

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF OREGON
3 EUGENE DIVISION
4 JAMES M. CLEAVENGER,)
5 Plaintiff,) Case No. 6:13-cv-01908-DOC
6 v.)
7 CAROLYN McDERMED, BRANDON) September 16, 2015
8 LEBRECHT, and SCOTT CAMERON,)
9 Defendants.) Portland, Oregon
10 _____)
11
12 TRIAL DAY 7
13 TRANSCRIPT OF PROCEEDINGS
14 BEFORE THE HONORABLE DAVID O. CARTER
15 UNITED STATES DISTRICT COURT JUDGE
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1 TRANSCRIPT OF PROCEEDINGS
2 THE COURT: Good morning. The jury is present. All
3 counsel are present. The parties are present. Be seated.
4 Counsel, would you like to call your next witness on behalf of
5 the defense?
6 MS. COIT: Defense calls Andrew Bechdolt.
7 THE COURT: Step forward and be sworn.
8
9 ANDREW BECHDOLT,
10 called as a witness in behalf of the Defendants, being first
11 duly sworn, is examined and testified as follows:
12 THE WITNESS: Yes.
13 THE COURT: Thank you, sir. Please be seated, once
14 again, in the witness box. I'll have you reintroduce yourself
15 to the jury. Sir, state your full name and spell your last
16 name.
17 THE WITNESS: Andrew Bechdolt, B-E-C-H-D-O-L-T.
18 THE COURT: Direct examination, please.
19
20 DIRECT EXAMINATION
21 BY MS. COIT:
22 Q. Good morning, Lieutenant Bechdolt. Can you please remind
23 us of your current position at UOPD?
24 A. I'm a lieutenant.
25 Q. How long have you been a lieutenant?

1 A. About four years.
2 Q. Can you give us -- just briefly tell us what other
3 positions you've held at the University of Oregon.
4 A. I was a sergeant when I first got hired.
5 Q. Was your experience in policing before the University of
6 Oregon?
7 A. Well, it started in 1990 with the Coast Guard, doing
8 maritime law enforcement, narcotics interdiction. I worked for
9 three sheriff's offices. I worked at the Department of Public
10 Safety Standards and Training, the police academy in Oregon,
11 and I work for the Coburg Police Department.
12 Q. Can you tell us what you did at the Department of Public
13 Standards and Training?
14 A. I was lieutenant. I was in charge of -- I was one of the
15 few in charge of basic recruit training for police,
16 corrections. Mostly police and corrections.
17 Q. Explain for the jury what DPSST is.
18 A. DPSST is Department of Public Safety Standards & Training.
19 It's the police academy that -- for the state of Oregon. Every
20 police officer in the state goes to the academy there. Police
21 corrections, parole and probation, dispatchers. I think that's
22 about it.
23 Q. Did you teach at DPSST?
24 A. Yes, I did.
25 Q. What did you teach?

1 A. I taught use of force. I taught narcotics investigations.
2 I taught some forensics. I taught essentially anything that
3 was needed to teach. Primarily, I was a use-of-force
4 instructor, though. Essentially, any time one of my
5 instructors couldn't make it or didn't show, I would fill in
6 and teach whatever the curriculum was.
7 Q. And every police officer in the state of Oregon has to go
8 through the DPSST training program; correct?
9 A. Yes.
10 Q. Can you describe that training for us, the length of time?
11 A. The basic police academy is 16 weeks, which is four
12 months. Yeah.
13 Q. Is that full time?
14 A. Yes, it is.
15 Q. They actually live on campus; right?
16 A. They do.
17 Q. Now, do public safety officer s at the University of Oregon
18 go to any sort of police academy like that?
19 A. Not like that, no.
20 Q. How about reserve police officers?
21 A. Reserve police officers go to reserve academies.
22 Q. Generally, tell us, what does a reserve academy entail?
23 A. Well, a reserve academy is run essentially off of the same
24 curriculum as the basic police force, the police academy for
25 full-time officers. It varies by region, however. There's not

1 any set standard state-wide for what reserve academies are or
2 what the curriculum has to be.
3 Q. Is there any standard for the length of program or how
4 many days a week to go?
5 A. No.
6 Q. Is that up to a particular jurisdiction?
7 A. Typically, yes. It's up to the jurisdiction as to --
8 well, yeah, the reserve academies are run regionally. Some
9 regions don't have any reserve academies, but essentially it's
10 up to the particular agency that employs the reserve officer
11 what the length and type of training is that they have.
12 Q. Does DPSST require continued certifications for police
13 officers?
14 A. Yes.
15 Q. Do they have that same requirement and oversight of
16 reserve officers?
17 A. No.
18 Q. How about public safety officers?
19 A. No.
20 Q. So can you just explain for us what the job of a public
21 safety officer at the University of Oregon entails?
22 A. Public safety officers at the University of Oregon, by
23 statute, have probable cause arrest authority and stop and
24 frisk authority. It's very similar to a police officer;
25 however, it's not the same as a police officer. They can,

1 excuse me, make arrests based on probable cause. They can
 2 cite -- issue citations for violations and for crimes into the
 3 Eugene Municipal Court.
 4 Q. Is there a limitation on the area in which they can
 5 operate?
 6 A. Yes. It's restricted strictly to the University of Oregon
 7 owned or controlled property.
 8 Q. And you -- the University of Oregon is an open campus;
 9 correct?
 10 A. Yes, it is.
 11 Q. So there's public streets running through campus?
 12 A. Yes.
 13 Q. Does a public safety officer at the University of Oregon
 14 have authority on those public streets?
 15 A. No.
 16 MS. COIT: Your Honor, permission to approach?
 17 THE COURT: You may.
 18 BY MS. COIT: (Continuing)
 19 Q. Exhibit 406, Your Honor. Lieutenant Bechdolt, do you
 20 recognize Exhibit 406?
 21 A. Yes, I do.
 22 Q. Can you us what that is?
 23 A. It's an amendment to the memorandum of understanding or
 24 IGA, the intergovernmental agreements, between the university
 25 and the City of Eugene; and it outlines the sections of the

1 Eugene Municipal Codes that the university of public safety
 2 officers can enforce.
 3 MS. COIT: Defendants offer 406.
 4 THE COURT: Received.
 5 MS. COIT: Permission to publish?
 6 THE COURT: You may.
 7 BY MS. COIT: (Continuing)
 8 Q. All right. So this document we're looking at, does this
 9 describe the portions of the Eugene city code that the public
 10 safety officers have authority to cite for? Is that correct?
 11 A. Yes, that's correct.
 12 Q. And the agreement is with the Eugene Police Department.
 13 Why did you need an agreement with the Eugene Police
 14 Department?
 15 A. Well, because it's the city code and -- well, the -- the
 16 University of Oregon is within the city of Eugene. Public
 17 safety officers don't have that authority directly to use the
 18 Eugene municipal code without this type of agreement.
 19 Q. Okay. And so the citations that public safety officers --
 20 and this was the same in 2011 and '12; correct?
 21 A. Correct.
 22 Q. So public safety officers only have authority to issue
 23 citations that go directly to municipal court; is that correct?
 24 A. That's correct. They can enforce Oregon Revised Statute
 25 or state law. However, there's no court in the Lane County

1 area that will hear it or recognize it.
 2 Q. Okay. And are public safety officers -- well, are you
 3 familiar with the field training program at the University of
 4 Oregon?
 5 A. Yes, I am.
 6 Q. Were you involved in that program in 2011?
 7 A. Yes, I was.
 8 Q. As part of that program, were the reserves taught what
 9 their authority was for issuing citations?
 10 A. Yes.
 11 Q. Is there a difference in the background investigation
 12 that's conducted for a University of Oregon public safety
 13 officer as opposed to a University of Oregon police officer?
 14 A. No.
 15 Q. Was that the same in 2011?
 16 A. Yes.
 17 Q. All right. So we talked about the campus a little bit at
 18 the University of Oregon. Can you just kind of describe for us
 19 the people that would be encountered, the demographic on
 20 campus, working a graveyard shift at the University of Oregon ?
 21 A. Well, the graveyard shift typically consists of the
 22 contacts that the officers are making. You know, typically,
 23 it's -- a percentage of them are students; however, it's
 24 normally nonstudent -- I'd say not normally, but typically
 25 nonstudent encounters that they're having. Primarily,

1 transient population and some folks that are looking to, well,
 2 commit crimes, to steal things, bicycles, and vandalize the
 3 property.
 4 Q. So at any point in your career at the university, did you
 5 supervise Mr. Cleavenger?
 6 A. Yes, I did.
 7 Q. When was that?
 8 A. It must have been 2011 for a period of time.
 9 Q. Would you have supervised him while he was still in field
 10 training, or would that have been after field training was
 11 over?
 12 A. It was while he was in. And there was a portion while it
 13 was -- after it was over that I did. A very small time.
 14 Q. Now, when he's in field training, he also has a field
 15 training officer; correct?
 16 A. Yes, he does.
 17 Q. And do you recall who that was?
 18 A. I believe it was Michael Drake.
 19 Q. So would Michael Drake, during that period of time, be his
 20 direct supervisor, have more day-to-day contact with him?
 21 A. He would have more day-to-day contact with him. Not
 22 necessarily a supervisor, in that he wouldn't impose any sort
 23 of discipline, or anything like that, but they were together
 24 the whole time that he was in field training.
 25 Q. While you supervised Mr. Cleavenger, did you notice

1 anything of concern about his performance as a public safety
 2 officer?
 3 A. There was some concern, yes.
 4 Q. Can you describe that for me?
 5 A. I can't remember specifically, exactly, without referring
 6 to the daily observation reports, but there was some officer
 7 safety concerns and there was some -- well, I don't remember if
 8 it was during field training or not. There was some judgment
 9 issues that came up.
 10 Q. All right. Do you recall anything that gave you the
 11 impression Mr. Cleavenger wasn't taking this job seriously?
 12 A. Yes.
 13 Q. Can you tell us about that?
 14 A. There was an incident that we had the -- it's called the
 15 OR-PAT. It's the Oregon Physical Abilities Testing. It's the
 16 test that we use for police officers. It's also used at the
 17 police academy to test their physical agility. It's a
 18 standardized, mandated course by the state. We had it for --
 19 we had -- we actually had it open for any of our officers that
 20 wanted to show up and run through it.
 21 While we were doing testing, in this particular instance,
 22 he showed up in kind of a leisure suit, which isn't -- I
 23 wouldn't consider that appropriate attire to run a physical
 24 agility course. Typically, you're wearing shorts, a T-shirt,
 25 and some sort of gym-type shoes, running shoes.

1 Q. Prior to that test being run, Lieutenant Morrow had
 2 actually sent out directions on what to wear; correct?
 3 A. Yes. I believe he did.
 4 Q. All right. At some point did you have to counsel
 5 Mr. Cleavenger about not taking sufficient enforcement
 6 activity?
 7 A. Yes, I did.
 8 Q. Tell us about that.
 9 A. It seemed to me that at the time there wasn't --
 10 Mr. Cleavenger wasn't taking what I would consider the
 11 appropriate amount of enforcement activity. It would seem that
 12 there were a lot of warnings and instances where he would
 13 contact people that maybe should have received a citation or
 14 maybe even an arrest, or, at a minimum, a field identification
 15 card. That didn't happen.
 16 Q. Okay. Now, you personally, did you believe Mr. Cleavenger
 17 respected you as a supervisor?
 18 A. Yes, I did.
 19 Q. From your observations of his interactions with
 20 Sergeant Cameron and Lieutenant Lebrecht, did you feel he
 21 respected them as supervisors?
 22 A. Probably not as much. I'd say no. Not as much as he did
 23 me.
 24 Q. What do you base that belief on?
 25 A. Just the interactions that we had. It seemed to me that

1 he would take anything that I told him probably more serious or
 2 maybe take it more to heart.
 3 Q. And during what period of time did you make these
 4 observations?
 5 A. It was during FTEP and probably post-FTEP.
 6 Q. So right after he started working there?
 7 A. Yes. Yeah.
 8 Q. At any point during Mr. Cleavenger's career, did you come
 9 to the opinion that he needed additional training?
 10 A. Yes.
 11 Q. Describe for me what -- why you came to that belief.
 12 A. Well, there was a point after he was finished with field
 13 training and he was functioning as a solo officer that I
 14 noticed some things that needed some correction and probably
 15 some remedial training.
 16 Q. When you say "remedial training," tell us what that means.
 17 A. Well, essentially remedial training, meaning we've already
 18 finished the established training period, and it wasn't --
 19 either wasn't effective or the trainee, in this case
 20 Mr. Cleavenger, didn't -- it didn't take, so we needed to
 21 repeat some of that.
 22 Q. So when you describe that, are you envisioning something
 23 more of an extended field training program?
 24 A. Yes.
 25 Q. In your opinion, would him going off campus to, you know,

1 a half-day specialized seminar on FBI training, would that
 2 achieve the goals that you thought he needed for training?
 3 A. No.
 4 Q. Did you personally ever witness Sergeant Cameron singling
 5 out Mr. Cleavenger, treating him unfairly?
 6 A. No, I never did.
 7 Q. How about Lieutenant Lebrecht?
 8 A. No.
 9 Q. Chief McDermid?
 10 A. No.
 11 Q. All right. So we've heard testimony in this case about a
 12 submission made to the district attorney.
 13 A. Yes.
 14 Q. Were you around during that time period?
 15 A. I was. I was employed with the university, yes.
 16 Q. And can you recall when -- what year that was?
 17 A. I want to say maybe it was 2012, but I don't remember the
 18 exact year, no.
 19 Q. Okay. Well, I'll just --
 20 A. I don't remember the exact year. I'm sorry.
 21 Q. No problem. It was 2014.
 22 A. Oh, was it '14? Okay.
 23 Q. So you were still at the university at that time?
 24 A. Yes, I was.
 25 Q. Do you recall being involved in some way in those

1 discussions about whether or not information needed to be
 2 submitted to the district attorney?
 3 A. Yes.
 4 Q. And what was your opinion on that?
 5 A. Well, my opinion was that if we, as a department,
 6 possessed information, we had an obligation to provide that to
 7 the district attorney.
 8 Q. Did you at that time believe the U of O possessed
 9 information that needed to be turned over to the district
 10 attorney?
 11 A. Yes.
 12 Q. Did it matter -- in your opinion, did it relieve the
 13 university of its obligation to submit this information, the
 14 fact that the chief was named in a federal lawsuit?
 15 A. No.
 16 Q. In your opinion -- and this is the *Brady* obligation we're
 17 talking about; correct?
 18 A. Correct.
 19 Q. In your opinion, is the *Brady* obligation for a law
 20 enforcement agency discretionary?
 21 A. No. No, it's not. My understanding of the law is it's
 22 not at all.
 23 Q. So did you actually have interactions with Chief McDermid
 24 prior to her submitting the information to the district
 25 attorney?

1 A. I probably was in a meeting about it, but I don't remember
 2 specifically, no.
 3 Q. Okay. Well, from what you do remember, do you recall ever
 4 forming the belief or a suspicion that Chief McDermid was
 5 making this *Brady* submission to get back at Mr. Cleavenger for
 6 something?
 7 A. No.
 8 Q. Did you form an opinion on why she was making this
 9 submission?
 10 A. My opinion was that we had the obligation. The same
 11 reason I think we should have -- that the University of Oregon
 12 police had information, and we have an obligation to submit
 13 that to the district attorney regardless of what other
 14 circumstances might be involved.
 15 MS. COIT: All right. Thank you, sir.
 16 THE COURT: Cross-examination?
 17 MR. MCDUGAL: Can I have one minute with my client?
 18 THE COURT: Certainly.
 19
 20 CROSS-EXAMINATION
 21 BY MR. MCDUGAL:
 22 Q. Just some minor things before I get started.
 23 How did Mr. Cleavenger do? Did he come in first in his
 24 leisure suit?
 25 A. I'm sorry. Can you repeat the question?

1 Q. How did he do in his leisure suit?
 2 A. I believe he completed the test in the required time. I
 3 don't remember what his time was.
 4 Q. You don't know if he came in first?
 5 THE COURT: Counsel, hold on. Let's get this set up
 6 so we can hear. Let's get the microphone over.
 7 And make sure, Christy, it's turned on. And I'll have him
 8 reask that question.
 9 Reask the question just so we can test that.
 10 BY MR. MCDUGAL: (Continuing)
 11 Q. Do you know what his score was in the leisure suit in this
 12 athletic event?
 13 A. No.
 14 Q. And this event took place inside a locked building?
 15 A. I don't think it was locked, no. I think we had it open
 16 because we were expecting other applicants to show up.
 17 Q. It was inside, though?
 18 A. Yes.
 19 Q. How long did you work at DPSST?
 20 A. About six months.
 21 Q. Okay. Public safety officers have the authority at times
 22 to do a probable cause arrest?
 23 A. Yes.
 24 Q. And stop-and-frisk authority; right?
 25 A. Yes.

1 Q. Can they arrest for any crime?
 2 A. Statutorily, yes.
 3 Q. So it's in the Oregon Revised Statutes?
 4 A. If my recollection of the statute is correct, yes.
 5 Q. Can they arrest for DUI?
 6 A. Yeah, I suppose they could.
 7 Q. Theft?
 8 A. Yes.
 9 Q. Stalking?
 10 A. Yes.
 11 Q. Burglary?
 12 A. Yes.
 13 Q. And can they write parking tickets?
 14 A. Yes.
 15 Q. Careless driving?
 16 A. I suppose, statutorily, yes, they could.
 17 Q. They can run tags?
 18 A. Yes.
 19 Q. You signed off on Mr. Cleavenger's FTEP training?
 20 A. Yes, I did.
 21 Q. You could have extended it then, right, if you thought he
 22 was doing poorly?
 23 A. I could have, yes.
 24 Q. You didn't?
 25 A. No, I didn't.

1 Q. But you're here to testify that he needed more training?
 2 A. Yes.
 3 Q. Okay. You said he had judgment issues. Can you give me
 4 some examples?
 5 A. The one issue I can think of right now is we were at an
 6 event -- outdoor event, ESPN College GameDay, on campus, and
 7 there was an instance when I saw Mr. Cleavenger come out
 8 from -- I don't remember if it was behind a building or some
 9 brush, but he had -- he was in uniform and he had angel wings
 10 on his back and a beer in each hand.
 11 Q. Did you write him up?
 12 A. No, I did not.
 13 Q. Did anybody?
 14 A. I don't know. I didn't, though.
 15 Q. If somebody did, the office -- the -- you guys would have
 16 a piece of paper. You could bring it and present it to the
 17 jury; right?
 18 A. Yeah. I suppose we would, yeah.
 19 Q. Officer safety concerns, what were those?
 20 A. There was an instance when he had contacted drivers of
 21 vehicles while they were still seated in the vehicle.
 22 Q. Do you have specifics?
 23 A. There's one that I can think of. I don't remember names
 24 involved, but there was an instance where there was a vehicle,
 25 and I don't remember the reason for the contact, but there was

1 an instance where he contacted somebody that was still seated
 2 in their vehicle.
 3 Q. Okay. You knew you were going to testify today; right?
 4 A. Yes.
 5 Q. You had a chance to talk to your counsel before testifying
 6 today; right?
 7 A. Yes.
 8 Q. This is a serious matter; correct? This is your second
 9 time testifying; right?
 10 A. Yes.
 11 Q. Before you came to testify that there were officer safety
 12 concerns about Mr. Cleavenger, did it cross your mind that you
 13 might have specifics if you're going to make that conclusion in
 14 a court of law?
 15 A. Yes.
 16 Q. And did you get the specifics?
 17 A. I didn't get specifics, no.
 18 Q. Why not?
 19 A. I didn't know I was going to be asked specifics.
 20 Q. You didn't know your counsel was going to ask you about
 21 officer safety concerns?
 22 MS. COIT: Object. Beyond the scope of direct. I
 23 didn't ask about specific concerns.
 24 THE COURT: Overruled.
 25 You can answer the question.

1 THE WITNESS: Could you repeat the question?
 2 BY MR. MCDUGAL: (Continuing)
 3 Q. You did not know -- let me not do a double negative.
 4 Did you know that you were going to be asked about officer
 5 safety concerns?
 6 A. I suspected I might be, yes.
 7 Q. You came to give a conclusion, but no examples?
 8 A. I believe I just gave one, but --
 9 Q. No specifics?
 10 A. No.
 11 Q. Nothing that Mr. Cleavenger can challenge?
 12 A. No.
 13 Q. Is that fair?
 14 A. I don't -- I don't know if it's fair or not.
 15 Q. You talked about giving warnings instead of citations or
 16 an arrest. Do you have any examples? You criticized him for
 17 that.
 18 A. No, I don't have any examples.
 19 Q. Did you know you were going to be asked about that?
 20 A. Yeah, I did know that.
 21 Q. And you chose just to come and give a conclusion with no
 22 examples, no specifics?
 23 A. That's correct.
 24 Q. Nothing he can defend against?
 25 A. Correct.

1 Q. Is that how things are supposed to work?
 2 A. I don't know how things are supposed to work.
 3 MS. COIT: Object. Argumentative.
 4 THE COURT: Sustained.
 5 BY MR. MCDUGAL: (Continuing)
 6 Q. Give me some examples. You also said that
 7 Officer Cleavenger did not take Cameron and Lebrecht as
 8 seriously as he took you.
 9 Give me some examples, please.
 10 A. Again, I don't remember specific examples, but I can --
 11 that was my recollection of the time.
 12 Q. Did you know you were going to be asked about that?
 13 A. I didn't know I was going to be asked for specific
 14 examples, no.
 15 Q. But you knew you would be asked whether or not you
 16 respected him, and you came and you testified, and you had all
 17 the time to prepare, and you couldn't bring an example;
 18 correct?
 19 A. Correct.
 20 Q. You said you noticed some things that he needed direction
 21 or remedial training on. Can you tell me what those are?
 22 A. Again, specifically? I don't have a recollection
 23 specifically, but there was -- like I've stated before, there
 24 was officer safety, and I believe I gave one example.
 25 Q. Okay. So the question is whether or not this man is fit

1 to work at the police department. You're asked questions about
 2 judgment, officer safety, warnings, respect for Cameron and
 3 Lebrecht, and need for retraining.
 4 On the need for retraining, this fifth subject, you have
 5 no specifics?
 6 A. No.
 7 Q. Nothing he can defend against?
 8 A. No.
 9 Q. All right. Obligation to provide the district attorney
 10 *Brady* list materials. Serious obligation?
 11 A. I would say so, yes.
 12 Q. Something to be done without hesitation?
 13 A. In my mind, yes.
 14 Q. Okay. Tell me what conduct gave rise to the
 15 *Brady*-listing.
 16 A. I don't know the specific conduct. I just know that there
 17 was information that the department had that -- if we had it, I
 18 felt we had an obligation to provide it.
 19 MR. MCDUGAL: Okay. What's our exhibit number of
 20 this? Ours was already admitted?
 21 MR. JASON KAFOURY: 168.
 22 MR. MCDUGAL: Mr. Hess, 168 has been admitted. Can
 23 you publish that to the jury? Wait. Wait one second.
 24 BY MR. MCDUGAL: (Continuing)
 25 Q. When did you know that the public safety office, your

1 nine months?
 2 A. No. I don't remember how long it was between the time
 3 that I knew and the time that I expressed that we needed to
 4 provide the information.
 5 Q. When is the first time you expressed that you needed to
 6 provide the information?
 7 A. Again, specific dates, I don't remember.
 8 Q. Do you remember how you do it?
 9 A. I did it via email.
 10 MR. MCDUGAL: Okay. Now, Mr. Hess, what's our
 11 exhibit number?
 12 MR. HESS: 168.
 13 MR. MCDUGAL: 168. Okay. I've got it right here.
 14 All right.
 15 BY MR. MCDUGAL: (Continuing)
 16 Q. Is that email that you're talking when you first decided
 17 that there were *Brady* issues to consider or to report, the
 18 email in Exhibit 168?
 19 MR. MCDUGAL: Permission to publish 168, Your Honor?
 20 THE COURT: You may.
 21 THE WITNESS: I don't know if that was -- I don't
 22 know if that was the first time that I had expressed those, no.
 23 BY MR. MCDUGAL: (Continuing)
 24 Q. Well, let me ask you something: Were you ever tasked to
 25 get together all of your emails about the *Brady* issue and give

1 employer, had *Brady* list materials -- *Brady* list issues with
 2 Mr. Cleavenger?
 3 A. What date? I don't remember the exact date.
 4 Q. What gave rise to it?
 5 A. What gave rise to what?
 6 Q. Hey, that's something that would be *Brady* listable?
 7 A. I had heard from my colleagues that there was information
 8 that the department had.
 9 Q. When?
 10 A. Again, I don't remember the specific date, sir.
 11 Q. Okay. Do you remember any content whatsoever --
 12 A. Do I remember any content?
 13 Q. -- that would be involved in *Brady*-listing? Any subject
 14 matter whatsoever.
 15 A. I don't know the specifics, no. I know that there was
 16 issues of truthfulness, which is what *Brady* is about.
 17 Q. Sitting here today, do you know the specifics?
 18 A. No.
 19 Q. Were you employed at the time that you had *Brady*-list
 20 concerns?
 21 A. Yes.
 22 Q. The minute you had those *Brady*-list concerns, did you say,
 23 "We've got to do something"?
 24 A. I don't think it was the minute I heard that, no.
 25 Q. Was it a week, a month, a year? Six months, eight months,

1 them to someone; for example, your legal department or your
 2 lawyer?
 3 A. Yes.
 4 Q. Okay. If they don't have an earlier one, fair to say you
 5 don't have an earlier one?
 6 A. That's fair to say, yes.
 7 Q. I'll represent to you that this is the earliest one that I
 8 have that I was given.
 9 A. Okay.
 10 Q. Now, let's look at the timing of this. What email are you
 11 responding to?
 12 A. I'm responding to an email from Chief McDermid.
 13 Q. And what's it about?
 14 A. It's the opinion of the arbitrator.
 15 Q. Okay. And it was that you got the gist that he won and he
 16 would be reinstated?
 17 A. Yes.
 18 Q. Now, that's dated -- 11:35 a.m.?
 19 A. Correct.
 20 Q. There should be no hesitation in providing *Brady* list
 21 materials to a DA; correct?
 22 A. Correct.
 23 Q. Okay. Did you get the *Brady*-list materials in between
 24 11:35, when you got that email, and 11:39 when you responded?
 25 A. Did I get the materials?

1 Q. Yeah. Or the information.
 2 A. No. Probably not in that four-minute period.
 3 Q. How long did you have them?
 4 A. I don't know how long I had them. I didn't have
 5 specifics. I knew that there was -- there was issues.
 6 Q. *Brady*-listing somebody is a very serious matter; correct?
 7 A. Yes, it is.
 8 Q. You had no -- what was your foundation for suggesting to
 9 the chief -- your knowledge for suggesting to the chief that he
 10 be *Brady*-listed?
 11 A. Like I said earlier, I had heard a discussion that there
 12 were *Brady* issues. There were issues of truthfulness.
 13 Q. Whose discussion?
 14 A. Whose?
 15 Q. Yeah.
 16 A. It was amongst my colleagues.
 17 Q. When? Where?
 18 A. I don't know the date. I didn't write it down.
 19 Q. Well, if you heard that one of your officers that you had
 20 supervised needed to be *Brady*-listed, did you immediately tell
 21 those people who you can't remember that told you that, "You
 22 better go tell the chief"?
 23 A. I didn't, no.
 24 Q. Did you ask them, "Hey, why? This is serious matter."
 25 You're talking about a man's reputation and future. You don't

1 just banter about it. Hey, let me know why he should be
 2 *Brady*-listed"? Did you do that?
 3 A. No.
 4 Q. Do you think people who said he should be *Brady*-listed
 5 knew or should have known, "Hey, if you're going to *Brady*-list
 6 somebody, you do it without hesitation? You go. Dishonest."
 7 A. I would suspect they would do that, yeah.
 8 Q. But they didn't?
 9 A. Apparently not. I don't -- I don't know. I don't know
 10 what they did or didn't do.
 11 Q. Well, you know he wasn't *Brady*-listed within -- the idea
 12 formally wasn't said to *Brady*-list him, at least by you, within
 13 four -- until four minutes after you learned that he had -- was
 14 getting reinstated; right?
 15 A. Right.
 16 Q. And at that time you knew he hadn't been *Brady*-listed yet;
 17 right?
 18 A. Right.
 19 Q. All right. When did you learn the reasons why he should
 20 be *Brady*-listed?
 21 A. I don't -- I still don't know the specifics as to why.
 22 Q. Was the IA investigation shared with you?
 23 A. No.
 24 Q. Was it permissible to share it with you?
 25 A. No.

1 Q. So you shouldn't have known about it?
 2 A. I knew that there was an IA occurring.
 3 Q. But that's not a reason to *Brady*-list somebody. A lot of
 4 people are IA'd and never *Brady*-listed; right?
 5 A. This is true.
 6 Q. You wrote an email that said that there was more than one
 7 internal investigation. Do you remember that?
 8 A. I think so, yeah.
 9 Q. Tell me -- tell me what the internal investigations were
 10 about.
 11 A. Again, I don't know the specifics, what they were about.
 12 I don't -- I don't -- if I knew, I don't recall what they were
 13 now.
 14 Q. Do you know what they revealed?
 15 A. No.
 16 Q. So you don't know what they're about. You don't know what
 17 they revealed. They're not a basis for *Brady*-listing someone,
 18 but you thought he should be *Brady*-listed?
 19 A. I thought that the information should be provided to the
 20 district attorney so the district attorney could make that
 21 determination. It's not my decision whether he's *Brady*-listed
 22 or not.
 23 Q. You thought there was a *Brady*-list issue and that it
 24 should be pursued?
 25 A. Yeah, I did.

1 Q. And you can't tell me one reason why it should be pursued?
 2 A. Specifically, no; but untruthfulness.
 3 Q. Who told you that?
 4 A. It was probably a combination of Lieutenant Lebrecht and
 5 Lieutenant Morrow.
 6 Q. Do you remember a lady who was accused of making a
 7 fraudulent parking pass?
 8 A. No, I don't. That happens often, so I don't know the
 9 specifics.
 10 Q. No. A public safety officer --
 11 A. No.
 12 Q. -- accused of theft. Bowes. Does that name ring a bell?
 13 A. That name does, but that happened before I worked there.
 14 MR. MCDUGAL: Okay. That's all I have. Thank you.
 15 THE COURT: Redirect?
 16
 17 REDIRECT EXAMINATION
 18 BY MS. COIT:
 19 Q. Lieutenant Bechdolt, I want you to look again at
 20 Exhibit 168 in a minute. Okay. The third page. All right.
 21 Let -- let's go to the second page real quick so you can see
 22 the date on that.
 23 You see the bottom email there?
 24 A. Yeah. March 12th.
 25 Q. That's from you to -- who's Pete Deshpande?

1 A. At the time he was my captain.
 2 Q. All right. Let's go to the third page.
 3 All right. Call it out. Do you recall sending this
 4 email?
 5 A. Yes.
 6 Q. So at the time you sent this email, were you aware that
 7 Mr. Cleavenger had been terminated based on the -- in part, on
 8 the findings of an internal affairs investigation?
 9 A. Yes.
 10 Q. And you were aware that that internal affairs
 11 investigation revealed a pattern of untruthfulness and criminal
 12 behavior?
 13 A. Yes.
 14 Q. And criminal behavior by a police or public safety officer
 15 is a reason to submit information to the district attorney for
 16 *Brady* consideration; correct?
 17 A. Yes.
 18 Q. Do you stand behind what you said in this email?
 19 A. Yes, I do.
 20 Q. Did I ask you to go look up specific instances of what
 21 happened five years ago; four years ago?
 22 A. No, you did not.
 23 MS. COIT: All right. Thank you.
 24 THE COURT: Recross?
 25 MS. COIT: That was recross, Your Honor.

