

1 JAG NO: 2015-0665A

2 DEPOSITION OF: KEVIN KOLASA - October 14, 2015

3
4 IN RE THE ARBITRATION OF:
5 MICHAEL and DESIREE DAVIS,
6 Claimants,
7 and
8 LITTLETON PUBLIC SCHOOL DISTRICT,
9 Respondent.

10

11

12 PURSUANT TO NOTICE, the deposition of
13 KEVIN KOLASA was taken on behalf of the Claimants at
14 950 17th Street, Suite 2400, Denver, Colorado 80202,
15 on October 14, 2015, at 9:06 a.m., before
16 Ashley D. Mahe, Registered Professional Reporter and
17 Notary Public within Colorado.

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A P P E A R A N C E S

For the Claimants:
 MICHAEL J. ROCHE, ESQ.
 Lathrop & Gage, LLP
 950 17th Street
 Suite 2400
 Denver, Colorado 80202

For the Respondent:
 STEVE EVERALL, ESQ.
 Semple, Farrington & Everall, P.C.
 1120 Lincoln Street
 Suite 1308
 Denver, Colorado 80203

Also Present:
 Michael Davis
 Desiree Davis
 Carol Lembke
 Lois McClure
 Sarah Goodrum
 William Woodward
 Brian Ewert
 Michael Jones
 Linda Kanan

3

I N D E X

EXAMINATION OF KEVIN KOLASA: PAGE
 October 14, 2015

By Mr. Roche 4

DEPOSITION EXHIBITS: (Previously marked) INITIAL REFERENCE

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1 WHEREUPON, the following proceedings were
 2 taken pursuant to the Colorado Rules of Civil
 3 Procedure.
 4 * * * * *
 5 KEVIN KOLASA,
 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, Mr. Kolasa. Thank you for
 11 coming in. You and I have met before, but just for
 12 the record, my name is Mike Roche. And I am
 13 representing Mike and Desiree Davis, Claire Davis'
 14 parents, in connection with the arbitration that we're
 15 all here to participate in today.
 16 A. Okay.
 17 Q. As I'm sure you know, the arbitration is
 18 not about collecting damages or anything like that. I
 19 do want to talk to you about what the arbitration is
 20 about, and just as importantly, what it's not about.
 21 What this arbitration is about -- it's got two
 22 components, essentially, a backward looking piece, and
 23 a forward looking piece.
 24 The backward looking piece is trying to
 25 figure out what circumstances and events led up to the

5

1 shooting on December 13, 2013, at Arapahoe High
 2 School. The forward looking piece is about figuring
 3 out what lessons can be learned from that tragedy to
 4 help prevent it from happening anywhere else in the
 5 future.
 6 A. Okay.
 7 Q. What the arbitration is not about is, as
 8 I said, collecting damages or recovering any money.
 9 That's not what we're here to do today. It's not
 10 about saying, This person was negligent, this shooting
 11 is this person's fault. That's not what we're here to
 12 do. It's going to be a difficult day, I'm sure you
 13 know that. But I want you to understand that the
 14 questions that I'm asking you are done with those two
 15 purposes in mind and no other.
 16 A. Okay. I understand.
 17 Q. A few rules of the road for a deposition,
 18 because I'm going to guess that you have not had the
 19 experience of being deposed before, correct?
 20 A. I haven't.
 21 Q. All right. First, this is not an
 22 endurance test. So if you want to take a break, just
 23 tell me and we will. Okay?
 24 A. Okay.
 25 Q. Second, Ashley, who you just met, is our

6

1 court reporter. She is going to take down everything
 2 that I say and everything that you say, everything
 3 that Mr. Everall says or anybody else in the room,
 4 frankly. With that in mind, it's important not to
 5 talk over one another. All right?
 6 A. Sure.
 7 Q. And because Ashley is taking everything
 8 down, it's important for your responses to be verbal,
 9 not head shakes or uh-huhs or huh-uhs. Those can be
 10 confusing down the road when this transcript is
 11 prepared. Do you understand that?
 12 A. I do understand that.
 13 Q. All right. Why don't we -- oh, before we
 14 do that. Do you have any questions of me about the
 15 process before we get going?
 16 A. No, I feel like I understand.
 17 Q. Okay. Very good. Why don't you tell me
 18 a little bit about your background in education.
 19 A. Sure. I got a master's degree in
 20 administration from UNC. I also have a bachelor's in
 21 elementary education, as well as special education,
 22 and that was from St. Joe's University in
 23 Philadelphia. I moved out here and taught three years
 24 in different settings, one was a mental health
 25 setting, and the other two was a private school I was

7

1 at. And then I went to Goddard and taught there for
 2 three years as a special ed teacher. So altogether, I
 3 have six years as a special ed, regular ed teacher.
 4 And then after that, I was a dean at Arapahoe for a
 5 year, and then I went to D'Evelyn Junior/Senior High
 6 School in Jeffco. I was assistant principal there for
 7 three years. And then --
 8 Q. Slow down for just a second.
 9 A. Sorry.
 10 Q. D'Evelyn was in Jeffco?
 11 A. Yes.
 12 Q. That was in middle school?
 13 A. It was a junior/senior high school, so
 14 7th through 12th grade.
 15 Q. Okay.
 16 A. And then I went back to Arapahoe for
 17 three years, and now for the last two years, I've been
 18 at Euclid Middle School.
 19 Q. So give me, if you would, the years that
 20 you were at Arapahoe this last time.
 21 A. Sure. So it was -- I started at 2011
 22 through 2013.
 23 Q. Did you finish out the '13-'14 school
 24 year at Arapahoe?
 25 A. The '13-'14?

8

1 Q. Yes.
 2 A. Yes, I did.
 3 Q. Now, you mentioned that you did some time
 4 prior to your time at Goddard Middle School in a
 5 mental health setting?
 6 A. Uh-huh.
 7 Q. Tell me about what you were doing and
 8 where that was.
 9 A. Sure, so that was a --
 10 MR. EVERALL: Kevin, you have to say yes.
 11 Q. (BY MR. ROCHE) Right. Rather than
 12 uh-huh.
 13 A. Okay. Yes, I did. It was in Centennial
 14 Peaks Hospital. It was a school within the hospital
 15 setting itself that students were mostly behavioral
 16 students that had issues with -- you know, there was
 17 bipolar, autistic students. There was a lot that we
 18 saw there that we had. But it was a school within
 19 that, and at the end of the day, the kids could go
 20 home. But I worked in a special ed classroom. I had
 21 approximately, like, I don't know, it was -- there was
 22 a lot of fluctuation with those students, but
 23 typically about nine students, different age ranges.
 24 Q. And those students were not
 25 institutionalized? I mean, they went home at night?

9

1 A. Correct. Yeah.

2 **Q. Do you recall, were any of the students**

3 **at Centennial Peaks, while you were there, referred to**

4 **that educational setting or facility as the product of**

5 **a threat assessment by their prior school?**

6 A. I didn't have a lot of connections to the

7 hospital itself with their program, so I didn't see

8 students go from a regular public school setting to

9 being in the residential treatment center. We would

10 have some kids that would come to us from that, but I

11 don't know about those students that went to the

12 residential.

13 **Q. Okay. And I guess what I'm trying to get**

14 **at is, did the kids who wound up in the Centennial**

15 **Peaks facility that you were teaching at, did they get**

16 **there as a result of a threat assessment or how did**

17 **they get there?**

18 A. There could have been a couple students

19 that did that from the -- the older students. Younger

20 students that I had were -- it was primarily that the

21 public schools could not provide the support needed

22 for those students. So they needed a different

23 environment, a smaller environment, that we could work

24 with them on their special education needs.

25 **Q. Okay. So how would a public school refer**

10

1 **a student to the Centennial Peaks facility?**

2 A. You know, I'm not -- I can't -- I don't

3 feel like I could speak confidently about how that

4 process went from the public school to Centennial.

5 **Q. And when did you leave the Centennial**

6 **Peaks program?**

7 A. That was 2002.

8 **Q. And is that program still in operation,**

9 **if you know?**

10 A. I don't know, because that was in

11 Louisville.

12 **Q. That was up in Louisville?**

13 A. Uh-huh. Yeah.

14 **Q. Is there a similar program in south metro**

15 **Denver?**

16 A. South metro Denver?

17 **Q. Arapahoe County, LPS, or Cherry Creek**

18 **School District?**

19 A. I'm trying to think of -- I guess, Shiloh

20 House. I could be wrong, though.

21 **Q. All right.**

22 A. But there's a similar program that I know

23 students would go to. The Tennyson Center also is, I

24 know, a similar program. I can't speak to each of

25 them and draw comparisons, but when I was working at

11

1 Centennial, I would hear of those programs.

2 **Q. Can you tell me in broad strokes what the**

3 **criteria were for the referral of a student from, for**

4 **instance, Goddard Middle School or Arapahoe High**

5 **School to a program like the Tennyson Center or**

6 **Centennial Peaks or Shiloh House?**

7 A. I don't know. I never went through that

8 process with a student.

9 **Q. But that was -- those were facilities or**

10 **programs that were available to public school**

11 **districts where they could refer students who had**

12 **become -- who posed behavioral challenges that were**

13 **beyond the capacity of the public school districts to**

14 **manage; is that right?**

15 A. Correct. And there was also the piece of

16 -- all of those students that I worked with in my

17 program had IEP's that supported them.

18 **Q. All right. Do you know during your, I**

19 **guess, total of six years at Arapahoe, three as a**

20 **dean --**

21 A. Just one as a dean.

22 **Q. Oh, just one as a dean?**

23 A. Yeah. Three as assistant principal.

24 **Q. So during your four years at Arapahoe,**

25 **are you aware of any students that Arapahoe sent to a**

12

1 **program like Centennial Peaks?**

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

3 **Q. You mentioned you were a dean at**

4 **Arapahoe, what school year was that?**

5 A. I'm sorry, I'm terrible with years. I'm

6 not a hundred percent sure. I think it was 2007.

7 **Q. All right. And what -- when you said you**

8 **were a dean, a dean of what?**

9 A. It didn't have an additional title to it,

10 but I could speak to some of my responsibilities as a

11 dean.

12 **Q. That would be great, thanks.**

13 A. As a dean, I split the discipline with

14 Darrell Meredith for the freshman class. I was also

15 the activities director for the building, so I worked

16 with clubs like student council, different groups like

17 that. And then I also did, you know, evaluation of

18 teachers. I supervised games and activities as well.

19 **Q. All right.**

20 A. So I was pretty much the same role as

21 assistant principal, I was just classified as a dean

22 and got paid as a teacher.

23 **Q. All right. Were you teaching any classes**

24 **in your capacity as dean?**

25 A. No, I wasn't.

13

1 **Q. All right. And you mentioned that you**
 2 **also spent some time as an assistant principal at**
 3 **D'Evelyn, that's a middle school?**
 4 A. It's 7th through 12th grade.
 5 **Q. I'm sorry, 7th through 12th, you're**
 6 **right.**
 7 A. Yes.
 8 **Q. And that was in Jeffco system?**
 9 A. Uh-huh. Yes.
 10 **Q. And after Jeffco, you went to Arapahoe**
 11 **and you were there for three years?**
 12 A. Correct.
 13 **Q. And after the 2013-2014 school year, you**
 14 **moved to Euclid Middle School; is that right?**
 15 A. Yes.
 16 **Q. During your time at -- well, at any time**
 17 **prior to September of 2013, had you received any**
 18 **formal training on how to perform a threat assessment?**
 19 A. Yes, I did. On 2000 -- school year
 20 2011-2012, when I first came to Arapahoe as an
 21 assistant principal.
 22 **Q. And who provided that training to you?**
 23 A. That was Nate Thompson.
 24 **Q. Where did that training occur?**
 25 A. It was at the Ames building.

14

1 **Q. All right. Who else was at that**
 2 **training?**
 3 A. I'm not -- I don't remember who else was
 4 in -- with me for the training.
 5 **Q. All right. How long of a training**
 6 **program was it?**
 7 A. I believe it was like two hours.
 8 **Q. All right. And do you recall what time**
 9 **of year that training occurred?**
 10 A. I think it was around April in the
 11 spring.
 12 **Q. All right. And you're aware, I'm sure,**
 13 **that as part of this arbitration, I have received a**
 14 **list of people who participated in the Littleton**
 15 **Public School danger assessment training, right?**
 16 A. Correct.
 17 **Q. And your name is not on that list for**
 18 **either the 2011 or 2012 training sessions, is it?**
 19 A. That's correct.
 20 **Q. And you're also aware that I have seen**
 21 **the handwritten sign-in sheets for those training**
 22 **sessions, right?**
 23 A. Correct. Yeah.
 24 **Q. And your name doesn't appear on those**
 25 **sign-in sheets either, does it?**

15

1 A. It doesn't.
 2 **Q. Can you explain to me why your name**
 3 **doesn't appear on either the typewritten list of**
 4 **attendees for that training program or the handwritten**
 5 **sign-in sheets for that program?**
 6 A. Yes. I went into that training, and they
 7 just had a piece of paper out on the table. I didn't
 8 sign in, thinking that it wasn't mandatory training
 9 that I had to go to. It was also that I felt I didn't
 10 need for credits or anything at that point, so I
 11 didn't sign in to a lot of the trainings that first
 12 year that I attended.
 13 **Q. All right. Had you received any training**
 14 **on how to perform a threat assessment prior to the**
 15 **training session that you're just describing?**
 16 A. I believe I was trained in Jefferson
 17 County to do the threat assessment because I had a
 18 threat assessment that I had to do on a student at
 19 D'Evelyn.
 20 **Q. All right. And who provided that**
 21 **training to you?**
 22 A. I don't recall.
 23 **Q. And was that training at Jeffco provided**
 24 **to you in the ordinary course of being a -- in your**
 25 **role at Jeffco, or was that provided to you**

16

1 **specifically because you were being asked to perform a**
 2 **threat assessment on a student at D'Evelyn?**
 3 A. It was specific to that situation.
 4 **Q. Tell me what that training involved.**
 5 A. So I don't recall much of the training,
 6 but it was -- and I even forget who I spoke to about
 7 it, but they went over what it looks like in Jeffco,
 8 what forms need to be filled out, who should
 9 participate in the meeting, and just kind of gave me
 10 an overall this is the -- and what the process is.
 11 **Q. All right. So you mentioned that you had**
 12 **performed a threat assessment on a student at**
 13 **D'Evelyn, right?**
 14 A. Correct.
 15 **Q. And my understanding is that you also**
 16 **participated in one other threat assessment at**
 17 **Arapahoe High School prior to the threat assessment**
 18 **that you participated in with respect to Karl Pierson,**
 19 **correct?**
 20 A. That's correct.
 21 **Q. Are those the only two threat assessments**
 22 **you had done in your career prior to the one you did**
 23 **on Karl Pierson?**
 24 A. Yes.
 25 **Q. You will see there's a couple of books in**

17

1 front of you. In this one is -- if you'll look at
 2 tab 4, Exhibit 4, you'll see this is a spring 2011
 3 training presentation --
 4 A. Okay.
 5 Q. -- on Threat Assessment Best Practices
 6 and Procedures, correct?
 7 A. Yes.
 8 Q. To the best of your recollection, is this
 9 the presentation that you attended with Nate Thompson?
 10 A. No, this is not.
 11 Q. Okay. Well, let me back up then a little
 12 bit. You said you attended the danger assessment
 13 training in what year?
 14 A. It was -- for Littleton, it was a
 15 2011-2012 school year.
 16 Q. So the training would have been in the
 17 spring of 2012?
 18 A. Correct.
 19 Q. Okay. We'll come back to that. Well,
 20 tell me, if you would, how you go about performing a
 21 threat assessment.
 22 A. Sure.
 23 Q. What steps do you take or did you take --
 24 and, again, I'm talking about -- right now I'm talking
 25 about the time period prior to December of 2013.

18

1 A. Okay. So would you like me to be
 2 specific to the -- to doing the threat assessment on
 3 Karl Pierson, or do you want a general, how I would do
 4 a threat assessment?
 5 Q. Well, for right now, what I'd like to
 6 know is obviously there have been questions raised
 7 about the adequacy of the threat assessment that was
 8 performed on Karl Pierson, you know that, right?
 9 A. Yes.
 10 Q. What I want to know is what steps you
 11 took -- well, strike that.
 12 What I want to know is what you knew and
 13 how you went about that process in broad strokes, and
 14 then we'll follow up with what you did in Karl
 15 Pierson's case.
 16 A. Sure. So the first thing I always want
 17 to do with a threat assessment is to collect as much
 18 data and information as possible to the specifics of
 19 whatever the threat was. Who heard it, you know,
 20 witness statements, what was shared, what was seen,
 21 what was, you know, observed at that time. And then
 22 to talk to whoever it is, if it was the student or the
 23 parent, depends on the situation, if it happens right
 24 at school and you have the student there, you know, to
 25 talk about the next steps. So it's hard to say in

19

1 such a general sense what you would do with the
 2 student, because if the student was in school, there's
 3 a lot of different steps that you would take if this
 4 happened, a threat directly to a teacher at the time
 5 during that school day. But you would communicate
 6 with parents. You would organize a threat assessment
 7 meeting. In a threat assessment, you would make sure
 8 that there was time enough that you could have
 9 collected other data of the evidence, other than the
 10 investigation of the threat itself, but rather the
 11 discipline records, attendance, grades, to see if
 12 there's any other things that need to be looked at and
 13 considered for the threat assessment itself.
 14 And then you would work in conjunction
 15 with any people necessary. Like I always, of course,
 16 include the principal, so that that person knows
 17 what's going on. You always have a school
 18 psychologist that you would contact as well, because
 19 they're the person that is going to help you put
 20 together the threat assessment and to see other people
 21 -- who else is needed for part of the threat
 22 assessment team.
 23 Q. Okay. Any other steps you take? I've
 24 got four listed so far.
 25 A. No, I believe that's it going into the

20

1 threat assessment itself.
 2 Q. Okay. My understanding -- I mean, just
 3 walking through the list that you just walked through,
 4 it seems consistent with that. But my understanding
 5 is that it was not a standard practice of yours to go
 6 around and talk to the teachers of the student who was
 7 the subject of the threat assessment as part of that
 8 process?
 9 A. Depends on what the threat was.
 10 Q. All right. Well, under what
 11 circumstances would you take it upon yourself to speak
 12 to all of the teachers of a student who was the
 13 subject of a threat assessment?
 14 A. So if the threat was general in the sense
 15 that it was more encompassing of the school and the
 16 building itself -- for example, if a student said that
 17 he was going to blow up the building, that would be
 18 something I would like to talk to the teachers to see
 19 if there was anything else going on with the student
 20 in their classes.
 21 Q. All right. Did you -- strike that.
 22 In either of the two threat assessments
 23 that you had performed prior to Karl Pierson's, had
 24 you gone and spoken to the teachers of the students
 25 who were the subject of those assessments?

21	<p>1 A. To the teachers that were the subjects of</p> <p>2 those assessments?</p> <p>3 Q. To the teachers of the students who</p> <p>4 were --</p> <p>5 A. Oh, sorry.</p> <p>6 Q. -- the subject of the assessment.</p> <p>7 A. I don't recall.</p> <p>8 Q. Can you think of a threat assessment that</p> <p>9 you have been involved in at any time in your career</p> <p>10 where you took it upon yourself to speak to all of the</p> <p>11 teachers of the student who was being assessed?</p> <p>12 A. Yes. Yes, I have.</p> <p>13 Q. And was that after the shooting on</p> <p>14 December 13?</p> <p>15 A. Yes.</p> <p>16 Q. Was -- how many of the threat assessments</p> <p>17 that you have done since that time involved or</p> <p>18 included your talking to all of the teachers of the</p> <p>19 student who was the subject of the assessment?</p> <p>20 A. One of the two threat assessments I've</p> <p>21 done.</p> <p>22 Q. So you've done two since the shooting,</p> <p>23 correct?</p> <p>24 A. Correct.</p> <p>25 Q. Two before, then Karl, and two since?</p>	23	<p>1 threat assessment that I did in Jeffco, I can't speak</p> <p>2 to -- I don't recall the action plans that came after</p> <p>3 that.</p> <p>4 Q. All right.</p> <p>5 A. The one that I did prior to Karl, that</p> <p>6 student was no longer at Arapahoe after that threat</p> <p>7 assessment. And then the other two, the one that we</p> <p>8 did after Karl's, there were follow-ups from the</p> <p>9 counselors, not from myself directly. And then the</p> <p>10 last one that I did last year at Euclid, that was</p> <p>11 done, and I did meet up with the student regularly.</p> <p>12 Q. And when you say "regularly," what do you</p> <p>13 mean? Weekly, monthly?</p> <p>14 A. Probably biweekly for official come and</p> <p>15 sit down, but it was more informal, you know. But I</p> <p>16 also had informal meetings, I'm sorry, is what I'm</p> <p>17 saying, in addition to that with talking to the</p> <p>18 student at recess and things like that.</p> <p>19 Q. Okay. And did you find that process</p> <p>20 helpful?</p> <p>21 A. I did.</p> <p>22 Q. Is that kid doing okay?</p> <p>23 A. Very well.</p> <p>24 Q. Good.</p> <p>25 (At this time Mr. Davis left the room.)</p>
22	<p>1 A. Yes.</p> <p>2 Q. And in one of the two since you actually</p> <p>3 spoke to all of the teachers?</p> <p>4 A. Correct.</p> <p>5 Q. And did you find that helpful?</p> <p>6 A. In that case, no, it wasn't helpful. It</p> <p>7 was helpful talking to that teacher that had had</p> <p>8 initial concerns, but no other teacher brought up</p> <p>9 concerns regarding that student.</p> <p>10 Q. Okay. In the five threat assessments</p> <p>11 that you have performed in your career -- strike that.</p> <p>12 I want to -- I will tell you, nothing I'm</p> <p>13 doing here today is meant to trick you or trap you</p> <p>14 into anything. It's not in the paper or anything like</p> <p>15 that, but I do want to probe what you do and what you</p> <p>16 don't do as part of a threat assessment.</p> <p>17 A. Sure.</p> <p>18 Q. So I'm asking this question because I</p> <p>19 truly do not know the answer to it. In any of the</p> <p>20 five threat assessments that you've performed in your</p> <p>21 career, have you ever built a follow-up plan that</p> <p>22 involved regular meetings between yourself and the</p> <p>23 student of concern or the parents of the student of</p> <p>24 concern?</p> <p>25 A. I can't for the first assess -- the first</p>	24	<p>1 Q. Will you take a look at Exhibit 5, and</p> <p>2 tell me if that's a training document that you're</p> <p>3 familiar with.</p> <p>4 A. Am I on the right one?</p> <p>5 Q. That's the right one, yes. It's from the</p> <p>6 School Safety Resource Center in Colorado.</p> <p>7 A. Yes, I've seen it before.</p> <p>8 Q. And you can see this is dated July of</p> <p>9 2013?</p> <p>10 A. Uh-huh.</p> <p>11 Q. Can you tell me, were you trained using</p> <p>12 this document in the summer or fall of 2013?</p> <p>13 A. I don't fully recall.</p> <p>14 Q. Do you recall whether or not you had seen</p> <p>15 this document prior to the shooting at Arapahoe High</p> <p>16 School?</p> <p>17 A. If I -- I don't recall when was the first</p> <p>18 time I saw this document.</p> <p>19 Q. If you'll see down in the lower right</p> <p>20 corner, there are some numbers that start with LPS?</p> <p>21 A. Okay.</p> <p>22 Q. Will you go to page 3429. Have you got</p> <p>23 that there?</p> <p>24 A. Yes.</p> <p>25 Q. All right. I want to direct your</p>

25

1 attention to the middle of the page that discusses,
 2 "The Six Principles of Threat Assessment." Do you see
 3 that?
 4 A. I do.
 5 Q. Do you recall, in the training that you
 6 received in the 2011-2012 school year, were you
 7 trained on those six principles?
 8 A. I'm not 100 percent sure if that was part
 9 of the training then. I would assume so.
 10 Q. And I will tell you the reason I ask that
 11 is in the slide decks that I have seen from LPS that
 12 were produced in this arbitration, none of the danger
 13 assessment training programs included a slide on those
 14 six core principles of threat assessment. So my
 15 question is, do you have an independent recollection
 16 of being trained on those six principles?
 17 A. I do not.
 18 Q. And do you agree -- in particular, I want
 19 to direct your attention to the third principle, that
 20 it is important to keep an investigative, skeptical,
 21 inquisitive mindset in performing threat assessments.
 22 Do you see that?
 23 A. I do.
 24 Q. Do you agree with that?
 25 A. I do.

26

1 Q. And were you trained on that principle
 2 prior to the shooting in December of 2013?
 3 A. I believe so, yes.
 4 Q. Okay. On this same page, there's a
 5 description of the basic threat assessment inquiry
 6 steps that are part of an effective threat assessment,
 7 right?
 8 A. Correct.
 9 Q. And the school safety resource center
 10 lists eight different steps, does it not?
 11 A. It does.
 12 Q. Was it your practice to use all eight of
 13 these steps in performing the threat assessments that
 14 you performed? And, again, we're talking about prior
 15 to December of 2013.
 16 A. I can't recall all of the steps I took in
 17 the first threat assessment I did, but overall, these
 18 are the threat assessment steps that I do follow, and
 19 they are very similar to the form that the district
 20 has for the threat assessment form itself.
 21 Q. Okay. And one of these steps, I'm
 22 looking at No. 7, emphasizes the importance of
 23 documenting the threat assessment and keeping records
 24 for the information vortex, right?
 25 A. Uh-huh. Yes.

27

1 Q. Why was that important in your mind or
 2 was it?
 3 A. Well, I think it's always important to
 4 document, especially regarding a threat assessment,
 5 because then you can use that information and work
 6 with the students on -- you know, first of all, to
 7 follow the action plan that was stated, but then it's
 8 good to have that in your records in case you see --
 9 you know, hopefully you see progress in the student
 10 improving. Let's say the student moves on to another
 11 grade the next year to have that documented to help
 12 support the student that following year, if you're
 13 seeing issues come up again.
 14 Q. And, conversely, it's equally important
 15 to see if a student's performance or behavior is
 16 declining, right?
 17 A. Correct.
 18 Q. That would be another reason it's
 19 important to document the threat assessment and keep
 20 the records of that assessment in an information
 21 vortex?
 22 A. Right.
 23 Q. What was the information vortex at
 24 Arapahoe High School in December of 2013 or the fall
 25 of 2013?

