, same thing that  
 24 may be outside of the school's realm, you know, like  
 25 at their house if there was like a welfare check, like

22

1 something bad, their living conditions were bad, they  
 2 would come to me or if it was on the border of  
 3 something criminal, they would bring it to me.  
 4 **Q. Okay. As I understand it, Darrell**  
 5 **Meredith was the administrative person at Arapahoe who**  
 6 **was in charge of the safety and security issues at the**  
 7 **school?**  
 8 A. Yes.  
 9 **Q. And tell me about sort of the -- what**  
 10 **kind of interaction or meetings were there between the**  
 11 **administrative safety and security team and you?**  
 12 A. I would see Darrell, I mean, every day.  
 13 Usually every day unless he is doing something else.  
 14 Like on my morning rounds, I would wave at Darrell and  
 15 I might say, Hey, what's up, is there anything going  
 16 on I need to know about? That was usually a comment  
 17 that I would make to him; and if there was something  
 18 going on, he would usually let me know or he might let  
 19 me know, Hey, just so you know, I heard this. Like  
 20 okay, you know, then -- you know, something that  
 21 doesn't deem -- you know, like we investigate it right  
 22 now, but maybe something is going on, but, Hey, just  
 23 so you know, I heard Johnny got a ticket for drugs  
 24 over the weekend. Okay, well, then we're going to  
 25 keep our eye on Johnny just to see if he has any drugs

23

1 here at school. I mean, a lot of that stuff. I would  
 2 actually convey that to him because I would get  
 3 information that, you know, he was -- a kid was busted  
 4 on the weekend, and then I would say, Hey, so-and-so  
 5 got a ticket from another deputy for having pot, and  
 6 Darrell would be like, Okay. And if something should  
 7 come up, Darrell would know to search that kid because  
 8 he's probably got drugs because he got in trouble over  
 9 the weekend.  
 10 **Q. Okay. And that leads right into one of**  
 11 **the questions that I wanted to ask. Based on some of**  
 12 **the documents that have been produced in connection**  
 13 **with this arbitration and some of the questions and**  
 14 **answers that we got yesterday when we spoke to**  
 15 **Mr. Meredith, it's clear that the school has the right**  
 16 **under certain circumstances to search students,**  
 17 **interrogate students, search their cars, search their**  
 18 **property, even search their electronic media. And I**  
 19 **guess my question to you is, would you generally have**  
 20 **any involvement or awareness when the school conducted**  
 21 **those types of searches?**  
 22 A. Sometimes.  
 23 **Q. Okay. And I am drawing a distinction**  
 24 **between the kinds of --**  
 25 A. Right.

24

1 **Q. -- searches that you as a law enforcement**  
 2 **officer do and the kinds of searches that the school**  
 3 **as an educational institution has the authority to do.**  
 4 A. Correct. Yes.  
 5 **Q. So tell me about how and when you would**  
 6 **be involved in or aware of school searches.**  
 7 A. I may be told, you know, like Johnny got  
 8 in trouble, and he's being searched by Darrell, or  
 9 someone would say, Hey, Johnny is in Darrell's office  
 10 right now, so you might have to write a ticket to him,  
 11 and they tell me at that point; or like the school is  
 12 searching their vehicle. And I'm like, Okay, let me  
 13 know what comes up or let me know what's going on.  
 14 And I may be -- if somebody is concerned  
 15 if there was a kid with a weapon, they might say, Hey,  
 16 so-and-so had a gun or there was a rumor that  
 17 so-and-so had a gun. Well, you know, yeah, we need to  
 18 do something right now especially like weapons and  
 19 things like that they would let me know. I mean, I'm  
 20 sure Darrell talked about like the school can search  
 21 on reasonable suspicion.  
 22 **Q. Right.**  
 23 A. We can search on probable cause. So  
 24 there is a difference there.  
 25 **Q. Right.**

25

1 A. And the majority of the time -- you know,  
 2 I can't direct Darrell like, Hey, search Mike, I know  
 3 he's got drugs. Well, he's acting on my behalf then.  
 4 So there is kind of a fine line between what I can  
 5 tell him or what I would want, you know?  
 6 **Q. Right.**  
 7 A. Yeah.  
 8 **Q. And in that pre-2013 time frame, how**  
 9 **frequently would the school undertake searches of**  
 10 **students or their property? Was that a weekly**  
 11 **occurrence, a daily occurrence, a once in a blue moon**  
 12 **occurrence?**  
 13 A. It depended on the administrator and -- I  
 14 mean, it all depends. Maybe once a week. I mean, I  
 15 am just throwing numbers out. I don't know. You  
 16 know, and it's just -- and some kids were searched,  
 17 and I didn't even know about it until later. They  
 18 were like, Oh, he was in Mr. Sisler's office, and he  
 19 was searched but nothing was found. And I'm like,  
 20 Okay, good to know.  
 21 **Q. Okay. And you said it depended on the**  
 22 **administrators. Which administrators were more**  
 23 **proactive in searching kids or their property?**  
 24 A. Darrell would do it the majority of the  
 25 time. I mean, honestly, I'm trying to remember

26

1 because actually, I forgot who the fourth  
 2 administrator was, because it was Darrell, Brian  
 3 Jesse, Steve Sisler.  
 4 **Q. And Kevin Kolasa?**  
 5 A. Yeah, Kevin, and then Natalie, she's an  
 6 administrator. You know, there's four administrators,  
 7 one principal.  
 8 **Q. Right.**  
 9 A. I think they had all kind of searched if  
 10 there was weapons or drugs, but Darrell was more of  
 11 the person to initiate it. And a lot of times another  
 12 administrator would ask Darrell, Hey, what do you  
 13 think, do you think we need a -- or is this enough to  
 14 search this kid or what do you think we should do?  
 15 They would go to him --  
 16 **Q. Okay.**  
 17 A. -- and then Darrell would follow up or  
 18 say -- Darrell would be the one that would say, Yeah,  
 19 we should search his car. Like I said, I'm trying to  
 20 remember that day or how it was back then, you know, a  
 21 year and a half ago.  
 22 **Q. Right. Well, let me ask, Kevin Kolasa,**  
 23 **was he somebody who in your experience initiated fewer**  
 24 **searches than the other administrators?**  
 25 A. No. I think he searched -- I mean, it's

27

1 so vague. I shouldn't say vague, but it's like  
 2 searching -- like I said, a lot of times I wasn't  
 3 notified about -- I shouldn't say a lot, sometimes I  
 4 wasn't told about it. They don't have to tell me  
 5 about it.  
 6 **Q. Sure.**  
 7 A. They usually did just like, Hey, James,  
 8 just so you know. I'm like, Okay, good to know.  
 9 Kevin may not tell me directly or may not think that I  
 10 need to get involved, and so they may not tell me.  
 11 And that's not just Kevin, but maybe the other  
 12 administrators too.  
 13 **Q. Sure.**  
 14 A. But I remember times when Kevin -- where  
 15 he searched a kid, and I was like, Oh, good. You  
 16 know, kind of that was my thinking, Okay, I didn't  
 17 even think of that part of it and he had done that.  
 18 **Q. And I guess I'm interested to know when**  
 19 **-- well, first, did any administrators, any of the**  
 20 **assistant principals or Ms. Pramenko have the**  
 21 **authority to make the decision, Okay, we're going to**  
 22 **search this kid or this kid's property?**  
 23 MR. EVERALL: Objection. Foundation.  
 24 **Q. (BY MR. ROCHE) If you know.**  
 25 A. If -- are you saying like one person

28

1 makes that decision or is it --  
 2 **Q. Yes.**  
 3 A. I mean, it was up to the administrator if  
 4 they were going to search that kid, but I've also seen  
 5 it where Natalie is like this -- and I don't know if  
 6 this was before December 13 or after the 13th, so  
 7 I'm -- but Natalie is like, Yes, we need to search  
 8 him, and he is going to be suspended or whatever for  
 9 whatever. But it was -- if it came from Natalie, then  
 10 it was going to happen.  
 11 **Q. Okay.**  
 12 A. And if it was a -- you know, maybe there  
 13 -- I mean, I -- the searching thing, like I said, if  
 14 we didn't have enough -- I mean, it was up to the  
 15 administrator to determine if there was reasonable  
 16 suspicion, you know, and the way I think of it is  
 17 would a reasonable person think that that -- there's  
 18 drugs on that kid?  
 19 **Q. Right.**  
 20 A. And based on another kid -- another kid  
 21 who I wouldn't really trust telling me information to  
 22 search that kid, I mean, in my mind I would not search  
 23 that kid, but another administrator might say, Okay, I  
 24 believe what he is telling me and search that kid.  
 25 **Q. Right. But my question is, would -- if,**



29

1 for instance, Darrell Meredith or Kevin Kolasa or  
 2 Steve Sisler or whoever said, I think I want to search  
 3 this kid --  
 4 A. Right.  
 5 Q. -- did they have to go up the chain, if  
 6 you know, to get some further approval before doing  
 7 so?  
 8 A. I'm not a hundred percent sure. I don't  
 9 think they did have to get approval.  
 10 Q. Okay. Were -- I'm guessing, but I'll  
 11 ask, were the vast majority of the searches that were  
 12 done at Arapahoe related to drugs and alcohol?  
 13 A. Yes. I'm sorry, I would -- I would say  
 14 yes. I'm thinking yes.  
 15 Q. Okay. How frequent -- based on what you  
 16 know, and I understand you weren't involved in every  
 17 search that occurred. How frequently would the  
 18 administrators search a student or a student's  
 19 property because of concerns about weapons or  
 20 violence?  
 21 MR. EVERALL: By "frequent," you mean how  
 22 often?  
 23 MR. ROCHE: Yes.  
 24 A. I don't know. I mean, I don't want to  
 25 throw out numbers because I have no idea. And if

30

1 there was like a possibility of a gun -- I should  
 2 probably mention this. If there is a gun possibility,  
 3 you tell me first, and then I will search that -- you  
 4 know, for safety reasons. I mean, for weapons, I  
 5 don't know. I mean, it did happen. If so-and-so had  
 6 a knife -- and we would find knives on kids. And I'm  
 7 trying to think like the amount of reports that I had  
 8 written where kids had a knife on them. I mean, like  
 9 I said, the gun thing, it's happened probably a couple  
 10 times in the last -- you know, since I've been there  
 11 where somebody supposedly had a gun at school or it  
 12 was in his bag, and I'm honestly trying to remember if  
 13 we actually found a gun at school in a backpack, and I  
 14 can't remember off the top of my head.  
 15 The majority of the time it was for  
 16 knives and so-and-so -- you know, they would say, I  
 17 saw Mike with a knife, and he put it in his backpack.  
 18 Well, then they would -- you know, they would --  
 19 campus supervisors might walk down, grab Mike out of  
 20 the class, and take his backpack separate and bring it  
 21 down to the administrator and they would search that  
 22 backpack to look to see if a knife was in there. And  
 23 I don't know a number. I mean, I -- I don't know.  
 24 Q. (BY MR. ROCHE) But infrequently?  
 25 A. Yeah. Maybe a couple times a month.

31

1 Q. Okay. What was your involvement, if any,  
 2 in student discipline at Arapahoe High School,  
 3 suspensions, expulsions, things like that?  
 4 A. The discipline part was up to the school.  
 5 I didn't -- I never -- oh, I shouldn't say never, but  
 6 I never -- I didn't say, Oh, I think he deserves three  
 7 days. I mean, there's all of that -- they have to  
 8 follow whatever the rules are of the suspension days  
 9 and stuff.  
 10 Q. Right.  
 11 A. I would ask, Hey, was Mike suspended from  
 12 school, and they go, Yeah, he was suspended for three  
 13 days with a possibility of ten days for drug  
 14 counseling. You know, and they would tell me that, so  
 15 I would document it in my report. But I didn't tell  
 16 them, I think he should be suspended for this.  
 17 Q. Okay. And that was what I was getting  
 18 at. You didn't participate in meetings with students  
 19 or parents about suspensions or possible suspensions,  
 20 those kinds of things, that was the school's  
 21 responsibility?  
 22 A. Well, meetings, what do you mean by  
 23 "meetings"? Like if a kid was brought back from being  
 24 suspended, like a reentry meeting, yes, I might sit in  
 25 on that.

32

1 Q. Okay.  
 2 A. Where a kid has a knife, I may sit in  
 3 there and talk about, you know, with the  
 4 administrator, and the parents would be there and I'm  
 5 like, Well, having a knife at school -- you know, I  
 6 might talk about the laws, you know, 3 1/2 inches is  
 7 illegal. If you used it for protection, you know,  
 8 it's a, you know, felony. You know, I talk about  
 9 that.  
 10 Q. Okay.  
 11 A. You know, this is what is going to  
 12 happen, you know, if they were charged, but I wouldn't  
 13 like participate in the suspension or expulsion part  
 14 of it.  
 15 Q. Okay. And I appreciate that distinction.  
 16 That raises a question that I had about that process.  
 17 When a student was suspended from school, what were  
 18 you told by the administrators at Arapahoe? Were you  
 19 told the kid was suspended?  
 20 A. Yes, generally I was told.  
 21 Q. And were you told verbally or in writing  
 22 as a rule of thumb?  
 23 A. Most of the time just verbally.  
 24 Q. And were you told how long the kid had  
 25 been suspended?

33

1 A. Most of the time.

2 **Q. And would you be told why the student was**

3 **suspended?**

4 A. Yes. If I was told that, I would be

5 like, you know, Why was he suspended, for fighting,

6 drugs, whatever?

7 **Q. And that was important information for**

8 **you to have --**

9 A. Uh-huh.

10 **Q. -- because you would base the security**

11 **measures that you were taking with respect to that kid**

12 **in part on what were the grounds for his suspension,**

13 **right?**

14 A. Yes. Yes.

15 **Q. And if a kid is suspended for dropping**

16 **F-bombs in class, that's one thing. If they're**

17 **suspended for bringing a gun to school, that is far**

18 **more serious, right?**

19 A. Right.

20 **Q. Okay.**

21 A. I mean, there's a distinction there. If

22 a kid is dropping F-bombs in class, I may not document

23 that in a report; but if a kid has a knife or gun in

24 school, I'm going to document that in a report. And

25 like I said -- generally, like I said, most of the

34

1 time, I would say, Well, how long is he suspended for?

2 Three days. And I would put that in my report and

3 say, He was suspended for three days.

4 **Q. Okay. And when you wrote reports about**

5 **incidents at school like that, they would be uploaded**

6 **into the sheriff's office system, correct?**

7 A. Correct.

8 **Q. And would you share those reports with**

9 **anybody at the school?**

10 A. Let me explain how the sheriff's office

11 reports were.

12 **Q. That's a better question. How do the**

13 **sheriff's office reports work?**

14 A. We have a report writing system where,

15 you know, say it's about Mike Roche. Well, I would

16 put, you know, Mike Roche, there's -- you know, if

17 you've ever been contacted in the sheriff's office, so

18 I -- you know, okay, this is Mike Roche, this is where

19 he lives, and I would put you in a report and say you

20 got into -- you got into a fight with somebody, so I

21 would put the other person's name in and then connect

22 your name into that report. It's all -- it's a live

23 system, or I don't know what you would call it, but

24 then -- so I go in and there's a -- you know, I charge

25 you with third-degree assault, and then I would

35

1 document a report. And the way our report writer

2 works, you have to type it in Word, and then cut and

3 paste it into the actual report writer.

4 **Q. Okay.**

5 A. Or, I'm sorry, the actual -- yeah, the

6 record system, I guess. I guess it's a record system.

7 And then when I -- when it was showed complete, you

8 know, there is a little thing saying it's incomplete

9 and then complete. So then when it's complete, I

10 would call my sergeant and say, Hey, can you check

11 this report, make sure I didn't miss anything

12 grammatically or it didn't make sense or I forgot to

13 charge the person or connect the charges to the

14 person.

15 Then my sergeant would okay it, and I

16 think at that point, it goes to investigations, even

17 information reports we document. And then

18 investigators or the sergeants, I think, look at them,

19 and then they're assigned to investigators if they

20 think there needs to be follow-up, and that's how our

21 report writer works. And even if there is a criminal

22 charge, that's how -- you know, it goes up to the

23 investigator, and the investigator looks at it.

24 **Q. Okay. And that actually is going to take**

25 **me off on a tangent. One of the benefits of a system**

36

1 **like that is when you write the report like that, if**

2 **there is some future contact with me and I'm up to no**

3 **good, then the next deputy can type my name into that**

4 **system and see everything there is in that system**

5 **about what a bad guy I am, right?**

6 A. Correct.

7 **Q. So it's sort of a centralized way to keep**

8 **all of the information about a person, right?**

9 A. Yes. It's only in Arapahoe County and

10 only if Arapahoe County contacted that person.

11 **Q. Understood. So, yeah, if I went up and**

12 **did something bad up in Fort Collins, then --**

13 A. Correct.

14 **Q. -- they would be on their own?**

15 A. Correct.

16 **Q. And that's a question that I had is when**

17 **you write those reports and they get uploaded into the**

18 **sheriff's system, are they then shared with or made**

19 **available to anybody at the school so that the school**

20 **would know what a bad guy I am?**

21 A. If the -- no. To answer the question,

22 no. I would tell them -- I mean, if you got into a

23 fight outside of school, if I was told about it, I

24 would tell the school and say, Hey, Mike got into a

25 fight with Mike over the weekend, and they don't like

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1 each other. You know, and he's missing a tooth  
 2 because of the fight. I mean, it's happened. And so  
 3 the school would be like, Okay, we need to know about  
 4 that, and then they might separate you guys or put you  
 5 in different rooms or whatever. I would not provide  
 6 them a copy of the report because it's all record  
 7 sharing information and kids' names and things like  
 8 that.

9 **Q. Okay. And that raises a different**  
 10 **question. Do you know whether or not there's any kind**  
 11 **of interagency agreement between the Arapahoe**  
 12 **Sheriff's Office and Littleton Public Schools related**  
 13 **to sharing information about behavioral, criminal**  
 14 **disciplinary issues that arise with students in the**  
 15 **district?**

16 A. Not like an IGA or an  
 17 intergovernmental -- what do you call it?

18 **Q. Interagency agreement?**

19 A. Yeah. Or an MOU, memorandum of  
 20 understanding. There is now. There's an agreement  
 21 put in place after the 13th. There is an IGA, I  
 22 think, but it's -- and I don't know what the law is,  
 23 but we can share information back and forth to the  
 24 school about safety concerns and things like that  
 25 about kids that are concerning. You know, I can share

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1 that information with the school and even if it's --  
 2 you know, you were found off of campus with a knife, I  
 3 would probably -- and if I knew about it, Hey,  
 4 Darrell, you know, Mike had a knife at -- you know,  
 5 was stopped at SouthGlenn and he had a knife in his  
 6 pocket, you know, just be aware and we -- you know,  
 7 he's got pending charges. You know, because that  
 8 could matter because there could be school  
 9 consequences if it were -- somehow if they can show  
 10 that a nexus, they call it -- I think it's called a  
 11 nexus, back to the school, and then they might be able  
 12 to suspend him based on that information.

13 **Q. Okay. No, and that's exactly what I was**  
 14 **trying to get at. So since the shooting happened,**  
 15 **there's a new agreement in place between the sheriff's**  
 16 **office and LPS --**

17 A. Yes.

18 **Q. -- that facilitates a better flow of**  
 19 **information about safety issues and students between**  
 20 **the two agencies?**

21 A. It doesn't talk about -- as far as I can  
 22 remember, and I don't have a copy of it with me, but  
 23 it just talks about what we do at the school. I  
 24 shouldn't say just, but there's other things in there.  
 25 But it talked about, yeah, kind of like our

39

1 responsibilities at the school.

2 **Q. Okay.**

3 A. And it does have other things in there,  
 4 and I don't want to say it just contains that because  
 5 I know there's other things in there and I can't  
 6 remember --

7 **Q. Right. And this isn't -- it's not an**  
 8 **endurance test, but it is also not a memory test.**

9 A. Right.

10 **Q. So I'm not going to ask you what's in**  
 11 **that agreement.**

12 A. Right.

13 **Q. I just wanted to know in broad strokes,**  
 14 **did one exist back then, does one exist now, and how**  
 15 **do you use it, not what does it say?**

16 A. Right. As far as I know, there was no  
 17 agreement between us and the school, but there is --  
 18 and I can't remember either. There is a law or  
 19 whatever that we can exchange information about safety  
 20 concerns about kids in the school, and I've always  
 21 been under the thinking that if something is bad  
 22 enough, I would rather get in trouble for it later on.  
 23 Like if so-and-so had a gun in his backpack, well, I'd  
 24 rather take that from you, search it illegally and  
 25 then --

40

1 **Q. Right. And not get the conviction?**

2 A. Right. And not get the conviction, but  
 3 we take that gun off of that person. Get what I'm --

4 **Q. Sure.**

5 A. I mean, that's kind of my thinking.

6 **Q. Absolutely.**

7 A. But I know there's -- I know we can  
 8 exchange information, especially about safety concerns  
 9 of kids. We can definitely exchange information about  
 10 that, and I think it came out after Columbine and all  
 11 of that other stuff, and, like I said, I can't  
 12 remember exactly how the wording is or what the  
 13 wording is or what it says.

