

1 JAG NO: 2015-0665A

2 DEPOSITION OF: TRACY MURPHY - July 20, 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 TRACY MURPHY was taken on behalf of the Claimants at
14 950 17th Street, Suite 2400, Denver, Colorado 80202,
15 on July 20, 2015, at 9:27 a.m., before Ashley D. Mahe,
16 Registered Professional Reporter and Notary Public
17 within Colorado.

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3

I N D E X

EXAMINATION OF TRACY MURPHY: PAGE
 July 20, 2015

By Mr. Roche 4

DEPOSITION EXHIBITS: INITIAL REFERENCE

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DEPOSITION EXHIBITS: (Previously marked)

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A P P E A R A N C E S

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

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

For Tracy Murphy:
 CHARLES KAISER, ESQ.
 Colorado Education Association
 1500 Grant Street
 Denver, Colorado 80203

Also Present:
 Michael Davis
 Desiree Davis
 Carol Lembke
 William Woodward
 Michael Jones

4

1 WHEREUPON, the following proceedings were
 2 taken pursuant to the Colorado Rules of Civil
 3 Procedure.
 4 * * * * *
 5 TRACY MURPHY,
 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. Murphy. Thank you for
 11 coming in for this deposition. We just met a few
 12 minutes ago. My name is Michael Roche, and as you
 13 know, I represent Mr. and Mrs. Davis in connection
 14 with the arbitration that we have agreed to undertake
 15 with the Littleton Public School District. I wanted
 16 to let you know first and foremost what the purpose of
 17 the arbitration is, and just as importantly what it is
 18 not.
 19 A. Okay.
 20 Q. So the purpose of the arbitration, as you
 21 may have seen or read or heard, is to investigate what
 22 happened and what circumstances led up to the shooting
 23 that occurred at Arapahoe High School on December 13,
 24 2013, and to find out what lessons can be learned from
 25 that shooting and what recommendations can be made to

5

1 improve school safety.
 2 A. Okay.
 3 Q. Is that consistent with your
 4 understanding and what you've heard about this
 5 arbitration?
 6 A. It is.
 7 Q. Good. And what will come out of this
 8 arbitration is a report that is going to be prepared
 9 -- or potentially more than one report with
 10 recommendations about what can be done to help prevent
 11 tragedies like the one that the Davises and you
 12 endured 18 months ago. The purpose of this
 13 arbitration is not, and this is important to bear in
 14 mind, is not to point fingers or assess blame on
 15 specific people or the school or anything like that.
 16 We all know who is at fault and who is responsible for
 17 what happened on December 13, and that's Karl Pierson.
 18 A. Okay.
 19 Q. So understand with the questions that I'm
 20 asking, all of them are going to be asked with the
 21 true purpose of this arbitration in mind and not as a
 22 blame-finding effort.
 23 A. Okay.
 24 Q. We're not trying to prove negligence or
 25 anything like that. A couple of things. First, I

6

1 want you to know I'm very mindful that you are one of
 2 the victims of this shooting and that this is very
 3 difficult for you to talk about.
 4 A. I appreciate that. Thank you.
 5 Q. I mean, that's a very real thing. So I
 6 say that because I am going to try to be mindful and
 7 respectful of that. I'm sure there will be times when
 8 things could get emotional, and that's okay. If that
 9 happens and you want to take a break, just say so, and
 10 we will.
 11 A. Okay.
 12 Q. I've got a conference room set up
 13 downstairs for you and Mr. Kaiser if you need it. So
 14 feel free to do that. If it's every ten minutes, it's
 15 every ten minutes. That's okay.
 16 A. Okay. Thanks.
 17 Q. In the meantime, generally speaking, in a
 18 deposition, we'll break every hour to hour and a half.
 19 We'll take a lunch break as well --
 20 A. That's good.
 21 Q. -- for people to be able to stretch their
 22 legs, use the restroom, get coffee, water, all of
 23 that. So we'll be doing that anyway, but if you need
 24 breaks at any other time, just say the word, and we'll
 25 do that.

7

1 A. Okay. Thanks.
 2 Q. A couple rules of the road that I go
 3 through in every deposition. First, Ashley, who you
 4 met, is going to be taking down everything that
 5 everybody in the room says. All of my questions, all
 6 of your answers, any objections from Mr. Kaiser or
 7 Mr. Everall. The one thing that's important, as
 8 Ashley does her job, is that we not speak over one
 9 another. Another one is it's very hard for Ashley to
 10 take down head shakes or uh-huhs. So verbal responses
 11 are important. Okay?
 12 A. Okay. Absolutely.
 13 Q. And then the last rule of the road is
 14 there will come a time -- there has been multiple --
 15 in every deposition I've taken, frankly, in my entire
 16 career, but certainly in connection with this case --
 17 where I ask a question that doesn't make sense to you.
 18 A. Sure.
 19 Q. So if you don't understand a question,
 20 will you let me know, and I'll rephrase it as best as
 21 I can to make it comprehensible?
 22 A. I will.
 23 Q. Perfect. Any questions of me before we
 24 get started?
 25 A. Not really.

8

1 Q. Well, let's just jump right into it then.
 2 Obviously we're here to talk about what happened on
 3 December 13, and, you know, I think the first thing to
 4 find out is what is your job and how long have you
 5 been doing it at Arapahoe High School?
 6 A. I'm the librarian. This will be my 10th
 7 year. So I've completed nine years.
 8 Q. And will you be going back to the school
 9 in August?
 10 A. That's my plans, yes.
 11 Q. And in addition to being the librarian,
 12 do you have any other responsibilities at the school?
 13 I understand you were the debate coach or are the
 14 debate coach?
 15 A. I was. Not at this time. I was the
 16 debate coach for three years.
 17 Q. And when did that start?
 18 A. School year 2011-'12.
 19 Q. Okay. Did you have any involvement in
 20 the debate or forensic team prior to 2011-2012?
 21 A. I did not.
 22 Q. As the librarian at Arapahoe, who did you
 23 report to? Who was your supervisor, if you will?
 24 A. Well, my evaluating administrator would
 25 potentially change from year to year. So, you know,

| | | |
|----|---|----|
| 9 | <p>1 that's kind of a hard question to answer just 2 directly, if that makes sense. Ultimately my 3 supervisor would be the principal, but I might be 4 evaluated by one of the assistant principals. 5 Q. So I guess what I'm trying to figure out 6 is, was there a direct chain of command, or did you 7 have a direct report, for instance, in the 2013-2014 8 school year? 9 A. Oh, gosh, let's see here. I hadn't 10 really thought about that. Well, each year we do have 11 an administrator that is typically kind of a 12 department liaison. And then we will -- it will 13 sometimes be that same person, sometimes be a 14 different administrator as your evaluating 15 administrator. And right at this moment, I'm drawing 16 a blank as to who that was that year. I apologize. 17 I'm not being evasive. 18 Q. I understand that. 19 A. I guess I wasn't even thinking about that 20 line of questioning. 21 Q. Sure. And I'm just trying to figure out 22 if you had a problem, who did you go to back then? 23 A. Okay. Part of that, I guess, depends on 24 what the problem was. If it was, say, a building 25 maintenance problem, I would seek out that -- the</p> | 11 |
| 10 | <p>1 assistant principal that was overseeing the building 2 maintenance, you know, custodial tasks, that type of 3 thing. If it was something with a -- I'd say a 4 freshman student or a senior student, I would 5 typically try to seek out the administrator assigned 6 to that particular grade level. So it would depend. 7 Q. And that makes perfect sense, but 8 generally speaking, if you had an issue with a 9 student, you would go to the grade level assistant 10 principal -- 11 A. Sure. 12 Q. -- for that student? 13 A. Typically, yes. 14 Q. Okay. You mentioned something about a 15 department liaison? 16 A. Yeah. 17 Q. I guess, I don't know, what department 18 were you in? 19 A. The library. 20 Q. You had your own department, right? 21 A. Yeah, pretty much, you know, with one 22 clerical staff person. 23 Q. And that was Carla? 24 A. Uh-huh. Carla Brachtenbach. 25 Q. And in addition to being the librarian</p> | 12 |
| 9 | <p>1 and the debate coach during the 2013-2014 school year, 2 you didn't teach classes, did you? 3 A. No. 4 Q. Okay. That's what I thought. When did 5 you first meet Karl Pierson? 6 A. Definitely it would have been the '11-'12 7 school year. I may have had interaction with him the 8 previous year when he was a freshman through just 9 daily interactions in the library, but nothing 10 specific or official kind of thing, if that makes 11 sense. 12 Q. It does. You may have encountered him, 13 but certainly doesn't stand out in your memory? 14 A. Not really, no. 15 Q. During the 2010-2011 school year, that 16 would have been Karl's freshman year of school, right? 17 A. Yes. 18 Q. You didn't have any role in the debate 19 team at that time? 20 A. No. 21 Q. When you took over as -- well, strike 22 that. 23 The '11-'12 school year, you took over as 24 the debate coach, is that right, as opposed to an 25 assistant coach or a helper?</p> | 11 |
| 10 | <p>1 A. Yeah, I was the head coach. Yes. 2 Q. Okay. And who did you replace as the 3 debate coach? 4 A. Jared Robinson. 5 Q. And he left the school at the time? 6 A. He did. 7 Q. Okay. When you took over as the head 8 debate coach in the '11-'12 school year, did you have 9 a sit-down with Mr. Robinson? 10 A. Briefly. I think we met for about 45 11 minutes one day just to kind of talk about -- just 12 kind of things having to do with speech and debate. I 13 can't really tell you specifics, but it wasn't a very 14 thorough conversation. Jared was pretty busy. 15 Q. And I guess one of the questions I have 16 about that sort of transition meeting, if I can call 17 it that, is did you have any discussions about which 18 kids were the stars and which kids were the problems? 19 A. No. No. 20 Q. Was there any discussion, as you recall, 21 of Karl Pierson in that transition meeting with 22 Mr. Robinson? 23 A. Not that I recall, no. 24 Q. And then you started as the head debate 25 coach in the late summer, early fall of 2011?</p> | 12 |

13

1 A. Yes.

2 **Q. And what can you tell me about your first**

3 **interactions with Karl Pierson during that time**

4 **period?**

5 A. At the very beginning kind of thing?

6 **Q. Right.**

7 A. He struck me as awkward. Kind of the

8 stereotypical kind of nerdy kind of kid, lacking

9 self-confidence, would be probably a good way I would

10 describe him.

11 **Q. And this is during the sophomore year of**

12 **Karl's high school career?**

13 A. Yes.

14 **Q. Okay. Did anything -- other than that he**

15 **was kind of socially awkward, nerdy kid, and lack of**

16 **confidence, did anything else stand out about him?**

17 A. I was made aware by his mother that he

18 had attended a summer camp that focused on the event

19 he competed in which was extemporaneous speaking, and

20 she told me that Karl didn't want other kids to know

21 that he had attended this camp, that he wanted to

22 surprise people with how much better he would be this

23 year.

24 **Q. I take it then -- did you have a phone**

25 **call with her or a sit-down with Barbara Pierson that**

14

1 **sophomore year?**

2 A. You know, at the beginning of the year,

3 one of the things we did was Jan Lewellyn was the

4 assistant coach, and it was her first year also. We

5 had a meeting with as many parents as we could at the

6 start of the year. And then early into the

7 competition season, I guess, in October, one of the

8 competitions had some, what's called, judges training

9 for -- in particular for parents, so that they would

10 have an idea how to judge different events because you

11 need a lot of judges at speech and debate meets

12 because of all of the different events and students

13 that are competing. So I would have interacted with

14 her at the parent meeting and then, you know, at this

15 competition, yeah.

16 **Q. Okay. And did it strike you as odd in**

17 **any way that she and Karl didn't want the other**

18 **members of the debate team to know that he had gone to**

19 **this camp and was going to come back new and improved?**

20 A. Yeah, a little bit and -- yeah, I guess

21 I'm trying to think of the best way to describe it. I

22 guess I saw a mom trying to -- the word isn't really

23 like to protect her kid, but kind of build her kid up

24 a little bit. And at the same time, you know, I saw

25 in the student, you know, somebody who was, I guess,

15

1 kind of trying to get a leg up on his teammates a

2 little bit. And I didn't see any necessarily harm in

3 it, so . . .

4 **Q. Okay. During that '11-'12 school year,**

5 **how often would the debate team -- would you meet with**

6 **the debate team?**

7 A. Probably twice a week. Yeah, probably on

8 a -- you know, maybe not the entire team, but the

9 entire team at least once a week. And then members

10 who were competing in a competition coming up soon,

11 probably another one or two times that week.

12 **Q. Okay. And was Karl competing regularly**

13 **that sophomore year?**

14 A. He was.

15 **Q. Okay. So you were meeting with him once,**

16 **twice, maybe even three times a week during the**

17 **competition season?**

18 A. Possibly.

19 **Q. Would you review -- I guess it's , so I**

20 **guess it's a little different. But would you review**

21 **with Karl and the other debate team members what they**

22 **were going to be saying? Would you see drafts of**

23 **their work before the competitions?**

24 A. No, not really because of the nature of

25 the -- of that particular event. See, unlike debate

16

1 where the debaters know the topic in advance, I guess

2 as the word implies, extemporaneous, the competitors

3 would be given questions that they would select the

4 day of the competition to prepare. They would have

5 about a half an hour to prepare a speech up to seven

6 minutes at length.

7 **Q. Okay.**

8 A. We would have an idea that competitors

9 that were competing say in national extemp would be

10 topics focusing on current U.S. news and then

11 international extemp. It could be anything almost.

12 **Q. Sure. Sure. During Karl Pierson's**

13 **sophomore year, did you ever have any concerns about**

14 **his mental or emotional well-being?**

15 A. Not so much I guess other than, like I

16 said, he just struck me as unsure of himself, awkward,

17 socially awkward I would -- I would venture to

18 describe him as a bit on the socially inept side, a

19 bit.

20 **Q. Okay. And how did that manifest itself?**

21 A. I think he was easily embarrassed at

22 times if he didn't come across in the most positive

23 way. He -- boy, I'm trying to think how to describe

24 this. How would that manifest itself? I guess I'm

25 having trouble thinking about how to describe it. I

17

1 apologize.

2 **Q. That's okay. Were there any particular**

3 **incidents that you can recall where it struck you that**

4 **he was being socially awkward or easily embarrassed or**

5 **socially inept?**

6 A. Yeah, I can't think of a specific

7 instance right at the moment. Again, I apologize.

8 **Q. That's okay. Did you have any behavioral**

9 **problems involving Karl Pierson during his sophomore**

10 **year?**

11 A. Not really that I recall. Yeah, not so

12 much, no.

13 **Q. Did he strike you as having any kind of**

14 **anger issues or problems during his sophomore year,**

15 **this 2011-2012 year?**

16 A. I don't recall anger. I think maybe

17 sometimes frustration, and I imagine that you might

18 ask me a specific instance, and I can't really come up

19 with a specific instance. I may think of something

20 later.

21 **Q. Understood. You'll see in front of you**

22 **there are a couple of books of documents that have**

23 **been produced in this case. I want to direct your**

24 **attention to this book, if I could, and specifically**

25 **to a document that's labeled Exhibit 19. And you can**

18

1 **see this is a contact log for Karl Pierson at Arapahoe**

2 **High School. Do you see that?**

3 A. Okay. Uh-huh.

4 **Q. Is this a document that you have access**

5 **to as a librarian?**

6 A. No. I mean, Infinite Campus I do, but

7 not this aspect of it.

8 **Q. Not this part?**

9 A. No.

10 **Q. I want to direct your attention, if I**

11 **could, to page 2 of Karl Pierson's contact log, which**

12 **is the very next page there. And you'll see there is**

13 **an incident there reported by Kelly Talen in late**

14 **November of 2011. And Ms. Talen describes an incident**

15 **in Jackie Price's class where Karl Pierson told a kid**

16 **just go gut himself or cut himself, and that he had**

17 **always been someone's bitch and that other kids are**

18 **mean to him. Do you see that?**

19 A. I do.

20 **Q. My first question is, were you aware of**

21 **that incident in November of 2011?**

22 A. I was not.

23 **Q. Did you ever discuss Karl Pierson or any**

24 **behavioral problems that he may have been having in**

25 **the fall of 2011 with either Kelly Talen or Jackie**

19

1 **Price?**

2 A. Not that I recall. Not that I'm aware

3 of, no.

4 **Q. And this isn't an incident that you would**

5 **have heard about from any other kids on the debate**

6 **team, anything like that?**

7 A. I don't remember hearing about this at

8 all.

9 **Q. You can see farther down in the**

10 **description of this incident in Jackie Price's class,**

11 **that Kelly Talen wrote, "Karl was extremely angry**

12 **during our meeting. He didn't understand why he can**

13 **get picked on all the time and the one time he picks**

14 **on someone, he is the one to get in trouble." Do you**

15 **see that?**

16 A. I do.

17 **Q. Do you recall any instances in the fall**

18 **of 2011 where Karl got extremely angry?**

19 A. I don't.

20 **Q. What about -- was his emotional reaction**

21 **to whether he won or lost a debate competition in the**

22 **fall of 2011 disproportionate to what you thought it**

23 **should be?**

24 A. Yeah, I -- you know, it's funny. I don't

25 recall anger. Extreme disappointment at times. Karl,

20

1 even with the -- attending the camp that summer, he

2 did well. He did okay, but he didn't do as well as

3 say another member of the team in the same event. He

4 always seemed to kind of come up short. Not saying

5 that he wasn't successful, but not, I think, the level

6 of success that he was hoping to attain.

7 **Q. Okay. And I guess -- and I know I'm**

8 **going back several years now, but do you recall being**

9 **concerned that Karl's reaction to the results that he**

10 **did achieve in debate were disproportionate to what**

11 **they should have been in your view?**

12 A. Yeah, I -- yes. Yes.

13 **Q. And do you recall ever talking with Karl**

14 **or his parents about that?**

15 A. I may have. I don't recall a specific

16 incident where I did.

17 **Q. Okay.**

18 A. Probably it would have been encouraging

19 him.

20 **Q. Okay.**

21 MR. EVERALL: Would have been what?

22 THE DEPONENT: Encouraging.

23 **Q. (BY MR. ROCHE) A couple of other issues**

24 **that pop out of this description of the incident in**

25 **2011 in Jackie Price's class are Karl essentially**

21

1 **making another kid his bitch or bullying another kid**
 2 **at least verbally. Is that something that you ever**
 3 **observed in Karl Pierson?**
 4 A. Maybe not to that extreme. I never saw
 5 Karl being bullied. If anything, it was probably more
 6 the other direction. Maybe belittling kids, picking
 7 on them.
 8 **Q. So if anybody was a bully, it was Karl?**
 9 A. Yeah, attempting to show his superiority.
 10 **Q. Sure. And was that a common occurrence**
 11 **or was that pretty infrequent?**
 12 A. Probably something in between.
 13 **Q. And did you see any of that his sophomore**
 14 **year?**
 15 A. Probably not so much I don't think.
 16 **Q. That's something that either developed or**
 17 **exacerbated into his junior or senior year?**
 18 A. Yes.
 19 **Q. Okay. I know there was an incident in**
 20 **the 2012-2013 school year where Karl said something**
 21 **inappropriate in a debate, and we're certainly going**
 22 **to get to that. But before we do, do you recall any**
 23 **other speeches he gave during his debate career that**
 24 **gave you concern about his mental or emotional**
 25 **well-being?**

22

1 A. Well, at the end of the '12-'13 --
 2 2012-2013 school year, kids that wanted to be officers
 3 on the team were expected to give short speeches.
 4 Yeah, all I was asking of them is a couple -- like a
 5 two-minute speech letting the team know how they were
 6 qualified and why they should be selected for that
 7 position. All of the kids pretty much took it
 8 seriously, sincerely, except for Karl. He didn't.
 9 **Q. Okay. What happened with Karl?**
 10 A. He approached it a bit like a joke and
 11 for me to be -- it's funny. I'm pretty good at times
 12 of remembering things and other times it's like, you
 13 know, what specifically did he say. But I recall that
 14 he just clowning around and made a joke of it. And I
 15 spoke with him afterwards about that, about my
 16 concerns, about him not taking that seriously that
 17 everybody else had.
 18 And, in fact, the kids still voted even
 19 if the students were running unopposed, and he was, he
 20 didn't receive a full vote of confidence from the
 21 team, he didn't get a unanimous vote, and I let him
 22 know that even the team was -- that that was even an
 23 indicator that the team was, I guess, maybe not
 24 completely supportive of him and what he was doing.
 25 **Q. And how did he react or respond to the**

23

1 **news that even though he was running unopposed, he**
 2 **didn't have the team's full support?**
 3 A. You know, he took it -- he listened to me
 4 almost dismissively I guess would be a way to describe
 5 it. As if, yeah, that didn't really matter if that
 6 makes sense.
 7 **Q. So he didn't seem to care what either you**
 8 **thought or what his teammates thought?**
 9 A. That would be a good way to describe it,
 10 yes.
 11 **Q. Okay. And I'm going to make you switch**
 12 **books for a minute and take a look at Exhibit 14,**
 13 **which is in this book, and that's the sheriff's**
 14 **report. I take it you've seen the report that the**
 15 **sheriff's office did on the shooting?**
 16 A. I've read it multiple times.
 17 **Q. I want to direct your attention to page**
 18 **4, which is where some of the information that you**
 19 **provided to the sheriff is described. Do you got it?**
 20 A. Uh-huh.
 21 **Q. Down at the bottom there's a mention of**
 22 **some reservations that you had about Karl being**
 23 **promoted to the captain of the extemporaneous team.**
 24 **Do you see that?**
 25 A. I do.

24

1 **Q. Tell me as best as you can what you**
 2 **recall about the reservations you had about Karl being**
 3 **made captain of the extemporaneous team.**
 4 A. I guess my reservations were that we
 5 could continue -- we would be able to work together in
 6 a cooperative way, in a way that would best meet the
 7 needs of all the team members that were competing in
 8 that event.
 9 **Q. Okay. Did you have -- and I guess I've**
 10 **jumped ahead to the 2012-2013 school year, obviously.**
 11 **So before I do that, let me just circle back for a**
 12 **second. Is there anything else that you recall about**
 13 **the 2011-2012 school year or debate season and your**
 14 **dealings with Karl Pierson that stand out in your**
 15 **mind?**
 16 A. Okay. At the end of the school year, we
 17 revamped kind of the descriptions of the officer
 18 positions, the expectations of the descriptions of
 19 that, and Karl was a part of that kind of student
 20 committee we all worked together on to develop those.
 21 When it came time to then, in fact, start to select
 22 officers, I found it -- I'm trying to think of a
 23 better word other than to say surprisingly cocky that
 24 he and another student, (THE STUDENT), had made what I
 25 would best call -- well, I think they said it to me, a

25

1 gentleman's agreement that Karl would run this next
 2 year for the captain position, which was a newly
 3 created position, hadn't existed before, and then (THE
 4 STUDENT) would have that opportunity the following
 5 year. Of course I'm thinking, Then what happens
 6 senior year? You know, I found that an interesting
 7 kind of behind-the-scenes development.

8 **Q. Okay. And what, if anything, can you**
 9 **recall about this transition from Karl being an**
 10 **unself-confident kid to a cocky student? It seems**
 11 **like a fairly dramatic transformation.**

12 A. I'm sorry. Could you --

13 **Q. Sure. That's exactly what I want you to**
 14 **do is say that was a bad question, so fix it.**

15 A. Okay.

16 **Q. So let me break it into multiple pieces.**

17 A. Okay. Thanks.

18 **Q. You had mentioned that when you started**
 19 **as the debate coach in the '11-'12 school year, Karl**
 20 **struck you as a student who lacked confidence, right?**

21 A. Absolutely. Yes. I'm sorry, yes.

22 **Q. And what you just described to me was**
 23 **Karl being cocky, right?**

24 A. Yes.

25 **Q. And would you agree that's a pretty**

26

1 **substantial transformation for a student to make to go**
 2 **from being unself-confident to cocky?**

3 A. Yes.

4 **Q. And to what, if anything, do you**
 5 **attribute that change in Karl Pierson?**

6 A. I'm not exactly sure. I know that he --
 7 if I keep my school years straight, between his
 8 sophomore and junior year, he attended a camp again.
 9 And I know he came back that year exceedingly
 10 confident, almost arrogant, and it was -- part of the
 11 process of students being in leadership positions is
 12 for hopefully the students themselves to grow and to
 13 help others grow in leadership skills and in I guess
 14 just skills in general and maturity.

15 I was starting to see that -- and this is
 16 probably an -- this is maybe a bit of an exaggeration,
 17 but I was beginning to get a bit concerned that maybe
 18 -- I was starting to see a -- him going over the top.
 19 You know, I don't know that I would want to use the
 20 word "monster" necessarily, but all of a sudden it's
 21 like, Wow, where did this come from?

22 Because even, you know, talking with the
 23 assistant coach in the first year and Ginger Glodowski
 24 the next couple of years, you know, we agreed -- we
 25 all wanted to see Karl grow and we all wanted to see

27

1 him come out of his shell. But this was way over the
 2 top. We were starting to see that.

3 **Q. I'm getting the sense that he had sort of**
 4 **turned into a narcissist or ego maniac?**

5 A. A bit, yes.

6 **Q. And that transition, at least as you**
 7 **observed it, happened --**

8 A. Between sophomore and junior year, I
 9 would say.

10 **Q. Okay. And was that the basis for the**
 11 **statement that you had reservations about Karl being**
 12 **promoted to captain of the extemp team?**

13 A. Or continuing in this case, I guess. It
 14 would have been his second year doing that, yes.

15 MR. EVERALL: Could I ask a point of
 16 clarification?

17 MR. ROCHE: Sure.

18 MR. EVERALL: What time of year was he
 19 selected as for the captain the first time? Was that
 20 at the end of the sophomore year?

21 THE DEPONENT: Yes.

22 MR. EVERALL: Not the beginning of the
 23 junior year?

24 THE DEPONENT: No.

25 MR. EVERALL: So then he went off to the

28

1 second camp that summer?

2 THE DEPONENT: Yes.

3 **Q. (BY MR. ROCHE) Were there any other**
 4 **issues or concerns that you had that gave you**
 5 **reservations about Karl being promoted to captain of**
 6 **the extemporaneous team?**

7 A. In that spring of 2013?

8 **Q. Or the spring of 2012 when he was first**
 9 **promoted captain.**

10 A. Not -- probably not -- actually, no, not
 11 in 2012. As a matter of fact, if anything, my hope
 12 was that this would help him grow, help him mature,
 13 and it would be good for the team.

14 **Q. And did it?**

15 A. Not really. Not really at all. It was,
 16 I would say, in a lot of ways strikingly
 17 disappointing.

18 **Q. In what ways was it strikingly**
 19 **disappointing to you?**

20 A. In, I guess, Karl's unwillingness to
 21 accept guidance from me as a coach, to accept
 22 constructive criticism when it came to working with
 23 the kids at practice. It was a bit of a -- kind of a
 24 push me/pull you kind of battle throughout the school
 25 year. And, yeah, that was -- like I said, that was

29

1 disconcerting.

2 **Q. I take it from what you just said that**

3 **your working relationship with Karl deteriorated**

4 **during that junior year?**

5 A. I would say so, yes.

6 **Q. He wouldn't listen to you, wouldn't take**

7 **your criticism, wouldn't take criticism from other**

8 **students?**

9 A. Yeah. I would say yes, and it was even

10 witnessed sometimes, my interactions with Karl; and I

11 would talk to him after practice or say before

12 practice, just he and I, and Carla Brachtenbach, my

13 library clerk, often would either witness or hear the

14 conversation. I mean, it's pretty close quarters

15 right there.

16 **Q. Sure.**

17 A. I mean, we try to be reasonably private,

18 but there is only so much I can do sometimes, you

19 know, and --

20 **Q. Can you give me -- go ahead.**

21 A. I was going to say, and often Carla would

22 comment to me after the interaction how argumentative

23 and disrespectful Karl had been to me.

24 **Q. Can you give me some examples of an**

25 **example of that?**

30

1 A. Maybe the discussion would go something

2 along the lines of use of the time -- we have a

3 limited amount of time for practice. Karl would often

4 want to run the practices a bit like a college

5 professor, where he is lecturing to the kids, either

6 about topics -- in particular about topics, kind of

7 spouting his knowledge about politics or economics or

8 whatever. And we really just didn't have that much

9 time.

10 You know, it was -- I could see

11 conversations and discussions like that on occasion,

12 but what the kids really needed to do was take some

13 opportunities to work with practice questions, take a

14 few minutes -- take a question, take a few minutes,

15 deliver an introduction, deliver the three main points

16 they would give in a speech, those kinds of things.

17 Give them some opportunity to develop the skills that

18 they were going to use that coming Saturday or in the

19 future.

20 **Q. Okay. Do you recall, did you voice any**

21 **of the concerns that you had about Karl at this time**

22 **to anyone within the Arapahoe administration?**

23 A. Let me see. I don't recall having any

24 conversations with any -- let me see. Did we meet

25 with the administrators? You know, I'm just thinking,

31

1 because it would have been -- Brian Jesse would have

2 been the assistant principal for activities. I don't

3 -- I don't remember having a specific conversation to

4 an administrator that year about Karl, no.

5 **Q. Okay. What about -- strike that.**

6 **Again, we're in this 2012, spring of**

7 **2013, time frame. Did any of the other students on**

8 **the debate team voice any concerns to you about Karl?**

9 A. I don't believe so.

10 **Q. If you'll flip to the next page of the**

11 **sheriff's report. At the top you can see that you**

12 **refer to your discussions with Karl as being**

13 **argumentative. Is that what you just told me about?**

14 A. Yes.

15 **Q. Okay. The next sentence in the sheriff's**

16 **report mentions that "Karl displayed poor decision**

17 **making at the tournaments." Do you see that? It's in**

18 **that very top paragraph.**

19 A. I do, yes.

20 **Q. Okay. Was that a frequent occurrence**

21 **that Karl displayed poor decision making at**

22 **tournaments?**

23 A. I can think of -- and, again, it's, you

24 know, outlined in the report the specific example is

25 one that particularly comes to mind.