28

1 A. I don't know what -- I'm sorry, I'm not
 2 familiar with the term "vortex."
 3 Q. Okay. Well, who was the clearinghouse of
 4 information on students who were the subject of a
 5 threat assessment in the fall of 2013?
 6 A. That would be Esther Song. In terms of
 7 who -- I'm sorry. Could I --
 8 Q. Yes, go ahead.
 9 A. Do you mean who formally housed it,
 10 because it would always be the assistant principal
 11 too, whoever participated -- the administrator,
 12 whoever participated in the threat assessment, would
 13 also have that threat assessment form in their
 14 records.
 15 Q. All right. Who were students and staff
 16 members instructed to go to if they had concerns about
 17 a student who had been a subject of a threat
 18 assessment?
 19 A. They would go to the counselor. They
 20 would go to a school psychologist. They would come to
 21 an administrator.
 22 Q. You mentioned just a minute ago that an
 23 important part of the follow-up to a threat assessment
 24 was to essentially track either the progress or
 25 decline of the student who had been the subject of the

29

1 assessment, right?

2 A. Correct.

3 Q. And one way to do that would be to make

4 sure that everybody who has contact with the student

5 who had been the subject of the assessment knew to

6 come to one person so all of that information could be

7 gathered and known by one of the members of the threat

8 assessment team, right?

9 A. Well, it could be one person, but I

10 believe it could be three people as well if they could

11 come to and share that information and those three

12 would talk together.

13 Q. Right. But it was important for at least

14 one and preferably all members of the threat

15 assessment team to know everything there was to know

16 about the student who had been assessed, right?

17 A. Correct.

18 Q. And my question was, how did the people

19 at Arapahoe High School know in the fall of 2013 to

20 bring that information or any concerns they had about

21 the progress or decline of a student to you or to

22 Esther Song or to anybody in particular?

23 A. Because those teachers would consistently

24 bring issues with students or incidents that they had

25 with students to us. So they might not know that

30

1 there was a threat assessment attached to that

2 student, but they would let us know if there were

3 things going on with that student and they had

4 concerns about.

5 Q. All right. Well, let's take a look at

6 Exhibit 11. That's in that same book. Now,

7 Exhibit 11 is some written answers to questions that

8 I've sent over to Littleton Public Schools. Do you

9 see that?

10 A. I do.

11 Q. And my understanding from these is that

12 you were one of the people who helped answer these

13 questions, correct?

14 A. Correct.

15 Q. And do you recall that one of the

16 questions that I asked in these written questions was

17 for LPS to identify each LPS or Arapahoe

18 administrator, faculty member, or employee who

19 expressed a concern about Karl Pierson's behavioral

20 emotional state, psychological well-being, mental

21 health or personality prior to December 13, 2013, and

22 to describe the nature of the concern, when and how it

23 was expressed, and what the response was?

24 A. Yes.

25 Q. Okay. And that is, in fact, one of the

31

1 questions that you helped answer, right?

2 A. Correct.

3 Q. All right. And the very first incident

4 that is described is a November 2011 incident that

5 occurred in Jackie Price's class, right?

6 A. Yes.

7 Q. Or after class in Jackie Price's

8 classroom, right?

9 A. Correct.

10 Q. And if I remember correctly, that was an

11 incident where he told a student to go cut herself or

12 gut herself?

13 A. Yes.

14 Q. And that was an incident that Ms. Price

15 did bring to the counseling office, right, that was

16 Kelly Talen?

17 A. Yes.

18 Q. Can you tell me, have you had any

19 discussions with Ms. Talen about that incident?

20 A. Yes. I spoke with her when I suspended

21 Karl for No. 2 on your list. I spoke with her

22 regarding that and talked to her about the situation.

23 I can't -- I don't recall exactly when it was, but it

24 was, I believe, shortly after March 15.

25 Q. All right. Do you recall what Ms. Talen

32

1 told you about that incident?

2 A. I do not.

3 Q. Did you go back and speak to Ms. Talen

4 about that incident as part of your investigation in

5 the fall of 2013 --

6 A. Yes.

7 Q. -- during that threat assessment process?

8 A. No, I'm sorry. I went back and talked to

9 her on March -- around March 15, because I didn't know

10 about that situation, and I saw it in the contact log.

11 So I met with her to discuss that situation and what

12 happened.

13 Q. Understood. And my question is, did you

14 meet with her again in the fall of 2013 about that

15 incident during the threat assessment process?

16 A. No. She was on maternity leave.

17 Q. All right. And you can look as well at

18 Exhibit 19, which is in this book. You can leave that

19 one open, because we're going to probably bounce back

20 and forth between them.

21 A. I'm sorry, what section did you say?

22 Q. Exhibit 19 in the second book. And if

23 you look on the page that's got the No. ACSO 198, it's

24 just the next page. First, do you recognize

25 Exhibit 19 as an Arapahoe High School or Littleton

33

1 **Public Schools contact log?**
 2 A. Yes.
 3 **Q. And what is a contact log?**
 4 A. A contact log is an area in Infinite
 5 Campus in which counselors, school psychologists, or
 6 administrators could put in notes regarding
 7 conversations with students or phone calls with
 8 parents.
 9 **Q. And what types of contacts go into this**
 10 **contact log?**
 11 A. It could be a multitude of things.
 12 Administrators use it differently than counselors.
 13 Counselors sometimes put in when they meet with
 14 students about changing classes. Sometimes it's, you
 15 know, more serious stuff that they're talking with a
 16 student regarding a threat assessment. So there's a
 17 large scope spectrum to it.
 18 **Q. All right. You will see in the**
 19 **discussion or description of the incident in Jackie**
 20 **Price's classroom that there is a reference that Karl**
 21 **shared that he has always been someone's bitch and**
 22 **that other kids were and are mean to him, right?**
 23 A. I see that.
 24 **Q. And he goes on to say, Why wouldn't I**
 25 **make him my bitch, after what has been done to me,**

34

1 **right?**
 2 A. Yes.
 3 **Q. And did that lead you to conclude that**
 4 **Karl was a student who perceived that he had been**
 5 **bullied and persecuted?**
 6 A. No, that didn't make me believe that he
 7 was bullied and persecuted. It made --
 8 **Q. But that wasn't my question. Sorry to**
 9 **interrupt. My question was, did that make you -- did**
 10 **that lead you to conclude that he perceived that he**
 11 **had been bullied and persecuted?**
 12 A. After reading that, that didn't make me
 13 -- I mean, it -- yes, it could be perceived as that,
 14 but in more from my discussion with him, because I --
 15 you know, I didn't have any dialogue with Karl
 16 regarding that. So it's hard to tell.
 17 **Q. So if I understand correctly, reading**
 18 **Kelly Talen's entry that Karl shared that he had**
 19 **always been someone's bitch and that the other kids**
 20 **were and are mean to him, did not lead you to conclude**
 21 **that Karl, at least, perceived that he had been**
 22 **persecuted and bullied; is that right?**
 23 A. If I were to judge just on reading that,
 24 then, yes, you could say it's true.
 25 **Q. And, again, I'm genuinely not trying to**

35

1 **trap you.**
 2 A. Right.
 3 **Q. You know that one of the questions on the**
 4 **threat assessment that you conducted on Karl Pierson**
 5 **asks the question, Does the student feel persecuted,**
 6 **bullied, right?**
 7 A. Yes.
 8 **Q. And you know that box was not checked,**
 9 **right?**
 10 A. I don't off the top of my head, no.
 11 **Q. Well, you can look at it, but I will tell**
 12 **you that that box was not checked.**
 13 A. Okay.
 14 **Q. And one of the questions that naturally**
 15 **arises because that box wasn't checked is why wasn't**
 16 **it checked in light of these statements by Karl**
 17 **Pierson in 2011?**
 18 A. Okay.
 19 **Q. Can you answer that?**
 20 A. Well, I could answer it based on my
 21 conversation that I had with Karl in March the 15th
 22 when he said similar verbiage about him feeling like
 23 he's been bullied, and I asked him questions on, Okay,
 24 well, how does that look? What has happened? Give me
 25 information. When did it start, things like that, and

36

1 he wasn't able to answer any of my questions.
 2 **Q. So he couldn't give you any examples of**
 3 **having been bullied, right?**
 4 A. Correct.
 5 **Q. Well, I do want to get to that, and we**
 6 **will. Let's go back to the 2011 incident. Did you**
 7 **ask Kelly Talen what follow-up she did with Karl**
 8 **and/or his parents following the November 2011**
 9 **incident?**
 10 A. I don't recall my -- exactly what I said
 11 in that conversation with Kelly Talen.
 12 **Q. Do you recall anything about what she**
 13 **told you?**
 14 A. No, I don't.
 15 **Q. All right. And the next incident that**
 16 **you're referring to is described in Exhibit 11 here.**
 17 **It's the second numbered item in the written discovery**
 18 **responses, correct?**
 19 A. Correct.
 20 **Q. And that was an incident that led to Karl**
 21 **being suspended for a day?**
 22 A. Yes, it was.
 23 **Q. All right. That incident isn't described**
 24 **in the contact log that you see in Exhibit 19, is it?**
 25 A. No, it's not.

37

1 **Q. Do you know why not?**
 2 A. Because it should have been entered in
 3 the behavior log.
 4 **Q. And we have that as well, and that's**
 5 **Exhibit 24, so just a few down in that book. And**
 6 **you'll see that Karl Pierson's suspension in March of**
 7 **2013 is not listed in his behavioral detail report, is**
 8 **it?**
 9 A. It's not.
 10 **Q. Whose job was it to input the information**
 11 **about that suspension into Karl Pierson's behavioral**
 12 **detail log?**
 13 A. That was my responsibility.
 14 **Q. And why didn't that happen?**
 15 A. I just forgot. I didn't do it. The
 16 suspension paperwork did go home to the parents.
 17 **Q. Right. And that we also have. So let's**
 18 **look at that. That's Exhibit 32. Is that the**
 19 **suspension paperwork that you're referring to?**
 20 A. It's a portion of it, yes.
 21 **Q. Okay. Well, flip through. There's**
 22 **multiple pages there.**
 23 A. Okay. Yes. That's it, yes.
 24 **Q. Okay. Who made the decision to suspend**
 25 **Karl for the incident in Dan Swomley's class?**

38

1 A. I did.
 2 **Q. And as I understand that incident, what**
 3 **happened is Mr. Swomley asked the students if they**
 4 **wanted their grades read out aloud on a test that he**
 5 **had been given, right?**
 6 A. Or do they want to have them told to them
 7 in private, yes.
 8 **Q. And Karl Pierson opted to have it**
 9 **announced publicly, and he wasn't happy with his**
 10 **grade, right?**
 11 A. Correct.
 12 **Q. And some students either snickered or**
 13 **laughed or commented on it and he yelled fuck, and**
 14 **told them to fuck off, right?**
 15 A. No. What happened was he wasn't happy
 16 with his grade, so he said fuck. And then the
 17 students giggled, and he said fuck off or something
 18 along those lines.
 19 **Q. All right. And for that kind of**
 20 **outburst, you made the decision that Karl should be**
 21 **suspended, correct?**
 22 A. Correct.
 23 **Q. And you were also the one that made the**
 24 **decision to not suspend Karl for threatening to kill**
 25 **Tracy Murphy; is that right?**

39

1 A. Correct. That decision wasn't done in
 2 isolation, though.
 3 **Q. Who did you consult with whether or not**
 4 **to suspend Karl Pierson for his threat to kill Tracy**
 5 **Murphy?**
 6 A. Natalie Pramenko.
 7 **Q. And did she agree with that?**
 8 A. Yes.
 9 **Q. When did you have that conversation with**
 10 **Natalie?**
 11 A. I don't recall if it was following that
 12 conversation -- I believe it was following the
 13 conversation that I had with Mrs. Pierson on the 4th,
 14 September 4th, when she verified that Karl did, in
 15 fact, say that.
 16 **Q. All right.**
 17 A. But that -- can I add to that, please?
 18 **Q. Sure.**
 19 A. That decision wasn't made right then that
 20 it would be a suspension or not that I -- that we both
 21 agreed that we would -- that I would hold the threat
 22 assessment and see if anything else came out of it to
 23 see if there needed to be a suspension.
 24 **Q. All right. Now, with respect to the**
 25 **incident on March 15 of 2013, in Mr. Swomley's class,**

40

1 **Karl filled out a student statement, correct?**
 2 A. Yes.
 3 **Q. And it's a couple pages back in Exhibit**
 4 **24. And did you receive a copy of this?**
 5 A. Yes.
 6 **Q. All right. And in this statement that**
 7 **Karl Pierson wrote out, he mentioned that "My peers**
 8 **have often pushed me, and while I have put it away,**
 9 **one outburst for a decade of hell is unfair."**
 10 (At this time Mr. Davis entered the
 11 room.)
 12 A. Correct.
 13 **Q. Did that concern you that you had a**
 14 **student at Arapahoe High School who had the perception**
 15 **that he experienced a decade of hell of his peers**
 16 **pushing him?**
 17 A. It did concern me, yes.
 18 **Q. And what did you do to follow up on that**
 19 **comment by Karl Pierson?**
 20 A. Well, I spoke with Karl for a long time
 21 regarding it, you know, asking him a lot of questions
 22 to see if he could provide any more insight to it,
 23 which he was pretty much closed off, didn't share a
 24 lot. And then I spoke to his parents without Karl in
 25 the room regarding that statement that he made.

41

1 **Q. All right. And what did you learn from**
 2 **-- it sounds like you didn't learn much from Karl**
 3 **about that statement, right?**
 4 A. Correct.
 5 **Q. And then you spoke with his parents**
 6 **without Karl in the room, correct?**
 7 A. Yes.
 8 **Q. And what did you learn from them about**
 9 **the fact that their son had just expressed that his**
 10 **peers had put him through a decade of hell?**
 11 A. I don't recall what they shared with me
 12 from, you know, their feedback, but then I did talk to
 13 them about perhaps Karl needs to see an outside
 14 counselor or get outside services.
 15 **Q. All right. Did you document or take**
 16 **notes of the conversations you had with either Kelly**
 17 **Talen about this incident or with Karl Pierson or with**
 18 **his parents?**
 19 A. I don't believe I did, no. I did take
 20 some notes on the threat assessment itself -- not the
 21 threat assessment, sorry. The student statement
 22 itself, but I don't recall if I took notes on a
 23 separate pad or anything regarding that meeting.
 24 **Q. Help me understand which of the notes in**
 25 **Exhibit 32 -- or, oh, I'm sorry, exhibit -- yeah,**

42

1 **Exhibit 32 are yours.**
 2 **(At this time Mr. Davis and Ms. Davis**
 3 **left the room.)**
 4 A. In dark, "All of the teachers are out to
 5 fucking get me, they are idiots, deserve" -- I think I
 6 had, They deserve it.
 7 **Q. All right. That's your handwriting?**
 8 A. Yes.
 9 **Q. All right. I take it, then, that was**
 10 **another statement that you heard Karl Pierson express?**
 11 A. That is correct.
 12 **(At this time Ms. Davis entered the**
 13 **room.)**
 14 **Q. Would that qualify in your mind,**
 15 **statements like enduring a decade of hell and all of**
 16 **the teachers being out to fucking get him, as feelings**
 17 **of being persecuted or bullied by Karl Pierson?**
 18 A. I don't know about bullied, because when
 19 I asked him about that, he wasn't able to share much.
 20 But he did feel that he was persecuted by some of the
 21 teachers and that they would grade him unfairly on his
 22 papers, that there was one or two teachers that he was
 23 talking about regarding that.
 24 **Q. Okay. Did you -- what did you do to**
 25 **follow up on or investigate Karl Pierson's concern**

43

1 **that all the teachers were out to fucking get him?**
 2 A. Well, I spoke to a counselor regarding
 3 the situation. Again, I don't recall if I talked to
 4 anyone else. I know I talked with Darrell Meredith as
 5 well regarding this.
 6 **Q. What did Darrell tell you?**
 7 A. I don't recall everything that he told me
 8 when we spoke about the suspension. I do remember
 9 talking about The Ides of March with him.
 10 **Q. Right. Karl signed this student**
 11 **statement, The Ides of March?**
 12 A. Yes.
 13 **Q. And that struck you as odd?**
 14 A. It did.
 15 **Q. And you mentioned that to Darrell**
 16 **Meredith. Did you do any questioning of Karl about**
 17 **why he signed this document The Ides of March?**
 18 A. I did.
 19 **Q. And what was his explanation?**
 20 A. His explanation was it was -- it took
 21 more of a, I can't believe you don't know. You don't
 22 know? It's March 15, The Ides of March. And I'm
 23 like, I know the date and I know -- but why would you
 24 put that on a student statement form, Karl, that's not
 25 appropriate. He said, I'm just putting the date, it's

44

1 The Ides of March.
 2 **Q. So kind of an arrogant attitude?**
 3 A. Correct.
 4 **Q. Did that concern you?**
 5 A. Yes, it did.
 6 **Q. Did you discuss that with Karl Pierson's**
 7 **parents?**
 8 A. I did.
 9 **Q. What was their response?**
 10 A. I don't recall exactly what they said
 11 regarding that.
 12 **Q. Okay. We started down that line asking**
 13 **what follow-up you did with respect to Karl's**
 14 **statement and perception that all of the teachers are**
 15 **out to fucking get me, right?**
 16 A. Uh-huh.
 17 **Q. Did you talk to any of his teachers about**
 18 **that statement?**
 19 A. Yeah, I don't recall -- because it broke
 20 -- I think it broke down to one or two teachers that
 21 he was concerned about, and I don't remember if it was
 22 one from the previous year or one from this year or
 23 that current year. I don't remember if I did talk to
 24 that teacher if it was from that year.
 25 **Q. All right. Now, in Exhibit 11 down**

45

1 towards the bottom -- and you've mentioned this in
 2 your testimony. You say that you suggested to Karl's
 3 parents that he undergo some anger management therapy,
 4 right?
 5 A. Yeah. Yes.
 6 Q. I don't see that suggestion anywhere in
 7 the suspension form concerning that, do you?
 8 A. No, it's not in the suspension form.
 9 Q. And you don't see that suggestion
 10 anywhere in the behavioral detail report concerning
 11 Karl Pierson either, do you?
 12 A. No.
 13 Q. And I don't see anything about that
 14 suggestion to Karl Pierson's parents about getting him
 15 anger management therapy anywhere in his counseling
 16 contact log, Exhibit 19, either, do you?
 17 A. No.
 18 Q. And I haven't seen any letters or e-mails
 19 or notes that memorialize or document that suggestion
 20 that you made to Mr. and Mrs. Pierson, do you?
 21 A. No.
 22 Q. Did you, following this March 2013
 23 incident, ever reach back out to Mr. and Mrs. Pierson
 24 or to Karl to ask whether he was, in fact, following
 25 your suggestion to get anger management therapy?

46

1 A. No, I did not.
 2 Q. Why not?
 3 A. I don't know.
 4 Q. Wouldn't that have been helpful to know?
 5 A. Yes, it could have been.
 6 Q. The next incident on Exhibit 11 is on the
 7 next page, and it refers to an incident that occurred
 8 in Jeff Corson's class. Do you see that?
 9 A. I do.
 10 Q. And you're now familiar with that
 11 incident, are you not?
 12 A. I am.
 13 Q. But you were not aware of that incident
 14 at the time that you were performing your threat
 15 assessment on Karl Pierson in the fall of 2013, right?
 16 A. Correct.
 17 Q. And it shows in the written discovery
 18 responses that we're looking at that you were not
 19 advised of that incident and it was not documented,
 20 right?
 21 A. That's correct.
 22 Q. And we started down this long discussion
 23 of these various incidents because you had told me
 24 that the faculty and staff at Arapahoe High School
 25 knew to bring behavioral concerns about students to

47

1 you, the grade level assistant principal, and the
 2 school psychologist, right?
 3 A. That's correct.
 4 Q. Do you have any understanding of why it
 5 is -- and there's a number of these incidents
 6 involving Karl that were not brought to your attention
 7 in the fall of 2013, right?
 8 A. I don't -- I don't believe so, no.
 9 Q. Well, we know, for instance, that the
 10 item listed here in the third bullet point in
 11 Mr. Corson's class wasn't brought to your attention,
 12 right?
 13 A. No. 3 was not.
 14 Q. And it wasn't documented, right?
 15 A. Correct.
 16 Q. And the incident described in the fourth
 17 bullet in Ms. Crookham's class, that was brought to
 18 your attention but not documented, right?
 19 A. That's correct.
 20 Q. So my question is, given that there were
 21 certain incidents that were not brought to your
 22 attention as the grade level assistant principal, do
 23 you have any understanding of why they were not
 24 brought to your attention?
 25 A. I'm sorry, I don't understand the

48

1 question.
 2 Q. I apologize. That was actually one of
 3 the instructions that I meant to give you. There will
 4 absolutely be instances where I ask a question that
 5 doesn't make sense to you, so if that happens, as it
 6 just did, please tell me, and I'll fix the question.
 7 A. Okay.
 8 Q. The Jeff Corson incident where Karl told
 9 one of his fellow students that she was stupid for
 10 something she said in class, you weren't told about
 11 that in the fall of 2013, right?
 12 A. I was not.
 13 Q. And does the fact that there were certain
 14 incidents like that that were not brought to your
 15 attention as the grade level assistant principal
 16 responsible for Karl give you any concern about the
 17 lines of communication within the school and how
 18 behavioral issues are reported?
 19 A. No, I don't feel that way. I think --
 20 because when you look at No. 3 with a student calling
 21 another student stupid, that's a minor situation that
 22 happens in schools a lot. So that is not something
 23 that typically a teacher would bring forward to an
 24 administrator or even a counselor. They would
 25 typically handle it themselves in a classroom.

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1 **Q. Okay. But in the context of performing a**
 2 **threat assessment, isn't it important for you, as the**
 3 **grade level assistant principal, to know about what**
 4 **could be a collection of seemingly minor isolated**
 5 **incidents that if one person knows about all of them,**
 6 **might take on more significant incidents?**
 7 A. Yes, it could.
 8 **Q. And so I'll ask again, does it concern**
 9 **you that you as the grade level assistant principal**
 10 **for Karl Pierson weren't aware of all of the, even the**
 11 **minor incidents, that had occurred with him during the**
 12 **course of his high school career?**
 13 A. But I can't say that there was more than
 14 one incident similar to this one that I wasn't made
 15 aware of.
 16 **Q. Okay. Let's talk about the next**
 17 **incident, the Michelle Crookham incident. That one**
 18 **was brought to your attention in the fall of 2013?**
 19 A. It was.
 20 **Q. When was that brought to your attention?**
 21 A. I don't recall a specific date, but it
 22 was after the threat assessment.
 23 **Q. Okay. And the reason I ask that is that**
 24 **incident occurred on the same day that Karl threatened**
 25 **to kill Tracy Murphy, right?**

50

1 A. September 3, yes.
 2 **Q. Were you made aware of that incident --**
 3 **well, strike that.**
 4 **I think you just said you didn't know**
 5 **about that incident until after the threat assessment**
 6 **was performed; is that right?**
 7 A. That's correct.
 8 **Q. Were you made aware of that incident**
 9 **before the shooting?**
 10 A. Yes.
 11 **Q. And that incident involved Karl writing**
 12 **some initials on one of his test papers, right?**
 13 A. Correct.
 14 **Q. Tell me about your discussion with**
 15 **Ms. Crookham about Karl's statement or Karl's writing**
 16 **on his test paper, No pity for the majority in German,**
 17 **or the initials for those words.**
 18 A. So she told me that he had written KMFDM
 19 on one of his tests. She asked him, What was that?
 20 And he said, It's a name of a band. And something
 21 along the lines of he was trying to, you know,
 22 recommend a band to her. So Michelle Crookham brought
 23 that up to me, and she told me that she Googled it and
 24 did see that it was a German band. But I told her I
 25 would talk to Karl regarding it.

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1 **Q. When did you have that conversation with**
 2 **Karl?**
 3 A. I don't recall. It was either the day of
 4 -- that I was told or the following day.
 5 **Q. But you do know that that conversation**
 6 **with Karl was after you performed the threat**
 7 **assessment?**
 8 A. Yes.
 9 **Q. Was it before the follow-up meeting about**
 10 **whether or not he would be allowed to stay?**
 11 A. I'm not sure.
 12 **Q. Okay. Did Ms. Crookham express any**
 13 **concerns to you once she learned what KMFDM stood for?**
 14 A. I don't -- I don't recall if it was what
 15 it stood for or what he wrote. It was more along the
 16 lines of, Kevin, that -- I don't know, it's kind of
 17 weird, and it made me feel a little uncomfortable that
 18 he wrote that.
 19 **Q. And was Ms. Crookham aware of the threat**
 20 **that Karl Pierson had made against Tracy Murphy at the**
 21 **time she brought this to you?**
 22 A. I don't know.
 23 **Q. Did you talk to Karl's parents about this**
 24 **incident?**
 25 A. This, no.