1 THE COURT: Sorry. My apologies. Recross?
 2 MS. COIT: I'm forgetting my role here.
 3 MR. MCDOUGAL: Just briefly.
 4
 5 RECCROSS-EXAMINATION
 6 BY MR. MCDOUGAL:
 7 Q. This internal affairs investigation finding that you're
 8 saying gave rise to an obligation to let the DA know, what was
 9 the date on that?
 10 A. I don't know the date on it.
 11 Q. Was it months and months before?
 12 A. I don't know the date on it.
 13 Q. Okay. Was it what gave rise to Mr. Cleavenger's
 14 termination?
 15 A. Partially. My understanding was that was it, yeah.
 16 Q. How long had he been terminated before you sent this
 17 email?
 18 A. I -- I don't remember the dates still.
 19 Q. But your testimony is any officer who knew that
 20 information, if it was grounds for *Brady*-listing, the day they
 21 knew it they should have gone to the DA?
 22 A. Not any officer, no. That's a function of the executive.
 23 Q. The day Chief McDermid knew it, she should have gone to
 24 the DA?
 25 A. I suspect that the absolute day she knew it she would

1 probably want to look into it. If I was -- if I was made aware
 2 of information, I would want to make sure that the information
 3 was credible and accurate.
 4 Q. Okay. Well, you got a report from Morrow. And if you're
 5 to use it as a basis -- let me rephrase that.
 6 If she thought it was a basis to do it, she should have
 7 done it right away?
 8 A. Yes. I would have.
 9 Q. Okay. So you don't wait a month, two months, three
 10 months, four months, five months, six months, seven months.
 11 You don't wait for an arbitrator decision you don't like;
 12 correct?
 13 A. I don't, no.
 14 MR. MCDOUGAL: Thank you.
 15 THE COURT: May the witness be excused?
 16 MS. COIT: Yes.
 17 MR. MCDOUGAL: Yes.
 18 THE COURT: Thank you, sir. You may step down.
 19 Your next witness, please, Counsel?
 20 MS. COIT: Defense calls Pete Deshpande.
 21 THE COURT: Thank you. Step into the well of the
 22 courtroom, please, and raise your right hand, please.
 23
 24 ///
 25 ///

1 PETE DESHPANDE,
 2 called as a witness in behalf of the Defendants, being first
 3 duly sworn, is examined and testified as follows:
 4 THE WITNESS: Yes, I do.
 5 THE COURT: Thank you. Be seated to my right. The
 6 entrance to the witness box is just to my right, closest to the
 7 wall.
 8 THE WITNESS: Okay, sir.
 9 THE COURT: If you would be seated.
 10 THE WITNESS: Thank you, sir.
 11 THE COURT: Move your chair closer to the microphone
 12 so we can hear you. Face the jury. State your full name, sir.
 13 THE WITNESS: Okay. There we go. My name is
 14 Pete Deshpande, D-E-S-H-P-A-N-D-E.
 15 THE COURT: Thank you. Direct examination, please.
 16
 17 DIRECT EXAMINATION
 18 BY MS. COIT:
 19 Q. Mr. Deshpande, what is your current title?
 20 A. I'm a reserve detective sergeant with UOPD.
 21 Q. In 2000 -- well, when did you take over that title?
 22 A. That title, current title, April of this year.
 23 Q. Prior to April of this year, what was your title?
 24 A. Police captain.
 25 Q. At the University of Oregon?

1 A. Correct.

2 Q. Is the police captain position directly below the chief of

3 police?

4 A. Yes, that's correct.

5 Q. So you're second in command?

6 A. Correct.

7 Q. How many captains were there at that time?

8 A. One. Just me.

9 Q. Prior to coming to the university, did you have law

10 enforcement experience?

11 A. I did.

12 Q. Can you just tell us what that was?

13 A. Certainly. Roughly, 22 years at the City of Eugene with

14 the Eugene Police Department.

15 Q. What positions did you hold at the police department in

16 Eugene?

17 A. Well, all of us typically start with being a patrol

18 officer. So, from patrol, I got promoted to agent, then

19 sergeant, first-line supervisor, lieutenant. And then when I

20 transferred to the university, I was acting-captain at Eugene

21 Police.

22 Q. Why did you move from the Eugene Police Department to the

23 University of Oregon Police Department?

24 A. Well, for a myriad of reasons, but one of the compelling

25 things for me was the formation of a brand new police

1 department. Something that I had never seen before. The

2 transformation of essentially a security function being

3 transformed into a police department. So that had a big draw.

4 Plus, other family ties to the University of Oregon.

5 Personal ties to the university. The opportunity for my kids

6 to attend college there, you know, at preferable rates, and so

7 forth. If you put the whole package together, it just made

8 sense at that time in my life.

9 Q. When you were at the Eugene Police Department, did you

10 work with Carolyn McDermed?

11 A. Yes, I did.

12 Q. What was your role with her? Was she your supervisor?

13 Were you her supervisor?

14 A. At different times, it was different relationships; but,

15 predominantly, she was my supervisor at multiple times.

16 Initially, we were peers when she first started.

17 Q. So how many years did you work with her at the Eugene

18 Police Department?

19 A. Of the 22-plus years, I would -- I mean, I won't get this

20 exactly right, but I would think 15-ish.

21 Q. And then continue to work with her at the University of

22 Oregon?

23 A. That's correct.

24 Q. Can you describe her supervisory style?

25 A. Certainly. She's very easygoing, not an autocrat, not

1 demanding, very easy to work for, easy to talk to.

2 Q. Describe her as a person. Do you know her personally?

3 A. Certainly. Yeah.

4 Q. What kind of person is she?

5 A. I mean, the same thing. What you see is what you get.

6 Honest. Candid. A very nice person.

7 Q. Have you ever known Chief McDermed to be dishonest?

8 A. No, I have not.

9 Q. Have you ever witnessed her retaliating against a

10 subordinate?

11 A. No, I have never seen that.

12 Q. In your entire almost 20 years of working with her, have

13 you ever seen that?

14 A. No, I've seen her being very forgiving with folks on cases

15 where perhaps I might not have been, so quite the opposite.

16 Q. So based on your personal knowledge of Chief McDermed's

17 character, would that be out of character for her to retaliate

18 against a subordinate?

19 A. Absolutely, it would be.

20 Q. All right. Were you involved in the discussions regarding

21 the termination of Mr. Cleavenger's employment?

22 A. Very peripherally. All that happened prior to my joining

23 the university. Or at least I believe the vast majority of it

24 did.

25 Q. Of the conduct?

1 A. Of the conduct and the proceedings and so forth.

2 Q. So you never supervised Mr. Cleavenger?

3 A. No, I did not.

4 Q. Do you know him personally? Did you work with him at all,

5 or was he on leave when you were hired?

6 A. No, I did not work with him at all. He was on some sort

7 of leave at that time.

8 Q. From the discussions that you were involved in regarding

9 the termination, did you develop an understanding of why

10 termination was being pursued?

11 A. Yes. And, you know, there were reams of documents and so

12 forth. It's a little fuzzy for me right now. I did not review

13 anything before today, coming here, but I know, recalling what

14 I knew at the time, there was sufficient things that I recall

15 that warranted -- warranted that action.

16 Q. Do you recall having any sort of discussion with

17 Chief McDermed about the termination decision?

18 A. About the decision itself? I don't remember specifically,

19 but if there had been, I would have concurred with it without a

20 doubt.

21 Q. Okay. Do you know Lieutenant Lebrecht?

22 A. Yes, I do.

23 Q. When did you meet him?

24 A. Just prior to starting at the University of Oregon. I was

25 still with the Eugene Police Department, and we were working a

1 sporting event, and that's when I met him.
 2 Q. Since moving over to the University of Oregon, have you
 3 worked relatively closely with Lieutenant Lebrecht?
 4 A. Yes, I have.
 5 Q. And do you have an opinion, based on your personal
 6 experiences with him, of his character?
 7 A. Yes, I do.
 8 Q. What is that?
 9 A. He's very professional, straightforward. Doesn't play
 10 games. He's honest. He's ethical. Yeah, absolutely.
 11 Q. Have you ever witnessed him mistreating an employee?
 12 A. Never.
 13 Q. Ever seen him get angry at work?
 14 A. No. Again, I've never seen him get angry either.
 15 Q. Never seen him raise his voice?
 16 A. No.
 17 Q. Would that be out of his character as a supervisor?
 18 A. It would be. He -- if there's any sort of dynamic
 19 situation to the contrary of getting angry, he seems to get
 20 more calm, quiet, and controlled.
 21 Q. All right. I want to talk about the disclosure that was
 22 made to the district attorney in 2014. You were involved in
 23 that process; correct?
 24 A. Yes. Again, pretty peripherally involved, yes.
 25 Q. All right. First off, let's -- can you explain to the

1 jury your understanding of what a *Brady* disclosure is, what it
 2 entails, and what are your obligations?
 3 A. Sure. Sure. Again, I'm not an expert in this area. I
 4 should say that first. But what I do know is if there's any
 5 indication of an officer's being untruthful or the veracity of
 6 an officer's conduct or statement is questionable, then that
 7 information needs to be disclosed to the district attorney so
 8 that it could be provided for future defendants in court cases.
 9 Essentially, that's my rough understanding of it.
 10 Q. Is it your understanding that providing the information to
 11 the district attorney automatically results in this officer
 12 being *Brady*-listed?
 13 A. Oh, no. Not at all. My understanding is that we're
 14 obligated to provide information that we know, certainly, and
 15 then it's up to the DA's office to make the determination.
 16 Q. Is that obligation that a law enforcement agency has, is
 17 that a discretionary decision?
 18 MR. MCDUGAL: Object. Lacks foundation.
 19 THE COURT: Sustained. More foundation.
 20 BY MS. COIT: (Continuing)
 21 Q. From your understanding of the obligation a law
 22 enforcement agency has to provide information to the district
 23 attorney about an officer's credibility, is that a
 24 discretionary decision?
 25 MR. MCDUGAL: Same objection.

1 THE COURT: Same ruling.
 2 How does he know these things? Training? Conversation?
 3 Pamphlet? Just more foundation. Not an inappropriate area.
 4 MS. COIT: I understand.
 5 BY MS. COIT: (Continuing)
 6 Q. In 2013, 2014, did you attend any seminars or trainings
 7 where the *Brady* obligation was discussed?
 8 A. Yes. Yes, I did.
 9 Q. And who was leading those discussions about *Brady*
 10 obligations?
 11 A. It was -- you know, it was at the police academy in Salem,
 12 and I don't remember exactly who the different instructors
 13 were, but I know that the issue of *Brady* disclosure was one of
 14 the topics in the training.
 15 Q. In that training, were you taught, did you learn about --
 16 MR. MCDUGAL: Objection. Leading.
 17 THE COURT: Overruled.
 18 BY MS. COIT: (Continuing)
 19 Q. In that training, did you learn about the obligation that
 20 a law enforcement agency has to turn information over to the
 21 DA?
 22 A. Yes, we did. I think many of us -- most of us knew of
 23 that obligation, but that just sort of reinforced it and
 24 brought it up to the forefront.
 25 Q. Did you learn in that training whether or not this

1 obligation is discretionary?
 2 A. Yes. Now, we were -- my understanding, again, is that
 3 it's not a matter of choice. Once we have information that
 4 questions an officer's veracity, we can't withhold it or hide
 5 it. We would be remiss to do that. So we have to absolutely
 6 disclose it.
 7 What the DA's office does with it is up to them, of
 8 course.
 9 Q. Have you ever reviewed Mr. Cleavenger's internal affairs
 10 investigation that was conducted by Lieutenant Morrow?
 11 A. Yes. Again, I should say I have not re-reviewed it prior
 12 to this matter today. This was probably a couple years ago or
 13 more.
 14 Q. Sitting here today, do you have any memory of whether or
 15 not that the findings in that investigation raised *Brady*
 16 concerns?
 17 A. My recollection is that there were a number of portions of
 18 that that did rise to that level. I don't recall any specific
 19 allegations of untruthfulness, per se, but I do remember some
 20 descriptions of conduct or behavior or statements that
 21 Mr. Cleavenger made that would certainly rise to that level, at
 22 least to the point of letting the DA's office review it.
 23 Q. Can you tell us what your role was in the process of
 24 actually submitting information to the district attorney?
 25 A. My role was really fairly simple. It turns out that

1 Lieutenant Lebrecht has been here for a fairly short time in
 2 the community, three years or so, and I've been here -- by
 3 virtue of being in the community for so long, you know, I have
 4 known the DA, deputy DA, for years. So my function was to sort
 5 of introduce Brandon to him and vice versa.
 6 Q. Did you have an opinion on whether or not the information
 7 the University of Oregon had about Mr. Cleavenger was something
 8 that needed to be disclosed to the district attorney?
 9 A. Yes. My opinion was that it needed to be disclosed.
 10 Again, what they did with it was totally up to them. I
 11 did not have a horse in the race, so to speak.
 12 Q. Do you know what Lieutenant Lebrecht's role was in this
 13 submission?
 14 A. His role in this thing? Primarily, to deliver the
 15 documents for the DA's review.
 16 Q. Did you have discussions with him, prior to making that
 17 delivery of documents, about making the submission itself?
 18 A. Yes. We have some informal discussions about the timing
 19 of it and when we were going to take it there and so forth,
 20 yes.
 21 Q. Did those discussions with Lieutenant Lebrecht give you an
 22 impression on whether or not he wanted to make this submission ?
 23 A. Yes. I got an impression.
 24 Q. What was that?
 25 A. My impression was that he was very reticent to do so, and

1 the reality is I think all of us understood, in the command
 2 staff, that there's an obligation to do so; but, nonetheless,
 3 with, you know, pending potential litigation, and so forth, and
 4 various issues, I could sense that he was reticent to do so.
 5 Q. Can a subordinate in Lieutenant Lebrecht's position
 6 disobey an order of his chief if that order is not illegal,
 7 immoral, or unethical?
 8 A. No. Under those conditions, the order has to be followed .
 9 Q. In your opinion, was there anything illegal, immoral, or
 10 unethical about Chief McDermid's directive to take this
 11 information to the district attorney?
 12 A. Not at all.
 13 MS. COIT: That's all I have. Thank you, sir.
 14 THE WITNESS: Thank you.
 15 THE COURT: Cross-examination?
 16
 17 CROSS-EXAMINATION
 18 BY MR. MCDUGAL:
 19 Q. Good morning.
 20 A. Good morning, sir.
 21 Q. Do you remember getting an email from Lieutenant Lebrecht
 22 approximately eight minutes after he learned that the
 23 arbitrator had reinstated Mr. Cleavenger?
 24 A. I'm a little bit hazy. I got many emails from the
 25 lieutenant, so --

1 Q. Maybe this will help. About *Brady*-listing.
 2 A. I do remember an email that he sent about *Brady*-listing.
 3 Yes, sir.
 4 Q. Do you remember it being about eight minutes after he
 5 learned the arbitrator reinstated Mr. Cleavenger?
 6 A. No. Absolutely not. I don't recall the timing of it.
 7 MR. MCDUGAL: Okay. Mr. Hess, is 412 in?
 8 MR. HESS: I don't know.
 9 MR. MCDUGAL: I won't hold things up. Permission to
 10 approach?
 11 THE COURT: You may.
 12 BY MR. MCDUGAL: (Continuing)
 13 Q. I highlighted this document, sir. I'm not showing you an
 14 original in that respect, but underneath it is original.
 15 A. Okay.
 16 MR. MCDUGAL: This is page -- I'm sorry to reach
 17 into your space. Sorry. I need to tell the judge what page it
 18 is. We're looking at the third page of 412.
 19 BY MR. MCDUGAL: (Continuing)
 20 Q. Can you -- take a second to look at it because I'm going
 21 to ask you a question.
 22 A. Entire page or any particular section?
 23 Q. You probably want to read down to the email from
 24 Carolyn McDermid because that would be involved in my question .
 25 A. Okay.

1 Q. Have you read it?
 2 A. Yes, sir.
 3 Q. Okay. Do you see that Carolyn McDermid sends an email ?
 4 What time does she send an email?
 5 A. Looks like 11:35 a.m.
 6 Q. Does her communication, the gist of it, say Mr. Cleavenger
 7 is going to be reinstated?
 8 A. Yes.
 9 Q. And does Lebrecht respond?
 10 THE COURT: Lieutenant Lebrecht or Bechdolt?
 11 MR. MCDUGAL: Lebrecht.
 12 THE COURT: Lebrecht. My apologies. Thank you.
 13 THE WITNESS: Yes. I see a response from him to
 14 Lieutenant Bechdolt's reply.
 15 BY MR. MCDUGAL: (Continuing)
 16 Q. And how many minutes is this after Chief McDermid's email ?
 17 A. Let's see. 35. 43. Looks like eight minutes.
 18 Q. Eight minutes later. After learning that Mr. Cleavenger
 19 is going to be reinstated, what does Mr. Lebrecht say in his
 20 email?
 21 A. There was a reference to *Brady* issues and another
 22 large-scale investigation that wasn't part of the termination.
 23 Q. So he's chiming in that Mr. Cleavenger should be
 24 *Brady*-exposed; correct?
 25 MS. COIT: Objection. Mischaracterizes.

1 MR. MCDUGAL: I'm asking him.
 2 THE COURT: Overruled.
 3 THE WITNESS: Answer the question? Is that right?
 4 BY MR. MCDUGAL: (Continuing)
 5 Q. Yes.
 6 A. Okay. It looks to me like the lieutenant is saying that
 7 *Brady* issues and other large -- both of those categories were
 8 not part of the termination.
 9 Q. He's bringing up *Brady* right after he's learning about
 10 reinstatement; right?
 11 A. Yes.
 12 Q. Now, you said that -- let me get this right. You knew you
 13 were testifying today; right?
 14 A. Yes.
 15 Q. But you didn't review anything?
 16 A. No, I did not.
 17 Q. Were you asked not to?
 18 A. I was not asked not to.
 19 Q. Okay. You said that -- you were asked, "What's your
 20 opinion of Sergeant Cameron's professionalism?"
 21 MS. COIT: Object. He was not asked that.
 22 THE COURT: I don't believe I was asked that,
 23 Counsel.
 24 MR. MCDUGAL: Okay.
 25 THE COURT: He was asked about Lebrecht.

1 BY MR. MCDUGAL: (Continuing)
 2 Q. You said that Carolyn McDermed was very forgiving.
 3 A. Yes.
 4 Q. Would you consider her allowing Sergeant Cameron, who had
 5 three sexual harassment complaints against him, to continue to
 6 work, very forgiving?
 7 A. In that context, yes.
 8 Q. Do you have any example of when she was ever very
 9 forgiving to Mr. Cleavenger?
 10 A. I don't know. That was before I started at the
 11 department, sir.
 12 Q. You said you concurred with the termination without a
 13 doubt. Why? What was your basis? What facts did you rely
 14 upon?
 15 A. Upon the information I had at the time, which was a
 16 document that Mike Morrow had prepared, and whatever else I had
 17 seen at the time. The totality of everything I had seen at the
 18 time.
 19 Q. You can't give us specifics because you did not review
 20 anything?
 21 A. I did not.
 22 Q. Okay. You did say that your review of the IA report
 23 indicated no specific untruthfulness.
 24 A. What I meant is, to be clear, there was no allegation of
 25 untruthfulness unto itself.

1 Q. What was the basis for the *Brady*-listing or submitting the
 2 materials to the DA?
 3 A. There was expressed conduct and statements that were made
 4 as part of the investigation, if I recall correctly, that
 5 questioned Mr. Cleavenger's veracity.
 6 Q. So it was the investigation itself, that information, that
 7 was sufficient or should have given -- that gave rise to the
 8 need to let the DA know?
 9 A. That was certainly part of it. Again, I'm not remembering
 10 the total circumstances of it, but I know at the time that I
 11 looked at it it made sense that, based on the totality of all
 12 the information available, it warranted at least a look by the
 13 DA's office.
 14 Q. Okay. Do you know the date of that document that it was
 15 finalized?
 16 A. Which document, sir?
 17 Q. The IA report you were just talking about.
 18 A. I don't recall that.
 19 MR. MCDUGAL: Mr. Hess, can you pull up the first
 20 page of the IA report? Never mind. I -- 331. Permission to
 21 publish?
 22 THE COURT: You may.
 23 MR. MCDUGAL: Get the date on there. Mr. Hess, can
 24 you focus in on the date?
 25 ///

1 BY MR. MCDUGAL: (Continuing)
 2 Q. July 27, 2012. Fair enough?
 3 A. Yes, sir.
 4 Q. The date of the emails talking about *Brady*-listing in
 5 front of you? *Brady* disclosures.
 6 A. Looks like March 10, 2014.
 7 Q. March 10 --
 8 MS. COIT: Your Honor?
 9 A JUROR: Are we supposed to have this? Are we
 10 supposed to have this on our monitors?
 11 MR. HESS: I think I had switched it, so let's go
 12 back. Sorry.
 13 MR. MCDUGAL: Sorry. Can I show that date again,
 14 Your Honor?
 15 THE COURT: Sure.
 16 A JUROR: We still don't have a document.
 17 MR. MCDUGAL: Still not a document?
 18 A JUROR: No.
 19 THE COURT: Our equipment should work for you, folks.
 20 It's as simple as that. Are you not picking this up on the
 21 screen?
 22 A JUROR: It's just a logo for the court.
 23 THE COURT: Just a logo? We're going to try that
 24 again. If our equipment is not working, we're going to get it
 25 fixed.

1 MR. HESS: It's malfunctioning.
 2 THE COURT: It's malfunctioning? It's time for a
 3 recess. We can get the MIS people up here and get that fixed
 4 so you can see those documents.
 5 Okay. So please don't discuss this matter or form or
 6 express an opinion. We'll get somebody up here and get that
 7 fixed.
 8 (Jury not present.)
 9 THE COURT: Counsel, why don't you take a 20-minute
 10 recess. Get this fixed.
 11 Christy, if you can ask them to come up and get it fixed,
 12 okay?
 13 (Recess taken.)
 14 (Jury present.)
 15 THE COURT: Jury is present. Once again, counsel.
 16 Thank you. Parties, please be seated.
 17 Thank you for your courtesy.
 18 Counsel, continue your cross-examination.
 19 MR. MCDUGAL: Yes. Mr. Hess, can we go back and
 20 publish 331, the IA, report with focus on the date?
 21 BY MR. MCDUGAL: (Continuing)
 22 Q. So July 27, 2012. What was the date of Exhibit 412,
 23 page 3?
 24 MR. MCDUGAL: Permission to publish? And I offer
 25 412.

1 MS. COIT: No objection.
 2 THE COURT: 412 is received.
 3 BY MR. MCDUGAL: (Continuing)
 4 Q. March 10, 2014. So that's almost two years later; right?
 5 A. Right.
 6 Q. Okay. Now, from this email exchange, would you agree that
 7 it looks like *Brady* is being talked about directly after and in
 8 relation to him being reinstated? Mr. Cleavenger.
 9 A. It does.
 10 Q. If there was any other piece of paper that talked about
 11 *Brady* and Mr. Cleavenger that was before this, that would be
 12 some evidence that it was considered before; right?
 13 A. That would be one -- one piece of evidence, yes.
 14 Q. Do you know of any?
 15 A. I don't, sir.
 16 Q. Let's talk about that, too. Was your decision not to
 17 review anything, any documents, before testifying, was that a
 18 conscious decision you made?
 19 A. I would say partially. I didn't want to taint what I knew
 20 and remember it from when things happened versus reviewing it
 21 just for the purpose of this hearing.
 22 Q. Officers underneath you, when they go to court and
 23 testify, do you expect them to review their materials first?
 24 A. Yes, I do. If they were involved in a case where they
 25 were personally involved in some action, arresting somebody,

1 citing somebody, yes.
 2 Q. You would consider it unprofessional if they didn't review
 3 the documents before going into court; correct?
 4 A. Correct.
 5 Q. How long have you known about *Brady* duties?
 6 A. I've known of the concept for -- I don't know exactly, but
 7 many years.
 8 Q. Do you know when *Brady* was decided?
 9 A. I don't remember right now.
 10 Q. '63. JFK was president. Refresh your memory?
 11 A. I'll take your word for it.
 12 Q. It's old; right?
 13 A. Right.
 14 Q. Been around -- when did you start as a police officer?
 15 A. I started in 1990.
 16 Q. So it's been around long before that; right?
 17 A. Right.
 18 Q. This is a national thing; right?
 19 A. Right.
 20 Q. Not something that, quote, "Oregon has to catch up on";
 21 right?
 22 A. Right.
 23 Q. And would you agree that anybody who is preparing *Brady*
 24 materials to give to the DA should be fair and impartial?
 25 A. Of course, yes.

1 Q. They should include not only evidence against somebody ,
 2 but evidence in favor of somebody?
 3 A. I'm not sure what you mean by that.
 4 Q. If they have evidence that disputes some of their
 5 evidence, they should submit that, too? If there's conflicting
 6 evidence, they should --
 7 A. You should submit, yes, the entire evidence that they
 8 have, yes.
 9 Q. They don't pick and choose?
 10 A. Right.
 11 Q. And somebody impartial should probably put that evidence
 12 together?
 13 A. Yeah. I'm just a little confused. I know that for
 14 criminal cases you want everything of the sort you're
 15 describing. But if there are *Brady* issues, I'm not sure what
 16 would contradict something that shows maybe an officer was
 17 untruthful, lacked veracity, or so forth.
 18 Q. Did you ever read the arbitration award?
 19 A. You know, I don't recall if I did.
 20 Q. If it said things about what the arbitrator found about
 21 truthfulness, that would contradict some things; right? Or
 22 not.
 23 A. That would be the arbitrator's opinion certainly.
 24 Q. But that's relevant; right? He's heard a lot of evidence
 25 and he's made a decision, just like Mr. Morrow -- or

1 Lieutenant Morrow -- sorry -- did; right? Correct?

2 A. Right. The arbitrator made a decision. I would agree

3 with that.

4 Q. Why did it take almost two years to submit *Brady* materials

5 to the DA?

6 A. I can only speak from when I started working at the

7 university, sir. I know that, as you said, *Brady* has been

8 around forever, but it's not something that we live and breathe

9 in the police world. It doesn't happen very often. That's the

10 reality of it. So I know that when we attended the command

11 leadership training in Salem around this time period that you

12 see these emails -- again, I don't remember the exact dates,

13 but it was in proximity of when you see these emails -- that

14 kind of brought it to the forefront.

15 Q. Okay. So you go to some conference and you hear people

16 speak; right?

17 A. Right.

18 Q. Okay. Did you -- who else was at the conference with you?

19 A. It was some combination of the command staff.

20 Mike Morrow, the chief. Possibly Lieutenant Lebrecht.

21 Possibly Lieutenant Bechdolt. I'm not sure who all was there.

22 It was a combination of us.

23 Q. Did anybody say, "Hey, Cleavenger. We need to disclose

24 him. We just learned this. This is -- I can't believe we

25 didn't know before"?

1 A. Somebody may have. I don't remember the timing of when

2 that whole discussion started.

3 Q. Well, if somebody may have right then, they should have

4 done it right then; right?

5 A. Well, things percolate. I mean, anything percolates. If

6 one has a thought that maybe we need to do A, B, or C, then

7 things have to come together and things happen.

8 So, again, I don't remember the exact date, sir. I just

9 know that eventually it evolved into this.

10 Q. Okay. Let's put this in context. There's two very

11 serious things about *Brady*-listing. I want to see if you agree

12 with this. One is it can be a black mark, the death knell, of

13 the officer's career; correct?

14 A. Correct. Correct.

15 Q. Two is -- forget about the officer -- there's a

16 constitutional right of a criminal defendant to have this

17 information; correct?

18 A. Correct.

19 Q. So you've got two very serious matters going on; correct?

20 A. Correct.

21 Q. Now, we've talked a lot about the effect on

22 Mr. Cleavenger's career, but let's look at this: At the time

23 you were *Brady*-listing or submitting materials, you knew this

24 was a constitutional issue for defendants; right?

25 A. Yes.

1 Q. Okay. Tell me everything you did to notify anybody who

2 had a trial in between the date of the IA report and the date

3 of the *Brady* disclosure to tell those defendants that their

4 constitutional rights had been violated or possibly violated.

5 A. You're asking me what we did as a department in that

6 regard?

7 Q. Yes.

8 A. Well, we, of course, would rely on the DA's office to take

9 the lead on that and the leadership. They would be the

10 experts. Our duty would be to disclose what we know, and then

11 they would follow up. If they needed our assistance, we would,

12 of course, help them. They would take the lead, sir.

13 Q. Did it cross your mind that waiting this long would raise

14 red flags?

15 A. I didn't think of it that way at all.

16 Q. Did it cross your mind that the very first thing in

17 writing about *Brady* disclosure is in direct response to his

18 reinstatement and that that would show an improper motive?

19 A. I can see that it would look that way, certainly. But

20 then the question is just because something looks a certain

21 way, do we not do it? That's another question to ask

22 ourselves.

23 Q. Or is that the only reason you're doing it? That's a

24 question to ask yourself; right?

25 A. I mean, you can ask those questions.

1 Q. Did you review the *Brady*-list materials before they were

2 submitted?

3 A. Yes, I did.

4 Q. You actually looked at that letter, the top six page --

5 MR. MCDUGAL: Pull up the *Brady* Materials. What's

6 the exhibit number?

7 MR. JASON KAFOURY: 150.

8 MR. MCDUGAL: Exhibit 150. Permission to publish?

9 THE COURT: You may.

10 MR. MCDUGAL: My screen's not showing. Oh, it is.

11 Okay.

12 BY MR. MCDUGAL: (Continuing)

13 Q. You reviewed this document?

14 A. I'm not completely sure that I saw this document. I may

15 have. I thought you were referring to the documents that were

16 taken to the DA's office for the purpose of review.

17 Q. Take a minute and look at this and see if you reviewed it.

18 And let us know when we need to turn the page.

19 A. I recall elements of it and the contents of it. I'm not

20 sure if somebody just summarized it for me or if I actually saw

21 the document itself.

22 Q. Let me ask you this: Among documents that the UOPD --

23 UOPD would ever prepare, is this the type of document, one

24 going to the DA, challenging a man's career, that a few people

25 should review to make sure it's correct?

1 A. Yes.

2 Q. Do you -- sitting here today, do you know who reviewed the

3 contents of Exhibit 150, the writing, the typed portion, on

4 UOPD stationary?

5 A. I don't know for a fact. I know that -- in general how

6 the process works, but I don't know for a fact regarding this

7 particular document.

8 Q. Let's talk about the ordinary course of business, since

9 you don't know about this particular document. What would

10 happen in the ordinary course of business?

11 A. Anything of this magnitude would certainly be reviewed or

12 generated by our general counsel.

13 Q. Okay. And who would -- somebody would fact-check

14 something like this; right? And who would do the

15 fact-checking?

16 A. It would be -- again, for a document like this, it would

17 be some member of command staff.

18 Q. And would there be a record of that?

19 A. I can't say for sure if there would be a record of the

20 fact that it was checked.

21 Q. If there are false statements in the document, would there

22 be any consequence to anyone?

23 A. You're saying if anything material here in this document

24 is incorrect, what would the consequences be? I don't know

25 specifically.

1 Q. And just to be clear, I think you've said you knew about

2 Morrow's IA investigation at the time, the July 27, '12,

3 document that we showed the date on. Correct?

4 A. Yes.

5 Q. You, in fact, reviewed it at that time?

6 A. I -- if it's the 2012 document, I did not review it at

7 that time. I saw it sometime subsequent to it being published.

8 I didn't start with the university until September of 2012. So

9 if you're saying July 2012, I saw it sometime after it was

10 published.

11 Q. So you're sure you didn't approve it?

12 A. I don't see how I could have.

13 Q. You've never actually spoken to Mr. Cleavenger ever;

14 correct?

15 A. I don't recall ever speaking to him. No, sir.

16 Q. Do you know him well enough to have an opinion that he has

17 a poor veracity?

18 THE COURT: I'm sorry. A poor veracity?

19 MR. MCDOUGAL: Yeah.

20 BY MR. MCDOUGAL: (Continuing)

21 Q. Do you know him well enough to know that he has an

22 opinion -- to have an opinion that he has a poor veracity?

23 A. I can only speak to what indications I saw in the

24 documents that I saw.

25 Q. Okay.

1 A. And those led me to believe that there may be some

2 questions, certainly. I can't answer with a certainty, but

3 enough question to let somebody that's in a position to review

4 them to make that decision. Like the DA's office to decide.

5 Q. Did you ever have in your mind specific instances of a

6 lack of veracity on Mr. Cleavenger's part?

7 A. From reading the documents, there were instances I recall

8 that at the time led me to believe there were questions, yes.

9 Q. What specific instances?

10 A. I don't recall at this moment. I can certainly reread the

11 documents if you would like and then highlight and then I'll be

12 able to answer your question.

13 Q. Was Lieutenant Lebrecht, who had a lawsuit against him by

14 Mr. Cleavenger at the time, allowed to put together the *Brady*

15 materials?

16 A. I believe the reason was his role and function at the

17 department at that time was Professional Standards Internal

18 Affairs and that encompasses that sort of function.

19 Q. Did it cross your mind or did anyone on the command staff

20 ever say -- did it ever cross their mind, to your knowledge,

21 "You know, we should probably have somebody who doesn't -- who

22 isn't in a relationship with Mr. Cleavenger put this together"?

23 MS. COIT: Objection to the foundation of what

24 crossed other people's minds.

25 THE COURT: Overruled.

1 THE WITNESS: So, no, I did not.

2 BY MR. MCDOUGAL: (Continuing)

3 Q. And there were plenty of competent people that could have?

4 A. There were people that could have, but no one was

5 specifically assigned to that function.

6 Q. But they could have done it?

7 A. They could have, certainly.

8 Q. Have you heard of the bowl of dicks list?

9 A. I heard that phrase.

10 Q. When did you first hear it?

11 A. When the entire media -- when it came out in the media.

12 Q. Do you know what, if any, involvement Lebrecht had in that

13 list?

14 A. Not firsthand, I don't.

15 Q. Well, secondhand? Who did you -- what did you hear and

16 who did you hear it from?

17 A. Everybody at the department. Everyone talks, certainly,

18 so --

19 Q. What did you hear?

20 A. I heard a number of different variation of things, so I

21 don't know which version --

22 Q. How about the version that Lebrecht was involved? Did you

23 hear that version?