32

1 **Q. Right.**

2 A. I'm trying to think of other instances.

3 **Q. And that's what I was trying to get at,**

4 **because I know about the one incident. Were there**

5 **others as well?**

6 A. Yeah, I'm trying to recall if there were.

7 I mean, this is all I remember right now.

8 **Q. Okay. Well, let's talk about the**

9 **incident that's described in the next paragraph of the**

10 **sheriff's report where Karl apparently announced in a**

11 **debate that, I woke up this morning and realized that**

12 **my penis has fallen off. Probably not something you**

13 **should say at a debate tournament?**

14 A. No.

15 **Q. So the other kids on the debate team came**

16 **and told you about that?**

17 A. They wouldn't give me details.

18 **Q. What did you hear from the other students**

19 **about that incident?**

20 A. I knew that -- okay. He had been in the

21 finals of that tournament. I think it was a Green

22 Mountain tournament. I wasn't able to observe it or

23 witness it and neither was Ginger because we were both

24 judging other events. It's one of the things that

25 happens at speech and debate teams, we get pulled in

| | | | |
|----|---|----|---|
| 33 | <p>1 different directions. A number of kids on our team 2 did sit in the audience and hear Karl's speech, and I 3 remember even Ginger commenting to me that she had 4 heard there was something up with his speech, but she 5 didn't know what it was either. And the kids wouldn't 6 tell her and the kids wouldn't tell me.</p> <p>7 I always met with the officers the Monday 8 of each week with the idea that we would review the 9 previous tournament successes, maybe, you know, areas 10 where we could improve, those kind of things, and then 11 try to plan out the upcoming weeks, what the focus 12 would be, what things would need to be addressed in 13 the meetings, and that kind of stuff. And to be 14 honest with you, I had no clue what this was about 15 because had I, I would not have asked him about it in 16 front of the other officers, especially based upon his 17 response to me because he seemed pretty proud of 18 himself.</p> <p>19 I said, you know, Karl, I'm hearing about 20 this, can you tell me what is going on? And he said, 21 Sure, here, I'll just do it right now. And I go, 22 Okay. And he got up in front of me and the other 23 officers and proceeded to give this instruction, which 24 I guess was maybe like lyrics from a song or 25 something, I don't know. But the point was as soon as</p> | 35 | <p>1 say or get away with. He wanted to create kind of a 2 shock value to stand out in the competition. And I 3 said he found it.</p> <p>4 And then I said, you know, I think -- I 5 said something to the effect of, You found the line 6 and you crossed it, and you can't even see where the 7 line is right now. And he's telling me that he gets 8 it. He understood. I said, Well, I hope so. I also 9 said to him, you know, this isn't like open mic night 10 at Comedy Works. This isn't -- this is -- you know, 11 he's representing Arapahoe High School, you know, he's 12 representing our team, his school, and that absolutely 13 that was way beyond acceptable.</p> <p>14 Q. And did he seem at all remorseful? 15 A. No.</p> <p>16 Q. And when Karl told you that he was trying 17 to find where the boundary was, did that concern you? 18 A. Yes, that I -- that given the fact that 19 he wouldn't see that that was beyond the boundary.</p> <p>20 Q. After this incident at the Green Mountain 21 tournament occurred, did you discuss it with anybody 22 from the Arapahoe administration? 23 A. I did not.</p> <p>24 Q. Did you discuss it with any of the other 25 teachers at Arapahoe?</p> |
| 34 | <p>1 I heard it, I was shocked because I couldn't -- 2 there's no way I could make that leap from whatever 3 topic --</p> <p>4 Q. Sure. 5 A. -- to this, to this introduction, and I 6 stopped him. And I said, you know, We need to talk 7 after -- him and I separately after the officers' 8 meeting.</p> <p>9 Q. All right. And now let's jump to that. 10 You -- this is all on the Monday after the debate? 11 A. Yes.</p> <p>12 Q. And that Monday Karl gives his rehash of 13 what he had said at the Green Mountain tournament and 14 then you met with him after the other officers had 15 left? 16 A. Yes.</p> <p>17 Q. Okay. And as best as you can recall, 18 tell me what you said and what he said. 19 A. Well, I mean, I asked him something to 20 the effect of what was he thinking. I asked him if 21 there were female students in the audience, did he 22 have any understanding of what sexual harassment is, 23 how inappropriate this was. I told him I was very 24 concerned. And his response to me was that he was 25 trying to find the boundaries of what he could kind of</p> | 36 | <p>1 A. I talked with Ginger Glodowske, my 2 assistant coach. I don't remember having a 3 conversation with other teachers about this, no.</p> <p>4 Q. Was Karl disciplined in any way for this 5 incident? 6 A. Other than warned that he had crossed a 7 line.</p> <p>8 Q. It's my understanding that Karl's parents 9 divorced sometime in the 2012-2013 time period? 10 A. That's my understanding too, yes.</p> <p>11 Q. Were you aware of the fact that Karl's 12 parents were going through a divorce at the time it 13 was going on? 14 A. His mother told me at the fall 15 parent-teacher conferences.</p> <p>16 Q. Fall of 2013? 17 A. '12-'13, yeah, 2012.</p> <p>18 Q. Okay. So the fall of 2012 you learned 19 that Karl's parents were going through a divorce? 20 A. Yes.</p> <p>21 Q. And did you make any connection between 22 this change in behavior that you saw in Karl and his 23 parents going through a divorce, or was that something 24 you were even looking for? 25 A. I can't say I necessarily was looking for</p> |

37

1 that. I had an awareness and I'm -- I don't mean to
 2 sound callous, a lot of kids' parents go through
 3 divorce. I don't know what the percentage is at
 4 Arapahoe, but I imagine it's significant. So I wasn't
 5 dismissing it, per se, but I wasn't placing that as a
 6 catalyst, I guess, for his behavior.

7 **Q. Okay. Did you ever have any kind of**
 8 **conversations with Karl about how he was doing with**
 9 **his parents getting divorced, anything like that?**

10 A. I did not.

11 **Q. And I understand from -- well, let me ask**
 12 **the question more generically. Describe as best as**
 13 **you can what your working relationship with Karl was**
 14 **in the 2012-2013 school year.**

15 A. Okay. So you mean in terms of like
 16 friendly, warm?

17 **Q. Yes.**

18 A. Okay. I would say almost more business
 19 like probably. Karl didn't -- it wasn't necessarily
 20 easy for me to get close to -- he didn't, I guess,
 21 provide those types of openings. You know, sometimes
 22 students do, sometimes they don't and -- so it was
 23 pretty much on a -- kind of a -- it sounds weird to
 24 say it this way, almost a professional kind of
 25 interaction in that sense. It wasn't like overly

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1 friendly.

2 **Q. Okay.**

3 A. I mean, it wasn't antagonistic
 4 necessarily or at least it wasn't -- I try not to make
 5 it that way, at least not from my direction, if that
 6 makes sense.

7 **Q. Okay. No, I appreciate that. From what**
 8 **I can see -- and I guess I want your opinion on this.**
 9 **Was there any teacher or faculty member at Arapahoe**
 10 **who knew Karl Pierson better than you did given that**
 11 **you were his coach?**

12 A. Boy, that's a hard one to call.
 13 Possibly. And, you know, I really -- because I -- the
 14 reason I say that is, you know, sometimes some of the
 15 students and teachers do get fairly close, especially
 16 if they're in advance classes or -- you know, like
 17 AP American history, AP gov, those type of classes,
 18 just because of the level of skills and content,
 19 materials. So it is possible that there were others
 20 that were as close.

21 **Q. Based on your dealings with Karl Pierson,**
 22 **are you aware of any teachers or administrators that**
 23 **he had that kind of close relationship with at**
 24 **Arapahoe?**

25 A. After the fact, I don't know that he had

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1 a close, close relationship, but I think a reasonably
 2 good relationship with Karen Gerlich. I believe she
 3 was his freshman U.S. history teacher and I believe AP
 4 teacher his senior year. Brad Meyer possibly because
 5 I believe he took AP gov. You know, Karl ran
 6 cross-country, so he may have been close to the
 7 coaches there.

8 **Q. Okay. It sounds like you had some**
 9 **conversations with Karen Gerlich after the shooting**
 10 **about Karl?**

11 A. And before.

12 **Q. Okay. Tell me about the conversations**
 13 **with Karen Gerlich about Karl Pierson. Let's start**
 14 **with the before-the-shooting discussions.**

15 A. Karen's office is in the library. She's
 16 the instructional coach, and sometime over the years
 17 that office kind of became transition from being the
 18 librarian's office to the instructional coach's
 19 office. In the 2013-2014 school year, in that
 20 November, we had a faculty meeting that focused on
 21 safety and security. By this point, I had already had
 22 some extreme negative interactions with Karl Pierson.
 23 I was very concerned and kept it mostly to myself out
 24 of privacy concerns for him.

25 After that meeting -- and I had gotten to

40

1 know Karen better that year. That was her first year
 2 she officed in the library as the instructional coach.
 3 We had had, you know, just collegial conversations and
 4 had gotten to know each other fairly well. And I
 5 wasn't sure -- I kept thinking that she had Karl as a
 6 student, but I also knew that I was concerned that if
 7 Karl became violent, that he would become violent in
 8 the library. So after that meeting, I talked to her
 9 and told her my concerns.

10 **Q. This is that meeting on November 20 after**
 11 **the faculty meeting?**

12 A. Yes.

13 **Q. Okay. And we're definitely going to get**
 14 **to that meeting and talk through that, but as**
 15 **background to that, what do you recall saying to Karen**
 16 **Gerlich after that November 20 faculty meeting?**

17 A. That I had some real concerns about Karl
 18 doing something violent, becoming violent, and that it
 19 was based on an interaction I had with him and his
 20 mother, and I gave her some brief background to that.
 21 And that I was hesitant to talk to her about it but
 22 felt that -- I was more concerned about her safety
 23 than his privacy.

24 **Q. Okay.**

25 A. And I wanted her to be aware of my

| | |
|--|---|
| <p style="text-align: right;">41</p> <p>1 concerns.</p> <p>2 Q. Okay. And what was Karen's reaction to</p> <p>3 your comments to her that you were still concerned</p> <p>4 that Karl might do something violent, and if he did,</p> <p>5 it was likely to be in the library?</p> <p>6 A. She took me seriously.</p> <p>7 Q. Okay.</p> <p>8 A. In other words, she believed what I was</p> <p>9 saying. I think more based on her knowledge of me and</p> <p>10 interactions with me versus interactions with Karl,</p> <p>11 because I think her interactions with Karl had been</p> <p>12 generally positive, but she did take me seriously.</p> <p>13 She didn't dismiss me. She didn't say, Tracy, I don't</p> <p>14 think that's going to happen. That's not what I'm</p> <p>15 seeing. You know, I'm taking what you're saying</p> <p>16 seriously.</p> <p>17 Q. And I want to explore also your comment</p> <p>18 that you were more concerned about her safety than</p> <p>19 Karl's privacy. I've heard from other witnesses that</p> <p>20 there was either a policy or a culture of teachers not</p> <p>21 discussing behavioral problems with students among</p> <p>22 themselves. Was that your impression at Arapahoe High</p> <p>23 School as well?</p> <p>24 A. Yes.</p> <p>25 Q. Tell me what you can about that policy or</p> | <p style="text-align: right;">43</p> <p>1 A. Boy, I'm trying to think of specific</p> <p>2 instances where that was happening. Again, it would</p> <p>3 likely to have been during a faculty meeting.</p> <p>4 Q. Okay. But in broad strokes, those</p> <p>5 guidelines and expectations were, Don't talk about</p> <p>6 problems with the students among yourselves?</p> <p>7 A. I would say yes.</p> <p>8 Q. Okay. Has that changed since the</p> <p>9 shooting, those guidelines and expectations about not</p> <p>10 talking about behavioral or emotional problems that</p> <p>11 students may be having among the faculty and</p> <p>12 administration?</p> <p>13 A. Yes, to some degree.</p> <p>14 Q. Explain that, if you would.</p> <p>15 A. All right. Initially in meetings,</p> <p>16 faculty meetings, early -- after December 13 and</p> <p>17 January/February, I know that Natalie talked about her</p> <p>18 concerns with FERPA, our interpretation of FERPA. And</p> <p>19 the faculty brought that up during the meetings.</p> <p>20 Initially the idea was to try to have student records</p> <p>21 more open to most any staff member that felt there was</p> <p>22 a -- they had a need to know. That became -- that was</p> <p>23 quickly restricted after -- within a short time by</p> <p>24 central office administration with the idea that --</p> <p>25 couldn't approach it quite so openly. It would have</p> |
| <p style="text-align: right;">42</p> <p>1 culture.</p> <p>2 A. Well, it's commonly referred to as --</p> <p>3 based on FERPA. I'm trying to think of what that</p> <p>4 stands for now, but kind of like HIPAA in the health</p> <p>5 field.</p> <p>6 Q. Sure.</p> <p>7 A. Trying to protect students' privacy, and</p> <p>8 so generally there were not conversations that I was</p> <p>9 aware of necessarily between, you know, faculty about</p> <p>10 situations involving student privacy issues, whether</p> <p>11 it's grades or behavioral issues or whatever. And the</p> <p>12 same went between administration and the faculty too.</p> <p>13 The idea was on an as-needed basis.</p> <p>14 Q. Okay. And were you -- did you receive</p> <p>15 any training or handouts or documents from the school</p> <p>16 or from the district that instructed you about the</p> <p>17 restrictions on discussing student behavioral issues</p> <p>18 among the faculty and the administration?</p> <p>19 A. Not aware of any handouts. It may have</p> <p>20 become a point of discussion from time to time in</p> <p>21 faculty meetings reminding teachers or staff, you</p> <p>22 know, guidelines, expectations.</p> <p>23 Q. Okay. And those guidelines or</p> <p>24 expectations were told to you by the administration at</p> <p>25 Arapahoe?</p> | <p style="text-align: right;">44</p> <p>1 to be really, again, those -- maybe those teachers</p> <p>2 that had -- you know, had a student or were working</p> <p>3 specifically with a student, but even then it had to</p> <p>4 be more or less on a case-by-case basis.</p> <p>5 Q. Let me --</p> <p>6 A. I guess -- I know I'm sounding like I'm</p> <p>7 not being very clear, and I'm not sure that a hard</p> <p>8 rule has been necessarily established with</p> <p>9 expectations as to what can be shared and what can't</p> <p>10 be shared.</p> <p>11 Q. But --</p> <p>12 A. I think there has been an approach to try</p> <p>13 to open things up a bit.</p> <p>14 Q. Okay. And it sounds to me, and I want to</p> <p>15 make sure I get this right, very shortly after the</p> <p>16 shooting, Natalie Pramenko proposed opening the</p> <p>17 student behavioral records to essentially any faculty</p> <p>18 or staff member?</p> <p>19 A. Maybe not quite exactly like that, but</p> <p>20 more so, yes.</p> <p>21 Q. Okay. And was that done in response to</p> <p>22 complaints or concerns that the teachers and faculty</p> <p>23 had voiced to Ms. Pramenko?</p> <p>24 A. I believe so.</p> <p>25 Q. And in response to Ms. Pramenko's</p> |

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1 **proposal to open those records up more fully, you said**
 2 **central office restricted that. When you say "central**
 3 **office," my question is who are you referring to?**
 4 A. Nate Thompson, Brian Jesse were at these
 5 meetings, Melissa Cooper, and they were basically
 6 saying, you know, there's still some limitations in
 7 regards to the laws to what can be made more readily
 8 available to staff members.
 9 **Q. Okay. And now -- and I understand there**
 10 **may not be a hard and fast policy in place. Now,**
 11 **currently, what is your understanding of what a**
 12 **faculty member would have to do in order to get access**
 13 **to a student's behavioral records?**
 14 A. If I understand correctly, some
 15 information would be available through Infinite Campus
 16 in a -- oh, shoot, under a tab that a teacher could
 17 put brief comments or brief information about an
 18 interaction with a student. If I understand
 19 correctly, teachers can see what other teachers have
 20 commented about a student or interactions.
 21 However, there's a counseling
 22 administrative counterpart to this that, again, if I
 23 understand, is not available freely to teachers who
 24 say they have a student in class and they wanted to
 25 see that, they wouldn't be able to see that directly.

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1 **Q. Okay. That is actually a good lead into**
 2 **the next set of questions that I had of you. I'll**
 3 **direct your attention to Exhibit 11, if I could, and**
 4 **specifically to page 5. And I will tell you**
 5 **Exhibit 11 is a series of written questions that I**
 6 **asked of LPS and their written answers to those**
 7 **questions, which is part of the arbitration process.**
 8 **And you'll see on page 5, LPS has listed in**
 9 **chronological order those individuals who expressed**
 10 **concerns to the administration about Karl Pierson**
 11 **prior to December 13, 2013. Do you see that?**
 12 A. I do.
 13 **Q. And we've talked about the first**
 14 **incident, the November 2011 Jackie Price/Kelly Talen**
 15 **incident, right?**
 16 A. Okay. Yes.
 17 **Q. The next incident is something that**
 18 **happened in March of 2013 in Dan Swomley's class. Do**
 19 **you see that?**
 20 A. I do.
 21 **Q. Was that an incident that you were made**
 22 **aware of in the spring of 2013, or was this an**
 23 **incident that was one of these that teachers aren't**
 24 **supposed to talk about it amongst themselves**
 25 **situations?**

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1 A. The second. I was aware that there had
 2 been -- I heard kind of a rumor through the kids that
 3 there had been something with Karl in one of his
 4 classes. Again, out of respect for his privacy and, I
 5 guess, just out of respect for him, I didn't pursue
 6 that specifically because I didn't have the details.
 7 I didn't know what teacher. I didn't know specifics
 8 about it. I just was aware that something had
 9 happened. I found out later more specifically. Yeah,
 10 so, again, kind of following the idea of respecting
 11 student privacy, I left it alone.
 12 **Q. Okay. And you can see that in the**
 13 **discovery responses, there's a discussion of Kevin**
 14 **Kolasa suggesting to Karl's parents that he undergo**
 15 **some anger management therapy. Do you see that?**
 16 A. Yes, I do.
 17 **Q. Do you recall, did Kevin Kolasa ever come**
 18 **back to you as Karl's coach about whether or not Karl**
 19 **was having anger management issues in your -- on the**
 20 **debate team?**
 21 A. No, he never did.
 22 **Q. Did Mr. Kolasa ever come talk to you as**
 23 **Karl's debate coach at all about the incident that is**
 24 **described related to the suspension that came from**
 25 **Karl's outburst in Mr. Swomley's class?**

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1 A. No, he never did.
 2 (Deposition Exhibit 32 was marked.)
 3 **Q. Mr. Murphy, have you seen Exhibit 32**
 4 **before?**
 5 A. I don't believe so. Boy, in the release
 6 of the 2300 pages, I looked through a lot of that. Is
 7 this in that?
 8 **Q. It is. So let me ask the question more**
 9 **precisely.**
 10 A. So I may have seen it then, but I didn't
 11 see it before that, which would have been a month ago
 12 or so.
 13 **Q. And that was -- I was going to be more**
 14 **precise. This is not a document you had seen prior to**
 15 **the shooting?**
 16 A. Absolutely not. No, sir.
 17 **Q. Okay. Now, I want to direct your**
 18 **attention to -- you'll see in the bottom right there**
 19 **page numbers ACSO and then a dash. There is one**
 20 **that's 191.**
 21 A. Okay.
 22 **Q. It's a handwritten student statement.**
 23 A. Yes.
 24 **Q. Is that Karl's handwriting?**
 25 A. Sure.

| | | | |
|----|---|----|--|
| 49 | <p>1 Q. Okay.</p> <p>2 A. You know, I would say so. That looks</p> <p>3 like his signature.</p> <p>4 Q. Okay. Does it surprise you that Karl</p> <p>5 Pierson was suspended formally from school for yelling</p> <p>6 fuck in class?</p> <p>7 A. Does it surprise me now? Does it</p> <p>8 surprise me --</p> <p>9 Q. Sure. Now.</p> <p>10 A. No.</p> <p>11 Q. Okay. And you'll see down below that</p> <p>12 Karl has written, "My peers have often pushed me, and</p> <p>13 while I have put it away, one outburst for a decade of</p> <p>14 hell is unfair," just above his signature. Do you see</p> <p>15 that?</p> <p>16 A. I do see that.</p> <p>17 Q. Does it surprise you to see that Karl</p> <p>18 perceived that he had been, in March of 2013,</p> <p>19 subjected to a decade of hell at school?</p> <p>20 A. Yes.</p> <p>21 Q. I take it you were not aware in the</p> <p>22 spring of 2013 that Karl perceived himself to have</p> <p>23 endured a decade of hell at school?</p> <p>24 A. Correct.</p> <p>25 Q. Would you have expected the</p> | 51 | <p>1 Q. Do you know from any source what Karl's</p> <p>2 reputation around the school was among the students by</p> <p>3 the spring of 2013, essentially the end of his junior</p> <p>4 year?</p> <p>5 A. I'm sorry, say that again.</p> <p>6 Q. Sure. Do you have any sense -- and I'm</p> <p>7 tying this to the end of his junior year. Do you have</p> <p>8 any sense from any source what Karl's reputation among</p> <p>9 the students at the school was?</p> <p>10 A. I'm trying to recall if I had any</p> <p>11 specific conversations with other students about Karl</p> <p>12 or if they brought him up to me. I can conjecture,</p> <p>13 you know, based on my own interactions that he did not</p> <p>14 have a good reputation. Can -- okay. When I demoted</p> <p>15 him in the fall of 2013-2014, again, out of concern</p> <p>16 for his privacy that students would ask me on the team</p> <p>17 what was going on, what happened, I didn't go into</p> <p>18 details, but I recall (THE STUDENT) saying to me, and</p> <p>19 (THE STUDENT) was one of the other extempors, Karl's</p> <p>20 mouth finally got him in trouble.</p> <p>21 Q. That's what (THE STUDENT) said to you?</p> <p>22 A. Yeah. Which tells me that -- and</p> <p>23 (THE STUDENT) was one of his closest friends, but that</p> <p>24 tells me that it wasn't a surprise to kids that Karl</p> <p>25 had crossed the line.</p> |
| 50 | <p>1 administration at Arapahoe to follow up on this</p> <p>2 statement by Karl that he had endured a decade of hell</p> <p>3 when he provided this to Kevin Kolasa?</p> <p>4 A. I would hope so.</p> <p>5 Q. Do you know whether or not Mr. Kolasa or</p> <p>6 anybody from Arapahoe High School's administration did</p> <p>7 any follow up to find out what Karl was referring to</p> <p>8 when he wrote, I've endured a decade of hell?</p> <p>9 A. I'm sorry, could you -- I'm not aware of</p> <p>10 that, no.</p> <p>11 Q. If you had been aware that Karl had the</p> <p>12 perception that he endured a decade of hell at school,</p> <p>13 would you have followed up and done something?</p> <p>14 A. I think so. I hope so. I think I would</p> <p>15 have.</p> <p>16 Q. Have you asked anybody at Arapahoe</p> <p>17 whether or not they did anything to find out what Karl</p> <p>18 was referring to when he wrote, "One outburst for a</p> <p>19 decade of hell is unfair"?</p> <p>20 A. I have not.</p> <p>21 Q. I take it nobody came and asked you about</p> <p>22 this decade of hell comment, whether it was Kevin</p> <p>23 Kolasa, Kelly Talen, Esther Song, anybody?</p> <p>24 A. No, no one did. I was not made aware</p> <p>25 officially about this incident.</p> | 52 | <p>1 Q. Okay.</p> <p>2 A. If that helps to answer the question.</p> <p>3 Q. It does. I'm just trying to get a sense</p> <p>4 of what his perception among the other students was to</p> <p>5 the extant that you know during this time period.</p> <p>6 A. That would be hard for me to describe</p> <p>7 right now.</p> <p>8 Q. Okay. Now, it's my understanding that in</p> <p>9 April of 2013, Karl qualified for nationals, national</p> <p>10 debate tournament?</p> <p>11 A. He did as an alternate.</p> <p>12 Q. Okay. And he ended up actually competing</p> <p>13 in the nationals. They were somewhere down south, if</p> <p>14 I remember.</p> <p>15 A. Birmingham.</p> <p>16 Q. Okay. I get the sense from some of the</p> <p>17 documents that I've read that Karl and/or his mother</p> <p>18 were disappointed that you didn't attend the national</p> <p>19 tournament. Was that your perception as well?</p> <p>20 A. Not -- no.</p> <p>21 Q. Okay.</p> <p>22 A. No.</p> <p>23 Q. Would it be typical for you to attend the</p> <p>24 national tournament with one of your students if they</p> <p>25 qualified?</p> |

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1 A. Not necessarily. Do you want me to
 2 follow up?
 3 **Q. Yes. Absolutely.**
 4 A. Basically it becomes a funding issue.
 5 You know, are the funds -- is the money there
 6 basically to be able to pay for the coach to attend.
 7 I believe a couple years previously we had another
 8 student make it to nationals, and she, I think, also
 9 attended with a parent. I don't believe that Jared
 10 went with her. And when I had spoken with Natalie
 11 about it, basically it was going to have to be money
 12 that was coming out of the speech and debate budget,
 13 which there wasn't a lot. So it would have more than
 14 wiped that out for me to have attended, which I felt
 15 was -- I didn't feel comfortable doing that because
 16 it's the kids' money.
 17 **Q. Sure.**
 18 A. And at the same time, I had a hard time
 19 justifying the cost. I said, you know, it's in
 20 Birmingham, I looked at -- I was looking at probably a
 21 good \$2500 for plane tickets, hotel room, rental car,
 22 plus food and so forth.
 23 **Q. Sure.**
 24 A. And that would have been a large chunk of
 25 what I got paid as a coach.

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1 **Q. Right.**
 2 A. It's not like we have booster parents or
 3 booster club raising funds like the football team or
 4 whatever.
 5 **Q. Sure. Absolutely. And Karl was the only**
 6 **kid who went to nationals that year?**
 7 A. From our school, yes.
 8 **Q. And my -- well, strike that.**
 9 **What was Karl's reaction to his results**
 10 **at nationals?**
 11 A. Excited, exuberant, you know, over the
 12 top, happy.
 13 **Q. Did he do well over at nationals?**
 14 A. No, he did not.
 15 **Q. And what was his reaction to the fact**
 16 **that he didn't do well at nationals?**
 17 A. You know, I honestly -- I didn't have a
 18 conversation with him about that specifically other
 19 than, you know, just a brief maybe conversation,
 20 informal. It was -- you know, it was something that
 21 he and his mother didn't communicate to me how he had
 22 done. I think there had been some communications and
 23 texting between his mother, Barbara, and Ginger, our
 24 assistant coach, but nothing directly with me other
 25 than letting me know they had arrived in Birmingham,

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1 and they'd let me know how things went. And I never
 2 heard anything more.
 3 **Q. I seemed to recall having heard that Karl**
 4 **was unhappy that he didn't get the recognition from**
 5 **you that he thought he deserved for having made**
 6 **nationals. Do you recall that being an issue that**
 7 **Karl had with you?**
 8 A. You know, not at the time, no, because
 9 one of the things I tried to make it a point to do
 10 with our kids was to make sure their names were in our
 11 student announcements each Monday. As a matter of
 12 fact, it was kind of a ritual I had Sunday to type up
 13 an e-mail to staff responsible for the announcements,
 14 the daily announcements. And so -- and, you know, I
 15 always put their names in there and pushed, a lot of
 16 times with the staff and the administration, to have
 17 their names read aloud.
 18 And generally the rule was unless the
 19 kids made it to state or nationals, that wasn't the
 20 case. But at least it would be on the Web site. The
 21 parents could see it, the others would see it, and I
 22 thought that was important. I built up our Web site
 23 so that it was a place of recognition for our kids
 24 too. We typically took pictures of kids with their
 25 ribbons, trophies, those type of things. And then we

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1 had -- each April, we had an end-of-year celebration,
 2 which was an opportunity for kids to receive
 3 recognition among team peers and their parents and
 4 made it a nice program for them, an opportunity for
 5 them to shine that way. So I think there were
 6 multiple ways that Karl received recognition of that
 7 accomplishment.
 8 **Q. Okay. One --**
 9 A. I'm not sure what more he wanted.
 10 **Q. Right. Candidly, I don't think any of us**
 11 **does. One tangential question, do you recall ever**
 12 **having any concerns or hearing any reports that any of**
 13 **Karl's speeches focused on inappropriate subjects,**
 14 **violence, guns, shootings, anything like that?**
 15 A. Not that I'm aware of because of the
 16 nature and national extemporaneous speeches, I suppose
 17 those could have come up, you know, gun control, gun
 18 violence, those type of things, wouldn't have been out
 19 of bounds for a question.
 20 **Q. Okay. And I'm asking even more broadly**
 21 **than just at the national tournament. I mean --**
 22 A. No, I'm talking about any tournament, in
 23 any tournament, yeah.
 24 **Q. Okay. Thanks.**
 25 A. It wouldn't have been an unusual topic.

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1 (Deposition Exhibit 33 was marked.)
 2 **Q. Exhibit 33 is a document that you**
 3 **probably have not seen before, but maybe you saw**
 4 **during the release of documents from the sheriff's**
 5 **office. It is a statement given by Barbara Pierson**
 6 **after the shooting after the sheriff's investigation.**
 7 **Do you see that?**
 8 A. I do.
 9 **Q. I want to direct your attention to the**
 10 **second page of Mrs. Pierson's statement. In the**
 11 **middle of the page, she mentions the fact that "On**
 12 **August 11, 2013, Karl totaled his car after he left**
 13 **the McDonalds where he worked." Do you see that?**
 14 A. I do.
 15 **Q. I guess the first question I have is,**
 16 **were you aware in the fall of 2013 that Karl had**
 17 **totaled his car?**
 18 A. I was not aware, no.
 19 **Q. Apparently he had been very angry over**
 20 **something that happened at work and ran a stop sign**
 21 **that's just --**
 22 A. Again, I wasn't aware of it until
 23 documents like this came out.
 24 **Q. Were you aware -- and now I'm going to**
 25 **pinpoint. Prior to the threat that he made against**

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1 **you when you demoted him, were you aware in the August**
 2 **time frame in 2013, that Karl was having serious anger**
 3 **issues?**
 4 A. No.
 5 **Q. In the next paragraph you can see that**
 6 **Ms. Pierson reported that on September 3, 2013, she**
 7 **received a text message from you asking to meet with**
 8 **her and Karl. Do you see that?**
 9 A. I do.
 10 **Q. My first question is a housekeeping**
 11 **question which is, do you still have your text**
 12 **messages between yourself and Barbara Pierson?**
 13 A. I do.
 14 **Q. And do you also have your text messages**
 15 **between yourself and Karl Pierson?**
 16 A. I do.
 17 **Q. Have you provided those to the attorneys**
 18 **for Littleton Public Schools?**
 19 A. I have not.
 20 MR. ROCHE: I'm going to ask if I could
 21 get a copy of those. I'll obviously share those as
 22 well with LPS.
 23 MR. KAISER: We'll talk about it.
 24 MR. ROCHE: You guys will talk about it.
 25 I don't need an answer right now, but those are

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1 obviously something that we would be very interested
 2 in. We've been going about an hour and a half, why
 3 don't we take a quick break, refill on coffee, or just
 4 take a few minutes.
 5 (Recess taken, 11:02 a.m. to 11:22 a.m.,
 6 after which time Mr. Davis was not present.)
 7 MR. ROCHE: We are back on the record.
 8 **Q. (BY MR. ROCHE) One question I neglected**
 9 **to ask about, the incident at the Green Mountain**
 10 **tournament where Karl crossed the line in one of his**
 11 **speeches, did you ever talk with either of Karl's**
 12 **parents about that incident?**
 13 A. I did not.
 14 **Q. Let's go back to Exhibit 33, which is**
 15 **Barbara Pierson's statement.**
 16 A. Okay.
 17 **Q. There is a reference in the middle of the**
 18 **page to -- well, the text messages. In that same**
 19 **paragraph it says, "Ms. Pierson advised that**
 20 **Mr. Murphy said that he didn't feel that Karl was**
 21 **living up to the honor code of the National Forensics**
 22 **League." Do you see that?**
 23 A. I do.
 24 **Q. Is that, from what you can see, a**
 25 **reference from the meeting you had where Karl was**

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1 **demoted from his captaincy on the debate team?**
 2 A. That would be my guess, yes.
 3 **Q. Okay. We're now up to essentially the**
 4 **beginning of Karl Pierson's senior year in terms of**
 5 **the chronology of what we've been discussing. Were**
 6 **there any other incidents that concerned you about**
 7 **Karl that we haven't addressed through that time**
 8 **period?**
 9 A. The time period of?
 10 **Q. Have we covered all of the incidents that**
 11 **you -- or encounters that you had with Karl that**
 12 **concerned you prior to his senior year?**
 13 A. I would say so.
 14 **Q. Okay. Now, we're on senior year. Let's**
 15 **actually mark one other thing as an exhibit.**
 16 **(Deposition Exhibit 34 was marked.)**
 17 **Q. You'll see Exhibit 34 is a progress**
 18 **report prepared by the Arapahoe Sheriff's Office and**
 19 **the subject is "Interview with Tracy Murphy." Do you**
 20 **see that?**
 21 A. I do.
 22 **Q. And do you recall giving a statement to**
 23 **the Arapahoe County sheriffs shortly or immediately**
 24 **after the shooting?**
 25 A. That evening, yes.