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1 **Q. Did you do any investigation of this**
 2 **band?**
 3 A. I did.
 4 **Q. What kind of music -- and what did you**
 5 **learn?**
 6 A. I don't remember exactly what I learned,
 7 but I remember pulling up a band Web site and looking
 8 and seeing that it was a band. I mean, they had
 9 concert dates and things like that.
 10 **Q. Do you recall whether or not the band had**
 11 **violent themes to its music?**
 12 A. No, I don't recall that.
 13 **Q. I apologize, I want to go back to**
 14 **Exhibit 32. There is one thing I forgot to ask you**
 15 **about. That's the suspension form. On the suspension**
 16 **form, it says down on -- just above your signature,**
 17 **"During the period of out-of-school suspension, the**
 18 **above named student is not to be on the school**
 19 **grounds, in any building, or in attendance at any**
 20 **school activity of Littleton Public Schools," right?**
 21 A. That's correct.
 22 **Q. How is that communicated to the security**
 23 **team at the school so they know what to do if a**
 24 **suspended student shows up?**
 25 A. It was either a conversation or an e-mail

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1 that we sent to them and shared that information.
 2 **Q. Okay. And the reason I ask is when I**
 3 **look at the cc list on the suspension form, none of**
 4 **the student's teachers are copied and the security**
 5 **team is also not copied, correct?**
 6 A. Correct.
 7 **Q. And the counseling office is also not**
 8 **copied, correct?**
 9 A. Correct.
 10 **Q. So whose job was it to form the security**
 11 **team at Arapahoe High School that Karl was not**
 12 **permitted to be on school grounds or school activities**
 13 **during the period of the suspension reflected in**
 14 **Exhibit 32?**
 15 A. It was my responsibility.
 16 **Q. And do you recall, did you do that**
 17 **verbally or via an e-mail?**
 18 A. I don't remember. I remember talking to
 19 Darrell about the suspension, and he oversaw the
 20 security team, so I don't recall if I told him in that
 21 conversation, Please tell them, or if I sent an
 22 e-mail, because we would always send an e-mail to the
 23 counselor as well as attendance clerk so they knew the
 24 student would be out for suspension.
 25 **Q. All right. We've been going for a little**

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1 **under an hour and a half. Why don't we take five**
 2 **minutes.**
 3 (Recess taken, 10:22 a.m. to 10:38 a.m.)
 4 **Q. (BY MR. ROCHE) I'll keep plowing along.**
 5 **The next significant behavioral incident that you**
 6 **became aware of involving Karl Pierson was the threat**
 7 **that he made to kill Tracy Murphy, correct?**
 8 A. Correct.
 9 **Q. And that threat occurred on September 3,**
 10 **right?**
 11 A. Yes.
 12 **Q. And when did you become aware of it and**
 13 **how?**
 14 A. September 4 in the afternoon following a
 15 staff meeting, and Natalie Pramenko and Tracy Murphy,
 16 as well as Mark Loptien, were all talking and Natalie
 17 called me over and said I need to talk to Mark and
 18 hear the conversation because I deal with the
 19 discipline for the seniors. And then I talked to Mark
 20 and Tracy and heard everything that was going on.
 21 **Q. All right. How long was the conversation**
 22 **that you had with Natalie Pramenko on the afternoon of**
 23 **September 4?**
 24 A. At that point with them?
 25 **Q. Yes.**

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1 A. It was short.
 2 **Q. A minute or less?**
 3 A. Possibly, yeah.
 4 **Q. All right. And after the conversation**
 5 **that included Natalie Pramenko ended, did your**
 6 **conversation with Tracy Murphy and Mark Loptien**
 7 **continue?**
 8 A. Yes.
 9 **Q. And how long was that conversation?**
 10 A. I'd say a few minutes, a couple minutes.
 11 Maybe like five minutes.
 12 **Q. All right. What, as best as you can**
 13 **recall, did Mr. Loptien tell you about what he had**
 14 **observed the previous day?**
 15 A. That Karl had come out of the east
 16 entrance of the building, and he said, I'm going to
 17 kill that guy. Really loud. Mark, Mr. Loptien, heard
 18 that, and then quickly after, Karl and his mom headed
 19 to the cars and drove away.
 20 **Q. All right. Did he describe Karl**
 21 **Pierson's demeanor or what he sounded like when he**
 22 **made the threat?**
 23 A. Yeah, he sounded really upset and angry.
 24 **Q. And what about his physical demeanor?**
 25 **Was he doing anything from what Mr. Loptien told you?**

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1 A. No, I don't recall what he said about his
 2 physical demeanor.
 3 **Q. All right. And by this point, you were**
 4 **aware of at least two other incidents involving Karl**
 5 **Pierson, right? The Jackie Price incident and the Dan**
 6 **Swomley incident, right?**
 7 A. Correct.
 8 **Q. Were you aware that Karl Pierson was not**
 9 **at school that day, September 4?**
 10 A. I was not. I'm sorry, can I rephrase the
 11 answer?
 12 **Q. Yeah.**
 13 A. I wasn't until I spoke with Mrs. Pierson
 14 that afternoon.
 15 **Q. Right. But neither the school nor the**
 16 **security team or Littleton Public Schools had done**
 17 **anything to prevent Karl Pierson from coming back to**
 18 **school on September 4, right?**
 19 A. As far as I know, yes.
 20 **Q. How was Tracy Murphy's demeanor when he**
 21 **was telling you, along with Mr. Loptien, about this**
 22 **threat that Karl Pierson had made against his life?**
 23 A. It wasn't anything I noted too much from
 24 his demeanor at that time, because he had just heard
 25 it too from Mr. Loptien.

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1 **Q. Was Mr. Murphy upset?**
 2 A. I think so. I mean, I don't recall, but
 3 I believe he was upset about that, yes.
 4 **Q. Did he tell you that he was scared?**
 5 A. Not that I recall.
 6 **Q. How soon after Mark Loptien and Tracy**
 7 **Murphy told you about this threat did you call Barbara**
 8 **Pierson?**
 9 A. It was right after I heard about it that
 10 I went down and called Mrs. Pierson. So in the span
 11 of ten minutes.
 12 **Q. And how long were you on the phone with**
 13 **Barbara Pierson?**
 14 A. I don't recall. Probably around 10, 15
 15 minutes that we spoke.
 16 **Q. And as best as you can recall, what did**
 17 **you discuss? What did you say and what did she say?**
 18 A. So I remember speaking to her about the
 19 incident itself and asking her, you know, what
 20 happened, to which she shared without me saying
 21 exactly what Loptien witnessed and shared with me, she
 22 shared the same thing, Karl was upset, and said that
 23 he was going to kill that guy in reference to
 24 Mr. Murphy. She did talk to me for a while about what
 25 happened that led up to it. You know, having that --

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1 what that meeting was about with Karl and Mr. Murphy
 2 and Mrs. Pierson and what was shared in that meeting.
 3 And I told her that at this point, I don't know if
 4 Karl is going to be suspended and that we would have
 5 to have him come in for a threat assessment to make
 6 sure that he was safe to himself, as well as to
 7 others, and then I set the date with her regarding
 8 that meeting.
 9 **Q. So the date for the threat assessment was**
 10 **set on -- during that first call with Barbara Pierson?**
 11 A. I believe so, yes.
 12 **Q. And the decision to conduct a threat**
 13 **assessment was one you made, either prior to or during**
 14 **your telephone conversation with Barbara Pierson; is**
 15 **that right?**
 16 A. That's correct. I know I spoke with
 17 Natalie regarding doing a threat assessment. I'm not
 18 exactly sure if that was -- I probably spoke to her
 19 prior to the -- I think I did, yes. I believe I spoke
 20 with her prior to calling Mrs. Pierson. And then as
 21 well as after to let her know how that conversation
 22 went.
 23 **Q. All right. So if I understand correctly**
 24 **then, you've just described three different**
 25 **conversations with Natalie Pramenko, right?**

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1 A. Correct.
 2 **Q. The first one was the one-minute or so**
 3 **conversation involving you, Ms. Pramenko, Mr. Murphy,**
 4 **and Mr. Loptien, right?**
 5 A. Uh-huh. Yes.
 6 **Q. And then there was a second conversation**
 7 **that involved you, Mr. Murphy, and Mr. Loptien?**
 8 A. Yes.
 9 **Q. And then there was another conversation**
 10 **between you and Ms. Pramenko --**
 11 A. Correct.
 12 **Q. -- prior to your call with Barbara**
 13 **Pierson?**
 14 A. Correct.
 15 **Q. Tell me about that conversation.**
 16 A. I believe in that conversation Natalie
 17 and I talked about next steps, what does this look
 18 like. And that's when we decided that we would do a
 19 threat assessment.
 20 **Q. All right. Was that her idea, yours,**
 21 **joint?**
 22 A. I don't recall.
 23 **Q. At this point, had you had any**
 24 **conversations with Esther Song about this incident?**
 25 A. No, I didn't.

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1 **Q. And then the next step in these different**
 2 **communications was your call with Barbara Pierson,**
 3 **right?**
 4 A. Correct.
 5 **Q. And you confirmed that Karl had made the**
 6 **statements that he made, right?**
 7 A. Yes.
 8 **Q. You got some background on the meeting**
 9 **with Tracy Murphy?**
 10 A. Right.
 11 **Q. And you scheduled the threat assessment**
 12 **itself?**
 13 A. Uh-huh.
 14 **Q. All right. And that's also when you**
 15 **learned that Karl Pierson hadn't been to school that**
 16 **day?**
 17 A. Yes.
 18 **Q. During that conversation with Barbara**
 19 **Pierson, did you ask any questions about Karl's anger**
 20 **levels on that day?**
 21 A. On how he was doing on the following day?
 22 **Q. Yes.**
 23 A. Yes, I did.
 24 **Q. And what did she tell you?**
 25 A. She said that he was still upset about

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1 what happened about him being demoted as a captain.
 2 And then we talked about that she would be keeping him
 3 out of school for the next two days and then seeking
 4 outside assistance through a psychologist or -- I
 5 don't know if she actually said psychologist, but that
 6 they were seeking outside counseling.
 7 **Q. All right. Did you -- and I keep hearing**
 8 **you use the word "upset." One of the words that has**
 9 **been used regularly is angry. Did you discuss whether**
 10 **or not Karl was still angry?**
 11 A. I believe so, yes.
 12 **Q. Tell me what she said about Karl's anger**
 13 **levels.**
 14 A. I feel like she said that he was still
 15 angry and upset about that situation with Mr. Pierson
 16 -- with Mr. Murphy.
 17 **Q. All right. And you said she mentioned**
 18 **that she was going to be taking him to get some kind**
 19 **of mental health evaluation, right?**
 20 A. Correct.
 21 **Q. Did you ask her whether or not Karl had**
 22 **been receiving any mental health treatment prior to**
 23 **this?**
 24 A. I don't recall if I did or not.
 25 **Q. And the reason I ask that is, just a few**

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1 **months earlier, you had, according to your testimony,**
 2 **suggested as a consequence of the Dan Swomley**
 3 **incident, that she put Karl into some type of anger**
 4 **management therapy, right?**
 5 A. Right.
 6 **Q. And you testified earlier that you did**
 7 **not follow up on that in the spring of 2013, right?**
 8 A. Correct.
 9 **Q. And now here we are with another major**
 10 **incident that demonstrated that Karl Pierson was still**
 11 **very angry. Why didn't you ask, Has he been in**
 12 **therapy like I suggested five months ago, six months**
 13 **ago?**
 14 A. I didn't say I didn't ask. I don't
 15 remember if I asked or not.
 16 **Q. Okay. And did you take any notes of this**
 17 **conversation?**
 18 A. No, I did not.
 19 **Q. Well, one of the bedrock principles of**
 20 **performing a threat assessment is to document what**
 21 **you're doing so that it is available to the other**
 22 **members of the team, right?**
 23 A. Correct.
 24 **Q. Why didn't you write this stuff down so**
 25 **that the other members of the threat assessment team**

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1 **could have the benefit of what you knew was going on**
 2 **with this kid?**
 3 A. Because I shared it with them.
 4 **Q. Verbally?**
 5 A. Yes.
 6 **Q. Did you also talk to Karl's father on the**
 7 **afternoon of September 4?**
 8 A. I did not.
 9 **Q. And we know that Mr. Pierson attended the**
 10 **reentry meeting on September 9, right?**
 11 A. Yes.
 12 **Q. Did you talk to him at any point in time**
 13 **prior to that meeting?**
 14 A. Other than with the incident that
 15 happened on March 15, no.
 16 **Q. So I take it you left it to Mrs. Pierson**
 17 **to let her -- let Karl's father know about the meeting**
 18 **on the 9th?**
 19 A. Yes. She said she would invite him.
 20 **Q. Okay. After your call with Barbara**
 21 **Pierson, you said you reported back to Natalie**
 22 **Pramenko, right?**
 23 A. Yes.
 24 **Q. And what did you and Mrs. Pramenko**
 25 **discuss after that call?**

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1 A. I just shared with her the conversation
 2 that I had with Mrs. Pierson.
 3 **Q. All right. And did she have any**
 4 **instructions or advice for you about what you should**
 5 **do next?**
 6 A. I don't remember what she shared in that
 7 meeting.
 8 **Q. Okay. And you didn't write any of that**
 9 **down?**
 10 A. No.
 11 **Q. Do you know if she did?**
 12 A. I don't know.
 13 **Q. During your conversations with Natalie**
 14 **Pramenko on September 4, did she ever express any**
 15 **interest or desire to be a part of the threat**
 16 **assessment on Karl Pierson?**
 17 (At this time Mr. Davis entered the
 18 room.)
 19 A. I don't recall if she said she wanted to
 20 or -- I mean, if she wanted to, I would have had her,
 21 but I don't recall a conversation that we had
 22 regarding her participation in the meeting.
 23 **Q. After you had talked with Barbara**
 24 **Pierson, did you report back to Tracy Murphy as well?**
 25 A. I did. I believe I spoke with him the

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1 next day.

2 **Q. Let's discuss that conversation. What**

3 **did you tell him and what did he tell you that day?**

4 A. He talked to me. I asked him a lot of

5 questions about what happened in the meeting, like why

6 he decided that Karl wasn't going to be allowed as the

7 captain anymore of the speech and debate team. So

8 Tracy shared about that. And then we also talked

9 about what happened in the meeting itself.

10 **Q. All right.**

11 A. How he, you know, shared it, and I asked

12 him questions regarding, Did you know it was also

13 Karl's birthday that you had the meeting on and

14 everything, and what was Karl's reactions in the

15 meeting, what did it look like. And then --

16 **Q. And what did he say?**

17 A. He said he was -- he could tell that Karl

18 was extremely upset. But he -- he didn't say

19 anything. He was just quiet.

20 **Q. I interrupted you. Go on and tell me the**

21 **rest of that conversation you had with Tracy Murphy.**

22 A. So I also shared with Tracy the next

23 steps that we would be doing with Karl, that we would

24 be holding a threat assessment meeting on Monday, and

25 that Esther and I would be doing a threat assessment.

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1 And I described the process a little bit to him.

2 **Q. Did Tracy Murphy, in these conversations**

3 **or in this conversation, tell you that he was**

4 **concerned about Karl Pierson snapping?**

5 A. I don't recall if he said snapping.

6 **Q. Wouldn't that have stuck in your memory**

7 **if a teacher said, I'm worried about a kid snapping**

8 **and acting violently?**

9 A. Yes.

10 **Q. I can tell you that Tracy Murphy, when I**

11 **took his deposition, told me that he did inform you**

12 **that he was concerned about Karl snapping, and by**

13 **"snapping" he meant commit an act of school -- of**

14 **violence at school. Do you remember him telling you**

15 **that?**

16 A. I don't.

17 **Q. Do you recall Tracy Murphy having a**

18 **conversation with you in which he asked whether it was**

19 **an option to move Karl Pierson out of the Littleton**

20 **Public School District and back to Douglas County?**

21 A. I'm not sure if it was that meeting that

22 he shared that, but, yes, in one of our meetings he

23 did ask me whether or not we could send Karl back to

24 his home school.

25 **Q. And the reason that Tracy Murphy was**

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1 **asking you about that, and he told you this, was**

2 **because he was concerned for his safety, Tracy was?**

3 A. I don't recall everything that Tracy told

4 me in that meeting.

5 **Q. Well, do you recall Tracy Murphy telling**

6 **you he was afraid for his life at any point during the**

7 **September 2013 time period?**

8 A. I remember him saying that he was scared,

9 yeah.

10 **Q. And, in fact, it was that fear that you**

11 **understood prompted his request to explore moving Karl**

12 **back to his home school in Douglas County, right?**

13 A. Correct.

14 **Q. And you made the decision that that was**

15 **something you would not entertain?**

16 A. I don't -- I don't believe that's an

17 option for a student who has gone through a threat

18 assessment to send them -- because that would be an

19 expulsion that you would have to do. So I did not

20 think that that was an option for Karl.

21 **Q. Well, is threatening to kill a teacher an**

22 **expellable offense?**

23 A. Possibly. Depends on the situation.

24 **Q. Did you consult with anybody about**

25 **whether or not Karl Pierson should be expelled for**

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1 **threatening to kill Tracy Murphy?**

2 A. Natalie Pramenko and I talked about, if

3 there should be consequences that are tied to what he

4 said.

5 **Q. And in this case, the two of you made the**

6 **decision not to either suspend or expel him; is that**

7 **right?**

8 A. Correct.

9 **Q. Why?**

10 A. For a suspension, it was looked at and as

11 an impulsive reaction to something that, you know,

12 Karl loved. He held it together in that meeting

13 without saying anything inappropriate to Mr. Murphy,

14 and he said it, you know, in the school parking lot.

15 If it was said in the car, we would have never heard

16 anything about it. It was looked at as this is a

17 thing that, you know, Karl struggled with his anger

18 before and this is an outburst. And then when you go

19 through the threat assessment and he's apologetic --

20 Karl was apologetic for what he said, saying that it

21 was inappropriate and he should not have said it.

22 Those are some of the reasons why we decided not to

23 suspend him.

24 **Q. Well, you decided not to suspend him**

25 **before you had that meeting, right?**

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1 A. That --

2 **Q. So the fact he apologized on September 9**

3 **played no role whatsoever in the decision of whether**

4 **to suspend or expel Karl Pierson --**

5 A. No, it did.

6 **Q. -- isn't that right?**

7 A. No. Because when I heard about the

8 situation after that staff meeting, we could have

9 decided at that point what are we going to do. He's

10 not going to be here for the next few days. Do we

11 suspend or do we look more into the situation. At

12 that time, I hadn't even spoke to the student. So I

13 didn't feel like doing a -- kind of a preemptive

14 suspension was appropriate.

15 Now, at the threat assessment, that was

16 one thing that I shared with the Pierson family that

17 as we go through this, and I shared with Mrs. Pierson

18 on the phone that if information comes out, that we

19 can, in fact, suspend Karl. And it was deemed at that

20 point, primarily by myself, that he would not be

21 suspended.

22 **Q. Okay. One of the things that Tracy**

23 **Murphy asked you to do was pull the security footage**

24 **from the video camera in the parking lot on the east**

25 **side of the school, right?**

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1 A. Correct.

2 **Q. And he felt that was important, didn't**

3 **he?**

4 A. He did.

5 **Q. He asked you and others multiple times to**

6 **review that footage, correct?**

7 A. Correct.

8 **Q. Did you ever review that footage?**

9 A. I did not.

10 **Q. Did you make any effort whatsoever to**

11 **pull that security video?**

12 A. I did not.

13 **Q. Why not?**

14 A. Because it was already -- when Tracy

15 talked to me, it was a good two weeks after the

16 incident. Typically with the security, they wipe

17 those videos after a week or two. I felt too that

18 there was no -- because of the -- there was no audio

19 in the videos, that it was not helpful. And we had an

20 eyewitness statement from Mark Loptien who witnessed

21 the whole thing, I didn't feel like the video would

22 give us any more information than we already had.

23 **Q. And you know that Tracy Murphy was very**

24 **concerned that you were not taking the threat made by**

25 **Karl Pierson as seriously as it deserved to be taken?**

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1 A. I know now that he felt that way.

2 **Q. Did he ever express that to you in the**

3 **fall of 2013?**

4 A. No, I don't believe so. Mr. Murphy

5 actually thanked me for how I handled the situation

6 following the meeting we had in September. I believe

7 it was September 26.

8 **Q. Okay. And that was specific to the**

9 **decision to essentially take the heat for the decision**

10 **to remove him from the debate team altogether and have**

11 **Tracy override that decision to let him stay on the**

12 **team, right?**

13 A. I'm confused how you worded that

14 question, sir.

15 **Q. Well, strike it, and we'll come back to**

16 **that because that's the September 26 meeting. After**

17 **your conversations with Barbara Pierson, Natalie**

18 **Pramenko, and Tracy Murphy about this threat and your**

19 **plan to conduct a threat assessment meeting, what did**

20 **you do next?**

21 A. Can you repeat the question?

22 **Q. Sure. Well, we know you heard about the**

23 **threat from Tracy Murphy and Mark Loptien, right?**

24 A. Right.

25 **Q. Talked about it with Natalie?**

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1 A. Uh-huh.

2 **Q. And then you called Mrs. Pierson, right?**

3 A. Right.

4 **Q. And then you reported back to Natalie,**

5 **right?**

6 A. Yeah.

7 **Q. What was the next step --**

8 A. Sure.

9 **Q. -- you took in this threat assessment**

10 **process?**

11 A. So the next step I took was that

12 following day I spoke with Esther Song and talked to

13 her about what happened with the situation with Karl,

14 and I gave her all of the information that -- of my

15 conversation with Mrs. Pierson, my conversation with

16 Tracy, and we talked about next steps for the threat

17 assessment and what that would look like on Monday.

18 **Q. All right. So this is all on November 5,**

19 **right?**

20 A. September 5.

21 **Q. Okay. During your discussion with Esther**

22 **Song about what the next steps would look like, what**

23 **were those next steps?**

24 A. So the next steps was we would look at

25 pulling all of -- well, I shared with Esther a lot of

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1 the discipline, you know, especially the last
 2 situation of what happened in Mr. Swomley's class. So
 3 I discussed that with her. And then I forget if we
 4 talked more about the contact log or what she was
 5 going to do, but I know she provided for me the threat
 6 assessment paperwork.
 7 **Q. So the blank form?**
 8 A. Correct.
 9 **Q. Okay.**
 10 A. And then after that, you know, I went and
 11 did some research on the intranet about threat
 12 assessments that Nate's offices provided.
 13 **Q. All right. When you say you went to the**
 14 **intranet to do some research on threat assessments,**
 15 **what were you looking at?**
 16 A. So I was looking at what documentation is
 17 needed for it, any questions that they have that they
 18 recommend. I was just trying to get a better
 19 understanding or a better grasp of what does a threat
 20 assessment look like.
 21 **Q. And that's because you only had done two**
 22 **previously, right?**
 23 A. Correct.
 24 **Q. Now, from your answer, it wasn't clear to**
 25 **me who was responsible for pulling and reviewing**

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1 **Karl's behavioral detail report? Can you tell me who**
 2 **did that?**
 3 A. I don't remember if that's -- I mean, I
 4 know I talked about -- for the behavior report, I know
 5 I talked about his behavior that was in campus.
 6 **Q. And I understand that, but my question**
 7 **is, as part of the threat assessment process, who was**
 8 **responsible for pulling Karl Pierson's behavioral**
 9 **detail report and reviewing it? Was that you or**
 10 **Esther?**
 11 A. I don't know who was responsible for
 12 that.
 13 **Q. Well, did you pull Karl Pierson's**
 14 **behavioral detail report as part of preparing for this**
 15 **threat assessment and reentry meeting?**
 16 A. I looked at it, yes. I wouldn't say I
 17 pulled it.
 18 **Q. Okay. But you looked at it online?**
 19 A. Correct.
 20 **Q. Okay. Do you know whether or not Esther**
 21 **did that?**
 22 A. I don't know. I can't speak to that.
 23 **Q. When you looked at Karl's behavior detail**
 24 **report in the fall of 2013, did you notice that the**
 25 **Dan Swomley incident from six months prior wasn't**

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1 **there?**
 2 A. Yes.
 3 **Q. And I take it you didn't do anything to**
 4 **correct that oversight on your part?**
 5 A. Correct. Actually, can I go back?
 6 **Q. Sure.**
 7 A. I don't remember -- I don't remember
 8 seeing it and thinking, Wow, I didn't put that in. I
 9 know that happened -- I know that definitely happened
 10 after, but I don't recall exactly when that was.
 11 **Q. Okay. When you reviewed Karl Pierson's**
 12 **behavior detail report as part of your preparation for**
 13 **the threat assessment process, do you recall taking**
 14 **note of some incidents that happened in elementary**
 15 **school with Karl?**
 16 A. I remember that there was something that
 17 happened in elementary, correct.
 18 **Q. What do you recall about those incidents**
 19 **in elementary school and how they affected your**
 20 **thinking about how big of a threat Karl Pierson posed?**
 21 A. They seemed like minor incidents to me
 22 when I read them.
 23 **Q. And the minor incidents -- and you can**
 24 **look along on Exhibit 24, it's the second page. The**
 25 **minor incidents were Karl hitting two students with**

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1 **his lunch box --**
 2 MR. EVERALL: Wait a second.
 3 **Q. (BY MR. ROCHE) Sure. It's the second**
 4 **page of Exhibit 24. So the two minor incidents that**
 5 **you just mentioned were an incident in November 2003**
 6 **where Karl hit two students with his lunch box because**
 7 **they weren't moving fast enough in the lunch line,**
 8 **right?**
 9 A. Yes.
 10 **Q. And the second incident was Karl, a month**
 11 **later, kicking a student in the stomach and hitting**
 12 **another student in the head while they were sitting on**
 13 **a wall, right?**
 14 A. Correct.
 15 **Q. Did you discuss those two incidents with**
 16 **Esther Song as part of your preparation for the threat**
 17 **assessment?**
 18 A. I don't remember.
 19 **Q. Do you recall discussing those incidents**
 20 **with either Karl or his parents on September 9?**
 21 A. No, I did not.
 22 **Q. And I take it from your testimony a**
 23 **minute ago that you considered these minor incidents**
 24 **that this history of violence didn't influence your**
 25 **thinking on what level threat to assign to Karl**

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1 **Pierson in the fall of 2013; is that right?**
 2 A. Correct. I feel like those incidents,
 3 looking at how they happened ten years prior, and when
 4 you look at what the resolution was for the student,
 5 writing an apology letter, sitting against the wall,
 6 student conference, that this happens a lot in
 7 elementary school and that you see things like this.
 8 And when there is not a suspension attached to it,
 9 then it does take on a different light, if you may.
 10 **Q. All right. And let's keep walking**
 11 **through the steps you took after your conversations on**
 12 **September 4. You said you looked at the behavior**
 13 **detail reports, right?**
 14 A. Yes.
 15 **Q. Did you also look at the counseling**
 16 **contact log?**
 17 A. I did.
 18 **Q. And was there anything in the counseling**
 19 **contact log that raised concerns in your mind about**
 20 **how serious a threat Karl Pierson posed in the fall of**
 21 **2013?**
 22 A. Any new?
 23 **Q. Yes.**
 24 A. No, there was nothing new that I saw.
 25 **Q. And that's because you already knew about**

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1 **the Jackie Price incident in the fall of 2011?**
 2 A. Correct.
 3 **Q. What other records did you look at as**
 4 **part of your preparation for the threat assessment and**
 5 **reentry meeting on September 9?**
 6 A. So I looked at attendance as well as
 7 grades.
 8 **Q. And what did you note, if anything, about**
 9 **Karl's attendance and grades?**
 10 A. His attendance was good. Also, it was so
 11 early in the school year, it's hard to be bad at that
 12 point. And I don't recall anything really standing
 13 out with his grades, because, again, it was early in
 14 the school year.
 15 **Q. And we now know, with the benefit of**
 16 **hindsight, that Karl's grades dropped precipitously in**
 17 **the fall semester of 2013, right?**
 18 A. Correct.
 19 **Q. He had been basically a B student for the**
 20 **first three years of his high school career, right?**
 21 A. Not exactly. I mean, overall, yes. His
 22 freshman year, I mean, I remember him having a D, a C,
 23 and did it -- got an NC on one of this classes as
 24 well.
 25 **Q. Right.**

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1 A. So there were C's peppered in his classes
 2 throughout his stay at Arapahoe.
 3 **Q. Sure. But in the fall semester of 2013,**
 4 **his grades went off a cliff, right?**
 5 A. They declined.
 6 **Q. Several F's, several D's?**
 7 A. I don't remember them being several F's.
 8 **Q. Okay.**
 9 A. I remember him having a 59 percent in
 10 world lit, a D in AP economics, a C in AP U.S.
 11 history. I believe he was -- he had an A in
 12 international relations, and I think he had a B in
 13 weight training.
 14 **Q. Do you recall if he had any F's his fall**
 15 **semester?**
 16 A. His F was in -- well, that 59 percent, so
 17 that was an F, was world lit, and then he also had an
 18 F in physics.
 19 **Q. So he had two F's, and at least one or**
 20 **two D's, right?**
 21 A. Yes.
 22 **Q. Okay. And you know that now. My**
 23 **question though is this -- given that it was so early**
 24 **in the year that this threat assessment was being**
 25 **done, you're right looking at his grades on**

80

1 **September 4 wasn't going to tell you much, right?**
 2 A. Correct.
 3 **Q. Did you look at his grades again at any**
 4 **point prior to the shooting?**
 5 A. Yes, I did.
 6 **Q. When did you do that?**
 7 A. We would typically pull D and F reports
 8 every week. So, yes, I don't recall which week it
 9 stood out that -- or that Karl was on that report when
 10 that started.
 11 **Q. All right. But that -- as I understand**
 12 **it, the D and F reports are an automatically generated**
 13 **report that is provided to each grade level assistant**
 14 **principal, right?**
 15 A. And counselor, yeah.
 16 **Q. And the counseling department?**
 17 A. Yeah.
 18 **Q. All right. And at some point in the fall**
 19 **of 2013, you noticed that Karl was on that report?**
 20 A. Yes.
 21 **Q. Aside from seeing that automatically**
 22 **generated report, did you ever actually do anything to**
 23 **pull up his transcript or grades in the fall of 2013**
 24 **after the threat assessment meeting?**
 25 A. I think I did it for the September 26

81

1 meeting.