24 MS. COIT: Object to the hearsay.

25 THE COURT: Overruled. Goes to state of mind.

1 You can answer the question, sir.
 2 THE WITNESS: I'm sorry. Say it again, the question.
 3 BY MR. MCDUGAL: (Continuing)
 4 Q. How about any version that Lebrecht was involved in the
 5 bowl of dicks list?
 6 A. I read that in various media publications, that he was
 7 involved in the list.
 8 Q. Is that professional?
 9 A. That's a very open-ended question. I don't think he was
 10 involved in any bowl of dicks list. I don't think there was
 11 such a thing, but that wasn't your question, so I didn't answer
 12 it that way. So I don't think he was involved in any such
 13 concept. There was no such concept, from what I understand.
 14 Q. Was there a concept that certain people could eat a bowl
 15 of dicks?
 16 A. I understood the concept to be a list kept by an officer.
 17 That's all I knew. An officer kept a list in sort of a joking
 18 manner. I've worked at the Eugene Police Department for
 19 22-plus years. I've seen all kinds of weird, bizarre, funny,
 20 strange stuff happen. And merely officers jokingly keeping a
 21 list to me doesn't rise to the level of anything at all.
 22 MR. MCDUGAL: Nothing further.
 23 THE COURT: Redirect?
 24 ///
 25 ///

1 REDIRECT EXAMINATION
 2 BY MS. COIT:
 3 Q. Mr. Deshpande, do you recall actually speaking with
 4 then-District Attorney Alex Gardner at one of these trainings
 5 or meetings that you had about *Brady* issues?
 6 A. Yes. I've seen him at a number of such trainings, so
 7 maybe I'm a little foggy at which specific one, but I've spoken
 8 with him a number of times, including at trainings.
 9 Q. Do you recall speaking to him specifically about concerns
 10 the UOPD was having about Mr. Cleavenger and the information it
 11 had?
 12 A. I think that certainly might have been a topic of
 13 discussion, yeah.
 14 Q. Sitting here today, you don't have a --
 15 A. I don't have a clear recollection of it, no.
 16 Q. No problem.
 17 All right. And you went with Lieutenant Lebrecht to the
 18 district attorney's office to deliver the information; correct?
 19 A. Yes, I did.
 20 Q. Who did you two meet with?
 21 A. It was actually Deputy District Attorney Patty Perlow.
 22 Q. And did Lieutenant Lebrecht give to Ms. Perlow
 23 Mike Morrow's entire internal affairs investigation?
 24 A. You know, he delivered a series of documents. I don't
 25 know exactly what all they contained, but he delivered them and

1 he read verbatim the coversheet, which I think was addressed,
 2 "Fitness for duty."
 3 Q. Do you recall Lieutenant Lebrecht telling Ms. Perlow --
 4 MR. MCDUGAL: Objection. Leading.
 5 THE COURT: Well, I'm not sure it suggests the answer
 6 yet.
 7 Continue with the question, Counsel.
 8 BY MS. COIT: (Continuing)
 9 Q. Was there anything discussed at that meeting by
 10 Lieutenant Lebrecht and Ms. Perlow about the actual allegations
 11 and findings of the internal affairs investigation?
 12 THE COURT: Overruled.
 13 THE WITNESS: Obviously, there was a discussion after
 14 he read the document verbatim. I don't remember the specific
 15 elements and so forth. If you could refresh my memory, that
 16 might help.
 17 MS. COIT: That's okay. That's all I have. Thank
 18 you, sir.
 19 THE COURT: Recross?
 20 MR. MCDUGAL: Nothing further. Thanks.
 21 THE COURT: May the witness be excused, Counsel?
 22 MS. COIT: Yes.
 23 MR. MCDUGAL: Yes.
 24 THE COURT: Thank you very much, sir. You may step
 25 down.

1 Your next witness, please.
 2 MS. COIT: Defense calls Chris Phillips.
 3 THE COURT: Thank you, sir. Step forward, please,
 4 and step into the well of the courtroom. Raise your right
 5 hand, please.
 6
 7 CHRISTOPHER PHILLIPS,
 8 called as a witness in behalf of the Defendants, being first
 9 duly sworn, is examined and testified as follows.
 10 THE WITNESS: I do.
 11 THE COURT: Be seated here in the witness box. The
 12 entrance is just to my right, closest to the wall.
 13 Be seated, sir. Pull the chair as close as you can to be
 14 near the microphone. Face the jury. State your full name and
 15 spell your last name.
 16 THE WITNESS: My name is Christopher David Phillips,
 17 P-H-I-L-L-I-P-S.
 18 THE COURT: Direct examination, please.
 19
 20 DIRECT EXAMINATION
 21 BY MS. COIT:
 22 Q. Officer Phillips, can you tell us who your employer is?
 23 A. University of Oregon Police Department.
 24 Q. When did you start at the University of Oregon?
 25 A. I started working at the university in 2004 as a public

1 safety officer.
 2 Q. And at some point did you -- were you hired on as a full
 3 police officer?
 4 A. I was in October of 2014.
 5 Q. Did you attend the police academy?
 6 A. I did.
 7 Q. Did you graduate from the police academy?
 8 A. I did.
 9 Q. When was that?
 10 A. February of this year.
 11 Q. And your current title is?
 12 A. Police officer.
 13 Q. Who's your supervisor?
 14 A. The immediate supervisor I have would be a sergeant, and I
 15 have -- their shifts are different than mine, so I have two at
 16 any given time.
 17 Q. Who are they?
 18 A. Part of the week it's Sergeant Geeting and then
 19 Sergeant Morris. The other part of the week it would be
 20 Sergeant Carey and then Sergeant Wade, W-A-D-E.
 21 Q. Is Lieutenant Lebrecht currently your supervising
 22 lieutenant?
 23 A. Yes.
 24 Q. What is your opinion of Lieutenant Lebrecht as a
 25 supervisor?

1 A. I've never had any problems with Lieutenant Lebrecht and
 2 we've gotten along very well.
 3 Q. Have you ever been a field training officer at the
 4 University of Oregon?
 5 A. I have.
 6 Q. Were you in that position in early 2011?
 7 A. Yes.
 8 Q. Do you recall if you ever were Mr. Cleavenger's field
 9 training officer?
 10 A. Mr. Cleavenger was never assigned to me as a recruit
 11 officer. It would have been only to cover for another officer
 12 at the time.
 13 Q. Sitting here today, do you have any recollection of
 14 training him on one or more days as a field training officer?
 15 A. No.
 16 Q. Do you know who his field training officer was?
 17 A. That would be Michael Drake.
 18 Q. What shift were you on back at that time, in 2011, if you
 19 can remember?
 20 A. I'm not 100 percent sure.
 21 Q. Okay. Were you aware that Michael Drake and
 22 Mr. Cleavenger had developed a personal friendship during field
 23 training?
 24 A. I had heard about it; but my own personal knowledge from
 25 them, no.

1 Q. Can you remember what shift you were on in late 2011,
 2 early 2012?
 3 A. No.
 4 Q. All right. So during the time that Mr. Cleavenger worked
 5 at the department, did you interact with him on several
 6 occasions? Was it a daily interaction? How would you describe
 7 it?
 8 A. It was on a few different occasions. I don't recall what
 9 shift I was on and what shift he was on at the time, but I know
 10 I saw him on a fairly regular basis.
 11 Q. All right. During those occasions that you did work with
 12 him, that you interacted with him, did you observe any
 13 behaviors of his that concerned you?
 14 A. There were a couple, yes.
 15 Q. Can you describe what those were for us?
 16 A. One of the occasions I was working we were on bike patrol,
 17 and he was riding with me at the time, and we were in the area
 18 of Fenton and Friendly Hall. And in between the two buildings
 19 there's a large grass area with a bunch of older trees, and
 20 there's a very large tree with branches that come down and
 21 create kind of a hiding area, basically, which we checked on a
 22 regular basis, because we would always find students, some
 23 transients that would sleep in there. The students would go in
 24 there to drink. We would catch them smoking pot. So we always
 25 went and checked those areas at night.

1 And normally we would ride up into the area, black out our
 2 lights, and then look through the openings in the branches to
 3 see if we could see anybody inside, if we saw any lighters
 4 being lit, listening for noises or other things.
 5 And that night, as I started to go around the outside of
 6 it, Mr. Cleavenger rode his bike directly across the lawn and
 7 right through the branches into the clearing underneath.
 8 Q. Why was that of concern to you?
 9 A. Number one, you can't really see what's going on
 10 underneath there. You have no idea how many people are in
 11 there. It's a big safety issue.
 12 There's the possibility he could have ran right through
 13 those branches and onto somebody, if we had somebody who was
 14 sleeping that was on the ground.
 15 With the students and -- if they were smoking pot or
 16 drinking alcohol, that were under age, and they knew what they
 17 were doing was wrong, we'd tend to have them run. On occasion,
 18 they fought us. They could have easily injured Mr. Cleavenger
 19 if they had decided to try and fight against somebody who is
 20 suddenly crashing through the branches into them and they don't
 21 know who it is.
 22 Q. Did you report this incident to a supervisor?
 23 A. I believe I did.
 24 Q. Who would that have been?
 25 A. I believe it would have been Sergeant Cameron at the time.

1 Q. Okay. After this happened, after you saw Mr. Cleavenger
 2 do this, did you speak to him about his conduct?
 3 A. I did.
 4 Q. And what did he respond to you?
 5 A. I asked him, you know, why he did that, and he said it was
 6 no big deal; he did it all the time.
 7 Q. Did you have an impression Mr. Cleavenger wasn't taking
 8 his role seriously?
 9 A. Yeah, to a degree, as far as things like that.
 10 Q. In your opinion, is it dangerous not to take your job
 11 seriously as a public safety officer?
 12 A. Yes.
 13 Q. Why is that?
 14 A. We contact the same people on campus that the Eugene
 15 police contact out in the city. There's no fences or walls
 16 around the campus, and the same people that wander the city
 17 committing crimes also tend to come onto campus committing
 18 crimes during the school year, especially being that it's more
 19 of a target-rich environment for them. There's thousands of
 20 people with thousands of things that are being left around. So
 21 we run across the same people.
 22 And we've contacted people that are on probation for
 23 murder. We've contacted people that were wanted for murder.
 24 We've contacted people that carry guns. And I, myself, have
 25 fought a couple of people that turned out to have handguns on

1 parking lot. And Officer Cleavenger is standing at the trunk
 2 of the car, and the two people that he was with -- there's one
 3 at the driver's side and one at the passenger's side. The
 4 doors are open, and they're inside the car digging through
 5 items inside the car.
 6 Q. Was that of concern to you?
 7 A. Absolutely.
 8 Q. Did you report this incident to Lieutenant Lebrecht and
 9 Sergeant Cameron?
 10 A. Yes.
 11 Q. So tell us what concerned you about Mr. Cleavenger's
 12 conduct.
 13 A. The fact that he took two people who we don't know who
 14 they are, no names have been given over the radio, we didn't
 15 know that they were going to a car, we had no license plate
 16 number of the car, and taking two people over to a vehicle and
 17 allowing them to dig inside it while you're trying to identify
 18 them and figure out what's going on, we have no idea of knowing
 19 what's in their car. They know what's in their car. And it
 20 could be a very dangerous situation.
 21 Q. And, again, did you talk with Mr. Cleavenger at the time?
 22 A. I did.
 23 Q. What did you tell him?
 24 A. I asked him why he decided to go off the property to go
 25 over to their car, and he said it was because they didn't have

1 them, and I was unarmed at the time.
 2 So it's no different working on campus than it is being
 3 out in the city, as far as the type of people we deal with.
 4 Q. But there's a big difference; correct?
 5 A. As far as --
 6 Q. You don't have guns; right?
 7 A. That's correct. At the time we did not.
 8 Q. All right. Do you recall being asked by Sergeant Cameron
 9 and Lieutenant Lebrecht to try to help Mr. Cleavenger, help him
 10 out in the field?
 11 A. Yes.
 12 Q. Give us some context for how that conversation came about.
 13 A. We had been on a call at the Romania building, and during
 14 that contact there was another officer there. I believe it may
 15 have been Officer Davis. And he was with two people that were
 16 at the Romania building for trespassing, and Officer Cleavenger
 17 was there as well.
 18 And when I got over there, I asked Officer Davis where
 19 Officer Cleavenger was, and he said that he was around the
 20 corner in front of the Romania building's curve. So I had to
 21 walk around to see where he was because I knew he was with at
 22 least two people.
 23 I get around to the front of the building, and I notice
 24 that Mr. Cleavenger is no longer on the Romania building
 25 parking lot area, but across the street in the Market of Choice

1 any ID.
 2 I explained, "You could have just asked for -- you could
 3 have asked for their names and birthdates." We run it through
 4 dispatch and have a way to decide if they're being honest with
 5 you, but there was no reason to go over to the car.
 6 Q. Is it also dangerous to split the people up and to leave
 7 the other officer alone?
 8 A. Yes.
 9 Q. So you reported this to Sergeant Cameron and
 10 Lieutenant Lebrecht. Was it immediately after it had occurred?
 11 A. Yes.
 12 Q. What did they tell you in response?
 13 A. They asked me at that point if I would kind of keep an eye
 14 on him. Maybe help him out.
 15 They said that any time that they've tried to talk with
 16 him and try to -- try to help with issues that he's having
 17 along those lines, that he would get very defensive and act
 18 like he hadn't done anything wrong. And they thought it might
 19 come across better if it was coming from another officer as
 20 opposed to a supervisor.
 21 Q. From that conversation, did you have the impression that
 22 Sergeant Cameron and Lieutenant Lebrecht wanted to help
 23 Mr. Cleavenger succeed as an officer?
 24 A. Yes.
 25 Q. Now, at some point in Mr. Cleavenger's tenure at the

1 university, he was reassigned to do parking duties. Do you
 2 recall that?
 3 A. Yes.
 4 Q. During the time he was reassigned to parking duties, do
 5 you recall calling -- hearing him call out incidents over the
 6 radio?
 7 A. Yes.
 8 Q. Did you respond to any of those incidents?
 9 A. I responded to one as a primary officer, yes.
 10 Q. And did anything about that callout or your response to it
 11 concern you?
 12 A. It made me -- once the call was over, I questioned what he
 13 was actually seeing, yes.
 14 Q. Tell us about the call.
 15 A. There -- he called out that we had a homeless person going
 16 through one of the dumpsters in our parking lot, 42, which is
 17 basically back behind a bar area. And the description that
 18 Officer Cleavenger had given at the time, I immediately knew
 19 who it was he was talking about.
 20 There's a transient that lives right around the campus
 21 area that is on campus every day. I've seen him since I've
 22 been there, since I started there in 2004, and I never had a
 23 reason to stop him or to talk with him for anything other than
 24 to wave at him as I drive by.
 25 Officer Cleavenger at the time said that he was going

1 I believe that he would see something, but I would still
 2 want to be the one to go over, observe it, and then make a
 3 contact, and not just make a contact based on what he was
 4 saying.
 5 Q. Is it important to you to be able to trust another
 6 officer's statements he's making to you?
 7 A. Yes.
 8 Q. Do you trust Mr. Cleavenger's professional abilities as an
 9 officer?
 10 A. I didn't, no.
 11 Q. All right. In 2008 were you aware of who Mr. Cleavenger
 12 was?
 13 A. Yes.
 14 Q. And how did you become aware of that?
 15 A. Well, actually, I shouldn't say that. In 2008? That was
 16 the Taser presentation?
 17 Q. Yes.
 18 A. Okay. I did not know who he was prior to that.
 19 Q. Okay. So were you at a speech with Mr. Cleavenger in
 20 2008?
 21 A. Yes.
 22 Q. And tell us about that speech, his role and your role, if
 23 any.
 24 A. It was a presentation -- or it was a discussion that was
 25 being done between the ASUO and the chief at the time,

1 through the dumpsters, taking out cans, and that that's against
 2 the university policy that people do that. And I asked him
 3 over the radio -- I asked him specifically if he could actually
 4 see this guy taking cans out of the dumpsters, and he says he's
 5 watching him. He's putting them into a plastic bag that's at
 6 his feet.
 7 I drove into the parking lot. I recognized the guy as the
 8 same person I've seen every day for years, and he had a white
 9 plastic bag at his feet that was filled with baked goods
 10 because he was taking the bakery items out of the dumpster from
 11 the deli next door that they had thrown away.
 12 Q. Did you end up contacting that person based on that call?
 13 A. No. No, I did not.
 14 Q. Did you report this incident to anyone?
 15 A. I believe I did report that to Sergeant Cameron or
 16 Lieutenant Lebrecht.
 17 Q. At some point after that occurred, did you stop relying on
 18 Mr. Cleavenger's report of things to base probable cause
 19 findings on?
 20 A. Yes.
 21 Q. Why is that?
 22 A. Based on that and from what I had heard from the other
 23 officers that had been called out with calls from him, I didn't
 24 believe that I could honestly believe a hundred percent what he
 25 was telling me.

1 Kevin Williams.
 2 Q. What's ASUO?
 3 A. Associated Student Union -- or Associated Student at the
 4 University of Oregon.
 5 Q. The student body government?
 6 A. Yes. And they had a little debate that was set up in
 7 order to discuss whether or not public safety officers should
 8 be given Tasers. Since they weren't allowed to carry guns.
 9 Q. And was that -- Chief Kevin Williams, was that his idea
 10 and something he was working on?
 11 A. Yes.
 12 Q. All right. So did you speak at that meeting?
 13 A. I did.
 14 Q. And what was your presentation?
 15 A. Mine was basically relegated to the fact that during my
 16 time there I had had to -- like I said, I caught two people
 17 that actually had handguns on them at the time. One of whom
 18 later ended up in a shooting, a couple of years later, just
 19 down the road from campus.
 20 The people we contact have knives. They have different
 21 weapons on them, and having a Taser would be something that
 22 would help us.
 23 Q. And do you recall Mr. Cleavenger speaking at that meeting?
 24 A. I do.
 25 Q. And what, if you recall, was the message he was setting

1 forth?

2 A. Mr. Cleavenger -- I was -- was for the ASUO, which was

3 they didn't want Tasers on campus. They believed Tasers were

4 lethal and they killed people and that Amnesty International

5 had declared them as an illegal weapon or they recorded all

6 these deaths and didn't believe that Tasers were anything that

7 should be carried by people.

8 Q. All right. At that -- after that speech, did you cross

9 paths again with Mr. Cleavenger before he came to work at the

10 University of Oregon Public Safety?

11 A. I did.

12 Q. Where was that?

13 A. That was at the Lane County Sheriff's Reserve Academy.

14 Q. Okay. Were you attending the academy at that time?

15 A. Yes, I was.

16 Q. And was Mr. Cleavenger?

17 A. Yes.

18 Q. Did you speak with him about that Taser speech in 2008?

19 A. We had a conversation about it once.

20 Q. How did that come up?

21 A. We were outside during a break, and I happened to mention

22 that I was surprised that he was there wanting to work as a

23 reserve officer. And then he had spoken at the Taser

24 situation, and he had mentioned that he was hired by the AUSO

25 to present their side, so that's what he did.

1 Q. Did you get along with Mr. Cleavenger when he worked at

2 the University of Oregon?

3 A. Yes.

4 Q. You never had any problems between the two of you?

5 A. No.

6 Q. Are you familiar with the concept of debriefing after a

7 call?

8 A. Yes.

9 Q. Describe for us what a debrief is, what its purpose is.

10 A. Usually after a call that actually has some significance,

11 you know, where it required multiple officers or anything, we

12 would get together and discuss the call, and it was an open

13 forum for anybody to be able to talk and say, hey, we could

14 have done this better or we could have done that better. You

15 know, maybe next time, instead of coming in this way, you'd

16 want to come in that way. It's an informal thing. So we would

17 just stand around and talk about the call and discuss what we

18 could do better the next time we had something similar.

19 Q. Is it important to hear what other people have to say

20 about what went on in a call?

21 A. Yes.

22 Q. Why is that?

23 A. A lot of times the first person that's there, or even the

24 second and more, can become overwhelmed by what's happening and

25 they don't actually see everything. There's another officer

1 that shows up in the middle, and he sees different things. So

2 everybody has kind of a slightly different view of it.

3 So a lot of times I may not have noticed something that

4 the third person noticed, so it's good for all of us to be able

5 to learn from that.

6 Q. Were you ever at a debrief of a call with Mr. Cleavenger?

7 A. Not that I can recall.

8 Q. Are you familiar with Sergeant Cameron?

9 A. Yes.

10 Q. Do you know him fairly well?

11 A. Yes.

12 Q. Is it fair to say you two are friends?

13 A. Yes.

14 Q. Have you ever seen -- did you ever see Sergeant Cameron

15 and Mr. Cleavenger having a discussion about a call out in the

16 field?

17 A. No.

18 Q. Did you ever see Sergeant Cameron mistreating

19 Mr. Cleavenger?

20 A. No.

21 Q. Did Sergeant Cameron ever discuss with you his opinions

22 that Mr. Cleavenger should not work at the University of Oregon

23 Police Department?

24 A. No. We never had that discussion.

25 Q. Did he ever discuss with you -- and, again, you two are

1 personal friends; correct?

2 A. Yes.

3 Q. Did he ever discuss with you his desire to get

4 Mr. Cleavenger in trouble at the department or fired?

5 A. No.

6 Q. From what you know of Sergeant Cameron, would that be out

7 of character for him to do that?

8 A. I have not seen him do that, since I started in 2004, with

9 anybody. We had some officers that were issues.

10 Q. Describe Sergeant Cameron's -- his style, his supervisory

11 style.

12 A. He comes across stern. He's fair, though, when it comes

13 to the supervision part. He has no problem telling you where

14 the mistakes were made, but he also has that ability to be able

15 to tell you how to fix them in the future.

16 Q. All right. You're familiar with the Spencer View

17 Apartments?

18 A. Yes.

19 Q. And is that a university-owned property?

20 A. It is.

21 Q. Have you made calls -- answered calls for service at the

22 Spencer View Apartments?

23 A. A lot.

24 Q. About how many times, if you can estimate?

25 A. Wow. Probably a few hundred.

1 Q. A few hundred?

2 A. Since 2004, yeah.

3 Q. Now, were you there on the call to Spencer View from which

4 Mr. Cleavenger was ultimately reprimanded?

5 A. No.

6 Q. Had you been to the apartments short ly before that call, a

7 few weeks before, to respond to a complaint?

8 A. Probably.

9 Q. Okay.

10 A. If I knew what the call was.

11 MS. COIT: Your Honor, permission to approach?

12 THE COURT: You may.

13 MS. COIT: This is Plaintiff's Exhibit 29. It's been

14 offered and received.

15 THE COURT: All right. Thank you.

16 BY MS. COIT: (Continuing)

17 Q. Just take a minute to look at that. Does that refresh

18 your memory of a call that you went to at the Spencer View

19 Apartments?

20 A. Yes.

21 Q. What is the date of that call?

22 A. February 24, 2012.

23 MS. COIT: Your Honor, permission to publish?

24 THE COURT: You may. This is Exhibit 29, did you

25 say?

1 MS. COIT: Yes, Your Honor.

2 THE COURT: Thank you.

3 BY MS. COIT: (Continuing)

4 Q. While we're trying to get this, tell us -- tell us what --

5 who was on that call with you?

6 A. That was Officer Hermens and myself.

7 Q. What were you responding to?

8 A. We were responding to a report from a lady who claimed

9 that she had gotten into an argument with an 11-year-old kid

10 and his mother previously.

11 Q. What was the argument about?

12 A. She -- the caller had -- the one that called, she felt

13 that the 11-year-old in the playground was playing too rough,

14 and so she confronted him about hitting another kid in the head

15 with a ball and escorted him from the playground and told him

16 to leave.

17 The kid went home and told his mother, and his mother came

18 back and had a discussion with the lady, and they went their

19 separate ways.

20 Q. When you responded to that call, had you been told by

21 dispatch that the two complaining -- well, the complaining

22 party and the other involved party were back in their

23 apartments?

24 A. Yes.

25 Q. Were you told that the other person's apartment was in a

1 completely separate area of the apartments?

2 A. Yeah. At Spencer View you can usually get -- they have

3 certain sections with doors that are colored, so they would

4 tell us, you know, "It's apartment 83 in the red doors," so we

5 knew where those apartments were. So we knew what apartments

6 were involved.

7 Q. And you should have it up on your screen now.

8 A. Uh-huh.

9 Q. All right. This is Officer Hermens' report; correct?

10 A. Uh-huh, yes.

11 Q. You were on this call with him?

12 A. Yes.

13 Q. Is this the call that the two of you drove directly up to

14 the front of apartment number 60?

15 A. Yes.

16 Q. And, again, at that time you knew that the other person

17 was in an apartment on the other side of the apartment complex?

18 A. Correct.

19 Q. All right. Officer Hermens writes in here that he spoke

20 to the woman and she told -- I'll just read it. Third sentence

21 down, "Van-Huyser told me she was frightened because she had

22 just been attacked."

23 Do you see that?

24 A. Yes.

25 Q. Were you there when she told you that -- told

1 Officer Hermens that?

2 A. I believe so.

3 Q. Was this an attack in progress that she was referring to?

4 A. No.

5 Q. Was this information anything that was dispatched to you

6 over the radio when you were responding to the call?

7 A. No.

8 Q. And, again, this was an altercation between a child --

9 children on the playground that had happened hours before. Was

10 that your understanding?

11 A. Yes.

12 Q. Let's go to the next page.

13 All right. Do you recall what action you took with regard

14 to this call?

15 A. My only actions at that point were with Officer Hermens at

16 apartment 60, where we talked to the lady there, and then I

17 went to over to apartment 257 while Officer Hermens went and

18 talked with the person that was working in the playground area

19 and then he met me back over at 257.

20 Q. Was any enforcement action or citations issued against any

21 of the people involved here?

22 A. No.

23 Q. Now, when you responded to this call, did you believe it

24 to be a cold call?

25 A. Yes.

1 Q. After refreshing your memory of the incident, do you still
 2 have the belief that it was a cold call?
 3 A. Yes.
 4 Q. Do you agree with me that it -- well, were you ever talked
 5 to about driving up and parking directly in front of the
 6 apartment?
 7 A. No.
 8 Q. Do you know if Officer Hermens was?
 9 A. I don't know.
 10 Q. Were you in separate cars?
 11 A. Yes.
 12 Q. All right. Were you working at the University of Oregon
 13 when the Occupy Eugene Movement was on campus?
 14 A. Yes.
 15 Q. Did you ever see Mr. Cleavenger eating a plate of food at
 16 the Occupy campus -- or Occupy location?
 17 A. Yes.
 18 Q. Tell me about that.
 19 A. Officer Johnson and I were on bike patrol that night, and
 20 we went over to Franklin and Onyx, which is where the camp had
 21 been relocated to.
 22 Franklin and Onyx intersection, you can go north there,
 23 and it takes you into a parking lot facility. We had blocked
 24 off the road to not allow you to go any further north than the
 25 entry to the parking lot so that no one would use that back

1 parking lot, and Officer Cleavenger's car was there, along with
 2 some barricades.
 3 And when we came up, he had a plate of, like, noodles and
 4 rice stuff that he was eating. And we had already been staying
 5 late that night, so I happened to ask him where he got it from,
 6 and he mentioned that the people there at Occupy had given it
 7 to him and that we could eat there as well if we wanted to.
 8 Q. Okay. Did you ever hear Mr. Cleavenger say, "That's how
 9 we do it in Junction City"?
 10 A. No.
 11 MS. COIT: All right. Thank you, sir.
 12 THE COURT: Cross-examination, please.
 13
 14 CROSS-EXAMINATION
 15 BY MR. MCDUGAL:
 16 Q. Good morning.
 17 A. Good morning.
 18 Q. Did you review any documents to prepare for court today?
 19 A. I looked at this right here.
 20 Q. You looked at that before you got to court?
 21 A. No. Just now, but not prior to court.
 22 Q. Okay. Any reason not?
 23 A. I'm sorry?
 24 Q. Reason why not?
 25 A. Because I don't know what you're going to ask me. I don't

1 know what documents you would expect me to look at.
 2 Q. Well, you knew your counsel was going to ask you some
 3 questions about some incidents; right?
 4 A. Sure.
 5 Q. Normally, when you're going to court to testify about an
 6 incident, especially callouts or things that you say were very
 7 dangerous officer safety issues, you would come in, you would
 8 have those reports, and you would make sure you got it right;
 9 right?
 10 A. Sure.
 11 Q. You didn't do that today. Why?
 12 A. Because the only thing that I knew from counsel here is
 13 that the Spencer View issue, which I note from the report
 14 here -- because we talked about it. I remember the call. I
 15 remember a lot of my calls that I've gone on.
 16 Q. So your testimony is you didn't know you were going to be
 17 asked these other areas about officer safety. She didn't know
 18 what answers you were going to give when you were getting
 19 asked; right?
 20 A. I'm not quite understanding your question, sir.
 21 Q. You're saying the only thing you knew you'd be questioned
 22 about was Spencer View.
 23 A. No. That's not what I'm saying.
 24 Q. You knew you would be questioned about broad areas where
 25 you talk about specific instances?

1 A. Correct.
 2 Q. And you knew those specific instances would have reports,
 3 dash cams, CADs, audios, potentially; right?
 4 A. Okay.
 5 Q. And, normally, when an officer goes -- and you said very
 6 clearly some of this stuff -- you didn't even remember Spencer
 7 View; right?
 8 A. No, I remembered Spencer View.
 9 Q. Okay. There were many aspects of that call where you had
 10 to look at the police report to get it right; correct?
 11 A. Not really, no.
 12 Q. I --
 13 A. Just the names. The age of the child.
 14 Q. The names -- aren't the names blacked out?
 15 A. Only the names of the child's mother is what it looks
 16 like.
 17 Q. All right. Let me ask you this --
 18 A. Sure.
 19 Q. You're under oath.
 20 A. Uh-huh.
 21 Q. You knew you were going to be put under oath.
 22 A. Uh-huh.
 23 Q. You want to get it right. The best way to get it right,
 24 if you're going to be talking about somebody's career, right,
 25 making serious statements about misconduct, is to bring the

1 reports; right?

2 A. Okay.

3 Q. How many times have you seen an officer testify in court?

4 A. How many times have I testified or have I seen?

5 Q. Have you seen or have you testified.

6 A. Hundreds.

7 Q. We'll break it into two questions.

8 A. Hundreds of times I've gone to court and testified.

9 Q. And fair to say they've got their reports with them?

10 A. Yes.

11 Q. What time of day was this -- and I think you called it

12 a -- or maybe your counsel called it -- I don't know -- a -- I

13 don't have my note. What was he eating at the Occupy Movement?

14 MS. COIT: Your Honor, can I just object to him

15 referring to me as Mr. Phillip's counsel? I'm not his counsel.

16 MR. MCDUGAL: I'm sorry. I didn't mean to create

17 that impression.

18 BY MR. MCDUGAL: (Continuing)

19 Q. What meal was it that he was eating at Occupy?

20 A. It was probably close to midnight or 1:00, so he was

21 sitting there with a white paper plate, with a plastic fork,

22 eating noodles and what looked like rice.

23 Q. Okay. Was there a CAD entry or a report or anything?

24 A. I don't know.

25 Q. You talked about some serious officer safety concerns, and

1 work, would it make sense to you that he would be written up

2 for not shaving for two days, but not written up for these

3 serious officer safety concerns that you say you told his

4 supervisors about?

5 A. I don't know.

6 Q. No opinion one way or the other?

7 A. I can't testify to why he would get written up for one and

8 not for another.

9 Q. Sometimes people have a preconceived notion of something .

10 Do you understand that?

11 A. Yes.

12 Q. Okay. Sometimes people hear something and they take away

13 from it something much different than what was said. True?

14 A. It can be, yes.

15 Q. Now, you said that Mr. Cleavenger gave a speech and was

16 against Tasers. Is that your recollection?

17 A. Yes.

18 Q. Didn't want the department to have Tasers?

19 A. Yes.

20 Q. Do you know -- did that upset you?

21 A. I wouldn't say it upset me.

22 Q. Okay. What was your response?

23 A. I wasn't very excited about it. I was hoping that we

24 would get them.

25 Q. Do you know if his speech about Tasers said anything about

1 was Mr. Cleavenger written up for any of those that you

2 testified about? The specific instances that you testified

3 about.

4 A. I don't know.

5 Q. If he's never been given it or talked to about it, if he

6 testifies to that, you don't have any information to the

7 contrary; correct?

8 A. I would guess not, unless -- although, I did tell my

9 sergeant and my lieutenant, so --

10 Q. If he was written up for not shaving for a couple of days,

11 you would expect him to be written up for these officer safety

12 issues you're testifying about; right?

13 A. Sorry. I can't answer that. I'm not the one that did the

14 discipline.

15 Q. Would it make sense to you in this world, given your

16 knowledge of police departments, that he would be written up

17 for not shaving for two days but not written up for these

18 things that you say --

19 THE COURT REPORTER: I'm sorry. I need you to slow

20 down.

21 MR. MCDUGAL: I'm sorry.

22 THE COURT: Reask the question. Slow down just a

23 little bit.

24 BY MR. MCDUGAL: (Continuing)

25 Q. Well, given your understanding of how police departments

1 there should be proper training first?

2 A. I couldn't recall that.

3 Q. Anything about there should be input and review of

4 guidelines with university input, nonpublic officer safety

5 department input?