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1 **Q. Okay. And the incident that I want to**
 2 **ask you about is a conversation that you had with Jeff**
 3 **Corson shortly after the 2013-2014 school year**
 4 **started. Do you recall a conversation with Jeff**
 5 **Corson?**
 6 A. I do.
 7 **Q. Tell me about that conversation, if you**
 8 **would.**
 9 A. I believe it was the second day of school
 10 Jeff came down to the library, sought me out. He
 11 wanted to talk to me about Karl Pierson. He was
 12 having -- already having some concerns about Karl in
 13 his class and he -- Jeff had talked to -- what I
 14 gathered, had talked to teachers in the social studies
 15 office if anybody knew Karl Pierson fairly well, and
 16 they were directed to me since he was in speech and
 17 debate and he was the captain of the team.
 18 So he came to talk to me about Karl being
 19 verbally abusive, in essence being a bully in his
 20 class to other students. Jeff was teaching an
 21 international relations social study elective course
 22 open from freshman through seniors. So he had a wide
 23 spectrum of ability levels or whatever. And I'll also
 24 toss this in, with any elective, you run the
 25 possibility of kids in the class that it fits their

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1 schedule, maybe not their strength or high interest.
 2 **Q. Sure.**
 3 A. But I think it was for Karl, but what was
 4 happening was Karl was yelling at kids and telling
 5 kids they were stupid when they would make comments or
 6 observations about something that was being discussed
 7 in class.
 8 **Q. And this was all information that Jeff**
 9 **Corson reported to you?**
 10 A. Yes.
 11 (At this time Mr. Davis entered the
 12 room.)
 13 **Q. Were you surprised to hear that Karl was**
 14 **telling students in Mr. Corson's class that they were**
 15 **stupid and that he was bullying them verbally?**
 16 A. By this time, no, to be honest with you.
 17 **Q. And as I understand it, one of the things**
 18 **that Mr. Corson came to you about was, What do I do**
 19 **with this kid, right?**
 20 A. Yes.
 21 **Q. And your answer to him, and I'm looking**
 22 **at page 6 of your statement was, Good luck, he sees**
 23 **things how he sees things, right?**
 24 A. Something along those lines, yes.
 25 **Q. In other words, you didn't have any**

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1 **advice to --**
 2 A. I did not.
 3 **Q. -- give to Mr. Corson about how to**
 4 **control Karl's behavior?**
 5 A. I didn't.
 6 **Q. I take it then that's because you also**
 7 **weren't having any luck controlling Karl's behavior at**
 8 **that time?**
 9 A. That's correct.
 10 **Q. Do you know, did either you or Mr. Corson**
 11 **report this incident to the administration at**
 12 **Arapahoe?**
 13 A. I did not. I don't know if Jeff did.
 14 **Q. Is there a reason that you didn't report**
 15 **the incident to the administration at Arapahoe?**
 16 A. Yeah, I would be -- I think, you know,
 17 twofold. One, I didn't directly observe it. I wasn't
 18 the classroom teacher that was directly involved. And
 19 having -- you know, being a coach of an
 20 extracurricular activity, it would have been in
 21 essence kind of like, I don't know if I would say
 22 stepping on Jeff's toes to do that, but it would have
 23 been Jeff's responsibility of either of us to talk to
 24 administration about that.
 25 **Q. Okay. And, again, I'm looking at page 6**

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1 **of your statement, when Mr. Corson asked you, How do I**
 2 **get through to him, meaning Karl. Did you have any**
 3 **further discussion beyond your statement of good luck**
 4 **and he sees things how he sees things?**
 5 A. Yeah, I really -- I think I was just --
 6 at that point, I had no idea. I was -- I thought I
 7 don't know what would work with this -- the student,
 8 with getting him to see things in a different way. So
 9 I didn't have any advice for Jeff.
 10 **Q. And you didn't suggest that Mr. Corson**
 11 **report this incident to the administration at**
 12 **Arapahoe?**
 13 A. I don't -- I may have suggested -- I
 14 think I suggested he contact Karl's mother and talk to
 15 her about it.
 16 **Q. Do you recall -- when is the first time**
 17 **that you contacted the administration at Arapahoe**
 18 **about any of your concerns regarding Karl Pierson?**
 19 A. I'm trying to think if I had any
 20 conversations specifically with Brian Jesse the
 21 previous year. Again, not being evasive, I don't
 22 recall if I did or didn't, but I do know I had a
 23 conversation with Natalie Pramenko shortly after my
 24 meeting with Karl and his mother on September 3.
 25 **Q. Okay. And setting aside the possible**

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1 **Brian Jesse conversations during junior year, the**
 2 **first other communications you had had with the**
 3 **administration with Karl Pierson would have been in**
 4 **connection with the demotion of Karl as a captain and**
 5 **the ensuing threat; is that right?**
 6 A. Yeah, actually, I'm sorry to step back.
 7 I had spoken with Brian Jesse the previous week, that
 8 Friday, whatever that date was, but it was the Friday
 9 before September 3 -- because that was the Friday
 10 before Labor Day weekend because it was a three-day
 11 weekend -- about some concerns I had with the team in
 12 general, and my thoughts about having a meeting with
 13 veteran members of the team.
 14 And by this point I had had two negative
 15 interactions with Karl already that year and the year
 16 was just a week old. And I said to Brian that, Based
 17 upon interactions the previous year and what was
 18 already happening that year, I felt that Karl wasn't
 19 meeting the standards for being a leader or a captain
 20 on the team, and I was planning on demoting him. I
 21 wasn't removing him from the team. Brian was
 22 supportive of both that action as well as my meeting
 23 with the team and talking to the team about my
 24 concerns.
 25 **Q. Now, you were talking to Brian Jesse**

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1 **because he was the student activities director; is**
 2 **that right?**
 3 A. Yes, that's correct.
 4 **Q. Okay. I take it you went to Brian before**
 5 **you met with Karl and his mother, right?**
 6 A. Yes.
 7 **Q. And were you going to him to get**
 8 **permission or clearance to demote Karl or --**
 9 A. I don't know that it was -- it was
 10 probably more of -- I wanted to confirm that I had his
 11 support that that was a good decision on my part, but
 12 I don't think I was really looking for permission,
 13 per se.
 14 **Q. Okay.**
 15 A. Does that make sense?
 16 **Q. Yes. Did Brian Jesse know Karl Pierson**
 17 **or do you know?**
 18 A. Other than maybe some interactions with
 19 him with speech and debate, I don't know beyond that.
 20 **Q. Okay. During your discussion with Brian**
 21 **Jesse before this meeting to demote Karl Pierson, did**
 22 **you express any concern about how Karl might react to**
 23 **that demotion?**
 24 A. I don't recall having that kind of a
 25 conversation with Brian. I don't think so.

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1 **Q. Do you recall having a concern in your**
 2 **own mind about how Karl would react to losing his**
 3 **captain seat?**
 4 A. Yeah, I knew he wasn't going to like it,
 5 obviously. I didn't expect the reaction that I got.
 6 I guess I was looking at it in the perspective of the
 7 big picture, it's not the end of the world kind of
 8 thing, you're still a member of the team. And even --
 9 I guess I'll go ahead and carry this forward a little
 10 bit. Even in my conversation with him and his mother,
 11 even with him screaming at me, my -- I told him that I
 12 would hope that he would continue to participate and
 13 compete and show me that -- you know, that he can
 14 mature and he can develop the skills that he can be a
 15 leader on the team. And so I was even -- so I guess
 16 to answer your question, no, I didn't -- I wasn't
 17 exactly sure what his response was going to be, but I,
 18 by no means, didn't expect the response that I got.
 19 **Q. Now, let's talk -- you mentioned that**
 20 **your decision to remove Karl as captain of the extemp**
 21 **debate team was triggered in part by two negative**
 22 **interactions you had with Karl at the very beginning**
 23 **of senior year, correct?**
 24 A. Yeah, I think those kind of -- yeah, kind
 25 of became the straws that broke the camel's back kind

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1 of thing. Okay, we're already at the beginning of the
 2 year, and this is not good at all.
 3 **Q. And I understand there had been earlier**
 4 **concerns from the previous year, how he ran the**
 5 **practices.**
 6 A. The election.
 7 **Q. The election itself.**
 8 A. Introduction.
 9 **Q. The unwillingness to take criticism or**
 10 **constructive criticism from you and other students,**
 11 **all of these things factored into it, right?**
 12 A. Correct. And I talked to him about that.
 13 **Q. And the two negative interactions or the**
 14 **straw that broke the camel's back were, one, not**
 15 **showing up at a back to school night, right?**
 16 A. That's correct.
 17 **Q. That was one.**
 18 A. And fundraiser, yes.
 19 **Q. And the other was this incident with Jeff**
 20 **Corson?**
 21 A. Yes. And I thought that was more
 22 serious.
 23 **Q. Were there any other incidents at the**
 24 **beginning of senior year that factored into your**
 25 **decision to remove Karl as captain?**

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1 A. No. I don't mean to be -- you know, I
 2 would just say -- I mean, the school year was only a
 3 week old.
 4 **Q. Understood.**
 5 A. It was already a lot.
 6 **Q. And I don't mean to dispute that**
 7 **characterization. I'm just -- one of the questions we**
 8 **lawyers always ask is, Anything else?**
 9 A. No. That was it so far.
 10 **Q. Now, let's talk about the meeting on**
 11 **September 3. Other than Brian Jesse, did you discuss**
 12 **with anyone the fact that you were planning to remove**
 13 **Karl as the captain of the extemp team?**
 14 A. Yeah, I think I talked with Ginger
 15 Glodowske, the assistant coach, about that.
 16 **Q. And what was Ginger's view of that?**
 17 A. From what I recall, you know, she was
 18 supportive of my decision. She knew that, I think,
 19 Karl was going to take it hard. But, you know, she
 20 could see where I was coming from.
 21 **Q. When you sent -- when you set up the**
 22 **meeting on the afternoon of September 3 with Karl and**
 23 **his mother, you sent a text message to both of them?**
 24 A. I did.
 25 **Q. Okay. And did the text message say**

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1 **anything other than, I would like to meet with you?**
 2 **In other words, did you give any preview of what the**
 3 **subject was going to be?**
 4 A. No, I initially had sent a text to all of
 5 the veteran members saying, I'd like to have a
 6 meeting, and I had gotten a response from just almost
 7 everybody. Had not gotten a response from Karl in
 8 that e-mail, or that text, sorry. And then I followed
 9 up with a separate text to him and his mother
 10 separately saying, I would like to meet with them
 11 separately after the meeting. And very shortly after
 12 that, I got a reply from Karl saying, What for?
 13 Something like that. And I said, Your conduct as a
 14 captain on the team. And I don't think I got any
 15 additional text from Karl after that, but his mother
 16 followed up with some text message exchange -- and I
 17 still have those -- wanting, you know, a heads-up.
 18 I think I replied something about, you
 19 know, his conduct or being captain of the team. She
 20 replied back something to the effect of setting
 21 expectations for the year. And I said -- I think I
 22 replied, Exactly, or something like that. And then
 23 she replied back that she had my full support and that
 24 she was hoping the team would be successful this year
 25 and so on. So we left it at that. I mean, I couldn't

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1 have imagined that they would have seen it -- that it
 2 was going to be necessarily a positive meeting, I
 3 guess.
 4 **Q. Now, I understand that September 3 is the**
 5 **day of that meeting?**
 6 A. It is.
 7 **Q. It's my understanding that that was also**
 8 **Karl's birthday?**
 9 A. I did not know that.
 10 **Q. And that was my next question.**
 11 A. I did not know that.
 12 **Q. I assume if you had known that, you would**
 13 **have set the meeting for a different day?**
 14 A. Absolutely.
 15 **Q. All right. Tell me about how that**
 16 **meeting went. You were in room C 15; is that right?**
 17 A. That is correct.
 18 **Q. Okay.**
 19 A. Yeah, the three of us sat down together,
 20 you know, pulled up three desks to kind of be grouped
 21 together. Mrs. Pierson did kind of a cordial kind of
 22 a chitchat to begin with, you know, How are you doing?
 23 And then started talking about their experience at
 24 nationals. And so we talked briefly about kind of how
 25 things went and what it was like to be in Birmingham

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1 and some of the logistics of what -- how the
 2 tournament went and that type of thing. And then
 3 after that, I directed the meeting to my concern at
 4 hand, and that was Karl's poor behavior, poor decision
 5 making, and the decision I had made.
 6 **Q. Okay.**
 7 A. And so I then explained that I, you know,
 8 decided that based on what I had seen from Karl last
 9 year, in particular, and then already at the beginning
 10 of this year, that he really wasn't meeting the -- he
 11 wasn't -- gosh, I apologize. Every once in a while I
 12 draw a blank on words. I was actually saying to
 13 Charlie, I'm an articulate person, believe it or not.
 14 **Q. You're doing fine.**
 15 A. He just wasn't positively reflecting on
 16 the team or the school in his behavior, and I was very
 17 concerned about that and that I felt that the best
 18 thing to do at that point was to keep him on the team
 19 but to demote him. You know, I wasn't sure what his
 20 response was going to be. I didn't expect it to be
 21 positive necessarily, obviously, but he blew up.
 22 **Q. Okay. Tell me about that.**
 23 A. He started screaming at me.
 24 **Q. What was he screaming?**
 25 A. He couldn't believe it. What would --

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1 he's yelling at me, What would Pramenko think about me
 2 demoting the only member of the team that made
 3 nationals, and, like I said, he's screaming this at
 4 me.
 5 **Q. Is it raised voice or close to the top of**
 6 **his lungs?**
 7 A. Close to the top of his lungs. It's
 8 loud.
 9 **Q. Were you scared?**
 10 A. I was taken aback by it because I was
 11 sitting as close as Charlie and I, basically, and I've
 12 got the student giving me a look of hatred and
 13 screaming. And had I thought, I would have said, I
 14 think she would support my decision because this is
 15 best for the team. But I couldn't think of anything
 16 else to say other than, Please tell her. I had
 17 nothing to hide. I felt I was on firm ground here.
 18 **Q. What else was he yelling other than, I**
 19 **can't believe it, and what is Pramenko going to think?**
 20 A. That he was the most successful member of
 21 the team, that the team -- members of the team
 22 wouldn't be successful without him. I tried to point
 23 out to Karl that being a leader on the team is more
 24 than just simple individual success on the leader's
 25 part. The example I used was Terrell Owens, you know,

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1 the football player. I said, you know, Here you've
 2 got possibly one of the most gifted football players
 3 ever who got bounced from team to team because he was
 4 a negative factor on teams, he had a difficult time
 5 with the coaching staff, with the players, with
 6 ownership. Regardless of how gifted he was or how
 7 talented he was, it didn't matter.
 8 And that's what I was trying to convey to
 9 Karl. He wasn't seeing it. He was threatening to
 10 shut down -- you may be familiar with Dropbox, the
 11 software where files are shared, but he would shut
 12 that down and he would take that away from the extemp
 13 team. He had created it anyway. That -- I'm trying
 14 to think of what other things he was saying. He just
 15 wasn't seeing that there was more to being the leader
 16 on the team than his own personal success.
 17 **Q. Okay. Was he trying -- during this**
 18 **screaming, was he trying to reason with you or to**
 19 **change your mind, or was he just yelling and**
 20 **threatening?**
 21 A. Yelling and threatening.
 22 **Q. And in the sheriff's statement that you**
 23 **gave, and I'm at the top of page 7, you refer to the**
 24 **fact that Karl was, quote, livid and threatening. Do**
 25 **you see that?**

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1 A. I do.
 2 **Q. What was he threatening, if anything,**
 3 **other than to shut down the Dropbox account?**
 4 A. Well, like I said, you know, to go to
 5 Pramenko about me. You know, which, again, I was fine
 6 with.
 7 **Q. Sure.**
 8 A. You know, and like I said, the Dropbox.
 9 I'm trying to think if there was other things he
 10 verbally -- I don't think he verbally threatened me in
 11 other ways or the team in other ways, but his verbal
 12 -- his body language was threatening in manner.
 13 **Q. Okay. Did he stay in his seat? Did he**
 14 **get up? Did he walk around?**
 15 A. He stayed in his seat. He did not -- I
 16 don't recall him standing up and like towering over me
 17 type of threatening. I don't believe he did that.
 18 **Q. Okay. What was Barbara Pierson doing**
 19 **throughout this?**
 20 A. Trying to appease, trying to make peace.
 21 **Q. What was she saying? What was she doing?**
 22 A. Well, first off, she wanted to know about
 23 the specific incidences and issues and concerns, and I
 24 was telling her about those or having Karl, when I
 25 couldn't tell her -- she wasn't aware of -- yeah, at

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1 this point, she had not been aware of the interaction
 2 with Jeff Corson, so evidently Jeff had not called her
 3 yet.
 4 When we talked about his no-show no-call
 5 about the fundraiser, she corrected him and said,
 6 Karl, you know I have Mr. Murphy's text, you know, his
 7 phone number and e-mail address and stuff, you could
 8 have gotten ahold of him. So she was chastising him
 9 in a sense that way. She wasn't aware of the -- you
 10 know, the incident in -- with the introduction back in
 11 February the previous year.
 12 **Q. The Green Mountain incident?**
 13 A. Yeah. And Karl got very defensive with
 14 her.
 15 **Q. Tell me about that.**
 16 A. That he was just, you know, testing the
 17 waters, you know, he was just pushing the limits a
 18 little bit, not a big deal, kind of dismissing her.
 19 **Q. Okay. I take it nothing that she said**
 20 **was having any effect on his behavior?**
 21 A. No, not at all. As a matter of fact, she
 22 wanted him to apologize and -- about how he was
 23 reacting to me, and he wasn't having any part of it.
 24 And I said, you know, Right now is not a good time for
 25 this, you know, Karl, if you want to apologize to me

| | | | |
|----|--|----|--|
| 77 | <p>1 sometime later, but not in the heat of the moment, I 2 don't think that would be appropriate. 3 As we were finishing up the meeting, she 4 wanted him to shake hands with me, and I was okay with 5 that. He made a big deal about -- as he's gathering 6 his stuff up that he didn't have a hand free, and then 7 he kind of gave me his left hand kind of backwards 8 kind of thing. In other words, really no sincerity. 9 As we're walking out, we're calling it quits, 10 Mrs. Pierson realizes, I think at this point, she 11 needs to be alone with her son, calm him down. 12 Q. This is as the meeting is ending? 13 A. Yeah. 14 Q. Let me slow you down because I do want to 15 get to that part. 16 A. Okay. 17 Q. While Karl is screaming at you, was he 18 also screaming at his mother? 19 A. Loud voice, probably not screaming at her 20 but, yeah, he had -- he's agitated. So it wasn't like 21 he calmed down when he talked to her. 22 Q. And when he stopped screaming at you or 23 at his mother, what did you say? 24 A. Among other things, I think I recall 25 saying that I was hoping that he, you know, would</p> | 79 | <p>1 anybody look at me that way. Yeah, I get it, kids get 2 angry and get upset and -- but I've never experienced 3 something like that. I've never experienced that 4 look. I mean, it was -- I used the word there, I 5 can't think of a better word. It was haunting. 6 Q. And this was, I take it, qualitatively 7 different in orders of magnitude in anything you had 8 experienced in 20-plus years as an educator? 9 A. Absolutely. I've never had an 10 interaction with a student where a student has 11 interacted with me that way and looked at me that way. 12 It was chilling. 13 Q. I take it that gave you very serious 14 concerns about this young man's mental state? 15 A. You know, when you're in the heat of the 16 moment right at that moment, I am thinking about a lot 17 of things, but I'm not quite going down that road yet. 18 Q. Okay. When did you start? 19 A. By the time I'm driving home that night 20 and I just -- it . . . 21 Q. What was going through your mind when you 22 drove home that night? Take your time. 23 A. Well, I started playing it over, and it 24 may sound frivolous to say I had a gut feeling, but it 25 was developing.</p> |
| 78 | <p>1 continue to compete, that he would in essence, you 2 know, prove me wrong, that he could be a good example 3 to others, that he could be a good leader. Even if 4 it's in a nonofficial capacity, I was trying to make 5 that kind of a message or send that -- I was sending 6 that message to him. 7 Q. Okay. And in your statement on page 7 to 8 the sheriff, you mentioned that you had never had a 9 kid look at you with a look of hatred like he did that 10 day. It was haunting. Do you see that? 11 A. Yes, that's correct. 12 Q. Obviously part of working at a school is 13 doing things that occasionally make kids mad, right? 14 A. Sure. 15 Q. One of the job descriptions, right? 16 A. Sometimes, yeah. 17 Q. And what was different about the way Karl 18 reacted to you on September 3 from what you've had to 19 encounter in the past? 20 A. When I was -- when I made the statement 21 that I had decided to remove him as captain or demote 22 him, he just stopped and, like I said, he looked at 23 me, I guess, as I was saying to Charlie and said to 24 others, if you could have seen it, you would 25 understand what I'm talking about. I've never had</p> | 80 | <p>1 Q. Okay. 2 A. And I remember that night standing in the 3 kitchen talking to my wife, and talking about this -- 4 what happened. And said I had a bad -- telling my 5 wife literally I had a bad gut feeling about this kid 6 that I never -- I was meeting -- the one I saw after 7 meeting when he left that really got me thinking, and 8 I was very concerned about his volatility. 9 Q. Okay. I know from the sheriff's report 10 that there came a time when you were seriously 11 considering resigning -- 12 A. Yeah. 13 Q. -- from Arapahoe? 14 A. Yeah. 15 Q. Had that thought entered your mind that 16 night? 17 A. Not yet. 18 Q. Okay. So we'll come back to that. And, 19 again, take your time. I understand this is very 20 difficult memories for you. 21 A. I'm sorry. 22 Q. It's totally okay. Let's go back to the 23 meeting on September 3. How did that meeting end? 24 A. I'm not sure what you mean. 25 Q. How did it wrap up?</p> |

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1 A. Well --

2 **Q. Reiterated your decision, Look, you're**

3 **not captain, but we would like you on the team?**

4 A. Yeah, and Mom's trying to get Karl to,

5 you know, pull his stuff together and for them to

6 leave for -- like I said, I think she realizes that

7 he's over-the-top angry.

8 **Q. Okay.**

9 A. And when we get to the door, like I said,

10 Barbara Pierson is trying to act as a peacemaker,

11 trying to make nice, and she asked me -- she said --

12 asked if I would -- they had -- she had (THE STUDENT)

13 wait in the library, Karl's sister, and if I would let

14 (THE STUDENT) know to meet them out in the parking

15 lot. I don't think she said these words, but I got

16 the message, Basically I need to get Karl out of here,

17 I need to get Karl going.

18 **Q. Out of the building?**

19 A. Yeah.

20 **Q. Okay.**

21 A. And I understood. So I started to walk

22 toward the library, and I realized as I turned the

23 corner, and I must have looked at my watch or

24 whatever, but it was about a quarter to 4:00.

25 **Q. Okay.**

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1 A. The library closes at 3:30, so Carla

2 Brachtenbach, the clerk, would have closed it at 3:30,

3 and any students that were in there would have just

4 said, you know, You guys got to go to the cafeteria or

5 go somewhere else, but we're closing.

6 So I turned around, and as I came from

7 the corner from the north hallway back in the C

8 hallway where C 15 is, Karl and his mother are walking

9 away and he's screaming. And I've got to be honest

10 with you, to this day I don't know what he's saying.

11 **Q. But he's --**

12 A. He's screaming and his hands are waving

13 and he's just -- it's, again, something I've never

14 seen before, and it stopped me in my tracks.

15 **Q. The way he was behaving towards his**

16 **mother as he's walking down the hall?**

17 A. Yeah, away from me. I literally stopped

18 because I thought I'm not going near that.

19 **Q. Were you concerned for her safety?**

20 A. Yeah.

21 **Q. Concerned that he was going to be violent**

22 **toward his mother as he was walking down the hall?**

23 A. I wondered.

24 **Q. Okay. And you couldn't hear what he was**

25 **saying?**

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1 A. You know, I'm sure I could have. I'm

2 sure I did, but it didn't register.

3 **Q. Okay.**

4 A. I know that may sound silly but it's

5 true. I couldn't tell you to this day what he was

6 saying, but it was just ranting.

7 **Q. Do you know, did any other teachers or**

8 **students observe this or hear what Karl was screaming?**

9 A. I didn't at the time.

10 **Q. Okay. Have you heard since, that other**

11 **teachers or students heard Karl -- Karl's screaming**

12 **either while you were in C 15 or as he was walking out**

13 **of the building?**

14 A. Yes.

15 **Q. We know Mark Loptien heard the screaming**

16 **in the parking lot?**

17 A. Yes.

18 **Q. What about screaming inside the building?**

19 A. I don't know.

20 **Q. You don't know whether any teachers or**

21 **students heard any of that?**

22 A. No. No.

23 **Q. Okay.**

24 MR. KAISER: Are you okay?

25 THE DEPONENT: Yes.

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1 **Q. (BY MR. ROCHE) Like I said and it's -- I**

2 **genuinely mean it. Especially as we get into this**

3 **more intense questioning, just tell me, and we'll take**

4 **a break.**

5 A. Sorry. I'm okay. I appreciate it.

6 **Q. Did you find Karl's sister?**

7 A. I did not because, again, I knew the

8 library was closed, there's no students in there,

9 they're walking away; so I'm thinking they're going to

10 connect up when they walk through the cafeteria.