14 **Q. Before 2013, what was your typical**  
 15 **involvement in the threat assessment process at**  
 16 **Arapahoe High School?**

17 A. I mean, just thinking back to it, I  
 18 honestly have a hard time differentiating between pre-  
 19 and post '13. I mean, I would say, just off the top  
 20 of my head, I was probably involved in two or three  
 21 threat assessments pre-shooting, maybe more. I mean,  
 22 like I said, I don't remember. It wasn't very often,  
 23 just because in the last year and a half, I've sat  
 24 through a lot of them.

25 **Q. Okay.**

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1 A. And so I can't -- you know, like I can  
 2 remember, okay, I'm thinking of a kid, but it's post,  
 3 but then I'm thinking of another kid, and I'm like,  
 4 oh, wait, I think that kid was before the shooting.  
 5 You know what I'm saying? And I can't remember. I  
 6 mean, it's definitely increased after December 13  
 7 where I sat inside -- you know, in threat assessments.  
 8 Like I said, pre- it was probably maybe two or three  
 9 threat assessments in the whole time I've been there.

10 **Q. Okay. And that was -- that's one of the**  
 11 **things that I wanted to find out about is it sounds**  
 12 **like you have become much more actively involved in**  
 13 **and participating in the threat assessments that the**  
 14 **school performs since the shooting?**

15 A. Correct. Yes.

16 **Q. And prior to the shooting, it was not a**  
 17 **regular part of what you were asked to do by the**  
 18 **school?**

19 A. Correct.

20 **Q. And I know it's tough to differentiate**  
 21 **between the pre- and the post when it comes to some of**  
 22 **the things that you did at the school.**

23 A. Uh-huh.

24 **Q. Prior to 2013, to the best that you can**  
 25 **remember, how would -- how would you get involved in a**

42

1 **threat assessment if you were involved in one?**

2 A. I might be -- like if the administrator  
 3 -- like say the kid had a knife and the administrators  
 4 wanted me to be in there -- I'm just trying to think  
 5 of an example. Usually if it were -- like I said, I'm  
 6 just trying to think, and I could be off with my  
 7 thinking. If it were involving a weapon of some sort  
 8 and the administrator might want me in there to kind  
 9 of talk about the legal side of it or, you know, the  
 10 -- like I said, it usually involves some type of  
 11 weapon.

12 **Q. Okay. So --**

13 A. Sorry.

14 **Q. No, that's okay. But in broad strokes,**  
 15 **you would only be brought into the threat assessment**  
 16 **process if an administrator asked you to be involved**  
 17 **or a counselor asked you to be involved?**

18 A. Correct.

19 **Q. And who typically would be the person**  
 20 **asking you to step in and participate in the threat**  
 21 **assessments?**

22 A. Generally the administrator.

23 **Q. Did the school psychologist or the**  
 24 **counselors ever ask you to participate in those threat**  
 25 **assessments in that pre-2013 time frame?**

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1 A. I'm trying to remember, and honestly,  
 2 like I said before, I mean, my brain in the last year  
 3 and a half has been so much on threat assessments  
 4 that, you know, if somebody has a knife with them -- I  
 5 mean, if somebody makes a threat to somebody, my first  
 6 comment of the school is, Are you going to do a threat  
 7 assessment? And that's my first thinking. So, like I  
 8 said, pre- -- I'm trying to remember like what -- I  
 9 mean, I remember sometimes pre-December 13 that a  
 10 counselor may have said, you know, you should probably  
 11 sit in on this. And then they would talk to the  
 12 administrator, and then they would pass it by the  
 13 administrator and sometimes I would and sometimes I  
 14 wouldn't.

15 **Q. Okay.**

16 A. If they wanted me there, I would be there  
 17 unless it were like way past, you know, 4 o'clock in  
 18 the afternoon. I'm like, Well, I'm not working, can  
 19 you do it during the day?

20 **Q. Okay. Do you know who was -- who were**  
 21 **the members of the threat assessment team at Arapahoe**  
 22 **High School in that 2013 time frame? Let me take a**  
 23 **step back, because I see you're pausing. Was there an**  
 24 **established threat assessment team at Arapahoe in that**  
 25 **2013 time frame that you know of?**

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1 A. I think the school called it a team, but  
 2 I wasn't like part of -- officially part of the team.

3 **Q. Okay.**

4 A. So I think a counselor, psych,  
 5 administrator. Well, I know threat assessments  
 6 happened before that, that it was only the counselor  
 7 -- or the school psychologist and a counselor or  
 8 sometimes it involved an administrator. But it  
 9 generally involved the school psychologist who would  
 10 do it, because I think they have to write up the  
 11 paperwork.

12 **Q. Okay.**

13 A. And, honestly, I don't know if a  
 14 counselor can -- yeah, a counselor can do the threat  
 15 assessment paperwork too, but I don't think there was  
 16 a set number of people who had to be in the threat  
 17 assessment.

18 **Q. Okay. And in the -- since December 2013,**  
 19 **you're much more actively involved in the performance**  
 20 **of threat assessments at Arapahoe High School,**  
 21 **correct?**

22 A. Correct.

23 **Q. And you've done, I assume, dozens or**  
 24 **maybe hundreds in the last year and a half?**

25 A. Yes. Correct. Yes.

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1           **Q. Okay. And is there now an established**  
 2 **threat assessment team at Arapahoe in this post 2013**  
 3 **time frame?**  
 4           A. Yes. I don't know if the school calls it  
 5 a team or officially a team, but there is, you know,  
 6 me or the school -- there is another SRO in the  
 7 building. So maybe Natasha would be involved. The  
 8 administrator, counselor, school psych, teachers.  
 9 Before teachers were not involved. And sometimes, you  
 10 know, the parent may be with the kid also and so the  
 11 parents -- they're not really involved, but I think  
 12 they can -- you know, I don't know if the school wants  
 13 them to put their two cents in too, but sometimes the  
 14 parents are in the room at the time of the -- or I  
 15 guess the parents would have to be in there with the  
 16 kid. So, yeah, the parents would be in there too.  
 17           **Q. But one of the changes that has been made**  
 18 **since the shooting is to involve you in -- you or the**  
 19 **other school resource officer in all of the threat**  
 20 **assessments, right?**  
 21           A. Correct.  
 22           **Q. Another change that has been made since**  
 23 **the shooting is to include teachers who know the**  
 24 **student being assessed in the threat assessment**  
 25 **process; is that right?**

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1           A. Correct.  
 2           MR. ROCHE: Ashley, will you give James  
 3 Exhibit 4. Actually, I can do it.  
 4           **Q. (BY MR. ROCHE) We've got all of these**  
 5 **documents -- or some of the documents pre-marked, and**  
 6 **there is -- and there is one -- as you can see, this**  
 7 **is a PowerPoint presentation from the spring of 2011**  
 8 **from Littleton Public Schools titled "Threat**  
 9 **Assessment Best Practices and Procedures." And my**  
 10 **first question is, is this a PowerPoint that you've**  
 11 **seen in your role as a school resource officer at**  
 12 **Arapahoe?**  
 13           A. It looks very familiar. I don't know if  
 14 it's the exact PowerPoint, but I did sit through a  
 15 30-minute, maybe hour long class with Nate Thompson  
 16 going over threat assessments and things. And this  
 17 does look -- I mean, some of the slides look familiar  
 18 and some don't, but that doesn't mean they weren't  
 19 there. It just -- it was a while ago.  
 20           **Q. Okay. And that was going to be my next**  
 21 **question. Can you give me a ballpark on when you took**  
 22 **that training with Nate Thompson of how to do threat**  
 23 **assessments?**  
 24           A. Probably 2011-2012, I'm guessing. Just  
 25 because -- I'm just saying that because it wasn't -- I

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1           mean, as far as I remember, that wasn't 2013.  
 2           **Q. Okay. And it wasn't after the shooting**  
 3 **that you can recall?**  
 4           A. Not that I can recall.  
 5           **Q. Okay. And I told you it's not a memory**  
 6 **test. I'm going to lie and say -- do you remember,**  
 7 **and if you don't it's okay. But do you remember who**  
 8 **else was involved in the threat assessment training**  
 9 **that you attended? Who else was there?**  
 10           A. Like in the room with --  
 11           **Q. Who else took the training with you?**  
 12           A. If I remember right, it was in the  
 13 guidance office conference room, and it was between  
 14 lunches or maybe after lunch one day. Christina Kolk  
 15 I think was there, Rod Mauler, and honestly I think  
 16 that was just it because it was just for like the  
 17 three of us.  
 18           **Q. Okay.**  
 19           A. And it may have been that pre-2013  
 20 because we had another school -- a security guard, you  
 21 know, after -- you know, starting 2013 school year,  
 22 and I think it was Rod and Christina the previous  
 23 years. I know we had another security guard come in,  
 24 and then they left. And I can't remember if there was  
 25 one that previous year.

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1           **Q. Well, that raises a question. Prior to**  
 2 **2013, were the security guards part of the threat**  
 3 **assessment process, Rod, Christina, those folks?**  
 4           MR. EVERALL: Well, this is all to his  
 5 knowledge, right?  
 6           MR. ROCHE: Yes, of course.  
 7           MR. EVERALL: Personal knowledge. We're  
 8 not talking about what he picked up from other people?  
 9           MR. ROCHE: Well, what he knows.  
 10           MR. EVERALL: Let's have him distinguish  
 11 between what his personal knowledge is and what he may  
 12 have learned from others.  
 13           MR. ROCHE: That's fine.  
 14           **Q. (BY MR. ROCHE) Do you know or have you**  
 15 **heard whether the security guards at Arapahoe High**  
 16 **School were part of the threat assessment process in**  
 17 **that pre-2013 time period?**  
 18           A. They would not sit in on the threat --  
 19 the actual threat assessment, but they may -- I mean,  
 20 I'm just trying to think if their involvement in it --  
 21 as far as I know, to the best of my knowledge, it  
 22 wasn't much. You know, Rod may bring something to the  
 23 attention of Darrell, and if something happened, you  
 24 know, then they would investigate it, the school  
 25 would --

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1           **Q. Okay.**  
 2           A. -- depending on what they found, and that  
 3 may be the involvement just from the campus  
 4 supervisors.  
 5           **Q. Okay.**  
 6           A. But they didn't sit in on the threat  
 7 assessment, the actual threat assessment, as I know  
 8 the actual threat -- as far as I know. The actual  
 9 threat assessments they would sit in on the team or,  
 10 you know, the people talking to the kid and the  
 11 parents.  
 12           **Q. Okay. And what about since 2013? Are**  
 13 **the campus security guards included in the threat**  
 14 **assessment process now, if you know?**  
 15           A. To my knowledge, and the threat  
 16 assessments that I have sat in on, they are not there.  
 17           **Q. Okay.**  
 18           A. I mean, post December 13, they are at  
 19 certain stations at certain times that they need to be  
 20 somewhere at a certain kiosk. So they try not to take  
 21 them away from those kiosks or roaming around the  
 22 campus and stuff, so they have a set schedule.  
 23           **Q. Okay.**  
 24           A. But the whole process part of it -- I  
 25 don't know what you consider the process of a threat

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1 assessment. To me the process of the threat  
 2 assessment is sitting down talking to the kid, and  
 3 that's the threat assessment. But I don't know if  
 4 gathering the information you would consider as part  
 5 of the threat assessment also. I mean, it is part of  
 6 the whole process because you've got to get the  
 7 information.  
 8           **Q. It is. I do consider gathering the**  
 9 **information part of the threat assessment process, and**  
 10 **that actually overshadows the next question I was**  
 11 **going to ask. In the pre-2013 time period, although**  
 12 **you didn't participate in the threat assessment**  
 13 **meetings --**  
 14           A. Uh-huh.  
 15           **Q. -- was it --**  
 16           MR. EVERALL: Object to form. He said --  
 17 I thought he said that he sat in on two or three.  
 18           MR. ROCHE: He did sit on two or three,  
 19 you're right.  
 20           **Q. (BY MR. ROCHE) So we'll set those aside**  
 21 **for the time being. But in that pre-2013 time period**  
 22 **when you didn't sit in on threat assessment meetings,**  
 23 **do you know, was it a standard practice for the people**  
 24 **on the threat assessment team to contact you or the**  
 25 **campus security guards to gather whatever information**

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1           **you might have about the students being assessed?**  
 2           A. Not -- I don't think it was a like, Did  
 3 you ask James what you know about this kid? It wasn't  
 4 like written in stone that they have to do that, not  
 5 as far as I know. But sometimes they may ask me --  
 6 I'm just trying to think if -- you know, if somebody  
 7 had a knife, and I'm just thinking of knives, and they  
 8 got -- say they got suspended because they had a knife  
 9 on campus, and say they got criminally charged, well,  
 10 they may ask me, Well, what -- Does he have any other  
 11 convictions or what else does he have? And I may look  
 12 on the computer and say, Darrell, yeah, there was a  
 13 drug thing a couple years ago.  
 14           **Q. Okay.**  
 15           A. And just -- but that's -- and that's what  
 16 I would tell Darrell, but it wasn't like written in  
 17 stone or, yes, you have to ask James or what is law --  
 18 you know, go get the report from law enforcement and  
 19 then -- and sometimes they did on some threat  
 20 assessments, they would actually get the report from  
 21 us and then -- you know, depending on what it was.  
 22           **Q. Right. And that's exactly what I'm**  
 23 **getting at. I assume that at least in some cases, the**  
 24 **threat assessment team would talk to you, right?**  
 25           A. Yes.

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1           **Q. About the kid?**  
 2           A. Yes.  
 3           **Q. And in some cases, the threat assessment**  
 4 **team did not reach out to you or the campus security**  
 5 **guards to find out what you knew about the student**  
 6 **being assessed, right? It was kind of a case-by-case**  
 7 **ad hoc thing, right?**  
 8           A. Correct.  
 9           **Q. And what about now in the post 2013**  
 10 **world?**  
 11           A. I'm involved -- I mean, I think I'm -- I  
 12 think I've been involved in every single one, I think.  
 13 I mean, because I was adamant that, you know -- but  
 14 the same people in every single one but it -- I guess  
 15 -- did I answer your question or phrase it --  
 16           **Q. I think so. I think so. Part of what**  
 17 **I'm driving at obviously is what changes and**  
 18 **improvements have been made to the threat assessment**  
 19 **and school safety systems at Arapahoe since the**  
 20 **shooting because -- and I should have done this at the**  
 21 **beginning, but I'll sidetrack now and tell you this,**  
 22 **but I think you know this. The purpose of this**  
 23 **arbitration is not to figure out whose fault this is,**  
 24 **and it's not to figure out who is to blame for what**  
 25 **happened to Claire. We all know the answer to that**

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1 and it's Karl. We are not here to assign fault,  
 2 blame, say this person was negligent or this school  
 3 was negligent or anything like that. What we are  
 4 trying to do is find out answers related to how it  
 5 happened, why it happened, and most importantly, what  
 6 can be learned from this tragedy so that it doesn't  
 7 happen again. So all of my questions are directed at  
 8 those goals. They are not directed at pointing the  
 9 finger at anybody. So I wanted to make that clear to  
 10 you. I think you know that, but that's why I'm asking  
 11 the questions I am about the changes that occurred at  
 12 the school subsequent to the shooting.

13 A. Okay. And I do understand that.

14 Q. Okay.

15 A. Yes. Thank you.

16 Q. Okay. Do you know, as part of the threat  
 17 assessment process at Arapahoe prior to 2013, was  
 18 there a requirement that somebody involved in the  
 19 threat assessment talked to the subject student's  
 20 friends or teachers?

21 A. Not as far as I know.

22 Q. Okay. And I understand you may not know  
 23 everything there is to know about what that process  
 24 looked like before 2013?

25 A. Right.

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1 Q. What about now? Is that something that  
 2 is done as a matter of routine with threat assessments  
 3 that are done since the shooting?

4 A. What I have seen since, and, I mean, like  
 5 I said, I don't know if it is written down like a  
 6 school policy that they have to do certain things on  
 7 threat assessments. I don't know if that is actually  
 8 written down.

9 Q. Okay.

10 A. What I have seen is, you know, they  
 11 notify the kid's teachers, they send an e-mail to all  
 12 of his teachers. And I don't know if they tell them  
 13 what he's in trouble for or what -- you know, like he  
 14 had a knife on campus. I don't know if they tell them  
 15 that. I'm not sure. But they say, Hey, what do you  
 16 know about -- would you tell us about Mike, and then  
 17 the teachers will send an e-mail back and they'll say,  
 18 We're going to do a threat assessment on Mike at  
 19 Tuesday at 1 o'clock, if you can come. And I know  
 20 they do that. I don't know if they talked to friends.  
 21 We do talk -- you know, if the parents come in, we  
 22 talk to the parents. One thing I have noticed, and I  
 23 don't know if they did this before, is they make them  
 24 go talk to a counselor or a therapist prior to coming  
 25 back to school.

55

1 Q. Okay.

2 A. And I don't know if they did that before,  
 3 and then the school makes them sign -- not makes, I  
 4 guess asks them to sign a release of information  
 5 between the therapist and the -- so they can get  
 6 information from the school. I think -- I don't know  
 7 what that's called, but I have seen -- they've talked  
 8 about it, and I'm like, Oh, that's a good idea. I  
 9 didn't even know that they did stuff -- or, you know,  
 10 they could exchange information that they release it  
 11 to the therapist and the school. So I have seen that.

12 Q. Okay. No, I appreciate that. My  
 13 understanding is you didn't have any involvement in  
 14 the threat assessment that was done on Karl Pierson,  
 15 correct?

16 A. I had no involvement with that threat  
 17 assessment.

18 Q. When it was done -- well, actually, have  
 19 you ever seen a copy of it even since the shooting?

20 A. I saw a copy last Friday.

21 Q. Did you see it when it -- I take it you  
 22 did not see it at the time it was done?

23 A. I did not.

24 Q. Okay. You were told something about the  
 25 fact that Karl had made a threat against a teacher,

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1 right?

2 A. Correct.

3 Q. And were you told the outcome of the  
 4 threat assessment, whether you were provided a copy of  
 5 it or not back in September of 2013?

6 A. I was not.

7 Q. Okay. And you wrote a report on the  
 8 threat that Karl Pierson made against Tracy Murphy at  
 9 the time that he made that threat, right?

10 A. Correct.

11 MR. ROCHE: Let's go ahead and mark that.  
 12 And I was an idiot, and I only made three copies of  
 13 these. Steve, I'm happy to take a break and make you  
 14 another copy.

15 MR. EVERALL: Let's do that. It's been  
 16 about an hour.

17 (Recess taken, 10:36 a.m. to 10:47 a.m.)  
 18 (Deposition Exhibit 18 was marked.)

19 MR. ROCHE: Back on.

20 Q. (BY MR. ROCHE) James, we've marked as an  
 21 exhibit in the deposition what's identified as depo  
 22 Exhibit 18. And will you tell us what this is?

23 A. It's my -- it's a police report that I  
 24 took in September of 2013.

25 Q. And this is a report that you put

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1 together on the system that you were describing  
 2 earlier this morning, you type it up in Word, and then  
 3 input the data into basically templates on the  
 4 computer system?  
 5 A. Correct.  
 6 Q. One housekeeping item, when you put this  
 7 in the report, you -- the system had the ability to  
 8 tell you what else was in the system about Karl  
 9 Pierson, correct?  
 10 A. Correct.  
 11 Q. Was there anything else in the Arapahoe  
 12 County Sheriff's system about Karl in September of  
 13 2013 when you put this together?  
 14 A. I don't recall.  
 15 Q. Probably would have stood out if there  
 16 was?  
 17 A. Probably.  
 18 Q. Okay. And you don't recall there being  
 19 anything?  
 20 A. No, not that I remember.  
 21 Q. Okay. And this report relates to the  
 22 events that gave rise to the threat assessment that  
 23 Arapahoe High School did around this same time,  
 24 correct?  
 25 A. Yes.

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1 Q. Specifically, they relate to a threat  
 2 that Karl Pierson had made to kill Tracy Murphy, the  
 3 debate coach/librarian at the school?  
 4 A. Yes.  
 5 Q. My first question is prior to this  
 6 incident in September of 2013, did you know who Karl  
 7 Pierson was?  
 8 A. Not -- no, I did not. I knew him -- you  
 9 know, I knew he was a kid at school, but if somebody  
 10 said, That was Karl, I wouldn't have known that's him.  
 11 Q. And what I'm trying to get at here is  
 12 prior to September of 2013, was he, for lack of a  
 13 better term, on your radar as a kid to watch at the  
 14 school?  
 15 A. No.  
 16 Q. Okay. And am I correct in assuming that  
 17 as the SRO who's got boots on the ground in the school  
 18 every day, there are kids who are on your radar at any  
 19 given point in time?  
 20 A. Yes.  
 21 Q. Some kids you watch more closely than  
 22 others?  
 23 A. Yeah. Yeah.  
 24 Q. And before this incident, Karl wasn't on  
 25 the radar?