6 A. Again, I don't recall those words being used, but --

7 Q. If, in fact, what he says was, "Yeah, Tasers, if they're

8 going to happen, A and B need to happen. Proper training and

9 community agreement on when they can be used."

10 Do you recall anything like that?

11 A. I don't.

12 Q. Would you be in disagreement with that?

13 A. I wouldn't say I would be in disagreement. I'm just

14 saying I don't recall it.

15 Q. And if Officer Cleavenger did things that created risk to

16 his own safety or other people's safety, those are things that

17 he should have been written up for at the time; right?

18 A. I would think so; but, again, I can't determine that.

19 Q. Those are things where if what you're saying now -- if

20 they had ever been written up, if they merited mention, he

21 would have had a chance to look at the video or audio if it

22 existed; right?

23 A. You're talking about the ones where -- that I've

24 discussed?

25 Q. Yeah. The ones you just talked about.

1 A. There was no video or audio for those at all.
 2 Q. Okay. If there was -- all right. Police reports?
 3 A. No police reports.
 4 Q. No report of a serious officer safety concern was written
 5 down?
 6 A. I explained it to my sergeant and my lieutenant.
 7 Q. Were you a sergeant at the time?
 8 A. No.
 9 Q. Since you became a sergeant, do you put that stuff in
 10 writing; serious officer safety concerns?
 11 A. It would depend on the situation.
 12 Q. Would it depend on the person?
 13 A. No. It would depend on the situation.
 14 Q. Do you recall supervising Mr. Cleavenger?
 15 A. No.
 16 MR. MCDUGAL: Okay. These don't have exhibit
 17 numbers on them.
 18 Permission to approach and show the witness Exhibit 89?
 19 THE COURT: You may, Counsel.
 20 BY MR. MCDUGAL: (Continuing)
 21 Q. This is a thick document. I would like you to look at it
 22 and see if it -- and it's got attachments, so take a second
 23 with it.
 24 THE COURT: That was Exhibit 89, Counsel?
 25 MR. MCDUGAL: Yes.

1 THE COURT: Thank you.
 2 Counsel, if he's going to go through it page by page,
 3 which he can do that, why don't we call another witness, and he
 4 can do that out in the hallway?
 5 MR. MCDUGAL: Let me ask him one question, and maybe
 6 we can skip doing that.
 7 BY MR. MCDUGAL: (Continuing)
 8 Q. Can you just look at your daily observation reports of
 9 Mr. Cleavenger in that stack? There's just a few of them at
 10 page 146 to page 161.
 11 A. I don't see page numbers on here. What was the days --
 12 the dates?
 13 Q. The dates are July 7 through the 17th of 2011.
 14 A. July 7 through 17th. Okay.
 15 Q. So there are a series of them there. And let me ask you
 16 one question before I ask you -- I'm going to ask you questions
 17 about your daily observation reports. Do you have -- do you
 18 think you need to read the entire document if I ask you about
 19 specific daily observation reports?
 20 A. There's just a small amount of writing that I've done, so
 21 it's --
 22 Q. Okay. If at any point during my questioning you think
 23 it's unfair that you look at the entire document, can you tell
 24 me?
 25 A. I can try.

1 Q. All right. Let's take your daily observation report from
 2 July 9th.
 3 A. Okay.
 4 Q. Do you have any independent memory of that day or what
 5 happened?
 6 A. No.
 7 Q. Okay. Is that your handwriting?
 8 A. Yes.
 9 Q. Can you read me the date and what the observation report
 10 says? Your handwritten portion.
 11 A. That's July 9, 2011. It says, "Cleavenger asked questions
 12 and took feedback on a few calls from myself and Sergeant
 13 Cameron -- Cleavenger asked questions and took feedback on a
 14 few calls from myself and Sergeant Cameron. Cleavenger took it
 15 and learned from it."
 16 Q. Okay. July 10, 2011.
 17 A. You want me to read that again?
 18 Q. Yeah.
 19 A. "Cleavenger is always looking for things out of place."
 20 THE COURT: Just a little slower, please.
 21 "Cleavenger is always looking for things out of place."
 22 THE WITNESS: "Or that look wrong. He found a car
 23 with plates that expired in 2009, ran it to confirm it was the
 24 right car and not stolen. Cleavenger also took the lead on a
 25 medical call and had all info ready for EFD when they arrived.

1 BY MR. MCDUGAL: (Continuing)
 2 Q. What section is that under? What is the heading that you
 3 write that under?
 4 A. The specific incident which demonstrates performance in
 5 this area.
 6 Q. Okay. Let's go to July -- there's another one on -- go to
 7 July 14. They're a little out of order, but it doesn't matter.
 8 A. July 14th. "Cleavenger initiated two contacts at the
 9 river today. He dealt well with them, explained the situation
 10 to them, obtained their cooperation, and I FI'd them. He did
 11 well with them. Cleavenger also found a bike that turned out
 12 to be stolen."
 13 Q. On each of the pages that you read so far, the three, it
 14 has a place below that if there's something wrong or that
 15 something needs to be addressed or a problem with his
 16 performance, you write something; right?
 17 A. Correct.
 18 Q. And each time you wrote "nothing" or "none"?
 19 A. Correct.
 20 Q. Let's go to July 15th. If you can read your
 21 handwritten --
 22 A. "Cleavenger assisted with an APSO training I gave. He was
 23 knowledgeable, helpful, explained things to the group, and
 24 assisted in the practical exercises."
 25 Q. No critique of him at all in the space that allows it?

1 A. No.
 2 Q. The next page, July 16th.
 3 A. "Cleavenger did well with a warrant arrest. During the
 4 contact, he was an AO and positioned himself well, assisted
 5 with handcuffing the subject and escorting him out. Cleavenger
 6 also found a laptop that he was able to confirm was stolen. He
 7 did well in all aspects on this call."
 8 Q. Underneath that, what's the typed portion that I'm saying
 9 you're not commenting upon? What does it actually say?
 10 A. The portion below that?
 11 Q. Yes.
 12 A. "The least satisfactory area of performance of the day was
 13 rating category" -- and then you use the rating category of
 14 this page. And it says, "a specific incident which
 15 demonstrates performance in this area is" --
 16 Q. Okay. I'm going to skip the next one. July 17th.
 17 A. Okay.
 18 Q. If you think there's anything negative in it, you can read
 19 it, but the jury will have it, and they can see that, and I
 20 don't want to take their time.
 21 A. No.
 22 Q. Okay. So anything in writing that we have contemporaneous
 23 with your dealing with Mr. Cleavenger, there's nothing negative
 24 that you've written about him?
 25 A. No, sir.

1 Q. Does this remind you that you were his FTO for a period?
 2 A. I believe so now, sure.
 3 Q. With regard to the callouts, and if I've got your language
 4 wrong, just repeat me. You said, "A lot of this, everybody has
 5 a slightly different view of a call." Fair to say?
 6 A. Yes.
 7 Q. And you have given your opinion of a couple of callouts.
 8 Did anybody ever investigate those callouts to see if they
 9 reached the same conclusion you did?
 10 A. I don't know.
 11 Q. But, to your knowledge, they didn't?
 12 A. I don't know.
 13 Q. Do you know if some of Mr. Cleavenger's callouts were
 14 investigated?
 15 A. I don't know.
 16 MR. MCDUGAL: One moment.
 17 BY MR. MCDUGAL: (Continuing)
 18 Q. In your role as a field training officer, would you
 19 actually teach people the rules of when they could make stops,
 20 what their authority was, that sort of thing?
 21 A. That was part of the job, yes, sir.
 22 Q. Were there areas where there simply weren't rules in the
 23 rulebook?
 24 A. I don't know. You would have to be more specific.
 25 MR. MCDUGAL: That's all I have.

1 THE COURT: Redirect?
 2
 3 REDIRECT EXAMINATION
 4 MS. COIT:
 5 Q. Officer Phillips, Mr. McDougal seems to be implying that
 6 you are lying here today.
 7 MR. MCDUGAL: Objection.
 8 BY MS. COIT: (Continuing)
 9 Q. Are you telling the truth?
 10 A. I am.
 11 Q. Are there any reports that you would have needed to review
 12 to assist in your memory of what you testified to here today?
 13 A. No.
 14 MS. COIT: That's all I have.
 15 THE COURT: Recross?
 16
 17 RECROSS-EXAMINATION
 18 BY MR. MCDUGAL:
 19 Q. In all those cases where the officers testified and
 20 brought their report, fair to say the lawyer who stood up to
 21 question them after they testified had that report?
 22 A. Probably.
 23 MR. MCDUGAL: That's all I've got.
 24 THE COURT: May the witness be excused, Counsel?
 25 MR. JASON KAFOURY: Yes.

1 MS. COIT: Yes.
 2 THE COURT: Thank you very much. You're excused from
 3 these proceedings.
 4 Counsel, would you call your next witness, please?
 5 MS. COIT: Defense calls Linda King.
 6 THE COURT: Thank you. Step in the well of the
 7 courtroom, please. Stop at that location, and please raise
 8 your right hand.
 9
 10 LINDA KING,
 11 called as a witness in behalf of the Defendants, being first
 12 duly sworn, is examined and testified as follows:
 13 THE WITNESS: I do.
 14 THE COURT: If you would go in front of the jury box,
 15 the entrance is to my right, closest to the wall.
 16 Thank you. If you would be seated, please. Would you
 17 pull the chair as close to the microphone as you can so we can
 18 hear you?
 19 Now, would you face the jury, state your full name, and
 20 spell your last name, please?
 21 THE WITNESS: Linda L. King, K-I-N-G.
 22 THE COURT: Direct examination, please.
 23
 24 ///
 25 ///

1 DIRECT EXAMINATION
 2 BY MS. COIT:
 3 Q. Ms. King, can you please tell us what your current
 4 professional position is?
 5 A. I'm retired from the University of Oregon.
 6 Q. And when you retired, what was your title?
 7 A. Associate vice president for human resources.
 8 Q. Is that the top job of human resources at the university?
 9 A. Yes.
 10 Q. When did you retire?
 11 A. October 2013.
 12 Q. Can you give us a history of your professional background ?
 13 A. I started with the City of Eugene in the personnel
 14 department. I left there in 1981 to go to the University of
 15 Oregon, where I became benefits administrator. In 1987 I
 16 became director of human resources. And then I think it's
 17 about 2005 my title was changed to associate vice president for
 18 human resources.
 19 Q. In 2012 what was human resources' role in disciplinary
 20 action for -- for classified -- for union employees?
 21 A. The employee of labor relations manager worked with
 22 supervisors and departments on progressive discipline issues,
 23 pre-progressive discipline issues, up to recommendations for
 24 termination.
 25 Q. And in 2012 who was in that role? Who was the labor HR

1 person?
 2 A. Randy Wardlow.
 3 Q. And did you work -- well, physically, did you work close
 4 to Mr. Wardlow?
 5 A. I did.
 6 Q. Same office?
 7 A. Down the hall. Yes, same office.
 8 Q. Was part of Mr. Wardlow's job to keep you updated on
 9 disciplinary or pre-disciplinary issues with classified
 10 employees?
 11 A. That's correct.
 12 Q. But he was the hands-on day-to-day person?
 13 A. He was. And I was his supervisor.
 14 Q. In 2012 did you become aware of any issues that the
 15 University of Oregon Department -- or Police Department was
 16 having with an Officer James Cleavenger?
 17 A. I was. Randy Wardlow had informed me of what was going
 18 on.
 19 Q. From your discussions with Mr. Wardlow, what did you
 20 understand was going on when you first learned of the issues?
 21 A. There were performance problems with Mr. Cleavenger, and
 22 they were doing steps of progressive discipline. Written
 23 reprimand, I believe. That sort of thing.
 24 Q. When a union employee, a classified employee is under
 25 consideration for receiving a written reprimand, is HR at the

1 university generally involved at that point?
 2 A. Yes.
 3 Q. And why is that?
 4 A. Well, progressive discipline goes into the employee's
 5 official file. There's certain requirements about language,
 6 and it's just to ensure that the process follows the collective
 7 bargaining agreement.
 8 Q. So these requirements that you're talking about, are those
 9 requirements set forth in the collective bargaining agreement?
 10 A. Yes.
 11 Q. Tell us what a collective bargaining agreement is.
 12 A. It's an agreement in this case between Service
 13 Employees -- Service International Union, SEIU, and the Oregon
 14 University System, of which U of O at that point was a member.
 15 Q. Did this collective bargaining agreement between the union
 16 and the university set forth the procedures that have to be
 17 followed when discipline is being issued?
 18 A. Yes.
 19 Q. And is part of your job as the head of HR to ensure that
 20 those requirements are followed?
 21 A. That's correct.
 22 Q. Now, do you personally recall having any discussions with
 23 anyone at the University of Oregon Police Department about
 24 Mr. Cleavenger's written reprimand before it was issued?
 25 A. I'm sure I had conversations with Randy Wardlow.

1 Q. Was that your general practice?
 2 A. Yes.
 3 Q. What was -- what was the purpose of having that general
 4 practice to be informed of something before it was issued?
 5 A. It was, as his supervisor, I wanted to know what was going
 6 on with employee discipline cases. I would often review the
 7 letter. It was just we met regularly, and he just kept me
 8 apprised of the situations he was working on.
 9 Q. Was part of the purpose for that review to also ensure
 10 that you were comfortable that the university, whatever
 11 department it was, the police department in this case, was
 12 following the steps as set forth in the union contract?
 13 A. That's correct.
 14 Q. Do you recall having any discussions with actual members
 15 of the police department before the reprimand was issued?
 16 A. I know I spoke with members of the police department. I
 17 can't recall the timing, if it was before the reprimand or
 18 after, but, yes, I did have some conversations directly with
 19 the department.
 20 Q. Okay. Well, let me ask you this: Do you recall
 21 specific -- excuse me, specifically recall having any
 22 discussions with a Sergeant Scott Cameron about the written
 23 reprimand?
 24 A. I do not.
 25 Q. Okay. Would it be typical for a sergeant at that level in

1 the police department to actually be involved in discussions
 2 when they get to the level of HR?
 3 A. Well, that's a supervisory position, so it would be
 4 possible if he supervised the employee in question.
 5 Q. Okay. But you don't remember Sergeant Cameron -- a
 6 discussion with him?
 7 A. I do not.
 8 Q. All right. Were you consulted by the police department,
 9 either the chief or any of her command staff, in relation to
 10 the decision to remove Mr. Cleavenger from active public safety
 11 officer duties?
 12 A. I know that was under discussion. I think. I certainly
 13 know Randy was involved. I don't recall if I was -- sat in on
 14 a meeting about that decision. I knew about it and did not
 15 object to it, supported it, but I can't remember if I actually
 16 met with him on that.
 17 Q. What do you recall as being the motivation for that
 18 decision; for him being taken off enforcement duties?
 19 A. There was a safety concern, a risk concern. There were
 20 problems with Mr. Cleavenger's judgment. He made some poor
 21 judgment calls that created concern about his safety, the
 22 safety of others, risk to the university.
 23 Q. Do you recall a discussion at that time about his
 24 involvement with a woman with a firearm?
 25 MR. JASON KAFOURY: Objection. Leading.

1 THE COURT: No. It doesn't suggest the answer,
 2 Counsel. It leads into the discussion. Overruled.
 3 You can answer the question.
 4 THE WITNESS: Yes. My -- to my recollection, he had
 5 put a woman into one of the police department's cars without
 6 checking what she had. In fact, she did have -- I believe it
 7 was a gun and was sitting in one of the cars with him.
 8 BY MS. COIT: (Continuing)
 9 Q. Do you recall who from the police department brought that
 10 concern to you before this decision of reassignment was made?
 11 A. I believe it was Mike Morrow or Randy Wardlow.
 12 Q. Okay. Do you recall being in agreement with the
 13 reassignment?
 14 A. Yes.
 15 Q. Now, reassignment during an investigation, that's --
 16 that's rare; correct?
 17 A. I would say yes.
 18 Q. Do you recall what it was about this particular situation
 19 with this officer that warranted this action at that point?
 20 A. Well, again, I think it was the risk of his -- the
 21 potential of him exhibiting, you know, additional poor --
 22 decisions that reflect poor judgment and the risk that was
 23 involved with that.
 24 Q. Were you consulted prior to Chief McDermid making her
 25 decision -- or, excuse me, making her recommendation to

1 terminate Mr. Cleavenger's employment?
 2 A. I was informed by Randy that that was -- you know, that
 3 was the step that was being considered. So, yeah, I would say
 4 I was consulted.
 5 Q. At that point, as the HR director for the University of
 6 Oregon, did you have any concerns? Did you see any red flags
 7 with Chief McDermid's decision to recommend Mr. Cleavenger's
 8 termination?
 9 A. I think -- it wasn't like, you know, yes, absolutely this
 10 is the -- this is the only step we can take. It was more a
 11 weighing of what was going on. The concerns about the risks
 12 versus we did skip a step in the progressive discipline
 13 process. So any time you're doing that, you have to, you know,
 14 think about it, because that's warranted in cases where the
 15 behavior or the problems are really severe.
 16 But I was persuaded that the risks involved made it a
 17 decision that we had to do -- we had to follow.
 18 Q. So the concern you had was with skipping a step in
 19 progressive discipline. Is that what I'm understanding you're
 20 saying?
 21 A. Right.
 22 Q. And progressive discipline, that's a concept in the union
 23 contract; the collective bargaining agreement?
 24 A. That's correct.
 25 Q. And what is the concern if you skip a step and go directly

1 to termination?
 2 A. Well, there's three steps laid out in the contract.
 3 Reprimand, some kind of a pay action, and then dismissal. And
 4 so normally it's -- the concept is that an employee gets
 5 progressively more severe warnings and so that at the point of
 6 dismissal, he or she has received adequate information.
 7 So skipping a step is warranted in situations where the --
 8 the infraction is really severe, and there's a risk -- risk
 9 situation where you're worried about safety.
 10 There's also things like theft. You don't have to warn
 11 someone not to steal from the employer. But in this case it
 12 had to do with the severity of the poor judgment and the
 13 implications for health and safety.
 14 Q. Were any of the concerns you had about skipping a step and
 15 moving to termination based on a concern that the chief was not
 16 sincere in her motives for recommending termination?
 17 MR. JASON KAFOURY: Objection. Leading.
 18 THE COURT: Sustained.
 19 BY MS. COIT: (Continuing)
 20 Q. Did you have any concerns about the chief's motives in
 21 recommending termination?
 22 A. No. Our conversations reflected just what I described:
 23 The problems with the judgment and the conduct.
 24 Q. After you had -- well, I'll ask you about the predismissal
 25 in a moment, but after you gathered all the information that

1 you gather before making your termination decision, were you
 2 comfortable skipping the step and going directly to
 3 termination?
 4 A. I was.
 5 Q. Now, in your experience, what happens if a labor
 6 arbitrator disagrees with the skipping of a step and moving to
 7 termination?
 8 A. Well, assuming it's gone to arbitration, then the
 9 arbitrator reverses the dismissal decision and the employee
 10 sometimes returns to working; sometimes doesn't. I mean,
 11 those -- those can kind of occur. What happens at that point
 12 varies based on the case.
 13 Q. Now, what is a predismissal meeting?
 14 A. Under the collective bargaining agreement, there is a
 15 provision for an employee to meet with what was then termed to
 16 be the appointing authority, and that's the chief human
 17 resources officer. So that would be me. And that hearing is
 18 the employee's opportunity to present mitigating circumstances
 19 as to why the termination decision shouldn't go forward.
 20 Q. Did you have a predismissal meeting with Mr. Cleavenger?
 21 A. I did.
 22 Q. Do you recall who was at that meeting?
 23 A. Randy Wardlow was there, I believe, with me. I think a
 24 union representative named Sean Brailey may have attended on
 25 the -- by conference call on the phone. Mr. Cleavenger was

1 there and his union representative.
 2 Q. Okay. I think I skipped a step here.
 3 Prior to the predismissal, is the employee given some sort
 4 of notice that termination has been recommended and there will
 5 be a predismissal meeting?
 6 A. Right. Under the contract, the employee gets a letter
 7 outlining the reasons for their recommendation. And, again,
 8 under the contract, there's a seven-day period. We can't
 9 schedule the hearing any sooner than seven days.
 10 MS. COIT: Your Honor, permission to publish
 11 Plaintiff's Exhibit 80? It's been entered or received into the
 12 record.
 13 THE COURT: You may. Exhibit 80.
 14 BY MS. COIT: (Continuing)
 15 Q. All right. On your screen there, there's a document. Do
 16 you recognize that?
 17 MS. COIT: Show her the last page.
 18 THE WITNESS: This is the letter informing
 19 Mr. Cleavenger that Chief McDermid is recommending dismissal.
 20 BY MS. COIT: (Continuing)
 21 Q. All right. And, again, what's the purpose of this letter?
 22 A. It's to notify the employee that this hearing is coming
 23 up; that this step is going to be taken. It also puts him on
 24 suspension without pay for that seven-day period.
 25 Q. Do you recall if you wrote this letter?

1 A. No. I -- I -- I didn't write the letter, no.
 2 Q. Sorry. The second page. All right. Is that -- is that
 3 your signature?
 4 A. That's not my signature.
 5 Q. Whose signature is that?
 6 A. Mary Beth Allen.
 7 Q. Who is she?
 8 A. She was an associate director in the office, and I was
 9 probably out that day and asked her to sign for me so we could
 10 keep -- keep the matter moving.
 11 Q. Okay. So she had your permission to sign this letter?
 12 A. Oh, and I had reviewed it, yes.
 13 Q. Okay. And what does it mean that you concur?
 14 A. That's just a practice that the university has done, and I
 15 think it means that the action -- just that, what it says; the
 16 action is taken with my concurrence. I agree that it's
 17 appropriate for us to have a predismissal hearing.
 18 Q. Do you know who wrote Exhibit 80?
 19 A. I believe that Randy Wardlow wrote it probably in
 20 consultation with people in the police department. Carolyn.
 21 Q. Now, go to the first page, please. Is the University of
 22 Oregon required to list -- pursuant to the contract, the
 23 collective bargaining agreement, is the university required to
 24 list every concern that they have about Mr. Cleavenger's
 25 judgment or misconduct in a predismissal letter?

1 A. Well, I don't think it's a requirement under the contract.
 2 Q. Is the requirement simply that what is set forth support
 3 just cause for the action?
 4 A. Yes.
 5 Q. All right. Did you have a predismissal meeting with
 6 Mr. Cleavenger?
 7 A. I did.
 8 Q. Sitting here today, do you have a memory of that meeting?
 9 A. Yes.
 10 Q. Was he represented by a union steward?
 11 A. He was.
 12 Q. And what is the overall purpose of the predismissal
 13 hearing?
 14 A. For the employee and his union representative to provide
 15 mitigating circumstances as to why the dismissal action should
 16 not be taken.
 17 Q. At this point in a disciplinary process, the human
 18 resources department has been relatively heavily involved in
 19 the action, correct, reviewing what's been done so far?
 20 A. Yes.
 21 Q. The predismissal letter.
 22 Is it common, when a discipline gets that far, for an
 23 intent to terminate, a recommendation for termination, to be
 24 denied? For the employer -- for you to overrule the
 25 recommendation and to keep the person employed?

1 A. It's not common. It has happened, but it's not common.
 2 Q. What do you -- well, at this predismissal hearing -- I'll
 3 ask you if you recall a few specific things, okay? Do you
 4 recall Mr. Cleavenger reporting to you something about a bowl
 5 of dicks list?
 6 A. No.
 7 Q. Do you recall him reporting to you his feelings that there
 8 was mistreatment of the Occupy Movement?
 9 A. No.
 10 Q. Do you recall him reporting to you that he felt time was
 11 wasted at the department watching football highlights?
 12 A. No.
 13 Q. Do you recall him reporting to you a culture of
 14 discrimination against women in the department?
 15 A. No.
 16 Q. Now, you took notes of that meeting; correct?
 17 A. Yes.
 18 Q. Is that your general practice, to take notes during a
 19 predismissal meeting?
 20 A. Yes.
 21 Q. If Mr. Cleavenger had brought these things up to you that
 22 I just mentioned, would it be your practice to write something
 23 like that down in your notes?
 24 A. Yes.
 25 Q. Have you reviewed your notes prior to coming to court

1 today?
 2 A. No. Not recently.
 3 MS. COIT: Your Honor, may I approach?
 4 THE COURT: You may. What exhibit are you showing
 5 her? It should be marked.
 6 MS. COIT: Oh, sorry. 404.
 7 THE COURT: 404. Thank you.
 8 BY MS. COIT: (Continuing)
 9 Q. What is Exhibit 404?
 10 A. These are my handwritten notes that I took during the
 11 predismissal hearing.
 12 Q. You just had a chance to briefly look them over. Do you
 13 see in there any mention of the items that I questioned you
 14 about?
 15 A. No.
 16 Q. Thank you.
 17 Do you recall Mr. Cleavenger explaining to you in general
 18 about he thought his supervisors were picking on him?
 19 A. I don't recall that.
 20 Q. Do you recall -- what do you recall him saying at that
 21 meeting?
 22 A. I remember him discussing a number of incidents of -- that
 23 were raised that addressed or -- that were examples of his use
 24 of poor judgment and problems with his work, and he explained
 25 his perspective on those various incidents.

1 Q. Do you recall how long this meeting lasted?
 2 A. I -- not exactly. I would say probably about an hour.
 3 Maybe a little longer.
 4 Q. Now, after the meeting was concluded, do you recall doing
 5 anything to further investigate any of the topics
 6 Mr. Cleavenger raised at the meeting?
 7 A. It was -- it has always been my practice to go through my
 8 notes and see if there's any -- anything that I should follow
 9 up, and I believe -- again, my memory -- this was a long time
 10 ago, but that I did call maybe Mike Morrow or someone at UOPD
 11 saying, you know, "This is what was told to me. Can you help
 12 me with it?" And I can't recall the specifics, but that would
 13 be my practice.
 14 Q. Do you recall him raising the issue of not being trained
 15 in advising people they were being recorded?
 16 A. I don't recall if he raised that. I could see if I wrote
 17 it down.
 18 Q. That's okay. I just want your memory.
 19 All right. Did you ultimately conclude that there was
 20 sufficient just cause to skip a step and move to termination?
 21 A. I did.
 22 MS. COIT: Your Honor, permission to approach again?
 23 THE COURT: I'm sorry?
 24 MS. COIT: Permission to approach again?
 25 THE COURT: You may.

1 MS. COIT: This is Exhibit 86.
 2 THE COURT: 86.
 3 MS. COIT: I believe it's already been received.
 4 BY MS. COIT: (Continuing)
 5 Q. What is Exhibit 86?
 6 A. It is the letter of dismissal.
 7 MS. COIT: Permission to publish?
 8 THE COURT: You may.
 9 BY MS. COIT: (Continuing)
 10 Q. Now, did you write this letter?
 11 A. I did.
 12 Q. What is the purpose of Exhibit 86?
 13 A. Well, it -- it provides written notice that
 14 Mr. Cleavenger's dismissed. It also goes over the
 15 conversations and the evidence and the -- the arguments that
 16 were made during the predismissal hearing.
 17 Q. How much time do you generally take writing a predismissal
 18 letter -- I mean, I'm sorry, a termination letter?
 19 A. Well, it -- if there's any research, I do it before it,
 20 and then the actual writing takes a few hours.
 21 Q. Do you have an actual recollection of writing this letter?
 22 A. Vaguely. Yeah, I wrote it.
 23 Q. Do you recall how much time you spent writing Exhibit 86?
 24 A. I don't. I mean, I don't recall specifically; but, again,
 25 those can take a few hours.

1 Q. And you agreed with everything you put into 86, the
 2 termination letter?
 3 A. Yeah. Yes.
 4 MS. COIT: That's all I have. Thank you, Ms. King.
 5 THE COURT: Cross-examination?
 6 MR. JASON KAFOURY: Thank you, Your Honor.
 7
 8 CROSS-EXAMINATION
 9 BY MR. JASON KAFOURY:
 10 Q. Ms. King, you and I have met before; isn't that correct?
 11 A. That's correct.
 12 Q. That was at your deposition where you gave sworn testimony
 13 on November 11, 2014; correct?
 14 A. Correct.
 15 Q. Now, you became the director of human resources at the
 16 University of Oregon in 1987; right?
 17 A. That's correct.
 18 Q. So you have been running essentially human resources for
 19 the University of Oregon for over 30 years; right?
 20 A. Until I retired, yes.
 21 Q. And you managed 20 full-time employees at or around the
 22 time of this incident; is that right?
 23 A. Yes.
 24 Q. So just so the jurors are clear, if the chief wanted to
 25 get rid of a supervisor and not -- by not renewing their

1 contract, that's what you dealt with; right?
 2 A. Yes.
 3 Q. Randy Wardlow dealt with people like Mr. Cleavenger, who
 4 were the union employees. That was the division between you
 5 and Mr. Wardlow?
 6 A. That's correct.
 7 I should also point out that Mary Beth Allen also worked
 8 with officer administration employment.
 9 Q. So, for example, Casey Boyd -- you worked with the
 10 department to not renew her, for example?
 11 A. Yes.
 12 Q. And she, in fact, handed you a 12-page document on her
 13 very last day. Do you remember that?
 14 A. I think she gave it to Jamie Moffitt; but, yes, I know she
 15 submitted a document.
 16 Q. Did you read that document?
 17 A. I did.
 18 Q. She outlined 12 pages of retaliation she felt that
 19 Chief McDermed and Lieutenant Lebrecht did against her, didn't
 20 she?
 21 MS. COIT: Object as beyond the scope of direct.
 22 THE COURT: Overruled.
 23 THE WITNESS: I have not -- I -- I can't say that I
 24 recall what the document said. It certainly outlined her
 25 unhappiness and problems that she saw in the department, but I

1 haven't read it in a long time and I don't recall the
 2 specifics.
 3 BY MR. JASON KAFOURY: (Continuing)
 4 Q. You worked with Mike Morrow as part of the investigations
 5 on her; correct?
 6 A. On Ms. Boyd?
 7 Q. On Ms. Boyd, yeah.
 8 A. I may have. I don't recall.
 9 Q. So the union contract has a three-step grievance process
 10 that's written into the contract, right, for folks like
 11 Mr. Cleavenger?
 12 A. Yes.
 13 Q. And if they don't prevail in step one, step two, or step
 14 three, the only choice is arbitration at that point; correct?
 15 A. Well, if you're talking about a dismissal, it's not a
 16 three-step process. If you're talking about something like a
 17 reprimand, that would be correct.
 18 Q. But, generally, they have to go through a series of steps
 19 where they're -- they're not working with an independent
 20 neutral person like an arbitrator. They're working with
 21 someone on behalf of the university; right?
 22 A. With union representation, right.
 23 Q. Isn't it true that in all of your 30 years there, you
 24 don't remember any employee winning at a step one, two, or
 25 three in relation to a termination before having to go to

1 arbitration?
 2 A. Well, again, if an employee is terminated, the first
 3 grievance step for that individual is step three, which is the
 4 Oregon University System. So the first two steps that are
 5 within the University of Oregon are not relevant.
 6 Q. But you don't recall, in your 30 years, an employee
 7 getting a termination flipped at a step three hearing, do you?
 8 A. I don't.
 9 Q. Now, as part of your role of human resources at the
 10 University of Oregon, you had the power to do departmental
 11 reviews; right? That was something in your things that -- that
 12 was the power that you had; right?
 13 A. I wouldn't say I had the power to say we're going to do
 14 this, but certainly, for example, a vice president would
 15 usually ask for a departmental review.
 16 THE COURT: Excuse me for just a moment. Why don't
 17 we all stand up for just a moment and stretch. Okay. Do
 18 jumping jacks. Be seated.
 19 Counsel, thank you.
 20 BY MR. JASON KAFOURY: (Continuing)
 21 Q. So give the jurors a few examples of departments that you
 22 can conduct a review of.
 23 A. Well, again, what would happen is, for example, some -- an
 24 issue might be raised with a vice president about a department
 25 in his or her area, and that vice president might ask that a

1 review be conducted. I'm trying to think of an example, but
 2 that -- that would be how those would -- would happen.
 3 Q. Okay. My point is that it was different within the
 4 Department of Public Safety. That's not how it worked within
 5 their department; right?
 6 A. No. That would be how it worked.
 7 Q. Didn't you testify at your deposition that investigations
 8 happened within the police -- within the police department were
 9 run by the chief. Isn't that true?
 10 A. Investigations into the -- the officer's conduct, those
 11 would be conducted within the department.
 12 Q. Now, as part of your dealings with Randy Wardlow, you had
 13 a weekly meeting with him where you discussed people like
 14 Mr. Cleavenger; right?
 15 A. That's correct.
 16 Q. And you would work with Mr. Wardlow on , for example, a
 17 letter of reprimand, what language should be in there; right?
 18 That was part of the meetings that you had?
 19 A. In the meetings we discussed here's what's happening, kind
 20 of more general activity, than it would be we're going to --
 21 we're going to issue a written reprimand in a particular case.
 22 He would draft it. I would review it. It wasn't like in the
 23 meeting I told him what to say.
 24 Q. As you said in your deposition, the point of HR working
 25 with the command staff on a letter of reprimand was that you

1 wanted to make sure the letter of reprimand had all the right
 2 language in it. That was your word at your deposition?
 3 A. That would be correct.
 4 Q. Because you know that letters of discipline may end up
 5 through the -- at an arbitration; right? That's why you wanted
 6 to make sure it had the right language in it; right?
 7 A. That's correct.
 8 Q. Now, letters of clarification, there's 2,000-plus union
 9 employees, right, within the university system?
 10 A. Not quite that many. More like 1,500.
 11 Q. There's a lot?
 12 A. Yes.
 13 Q. University-wide, only three or four letters of
 14 clarification a month; right?
 15 A. As I explained, sometimes -- a letter of clarification is
 16 not disciplinary. It doesn't go into the employee's file. So
 17 while we're available to work with supervisors on
 18 clarifications, and they often wanted that, a supervisor could
 19 write a letter of clarification without human resources'
 20 involvement. I was estimating three to four clarifications
 21 where human resources was consulted.
 22 Q. And only one or two letters of reprimand happened a month
 23 campus-wide; right? That was your testimony?
 24 A. That was my estimate.
 25 Q. So define for the jurors: What is progressive discipline?