2 **Q. Okay.**

3 A. But I don't recall after that if I pulled

4 them up prior to getting a D and F report.

5 **Q. All right. And when you noticed that**

6 **Karl Pierson was on the D and F report -- well, help**

7 **me understand, does the D and F report just have a**

8 **list of names of kids who have either D's or F's or**

9 **does it also show what classes those are in?**

10 A. It has which classes as well as the

11 letter grade.

12 **Q. Okay. And when you saw that Karl**

13 **Pierson's name appeared apparently repeatedly on the D**

14 **and F list --**

15 A. I don't know if it was repeatedly. I

16 don't know when it first showed up.

17 **Q. Well, because there were multiple classes**

18 **is what I mean.**

19 A. But I don't --

20 **Q. Sorry, to talk over you. Let's start**

21 **over. When you saw that Karl had D or F grades in**

22 **several classes in the fall of 2013, what did you do?**

23 A. I don't -- I don't remember it being

24 several, but I remember him being on the D and F list,

25 and I don't recall -- because what Kelly Talen and I

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1 would typically do is sit together, the counselor, and

2 we would go through and say, Okay, you talk to these

3 kids, I talk to these kids, because we were working

4 hard to get those kids to make sure that, you know,

5 they could graduate on time. So I don't recall whose

6 responsibility it was to talk to Karl.

7 **Q. And as a senior, Karl was at risk of not**

8 **graduating if he failed all of the classes that**

9 **appeared on that list?**

10 A. He needed, after junior year, three more

11 credits for language arts to meet Arapahoe

12 requirements, but that was it.

13 **Q. And did you -- you don't recall who was**

14 **assigned the responsibility of following up with Karl**

15 **on the fact that he was on the D and F list?**

16 A. No, I would like to think that, you know,

17 if it was myself, I would have met with him, so . . .

18 **Q. Do you recall meeting with Karl to**

19 **discuss the fact that he was on the list of students**

20 **who had D and F grades?**

21 A. No. I talked to him about his grades on

22 December 11.

23 **Q. All right. And that was after the Vicki**

24 **Lombardi incident?**

25 A. Correct.

83

1 **Q. All right. Did you ever ask Kelly Talen**

2 **if she followed up with Karl Pierson on the fact that**

3 **his name appeared on the list of students with D's and**

4 **F's?**

5 A. I don't remember.

6 **Q. Do you know whether or not she followed**

7 **up with Karl Pierson on the fact that he was on this D**

8 **and F list?**

9 A. Kelly was really good at her job, so I

10 would like to think that she did. But I don't know.

11 I have no support that she did speak with him.

12 **Q. Okay. Well, after the September 9 and**

13 **September 26 meeting with Karl Pierson's parents, did**

14 **you ever have discussion with them about the fact that**

15 **their son was on the list of students who were failing**

16 **some classes or getting D's in some classes?**

17 A. Other than December 11, I did not have

18 that conversation.

19 **Q. Well, on December 11, that's when you**

20 **talked to Mrs. Pierson about the Vicki Lombardi**

21 **incident, right?**

22 A. As well as Karl's grades.

23 **Q. Okay. Do you recall Tracy Murphy**

24 **bringing Karl's grades to your attention in the fall**

25 **of 2013?**

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1 A. I do.

2 **Q. And when was that, as best you can**

3 **recall?**

4 A. I don't remember when that was.

5 **Q. You know that Mr. Murphy as the faculty**

6 **sponsor of the speech and debate team would receive**

7 **eligibility reports on all of his team members, right?**

8 A. Yes.

9 **Q. That's what prompted him to bring the**

10 **fact that Karl was failing classes to your attention,**

11 **right?**

12 A. Correct.

13 **Q. When Karl -- well, strike that.**

14 **When Tracy Murphy brought the problems**

15 **with Karl's grades to your attention, what did you do?**

16 A. I don't remember if I talked to Kelly

17 Talen about it or -- I don't remember how -- what

18 happened next. I don't remember the --

19 **Q. Well, Tracy Murphy didn't bring Karl's**

20 **grades to you on December 11, did he?**

21 A. No.

22 **Q. It was sometime prior to that, right?**

23 A. Right.

24 **Q. So you're not sure what you did. Let's**

25 **talk about what you know you didn't do. You didn't**

85

1 talk to Karl about the grades, did you, at the time
 2 that Tracy Murphy brought those to your attention?
 3 A. I did not.
 4 Q. And you didn't call his parents to raise
 5 any concerns that you or Tracy Murphy had about the
 6 fact that Karl's grades were declining, right?
 7 A. Correct.
 8 Q. And what Tracy Murphy said was that when
 9 he told you about the grades and that he considered
 10 that a big red flag, you shrugged your shoulders and
 11 kind of brushed it off saying, Let him hang himself,
 12 that kind of thing?
 13 A. No. That is absolutely incorrect. I
 14 would never say that.
 15 Q. Well, can you point me to any action you
 16 took to investigate or ameliorate the situation that
 17 existed when Tracy Murphy came to you and said, I'm
 18 concerned about Karl's grades?
 19 A. I really don't remember what I did after
 20 that. I do know when Tracy said that, you know, Look
 21 at his grades. And I forget exactly what he had at
 22 that time, but the classes that Karl was struggling
 23 in, I understood why he was struggling in those
 24 classes. And Karl also, in working with him the year
 25 previous, did have grades that would fluctuate a lot.

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1 Q. Well, Tracy Murphy went on to say that he
 2 got the impression that you were just fed up with
 3 Karl, that you were tired of him and tired of dealing
 4 with him. Okay. He's not saying you said that, but
 5 my question is, in the late fall of 2013, were you
 6 just fed up with Karl and tired of dealing with him?
 7 A. No. I wanted Karl to be successful, and
 8 it's frustrating when you hear that a student is
 9 struggling with their grades. But I wasn't fed up
 10 with him.
 11 Q. Well, if you wanted him to be successful
 12 and you just heard from Tracy Murphy that he wasn't
 13 being successful, what did you do to act on your
 14 desire to see Karl Pierson succeed?
 15 A. So I could tell you typically what I
 16 would --
 17 Q. No, I want to know what you did, not what
 18 you typically do.
 19 A. I don't remember what I did.
 20 Q. Okay. Let's go back to the preparation
 21 for the threat assessment, because that's how we went
 22 down this road of talking about Karl's grades. You
 23 mentioned you looked at the attendance records, right?
 24 A. Correct.
 25 Q. Did you, after the threat assessment and

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1 the September 26 meeting, ever look at Karl's
 2 attendance records again?
 3 A. I don't remember. He wasn't ever on the
 4 attendance list for concerns our attendance secretary
 5 would draw those up.
 6 Q. And, again, there would be a weekly
 7 report that said, Here's the kids who have missed
 8 these days and --
 9 A. Or have tardies, yes.
 10 Q. So there was nothing in his attendance
 11 records that gave you concern in the fall of 2013,
 12 right?
 13 A. That I remember, no.
 14 Q. Other than pulling or looking at the
 15 behavior detail report, the contact logs, the grades,
 16 the attendance, and counseling records, did you do
 17 anything else to prepare for the threat assessment
 18 team meeting that you led in September?
 19 A. So I also looked on the intranet at that
 20 site to see what other documentation or what
 21 support -- you know, or information I could glean from
 22 that. But I also spoke with Natalie as well as the
 23 administrative team.
 24 Q. Tell me about the discussion you had with
 25 Natalie and the administrative team in the days

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1 leading up to the threat assessment meeting that you
 2 conducted with Esther Song on Karl Pierson.
 3 A. So part of -- I don't recall all of my
 4 conversations. I recall conversations I had with
 5 Steve Sisler, being the athletic director and talking
 6 to him about a situation -- about the situation with
 7 Karl and talking to him, Okay, so here's an issue with
 8 a coach, speech and debate coach, and a student. How
 9 would you handle that if it was, you know, on the
 10 football team or volleyball or whatever? So Steve and
 11 I spoke individually about that.
 12 Q. And what did he tell you?
 13 A. He told me it is really up to the coach,
 14 because the question I was asking is, you know, I feel
 15 like I should just kick Karl off the team. And Tracy
 16 still wanted him to participate and to be a part of
 17 the team and Steve's recommendation to me was it's
 18 really up to the coach and how they want to handle it
 19 and that I should really talk to Tracy and get as much
 20 information I can about how he feels and what he wants
 21 to do with the situation.
 22 Q. Okay. What about discussions with
 23 Natalie Pramenko or the other assistant principals,
 24 the other members of the administrative team?
 25 A. I don't recall exactly what I shared in

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1 those meetings, but I know leading up to it was, this
 2 is what we're going through, and then it was the
 3 follow-up of we had the threat assessment, this is
 4 what was said, this is what I'm doing, you know, with
 5 the meeting in two weeks. So it was conversations
 6 like that.
 7 **Q. And you're talking about the**
 8 **administrative team meetings that happened once a**
 9 **week?**
 10 A. Yeah. And I also had individual meetings
 11 with Natalie once a week.
 12 **Q. Okay. Do you recall discussing Karl**
 13 **Pierson at these administrative team meetings prior to**
 14 **conducting the threat assessment meeting?**
 15 A. Yes, I believe I might have brought him
 16 up with -- in Swomley's class.
 17 **Q. Well, take a look at Exhibit 12, because**
 18 **we have those administrative team meeting agenda**
 19 **items, and you'll see that on September 9, which was**
 20 **the day that you had the threat assessment meeting**
 21 **with Karl, 2052 --**
 22 A. Yes.
 23 **Q. Have you got that there?**
 24 A. I do.
 25 **Q. There's a safety and security agenda item**

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1 **and a discipline item, right? And there's no**
 2 **reference or mention of Karl Pierson there, is there?**
 3 A. No. But I didn't put down in this every
 4 student that was brought up. It wasn't like a student
 5 had to be put down in the -- down in the agenda for
 6 that student to be spoken about.
 7 **Q. Well, that's what I'm trying to get at,**
 8 **and you'll see, and we'll get there, that in the next**
 9 **administrative team meeting there is a reference to**
 10 **Karl.**
 11 A. Uh-huh.
 12 **Q. My question, though, is what you were**
 13 **doing leading up to the threat assessment meeting that**
 14 **you conducted. And my question is, did you discuss it**
 15 **with the entire administrative team prior to --**
 16 A. In that meeting?
 17 **Q. -- having your meeting?**
 18 A. I believe I did, yes.
 19 **Q. So if it's not on the September 9**
 20 **administrative team meeting agenda that's -- it just**
 21 **isn't there, it doesn't mean it wasn't discussed?**
 22 A. Correct.
 23 **Q. All right.**
 24 A. Everyone had their own separate agendas
 25 too, but there was a shared one that Natalie had, and

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1 then everyone made copies of their agendas. So at
 2 times it would be for me I would think in that
 3 meeting, Okay, I need to talk about this student,
 4 bring this up, and sometimes I would put it in, and
 5 sometimes, you know, I would just talk about the
 6 student.
 7 **Q. Do you still have your agendas, your**
 8 **agendas, for the administrative team meetings for the**
 9 **fall of 2013?**
 10 A. I believe I do. I'm not a hundred
 11 percent sure.
 12 **Q. Where would those be?**
 13 A. Just in my Google documents.
 14 MR. ROCHE: I'd like to get a copy of all
 15 of the administrative members' team meeting agendas
 16 for this time period.
 17 MR. EVERALL: All right.
 18 MR. ROCHE: Let's just say the fall --
 19 let's just say the 2013-2014 school year.
 20 MR. EVERALL: Okay.
 21 **Q. (BY MR. ROCHE) Going back to this time**
 22 **period prior to after the threat was made, but before**
 23 **you conducted a threat assessment meeting with Karl**
 24 **Pierson and his parents, do you recall Tracy Murphy**
 25 **coming to you and telling you that he was so afraid**

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1 **that Karl would act on that threat that he was**
 2 **seriously considering resigning his job and leaving**
 3 **Arapahoe High School?**
 4 A. I remember Tracy saying that he did think
 5 about resigning. That was not the first time that
 6 Tracy ever brought that up with me, that he brought it
 7 up in the year previously to Bryan Jesse, and then me
 8 in my first year when I was activities director.
 9 **Q. All right. Well, let's talk about those**
 10 **two previous incidents where Tracy Murphy had**
 11 **mentioned to you that he was considering resigning,**
 12 **and it sounds like one in 2011 and one in 2012?**
 13 A. One was mentioned to Bryan Jesse, which I
 14 heard about, not directly to me, but the one, my first
 15 year as an AP at Arapahoe, he brought it up directly
 16 to me.
 17 **Q. And what did he tell you that first year**
 18 **as an AP about retiring or resigning?**
 19 A. He felt that -- because I talked to him
 20 about being the speech and debate coach. At that
 21 point we didn't have one.
 22 **Q. All right.**
 23 A. And he said it was a struggle and it took
 24 him awhile to accept that he wanted to be the speech
 25 and debate coach. He was the only teacher that we had

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1 at that point that had any type of, at all, you know,
 2 previous experience with speech and debate. So that
 3 year he talked to me about it. I don't recall exactly
 4 when it was, but he was frustrated with being a speech
 5 and debate coach. He felt like it was too hard, too
 6 much, so he wanted to resign that position. And he
 7 also shared that it was kind of a consistent theme
 8 that he felt that he wasn't valued as a librarian and
 9 that maybe it would be better for our FTE if we just
 10 had a part-time person to take care of the library and
 11 that we could give it to another area of the school.

12 **Q. All right. So the prior discussions you**
 13 **either had with Tracy Murphy or heard about concerning**
 14 **Tracy Murphy resigning had nothing to do with fear for**
 15 **his life, did they?**

16 A. No.

17 **Q. That first came up after Karl Pierson**
 18 **threatened to kill him, right?**

19 A. Correct.

20 **Q. And when Tracy Murphy told you that he**
 21 **was thinking of quitting his job and leaving Arapahoe**
 22 **High School in the fall of 2013, he made clear he was**
 23 **considering doing that because he was afraid Karl**
 24 **Pierson was going to act on the threat to kill him,**
 25 **didn't he?**

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1 A. Yes.

2 **Q. When you heard that Tracy Murphy was so**
 3 **afraid of Karl acting on his threat to kill him, that**
 4 **he was seriously considering leaving the school, what**
 5 **was your reaction?**

6 A. I was surprised by his reaction. I knew
 7 he was upset by what Karl said, but I didn't think
 8 that, you know, he felt that strongly about it. And
 9 that's why I met with him several times after that to
 10 see how he felt. I also shared with Tracy that there
 11 is not a lot that we could do in the sense of, We need
 12 to go through a process to see if Karl is safe to come
 13 back to school, to see if he's a threat to others.

14 **Q. Did you tell Tracy Murphy that he was**
 15 **overreacting to the threat that Karl made?**

16 A. I don't feel like I said that, no.

17 **Q. Did you discourage him from resigning**
 18 **from Arapahoe based on his fears about Karl Pierson?**

19 A. I feel like I did tell him that I didn't
 20 want him to resign, yes.

21 **Q. All right. Did you share with anybody**
 22 **else that Tracy Murphy was so afraid of Karl Pierson**
 23 **making good on his threat, that he was seriously**
 24 **considering leaving the school?**

25 A. Yeah, I talked to Natalie Pramenko about

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1 it.

2 **Q. And what did Natalie say?**

3 A. I believe her and I talked about the
 4 process and how that -- you know, it was early on,
 5 Tracy is an emotional guy, and that we would go
 6 through the threat assessment process and see how
 7 Tracy feels after that.

8 **Q. Okay. Well, I appreciate that. My**
 9 **question was, when you told Natalie Pramenko that**
 10 **Tracy was so afraid of Karl that he was seriously**
 11 **considering resigning, what did she say as best as you**
 12 **can recall?**

13 A. I thought I answered that question.

14 **Q. You described what you did. I'm asking**
 15 **what Natalie said.**

16 A. Oh, I can't say specifically what she
 17 said. I can't say that that was the conversation that
 18 we had.

19 **Q. Did the fact that Tracy Murphy was so**
 20 **concerned about this threat affect your thinking about**
 21 **how seriously you should take the threat?**

22 A. Yes.

23 **Q. And was part of your thinking in that**
 24 **regard that Tracy Murphy was one of the faculty**
 25 **members, if not the faculty member, who knew Karl**

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1 **Pierson the best?**

2 A. I wouldn't say he knew him the best.

3 **Q. And I understand that, but my question is**
 4 **a little bit different than that. My question is, did**
 5 **the fact that -- you would agree that Tracy Murphy was**
 6 **one of the adults in the building at Arapahoe High**
 7 **School who knew Karl Pierson best, right?**

8 A. That knew him well, yeah.

9 **Q. All right. And did the fact that Tracy**
 10 **Murphy, who knew Karl Pierson certainly better than**
 11 **you did, right?**

12 A. Uh-huh.

13 **Q. Was that a concern about the threat --**
 14 **how did that shape your thinking in deciding what**
 15 **level of threat Karl posed?**

16 A. It did.

17 **Q. How?**

18 A. Well, I don't know -- you know, if I had
 19 a coach that went through this situation and said,
 20 It's not a big deal, the student said it, I understand
 21 he's upset, then I don't know if I would have done
 22 half of what I did with Karl and the amount of time I
 23 spent with this, working with Karl and Tracy together.

24 **Q. All right. You mentioned you're not sure**
 25 **whether or not Tracy was the faculty member who knew**

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1 **Karl best, right?**
 2 A. Correct.
 3 **Q. Do you know who was the faculty member**
 4 **who knew Karl best?**
 5 A. No.
 6 **Q. As part of your performance of this**
 7 **threat assessment, did you make any effort to find out**
 8 **which faculty member knew Karl Pierson the best?**
 9 A. No, I didn't.
 10 **Q. As part of the performance of this threat**
 11 **assessment, did you do anything to investigate whether**
 12 **or not Karl had a good relationship with any faculty**
 13 **member, a trusting relationship?**
 14 A. Did I investigate that?
 15 **Q. Yes.**
 16 A. No.
 17 **Q. Why not?**
 18 A. I don't know. I know that with his
 19 teachers, that he did have a good relationship with
 20 some of them.
 21 **Q. Did you talk to any of those teachers as**
 22 **part of your performance with this threat assessment?**
 23 A. No, I didn't.
 24 **Q. Why not?**
 25 A. Because I felt that the threat itself was

98

1 impulsive, that there wasn't a lot leading into it for
 2 his feelings toward Tracy Murphy, other than the
 3 meeting they just had a couple minutes prior.
 4 **Q. And the reason I'm asking some of these**
 5 **questions -- and you can look at Exhibit 5 if you**
 6 **would in this book, that's the Colorado School Safety**
 7 **Resource Center guidance on the essentials of school**
 8 **threat assessments and how to prevent targeted school**
 9 **violence, right?**
 10 A. Yes.
 11 **Q. And one of the things -- and I'm going to**
 12 **direct your attention to page 3435, and you'll see in**
 13 **the middle of the page on 3435 is a list of 11 key**
 14 **questions that the Secret Service has identified as**
 15 **being important to a threat assessment inquiry, right?**
 16 A. Yes.
 17 **Q. One of those questions, No. 7, is, "Does**
 18 **the student have a trusting relationship with at least**
 19 **one responsible adult," right?**
 20 A. Yes.
 21 **Q. That's why I'm asking about what you did**
 22 **to find out whether or not Karl had a good or trusting**
 23 **relationship with any faculty members. And do you**
 24 **know or did you know in the fall of 2013 whether Karl**
 25 **had a trusting relationship with at least one**

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1 **responsible adult?**
 2 A. Yes.
 3 **Q. Okay. How did you come to learn that?**
 4 A. I believe that he had trusting
 5 relationships with a lot of his teachers, that he
 6 didn't typically have issues in class.
 7 **Q. What led you to conclude that Karl had a**
 8 **trusting relationship with those responsible adults?**
 9 A. It was just my perception. I didn't --
 10 **Q. Did you ask those teachers?**
 11 A. -- ask who has a trusting relationship
 12 with Karl.
 13 **Q. Did you ask Karl if he had a trusting**
 14 **relationship with any of those teachers, or did you**
 15 **just assume it because he hadn't been in trouble in**
 16 **those classes?**
 17 A. Uh-huh. I don't know. I know that Dan
 18 Swomley felt like he had a trusting relationship with
 19 Karl. I don't know if Karl felt the same way.
 20 **Q. Let me ask it this way. These 11**
 21 **questions that are listed on page 3435 that were**
 22 **created by the Secret Service, they don't appear on**
 23 **the LPS threat assessment form, do they?**
 24 A. No.
 25 **Q. And I have not seen anything that**

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1 **indicates that you and Esther Song made any effort to**
 2 **answer these 11 questions as part of the threat**
 3 **assessment that you did on Karl Pierson. So my**
 4 **question is, did you make an effort to answer these 11**
 5 **questions when you performed your threat assessment on**
 6 **Karl?**
 7 A. Could I have a moment to review them?
 8 **Q. Of course.**
 9 A. How would you like me to go through
 10 these?
 11 **Q. Well, let's start as broadly as possible.**
 12 **Had you ever seen this list of 11 questions prior to**
 13 **September of 2013?**
 14 A. No, I don't believe so.
 15 **Q. So you would agree with me that you**
 16 **didn't answer these 11 questions in the context of**
 17 **these are the 11 questions I need to answer in**
 18 **performing a threat assessment, correct?**
 19 A. No, because I think some of -- when I --
 20 I didn't get a chance to read all of them, but when I
 21 read No. 1, and I look at what you have for No. 2 and
 22 I stop there, that a lot of these questions in some
 23 form are in the threat assessment themselves.
 24 **Q. Absolutely, and I don't mean to suggest**
 25 **that they aren't.**

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1 A. Okay.

2 **Q. But my question is, did you make an**

3 **effort to follow this list of 11 key questions in**

4 **evaluating what level threat Karl Pierson posed?**

5 A. To that I would say yes, but some of

6 these questions are in the threat assessment. So,

7 thereafter, we did go through them to evaluate whether

8 he was a low, medium, or high concern.

9 **Q. All right. Let's go through those. What**

10 **did you do -- what did you and Esther Song do to**

11 **investigate what Karl's motives and goals were?**

12 A. So that was a conversation with Karl

13 during the threat assessment, you know, when you're

14 asking questions like, Why did you say what you said?

15 What's your intent? Is there going to be -- how do

16 you feel towards Tracy Murphy now? And Karl shared

17 that he was angry, that he shouldn't have said what he

18 said, but he was really upset.

19 **Q. All right. What about question 2? "Have**

20 **there been any communications suggesting ideas or**

21 **intent to attack?"**

22 A. To that, Karl said, I'm not going to -- I

23 said it because I was upset. It was an outburst.

24 Because I asked him directly, Are you going to kill

25 Mr. Murphy, because that's what you said. Is that

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1 something you are going to act on? And he said, No, I

2 am not.

3 **Q. Did you do anything beyond asking Karl to**

4 **investigate whether he had any intent to attack?**

5 A. Well, in having his parents participate

6 in the threat assessment, they too hear those

7 questions, and I don't know if we asked them directly,

8 you know, if Karl has any plans to attack Mr. Murphy.

9 **Q. Well, let's look at some of the things**

10 **that you could have done and ask whether you did them.**

11 **You didn't talk to his teachers, right?**

12 A. Correct.

13 **Q. You didn't look at any of his writing**

14 **assignments, drawings, anything like that that might**

15 **have revealed an intent to attack, right?**

16 A. I did not.

17 **Q. You didn't look at his Facebook page or**

18 **any social media accounts to see if they would reveal**

19 **any intent to attack, right?**

20 A. No, I did not.

21 **Q. Didn't search his locker?**

22 A. No.

23 **Q. Didn't search his backpack to see if**

24 **there were signs or evidence of an intent to attack?**

25 A. No, I did not.

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1 **Q. Didn't search his car?**

2 A. No.

3 **Q. Didn't ask for permission to have**

4 **somebody search his room or his home?**

5 A. No.

6 **Q. Didn't talk to any of his friends?**

7 A. Did not.

8 **Q. Didn't ask to look at his phone?**

9 A. No.

10 **Q. You just took his word for it that he**

11 **wasn't going to act on his threat to kill Mr. Murphy?**

12 A. I took his word for it, as well as his

13 parents' word for it, yes.

14 **Q. Let's talk about the third question, "Has**

15 **the subject shown an appropriate interest in school**

16 **attacks or attackers, weapons, incidents of mass**

17 **violence?" Do you see that?**

18 A. I do.

19 **Q. Now, I understand that on the threat**

20 **assessment form that you and Esther Song completed,**

21 **there was a question about whether Karl had access to**

22 **weapons, right?**

23 A. Correct.

24 **Q. And I think there's a question as well**

25 **about inappropriate interest in violence, correct?**

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1 A. I think so.