11 **Q. Okay. So in terms of the sequence, you**

12 **see Karl yelling at his mother walking down the C**

13 **hallway, right?**

14 A. Correct.

15 **Q. And that stops you in your tracks?**

16 A. Absolutely.

17 **Q. They move on and leave the building, you**

18 **lose sight of them at some point?**

19 A. Yeah, because the C hallway is the

20 connecting hallway between the north and the south

21 hallways, and they were walking toward the south

22 hallway. So I can't recall if I -- I believe I stood

23 there at the corner of the intersection of where the C

24 hallway and the north hallway are until they turn --

25 I'm certain of it, until they turn the corner going

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1 toward the cafeteria down the south hallway.
 2 **Q. Okay. And what did you do after that?**
 3 A. Gathered myself, went back into the
 4 library, tried to -- I gathered my stuff up, I was
 5 thinking about what had occurred, and as I was
 6 leaving, I thought -- I wondered if by chance if
 7 Natalie Pramenko, if she was -- if she was still in
 8 the building, if she was still in her office. So I
 9 walked by the main office as I was leaving a few
 10 minutes later and went by her -- saw the office door
 11 was open and went by and saw that she was in there and
 12 asked if she had a few minutes to talk about something
 13 that had just happened.
 14 **Q. So she was there?**
 15 A. She was.
 16 **Q. And what did Ms. Pramenko say when you**
 17 **told her you wanted to talk to her?**
 18 A. She said she had a few minutes.
 19 **Q. What did you tell her?**
 20 A. At that point, again, it goes back to I'm
 21 still processing, but I wanted her to be aware of the
 22 interaction I had had with Karl and his mother at that
 23 meeting, and in particular, I didn't want her
 24 blind-sided by either Karl or his mother meeting with
 25 her and her not being aware that this meeting between

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1 the three of us had occurred and what had happened.
 2 So I wanted to bring her up to speed with what
 3 happened during the meeting.
 4 **Q. Okay. Did you tell her that Karl had**
 5 **been livid and threatening and looked at you with a**
 6 **look of hatred unlike anything you experienced in your**
 7 **career?**
 8 A. I'm not sure if I told her that part, but
 9 I did tell her about him screaming at me, threatening
 10 to go to Pramenko, and her response was, Let him. You
 11 know, first he'd have to work his way through Brian
 12 Jesse and work up the chain of command and that -- as
 13 we talked, I remember her saying that she was pleased
 14 with how I was conducting the team, that what I was
 15 doing was helping kids develop leadership skills, that
 16 she was pleased with that. I told her about Karl's
 17 comments about, you know, how he was so successful and
 18 so forth and that basically he was in essence bragging
 19 that, without him, the team wouldn't have been
 20 successful. At one point, she said, you know, What an
 21 ass, referring to Karl.
 22 **Q. Let me ask this. When you went to go**
 23 **talk to Ms. Pramenko that afternoon after Karl and his**
 24 **mother had left, do you know, did Ms. Pramenko know**
 25 **who Karl Pierson was?**

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1 A. You know, I'm trying to think -- I want
 2 to say -- I think she had an awareness of who he was,
 3 but I don't think she had like a close interaction
 4 with him that she -- you know, that she may have had
 5 with other students. She didn't have a close
 6 relationship with him or anything, but I think she had
 7 an awareness of who he was.
 8 **Q. Did she say anything to you to indicate**
 9 **what her awareness of Karl Pierson was in that meeting**
 10 **in the afternoon on September 3?**
 11 A. Boy, I don't remember right now. I'll
 12 try to see if I can -- I don't recall.
 13 **Q. Okay. During your meeting with**
 14 **Ms. Pramenko on the afternoon of September 3, did you**
 15 **express to her that you were afraid of Karl's**
 16 **volatility?**
 17 A. No. I was -- like I said, I didn't want
 18 to say anything yet. I was literally like formulating
 19 in my mind, maybe I shouldn't have, but I was playing
 20 it over, thinking it through. So I had not, that
 21 evening, said anything to her specifically about a
 22 concern for my safety yet.
 23 **Q. Okay. Did Ms. Pramenko -- did you ask**
 24 **Ms. Pramenko to do anything at that meeting?**
 25 A. No, it was really -- I really wanted just

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1 to inform her. Again, I -- you mentioned before I
 2 have been an educator for -- well, 28 years now and
 3 you learn you just don't want to surprise
 4 administrators, you want to let them know of things so
 5 they're apprised of situations. And that's really
 6 what my primary purpose was with dropping by her
 7 office that day after school.
 8 **Q. Okay. And then obviously you continued**
 9 **to process this very unusual event over the course of**
 10 **the evening and discussions with your wife and all,**
 11 **right?**
 12 A. Absolutely. Yes.
 13 **Q. And the next morning, and, again, I'm**
 14 **referring to --**
 15 A. Sure.
 16 **Q. -- your statement on -- I'm on page 8**
 17 **now.**
 18 A. Sure.
 19 **Q. You said the next morning, Wednesday, you**
 20 **decided you were going to follow reference the**
 21 **incident. Do you see that?**
 22 A. Yes.
 23 **Q. And a reference is essentially a short**
 24 **written report that a teacher or a faculty member can**
 25 **prepare in connection with an incident involving a**

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1 **student?**
 2 A. No. I really just was going to -- I was
 3 thinking of following up talking to Natalie about my
 4 concerns. So I wasn't -- there wasn't a form that I
 5 had in mind to complete or fill out at the time.
 6 **Q. Okay. Do you recall that Arapahoe uses**
 7 **something called a written reference?**
 8 A. No.
 9 **Q. Okay.**
 10 A. I'm aware of a referral form.
 11 **Q. And I guess that's -- let me ask the**
 12 **question, did you write a referral form on this**
 13 **incident?**
 14 A. I did not.
 15 **Q. Can you tell me why not?**
 16 A. Sure. It's an extracurricular activity,
 17 so I guess I would couch it in the same context of,
 18 say, a person coaching basketball or football. If
 19 they have a situation with a student -- or a player on
 20 their team, it's unlikely that they would write a
 21 referral. They would deal with it internally, speak
 22 with administration, appropriate administrator,
 23 activity director, athletic director, or whatever, or
 24 possibly the principal if that was appropriate.
 25 I don't know if that would be a normal

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1 procedure to follow to complete a -- to fill out a
 2 referral or something like this for an extracurricular
 3 activity, per se. I mean, I suppose if something were
 4 to happen on -- about a tournament or whatever that
 5 involved somebody being harmed or whatever, then
 6 possibly.
 7 **Q. Okay. And I just candidly didn't know**
 8 **whether or not the other events surrounding this**
 9 **incident overtook the process of writing a referral**
 10 **form.**
 11 A. I didn't, and I wasn't directed to do
 12 that either. Sometimes it will happen too with -- you
 13 know, you'll talk to an administrator about a
 14 situation, and they'll -- you know, you'll be told to
 15 write a referral, say, write a referral, you know,
 16 give me information so we can follow up on it that way
 17 and, you know, you have a paper trail.
 18 **Q. And that is one of the purposes of these**
 19 **referral forms, is to create a paper trail, right?**
 20 A. Sure.
 21 **Q. And to provide something that an**
 22 **administrator can then follow up on, right?**
 23 A. That's correct.
 24 **Q. I take it Ms. Pramenko didn't ask you to**
 25 **write up a referral form on this incident when you met**

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1 **with her the afternoon of September 3?**
 2 A. She did not.
 3 **Q. Okay. And when you told the**
 4 **investigators that you decided Wednesday morning you**
 5 **were going to follow up reference the incident, you**
 6 **did not mean to -- you decided to write a referral**
 7 **form; is that right?**
 8 A. No, I was going to just talk to -- I
 9 wanted to talk to Natalie to say -- to tell her where
 10 my feelings were, what had developed as I had been
 11 thinking overnight as I was -- I'm not exactly sure
 12 where this follow-up reference, the incident phrase,
 13 came from, but it's just -- I wanted to have a
 14 conversation with her since I had already talked to
 15 her the night before, she was familiar with it. I
 16 wanted her to be aware of my concerns.
 17 **Q. Okay. And the next statement attributed**
 18 **to you in this progress report is, quote, we live in a**
 19 **post Columbine world and it sucks. Do you see that?**
 20 A. I do.
 21 **Q. And is that something you said to the**
 22 **investigator?**
 23 A. It was. Probably. I'm sure since it's
 24 quoted there.
 25 **Q. And my next question is, is that**

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1 **something that you said to Natalie Pramenko or any of**
 2 **the other administrators at Arapahoe High School in**
 3 **this September time frame?**
 4 A. Yes, something along those lines, yes.
 5 **Q. And I take it that you said that in the**
 6 **context of being concerned that Karl might be --**
 7 **A. Be violent.**
 8 **Q. -- violent, come to school, and commit a**
 9 **shooting, right?**
 10 A. A violent act, yes.
 11 **Q. Tell me as best you can recall in what**
 12 **context and to whom you made the statement at**
 13 **Arapahoe, "We live in a post Columbine world and it**
 14 **sucks."**
 15 A. In this case, I think there it was
 16 probably me saying this to the investigators making a
 17 statement to them.
 18 **Q. Okay. Had you also said it to**
 19 **administrators at Arapahoe in this September time**
 20 **frame?**
 21 A. Later in September, yes or -- yes,
 22 something along those lines, yes.
 23 **Q. Okay. And who did you say that to?**
 24 A. Okay. Well, you know, as you can see in
 25 -- as this continues on, that morning I had a visit by

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1 Astrid Thurnau, and she actually dropped by the
 2 library to, I think, talk to Karen and Karen wasn't
 3 there.
 4 And Astrid dropped by my office and said
 5 something to the effect, How did that goofy kid, Karl,
 6 ever make it to nationals? And I said -- we started
 7 talking, and I walked her out in the hallway, and I
 8 said, I want to talk to you about something. And I
 9 told her, I'm getting a bad gut feeling about this
 10 kid, and I kind of briefly explained what had happened
 11 the night before. And I said, I know it sounds crazy,
 12 but I'm very concerned about him doing something
 13 violent, something along those lines.
 14 And Astrid, in essence, supported me and
 15 said, Tracy, you need to go with your gut. And
 16 actually she provided a story for me to -- from her
 17 own life where she had followed up with a gut feeling
 18 and, in essence, it saved her life. It was a scuba
 19 diving situation. And that helped confirm in my mind
 20 that, yeah, I needed to follow up with this.
 21 So from there I walked up to the main
 22 office to talk to Natalie, but she wasn't available.
 23 So I ended up -- I believe I ran into Brian Jesse in
 24 the cafeteria. And I talked to Brian and said, Okay,
 25 here's what is going on, here's what happened the

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1 night before, and I'm pretty concerned about him,
 2 about Karl, doing something violent. I may have said
 3 -- I may have already said -- I don't know if I said
 4 anything at that point about using the phrase
 5 Columbine, but I'm afraid he is going to do something
 6 violent.
 7 Neither one of us knew at the time that
 8 Karl wasn't at school that day. Brian said to me that
 9 what he wanted to do, Brian Jesse, was to have a
 10 direct interaction with Karl. He wanted to find him
 11 sometime during the day and have a conversation with
 12 him, make his own observations about what he thought
 13 about where Karl was emotionally. And I left it at
 14 that and said okay.
 15 **Q. Okay. So you're not -- well, your**
 16 **discussion with Astrid is described in your statement**
 17 **that she told you you had a bad gut feeling about**
 18 **Karl, and from what I understand what you meant was**
 19 **you were concerned that he was going to do something**
 20 **violent at school?**
 21 A. Absolutely. And I said that to her.
 22 **Q. Something like the Columbine shooting?**
 23 A. Yes.
 24 **Q. And you told Brian Jesse essentially the**
 25 **same thing?**

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1 A. Essentially, yes.
 2 **Q. And in the description of your**
 3 **conversation with Brian Jesse, you said you wanted to**
 4 **get the information out and touch base with Karl. Do**
 5 **you see that in the middle of the page?**
 6 A. Yes.
 7 **Q. Okay. When you say you wanted to get the**
 8 **information out and touch base with Karl, what do you**
 9 **mean?**
 10 A. I -- well, what I wanted to do was to let
 11 administration know about my concerns. If I could
 12 make an aside here, as I've read through this --
 13 **Q. Yes.**
 14 A. -- there were times where there were
 15 things said here where I'm thinking, This doesn't
 16 quite make sense or I'm not sure where this is coming
 17 from or whatever so I'm not sure this is verbatim,
 18 word for word what I said, because my interview was
 19 four hours long --
 20 **Q. Sure.**
 21 A. -- with the sheriff's department, and I
 22 get that this is 21 pages, so sometimes I wonder if
 23 it's maybe summarized or condensed a little bit. But
 24 what I really want -- what I wanted to do was I wanted
 25 to, you know, talk to an administrator and I ended up

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1 talking to Brian Jesse. I don't -- what I think I was
 2 saying here is that Brian wanted to touch base with
 3 Karl.
 4 **Q. Okay.**
 5 A. Do you see what I mean?
 6 **Q. No, and I appreciate that. And by the**
 7 **way, I understand this was a long interview and that**
 8 **this is a condensed version of it. So if there is**
 9 **something in here that is inconsistent with your**
 10 **recollection, that I definitely want to know because,**
 11 **you know, people make mistakes. So if there is an**
 12 **inconsistency between the two, just tell me, and I'll**
 13 **ask based on your recollection.**
 14 A. Okay. Thanks.
 15 **Q. Absolutely. So it's your understanding**
 16 **or your belief that this was a reference to Brian**
 17 **Jesse touching base with Karl?**
 18 A. Yes.
 19 **Q. Do you know whether or not Brian Jesse**
 20 **did touch base with Karl?**
 21 A. I only know that he couldn't have because
 22 Karl wasn't in school that day, but I didn't find that
 23 out until after school and -- yeah, because I don't
 24 think Brian -- gosh, I don't think now -- I don't
 25 think Brian said anything to me or we had had a chance

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1 to talk. You know, I've got to be honest with you,
 2 I'm not sure on that one now as I'm talking about it,
 3 but it's obvious that Brian didn't have an opportunity
 4 to have a face to face with Karl because he wasn't in
 5 the building that day.
 6 **Q. Did you ever hear about Brian Jesse**
 7 **having a face-to-face meeting with Karl Pierson in the**
 8 **fall of 2013?**
 9 A. Not that I'm aware of. It basically was
 10 assigned to Kevin Kolasa.
 11 **Q. Okay.**
 12 A. And Kevin pretty much took it over from
 13 that point.
 14 **Q. Okay. And, again, focusing in on this**
 15 **one statement, you wanted to get the information out.**
 16 **The information was Karl's reaction to the news that**
 17 **he is being demoted, right?**
 18 A. Yes.
 19 **Q. And this is all happening before you**
 20 **heard about the threat that was made in the parking**
 21 **lot, right?**
 22 A. Yes.
 23 **Q. And why did you want to get that**
 24 **information out?**
 25 A. I had a real concern that based upon my

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1 interaction the previous night and what I observed,
 2 that this was a potentially violent individual.
 3 **Q. And that concern that you had about Karl**
 4 **committing a Columbine-like attack on the school was**
 5 **something that you had even before you heard that he**
 6 **had threatened to kill you?**
 7 A. Yes. You know --
 8 **Q. Go ahead.**
 9 A. Because when Mark came to me and told me
 10 what he heard, it just confirmed to me that I -- for
 11 want of a better way of saying it, I wasn't crazy. I
 12 wasn't over the top. It confirmed that my gut feeling
 13 was right.
 14 **Q. That you weren't overreacting?**
 15 A. Absolutely. As a matter of fact, I think
 16 I said that to Mark.
 17 **Q. Okay. Did you consider -- again, I'm**
 18 **asking about this time period before you spoke with**
 19 **Mark Loptien. Did you consider asking that Karl be**
 20 **suspended from school for his outburst in that**
 21 **meeting?**
 22 A. No. I guess it -- I guess in the sense
 23 of I -- no, it hadn't occurred to me to ask that
 24 question.
 25 **Q. The night of the 3rd -- I'm sorry, I'm**

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1 **bouncing around a little bit -- I take it you did not**
 2 **call either of Karl's parents? In other words, that**
 3 **Tuesday night?**
 4 A. No.
 5 **Q. Okay. That night of -- or that**
 6 **afternoon/evening of September 3 you talked to Natalie**
 7 **after the meeting, did you talk to anybody else at the**
 8 **school about what had happened that afternoon or the**
 9 **evening?**
 10 A. No.
 11 **Q. And then on the morning of the 4th, you**
 12 **talked to Astrid, and then you talked to Brian Jesse.**
 13 **Did you talk to anybody else about what had happened**
 14 **with Karl the morning of September 4?**
 15 A. I'm trying to think if I had a
 16 conversation by chance with Carla Brachtenbach, only
 17 because she had seen interactions with Karl and I the
 18 previous year. I think I may have. I'm pretty
 19 certain. I bet I did.
 20 **Q. Okay. Now, and maybe you know, maybe you**
 21 **don't. One of the confusing points in my mind about**
 22 **this whole sequence is I've read that after this**
 23 **threat was made and the administration became aware of**
 24 **it, that a decision was made to essentially ask**
 25 **Mrs. Pierson to keep Karl out of school the rest of**

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1 **the week, right?**
 2 A. That's not how --
 3 MR. EVERALL: I'm going to object to that
 4 but go ahead.
 5 A. Okay.
 6 **Q. (BY MR. ROCHE) How do you understand**
 7 **that sequence of events? What I'm getting at, because**
 8 **I'm not trying to trap you or anybody, is news of**
 9 **Karl's threat against you wasn't made known to the**
 10 **administration until Wednesday, September 4, and Karl**
 11 **wasn't at school September 4. So what I'm trying to**
 12 **get at is do you have any understanding of why he**
 13 **wasn't at school that day as opposed to the following**
 14 **two days?**
 15 A. Yes.
 16 **Q. Help me understand that sequence.**
 17 A. Okay. When Kevin Kolasa was assigned to
 18 this by Natalie and he -- and after he heard from Mark
 19 and I what we had both witnessed Mark -- or Mark,
 20 Kevin, called and spoke with Barbara Pierson and then
 21 called me at home that evening to let me know that he
 22 had talked to her. And that's when he told me that
 23 she had decided to keep Karl home the rest of the week
 24 and that she was -- I think the phrase he put it --
 25 wanting to get him some help, which I assume is

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1 psychiatric help and that he -- and that Kevin I think
 2 made the statement to him that she had said to him
 3 that Karl had had deep-seated anger issues going back
 4 to when he was young.
 5 **Q. Okay.**
 6 A. So she had decided to keep him home the
 7 remainder of the week because -- the way I understood
 8 it, even before any conversation with anybody at
 9 school.
 10 **Q. Okay. And part of what I want to get at**
 11 **is a clearer understanding of the timing. When did --**
 12 **is it your understanding that Kevin Kolasa called**
 13 **Barbara Pierson? Was that the night of September 3 or**
 14 **was that the night of September 4?**
 15 A. 4 because I met with him on the 3rd.
 16 **Q. Right. So if Kevin Kolasa called Barbara**
 17 **Pierson on the 4th --**
 18 A. Yes.
 19 **Q. -- is it your understanding that he was**
 20 **told by Barbara I decided to keep him out today --**
 21 A. And --
 22 **Q. -- independent of anything that Kevin**
 23 **Kolasa had told her?**
 24 A. Yeah, I believe so.
 25 **Q. Okay.**

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1 A. The idea was that she had decided to keep
 2 him home for the remainder of that week, it was her
 3 call.
 4 **Q. Did Kevin tell you -- strike that.**
 5 **You said Kevin Kolasa called you at home**
 6 **that evening. Was that the evening of the 4th?**
 7 A. Yes.
 8 **Q. Okay. Let's get to that call, but I want**
 9 **to walk through the rest of the 4th first, and I**
 10 **apologize, this is fairly painstaking.**
 11 A. No, you're fine.
 12 **Q. There was a faculty meeting Wednesday**
 13 **after school let out?**
 14 A. Yes.
 15 **Q. So around 2:15, 2:30, right?**
 16 A. Yes.
 17 **Q. Was there any discussion in the larger**
 18 **faculty meeting about Karl Pierson or what had**
 19 **happened in your meeting with him?**
 20 A. No.
 21 **Q. And you first became aware of the threat**
 22 **that Karl had made, what, from Mr. Mark Loptien?**
 23 A. Yes.
 24 **Q. Tell me about that conversation. How did**
 25 **that come about?**

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1 A. Well, the fact that the meeting is over
 2 and the faculty were walking out of the forum, out of
 3 the back of the forum into the library, and I think
 4 even before I actually -- or just as I'm getting out
 5 of the library or right at that point, Mark catches up
 6 with me and says, Hey, I want to talk to you about
 7 something. And then he tells me what he had observed,
 8 which was the night before after school, he had seen
 9 this student with what appeared to be, he assumed, his
 10 mother, a girl, he didn't know if it was his sister or
 11 not, coming out of the east end of the building.
 12 I never quite understood if Mark was
 13 outside -- you know, he teaches -- one of the things
 14 he teaches, the main thing he teaches is technology,
 15 and I believe that technology classroom has a door
 16 that goes right out into the east parking lot. So I
 17 don't know if Mark was taking trash out or moving
 18 things back and forth from his car or whatever, but
 19 the point is, he was able to observe -- what catches
 20 his attention, he tells me, is this animal scream.
 21 **Q. So as best as you can recall, what words**
 22 **did Mark Loptien use to tell you what he saw and heard**
 23 **the evening of September 3?**
 24 A. The guttural animal scream coming from
 25 the east bubble. He looks up and he sees, like I

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1 said, these three people. And he hears this kid
 2 screaming that -- words to the effect that he is going
 3 to kill Murphy. I'm going to kill Murphy.
 4 **Q. Okay. Did he tell you whether or not he**
 5 **heard either Mrs. Pierson or Karl's sister saying**
 6 **anything in response to this?**
 7 A. No, he didn't say anything about that.
 8 **Q. Did he describe Karl's body language to**
 9 **you?**
 10 A. It was more the -- like I said, I
 11 remember him using a phrase-like animal scream,
 12 guttural, just out there kind of -- I'm sorry, out
 13 there kind of top of his lungs screaming that really
 14 caught Mark's attention. Mark is somebody who is very
 15 level, doesn't jump to conclusions, it takes a lot to
 16 shake Mark.
 17 **Q. Was he shaken?**
 18 A. Yeah, because for him to come to me and
 19 say, Hey, you need to know about something, and I want
 20 to say Mark made the comment that, We need to talk to
 21 Natalie about this -- because I said -- when he told
 22 me this, I said something to the effect that, Okay,
 23 that helps confirm the feelings that I was already
 24 having, the concerns I was already having. And I
 25 think Mark -- I swear I think Mark was the one that

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1 said, Yeah, I think we need to go and make sure
 2 Natalie is aware of this. So we did.
 3 **Q. Okay. So after Mr. Loptien told you what**
 4 **he observed out by the bubble, did you tell him about**
 5 **your concerns that Karl might do something violent,**
 6 **something like Columbine at Arapahoe?**
 7 A. I don't know if I made that kind of
 8 statement to Mark right at that time, but I said I had
 9 some real concerns about -- I had a meeting -- as a
 10 matter of fact, I think Mark had said he had asked
 11 around during the day if any kids -- if they're aware
 12 if anything had been going on with me and Karl, and
 13 then he then wanted to make sure I was aware of what
 14 he had observed.
 15 **Q. Okay. And did you, during that**
 16 **conversation, express your concern that Karl might do**
 17 **something violent?**
 18 A. I don't remember if I said that directly
 19 to Mark at that time.
 20 **Q. Okay.**
 21 A. I probably said something along those
 22 lines.
 23 **Q. And then the two of you both went to talk**
 24 **to Ms. Pramenko; is that right?**
 25 A. Yes.

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1 **Q. So that's the second time you've gone to**
 2 **speak to Natalie Pramenko about the fallout of your**
 3 **meeting with Karl Pierson and his mother?**
 4 A. Yes.
 5 **Q. Okay. Tell me about that discussion that**
 6 **you and Mark Loptien had with Natalie Pramenko now on**
 7 **September 4.**
 8 A. It was brief because Natalie -- other
 9 people had pulled Natalie aside to talk to her about
 10 other things, so we were kind of waiting our turn.
 11 And when we had the opportunity to talk to her, she --
 12 we briefly told her what Mark had observed, and she
 13 said she was going to get Kevin on this, that she had
 14 a meeting to attend at ESC, and that she would have,
 15 like I said, Kevin follow up on it.
 16 **Q. And when you and Mark Loptien went to**
 17 **meet with Natalie, was there something you were**
 18 **expecting her to do, some action you expected her to**
 19 **take or wanted her to take?**
 20 A. Yes.
 21 **Q. What was that?**
 22 A. Since this had to do with student and
 23 staff safety, I saw it as a priority.
 24 **Q. I take it you weren't entirely satisfied**
 25 **with the reaction you got from Natalie?**

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1 A. No. No, I was not.
 2 **Q. I take it she didn't take the threat that**
 3 **you and Mr. Loptien reported to her as seriously as**
 4 **you would have liked her to take it?**
 5 A. No. I was taken back and surprised by
 6 her response.
 7 **Q. What was her response?**
 8 A. To delegate it to someone else. I get it
 9 that not everything goes to the principal, I get that.
 10 That's why there are assistant principals. But I
 11 thought this was pretty important, and I was kind of
 12 shocked she didn't personally address it.
 13 **Q. Did you, in your discussions when you and**
 14 **Mark Loptien met with Ms. Pramenko on September 4,**
 15 **tell her that you were concerned for your own safety?**
 16 A. I'm not sure if we had the time to do
 17 that. I think in my mind, if I didn't say it
 18 specifically, I think it was to me self-evident. I
 19 had a student screaming he was going to kill me. That
 20 I had a -- excuse me, that I had a concern.
 21 **Q. Do you recall if you told her you**
 22 **believed Karl had the potential to do something**
 23 **violent at school?**
 24 A. I don't know if I said that to her that
 25 evening.

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1 **Q. But you believed it to be self-evident**
 2 **based on the fact that you were coming to her with**
 3 **Mark Loptien, right?**
 4 A. Yeah.
 5 **Q. Was Mark Loptien also taken aback, if you**
 6 **recall, or if you discussed with him, by**
 7 **Ms. Pramenko's response or lack of a response?**
 8 A. I can't recall specifically. I want to
 9 say yes. Some of that is also based on, as I told you
 10 before, Mark is kind of a personality that doesn't
 11 easily get surprised by things, but he -- it's unusual
 12 of Mark to be skeptical of administration sometimes.
 13 So based on that, I can't recall specifically, but
 14 it's possible that he had a reaction similar to mine.
 15 **Q. Do you recall talking to him after you**
 16 **ended your conversation with Ms. Pramenko saying**
 17 **something to the effect of, Well, I thought she would**
 18 **take that more seriously, anything along those lines?**
 19 A. Yeah, I do recall that.
 20 **Q. Tell me about that conversation.**
 21 A. I hadn't really thought about that, you
 22 know, and I apologize that at times --
 23 **Q. It's okay.**
 24 A. -- I don't seem to have it right there.
 25 You know, this has been almost two years. Some things

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1 I can remember so vividly, but I do believe that Karl
 2 -- or Mark and I did kind of talk briefly about that
 3 we both were kind of surprised that we kind of got
 4 shuffled over to Kevin, is kind of the way we kind of
 5 took it.
 6 **Q. Okay. And, again, this is -- I**
 7 **understand this really is enormously difficult for**
 8 **you, and I appreciate you coming in and answering**
 9 **questions. And part of my job is to try to ask**
 10 **questions that will help probe your memory, and**
 11 **sometimes I'll succeed in that, and sometimes I won't.**
 12 A. I'm trying my best.
 13 **Q. So no need to apologize. In your**
 14 **conversation with Natalie Pramenko on the 4th, how**
 15 **long did it last? I mean, are we talking a 60-second**
 16 **conversation or a ten-minute conversation?**
 17 A. Two or three minutes. It wasn't very
 18 long.
 19 **Q. Okay. Did you have the opportunity to**
 20 **tell her about any of the other incidents that you had**
 21 **had with Karl?**
 22 A. I don't believe so, no.
 23 **Q. Okay. Did Natalie Pramenko mention**
 24 **during this conversation any of the other incidents**
 25 **that had happened with Karl, the earlier suspension**

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1 **or --**
 2 A. No.
 3 **Q. -- any of those things?**
 4 A. No.
 5 **Q. Other than directing you to talk to Kevin**
 6 **Kolasa, did Ms. Pramenko offer to do anything in**
 7 **response to Karl threatening to kill you?**
 8 A. No, because -- I don't recall that
 9 because, again, she was in a hurry to get to a meeting
 10 at the administration building.
 11 **Q. Did she ask you what you wanted the**
 12 **administration to do in response to this threat?**
 13 A. I don't think so, no.
 14 **Q. After your conversation with her on the**
 15 **4th, did Ms. Pramenko ever follow up with you to make**
 16 **sure your concerns had been addressed?**
 17 A. Yes.
 18 **Q. Tell me about that.**
 19 A. The next morning. I want to say she came
 20 by around 9 o'clock, could have been earlier. But it
 21 was early in the morning, and the primary purpose was
 22 to make sure that Kevin had communicated to me that he
 23 had been in contact with Barbara Pierson and how that
 24 conversation had been going. And I think she was just
 25 kind of checking on me. So, yeah, she specifically

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1 came to the library to make sure I was aware that
 2 Kevin had been in contact with Mrs. Pierson.
 3 **Q. Okay. Did she ask in that meeting**
 4 **whether or not whatever Kevin was doing had assuaged**
 5 **your fears and concerns?**
 6 A. I don't recall that coming up.
 7 **Q. Do you know if Ms. Pramenko ever spoke to**
 8 **Karl Pierson or his parents about this incident?**
 9 A. I'm not aware of that happening.
 10 **Q. When Ms. Pramenko came to the library --**
 11 **and now we're talking about September 5, right?**
 12 A. Yes. Uh-huh.
 13 **Q. At that point, did you tell her that you**
 14 **were still concerned that Karl was capable of doing**
 15 **something violent at school?**
 16 A. I believe so.
 17 **Q. And what was her reaction to that?**
 18 A. I think right at that point, the fact
 19 that Karl was out of school at least addressed the
 20 safety situation right then.
 21 **Q. Well, let me ask it more precisely. When**
 22 **you told Natalie Pramenko that you believed Karl was**
 23 **capable of committing violence at school, what did she**
 24 **say?**
 25 A. I hate to say this, but I don't remember

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1 what she said to that. The main part of that
 2 conversation that I remember was saying to her that --
 3 I asked her if she thought it would be a good idea to
 4 take a look at the security footage, the video
 5 footage, because I -- what I wanted -- this is what I
 6 wanted all along, for people to see what I saw because
 7 -- and I think I said that to her. If you saw it, you
 8 would get where my concern is coming from. And she
 9 agreed. She said that's a good idea and it -- and I
 10 said I get it that there will be no audio, but just
 11 seeing the physical manifestations would be enough to
 12 raise red flags I think.
 13 **Q. And --**
 14 A. And she agreed and said, Besides, it
 15 would be good to see if any other students witnessed
 16 this as he was walking through the hallway, because
 17 undoubtedly he would have been on multiple cameras as
 18 he left the building, and if she would get Kevin to do
 19 that.
 20 **Q. Okay. So let's talk about the video for**
 21 **a minute. As I understand it, you asked multiple**
 22 **people and repeatedly --**
 23 A. Yes.
 24 **Q. -- for the video of the afternoon of**
 25 **September 3 to be pulled, correct?**

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1 A. Yes.

2 **Q. And your reason behind asking for that**

3 **was because you thought then --**

4 A. Yeah.

5 **Q. -- the administration might take it more**

6 **seriously than they were?**

7 A. Yes.

8 **Q. And I want to make sure I understand all**

9 **of the people you asked for that. You asked Natalie**

10 **Pramenko to pull the video --**

11 A. Yeah.

12 **Q. -- right, because you didn't think she**

13 **was taking this threat as seriously as she should,**

14 **right?**

15 A. I don't know about that, but I just

16 wanted her to see it. I wanted somebody to see it.

17 **Q. You asked Kevin Kolasa to pull the video?**

18 A. Twice.

19 **Q. Twice. You asked Darrell Meredith to**

20 **pull the video?**

21 A. No, I went to Darrell, he wasn't there,

22 so I talked to his secretary, Jill DeVose, she tried.

23 **Q. And by that point it was too late, it had**

24 **been overwritten?**

25 A. Correct.

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1 **Q. Was there anybody else you asked about**

2 **pulling the video?**

3 A. Well, Bailey Dongotti, Kevin Kolasa's

4 secretary, overheard me talking to Kevin, and so she

5 was aware that I was wanting it pulled.

6 **Q. Okay. And did Kevin Kolasa ever tell you**

7 **why he didn't pull the video?**

8 A. Well, to begin with, he hadn't had an

9 opportunity yet the first time I asked him.

10 **Q. What about the second time?**

11 A. He felt that there was really no need for

12 it, that he had enough information about Karl without

13 that, and that's, I believe, when I left his office

14 and went to see if it could -- if Darrell would do it,

15 if he could have access to it.

16 **Q. Let's go back to your discussion with**

17 **Natalie Pramenko on, I guess, the morning of**

18 **September 5 when she came to the library to check on**

19 **you, right?**

20 A. Yeah.

21 **Q. At that point, had you reached the --**

22 **strike that.**

23 **By the morning of the 5th, had you come**

24 **to the point where you were considering resigning your**

25 **job?**

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1 A. Not yet.

2 **Q. Okay. You also spoke -- and I'm looking**

3 **at page 9 of your statement. You mentioned that you**

4 **were so concerned about Karl snapping that you spoke**

5 **with Esther Song. Do you see that down at the bottom**

6 **of page 9?**

7 A. Yes.

8 **Q. About three-quarters of the way down.**

9 A. Yes.

10 **Q. Okay. When was your conversation with**

11 **Esther Song?**

12 A. I'm trying to recall, to be honest with

13 you. It had to have been after -- I'm certain it was

14 after Esther and Kevin had met with Karl and his

15 parents, but I can't think of the exact date.

16 **Q. Okay. Well, let's -- for now, let's set**

17 **aside the timing, and I'll ask you as best as you can**

18 **recall, what did you and Esther discuss?**

19 A. The upcoming meeting with Karl and what

20 was going to be his parents regarding his -- Karl's

21 continuation status on the team, but by then, I was

22 getting concerned and thinking, because I wasn't aware

23 that Karl had conflicts with others in the building.

24 So I thought I was kind of it, that I -- thinking that

25 if he really is as violent as I think he might be,

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1 that in order -- I don't remember.