1 A. Progressive discipline is a process where employees are
 2 warned of problems with their performance, conduct, in
 3 progressively more severe sanctions.
 4 So the first step of progressive discipline is a written
 5 reprimand under the collective bargaining agreement that the
 6 U of O has. The first step is a written reprimand. The second
 7 step is some kind of a pay action, usually a drop in one pay
 8 step for a period, like two to three months, and the third is
 9 dismissal.
 10 Q. Do you recall about 10 years ago a situation with an
 11 Officer McIntyre involving theft of money out of a parking
 12 meter?
 13 A. Yes.
 14 Q. You worked on that, didn't you?
 15 A. I have a vague recollection of that, yes.
 16 Q. Okay. He actually was terminated , but then he got his job
 17 back, didn't he?
 18 A. I don't recall the specifics of that situation.
 19 Q. Got his job back but reassigned to parking duties. That
 20 doesn't ring any bell to you?
 21 A. No. I'm sorry.
 22 Q. Did you work with the command staff in relation to
 23 allegations of theft of service and a parking pass with an
 24 Officer Bowes?
 25 A. Oh, I -- can you give me more specifics?

1 Q. I believe it was Officer Nicole Bowes. Does that ring any
 2 bells?
 3 A. I'm sorry. It doesn't.
 4 Q. About five years ago?
 5 A. No, I don't -- I don't -- I may have, but I just don't
 6 recall.
 7 Q. Let's talk about a concept of -- involving HR. You've
 8 heard of the term "papering the file," haven't you?
 9 A. When you asked me during the deposition is when I first
 10 had heard that.
 11 Q. Let's look at your deposition. The concept of papering
 12 someone's file, you understand putting in the right language,
 13 getting the right amount of letters in there will then allow
 14 for a successful termination. You understand that
 15 conceptually, right, within HR?
 16 A. Well, I understand that perception.
 17 Q. Well, if you don't document things and put them in the
 18 files, someone's termination might get overturned at
 19 arbitration; right? That's why you're documenting and papering
 20 your files. That's one of the reasons, isn't it?
 21 A. Well, the reason is to improve employee performance. But
 22 you're correct. You need a -- you need the record.
 23 Q. But part of your duties are also risk management as the
 24 head of HR; right?
 25 A. That's correct.

1 Q. Let's talk about risk management. So if someone is
 2 alleging that they're sexually harassed, that might lead to a
 3 lawsuit; right? That's risk you're managing when you hear
 4 about that allegation?
 5 A. That's correct.
 6 Q. Same with someone saying they've been discriminated
 7 against within the workplace; right? When you hear that
 8 allegation, part of your job is to manage that risk on behalf
 9 of the university; right?
 10 A. That's correct.
 11 Q. And by managing it, you're trying to reduce that risk;
 12 isn't that true?
 13 A. Yes.
 14 Q. Someone speaking up and saying they were retaliated
 15 against for speaking their mind within the department, that
 16 would be potentially a lawsuit; right?
 17 A. It could be.
 18 Q. Now let's talk about your involvement with -- I'd like to
 19 show you what we were discussing earlier about the theft
 20 charge. I'll show you some documents and see if this refreshes
 21 your memory about them.
 22 THE COURT: Exhibit number?
 23 MR. JASON KAFOURY: 237.
 24 THE COURT: Counsel, there are a number of documents,
 25 also, that are sequential. If she's going to review those, why

1 don't we call another witness and have her view them quietly in
 2 the hallway and come back?
 3 BY MR. JASON KAFOURY: (Continuing)
 4 Q. Just those two incidents, Bowes and McIntyre, does that
 5 refresh your memory of those two incidents and your
 6 involvement?
 7 A. No. I -- this is 2007 and 2009. I would need to read
 8 this. That's --
 9 Q. Okay.
 10 A. I don't -- I don't recall, off the top of my head, these
 11 situations.
 12 THE COURT: There's no problem with her reading that.
 13 The point is, though, that we can possibly just have her do
 14 that and not just sit here and watch her read.
 15 BY MR. JASON KAFOURY: (Continuing)
 16 Q. Well, let's move on. I'll ask one question.
 17 THE COURT: Counsel, no reason to. You've got the
 18 time. She can read those, but I just don't want her sitting
 19 here while the jury is watching her read.
 20 MR. JASON KAFOURY: I understand.
 21 BY MR. JASON KAFOURY: (Continuing)
 22 Q. Will you agree with me -- we'll ask it simply -- this
 23 document, December 11, 2007, that's your signature there at the
 24 bottom; correct?
 25 A. That's my signature. That's correct.

1 Q. On this document, February 12, 2007, that's your signature
 2 at the bottom of that document as well; correct?
 3 A. That's correct.
 4 Q. All right. Let's talk about your involvement with my
 5 client, Mr. Cleavenger.
 6 So when Mr. Wardlow got involved with my client, he would
 7 have created a separate file in his own office on
 8 Mr. Cleavenger; right? That's how the process begins?
 9 A. Correct.
 10 Q. And that's a separate file that is on Mr. Cleavenger and
 11 maintained within the HR department; right? Separate from the
 12 Department of Public Safety?
 13 A. That would be correct.
 14 Q. And in that HR file would be kept any letters of --
 15 letters of discipline would go there; right?
 16 A. Can I back up? We're talking about two different files.
 17 Q. Okay.
 18 A. In human resources is the official personnel file, and
 19 that contains documents like performance appraisals, you know,
 20 pay actions, documentation for pay actions, and that's the
 21 official file. And reprimands, any kind of progressive
 22 discipline goes in there.
 23 Randy Wardlow had what you might call a working file, and
 24 that might have notes of meetings that he had with supervisors,
 25 and maybe letters of clarification, which don't go into the

1 official personnel file.
 2 Q. So my point is there's a separate file that Wardlow starts
 3 on my client related to discipline the moment he's brought in
 4 by the department; right? That's how it starts?
 5 A. Well, that's my understanding of how he would do his
 6 files, yes.
 7 Q. His office door is just a couple doors down from you;
 8 right?
 9 A. That's correct.
 10 Q. Now, at these weekly meetings, you didn't take notes
 11 during those meetings, did you?
 12 A. No.
 13 Q. Any reason you wouldn't want to document these weekly
 14 meetings you're having with Mr. Wardlow to discuss how to get
 15 the right language in these letters?
 16 A. Our weekly meetings were more general. It's a briefing of
 17 this is what's going on. We would probably talk about five or
 18 six employees' situations, and Mr. Cleavenger's would be one of
 19 them.
 20 It was more broad higher-level decision-making of next
 21 steps; have you thought of this or that?
 22 Q. So you would -- you and Mr. Wardlow would have emailed the
 23 letter of reprimand he was given on May 18, 2012. You would
 24 have emailed that back and forth; right?
 25 A. Yes.

1 Q. You would have provided feedback and edits for him; right?
 2 A. Yes.
 3 Q. Looked for any red flags in the document?
 4 A. Yes.
 5 Q. Now, when you get that information from the command staff,
 6 you guys at HR are not doing any independent investigations
 7 about whether these allegations against him are true, are you?
 8 A. That's correct.
 9 Q. You're a hundred percent dependent on the information
 10 you're getting from command staff to write these letters;
 11 right?
 12 A. Yes.
 13 Q. Now, annual evaluations. At your deposition, over your 30
 14 years, you never heard of a situation where there were three
 15 drafts of an annual evaluation dealing with the same time
 16 period?
 17 A. I -- I had never heard of that.
 18 Q. So I'm assuming that you've never heard of four times --
 19 four drafts of an annual evaluation. You never heard of that
 20 either; right?
 21 A. Well, I wouldn't necessarily know if all this drafting is
 22 going on in the department.
 23 Q. But with Mr. Cleavenger's annual evaluation, Randy Wardlow
 24 was working on that with the command staff. You know that;
 25 right?

1 A. And that happened at times.
 2 Q. Are you aware what the -- the contract -- the contract
 3 says that each union employee at the Department of Public
 4 Safety is supposed to get an annual evaluation; right?
 5 A. That's true for the whole university.
 6 Q. Okay. Are you aware, as you sit here today, that many
 7 people didn't get annual evaluations for many different years
 8 over the time they've worked for the Department of Public
 9 Safety?
 10 A. That's happened campus-wide too.
 11 Q. Now, you do remember a meeting where Mr. Cleavenger and
 12 his job reassignment were going to be discussed; right?
 13 A. I'm not sure I remember a specific meeting. I do remember
 14 talking about it.
 15 Q. And the command staff at the department were concerned
 16 about my client's poor judgment because of what happened with
 17 the Spencer View incident; right?
 18 A. Yes.
 19 Q. Now let's talk about that for a moment, your understanding
 20 of how unsafe my client was in relation to the Spencer View
 21 incident.
 22 You testified in your deposition that part of the problem
 23 about the Spencer View incident was that you believed at the
 24 time of the situation that pulling up to the door could have
 25 involved violence; right? That's what you testified to?

1 A. My recollection was that he pulled too close to the door
 2 and that that -- that there was concerns about domestic
 3 violence and so that by doing so his car was visible from the
 4 door and there were other officers that were parked farther
 5 away and that it increased the risk.
 6 Q. Okay. That's all information you learned from someone at
 7 the command staff; right?
 8 A. And Mr. Wardlow, yes.
 9 Q. Did you ever do any -- before you decided to terminate him
 10 related to this incident, did you ever do any investigation to
 11 find out exactly what happened with that Spencer View incident?
 12 A. No.
 13 Q. Now, while you're dealing with my client, back around this
 14 time period of April, May, you knew he had a law degree, didn't
 15 you?
 16 A. I don't remember when I learned that he had a law degree.
 17 I may not have known at the time. I just don't remember.
 18 Q. Now, I'm jumping around here a little bit, but the reason
 19 that my client was put on paid administrative leave, your
 20 understanding was because of these problematic callouts, right,
 21 that happened in September?
 22 A. That was -- yes. On the administrative leave, what was
 23 the time frame you're talking about?
 24 Q. September. End of September of 2012. That was the
 25 reason, you said in your deposition, he was put on paid

1 administrative leave was because of these callouts; right?
 2 A. Right.
 3 Q. And you said that normally your predissmissal hearings, you
 4 continue with the recommendation. It's actually more like
 5 95 percent of the time you terminate people after a
 6 predissmissal hearing; right? That's what you testified to?
 7 A. I would say that's accurate.
 8 Q. And that predissmissal hearing is a chance for my client to
 9 present, as you describe, mitigating circumstances. Other
 10 explanations for why things may have occurred; right?
 11 A. That's correct.
 12 Q. Now, you testified you went through your notes. Can you
 13 take your notes out there for us?
 14 A. Yes.
 15 Q. First page. Middle of the first page. It does say right
 16 in the middle of the first page, "Told to report only
 17 felonies"; right?
 18 A. Yes.
 19 Q. That was something that my client told you; right?
 20 A. Yes.
 21 Q. You also testified on direct that you don't recall
 22 anything about retaliation from his supervisors during this
 23 meeting; right?
 24 A. That's correct.
 25 Q. Let's look at 143 there at the bottom. Look at the last

1 sentence. Tell me if I'm reading this right. "Shows the
2 lengths Lebrecht is willing to go to get rid of JC." James
3 Cleavenger. That's what you wrote; right?
4 A. That's what I wrote.
5 Q. On page 145, in the middle. This is from Donna Laue's
6 interviewing other officers. You learned that officers believe
7 they're focusing on JC; right?
8 A. Right.
9 Q. And the next page. "MM" -- MM, Mike Morrow; right --
10 "refused to accept evidence." That's all in your handwritten
11 notes, isn't it?
12 A. Yes.
13 Q. Let's talk about these handwritten notes.
14 So can you count the number of pages there in your
15 handwritten notes?
16 A. Seven.
17 Q. What are the Bates numbers on there?
18 A. I'm sorry?
19 Q. What are the numbers that start on the bottom and what do
20 they go to?
21 A. Oh, 16140 to 16146.
22 Q. So you've got 140 to 146. Can you read the Bates numbers
23 on the bottom of those documents?
24 A. 139 to 149.
25 Q. And would you agree with me that the front page is

1 completely illegible?
2 A. Well, I can read it, but -- well, you're right. It's
3 pretty much illegible.
4 Q. Pretty much illegible; right?
5 A. Yes.
6 Q. Can you go to the last three pages?
7 MS. COIT: Can I ask what document he's showing her?
8 MR. JASON KAFOURY: I gave you the Bates numbers.
9 You produced them.
10 THE WITNESS: 139.
11 MR. JASON KAFOURY: 139 that you -- what's the last
12 number?
13 THE COURT: 145 was mentioned.
14 THE WITNESS: 150.
15 MR. JASON KAFOURY: 139 through 150.
16 MS. COIT: Is this an exhibit?
17 MR. JASON KAFOURY: I'm asking.
18 THE COURT: I believe these are the same notes, if
19 I'm not mistaken, that you have in front of you on that exhibit
20 number. Would you read that blue exhibit number to us?
21 THE WITNESS: 404.
22 THE COURT: Are those the same notes you're looking
23 through, but in a different condition?
24 THE WITNESS: This one has more pages.
25 THE COURT: More pages. But look at the first

1 page of each. Would those be the same, and just one is marked
2 as an exhibit? We can see that the other one is a little
3 difficult to read.
4 THE WITNESS: This one is not marked for exhibits.
5 These are not the same.
6 THE COURT: They're not the same first page?
7 THE WITNESS: No.
8 THE COURT: Thank you. That clears it up, Counsel.
9 BY MR. JASON KAFOURY: (Continuing)
10 Q. Can you go to the last three pages of that document I
11 handed you? Not one of those pages is legible, are they? Not
12 that one, but that one, that one, and the last -- turn it over.
13 None of those last three pages are legible at all, are they?
14 A. No.
15 Q. But they are your notes?
16 A. It's my handwriting, yes.
17 Q. So counsel showed you -- can I have this back? Counsel
18 showed you seven pages, but there's actually 139 to 150, and
19 four of those pages are completely illegible?
20 THE COURT: That's a question?
21 MR. JASON KAFOURY: That's what I'm asking her, yes.
22 THE WITNESS: Well, they're -- I can't pronounce
23 that. They're not legible.
24 MR. JASON KAFOURY: We may offer this later,
25 Your Honor. Not at this moment.

1 We'll label it 274 for the record.
2 THE COURT: 274. Let's be certain here. 274 are the
3 witness's notes --
4 MR. JASON KAFOURY: Correct.
5 THE COURT: -- given to plaintiff?
6 MR. JASON KAFOURY: Correct.
7 THE COURT: There are more pages that you received.
8 That exhibit number -- what's the number that you are --
9 THE WITNESS: 404.
10 THE COURT: 404? That's the blue tag?
11 THE WITNESS: Yes.
12 THE COURT: Thank you. 404. Is that a correct
13 summation?
14 MR. JASON KAFOURY: That's correct, Your Honor.
15 There are four additional pages which are illegible in
16 Plaintiff's 274 that's been marked.
17 THE COURT: Okay. Thank you. 274 is marked. 404 is
18 marked.
19 BY MR. JASON KAFOURY: (Continuing)
20 Q. Now let's talk about -- let's talk about this document
21 that you -- that you drafted to terminate my client, shall we?
22 Can you turn to Exhibit 86? Do you have it there?
23 A. I do.
24 Q. Okay. When you drafted this, you took this seriously;
25 right?

1 A. Yes.
 2 Q. You knew that what you put in this document at some point
 3 would be the basis for termination that the arbitrator would be
 4 deciding on; right?
 5 A. That's correct.
 6 Q. Now, you talked at length with defense counsel about this
 7 loaded-gun incident; right? On the direct exam just now;
 8 right?
 9 A. Yes.
 10 Q. You never referenced the loaded-gun incident anywhere in
 11 this document, do you?
 12 A. That's correct.
 13 Q. In fact, at your deposition, I asked you for officer
 14 safety issues, and you never referenced the loaded -gun incident
 15 at your deposition, did you?
 16 A. I believe that's correct.
 17 Q. So at your deposition last year, you had two years to
 18 prepare for what were the serious safety allegations that my
 19 client was being terminated for; right?
 20 A. Say that again.
 21 Q. Two years ago -- or last year, when your deposition was
 22 taken, there was a lawsuit happening. He was being terminated.
 23 You played a role in that. You knew that the reason he was
 24 terminated was a critical thing at your deposition. You knew
 25 that; right?

1 A. Yes.
 2 Q. Okay. And, yet, when we discussed officer safety issues
 3 in your deposition, the only thing you referenced was the
 4 Spencer View incident. You didn't represent anything about
 5 this loaded-gun incident?
 6 A. Well, my recollection of that is that we were talking
 7 about some of the earlier incidents that resulted in the shift
 8 from -- to the parking position.
 9 Q. Well, let's talk about that. When did the loaded-gun
 10 incident happen?
 11 A. I don't recall.
 12 Q. Okay. Could it have been before you wrote the first
 13 letter of reprimand?
 14 A. I don't recall.
 15 Q. What do you recall being told about this loaded-gun
 16 incident?
 17 A. I recall that there were some examples of poor judgment ,
 18 and that was one of them.
 19 Q. Okay. Did anybody tell you that the woman had a concealed
 20 weapons permit?
 21 A. No.
 22 Q. Did anybody tell you that she was fleeing a dangerous
 23 husband who was stalking her and had military background?
 24 Anybody tell you those facts?
 25 A. No.

1 Q. Did anybody tell you that she was asking Department of
 2 Public Safety officers for help with that problem? Did anybody
 3 ever tell you that?
 4 A. I don't recall if they did.
 5 Q. Did anyone tell you she was actually wearing the gun right
 6 on her hip, right here? Did anybody tell you that?
 7 A. No.
 8 Q. Did anybody tell you that Sergeant Cameron came to the
 9 scene where she was in a parking lot with overhead lights and
 10 was there dealing with the situation the same time my client
 11 was before he gave her a ride? Did anybody tell you that?
 12 A. No. Not that I recall.
 13 Q. The gun incident -- I think it's undisputed in this
 14 case -- happened on May 6, 2012. Your decision to terminate
 15 was October 26, 2012. That's almost six months after this
 16 incident; right?
 17 A. Yep. Yes.
 18 Q. But defense counsel didn't ask you any questions on direct
 19 exam about how dangerous the Spencer View incident was, did
 20 she?
 21 A. No.
 22 Q. Let's talk about what you wrote in this termination
 23 letter. Okay? Do you have a copy of it there?
 24 A. I do, yes.
 25 Q. You spent at least a few hours working on it; right?

1 A. That's correct.
 2 Q. It says on October 1st you received notice of disciplinary
 3 suspension. In fact, this letter was not given to my client
 4 until the meeting the morning of October 2nd; isn't that
 5 correct?
 6 A. I don't know when he was given the letter.
 7 Q. It was right after a meeting he just had with Brian Smith.
 8 Does that ring a bell?
 9 A. I know who Brian Smith is. I don't know about a meeting .
 10 MR. JASON KAFOURY: Mr. Hess, can you publish
 11 portions of this for us? The second paragraph, "You have been
 12 employed."
 13 MR. HESS: Which page?
 14 MR. JASON KAFOURY: Page 1, paragraph 2.
 15 BY MR. JASON KAFOURY: (Continuing)
 16 Q. Okay. So you wrote that he was given a letter of
 17 clarification on November 11, 2011; right?
 18 A. Correct.
 19 Q. What's the date on the letter of clarification?
 20 A. November 18, 2011.
 21 Q. So you were off by seven days on that portion; right?
 22 Correct?
 23 A. Yes.
 24 Q. You were off by seven days. Okay. Let's talk about this
 25 letter of clarification. You said this is not discipline,

1 didn't you?
 2 A. I did.
 3 Q. Okay. Well, why, then, if it's not discipline, is it
 4 going into his letter of termination, discussing his grooming
 5 standards there right in that paragraph?
 6 A. Well, it -- it talks about more than the grooming
 7 standards. It's been my practice to -- in doing a letter of
 8 dismissal or any -- any disciplinary letter, to cite the
 9 progressive discipline that led up to it.
 10 Q. So it's not discipline, except you use it for discipline
 11 when you write letters like this. Is that what you're saying?
 12 A. It's a warning to employees, and so it's a statement that
 13 you were warned.
 14 Q. The letter of discipline is supposed to be removed after
 15 one year from his file, isn't it?
 16 A. No. Letters of discipline --
 17 Q. Sorry. Letters of clarification. I'm sorry.
 18 A. I don't believe that's in the contract.
 19 Q. Are you aware that this letter of clarification, written
 20 on November 18, 2011, ended up, two and a half years later,
 21 being given to the district attorney as part of the *Brady*
 22 materials against my client? Are you aware of that?
 23 A. No.
 24 Q. You go through -- on pages 2 and 3 here, you go through a
 25 series of outlining of these problematic callouts; right?

1 A. Correct.
 2 MR. JASON KAFOURY: Can you blow up, Mr. Hess, on
 3 page 1, 2, 3 -- blow up that paragraph in the middle in
 4 follow-up.
 5 BY MR. JASON KAFOURY: (Continuing)
 6 Q. So here you point out that Lieutenant Bechdolt actually
 7 did an investigation into the details of this incident;
 8 correct?
 9 A. That's correct.
 10 Q. And because these calls were problematic, that was one of
 11 the reasons he needed to be terminated; right? That was your
 12 conclusion in this letter?
 13 A. That's one of them, yes.
 14 Q. Okay. Are you aware, as you sit here today, Lieutenant
 15 Bechdolt has testified at the arbitration and in this courtroom
 16 that he didn't see any problem with these callouts?
 17 A. I was not aware of that.
 18 Q. Did you ask Lieutenant Bechdolt at this time period, the
 19 guy who had done the investigation, "Hey, what's your opinion
 20 about these callouts? Were they problematic or not?"
 21 A. I don't recall. I don't think I talked to
 22 Lieutenant Bechdolt.
 23 Q. Can you pull up the next paragraph?
 24 Well, you went and made comments about these callouts in
 25 this letter. Let's look at the last sentence. "Although, you

1 may have been well-intentioned in making the callouts, your
 2 behavior reflects repeated examples of extremely poor judgment
 3 and inability to accurately assess situations."
 4 Now, if you had talked to Lieutenant Bechdolt and found
 5 out that he didn't see any problem with these callouts, that
 6 might have made a difference in your determination when you
 7 were investigating whether to terminate my client, wouldn't it?
 8 A. Well, I was also talking to other people, like
 9 Mike Morrow, who felt that they were problematic.
 10 Q. Okay. Do you know if Mike Morrow did any investigation
 11 into the callouts?
 12 A. I don't.
 13 Q. While you're working on this, let's just narrow this down.
 14 The people you're getting information from at the department
 15 were Morrow, the chief, and Lebrecht. Are those the three
 16 people you got info from?
 17 A. That's my recollection.
 18 Q. Okay.
 19 A. And, again, a lot of this was Randy Wardlow, and they --
 20 Q. Well, you wrote this letter.
 21 A. I did, yes.
 22 Q. You were at the predissmissal hearing; right?
 23 A. Yes.
 24 Q. You wanted to give my client a fair shot to investigate
 25 these allegations. That was your goal; right?

1 A. That's correct.
 2 Q. Okay. Let's talk about that.
 3 MR. JASON KAFOURY: Can we go down to the next page,
 4 Mr. Hess, the third paragraph?
 5 BY MR. JASON KAFOURY: (Continuing)
 6 Q. This involves the recording -- the alleged illegal
 7 recordings that my client did while he stopped folks. Do you
 8 remember those?
 9 A. Yes.
 10 Q. Okay. Now, you say that his failure on several occasions
 11 to notify people violated University of Oregon Police
 12 Department policy. What policy are you talking about?
 13 A. I don't have the citation.
 14 Q. Are you aware of the fact that Lieutenant Morrow testified
 15 yesterday in this courtroom that there wasn't a policy at this
 16 time for dash cam video recordings?
 17 A. No. I'm not aware of that.
 18 Q. So the only person you could have gotten this information
 19 from, just so we're clear -- because you didn't talk to anybody
 20 except for Lebrecht, the chief, or Morrow when you wrote in
 21 this official document that he violated the policy; right?
 22 A. That's correct.
 23 MR. JASON KAFOURY: Okay. Can you -- the next
 24 sentence, Mr. Hess. The, "This does not mitigate the fact
 25 that" -- the next paragraph. The very bottom. "This does

1 not" --
 2 BY MR. JASON KAFOURY: (Continuing)
 3 Q. So, again, you're terminating my client because of these
 4 callouts, saying that he violated the policy of the department
 5 and that's why he needs to be terminated; right?
 6 A. That's one of the reasons.
 7 MR. JASON KAFOURY: Let's go to the next paragraph,
 8 Mr. Hess. Blow up that whole paragraph. This one is
 9 important.
 10 BY MR. JASON KAFOURY: (Continuing)
 11 Q. Okay. So my client -- at this predismissal hearing, there
 12 were questions about whether he had been trained by
 13 Lieutenant Lebrecht on these recordings before this; right?
 14 That was one of the fact issues you investigated; right?
 15 A. Correct.
 16 Q. Okay. And, as you say here, "As a justification for not
 17 knowing the following department policies, you stated
 18 Lieutenant Lebrecht reported that he shared this information at
 19 meetings that you contend could not have occurred with the
 20 report of attendees. You checked the department staffing
 21 schedule to learn when officers were scheduled to work. In
 22 checking with UOPD leadership, I learned that the scheduling
 23 resource you reviewed is not a reliable source and that it did
 24 not reflect last-minute changes to the schedules. CAD reports
 25 were reviewed and confirmed that the reported attendees,

1 including you, were present at the meetings, at which the
 2 department policy on notifying contacts -- contacts of
 3 recordings were discussed. This assertion calls into question
 4 your credibility."
 5 So you're saying my client is being dishonest in this
 6 paragraph here because he really did attend those briefings
 7 with Lieutenant Lebrecht; right? That's your conclusion?
 8 A. That's what the records show.
 9 Q. Okay. Where are those records?
 10 A. I got them from -- I talked with Mike Morrow.
 11 Q. You talked with Mike Morrow?
 12 A. Uh-huh.
 13 Q. Did you actually physically look at those CAD reports?
 14 A. No, I didn't.
 15 Q. So you wrote in this document. When you report "CAD
 16 reports were reviewed and confirmed that the report of
 17 attendees, including you, were present," that's not true, is
 18 it? You did not look at it.
 19 A. That's true.
 20 Q. Now --
 21 MR. JASON KAFOURY: Well, we can take a break for
 22 lunch, Your Honor.
 23 THE COURT: Is this a good time to recess, Counsel?
 24 MR. JASON KAFOURY: Sure.
 25 THE COURT: Ladies and gentlemen, can I have an extra

1 15 minutes today? 1:15. Okay? And we'll come back at a
 2 little after 1:15. Have a nice lunch. Please don't talk. By
 3 the way, has anybody talked about the case so I get to start
 4 all over again? Okay. Don't do that. Don't express an
 5 opinion. Have a nice lunch.
 6 (Jury not present.)
 7 THE COURT: Counsel, 1:15.
 8 (Recess taken.)
 9 (Jury present.)
 10 THE COURT: All right. We're back in session. The
 11 jury is present. All the parties and counsel are present.
 12 Counsel, if you would like to continue with your
 13 examination.
 14 MR. JASON KAFOURY: One moment. I'll be right with
 15 you. Let me get to my page.
 16 BY MR. JASON KAFOURY: (Continuing)
 17 Q. When we left off we were discussing the letter that you
 18 wrote terminating my client. Before lunch; right? Correct?
 19 A. Correct.
 20 Q. Okay. You still have a copy of it up there with you?
 21 A. I do.
 22 Q. Okay. I just want to make sure we're clear here. The
 23 point of the predismissal hearing, my client is supposed to
 24 present mitigating information to you; correct?
 25 A. Yes.

1 Q. And you apply your judgment to see if the mitigating
 2 circumstances are sufficient to not terminate. Right? That's
 3 the job that you do as the head of HR?
 4 A. Correct.
 5 Q. Let's go through some more steps that you took to
 6 investigate my client after the predismissal hearing here.
 7 First, what's the date on the dismissal letter?
 8 A. October 25, 2012.
 9 Q. And October -- in your notes, your handwritten notes,
 10 October 25th is the same day you talked to Mike Morrow, isn't
 11 it?
 12 A. I don't recall.
 13 Q. Last page of your notes there, can you see a date there on
 14 that document?
 15 A. What? My handwritten notes?
 16 Q. Yeah. Do you see any date when you talk to Morrow on
 17 there?
 18 A. I don't have any reference to Morrow. This is what you're
 19 looking at?
 20 Q. The handwritten notes. The last page there says "MM."
 21 A. "Refused to accept evidence." Is that what you're looking
 22 at?
 23 Q. No. I think we're -- I think -- I'll move on for the
 24 moment. We have some other things to talk about.
 25 Let's go back to the letter. All right. We left off

1 talking about how --
 2 MR. JASON KAFOURY: Mr. Hess, can you go back to the
 3 second-to-the-last page in the termination letter, please?
 4 Second-to-last page there. Can you blow up the last paragraph?
 5 First paragraph is what we were on before.
 6 BY MR. JASON KAFOURY: (Continuing)
 7 Q. Okay. So we left off at lunch -- this paragraph you're
 8 attacking my client's credibility because you stated that the
 9 CAD reports were reviewed and confirmed that the reported
 10 attendees, including you -- meaning my client -- were present
 11 at the meetings.
 12 And you have never reviewed any CAD reports to confirm
 13 that. That's all accurate; correct?
 14 A. Correct.
 15 MR. JASON KAFOURY: Okay. Let's go to the next
 16 paragraph, Mr. Hess.
 17 BY MR. JASON KAFOURY: (Continuing)
 18 Q. Now, in this paragraph you and your representatives made
 19 the point that the pace of your discipline appears accelerated,
 20 stating that the activities occurred in April, giving you
 21 insufficient time to improve your performance. My research
 22 indicates that the problematic callouts occurred recently, in
 23 September, not last April. In addition, you have received
 24 verbal and written warnings regarding potential problems with
 25 your performance over the past year without demonstrating an

1 improvement.
 2 That's what you wrote; right?
 3 A. Correct.
 4 Q. And the reason you're putting that in there is because one
 5 of the things about progressive discipline is that the employee
 6 has an ability to show that they've improved after they've been
 7 trained; right? That's --
 8 A. Yes.
 9 Q. Okay. What is the date there on that letter of
 10 clarification?
 11 A. I do not have that.
 12 Q. You don't have that stuff there? I'll grab it.
 13 A. It's -- it's referred to in here as November 11th, and you
 14 said it was November 18th.
 15 Q. Right. Just for the record, that's -- what is the exhibit
 16 number on that?
 17 A. 3.
 18 Q. Okay. So Exhibit 3 is November 18th; right?
 19 A. Correct.
 20 Q. And part of the letter of clarification involves officer
 21 safety issues; right?
 22 A. Yes.
 23 Q. Okay. Now I'd like to show you Plaintiff's Exhibit 31.
 24 Can you tell us the date on that document?
 25 A. The date phase began and ends?

1 Q. Yes. Correct.
 2 A. The date phase began November 16, 2011. The date phase
 3 ends December 17, 2011.
 4 Q. So that's a month after this letter of clarification where
 5 he's -- the same letter of clarification you put into his
 6 termination letter; right?
 7 A. Right.
 8 Q. Okay. So let's look at the last paragraph on that last
 9 page there.
 10 MR. JASON KAFOURY: Mr. Hess, can you blow up the
 11 last paragraph on that document?
 12 MR. HESS: Exhibit 31? Permission to post?
 13 MR. JASON KAFOURY: Yeah, it's already in.
 14 MR. HESS: Last paragraph?
 15 MR. JASON KAFOURY: Yeah, last paragraph. Last page.
 16 MR. HESS: Last paragraph. Last page.
 17 BY MR. JASON KAFOURY: (Continuing)
 18 Q. Okay. Officer Cleavenger's overall performance was at an
 19 acceptable level this week. There are approximately 30
 20 students residing on campus for the winter break, so the calls
 21 for service are low. Cleavenger's overall performance
 22 continues to improve in all areas. I don't see it as necessary
 23 to continue weekly evaluations at this point as
 24 Officer Cleavenger immediately took it upon himself to quickly
 25 correct the points that were to be addressed.