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1 A. No.  
 2 Q. But after this incident, he was, fair  
 3 statement?  
 4 A. Yeah. That's correct. Yeah.  
 5 Q. Now, according to the report, Kevin  
 6 Kolasa was the first person at the school to tell you  
 7 about this incident involving Karl Pierson?  
 8 A. Yes, he was.  
 9 Q. And he told you about it on September 5,  
 10 two days after it happened?  
 11 A. Yes.  
 12 Q. Do you -- I know there are notes in your  
 13 report about what Mr. Kolasa told you, but do you have  
 14 an independent recollection of that conversation?  
 15 A. Yes, I do.  
 16 Q. Tell me about that conversation that you  
 17 had with Mr. Kolasa where he reported this incident to  
 18 you.  
 19 A. He called me into his office. It was in  
 20 the main office of the school. He told me about Karl  
 21 and Tracy Murphy, the librarian, having a meeting with  
 22 -- Karl's mom was there. During the meeting -- it was  
 23 about the speech and debate team, and I knew nothing  
 24 about speech and debate or what they did. And he was  
 25 getting demoted on the speech and debate team because

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1 Karl had made some inappropriate comments or  
 2 something. And, I'm sorry, I don't know if the  
 3 comments came out then or if I learned that later on.  
 4 Q. Okay.  
 5 A. Or what he said or why he was demoted on  
 6 the speech and the debate team. I don't know if that  
 7 came up later. And then Tracy walked him and his mom  
 8 out. As Tracy stood in the front entry area of the  
 9 school, you know, the glass entry in the --  
 10 Q. In the bubble?  
 11 A. Yeah, the bubble area. And Karl and his  
 12 mom are walking out to the parking lot, and from what  
 13 it sounded like, their car was back in the parking  
 14 lot, and he yelled something like fuck or fuck you  
 15 really loud. And then he whispers under his breath,  
 16 but he says it loud enough that, I'm going to kill  
 17 that guy or I'm going to kill that fucking guy or  
 18 something like that. And then another teacher  
 19 overheard it. Mark Loptien who was within -- close  
 20 enough to hear the comment, and Mark knew who Karl was  
 21 and notified the school about it.  
 22 Q. Okay. That's not your run-of-the-mill,  
 23 garden variety thing that comes to you as a school  
 24 resource officer, correct, a threat to kill a teacher?  
 25 A. No.



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1           **Q. I mean, that doesn't happen very often at**  
 2 **Arapahoe, right?**  
 3           A. Not very often, it does not.  
 4           **Q. In fact, do you recall anytime before --**  
 5 **or before September of 2013 in your entire tenure at**  
 6 **Arapahoe ever hearing about a student threatening to**  
 7 **kill a teacher?**  
 8           A. I don't recall. I don't know.  
 9           **Q. You don't remember any?**  
 10          A. Not -- yeah, I don't remember off the top  
 11 of my head, not that I like -- that I documented it.  
 12 I mean, I probably would document it if I heard  
 13 something like that, but I don't recall -- I had been  
 14 there since whatever, eight years, so . . .  
 15          **Q. And I take it you considered it serious**  
 16 **enough to write a police report about it?**  
 17          A. Yes. Yes.  
 18          **Q. And in part because it's such an unusual**  
 19 **thing for a student to do?**  
 20          A. Correct. Yes.  
 21          **Q. And when you heard about this incident**  
 22 **from Mr. Kolasa, what kind of questions did you ask**  
 23 **him about the incident? Did you ask him about Karl?**  
 24 **Did you ask him about Murphy? I'm just trying to get**  
 25 **a better sense of the conversation you had.**

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1           A. Right. I mean, of course I asked him  
 2 what happened.  
 3          **Q. Okay.**  
 4          A. And, you know -- and generally when I  
 5 take a report, I'll, you know, get the kid's  
 6 information. You know, tell me -- you know, is there  
 7 other -- I mean, I'm in -- and I was like what grade  
 8 is the kid in? I mean, I knew he was a senior because  
 9 Kevin dealt with the seniors. And I remember, you  
 10 know, at the time thinking, Well, I hadn't dealt with  
 11 -- you know, he's been here -- as far as I remember,  
 12 he's been there since a freshman or he left or came  
 13 back or something, but I hadn't dealt with him. It  
 14 wasn't someone I had dealt with in the past. I was  
 15 like, Oh, okay, that's weird. You know, and I  
 16 remember him saying the word "kill," you know, so I  
 17 was like, Oh, I'm going to document this. And my  
 18 first thing is, Well, is it a crime? And that's the  
 19 first thing, Is it a crime? And for what he did in  
 20 the parking lot, it wasn't a criminal offense. But  
 21 since he did say, I'm going to kill that guy, or  
 22 however he phrased it -- but I was going to document  
 23 it.  
 24          **Q. And for clarity sake, you're saying it**  
 25 **wasn't a criminal offense, and that's because Karl**

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1           **didn't say it directly to Tracy Murphy, right?**  
 2           A. Correct. Yes.  
 3           **Q. As part of your conversation with**  
 4 **Mr. Kolasa, did you ask him about what kind of kid**  
 5 **Karl was and whether there had been other behavioral**  
 6 **problems with him in the past since he wasn't on your**  
 7 **radar and you didn't know about any?**  
 8           A. I'm assuming I did, but, I mean, in my  
 9 head in the last year and a half and whatever -- I've  
 10 been over this conversation about a million times, so,  
 11 like I said, some of the stuff could be jumbled or  
 12 whatever. I'm assuming I did because that's generally  
 13 what I would do in a report is like, What kind of kid  
 14 is Karl? And I -- you know, just to kind of get a  
 15 background on him, you know, like what's going on?  
 16 Where does he live? Does he live in our county? Does  
 17 he live wherever? Just so I have an idea of him.  
 18          **Q. Right. And I do appreciate -- you've**  
 19 **been replaying all of this in your mind like frankly**  
 20 **we all have for a very long time, and I know this is**  
 21 **intensely personal and intensely difficult.**  
 22          A. Uh-huh.  
 23          **Q. So I hope you appreciate -- I don't mean**  
 24 **to dredge up painful things for you. I'm just trying**  
 25 **to understand what we can learn from this whole**

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1           **incident. So do you recall anything about what Kevin**  
 2 **told you about Karl other than what he did that**  
 3 **afternoon?**  
 4           A. I remember him telling me that Tracy was  
 5 concerned about the comments --  
 6          **Q. Okay.**  
 7           A. -- because he had -- Mark Loptien had  
 8 told Darrell because Darrell and Mark talk all the  
 9 time. And I think Mark, you know, knew who Karl --  
 10 you know, like I said, knew who Karl was from having  
 11 him in class. Darrell, you know, found out who he was  
 12 talking about. I don't know how he found out that it  
 13 was Karl, and then he told Kevin. And somehow Tracy  
 14 heard about the comment, and I don't know if that was  
 15 from Mark or from Darrell or from Kevin. I don't know  
 16 how he knew. Kevin was telling me to kind of let me  
 17 know about it and also that Tracy was concerned about  
 18 it.  
 19          **Q. Okay. Do you recall anything about Kevin**  
 20 **telling you in this conversation about previous**  
 21 **behavioral issues that Karl had had at Arapahoe?**  
 22          A. Not that I can remember.  
 23          **Q. Okay. And I want to ask you about some**  
 24 **of those because I think you know now that there had**  
 25 **been several?**

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1 A. From what I understand.  
 2 **Q. And I want to just walk through briefly**  
 3 **what some of those were to find out if you knew about**  
 4 **these in September of 2013.**  
 5 A. Okay.  
 6 **Q. There was an incident in November of 2000**  
 7 **-- and we have this as an exhibit if you want to look**  
 8 **at it. I think it's Exhibit 11 in this stack. These**  
 9 **are what are called written discovery responses. As**  
 10 **part of this arbitration, I had the right to ask**  
 11 **questions of Littleton Public Schools, and they had**  
 12 **the right, through their counsel and through their**  
 13 **employees, to provide written answers to those**  
 14 **questions. And that's what you've got in front of you**  
 15 **now.**  
 16 A. Okay.  
 17 MS. POWERS: Mike, do you happen to have  
 18 another copy?  
 19 MR. ROCHE: I don't. Do you mind  
 20 sharing? I'm sorry.  
 21 MS. POWERS: That's fine.  
 22 A. What page are you looking at? Page 8?  
 23 **Q. (BY MR. ROCHE) I'm looking at page 5,**  
 24 **and one of the questions that I asked was for**  
 25 **Littleton Public Schools to identify any**

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1 **administrators, faculty members, or employees who had**  
 2 **expressed a concern about Karl's behavior, emotional**  
 3 **state, psychological well-being, mental health, or**  
 4 **personality prior to the shooting.**  
 5 A. Okay.  
 6 **Q. And you'll see there was an incident in**  
 7 **November of 2011 involving Jackie Price, a teacher.**  
 8 A. Okay. I'm looking at it.  
 9 **Q. Is that an incident that you were aware**  
 10 **of prior to the shooting?**  
 11 A. And, I'm sorry, it just says documented  
 12 incident. What was the incident? Am I missing it  
 13 somewhere? Am I not reading it?  
 14 **Q. It's not described very clearly there.**  
 15 **But do you recall hearing anything about an incident**  
 16 **involving Jackie Price at -- prior to the shooting?**  
 17 A. I can't answer that. I don't know.  
 18 **Q. Okay.**  
 19 A. I mean, it's -- I don't know what the  
 20 comment is or, I'm sorry, the incident.  
 21 **Q. The incident --**  
 22 MR. ROCHE: Let's go ahead and mark this  
 23 as well.  
 24 (Deposition Exhibit 19 was marked.)  
 25 **Q. (BY MR. ROCHE) The incident involved**

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1 **Karl telling a kid in Ms. Price's class to go gut**  
 2 **himself or go cut herself, something along those**  
 3 **lines.**  
 4 MR. EVERALL: I'm going to object to the  
 5 form.  
 6 **Q. (BY MR. ROCHE) Will you take a look at**  
 7 **what I've just handed you, which is marked as**  
 8 **Exhibit 19?**  
 9 A. Yes.  
 10 **Q. This is a document that was produced to**  
 11 **me by Arapahoe High School and it's titled "Contact**  
 12 **Log."**  
 13 A. Yes.  
 14 **Q. Do you see that at the top?**  
 15 A. Yeah, I'm looking at it.  
 16 **Q. A housekeeping question, are the student**  
 17 **contact logs something that you had access to at**  
 18 **Arapahoe High School before December of 2013?**  
 19 A. We do not have access to these at all.  
 20 **Q. And I take it that's still the case even**  
 21 **now?**  
 22 A. We have no access to the kids'  
 23 information.  
 24 **Q. Okay. Is that something that would be**  
 25 **helpful or useful for you to have in your role as a**

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1 **school resource officer?**  
 2 A. Yes.  
 3 **Q. Do you think that's -- the information**  
 4 **about the school's behavioral contacts with the**  
 5 **student would be important for you to know about in**  
 6 **your job keeping the school safe?**  
 7 A. Yeah. Yes. Yes.  
 8 **Q. Do you have any understanding as to why**  
 9 **you don't have access to these contact logs for the**  
 10 **students?**  
 11 A. I think the school goes off of FERPA.  
 12 They say it's covered under that.  
 13 **Q. Okay. Do you know whether or not anybody**  
 14 **from the sheriff's office has asked or requested that**  
 15 **you or other members of the sheriff's office be**  
 16 **provided access to these behavioral contact logs if**  
 17 **you know?**  
 18 A. I do not know.  
 19 **Q. Okay. Take a look at page 2, if you**  
 20 **would, of Exhibit 19. And you'll see in the middle of**  
 21 **that page is an entry from Kelly Talen. Do you see**  
 22 **that?**  
 23 A. Is it this one, "Hi, this is just a  
 24 reminder"?  
 25 **Q. Yes. Do you see to the left of that it**

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1 says Kelly Talen, staff member?  
 2 A. Yes.  
 3 Q. And it describes an incident involving  
 4 Ms. Price concerning Karl Pierson, right?  
 5 A. I'm assuming this is an e-mail from  
 6 Jackie to Kelly that she just cut and pasted it into  
 7 this. Is that what that is?  
 8 Q. I believe so. Let me ask a couple  
 9 questions about what we've got here. Do you see that  
 10 this describes an incident that occurred in November  
 11 of 2011?  
 12 A. Yes.  
 13 Q. And the incident involved Karl Pierson,  
 14 right, from what it says here?  
 15 A. Yes.  
 16 Q. The incident involved Karl telling a  
 17 student in Ms. Price's class to just go gut or cut  
 18 himself, right?  
 19 A. Correct. Yes.  
 20 Q. And my question is, was that an incident  
 21 involving Karl Pierson that you were aware of in the  
 22 fall of 2013?  
 23 A. No.  
 24 Q. So I take it none of the administrators  
 25 at Arapahoe, none of the counselors at Arapahoe told

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1 you about this incident?  
 2 A. Correct.  
 3 Q. And you can see in the description of the  
 4 incident, that Jackie had reported that Karl shared he  
 5 had always been someone's bitch and that other kids  
 6 were mean to him, therefore he feels he is justified  
 7 in doing that to other kids too. And it goes on to  
 8 quote Karl, why wouldn't I make him my bitch after all  
 9 that has been done to me. Nobody at Arapahoe told you  
 10 about any of those statements by Karl, right, in the  
 11 fall of 2013?  
 12 A. Correct.  
 13 Q. Do you think that -- and then Ms. Talen  
 14 goes on in this contact log to explain that "Karl was  
 15 extremely angry during our meeting." Do you see that?  
 16 A. Sorry, I'm just reading it.  
 17 Q. Long paragraph at the bottom.  
 18 A. Yes.  
 19 Q. Is that something that Kevin Kolasa or  
 20 anybody at Arapahoe told you about when this incident  
 21 involving Tracy Murphy first occurred?  
 22 A. No.  
 23 Q. Would that have been important  
 24 information for you to have?  
 25 A. Yes.

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1 Q. Okay. I want to ask -- let's go back to  
 2 Exhibit 11, which are the discovery responses. That's  
 3 that long one.  
 4 A. Okay. Yeah.  
 5 Q. I just want to walk through the various  
 6 incidents that are listed here. There was an incident  
 7 in the spring of 2013 that's described that involved  
 8 Karl Pierson and an outburst that he had in Dan  
 9 Swomley's class. Do you see that?  
 10 A. Yes.  
 11 Q. Was that an incident that you were made  
 12 aware of when you wrote your report on Karl Pierson in  
 13 September of 2013?  
 14 A. I don't know. I mean, I'm going to say  
 15 no because I've heard this comment. I've heard -- you  
 16 know, after -- you know, in the last year and a half.  
 17 At the time I wrote the report, I'm going to say no.  
 18 But I don't -- like I said, some of this information  
 19 is jumbled. If I knew this information, I probably  
 20 would have documented it also in my report.  
 21 Q. Okay.  
 22 A. Yes.  
 23 Q. And this whole weird Ides of March  
 24 comment, that is not something that you remember  
 25 knowing that's in this -- the bottom of the paragraph

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1 of page 5?  
 2 A. Okay. I didn't get to that part. I'm  
 3 just reading it.  
 4 Q. Okay. It's the very bottom line.  
 5 A. Okay. Oh, right there. I missed it.  
 6 Yeah, I've never heard that comment.  
 7 Q. Okay. And this was an incident that  
 8 actually led to Karl being suspended for a day. Do  
 9 you understand that?  
 10 A. Yes.  
 11 Q. So I'm assuming, but -- I guess correct  
 12 me if I'm wrong, but if you don't remember, say that.  
 13 Were you aware -- when this September incident that  
 14 you did the report on happened, were you aware that  
 15 Karl had been suspended earlier in the year?  
 16 A. I don't remember.  
 17 Q. And, again, previous suspensions of a  
 18 student would be something important for you to know  
 19 about in your job as an SRO?  
 20 A. Yes. Yeah.  
 21 Q. Go ahead and take a look at page 6, if  
 22 you would. There's a third incident that's described  
 23 at the top of the page --  
 24 A. Yes.  
 25 Q. -- that involved Karl Pierson telling

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1 another student that she was stupid in Mr. Corson's  
 2 class. Was that an incident that Mr. Kolasa or  
 3 anybody from the administration at Arapahoe told you  
 4 about in September of 2013?  
 5 A. No.  
 6 Q. And is that -- this is obviously a  
 7 different character of incident than from the others.  
 8 Is that one that you would have hoped or expected that  
 9 the administration would tell you about so that you  
 10 could effectively do your job as an SRO?  
 11 A. He called the kid just stupid, right?  
 12 Q. Yes.  
 13 A. If it were the same person -- if I heard  
 14 about this and like, Oh, this is Karl, and this  
 15 information and this information, but if a kid calls  
 16 another kid stupid in class, that happens all the  
 17 time.  
 18 Q. And that's why I was asking the question  
 19 the way I did. This is a different type of incident  
 20 from the other?  
 21 A. A different type of incident, right. If  
 22 it is just like, Oh, so-and-so called somebody stupid,  
 23 I'm like, that's not nice, you know what I'm saying?  
 24 If it were -- if you put them all together, yeah, you  
 25 know, it's a different type, but it's kind of odd.

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1 Q. Same questions about the incident that's  
 2 described in paragraph 4 involving Ms. Crookham and  
 3 these weird initials that Karl put on one of his exams  
 4 or homework assignments.  
 5 A. I mean, I see it. I know about this  
 6 incident, but I don't know when I learned about it, if  
 7 it was after the 13th or --  
 8 Q. Okay. And then the fifth numbered  
 9 incident in the discovery responses is the threat that  
 10 Karl Pierson made to kill Tracy Murphy. Do you see  
 11 that?  
 12 A. Correct. Yes.  
 13 Q. I want to ask you about -- obviously that  
 14 was an incident that you were aware of in the fall of  
 15 2013, right?  
 16 A. Correct.  
 17 Q. At the top of page -- well, actually,  
 18 about a quarter of the way down on page 7 it says,  
 19 "Ms. Pramenko asked Mr. Kolasa to investigate the  
 20 incident and take any appropriate measures." Do you  
 21 see that?  
 22 A. Yes.  
 23 Q. My question is, I know you talked to Mr.  
 24 Kolasa about this incident in the fall of 2013, but  
 25 did you have any conversations with Ms. Pramenko about

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1 this incident in the fall of 2013?  
 2 A. I don't recall if I did talk to Natalie  
 3 about it.  
 4 Q. Do you recall having any conversation  
 5 with Natalie Pramenko about Karl Pierson at any time  
 6 prior to the shooting?  
 7 A. No.  
 8 Q. Okay. Karl was kept out of school for  
 9 the next three days after this threat occurred.  
 10 You're aware of that, right?  
 11 A. Yes.  
 12 Q. And you're aware that he was not formally  
 13 suspended for this incident, correct?  
 14 A. Correct.  
 15 Q. Have you had any conversations with  
 16 anybody, other than your lawyer, about why it was that  
 17 Karl was not suspended as a result of this incident?  
 18 A. Not that -- not at the time.  
 19 Q. How about since that? After the  
 20 shooting, has anybody told you why it was that Karl  
 21 didn't get suspended for this?  
 22 A. No. No.  
 23 Q. Okay. Have you talked to anybody about  
 24 why he didn't get suspended for this other than Erin?  
 25 A. No. And honestly I stayed away -- I

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1 mean, from when I talked to school, I kind of tried to  
 2 stay away from stuff like this, asking them direct  
 3 questions like, Why did you not do this? Just because  
 4 it's a touchy area.  
 5 Q. Okay. Fair enough.  
 6 A. Right.  
 7 Q. All right. Then let's move on to -- a  
 8 little farther down in this paragraph LPS's answer  
 9 says, "The matter" -- this is the threat to Tracy  
 10 Murphy or the threat about Tracy Murphy -- "was also  
 11 reported to the SRO James Englert who also looked into  
 12 the matter but apparently decided not to prosecute  
 13 Karl for the remark." Do you see that?  
 14 A. Yeah.  
 15 Q. Is that accurate?  
 16 A. Well, no, it's not. I don't prosecute  
 17 people.  
 18 Q. Okay.  
 19 A. I mean -- okay. Ask your next question.  
 20 Q. Did anybody ask you whether or not Karl  
 21 should be prosecuted for the remark?  
 22 A. I mean, this is another one of those  
 23 areas that I would say, no, but I thought about it a  
 24 thousand times in my head, and it's so jumbled of what  
 25 was actually said during our conversation that . . .