2 **Q. And fascinations with weapons, bomb**

3 **makings, or other acts of violence or destruction,**

4 **correct?**

5 A. Correct.

6 **Q. What did you do to answer that question**

7 **as part of the threat assessment process in September**

8 **of 2013?**

9 A. We spoke with Karl regarding those.

10 **Q. So tell me how that conversation occurs.**

11 **You ask Karl, Karl, do you have an inappropriate**

12 **interest in weapons or violence?**

13 A. No. For the question regarding the guns,

14 I know we asked, Do you have access to guns? And, you

15 know, turning to the parents as well and asking them

16 the same question, Do you have interest in guns? Can

17 you obtain a gun? Those are all questions that we

18 asked. Now, how it was phrased for, Do you have

19 appropriate -- I forget exactly how it was worded --

20 interest in mass violence or anything? It wouldn't be

21 worded that way, but it would be worded in another

22 way. I don't recall exactly how --

23 **Q. Okay.**

24 A. -- it was stated in that meeting.

25 **Q. So other than asking Karl and his parents**

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1 about this, did you do anything else to investigate
 2 whether Karl had shown inappropriate interest in
 3 school attacks or attackers or weapons and incidents
 4 of mass violence?
 5 A. No.
 6 Q. Did you or Esther Song or anybody at
 7 Arapahoe High School engage in any follow-up or
 8 monitoring of Karl Pierson on those subjects, his
 9 interest in weapons, incidents of mass violence,
 10 school shootings, those kinds of things?
 11 A. I don't know how you would do that.
 12 Q. All right. I take it that the answer is
 13 you didn't do any follow-up or monitoring on Karl's
 14 interest in those things because you didn't know how
 15 to do it?
 16 A. We had follow-up and monitoring of Karl,
 17 and, therefore, if he was drawing pictures of guns, it
 18 would have been brought to our attention, but there
 19 wasn't, I am going to seek out to make sure that he is
 20 not looking up guns. Yeah. No, I don't know how that
 21 aspect of it would be done.
 22 Q. Now, you mentioned if Karl was making
 23 drawings of guns, that would have been brought to your
 24 attention, right?
 25 A. Correct.

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1 Q. Who would have brought that to your
 2 attention?
 3 A. It would depend. You know, if it
 4 happened in class, typically teachers would bring that
 5 forward. We had that happen quite a bit.
 6 Q. Did you tell Mr. and Mrs. Pierson to be
 7 on the lookout for any evidence that Karl was
 8 displaying an interest in school attacks, weapons, or
 9 incidents of mass violence?
 10 A. I don't remember.
 11 Q. And certainly they never came back to you
 12 and told you that Karl was displaying any interest in
 13 guns, school shootings, incidents of mass violence,
 14 right?
 15 A. Right. Can I get some more water? Is
 16 that --
 17 Q. Yes.
 18 A. We can continue. I don't need a break.
 19 I just need some water.
 20 Q. We can go ahead and take a quick break
 21 for the lunch hour if you want to do that or if you
 22 want to keep pushing through, that's fine too.
 23 A. How much time do you need?
 24 Q. Oh, we're going to be here all day.
 25 MR. ROCHE: We can go off the record.

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1 (Recess taken, 11:55 a.m. to 11:56 a.m.)
 2 Q. (BY MR. ROCHE) Well, we now know that --
 3 actually, strike that.
 4 There were people at Arapahoe High School
 5 who knew a couple of months prior to the shooting that
 6 Karl was looking at guns on the Internet, correct?
 7 A. Correct.
 8 Q. And that was something that a couple of
 9 the campus security people noticed --
 10 A. Yes.
 11 Q. -- and brought to the attention of the
 12 administration, right?
 13 A. To an administrator.
 14 Q. To Darrell Meredith?
 15 A. Correct.
 16 Q. And Darrell Meredith had been on these
 17 administrative team meetings where Karl Pierson and
 18 the threat that he had conveyed were discussed, right?
 19 A. Yes.
 20 Q. So Darrell knew that threatened -- that
 21 Karl had threatened to kill Tracy Murphy?
 22 A. Yes.
 23 Q. And, in fact, Darrell was the head of
 24 security for the building, wasn't he?
 25 A. Yes.

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1 Q. And as part of the follow-up or
 2 monitoring that you had recommended in the threat
 3 assessment, campus security was asked to keep an eye
 4 out for Karl?
 5 A. Uh-huh.
 6 Q. And sure enough, they did, and they
 7 noticed Karl looking at guns, right?
 8 A. Yes.
 9 Q. And according to them, scenes of other
 10 mass shootings like Newton and Sandy Hook, right?
 11 A. I didn't hear that.
 12 Q. Okay. Did Darrell tell you that Karl had
 13 been seen looking at guns on the Internet?
 14 A. He told me after the shooting.
 15 Q. Did you know about that prior to the
 16 shooting?
 17 A. I did not.
 18 Q. Did you ask him why on earth he didn't
 19 tell you about it, given that his team was supposed to
 20 be keeping an eye on this kid who had threatened to
 21 kill a teacher?
 22 A. I did.
 23 Q. And what did he say?
 24 A. He said that, you know, What will we do
 25 in that situation? He's just looking up guns. That's

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1 not against policy, or anything else, a student is
 2 allowed to do that. And I said, Well, I would have
 3 looked into the threat assessment more knowing that.
 4 And we left it at that.

5 **Q. That would have been an important fact**
 6 **for you to know as the administrator responsible for**
 7 **conducting and following up on the threat assessment**
 8 **that was done on Karl Pierson?**

9 A. Yes.

10 **Q. If you had been told that Karl was**
 11 **looking at guns on the Internet in the cafeteria at**
 12 **Arapahoe High School a few weeks after threatening to**
 13 **kill a teacher, what would you have done?**

14 A. Number one, I would have investigated to
 15 see what exactly he was looking up, what was -- you
 16 know, were there other students with him, was he
 17 showing students, was it a picture of a gun that he
 18 owned, was it on a Web site looking to purchase a gun.
 19 So I would try to find out as much as I possibly could
 20 at that point.

21 And then for me, because I had a threat
 22 assessment on Karl, I would have talked to Natalie as
 23 well as Nate Thompson. I would have talked to Nate
 24 about, Okay, so now what? You know, because you have
 25 an issue that potentially is not a violation against a

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1 student discipline-wise, but it's a big behavioral
 2 concern when you talk about the student has a threat
 3 assessment out on them as well.

4 **Q. That would have been a red flag for you,**
 5 **wouldn't it?**

6 A. Yes.

7 **Q. Let's go back to the Secret Service's 11**
 8 **questions. Question 4 is, "Has the student engaged in**
 9 **attack-related behaviors?" Do you see that?**

10 A. I do.

11 **Q. Did you try to answer that question as**
 12 **part of this threat assessment?**

13 A. I believe that there's a portion of the
 14 threat assessment that talks about violence, so yes.

15 **Q. Yes, there is. My question, though, is,**
 16 **what did you do to try to answer that question?**

17 A. I felt like I had already an answer to
 18 that question with talking to -- well, with, you know,
 19 having the experience working with him for those three
 20 years, knowing that there wasn't anything on the
 21 school's end with any attack-related behaviors. And
 22 then also in talking with Deputy Englert. You know,
 23 he didn't share anything that Karl was in a fight or
 24 did anything outside of school.

25 **Q. What do you understand the term**

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1 **"attack-related behaviors" to mean?**

2 A. I'm not a hundred percent. I would --
 3 I'm assuming that as -- you know, physical, physical
 4 violence --

5 **Q. All right.**

6 A. -- is attack-related behaviors.

7 **Q. Anything else that comes to mind?**

8 A. And it could also mean in the same sense
 9 planning of an attack.

10 **Q. Okay. And what did you do as the**
 11 **administrator involved in this threat assessment to**
 12 **determine whether or not Karl had engaged in any**
 13 **planning of any attack-related behaviors?**

14 A. Other than conversations with Karl at the
 15 threat assessment, didn't have any.

16 **Q. And what follow-up, if any, did you**
 17 **either do or instruct others to do to follow up on**
 18 **whether or not Karl was engaging in any attack-related**
 19 **behaviors?**

20 A. We didn't do anything in terms of that.

21 **Q. We now know that he was engaging in a**
 22 **variety of different attack-related behaviors almost**
 23 **immediately after the threat assessment meeting that**
 24 **you conducted, correct?**

25 A. Uh-huh.

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1 **Q. He was keeping a very detailed journal**
 2 **about his plans to shoot up the school, right?**

3 A. Right.

4 **Q. You guys didn't uncover that, right?**

5 A. No, we did not.

6 **Q. He was reading a book about the Columbine**
 7 **shooting in the fall of 2013 as well, wasn't he?**

8 A. I don't know.

9 **Q. Well, do you know that that book was**
 10 **found in his room at home?**

11 A. Yes.

12 **Q. Don't know whether or not if you had**
 13 **asked for permission to search his house from**
 14 **Mrs. Pierson, whether that would have been found or**
 15 **uncovered?**

16 A. I don't feel that with the threat that
 17 Karl gave, that searching the house was within the
 18 rights of the school district or even an SRO or a
 19 sheriff's deputy would follow up and do that because
 20 there's no -- Karl did not say that he plans to shoot
 21 Tracy Murphy. It wasn't anything specific to his
 22 threat that I felt, as a school, that we have
 23 reasonable suspicion to search a locker, search his
 24 car, things like that that have a connection to
 25 something with that threat. And so, no, I -- no, we

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1 did not follow up and, you know, say at this point --
 2 because there was nothing else after the threat that
 3 we heard that would lead us to believe at this point,
 4 Okay, well maybe we do have to conduct a search of his
 5 locker or any of those things I just mentioned.
 6 **Q. All right. And, again, one of the things**
 7 **that you didn't ask to be searched was his backpack or**
 8 **his day planner, right?**
 9 A. Right.
 10 **Q. And we now know that he had a countdown**
 11 **that he was keeping in his student daily planner that**
 12 **would have told you the very date on which this attack**
 13 **was going to occur, right?**
 14 A. I don't know the specifics of what he
 15 wrote in his planner, if it said that he was going to
 16 come with a gun on the 13th. I don't know if that was
 17 said anywhere.
 18 **Q. Well, let me ask it this way. If you had**
 19 **seen Karl Pierson's daily planner with a countdown**
 20 **going from 47 down to zero on Friday, December 13,**
 21 **would that have raised questions in your mind?**
 22 A. Yes.
 23 **Q. And what would you have done?**
 24 A. I would have talked to Karl about it.
 25 **Q. Now, we talked earlier about the**

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1 **principles that are laid out in Exhibit 5. One of**
 2 **them is to have an inquisitive and sceptical mindset,**
 3 **right?**
 4 A. Yes.
 5 **Q. Did you ever consider the possibility**
 6 **that Karl was lying to you about what his motives and**
 7 **intentions and plans were?**
 8 A. Yeah. I didn't feel like he was, but I
 9 know that's -- I know that he could have been, yes.
 10 **Q. And how did you account for that in**
 11 **evaluating the level of threat that Karl Pierson**
 12 **posed?**
 13 A. Well, you account for that like you would
 14 do for any situation with that, that you have to go on
 15 what the information that you have, the conversations
 16 that you're having with the student and the family and
 17 you have to make a judgment whether or not that
 18 student is lying to you or whether or not you believe
 19 them. As a student who made that threat, was
 20 apologetic about that threat, met two weeks later,
 21 apologized to Tracy Murphy, I felt very confident that
 22 he was telling me the truth, that it was an impulsive
 23 thing that happened and that he was not going to act
 24 on it.
 25 **Q. Well, one of the things that you can do**

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1 **when you have a concern that someone is lying to you**
 2 **is try to verify what you're hearing from that person**
 3 **from another source, right?**
 4 A. Yes.
 5 **Q. Did you do anything to try to verify what**
 6 **Karl was telling you?**
 7 A. I don't know how that would look, other
 8 than having a conversation with him and his parents.
 9 MR. ROCHE: Why don't we go ahead and
 10 take our lunch break and make it a relatively short
 11 one.
 12 (Recess taken, 12:09 p.m. to 1:01 p.m.)
 13 **Q. (BY MR. ROCHE) We took the break, and we**
 14 **were talking about the 11 questions that the Secret**
 15 **Service identified as being important to answer in**
 16 **performing a threat assessment. Do you recall that?**
 17 A. Yes, I do.
 18 **Q. Let's go back to Exhibit 5 and walk**
 19 **through those, and that's page 3435. What did you do**
 20 **to answer question 5, Does the student have the**
 21 **capacity to carry out the act that he had threatened**
 22 **to commit?**
 23 A. Uh-huh. Well, we looked at a couple
 24 factors with that. One being that, you know, he is 18
 25 years old, able to drive, can he actually, you know,

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1 doing something. Can he purchase a weapon. Can he
 2 come to school with one. So in our mind he did have
 3 the capacity to carry out a plan.
 4 **Q. All right. And I take it that increased**
 5 **the level of concern that you had because he did have**
 6 **the capacity to act?**
 7 A. Yes.
 8 **Q. What about No. 6? What did you do to**
 9 **answer No. 6, "Is the student experiencing**
 10 **hopelessness, desperation, or despair?"**
 11 A. I don't remember how Karl responded to a
 12 question about isolation or friends. I know that it
 13 didn't seem like that was an issue at all with Karl.
 14 **Q. Well, you knew, as part of the threat**
 15 **assessment, that he had just lost his captain's**
 16 **position on the speech and debate team, right?**
 17 A. Yes.
 18 **Q. And you knew that that was very important**
 19 **to Karl?**
 20 A. Yes.
 21 **Q. So let me ask this, when you were**
 22 **answering No. 6, what was your answer to that question**
 23 **as you performed this threat assessment?**
 24 A. That he wasn't feeling hopelessness.
 25 **Q. All right.**

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1 A. I forget exactly how it's worded in the
 2 threat assessment because I think it's slightly
 3 different.
 4 **Q. All right. And item 7, the trusting**
 5 **relationship with at least one responsible adult. Did**
 6 **you -- and you're welcome to look at the threat**
 7 **assessment that you and Esther Song completed. It's**
 8 **Exhibit 35. So it's in this book. Have you got that**
 9 **there?**
 10 A. Yes. Thank you.
 11 **Q. Sure. And this is, in fact, one of the**
 12 **questions that is asked on the threat assessment form**
 13 **that you and Esther Song completed, isn't it, down at**
 14 **the bottom of page 2?**
 15 A. Yes. In terms of him feeling isolated
 16 or --
 17 **Q. Well, that's --**
 18 A. Sorry.
 19 **Q. Let me direct your attention to the**
 20 **bottom of the page marked ACSO 194, right down here**
 21 **where it says, "Supportive Relationships." You knew**
 22 **from your training that one of the key questions to**
 23 **answer was whether or not the student who was the**
 24 **subject of the threat assessment had a supportive**
 25 **relationship with -- or trusting relationship with at**

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1 **least one responsible adult, right?**
 2 A. Correct.
 3 **Q. And that question isn't answered on**
 4 **Exhibit 35, is it?**
 5 A. No, it's not.
 6 **Q. Why not?**
 7 A. I do not know.
 8 **Q. What did you do to investigate whether**
 9 **Karl had trusting or supportive relationships with at**
 10 **least one adult?**
 11 A. I don't remember that conversation that
 12 we had with that.
 13 **Q. Did you ask any of the adults in the**
 14 **Arapahoe High School building whether they had**
 15 **supportive or trusting relationships with Karl Pierson**
 16 **in the fall of 2013?**
 17 A. I did not.
 18 **Q. Wouldn't that have been an important**
 19 **piece of information for you and Esther Song to know**
 20 **in the fall of 2013?**
 21 A. Potentially, yes.
 22 **Q. And wouldn't that supportive or trusted**
 23 **adult have been a great candidate to help you with the**
 24 **follow-up and monitoring of how Karl was doing after**
 25 **this threat assessment?**

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1 A. It could have been. I don't know if he
 2 would have given us a name of a teacher that he didn't
 3 currently have.
 4 **Q. Going back for just a second to your**
 5 **understanding of what was happening with Karl's grades**
 6 **in the fall of 2013. My understanding is that there's**
 7 **something called a student intervention team?**
 8 A. Okay. Yes.
 9 **Q. Okay. And my understanding is that the**
 10 **student intervention team is a resource that is**
 11 **available to students who are having academic and,**
 12 **perhaps, emotional or behavioral problems; is that**
 13 **right?**
 14 A. That's true.
 15 **Q. Did you refer Karl Pierson to a student**
 16 **intervention team in the fall of 2013?**
 17 A. I did not.
 18 **Q. Did it even cross your mind?**
 19 A. Yes. When Mrs. Pierson requested IEP
 20 testing or -- I'm not sure she really requested. She
 21 posed the question of what the IEP process is. And
 22 that's when I worked with Esther Song to e-mail Mom
 23 about the process. And the reason why I bring that up
 24 is because the process is through interventions. So a
 25 SIT team, if you may, would cover that.

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1 **Q. And because Mrs. Pierson didn't get back**
 2 **to Esther Song on her e-mail about the IEP, that never**
 3 **went anywhere?**
 4 A. Correct.
 5 **Q. Let's go back to Exhibit 5 and the 11**
 6 **questions. We're up to No. 8. Question 8 is, "Does**
 7 **the student see violence as an acceptable or desirable**
 8 **way to solve problems?" Do you see that?**
 9 A. I do.
 10 **Q. Did you answer that question as part of**
 11 **the threat assessment you did on Karl Pierson?**
 12 A. I'm not sure. I don't know if I see that
 13 covered in this.
 14 **Q. All right. What about question 9? "Is**
 15 **the student's conversation and 'story' consistent with**
 16 **their actions?" Did you try to answer that question**
 17 **as part of the threat assessment you did on Karl**
 18 **Pierson?**
 19 A. Yes.
 20 **Q. Okay. What answer did you come to?**
 21 A. That Karl had an outburst, and while
 22 inappropriate, it was based on his frustration of what
 23 happened, that it didn't feel like that he said that
 24 he wasn't going to carry out such an action, that it
 25 was just an outburst.

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1 **Q. Okay. Well, that was his story. How did**
 2 **you evaluate whether or not that story was consistent**
 3 **with Karl's actions?**
 4 A. Because he was apologetic for what he
 5 said. And then when we went through for the second
 6 meeting, that story was what he carried out with
 7 apologizing to Tracy Murphy. So it seemed consistent
 8 that it was an isolated event.
 9 **Q. Okay. Now, that's, at least, the sixth**
 10 **time you've mentioned that Karl Pierson apologized or**
 11 **expressed remorse about his actions at this threat**
 12 **assessment review meeting or the action plan review**
 13 **meeting a couple of weeks later, right?**
 14 A. It was a couple weeks later.
 15 **Q. Right.**
 16 A. Yes.
 17 **Q. And the fact that he expressed remorse**
 18 **was a big factor, apparently, in your assessment of**
 19 **what level of threat he posed; am I right?**
 20 A. No so much as a big factor in the level
 21 of threat, because that was determined two weeks
 22 prior.
 23 **Q. Okay.**
 24 A. It helped me to feel that Karl was moving
 25 in the right direction.

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1 **Q. All right. And the reason I ask that,**
 2 **and you can see on Exhibit 35, is that Karl understood**
 3 **his reaction was improper, but does not seem to be**
 4 **remorseful or understanding of Tracy Murphy's feelings**
 5 **of being threatened. Do you see that?**
 6 A. I do.
 7 **Q. And I understand that's Esther Song's**
 8 **handwriting?**
 9 A. Uh-huh.
 10 **Q. Did you share Esther Song's impression**
 11 **that Karl did not seem to be remorseful?**
 12 A. Yes.
 13 **Q. And did that escalate your level of**
 14 **concern about Karl Pierson when you conducted this**
 15 **threat assessment?**
 16 A. I would say, yes, but the -- I disagree
 17 with his understanding of Tracy Murphy's feelings.
 18 Karl was very clear that he didn't care that Tracy
 19 Murphy was upset about what he said.
 20 **Q. So it's not that he didn't understand, he**
 21 **understood and just didn't give a damn?**
 22 A. Right.
 23 **Q. And what did that do to your level of**
 24 **concern about how serious a threat Karl Pierson posed?**
 25 A. It -- you know, it was kind of back and

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1 forth. I appreciated that Karl was seemingly honest
 2 with it, that he didn't come into the threat
 3 assessment that day and said, Oh, yeah, I'm going to
 4 apologize and everything is fine, when he actually did
 5 -- when he actually was still upset and angry about
 6 it. Because some students just come in and they tell
 7 you what you want to hear. So I did appreciate the
 8 honesty with it.
 9 **Q. All right. And that's a fair comment,**
 10 **but did the fact that he, Karl Pierson, did not care**
 11 **about Tracy Murphy's feelings about being threatened,**
 12 **did that raise any additional concerns in your mind**
 13 **about how serious a threat Karl Pierson posed?**
 14 A. Not much, no.
 15 **Q. Question 10 on the Secret Service list**
 16 **asks, "Are other people concerned about the student's**
 17 **potential for violence," right?**
 18 A. Uh-huh.
 19 **Q. And what did you do to answer that**
 20 **question? I know you talked to Karl, I know you**
 21 **talked to Karl's parents, and I know you talked to**
 22 **Tracy Murphy, right?**
 23 A. Yes.
 24 **Q. Did you ask anybody else whether they**
 25 **were concerned about Karl's potential for violence?**

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1 A. I did not.
 2 **Q. Did you specifically ask that question of**
 3 **his parents?**
 4 A. I don't recall.
 5 **Q. Did anybody, as part of this threat**
 6 **assessment process, express to you that they were not**
 7 **concerned about Karl's potential for violence?**
 8 A. Anyone -- I'm sorry.
 9 **Q. Sure. Let me -- I can tell from the way**
 10 **I phrased it you're having trouble with the question.**
 11 **We know that Tracy Murphy had expressed a serious**
 12 **concern for Karl's potential for violence, right?**
 13 A. Yes.
 14 **Q. And what I'm asking is had anybody voiced**
 15 **the opposite view about Karl's potential for violence?**
 16 A. I mean, Esther is one person. And then
 17 in our -- with the administrators, no one said that,
 18 Yeah, I'm really worried about him acting out. So I
 19 would feel that they would agree that they don't think
 20 that Karl's going to become violent.
 21 **Q. Okay. And tell me about question 11.**
 22 **Did you do -- what did you do to investigate what**
 23 **circumstances might affect the likelihood of violence?**
 24 A. I'm not sure if we addressed that.
 25 **Q. All right. One thing that you did in**

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1 connection with this threat assessment is you talked
 2 to Deputy Englert, correct?
 3 A. Correct.
 4 Q. And told him about the threat that Karl
 5 had made, right?
 6 A. Yes.
 7 Q. Did you ask him to participate in the
 8 threat assessment process?
 9 A. No.
 10 Q. You know that there is a place on the
 11 threat assessment form for the school resource officer
 12 to participate in and sign off on the threat
 13 assessment, right?
 14 A. I do know that. And there's also a
 15 portion of the front that says as needed.
 16 Q. Right. So how did you -- I take it that
 17 you came to the conclusion that Deputy Englert's
 18 participation in this threat assessment was not
 19 needed?
 20 A. Correct.
 21 Q. Okay. What was the basis for your
 22 decision that you didn't need to or it wasn't
 23 advisable to include Deputy Englert in this threat
 24 assessment?
 25 A. Because I had talked to Deputy Englert

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1 about what had happened. I had spoken to him about
 2 the threat assessment, that it was coming, and that he
 3 never said -- I don't recall specifically asking him
 4 to attend, but he never said, I need to go to that.
 5 So we talked about what could he have done with this,
 6 meaning that he shared with me that I should share
 7 with the parents that it could be disorderly conduct
 8 for what Karl said in the parking and that he could
 9 have potentially been ticketed for it. And then
 10 Deputy Englert gave me a like a case number for it.
 11 Q. Okay. And you know now that Deputy
 12 Englert prepared a report on this incident, right?
 13 A. Yes.
 14 Q. And I take it you have at some point seen
 15 the statement that Deputy Englert gave as part of the
 16 investigation into the shooting, correct?
 17 A. Yes.
 18 Q. And in that statement -- and you've read
 19 the sheriff's report on the shooting as well?
 20 A. I did.
 21 Q. And you're aware, are you not, that
 22 Deputy Englert reported that you described the threat
 23 that Karl Pierson made against Tracy Murphy as not
 24 that big of a deal, right?
 25 A. I'm aware that he said that, yes.

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1 Q. And my question is, did you say that to
 2 him?
 3 A. I did not say that regarding the threat
 4 that was made. I told Deputy Englert about the
 5 situation and what happened, and I asked him to speak
 6 to Tracy Murphy. And he said, I cannot go right now,
 7 but I could go right after this, whatever it was. He
 8 was going to leave the building. And I said, Good, no
 9 big deal, do it then. It wasn't a no big deal to the
 10 threat itself. It was no big deal, it doesn't matter
 11 if you talk to him right now or if you talk to him 30
 12 minutes from now.
 13 Q. Okay. Have we covered at this point
 14 everything that you did to prepare for the meeting on
 15 September 9?
 16 A. I feel like -- yes.
 17 Q. Were there any other documents you looked
 18 at or any other people that you talked to that we
 19 haven't touched on?
 20 A. No, but I don't know if I articulated
 21 that I talked to Esther at least twice regarding it
 22 prior to doing it.
 23 Q. Did you tell Esther about the Dan Swomley
 24 incident and the resulting suspension?
 25 A. I did.