1 Doesn't this directly contradict what you wrote in his
 2 termination letter when you wrote, "You have received verbal
 3 and written warnings regarding problems of your performance
 4 over the past year without demonstrating improvement"?
 5 A. I would say it contradicts "without demonstrating
 6 improvement" for that week.
 7 Q. Correct. And that's one of the reasons that you
 8 terminated him was because you were arguing in this letter that
 9 he hasn't demonstrated any improvement; right?
 10 A. Yes.
 11 Q. Okay. Now, would you agree with me that it's pretty hard
 12 to show improvement as a public safety officer if the last four
 13 months of that time period he wasn't allowed to operate as a
 14 public safety officer?
 15 A. I agree.
 16 Q. So from May until September, there was no ability to show
 17 improvement as a public safety officer; right?
 18 A. He wasn't working as a public safety officer. So he
 19 wasn't working as a public safety officer, yeah.
 20 Q. Okay. Now -- and those weekly evaluations there that you
 21 have, that we just talked about, those were ended early,
 22 weren't they, because he was doing so well?
 23 MS. COIT: Your Honor, I object to the foundation
 24 with this witness. It's going far beyond the scope of my
 25 direct. She's not a defendant here.

1 THE COURT: Overruled.
 2 THE WITNESS: I don't know the answer. These were
 3 done within the department.
 4 BY MR. JASON KAFOURY: (Continuing)
 5 Q. Right. But when you write in here, in his termination
 6 letter, that you received -- that he's received verbal and
 7 written warnings "regarding problems with your performance over
 8 the past year without demonstrated improvement," where are you
 9 getting that information from that he had no demonstrated
 10 improvement?
 11 A. The incidents that occurred in September of 2012, the
 12 callouts.
 13 Q. Okay. The callouts that the investigating officer,
 14 Lieutenant Bechdolt, didn't find any problems with. That's
 15 where you're determining that there were no improvements?
 16 A. I didn't have that information; but, yes.
 17 Q. Well, you had the hearing. The predismissal hearing was
 18 in early October; right?
 19 A. Correct.
 20 Q. And you didn't write -- early October 2012. You didn't
 21 write this letter until October 25, 2012; right?
 22 A. Correct.
 23 Q. So you had a couple of weeks to go do some research and
 24 see if the allegations my client made at the predismissal
 25 hearing were true or not; right? That was part of your job?

1 A. Right.
 2 Q. Okay. Let's go to the next paragraph in your dismissal
 3 letter. You -- you start this paragraph, "You asserted" --
 4 that would be my client; right?
 5 A. That's true.
 6 Q. "You asserted that you had submitted 33 training requests
 7 that either received no response or were denied. I learned
 8 that you did receive all the mandatory training offered to
 9 public safety officers. Individual training requests are
 10 approved based on relevance to specific positions and
 11 operational needs regarding staffing. Lieutenant Mike Morrow
 12 told me that it is appropriate for sergeants to deny and
 13 approve training requests. He stated that some of the training
 14 requests -- training you requested had little or no relevance
 15 to your assigned duties. Furthermore, it is not clear how the
 16 denied training would mitigate the specific problems with your
 17 performance or assist you in exercising better judgment and
 18 decision-making." Right? That's what you said?
 19 A. Yes.
 20 Q. So one of the big issues that my client was terminated for
 21 was this failure to notify people about recordings; right?
 22 A. Right.
 23 Q. That's for mobile dash cam videos?
 24 A. No. My recollection is that that had to do with the
 25 recording device that he wore. It wasn't dash cam.

1 Q. Okay. Do you remember what the very first training
 2 request he put forth to his -- his superiors were on -- in
 3 early 2012? Do you remember what the very first one was?
 4 A. No.
 5 Q. Let me show you.
 6 A. Mobile Dash Cam Video Tactics.
 7 Q. What's the date of that training?
 8 A. February 7, 2012.
 9 Q. Can I have that back?
 10 A. Uh-huh.
 11 Q. So the very first request he made, back at the beginning
 12 of 2012, Mobile Dash Cam Video Tactics, don't you agree that if
 13 he had had that training it might have mitigated "the specific
 14 problems with your performance" or assist him in exercising
 15 better judgment and decision-making?
 16 A. Again, the problem was with voice recording. It wasn't
 17 dash cam, so I'm --
 18 Q. Well --
 19 A. Perhaps.
 20 Q. Okay. Did you do anything to look into his training
 21 requests and see whether any of them might have helped him out
 22 before you wrote this sentence, "It's not clear how the denied
 23 training would mitigate the specific problems with your
 24 performance or assist you in exercising better judgment and
 25 decision-making."

1 Did you do anything to look into his trainings?
 2 A. I spoke with Mike Morrow about the assertion that he had
 3 been denied these trainings. And the contention, as I recall,
 4 in the hearing, was that a sergeant could not deny trainings or
 5 it was not operating procedure, and that was -- that was the
 6 contention I was checking out.
 7 Q. I just want to be clear about this. Throughout all the
 8 materials in relation to his termination, have you ever seen
 9 anything that my client violated a policy, in regards to the
 10 PUMA audio recordings, the handheld ones?
 11 A. I haven't seen anything.
 12 Q. You have no idea if there was any analysis done before my
 13 client was terminated in relation to traffic stops to see if
 14 many other officers during that same time period were all doing
 15 traffic stops, did you -- do you?
 16 A. Are you referring to the incident where he pulled the law
 17 professor over?
 18 Q. Right. The dean stop. That was one of the reasons you
 19 put in here for terminating him; right?
 20 A. Uh-huh.
 21 Q. Okay. Did you do anything before you wrote this letter to
 22 find out if other officers were doing the exact same kinds of
 23 traffic stops for years before my client?
 24 A. Well, I was led to believe otherwise; but, no.
 25 Q. You read the arbitrator's opinion?

1 A. I did. Not recently, but I did.
 2 Q. The arbitrator determined that the incidents that he was
 3 fired for were, quote, "not extraordinarily serious or
 4 sufficiently grave to justify skipping additional progressive
 5 discipline and going straight to termination"; right? That was
 6 one of his determinations?
 7 A. That's my understanding, yes.
 8 Q. Oh, I'll show you, just to clear it up, that document
 9 there.
 10 THE COURT: What's the number?
 11 MR. JASON KAFOURY: Can I grab it from you real
 12 quick? Exhibit 274.
 13 THE COURT: 274.
 14 MR. JASON KAFOURY: Okay. It's Bates numbered at the
 15 bottom 147.
 16 BY MR. JASON KAFOURY: (Continuing)
 17 Q. Does that indicate what day you spoke with Mike Morrow ?
 18 A. Yes.
 19 Q. What day was that?
 20 A. October 25th.
 21 Q. Same day you wrote the letter firing my client; right?
 22 A. Same day I completed the letter.
 23 MR. JASON KAFOURY: Okay. That's all I have.
 24 THE COURT: And redirect, please.
 25 MS. COIT: May I approach, Your Honor?

1 REDIRECT EXAMINATION
 2 BY MS. COIT:
 3 Q. I'm handing you Defendant's 426. That, Ms. King, is the
 4 entirety of your notes dealing with this predismissal letter,
 5 your follow-up interview with Mike Morrow, your follow-up
 6 investigation. Just to quell the implication from plaintiff's
 7 counsel that we were somehow hiding information in the notes I
 8 gave you, the prior notes that I gave you started on 16140,
 9 dated at the top 10/12/12, James Cleavenger predismissal. Do
 10 you see that?
 11 A. Yes. Yes.
 12 Q. Prior notes I gave you ended on 16146. Do you see that
 13 page?
 14 A. Yes.
 15 Q. That would be the last page of the notes regarding the
 16 predismissal meeting; correct?
 17 A. That's correct.
 18 Q. Next page, the additional notes that counsel gave you,
 19 implying that I left something out, what is the date on the top
 20 of that?
 21 A. 10/25/12.
 22 Q. And that is not the date of the predismissal meeting;
 23 correct?
 24 A. No.
 25 Q. All right. Look at the next page of your notes. What is

1 the date on that?
 2 A. 10/19/12.
 3 Q. Again, not the date of the predismissal hearing; correct?
 4 A. That's correct.
 5 Q. What does this indicate you did on that day?
 6 A. These were my notes of follow-up calls I made after the
 7 predismissal hearing.
 8 Q. The next page, please look at that page. What is the date
 9 on top of that page?
 10 A. October 22, 2012.
 11 Q. What does this page indicate you did that day?
 12 A. I spoke with Mike Morrow.
 13 Q. About what?
 14 A. The testimony I received in the predismissal hearing
 15 regarding the callouts.
 16 Q. So follow-up investigation?
 17 A. Yeah. Yeah, it was --
 18 Q. And that -- excuse me, that's three days before the date
 19 of your termination letter; correct?
 20 A. That's correct.
 21 Q. So you didn't only speak to Mike Morrow on the date you
 22 wrote the letter; correct?
 23 A. That's correct.
 24 MS. COIT: Your Honor, I offer Exhibit 426.
 25 MR. JASON KAFOURY: It's hearsay, Your Honor.

1 THE COURT: Are those the notes?
 2 MS. COIT: Yes. They have been questioned at length
 3 by the plaintiff.
 4 THE COURT: We'll take that up at the recess,
 5 Counsel.
 6 BY MS. COIT: (Continuing)
 7 Q. All right. Ms. King, how many employees are at the
 8 University of Oregon? Any guess?
 9 A. Classified employees, 1,500; total, probably over 4,000.
 10 Q. And you were the head of HR for all of those employees;
 11 correct?
 12 A. I didn't handle personnel matters relating to faculty, but
 13 safe to say probably 2,500.
 14 Q. And you were the person in charge of ultimate discipline
 15 for each one of those employees; correct?
 16 A. Certainly for the classified employees, which numbered
 17 about 1,500.
 18 Q. In your role as the ultimate -- the appointing authority,
 19 the person who makes the final determination on the termination
 20 decisions, are you allowed to rely on the information given to
 21 you by a specific employee's department head?
 22 A. Yes.
 23 Q. It is not part of your job duty to go out and
 24 reinvestigate all the prior disciplines for that employee, is
 25 it?

1 A. That's correct.
 2 Q. The fact that you didn't go out and look into all of
 3 Mr. Cleavenger's training requests bears nothing on the
 4 performance, the job that you did, in deciding that his
 5 termination was appropriate; is that correct?
 6 A. That's correct.
 7 Q. Had you ever had any concerns with the information given
 8 to you by Mike Morrow or Chief McDermed prior to this
 9 termination of Mr. Cleavenger?
 10 A. No.
 11 Q. Did you have any reason to question the validity of the
 12 information they gave you?
 13 A. No.
 14 Q. In fact, in that role, to run a department for a major
 15 university, you have to be able to rely on other people;
 16 correct?
 17 A. That's correct.
 18 Q. There's no way you could do your job otherwise, is there?
 19 A. That's correct.
 20 Q. Now, you were questioned about Lieutenant Bechdolt,
 21 whether you were told that he found nothing wrong with the
 22 callouts.
 23 Were you aware of the fact that Lieutenant Bechdolt's task
 24 was simply -- and the task given him by Randy Wardlow was
 25 simply to look into the facts of those callouts and not to make

1 any findings? Were you aware of that?
 2 A. No.
 3 Q. You were asked if Mr. Cleavenger could have shown
 4 improvement in his performance while he was on parking duties ;
 5 correct?
 6 A. Correct.
 7 Q. Isn't it true that he could have shown improvement in his
 8 ability to follow instructions while he was doing those duties?
 9 A. Yes, that's true.
 10 Q. All right. You were also asked a question -- something
 11 about doesn't having an employee making complaints raised to HR
 12 the specter of possible litigation. Do you recall that?
 13 A. Yes. The question, yeah, I do.
 14 Q. The question, yes.
 15 Wouldn't HR also -- well, primarily have a concern about
 16 litigation stemming from an officer, an employee's violation of
 17 a citizen's constitutional rights in the performance of his
 18 job?
 19 A. That's true.
 20 Q. And this papering the file accusation being levied against
 21 you, would you agree with me that if you had wanted to paper
 22 the file to make sure this termination was upheld, it would
 23 have been a better idea to actually put in there a pay sanction
 24 and not skipping a step before termination?
 25 A. Oh, definitely. Yes.

1 Q. And then for terminations, why does the union contract
 2 allow an employee, a union employee, to skip steps one and two
 3 when they've been terminated?
 4 A. For the grievance process?
 5 Q. Yes.
 6 A. I think -- I don't know. I wasn't in bargaining when they
 7 made that decision, but it would make sense that the
 8 institution has looked at the decision and made the decision to
 9 dismiss. So to go back and -- it would be basically the same
 10 people looking at it again, so at that point it just goes to
 11 the higher level, which is the Oregon University System.
 12 MS. COIT: Thank you, Ms. King.
 13 THE COURT: Recross?
 14
 15 RECCROSS-EXAMINATION
 16 BY MR. JASON KAFOURY:
 17 Q. You actually went and testified at the arbitration, didn't
 18 you? The arbitration my client was involved with?
 19 A. Yes.
 20 Q. You testified there? Administrators, supervisors for the
 21 department testified at that arbitration, didn't they?
 22 A. I wasn't -- I didn't sit through the arbitration.
 23 Q. Do you know that my client was the only witness that was
 24 called at the arbitration on his behalf?
 25 A. No, I don't know that.

1 Q. Now, counsel asked you about you are only relying on the
 2 information you get from the department, you're not doing your
 3 own investigation. But you did take that information that you
 4 got from them without investigating it and then used it to
 5 attack his credibility in that termination letter, didn't you?
 6 A. Yes. I felt that he put forward -- he was saying, "I
 7 didn't sit in on these meetings, and here's the evidence," and
 8 then when I checked it -- the more accurate records said he was
 9 in the meetings, so --
 10 Q. What more accurate records?
 11 A. The CAD.
 12 Q. Okay. And where are those CAD reports?
 13 A. I -- as I said, I consulted with Mike Morrow on that.
 14 Q. Normally, with progressive discipline, there has to be
 15 some huge safety issue to skip a step; right? That's why you
 16 would just move right to termination?
 17 A. Well, there's a number of reasons why you could do that,
 18 and a huge safety issue would be one of them.
 19 Q. Okay. But the reason that this happened here, your
 20 testimony is just because of these three problematic callouts,
 21 that's why a step needed to be skipped and move right to
 22 termination; right?
 23 A. That was the decision.
 24 MR. JASON KAFOURY: That's all I have.
 25 THE COURT: May the witness be excused, Counsel?

1 MS. COIT: Yes.
 2 THE COURT: Counsel. Thank you very much. You're
 3 excused from the proceedings.
 4 Counsel, you can call another witness, please.
 5 MS. COIT: Alex Gardner.
 6 THE COURT: Sir, step forward in the well of the
 7 courtroom. Stop in that location, please, and raise your right
 8 hand.
 9 ALEXANDER GARDNER,
 10 called as a witness in behalf of the Defendants, being first
 11 duly sworn, is examined and testified as follows:
 12 THE WITNESS: I do.
 13 THE COURT: Be seated in the witness stand. The
 14 entrance is just to my right, closest to the wall. After
 15 you're seated, will you pull the chair as close as you can to
 16 the microphone so we can hear you?
 17 THE WITNESS: Yes, sir.
 18 THE COURT: Face the jury. State your full name and
 19 spell your last name.
 20 THE WITNESS: My full name is Alexander Richard
 21 Gardner. Last is G-A-R-D-N-E-R.
 22 THE COURT: Direct examination, please.
 23
 24 ///
 25 ///

1 DIRECT EXAMINATION
 2 BY MS. COIT:
 3 Q. Mr. Gardner, can you tell us what your current occupation
 4 is.
 5 A. I'm a trooper recruit with the Oregon State Police.
 6 Q. Is that a career change for you?
 7 A. Yes, ma'am.
 8 Q. Tell us what you did before joining the Oregon State
 9 Police.
 10 A. Prior to that, I was the Lane County District Attorney.
 11 Q. How long were you the Lane County District Attorney?
 12 A. I was first appointed by the governor in the summer of
 13 2004 for a four-month term. I then -- the former DA came back
 14 and completed a term, and then I was elected to serve in 2008
 15 and 2012. I served until going to the Oregon State Police on
 16 August 1st of this summer.
 17 Q. Can you just give us a little background on your
 18 professional history before going to the district attorney's
 19 office?
 20 A. Yes. I finished law school in the summer of '91 and was
 21 admitted to the bar that summer. I went to work for the
 22 Douglas County DA's Office, where I started with a misdemeanor
 23 caseload and progressed into felony work very quickly. I left
 24 Douglas County in 2000 and started work in the Lane County DA's
 25 office in 2001, where I served in a variety of roles prior to

1 becoming the district attorney. There was a brief period of
 2 time during which I worked for North River Jet Boats between
 3 those two jobs.
 4 Q. Okay. All right. Are you familiar with the Supreme Court
 5 case of *Brady v. Maryland*?
 6 A. Yes.
 7 Q. Can you just explain for the jury what the obligations are
 8 of a district attorney under that case.
 9 A. Certainly. *Brady v. Maryland* requires a DA to share any
 10 information with the defense on a criminal case which might
 11 tend to either mitigate the sentence that a defendant might get
 12 or might tend to weaken the State's case in some way.
 13 So, for example, if there's evidence which might tend to
 14 make a witness less believable to a jury or the court, we are
 15 required to provide that information to the defense attorney,
 16 so it's available to -- in their preparation for the case.
 17 Q. Through subsequent case law after *Brady*, has the
 18 obligation of the district attorney's office become more
 19 defined?
 20 A. Yes. The -- a number of cases have sort of refined and,
 21 in some sense, expanded the obligation. So early on we
 22 understood that we had a duty to disclose anything which we
 23 knew about, but subsequent case law on -- in federal court has
 24 created the obligation to do more investigation. So we, the
 25 DAs, can be held responsible for information we don't even know

1 about. So we have a duty to inquire, to do our best to learn
 2 about whatever evidence there might be.
 3 This arises most frequently in the context of police
 4 officer witnesses. They tend to be the backbone of most
 5 criminal cases, but it applies to other witnesses as well.
 6 Q. All right. You kind of anticipated my next question. Can
 7 a criminal defendant's rights to receive *Brady* information
 8 about a particular officer be violated by the district
 9 attorney's office even if you don't know about that
 10 information?
 11 A. Yes.
 12 Q. In late 2013 into 2014, were you part of a work group in
 13 Oregon that was trying to get this information out to police
 14 agencies about the obligations under *Brady* and its progeny?
 15 A. Yes. In fact, I was the one who catalyzed the creation of
 16 that work group.
 17 I'm on the board of the -- or was until I moved to the
 18 state police. I was on the Board of the Department of Public
 19 Standards. It's basically the police academy in Oregon. I
 20 asked the director of the police academy if he could assist in
 21 putting together a group so that we could have more uniform
 22 treatment of this challenge in Oregon.
 23 Part of the idea was to get input from a variety of
 24 different groups. So there were people from police unions,
 25 police management, the Attorney General's Office, the United

1 States Attorney's Office, basically everybody that we could
 2 include in the process, to catalyze a more robust conversation
 3 and get it figured out, because it wasn't completely clear how
 4 to handle this in a way that would provide a uniform standard
 5 across the state.
 6 Q. Can you put an approximate date on when this work group
 7 started its work?
 8 A. My memory is imperfect about that. I want to say maybe
 9 late 2012 we -- I started to make inquiry, I think, but I'm not
 10 confident about that.
 11 Q. At some point did your work group or people that you had
 12 speak on its behalf start attending seminars and putting on
 13 training throughout the state of Oregon to get this information
 14 out to law enforcement agencies?
 15 A. As we plowed through the subject more and more, we began
 16 to disseminate information. It wasn't sort of conclusions that
 17 we were sharing. It was more like progress reports and
 18 soliciting more input from police agencies and others who were
 19 working with the same challenges.
 20 I didn't personally put on seminars, but I contributed to
 21 some training efforts.
 22 Q. Do you recall when those trainings occurred?
 23 A. They were ongoing. As is often the case, there were many
 24 things happening at the same time that sort of contributed to
 25 the conversation, because we would start to talk about

1 *Brady*-related challenges at the same time that misconduct
 2 allegations were arising in the media where police agencies
 3 were having trouble with a particular employee so they would
 4 send correspondence, and we would talk about what was going on
 5 in the media and that kind of thing.
 6 It was just a continuous evolving process for really most
 7 of the last three years.
 8 Q. Okay. So starting in late 2012, when the work group was
 9 convened, and going forward until today?
 10 A. Yes. It's still ongoing.
 11 Q. Describe for us how *Brady* concerns, *Brady* issues were
 12 handled before this work group was convened and started working
 13 on this more uniform process in the state of Oregon.
 14 A. I would say they were handled on an office-by-office
 15 basis, based on the best judgment of the attorneys working on
 16 the cases. I believe that the DAs in this state do their best
 17 to serve justice, and justice requires that if you know of
 18 something in your case that tends to make it weaker, you -- you
 19 share that, because it would -- it would frustrate justice if
 20 the defendant did not have a chance at an adequate defense.
 21 But our understanding of the requirements of *Brady* was
 22 evolving and not everybody got the training at the same time,
 23 and just the amount of discussion around the topic was not as
 24 robust as it is now. The police are under a lot of scrutiny
 25 today and anything that challenges police officers is now

1 coming up so regularly that it's on the surface of our
 2 consciousness.
 3 So we talk about this stuff all the time, instead of just
 4 occasionally.
 5 Q. So if you can estimate, while you were the Lane County
 6 District Attorney, prior to, say, mid-2013, how many times had
 7 you received information unsolicited from a law enforcement
 8 agency about an officer's credibility?
 9 A. I wouldn't want to hazard a guess, but prior to this more
 10 robust discussion, I would say only a few times. And, frankly,
 11 by the time those things surfaced, they were cases where it was
 12 so obvious that the officer's credibility was poor, there
 13 wasn't much need for discussion.
 14 Q. In your experience, after this information was being
 15 disseminated to law enforcement agencies by your work group,
 16 did the submission of possible credibility issues about
 17 officers increase?
 18 A. Yes.
 19 Q. Now, the obligation --
 20 MS. COIT: Your Honor, may I approach?
 21 THE COURT: You may.
 22 MS. COIT: It's Exhibit 364.
 23 THE COURT: 364. Thank you.
 24 BY MS. COIT: (Continuing)
 25 Q. Have you had a chance to look through Exhibit 364?

1 A. Yes.
 2 Q. Can you tell the jury what that is?
 3 A. It's a summary document describing best practices for
 4 managing the challenges I've just been describing. It's dated
 5 March 31st of 2014.
 6 Q. Who created Exhibit 364?
 7 A. I believe this was actually drafted primarily by
 8 Paige Clark-Smith, from the Marion County DA's Office. It
 9 summarizes conclusions from the work group that I was on.
 10 MS. COIT: Your Honor, we offer 364 with permission
 11 to publish.
 12 THE COURT: Any objection?
 13 MR. MCDUGAL: No objection.
 14 THE COURT: Received.
 15 MS. COIT: Permission to publish?
 16 THE COURT: You may.
 17 BY MS. COIT: (Continuing)
 18 Q. Did you have any input into the document itself?
 19 A. My memory is that I -- I -- we all had a chance to review
 20 blocks of it. I did not edit the completed version.
 21 Q. Okay. Let's look at page 3. On the bottom of page 3,
 22 under recommendation for law enforcement, the first sentence
 23 there, "Understanding that a *Brady* designation for a law
 24 enforcement witness occurs solely at the discretion of the
 25 prosecutor," what does that mean?

1 A. That means that the obligation is one that the prosecutor
 2 bears and the decision is ultimately the prosecutor's decision
 3 to make.
 4 Q. As a law enforcement agency, do they have the authority to
 5 *Brady*-list an officer?
 6 A. No.
 7 Q. Can you look at page 4, the top paragraph?
 8 All right. That first sentence, "Further, under state and
 9 federal law, a law enforcement agency's obligation to disclose
 10 exculpatory or impeachment information arises in a context of a
 11 particular prosecution."
 12 Can you explain to the jury what the phrase "exculpatory
 13 information" means in this context?
 14 A. Yes. It means information which would tend to make it
 15 less likely the jury or the finder of fact would convict. It's
 16 evidence which would tend to help the defendant get off the
 17 hook, if you will. That applies not just to the conviction,
 18 but to the sentence -- the potential sentence length.
 19 Q. And the concept of this exculpatory information, it
 20 relates to the criminal defendant, correct, not the officer
 21 with the *Brady* information?
 22 A. Yes.
 23 Q. The next sentence, sorry, it says, "Law enforcement
 24 partners are nonetheless encouraged to consider adopting
 25 policies and employment practices that allow disclosure when an

1 agency makes a determination that an employee has been
 2 untruthful, has committed a crime, is biased, or has suppressed
 3 evidence."
 4 Is that the information that a law enforcement agency has
 5 an obligation to disclose to you about an officer?
 6 A. I believe obligation in the sense of a moral obligation,
 7 in the sense that it's the right thing to do and it's essential
 8 they have that kind of information exchange in order to make
 9 the criminal justice system work properly. If the police
 10 agency is hiding information that the officer isn't credible,
 11 obviously that's going to erode faith in the system and it's
 12 going to put the defendant at a disadvantage.
 13 Q. And, again, let me stop you. The defendant that you're
 14 talking about is not the officer that is being considered as
 15 possibly having *Brady* issues. It's the criminal defendant that
 16 that officer was involved in; correct?
 17 A. That's correct. It's the criminal defendant who stands
 18 charged with a crime, and the officer is part of the State's
 19 case of proving the defendant did the crime as alleged.
 20 Q. All right. The categories up here of information that a
 21 law enforcement agency should disclose to you, would that
 22 include disclosure -- disclosure of information when an
 23 internal affairs investigation into an officer has revealed
 24 that he has committed a crime?
 25 A. I'm hesitating only because the nature of the crime has

1 some bearing on this, obviously, but --
 2 Q. I can make it more specific, if that helps.
 3 A. That would be helpful.
 4 Q. If the officer was found, in the context of an internal
 5 affairs investigation, to have made an unauthorized stop, an
 6 illegal detention of a citizen?
 7 A. Yes, I would want to know about that.
 8 Q. What about information that's developed through an
 9 internal affairs investigation and a -- and an internal
 10 investigation into performance that reveals the officer has
 11 violated recording laws on numerous occasions, the failure to
 12 advise of recording citizens?
 13 A. So, to be clear, I would -- I would not be interested
 14 in -- for the purposes of *Brady* disclosure, I would not be
 15 interested in information which tended to show that the cop was
 16 not a great cop or made errors in judgment, but I would be
 17 interested in anything that suggested that the police officer
 18 was not honoring his or her oath of office or the police
 19 officer was doing something dishonest in some way.
 20 So anything which bears on the fundamental character for
 21 honesty is -- should be disclosed.
 22 Q. Do you consider the district attorney's office to be
 23 independent from law enforcement in making a *Brady*
 24 determination?
 25 A. Yes. The judgment is independent. The learning process

1 is collaborative.
 2 Q. If information is provided to you by a law enforcement
 3 agency about an officer's credibility, do you undertake your
 4 own investigation?
 5 A. To the extent we can.
 6 Q. What would that entail?
 7 A. It depends on circumstances. If I was aware of witnesses
 8 who had independent, unbiased information that would shed light
 9 on a question that was close, then I would want to hear from
 10 those people. If the evidence presented by the law enforcement
 11 agency was conclusive and clear, then there wouldn't be much to
 12 talk about, for several reasons. There wouldn't be any reason
 13 for my office to inquire further.
 14 It's worth mentioning that the DA's office also has very
 15 limited resources for doing this kind of inquiry. While -- so
 16 I should -- I should explain just one piece here. Even if
 17 something was factually incorrect but the entire community of
 18 police officers with whom the subject officer works believes
 19 that the officer is not truthful, for example, that fact alone,
 20 even if they're mistaken about the basis upon which they're
 21 making that decision, that belief that they all hold alone is
 22 *Brady*, *Brady* material, because those officers in that community
 23 could then potentially testify for the defense and say, "My
 24 opinion is that this officer is not truthful," and if I were
 25 aware of that, I would have to share that with the defense.

1 Q. Does the ultimate decision on what information means and
 2 how it bears on an officer's credibility, does that lie with
 3 the district attorney's office?
 4 A. Yes. 100 percent.
 5 Q. Was it your advice, and counsel to law enforcement
 6 agencies during the time this *Brady* work group was doing its
 7 work, to err on the side of caution to send you any information
 8 they believed could bear on an officer's credibility?
 9 A. And, to be clear, I can't offer police agencies legal
 10 advice, so what I would say is we need this information in
 11 order to do the right thing. We need this information in order
 12 to meet the expectations and the requirements under *Brady*.
 13 Q. Because you wanted to be the one to make the final
 14 determination; correct?
 15 A. Because the burden is upon me, whether I want it or not.
 16 I have to be the one to make the decision. That goes with the
 17 job.
 18 Q. Do you know University of Oregon Police Captain
 19 Pete Deshpande?
 20 A. Yes, I do.
 21 Q. Do you recall having a conversation with him at one of
 22 these trainings regarding a Mr. James -- Officer James
 23 Cleavenger?
 24 A. I remember having a conversation with him, and I can't --
 25 I've tried to remember whether it was over a phone or whether

1 it was in person, but I do remember -- it might have even
 2 been -- no, I think it was over the phone, but I'm not sure.
 3 Q. What do you recall about that conversation?
 4 A. What I recall is asking him for more information and to
 5 get his personal assessment, because I respect him and I've
 6 known him for a long time. My memory is that he was not --
 7 that he was cautious but that his appraisal was not favorable.
 8 Q. To be clear, was he talking about Mr. Cleavenger?
 9 A. Yes.
 10 Q. Was this conversation you had with Captain Deshpande
 11 before the University of Oregon submitted information to your
 12 office?
 13 A. I can't recall.
 14 Q. At some point the University of Oregon did submit
 15 information to your office, correct, about Mr. Cleavenger?
 16 A. Yes.
 17 Q. Now, that went to your assistant district attorney;
 18 correct?
 19 A. I think so. I think it went to my chief deputy,
 20 Patty Perlow.
 21 Q. Did you ever review the information that came to you from
 22 the department?
 23 A. Yes.
 24 Q. Did you conduct -- well, first off, how soon after it was
 25 delivered do you believe that you reviewed it?

1 A. I can't recall at this point. This is more than a year
 2 and a half ago, I think, when it -- when it would have come to
 3 my attention. And, for perspective, my office can get -- well,
 4 routinely gets more than 100 new criminal cases every week.
 5 It's not uncommon to have as many as 150 or 170 new criminal
 6 cases in a week. At the time this -- this all arose, this was
 7 just another matter coming into a MASH unit that at the time
 8 wouldn't have seemed significant in the context of rapes and
 9 burglaries and robberies and all the other things going on. I
 10 don't remember. It may have sat on my desk for a number of
 11 days.
 12 Q. Well, when you did review the information, did you take
 13 any further steps to do an investigation or to gather
 14 information?
 15 A. I did write a letter at some point asking for a more
 16 complete appraisal or another appraisal from command staff, is
 17 my memory, from the University of Oregon.
 18 MS. COIT: Permission to approach, Your Honor?
 19 Permission to approach, Your Honor?
 20 THE COURT: You may.
 21 BY MS. COIT: (Continuing)
 22 Q. It's Exhibit 373. Do you recognize that document?
 23 A. I do.
 24 Q. What is that?
 25 A. This is a letter I wrote on June 30th of 2014 addressed to

1 Chief Carolyn McDermid at the U of O PD.
 2 Q. Do you recall if you also sent the same letter to the
 3 chiefs of police at Coburg and/or Junction City?
 4 A. I did either the same letter or something substantially
 5 similar.
 6 Q. What was --
 7 MS. COIT: Your Honor, I offer 373 and permission to
 8 publish.
 9 MR. MCDOUGAL: No objection.
 10 THE COURT: All right. 273?
 11 MS. COIT: 373.
 12 THE COURT: 373. Any objection, Counsel?
 13 MR. MCDOUGAL: No objection.
 14 THE COURT: It's received. You may publish.
 15 BY MS. COIT: (Continuing)
 16 Q. What was the purpose in writing this letter to the chiefs
 17 of local police?
 18 A. The other chiefs would have supervised Mr. Cleavenger,
 19 because my understanding was that he also volunteered or worked
 20 as a reserve deputy for those agencies, and I was trying to
 21 find out if there was other information that would bear on his
 22 *Brady* status.
 23 Q. So this was part of the investigation that you were
 24 undertaking at the district attorney's office?
 25 A. Yes.