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1           **Q. Okay. But it's true nobody prosecuted**  
 2 **Karl for what he said?**  
 3           A. Correct.  
 4           **Q. Whether it was a crime is a separate**  
 5 **discussion that frankly I really -- I don't think it's**  
 6 **important to get into here. So I'm not second**  
 7 **guessing that at all.**  
 8           A. Do you understand why it wasn't a crime?  
 9           **Q. Yes, I do. Looking at the next numbered**  
 10 **paragraph 6, which is a description of the threat**  
 11 **assessment meeting that occurred on Monday September**  
 12 **9. Do you see that?**  
 13           A. Yes.  
 14           **Q. Did anybody -- I know you didn't attend**  
 15 **that meeting, but did any of the participants in that**  
 16 **meeting tell you about the meeting after it was**  
 17 **completed?**  
 18           A. No.  
 19           **Q. No discussions with Esther Song or Kevin**  
 20 **Kolasa about how did the threat assessment meeting go**  
 21 **with Karl and his parents?**  
 22           A. No.  
 23           **Q. And I take it nobody asked you to do any**  
 24 **checking or follow-up on whether or not Karl had any**  
 25 **access to or interest in weapons?**

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1           A. No.  
 2           **Q. And I'm asking about that because you see**  
 3 **at the bottom of page 7 it says, "They were also told"**  
 4 **-- and I think it's a reference to the Arapahoe folks**  
 5 **who attended the meeting. "They were also told that**  
 6 **Karl had no access to nor interest in weapons." Do**  
 7 **you see that?**  
 8           A. Yes.  
 9           **Q. And I take it based on that, you weren't**  
 10 **asked to do any follow-up on whether there were**  
 11 **weapons in the home or anything like that?**  
 12           A. I don't know.  
 13           **Q. Okay.**  
 14           A. I mean, I can't -- based on that, I don't  
 15 know.  
 16           **Q. All you know is nobody asked you to do**  
 17 **any follow-up on the weapons question?**  
 18           A. Right.  
 19           **Q. Correct?**  
 20           A. Yes.  
 21           **Q. Is that something that you are called**  
 22 **upon from time to time to do, is go to a student's**  
 23 **house or send a sheriff to a student's house to either**  
 24 **check on welfare or check on access to weapons or that**  
 25 **kind of thing?**

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1           A. Yeah, the school can request us to do it.  
 2           **Q. And from time to time, the school has**  
 3 **requested the sheriff's office to do that, right?**  
 4           A. Yes.  
 5           **Q. But not in this case?**  
 6           A. No.  
 7           **Q. Let's keep plowing through these. There**  
 8 **is a seventh incident on the next page. September 10,**  
 9 **Karl showed up at a speech and debate team meeting**  
 10 **even though he was told not to.**  
 11           A. I didn't know that.  
 12           **Q. That was my next question, were you aware**  
 13 **of that incident; the answer is no?**  
 14           A. No.  
 15           **Q. Okay. I want to ask you a different**  
 16 **question about that incident, because in the scheme of**  
 17 **things, maybe it's not that big of a deal, but one of**  
 18 **the concepts that frankly I've learned about through**  
 19 **this whole process is something called**  
 20 **boundary-probing behaviors. Is that a concept you're**  
 21 **familiar with?**  
 22           A. I am, yes.  
 23           **Q. And boundary-probing behaviors are**  
 24 **actions taken by a person that can be a sign that**  
 25 **they're figuring out what they can get away with,**

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1 **right?**  
 2           A. From what I understand, yes.  
 3           **Q. And those can be one of the signs that a**  
 4 **person is planning an attack, right?**  
 5           A. From what I understand, yes.  
 6           **Q. So would you consider Karl going to a**  
 7 **speech and debate meeting the day after being told,**  
 8 **You can't go because you threatened to killed the**  
 9 **speech and debate coach, a boundary-probing behavior?**  
 10           A. Yes.  
 11           **Q. Okay. And in response to -- well, strike**  
 12 **that.**  
 13           **The eighth incident is the next day,**  
 14 **September 11, 2013, Murphy and Karl pass in the hall**  
 15 **and Karl doesn't return Tracy Murphy's hello.**  
 16           A. Okay.  
 17           **Q. Is that an incident that you were aware**  
 18 **of at the time?**  
 19           A. No.  
 20           **Q. Is it an incident that you would expect**  
 21 **to be told about?**  
 22           A. Let me read it again.  
 23           **Q. Sure.**  
 24           A. I'm sorry, what is your question?  
 25           **Q. Is that an incident, the September 11**

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1 **incident, is that something you would expect to be**  
 2 **told about?**  
 3 A. I mean, honestly he didn't acknowledge  
 4 Tracy walking in the hallway, right? Am I reading it  
 5 right?  
 6 **Q. Right.**  
 7 A. Probably not. I mean, it's just -- it's  
 8 so minor and, you know, I'm like, Am I going to  
 9 document that addition to my report? Probably not.  
 10 **Q. Right. And that's -- candidly, that's**  
 11 **the answer I expected is, you know, for really minor**  
 12 **incidents, you wouldn't expect them to be brought to**  
 13 **your attention, but for the more significant issues --**  
 14 A. Right.  
 15 **Q. -- you would, right?**  
 16 A. Correct.  
 17 **Q. Because the more significant issues you**  
 18 **need to know about in order to do your job**  
 19 **effectively, right?**  
 20 A. Correct.  
 21 **Q. And if the school doesn't tell you about**  
 22 **those more significant issues, you can't be more**  
 23 **effective as the school resource officer, right?**  
 24 A. Correct.  
 25 **Q. And I'm trying to understand where you**

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1 **believe that line is drawn. And I think, frankly,**  
 2 **where you just drew it makes sense. Somebody not**  
 3 **saying hello is not that big of a deal?**  
 4 A. Correct. Yes.  
 5 **Q. Let's go back, and I apologize, I meant**  
 6 **to ask you the same question about the incident in**  
 7 **numbered paragraph 7, that we just talked about, the**  
 8 **sort of boundary-probing issue. Given the context of**  
 9 **the threat assessment and the meeting and everything**  
 10 **else, would it have been helpful for you to be told**  
 11 **about that September 10 incident?**  
 12 A. Yes.  
 13 **Q. The ninth incident is this action plan**  
 14 **review meeting that happened on September 26. Do you**  
 15 **see that?**  
 16 A. Yes, I'm reading it.  
 17 **Q. Okay. And that's a meeting that happened**  
 18 **a couple of weeks after the threat assessment, right?**  
 19 A. Yes, according to the date, yeah,  
 20 September 26.  
 21 **Q. I know from the documents that you didn't**  
 22 **participate in that meeting?**  
 23 A. No.  
 24 **Q. Were you asked to provide any input to**  
 25 **Kevin Kolasa or Esther Song or anybody else at the**

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1 **school to help them conduct that meeting?**  
 2 A. No.  
 3 **Q. Obviously you had been told about the**  
 4 **earlier incident, I guess now, three weeks prior to**  
 5 **this and had been told to keep an eye on Karl, right?**  
 6 A. I was -- I don't think I was directed to  
 7 keep an eye on him, but, I mean, he was on my radar.  
 8 **Q. Okay.**  
 9 A. I guess you could say that, yeah.  
 10 **Q. So fair enough. The school knew you were**  
 11 **-- that Karl was on your radar following the**  
 12 **September 3 incident, right?**  
 13 A. Correct.  
 14 **Q. And I presume the school knew because**  
 15 **you're good at what you do that he was on your radar**  
 16 **which meant whether you were told to or not**  
 17 **explicitly, you were keeping a closer eye on him than**  
 18 **you had in the past?**  
 19 A. Correct.  
 20 **Q. And my question was, knowing all of that,**  
 21 **did anybody from the school ask you, Well, what have**  
 22 **you seen in the last three weeks, we're about to have**  
 23 **another meeting with this kid and his parents?**  
 24 A. Not as far as I can remember.  
 25 **Q. Okay. And did anybody tell you after**

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1 **this action plan review meeting occurred on**  
 2 **September 26 how the meeting went?**  
 3 A. No.  
 4 **Q. Did anybody tell you after the action**  
 5 **plan review meeting occurred, what the outcome of it**  
 6 **was?**  
 7 A. No.  
 8 **Q. Would that have been important**  
 9 **information for you to have?**  
 10 A. Yes.  
 11 **Q. I'll jump ahead to the item 11 on this**  
 12 **list, which is the note about the early part of**  
 13 **October in 2013, Cameron Rust and Christina Kolk**  
 14 **reported to Darrell Meredith that they had seen Karl**  
 15 **looking at guns on his personal computer. Do you see**  
 16 **that?**  
 17 A. Yes.  
 18 **Q. Was that an incident that you were told**  
 19 **about at the time?**  
 20 A. I don't recall. Well, I should say no.  
 21 The only thing -- I mean, reading it, if they brought  
 22 it up in a meeting and said, There's a kid looking at  
 23 guns, I don't know who he is. I'd be like, Okay. You  
 24 know, but that Karl was looking at guns that week was  
 25 not brought up to me in October of '13.

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1           **Q. Okay. And I appreciate that distinction.**  
 2           **Given the fact that there had just been a threat**  
 3           **assessment done on Karl the prior month and given the**  
 4           **fact that Karl had threatened to kill a teacher, would**  
 5           **it have raised some red flags in your mind if you had**  
 6           **been told that Karl was looking at guns?**  
 7           A. Yes. Yes.  
 8           **Q. And would it have raised red flags in**  
 9           **your mind given that history if Karl had been looking**  
 10           **on his computer at school at photographs of the**  
 11           **Newtown school shooting?**  
 12           A. He was? I mean, yes, it would be  
 13           interesting to know that, yes. Sorry.  
 14           **Q. No, that's fine. It's one of the really**  
 15           **frustrating rules of depositions, is I get to ask the**  
 16           **questions, and there are times when I really want to**  
 17           **answer yours, but candidly I'm not allowed to. But I**  
 18           **will ask you -- I'll go around that rule this way. I**  
 19           **have seen documents that indicate that in addition to**  
 20           **looking at guns, Karl was reported to be looking at**  
 21           **reports or pictures of the Newtown shooting in this**  
 22           **October time frame. Is that something that would have**  
 23           **been important for you to know?**  
 24           A. Yes.  
 25           **Q. And would that have increased your level**

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1           **of concern about whether or not Karl was planning to**  
 2           **do something horrible at Arapahoe?**  
 3           A. Yeah. Yes.  
 4           **Q. Okay. And that was not something that**  
 5           **you were made aware of in the fall of 2013?**  
 6           A. No.  
 7           **Q. Okay. Did you ever have any**  
 8           **conversations with Darrell Meredith or Kevin Kolasa or**  
 9           **Natalie Pramenko about this whole -- this Karl looking**  
 10           **at guns issue?**  
 11           A. Was there a conversation about it?  
 12           **Q. Yes.**  
 13           A. No.  
 14           **Q. Okay. The next issue on -- or incident**  
 15           **that's described in this list is No. 12. It's a**  
 16           **November 1, 2013, incident involving Vicki Lombardi's**  
 17           **Spanish class saying Karl had blurted something out**  
 18           **about drinking tequila in Spanish class?**  
 19           A. Yeah, I didn't know about that.  
 20           **Q. Okay. You didn't know about that in the**  
 21           **fall of 2013?**  
 22           A. No. This is the first I've read it.  
 23           **Q. Okay. And, again, blurting something as**  
 24           **inappropriate out as, "When do we get to drink**  
 25           **tequila" in the middle of a Spanish class, would that**

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1           **be something that might be considered a**  
 2           **boundary-probing behavior?**  
 3           MR. EVERALL: Objection.  
 4           A. Yes. I mean, he is testing waters, yes.  
 5           **Q. (BY MR. ROCHE) The next incident**  
 6           **involving Karl that is described in the LPS discovery**  
 7           **responses is something involving a heckling report or**  
 8           **a heckling remark that occurred in Mr. Hansen's class.**  
 9           **Do you see that?**  
 10           A. Yes. Yes.  
 11           **Q. And you'll see in the discovery responses**  
 12           **it says that that wasn't reported to Arapahoe**  
 13           **administration at the time it occurred and that they**  
 14           **only learned about it as part of the sheriff's**  
 15           **investigation. I take it that wasn't something you**  
 16           **were aware of either?**  
 17           A. Right. Correct.  
 18           **Q. Now, let's talk about this item 14. So**  
 19           **why don't you take a minute and read this. We'll**  
 20           **cover this one in a little bit of detail.**  
 21           A. Okay.  
 22           **Q. A housekeeping question, would you attend**  
 23           **faculty meetings at all?**  
 24           A. Sometimes.  
 25           **Q. Were you at the November 20 faculty**

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1           **meeting that is described in paragraph -- in this**  
 2           **numbered item 14?**  
 3           A. I'm assuming that's the date. I don't  
 4           remember the exact date, but I did attend one around  
 5           that month, and I'm assuming that's the same date.  
 6           **Q. And the assistant principals were in**  
 7           **attendance, right?**  
 8           A. Yes.  
 9           **Q. Ms. Pramenko was in attendance?**  
 10           A. If I remember right, yes.  
 11           **Q. You were in attendance?**  
 12           A. Correct.  
 13           **Q. Who else was there? Did Tracy Murphy**  
 14           **actually attend the meeting?**  
 15           A. I think the whole faculty was there.  
 16           **Q. All the teachers?**  
 17           A. All the teachers. I mean, I don't know.  
 18           I might be missing one or two teachers or whatever,  
 19           but -- and my supervisor was there that day.  
 20           **Q. Rod Pacheco?**  
 21           A. Yes.  
 22           **Q. Why was he at that meeting?**  
 23           A. We discussed the lockdown that we had  
 24           done in October.  
 25           **Q. Okay. The drill?**

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1 A. Yeah, the drill, and we just talked about  
 2 the -- whether that sheet that has the lockdown or the  
 3 secure perimeter of what we do during a lockdown. And  
 4 Rod, Sergeant Pacheco, and I talked about what could  
 5 happen during a lockdown. We went over, you know, if  
 6 you're locked down, you could be locked down for  
 7 hours. If the fire alarm goes off, you stay in the  
 8 classroom and things like that. And then teachers  
 9 could ask us questions too.

10 **Q. Were there any discussions at that**  
 11 **faculty meeting about Karl Pierson or any incidents**  
 12 **involving him?**

13 A. Not directly. Not his name, as far as I  
 14 remember, being brought up.

15 **Q. Okay. What about indirectly?**

16 A. What do you mean by "indirectly"? I  
 17 don't understand.

18 **Q. I'm sorry, it's lawyer talk. Whenever a**  
 19 **witness says not directly, my next question is, what**  
 20 **about indirectly? So what were you going to say is**  
 21 **what I'm trying to get at about that faculty meeting?**

22 A. All I can remember from that faculty  
 23 meeting is we discussed, you know, the lockdown and  
 24 then they asked us questions. There was nothing -- as  
 25 far as I remember, there was nothing about a certain

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1 kid -- nothing about a certain kid or anything like  
 2 that of concern that we should be noted or that should  
 3 be documented or anything.

4 **Q. Okay. Were you a part of the discussion**  
 5 **where Mr. Murphy asked that security cameras be placed**  
 6 **in the library?**

7 A. I don't recall being part of that  
 8 conversation.

9 **Q. Do you recall ever hearing Mr. Murphy say**  
 10 **something to the effect that "If anything happens,**  
 11 **it's going to happen here"? That's in the middle of**  
 12 **the page.**

13 A. Yeah, I did read that. I don't recall  
 14 him saying that, and that's another one of those areas  
 15 where I have so much -- you know, my brain is so  
 16 confused on everything, and I did have a conversation  
 17 with Tracy prior to the 13th. And I don't remember if  
 18 he made that comment to me or whatever. I mean, I  
 19 have heard that comment, but I don't know when I've  
 20 heard it.

21 **Q. Well, tell me, you said you recall having**  
 22 **a conversation with Tracy Murphy prior to the 13th?**

23 A. It was back in September like after the  
 24 incident with Karl.

25 **Q. Okay. That was --**

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1 A. Uh-huh.

2 **Q. And that's documented in Exhibit 18, the**  
 3 **report that you wrote?**

4 A. Yes.

5 **Q. Was that the only conversation you had**  
 6 **with Tracy Murphy about Karl Pierson and that incident**  
 7 **in September?**

8 A. Yes.

9 **Q. Can you shed any light on the statement**  
 10 **in the discovery responses here where Mr. Murphy is**  
 11 **noted to have said, "If anything happens, it's going**  
 12 **to happen here"?**

13 A. I don't know what you mean by shed light  
 14 on it. It seems like school shootings happen in  
 15 libraries, it's a bad place. I mean, it seems like  
 16 things happen in libraries, and I don't know if that's  
 17 where Mr. Murphy gets that or what. I don't know why  
 18 he thinks that. You know, I don't know.

19 **Q. Okay. Were you part of this visit to the**  
 20 **library on December 12 that's described in the**  
 21 **discovery responses?**

22 A. No.

23 **Q. Let's jump ahead to the next item, 15 on**  
 24 **the discovery responses. There's a December 11**  
 25 **incident involving Karl in Vicki Lombardi's class**

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1 **again. Do you see that?**

2 A. Yes.

3 **Q. Karl got locked out of the class and**  
 4 **started banging on the door and screaming and those**  
 5 **kinds of things?**

6 A. Yes.

7 **Q. Were you aware of that incident before**  
 8 **the shooting?**

9 A. No.

10 **Q. Would that -- given the context and**  
 11 **history that you knew about Karl in early December of**  
 12 **2013, would that have been something that raised red**  
 13 **flags in your mind?**

14 A. With all of the other things that we've  
 15 talked about, yes, that would, him banging on the  
 16 door.

17 **Q. Okay. So that would have been an**  
 18 **important piece of information for you to have at the**  
 19 **time that it occurred?**

20 A. Yes.

21 **Q. Okay. And it is -- let me go back to**  
 22 **your report, which is Exhibit 18. I'm on I think -- I**  
 23 **guess it's page 2 of your report, which is sort of the**  
 24 **narrative section.**

25 A. Okay.



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1 **Q. You talked to Kolasa, Mr. Kolasa --**  
 2 A. Uh-huh.  
 3 **Q. -- about the September incident, right?**  
 4 A. Correct.  
 5 **Q. And I think you've told me everything you**  
 6 **can recall about that conversation, given the**  
 7 **understandable difficulties that exist about what did**  
 8 **you know when and what did you learn after.**  
 9 A. Right.  
 10 **Q. Okay. Let me ask you about your**  
 11 **conversation with Mark Loptien.**  
 12 A. Okay.  
 13 **Q. You spoke to him as part of your**  
 14 **investigation into this incident?**  
 15 A. Yes.  
 16 **Q. Okay. Do you remember where you talked**  
 17 **to Mr. Loptien?**  
 18 A. Like our physical location?  
 19 **Q. Yes.**  
 20 A. I don't recall.  
 21 **Q. Okay. And I'll tell you, because I'm**  
 22 **really not trying to trick you on this, sometimes**  
 23 **asking you where the conversation occurs helps trigger**  
 24 **in your memory more specifics about what you talked**  
 25 **about.**

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1 A. Right.  
 2 **Q. Okay.**  
 3 A. I mean, I would -- it was probably in the  
 4 hallway somewhere because Mark would walk around or if  
 5 I walked around. Sometimes I went into his class, but  
 6 he wouldn't talk to me in the class because he was  
 7 teaching so I would just go sit. But not -- it was  
 8 probably in the hallway somewhere.  
 9 **Q. But you don't have a distinct independent**  
 10 **recollection of, okay, we were standing in this room**  
 11 **and --**  
 12 A. No.  
 13 **Q. -- he was wearing a red shirt and that**  
 14 **kind of thing?**  
 15 A. No, I do not. And he didn't -- like  
 16 Kevin didn't call him down, and we didn't have like a  
 17 three-person meeting. You know, I remember him -- if  
 18 I recall right, I found him in the hallway, Oh, hey,  
 19 Mark, what happened with this? Tell me about this one  
 20 or what happened with this?  
 21 **Q. And tell me, to the extent that you can**  
 22 **recall, what your impression was of Mr. Loptien's**  
 23 **level of concern about Karl as he described this**  
 24 **incident to you.**  
 25 A. If I recall right, correctly, he was

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1 concerned -- the level of concern was enough that he  
 2 told Darrell, and then found out who this kid was. I  
 3 mean, it's not unusual to hear a kid cuss in the  
 4 parking lot or yell something. You're like, Cut it  
 5 out. But it was enough that he was like, Who is he  
 6 talking about? And for him to investigate, you know,  
 7 find out who it was and what the administrators  
 8 know -- because I think there had been something in  
 9 Loptien's class, if I remember right.  
 10 **Q. Okay.**  
 11 A. Or Mark knew him somehow.  
 12 **Q. Okay. Did he tell you anything about**  
 13 **Karl's demeanor as he went on this rant, if you**  
 14 **remember?**  
 15 A. He was -- if I remember correctly, Karl  
 16 was mad in the parking lot and that added to -- it  
 17 wasn't just like a normal tone. It was, you know,  
 18 like anger or rage --  
 19 **Q. Okay.**  
 20 A. -- when he made the comments.  
 21 **Q. Did he tell you whether or not there was**  
 22 **anything physical involved? Was he waving his arms**  
 23 **around or banging on a car or anything like that?**  
 24 A. I have a feeling there was something like  
 25 that, and I don't remember exactly what it was. If he

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1 like waved his fists or something. I don't recall  
 2 exactly what was -- you know, if there was something  
 3 physical.  
 4 **Q. Okay. Is that something that you would**  
 5 **have told Tracy Murphy when you were describing the**  
 6 **incident to him?**  
 7 A. That I would have told Tracy that Mark  
 8 told me of what Tracy saw in the parking lot?  
 9 **Q. Yes.**  
 10 A. No, because I would have assumed that  
 11 Tracy would have saw that.  
 12 **Q. Okay. And one of the reasons I'm asking**  
 13 **that is in the sheriff's report, it says that Tracy**  
 14 **asked for the video of that day to be pulled and**  
 15 **ultimately it never was.**  
 16 A. Okay.  
 17 **Q. And one of the questions I have is -- I**  
 18 **assume that video is video only, no audio?**  
 19 A. As far as I know how the cameras work,  
 20 they don't have audio, as far as I understand.  
 21 **Q. But seeing the physical behavior and**  
 22 **demeanor of a person can be an important tool in**  
 23 **deciding how seriously to take whatever they're**  
 24 **saying, right?**  
 25 A. Yes.