2 **Q. It's okay.**

3 A. Okay. In order to protect others and

4 myself, I was thinking about taking myself out of the

5 picture and resigning because I felt even if I

6 resigned as coach, I would still be in the building, I

7 would still be a target, and that if he did something,

8 if I could get out of the picture, I could protect

9 myself and I could protect others.

10 **Q. Okay.**

11 A. I'm sorry.

12 **Q. It's okay.**

13 A. Two things I regret.

14 **Q. And I get that.**

15 A. I regret that I didn't resign, and I

16 regret that I didn't push harder for people to see

17 those videos.

18 **Q. And that wasn't your doing. If you want**

19 **to take a break, that's totally fine. We've been**

20 **going a while.**

21 MR. KAISER: Let's take a break.

22 MR. ROCHE: Off the record.

23 (Recess taken, 12:59 p.m. to 1:48 p.m.)

24 **Q. (BY MR. ROCHE) Before we took our break,**

25 **we were talking about conversations that you had with**

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1 **Esther Song --**
 2 A. Yes.
 3 **Q. -- where you had told her that you were**
 4 **considering leaving the school?**
 5 A. Yes.
 6 **Q. All right. The reason you were**
 7 **considering leaving the school was your concerns about**
 8 **Karl's potential to be violent?**
 9 A. That's correct.
 10 **Q. My question is, what was her reaction**
 11 **when you told her that?**
 12 A. Shock and disbelief that I would be
 13 considering something so drastic.
 14 **Q. And what did she say?**
 15 A. Something along the lines of, Tracy, you
 16 can't be serious. I recall her saying that. I can't
 17 remember other specifics, but basically trying to talk
 18 me out of it, you know, Tracy, don't do that.
 19 **Q. Okay. This was after she had conducted**
 20 **the threat assessment of Karl Pierson, I take it?**
 21 A. Yes.
 22 **Q. And was your impression that she was not**
 23 **taking Karl Pierson's threat against you as seriously**
 24 **as you were?**
 25 A. Yes.

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1 **Q. And when she expressed her shock and**
 2 **disbelief that you were taking the threat so seriously**
 3 **that you were considering resigning, did you explain**
 4 **to her why you were taking it so seriously?**
 5 A. Yeah, I told her I was concerned about my
 6 safety and the safety of others.
 7 **Q. Did she tell you anything about the**
 8 **threat assessment that she had conducted?**
 9 A. I'm trying to recall if in that
 10 conversation she did. I know that the threat
 11 assessment had -- they had deemed -- she and Kevin had
 12 deemed Karl a low risk. That's probably the best
 13 answer I can give right now for that.
 14 **Q. Do you recall anything else about your**
 15 **conversation with Esther Song where you told her that**
 16 **you were thinking of resigning your position to remove**
 17 **yourself as a target at the school?**
 18 A. Yeah, I -- we -- I believe she had
 19 included Astrid Thurnau to sit in because she wasn't
 20 sure if -- Esther wasn't sure if she was going to be
 21 able to attend the meeting on -- we didn't know the
 22 date yet. That was one of the reasons -- in addition,
 23 I mean, one of the reasons I was talking to her too is
 24 trying to figure out when is this meeting going to
 25 happen. That was still up in the air with Karl and

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1 his parents. And that had at some point morphed from
 2 just a meeting between Karl and Kevin and myself to
 3 now it was going to be a larger group.
 4 And I think that had happened because of
 5 incidences from September 9 I guess to what ended up
 6 being September 26 was when the meeting actually
 7 happened. One of the things she said to me that
 8 struck me was -- well, she said a couple of things to
 9 me. That she and Kevin had been involved in the
 10 incident with Karl in his math class the previous
 11 spring.
 12 **Q. Okay.**
 13 A. And Esther made the statement to me that
 14 Kevin had told her that Karl was the strangest kid he
 15 had ever been around based upon what he saw in that
 16 suspension meeting, you know, and that struck me as
 17 pretty important, you know, that Kevin already had
 18 some interactions with the student and already deemed
 19 him, in his own words, strange.
 20 **Q. Okay.**
 21 A. There had also been an interaction
 22 between Esther Song and Karl Pierson directly where I
 23 guess Karl came into her office and she said it was --
 24 he was very animated. This is what he did, kind of
 25 using his fingers and his hands like a gun and he

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1 said, You're the person that does IQ tests, aren't
 2 you? And she said, Yeah. And what it ultimately came
 3 around to was he wanted her to perform an IQ test on
 4 him. And basically she told him, No, I'm not going to
 5 do that. I only do that when it's appropriate. You
 6 can do online tests or whatever. But the message was
 7 he wanted her to prove through an IQ test just how
 8 smart he was.
 9 **Q. Okay. Do you have a sense of when that**
 10 **happened? I've read about that obviously, but I'm not**
 11 **clear on what the time frame was for it.**
 12 A. Well, it had to have been sometime in
 13 September, sometime between the 9th and the 26th.
 14 **Q. Okay.**
 15 A. But I don't -- I can't pin it down
 16 because I wasn't present, and I think at that point
 17 Esther commented to me and used the word narcissus for
 18 the first time with me regarding Karl and said, you
 19 know, he's probably the most narcissistic person she
 20 had ever been around.
 21 **Q. And did you share that view of Karl at**
 22 **that time?**
 23 A. I think I had been using the term
 24 egotist.
 25 **Q. Okay.**

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1 A. But, yeah, basically.

2 **Q. Okay. Did you discuss your desire for**

3 **Esther to see that video in that conversation?**

4 A. For her to see it?

5 **Q. Yes.**

6 A. No. No.

7 **Q. Do you remember anything else about what**

8 **either you said or she said during that conversation**

9 **with Esther Song?**

10 A. I know that, you know, there was a

11 concern we weren't getting clear communication from

12 Kevin as to when this meeting would take place. So

13 she had a concern, like I said, and that's why she

14 wanted to make sure that Astrid was in there as her

15 and I talked so that we kind of all would be somewhat

16 on the same page, I guess, because Esther had a

17 conference, I guess, to attend.

18 **Q. Okay.**

19 A. It was coming up toward the end of that

20 week. So I think like Thursday, Friday we met. I

21 believe we it was a Thursday.

22 **Q. Did you, during that conversation with**

23 **Esther Song, express to her that you didn't believe**

24 **she or other members of the Arapahoe administration**

25 **were taking Karl's threat as seriously as they should**

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1 **be?**

2 A. Not in so many words, no.

3 **Q. Did you get that message across in some**

4 **form to her?**

5 A. Well, I think in my making the statement,

6 that I was seriously considering resigning. My

7 thought was also with that action that maybe it would

8 wake people up and they would think, Why is this

9 veteran educator ending his -- potentially ending his

10 career? What in the world is going on?

11 **Q. Okay. And when you conveyed to the**

12 **various people at Arapahoe that you were seriously**

13 **considering resigning your position, did it have the**

14 **intended effect of waking them up to how seriously you**

15 **took this threat?**

16 A. A little bit maybe, but I think

17 ultimately, no. I mean -- you know, because I talked

18 to Kevin later. Let's see, it must have been the

19 afternoon of the 25th, I guess.

20 **Q. Right. And we're going to get to that**

21 **one. There's some other conversations I want to get**

22 **through with Kevin before we get to that one. I guess**

23 **my broader question though on that point is, did you**

24 **get the impression that administrators at Arapahoe**

25 **felt like you were overreacting to the threat that**

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1 **Karl had made?**

2 A. Of course having to, you know, conjecture

3 here, but to some degree, yes, I did feel -- I did

4 feel that way, yes.

5 **Q. And in that context, I have a broader**

6 **cultural question about the school. You've been there**

7 **obviously many years now, almost ten, right?**

8 A. Uh-huh.

9 **Q. Is there a culture among the faculty or**

10 **the administration that they don't like bad news**

11 **coming to light or being brought to their attention?**

12 A. Could you -- I guess, could you clarify

13 or rephrase that a little bit, maybe?

14 **Q. Sure. Obviously the news that Karl**

15 **Pierson had threatened to murder a teacher was bad**

16 **news, right?**

17 A. Sure.

18 **Q. And you brought that, along with Mark**

19 **Loptien, to the administration's attention, and it**

20 **didn't get the level of response that you had hoped**

21 **for, correct?**

22 A. Correct.

23 **Q. They weren't taking it -- "they," the**

24 **administration, weren't taking it as seriously as you**

25 **were or as seriously as you thought it should be,**

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1 **right?**

2 A. Correct.

3 **Q. And my question is, do you think that**

4 **there is a cultural issue at Arapahoe High School that**

5 **the administration doesn't want bad news brought to**

6 **its attention because it either makes the school look**

7 **bad or it makes them have to do things they don't want**

8 **to do? Again, this is all in the context of we're**

9 **trying to come up with recommendations as part of this**

10 **arbitration about what can be improved.**

11 A. You know, nobody likes bad news. That's

12 a hard question for me to answer, I guess, directly

13 because, again, I have to kind of speculate maybe a

14 little bit regarding the thought process of the

15 administration, but there's probably some degree of

16 truth to what you're saying.

17 **Q. Okay. And when it comes to that issue, I**

18 **mean, you may or may not have heard, I'm ending all of**

19 **the depositions with essentially the same question,**

20 **which is, what do you think can be done to improve**

21 **school safety? And with respect to the specific**

22 **cultural issue that we're talking about, I may as well**

23 **ask the question now. What do you think would help to**

24 **change that culture at Arapahoe High School when it**

25 **comes to, Don't bring me bad news?**

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1 A. Well, it sounds to me maybe -- let me
 2 clarify -- you're asking me two questions. One is
 3 about the culture of no bad news, and the other is
 4 what can be done or what recommendations would I
 5 suggest in regards to improving school safety.
 6 **Q. Well, no, that's, again, one of those**
 7 **convoluted questions that I'll try to fix.**
 8 A. Okay.
 9 **Q. Specifically with respect to this degree**
 10 **of truth to the notion that there is a culture of not**
 11 **wanting to hear bad news, what would be your**
 12 **recommendation about how to address that issue at**
 13 **Arapahoe?**
 14 A. And I'm not trying to be difficult.
 15 **Q. I know. It's a big question.**
 16 A. Are you asking about ways to implement
 17 some type of change or do I believe that, yes, we need
 18 to confront that bad things happen especially in a big
 19 public school?
 20 **Q. I think both.**
 21 A. We're a school of 2100 kids, you know, a
 22 large suburban high school. You're going to have a
 23 wide range of students at our school with -- on a
 24 spectrum when it comes to academics, athletics,
 25 activities, behavioral issues, all kinds of things.

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1 And I guess the statement I would say with that is we
 2 have to confront the fact that, you know, not every
 3 kid at Arapahoe High School is the cream of the crop.
 4 You know, that there's a wide range of kids that for
 5 good, bad, or otherwise have problems. And that I
 6 think it would be healthier at Arapahoe High School to
 7 -- at any school to admit that, you know, it's not
 8 perfect here, that there's always room for
 9 improvement, that mistakes are made, and that you can
 10 learn from those mistakes. And we tell kids all the
 11 time that sometimes I wonder how true it is, it's okay
 12 to fail, it's okay to make mistakes, but then we don't
 13 let them. And we then don't let them learn sometimes
 14 from the consequences of mistakes, bad decisions,
 15 whatever. Does that answer your question?
 16 **Q. It does. It does. Thanks. Let's switch**
 17 **gears now to your conversation or conversations,**
 18 **plural, with Kevin Kolasa about Karl Pierson's threat**
 19 **against you.**
 20 A. Okay.
 21 **Q. I get the sense that there were multiple.**
 22 **And for ease of reference, I'm focusing on page 9 of**
 23 **your statement, and my first question was when was**
 24 **your first conversation with Kevin Kolasa about Karl**
 25 **Pierson?**

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1 A. My very first conversation was
 2 September 4 when Natalie Pramenko directed him to work
 3 with me and Mark.
 4 **Q. And so was your first conversation with**
 5 **Kevin Kolasa, you and Kolasa and Loptien all together?**
 6 A. Yes.
 7 **Q. Okay. And tell me about that**
 8 **conversation, if you would.**
 9 A. I think briefly what we did was both Mark
 10 and I summarized what we both had observed. I can't
 11 recall if Mark started it with what he saw. I think
 12 he may have started it that way, but I basically said,
 13 you know, I had a meeting with Karl and his mother the
 14 night before and it had not gone well. And he left
 15 the -- you know, he left the meeting angry. And I
 16 think I told Kevin that I talked to Natalie about it.
 17 And then Mark then described what he saw and that I
 18 said that that helped reinforce a growing bad feeling
 19 I was getting about the student.
 20 **Q. Okay. Did you -- strike that.**
 21 **Did Mr. Kolasa know anything about these**
 22 **incidents before you came to speak with him with**
 23 **Mr. Loptien?**
 24 A. Not that I'm aware of, no.
 25 **Q. So Ms. Pramenko had not told him, Hey,**

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1 **there's an issue with Karl Pierson, here's a summary**
 2 **of it?**
 3 A. If she did, I'm not aware of it.
 4 **Q. Okay. Did you tell Mr. Kolasa that you**
 5 **were concerned about Karl snapping?**
 6 A. I'm trying to think if I used those
 7 words, but something to that effect, yes.
 8 **Q. And by "snap," you mean commit an act of**
 9 **violence at school?**
 10 A. Yes.
 11 **Q. And you conveyed that to Mr. Kolasa?**
 12 A. Yes.
 13 **Q. Did you refer to Columbine in that**
 14 **conversation as best as you can recall?**
 15 A. I don't know -- I don't believe I did at
 16 that initial conversation.
 17 **Q. I take it in a subsequent conversation**
 18 **with Mr. Kolasa, you did refer to Columbine?**
 19 A. Yes.
 20 **Q. When you told Mr. Kolasa that you were**
 21 **concerned about Karl snapping and committing an act of**
 22 **violence at school, what was his response?**
 23 A. In that initial meeting?
 24 **Q. Yes.**
 25 A. I think it was that he wanted to fact

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1 gather some more before he drew a conclusion. So I
 2 believe he was taking me seriously, but, like I said,
 3 I think he wanted to make contact with Karl's mother
 4 and find out more about the situation.
 5 **Q. Did he tell you, Mr. Kolasa, what**
 6 **fact-gathering steps he was going to take other than**
 7 **to call Karl's mother?**
 8 A. No. As far as I know, that's all he told
 9 me.
 10 **Q. When you went to Mr. Kolasa on the 4th,**
 11 **were you expecting him to do anything?**
 12 A. Well, sure.
 13 **Q. What were you expecting him to do?**
 14 A. You know, I'm not exactly sure what steps
 15 I was thinking, but I knew at the very least, it
 16 involved contact with Karl's parents, parent, I --
 17 this was kind of -- well, this is uncharted waters for
 18 me, and I wasn't really sure what the appropriate
 19 protocol was for something like this to be perfectly
 20 honest. I just knew that something needed to be done.
 21 **Q. During this initial conversation with**
 22 **Kevin Kolasa, you also asked for the video to be**
 23 **pulled?**
 24 A. No.
 25 **Q. That was later?**

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1 A. That was the next morning with Natalie.
 2 **Q. Okay. Was there anything else that you**
 3 **asked Kevin Kolasa or hoped that Kevin Kolasa would do**
 4 **in response to your and Mr. Loptien telling him that**
 5 **Karl Pierson had threatened to kill you?**
 6 A. Yeah, in my mind, I don't know if I was
 7 thinking that disciplinary action was appropriate or
 8 seeking out some type of mental health support, but I
 9 knew next steps needed to happen. I didn't know what
 10 those were.
 11 **Q. Okay. And towards the bottom of page 9**
 12 **of your statement, there's a reference to -- in your**
 13 **conversation with Kevin, the district would not**
 14 **support removing Karl from Arapahoe High School and**
 15 **sending him back to Douglas County because he is a**
 16 **senior and near the end of his school career. Do you**
 17 **see that?**
 18 A. I do.
 19 **Q. Do you recall a discussion with Kevin**
 20 **Kolasa about removing Karl from Arapahoe High School**
 21 **and sending him back to Douglas County?**
 22 A. I do. I can't recall a specific date but
 23 I do.
 24 **Q. Okay. Let me ask -- setting the date**
 25 **aside for the time being, did you ask Kevin to remove**

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1 **Karl Pierson from Littleton Public School District and**
 2 **sending him back to Douglas County?**
 3 A. I asked if something like that was an
 4 option, yes.
 5 **Q. And you asked for that because you were**
 6 **concerned about your safety and the safety of others?**
 7 A. Yes.
 8 **Q. And I take it Mr. Kolasa told you that**
 9 **the school would not entertain that as an option?**
 10 A. That was his answer, what you just read.
 11 **Q. And was that a factor in your considering**
 12 **resigning from your job at Arapahoe because they**
 13 **wouldn't remove Karl, you were going to remove**
 14 **yourself?**
 15 A. That is part of the reality is I thought
 16 about it that even if he had been -- even if he had
 17 lost his open enrollment, it was -- at the time it was
 18 pretty easy to come and go from that building. And
 19 even if Karl had, like I said, been removed from
 20 Arapahoe, he could have come back into the building
 21 and it probably wouldn't have necessarily registered
 22 with people, at least not initially, that he wasn't
 23 supposed to be there because he had already been there
 24 for three years. He was kind of a -- he was a
 25 familiar face.

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1 **Q. So you had your own doubts about whether**
 2 **or not that would have been effective to eliminate the**
 3 **threat?**
 4 A. Exactly.
 5 **Q. Got it. Did you leave your meeting with**
 6 **Kevin Kolasa feeling as though he was not taking this**
 7 **threat as seriously as you believe he should have, the**
 8 **first meeting?**
 9 A. The first meeting?
 10 **Q. Yes.**
 11 A. No. At that point, you know, my hands
 12 were kind of in his fate. I was hoping for the best.
 13 I didn't feel that -- I had no reason right then to
 14 feel necessarily that he wasn't taking me seriously.
 15 **Q. I get the sense that at some point your**
 16 **view on how -- whether or not Kevin Kolasa was taking**
 17 **this threat as seriously as it should be changed,**
 18 **right?**
 19 A. Yes.
 20 **Q. I'm referencing a document that I'm sure**
 21 **you haven't seen, you're welcome to look at it, but**
 22 **this is Exhibit 20, and specifically it's a statement**
 23 **that James Englert gave. In Deputy Englert's**
 24 **statement he said back in September he met with Kevin**
 25 **Kolasa and Mr. Kolasa said he wanted to tell him**

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1 something, it's not that big of a deal, but just so
 2 you know. And then it goes on to describe the threat
 3 that Karl Pierson had made against you. And it's in
 4 the middle the page. I don't know if you're there
 5 yet. Do you see the statement I just read from?
 6 A. Yes, I do.
 7 Q. Deputy Englert describing a conversation
 8 with Kevin Kolasa?
 9 A. Yes.
 10 Q. Did you also get the impression that back
 11 in September at some point Kevin Kolasa was treating
 12 the threat against you as not that big of a deal?
 13 A. Not as big of a deal as I would have
 14 liked, yes.
 15 Q. Did Kevin Kolasa ever tell you why Karl
 16 was not suspended as a result of the threat that he
 17 made against you?
 18 A. He said, in essence, his mother had taken
 19 care of that for the school by voluntarily keeping her
 20 son home so there was no need to suspend him. I
 21 didn't question him because I didn't know what the
 22 protocol was.
 23 Q. Had you ever received any training at
 24 Arapahoe about what types of behaviors might get a
 25 student suspended or have other discipline imposed on

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1 them?
 2 A. Boy, I don't know. Maybe things like I
 3 suppose maybe come up as a potential topic at a
 4 faculty meeting but not, per se.
 5 Q. Okay. Did you agree with Mr. Kolasa's
 6 conclusion that Barbara Pierson's decision to keep
 7 Karl out of school for three days obviated the need
 8 for a suspension?
 9 A. I wasn't really in a position to agree or
 10 disagree. All I could do was accept it.
 11 Q. Okay. Did Mr. Kolasa eventually tell you
 12 that he and Esther Song were going to be performing a
 13 threat assessment as a result of Karl's statement that
 14 he was going to kill you?
 15 A. Yeah, that they were going to do -- they
 16 were going to do this threat assessment on meeting
 17 with the parents and Karl on Monday the 9th and what,
 18 in essence, was taking the place of what would have
 19 been a reentry meeting had there been a suspension. I
 20 didn't know that there were specific procedures and
 21 policies in regards to a threat assessment.
 22 Q. And that was going to be -- you
 23 anticipated my next question. Had you ever heard of a
 24 threat assessment before this?
 25 A. No. I've got to be honest with you, I

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1 just thought it was a phrase he was using. I didn't
 2 realize it was a specific form, a specific action that
 3 had a form of policies and procedures that go with it.
 4 I was not aware of that.
 5 Q. And I infer from that that you had never
 6 been trained as a faculty member at Arapahoe about
 7 what threat assessments were, how they were used, or
 8 how they were to be conducted?
 9 A. That is not until this past year.
 10 Q. Right.
 11 A. We had a thorough -- fairly thorough
 12 training at the start of this past school year.
 13 Q. Okay. And I can't remember if I've
 14 marked this yet, so I'm going to mark it again.
 15 (Deposition Exhibit 35 was marked.)
 16 Q. Exhibit 35 was the threat assessment that
 17 was done on Karl Pierson in September of 2013. My
 18 first question to you is, did you ever see this
 19 document prior to the shooting?
 20 A. No.
 21 Q. And it sounds like you weren't even aware
 22 that a document had been completed?
 23 A. I didn't know it existed.
 24 Q. Got it.
 25 A. Had I known, I would have used it.

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1 Q. Okay.
 2 A. If that makes sense. I would have --
 3 every interaction I had with Kevin or any
 4 administrator, I would have had this in my hand.
 5 Q. Do you know who filled this out?
 6 A. I do not.
 7 Q. Okay. I take it you also didn't attend
 8 the meeting where this document was reviewed with Karl
 9 Pierson and his parents?
 10 A. I did not.
 11 Q. Were you invited to attend that meeting?
 12 A. I was not.
 13 Q. Now, you will see in the clouded box that
 14 there is a description of what the threat assessment
 15 team usually consists of. Do you see that?
 16 A. I do.
 17 Q. And it's got an administrator, school
 18 psychologist, or social worker, counselor, school
 19 resource officer, as needed or available, teacher,
 20 counselor, other person who knows the student, and
 21 district administrator as needed. Have you heard from
 22 any source since the shooting why there was not a
 23 teacher, counselor, or other person who knows the
 24 student included in the threat assessment meeting?
 25 A. I believe in a conversation I had with

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1 Nate Thompson, and I believe this was in February
 2 because I asked to see this.
 3 **Q. Okay.**
 4 A. I had not seen it. The only way I was
 5 allowed to see it was to have a meeting with Nate, he
 6 -- I met with him at ESC. He had copies, we went over
 7 it together, I asked him about what you just asked me,
 8 and that that was considered guidelines. Basically
 9 his answer was not all of those components or members
 10 were expected to be necessarily at each threat
 11 assessment meeting.
 12 **Q. Okay. What else did you and Nate**
 13 **Thompson discuss at this meeting in February where you**
 14 **walked through this threat assessment document?**
 15 A. That's a big question.
 16 **Q. It is.**
 17 A. I'm not sure how to answer that, I guess.
 18 **Q. Let's come at it this way. Did you have**
 19 **other questions of Nate Thompson about the preparation**
 20 **of the threat assessment on Karl Pierson?**
 21 A. I did. I'm trying to think back
 22 specifically to that meeting. Of course one of the
 23 things I said was -- or asked the question or made the
 24 statement was, should I have been a part of this. And
 25 that involved that conversation about that at the time

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1 it wasn't necessarily the case, that has somewhat
 2 changed but not necessarily. It kind of depends on
 3 circumstances. I looked at specifically threat
 4 factors, the early warning signs, the at-risk factors,
 5 those things there.
 6 **Q. And --**
 7 A. And one of the things about this document
 8 is that it's a snapshot in time, and it's not being
 9 used as a living document. I know -- okay. Being a
 10 veteran and educator, having been in the classroom,
 11 I've been around a bit. I'm aware of at-risk factors
 12 to look for with kids. Okay. So I was flying by the
 13 seat of my pants when I went and talked to Kevin
 14 various times in the fall raising red flags that were
 15 on here. This document should have changed, is I
 16 guess what I'm trying to get at. Okay. It should
 17 have gone from low level, at best, to medium or high
 18 level as things cropped up.
 19 **Q. And what I'm hearing you saying, and**
 20 **candidly I agree with you, is it sounds like you**
 21 **believe there should have been more follow-up done**
 22 **rather than taking a single snapshot in time and**
 23 **leaving it in effect?**
 24 A. Absolutely.
 25 **Q. I couldn't agree more. So with that in**

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1 **mind, I do want to walk through what kind of follow-up**
 2 **you believe should have been done on this to make it**
 3 **more of a living document rather than a snapshot in**
 4 **time.**
 5 A. Well, to begin with, you know, all
 6 individuals involved should have received a copy that
 7 I could at least work from. And as individual staff
 8 members or others, I guess it would include, you know,
 9 the SRO too, any other personnel that see changes in a
 10 student's behavior, the at-risk factors, the early
 11 warning signs, and so on that -- whether that warrants
 12 another meeting, a meeting with the parents, but it
 13 warrants additional action.
 14 **Q. So at least some kind of follow-up after**
 15 **this document is created?**
 16 A. Absolutely.
 17 **Q. Well, let's turn back then to at least**
 18 **how this document was created, because I understand as**
 19 **an educator with substantial experience, you know**
 20 **about at-risk factors and things like that. My first**
 21 **series of questions are, do you know what it is that**
 22 **Kevin Kolasa and Esther Song did to make sure the**
 23 **snapshot they took with this document was accurate at**
 24 **the time they took it?**
 25 A. Do I know what actions they took?

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1 **Q. Yes.**
 2 A. I do not.
 3 **Q. Well, one thing they could have done is**
 4 **sat down with you?**
 5 A. Well, I mean --
 6 **Q. The subject of the threat and Karl**
 7 **Pierson's debate coach and said, All right, let's walk**
 8 **through this document and find out which of these**
 9 **threat factors is present, which one of the early**
 10 **warning signs are present, and which of these at-risk**
 11 **factors are present. Did they do that?**
 12 A. No.
 13 **Q. So let's walk through this document, and**
 14 **I'm sure you've pored over this over the last 19**
 15 **months.**
 16 A. Again last night.
 17 **Q. And I would expect that there are things**
 18 **on this page, that threat factors page that we're**
 19 **looking at, that you think are probably incorrect?**
 20 A. At least changed, absolutely, yes.
 21 **Q. So let's walk through some of those.**
 22 **What answers would you have given to the threat factor**
 23 **section that are different from what's on here?**
 24 A. Well, only verbal is checked. I would
 25 have checked nonverbal.

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1 **Q. Okay.**
 2 A. I would have checked hand and body
 3 gesture.
 4 **Q. And you're in the threat was section?**
 5 A. Yes.
 6 **Q. Now, one of the boxes there says, "Threat**
 7 **was" and then it's not a checked box but it says, "Via**
 8 **technology." Do you see that?**
 9 A. I do.
 10 **Q. Do you know whether or not anybody from**
 11 **Arapahoe checked any technology, any social media of**
 12 **Karl Pierson's, to determine whether or not that box**
 13 **should be checked?**
 14 A. I'm not aware of that happening.
 15 **Q. Don't you think that should have been**
 16 **something that was done?**
 17 A. Absolutely.
 18 **Q. And we now know with the benefit of**
 19 **tragic hindsight that the threat was also written down**
 20 **in horrifying detail?**
 21 A. Absolutely.
 22 **Q. Do you know, did anybody from Arapahoe**
 23 **ever consider searching Karl's laptop, phone, tablet,**
 24 **anything like that, day planner?**
 25 A. Before December 13?