1 Q. All right. In the material that was given to you by the
2 department, the University of Oregon Police Department, there
3 was reference to an arbitration decision. Do you recall that?
4 A. I don't actually recall that.
5 Q. Okay. Would an arbitrator's decision, their actual
6 findings regarding an officer's termination grievance, would
7 that be information that you would want when you were
8 conducting your analysis of *Brady* information?
9 A. As a general rule, I want all the information people are
10 willing to share, anything which they think might bear on it;
11 but there isn't anything in -- about an arbitrator's decision
12 which is particularly weighty for me, for lots of reasons.
13 Q. What are those reasons?
14 A. In -- in my experience -- I have quite a bit of experience
15 with arbitrators, working in the law enforcement world, and, in
16 my experience, many of them fail to understand how law
17 enforcement is different from other professions. Particularly
18 in the area of character offenses.
19 So, for example, in many professions, an indiscretion
20 which shows a character weakness or a lapse in truthfulness
21 isn't a career ender, but it can be and should be in many cases
22 in law enforcement.
23 And I've had arbitrators require reinstatement of officers
24 that we couldn't possibly put on the stand. I can think of one
25 in particular and the -- the --

1 THE COURT: Excuse me for just a moment. Why don't
2 we stand up for just a second to stretch.
3 Thank you. Be seated.
4 Please continue.
5 BY MS. COIT: (Continuing)
6 Q. Please continue with your answer.
7 A. Not long before this case came up, we had a situation in
8 which an officer from another agency had been found untruthful
9 in terms of his recording of evidence, how evidence was handled
10 and managed in a particular case. That officer was terminated
11 for untruthfulness and ultimately acknowledged that the police
12 report that he wrote was not accurate, that what he had
13 described had not actually happened, and that he had not been
14 candid when he was interviewed by internal investigations. So
15 it was clear he hadn't told the truth.
16 At arbitration, he claimed he was suffering from
17 posttraumatic stress as a result of his divorce that was 18
18 months prior to this incident. Now, nobody in -- in the DA
19 community could have found that a sensible explanation, no jury
20 would have found that, in my opinion, a sensible explanation,
21 and none of the cops with whom this officer worked found it a
22 sensible explanation; but, inexplicably, the arbitrator did,
23 and the agency was ordered to reinstate that officer.
24 We told police agency -- I told the police agency I didn't
25 care if he was reinstated or not. I would never call him as a

1 witness because I couldn't trust his word.
2 So that's why an arbitrator's opinion or findings by
3 itself is not particularly weighty. You know, if the
4 arbitration -- there are many confident arbitrators. If the
5 investigation uncovered critical information, I would want to
6 know about that.
7 It's just that an arbitrator's ruling isn't something I
8 would ever substitute for our judgment, because I can't. It
9 wouldn't be ethical to do that, and it wouldn't be reliable to
10 do that.
11 Q. So the information that was submitted to you regarding
12 Mr. Cleavenger, have you reviewed that?
13 A. Yes. But it's been quite a long time.
14 Q. At the time that you reviewed it, did you form an opinion
15 on -- as to whether or not that was the sort of information
16 that you wanted law enforcement agencies to provide to you to
17 make a credibility determination?
18 A. Yes.
19 Q. What was that opinion?
20 A. I believe that it was -- that the -- the information was
21 the sort of information that I would be obliged to turn over to
22 a criminal defense lawyer. It wasn't conclusory, but it was
23 the sort of information that a defense attorney would want to
24 have and it's the sort of information that a criminal defendant
25 ought to have, if it exists, because it might tend to erode the

1 strength of the officer's testimony in the eyes of the jury.
2 Q. So under your interpretation of a district attorney's
3 obligations under *Brady*, knowing about this information
4 regarding Mr. Cleavenger, did you, as a district attorney, have
5 the obligation to turn it over to criminal defendants?
6 A. Yes. And -- yes. The information that we had in that --
7 in -- that was provided by the University of Oregon was the
8 sort of information that we should have. It wasn't so much
9 information that I felt like we could make determinations as to
10 where Mr. Cleavenger fell on that spectrum, but it was enough
11 so that it was clear we had an obligation to share it with the
12 defense.
13 MS. COIT: All right. Thank you, Mr. Gardner.
14 THE WITNESS: Yes.
15 THE COURT: Cross-examination.
16
17 CROSS-EXAMINATION
18 BY MR. MCDOUGAL:
19 Q. You were the Lane County DA?
20 A. Yes. That's where Eugene is.
21 Q. Sorry. I'm Mark McDougal. We met briefly in the hall.
22 A. Yes. Briefly in the hall.
23 Q. Good afternoon.
24 A. Good afternoon.
25 Q. Just to be clear, Lane County DA would be in charge of

1 prosecuting crimes that a Eugene Police Department person would
 2 charge somebody with?
 3 A. Yes. Eugene is one of the -- Eugene is the county seat
 4 for Lane County, so it's inside of Lane County.
 5 Q. And Carolyn McDermed was a state police officer for
 6 Eugene; right?
 7 A. Yes, sir. For a long time.
 8 Q. Okay. And you ran across her, undoubtedly?
 9 A. Yes, sir.
 10 Q. Dealt with her, undoubtedly?
 11 A. Yes, sir. I don't have any specific recollections, but
 12 her face was very familiar.
 13 Q. And she was involved in IA too; right?
 14 A. Yes, sir.
 15 Q. Now, let's look at the *Brady v. Maryland* case. Do you
 16 know what year that was decided?
 17 A. I don't, sir. I didn't look it up before coming to court.
 18 Q. Could it have been cited before I was born? Is it that
 19 old?
 20 THE COURT: Well, we don't know when you were born,
 21 Counsel.
 22 MR. GREGORY KAFOURY: Very old, Your Honor.
 23 MR. MCDUGAL: Very old.
 24 BY MR. MCDUGAL: (Continuing)
 25 Q. And the obligations for police agencies to make these --

1 give information has been around for a long time -- give
 2 information to the DA, if they have something; right?
 3 A. Yes. As I said, the obligation has been evolving through
 4 more recent cases. But, yes, the obligation has existed. In
 5 fact, I think what *Brady* found was that the obligation has
 6 always existed.
 7 Q. And for years people have been put on a *Brady* list or a
 8 *Brady* list disclosure, whatever you want to call it; correct?
 9 A. There's no *Brady* list at Lane County. I understand some
 10 counties maintain a list, and for years I -- I can't tell you
 11 how long the cases have been processed in this manner. I can
 12 tell you that it just wasn't -- the obligation wasn't
 13 understood in the same way that it's understood now.
 14 Q. Well, now it's different because you have an affirmative
 15 duty, the DA has an affirmative duty to go out and get
 16 information because of the *Byers* case; correct?
 17 A. Yes, sir. I believe *Byers* is the one that essentially --
 18 forgive me, because I haven't plowed back through this in a
 19 very long time, of the case, actually reading the case, but is
 20 *Byers* the case that says that the DA has the obligation to
 21 disclose even the information of which we are not aware?
 22 Q. That's my understanding. You have the affirmative duty to
 23 go out and try to collect it.
 24 A. Yes, sir.
 25 Q. Do you know when that case came out?

1 A. No, sir.
 2 Q. Okay. Now, in the 2000s, before 2010, people were being
 3 *Brady*-listed; right?
 4 A. Yes, sir. To one degree or another. Depending on the
 5 jurisdiction.
 6 Q. Just to be clear, when you say Eugene doesn't have a *Brady*
 7 list, instead it has a *Brady* database?
 8 A. Yes. To be clear, the DA's office has a data management
 9 program, a case management program, and we enter witnesses and
 10 other information in there, and this program allows us to flag
 11 a witness that has some *Brady*-related concern. So if a DA
 12 pulls up that case before witnesses are subpoenaed, they can
 13 see that that particular witness has some related concern.
 14 Q. One way to do it would be to do a list hold and the other
 15 is a database; right? Technology has improved?
 16 A. Yes, sir.
 17 Q. Any doubt in your mind, whatsoever, that Carolyn McDermed
 18 was aware of *Brady* disclosure requirements when she worked at
 19 Eugene Internal Affairs?
 20 A. Sir, that would be a better question for her. I don't
 21 recall ever having that -- discussing *Brady* with the internal
 22 affairs folks prior to Ms. McDermed's move to the U of O.
 23 Q. Let me approach. Can you take a look at that document?
 24 MR. JASON KAFOURY: 273?
 25 THE COURT: Is this 273?

1 MR. MCDUGAL: Can you read the exhibit number?
 2 THE COURT: What number is it?
 3 THE WITNESS: Yes. It's Exhibit 215.
 4 THE COURT: 215. Thank you.
 5 BY MR. MCDUGAL: (Continuing)
 6 Q. Have you had a chance to read the email?
 7 A. Yes, sir. I'm a slow reader when the font is this small.
 8 It was helpful when it was blown up on the screen. I'm plowing
 9 through.
 10 Q. I can put it on the screen. Is that an email that you
 11 wrote?
 12 A. Yes, sir. Definitely that. I recognize my --
 13 THE COURT: You want to receive it, Counsel, at this
 14 time? 215?
 15 MR. MCDUGAL: Yes.
 16 THE COURT: 215 is received. You can display it if
 17 you want.
 18 BY MR. MCDUGAL: (Continuing)
 19 Q. Can you see it better now?
 20 A. Yes, sir. And now I've got my glasses on.
 21 Q. What date did you write this email?
 22 A. March 5th of 2012.
 23 Q. And did you send it to Carolyn McDermed?
 24 A. Yes, sir. And all the other chiefs, sir.
 25 Q. What was it about?

1 A. It's about *Brady*.
 2 Q. Okay. And it's telling -- reminding chiefs about their
 3 duty to disclose under *Brady*; correct?
 4 A. Yes, sir.
 5 Q. And do you recall the date of the internal affairs
 6 investigation done of Mr. Cleavenger?
 7 A. No, sir.
 8 Q. Okay. But was one purpose of this email to say, "Hey, if
 9 somebody is under investigation, we might need to know when
 10 they're under investigation"?
 11 A. Yes, sir. It's a reminder of the *Brady* obligations and a
 12 request to be made aware of any relevant material.
 13 Q. So if an investigation started a month later, your whole
 14 purpose of this email was to say, "Hey, we want to know"?
 15 A. Yeah. I think I've said essentially that. At least
 16 that's what I tried to say.
 17 Q. And you told them that there would be problems for the
 18 prosecutor's office if they didn't do so; right?
 19 A. Yes, sir.
 20 Q. Now, do you still have Exhibit 364 with you?
 21 A. Yes, sir.
 22 Q. On page 11 of -- just to be sure. It's the best
 23 practices, the document that you helped prepare.
 24 A. Yes, sir.
 25 Q. Way back in 2005 -- here's what I want to make sure of:

1 There should be no confusion that the duty of a chief to make a
 2 *Brady* disclosure has been around a long time; correct -- to
 3 provide the information to the prosecutor?
 4 A. Well, as I think I said, sir, the duty it rooted in the
 5 Constitution, so the duty has been around forever, but the
 6 awareness of the duty has not been complete, so that's --
 7 that's been evolving.
 8 We have -- I think it's been clear that if you have a
 9 clearcut case of dishonesty involving an officer, if an officer
 10 just flat lies, I think everybody has understood that that
 11 would be -- require disclosure.
 12 But prior to fairly recently, officers in that
 13 circumstance got terminated. The phrase in the law enforcement
 14 community was, "You lie, you die." Professionally, of course.
 15 So what's changed over time is that we're -- the
 16 employment litigation has made it more difficult for police
 17 agencies to terminate officers who are having credibility
 18 problems, and that has sort of pushed *Brady* to the forefront.
 19 Many of the officers who would have been terminated in the
 20 years past are still at the agency and we're having to manage
 21 them through the *Brady* process, because they're still available
 22 as witnesses, they're still being deployed to investigate
 23 criminal cases.
 24 So, yes, to answer your question, the duty has existed for
 25 a long time. The federal courts have made that clear. But our

1 understanding has been evolving.
 2 Q. So your -- are you implying that at some point some police
 3 departments weren't *Brady*-disclosing according to the
 4 Constitution because they were afraid of employment litigation?
 5 A. Sir, what I'm trying to make clear is that in the past the
 6 officers were just fired. There were no -- to *Brady* disclosure
 7 list is necessary if an officer has no cases pending and
 8 they've been terminated from the police agency.
 9 Q. No cases pending is the key; right?
 10 A. Yes. But in -- in some cases in the past -- I mean, some
 11 instances in the past, I'm sure the pending criminal cases were
 12 just dismissed.
 13 We would do that in cases where, for example, the officer
 14 that I just spoke of -- once we made a determination that we
 15 would never call that person as a witness, we would look at the
 16 prior cases. And obviously if it's a murder case and there are
 17 40 other witnesses, then we can proceed on that and that case
 18 will survive; but if it's a drug case and that officer is the
 19 only one to make the case, that case would be dismissed.
 20 So no disclosure. There would be no obligation to
 21 disclose because he's not a witness.
 22 Q. Have you ever had the situation -- you're a lawyer --
 23 where there was a trial or a hearing and then you tell somebody
 24 the result and they say, "Well, I can't believe that"?
 25 A. Of course.

1 Q. Okay. And that's because they didn't hear the evidence?
 2 A. Sir, sometimes it's because they're familiar with the
 3 evidence and they can't believe the result occurred.
 4 For example, the OJ case, sir, most of the folks that I
 5 know who were familiar with the evidence in that case were
 6 befuddled by the result because it was compelling evidence.
 7 Compelling evidence. I saw it at a homicide training. It was
 8 hard to imagine how that could have been put in front of a jury
 9 and an acquittal would result. But our system isn't perfect,
 10 sir.
 11 Q. My question is before you make an opinion about whether an
 12 arbitration decision should be considered or not, shouldn't you
 13 at least read it?
 14 A. Sir, I think what I should have if -- if you are asking me
 15 in my role of DA, I should have the benefit of whatever
 16 information the arbitrator had. I don't need to know his
 17 conclusions, but I would like to know the benefit of evidence
 18 he reviewed.
 19 Q. There might be occasions where his conclusions might be
 20 relevant; correct?
 21 A. For example, sir?
 22 Q. For example, what if his conclusions showed and it was
 23 supported by a narrative that the person making the *Brady*
 24 report had bias?
 25 A. Sir, what I'm trying to say is I would want any evidence,

1 but I would not -- I could not substitute the arbitrator's
 2 judgment for mine or that of my team.
 3 Q. I'm not asking you to substitute it. I'm asking you to
 4 consider it.
 5 A. Sir, what I would like is the benefit of all the
 6 information he had and -- and I -- without knowing him, sir, I
 7 wouldn't necessarily value his conclusions.
 8 Q. And not to be -- the question might sound rude to people
 9 who don't know the answer. In fact, your personal opinion, in
 10 the end, when it comes to this and whether or not you have to
 11 disclose materials to the defense, doesn't really matter;
 12 right?
 13 A. I'm not sure I follow --
 14 Q. You get the *Brady* materials?
 15 A. Yes, sir.
 16 Q. You could say, "I believe Mr. Cleavenger is the most
 17 honest man in the world. This is crazy."
 18 A. Yes, sir.
 19 Q. You've still got to give them over?
 20 A. That's true. You're right, sir. That's accurate. It's
 21 not my personal opinion about his veracity that matters in that
 22 context.
 23 Q. When you're talking about, you know, do you trust jurors
 24 to make such determinations -- you said you don't go for the
 25 arbitrators. What about jurors?

1 A. Was there a jury decision in this case, sir?
 2 Q. No.
 3 A. I'm not aware of any jury decisions in the Cleavenger
 4 case.
 5 Q. I'm asking if there was one.
 6 A. Sir, I guess if there was a jury finding of dishonesty,
 7 that would be *Brady*-relevant. I wouldn't know -- I couldn't
 8 imagine the context in which a jury would be deciding a
 9 *Brady*-related issue, other than whether or not the defendant
 10 was convicted of a crime, but I value the opinions of people
 11 who are familiar with the officer at issue. That's the whole
 12 point. I'm trying to poll, essentially, for lack of a better
 13 word, his professional peers or his supervisors.
 14 Q. When it comes to the truthfulness that you're evaluating
 15 for *Brady* purposes -- and, to be clear, you're evaluating to
 16 see what tier to put them on; right?
 17 A. I'm evaluating first to see whether I have an obligation
 18 to disclose, and, yes, second, to see what tier they should be
 19 on.
 20 That's one of the pieces of this system that -- that works
 21 better, if you will, that provides some margin for the person
 22 who's being scrutinized, because there's an area in which, as
 23 you've highlighted, whether I believe the officer is truthful
 24 or not truthful, I have the obligation to turn the evidence
 25 over to the defendant or the defense attorney, because it will

1 be evaluated in the process. And many cases like that, under
 2 these proposed guidelines, we would be looking to the judge to
 3 help us make a determination about whether we had that duty.
 4 We would basically say, "Your Honor, here's this
 5 information. We're not sure if this -- if we're required to
 6 disclose this or if a jury should hear about this. Could the
 7 Court provide some direction on that?"
 8 That's the whole idea.
 9 Q. When it comes to truthfulness, when you're evaluating for
 10 the tier purposes, you're talking about a knowing and
 11 intentional lie; correct? Not inadvertence?
 12 A. I -- I can't think of a situation in which a lie is
 13 inadvertent.
 14 Q. No, no. Sometimes people can be inadvertent?
 15 A. Well, so, for example, if I may, a person can be mistaken
 16 about something.
 17 Q. Right.
 18 A. Right. And that's not a lie. That's making a mistake.
 19 Q. Now, if, just hypothetically, you were given a summary,
 20 the *Brady* -- there was a letter on top of the *Brady* list.
 21 MR. MCDUGAL: Can you pull up the exhibit?
 22 MR. HESS: Exhibit 150?
 23 MR. MCDUGAL: Yeah, 150.
 24 THE WITNESS: I don't have that one.
 25 ///

1 BY MR. MCDUGAL: (Continuing)
 2 Q. He's going to put it on the screen for you. Were you
 3 given this document?
 4 A. I believe so, sir. I'm not a hundred percent sure. It's
 5 been quite a while. But it looks familiar.
 6 Q. And I'm not going to mislead you in front of defense
 7 counsel. This is what they've said they gave you. Okay?
 8 Would you expect a document of this caliber to have been
 9 reviewed with a fine-tooth comb for accuracy?
 10 A. I would expect that they're giving me the best information
 11 they can, sir. Yes, I would expect it to be accurate. I mean,
 12 we all make mistakes, but I would expect it to be truthful and
 13 accurate.
 14 Q. If there are statements in it that are demonstratively
 15 false, is there any repercussion s to anybody involved in making
 16 it?
 17 A. Repercussion in the sense of professional sanctions or --
 18 Q. Any --
 19 A. I guess I would need more context, sir.
 20 But, generally speaking, we're all expected to do our best
 21 to communicate truthfully and candidly. So if there are
 22 statements in here which are incorrect, I would expect people
 23 to correct them.
 24 Q. Well, let me -- at that -- but that's one setting. You're
 25 making a formal document. You have all the time to prepare.

1 It's a serious accusation against somebody's career. That's
 2 one scenario we looked at whether or not somebody gets it
 3 right; right?
 4 A. Okay.
 5 Q. Another scenario, what if you asked somebody where they
 6 parked a week after, and they got it wrong by 50 feet, does
 7 that have anything to do with *Brady*-listing?
 8 A. If it's just a mistake, it wouldn't have anything to do
 9 with *Brady*-listing. No, sir.
 10 Q. And I --
 11 A. Just as, sir -- if I may, just as if somebody said what
 12 did you have -- where were you for dinner on last Thursday
 13 night, and I said I was at the pizza place, when really I was
 14 at the steak place, because I had forgot where I had dinner;
 15 or, on the other hand, if the pizza place was an alibi for a
 16 robbery that I had committed, then people around me might infer
 17 that I was intentionally representing. Right?
 18 Q. Certainly.
 19 A. So -- so a mistake is just a mistake. It's not a lie.
 20 Q. I -- I agree. That's the point I'm trying to make.
 21 A. We're on the same page, sir.
 22 Q. Are you suggesting that every time a police officer
 23 violates constitutional rights, that that police officer should
 24 be put on your *Brady*-list or a *Brady* disclosure made to you
 25 that that happened?

1 A. No, sir.
 2 Q. Okay. There was some talk about that, but routinely
 3 police officers -- I'm not saying every day -- they do illegal
 4 searches, illegal seizures; correct?
 5 A. Yes. That's true. I think the -- for me, the -- the
 6 issue is it's of significance whether the officer was
 7 intentionally doing something wrong.
 8 So, if I may, sir, what was constitutional under the case
 9 law 20 years ago and what is said to be constitutional today
 10 are very different.
 11 Q. Oh, understood.
 12 A. So when officers have the training of 10 years ago or 20
 13 years ago and they're not updated on the latest court
 14 decisions, they can be doing what they were told to do by last
 15 year's court or last decade's court, and now we find that that
 16 is no longer okay.
 17 We don't -- we want them to do the best, but --
 18 Q. And if Mr. Cleavenger is currently -- well, let me put it
 19 this way: If Mr. Cleavenger was called as a witness the day
 20 after you got these materials, you would have had to disclose
 21 them?
 22 A. Yes, sir.
 23 Q. If he's called as a witness next week, you'll have to
 24 disclose them?
 25 A. Yes, sir.

1 MR. MCDUGAL: Just give me a second.
 2 That's all I have.
 3 THE COURT: Redirect?
 4
 5 REDIRECT EXAMINATION
 6 BY MS. COIT:
 7 Q. Mr. Gardner, this *Brady* best practices, Exhibit 364, that
 8 we talked about earlier, do you recall sending this document to
 9 the chiefs of police sometime around the time it was completed?
 10 A. I don't -- I don't remember whether it was this version of
 11 the document, but I do remember sharing as the document
 12 evolved.
 13 Q. That would have been in 2014?
 14 A. Yes, I think so.
 15 Q. And the recipient of that would have been Chief McDermid?
 16 A. Yes.
 17 MS. COIT: That's all I have. Thank you very much.
 18 THE COURT: Recross?
 19 MR. MCDUGAL: Yes.
 20
 21 RECROSS-EXAMINATION
 22 BY MR. MCDUGAL:
 23 Q. If there was an email that you sent to Chief McDermid
 24 showing an earlier version, would you have a copy of it? That
 25 was sent to her.

1 A. It would be in the county's email database, sir. We're
 2 required to keep all that.
 3 Q. And you would expect her to have a copy of it too? Public
 4 records?
 5 A. She has the same -- the University of Oregon has the same
 6 data retention requirements the county does, sir.
 7 Q. If it's contended that she got an earlier email and it's
 8 never given to this jury, that's pretty good evidence she --
 9 MS. COIT: Your Honor, I object to this. There is no
 10 basis for making this statement.
 11 THE COURT: No, it -- if there's a database kept, you
 12 can ask the question, Counsel.
 13 BY MR. MCDUGAL: (Continuing)
 14 Q. If it's contended she got an earlier email and it's not
 15 shown to this jury, it's pretty good evidence she didn't get
 16 it?
 17 A. Are you -- are you asking me -- are you asking me if it's
 18 good evidence that she -- I'm not sure what you're asking me.
 19 I'm sorry.
 20 THE COURT: It's confusing. If you're asking about
 21 the database, the retention, accessibility, you know, that's
 22 fine.
 23 BY MR. MCDUGAL: (Continuing)
 24 Q. The email would be easily accessible?
 25 A. Yes, sir. If either -- either the plaintiff or the

1 defense had requested that, made a public records request for
 2 any such document, we would have produced it for either party .
 3 Q. And in your understanding of things, it would also be
 4 easily accessible by the UOPD?
 5 A. Yes, sir. I would assume.
 6 MR. MCDUGAL: Thank you.
 7 THE COURT: May the witness be excused, Counsel?
 8 MR. MCDUGAL: Yes.
 9 MS. COIT: Yes.
 10 THE COURT: Excused?
 11 MS. COIT: Yes.
 12 THE COURT: Counsel, excused?
 13 MR. MCDUGAL: Yes. Sorry.
 14 THE COURT: Sir, thank you very much. Step down.
 15 And, Counsel, who is your next witness?
 16 MS. COIT: Mark Chase.
 17 THE COURT: Will he be lengthy? I'm trying to gauge
 18 where we take a break. I don't want to interrupt.
 19 MS. COIT: If you want my opinion, this would be a
 20 great time for a bathroom break.
 21 THE COURT: Don't discuss this matter amongst
 22 yourselves or follow jurors. Don't express any opinions. Get
 23 you back in 20 minutes. Thanks a lot.
 24 (Jury not present.)
 25 THE COURT: Counsel, go take a break.

1 (Recess taken.)
 2 (Jury present.)
 3 THE COURT: That's all right. So we're back in
 4 session. The jury is present. All counsel are present.
 5 And, Counsel, your next witness, please.
 6 MS. COIT: Defense calls Mark Chase.
 7 THE COURT: Thank you, sir. If you would step
 8 forward into the well and be kind enough to raise your right
 9 hand, sir.
 10
 11 MARK CHASE
 12 called as a witness in behalf of the Defendants, being first
 13 duly sworn, is examined and testified as follows:
 14 THE WITNESS: I do.
 15 THE COURT: Thank you, sir. Please be seated in the
 16 witness box. The entrance is closest to the wall. After
 17 you're seated, will you pull that chair as close as you can to
 18 the microphone so we can hear you?
 19 Please be seated. And if you face the jury and state your
 20 full name and spell your last.
 21 THE WITNESS: My name is Mark Chase, C-H-A-S-E.
 22 THE COURT: Maybe you're the one witness who can
 23 slide back.
 24 THE WITNESS: Oh, I'm sorry.
 25 A JUROR: You don't need a microphone.

1 DIRECT EXAMINATION
 2 BY MS. COIT:
 3 Q. Thank you. Chief Chase, can you tell us your current
 4 position?
 5 A. I'm the City of Junction City chief of police.
 6 Q. How long have you been the chief of police for Junction
 7 City?
 8 A. Since April of 2009.
 9 Q. Can you describe for us your educational and your law
 10 enforcement background?
 11 A. Yes. I have a -- let's see here. 32 years of experience.
 12 I started when I was a senior in high school, actually, as a
 13 volunteer, and then worked as a cadet for Salem Police
 14 Department, and then I -- after being a cadet, I applied for a
 15 jail position in Marion County, Oregon, down there in Salem. I
 16 worked as a jail deputy for about nine months, and then I got
 17 hired full time at the City of Dallas, where I grew up and went
 18 to school at.
 19 From there, I worked for Dallas Oregon Police Department
 20 for 11 years. I worked pretty much every position there,
 21 except a supervisory position, when some of my old friends at
 22 Salem Police Department recruited me back to work for Salem
 23 Oregon Police Department in the capital city of Oregon. I
 24 worked there for about 11 years, 10 and a half years. I worked
 25 patrol, gang enforcement youth services. I worked the variety

1 of jobs throughout my career.
 2 And then in 2009 my mentor said I was ready for a chief 's
 3 job, and so I started applying and accepted the one at Junction
 4 City where I've been at nine years.
 5 I have a bachelor of science degree and associate of arts
 6 degree in criminal justice, law enforcement, and I don't recall
 7 how many hours I have, but I did take some master's coursework
 8 in constitutional law up here in Portland at Lewis and Clark
 9 College, but I never did finish my master's degree.
 10 Q. Thank you. And you talk a little fast, so slow down a
 11 tiny bit for the court reporter. Okay?
 12 A. Sure.
 13 Q. Were you in the position of chief of Junction City when
 14 Mr. Cleavenger began working at the department?
 15 A. Yes, I was.
 16 Q. Did you know Mr. Cleavenger prior to then?
 17 A. No, I did not.
 18 Q. Do you recall the month and year that Mr. Cleavenger
 19 started working at the department?
 20 A. Well, reviewing some of the documents, I think it was in
 21 2010 or '11, but I'm not certain. I would have to look at the
 22 paperwork in order to be certain.
 23 Q. All right. Do you recall if he was one of the first wave
 24 of reserves that you hired at Junction City?
 25 A. I believe he was.

1 Q. Tell us about the reserve program that you implemented at
 2 Junction City.
 3 A. Well, there was already a reserve program at Junction City
 4 at the time when I came, but I kind of pulled back the reserve
 5 program because of what I felt was a lack of training and
 6 oversight of the program. We kind of restarted it again. And
 7 so we went out for hiring just like a regular application for a
 8 police officer. They go through the same process.
 9 Now they go through the same process. At the time, we
 10 never did a psychological evaluation on any of the reserves
 11 that we hired. However, now we do that.
 12 And so we had different coordinators, and they got
 13 accepted to the position and did a full background. And then
 14 went to the Lane County Sheriff's Office Reserve Academy. It's
 15 not a basic police academy. It's a shortened version of it.
 16 It has local instructors. And they use a different curriculum
 17 but it's real similar to what the Department of Public Safety
 18 Standard and Training uses at the Oregon Police Academy in
 19 Salem.
 20 And so after that first group graduated, then we began the
 21 field training process for them.
 22 Q. Did you hire Mr. Cleavenger?
 23 A. Yes.
 24 Q. Do you recall interviewing him?
 25 A. I've interviewed him a couple of times, I believe.

1 Probably for his reserve -- I usually have a chief's interview,
 2 kind of get to know the candidates and why they're there. I
 3 did that. I do that both for reserves and for full-time
 4 positions. If I recall correctly, I interviewed him once as a
 5 reserve and once as a full-time officer candidate.
 6 Q. Do you recall what he told you about himself when he
 7 interviewed as a reserve?
 8 A. I remembered, in particular, I was kind of curious why he
 9 was wanting to be a police officer if he graduated from law
 10 school, and so we talked a lot about that, and he said he had a
 11 passion for being a police officer. I don't recall
 12 specifically, but I do remember wondering and being kind of
 13 curious as to why would you choose law enforcement, which is a
 14 lesser paid job, less -- most often cases, over a -- you know,
 15 being an attorney, and he just said he wanted to get as much
 16 experience as he could being a police officer and that would
 17 help him with his law degree.
 18 Q. All right. Can you explain to the jury the role of a
 19 reserve officer under your administration at Junction City?
 20 A. Yes. They are not what we call a solo officer. They're a
 21 volunteer. Sometimes they have paid positions. But they
 22 support the full-time police officers. So they have functions
 23 down there. We have the Scandinavian Festival, which has been
 24 going on for about 50 years and it requires a lot of additional
 25 security. When I first got there the reserve program only had

1 a few members, and that was one of the reasons why I wanted to
 2 expand the reserve program so we didn't have to hire out from
 3 other agencies. We could support the security within our own
 4 department.
 5 So they provide security for Scandinavian Festival. We
 6 have a number of other events within the community, like
 7 Function for Junction, Trout Function, to name -- name some of
 8 them. They provide patrol and security for that.
 9 Q. Describe the mix of people that you have as reserve
 10 officers at Junction City. Do they generally have other jobs?
 11 A. Some do and some are going to college, and so I always try
 12 to create a reserve program where we have some -- I do know
 13 that we have some that work full time. In fact, we have one
 14 that works full time at the University of Oregon as a -- he was
 15 an officer there and still works there and works as a reserve
 16 officer with us.
 17 We have some that -- we just hired -- one of our reserves,
 18 he was an auto body man in an auto body shop, and going to
 19 school, and trying to become a police officer, and he was
 20 reserve for us for six years, and I just hired him a few months
 21 ago.
 22 We have males and females at different educational levels
 23 and different educational background, but it's a mix of people
 24 that have full-time jobs that just want to volunteer and enjoy
 25 being a law enforcement officer part time, as well as those who

1 actually are younger and are striving to be a full-time police
 2 officer.
 3 I was a reserve officer before, and I knew the value that
 4 it had. It can give you a beginning start to becoming a
 5 full-time police officer, but there's a big difference between,
 6 you know, being a reserve officer part time and being a
 7 full-time police officer.
 8 Q. All right. You touched briefly on some of the limitations
 9 reserve officers had. Can you just explain that more for us?
 10 A. Yeah, they have to -- there's a phase process that we have
 11 in our policies, so they're required to go through certain
 12 training and evaluation and then testing before they would
 13 become ultimately solo, where they could work solely by
 14 themselves.
 15 We're a small agency, and so reserves aren't ever allowed
 16 to work by themselves without any other full-time officer being
 17 present out in the field.
 18 I do have a couple that we've hired as temp hires, but
 19 they work under -- either ride with an officer, or they patrol
 20 around and do, like, ordinance enforcement, sometimes traffic
 21 stops, but their authority is limited. They can't -- they can
 22 arrest, they can make -- write reports, but they have to work
 23 under the direction of the officer that's on the shift at that
 24 time.
 25 Q. What is the purpose of having those limitations on your

1 reserves?

2 A. They don't have the training and experience and haven't

3 been through the full-time police academy, and for me it's a

4 liability issue to have a reserve officer out there working by

5 themselves, without any supervision, when they haven't received

6 the certifications from the Department of Public Safety

7 Standards and Training, which is the Oregon Police Academy.

8 That program is 16 weeks versus a reserve academy is six

9 months, but it's part time on Tuesday and Thursday evenings and

10 once in a while on a Saturday.

11 Q. Was Mr. Cleavenger ever a solo reserve officer for

12 Junction City?

13 A. No.

14 Q. Did he have authority as a Junction City reserve to act

15 solo to make traffic stops?