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1           **Q. So that's why I'm getting at that.**  
 2           A. Okay.  
 3           **Q. But it sounds like you have a vague**  
 4 **recollection that whatever Karl's demeanor and**  
 5 **physical behavior was that afternoon, it added to the**  
 6 **concern that Mr. Loptien had?**  
 7           A. Yes. I would say yes.  
 8           **Q. Okay. Did Mr. Loptien tell you anything**  
 9 **else about Karl or how he knew him or what other**  
 10 **issues there might have been with Karl in the past?**  
 11           A. Like I said, I think he had him as a  
 12 student in the class. And I don't recall if there  
 13 were any outbursts in the class. I don't recall that.  
 14           **Q. Okay. Anything else you can remember**  
 15 **about your conversation with Mark Loptien?**  
 16           A. No.  
 17           **Q. Now, let's talk about your conversation**  
 18 **with Tracy Murphy. Do you recall where that**  
 19 **conversation took place?**  
 20           A. It was in the library.  
 21           **Q. And how long of a conversation was it, if**  
 22 **you remember?**  
 23           A. I would say 20 minutes. It was longer  
 24 than I would normally talk to -- because Tracy usually  
 25 likes to talk. I mean, if you talk to him, you expect

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1 to talk longer.  
 2           **Q. Right. I know people like that.**  
 3           A. I would say 20, 30 minutes maybe. And  
 4 our conversation I recall because I had a conversation  
 5 with Tracy, you know, probably a year prior or  
 6 something about locking down -- you know, where to  
 7 lock down the library, and, you know, that  
 8 conversation I remember, but I've gone through it  
 9 about a thousand times. And I kind of mixed the two  
 10 conversations together just because like what was said  
 11 in those two. You know, now thinking back on it, you  
 12 know, over the last two years or year and a half,  
 13 so . . .  
 14           **Q. Right. Well, I'm definitely interested**  
 15 **in the conversation that you had in September of 2013**  
 16 **with Tracy. Let's do a little bit of the housekeeping**  
 17 **before we get into the meat of that conversation. Was**  
 18 **that the only conversation you had with Tracy Murphy**  
 19 **about Karl Pierson?**  
 20           A. Yes.  
 21           **Q. Okay. And in this 20- to 30-minute**  
 22 **conversation, tell me, as best as you can, what you**  
 23 **said and what Tracy said.**  
 24           A. Tracy described the incident.  
 25           **Q. Because he had physically seen it through**

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1 **the bubble?**  
 2           MR. EVERALL: Objection.  
 3           **Q. (BY MR. ROCHE) I'll ask the question, do**  
 4 **you know, did Tracy physically see the incident?**  
 5           A. As far as I understand. Like he saw --  
 6 he was standing -- like I said, from what I  
 7 understand, he was standing in the bubble area  
 8 watching as Karl left with his mom. I don't know if  
 9 he turned around and walked away and totally missed  
 10 the incident, I don't recall that part, if he had told  
 11 me that. Tracy told me what happened, why he got  
 12 demoted on the speech and debate team.  
 13           **Q. Okay.**  
 14           A. We talked about -- he was concerned about  
 15 it. You know, he was like, I'm -- I don't remember  
 16 the exact comments that he made. I remember there was  
 17 some concern. Tracy did take -- you know, some  
 18 teachers you would talk to would be like, Oh, it's not  
 19 a big deal, and they kind of let it go. But Tracy was  
 20 concerned about it, and it was enough that, you know  
 21 -- you know, I documented -- I told him, Okay, I'm  
 22 documenting it. I don't recall if I gave him a case  
 23 number or not. A lot of times I'll give somebody a  
 24 case number like, Here's a case number just like if  
 25 you need a copy of the report.

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1           We talked about -- you know, and I -- and  
 2 like I said, in my mind, I've said this and I even  
 3 asked Tracy after the shooting if he remembers this,  
 4 but I said -- and he talked about cause, like, Well,  
 5 the closest door coming into the library, those doors  
 6 right there, the form door, you know, remember you  
 7 have exits all in this library. I know we talked  
 8 about the door he ran out of. But he -- after I asked  
 9 him after the shooting, he didn't remember if I said  
 10 that or not. But I specifically remember having that  
 11 conversation.  
 12           **Q. And that goes to a couple different**  
 13 **questions that I wanted to ask. One was during your**  
 14 **conversation with Tracy in September, did he tell you**  
 15 **that he was concerned for Karl's mother's safety?**  
 16           A. I don't recall.  
 17           **Q. Okay. Do you know at any time -- and**  
 18 **this goes to your comments about how to exit the**  
 19 **library.**  
 20           A. Yes.  
 21           **Q. I take it that that was prompted by the**  
 22 **fact that Tracy was concerned that Karl would try to**  
 23 **make good on this threat to try to kill him?**  
 24           A. Yes.  
 25           **Q. He was visibly upset?**

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1 A. Yes. I mean, he was concerned about it.  
 2 I don't -- I'm trying to think about what visibly  
 3 upset would be. You know, he was -- he was concerned  
 4 about it. He took it seriously. He took it very  
 5 serious that something could happen.  
 6 **Q. Okay. And as part of your discussions**  
 7 **with him, it sounds like you told him, If something**  
 8 **happens, here is how you should exit?**  
 9 A. Correct.  
 10 **Q. And he doesn't remember, that is what**  
 11 **you're telling me?**  
 12 A. Right.  
 13 **Q. Do you know at any time after September 3**  
 14 **of 2013 and December 13, did Tracy ever rehearse his**  
 15 **escape route?**  
 16 A. I have no idea.  
 17 **Q. It's not something you walked through**  
 18 **with him or anything like that?**  
 19 A. I mean, maybe just verbally.  
 20 **Q. Okay.**  
 21 A. I never physically walked with him out  
 22 the door and walked.  
 23 **Q. Okay. And the conversation that you had**  
 24 **with him about, Here is the nearest exit for you, that**  
 25 **was all just sort of the routine part of your**

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1 **discussion with Tracy in the library in early**  
 2 **September?**  
 3 A. It was part of the conversation.  
 4 **Q. Okay. What else can you tell me about**  
 5 **that conversation with Tracy?**  
 6 A. I remember he was concerned, and we  
 7 talked -- we probably talked 20 minutes or so, and I  
 8 remember thinking in my mind, you know, kind of trying  
 9 to soothe Tracy a little bit, I'm trying to do what I  
 10 can do here. It's like here is the case report. I'm  
 11 documenting it with this report. Told him what our  
 12 process is, it goes to -- you know, somebody reads it,  
 13 makes sure I'm not missing a crime in here somewhere.  
 14 And I remember saying, you know, If  
 15 anything comes up, let me know, you know, it's like  
 16 you're involved in this kid. And Tracy -- and like I  
 17 said, I didn't know a lot about the speech and debate  
 18 stuff. So I was like, Okay, well, it's weird. I  
 19 mean, and -- I mean, I knew who he was -- you know,  
 20 after learning who he was, I'm like, Well, he's kind  
 21 of an odd -- you know, he's got friends. I don't  
 22 know, you know. And of course you always have in the  
 23 back of your mind it's not going to happen here, but,  
 24 I mean, that's why I'm saying I kind of -- I told him  
 25 that comment like, Hey, let me know if anything comes

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1 up in the future because it's like, well, I can't  
 2 follow up on every kid.  
 3 **Q. Understood.**  
 4 A. You know, it's up to, you know, you to  
 5 like tell me because I'm not going to be like, Hey,  
 6 anything new with Karl? I mean, I would be asking ten  
 7 different teachers like, Hey, do you know this kid?  
 8 What's up with this kid? What's up with this kid?  
 9 **Q. Right. One of the things Tracy told you**  
 10 **was that he was concerned because Karl does have a**  
 11 **temper. Did he go into any detail about that temper**  
 12 **and why it caused him concern or other incidents where**  
 13 **that temper had been on display?**  
 14 A. If I recall correctly, there was  
 15 something about an outburst during maybe one of the  
 16 debates or something but he did -- I mean, like there  
 17 was like an outburst of rage at some point, and I kind  
 18 of remember him telling me that. Like I said, I don't  
 19 know, it could have been afterward also. I mean, like  
 20 I said, I think about that often, so . . .  
 21 **Q. Right. And after you talked to Tracy**  
 22 **Murphy in September, I take it -- well, I'll ask, did**  
 23 **that cause you to keep a closer eye on Karl even than**  
 24 **what you were going to do based on what you heard from**  
 25 **Kolasa? That's a terrible question. Let me ask it**

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1 **again.**  
 2 **Based on your conversation with Tracy**  
 3 **Murphy, were you -- did that enhance your level of**  
 4 **concern about Karl Pierson?**  
 5 A. Yes.  
 6 **Q. And as a result of that, did you keep a**  
 7 **closer eye on Karl after your discussion with Tracy?**  
 8 A. Yeah. Yes.  
 9 **Q. And what form did that take? How did you**  
 10 **go about keeping a closer eye on him?**  
 11 A. If -- I mean, if I say, you know, keeping  
 12 a closer eye on somebody, if somebody tells me  
 13 something about that kid, I would be -- you know,  
 14 document it if something came up. If something was  
 15 important enough to document, like document it, send  
 16 it -- you know, say, Hey, we have this kid -- this kid  
 17 did this again. I knew who he was. Karl would  
 18 acknowledge me in the hallways. I would be like, Hey,  
 19 Karl, you know, and that was it. I mean, you know --  
 20 I should say that was it. But -- you know what I'm  
 21 saying? You know, if something should come up, let me  
 22 know.  
 23 **Q. Okay.**  
 24 A. Yeah.  
 25 **Q. And did anybody, students or teachers or**

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1 administrators, ever come back to you with any  
 2 concerns about Karl after this September incident  
 3 prior to the shooting?  
 4 A. Not that I recall.  
 5 Q. Okay. Some of these are exhibits from  
 6 yesterday. Will you take a look at Exhibit 5.  
 7 Exhibit 5 is a July 2013 Colorado School Safety  
 8 Resource Center document titled "Essentials of School  
 9 Threat Assessment: Preventing Targeted School  
 10 Violence." Do you see that?  
 11 A. Yes.  
 12 Q. Is this a document you've seen before?  
 13 A. Yes.  
 14 Q. And is it something that you were trained  
 15 on?  
 16 A. Not formally trained. I didn't have a  
 17 class in this.  
 18 Q. Okay. Well, help me understand the  
 19 context in which you've seen this before.  
 20 A. Well, I mean, I've looked at this  
 21 probably before the shooting, and I've looked at it  
 22 after. I've probably read it cover to cover  
 23 afterward.  
 24 Q. Okay.  
 25 A. But I have looked at it before, but a lot

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1 of this is stuff I know about like the secret services  
 2 guide to, you know, threat assessments and things like  
 3 -- or to school violence. I mean, I've read those,  
 4 and I've read those a couple times. I mean, just  
 5 stuff I've known about, like Safe2Tell. I mean, a lot  
 6 of this stuff -- I mean, a lot of this stuff is  
 7 covered in the SRO class, but this is more specific to  
 8 Colorado, motives, you know, boundary program.  
 9 Q. Do you know, and maybe you do, maybe you  
 10 don't, whether or not this tool was used -- this  
 11 document was used in performing threat assessments at  
 12 Arapahoe prior to the shooting?  
 13 A. I don't know.  
 14 Q. Well, let me ask -- down in the bottom  
 15 right there are page numbers that are actually written  
 16 over sort of the phone number section so they're hard  
 17 to read. You're young, so I assume your eyes are  
 18 good. I want to direct your attention to the page  
 19 that says LPS 03426.  
 20 A. Yes.  
 21 Q. I wanted to ask a couple of questions  
 22 about that. This is a page titled "Develop a  
 23 multidisciplinary threat assessment team that is based  
 24 in the school or district and provide ongoing  
 25 training." Do you see that?

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1 A. Yes.  
 2 Q. Down in subsection b, there is a  
 3 paragraph (1) --  
 4 A. Yes.  
 5 Q. -- that says, "An information 'vortex'  
 6 should be identified as a central clearinghouse for  
 7 student concerns and record-keeping." Do you see  
 8 that?  
 9 A. Yes.  
 10 Q. Do you know whether or not that was done  
 11 at Arapahoe prior to the shooting?  
 12 A. I don't know.  
 13 Q. Do you know if it's done now?  
 14 A. I'm assuming -- I mean, I've heard this  
 15 comment before in the vortex. From what my  
 16 understanding is, just that all of the information  
 17 comes together so somebody can look at it. I think it  
 18 is done now by one of the district people for the LPS.  
 19 Q. Okay.  
 20 A. Like Nate Thompson.  
 21 Q. And that's important because in order to  
 22 do a comprehensive and thorough threat assessment, the  
 23 people doing the threat assessment have to know all of  
 24 the information that's available about the person  
 25 being assessed?

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1 A. Correct.  
 2 Q. And because if you don't have all of that  
 3 information, you might miss something important,  
 4 right?  
 5 A. Correct.  
 6 Q. The next subheading there is subparagraph  
 7 c. It says, "Teams should be trained together in the  
 8 use of best practices and lessons learned." Do you  
 9 see that?  
 10 A. Yes.  
 11 Q. Now that you are more actively  
 12 participating in threat assessments, can you tell me,  
 13 has there been any team training conducted together  
 14 for the group that performs threat assessments at  
 15 Arapahoe?  
 16 A. You're using the word "team." I don't  
 17 know if they call -- I never heard it called the  
 18 Arapahoe -- like the threat assessment team. I mean,  
 19 it's just the same people come to each threat  
 20 assessment. I haven't been to any training with  
 21 everybody involved in that. As far as I remember  
 22 since the 13th, we haven't been to like an official  
 23 training on it.  
 24 Q. Okay. In that same section there's a  
 25 mention of best practices and lessons learned. Do you

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1 see that?

2 A. Yes.

3 **Q. Have you been part of any meetings,**

4 **conferences, or discussions about what lessons have**

5 **been learned as a result of the shooting at Arapahoe?**

6 A. Yes. I mean, like lessons learned, I

7 mean, things that happened. I mean, I've been in

8 meetings with Natalie, various people, talking about

9 building safety and things like that, not concerning

10 threat assessment. You know, I haven't been

11 officially in a meeting where we're talking, Okay,

12 this is what we do -- during a threat assessment,

13 like, we need you to do this. I've never been told

14 that. It's like I don't really have an official role.

15 Sometimes I put my two cents into the threat

16 assessment, but it's not like, Okay, James, you are in

17 charge of making sure this information is conveyed to

18 the sheriff's office. It's never been like officially

19 told that way.

20 **Q. And obviously that's a really broad**

21 **question about what lessons are learned.**

22 A. Right.

23 **Q. And I understand that Arapahoe has made a**

24 **lot of changes to building security and threat**

25 **assessments since the shooting?**

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1 A. Right.

2 **Q. And what I'm -- I'm not asking you for a**

3 **catalog of what all of those changes are, because**

4 **that's certainly beyond the scope of what you can**

5 **provide, but I am interested to hear what have you**

6 **heard from LPS or Arapahoe about the lessons that have**

7 **been learned about handling a person like Karl or a**

8 **threat assessment like Karl's since the shooting?**

9 A. There has been a lot of -- like I said, a

10 lot of threat assessments, and there has been some

11 other concerning students that have come up to us

12 since, you know, December of '13. I've never had a

13 meeting with somebody to talk about what -- I mean, we

14 talk about their concern, but not what we should do.

15 I don't know, I mean, I'm trying to think of an

16 example. But, like I said, we dealt a lot with the

17 threat assessment stuff.

18 **Q. Well, let me come at it in a different**

19 **way.**

20 A. Yeah.

21 **Q. Have you ever seen a presentation or a**

22 **slide show or a document that says, Here are the**

23 **lessons we learned from this tragedy?**

24 A. No.

25 **Q. Let's talk about the next bullet point on**

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1 **Exhibit 5 on page 3426.**

2 A. Okay.

3 **Q. And in subsection d it says, "The primary**

4 **role of the team" -- referencing the threat assessment**

5 **team -- "is to guide the assessment and management of**

6 **the situation and concern, and to provide ongoing**

7 **monitoring." Do you see that?**

8 A. Oh, I'm looking right below.

9 **Q. Do you see that?**

10 A. Sorry, yes. I see it now, yes, sorry.

11 **Q. I'm confusing you. Would you agree that**

12 **a key component to an effective threat assessment is**

13 **to provide ongoing monitoring?**

14 A. Yes.

15 **Q. And that's because getting a snapshot in**

16 **time of a student or his behavior is useful but not**

17 **comprehensive, right?**

18 A. Right.

19 **Q. And can you tell me, and I'll ask the**

20 **question in two parts, what did Arapahoe do to provide**

21 **that ongoing monitoring prior to the shooting, and**

22 **what does it do to provide that ongoing monitoring as**

23 **part of a threat assessment since the shooting?**

24 A. I think before the shooting, like the

25 counselor would meet with the kid or the school

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1 psychologist would meet with the kid just to see if

2 there was any follow-up and then the -- they would

3 document it in whatever these are, the behavior logs,

4 and then -- and same with administrators if they dealt

5 with a kid, they would document them. I think this is

6 what they all use, I guess.

7 And after the shooting, it's more -- from

8 what I understand how it works now, there is like a

9 central person. It's like district level. It's like

10 Nate Thompson and maybe Brian Jesse is involved in

11 that, but they look at all of them and they, you know,

12 keep an eye on what is going on with the kid. And

13 there is more contact with the kid, and I think better

14 documentation, get the teachers involved, you know,

15 and they kind of put the information in so somebody

16 else can look at it and say, Okay, what do we need to

17 do? There is more follow-up with the kid. More --

18 you know, it's like ongoing.

19 **Q. Okay.**

20 A. And unless there's like something

21 criminal, I have yet to be involved in something where

22 there is like a follow-up threat assessment or

23 something, nothing like that. And, like I said,

24 unless the counselor is talking to them on an ongoing

25 basis. And I will get with the counselor and be like,

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1 Hey, tell me about so-and-so.  
 2 **Q. And that was going to be my next**  
 3 **question. It sounds like the ongoing monitoring or**  
 4 **the follow-up actions are more extensive now than they**  
 5 **were prior to December of 2013?**  
 6 A. Yes. Unless they're just telling me  
 7 about it more now.  
 8 **Q. Okay. And that was going to be the next**  
 9 **piece is it sounds like whatever ongoing monitoring**  
 10 **and follow-up occurs now is being reported back to you**  
 11 **on a regular basis or a more frequent basis than it**  
 12 **was prior to December?**  
 13 A. Yes, I would say more frequent.  
 14 **Q. Okay.**  
 15 A. There is no official like we sit down and  
 16 have a follow-up meeting about a certain kid. It's  
 17 more, I talked to Johnny, things are better at home,  
 18 and that's it. And I'm like, Okay.  
 19 **Q. Okay. Take a look at Exhibit 6, and**  
 20 **you've mentioned the secret service report that I**  
 21 **think we've all now read.**  
 22 A. Yes.  
 23 **Q. Exhibit 6 is a summary of portions of**  
 24 **that secret service report, correct?**  
 25 A. Correct.

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1 **Q. And have you seen this summary of the**  
 2 **secret service report before today?**  
 3 A. Not this one. I've seen the one that's  
 4 in the book, that secret service book they have.  
 5 **Q. Okay.**  
 6 A. That's the one I read.  
 7 **Q. Okay. Well, my question to you now is,**  
 8 **given your expanded role in threat assessments, does**  
 9 **the threat assessment team at Arapahoe get information**  
 10 **about all of these 11 questions as part of the threat**  
 11 **assessments that it performs?**  
 12 A. Without looking at the current threat  
 13 assessment of what is covered, I would say -- sitting  
 14 in threat assessments, I think all of these areas are  
 15 covered. I don't think they're asked directly about  
 16 every single one, but if I -- I think in the ones I've  
 17 sat in, a lot of these are covered by the questions  
 18 that are -- that were discussed in those -- the ones  
 19 now.  
 20 **Q. And I take it this isn't a document that**  
 21 **you or the administrators bring into the threat**  
 22 **assessment meeting and walk through with the student?**  
 23 A. No, not that I've seen. Not that I've  
 24 seen.  
 25 **Q. Okay. Are you required to do annual**

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1 **threat assessment training as part of your job?**  
 2 A. No.  
 3 **Q. Do you know -- strike that.**  
 4 **Take a look at Exhibit 7, which is the**  
 5 **next one. And my first question is going to be simply**  
 6 **have you seen this before?**  
 7 A. No, I've never seen this.  
 8 **Q. Okay. That makes the question short.**  
 9 **This will be a fairly random question, and I'm not**  
 10 **going to mark this as an exhibit yet, but I wanted to**  
 11 **ask you if you have seen -- there was a very long**  
 12 **slide presentation produced as part of the documents**  
 13 **in this arbitration, and they're all several hundred**  
 14 **pages long and it's this yellow background PowerPoint**  
 15 **presentation. Is that ringing any bells at all in**  
 16 **your memory?**  
 17 A. It was on this arbitration?  
 18 **Q. No. It was something that was produced**  
 19 **in connection with this arbitration, but it walks**  
 20 **through a really wide variety of safety, security,**  
 21 **threat assessment issues.**  
 22 A. No.  
 23 **Q. Okay. It's my understanding that there**  
 24 **was -- there were weekly administrative team meetings**  
 25 **at Arapahoe during the school year?**

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1 A. Yes.  
 2 **Q. And they were, I forget, Monday mornings?**  
 3 A. Yeah, Monday from the start of school  
 4 until noon -- or until lunchtime, 10:30.  
 5 **Q. And did you regularly attend those**  
 6 **meetings?**  
 7 A. Nope.  
 8 **Q. Did you sometimes attend those meetings?**  
 9 A. Rarely.  
 10 **Q. Okay. And there were a couple of**  
 11 **meetings that, I don't know if you were at, but I**  
 12 **wanted to just ask about. There was a meeting on**  
 13 **September 16 where Karl Pierson was discussed and the**  
 14 **note was made that he showed no empathy or remorse**  
 15 **during his threat assessment meeting. Was that a**  
 16 **meeting you attended or does that ring any bells?**  
 17 A. No, not the administrator meeting, I  
 18 wasn't there.  
 19 **Q. And then there was another meeting a**  
 20 **couple weeks later, and there's a notation under**  
 21 **discipline that says KP and nothing else. Is that a**  
 22 **meeting you would have attended?**  
 23 A. No.  
 24 **Q. Okay. I have no reason to believe you**  
 25 **were there, so that's --**

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1 A. Right.