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1 **Q. Yes.**
 2 A. I'm not aware of that, no.
 3 **Q. Don't you think that is something that**
 4 **should have been considered?**
 5 A. Of course.
 6 **Q. Now, moving our way down the threat**
 7 **factors section of this assessment, what else would**
 8 **you change? It says, "Threat was: Impulsive,**
 9 **spontaneous." Would you have checked any others**
 10 **there?**
 11 A. Well, as we now know, it was calculated
 12 and planned ahead and of course that makes it
 13 plausible.
 14 **Q. And, again, you've actually hit on**
 15 **something I want to make clear. I'm not asking you to**
 16 **answer these with the benefit of hindsight that**
 17 **unfortunately we all have. I'm talking about what**
 18 **answers you would have changed based on what you knew**
 19 **in early September.**
 20 A. Probably that one I would have left
 21 impulsive, spontaneous, and I probably would have
 22 checked plausible, possible, because it was. I would
 23 not have checked calculated because we didn't know
 24 that at the time.
 25 **Q. Okay. What about the section, "Student**

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1 **has communicated ideas or intent to attack"? That's**
 2 **obviously checked no. Would you have given a**
 3 **different answer if they had asked you?**
 4 A. Well, sure, because he screamed it, he
 5 yelled that he was going to -- he wanted to kill me.
 6 **Q. In the Access to Weapons section, Kevin**
 7 **or Esther or both of them has checked the box that**
 8 **says, "None known." Do you see that?**
 9 A. I do.
 10 **Q. And there is a number of other possible**
 11 **answers to that question. Do you see that?**
 12 A. I do.
 13 **Q. I understand you certainly didn't know**
 14 **whether or not Karl Pierson had access to weapons in**
 15 **September of 2013?**
 16 A. That is correct.
 17 **Q. Do you know whether Kevin Kolasa or**
 18 **Esther Song made any effort to investigate whether or**
 19 **not Karl Pierson had access to weapons?**
 20 A. I do not know.
 21 **Q. Is that something you would have expected**
 22 **them to look into in the course of filling out this**
 23 **threat assessment?**
 24 A. Absolutely, I would have. I assumed or
 25 guessed that the question that would have been

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1 directed at Karl and both mother and father would have
 2 been, Are there any weapons in the house? Karl, do
 3 you have any weapons? Those type of things.
 4 **Q. Okay. Anything else in the Threat**
 5 **Factors section that you would have changed?**
 6 A. Ability to carry out the plan, because
 7 had the question might have been, Karl, do you know
 8 how to use a gun? Do you have any training? We now
 9 know he did. Every year he went to Chatfield and was
 10 -- had some kind of rifle, shotgun, bow and arrow
 11 certification. So I think that question should have
 12 been asked.
 13 **Q. Anything else in the Threat Factors**
 14 **section that you would change?**
 15 A. I guess, you know, to go along with that
 16 that would have made it under, "Ability to carry out
 17 plan: Reported ability and training," I suppose.
 18 **Q. Okay.**
 19 A. "Motive to threat or harm targeted
 20 others," I suppose that could be either the possible
 21 reasons or definite motive/triggers. It could have
 22 been either one of those.
 23 **Q. Okay. Now, let's walk through the Early**
 24 **Warning Sign Factors. And my first question will be,**
 25 **did Kevin or Esther ask you whether or not you had**

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1 **observed these early warning sign factors?**
 2 A. They did not.
 3 **Q. Is that something you would have expected**
 4 **them to do in filling out this threat assessment?**
 5 A. To have asked me?
 6 **Q. Yes.**
 7 A. Yes.
 8 **Q. And you can see only one box is checked**
 9 **in the Early Warning Sign Factors, right?**
 10 A. "Significant history."
 11 **Q. Right. Would you have checked any of the**
 12 **other boxes in the Early Warning Sign Factors had they**
 13 **asked you to help fill this out?**
 14 A. At that point, no.
 15 **Q. Okay.**
 16 A. We know now that there are a number of
 17 those boxes that would have been checked or could have
 18 been checked over, you know, the next few months.
 19 **Q. Okay. Now, one of those boxes in the**
 20 **Early Warning Sign Factors is, "History/perception of**
 21 **being bullied or victimized by others." Do you see**
 22 **that?**
 23 A. I do.
 24 **Q. And it's not checked as we can see,**
 25 **right?**

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1 A. That is correct.
 2 **Q. And your understanding is part of why**
 3 **Kevin Kolasa was involved in this threat assessment**
 4 **was because he had dealt with Karl Pierson in March of**
 5 **2013 when he was suspended as a result of the Swomley**
 6 **incident, right?**
 7 A. No.
 8 **Q. I'm sorry, I misunderstood then.**
 9 A. Well, I know he was involved with it, but
 10 the reason why Kevin was the administrator working
 11 with Karl was because he -- Karl was a senior and
 12 Kevin was the assistant principal assigned to work
 13 with seniors that year.
 14 **Q. Okay.**
 15 A. The previous year, my assumption now is
 16 he had moved along so he had been --
 17 **Q. Followed the grade up?**
 18 A. Exactly. He worked with juniors the
 19 previous year.
 20 **Q. Okay.**
 21 A. But I wasn't aware of Karl ever being
 22 bullied or victimized by others. I did not witness
 23 that.
 24 **Q. And you hadn't seen the student statement**
 25 **that we looked at earlier today that Karl prepared as**

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1 **part of that March suspension --**
 2 A. That's correct.
 3 **Q. -- that said, I have been through a**
 4 **decade of hell?**
 5 A. Not until recently, no.
 6 **Q. Handwritten in that section is a**
 7 **statement that says, "Mom reports 'deep-seeded' anger**
 8 **and Karl agrees that he's had anger management issues**
 9 **for a while." Do you see that?**
 10 A. I do.
 11 **Q. Did either Kevin Kolasa or Esther Song**
 12 **tell you that both Karl and his mother reported anger**
 13 **management or deep-seated anger issues after this**
 14 **meeting?**
 15 A. Not after the meeting. That had been
 16 part of the conversation on Wednesday the 4th --
 17 **Q. Okay.**
 18 A. -- where Kevin relayed to me that in his
 19 phone conversation with Barbara Pierson, that she had
 20 made that statement to him.
 21 **Q. Okay. Did he tell you what he did to dig**
 22 **beneath that statement? Did he ask Barbara, for**
 23 **instance, why is he so angry or what is prompting it**
 24 **or how long has it been going on?**
 25 A. No probing questions, no.

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1 **Q. Did you ask Kevin whether or not he had**
 2 **made any recommendations or suggestions to Barbara**
 3 **Pierson about what to do with those anger issues?**
 4 A. No, because Barbara Pierson made the
 5 statement that she was -- one of the reasons she was
 6 keeping Karl home for the rest of that week was to get
 7 him help.
 8 **Q. Okay.**
 9 A. So the underlying message is that she was
 10 seeking out psychiatric or psychological help for
 11 Karl.
 12 MR. KAISER: Mike, can we just take a
 13 five-minute break?
 14 MR. ROCHE: Yes, of course.
 15 (Recess taken, 2:40 p.m. to 2:48 p.m.)
 16 **Q. (BY MR. ROCHE) Walking through the**
 17 **At-Risk Factors, again, neither Kevin Kolasa or Esther**
 18 **Song walked through this list of factors and asked**
 19 **what you observed?**
 20 A. Correct.
 21 **Q. Even though in all likelihood, you were**
 22 **the faculty member who knew Karl Pierson the best at**
 23 **this time?**
 24 A. Quite probably.
 25 **Q. And we can see that at least some of the**

| | | | |
|-----|---|-----|--|
| 149 | <p>1 answers are mistaken, for instance, the box for</p> <p>2 suspension isn't checked?</p> <p>3 A. Correct.</p> <p>4 Q. Okay. Which of these At-Risk Factors</p> <p>5 that are not checked would you have checked?</p> <p>6 A. As of --</p> <p>7 Q. As of what you knew in September of 2013.</p> <p>8 A. Okay. I would have probably checked</p> <p>9 student externalizes blame, sensitivity to</p> <p>10 feedback/criticism.</p> <p>11 Q. What about --</p> <p>12 A. I might have marked where the student</p> <p>13 currently reports or appears not only angry, but I</p> <p>14 think I might have put detached.</p> <p>15 Q. Okay.</p> <p>16 A. I'm sorry, I interrupted you.</p> <p>17 Q. Oh, that's okay. What about holding on</p> <p>18 to resentment or holding a grudge?</p> <p>19 A. Yeah, I hadn't gotten there yet.</p> <p>20 Q. Oh, sorry. Would you have checked that</p> <p>21 one as well?</p> <p>22 A. I would have checked that one, yes.</p> <p>23 Q. What about poor student achievement or</p> <p>24 academic progress? My understanding is Karl's grades</p> <p>25 dropped significantly that semester.</p> | 151 | <p>1 they were and he was addressing it, that I would see</p> <p>2 improvement. So by the third week, first week of</p> <p>3 November, third week of me checking eligibility,</p> <p>4 that's when I decided, you know, I'm going to make</p> <p>5 sure that somebody is aware of this.</p> <p>6 Q. Okay.</p> <p>7 A. So I sought out Kevin Kolasa in the</p> <p>8 cafeteria during lunch because I know I can find the</p> <p>9 administrative team there. It's just part of their</p> <p>10 responsibility as just student supervision. And it's</p> <p>11 not uncommon to talk to administrators during lunch in</p> <p>12 the cafeteria about things, kind of an informal</p> <p>13 meeting.</p> <p>14 Q. Okay.</p> <p>15 A. So I brought it to his attention. He</p> <p>16 told me he was aware of it, the counselors were aware</p> <p>17 of it. I think I may have said something to the</p> <p>18 effect that, you know, This is a big red flag, and he</p> <p>19 kind of shrugged his shoulders and kind of brushed it</p> <p>20 off saying, Let him hang himself kind of thing.</p> <p>21 Q. So, again, this is an instance where you</p> <p>22 saw a huge red flag --</p> <p>23 A. That's huge.</p> <p>24 Q. -- in Karl Pierson's behavior?</p> <p>25 A. Absolutely.</p> |
| 150 | <p>1 A. I wasn't aware of that until October or</p> <p>2 November.</p> <p>3 Q. Okay.</p> <p>4 A. To me, that was a huge red flag,</p> <p>5 especially for a senior. He was a solid B student,</p> <p>6 and I had included him in the eligibility reports,</p> <p>7 weekly eligibility reports, I started doing in</p> <p>8 mid-October. And I saw that he was getting as many as</p> <p>9 three or four F's and one or two D's. I included him</p> <p>10 in the eligibility report with all of the other</p> <p>11 students because I didn't know if he might compete,</p> <p>12 that he might show up Friday and say, Hey, I'm going</p> <p>13 to compete tomorrow. Well, let's make sure you're</p> <p>14 eligible.</p> <p>15 Q. Sure.</p> <p>16 A. And I let it go for a couple of three</p> <p>17 weeks. I wanted to see if it was a fluke, if it was a</p> <p>18 situation maybe where he was behind in some work and</p> <p>19 it just needed to be turned in.</p> <p>20 Q. Okay.</p> <p>21 A. But by the third eligibility report, I</p> <p>22 thought -- and also I guess I was thinking that</p> <p>23 hopefully there were other adults in the building that</p> <p>24 were aware of his academic progress and how it had</p> <p>25 taken a nosedive and they were addressing it. And if</p> | 152 | <p>1 Q. And Kevin Kolasa didn't treat it as</p> <p>2 seriously as you believed it warranted?</p> <p>3 A. That is correct. He's a senior. He had</p> <p>4 a 3.3, 3.4 average. He wasn't -- as narcissistic as</p> <p>5 Karl was, he wasn't academically as strong as, you</p> <p>6 know, what he thought he was, but he was a B student.</p> <p>7 Now, he has -- he's running the risk of not</p> <p>8 graduating. That's huge.</p> <p>9 Q. Agreed.</p> <p>10 A. That's tremendous.</p> <p>11 Q. And did Kevin Kolasa tell you he was</p> <p>12 going to do anything to investigate it?</p> <p>13 A. He let me know he was aware of it.</p> <p>14 Q. That was it?</p> <p>15 A. That's pretty much it.</p> <p>16 Q. I take it you were disappointed in that?</p> <p>17 A. Yes. I was kind of astonished to be</p> <p>18 honest with you.</p> <p>19 Q. Did he explain to you why he was going to</p> <p>20 just let Karl hang himself on his grades?</p> <p>21 A. I think he was -- I got the impression</p> <p>22 that we was fed up with Karl. He was tired of it.</p> <p>23 Tired of dealing with it.</p> <p>24 Q. Do you recall what, if anything, he</p> <p>25 actually -- he, Kevin Kolasa, actually said to you</p> |

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1 **when you brought up the fact that Karl's grades had**
 2 **plummeted in this October/November time frame?**
 3 A. Like I said, that he was aware that --
 4 like I said, words to the effect that basically let
 5 him -- let him kind of hang himself. He was aware --
 6 yeah.
 7 **Q. Okay. Going back to the At-Risk Factors,**
 8 **one of the factors that's listed here is, "Peers are**
 9 **fearful of the student." Do you see that?**
 10 A. I do.
 11 **Q. Did you have any sense in September of**
 12 **2013 whether or not the other students were afraid of**
 13 **Karl?**
 14 A. I would say no.
 15 **Q. Okay. And the reason I'm asking about**
 16 **that factor in particular is multifold, but, I assume**
 17 **that you have seen, as I have, that after the**
 18 **shooting, a number of students told the investigators**
 19 **from the sheriff's office they were afraid of Karl,**
 20 **they thought he was crazy, they were worried he was**
 21 **going to snap?**
 22 A. I saw that.
 23 **Q. Did that surprise you when you read that**
 24 **from the various student statements?**
 25 A. I would say no, and I would say -- I say

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1 that it just helped to support my misgivings toward
 2 him.
 3 **Q. Okay. And my broader question on that is**
 4 **if there were so many students who expressed their**
 5 **either fear of Karl or concern that he was mentally**
 6 **imbalanced, what do you make of the fact that other**
 7 **than you, the faculty didn't seem to be concerned**
 8 **about his volatility?**
 9 A. I'm not sure how to answer that question,
 10 I guess. I'm sorry. So you want -- so how -- what do
 11 I think about what the rest of the faculty thought of
 12 Karl at the time?
 13 **Q. Well, let me try it a different way.**
 14 **It's concerning to me that so many students had**
 15 **expressed fear of Karl and concern about his mental**
 16 **state.**
 17 A. Okay.
 18 **Q. And very few faculty members had. Do you**
 19 **have any sense or understanding of why there was such**
 20 **a disconnect between how the students perceived Karl**
 21 **and how the faculty other than you perceived Karl?**
 22 A. Part of that may be, you know, a typical
 23 high school, you know, student subculture, faculty
 24 subculture, sometimes the two don't meet. And so, you
 25 know, high school kids aren't going to necessarily

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1 report those kind of feelings to an adult, and I think
 2 that's probably a lot of what was happening.
 3 **Q. Okay.**
 4 A. And, again, that's speculation or
 5 conjecture.
 6 **Q. Sure. Going back to the At-Risk Factors,**
 7 **one of the -- one of the factors that's listed is,**
 8 **"Irrational beliefs and ideas." Do you see that**
 9 **there?**
 10 A. I do.
 11 **Q. Did you ever observe any irrational**
 12 **beliefs or ideas in Karl Pierson in this September**
 13 **2013 time period or at any time prior to the shooting?**
 14 A. I think there were times where he would
 15 do or say things or wear, you know, clothing for shock
 16 value.
 17 **Q. Okay.**
 18 A. The -- he kind of wanted to get, what is
 19 it, you know, get your goat kind of thing. He wanted
 20 to kind of rile people up.
 21 **Q. So, for instance, he was known as Karl**
 22 **the communist in some circles?**
 23 A. I think so.
 24 **Q. Was that a nickname that you were**
 25 **familiar with prior to the shooting?**

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1 A. Not really. I never could, to be honest
 2 with you, quite figure out where he was on the
 3 political spectrum. From what I read and found out
 4 now, it sounds like he was probably quite liberal,
 5 very much, I guess, you could say far left, but he
 6 portrayed himself almost the antitheses or the
 7 opposite of that, kind of a devil's advocate.
 8 **Q. Okay. Working through the other At-Risk**
 9 **Factors, there's a reference to the student's peer**
 10 **group. What do you know about Karl's peer group back**
 11 **in this time period prior to the shooting?**
 12 A. Are you referring to, "Students peer
 13 group reinforces antisocial/violent attitudes"?
 14 **Q. Yes, that's the section I was asking**
 15 **about.**
 16 A. Okay. What do I know about his peer
 17 group? I think it was primarily kids on the speech
 18 and debate team, primarily. I guess my question is,
 19 what are you asking me?
 20 **Q. I'm just wondering, did he have close**
 21 **friends and any kind of --**
 22 A. Yeah.
 23 **Q. -- relationships like that?**
 24 A. Yeah, it's -- I know he and (THE STUDENT)
 25 were close friends, I perceived to be close friends.

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1 (THE STUDENT) who chose not to be on speech and
 2 debate, it must have been his senior year, I guess, he
 3 chose not to do that. As a matter of fact, he may
 4 have even shared a locker with (THE STUDENT). I can't
 5 confirm that, but I think that's the case. I think he
 6 was somewhat close with (THE STUDENT).

7 **Q. Okay.**

8 A. (THE STUDENT), so there were members of
 9 the team that he seemed to have a, you know,
 10 friendship relationship with.

11 **Q. Okay. Following down that list, one of**
 12 **the factors is, "Home environment concerns." Do you**
 13 **see that? And there's three potential answers:**
 14 **inconsistent discipline, limited control, and lack of**
 15 **supervision. Do you see that?**

16 A. I do, yes.

17 **Q. Now, I've read that you got the**
 18 **impression that Barbara Pierson treated him like he**
 19 **was a little kid?**

20 A. Absolutely.

21 **Q. So, first, tell me about that, and then,**
 22 **second, how would that have influenced what you would**
 23 **have told Kevin Kolasa and Esther Song had they asked**
 24 **you what to put on this page?**

25 A. Well, an example would be the meeting we

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1 had on the 26th that included Barbara Pierson, Mark
 2 Pierson, Karl, Kevin Kolasa, Astrid, and myself. And
 3 that was the meeting that was to determine whether or
 4 not Karl remained on the team. And at that meeting,
 5 even Kevin commented afterwards how -- well, we kind
 6 of -- Kevin, Astrid, and I kind of debriefed a little
 7 bit right after the meeting, and then Astrid and I
 8 talked a little bit further afterwards.

9 But we all agreed that a lot of what Karl
 10 said was at best insincere, that he was jumping
 11 through the hoops to get done with this. But there
 12 were multiple times throughout the meeting where
 13 Barbara Pierson was saying to Karl, you know, Tell
 14 Mr. Murphy this, you know, Say this. And Kevin I
 15 recall him making the statement almost as if she were
 16 treating Karl like he was 8.

17 **Q. Okay.**

18 A. And so how could we take anything that
 19 Karl was saying sincere or serious and what a kind of
 20 bizarre --

21 **Q. Strange dynamic?**

22 A. Yes.

23 **Q. Okay.**

24 A. The father on the other hand, never said
 25 a word, quiet, stoic, a little scary.

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1 **Q. Okay. Would you have changed any other**
 2 **answers, for instance, in the Protective Factors**
 3 **section of this part of the threat assessment?**

4 A. Okay. Well, on the first line, no,
 5 because he didn't really seek out positive support
 6 from others.

7 **Q. Okay.**

8 A. You know, with adult supervision,
 9 students become -- high school students, and
 10 especially as they become juniors and seniors, it's
 11 more difficult to monitor closely I think.

12 **Q. Sure. What about in the section labeled**
 13 **"Level of self-control"? How would you have answered**
 14 **that question?**

15 A. Well, it doesn't give us very many
 16 options, but I would say probably limited at all
 17 times. Consistently present was not the case, and I'm
 18 not sure I would agree with, okay with supports.

19 **Q. Okay. And then we get to the, "Review**
 20 **findings with the building team - determine the level**
 21 **of concern." Do you see that?**

22 A. I do.

23 **Q. Again, I take it neither Kevin Kolasa nor**
 24 **Esther Song asked you whether you considered Karl a**
 25 **low, medium, or high level of concern, did they?**

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1 A. Yeah, I don't think they did. I mean, I
 2 don't think that question was stated to me in that
 3 way, prior to this, the September 9 meeting. I mean,
 4 I think it would have been -- I think it was apparent
 5 to them I felt he was a high level.

6 **Q. And that was going to be my next**
 7 **question. If you had been the one picking which box**
 8 **to check here, given that you were considering ending**
 9 **your career over this kid, you would have checked a**
 10 **high level of concern?**

11 A. I would have eventually. Again, as we
 12 talk about, you know -- on September 9, I wasn't at
 13 that point yet.

14 **Q. Okay.**

15 A. It was a couple weeks later where I was
 16 getting to that point.

17 **Q. Okay.**

18 A. So I might have -- it would have probably
 19 been medium or high. It would not have been low.

20 **Q. Okay.**

21 A. You know, I would probably have marked
 22 medium.

23 **Q. Okay.**

24 A. And as I mentioned before, we use this as
 25 a -- rather than a snapshot in time of a living

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1 document, it became a high level of concern by
 2 December.
 3 **Q. Okay.**
 4 A. Based upon lots of observations from lots
 5 of other people besides me.
 6 **Q. Okay.**
 7 A. Because the problem is the way this is
 8 worded, I don't know if I could have said that the --
 9 you know, that there was information that he has
 10 practiced with a weapon, you know, or a gun had been
 11 found. Did he have me under surveillance, probably,
 12 but, again, like I said, if you look at how it's
 13 stated, it would be hard-pressed probably to have
 14 marked it high in early September.
 15 **Q. Okay. Let me ask you to take a look at**
 16 **Exhibit 13, if I could. And switching gears, but I'm**
 17 **not ignoring the fact that there were other factors**
 18 **that led you to increase your level of concern. I do**
 19 **want to get to those.**
 20 A. Sure.
 21 **Q. Exhibit 13 is an FBI report of a**
 22 **statement that Jeff Corson gave immediately after the**
 23 **shooting. I want to direct your attention to page 2**
 24 **of that statement, and you can see on page 2,**
 25 **Mr. Corson describes some conversations that he had**

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1 **with you. Do you see that?**
 2 A. I do.
 3 **Q. At the bottom of the page, Mr. Corson**
 4 **describes having called Karl Pierson's mother. Do you**
 5 **see that in the -- in the bottom half it says, "Corson**
 6 **was concerned about Pierson because of that incident."**
 7 A. Yes, I do.
 8 **Q. Did Mr. Corson tell you about his**
 9 **conversation with Karl's mother?**
 10 A. I know at some point later in the
 11 semester, Jeff commented to me that things seemed to
 12 be going better in his class. I don't recall if he
 13 told me specifically he had a conversation with
 14 Barbara Pierson.
 15 **Q. Okay. And in the next paragraph of this**
 16 **statement you can see it says, "Within a day or**
 17 **two" -- it seems to be a reference to when he talked**
 18 **to Barbara Pierson -- "Corson spoke again with Murphy.**
 19 **They discussed how upset Pierson was when he was**
 20 **removed as the debate team leader." And then he goes**
 21 **on to say, "Murphy jokingly told Corson words to the**
 22 **effect of, 'When Karl comes up with a gun someday, you**
 23 **know you caused this.'" Do you see that there?**
 24 A. I do, and I read this when these pages
 25 came out, and I don't recall saying that.

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1 **Q. Well, my -- the context of it seems odd**
 2 **to me. So my first question is, do you recall -- is**
 3 **it possible the names are reversed? Do you recall**
 4 **Mr. Corson telling you something to that effect?**
 5 A. Possibly, because I -- that really threw
 6 me when I read this, that I really don't remember
 7 saying a statement like that.
 8 **Q. And my point is it doesn't -- you were**
 9 **taking this threat seriously. It doesn't sound like**
 10 **the kind of thing you would have joked about?**
 11 A. It's possible -- you know, Jeff and I, we
 12 have a good collegial relationship. We had gotten to
 13 know each other a few years ago chaperoning kids at
 14 DECA down in Colorado Springs. So, you know, you joke
 15 around with each other on different things and so it's
 16 possible that Jeff could have said this. I'm not
 17 going to say that I couldn't have, but I don't recall
 18 saying anything like this. I just don't believe I did
 19 because when I read it, it stopped me. Like I said,
 20 when these pages came out, when I got copies of them a
 21 few weeks ago, and I'm looking through everything and
 22 I'm reading everything, that is not something I
 23 remember. It just --
 24 **Q. And you don't remember whether or not**
 25 **Mr. Corson said something like that to you?**

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1 A. I would hate to put those words in his
 2 mouth. I hope neither one of us did, but if we did,
 3 either one of us, it was -- you know, it's that part
 4 of the day-to-day grind of being in a school and being
 5 around kids. It wasn't anything to be taken
 6 flippantly, please know that.
 7 **Q. Okay. It's my understanding that you**
 8 **also had a conversation with Deputy Englert and he**
 9 **came to see you shortly after the threat was made?**
 10 A. Yes.
 11 **Q. What do you recall about that**
 12 **conversation?**
 13 A. Well, I gave him the details of what had
 14 taken place, the meeting with myself and Karl and his
 15 mother and what Mark had said he had observed. From
 16 what I was understanding was that Officer Englert,
 17 James, was doing -- creating an open report, an open
 18 police -- you know, police report, I guess, or a
 19 sheriff's report. He told me that since it was not
 20 something directed specifically at me, to me, that
 21 there wasn't much he could do in the way of law
 22 enforcement action. Which, you know, I guess
 23 surprised me a little bit, disappointed me a little
 24 bit. More in the terms that, you know, had some type
 25 of -- you know, something could have been filed maybe

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1 against Karl, maybe that would have helped solidify
 2 the administration in making sure that Karl and his
 3 parents followed through with making sure he was
 4 getting some type of assistance or help.
 5 **Q. Okay. As I understand it, your**
 6 **conversation with Deputy Englert happened in your**
 7 **office in the library?**
 8 A. It did.
 9 **Q. During your discussions with Deputy**
 10 **Englert, did you discuss with him what you should do**
 11 **in the event that Karl showed up at school with a gun?**
 12 A. Well, he -- you know, I told him I was
 13 very concerned about him doing something violent and
 14 James basically said to do my best to get out of there
 15 as quick as I could.
 16 **Q. Okay. Let me direct your attention to**
 17 **page 11 of your statement with the sheriff. I think**
 18 **it's the bottom one there.**
 19 A. At the bottom of the page?
 20 **Q. No, it was the document at the bottom.**
 21 **On page 11, again, this is -- in the middle of the**
 22 **page there's a reference to your consideration of**
 23 **leaving Arapahoe High School or retiring to eliminate**
 24 **the threat from Karl Pierson, right? And I just want**
 25 **to, at this point, make sure I understand who all you**

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1 **told that to. I assume you told it to Natalie**
 2 **Pramenko?**
 3 A. No.
 4 **Q. Kevin Kolasa?**
 5 A. Yes.
 6 **Q. Esther Song?**
 7 A. Yes.
 8 **Q. Darrell Meredith?**
 9 A. Yeah, I think I did. I know I had a
 10 conversation with Darrell, kind of an impromptu
 11 conversation about this, and I think I may have said
 12 something to him about that.
 13 **Q. Anybody else that you can recall having**
 14 **spoken to at Arapahoe High School about the fact that**
 15 **you were considering --**
 16 A. I think I told Carla, my clerk, you know,
 17 because I work with her every day.
 18 **Q. What about Jeff Corson, Astrid, anyone**
 19 **else?**
 20 A. Well, Astrid was there in the office when
 21 I said something to Esther.
 22 **Q. Anybody else that you spoke with about**
 23 **the fact that you were considering quitting your job**
 24 **to eliminate a threat?**
 25 A. I may have said something like that to

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1 Karen when I talked to her in November saying this is
 2 how concerned I was.
 3 **Q. Okay. What about Nate Thompson, Guy**
 4 **Grace, Scott Murphy, anybody like that?**
 5 A. After the fact, yeah.
 6 **Q. But not before?**
 7 A. No.
 8 **Q. Okay. Now, on page 11 you mentioned that**
 9 **"Arapahoe High School is a big building and it's a**
 10 **sieve with lots of open doors." Do you see that?**
 11 A. Yes.
 12 **Q. And was the lack of physical security at**
 13 **Arapahoe High School one of the factors that played a**
 14 **role in your considering quitting your job after this**
 15 **threat was made?**
 16 A. Yes.
 17 **Q. Did you discuss with anybody at Arapahoe**
 18 **High School in your conversations about potentially**
 19 **quitting your job the fact that you felt the physical**
 20 **security at Arapahoe was a sieve?**
 21 A. I don't know that I used those words, but
 22 I think I may have made a statement given the fact
 23 that, again, you know, like I said earlier, lots of
 24 doors, kids come and go, it's an open campus, he was a
 25 familiar face. So that goes back to, you know, even

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1 having him removed as a -- removing his open
 2 enrollment status. I didn't think that would take
 3 care of the safety issue.
 4 **Q. Okay. And as we work our way down page**
 5 **11 of your statement to the sheriff's investigator,**
 6 **you told the investigator that "My feelings never went**
 7 **away that this kid is trouble and they just, in my**
 8 **mind, kept building." Do you see that?**
 9 A. Yes.
 10 **Q. Now, I want to compare that statement to**
 11 **something that Kevin Kolasa apparently told to the**
 12 **investigators. And this is in Exhibit 14, which is**
 13 **the sheriff's report.**
 14 A. Okay.
 15 **Q. And it's on page 7 of 37. And you've**
 16 **probably highlighted this in your own mind and in your**
 17 **own review. At the bottom of the page 7 of the**
 18 **sheriff's report, it says that Kevin Kolasa felt that**
 19 **Tracy seemed less concerned about the threat as time**
 20 **went on. Do you see that?**
 21 A. I do.
 22 **Q. And you've read that in the past, haven't**
 23 **you?**
 24 A. Yes.
 25 **Q. And that's fundamentally at odds with**

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1 **what you told the investigators, isn't it?**
 2 A. It is.
 3 **Q. In fact, your concerns about this threat**
 4 **and Karl's mental state increased over time, didn't**
 5 **they?**
 6 A. Absolutely.
 7 **Q. Have you ever talked to Kevin Kolasa**
 8 **since the shooting about how he came to the conclusion**
 9 **that you were less concerned about these threats?**
 10 A. No. The report wasn't released until
 11 October of last year. He was no longer in the
 12 building last year, so I haven't had any interactions
 13 with him since this report was out. Does that make
 14 sense?
 15 **Q. Yes. Now, in your statement, you talk**
 16 **about your concerns just kept building from September**
 17 **up through December, correct?**
 18 A. Yes.
 19 **Q. So I told you I hadn't forgotten about**
 20 **that, and I do want to get into that because I think**
 21 **that's important. What are the incidents or**
 22 **observations that you had from September to December**
 23 **that caused your level of concern to continue to**
 24 **build?**
 25 A. September 9 he had his meeting with his

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1 parents. Kevin communicated to me later that morning
 2 that he had had that meeting -- that Kevin had had
 3 that meeting, that they felt that -- he and Esther had
 4 felt that Karl was a low risk, threat assessment risk;
 5 however, Karl had a lot of anger toward me still and
 6 that he, Kevin, had told him that he wanted to have
 7 Karl take a couple of weeks away from the team, away
 8 from me as a cooling down period. And that the three
 9 of us, Kevin, Karl, and myself, would meet to
 10 determine whether or not Karl should continue on with
 11 the team.
 12 **Q. Okay.**
 13 A. Tuesday the 10th is -- after school we --
 14 speech and debate practice meeting times were
 15 typically Tuesdays and Thursdays after school. I
 16 walked into C 15 and, you know, we're trying to get
 17 ready for -- actually gathering information for kids
 18 we -- I asked the head officers that were there if
 19 they would take out -- we had a cart of net books and
 20 were distributing those among the kids because it was
 21 the beginning of the year. We were just recruiting
 22 kids and getting kids interested and we were -- and I
 23 had a Google form for collecting contact information,
 24 that kind of stuff. It just seemed like a very
 25 efficient way to do it.

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1 As I'm kind of gathering up papers or
 2 laying out papers, kind of getting things, getting
 3 organized, I looked across the desk over at the cart
 4 and there's Karl Pierson. And I looked at him, and
 5 we're probably this far away from each other, and I
 6 said to him, just about like this, I said, Karl, what
 7 are you doing here? And he looks at me like, What do
 8 you mean? And I go, Well, Mr. Kolasa made it very
 9 clear to me that you're not to have anything to do
 10 with the team for at least a couple of weeks until we
 11 meet. And so he kind of stuttered like that a bit and
 12 I said, You can't be here. I didn't raise my voice.
 13 I didn't want to cause a scene because things were
 14 happening so most people were noticing this going on.
 15 So he just -- I think he sat down the computer he was
 16 taking out and he walked over and picked up his stuff,
 17 and I think he -- I think (THE STUDENT) said something
 18 to him like, What are you doing? And I think he said,
 19 Ask Murphy.
 20 So after that meeting, after I got
 21 through with the kids, I got back to my desk. I
 22 called Kevin, it was probably 4 o'clock. He was in
 23 his office still. And I said, Hey, I want to talk to
 24 you about something that happened. And I relayed that
 25 to him, and I said, This is what I'm talking about.