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1 Q. Did you tell Esther about the Jackie
 2 Price incident where Karl told another student to
 3 either go gut or cut himself?
 4 A. I don't recall if I told her about that.
 5 Q. Did you tell Esther that in 2011, Karl
 6 Pierson had expressed that he was going to make other
 7 kids his bitch, since that had been what kids had done
 8 to him throughout his school years?
 9 A. I don't recall.
 10 Q. And when you met with Karl Pierson and
 11 his parents on September 9, that was in your office?
 12 A. Yes.
 13 Q. How did you open that meeting?
 14 A. I started the meeting and shared what the
 15 purpose of the meeting is. And I said, you know,
 16 we're -- to Karl, We're going to be doing a lot of
 17 talking, and a lot of this talking has to do with you.
 18 So I expect you to participate in this meeting. And
 19 then I started with, you know, Share with me -- I've
 20 already spoke to your mom about what happened with the
 21 situation, but I would like to hear it from you. So
 22 start with, you know, your meeting with Mr. Murphy and
 23 what took place after that.
 24 Q. And what did he say in response to that?
 25 A. I don't recall all the specifics of what

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1 he said, but just -- and in terms of the meeting with
 2 Tracy and how he felt during that meeting, I know some
 3 of the things he brought up was he thought it was
 4 unfair, was completely shocked by, you know, being
 5 demoted as a captain and that he was really upset.
 6 And then with the threat itself, that it was an
 7 outburst, that he shouldn't have, that he was holding
 8 it in so much, that he just felt like he had to let it
 9 go.
 10 **Q. All right. And did Mr. and Mrs. Pierson**
 11 **weigh in at that point?**
 12 A. I don't recall specifically. I know
 13 Mrs. Pierson did talk about how she too thought it was
 14 unfair that he was cut from the debate team. At some
 15 point during that conversation I said, That's going to
 16 be a separate issue, Karl's -- because it turned into
 17 whether or not he was going to be able to participate
 18 still in the speech and debate team. And I said,
 19 That's going to be a separate meeting. We can talk
 20 about that another time. Right now we have to focus
 21 on this. So that's what I said.
 22 **Q. All right. And did Karl's father**
 23 **participate in this meeting?**
 24 A. I believe so, yes.
 25 **Q. Do you remember anything that Karl's**

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1 **father said about this incident or during this**
 2 **meeting?**
 3 A. No, I can't recall specifically what he
 4 said.
 5 **Q. And after this sort of introductory**
 6 **discussion of what prompted the meeting, did you or**
 7 **Esther or both of you essentially walk through the**
 8 **different threat assessment factors that are laid out**
 9 **on Exhibit 35?**
 10 A. Yes.
 11 **Q. And one of the things that this document**
 12 **instructs you to do is to provide notes explaining the**
 13 **evidence next to each of the statements checked,**
 14 **right?**
 15 A. Correct.
 16 **Q. And there's a number of boxes checked**
 17 **that have no such explanation, are there not?**
 18 A. That's correct.
 19 **Q. Why is that?**
 20 A. I don't know. I think the -- I think
 21 that's a challenge to do when you're having a
 22 conversation that's a back and forth between parents
 23 and the student to be able to keep notes based on
 24 everything you're asking and everything you're getting
 25 back.

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1 **Q. Right. And that might be a reason to**
 2 **have another person involved in the threat assessment**
 3 **meeting, correct?**
 4 A. Possibly.
 5 **Q. Well, let's walk through some of the**
 6 **things that are checked and some of the things that**
 7 **are not. In the threat factors section, one of the**
 8 **questions is, Has the student communicated ideas or**
 9 **intent to attack, right?**
 10 A. Uh-huh.
 11 **Q. And that is checked no, right?**
 12 A. Yes.
 13 **Q. Given that a few days earlier Karl said,**
 14 **I'm going to kill Tracy Murphy or I'm going to kill**
 15 **that guy, why is the box, no, checked?**
 16 A. I'm sorry, I'm having a hard time
 17 following. Oh, right here. Okay. Sorry. Because he
 18 had no ideas regarding the attack. He just said, I
 19 did it, I said it. I don't -- there was no set plan.
 20 There was no plan even heard in the threat that, I'm
 21 going to go home, going to get my dad's gun, and I'm
 22 going to do this.
 23 **Q. Okay.**
 24 A. So I would agree with putting no there.
 25 **Q. All right. And then with respect to the**

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1 **access to weapons question, the box none/known is**
 2 **checked, right?**
 3 A. Yes.
 4 **Q. And we now know, at least, that Karl had**
 5 **some training with guns from his days in the Boy**
 6 **Scouts, right?**
 7 A. Right.
 8 **Q. Were you aware of that at the time that**
 9 **you were -- that training at the time that you were**
 10 **preparing this threat assessment document?**
 11 A. I was not.
 12 **Q. During this threat assessment meeting,**
 13 **did you ask any questions about whether or not Karl**
 14 **had any training with guns?**
 15 A. I believe Esther asked it, yes.
 16 **Q. And you don't recall whether or not the**
 17 **parents told you about his RAMS training, rifle,**
 18 **archery, muzzleloader --**
 19 A. I know they didn't bring that up.
 20 **Q. Okay. Moving into the early warning sign**
 21 **factors, the next section of the threat assessment.**
 22 **Do you see that?**
 23 A. Yes.
 24 **Q. Somebody has checked the box related to**
 25 **violent behavior towards others, significant history.**

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1 **Do you see that?**
 2 A. I do.
 3 **Q. What was the significant history of**
 4 **violent behavior towards others that was discussed in**
 5 **this threat assessment meeting?**
 6 A. I don't -- that's one of the ones that
 7 Esther checked that I wouldn't agree with. I cannot
 8 think of a significant history of violence toward
 9 others.
 10 **Q. Well, have you asked Esther at any point**
 11 **in time why she checked that box?**
 12 A. Afterwards, no.
 13 **Q. Well, that actually prompts another**
 14 **question, which is after this document was prepared,**
 15 **Esther did all of the writing and checking, right?**
 16 A. Correct.
 17 **Q. Did you review this document with her**
 18 **after the meeting was over --**
 19 A. I did.
 20 **Q. -- to make sure you agreed with**
 21 **everything she said?**
 22 A. Yes.
 23 **Q. Then why isn't it noted that you**
 24 **disagreed with that --**
 25 A. I don't know if I looked --

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1 **Q. -- mark --**
 2 A. Sorry, go ahead.
 3 **Q. You didn't know if you looked closely**
 4 **enough? What?**
 5 A. Yeah, I don't know if I skipped that over
 6 or what my thoughts were at that time.
 7 **Q. And because the two of you didn't follow**
 8 **the instruction to provide notes explaining the**
 9 **evidence next to each statement checked, none of us**
 10 **knows that, right?**
 11 A. Correct.
 12 **Q. What is noted in that portion of the**
 13 **early warning sign factors is that both Mrs. Pierson**
 14 **and Karl reported that Karl had deep-seated anger**
 15 **issues and that he had them for a while, right? Do**
 16 **you see that handwritten in the margins?**
 17 A. Uh-huh, yes. I don't know if Karl agreed
 18 that he had deep-seated anger issues. I know that Mom
 19 -- Mom said that he did. When I read that note, I
 20 think of Karl -- I interpret that as Karl agreeing he
 21 has had anger management issues.
 22 **Q. What do you remember about the**
 23 **discussions with Barbara Pierson and Karl Pierson and**
 24 **Mark Pierson on September 9 about Karl's anger issues?**
 25 A. I remember talking about the issue in

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1 Swomley's class, and Mom also shared an incident that
 2 Karl was upset and got into a car accident.
 3 **Q. Okay. So at the time that you completed**
 4 **this threat assessment, you knew that Karl had wrecked**
 5 **his car leaving work when he was angry?**
 6 A. I didn't know if he wrecked his car. I
 7 knew that he had gotten into an accident. I don't
 8 recall the severity of it.
 9 **Q. All right.**
 10 A. I -- in my mind, the way I remember it is
 11 that it was a fender-bender, but enough that Mom was
 12 -- you know, it stood out in Mom's mind as an issue
 13 with his anger that he was so upset that he crashed
 14 his car.
 15 **Q. So you knew regardless of the severity of**
 16 **the car accident, that Mom connected that accident to**
 17 **Karl's anger?**
 18 A. I think so.
 19 **Q. All right.**
 20 A. I don't know if it was prior to when he
 21 got angry and got into a car or if he got so angry
 22 because of the car accident.
 23 **Q. All right. What else do you remember**
 24 **about the discussions concerning Karl's anger on**
 25 **September 9?**

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1 A. I don't recall.
 2 **Q. Did Dad tell you anything about Karl's**
 3 **anger issues?**
 4 A. No, I don't remember.
 5 **Q. Do you remember a discussion about**
 6 **whether the Pierson's divorce had increased,**
 7 **decreased, or affected in any way Karl's anger levels?**
 8 A. Yeah. I mean, I remember talking about
 9 the divorce. I don't remember -- I remember that
 10 coming from the parents, that it has been hard on
 11 Karl. But I don't remember Karl sharing his own
 12 personal views on their divorce.
 13 **Q. And you personally had some knowledge and**
 14 **experience about Karl's anger, right?**
 15 A. Yes.
 16 **Q. From the March 2013 incident, right?**
 17 A. Yes.
 18 **Q. And you were concerned enough about his**
 19 **anger issues back then that you had recommended that**
 20 **he go get anger management therapy, right?**
 21 A. Correct.
 22 **Q. Did you discuss with Karl or his parents**
 23 **on September 9 whether they had followed your advice?**
 24 A. I believe I did, yes.
 25 **Q. And what did you learn?**

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1 A. I believe he was seeing someone at that
 2 time. I don't remember if it was a psychologist or a
 3 counselor or what.
 4 **Q. And how long was it to your understanding**
 5 **that Karl had been seeing this psychologist or**
 6 **counselor?**
 7 A. I don't recall.
 8 **Q. Is this a reference to the person that he**
 9 **went and saw on September 6 after the threat to Tracy**
 10 **Murphy?**
 11 A. No. It sounded like there was two
 12 different people, that that was a -- I don't know why
 13 there was a separate person they saw for that Friday
 14 prior to the threat assessment, but it sounded like
 15 there was two separate people. One that he was seeing
 16 on a consistent basis and one that he just saw that
 17 time.
 18 **Q. All right. And did it concern you, in**
 19 **terms of the level of threat that Karl posed, that**
 20 **even with anger management therapy he had had the**
 21 **outburst concerning Tracy Murphy in the fall of 2013?**
 22 A. Yes and no.
 23 **Q. Okay. Go ahead and explain that.**
 24 A. Yes, being he said anything, and that's a
 25 concern. And what he said too, you know, obviously

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1 was a concern. The fact that he waited and didn't say
 2 it to his face, that made me feel better that it
 3 wasn't, you know, directly at Mr. Murphy, that, you
 4 know, Karl felt that there was not a lot of people
 5 around, I'm going to say it here, which, you know, as
 6 we know, there were still people around and extremely
 7 inappropriate but -- so there was that kind of yes and
 8 no to that question.
 9 **Q. Did you hear about any other incidents in**
 10 **which Karl's anger had manifested itself besides the**
 11 **car accident, the Tracy Murphy threat, and the Dan**
 12 **Swomley incident?**
 13 A. Not that I recall, no.
 14 **Q. Did you consider those three incidents in**
 15 **the span of just a few months to be a cluster of**
 16 **warning signs?**
 17 A. I don't know if it was a cluster of
 18 warning signs or a cluster of incidences but --
 19 because I don't know, warning signs leading to what?
 20 **Q. Well, do you understand in your role as,**
 21 **I guess, currently a principal of a middle school --**
 22 A. Assistant principal.
 23 **Q. Assistant principal. That one of the**
 24 **things that you're supposed to watch for in a threat**
 25 **assessment is a cluster of incidents?**

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1 A. Right. Yes.
 2 **Q. And my question is real simple, did you**
 3 **consider those three things to be a cluster of**
 4 **incidents?**
 5 A. Yes.
 6 **Q. And did that increase the threat level**
 7 **that you believed Karl posed?**
 8 A. Yes.
 9 **Q. As we continue down Exhibit 35 in the**
 10 **early warning sign factors, the very last item on the**
 11 **list is does the student have a history or perception**
 12 **of being bullied or victimized by others. Do you see**
 13 **that there? Right there.**
 14 A. Got it. Yes.
 15 **Q. And we've looked at a number of documents**
 16 **and discussed a couple of incidents where Karl**
 17 **expressed to you that all the teachers were out to**
 18 **fucking get him, that he had endured a decade of hell**
 19 **at the hands of his peers, those kind of things.**
 20 **Given that you knew about those incidents, why isn't**
 21 **this box checked?**
 22 A. I don't know why it's not checked.
 23 **Q. Doesn't it seem like it should have been?**
 24 A. If I was -- if I had the paper in front
 25 of me, yes, I would have checked it.

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1 **Q. Well, in fact, the incident that led to**
 2 **the paperwork about all the teachers being out to**
 3 **fucking get Karl is described in that other relevant**
 4 **details section immediately below that unchecked box,**
 5 **isn't it?**
 6 A. It is.
 7 **Q. So it seems to me that what happened here**
 8 **is people just plain weren't paying attention, and**
 9 **that's why that box isn't checked. Is that what**
 10 **happened here?**
 11 A. No, I don't feel like I wasn't paying
 12 attention.
 13 **Q. Okay. Well, let's go to the next part of**
 14 **this threat assessment document, and that's the**
 15 **at-risk factors, right?**
 16 A. Yes.
 17 **Q. Do you see that? The very first one is**
 18 **what is the history of school discipline, right?**
 19 A. Uh-huh.
 20 **Q. And the box oppositional misconduct is**
 21 **checked, right?**
 22 A. Yes.
 23 **Q. And the box for suspension is not, right?**
 24 A. Correct.
 25 **Q. And you personally had suspended this kid**

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1 **six months earlier, hadn't you?**

2 A. Yeah.

3 **Q. And you didn't check this box either?**

4 A. Correct.

5 **Q. You weren't paying attention, were you?**

6 A. I feel like I was, but I did miss those

7 two things.

8 **Q. Moving down the at-risk factors, another**

9 **box asks whether or not the student externalized**

10 **blame, right?**

11 A. Okay.

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

13 A. No.

14 **Q. It's right there.**

15 A. Okay.

16 **Q. Got it?**

17 A. Yep.

18 **Q. Now, you just described to me that both**

19 **Karl and his parents felt it was unfair that he was**

20 **being demoted from his captain's position on the**

21 **debate team, right?**

22 A. Uh-huh.

23 **Q. Wouldn't that qualify as Karl**

24 **externalizing blame?**

25 A. Yes.

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1 **Q. So why isn't that box checked?**

2 A. I don't know.

3 **Q. Let's keep moving down to -- you'll see**

4 **there's a section called drugs or alcohol concerns.**

5 **Do you see that?**

6 A. Yes.

7 **Q. And right below that it asks whether or**

8 **not the student is sensitive to feedback or criticism,**

9 **right?**

10 A. Correct.

11 **Q. That box also isn't checked, right?**

12 A. That's correct.

13 **Q. And isn't that exactly what you suspended**

14 **Karl for in March of 2013, an outburst because he was**

15 **sensitive to criticism about having gotten a bad grade**

16 **in Mr. Swomley's class?**

17 A. Yeah.

18 **Q. So that one should have been checked too,**

19 **right?**

20 A. I don't know. I don't know if for some

21 of these that you use one example to say that he has

22 sensitivity to feedback and criticism. Yes, the

23 example that you gave is an example that shows he is

24 sensitive. But I think there have been and there was

25 many other times that Karl accepted criticism.

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1 **Q. All right. And were any of these**

2 **incidents that you're referring to where Karl accepted**

3 **criticism appropriately dispositive or determinative**

4 **in your decision not to check that box?**

5 A. I don't understand the question, sorry.

6 **Q. Okay. Let me come at it a different way.**

7 **We know about one specific incident where Karl was**

8 **very sensitive to criticism, right? That's the**

9 **incident where you suspended him, right?**

10 A. Uh-huh.

11 **Q. Was there a specific incident in your**

12 **mind as you evaluated whether to check that box that**

13 **caused you to conclude that Karl was not sensitive to**

14 **feedback or criticism?**

15 A. I could say at times that, you know, like

16 I spoke with him, you know, the Swomley incident, that

17 he was able to take that criticism of Karl. You can't

18 do that. It's not appropriate, and that he was able

19 to handle that feedback that I gave him.

20 **Q. All right. Can you explain to me why the**

21 **box concerning whether the student tends to hold on to**

22 **resentments or harbors grudge was unchecked?**

23 A. I don't know. I don't know of the

24 thinking on that one if it is looking specifically at

25 this, that we don't know if he is going to continue to

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1 harbor a grudge or if it was looked at historically.

2 **Q. Well, what information did you have in**

3 **performing this threat assessment about Karl's**

4 **propensity to hold on to resentments or harbor a**

5 **grudge?**

6 A. I don't know.

7 **Q. Moving down the list of at-risk factors,**

8 **one of them is bizarre or concerning behaviors. Do**

9 **you see that one?**

10 A. I do.

11 **Q. And it's empty, right?**

12 A. Uh-huh.

13 **Q. Were you aware of any bizarre or**

14 **concerning behaviors by Karl Pierson in the fall of**

15 **2013?**

16 A. No.

17 **Q. Were you aware that in a debate**

18 **tournament, Karl had stood up in front of a crowd of**

19 **people and told them that his penis had fallen off**

20 **when you did this threat assessment?**

21 A. Yes, Tracy shared with me that.

22 **Q. And would that qualify as a bizarre or**

23 **concerning behavior in your mind?**

24 A. Yes, but I don't know all of the

25 information surrounding that.

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1 **Q. Right. And that's exactly the point.**
 2 **Why didn't you get the information surrounding that**
 3 **before you made a decision that this kid was a**
 4 **low-level threat?**
 5 A. I don't recall what went into that.
 6 **Q. Okay. Well, let's talk now about the**
 7 **list of protective factors at the bottom of**
 8 **Exhibit 35, if we could. Do you see that?**
 9 A. I do.
 10 **Q. What is your understanding of why this**
 11 **threat assessment includes an evaluation of the**
 12 **protective factors that are available to a student?**
 13 A. Because that's the portion of how do we
 14 support the student and so the student knows who they
 15 could go to if they need that support.
 16 **Q. All right. And is it fair to say that,**
 17 **if there are not good protective factors, more**
 18 **follow-up and more monitoring needs to occur from the**
 19 **school?**
 20 A. To a -- yeah, to a certain extent.
 21 **Q. Okay. So in looking at the list of**
 22 **protective factors, the first line asks what the**
 23 **student will do when in distress, and there's four**
 24 **options, right?**
 25 A. Yes.

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1 **Q. Isolate, that's checked, right?**
 2 A. Yes.
 3 **Q. Leave, that's checked, right?**
 4 A. Yes.
 5 **Q. Engage negatively, that's also checked?**
 6 A. Yes.
 7 **Q. And seek positive support, and that's the**
 8 **only one that's not checked?**
 9 A. Correct.
 10 **Q. I take it that that would be, again, a**
 11 **series of answers that increased your level of concern**
 12 **about Karl Pierson, right?**
 13 A. Yes.
 14 **Q. It goes on to explain that his parents**
 15 **are sometimes monitoring his behavior, right?**
 16 A. Yes.
 17 **Q. It also goes on to explain that his -- in**
 18 **the community agencies section, that his family**
 19 **practitioner is involved as a psychologist in the form**
 20 **of an appointment that occurred on September 6, right?**
 21 A. Correct.
 22 **Q. No other community agencies involved?**
 23 A. No.
 24 **Q. And no discussion of whether or not Karl**
 25 **had supportive relationships with any adults?**

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1 A. Not that I can recall.
 2 **Q. And the next question asked in the**
 3 **protective factors section is what is Karl's level of**
 4 **self-control. Do you see that?**
 5 A. I do.
 6 **Q. And you and Esther Song have marked okay**
 7 **with support?**
 8 A. Uh-huh.
 9 **Q. Is that a yes?**
 10 A. Sorry, yes.
 11 **Q. It's all right. I know you were drinking**
 12 **a sip of water. What supports are you referring to**
 13 **there?**
 14 A. I believe it was on the supports that you
 15 just mentioned, as well as the support from the school
 16 with, you know, me being a person that Karl could talk
 17 to as well as a counselor or Dr. Song.
 18 **Q. Well -- and, again, I'm going to go back**
 19 **to the first page that asks you to provide notes**
 20 **explaining the evidence for each statement checked.**
 21 **What supports was Karl receiving other than this**
 22 **psychologist appointment on September 6 that you knew**
 23 **of?**
 24 A. Well, I knew that he was -- Mom had
 25 spoken about having ongoing support with the

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1 therapist, as well as support from parents, and,
 2 again, the support from the school.
 3 **Q. Well, what support was the school**
 4 **providing Karl Pierson at this point?**
 5 A. Well, at that point, it was shared with
 6 him that, you know, like what I told Karl, if he was
 7 having issues with anger and stuff like that, that,
 8 you know, he could come to me if he feels comfortable
 9 doing that, he could go to one of the counselors. He
 10 could go to Dr. Song. If he feels like he is going to
 11 erupt or say something inappropriate, that we would be
 12 people that he could come and see and that he could
 13 leave class and do that.
 14 **Q. Okay. So during this meeting on**
 15 **September 9, you told Karl and his parents that if he**
 16 **was having anger issues, he could come and talk to**
 17 **you, right?**
 18 A. Yes.
 19 **Q. And you told him he could go and talk to**
 20 **Dr. Song?**
 21 A. Uh-huh.
 22 **Q. And you told him he could go and talk to**
 23 **the other counselors in the building, whether that was**
 24 **Astrid Thurnau or Kelly Talen, when she got back from**
 25 **maternity leave?**

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1 A. Correct.
 2 **Q. Did Karl ever do that to your knowledge?**
 3 A. No.
 4 **Q. Did you do anything to check whether Karl**
 5 **reached out to Esther Song or Astrid Thurnau or Kelly**
 6 **Talen to discuss his well-being?**
 7 A. No, I don't recall.
 8 **Q. So would it be fair to say that you and**
 9 **Esther Song and the other counselors in the building**
 10 **were, in a sense, waiting for Karl to come to you if**
 11 **he had issues?**
 12 A. Yes.
 13 **Q. Okay. Do you recall, and I know we've**
 14 **walked through now all of the early warning sign**
 15 **factors, at-risk factors, protective factors, was**
 16 **there anything else about those three subjects that**
 17 **was discussed in this meeting on September 9?**
 18 A. Was there anything else that was
 19 mentioned that you haven't brought up through your
 20 questions?
 21 **Q. Yes.**
 22 A. I cannot speak to the full discussion and
 23 everything that went into the fueling this threat
 24 assessment. I don't remember every conversation we
 25 had.

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1 **Q. And I understand that, and candidly I**
 2 **don't expect you to be able to recite verbatim what**
 3 **happened in that meeting. What I'm trying to get at,**
 4 **was there anything else significant that stands out in**
 5 **your mind about that meeting on September 9 that we**
 6 **haven't discussed?**
 7 A. No, not that I remember.
 8 **Q. All right. And if you turn to the last**
 9 **-- second-to-last page, I'm sorry, of this threat**
 10 **assessment document, it entails determining the level**
 11 **of concern, right?**
 12 A. Yes.
 13 **Q. And you and Esther both agreed that Karl**
 14 **Pierson was a low level of concern?**
 15 A. Correct.
 16 **Q. And you understood that low level of**
 17 **concern means that, in your view, the risk to the**
 18 **target, students, staff, and school safety was**
 19 **minimal?**
 20 A. Correct.
 21 **Q. And that the threat lacked realism?**
 22 A. Yes.
 23 **Q. And that the available information**
 24 **suggested that the person was unlikely to carry out**
 25 **the threat or to become violent?**

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1 A. Correct.
 2 **Q. And in the description of what would**
 3 **qualify as a medium level of concern, there's a**
 4 **reference to moderate or lingering concerns about the**
 5 **student's potential to act violently. Do you see**
 6 **that?**
 7 A. Yes.
 8 **Q. Did you have, at the end of this threat**
 9 **assessment meeting, any moderate or lingering concerns**
 10 **about Karl Pierson's potential to act violently?**
 11 A. No.
 12 **Q. And the final section of -- I shouldn't**
 13 **say the final section. The next section of this**
 14 **threat assessment document talks about the action plan**
 15 **that you and Esther Song developed for Karl Pierson,**
 16 **right?**
 17 A. Yes.
 18 **Q. And the safety measures that were**
 19 **identified were the police response, which was telling**
 20 **James Englert, right?**
 21 A. Correct.
 22 **Q. Although, no action was taken, correct?**
 23 A. Yeah. I mean, yes and no. I mean, he
 24 did take action, but it was none of the -- the
 25 following checks were the action.

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1 **Q. Okay. And the action was James was going**
 2 **to keep an eye on Karl?**
 3 A. And he talked with Murphy and he put it
 4 in his report, yes.
 5 **Q. And then the next safety measure is the**
 6 **intended victim was warned and/or the parents or**
 7 **guardian were notified on September 5 that you told**
 8 **Tracy Murphy about the threat?**
 9 A. Yes.
 10 **Q. Or actually he told you about it?**
 11 A. Right.
 12 **Q. And the only other safety measure that is**
 13 **identified is a once-a-week psychiatrist or**
 14 **psychologist appointment?**
 15 A. Correct.
 16 **Q. And as I understand it, that was not a**
 17 **reference to Dr. Song, but to an outside therapist?**
 18 A. Yes.
 19 **Q. What did the school do to verify that**
 20 **Karl was abiding by that safety measure?**
 21 A. Esther Song was working with the family
 22 to get a release so she could talk to that
 23 psychologist.
 24 **Q. Right. And we now know that that release**
 25 **never got signed?**

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1 A. Uh-huh.

2 **Q. Did anybody at the school know whether**

3 **Karl continued to meet with that psychologist after**

4 **September 9?**

5 A. No.

6 **Q. And in the discipline and monitoring**

7 **section, there's a reference to the meeting two weeks**

8 **later between you and Mr. Murphy, Karl's parents, and**

9 **Karl Pierson to discuss the action plan?**

10 A. Yes.

11 **Q. And I've heard that referred to as an**

12 **action plan review meeting?**

13 A. Okay.

14 **Q. Is that what you understood that -- is**

15 **that what you called that meeting?**

16 A. No, not necessarily.

17 **Q. Okay. What did you call that meeting?**

18 A. I don't remember what I called it. I

19 believe I called it a follow-up meeting.

20 **Q. All right. And that was -- was that the**

21 **only follow-up meeting you had with Karl Pierson or**

22 **his parents after September 9?**

23 A. That was the only one I organized, yes.

24 **Q. Did you consider whether or not it was**

25 **appropriate to keep Karl out of school until he or**

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1 **Mrs. Pierson had signed the waiver so that the school**

2 **could be informed about what the outside therapist was**

3 **saying or thinking with respect to Karl Pierson?**

4 A. No, not necessarily, because Mom had told

5 us that the psychologist that worked with him on that

6 Friday said that basically he had a clean bill of

7 health and that he wasn't a threat to himself or to

8 others. And part of it was trusting that that was, in

9 fact, it, and the other part, you know, knowing that

10 there would be probably a call to come from them

11 saying, No, he's not safe. He has a plan. This is

12 what's happening. So, yes, we trusted the parents

13 with that.