2 **Q. As part of the sheriff's investigation**

3 **into the shooting, lots and lots of people were**

4 **interviewed?**

5 A. Yes.

6 **Q. Including you?**

7 A. Yes.

8 **Q. I want to ask you about an interview, and**

9 **there's an exhibit related to it that's Exhibit 13.**

10 **It's an interview of Jeff Corson, and you're welcome**

11 **to look at it if you would like.**

12 A. There it is.

13 **Q. And I'm on the page that's marked**

14 **ACSO 1000.**

15 A. Okay.

16 **Q. Down towards the bottom in the paragraph**

17 **that starts, "Within a day or two, Corson spoke again**

18 **with Murphy." Do you see that?**

19 A. Okay. Yes.

20 **Q. It goes on to say, "They" -- Corson and**

21 **Murphy -- "discussed how upset Pierson was when he was**

22 **removed as a debate team leader." Then it says,**

23 **"Murphy jokingly told Corson words to the effect of,**

24 **'When Karl comes up with a gun someday, you know you**

25 **caused this.'" Do you see that?**

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1 A. Yes.

2 **Q. Is that a statement you have heard in any**

3 **context prior to right now?**

4 A. No.

5 **Q. Did you ever hear about either Murphy or**

6 **Corson making a comment to that effect?**

7 A. No.

8 **Q. Did you ever hear anything about Darrell**

9 **Meredith saying something along the lines of, We're**

10 **going to read about Karl in the paper someday, it just**

11 **won't be here?**

12 A. I've heard that comment. I don't know --

13 and honestly I don't remember when it was said. If I

14 heard it after the 13th or before the 13th. I mean, I

15 talked to Darrell a lot at school, and I don't

16 remember when that comment was made.

17 **Q. Did you hear that comment from Darrell?**

18 A. I don't know. Honestly, I don't know.

19 **Q. Do you know anything about the context in**

20 **which that comment supposedly was made?**

21 A. No.

22 **Q. Okay. And I take it you don't know**

23 **whether Darrell actually said that comment?**

24 A. Right. Correct. Yes.

25 **Q. Okay. Did you ever talk to Karl's**

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1 **parents prior to the shooting?**

2 A. No.

3 **Q. Did you -- we know that certain teachers**

4 **either e-mailed or spoke to Karl's parents, and we**

5 **know that obviously Esther Song and Kevin Kolasa spoke**

6 **to Karl's parents. Did anybody from Arapahoe ever**

7 **tell you about their conversations or communications**

8 **with Karl's parents?**

9 A. The only one that I can think of is when

10 Kevin originally told me about the incident, and if I

11 remember right, he told me that he talked to Karl's

12 mom --

13 **Q. Okay.**

14 A. -- about keeping him out of school, that

15 she agreed that she was going to keep him out of

16 school for a couple of days until the following

17 Monday.

18 **Q. So just that one time?**

19 A. That's all I can recall.

20 MR. ROCHE: Let's do this, we've been

21 going again for about an hour and a half. Off the

22 record.

23 (Recess taken, 12:20 p.m. to 1:20 p.m.,

24 after which time Mr. Jones was no longer present.)

25 MR. ROCHE: Back on the record.

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1 **Q. (BY MR. ROCHE) I wanted to ask you a few**

2 **questions about what's happened since the shooting,**

3 **and I know I'm bouncing around a little bit. As a**

4 **member of the sheriff's department, do you know, did**

5 **the sheriff's office conduct a sort of debrief to**

6 **examine what went well and what didn't go well in its**

7 **response to the tragedy that happened on December 13?**

8 A. We had a debrief with the immediate

9 deputy that responded, and then we had a bigger

10 debrief with more of the other responding officers.

11 And I know the command staff had a -- or I heard the

12 command staff did a debrief of -- or talked about kind

13 of like the things that went wrong -- or I shouldn't

14 say went wrong, but good and bad.

15 **Q. Sure. Figuring out what lessons to be**

16 **learned, right?**

17 A. Yeah, lessons learned, right.

18 **Q. So the sheriff's office did, from what**

19 **you're describing, several different versions of that**

20 **kind of a debrief, right?**

21 A. Right.

22 **Q. And that's a fairly standard practice**

23 **after a major incident within the sheriff's office,**

24 **right?**

25 A. Correct, within law enforcement, yeah.

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1 **Q. Right. Do you know, did Arapahoe High**  
 2 **School do a similar kind of debrief after the**  
 3 **shooting?**  
 4 A. Not as far as I know. I know Darrell  
 5 made a comment to me at one point soon after, and I  
 6 told him we had a debrief with -- you know, with the  
 7 immediate deputies, and Darrell had suggested to me  
 8 that I -- to ask Natalie or talk to somebody about the  
 9 school doing a debrief with like the sheriff's office  
 10 or doing a debrief themselves. I was like, Well, you  
 11 work for them, you need to talk to them.  
 12 **Q. Okay. So Darrell had suggested that you**  
 13 **talk to Ms. Pramenko or somebody at LPS about doing**  
 14 **that kind of debrief?**  
 15 A. Correct.  
 16 **Q. And you, it sounds like, did not talk to**  
 17 **Ms. Pramenko or somebody at LPS about that, you**  
 18 **suggested that Darrell bring it to them directly?**  
 19 A. Correct. I figured it wasn't my place to  
 20 tell them.  
 21 **Q. Sure. Understood.**  
 22 A. Yeah.  
 23 **Q. Do you know, did Darrell have that**  
 24 **conversation with Natalie Pramenko or Scott Murphy or**  
 25 **somebody else from LPS?**

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1 A. I'm unaware of something like that  
 2 happening.  
 3 **Q. To the best of your knowledge, whether**  
 4 **that conversation happened or not, it did not lead to**  
 5 **a schoolwide or districtwide debriefing session to**  
 6 **examine what went well and what went not so well with**  
 7 **respect to the events leading up to and surrounding**  
 8 **the shooting that occurred on December 13?**  
 9 A. Yes.  
 10 **Q. Okay. You mentioned this morning that it**  
 11 **can be difficult to talk about what we're here talking**  
 12 **about today, and I agree with that. Is it your**  
 13 **perception at the school that faculty and**  
 14 **administrators are reluctant to talk about the**  
 15 **shooting and the circumstances leading up to it?**  
 16 A. Yes.  
 17 **Q. And I know that there can be lots of**  
 18 **reasons behind that reluctance. For some people it**  
 19 **could be too painful. For some people it could be too**  
 20 **traumatic. For some people they don't want to**  
 21 **critically examine the things that didn't go well. Do**  
 22 **you have the sense that all of those are among the**  
 23 **reasons that there are people who are reluct ant to**  
 24 **talk about what happened in December of 2013?**  
 25 A. Yes. And it's a kind of feeling I get,

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1 you know, different versions of why. Some people talk  
 2 about it, some people don't or they're reluctant to  
 3 talk about it. And it may be just to me, you know,  
 4 just as like law enforcement, some people are worried  
 5 about litigation or things like that. I mean, that  
 6 was kind of soon afterward.  
 7 **Q. Okay. Do you know, has the school or the**  
 8 **district done anything to encourage the faculty and**  
 9 **administrators and staff at Arapahoe to talk about the**  
 10 **circumstances leading up to the shooting and the**  
 11 **shooting itself and the lessons that could be learned**  
 12 **from this tragedy?**  
 13 A. I know like after the shooting they had,  
 14 you know, counseling available. I don't know if that  
 15 is still available for people. I know the  
 16 administration is trying to do -- like Natalie or the  
 17 schools bought books, like certain -- I can't remember  
 18 what it is, but some other books. And then they --  
 19 like one teacher had made a comment to me at one  
 20 point, Well, maybe we should have like a group -- I  
 21 don't want to say "group," but, you know, people that  
 22 want to talk about the incident, you know, like have  
 23 it after school. Like people that can get together,  
 24 kind of like a grief group or something. And I don't  
 25 know if that ever happened. I mean, that was probably

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1 like six months or a year, maybe the beginning of the  
 2 school year. And I don't know if anything like that  
 3 happened.  
 4 And there's some -- I think there's some  
 5 teachers that the administrators -- I think there's  
 6 some teachers that are still feeling it that are still  
 7 suffering from what happened. I don't want to say  
 8 "suffering," but, you know, are still going through  
 9 what happened that day. I mean, I guess it is all  
 10 part of recovery I think. I think some of the  
 11 teachers are still going through that or whatever.  
 12 **Q. Okay.**  
 13 A. And think people know who those people  
 14 are and they're like, Oh, be careful, you know, that's  
 15 kind of the attitude I get, you know, watch out what  
 16 you say around so-and-so. That's not said directly,  
 17 but that's kind of the feeling I get from some people  
 18 and you're like, Well, that's kind of messed up. And  
 19 I don't hear that from administrators, just some other  
 20 people kind of saying that about somebody else, you  
 21 know, like you don't know what somebody is going  
 22 through.  
 23 **Q. Sure. And I understand that. And have**  
 24 **you had the experience that anybody from the school**  
 25 **has actively discouraged or anybody from the district**



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1 **has actively discouraged faculty or staff or other**  
 2 **administration members from talking about this**  
 3 **incident and any mistakes that may have been made in**  
 4 **connection with it?**  
 5 MS. POWERS: Object as to form.  
 6 A. Not actively saying like, We don't --  
 7 we're not talking about it. I think people just try  
 8 not to talk about it or bring it up to the staff  
 9 talking about December 13 just because they're afraid  
 10 it brings up old memories or memories of that day.  
 11 **Q. (BY MR. ROCHE) Okay. Do you think that**  
 12 **an open dialogue and discussion about what went well**  
 13 **at Arapahoe as well as what went poorly at Arapahoe in**  
 14 **the weeks and months leading up to the shooting would**  
 15 **be useful in helping to learn from it and prevent**  
 16 **future incidents?**  
 17 A. Yes.  
 18 **Q. Okay. And correspondingly not doing that**  
 19 **would be an impediment or an obstacle --**  
 20 A. Right.  
 21 **Q. -- to learning everything we can about**  
 22 **how to avoid this in the future, right?**  
 23 A. Correct. Yes.  
 24 **Q. There have been reports in the media and**  
 25 **on Facebook about claims that the Arapahoe**

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1 **administration encouraged -- or I should say**  
 2 **discouraged the security guards from documenting**  
 3 **disciplinary incidents at the school prior to December**  
 4 **of 2013. Have you seen those media reports that I'm**  
 5 **talking about?**  
 6 A. I am aware of the media reports.  
 7 **Q. And it is the whole Cameron Rust/**  
 8 **Christina Kolk dialogue that is out there. First I**  
 9 **wanted to find out if you're familiar with those?**  
 10 A. Yes.  
 11 **Q. And since you are, I want to ask you what**  
 12 **you know about them. Were those complaints that you**  
 13 **had heard Cameron Rust or Christina Kolk make prior to**  
 14 **the shooting?**  
 15 A. I guess specific complaint, I don't know  
 16 -- they made comments that the drug -- like there is a  
 17 bad drug culture at the school. They talked about  
 18 kids having weapons that were unrelated to this but  
 19 have weapons on campus.  
 20 **Q. Right. And I'm not asking about whether**  
 21 **or not they're right or wrong about is there a bad**  
 22 **drug problem at the school --**  
 23 A. Right.  
 24 **Q. -- is there a bad -- were there kids**  
 25 **bringing weapons to school, because I understand that**

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1 **those allegations that Cameron and Christina made are**  
 2 **unrelated to this incident. I'm asking more broadly,**  
 3 **had Cameron and Christina complained about being told**  
 4 **not to document disciplinary issues and problems prior**  
 5 **to the shooting?**  
 6 MS. POWERS: Objection. Foundation. Are  
 7 you asking about did they complain to him?  
 8 MR. ROCHE: What he knows.  
 9 A. Generally the process would be -- and  
 10 this was -- and that's why I don't understand the  
 11 news, you know, the stuff that has been reported was  
 12 -- if I know a kid -- you know, what they would do is  
 13 if they saw a kid doing drugs, they would tell  
 14 Darrell. Darrell would look into it. I don't know  
 15 about the documentation part of it. I honestly don't  
 16 know what they were talking about, if they were told  
 17 not to document. As far as I remember, they were told  
 18 to document it and then -- you know, so then give it  
 19 to the school so they can investigate it.  
 20 **Q. (BY MR. ROCHE) Okay.**  
 21 A. Because the campus supervisors weren't --  
 22 their job is not to investigate things. It's to be  
 23 the eyes and ears.  
 24 **Q. Right. And that's really what my**  
 25 **question was limited to, and I think candidly you're**

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1 **right, their job was to tell someone who would then**  
 2 **investigate, right?**  
 3 A. Right.  
 4 **Q. And my question was really limited to had**  
 5 **you ever -- before the shooting, had you ever heard**  
 6 **either of them complain that they were being told not**  
 7 **to write things down about behavioral or disciplinary**  
 8 **issues?**  
 9 A. I don't remember a specific time when  
 10 they were told not to do something or not to write  
 11 that down.  
 12 **Q. Okay.**  
 13 A. Like I said, I know about the news  
 14 reports and the things that were in the news, but I  
 15 don't know a specific time when they said, Don't  
 16 document that. I don't remember that.  
 17 (Deposition Exhibit 20 was marked.)  
 18 **Q. I don't know if you've seen Exhibit 20**  
 19 **before, but it's notes of an interview that you gave**  
 20 **following the shooting at Arapahoe. Do you see that?**  
 21 A. Yes, it is -- or I do see it, yes.  
 22 **Q. And I only have a couple of questions**  
 23 **about it. First, do you recall being interviewed --**  
 24 A. Yes, I do.  
 25 **Q. -- on December 17? This was several days**

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1 after the shooting occurred.

2 A. Yes.

3 **Q. And I assume you know Jeff Himes --**

4 A. I do.

5 **Q. -- the investigator who interviewed you?**

6 A. Yes, I do. I know Jeff.

7 **Q. I wanted to direct your attention -- this**

8 **is a four-page statement, and I wanted to direct your**

9 **attention to the second half of page 3. In the second**

10 **paragraph from the bottom, Investigator Himes noted**

11 **that as part of your interview, you said you did a**

12 **report concerning Karl Pierson and that back in**

13 **September you met with Kevin Kolasa and Mr. Kolasa**

14 **said he wanted to tell you something. It's not that**

15 **big of a deal, but just so you know. Do you see that?**

16 A. This paragraph? Okay. Yeah.

17 **Q. Do you see that --**

18 A. I do.

19 **Q. -- section I'm referring to?**

20 A. I do.

21 **Q. And we've talked some about that**

22 **conversation that you had with Mr. Kolasa?**

23 A. Uh-huh.

24 **Q. Does looking at this refresh your**

25 **recollection that Mr. Kolasa said that what he was**

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1 **telling you about Karl Pierson and the incident in**

2 **September was not that big of a deal?**

3 A. After looking at this, it refreshes my

4 memory that, yes, that's what I said and that's how I

5 remembered it back then.

6 **Q. And is that what he said to you, as best**

7 **as you can recall?**

8 A. Yes, as best as I can recall.

9 **Q. And then the other question I had on your**

10 **witness statement is right at the very end, bottom of**

11 **page 4, you talk about Karl wasn't a loner, he had**

12 **friends, would hang out with friends. As far as you**

13 **know, he had good grades and all of that. In the very**

14 **last sentence, Jeff Himes has written out that you**

15 **told him that you knew that one of the school**

16 **administrators thought Mr. Murphy was overreacting in**

17 **his fear about Karl Pierson. Do you see that?**

18 A. Yes.

19 **Q. And do you recall telling Officer Himes**

20 **that or Investigator Himes that?**

21 A. Yes, I do.

22 **Q. Who is the administrator you're talking**

23 **about? Was it Kevin Kolasa?**

24 A. If I remember correctly, I'm referring to

25 Darrell.

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1 **Q. To Darrell?**

2 A. Yes. I'm sorry, let me -- and like I

3 said, I forgot about that, that I talked to Kevin

4 about that, you know, about Karl. And so I don't

5 remember -- I mean, for me thinking that now, that's

6 what Darrell had said at some point to me as far as I

7 remember, unless that's what actually Kevin told me,

8 but I don't, like I said -- I forgot about that

9 completely.

10 **Q. And obviously you've been -- there's a**

11 **lot of information, and you've been through this in a**

12 **lot of different ways. And frankly this was a really**

13 **traumatic event for you as well. And things get mixed**

14 **up as a part of that, and that's totally**

15 **understandable and it's totally natural and nobody is**

16 **going to fault you for that. But obviously this is a**

17 **comment that bears some examination with the benefit**

18 **of the hindsight that we all now have. So if it's**

19 **your recollection that it was Darrell Meredith who**

20 **told you that, tell me how you got that impression**

21 **from Darrell.**

22 MR. EVERALL: Objection.

23 A. If I remember right, like I said, the

24 conversation I had with Darrell it was -- it would

25 have been way back when I took the original report,

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1 and that he was referring -- you know, I asked Darrell

2 -- because when I talked to, you know, Kevin, Mark

3 Loptien -- and I don't remember what order I talked to

4 them in. And I did -- I remember one of the reasons

5 Kevin was telling me about the threat in the parking

6 lot was because of Tracy's reaction or concern. And

7 so I think that's when I went to Darrell and I asked

8 him about it, and that's the best I can recall that he

9 had made that comment --

10 **Q. (BY MR. ROCHE) Okay.**

11 A. -- if I recall correctly.

12 **Q. So he made the comment, as best as you**

13 **can recall, Tracy Murphy is overreacting?**

14 A. Yeah, the best I can recall.

15 **Q. And I don't really know Tracy Murphy. I**

16 **certainly don't know how well you know him other than**

17 **it's probably better than I do. Is he somebody who**

18 **can be prone to overreacting to things?**

19 MS. POWERS: Objection. Foundation.

20 **Q. (BY MR. ROCHE) Or do you have a basis to**

21 **say?**

22 A. I would say -- I mean, since the

23 shooting, I wouldn't say anyone is overreacting, but

24 before the shooting, I remember his reaction to the

25 way he talked about Karl and about what was going on,

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1 I thought what -- you know, Why are you acting this  
 2 way? You know, why is it -- and that's why I went to  
 3 the steps I took. I took the report. Hey, let me  
 4 know if anything else comes up further, I'm sorry -- I  
 5 mean, I didn't say "I'm sorry," but I was like, This  
 6 is all I can do right now, but let me know if anything  
 7 else comes up. I mean, that's like --  
 8 **Q. But you had questions in your mind about**  
 9 **what Tracy Murphy was reacting so strongly --**  
 10 A. Right.  
 11 **Q. -- to the threat that Karl made?**  
 12 A. Correct. And I didn't know like in the  
 13 back of my mind, maybe he is overreacting. You know,  
 14 some people think that since something happened, a bad  
 15 thing happens, it's going to happen all the time or  
 16 it's going to happen in the library. I didn't know if  
 17 that -- he had that thinking, like maybe you shouldn't  
 18 be a librarian then. I mean, it's like if that's your  
 19 concern.  
 20 **Q. Okay. It's my understanding that now at**  
 21 **Arapahoe, there is a tab on the Infinite Campus portal**  
 22 **where all faculty, administration, and staff members**  
 23 **can enter information about contacts with students**  
 24 **that they think ought to be kept in this central**  
 25 **vortex of information. Are you aware of that change**

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1 **that was made to Infinite Campus after the shooting?**  
 2 A. We don't have access to that. We've gone  
 3 to the school to ask for them to give us access to the  
 4 student information sheets, and the school has not  
 5 given that to us, law enforcement.  
 6 **Q. And that was going to be my next question**  
 7 **is, first, was do you -- are you aware that that tab**  
 8 **now exists on Infinite Campus?**  
 9 A. I've heard it exists.  
 10 **Q. And the second question was do you have**  
 11 **access to it, and it sounds like the answer to that is**  
 12 **no, correct?**  
 13 A. Correct.  
 14 **Q. And the third question was have you asked**  
 15 **for access to that? And by "you" I mean the sheriff's**  
 16 **office, law enforcement.**  
 17 A. Well, the sheriff's office, it's more  
 18 Littleton PD we're working with the school to try to  
 19 get access, and we're trying to get -- they're  
 20 concerned about what information to give us.  
 21 **Q. Okay. And I'm assuming that's above your**  
 22 **pay grade?**  
 23 A. Right.  
 24 **Q. Okay. Why would it be important for you**  
 25 **as a school resource officer to have access to that**