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1 These are the almost exact words I used. This is my
 2 concern that I have with Karl Pierson is that he hears
 3 what he wants to hear, he does what he wants to do,
 4 that is one of the reasons I have such concerns about
 5 him. And that's almost the verbatim statement I made
 6 to him. And Kevin said, All right, I'll talk to him.
 7 I'll make sure, I'll make it really clear to him that
 8 he is to stay away.
 9 **Q. Okay.**
 10 A. Now, the next morning, we had a PLC late
 11 start. So that's -- what that means is the kids don't
 12 start until 9:20 or whatever. They can sleep in.
 13 Teachers, educators, we get to come in at the regular
 14 time and meet for a couple of hours. Well, I was
 15 sitting in with the U.S. history social studies PLC
 16 kind of as a resource person, thinking about ways I
 17 can help support their curriculum. 8 o'clock or so
 18 rolls around, kind of bathroom break time, we're in
 19 Stacy Cornils' classroom near the social studies
 20 office, but not quite all the way up there, one of the
 21 wings off the north hallway.
 22 **Q. Okay.**
 23 A. So I'm walking to the faculty restroom,
 24 which is right there, and I see Karl coming, and we
 25 literally have to cross paths. I mean, I'm going to

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1 walk in front of him. He is walking west, I'm
 2 assuming toward his locker, maybe to the library. And
 3 I'm thinking to myself, you know, I'm going to be an
 4 adult about this. I'm going to be mature about this.
 5 I'm going to acknowledge him. That's one of the
 6 things about the kids at Arapahoe that I've always
 7 admired and been amazed by, I can walk down the hall,
 8 and I get kids saying all the time, Hi, Mr. Murphy,
 9 how are you doing? Kids I don't even know. I'm a
 10 librarian. I see him and I say, Hi, Karl, good
 11 morning. Nothing, stoic, straight ahead, I don't
 12 exist.

13 I don't say anything more to him, of
 14 course it's disrespectful, but that's not the issue.
 15 The issue is inappropriate behavior, and I thought --
 16 again, I thought Kevin needs to know that. This,
 17 again, goes to an at-risk factor, a red flag factor
 18 that I wanted to make sure administration was made
 19 aware of. I think I called him after the meeting and
 20 said, Hey, this happened. I think at that point is
 21 when Kevin says, It's pretty obvious Karl isn't making
 22 any efforts to make amends or make things better.

**Q. And let me ask you, when you brought up
 23 these two most recent incidents involving Karl Pierson
 24 after the threat assessment meeting to Kevin Kolasa,
 25**

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1 **did you again get the sense that he wasn't taking your
 2 concerns as seriously as you thought they should be?**

3 A. Yeah, it's a hard one to call. Again, it
 4 was kind of early into all of this because for one, we
 5 still had a potential other meeting to go, so it was
 6 hard to say in particular. But I just kept thinking
 7 -- and this was -- you know, these two incidents, in
 8 particular, kept weighing on me in addition to what
 9 had happened at the meeting, what Mark conveyed to me.
 10 I just kept thinking, This is a volatile -- to me,
 11 this felt like a very volatile situation.

12 **Q. Okay.**

13 A. And I hoped I was wrong but I wasn't.

14 **Q. Okay. Were there other incidents after
 15 the two you just described that continued to cause
 16 your level of concern about Karl Pierson's volatility
 17 to grow?**

18 A. Like I said, you know, I talked about the
 19 grades taking a nosedive.

20 **Q. Right.**

21 A. But are you talking about before the
 22 September 26 meeting or just --

23 **Q. Yes. We can break it into before the
 24 September 26 meeting.**

25 A. By that time, I had already thought, you

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1 know, this is -- for want of a better word, this is a
 2 bad kid, this is a bad situation. And I kept mulling
 3 it over, thinking about it, thinking, How do I make
 4 this better, how do I stop a violent action from
 5 happening because, again, I wasn't aware of
 6 necessarily specifically other things going on with
 7 the student. So I'm thinking, you know, this kid
 8 hates me and is angry and it's just -- you know, got
 9 the level of anger built up that he might follow
 10 through with this. He might follow through with
 11 something.

12 And I -- when I met with Kevin before the
 13 meeting on the 26th, I told him that. I told him that
 14 I was real concerned. Like I said, I told him, you
 15 know, I'm really to the point where I'm thinking maybe
 16 I get out of the picture, maybe I just resign. And I
 17 had talked to my wife about it, and it's -- you know,
 18 just thinking to myself, Well, I don't exactly know
 19 what I'm going to do or how I'm going to do it. And
 20 her response was, We'll be okay.

21 **Q. Okay. Did you actually write a
 22 resignation letter?**

23 A. I didn't. I regret that I didn't. I
 24 regret that I didn't turn something in. I regret
 25 that, yeah.

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1 **Q. When you met with Kevin Kolasa in advance
 2 of your September 26 meeting, and you again expressed
 3 that you were considering leaving your job, what was
 4 his reaction?**

5 A. Again, kind of disbelief, you know,
 6 again, kind of, Come on, Tracy, this isn't that
 7 serious. I told him -- I said I felt that, If he were
 8 to be removed -- and that's where I felt this meeting
 9 was going. And Kevin told me the administrative team
 10 had determined that it made sense to just have him
 11 removed from the team. I said, If that happens, that
 12 will probably be the tipping point that will push him
 13 over and cause Karl to do a violent act.

14 **Q. Okay.**

15 A. And I was trying -- at that point in that
 16 meeting, we were trying to brainstorm. I was trying
 17 to come up with a solution that would seem to meet
 18 everyone's needs, and that's when I came up with the
 19 idea of, Okay, Karl thinks he's kind of such a
 20 hotshot, let's allow him to participate, allow him to
 21 compete, but let's limit his access to participating
 22 and practicing with the team.

23 **Q. So let me break that down. In your
 24 discussion with Kevin Kolasa in advance of the
 25 September 26 meeting, did Mr. Kolasa tell you that the**

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1 administration's objective at that meeting was to tell
 2 Karl Pierson he was off the debate team completely?
 3 A. Yes.
 4 Q. And I take it your response to Mr. Kolasa
 5 on that point was if you do that, he will snap?
 6 A. Yes.
 7 Q. And he will come to the school and he
 8 will try to kill me?
 9 A. Maybe not in so many words, but to that
 10 effect, yes.
 11 Q. And I ask about that because in the
 12 statement that you gave, and I think in the sheriff's
 13 report, it mentioned that that was the
 14 administration's position and that you told Karl he
 15 was going to be allowed to stay on the team against
 16 the administration's wishes. Have you read that as
 17 well?
 18 A. Yes.
 19 Q. And candidly when I first read that, I
 20 was going to ask you, was that -- is that essentially
 21 a subterfuge by Kevin Kolasa to deflect some of Karl's
 22 anger away from you and onto him?
 23 A. To some degree. It was my idea, the
 24 scenario, the setup, but Kevin said he wanted to make
 25 sure it was presented so that, yeah, it would take

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1 some of the heat away from me and put it more on the
 2 administration.
 3 Q. So that was at least a factor in how that
 4 conversation occurred?
 5 A. Yes.
 6 Q. So I wasn't completely off base?
 7 A. No. No.
 8 Q. When you told Kevin Kolasa that you
 9 believed if Karl was kicked off the debate team
 10 completely, he would snap and that would trigger him
 11 to engage in an act of violence, what did Mr. Kolasa
 12 say in response?
 13 A. I'm not sure. To be honest with you, I
 14 can't remember specifics as to what Kevin said. I
 15 don't think he felt that it was quite to that level
 16 that Karl was capable of committing such an act.
 17 Q. Okay. Now, let's talk about the
 18 September 26 action plan review meeting that's been
 19 referred to.
 20 A. Okay.
 21 Q. Tell me about that meeting. Who was
 22 there and what happened?
 23 A. It was myself, Kevin Kolasa, Astrid
 24 Thurnau, Karl Pierson, Barbara Pierson, Mark Pierson.
 25 Q. And was the fact that there had been a

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1 threat assessment performed discussed at that meeting?
 2 A. I don't recall that being the case. I
 3 think the focus of the meeting was whether or not Karl
 4 would be permitted to return to the team, be a part of
 5 the team.
 6 Q. Okay. And who was leading the meeting,
 7 for lack of a better term?
 8 A. Kevin.
 9 Q. And what did Kevin say to open things up?
 10 A. You know, I think it was something to the
 11 effect that, Karl, you know why we're meeting, we want
 12 to determine whether or not it makes sense for you to
 13 continue to be a part of the speech and debate team.
 14 I'm trying to think if he opened up opportunities at
 15 that point for Karl to make any comments or to say
 16 some things.
 17 You know, again, trying to remember
 18 specifics of the meeting, and in particular what
 19 specific words were said, is a little bit hard, but it
 20 went somewhere along lines of asking Karl if -- you
 21 know, I don't know if the question was if he was --
 22 wanted to apologize or was sorry, but Karl said that
 23 he didn't -- wasn't going to follow through with his
 24 statement, that it was -- he wasn't serious with it,
 25 that it was kind of along the lines of -- you know,

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1 just a -- you know, words, figure of speech. And
 2 that, yeah, he didn't intend to follow through.
 3 Kevin went on at some point and said, you
 4 know, We've been talking, the administrative team, we
 5 would -- it would be our opinion to go ahead and
 6 remove you from the team, but Mr. Murphy has kind of a
 7 compromise in which, you know, you would be permitted
 8 to participate in competitions but not be a part of
 9 the team practices. And Karl didn't really respond to
 10 that one way or the other, kind of just noncommittal.
 11 I took a few minutes to say, again, I would hope that
 12 he would want to continue to be a part of this. I
 13 would hope -- again, I'm trying to come across in a
 14 positive way.
 15 I took some time to -- I gave him the
 16 handout, the packet with our guidelines, expectations,
 17 schedule, that type of thing. Also the vehicle forms
 18 for driving your private vehicle to events and that
 19 type of thing. I'm trying to think if there is
 20 something else I gave him. Basically I said, Here is
 21 all the forms, make sure you get them all back to me
 22 before you decide you want to participate.
 23 He took them. Again, I think -- about
 24 this time, I think, you know, Barbara Pierson is
 25 guiding Karl to try to say -- get him to say a few

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1 things. And then the meeting kind of wraps up because
 2 it's right before school and we're in a classroom. I
 3 think we were in C 2. And that's kind of how it
 4 ended. I think Barbara Pierson did some -- a little
 5 bit of chitchat with Astrid Thurnau, because, again,
 6 Astrid had been the assistant coach of the team Karl's
 7 freshman year.

8 **Q. Do you recall any discussion about Astrid**
 9 **offering counseling to Karl during this meeting?**

10 A. Boy, she may have. I don't recall that.

11 **Q. Okay. And do you recall any discussion**
 12 **about whether or not there would be additional**
 13 **follow-up after this meeting on September 26, either**
 14 **by Astrid or Kevin or Esther Song?**

15 A. Not that I'm aware of. I don't recall
 16 that being part of the conversation, and Astrid was
 17 filling in for Kelly Talen who was on maternity leave.
 18 So Astrid wouldn't have been at Arapahoe but a few
 19 more weeks.

20 **Q. Okay.**

21 A. And, like I said, Esther Song wasn't
 22 there because she had a commitment to attend, a
 23 conference.

24 **Q. Okay. After the meeting on September 26**
 25 **-- or strike that.**

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1 **Did the meeting on September 26 alleviate**
 2 **any of your fears or concerns about Karl snapping and**
 3 **doing something violent in school?**

4 A. Little, if any.

5 **Q. Did the reaction you got from Karl to**
 6 **that meeting increase your fears or concerns that he**
 7 **might do something violent at school?**

8 A. Yeah, I don't think it increased it, no.

9 **Q. Did you have any discussions with Kevin**
 10 **Kolasa or Astrid or Natalie Pramenko, for that matter,**
 11 **after the September 26 meeting about how the meeting**
 12 **had gone?**

13 A. Yeah. Like I said, we did kind of like
 14 an informal debrief as we were walking out of the
 15 room.

16 **Q. And describe that informal debrief, if**
 17 **you will.**

18 A. Again, it goes back to what I said
 19 earlier. Again, Kevin making the observation that
 20 mother, Barbara Pierson, was kind of trying to guide
 21 Karl as if he were a child, that a lot of what was --
 22 Kevin and Astrid agreed that a lot of what Karl was
 23 saying was insincere, at best, but he was jumping
 24 through the hoops, doing what was expected of him.
 25 And that's really kind of, you know, the gist of

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1 how -- you know, our debrief together afterward.

2 **Q. Okay. I want to jump ahead to page 13 of**
 3 **your statement. Are you there?**

4 A. I am.

5 **Q. There's a reference in the middle of the**
 6 **page to the fact that you had a good parent-teacher**
 7 **relationship with Barbara Pierson and that she had**
 8 **asked you to keep an eye on Karl. Do you see that?**

9 A. I do.

10 **Q. It's not clear to me from your statement**
 11 **when that happened. So if you could shed any light on**
 12 **that.**

13 A. That was at parent-teacher conference in,
 14 let's see, it would have been fall of 2012.

15 **Q. Oh, okay. And that would have been the**
 16 **same parent-teacher conference where she mentioned to**
 17 **you that she and Karl's father were getting a divorce?**

18 A. Yes.

19 **Q. Okay. And during that parent-teacher**
 20 **conference, did she mention anything about the anger**
 21 **issues that Karl had been having?**

22 A. No.

23 **Q. And by the fall of 2013, a year later**
 24 **when we're having this September 26 meeting, you were**
 25 **all too aware of those anger issues, right?**

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1 A. Yes.

2 **Q. Were those discussed at all on**
 3 **September 26 at this action plan review meeting?**

4 A. His anger issues?

5 **Q. Yes.**

6 A. I'm trying to think if Astrid brought
 7 that up or not. I don't know that she did.

8 **Q. Okay. Now, also on page 13 of your**
 9 **statement, you reference the fact that you didn't**
 10 **replace Karl as the captain of the extemp team after**
 11 **demoting him?**

12 A. Yes.

13 **Q. Was that -- in the statement it says you**
 14 **were worried that Karl would be mean to any successor?**

15 A. Yes.

16 **Q. Were you also worried that if you named a**
 17 **successor to Karl as captain of the extemp team, you**
 18 **would make that student a target of Karl's violence?**

19 A. There was that potential.

20 **Q. And that was something that you thought**
 21 **about in making a decision not to name a new captain,**
 22 **right?**

23 A. I was afraid at the very least that the
 24 person would be picked on or ridiculed.

25 **Q. Okay.**

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1 A. I wasn't sure if he would become violent
2 toward them or not, but that was a possibility.

3 **Q. Okay.**

4 A. Because there were two or three kids kind
5 of wanting or willing to step up, and I just wouldn't
6 let it happen.

7 **Q. What did you tell those kids?**

8 A. Again, it goes back to me trying to
9 protect Karl's privacy, you know, that we had had --
10 we had a meeting, and it hadn't gone well, that I had
11 been concerned about -- I think I may have made the
12 statement, again, concerned about some decisions and
13 behaviors of Karl's. This goes -- this is one of the
14 conversations where (THE STUDENT), I remember him
15 making a statement to me saying, Well, Karl has let
16 him get his mouth in trouble. So kids had an
17 awareness that Karl would push things, take things too
18 far.

19 **Q. Do you know, did Kevin or Esther or
20 anybody from Arapahoe ever ask Karl's friends, Is he
21 okay or what's going on with him or try to get that
22 student insight at all about the behavioral issues
23 that you were observing?**

24 A. I'm not aware if they did or didn't.

25 **Q. Is that unusual for teachers or**

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1 **administrators at Arapahoe to do?**

2 A. To ask if --

3 **Q. To ask one student about another
4 student's behavioral or emotional issues?**

5 A. No. I mean, again, to try to do it in a
6 caring -- hopefully in a caring -- I'm trying to think
7 of the word. A way in which the student's privacy is
8 being honored as much as possible. But sometimes you
9 have to ask questions, and sometimes you have to be
10 just honest with kids and say, I have a concern about
11 somebody, so-and-so --

12 **Q. Right.**

13 A. -- do you have any concerns or have you
14 seen anything lately that would strike you as odd or
15 something you would want to let me know about? So I
16 could see those kind of conversations happening.

17 **Q. And do you know, did anybody at Arapahoe
18 ever do that with respect to Karl in the fall of 2013?**

19 A. I don't know that that ever happened. It
20 doesn't mean it didn't. I just don't know.

21 **Q. Okay. I'm sure that you have, since the
22 shooting, read that security guards saw Karl looking
23 at guns and scenes of mass shootings in the cafeteria
24 at Arapahoe High School?**

25 A. Yes, I have.

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1 **Q. You were not aware that Karl was doing
2 that in the fall of 2013?**

3 A. No, sir, I was not.

4 **Q. I take it nobody from the
5 administration --**

6 A. No.

7 **Q. -- took it upon themselves to tell you
8 that Karl was doing that?**

9 A. They did not.

10 **Q. If the administration had told you that
11 Karl was looking at guns and pictures of mass
12 shootings on his laptop at school --**

13 A. I think I would have resigned.

14 **Q. Okay. Have you had any discussions with
15 anybody from the administration about the fact that
16 Karl was observed doing precisely that and nothing
17 came of it?**

18 A. I have not. There hasn't been a lot of
19 direct open discussion about this --

20 **Q. Okay.**

21 A. -- among the administration or the staff.

22 **Q. And do you have any understanding as to
23 why that might be?**

24 A. It seemed like -- whether there was an
25 overt or covert message from central administration to

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1 not talk about this among ourselves or to just not
2 talk about this, that just was a message that --
3 you're going to ask me where did I that get that
4 message from --

5 **Q. Of course.**

6 A. -- but I actually had a -- I was at a --
7 I was at a young adult literature workshop in May
8 2014. So a year ago, right? There happens to be a
9 paraprofessional from Powell, I believe, because I'm about the
10 only licensed librarian in the district, go figure.
11 Anyway, so it was good -- you know, she was there, we
12 figured out, Okay, you're from Arapahoe or from
13 Littleton too, so we were talking. And she's kind of
14 just probing me a little bit because the message was
15 direct from the administrator there to leave us alone,
16 to have no contact with us at Arapahoe, that there
17 could be disciplinary action if they were to do that.
18 And that shocked me.

19 **Q. So the faculty and administration at
20 Powell were threatened with disciplinary action --**

21 A. This is what the person told me, yes.

22 **Q. -- if they spoke to Arapahoe faculty and
23 administration about the shooting and the events
24 leading up to it?**

25 A. Yes.

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1 **Q. Who was that paraprofessional, if you can**
 2 **remember?**
 3 A. I knew you were going to ask me. I'm
 4 trying to think of her name. I can get her name for
 5 you, I think.
 6 **Q. Okay.**
 7 A. Because, again, it was one of these
 8 people I see so rarely, you know.
 9 **Q. And I understand that, and we could fill**
 10 **that in later. If you'll give that to Mr. Kaiser,**
 11 **we'll plug that in after the fact.**
 12 A. Okay.
 13 **Q. What about within the Arapahoe building,**
 14 **the teachers, the staff, and the administrators there?**
 15 **Was there also an overt or covert message not to talk**
 16 **about what had happened on December 13?**
 17 A. Yeah, there was.
 18 **Q. And how was that conveyed to you?**
 19 A. Boy, how was it? I don't think there was
 20 ever like an announcement like in the faculty meeting
 21 not to talk about it, but there was a concern that,
 22 you know, there -- it was an ongoing legal
 23 investigation. I heard that multiple times. And
 24 because of that, that would restrict or prohibit what
 25 people would be able to say or talk about.

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1 You know, a lot of times I think a lot of
 2 us would have liked to have had the opportunity to
 3 talk about what we had gone through. Everybody knows
 4 my story. And many folks will say to me, I can't
 5 imagine what you've gone through, but I can't imagine
 6 being behind a locked door standing between my kids
 7 and a gunman. And that's what a lot of our staff went
 8 through.
 9 THE DEPONENT: Oh, my gosh, what you went
 10 through, Claire's friend.
 11 A. But some of us, we started talking to
 12 each other because it was the healthy thing to do, you
 13 know.
 14 **Q. (BY MR. ROCHE) And I take it that those**
 15 **of you who discussed what happened not just on**
 16 **December 13, but leading up to December 13, did so**
 17 **despite the discouragement of the LPS or Arapahoe High**
 18 **School administration?**
 19 A. We did. It was a -- found out that
 20 investigators came in and talked to teachers in the
 21 spring of 2014, it happened to be the teachers that
 22 had been -- had their rooms targeted, had --
 23 **Q. That were on the arm?**
 24 A. On the arm. And I remember that at first
 25 we were -- you know, a lot of us didn't know exactly

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1 why any of the investigators were in the building. We
 2 thought they were questioning the folks some more.
 3 Come to find out, investigators had found writings of
 4 Pierson's that indicated who additional targets were
 5 and why.
 6 Suzanne Tyler was -- her classroom was
 7 targeted. She, I remember, talked to me a couple of
 8 times before the investigators came to the building
 9 and talked to her. She was on hall duty, she would
 10 see me in the halls and kind of just asking how I was
 11 doing, we would just talk for a little bit, telling me
 12 that she appreciated me being back in the building,
 13 but she couldn't understand why Karl had her room
 14 number on . . .
 15 **Q. And what did she say?**
 16 A. Because she kept thinking -- you know,
 17 investigators didn't either, to begin with. Their
 18 theories were maybe it was the last place he was going
 19 to do a stand, maybe he was going to try to escape
 20 from there, because she didn't know him, she didn't
 21 have any interaction. She found out, she told me --
 22 and I had heard a rumor from others. And we talked in
 23 the hall one day, and she confirmed that what I had
 24 heard was true. See, Suzanne taught deaf and hard of
 25 hearing kids. And the investigator said that they

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1 found that Karl had targeted her classroom because
 2 those kids were defective and didn't deserve to be
 3 there, to be Warriors.
 4 Dan Swomley and I talked. He decided --
 5 I knew he was really in bad shape. And it was after a
 6 department meeting, we decided to sit down in the
 7 staff lounge and said screw it, regardless of what the
 8 investigators told him. So what Dan tells me is that
 9 Pierson had targeted Kelly, his wife, who was our copy
 10 clerk and Jennifer his daughter, who was, I believe, a
 11 junior. But to leave him alive because it would hurt
 12 him the most. See, these are -- these are the things
 13 that people don't know about Pierson.
 14 **Q. Yeah.**
 15 A. Sometimes we just talked because we
 16 needed to. We had to support each other.
 17 **Q. Absolutely. Are you okay to keep going?**
 18 A. Yeah.
 19 **Q. Did the administration ever get wind that**
 20 **you and others were talking to support each other**
 21 **because you had to?**
 22 A. I don't know. I really don't know.
 23 **Q. Okay. We started that discussion when I**
 24 **asked you about the incident at the cafeteria where --**
 25 A. The pictures of the guns.

193

1 **Q. -- Karl was seen looking at pictures of**
 2 **guns and mass shootings. Have you had any discussion**
 3 **with anybody at Arapahoe or Littleton about that**
 4 **incident?**
 5 A. I'm not --
 6 **Q. Are you not following?**
 7 A. I guess I'm not following.
 8 **Q. Have you talked with anybody at Arapahoe**
 9 **or Littleton about the fact that in October of 2013,**
 10 **Karl was observed looking at guns and pictures of mass**
 11 **shootings in the cafeteria?**
 12 A. I don't think I have in the sense that
 13 enough other people were already talking about it.
 14 It's been in the news.
 15 **Q. Okay.**
 16 A. You know, I mean, I've had conversations
 17 with people about this at various times, but it wasn't
 18 something I pointed out.
 19 **Q. Okay.**
 20 A. But, I mean, it's kind of common
 21 knowledge now.
 22 **Q. Okay. Let's go back to immediately after**
 23 **the September 26 meeting with Karl and his parents.**
 24 **Did you have any other interactions with Karl after**
 25 **that September 26 meeting?**

194

1 A. No. He kind of fell off the face of the
 2 planet, which as you've read here, I found
 3 disconcerting.
 4 **Q. So was that another red flag in your mind**
 5 **that heightened --**
 6 A. It was, because, again, like I said in my
 7 report, you know, Arapahoe is a big school, you just
 8 don't cross paths with a lot of kids. And he's a
 9 senior, and he's got a locker in the senior hallway,
 10 which is perpendicular/adjacent to the library. I
 11 should have every once in a while caught a glimpse of
 12 him, but I really never did after that, which, like I
 13 said, that seemed unusual even in a school as large as
 14 our school.
 15 **Q. Okay.**
 16 MR. KAISER: Do you want a break?
 17 THE DEPONENT: If we're okay, I'll keep
 18 going.
 19 **Q. (BY MR. ROCHE) After the meeting on**
 20 **September 26, did Karl participate in any other debate**
 21 **competitions?**
 22 A. No.
 23 **Q. Okay. And at that September 26 meeting,**
 24 **you mentioned that Karl's dad was in attendance?**
 25 A. I did, yes.

195

1 **Q. But didn't say a word?**
 2 A. Not a word.
 3 **Q. Did that strike you as odd?**
 4 A. Yes. It didn't seem out of character to
 5 him because he's -- the few times I interacted with
 6 him, it had been probably Karl's sophomore year,
 7 maybe, he struck me as a very -- one of the better
 8 words, stoic, kind of a rigid silent kind of guy.
 9 **Q. Okay.**
 10 A. Kind of the opposite of Barbara Pierson.
 11 **Q. Okay. And I understand from other**
 12 **witnesses that Mr. Pierson went to parent-teacher**
 13 **conferences in the fall of 2013?**
 14 A. He may have. I don't know.
 15 **Q. And that was my next question is did you**
 16 **have any dealings with him?**
 17 A. I did not.
 18 **Q. Okay. Now, you mentioned a faculty**
 19 **meeting on November 20 --**
 20 A. Yeah.
 21 **Q. -- with Natalie Pramenko. I'm going to**
 22 **ask you about that meeting and the conversations that**
 23 **you had after the faculty meeting.**
 24 A. Okay.
 25 **Q. Do you recall the meeting I'm referring**

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1 **to?**
 2 A. The faculty meeting?
 3 **Q. Yes.**
 4 A. I recall the big focus was school safety
 5 and security.
 6 **Q. Okay.**
 7 A. I think we had -- I'm trying to remember
 8 if -- Deputy Englert as well as -- I'm trying to think
 9 of who else -- we had some folks talking to us about
 10 student safety and security things. I can't remember
 11 specifics. I just know that was the topic because it
 12 was something that I'm sitting there thinking -- it
 13 prompted me, like I said, to follow up and decide and
 14 make sure I talked to Karen afterwards. It just kind
 15 of moved me along.
 16 **Q. Now, tell me about the conversations that**
 17 **you had with Karen Gerlich on November 20 after the**
 18 **faculty meeting.**
 19 A. It was probably around 4 o'clock. It's
 20 just she and I in the library. I just said, you know,
 21 Karen, I want to talk to you about something that's
 22 been bothering me. And so I then go through the
 23 process of telling her that I have concerns about Karl
 24 Pierson and that, again, a better way of saying it, I
 25 have a bad feeling about him. I think I may have

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1 briefly outlined, you know, the interactions of the
 2 semester and that, yeah, I had been concerned about
 3 saying anything to her previously because of student
 4 privacy concerns, but I thought I'll take the -- I'd
 5 rather be wrong that way and inform her than
 6 otherwise, that I couldn't have lived with myself had
 7 something happened to her and I -- and by me not
 8 saying something to her.

9 And I remember her, like I said, taking
 10 me seriously. You know, and as she mentioned, Karl
 11 was -- she had Karl as a freshman, and, like I said,
 12 I'm trying to remember -- I'm trying to remember. I
 13 thought he was a student in her class that year too.
 14 So if that was the case, then there was also the
 15 possibility of being volatile in the classroom, as
 16 well as possibly something in the library, and her
 17 office is in the library. And, like I said, she took
 18 me seriously.

19 **Q. And during your conversation with**
 20 **Ms. Gerlich, did you express the opinion that the**
 21 **administration was still not taking your concerns**
 22 **about Karl Pierson as seriously as you thought they**
 23 **should?**

24 A. You know, I don't know if I said that to
 25 Karen. I think my biggest concern, at least from what

198

1 I recall, is informing her --

2 **Q. Okay.**

3 A. -- regardless of where the administration
 4 was on that.

5 **Q. And at least, based on your understanding**
 6 **of the policy at the school, you were breaking a rule**
 7 **by telling her about the threat that Karl posed, not**
 8 **just to you but to her?**

9 A. Potentially, yes.

10 **Q. Okay. And it was important enough that**
 11 **you did it anyway?**

12 A. Yes.

13 **Q. Now, I understand that after that**
 14 **November 20 faculty meeting, you also spoke with**
 15 **Natalie Pramenko; is that right?**

16 A. I don't recall having another meeting
 17 with Natalie after that.

18 **Q. Okay. Well, let me -- and I may have the**
 19 **timing wrong on this.**

20 A. If you could help me out on that.

21 **Q. Sure. Take a look at page 16 of your**
 22 **statement.**

23 A. Okay.

24 **Q. It says in the middle of the page,**
 25 **"Natalie followed up with Tracy after the Wednesday**

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1 **Faculty meeting, reference Karl's outburst after the**
 2 **Tuesday afternoon demotion meeting."**

3 A. So that's September 4 and -- or, no,
 4 that's September 5. So prior to December 13, I only
 5 spoke to Natalie about Karl after the September 3
 6 meeting. And then after the faculty meeting on
 7 September 4, which she directed Mark and I to talk to
 8 Kevin, and then she came by, it would have been
 9 Thursday, September 5, that morning to -- again, to
 10 make sure that Kevin had informed me and to kind of
 11 check in on me.

12 **Q. Okay.**

13 A. I don't recall having additional meetings
 14 with her.

15 **Q. Okay. And that raises a different**
 16 **question. If you'll look at Exhibit 11, which are the**
 17 **written discovery responses. And, again, these are**
 18 **the written answers to questions that I received from**
 19 **LPS. Let me direct your attention to page 10, if I**
 20 **could and the numbered paragraph 14. Do you see that?**

21 A. Yes.

22 **Q. Okay. There it says, "On November 20,**
 23 **2013, Mr. Tracy Murphy approached Ms. Pramenko after**
 24 **the faculty meeting at which surveillance and security**
 25 **measures in general had been discussed." Do you see**

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1 **that?**

2 A. I do.

3 **Q. Does that refresh your recollection that**
 4 **you had a conversation with Ms. Pramenko in late**
 5 **November?**

6 A. I did. It wasn't specific to Karl. It
 7 was -- it had been an ongoing concern and an ongoing
 8 issue that I had been trying to resolve for frankly
 9 years to get security cameras in the library. And,
 10 yes, I made that statement, and I've made that
 11 statement previously to her about -- and I think I may
 12 have made that statement even to Mr. Booth when he was
 13 principal there that if something happens in a school
 14 like ours, there's -- you know, Columbine is the
 15 blueprint. The two places where there are the most
 16 students, it's the cafeteria and it's the library.

17 And so I had been working any opportunity
 18 I had to try to get cameras in the library. As a
 19 matter of fact, yeah, on December 12, I met with folks
 20 from district security, Darrell Meredith, and Natalie,
 21 to talk about the installation of security cameras in
 22 the library over winter break that year and placement
 23 where that would make sense. We would also talk -- I
 24 had been talking to Natalie about doing some upgrades
 25 of furniture too, but my big concern at that time was

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1 cameras.