14 **Q. You could have kept Karl Pierson out of**

15 **school until you had a release from the parents and**

16 **the opportunity to speak directly with that mental**

17 **health professional. That was an option that was**

18 **available to you, correct?**

19 A. I don't know if that would be an option

20 that was supported by the district.

21 **Q. Did you speak to anybody at the district**

22 **about whether that was an option?**

23 A. No.

24 **Q. Did you even consider that option if it**

25 **was available?**

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1 A. I did think of it, yes.

2 **Q. And you chose not to exercise that option**

3 **because you were trusting what Mrs. Pierson told you**

4 **the outside psychologist had told her?**

5 A. Correct.

6 **Q. That Karl was safe to return to school?**

7 A. Yes.

8 **Q. And that too gets to a really central**

9 **question in this entire process. I understand that**

10 **Mrs. Pierson told you and Esther Song that this**

11 **outside therapist had told you that Karl was safe to**

12 **return to school, but my question is, did you and**

13 **Esther Song exercise your own independent judgment**

14 **about whether Karl was safe to return to school, or**

15 **did you simply trust what Mrs. Pierson told you?**

16 A. No. It was our independent judgment as

17 well.

18 **Q. All right. Now, in the discipline and**

19 **monitoring section, there's also a check mark next to**

20 **the box follow-up intervention contact by support**

21 **staff, and then it checks psychologist. Do you see**

22 **that?**

23 A. No. Can you -- what line are you on?

24 **Q. I'm in the safety measures.**

25 A. Oh.

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1 **Q. Got it?**

2 A. Yes.

3 **Q. Oh, I'm sorry. Down here, actually.**

4 **Right there. Okay. Do you see where I'm referring?**

5 A. Yes.

6 **Q. What does that refer to, if you know?**

7 A. That's that Esther would follow up with

8 Karl.

9 **Q. Do you know if she did?**

10 A. No, I don't.

11 **Q. Did you ever ask her whether she followed**

12 **up with Karl?**

13 A. I believe I did, yes.

14 **Q. But you don't remember what she told you?**

15 A. No.

16 **Q. Moving on to the next section that's**

17 **titled "Notifications," do you see that towards the**

18 **bottom?**

19 A. I do.

20 **Q. And over on the right-hand margin,**

21 **there's a note that says discussed with principal,**

22 **September 9. Do you see that?**

23 A. I do.

24 **Q. Who discussed what with the principal on**

25 **September 9?**

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1 A. What that connects to is me talking with
 2 Natalie about the need to know of -- so who needs to
 3 know about this threat. With it being low level, do I
 4 need to contact all of the teachers, you know, law
 5 enforcement, which we already did. But who needs to
 6 know in the building.
 7 **Q. All right. And who was -- it was just**
 8 **you and Natalie in that conversation?**
 9 A. I believe so, yeah.
 10 **Q. Did Esther Song participate in that?**
 11 A. I don't remember.
 12 **Q. Who made the decision that Karl's**
 13 **teachers did not need to know about this threat**
 14 **assessment?**
 15 A. I don't recall. I don't remember if it
 16 was -- I don't know how that conversation went. If
 17 Natalie said go ahead and do that or if I pushed for
 18 it or if it was a conversation between the two of us
 19 and we came to a consensus.
 20 **Q. Actually, let's take a step back. Did**
 21 **Karl's teachers receive notice of this threat**
 22 **assessment?**
 23 A. No.
 24 **Q. Okay. So then the question becomes, who**
 25 **made the decision not to notify Karl Pierson's**

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1 **teachers that he had been the subject of a threat**
 2 **assessment?**
 3 A. That's what I'm saying, I don't know who
 4 determined that.
 5 **Q. Can you tell me anything about the**
 6 **discussions you had with Natalie Pramenko about**
 7 **whether or not Karl Pierson's teachers needed to know**
 8 **that he had been a subject of a threat assessment for**
 9 **threatening to kill another faculty member?**
 10 A. I don't recall that conversation.
 11 **Q. Do you have a sense, was it widely known**
 12 **among the faculty in the fall of 2013 that Karl had**
 13 **made the threat that led to this assessment?**
 14 A. Was it widely known?
 15 **Q. Yes.**
 16 A. How would you determine widely?
 17 **Q. That's why I'm asking it as broadly as I**
 18 **am.**
 19 A. Okay.
 20 **Q. I'm asking your view.**
 21 A. I believe that Michelle Crookham knew. I
 22 believe that Dan Swomley knew. I believe that --
 23 well, I know that Mark Loptien knew. I don't know
 24 about his other teachers, which ones knew or which
 25 ones didn't know about the threat assessment.

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1 **Q. All right. And on the last page of the**
 2 **threat assessment, you'll see the box is checked that**
 3 **a copy of this threat assessment documentation and**
 4 **plan were given to Nate Thompson. Do you see that?**
 5 A. Yes.
 6 **Q. And you're aware that Nate Thompson said**
 7 **he never got a copy of this threat assessment?**
 8 A. Correct.
 9 **Q. Do you have an understanding as to why it**
 10 **is that Nate didn't get a copy of this?**
 11 A. No.
 12 **Q. Was it your or Esther Song's**
 13 **responsibility to get that to Mr. Thompson?**
 14 A. It was Esther's.
 15 **Q. Okay. Have you had any conversations**
 16 **with Esther about why she didn't send this threat**
 17 **assessment to Nate Thompson?**
 18 A. I didn't know he didn't get it until
 19 after the 13th.
 20 **Q. Have you had any conversations with**
 21 **Esther since the shooting about this threat assessment**
 22 **and why it didn't go to Nate Thompson?**
 23 A. I believe I did, but I don't recall the
 24 specifics that she shared why or why not.
 25 **Q. When is the last time you spoke with**

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1 **Esther Song?**
 2 A. Last year. I mean, not last year. In
 3 the spring of 2014.
 4 **Q. All right.**
 5 A. At the end of the school year.
 6 **Q. Have you ever discussed with Esther Song**
 7 **whether or not there were any shortcomings in how the**
 8 **threat assessment document was prepared?**
 9 A. I did not.
 10 **Q. Your next contact with Karl Pierson after**
 11 **the threat assessment and reentry meeting was the very**
 12 **next day, September 10?**
 13 A. Yes.
 14 **Q. And that was an encounter that was**
 15 **prompted after Karl Pierson showed up to speech and**
 16 **debate practice, right?**
 17 A. Yes.
 18 **Q. And Tracy Murphy was concerned because he**
 19 **had been told that Karl was not allowed to participate**
 20 **in the speech and debate practices?**
 21 A. Correct.
 22 **Q. Was Karl told that as part of this threat**
 23 **assessment meeting?**
 24 A. Yes.
 25 **Q. And that's not documented anywhere in**

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1 **Exhibit 35, is it?**
 2 A. I don't believe so, no.
 3 **Q. And why not?**
 4 A. I don't know. I had it in my own notes.
 5 **Q. Do you still have those notes?**
 6 A. I do.
 7 MR. ROCHE: I don't think I've seen those
 8 notes.
 9 MR. EVERALL: I thought you did.
 10 MR. ROCHE: Okay. I'll go look at a
 11 break.
 12 MR. EVERALL: I might have them here.
 13 **Q. (BY MR. ROCHE) After Karl showed up at**
 14 **the debate practice on September 10, how did that come**
 15 **to your attention?**
 16 A. Tracy told me.
 17 **Q. When did that happen?**
 18 A. I believe it was after practice.
 19 **Q. And how did you come to discuss that**
 20 **incident with Karl Pierson?**
 21 A. I sent a pass for him the next day and
 22 spoke to him personally in my office.
 23 **Q. And that was on September 11?**
 24 A. I believe so, yeah.
 25 **Q. All right. Was there any doubt in your**

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1 **mind that Karl understood he was not permitted to**
 2 **attend debate practice following the meeting on**
 3 **September 9?**
 4 A. No, I felt like he was testing it to see
 5 if I had talked to Tracy Murphy about him not
 6 attending.
 7 **Q. So that struck you as a boundary probing**
 8 **behavior?**
 9 A. Uh-huh.
 10 **Q. Did that increase your level of concern**
 11 **about Karl Pierson?**
 12 A. It increased it at the moment, and I was
 13 nervous about it continuing. But it didn't after
 14 that, when I told Karl not to -- I told you you have
 15 no contact with Mr. Murphy. Do not talk to him. You
 16 cannot attend speech and debate until we meet two
 17 weeks from now. And in those two weeks after
 18 September 11, Karl did not try that again or go into
 19 the library or do anything to bring him in contact
 20 with Mr. Murphy.
 21 **Q. Okay. And then I'm going to ask you to**
 22 **go back to Exhibit 11 in this book. Go to page 8 if**
 23 **you would. At the bottom of page 8, and in numbered**
 24 **paragraph 9, there is a discussion of a meeting that**
 25 **you and Mr. Murphy had to review Karl's behavior over**

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1 **the last two weeks that was part of your preparation**
 2 **for the September 26 meeting?**
 3 A. Yes.
 4 **Q. Right?**
 5 A. Yes.
 6 **Q. Do you recall when that meeting was or**
 7 **where?**
 8 A. When I met with Mr. Murphy?
 9 **Q. Yes.**
 10 A. It was in my office. I don't -- I don't
 11 remember the exact date.
 12 **Q. All right. And you'll see in Exhibit 11**
 13 **it explains that Mr. Murphy again expressed to you**
 14 **that he had concerns about Karl, right? It's on the**
 15 **next -- yeah, right over here.**
 16 A. Okay.
 17 **Q. What did Mr. Murphy say to you about his**
 18 **ongoing concerns about Karl?**
 19 A. I don't recall exactly what he said, but
 20 we talked about speech and debate, and I told him that
 21 we could kick him off the team. And Tracy said -- and
 22 I don't know if it was this meeting or the prior one,
 23 but Tracy said he wanted to think about what he wanted
 24 to do with Karl in terms of his participation on the
 25 speech and debate team. And then he came back and

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1 came with the idea of just participating in the
 2 competitions rather than go to practices and be a full
 3 member of the speech and debate committee -- or team.
 4 **Q. Did Tracy Murphy tell you as part of this**
 5 **discussion that he was still afraid of Karl acting**
 6 **violently?**
 7 A. I don't recall.
 8 **Q. Do you recall Tracy Murphy ever telling**
 9 **you that he was no longer concerned about Karl acting**
 10 **on his threat to try to kill Tracy Murphy?**
 11 A. I don't remember him saying that he's --
 12 that he thinks he's -- or not going to carry out the
 13 threat or going to carry out the threat.
 14 **Q. All right. Well, it says in the**
 15 **discovery responses, Exhibit 11, that you perceived**
 16 **Mr. Murphy's concern to be subsiding as the date**
 17 **approached for the review meeting --**
 18 A. Yes.
 19 **Q. -- the September 26 meeting, right?**
 20 A. Correct.
 21 **Q. What did Mr. Murphy say or do that caused**
 22 **you to perceive that Mr. Murphy's concerns were**
 23 **subsiding during that two-week period?**
 24 A. Well, that's -- that's when I believe
 25 when I was speaking with him that he was worried about

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1 Karl, but I don't remember him feeling like he's
 2 worried that he's going to carry out the threat and
 3 try to kill him and that he was feeling that he should
 4 still be an active member of the debate team.
 5 **Q. Well, let's talk about that conversation.**
 6 **Your suggestion had been just kick him off the team,**
 7 **right?**
 8 A. Yeah.
 9 **Q. And Mr. Murphy said, No, I don't want to**
 10 **do that. I don't want him coming to practices. I**
 11 **don't want him to be captain, but I want him to remain**
 12 **a member of the debate team, right?**
 13 A. Right.
 14 **Q. Did he explain his reasoning behind that**
 15 **at all?**
 16 A. Yeah.
 17 **Q. And was part of his reasoning that he**
 18 **didn't want to further escalate the situation or**
 19 **further inflame Karl Pierson?**
 20 A. That was a portion of it, yes.
 21 **Q. So that to me wouldn't suggest that his**
 22 **concerns were subsiding, but rather that he was so**
 23 **afraid of Karl Pierson that he wanted to give him at**
 24 **least some of what he wanted to keep him from blowing.**
 25 **Was that your perception as well?**

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1 A. Well, I remember meeting with Tracy and
 2 he was talking all around. And I know that that was
 3 one of the things he said, that he was concerned and
 4 he thinks -- you know, he knew that Karl -- it meant a
 5 lot for him to still be on the speech and debate team
 6 and he thought it would help. I didn't feel like that
 7 he was saying, Well, I want him on the team so, you
 8 know, he won't attack me.
 9 **Q. All right. When you met with Tracy**
 10 **Murphy in advance of that September 26 meeting, did he**
 11 **tell you that he was still seriously considering**
 12 **resigning his job?**
 13 A. I don't recall if he said that during
 14 that meeting. I know he has said that to me in one of
 15 our meetings together, but we met several times.
 16 **Q. And he told you that that was something**
 17 **he was considering doing even after you had**
 18 **characterized Karl Pierson as a low-level threat?**
 19 A. Yes, I believe so.
 20 **Q. Well, when I took Mr. Murphy's**
 21 **deposition, I asked him about that meeting, and**
 22 **specifically I asked the following question. I asked,**
 23 **"When you met with Kevin Kolasa in advance of your**
 24 **September 26 meeting, and you again expressed that you**
 25 **were considering leaving your job, what was his**

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1 **reaction?" And Tracy's answer was, "Again, kind of**
 2 **disbelief, you know, again, kind of, Come on, Tracy,**
 3 **this isn't that serious." Did you say anything like**
 4 **that to Tracy Murphy in this meeting?**
 5 A. I don't believe so, no.
 6 **Q. And Tracy Murphy went on to explain --**
 7 **and I'm on page 176 of Tracy Murphy's deposition --**
 8 **that when you told him it made sense just to have Karl**
 9 **removed from the team, Tracy responded, "If that**
 10 **happened, that will probably be the tipping point that**
 11 **will push him over and cause Karl to do a violent**
 12 **act." Did Tracy tell you that in this meeting?**
 13 A. No, I don't recall him saying that Karl
 14 was going to do a violent act, and I wouldn't have
 15 said anything about the seriousness of it.
 16 **Q. Other than Tracy Murphy, did you talk to**
 17 **anybody else as part of your preparation for the**
 18 **September 26 meeting with Karl and his parents?**
 19 A. Yeah, I talked to Astrid Thurnau to ask
 20 her to participate in the meeting.
 21 **Q. And as I understand it, Esther Song did**
 22 **not participate in that meeting, right?**
 23 A. That's correct.
 24 **Q. Because she was going to a conference**
 25 **that day or something?**

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1 A. Yeah. I believe she had some type of
 2 conflict.
 3 **Q. All right. Was it important to you to**
 4 **make sure that the people participated in the**
 5 **follow-up meeting knew the full background of what had**
 6 **gone before?**
 7 A. What had gone before?
 8 **Q. Would have gone before, that is the**
 9 **September 9 meeting?**
 10 A. Yes.
 11 **Q. And you said you mentioned -- or you met**
 12 **with Astrid Thurnau to prepare for the September 26**
 13 **meeting, correct?**
 14 A. Yes.
 15 **Q. Did you walk her through the threat**
 16 **assessment document that you and Esther Song had**
 17 **prepared?**
 18 A. As I recall, I thought she spoke with
 19 Esther about it.
 20 **Q. All right.**
 21 A. I did talk to her about the threat
 22 assessment and some of it, but I thought she met with
 23 Esther regarding it.
 24 **Q. All right. And what happened at that**
 25 **September 26, 2013 meeting?**

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1 A. So in that meeting, I wanted to discuss
 2 Karl's behavior for the last two weeks to see where
 3 we're at. I wanted to give Karl the opportunity to
 4 talk with Mr. Murphy, and Mr. Murphy to have that
 5 ability to speak with him because at that point, the
 6 two of them hadn't spoken since the incident. I also
 7 wanted to remind Karl the next steps in, you know,
 8 what we expect his behavior to be like, and, again, to
 9 let him know of the supports that he had moving
 10 forward.
 11 **Q. And what were the next steps after this**
 12 **September 26 meeting?**
 13 A. So the next steps was that he could reach
 14 out, that Esther said that he could come visit her,
 15 myself. I know Astrid told Karl that as well, that
 16 those are all people that he could talk to.
 17 **Q. Are those offers by you and Esther and**
 18 **Astrid, are those documented anywhere in the contact**
 19 **log, the behavior detail report, the threat assessment**
 20 **meeting, any of these forms that were prepared as part**
 21 **of this entire process?**
 22 A. No.
 23 **Q. And Karl didn't take advantage of any of**
 24 **these offers for help?**
 25 A. He did not.

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1 **Q. Was any -- other than the offers to come**
 2 **speak to you or Esther or Astrid if he felt the need,**
 3 **was any other ongoing service provided or offered to**
 4 **Karl Pierson after September 26?**
 5 A. No, not that I recall.
 6 **Q. And was any expectation imposed on Karl**
 7 **Pierson after September 26 to maintain some form of**
 8 **communication with you or Esther or Astrid?**
 9 A. No, we didn't force him to come in at
 10 certain times to meet with us.
 11 **Q. So at that point, after the September 26**
 12 **meeting, other than asking the security folks and**
 13 **James Englert to generally keep an eye on Karl**
 14 **Pierson, was there any other form of ongoing**
 15 **supervision or monitoring being done by Arapahoe High**
 16 **School with respect to Karl Pierson?**
 17 A. Other than myself?
 18 **Q. Yes.**
 19 A. No. No.
 20 **Q. All right. And after September 26, what**
 21 **ongoing monitoring or supervision were you performing**
 22 **with respect to Karl Pierson?**
 23 A. I was -- I would always observe Karl,
 24 especially in the morning. He seemed to come in and
 25 always meet with a certain group of friends over at a

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1 table. So I always kept my eye open to, you know, see
 2 how they were receiving him and how he was receiving
 3 them. So that was, you know, not every day but most
 4 days. And then we monitored, of course, through
 5 the --
 6 **Q. The D and F reports, things like that?**
 7 A. Uh-huh.
 8 **Q. Did you ever after September 26, have a**
 9 **sit-down conversation with Karl Pierson prior to the**
 10 **Vicki Lombardi incident?**
 11 A. No.
 12 **Q. Never called him in to --**
 13 A. Wait.
 14 **Q. Go ahead.**
 15 A. Let me think about that question for a
 16 second.
 17 **Q. No, that's a big question. I don't want**
 18 **an off-the-cuff answer. So take all the time you**
 19 **need.**
 20 A. You said sit down. I spoke with him
 21 regarding -- I called him into my office that first
 22 time that he went to speech and debate.
 23 **Q. Right.**
 24 A. And then I talked to him in the hallway
 25 about the KMF, whatever that was.

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1 **Q. The Crookham incident?**
 2 A. Yeah, and that -- again, I don't remember
 3 if it was before the 26th or after the 26th that I
 4 spoke to him regarding that.
 5 **Q. Okay. Any other conversations that you**
 6 **can recall having with Karl Pierson between**
 7 **September 26 and December 11?**
 8 A. No.
 9 **Q. And you had the conversation with Karl**
 10 **about the incidents involving Ms. Crookham because she**
 11 **brought that to your attention, right?**
 12 A. Yes.
 13 **Q. You had the conversation with Karl about**
 14 **the Vicki Lombardi incident because she brought that**
 15 **to your attention, right?**
 16 A. Yes.
 17 **Q. So during that two-month-plus window,**
 18 **from September 26 to December 11, did you ever reach**
 19 **out to Karl, other than in the context of having**
 20 **gotten a report from another faculty member that he**
 21 **had engaged in some questionable conduct?**
 22 A. No. I would say hi to him in the hallway
 23 and check in that way, but no formal conversations.
 24 **Q. Sure. Between September 26 and**
 25 **December 11, did you ever speak to Mr. or**

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1 **Mrs. Pierson?**
 2 A. No, I didn't.
 3 **Q. During the time period that you were**
 4 **monitoring Karl Pierson as a result of this threat**
 5 **assessment, how many other threat assessment kids were**
 6 **you monitoring?**
 7 A. Well, there's two others that I worked
 8 with that had a threat assessment.
 9 **Q. The one from 2011?**
 10 A. Yes.
 11 **Q. That student was still there?**
 12 A. He came back, yes.
 13 **Q. Okay. And the student from 2012 had come**
 14 **back as well?**
 15 A. Wait, I'm sorry.
 16 **Q. What I'm trying to get at is how many**
 17 **students were you monitoring using this threat**
 18 **assessment rubric in the fall of 2013?**
 19 A. So there would have been the three.
 20 **Q. The student from 2000 -- the 2011 threat**
 21 **assessment, right?**
 22 A. Right.
 23 **Q. That kid was a senior?**
 24 A. Yes.
 25 **Q. And the kid from the 2012 threat**

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1 **assessment, you were still monitoring that student as**
 2 **well?**
 3 A. Right.
 4 **Q. And you were monitoring Karl?**
 5 A. Correct.
 6 **Q. Did those other two kids graduate?**
 7 A. Yes.
 8 **Q. Let's do this, why don't we go ahead and**
 9 **take a quick break.**
 10 **(Recess taken, 2:36 p.m. to 2:53 p.m.**
 11 **after which time Ms. Goodrum was no longer present.)**
 12 **Q. (BY MR. ROCHE) Tell me, if you could,**
 13 **what the dynamic was between Karl Pierson and his**
 14 **parents in the meeting on September 26.**
 15 A. It was nothing I really recall during
 16 that meeting that stands out. Karl and his dad at the
 17 end, when they were walking out in the hall, were
 18 having what seemed to be an intense conversation, but
 19 I have no idea what that was regarding.
 20 **Q. All right. Let me ask this, on**
 21 **September 27, or at any time thereafter, did you ask**
 22 **Karl, It looks like your dad and you were having a**
 23 **pretty intense conversation after our meeting, what**
 24 **was going on, is everything okay, anything like that?**
 25 A. No. It didn't seem -- you know, it

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1 wasn't that intense that it was of a concern, but you
 2 could tell Dad was serious about whatever it was that
 3 they were going back and forth discussing.
 4 **Q. Do you recall -- the reason I'm asking**
 5 **about the demeanor is I've heard other witnesses say**
 6 **that the dynamic was kind of bizarre during that**
 7 **meeting, the relationship between Karl and his**
 8 **parents. That didn't strike you that way?**
 9 A. I don't remember it that way, no.
 10 **Q. And, again, I'm looking at Tracy Murphy's**
 11 **deposition, and he indicated that you made the**
 12 **observation that Barbara Pierson was kind of trying to**
 13 **guide Karl as if he were a child, that a lot of what**
 14 **was -- Kevin and Astrid agreed that a lot of what Karl**
 15 **was saying was insincere, at best, but he was jumping**
 16 **through the hoops, doing what was expected of him. Do**
 17 **you recall having that impression of that meeting?**
 18 A. No. My impression was not that it was
 19 insincere. I don't know for sure if it was -- it
 20 could have been during that meeting that I said to
 21 Mrs. Pierson, I would like Karl to answer these
 22 questions, because I know sometimes she would like to
 23 jump in and, you know, participate for him. But I did
 24 not feel that Karl was insincere in that meeting.
 25 **Q. And what questions were you asking of**

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1 **Karl on September 26?**
 2 A. I don't recall all of them, just, you
 3 know, part of it was, Why did you go back into speech
 4 and debate? You know, That was something that we
 5 discussed, and, you know, I was very clear on the fact
 6 that you weren't going to do that or that you
 7 shouldn't contact Mr. Murphy at all. And we talked
 8 about speech and debate. I don't know exactly, you
 9 know, all of the questions that I asked Karl in that
 10 meeting. One thing I asked is, Now that we have
 11 Mr. Murphy here, and you're here, do you want to share
 12 anything?
 13 **Q. And what was Karl's response?**
 14 A. And that's when he apologized to
 15 Mr. Murphy that he shouldn't have said what he said.
 16 And I forget his exact wording, but . . .
 17 **Q. And the reason I ask about that is you**
 18 **will see in exhibit, I think it's, 14, the sheriff's**
 19 **report -- do you see that?**
 20 A. I do.
 21 **Q. Have you read it?**
 22 A. Yes. Yes, I have.
 23 **Q. And let me direct your attention to page**
 24 **8 of the sheriff's report. In the middle of the page,**
 25 **there's a discussion of the meeting on September 26.**

177

1 A. Yes.

2 **Q. And in it, Astrid Thurnau reports that**

3 **"During the meeting, Astrid believed that Karl was**

4 **supposed to apologize to Tracy, but he did not." Do**

5 **you see that?**

6 A. I do.

7 **Q. Is the sheriff's report wrong on that**

8 **point?**

9 A. I believe Astrid is incorrect, yes.

10 **Q. All right. Did you have your own**

11 **impression about whether or not Karl Pierson's apology**

12 **to Tracy Murphy was sincere?**

13 A. Yes, I felt it was sincere.

14 **Q. And following the meeting on**

15 **September 26, was your level of concern about Karl**

16 **Pierson higher or lower than it had been on**

17 **September 9?**

18 A. Lower.

19 **Q. Other than the Michelle Crookham**

20 **incident, which I think we talked about, and the**

21 **saying hello in the hall, did you have any other**

22 **contact with Karl Pierson or his parents between**

23 **September 26 and December 11?**

24 A. No.

25 **Q. And on December 11, there was an incident**

178

1 **involving Karl Pierson in Vicki Lombardi's class?**

2 A. Yes.

3 **Q. How did you come to learn about that**

4 **incident?**

5 A. I got a call. My secretary picked up the

6 call, and I forget if it was directly from

7 Mrs. Lombardi, I would assume so, and she said that

8 she sent Karl out of the class and asked me to come

9 down and talk with her.

10 **Q. And as I understand it from**

11 **Mrs. Lombardi, she actually called the emergency line,**

12 **what is it, 6030, or some number like that?**

13 A. It was just the main office.

14 **Q. Did you have an understanding on**

15 **December 11 that Mrs. Lombardi had called an emergency**

16 **line about this incident involving Karl Pierson?**

17 A. No, I didn't even know we had an

18 emergency line. I think if you're saying 6030, that's

19 my extension.

20 **Q. I'm not sure about the number, but I will**

21 **tell you that Mrs. Lombardi testified in her**

22 **deposition that she was concerned enough about that**

23 **incident and about Karl's behavior and demeanor that**

24 **she called what she characterized as the emergency**

25 **line. Do you know anything about an emergency line at**

179

1 **Arapahoe High School?**

2 A. In my four years of working at Arapahoe,

3 I never heard that we had an emergency line.

4 **Q. All right. And when you went down to**

5 **talk to Mrs. Lombardi, what did she tell you?**

6 A. She told me that Karl was locked out of

7 the class and he pounded on the door for approximately

8 30 seconds real loud to try to get entry back in. And

9 that she asked him when she opened the door, Are you

10 serious? And he said, Serious as a heart attack. And

11 then she sent him out of the classroom, but she didn't

12 say specifically sit in the hallway. So she just said

13 get out of the class, and he left and went to the

14 cafeteria where I found him reading.