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1 **information?**  
 2 A. So we can get information on kids. We're  
 3 asking for address, phone number, name, I mean, that's  
 4 all we're asking for.  
 5 **Q. Okay. What about the staff contact with**  
 6 **the kids, the teacher writes in there, I'm worried**  
 7 **this kid is in crisis?**  
 8 A. It would be nice to have access to that.  
 9 **Q. That would make you more effective in**  
 10 **doing your job, right?**  
 11 A. Right. I don't know if the school would  
 12 give us access to that, even if they gave us access to  
 13 look at the kids' record -- or information sheets.  
 14 **Q. Okay. I want to ask a fairly broad**  
 15 **question about your role at Arapahoe. I mean, I've**  
 16 **gotten the impression through a lot of the discussion**  
 17 **here today that there are things that you as the**  
 18 **school resource officer were kept out of the loop in**  
 19 **particularly prior to the shooting. Is that a fair**  
 20 **statement in your view?**  
 21 A. Yes.  
 22 **Q. And it sounds like that's changed and**  
 23 **improved somewhat since the shooting, right?**  
 24 A. Yes.  
 25 **Q. And obviously there are always areas of**

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1 **improvement, and because of the purpose of this**  
 2 **arbitration, I'd like to know what areas do you think**  
 3 **can be improved when it comes to your ability to do**  
 4 **your job as a school resource officer and your work**  
 5 **with the school administration in keeping the school**  
 6 **safe. I'm just trying to figure out, what would help**  
 7 **you do your job?**  
 8 A. Just from information, you know, from  
 9 learning today and over the last couple weeks or, you  
 10 know, from this, if we had more information given to  
 11 us about students, if there was like an information  
 12 vortex brought -- where everything was brought  
 13 together and where law enforcement was involved, the  
 14 therapist outside of the school was involved, the  
 15 parents are involved, is there a concern with weapons,  
 16 things like that, at home. Are the threats they make,  
 17 do they have a direct purpose or are they just upset  
 18 at something? I mean, there needs to be -- the  
 19 information needs to be shared with everybody.  
 20 Everybody needs to be brought in, and it's frustrating  
 21 for me, I see -- you know, the school is concerned  
 22 about a certain kid, but they are holding back because  
 23 of fears of whatever. I don't know what the fear is.  
 24 **Q. Okay. And that goes to my next question**  
 25 **which is, what are the obstacles you see at Arapahoe**

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1 **or LPS, or even more generally than that, that are**  
 2 **impeding your and the school's ability to keep the**  
 3 **schools as safe as they can be?**  
 4 A. The biggest obstacle is just information  
 5 sharing and what information is released -- given to  
 6 us. I think the school is somewhat confused on what  
 7 FERPA is and how it is interpreted and what  
 8 information they can give us. I mean, I've been in  
 9 that building eight years, and people are still  
 10 apprehensive about giving me information. I mean,  
 11 most of the teachers will give me information, but  
 12 people are like, Oh, I can't give you that  
 13 information. I'm not going to go sell it on the  
 14 Internet. It's like I'm using it for law enforcement  
 15 purposes.  
 16 **Q. Right.**  
 17 A. I mean, that's probably the biggest  
 18 obstacle is just fear of it.  
 19 **Q. Okay.**  
 20 A. Of just -- fear of what -- you know, if  
 21 the parents get upset because you gave this  
 22 information to law enforcement because their kid broke  
 23 the law, fear that it is going to make the school look  
 24 bad, fear that -- I don't know, you know. It's the  
 25 information -- sometimes it's like a roadblock. You

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1 know, you can tell there is more information, but  
 2 they're not telling me. So then you document -- I do  
 3 a lot of documentation to document to -- they tell me  
 4 this to cover my butt.  
 5 **Q. Right. And that goes to the broader**  
 6 **discussion that we're having, which is the better,**  
 7 **more complete, more comprehensive information**  
 8 **everybody has, the better they are to do their job?**  
 9 A. Right. But I still don't know if you're  
 10 going to find every person that does something.  
 11 **Q. Of course. I'm certainly not suggesting**  
 12 **that is the inevitable result of improving the**  
 13 **information-sharing process. What I really want to**  
 14 **find out is in addition -- the information-sharing**  
 15 **process sounds like something you certainly believe**  
 16 **can and should be improved?**  
 17 A. Yes.  
 18 **Q. Any other resources or tools that you**  
 19 **think it would be important for you or the school to**  
 20 **have to improve school safety, because that's really**  
 21 **what this is all about.**  
 22 A. Right. I mean, there's a lot that goes  
 23 into school safety and making a building safe, you  
 24 know, locked doors, people being at the doors, cameras  
 25 are helpful. They are not a be-all-and-end-all by any

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1 means.  
 2 **Q. Sure.**  
 3 A. Staff inside the school. I mean, I  
 4 always go back -- I mean, I'm working with the staff  
 5 and they are so -- the counselors and the  
 6 psychologists are so like overwhelmed it seems like  
 7 sometimes. I mean, we can't diagnose mental illness  
 8 in the school. I mean, we're still a school. You  
 9 know, we need to move on and teach -- you know, kids  
 10 need to be learning and things like that, but it's  
 11 like, well -- you know, the physical security of the  
 12 building, of course, but then also like a mental  
 13 illness side of it, you know, like that information  
 14 vortex we talked about. It's like get that  
 15 information together and get the parents involved and  
 16 the outside therapists so they can share that  
 17 information with us. I mean, better -- you know, from  
 18 grade school on, like what information are the kids --  
 19 like are they exhibiting threats like the  
 20 boundary-probing stuff?  
 21 **Q. Sure.**  
 22 A. I mean, that definitely happens, but it's  
 23 like -- yeah.  
 24 **Q. But tracking that on a longer basis --**  
 25 A. Right.

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1 **Q. -- throughout the kid's educational**  
 2 **career would be helpful?**  
 3 A. And people aren't afraid to share that  
 4 with somebody. I mean, you don't want to be labeled  
 5 as a kid that's done something, but, I'm sorry.  
 6 **Q. Right. No, this is probably the most**  
 7 **important part of the testimony is finding out from**  
 8 **the people who are --**  
 9 A. Right.  
 10 **Q. -- you know, on the ground dealing with**  
 11 **this every day, unlike me.**  
 12 A. Right.  
 13 **Q. What are the tools needed to make your**  
 14 **job more doable, more effective.**  
 15 A. I mean, since December 13, I've gone  
 16 through this a million times in my head, what can we  
 17 do to make the building safer, school safer? I don't  
 18 know, put a gun at every door, that's not the answer.  
 19 Put a fence around the school, that's not the answer.  
 20 You put -- you know, there is patterns. There is  
 21 stuff out there that -- you know, a kid tells this  
 22 information, this information, this information, you  
 23 put that all together, maybe you're going to find that  
 24 person, but . . .  
 25 **Q. Let me ask one last discrete question on**

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1 **the same topic. Do you think that more proactive**  
 2 **training of the students on the Safe2Tell program**  
 3 **would be helpful?**  
 4 A. Safe2Tell is a good program. We get a  
 5 lot -- we probably get two a week maybe. And since  
 6 the shooting, maybe three or four a week. I would say  
 7 90 percent of those are false things or they're just  
 8 trying to tell on somebody else. I mean, that's just  
 9 my statistic. It's a good program but -- and maybe it  
 10 is -- maybe it does go back to training the kids on  
 11 what to look for, what to report to us. I don't know,  
 12 but maybe it does go back to training, training the  
 13 kids and making them aware of the program and using it  
 14 the way it should be used.  
 15 **Q. And not misused by, I broke up with my**  
 16 **girlfriend, so I'm going to call Safe2Tell and say**  
 17 **she's got drugs?**  
 18 A. Exactly.  
 19 **Q. Those are the kind of false reports**  
 20 **you're talking about?**  
 21 A. Correct. Things like similar to that  
 22 where we look up or some kid is -- and it does help  
 23 out. You know, we get calls where some kid is  
 24 suicidal at midnight, well, we send a deputy over, and  
 25 he was -- he is suicidal or he was just making a

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1 comment to a friend to try to get a reaction out of  
 2 his friend. Well, it's like, Don't say those things  
 3 then if it is not true. But it does -- it is helpful.  
 4 Maybe it does go back to training the kids on how to  
 5 use it appropriately. It is a good program. It is a  
 6 good program.  
 7 **Q. I think that's all I've got for you. So**  
 8 **thank you a lot for taking the time. I know this was**  
 9 **probably longer than you anticipated, but I really do**  
 10 **appreciate you taking the time to answer my questions.**  
 11 A. Thank you.  
 12 **Q. I think Mr. Everall probably has some as**  
 13 **well.**  
 14 MR. EVERALL: I have a few.  
 15 EXAMINATION  
 16 BY MR. EVERALL:  
 17 **Q. Mr. Englert, we've met before?**  
 18 A. Yes.  
 19 **Q. But we've never talked about this**  
 20 **situation, have we?**  
 21 A. No.  
 22 **Q. Okay. On the -- let's start with the**  
 23 **investigation of the threat that Karl made.**  
 24 A. Okay.  
 25 MR. WOODWARD: Could you speak up? We

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1 just can't hear.  
 2 MR. EVERALL: Sure.  
 3 **Q. (BY MR. EVERALL) When did you -- when**  
 4 **did you actually prepare this written report?**  
 5 A. Prepare --  
 6 **Q. It's Exhibit 18.**  
 7 A. I'm just looking at the dates. It was  
 8 reported on the 5th, occurred on the 3rd, and he put  
 9 between --  
 10 **Q. Well, let me interrupt. The date, time**  
 11 **reported entry of 9/5/13, 7:36 hours, is that the date**  
 12 **that you had your meeting with Mr. Kolasa and time?**  
 13 A. No. The date that I talked to him was on  
 14 the 5th at about 1100 hours. I was working -- that's  
 15 when I documented the date and time. I always start  
 16 my reports off that way on 9/5 at 1100 hours I was  
 17 working as the school resource officer at Arapahoe  
 18 High School at 2201 East Dry Creek Road.  
 19 **Q. What does the entry then of 7:36 hours on**  
 20 **that same date mean if you're getting -- you're**  
 21 **actually meeting with Mr. Kolasa at 1100 hours?**  
 22 A. Sometimes if I -- on our report writer or  
 23 in our system is when I call out of the school, and I  
 24 say -- you know, I call my call sign on the radio,  
 25 they will assign us to the school at that time. So

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1 that may have been -- and then they assign us to the  
 2 school. So when I call for a case number, the case  
 3 number is assigned -- you know, this case number and  
 4 then the sign -- excuse me. And those -- that time is  
 5 the time that I showed up at school. And honestly, I  
 6 don't know why it's like that. Do you get what I'm --  
 7 like I call, they put me at the school at that time.  
 8 So on a log on our CAD, it shows that we're -- I'm at  
 9 the school at that time. So when I call for a case  
 10 number, it shows that I've been on that call since  
 11 that time even though I'm just at the school on a  
 12 detail.  
 13 **Q. All right. So your memory is that**  
 14 **Mr. Kolasa talked to you. Where did this conversation**  
 15 **occur on September 5?**  
 16 A. In Mr. Kolasa's office.  
 17 **Q. So he brought you in?**  
 18 A. Yes.  
 19 **Q. Okay. And how long did that conversation**  
 20 **last?**  
 21 A. Maybe ten minutes. I'm guessing. I  
 22 don't know.  
 23 **Q. Did he ask you to do anything in**  
 24 **particular?**  
 25 A. If he did, I don't recall.

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1 **Q. Well, are you saying that you launched**  
 2 **your investigation on your own initiative?**  
 3 A. He told me this information, and I told  
 4 him I was going to document it.  
 5 **Q. And by that you meant what?**  
 6 A. That I was going to document it.  
 7 **Q. Prepare this police report?**  
 8 A. Correct.  
 9 **Q. Okay. Did you tell him you were going to**  
 10 **do anything else?**  
 11 A. I told him -- I mean, if I recall  
 12 correctly -- again, this is one of the things that I  
 13 thought about a thousand times, that I was going to  
 14 talk to the people, you know, Mr. Loptien, Darrell,  
 15 and Tracy. And if I remember right, he asked me to  
 16 talk to Tracy because Tracy was -- you know, the way  
 17 -- you know, because Tracy was upset about this. And  
 18 if I remember right, he may have asked me or I may  
 19 have told him, Well, I don't know if I need to talk to  
 20 Karl or if I'm going to talk to Karl right now.  
 21 **Q. Well, you said earlier that you -- well,**  
 22 **let's establish this. As your investigation, you**  
 23 **talked to Mr. Loptien?**  
 24 A. Uh-huh.  
 25 **Q. Mr. Murphy?**

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1 A. Yes.  
 2 **Q. And you say you also talked to Darrell**  
 3 **Meredith?**  
 4 A. Yes.  
 5 **Q. Why did you talk to Darrell?**  
 6 A. Because I talk to Darrell a lot, and at  
 7 some point it went from Loptien -- if I remember  
 8 correctly, it went from Loptien to Darrell to find out  
 9 who that student was. And then Darrell figured it was  
 10 Karl. And then it went to Kevin because Kevin is the  
 11 administrator, or maybe it went to Tracy. I don't  
 12 know the route it went after it went from Mr. Loptien,  
 13 but I know Darrell was somehow involved in the route.  
 14 **Q. Did you start with Mr. Loptien?**  
 15 A. I don't remember who I spoke to first.  
 16 **Q. Well, if you spoke to Tracy, he would**  
 17 **certainly know who it was, wouldn't he?**  
 18 A. Who the student was?  
 19 **Q. Yes.**  
 20 A. Of course.  
 21 **Q. Okay. All right. So did you make a**  
 22 **decision not to talk to the parents?**  
 23 A. I don't recall if it was his request to  
 24 me not to talk to the parents, and I -- usually in  
 25 something like this -- I mean, it -- I usually leave

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1 it up to an administrator. I may ask, Do you want me  
 2 to talk to Karl? Do you want me to talk to Mom? Do  
 3 you want me to sit in like when they come back to  
 4 school if they had a reentry, I don't know. I mean,  
 5 Do you want me to sit in on that? You know, that is  
 6 something I would usually ask. And if the  
 7 administrator says, No, no, that's all right and -- I  
 8 will be like, Okay. Unless I think I really need to  
 9 be there for some reason.  
 10 **Q. Well, there's a difference between**  
 11 **attending a meeting and making a call, isn't there?**  
 12 MS. POWERS: Objection as to form.  
 13 A. Yeah.  
 14 **Q. (BY MR. EVERALL) Okay. Are you saying**  
 15 **that you don't make your own independent decisions in**  
 16 **these situations?**  
 17 A. Well, yes, I do.  
 18 **Q. Okay. So you decided not to call Karl?**  
 19 A. Yes.  
 20 **Q. All right. Did you ask Mr. Kolasa if you**  
 21 **could see Karl's contact log -- conduct log, I think**  
 22 **it is called, or behavioral -- and/or behavioral logs?**  
 23 A. If I remember right, I did not, because  
 24 honestly at the time, I don't even know -- I didn't  
 25 even know that the students had those. I thought it

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1 was just the counselors that did contact logs. And  
 2 the administrators could look at those, but I didn't  
 3 know -- it didn't even occur to me if I remember right  
 4 because I didn't have access to them.  
 5 **Q. And you also said that when you entered**  
 6 **the information into your police report, that if Karl**  
 7 **had been in an earlier encounter with the police, the**  
 8 **Arapahoe police, that it would have shown up; is that**  
 9 **correct?**  
 10 A. Correct.  
 11 **Q. You have no memory one way or the other**  
 12 **that at this point whether something showed up; is**  
 13 **that correct?**  
 14 A. Correct.  
 15 **Q. And if it had, wouldn't it have --**  
 16 **wouldn't you have entered it on this report?**  
 17 A. No.  
 18 **Q. No. Is it possible at this late date to**  
 19 **find out if there is anything?**  
 20 A. Honestly, I don't know what they've done  
 21 with Karl's records on our system, but we don't --  
 22 unless there is a specific reason connecting that  
 23 student to another case that the cases were similar, I  
 24 could connect the reports. But the investigator would  
 25 look and say, Okay, there's like five contacts on this

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1 kid, why is there five contacts? And look and see  
 2 why. And when I put his information in, I don't  
 3 recall if there was -- if there was a lot of contacts  
 4 like domestic violence or something, I would have  
 5 probably been like, Oh. You know, I would have  
 6 remembered that if it stuck out in my head.  
 7 **Q. All my question is at that point, Mr.**  
 8 **Englert -- is it Deputy Englert or Mr. Englert, which**  
 9 **do you --**  
 10 A. It's James.  
 11 **Q. Okay. James. Do you know if it would be**  
 12 **possible at this late date --**  
 13 A. I don't know.  
 14 **Q. -- to find out if there is anything or**  
 15 **was anything at the time on the sheriff's records?**  
 16 A. I don't know.  
 17 **Q. Okay. You also stated that you recall**  
 18 **Kevin saying he didn't think it was a big deal, the**  
 19 **threat; is that what you said earlier?**  
 20 A. Well, yes, that's what I remembered from  
 21 after I was shown this from my report that was taken  
 22 on December.  
 23 **Q. Do you think it's possible that what --**  
 24 **you misunderstood, and he said it wasn't a big deal if**  
 25 **it took you a little while to get back to him?**

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1 MR. ROCHE: Object to form. Lack of  
 2 foundation. Calls for speculation.  
 3 **Q. (BY MR. EVERALL) Go ahead and answer the**  
 4 **question.**  
 5 A. Get back to him about what?  
 6 **Q. Well, whatever you learned.**  
 7 A. I was documenting what was said in the  
 8 parking lot.  
 9 **Q. Well, you talked to Mr. -- you first**  
 10 **talked to Mr. Kolasa, correct?**  
 11 A. Yes.  
 12 **Q. And then you went and talked to Loptien,**  
 13 **Murphy, and Meredith, although you don't recall which**  
 14 **order, correct?**  
 15 A. Correct.  
 16 **Q. Did you talk to anybody else?**  
 17 A. Specifically about this?  
 18 **Q. About your investigation.**  
 19 A. I'm going to say no, but I don't remember  
 20 who I spoke to that day.  
 21 **Q. Well, I'm not limiting you to that day.**  
 22 **I would like to know if you talked to anybody else in**  
 23 **conjunction with your investigation which resulted in**  
 24 **this report?**  
 25 A. I don't recall if I did.

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1 **Q. Okay. If you had, would you have entered**  
 2 **that in your report?**  
 3 A. Not if the person's involvement was so  
 4 minor that . . .  
 5 **Q. Okay. All right. So did you go back and**  
 6 **talk to Mr. Kolasa about your report?**  
 7 A. I don't recall if I did.  
 8 **Q. Would that have been a typical thing to**  
 9 **do?**  
 10 A. If there was new information learned.  
 11 **Q. So basically what you learned in your**  
 12 **investigation was what Mr. Kolasa told you?**  
 13 A. From the best of my recollection.  
 14 **Q. Okay. Now, this report has on it,**  
 15 **"Reviewed by Sergeant Pacheco" at the end, the last**  
 16 **entry, does it not?**  
 17 A. Yes.  
 18 **Q. Did you review the report with Sergeant**  
 19 **Pacheco?**  
 20 A. No. When I typed the report in -- well,  
 21 no, the answer is no.  
 22 **Q. So Sergeant Pacheco did the review on his**  
 23 **own?**  
 24 A. Yes. I type it in, and it's in that  
 25 report writer that he checks it. And this is actually

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1 like another report that prints out. It's all one  
 2 report, but that's on another like section of the  
 3 report.  
 4 **Q. You've lost me.**  
 5 A. I know. But he checks it over without me  
 6 looking at it, and if I miss something like a big  
 7 typo, then he would say, Hey, fix this, You know, fix  
 8 whatever, and he would check it and make sure that it  
 9 is good and I didn't miss anything.  
 10 **Q. But you don't -- are you quite confident**  
 11 **that you had no subsequent discussions with Sergeant**  
 12 **Pacheco about your report?**  
 13 A. I spoke to him about it.  
 14 **Q. When?**  
 15 A. I don't recall the exact date.  
 16 **Q. Would it have been shortly after you**  
 17 **prepared the report?**  
 18 A. Yes.  
 19 **Q. Okay. What was the substance of that**  
 20 **discussion?**  
 21 A. That if it was a crime or not.  
 22 **Q. Well, flesh that out, if you would.**  
 23 A. The comment that was made was not made  
 24 directly to -- sorry, to Tracy, and Loptien had  
 25 overheard it. It was like an indirect threat.