2 And so that wasn't -- so I -- I don't

3 know how to phrase this. Yes, I talked to Natalie.

4 I've talked to her about -- any number of times, but

5 specific to the Karl situation, no, this wasn't

6 because of the Karl situation. Of course that was

7 there, but it was because, it's like, Okay, we're

8 talking safety and security, when can we get cameras

9 in the library.

10 **Q. And you anticipated some of my follow-up**

11 **questions, which were, among others, was your**

12 **statement, If anything happens, it's going to happen**

13 **here, was that a reference to the fact that Karl**

14 **Pierson had threatened you?**

15 A. It was more of a reference to the type of

16 violence happening, I think, in a school like ours,

17 it's likely to happen in the library as it -- more

18 than likely to happen in the library than any other

19 place outside of the cafeteria. You know, the

20 library, even before it was remodeled, there were

21 times where we were pushing 150 kids in there

22 sometimes, especially around lunchtime. So it's a

23 high-density place. So if somebody wants to cause a

24 lot of harm, that would be one place to do it. I've

25 been aware of that since Columbine.

202

1 **Q. Okay. And I take it then that your**

2 **request for security cameras in the library was not**

3 **specifically connected to the threat that Karl Pierson**

4 **had made against you?**

5 A. That's correct.

6 **Q. Okay. And during your discussion on**

7 **November 20 with Ms. Pramenko about the security**

8 **cameras in the library, was there also a discussion**

9 **about Karl Pierson and the threat that he made?**

10 A. I don't recall. You know, you can tell

11 from this, I don't recall that I said, By the way, you

12 know, don't forget about Karl Pierson. I don't recall

13 making that kind of statement. I was, again, using

14 the focus of the topic of the faculty meeting to

15 prompt the installation of security cameras in the

16 library, something that I, like I said, had been

17 having dialogue with administration for multiple

18 years.

19 **Q. Okay. And then let's talk about**

20 **December 12 where it says, "Ms. Pramenko and others**

21 **visited the library, among other things, to determine**

22 **the appropriate location for new security cameras."**

23 **Do you see that?**

24 A. Yes.

25 **Q. Who all participated in that visit to the**

203

1 **library besides you, Ms. Pramenko --**

2 A. Darrell Meredith.

3 **Q. -- and Darrell Meredith?**

4 A. And I want to say there were two members

5 of the district security team. God, I know -- you

6 know, I can't tell you who they were. Again, I don't

7 -- prior to all of this, I didn't really interact with

8 district security much. But I recall one of the

9 things -- Darrell is a tall guy, okay. I'm not. And

10 as we were trying to come up with locations, and

11 realizing that we could get maybe two or three

12 cameras, based upon funds available, where could they

13 be best placed.

14 As a matter of fact, I think -- and

15 Darrell, as a matter of fact, used his cell phone and

16 held it up in a spot and took a picture, and we were

17 like, Okay, let's take a look and see how that looks.

18 And that helped come up with -- I think we were

19 looking at the placement above the door going into the

20 office area of the library next to the circulation

21 desk, above the doors coming into the library, and

22 then along the back wall where the curve is, thinking

23 that that would get a lot and especially would get a

24 picture of people coming into the library.

25 **Q. Okay. During your discussions or your**

204

1 **visit on the 12th to the library with Darrell and**

2 **Natalie Pramenko, was there any discussion of Karl**

3 **Pierson of the threat that he had made against you a**

4 **couple of months previously?**

5 A. I don't remember bringing Karl Pierson up

6 into this conversation.

7 **Q. Do you recall if they did?**

8 A. I don't believe so, no.

9 **Q. At any time during the fall or winter of**

10 **2013, did you ever write anything, an e-mail, a**

11 **letter, a memo documenting your concerns about Karl**

12 **Pierson?**

13 A. No. No, I did not.

14 **Q. Do you recall ever sending any e-mails**

15 **about Karl Pierson, and more specifically, not he's on**

16 **the debate team, but anything about any concerns you**

17 **had about Karl?**

18 A. I don't recall if I -- whether or not I

19 said anything to -- if I did, it would have been to,

20 you know, Kevin Kolasa. I don't recall. I honestly

21 don't recall.

22 **Q. You've heard, I'm sure --**

23 A. But I haven't deleted any e-mails. So if

24 there is anything I have --

25 **Q. And I understand that, and candidly I**

205

1 haven't seen any. I'm sure you've heard in various
 2 media reports about a statement that's been attributed
 3 to administrators at Arapahoe to the effect of, We're
 4 going to read about Karl in the paper someday, it's
 5 just not going to be at Arapahoe.
 6 A. Yeah, I've heard that.
 7 Q. Did you ever hear anybody in the Arapahoe
 8 administration say anything like that prior to the
 9 shooting?
 10 A. I did not hear that personally.
 11 Q. What do you know or what have you heard
 12 about that statement?
 13 A. I've heard it was attributed to Kevin
 14 Kolasa.
 15 Q. Okay.
 16 A. That it was, I think, an exchange between
 17 Kevin and I think maybe Christina and Cameron in
 18 security.
 19 Q. Okay. Did you ever hear Kevin Kolasa say
 20 anything like that about Karl Pierson?
 21 A. Not directly to me, no.
 22 Q. When you went through the library visit
 23 on the 12th of December, was there any discussion
 24 about what kind of escape route you can take if Karl
 25 came into the library with a gun?

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1 A. On December 12?
 2 Q. I'll ask it more broadly. Did you ever
 3 have a discussion with anybody prior to the shooting
 4 about what escape route you should take if Karl showed
 5 up with a gun?
 6 A. It came up as part of my conversation
 7 with Karen Gerlich.
 8 Q. And that was on November 20?
 9 A. Yes.
 10 Q. Tell me about that conversation.
 11 A. She said something to the effect that if
 12 something were to happen, the best thing to do is try
 13 to get out of the building. She said, you know, if
 14 something went down, if she could, she probably would
 15 do the same, that years ago there had been a bomb
 16 threat against Arapahoe and that she had -- during her
 17 planning periods, had sat out at the picnic tables
 18 outside of the building, rather than staying in the
 19 building. I think James Englert in his report makes
 20 some comment of saying something to the same effect of
 21 me. I don't recall him saying that to me, but he
 22 probably did.
 23 Q. Okay. Did you ever do a dry run of how
 24 to escape the library?
 25 A. No.

207

1 Q. I'm sure subsequent to the shooting you
 2 have heard about an outburst that Karl Pierson had in
 3 Vicki Lombardi's class?
 4 A. I have.
 5 Q. Did you know about that incident prior to
 6 the shooting?
 7 A. I did not.
 8 Q. And if you had heard about that incident
 9 prior to the shooting at Arapahoe, what would you have
 10 done?
 11 A. Again, hindsight is 20/20, but I think at
 12 the very least, I would have had a conversation with
 13 Vicki to get the details, depending on what Vicki and
 14 I told each other, shared with one another, it would
 15 -- that I would have determined probably the next
 16 course of action in the sense of following up with
 17 administration. So I'm not trying to give you a
 18 lawyer answer, but it's really --
 19 Q. No, that's fine.
 20 MR. KAISER: God forbid.
 21 A. But that's probably what I would have
 22 done, is I would have gone to Vicki first and said,
 23 you know, What happened or what's going on? And
 24 probably would have been, you know, I've had some
 25 problems with Karl too. I've had some concerns, and

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1 let's go from there. And then I imagine Vicki and I
 2 would have taken it at that point. I think that would
 3 have bolstered the two of us to have confronted the
 4 administrative team more forcefully about something
 5 needing to be -- something needing to be addressed
 6 regarding Karl Pierson.
 7 Q. (BY MR. ROCHE) Okay. You had mentioned
 8 earlier today in response to a question of mine
 9 whether or not you had ever referred to Columbine in a
 10 discussion with Natalie Pramenko. Do you recall that?
 11 A. Yes.
 12 Q. And at least when I asked the question, I
 13 was asking about the wrong conversation. So I'm going
 14 to ask more broadly, tell me about the conversation
 15 you had with Natalie Pramenko where you mentioned
 16 Columbine in the context of the threat that Karl
 17 Pierson had made.
 18 A. Oh, boy. I'm not sure that I made a
 19 statement to Natalie specific to Karl Pierson at
 20 Columbine. Help me with this. It's been a long --
 21 I'm trying.
 22 Q. And I will tell you, I'm not going to
 23 make you hunt for it, there is not a specific
 24 reference in your statement --
 25 A. I don't recall that either.

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| 209 | <p>1 Q. -- to a discussion with Natalie about</p> <p>2 Columbine.</p> <p>3 A. I had had a previous conversation with</p> <p>4 her the year before about -- not Karl Pierson, but a</p> <p>5 decision to give all staff a master key, and I was</p> <p>6 opposed to it.</p> <p>7 Q. Okay.</p> <p>8 A. This is the first school where it seemed</p> <p>9 like half the staff had a master key anyway. You</p> <p>10 know, at Liberty Middle School, it was me and the</p> <p>11 administrative team and the technology person who had</p> <p>12 master keys, and everybody else had a key to their</p> <p>13 area. The idea was -- her thinking was that that</p> <p>14 would make it a safer place. My concern, I voiced to</p> <p>15 her, was that it would be the opposite, that it would</p> <p>16 make each staff member -- and I don't obsess on</p> <p>17 Columbine, believe me, but it's there. But it makes</p> <p>18 -- it could potentially make any one of us a target if</p> <p>19 students knew that every teacher had a master key.</p> <p>20 And I said whether a person coming in to do harm took</p> <p>21 a teacher out to get their keys or if it was a student</p> <p>22 -- we all know teachers who lose their keys. So all</p> <p>23 you have to do is be a kid who swipes the keys, and</p> <p>24 they think they've lost them, and now you've got a</p> <p>25 master key.</p> | 211 | <p>1 administration had any kind of a sit-down to discuss</p> <p>2 what lessons there are to be learned from this</p> <p>3 tragedy?</p> <p>4 A. Well, there has been training regarding</p> <p>5 the threat -- the current newly revamped, newly</p> <p>6 designed threat assessment process.</p> <p>7 Q. And I understand that. And you've been</p> <p>8 through that threat assessment training?</p> <p>9 A. All of the staff has.</p> <p>10 Q. Okay. And my question is a little bit</p> <p>11 more focused than that, actually, and my question is,</p> <p>12 has there, since the shooting, been an</p> <p>13 all-hands-on-deck meeting of the teachers, the staff,</p> <p>14 and the administration to say, Here is what we've</p> <p>15 learned from this awful tragedy?</p> <p>16 A. I don't know that that -- no, not really,</p> <p>17 not a specific, Let's sit down and talk about</p> <p>18 December 13 and how we can make things better. There</p> <p>19 have been times in various meetings where, you know,</p> <p>20 things have been pointed out about how to report --</p> <p>21 what is it called? The posters that are around the</p> <p>22 building and so forth.</p> <p>23 Q. Safe2Tell?</p> <p>24 A. Thank you.</p> <p>25 Q. Sure.</p> |
| 210 | <p>1 And when I said this -- and I said, you</p> <p>2 know, if somebody wanted to do something like the</p> <p>3 Columbine kind of thing, this, I think, would be a</p> <p>4 mistake to give every teacher a master key. She</p> <p>5 commented to me that our kids at Arapahoe aren't like</p> <p>6 that, that we didn't have kids like that. And I</p> <p>7 didn't know how to continue the conversation any</p> <p>8 further, so I stopped.</p> <p>9 Q. And did you infer from that that when</p> <p>10 Ms. Pramenko had the impression that --</p> <p>11 A. That we have good kids.</p> <p>12 Q. It can't happen here?</p> <p>13 A. It can't happen here, but, of course, it</p> <p>14 wasn't that I was wishing or willing for it to.</p> <p>15 Q. Of course not.</p> <p>16 A. Believe me, no. Like I said earlier,</p> <p>17 we're a large suburban high school with a large mix of</p> <p>18 kids that are dealing with a lot of different things.</p> <p>19 Q. So in your view, was she just a little</p> <p>20 naive about the threats that exist at any large high</p> <p>21 school?</p> <p>22 A. Yes.</p> <p>23 Q. Now, I think we've touched on this, but I</p> <p>24 want to explore it a little more full if we can.</p> <p>25 Since the shooting, has the Arapahoe faculty and</p> | 212 | <p>1 A. That didn't even occur to me to use that</p> <p>2 process as a faculty or staff member prior to this,</p> <p>3 and I regret that.</p> <p>4 Q. Well, let me ask this. Prior to this</p> <p>5 shooting, had you, as a faculty member, received any</p> <p>6 training at all on Safe2Tell and how to use it?</p> <p>7 A. Not that I recall.</p> <p>8 Q. Have you received any training on</p> <p>9 Safe2Tell since the shooting?</p> <p>10 A. Sure.</p> <p>11 Q. Do you know, prior to the shooting,</p> <p>12 whether the students received any training on</p> <p>13 Safe2Tell?</p> <p>14 A. I don't know.</p> <p>15 Q. Do you know whether or not the students</p> <p>16 receive any training on Safe2Tell now?</p> <p>17 A. Not being a classroom teacher, it's hard</p> <p>18 for me to respond to that. That may happen through</p> <p>19 say social studies classes or -- be disseminated that</p> <p>20 way or -- and that would probably be one of the best</p> <p>21 places since kids typically have social studies all</p> <p>22 four years.</p> <p>23 Q. Have you had any one-on-one discussions</p> <p>24 with any of the administrators about what lessons</p> <p>25 there are that can be learned from what happened on</p> |

| | | | |
|-----|--|-----|---|
| 213 | <p>1 December 13?</p> <p>2 A. Yes, at various times.</p> <p>3 Q. Tell me about those.</p> <p>4 A. You know, these aren't anything that I've</p> <p>5 sat down and documented or thought through.</p> <p>6 Q. I understand.</p> <p>7 A. You know, I've had some various</p> <p>8 one-on-one conversations with Natalie and Darrell. I</p> <p>9 had conversations with Angela Boatright in the spring</p> <p>10 of this year, in particular, to another incident that</p> <p>11 came up that involved a threat assessment meeting that</p> <p>12 I was part of.</p> <p>13 Q. Anyone else?</p> <p>14 A. I know I've had -- I'm sure I've had</p> <p>15 conversations with Steve Sisler.</p> <p>16 Q. What about Kevin Kolasa?</p> <p>17 A. No, because, like I said, he left the</p> <p>18 building, went to another building last year.</p> <p>19 Q. Right. Did you have any discussions with</p> <p>20 him the second semester, the '13-'14 year about this</p> <p>21 incident?</p> <p>22 A. Guarded conversations.</p> <p>23 Q. Tell me about those.</p> <p>24 A. They tended to focus around the concept</p> <p>25 that nobody could see this coming.</p> | 215 | <p>1 A. The idea of, again, being and trying to</p> <p>2 share student information more readily, I guess.</p> <p>3 Q. What else?</p> <p>4 A. Because I think she initially wanted to,</p> <p>5 like I said, try to make things much more open right</p> <p>6 away, and that was curtailed relatively quickly by, I</p> <p>7 think, the administration.</p> <p>8 Q. Okay.</p> <p>9 A. And of course the threat assessment</p> <p>10 process.</p> <p>11 Q. In your discussions with Natalie about</p> <p>12 improving the threat assessment process, what</p> <p>13 improvements did you talk about? Was it more people</p> <p>14 involved, more thorough investigation, longer</p> <p>15 follow-up periods? I'm just trying to get at what the</p> <p>16 two of you discussed.</p> <p>17 A. You know, I think the fact that -- again,</p> <p>18 making sure that everybody knows that everybody knows</p> <p>19 the process of procedure. This is speculation on my</p> <p>20 part, but I would bet in the fall of 2013, there</p> <p>21 wasn't 10 or 15 faculty members who, out of a hundred</p> <p>22 in that building, knew or were aware of or probably</p> <p>23 understood the threat assessment process. I could be</p> <p>24 wrong, but I would say very few teachers were aware of</p> <p>25 policies, procedures, forms, for that matter.</p> |
| 214 | <p>1 Q. I take it you disagree with that because</p> <p>2 you did see it coming?</p> <p>3 A. Yeah.</p> <p>4 Q. And --</p> <p>5 A. And that I -- you know, I couldn't blame</p> <p>6 myself.</p> <p>7 Q. Okay. Did Mr. Kolasa ever apologize to</p> <p>8 you for not taking your concerns more seriously?</p> <p>9 A. No.</p> <p>10 Q. No?</p> <p>11 A. (Deponent shook head side to side.)</p> <p>12 Q. What, if anything, did he say besides,</p> <p>13 Well, nobody could have seen this coming, in that</p> <p>14 period of the spring semester of 2014?</p> <p>15 A. It was, again, you know, the idea that I</p> <p>16 can't blame myself, you know, none of us could have</p> <p>17 seen this coming, it was always along those lines.</p> <p>18 Q. Okay. What about your discussions with</p> <p>19 Natalie Pramenko in the -- about this incident after</p> <p>20 it happened?</p> <p>21 A. There were a lot of times where we talked</p> <p>22 about how we needed to learn from it.</p> <p>23 Q. Okay. And did Natalie ever express to</p> <p>24 you what lessons she thought could be learned from</p> <p>25 this tragedy?</p> | 216 | <p>1 Mentally, I wasn't a classroom teacher, but I didn't</p> <p>2 even know there was a form.</p> <p>3 Q. Okay.</p> <p>4 A. So making sure everybody is educated,</p> <p>5 informed.</p> <p>6 Q. Okay. What about your discussions with</p> <p>7 Darrell Meredith about what lessons need to be learned</p> <p>8 as a result of this tragedy?</p> <p>9 A. I think the idea -- you know, again</p> <p>10 taking threats against staff seriously.</p> <p>11 Q. You mentioned that you went through</p> <p>12 training on the threat assessment process this past</p> <p>13 school year, right?</p> <p>14 A. Yes.</p> <p>15 Q. Did you actually go through any sort of</p> <p>16 practice exercises about how to fill the form out and</p> <p>17 what factors to look for and how to conduct an</p> <p>18 investigation?</p> <p>19 A. Not like role playing type of scenarios,</p> <p>20 no. It was more of everyone received, I think, a copy</p> <p>21 of the forms and procedures that are on our intranet</p> <p>22 Web site. Also, we were directed as to where we could</p> <p>23 find these documents now, and then we were walked</p> <p>24 through the different forms and became probably more</p> <p>25 of an information than a question-and-answer kind of</p> |

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1 scenario or a format.

2 **Q. Okay. Has anyone from Arapahoe or LPS**

3 **ever acknowledged to you any mistakes that were made**

4 **in dealing with Karl Pierson in the fall of 2013?**

5 A. Not explicitly, no.

6 **Q. What about implicitly?**

7 A. No.

8 **Q. Okay.**

9 A. I mean, nobody directly involved, no.

10 **Q. Okay. As I mentioned at the beginning of**

11 **the deposition, a key purpose of what we're doing is**

12 **to find out what lessons can be learned from this**

13 **tragedy to help hopefully prevent future tragedies.**

14 **So I'm obviously very sorry for the trauma that you've**

15 **endured as part of this, but I am certainly interested**

16 **in finding out from you what lessons you think there**

17 **are to be learned from the awful events of**

18 **December 13.**

19 A. Well, one is already in process, and that

20 is, of course, the revamping of the threat assessment

21 process. I think it's still a bit of a work in

22 progress. I think that -- I think every staff member

23 needs to be made aware of forms, policies, procedures,

24 expectations, and that would include, you know,

25 clerical staff, paraprofessionals too.

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1 And then I think there needs to be

2 consistency, as much as possible, in how the threat

3 assessment process is followed and wherever possible,

4 all players are included. You know, I was working in

5 isolation in the fall of 2013 when all of this was

6 happening. And it appears that Vicki Lombardi was

7 having problems with Karl Pierson and that Dan Swomley

8 had had some previous problems and Michelle Crookham

9 had some issues. None of us knew this, none of the

10 faculty that had direct interaction with the student

11 was aware of -- I wasn't aware of problems that Dan

12 had had, that Michelle had had, that Vicki had had.

13 So in conjunction with working with the threat

14 assessment, I guess, and making it more consistent and

15 more thorough, and how it's implemented. It seems to

16 me I value student privacy, but I also value student

17 safety. So -- I'm no lawyer.

18 THE DEPONENT: Sorry.

19 A. But it seems to me that this

20 interpretation of FERPA and student privacy rights may

21 be -- has been overly conservatively interpreted and

22 implemented. You know, you talk about that I was

23 probably an adult in the building that had as much or

24 more interaction with Karl Pierson as anybody. So

25 that seems to say that if there were problems with him

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1 or with any student, teachers need to be informed of

2 that. But so should coaches and sponsors and clubs

3 that the student is an active member of.

4 Arapahoe High School is open probably as

5 many or more hours after 2:16, seems like it is during

6 the day, because of things going on. So we can't

7 exclude those individuals either. They need to be

8 made aware. You know, the threat assessment document

9 I talked to you about a few minutes -- we talked

10 earlier about, it needs to be seen as not a snapshot,

11 but as an ongoing document that needs to be referred

12 back to and that each person involved in the threat

13 assessment should be given a copy of the final threat

14 assessment, how it's filled out so that they can see

15 how change had taken place. And I'm probably saying

16 things that are a pie in the sky because they probably

17 can't happen because of legal issues, but I'm going to

18 tell you what I think is best.

19 **Q. (BY MR. ROCHE) And that's exactly what**

20 **I'm asking is what would you like to see to make not**

21 **just Arapahoe but all schools safer --**

22 A. Sure.

23 **Q. -- from these kind of catastrophic**

24 **tragedies.**

25 A. We need to have open discussions, and I

220

1 don't think we -- I don't think we've had open

2 discussions much since this has happened, and I think

3 that would be healthy.

4 **Q. And, again, your understanding as to why**

5 **there haven't been those open discussions --**

6 A. Legal concerns.

7 **Q. -- since the shooting --**

8 A. Liability, litigation, finger pointing,

9 responsibility.

10 **Q. Well, that actually raises a subpart of**

11 **the question that we've been talking about. As you**

12 **know, as part of this arbitration process, the Davises**

13 **have agreed to waive any liability claims they might**

14 **otherwise have been able to assert against Arapahoe**

15 **High School, Littleton Public Schools, or any of the**

16 **staff, faculty, or administrators as a result of**

17 **Claire's murder. Have there been any of those open**

18 **discussions since that threat of liability has been**

19 **lifted?**

20 A. No.

21 **Q. Would you like to see that done?**

22 A. Yes. And please understand, I think our

23 staff are in different places.

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

25 A. I'm trying to compose myself here.

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1 **Q. Sure. Take your time.**
 2 A. There are those of us who live it every
 3 day, and there is not a day that goes by that I don't
 4 think about it. But I also know there are teachers
 5 and staff members, and I get that, and I don't blame
 6 them, that need to move on, whatever that means. And
 7 there are probably those of us who probably would
 8 benefit from having conversations with each other,
 9 even to talk about what we experienced that day, but
 10 also maybe what led up to it.
 11 Not every student that screams and yells
 12 is going to turn violent, so we can't, I hate to use
 13 this word, target every kid that raises their voice.
 14 But we've got to be able to talk among ourselves and
 15 figure out when is this a concern, when is this
 16 justified to follow up about students and concerns. I
 17 was fumbling in the dark. I didn't know what to do,
 18 and I tried my best. I don't think anybody did
 19 anything illegal. I think maybe some bad decisions
 20 were made, bad judgment calls, and I'm sorry. Would
 21 it have stopped somebody like Karl Pierson?
 22 Hindsight -- you read the excerpts of his diary, on
 23 October 10, when I read that, it took my breath away.
 24 I don't know that we could have done anything to have
 25 stopped Karl Pierson, but we could have maybe tried

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1 harder.
 2 **Q. Okay. Why don't we take five minutes.**
 3 **(Recess taken, 5:00 p.m. to 5:13 p.m.)**
 4 MR. ROCHE: Mr. Murphy, I don't have any
 5 other questions for you today. I do want to sincerely
 6 thank you for coming in and answering my questions. I
 7 know that this is undoubtedly the most difficult thing
 8 you can go through given what you've already gone
 9 through. I know it was traumatic for you, just as it
 10 was for the Davises, and it really is -- what we're
 11 doing is important, and I appreciate your
 12 participating in it. So thank you.
 13 THE DEPONENT: I hope I'm helping.
 14 MR. ROCHE: You are.
 15 MR. EVERALL: I don't have any questions.
 16 (Discussion off the record.)
 17 MR. ROCHE: There's a couple of things I
 18 just want to put on the record. First, it's totally
 19 okay that you mentioned some student names. I will
 20 tell you in the interest of student privacy, which we
 21 talked about a lot today, those names are going to be
 22 redacted from the transcript. You'll have the chance
 23 to review the transcript, correct anything that you
 24 think needs correcting in the transcript.
 25 The other thing that I should have put on

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1 the record, and I guess I will now is, as you probably
 2 have heard, there is what is called a sequestration
 3 order in effect in this arbitration, which is
 4 essentially the judge who is overseeing the
 5 arbitration has entered an order telling all the
 6 witnesses, Don't talk about your testimony with
 7 anybody.
 8 THE DEPONENT: Okay.
 9 MR. ROCHE: So I just wanted to let you
 10 know about that.
 11 WHEREUPON, the within proceedings were
 12 concluded at the approximate hour of 5:14 p.m. on the
 13 15th day of July, 2015.
 14 * * * * *
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I, TRACY MURPHY, 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

 TRACY MURPHY

The signature above of TRACY MURPHY was
 subscribed and sworn to before me in the county of _____,
 state of _____,
 this _____ day of _____, 2015.

 Notary public
 My Commission expires:

Michael Davis, et al. 7/20/15 (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 TRACY MURPHY 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 3rd day of August, 2015.

My commission expires September 24, 2016.

Reading and signing was requested.

Reading and signing was waived.

Reading and signing was not required.

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Ashley D. Mahe
Registered Professional Reporter

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| <p style="text-align: center;">A</p> <p>a.m 1:13 59:5,5 aback 73:10 108:5 ability 61:23 144:6 144:16,17 able 6:21 24:5 32:22 45:25 53:6 103:19 118:21 189:25 220:14 221:14 absolutely 7:12 25:21 35:12 48:16 53:3 54:5 71:14 79:9 84:16 88:12 94:21 96:15 98:15 138:24 139:16 140:20 141:17,21 143:24 151:25 157:20 169:6 192:17 abusive 61:19 academic 149:24 150:24 academically 152:5 academics 125:24 accept 28:21,21 134:10 acceptable 35:13 access 18:4 45:12 114:15 143:6,14 143:19 176:21 accomplishment 56:7 account 75:3 accurate 139:23 224:3 achieve 20:10 achievement 149:23 acknowledge 173:5 acknowledged 217:3 ACSO 48:19 act 81:10 92:10 128:8,21 176:13 178:11,16 action 3:10 65:22</p> | <p>106:18 122:7 130:7 135:2 139:13 164:22 175:4 178:18 184:3 188:17,20 207:16 actions 139:25 active 219:3 activities 31:2 66:1 125:25 activity 63:20 89:16,23 90:3 addition 8:11 10:25 118:22 174:8 additional 70:15 139:13 181:12 191:4 199:13 address 76:7 107:12 125:12 addressed 33:12 60:7 110:16 111:19 208:5 addressing 150:25 151:1 administration 30:22 35:22 42:12 42:18,24 43:12,24 46:10 50:1,6 55:16 63:11,15,24 64:11,17 65:3 89:22 95:11 99:23 100:10 108:12 110:10,12 113:5 121:24 123:10,24 124:5,15 165:2 173:18 178:2 187:5,10,15,21,25 188:19,23 190:18 192:19 197:21 198:3 202:17 205:8 207:17 211:1,14 215:7 administration's 123:19 177:1,14 177:16 administrative 45:22 151:9 176:9 180:4 208:4</p> | <p>209:11 administrator 8:24 9:11,14,15 10:5 31:4 89:22 90:13 90:22 95:25 136:4 136:17,21 146:10 188:15 administrators 30:25 38:22 88:4 92:2,19 122:24 151:11 186:1 189:14 205:3 212:24 220:16 admired 173:7 admit 126:7 adult 155:1 159:8 173:4 188:7 218:23 adults 150:23 advance 16:1 38:16 176:1,24 advice 63:1 64:9 advised 59:19 advocate 156:7 affixed 225:15 aforsaid 225:8 afraid 87:15 94:5 153:12,19 184:23 afternoon 69:22 86:23 87:10,14 91:1 99:8 112:24 122:19 199:2 afternoon/evening 99:6 afterward 183:1 agitated 77:20 ago 4:12 5:12 48:11 163:13,21 188:8 206:15 agree 25:25 134:5,9 138:20,25 159:18 agreed 4:14 26:24 112:9,14 152:9 158:9 182:22 220:13 agreement 25:1 agrees 147:8 ahead 24:10 29:20</p> | <p>67:9 98:8 100:4 142:12 173:11 180:5 183:2 ahold 76:8 air 118:25 al 224:25 alive 192:11 all-hands-on-deck 211:13 alleviate 182:1 allow 176:20,20 allowed 137:5 177:15 aloud 55:17 alternate 52:11 amazed 173:7 amendments 224:4 224:5 amends 173:22 American 38:17 amount 30:3 and/or 52:17 Angela 213:9 anger 17:14,16 19:25 47:15,19 58:2 101:3 147:7 147:8,12,13 148:3 170:5 175:9 177:22 183:20,25 184:4 angry 19:11,18 57:19 79:2 81:7 127:15 147:23 149:13 175:8 animal 103:20,24 104:11 animated 119:24 announced 32:10 announcement 189:20 announcements 55:11,13,14 answer 9:1 52:2 58:25 62:21 67:16 118:13 124:12 126:15 131:10 137:9,17 142:16 143:3 154:9</p> | <p>207:18 answered 159:13 answering 109:8 222:6 answers 3:13 7:6 46:6 140:22 142:18 143:11 149:1 157:13 159:2 199:18 antagonistic 38:3 anticipated 134:23 201:10 antisocial/violent 156:13 antitheses 156:6 anybody 21:8 35:21 50:6,16,23 61:15 79:1 99:7 99:13 100:8 101:8 114:1 141:10,22 166:13,22 167:4 167:17 185:20 186:17 187:15 193:3,8 205:7 206:3 218:24 221:18 223:7 anyway 6:23 74:13 188:11 198:11 209:9 AP 38:17,17 39:3,5 apologize 9:16 17:1 17:7 72:11 76:22 76:25 102:10 108:22 109:13 179:22 214:7 apparent 160:4 apparently 32:10 57:19 168:11 appeared 103:9 appears 149:13 218:6 appease 75:20 appreciate 6:4 38:7 84:5 96:6 109:8 222:11 appreciated 191:12 apprised 88:5 approach 43:25</p> |
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