15 **Q. And you're aware now, are you not, that**

16 **Vicki Lombardi maintains that she told you at least**

17 **twice on December 11 that Karl scared her?**

18 A. I'm aware of it.

19 **Q. Did she tell you that on December 11?**

20 A. I don't remember her saying that.

21 **Q. Would that have stuck in your mind given**

22 **who this student was?**

23 A. Yes.

24 **Q. That now you have not one, but two**

25 **faculty members telling you that they were afraid of**

180

1 **this student --**

2 A. Yes.

3 **Q. -- who had already threatened to kill one**

4 **faculty member?**

5 A. And I wouldn't have suggested that Karl

6 go and apologize to her the next day without me

7 supervising or having a meeting between me and

8 Mrs. Lombardi, because Karl at the end of that --

9 well, when I was speaking to him in my office, he said

10 that he wanted to apologize immediately. I said, No,

11 Karl, I don't want you to go down to class now. She's

12 teaching. You can go down during -- I forget if it's

13 second or third hour when Mrs. Lombardi -- it would

14 have been only her or one other or two other teachers

15 in the foreign language offices. And I told

16 Mrs. Lombardi that, and she said, Okay. Great.

17 **Q. When you went to see Karl in the**

18 **cafeteria -- well, strike that.**

19 **How did you learn that Karl was in the**

20 **cafeteria?**

21 A. When I walked out to go talk to Lombardi,

22 I saw him sitting in a booth reading.

23 **Q. So you saw him there even before you got**

24 **to her office?**

25 A. Yes.

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1 **Q. Was one of the campus security people**
 2 **with him?**
 3 A. No. I called one of the campus security
 4 guards over, and I spoke to him and I said, Get Karl
 5 sitting there calmly. I'm going to go talk to
 6 Mrs. Lombardi, just if you could monitor him because
 7 I'm not ready to speak to him yet. And then Karl saw
 8 us talking and he got up and I walked over and I spoke
 9 with him and asked the security guard to escort him to
 10 my office.
 11 **Q. So you brought -- after you spoke with**
 12 **Mrs. Lombardi -- before you get -- strike that.**
 13 **When you went to speak to Mrs. Lombardi,**
 14 **was she in her classroom?**
 15 A. Yes.
 16 **Q. And you pulled her out of her classroom**
 17 **to speak to her?**
 18 A. Yeah, we spoke in the hallway.
 19 **Q. Did the students in her classroom appear**
 20 **scared?**
 21 A. I don't recall that.
 22 **Q. So when you went back to the cafeteria**
 23 **and found Karl --**
 24 A. No.
 25 **Q. Or saw Karl, after talking to**

182

1 **Mrs. Lombardi, you brought him into your office?**
 2 A. No. What happened was when I first got
 3 the call from Lombardi, I went to go speak with her in
 4 her classroom but before -- as soon as I walked out of
 5 my office, I saw Karl sitting in the cafeteria.
 6 **Q. Right.**
 7 A. So I talked to Karl briefly about what
 8 happened in class, and then I went to Lombardi and got
 9 her side. And then I came back and talked to Karl in
 10 my office.
 11 **Q. Okay. So let's talk about the brief**
 12 **conversation you had with Karl before you went to talk**
 13 **to Mrs. Lombardi. What did you say? What did he say?**
 14 A. So I asked him what happened, because at
 15 that point I didn't know what happened, other than he
 16 was sent out of the class. So I asked him why he was
 17 sent out of the class, and he told me the situation.
 18 And I said, Okay, you can wait in my office.
 19 **Q. So you sent him back to your office while**
 20 **you went to talk to Mrs. Lombardi?**
 21 A. Yeah, Mr. Rust was with him.
 22 **Q. Okay. And you went and talked to**
 23 **Mrs. Lombardi, and then you went back to your office?**
 24 A. Yes.
 25 **Q. Tell me about the conversation you had**

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1 **with Karl Pierson in your office after speaking with**
 2 **Mrs. Lombardi.**
 3 A. So Karl told me what happened. He said
 4 that he was -- he went to go to the bathroom, he left,
 5 and when he tried to get in, he knocked a couple
 6 times, and it was pretty loud in the class so they
 7 maybe didn't hear his knock. But then he saw a kid
 8 through the window, and he signaled to the kid, Come
 9 on, let me in or something. And the kid shook his
 10 head no. And that's when Karl decided to bang on the
 11 door until they opened it.
 12 **Q. And what was your response to Karl after**
 13 **hearing his side of the story and Vicki Lombardi's**
 14 **side of the story?**
 15 A. I'm sorry. Can you repeat the question?
 16 **Q. Sure. After you had heard both sides of**
 17 **the story, what did you say to Karl?**
 18 A. Okay. So him and I talked about his
 19 anger management again and how he had been doing a
 20 good job in the sense that he hadn't had any outbursts
 21 and he had been, you know, maintaining composure in
 22 class and everything. And we talked about how it was
 23 definitely inappropriate and that it could be scary to
 24 people when you're banging on the door that loud and
 25 it was inappropriate. I asked him what he believes

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1 needs to be done in terms of reparations, and he said
 2 at that point that he wanted to apologize to Lombardi.
 3 I asked about, What about that kid that didn't let you
 4 in? And he said, Well, he's a sophomore, I don't
 5 really care what he thinks. And I'm like, Well, Karl,
 6 you're going to go into a classroom that a student
 7 that you feel, you know, locked you out, and I'm
 8 telling you that while this student didn't lock you
 9 out, he just didn't open the door for you, because
 10 Karl thought the student got up and locked the door,
 11 but Mrs. Lombardi forgot to drop the magnet down so,
 12 therefore, it locked. And then Karl and I after --
 13 after we had that conversation, I called his mom with
 14 him in the room. I talked to her about the situation,
 15 and told her I wasn't going to be suspending him and
 16 that I'll be sending him home for the duration of the
 17 day. I believe it was around, you know, 1:45 or
 18 something like that.
 19 **Q. So this was a 6th hour class, basically?**
 20 A. So it was toward the end of the day that
 21 I was just going to send him home.
 22 **Q. Why did you send him home?**
 23 A. I mean, Karl was calm in the meeting that
 24 him and I had. I just wanted to make sure that
 25 nothing else came up, and it was one of those

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1 situations in which he was already missing a portion
 2 of -- I think it was physics. I don't know what class
 3 it was. But I felt it was better just for him to go
 4 home.
 5 **Q. You wanted him to cool off?**
 6 A. Yeah.
 7 **Q. Did you have any discussions with Karl**
 8 **concerning what he meant when he said he was serious**
 9 **as a heart attack?**
 10 A. Yes.
 11 **Q. Tell me about those discussions.**
 12 A. I don't recall all of the details about
 13 that, but I know we talked about what he said.
 14 **Q. What did he tell you he meant by that?**
 15 A. I don't remember.
 16 **Q. Did you, after this incident on**
 17 **December 11, speak with Natalie Pramenko or Esther**
 18 **Song or Darrell Meredith or the security guards or**
 19 **anyone else about what had just happened?**
 20 A. I don't remember if I spoke to Natalie or
 21 -- I typically did talk to Natalie about anytime I had
 22 any discipline issues that came up. As regards to the
 23 other AP's, I'm not -- I don't really remember.
 24 **Q. And we know you talked to Cameron Rust**
 25 **about it --**

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1 A. Right.
 2 **Q. -- because you told him to watch Karl**
 3 **Pierson while you went and spoke with Mrs. Lombardi,**
 4 **right?**
 5 A. Yep.
 6 **Q. Did you have any further discussions with**
 7 **any of the other security people about this incident?**
 8 A. I don't recall.
 9 **Q. Did this outburst on December 11 cause**
 10 **you to revisit, in your own mind, whether Karl was**
 11 **becoming a greater threat?**
 12 A. I did, and in my mind, he wasn't becoming
 13 a greater threat. The conversation that we had
 14 following it up and me seeing him in the cafeteria
 15 reading, he was very calm, and when him and I spoke,
 16 he was, again, calm, talked about grades at the end,
 17 talked about multiple things.
 18 **Q. Well, let's talk about those multiple**
 19 **things. One of them was grades?**
 20 A. Uh-huh.
 21 **Q. Because by that point, his grades were in**
 22 **a serious decline --**
 23 A. Uh-huh.
 24 **Q. -- right?**
 25 A. His grades were lower than -- if you were

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1 to end the semester then, they were lower than they
 2 typically were, yes.
 3 **Q. And you were a couple of days from finals**
 4 **at that point?**
 5 A. Right.
 6 **Q. So tell me about the conversation you had**
 7 **with Karl about his grades.**
 8 A. Sure. Some of what I remember with the
 9 conversation -- we shared a lot -- Well, my final's
 10 big in that class. I'll pass the final. It will be
 11 fine. At that point his world history -- no, world
 12 literature, I think, class was at a 59 percent. So he
 13 was close to passing. I don't recall our conversation
 14 about physics. You know, again, that was a class that
 15 he didn't need to graduate. So I don't remember
 16 exactly what we talked about with that, but he felt
 17 confident that he was going to pull off a lot of those
 18 classes with his finals because the finals were being
 19 weighed pretty heavily.
 20 **Q. Did it occur to you or even cross your**
 21 **mind when you came back to the cafeteria and saw Karl**
 22 **being calm, that perhaps he was bringing things down**
 23 **in terms of his demeanor so that you wouldn't**
 24 **investigate further because he, in fact, knew in his**
 25 **own mind that he had a plan to do something violent**

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1 **two days later?**
 2 A. Yeah, I mean, after the 13th, yes.
 3 **Q. What about on the 11th? Did that even**
 4 **occur to you?**
 5 A. That he had a plan, no. And, sorry, can
 6 I elaborate on that?
 7 **Q. Yes.**
 8 A. And, again, with the conversations we
 9 were having about finishing up his classes strong for
 10 that semester, I talked to him about having two AP
 11 classes and maybe that was too much for him. To which
 12 he said that he really liked his AP U.S. history so --
 13 and he could pass the economics. I believe he had a C
 14 at that point, or it could have been a D, sorry. And
 15 then we talked a little bit about college.
 16 **Q. Okay. Tell me about those discussions.**
 17 A. I don't remember all of the specifics,
 18 but I just talked to him about, Okay, so you're
 19 applying to that school? What's going on? And he's
 20 like, Yeah. I remember him saying that he was looking
 21 into schools for that year, and he was more general
 22 about that, didn't give me like specific schools that
 23 I could remember.
 24 **Q. And you said you spoke to Mrs. Pierson on**
 25 **the afternoon of December 11?**

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1 A. I did.
 2 **Q. And that was with Karl in the room?**
 3 A. Yes.
 4 **Q. I know we're plowing old ground here, but**
 5 **you told her what happened?**
 6 A. Uh-huh.
 7 **Q. And that you were going to send Karl**
 8 **home, right?**
 9 A. Yes.
 10 **Q. How long was that call? Five minutes?**
 11 A. Yeah, probably around that.
 12 **Q. Did you discuss the fact that Karl had**
 13 **been the subject of a threat assessment during that**
 14 **call?**
 15 A. I believe so, yes.
 16 **Q. Did you ask her whether or not Karl had**
 17 **continued to see a therapist in the two months plus**
 18 **since you had last spoken to her?**
 19 A. No, I don't recall asking her that.
 20 **Q. Did you ask her during that call whether**
 21 **or not she had seen any angry outbursts or other**
 22 **troubling behaviors on Karl's part in the two months**
 23 **since you had last spoken to her?**
 24 A. I asked her how he has been doing at
 25 home. She said he's been doing well.

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1 **Q. Did she elaborate on that at all?**
 2 A. No. Nothing that I have in my head that
 3 I remember.
 4 **Q. Do you recall having a discussion with**
 5 **her about the fact that his grades had declined?**
 6 A. Yes.
 7 **Q. And did that concern her?**
 8 A. Yes.
 9 **Q. So tell me about that discussion.**
 10 A. Again, I don't remember all of the
 11 specifics, but I remember talking to her about each of
 12 the low classes and what Karl's plan was. Again, I
 13 don't remember the conversation around physics, but
 14 that he felt, again, comfortable that he was going to
 15 be able to pull up those other grades. And I told her
 16 that we could review after finals whether or not he
 17 should still take two AP classes.
 18 **Q. All right. Did you and Mrs. Pierson**
 19 **discuss anything else about this incident?**
 20 A. Yes. She asked about the other boy, the
 21 boy who locked Karl out and if there was going to be
 22 any consequences for him for locking him out.
 23 **Q. And did that strike you as odd?**
 24 A. It did because it was the first thing
 25 that she mentioned when I told her what happened.

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1 **Q. And did you draw any conclusions on that**
 2 **family dynamic based on Mrs. Pierson's question about**
 3 **what's going to happen to the other kid?**
 4 A. Yeah. I guess what I drew from that was
 5 that, you know, she was always jumping in to support
 6 Karl. She was one of those parents that you had to
 7 have a lot of information for, you know, if it was a
 8 situation in which it was a back and forth, like a he
 9 said/she said type of thing. You know, it felt like
 10 she would support her son more than she would, you
 11 know, perhaps side with the school.
 12 **Q. Did it occur to you that Mrs. Pierson was**
 13 **modeling for Karl one of the warning factors on the**
 14 **threat assessment namely externalizing blame for**
 15 **things that happen?**
 16 A. Afterwards, yes. After the 13th, I
 17 thought about it.
 18 **Q. Is it your understanding that on**
 19 **December 12, Karl apologized to Vicki Lombardi?**
 20 A. Yes, he did.
 21 **Q. And did you have a discussion with either**
 22 **Karl or Vicki Lombardi on December 12?**
 23 A. No. I had a discussion with Vicki
 24 Lombardi on the 13th.
 25 **Q. Before the shooting or after?**

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1 A. After.
 2 **Q. Okay. Exhibit 24 is the behavior detail**
 3 **report, and you'll see that in there there is a**
 4 **reference to the Vicki Lombardi incident. Do you see**
 5 **that?**
 6 A. Yes.
 7 **Q. And it says that it was submitted by you,**
 8 **right?**
 9 A. Correct.
 10 **Q. Did you submit this information into**
 11 **Karl's behavior detail report before or after the**
 12 **shooting?**
 13 A. This is before.
 14 **Q. And I ask because it has a date and a**
 15 **time on it. Do you see that?**
 16 A. I do.
 17 **Q. Is that the date and time that the**
 18 **incident occurred, or is that the date and time that**
 19 **you updated or uploaded or submitted this information?**
 20 A. It's the time that you essentially start
 21 to put in the information.
 22 **Q. All right.**
 23 A. So sometimes I would put that in while a
 24 student was writing a statement about what happened,
 25 and then come back to it later that day or, you know,

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1 hopefully sooner than later and put it into Infinite
 2 Campus fully.
 3 **Q. All right. Did you have any contact with**
 4 **Karl on December 12th?**
 5 A. No.
 6 **Q. And he wasn't in school on December 13**
 7 **before he burst in with a gun, right?**
 8 A. Correct.
 9 **Q. I take it you didn't have any contact**
 10 **with him on December 13 either then?**
 11 A. No.
 12 **Q. Where were you within the building on**
 13 **December 13 at 12:33?**
 14 A. I was in the staff lounge right outside
 15 of the cafeteria.
 16 **Q. And when you heard the lockdown**
 17 **announcement and the gunshots, what was your first**
 18 **thought?**
 19 A. I didn't hear the gunshots. I heard the
 20 lockdown, and my first thought was, I don't -- I
 21 didn't know it was a true lockdown or -- I didn't know
 22 what was going on at that point.
 23 **Q. When you first heard there was an active**
 24 **shooter in the building, did you think it was Karl?**
 25 A. No.

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1 **Q. Didn't have any idea who it was?**
 2 A. When I -- after I heard lockdown on the
 3 walkie-talkie, I ran into the main office, and I told
 4 all the secretaries and Bryan Jesse in there to lock
 5 down. Lock the front door to the main office, yelled
 6 at one of the teachers to get into her classroom. And
 7 then when I was on my way around the main office. I
 8 ran into Karl Fisch, and he told me that he thinks it
 9 was a -- he gave me a name of another student, because
 10 Tracy had talked to me earlier that day that Tracy had
 11 kicked a student out of the library and that the
 12 student wasn't happy. So at that time, I was thinking
 13 that it was another student.
 14 **Q. All right. How did you learn it was Karl**
 15 **Pierson who had shown up at the school with a gun?**
 16 A. I heard on the walkie-talkie when I was
 17 in the library.
 18 **Q. Were you surprised it was Karl?**
 19 A. Very.
 20 **Q. Have you had -- I'll preface this that I**
 21 **don't want to inquire into any discussions you had**
 22 **with Mr. Everall since the shooting. Have you had any**
 23 **conversations with anybody at Arapahoe or LPS about**
 24 **what went right or went wrong in this threat**
 25 **assessment process?**

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1 A. Yes.
 2 **Q. Who were those conversations with?**
 3 A. I had a conversation with Mr. Everall,
 4 Nate Thompson, Melissa Cooper, and myself.
 5 **Q. Was that all in one meeting?**
 6 A. Yes.
 7 **Q. That I'm not permitted to go into.**
 8 **Outside of the presence of Mr. Everall, have you had**
 9 **any discussions with Natalie or Darrell or Nate**
 10 **Thompson about any of the things that may have gotten**
 11 **missed in this threat assessment process?**
 12 A. I did talk to Nate right after to ask him
 13 for some feedback.
 14 **Q. And what feedback did you get?**
 15 A. All he said was that it would have
 16 potentially been beneficial to have more people a part
 17 of the threat assessment at the initial meeting.
 18 **Q. Did he also have a criticism that he**
 19 **wasn't provided a copy of this threat assessment so he**
 20 **could review it?**
 21 A. Yes, but I had known that already.
 22 **Q. How did you learn that that was a**
 23 **criticism of how this threat assessment process was**
 24 **handled?**
 25 A. He -- I forget how it came up. I know I

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1 talked to him about it, but I don't remember if I
 2 initiated, you know, I heard that you didn't get it,
 3 is that true, or he came up to me and said, Kevin, I
 4 never had the threat assessment.
 5 **Q. Okay. Did you have any discussions with**
 6 **Esther Song after the shooting about how the threat**
 7 **assessment process was handled for Karl Pierson?**
 8 A. Yeah, we spoke briefly about it.
 9 **Q. When was that?**
 10 A. I don't remember exactly. I don't
 11 remember.
 12 **Q. Well, setting aside when it was, what did**
 13 **you and Esther discuss about the threat assessment**
 14 **that the two of you had performed on Karl Pierson?**
 15 A. I don't -- I know I brought up with her
 16 why she didn't send it to Nate but I . . .
 17 **Q. Do you recall anything else about your**
 18 **discussion with Esther Song about the threat**
 19 **assessment that the two of you had done on a student**
 20 **who turned out to be a school shooter?**
 21 A. Right. No, I don't.
 22 **Q. Have you had any conversations with**
 23 **Darrell Meredith about the fact that Karl Pierson was**
 24 **seen looking at a gun and it wasn't brought to your**
 25 **attention?**

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1 A. Yes.

2 **Q. Tell me about those conversations.**

3 A. We talked about that one time in the

4 cafeteria, because that was after something was in the

5 news about Karl looking up guns. And I was telling

6 Darrell that I can't believe that the newspapers are

7 just, you know, putting in lies and just making up

8 stuff. And he said, No, that happened. I knew that.

9 **Q. What did you say to him?**

10 A. I said, I wish you would have told me.

11 That we had -- that you knew we had a threat

12 assessment on Karl. Again, he said something along

13 the lines of, Well, yeah, but it's not a violation of,

14 you know, anything in terms of disciplinary measures

15 at the school for looking up guns.

16 **Q. Well, you would agree with me, though,**

17 **that whether or not it is a disciplinary violation**

18 **isn't the issue, right, the issue is, does he pose a**

19 **threat to the other people in the building, right?**

20 A. I agree.

21 **Q. Did you tell him that?**

22 A. I said that I would have liked to have

23 known that.

24 **Q. Have you discussed with anyone other than**

25 **Darrell Meredith the fact that he and others knew that**

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1 **Karl was looking at guns and didn't report that to**

2 **you?**

3 A. No.

4 **Q. Does that raise any concerns in your mind**

5 **about either the culture, the training, or the lines**

6 **of communication that existed at Arapahoe High School**

7 **in the fall of 2013?**

8 A. I wouldn't say that reflects negatively

9 on the culture, because I don't think --

10 **Q. Okay. What would you say?**

11 A. I would say that it reflects negatively

12 on the lines of communication and that I should have

13 been made aware of that.

14 **Q. Okay. Have you spoken to Karl's parents**

15 **since the shooting?**

16 A. Yes.

17 **Q. When was that?**

18 A. I don't know. Karl's mom just walked

19 into my office one day, and she wanted to talk to me

20 about -- I forget what it was. She wanted to -- she

21 wanted -- she wanted all of his transcripts and things

22 like that as -- his grades and stuff like that. She

23 wanted to know if we were going to put NC, what were

24 we going to put on his transcript for his grades. She

25 sent me an e-mail regarding that previously. And I

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1 had forwarded it on to Melissa Cooper and Nate to --

2 or it could have been Clay Abila to help because I

3 didn't want to communicate with Mrs. Pierson, and

4 then, like I said, she just showed up one day in my

5 office.

6 **Q. And she asked about his grades and his**

7 **transcripts and those kind of things, right?**

8 A. No, she didn't -- I'm sorry, I didn't

9 explain that too well. In that when she came in, she

10 started talking to me, and I was really shocked to see

11 her so she just apologized, and was like, Oh, you

12 don't feel comfortable talking to me, just say that.

13 And I said, No, I feel really uncomfortable talking to

14 you and if you need to meet with me, you need to set

15 an appointment with me. You don't just walk in. So

16 she said sorry and she left.

17 **Q. Have you had any conversations with her**

18 **since that time?**

19 A. No.

20 **Q. Let's go ahead and take a real short**

21 **break. Actually, before we do that -- sorry. You**

22 **left Arapahoe High School after the 2013-2014 school**

23 **year?**

24 A. Yes.

25 **Q. Okay. Tell me why you left.**

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1 A. I had multiple reasons.

2 **Q. What were they?**

3 A. One, it was hard working as assistant

4 principal in the high school and covering all the

5 supervision and being away as much as I was from my

6 family. I wanted to be there with them. And I had

7 experience at the middle school and I enjoyed that. I

8 had that thought in my mind for a while that I would

9 like to become a principal at some point and

10 reflecting on what would be the best level for me, I

11 felt middle school would be. So I applied, and it was

12 difficult being in the building.

13 **Q. Because of what had happened there?**

14 A. Yeah.

15 **Q. Were you -- was it ever asked or**

16 **suggested to you that you should transfer out of**

17 **Arapahoe?**

18 A. No, never.

19 **Q. Did you receive any discipline or**

20 **reprimand, formal or informal, as a result of your**

21 **involvement in the threat assessment or your handling**

22 **of Karl Pierson?**

23 A. No.

24 MR. ROCHE: Okay. Let's go ahead and

25 take that break now.

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1 (Recess taken, 3:41 p.m. to 3:51 p.m.)
 2 **Q. (BY MR. ROCHE) Mr. Kolasa, as I**
 3 **mentioned at the beginning of this deposition, the**
 4 **outcome of this arbitration is going to be a report,**
 5 **multiple reports on what lessons can be learned from**
 6 **this tragedy and what improvements can be made to help**
 7 **prevent future tragedies like this from inflicting on**
 8 **parents the pain that Mike and Desiree Davis have**
 9 **suffered over the last 22 months and 1 day. And I've**
 10 **asked every witness this question, what lessons have**
 11 **you learned from this?**
 12 A. Sure. Well, there's multiple lessons
 13 that I learned. One being with the threat assessment
 14 that, you know, when you're working in conjunction
 15 with someone else that don't always trust that those
 16 other steps are going to be done. It is my
 17 responsibility to follow up to make sure those things
 18 are being done.
 19 Such as getting the threat assessment
 20 sent to Nate, making sure that people are following up
 21 with Karl or whoever the student is. I've taken more
 22 of an active role for myself in meeting with the
 23 students. And I think in terms of a threat
 24 assessment, like you pointed out, there were things
 25 that weren't checked that could have been checked.

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1 That's something that you need to go over with a
 2 fine-tooth comb.
 3 And that once you do that, you know, I
 4 would have had another person on the committee so that
 5 they could have taken notes and been able to keep
 6 track of some of the conversation. I think it's good
 7 to have pretty much as many people as you can without
 8 overwhelming the student. That's something I keep in
 9 mind with the students I work with now, that you don't
 10 want to have a huge table like this facing one student
 11 and his mom or dad, that could be overwhelming, but
 12 you do want that support there for you and your side
 13 in creating the threat assessment, as well as you want
 14 the student to know that there is that support out
 15 there.
 16 **Q. All right. Is there anything else that**
 17 **you want to add to the record as part of this**
 18 **arbitration?**
 19 A. No, I don't think so.
 20 **Q. All right. You'll be given the**
 21 **opportunity to read this, make any corrections. Once**
 22 **Ashley gets the transcript done, you'll get correction**
 23 **sheets. You'll have the opportunity to fill those**
 24 **out, get them back to Mr. Everall, and he will get**
 25 **them to us. So thank you for coming in. I know this**

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1 **is difficult, but it is a very important process and**
 2 **we appreciate it.**
 3 A. Okay. Thanks.
 4 MR. ROCHE: My understanding is
 5 Mr. Everall has no questions?
 6 MR. EVERALL: I don't.
 7 MR. ROCHE: Great. We can go off the
 8 record.
 9 WHEREUPON, the within proceedings were
 10 concluded at the approximate hour of 3:56 p.m. on the
 11 14th day of October, 2015.
 12 * * * * *
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204

I, KEVIN KOLASA, 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

 KEVIN KOLASA

The signature above of KEVIN KOLASA was
 subscribed and sworn to before me in the county of _____,
 state of _____,
 this _____ day of _____, 2015.

 Notary public
 My Commission expires:

Michael Davis, 10/14/15 (am)

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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 KEVIN KOLASA 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 28th day of October, 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 KEVIN KOLASA 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.

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IN WITNESS WHEREOF, I have affixed my signature this 28th day of October, 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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