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1 **Q. Well, are you saying then that it's not a**  
 2 **crime for somebody to make an indirect threat?**  
 3 A. No.  
 4 **Q. What are you saying?**  
 5 A. Well -- or, sorry. You can't make -- if  
 6 I said -- if I tell you that I'm going to kill  
 7 somebody, well, that person is not directly  
 8 threatened. It's a -- I mean, it's not a crime if I  
 9 -- you know, you make a comment to somebody like a  
 10 third party that, I'm going to kill this person. But  
 11 if you tell that person, I'm going to kill you, then  
 12 it's a threat. They feel harassed. It's the victim.  
 13 They're not the victim. Someone can't be a victim  
 14 through somebody else.  
 15 **Q. And this was the sum and substance of**  
 16 **your discussion with Sergeant Pacheco?**  
 17 A. If I recall correctly.  
 18 **Q. Did you have an understanding of what was**  
 19 **and was not a crime with regard to a threat like this**  
 20 **before you talked to Sergeant Pacheco?**  
 21 A. Yes.  
 22 **Q. And it was the same?**  
 23 A. Yes.  
 24 **Q. Okay. So he just confirmed your**  
 25 **understanding, correct?**

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1 A. I wasn't asking his approval. I was  
 2 talking to him about it. This is what happened, and I  
 3 wrote his information in the report.  
 4 **Q. Well, did the two of you decide that**  
 5 **there was nothing more that could be done?**  
 6 A. Yes.  
 7 **Q. And did you convey that conclusion to**  
 8 **anyone?**  
 9 A. I may have said that to Kevin,  
 10 Mr. Kolasa, and Mr. Murphy. I may have said that. I  
 11 don't recall exactly saying that.  
 12 **Q. So you don't recall if you ever told**  
 13 **Mr. Murphy that Karl's comment was not a criminal act?**  
 14 A. Well, yes, I did say that.  
 15 **Q. When did you tell him that?**  
 16 A. I think when we had that conversation in  
 17 the library.  
 18 **Q. And that was before you filled out your**  
 19 **report?**  
 20 A. I don't remember the exact -- I'm  
 21 assuming it was because I was in the middle of doing  
 22 my investigation. I'm assuming it was before that.  
 23 **Q. If there had been a victim of Karl's**  
 24 **comments, it would have been Mr. Murphy, correct?**  
 25 A. Correct.

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1 **Q. And normally he would be the complainant**  
 2 **that would start, if you will --**  
 3 A. Right.  
 4 **Q. -- a prosecution, correct?**  
 5 A. Correct.  
 6 **Q. Okay. But you would have had the**  
 7 **authority to request -- as a police officer, you would**  
 8 **have had the authority to request that a prosecution**  
 9 **be commenced, correct?**  
 10 MS. POWERS: Object as to form.  
 11 A. I would write up the charges, and then it  
 12 would go to an investigator. And then they would  
 13 write up charges on the person because juveniles -- if  
 14 I remember right, Karl was a juvenile at the time, if  
 15 I remember right.  
 16 **Q. (BY MR. EVERALL) Let's assume he wasn't.**  
 17 A. Well, then I could write him a ticket for  
 18 harassment if he's an adult.  
 19 **Q. And a juvenile, by definition, is someone**  
 20 **under 18; is that correct?**  
 21 A. Correct.  
 22 **Q. Did you make an effort to learn when**  
 23 **Karl's birthday was?**  
 24 A. Well, I don't exactly recall when it was.  
 25 It's not on here.

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1 **Q. Did you report back to Mr. Kolasa after**  
 2 **your investigation and the conclusion not to prosecute**  
 3 **Karl?**  
 4 A. I don't recall reporting back to him. I  
 5 may have passed him in the hallway and we may have  
 6 just briefly talked about it.  
 7 **Q. Did you realize at this time, and by that**  
 8 **I mean that week in which the threat occurs and your**  
 9 **report is, I guess, finished on the 5th of September;**  
 10 **is that correct?**  
 11 A. Correct.  
 12 **Q. You know, we started about this, but did**  
 13 **we ever establish when you actually submitted your**  
 14 **report? Is there anything on here that would tell us**  
 15 **that?**  
 16 A. I'm assuming it was the 5th. I thought  
 17 there was a date that showed when it was completed,  
 18 but I don't -- and, I'm sorry, I thought there was a  
 19 date on here, and I'm assuming it was the 5th.  
 20 **Q. I've not been able to find it.**  
 21 A. Or soon after that.  
 22 **Q. Okay.**  
 23 A. Yeah.  
 24 **Q. All right. So did you learn that there**  
 25 **would be a threat assessment?**



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1 A. No.  
 2 **Q. You never heard about that at all?**  
 3 A. No.  
 4 **Q. You knew that Karl came back to school**  
 5 **the next Monday, correct?**  
 6 A. Correct.  
 7 **Q. And I think it's been established that**  
 8 **you knew that he was going to be out for the remainder**  
 9 **of that week, correct?**  
 10 A. Correct.  
 11 **Q. But not officially suspended?**  
 12 A. Correct.  
 13 **Q. You knew that?**  
 14 A. Correct.  
 15 **Q. Okay. Do you recall any discussion --**  
 16 **well, strike that.**  
 17 **I understand that there are weekly or**  
 18 **were that semester, weekly campus, it's called,**  
 19 **security meetings?**  
 20 A. Yes.  
 21 **Q. And did you attend those?**  
 22 A. I did.  
 23 **Q. And when did they occur weekly?**  
 24 A. Usually Monday afternoons at like 1:00.  
 25 12:30, 1 o'clock.

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1 **Q. Did you attend those regularly?**  
 2 A. I did.  
 3 **Q. Do you recall if you missed any that**  
 4 **semester of 2013?**  
 5 A. I don't recall.  
 6 **Q. Would there be a way of -- if you missed**  
 7 **-- if you missed any, about how many would they be,**  
 8 **any way to tell?**  
 9 A. It would be one if I missed any. I was  
 10 at school most of the time. I don't know if we --  
 11 they kept a log of who showed up. It was usually just  
 12 three or four people.  
 13 **Q. Well, who were the formal attendees at**  
 14 **the campus security meetings?**  
 15 A. Darrell, me, Rod, Christina, and Cameron.  
 16 **Q. Do you recall any discussions about Karl**  
 17 **Pierson at any of these campus supervisor security --**  
 18 **campus security meetings that semester?**  
 19 A. Yes.  
 20 **Q. Tell us about them. First of all, if you**  
 21 **can pinpoint or at least establish about when they**  
 22 **occurred, and if there were more than one, let's do**  
 23 **them chronologically, if you can.**  
 24 A. I'd have to look at a calendar, and I  
 25 don't know the exact dates. There were -- I have a

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1 logbook or I have a calendar book that I keep -- you  
 2 know, if Darrell mentions a name, I might write the  
 3 name down in there. There were two Mondays in  
 4 September that Karl's name was brought up. I just  
 5 remember it wasn't -- it wasn't the 9th. It was like  
 6 the following week and two weeks past that.  
 7 **Q. Why do you remember it wasn't the 9th?**  
 8 A. Just because I thought it would --  
 9 looking back on it, I was thinking that it was odd  
 10 that it didn't -- you know, it was brought up, so it  
 11 meant that Darrell -- they had brought it up in the  
 12 admin meeting, but they didn't bring it up that -- the  
 13 following Monday. It was brought up like the  
 14 following Monday.  
 15 **Q. I'm trying to figure out how you would**  
 16 **know that. Have you seen documents or --**  
 17 A. Well, I have it in my -- I have it in my  
 18 little book that I kept names in, and I was looking  
 19 back, and I was like, oh, look, I had written Karl's  
 20 name down.  
 21 **Q. Did you look at this book recently?**  
 22 A. It's been a couple months.  
 23 **Q. And what tends to be in the book besides**  
 24 **just names?**  
 25 A. Mostly --

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1 **Q. I'm talking about the meetings now.**  
 2 A. Oh, just names or something specific like  
 3 a lockdown drill, maybe I'll write that in there.  
 4 Just, Hey, we did a lockdown drill on this date. But  
 5 the majority of the time, just names.  
 6 **Q. Well, anyway, to get back to this, you**  
 7 **still have that -- you still have that book, correct?**  
 8 A. Correct.  
 9 **Q. Did you take any handwritten notes of**  
 10 **your investigation?**  
 11 A. Of my investigation?  
 12 **Q. Well, the one on or about September 5 of**  
 13 **Karl Pierson?**  
 14 A. I don't recall. I would say no, because  
 15 this information, I could probably remember or I just  
 16 wrote it down on a scratch piece of paper and threw it  
 17 away if I did.  
 18 **Q. Well, then let's go to the meeting, the**  
 19 **campus security meetings. And just tell us again in**  
 20 **chronological order the two meetings you can remember**  
 21 **in September in which Karl is discussed.**  
 22 A. It wasn't the following Monday, the 9th,  
 23 it was the following Monday. And I think either the  
 24 next Monday after that or two Mondays after that that  
 25 it was brought up.

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1 **Q. Okay. And what was brought up?**  
 2 A. Just kind of Darrell brings them up, Hey,  
 3 keep an eye on this kid. And I -- yeah, I don't  
 4 remember him saying anything about why we're keeping  
 5 an eye on him. I think the following Monday was  
 6 because of the report I had written on the 3rd or the  
 7 5th and I'm assuming that's why -- he brought his name  
 8 up with another boy's name the couple Mondays later.  
 9 **Q. Okay. But you knew the reason Karl's**  
 10 **name came up the first time, correct?**  
 11 A. Correct.  
 12 **Q. And you don't remember any even basic**  
 13 **discussions about what had happened and advising the**  
 14 **campus securities people?**  
 15 A. During the meeting?  
 16 **Q. Yes.**  
 17 A. I may have briefly said what happened.  
 18 You know, we talked about the threat and things like  
 19 that in the parking lot.  
 20 **Q. Okay. And do you recall if there was any**  
 21 **decision made about what to do as a result of all of**  
 22 **this?**  
 23 A. I don't recall.  
 24 **Q. Okay. Is it likely that some sort of**  
 25 **decision was made about what to do?**

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1 A. I don't know what the decision would be.  
 2 Maybe keep an eye on him.  
 3 **Q. Well, that's interesting. I've heard**  
 4 **that several times and also on your radar and that**  
 5 **kind of stuff, right? What does that mean in**  
 6 **actuality in terms of what you or the -- and/or the**  
 7 **other campus supervisors were supposed to do?**  
 8 A. See who they're hanging out with, see  
 9 where they -- you know, are they coming across the  
 10 street at a certain time? Are they going to class?  
 11 Stuff that we can see physically like -- you know,  
 12 like I said, people who they're hanging out with. Oh,  
 13 yeah, he is hanging out with this kid, he's hanging  
 14 out with that kid. That's kind of like keeping an eye  
 15 on -- and if someone mentions his name, then it kind  
 16 of -- oh, yeah, he was hanging out with so-and-so.  
 17 **Q. Okay. And is that what you did?**  
 18 A. To the best I can remember.  
 19 **Q. Did you find -- see anything unusual,**  
 20 **hear anything unusual?**  
 21 A. Not that I can remember.  
 22 **Q. Now, this is at any time during that**  
 23 **semester.**  
 24 A. About Karl?  
 25 **Q. Yes.**

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1 A. Not that I can remember.  
 2 **Q. Did the other campus supervisor report**  
 3 **back to you? That's the wrong word. Did the other**  
 4 **campus -- three campus supervisors talk to you at any**  
 5 **time about Karl Pierson?**  
 6 A. Not that I can recall.  
 7 **Q. So you've said you never heard about this**  
 8 **gun viewing incident until after the shooting; is that**  
 9 **correct?**  
 10 A. I actually had heard about it just last  
 11 week. I didn't know anything about him looking at  
 12 guns in October.  
 13 **Q. Didn't you read Cameron Rust's posts in**  
 14 **January of 2014?**  
 15 A. I did.  
 16 **Q. You didn't see that?**  
 17 A. I saw that. Do you think I believe what  
 18 he is writing on the posts?  
 19 **Q. Actually, I'm supposed to ask you whether**  
 20 **you believe what he is writing on the posts. Did you?**  
 21 A. No.  
 22 **Q. Okay. So they didn't talk to you about**  
 23 **it?**  
 24 A. No.  
 25 **Q. Describe your relationship, if any --**

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1 **let's start with Christina Kolk.**  
 2 A. I mean, she's a good friend -- or she was  
 3 a good friend of mine. We -- you know, whatever the  
 4 length that -- I've been working at the school six  
 5 years, you know. You know, we talked all the time,  
 6 and, you know, the same with Cameron, it was the three  
 7 of us. You know, she was all -- she was good at  
 8 getting information from kids. And you could say, Who  
 9 is the kid with the red hat? She would be like, Oh,  
 10 that's so-and-so. So she was good at that stuff and  
 11 like looking for kids. And I would be like, Hey, keep  
 12 your eye on so-and-so, you know, supposedly he's got  
 13 drugs. And she would find out -- you know, like she  
 14 was good at that.  
 15 Cameron was new that semester. I mean,  
 16 we got along. You know, we talked a little bit kind  
 17 of like what I can do in the school, what the campus  
 18 super -- or what the administrators can do. Yeah, I  
 19 mean, we worked together. If they saw information, we  
 20 saw information, and I would try to share information  
 21 with them, and they would share information with me.  
 22 It wasn't always perfect. We wouldn't always share  
 23 all the time. It was like, you know, What did you  
 24 see? What do you have?  
 25 **Q. And neither one of them ever shared this**

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1 **gun viewing information with you?**  
 2 A. No.  
 3 **Q. Do you find that surprising?**  
 4 A. Yeah.  
 5 **Q. Did you think after you had done your**  
 6 **investigation that Mr. Murphy was overreacting?**  
 7 A. I'd say no.  
 8 **Q. Okay. And you thought -- did you think**  
 9 **it was or was not a big deal?**  
 10 A. Karl's comments?  
 11 **Q. Yes.**  
 12 A. Yeah, I thought it was a big deal.  
 13 **Q. And so you conducted yourself**  
 14 **accordingly; is that correct?**  
 15 A. Correct.  
 16 **Q. Did you ask -- specifically ask that**  
 17 **Mr. Kolasa keep you apprised of any of the**  
 18 **developments --**  
 19 A. If I --  
 20 **Q. -- concerning Karl?**  
 21 A. Sorry. If I remember correctly, I did.  
 22 **Q. Okay. All right. And then the report**  
 23 **said -- concludes here -- it says, "I told Mr. Murphy**  
 24 **if anything happens in the future with Karl to let me**  
 25 **know," correct?**

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1 A. Correct.  
 2 **Q. Okay. And I think you testified that**  
 3 **your one and only conversation with Mr. Murphy was in**  
 4 **conjunction with this report?**  
 5 A. I had talked to Mr. Murphy -- or I've  
 6 talked to him in the hall and --  
 7 **Q. This is prior to the shooting?**  
 8 A. Right. I talked to him in the hall, and  
 9 I had talked to Mr. Murphy previous, maybe six months,  
 10 a year earlier, in the library about locking down and  
 11 just safety issues around the building or around the  
 12 library, because I've had several conversations with  
 13 him about safety things in the library.  
 14 **Q. But nothing about Karl?**  
 15 A. Just -- okay. Just after the comments  
 16 that were made, that's the only conversation that we  
 17 had about Karl.  
 18 **Q. So it would seem obvious that Mr. Murphy**  
 19 **didn't get back to you about this boundary testing**  
 20 **incident on September 10 when Karl showed up at the**  
 21 **speech and debate meeting?**  
 22 A. Correct.  
 23 **Q. And he didn't get back to you when Karl**  
 24 **walked by him in the hallway without acknowledging**  
 25 **him?**

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1 A. Correct.  
 2 **Q. Even though you asked him to talk to you**  
 3 **just several days before, correct?**  
 4 A. Correct.  
 5 **Q. Boundary testing, that's something that**  
 6 **kids do a lot, isn't it?**  
 7 A. Yes.  
 8 **Q. James, am I correct that the shooting was**  
 9 **really a stunner to you when it turned out to be Karl?**  
 10 A. A shooting in a high school is a stunner  
 11 to me.  
 12 **Q. Okay. I think that's all I have. Are**  
 13 **you -- I'll just -- well, I have another question.**  
 14 **Are you aware that there's a sequestration order**  
 15 **that's been entered in this matter for witnesses?**  
 16 A. I've heard that.  
 17 MR. ROCHE: I told you to forget about  
 18 it.  
 19 A. Yes, I'm aware of it.  
 20 **Q. (BY MR. EVERALL) Okay. So I don't have**  
 21 **to go any further?**  
 22 A. Who are all the witnesses?  
 23 MR. ROCHE: That's a fair question,  
 24 because without you knowing that --  
 25 MS. POWERS: We don't have the details of

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1 the sequestration order. We just were told there was  
 2 one.  
 3 MR. ROCHE: Why don't we walk through in  
 4 broad strokes who we know them to be. I think we can  
 5 go off the record.  
 6 (Discussion off the record.)  
 7 **Q. (BY MR. EVERALL) You testified earlier,**  
 8 **James, that -- I think the words were information was**  
 9 **being kept from you as the SRO, you thought that to be**  
 10 **the case. Do you remember that?**  
 11 A. Yes.  
 12 **Q. Okay. Do you think that Mr. Kolasa was**  
 13 **intentionally keeping information from you about Karl**  
 14 **Pierson?**  
 15 MR. ROCHE: Object to form. Calls for  
 16 speculation.  
 17 MR. EVERALL: Your questions have been  
 18 speculative, Mr. Roche.  
 19 **Q. (BY MR. EVERALL) Go ahead.**  
 20 A. I don't think the intent was there.  
 21 **Q. Do you think that Mr. Meredith was**  
 22 **intentionally keeping information from you about Karl**  
 23 **Pierson?**  
 24 MR. ROCHE: Same objection.  
 25 A. No.

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1 Q. (BY MR. EVERALL) And why do you have  
2 those thoughts about first Mr. Kolasa?

3 A. I don't think he intentionally didn't  
4 tell me information. I just think he just didn't  
5 think of telling me that information or just didn't.  
6 You know, I don't -- I don't think he's intentionally  
7 trying to not tell me that information.

8 Q. Especially once a kid is on the radar,  
9 correct?

10 A. Right. Have you ever worked in a high  
11 school?

12 Q. Well, yes, but it doesn't really -- it's  
13 not really relevant. Go ahead.

14 A. It kind of is to your question. There is  
15 a lot of information that is told between people, and  
16 if we spent time on every single person that -- Hey,  
17 tell me every little information you have on this kid,  
18 my brain would be fried because all day I would be  
19 typing information or taking information about a kid.  
20 And it's -- you know, you try to narrow it down to the  
21 important things like, Hey, this is what I have. So,  
22 like I said, I don't think he intentionally did. I  
23 mean, I would say Darrell probably told me more  
24 information just because I talked to Darrell all the  
25 time and Kevin not so much just because he's not in

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I, JAMES ENGLERT, do hereby certify that  
I have read the above and foregoing deposition and  
that the same is a true and accurate transcription of  
my testimony, except for attached amendments, if any.

Amendments attached ( ) Yes ( ) No

\_\_\_\_\_  
JAMES ENGLERT

The signature above of JAMES ENGLERT was  
subscribed and sworn to before me in the county of \_\_\_\_\_,  
state of \_\_\_\_\_,  
this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary public  
My Commission expires:

Michael Davis, et al., 7/1/15 (am)

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1 charge of safety and security.

2 Q. Do you have a good working relationship  
3 with Darrell?

4 A. Yeah.

5 Q. And he was in charge of safety and  
6 security in Arapahoe for as long as you were there up  
7 to this past year; is that correct?

8 A. Correct.

9 Q. And you worked hand in glove you think?

10 A. Yes.

11 Q. Okay. That's it.

12 MR. ROCHE: No further questions.

13 MS. POWERS: I don't have any questions.

14 WHEREUPON, the within proceedings were  
15 concluded at the approximate hour of 2:32 p.m. on the  
16 1st day of July, 2015.

17 \* \* \* \* \*

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REPORTER'S CERTIFICATE

STATE OF COLORADO )  
) ss.  
CITY AND COUNTY OF DENVER )

I, ASHLEY D. MAHE, Registered Professional  
Reporter and Notary Public, ID 20084033353, State of  
Colorado, do hereby certify that previous to the  
commencement of the examination, the said  
JAMES ENGLERT was duly sworn by me to testify to the  
truth in relation to the matters in controversy  
between the parties hereto; that the said deposition  
was taken in machine shorthand by me at the time and  
place aforesaid and was thereafter reduced to  
typewritten form; that the foregoing is a true  
transcript of the questions asked, testimony given,  
and proceedings had.

I further certify that I am not employed by,  
related to, nor counsel for any of the parties herein,  
nor otherwise interested in the outcome of this  
litigation.

IN WITNESS WHEREOF, I have affixed my  
signature this 15th day of July, 2015.

My commission expires September 24, 2016.

Reading and signing was requested.

Reading and signing was waived.

Reading and signing was not required.

REPORTER'S CERTIFICATE

STATE OF COLORADO )  
 ) ss.  
CITY AND COUNTY OF DENVER )

I, ASHLEY D. MAHE, Registered Professional Reporter and Notary Public, ID 20084033353, State of Colorado, do hereby certify that previous to the commencement of the examination, the said JAMES ENGLERT was duly sworn by me to testify to the truth in relation to the matters in controversy between the parties hereto; that the said deposition was taken in machine shorthand by me at the time and place aforesaid and was thereafter reduced to typewritten form; that the foregoing is a true transcript of the questions asked, testimony given, and proceedings had.

I further certify that I am not employed by, related to, nor counsel for any of the parties herein, nor otherwise interested in the outcome of this litigation.

IN WITNESS WHEREOF, I have affixed my signature this 15<sup>th</sup> day of July, 2015.

My commission expires September 24, 2016.

Reading and signing was requested.

Reading and signing was waived.

Reading and signing was not required.



Ashley D. Mahe  
Registered Professional Reporter

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