16 A. No.

17 Q. Did you ever supervise Mr. Cleavenger?

18 A. Not directly.

19 Q. Who were his direct supervisors?

20 A. Well, let's see, it was probably -- the first -- we had a

21 number of reserve coordinators. I would say Brandon Nicol,

22 John Thornburg, Corey Mertz, and maybe Eric Markell. It's been

23 six and a half years, so there's been a number of people, and I

24 can't remember when he exactly left and when that transition

25 was between coordinators.

1 Q. So when a reserve is in the field training program, is it

2 his field training officer who's the supervisor?

3 A. Yes.

4 Q. Now, when they're out of field training, do they have one

5 supervisor or are all of their regular officers considered

6 their supervisor?

7 A. Directly, they -- whoever the officer is on duty at the

8 time basically has authority over the reserve, but primarily

9 it's a reserve coordinator and then whoever the patrol sergeant

10 is at the time.

11 Q. Do you recall who Mr. Cleavenger's field training officer

12 was?

13 A. If I recall correctly, I think it was Cory Mertz.

14 Q. Were you aware of Mr. Cleavenger and Mr. Mertz's

15 friendship?

16 A. Yes. Late -- as they worked together, it was -- it became

17 apparent that they associated with each other off duty and on

18 duty.

19 Q. Did that raise any concerns for you?

20 A. At that level, not necessarily, no. Officers often do

21 that and do things together privately. For a chief, I don't

22 think it's appropriate to fraternize with the officers. That's

23 just my personal philosophical belief.

24 Q. Is Officer Mertz still working at Junction City?

25 A. I've been advised by our city attorney that I'm not to

1 disclose personal, medical or disciplinary action under

2 ORS 40.270, and so we're -- he -- I can't -- unless -- that's

3 what our city attorney advised that I was supposed to say that.

4 I'm not refusing to answer the question, but I was asked if I

5 was asked about certain things that under Oregon law I can't

6 disclose why -- what his status is.

7 THE COURT: Is that going to cause a problem for

8 either one of you?

9 MR. JASON KAFOURY: It might for me.

10 THE COURT: So, Counsel, will he be stepping down, or

11 how are we going to resolve this? I can strike his testimony.

12 MS. COIT: It's not a problem for me.

13 THE COURT: Well, it is for the defense if he's going

14 to be called. We were going to have a full hearing here.

15 MS. COIT: If Mr. Mertz or Cory Mertz is being

16 called?

17 THE COURT: No. If Chief Chase is being called. It

18 won't be a partial hearing, though. I just don't know if

19 you're going to be asked questions. I appreciate the city

20 attorney's advice, and it may be wise, but as far as my Court

21 is concerned, it's irrelevant.

22 So how are we going to resolve that? Why don't you two

23 talk about that for just a moment.

24 Why don't you give us a few moments. My apologies. I'll

25 send you back. I don't want this to take place in your

1 presence. We'll come back and get you in one second or two

2 hours. Just kidding you. We'll come back and get you very

3 shortly.

4 (Jury not present.)

5 THE COURT: Chief, I don't want you in that position

6 in front of the jurors. I understand you're not refusing to

7 answer the question. Just have a seat. Counsel, why don't we

8 listen to the colloquy I'm about to have with the chief. I

9 didn't want this discussion to take place in the jurors'

10 presence, because obviously you're not refusing to answer the

11 question, but then you have to explain it to the jury.

12 But at the same token, I appreciate the city attorney's

13 advice, but it's irrelevant for my court. I didn't want to

14 make the ruling in front of the jury ordering you to answer the

15 question, because it would make it appear that you were

16 reluctant.

17 So, first, I can simply strike your testimony and let you

18 go have a nice holiday. I don't think either side wants that.

19 I can overrule the city attorney and order you to answer, and

20 then you've got a choice to make. But I didn't know what you

21 were going to say in front of the jury, so I wanted to have

22 that conversation with you.

23 So, Counsel, do you know what -- I don't know -- I know

24 that the defense is calling, probably, as a practical matter,

25 will avoid it. The inference has already been created there's

1 something wrong out there. Mental, physical, something. And I
2 can bet you that the plaintiff is going to want to bear right
3 in on that and ask you right in front of the jury, and now
4 we're in that awkward position.

5 So if Officer Mertz is on some kind of stress leave or if
6 he's had some difficulty with the department that bears on his
7 bias or ability to testify, that may be -- well, let's see,
8 just a moment.

9 Officer Cory Mertz previously testified. He was the 15th
10 witness, I believe. The 16th witness.

11 The only part of the testimony, counsel, was that he was
12 currently -- it was on cross-examination. It was brought up by
13 the defense that he was currently on leave. He was on medical
14 leave four months from Junction City, but we didn't get into
15 the specifics of what that medical leave was.

16 MR. JASON KAFOURY: Correct. So let -- but there was
17 more things that were asked. Defense counsel asked Mertz if he
18 had ever been disciplined for putting false information into a
19 probable cause affidavit.

20 THE COURT: Yeah.

21 MR. JASON KAFOURY: I need to be able to inquire with
22 this chief, is that true, and I need to be able to then refute
23 that, potentially, through rebuttal testimony if he answers
24 yes. And --

25 THE COURT: Do we know the answer to that before we

1 ask that question?

2 MS. COIT: He said no.

3 THE COURT: Well, I didn't hear that.

4 MR. JASON KAFOURY: Well --

5 MS. COIT: Not from the chief. Officer Mertz said
6 no.

7 THE COURT: Not from this witness, Counsel.

8 MR. JASON KAFOURY: I want to inquire with this
9 witness since defense counsel raised this issue about whether
10 Mertz had been disciplined for putting false information into a
11 probable cause affidavit. I want to ask him if that's true.

12 THE COURT: Do either one of you have information
13 about that independent of asking the chief? In other words,
14 with all this discovery, much of which I may not be aware of,
15 do you know if there's an accusation he's on leave because of
16 an alleged false probable cause affidavit?

17 MR. JASON KAFOURY: No, I don't think it's disputed
18 he's on medical leave. It's not related to that. However,
19 they put before this jury the idea that he fabricated
20 something -- Mr. Mertz did. I believe, from what I've been
21 told by Mr. Mertz, there is no discipline in his file, and I
22 would like to confirm that with this witness.

23 THE COURT: Is that something that stops you from the
24 direction of the county attorney or city attorney from
25 answering that question?

1 THE WITNESS: Your Honor, I was just advised to give
2 reference to the statute of 40.270 on public officials giving
3 disclosure about disciplinary matters and that if you ordered
4 me to testify to it, that I would then testify to it.

5 THE COURT: I'm going to order you to testify. The
6 reason for that is because it's relevant to this proceeding,
7 but I didn't want to make that order in front of the jury. I
8 think it creates a bias towards you, as if the Court is having
9 you to order you to do something, when, in good faith, you've
10 received legal advice from a city attorney.

11 THE WITNESS: I understand.

12 THE COURT: Does that relieve you -- well --

13 THE WITNESS: Yes, sir.

14 THE COURT: I can't ask you your opinion if that
15 relieves you of the obligation, but thank the city attorney for
16 the advice and that it's been rejected.

17 Be kind enough to get the jury.

18 That way, Counsel, also, you know, and you can inquire if
19 you choose to in your case-in-chief or leave it to the defense.

20 MS. COIT: Do you want me to ask him again why
21 Mr. Mertz is on leave?

22 THE COURT: I'm not wanting you to do anything. I'm
23 just saying you've heard my ruling. Now you're not prohibited
24 from that area. That's your tactical choice whether to bring
25 it up or have the defense bring it up.

1 (Jury present.)

2 THE COURT: Thank you. Be seated.

3 All right. Counsel, if you would like to continue with
4 your direct examination.

5 BY MS. COIT: (Continuing)

6 Q. Chief Chase, when Mr. Cleavenger was a reserve officer,
7 did you receive information that he was writing other officers'
8 reports?

9 A. Yes.

10 Q. Did that raise any -- does that raise any concerns for
11 you?

12 A. Absolutely. If an officer has got to write a report and
13 they sign their name at the bottom, indicating they're the ones
14 that actually wrote the content of that report, and if somebody
15 else wrote that for them, and they put their signature on it,
16 then that wouldn't be a true representation that they actually
17 wrote that report.

18 Reserve officers can write their own report if they both
19 witnessed the same thing or working on a case. A reserve
20 officer could write their report, sign their name, and the
21 officer as full time can sign their name. But you should never
22 have another officer write a report and then have somebody else
23 sign their name.

24 Q. Did Mr. Cleavenger always follow the Junction City policy
25 about reserves not working alone?

1 A. No.
 2 Q. Tell me about that.
 3 A. I learned from Sergeant Salsbury that -- about -- shortly
 4 after the time that he left the University of Oregon employment
 5 that he also made another traffic stop unauthorized. He was
 6 going out to get, if I recall correctly, he was going out to
 7 get fuel for the car, and so he was by himself in the car. On
 8 the way back to the station, he made a traffic stop, which he
 9 did not have the authority to do.
 10 Q. Did you instruct Sergeant Salsbury to speak to
 11 Mr. Cleavenger about that?
 12 A. Yes.
 13 Q. What were you -- what did you tell Sergeant Salsbury to
 14 tell Mr. Cleavenger?
 15 A. To remind him that he did not have the authority to do
 16 that and that was the same issues that I had been briefed on by
 17 the University of Oregon that he had done and that if he wanted
 18 to continue to be a reserve that he needed to stay within the
 19 policy.
 20 Q. Did you at any time tell Sergeant Salsbury that you were
 21 considering ending Mr. Cleavenger's relationship with Junction
 22 City?
 23 A. Yes, I did.
 24 Q. Did Sergeant Salsbury relate -- to your knowledge, relate
 25 that information to Mr. Cleavenger?

1 MR. JASON KAFOURY: Objection.
 2 THE WITNESS: I don't know if he did or not.
 3 THE COURT: Counsel?
 4 MR. JASON KAFOURY: Objection. That's hearsay --
 5 hearsay within hearsay.
 6 THE COURT: Well, his answer was, "I don't know if he
 7 did or not."
 8 MR. JASON KAFOURY: As I was objecting, that's what
 9 he said.
 10 THE COURT: It's not necessarily hearsay within
 11 hearsay. It's whether it has the foundation. You weren't
 12 present. You don't know. Is that correct?
 13 THE WITNESS: Pardon me, Your Honor?
 14 THE COURT: You don't know if Salsbury --
 15 THE WITNESS: Correct. I don't know if he did or
 16 didn't.
 17 THE COURT: Overrule the objection.
 18 BY MS. COIT: (Continuing)
 19 Q. Shortly after you had this discussion with
 20 Sergeant Salsbury about Mr. Cleavenger's employment at Junction
 21 City, were you informed that Mr. Cleavenger had decided to
 22 resign?
 23 A. Yes.
 24 Q. Were you in the office when Mr. Cleavenger resigned?
 25 A. I don't recall whether I was or was not. I don't

1 remember.
 2 Q. Did you have a conversation with Mr. Cleavenger about his
 3 decision to resign?
 4 A. I think Sergeant Salsbury -- I directed -- it was all
 5 through Sergeant Salsbury and he turned in a memo to me that he
 6 wanted to resign from the police department.
 7 Q. Okay. And did he, in fact, resign at that time?
 8 A. Yes, he did.
 9 Q. Did he give any notice?
 10 A. No. It was like immediately.
 11 Q. Do you recall the time of day that he resigned?
 12 A. I -- I don't remember. Sorry.
 13 Q. Did Mr. Cleavenger ever apply for a full-time officer
 14 position at Junction City?
 15 A. Yes, he did.
 16 Q. And was this in 2012, as you recall?
 17 A. That's the -- sounds about right. I would have to look at
 18 the testing process documents to determine for sure what date,
 19 but that sounds about right.
 20 Q. Around the time period of 2012, what was your practice for
 21 selecting a new hire?
 22 A. It's the same as it is today. They take a written post
 23 test issued by the Oregon Association of Chiefs of Police.
 24 It's a series of four different sections, math, reading
 25 comprehension. They take that written test. If they receive a

1 passing score on that, then they move on -- well, actually they
 2 take the OPAT, as well, which is the Oregon Physical Abilities
 3 Test, which basically simulates the job task analysis of
 4 strength and endurance that an officer has to face in the field
 5 if he's been in a fight.
 6 So once they pass a written and a physical test, then they
 7 go on to an oral interview with a panelist from the police
 8 department. Sometimes a community member is present, another
 9 staff member from the city is present, to give us a good view
 10 of the candidates.
 11 From that point on, then they -- sometimes -- it just
 12 depends if we can line it up -- they go do a community panel.
 13 In Mr. Cleavenger's case, we had -- I had the public
 14 safety committee meetings. The council has a -- city council
 15 has a subgroup which is called the public safety committee.
 16 There's three city councilors that sit on that, and some have
 17 shared interest that they would like to participate in the
 18 process.
 19 So we actually held a community interview with those three
 20 individuals, in which they then gave me -- we had three
 21 reserves at the time Mr. Cleavenger was going through the
 22 process, and they were just to give me their feelings, as far
 23 as how they -- best qualified, based upon their experience with
 24 the community, on a one-to-three basis.
 25 Q. Did you have any role in the interview process, these

1 different parts of the application process you just described,
 2 when Mr. Cleavenger was applying for the job?
 3 A. I don't recall if I was on the oral board when the
 4 officers did their oral boards. Sometimes I will sit in,
 5 because I was fairly new at being the chief there, and I wanted
 6 to ensure, kind of accountability, as far as fairness in the
 7 process. So sometimes what I would do is sit on the oral
 8 board, not scoring, but I would be in the room present when
 9 they asked questions.
 10 You have to be careful. Sometimes panels will ask
 11 candidates inappropriate questions, and you want to be
 12 protective of people's private information. So I would audit
 13 those oral boards.
 14 The community panel, yes, I did participate in that. I
 15 asked some of the questions and kind of guided the panelist
 16 through that, and then they gave me their feedback at the end
 17 of talking to the three reserves that were taking the test to
 18 get on full time.
 19 Q. Do you recall what the feedback was from the community
 20 panel?
 21 A. Yeah.
 22 MR. JASON KAFOURY: Objection. Hearsay.
 23 THE COURT: Counsel?
 24 MS. COIT: It goes to his state of mind in the
 25 selection process for the job.

1 THE COURT: Overruled.
 2 THE WITNESS: We had Officer Perry Baker as number
 3 one. Number two was -- I'm trying to remember his name. Gosh.
 4 Jeremy Weldon was the second. And Mr. Cleavenger, James
 5 Cleavenger, was the third candidate.
 6 BY MS. COIT: (Continuing)
 7 Q. Was that the ranking they gave?
 8 A. Yes. Yes.
 9 Q. So overall, taking into account all parts of the
 10 application process, where did Mr. Cleavenger finish?
 11 A. Well, at the very last. He finished number three.
 12 Q. Out of three?
 13 A. Out of three.
 14 Q. What's your practice with regard to who you hire at the
 15 end of the application process? Do you take the number one?
 16 A. Not necessarily, no. I'll look at the top three
 17 candidates and decide from there which one is the best
 18 qualified, the best fit, and the best ready to go, especially
 19 when it comes to the reserve officers.
 20 And then at that point we'll background them, even though
 21 they're a reserve officer, already gone through a background.
 22 I hire an outside background investigator from outside the
 23 department, so it's not the conflict of interest and somebody
 24 that knows the candidate inside. They'll do a background
 25 investigation on those candidates and then make a

1 recommendation to me whether or not they should move on in the
 2 process.
 3 From that, then they go to a medical screening where they
 4 get drug tested and get their -- there's a VPSD form that the
 5 doctor has to fill out that they're required to meet vision and
 6 hearing and certain physical standards. Once they meet that,
 7 then they go on to a psychological evaluation, and we use Dr.
 8 Stewart in Corey's office up here in Lake Oswego. And then if
 9 they pass that, then they get to come on board. It's quite a
 10 process.
 11 Q. How did you ultimately hire?
 12 A. Officer Perry Baker.
 13 Q. Okay. Talk to me a little bit about your understanding of
 14 the chief of police obligations today under *Brady v. Maryland*.
 15 A. That's been quite a hot topic. Over the last several
 16 years, we've had -- several years ago we had briefings from --
 17 a Chiefs Association representative, sheriff's office
 18 representative, and a representative from the Oregon District
 19 Attorney's Association. We received training regarding our
 20 responsibility and our obligation to report to a district
 21 attorney any issues that may be considered credibility or an
 22 officer being untruthful about anything, because the district
 23 attorney, then, has to disclose to the defense attorney
 24 potential issues that the officer has had with being
 25 untruthful.

1 And so it's not a fun issue. It's been quite a -- there's
 2 a lot of debate going on still today, but we are required, as a
 3 chief of police, if we learn or hear about anything regarding
 4 an officer's credibility, we're required to forward that on to
 5 the district attorney's office so they could hand that over to
 6 the defense.
 7 Q. And you said it is a hot topic. What do you mean by that?
 8 A. There -- well, during the Chiefs Association Meetings,
 9 we've had district attorney's office -- officers in there and
 10 talking about their opinion of *Brady* list and sometimes the
 11 three levels they have to choose from. Other district
 12 attorneys in other areas of the state don't use the same
 13 criteria as other district attorneys. And so we, as a Chiefs
 14 Association and Sheriff's Association, are trying to come up
 15 with some criteria, because there's times where -- in one
 16 instance that we were briefed on, where a chief of police from
 17 another jurisdiction did not agree with the district attorney's
 18 decision to place an officer on a *Brady* list, and that would
 19 prevent him from testifying, and, therefore, it would prevent
 20 the chief of police from employing that person in a capacity
 21 out in the field where they were interviewing people and taking
 22 reports. Because then he couldn't testify in court, because
 23 his credibility wasn't any good.
 24 And just a discussion about how you go through that
 25 process in order to also hold officers accountable for being

1 truthful, but also protecting them, as a chief, if you don't
 2 feel that what they were untruthful about really was the truth
 3 or not. If that makes sense.
 4 Hope I'm explaining that. It's a complicated matter.
 5 And so I know there's been union debate over it, and cases
 6 where the chiefs and the unions have kind of fought back and
 7 forth trying to determine what level of *Brady* officers fit in.
 8 But in -- at the end of the day, how I understand it now,
 9 as the chief of police, it's at the sole discretion of the
 10 district attorney to decide whether or not an officer's
 11 testimony is credible on the stand based upon previous
 12 truthfulness issues.
 13 There's one case involving at the Salem Police Department,
 14 where I previously worked, where they talked about a judge
 15 actually, you know, without the jury being around, where --
 16 determined whether or not the officer has -- had to disclose
 17 that to the defense. I don't know what the outcome of that
 18 was, but that was something that, as a Chiefs Association, we
 19 like to have some third-party person make a decision about
 20 whether or not an officer is *Brady* or not just because it means
 21 their career. And having one person, the DA, make that final
 22 decision is pretty powerful and impactful on a police officer,
 23 and so we've petitioned for having discussions with them.
 24 And I've sat down with our district attorney's office and
 25 discussed issues, as well, and cases and how they would handle

1 that.
 2 I'm the district representative for the District of
 3 Oregon -- I'm on the board for the Oregon Chiefs Association,
 4 so I'm our district representative, so it's one of my
 5 responsibilities to talk to our district attorney's office and
 6 figure out how we're going to handle those and represent all
 7 the chiefs in our area.
 8 Q. All right. All this discussion and debate that you've
 9 been describing over *Brady* obligations and disclosures, has
 10 that been occurring relatively recently?
 11 A. Yeah. I became a chief in 2009. I would say it was a
 12 couple years after that. I would probably say it maybe 2011,
 13 2012. It kind of became a hot topic.
 14 In the last five years in Oregon, I think, if I recall
 15 correctly, the statistics for Oregon are like there's been over
 16 80 officers that have been decertified and lost their jobs over
 17 truthfulness issues. And so it's the highest in the country.
 18 But I think it's also because we have the highest standards,
 19 professional standards, in the country for police officers.
 20 But because of that, because so many officers have been
 21 decertified and lost their job regarding truthfulness issues,
 22 it is a sensitive topic and one that is high priority for
 23 district attorneys, chiefs of police, and sheriffs.
 24 Q. Would you say that law enforcement's understanding of the
 25 obligations for disclosing information is changing even today?

1 A. Yeah. It's constantly evolving and changing on the level
 2 of information that is required of the chief of police or a
 3 sheriff to disclose to a district attorney. And -- and my
 4 personal take on that, as a leader of the organization, is that
 5 when in doubt you reveal everything to the district attorney
 6 and let them make that decision. I don't ever want to be in a
 7 position where I'm holding back information that an officer may
 8 be untruthful and then the district attorney's office loses a
 9 case because a defense attorney finds out about something, and
 10 it wasn't revealed at the time of trial.
 11 So when in doubt, just disclose. I don't know how much
 12 detail you want to get in. But as a chief, people do lie
 13 against police officers. They'll come and file a complaint.
 14 I've had cases involving myself where somebody comes in
 15 and makes a false accusation towards a police officer.
 16 In one of my cases, we had it on video, and so once the
 17 city attorney was able to look at it and determine that, no,
 18 you did not use excessive force on that individual -- it's all
 19 on video -- then they realize that the person that's coming in
 20 to file a complaint is lying, or maybe they come in and they
 21 say they -- the officer said I was doing 85 in a 55 zone.
 22 Well, I was only doing 70. Well, that could be a truthfulness
 23 issue in court if a citizen is saying one thing and the officer
 24 is saying another.
 25 So those are the minutia of talking about *Brady* that

1 sometimes we have to have a discussion that there's an internal
 2 affairs investigation against the officer for being
 3 untruthfulness on a traffic stop, what that determination is,
 4 and that's why there's the three levels of *Brady*. The top
 5 level being they're not going to be -- they cannot testify at
 6 all. And as I understand the second level, is where an officer
 7 is allowed to testify, but it's revealed that they have *Brady*
 8 issues. And then the third level is there's issues there, like
 9 we talked about, the speeding thing that really don't rise to
 10 the level of two or three that the district attorney's office
 11 is aware of, but isn't required, necessarily, to reveal that in
 12 court.
 13 Q. All right. In -- in mid-2014, do you recall being
 14 contacted by Alex Gardner regarding whether or not you had any
 15 credibility concerns about Mr. Cleavenger?
 16 A. Yes.
 17 Q. Did you have any at that time?
 18 A. Yes.
 19 Q. Did you plan to share those with the district attorney?
 20 A. Yes.
 21 Q. What happened? Well, did you ultimately share those with
 22 the district attorney?
 23 A. No, I did not.
 24 Q. Why not?
 25 A. I was put on nonpaid disparate leave just shortly after I

1 received a letter from the district attorney by my city
 2 administrator.
 3 Q. Have you since learned that part of the reason you were
 4 put on that leave was due to a complaint made by Mr. Cleavenger
 5 about you?
 6 A. I just recently learned that, yes.
 7 Q. And what was the complaint that he made?
 8 A. The complaint that he made was that I altered his written
 9 test scores in order to illegally prevent him from becoming a
 10 police officer with Junction City.
 11 Q. And was that in that 2012 hiring process we just talked
 12 about?
 13 A. Yes, it was.
 14 Q. Did you alter his scores?
 15 A. No, I did not. I didn't even -- I didn't even tabulate
 16 the scores. My staff did that.
 17 Q. Do you have an opinion on Mr. Cleavenger's truthfulness?
 18 A. He doesn't tell the truth.
 19 Q. Has that allegation that Mr. Cleavenger made against you
 20 been investigated?
 21 A. Yes, it has.
 22 Q. And has it been determined to be false?
 23 A. Yes, it has.
 24 Q. And you are fully reinstated as the chief of police for
 25 Junction City, are you not?

1 A. I am.
 2 MS. COIT: Thank you. No further questions.
 3 THE COURT: Cross-examination.
 4
 5 CROSS-EXAMINATION
 6 BY MR. JASON KAFOURY:
 7 Q. It wasn't just my client who accused you of anything, was
 8 it, Chief Chase?
 9 A. Could you be more specific?
 10 Q. Yeah. The majority of your officers filed allegations
 11 against you with the city -- with Junction City, didn't they?
 12 A. I don't know the answer to that question, because I have
 13 not been given the full complaints.
 14 Q. Who found that my client's allegation was untrue?
 15 A. That's a good question. I haven't been told yet.
 16 Q. Wait a second. You just went and told this jury that
 17 somebody found that that was untrue, and you don't even know
 18 who it is?
 19 A. There was a report that I was given by the city attorney,
 20 summarizing the complaints, general complaints against me, that
 21 one involving Mr. Cleavenger said it was unfounded. Whether
 22 that was by the investigator that investigated or by my former
 23 boss, Melissa Bowers, I don't know which one actually made that
 24 conclusion.
 25 Q. Why didn't you bring that document to court?

1 A. I wasn't asked to.
 2 Q. Okay. Unfounded is not the same as not true, is it? It
 3 means there's not enough evidence. Isn't that what unfounded
 4 means?
 5 A. Could you be more specific, because each agency looks at
 6 sustained, not sustained, unfounded, and exonerated sometimes
 7 in a little different fashion.
 8 Q. Unfounded generally means not enough evidence. It does
 9 not mean not sustained?
 10 A. No. Unfounded basically means that the claim was not
 11 founded. Not sustained means that there's not evidence for or
 12 against one way or the other. So there's several different
 13 letters. Exonerated is that an officer did something, was
 14 accused of doing something, but they had legal rights to do
 15 what they did. That's called exonerated. That's the highest
 16 level. The next level is unfounded, meaning there's no
 17 information that leads the -- to the conclusion the situation
 18 occurred.
 19 Q. Do you know that six of your officers have come in and not
 20 questioned anything about my client's truthfulness in this
 21 courtroom? Do you know that?
 22 A. No, I do not.
 23 Q. You didn't work with my client day to day out in the
 24 field, did you?
 25 A. No, I did not.

1 Q. Let's go back to this investigation of you. How many
 2 months were you on administrative leave due to the
 3 investigation?
 4 A. I was put on administrative leave on July 18th, and then I
 5 was reinstated -- I think it was February 2nd.
 6 Q. Let's talk about this document that you got. Were all of
 7 the allegations against you in this document you got from the
 8 city attorney, were all of them listed?
 9 A. I don't know, because I've never been able to see the
 10 whole investigation. That's still in process. So I just saw a
 11 summary of it, so I can't answer your question one way or the
 12 other.
 13 Q. How many additional -- who gave you this summary?
 14 A. It was the city attorney.
 15 Q. Okay. And was the city attorney representing you at that
 16 time?
 17 A. No, they were representing the city.
 18 Q. Okay. How many other allegations were summarized in there
 19 in addition to my client's?
 20 A. I can't recall exactly. It was probably about 10, 11
 21 allegations that were made.
 22 Q. Was one of those allegations that you disappeared your
 23 hairdresser's traffic ticket?
 24 A. No. It wasn't that -- that's not -- that was not the
 25 complaint.

1 Q. Okay. What did it involve with your hairdresser?
 2 A. Somebody made an accusation -- who it is, I don't know --
 3 that I was getting free haircuts from my hair -- my
 4 hairstylist, I guess.
 5 Q. Was one of the accusations that you were recording
 6 officers and inmates without proper notice?
 7 A. That was an allegation that we record information. We
 8 have video in our jail. We have video surveillance around our
 9 department. And that's a standard practice that we have.
 10 There's video cameras surrounding the department and inside the
 11 jail. And we have TV monitors that the dispatchers watch, as
 12 well as officers watch in the back room. So it's pretty common
 13 knowledge that we do monitor video of what goes on.
 14 Q. You were being -- the allegation was, without warning,
 15 inmates and officers, you were recording them. That's what the
 16 allegation was?
 17 A. You know, I don't have the allegation in front of me. If
 18 you have the document, I would be happy to look at it.
 19 Q. You didn't bring it to court, so was one of the
 20 allegations that you were accessing the Junction City cameras,
 21 microphones, and phone lines from your house?
 22 A. I believe that was a question that was asked during an
 23 investigation, yes.
 24 Q. So that's four. What were the other six or seven?
 25 A. To the best of my recollection, I don't have the

1 documents. I was able to get a summary and look at it, but I
 2 don't have a copy of that with me.
 3 One of them was that I embarrassed an employee using my
 4 bullhorn during parades. I talked about the Scandinavian
 5 Festival. I'll oftentimes get on and say, "Hey, there's
 6 Officer Cleavenger. You know, give him a hand. He does a good
 7 job for us, and he volunteers," and people clap and try to have
 8 a little fun and levity. Nothing inappropriate. That was one
 9 of them.
 10 There was questions about my philosophy as a leader. And
 11 how I managed the police department. That's not uncommon. I
 12 mean, chiefs and sheriffs and all people get questioned about
 13 their leadership all the time. I'm trying to remember some of
 14 the other ones. That's all I can remember at this time. There
 15 were several.
 16 Q. Okay. So there's close to a dozen allegations out against
 17 you, and those allegations are still under investigation. Is
 18 that what you're telling the jury?
 19 A. No. I was cleared of any misconduct and returned to
 20 work -- I believe it was February 2nd.
 21 Q. And yet you haven't seen the investigative reports.
 22 That's what you're saying?
 23 A. I have seen a summary of the investigative report. I have
 24 never seen the investigation itself.
 25 Q. Did you have an attorney representing you through that

1 process?
 2 A. Yes, I did.
 3 Q. Now, you talked about my client's trustworthiness and you
 4 brought up a specific example. A traffic stop. I want you to
 5 tell me every detail that you can remember about that traffic
 6 stop that my client was involved in.
 7 A. I can remember that the University of Oregon was
 8 investigating Mr. Cleavenger for making inappropriate stops
 9 outside of his authority, and I had asked my sergeant to look
 10 into that process and determine why he was terminated, and we
 11 didn't get notified of that in that process.
 12 We started looking at Mr. Cleavenger's activities, and we
 13 found that he had made one traffic stop that we could find when
 14 he was coming back, we believe, from the gas pumps. And he was
 15 by himself, and he did not have authority to do that.
 16 I don't recall --
 17 Q. What day did it occur?
 18 A. It was shortly after -- what I recall, it was in the fall
 19 of 2012. Shortly after he was terminated from the University
 20 of Oregon, as I recall, for doing the same thing. Then he did
 21 a stop with us and that was a serious concern to me.
 22 Q. Was there a report written on this?
 23 A. There was a report written by Chuck Salsbury about the
 24 traffic stop. He was counseled about that. There was a report
 25 written about the inquiry I asked the sergeant to do about the

1 concerns that I had about him being terminated from University
 2 of Oregon Police Department, not notifying us that he was
 3 terminated and still working as a volunteer reserve police
 4 officer, and so I had asked the sergeant to look into that --
 5 those issues, because I was concerned that maybe there was
 6 something related that would cause liability for the City of
 7 Junction City.
 8 Q. We're going to try to get through this quickly, but I
 9 would appreciate it if you would listen to my question and only
 10 answer my questions. They're very specific. Okay? I asked
 11 you: Would there be a piece of paper indicating this traffic
 12 stop that my client did?
 13 A. A piece of paper? No, we have --
 14 Q. Would there be a ticket that he wrote?
 15 A. I don't recall if he wrote a ticket.
 16 Q. Would there be a CAD report that would show where it
 17 happened?
 18 A. Yes. There would be a CAD report.
 19 Q. Would there be radio traffic that would show where it
 20 happened?
 21 A. If he radioed it out, yes.
 22 Q. And you didn't bring a shred of piece of paper to back up
 23 this allegation that this occurred, to this courtroom, did you?
 24 A. I was not asked to bring any documentation.
 25 Q. Defense counsel didn't say: Wow, you've got something

1 showing he did a traffic stop. Why don't you bring that to
 2 court so that we can fully examine and discuss what date it
 3 happened and what the context was. She didn't ask you to do
 4 that?
 5 A. No.
 6 Q. And she -- defense counsel didn't ask you to bring this
 7 letter from the city attorney exonerating you from all these
 8 charges either?
 9 A. No, she did not.
 10 Q. Is it your testimony under oath that my client did not
 11 disclose to the Junction City Police Department that he was
 12 terminated from the University of Oregon?
 13 A. Eventually he did, yes.
 14 Q. And when did he do that?
 15 A. I don't know exactly when he did, but it was months after
 16 he was terminated.
 17 Q. Now, you would agree that doing an evidence room audit is
 18 a pretty trustworthy job, isn't it?
 19 A. Yes.
 20 Q. Are you aware of the fact that my client did the entire
 21 Junction City evidence room audit at the end of 2012 after he
 22 had been terminated at the University of Oregon?
 23 A. Later, I was apprised of that, yes.
 24 Q. Well, he only worked for you for three more months. So
 25 when did you learn that he was doing that audit?

1 A. You know, that's several years ago when I know he was
 2 doing an audit for Officer Corey Mertz, who's our accreditation
 3 manager, so he worked with, and part of our -- I don't want to
 4 answer too much of your question. I'm trying to explain it,
 5 so -- would you like me to go on or stop there?
 6 Q. Well, it's a very simple question. It's a trustworthy
 7 job, and he did it for you three months before he resigned;
 8 correct?
 9 A. Yes.
 10 Q. Now, there was some question s by defense counsel last week
 11 of some of the Junction City officers about whether or not my
 12 client was ever suspended. Was he ever suspended?
 13 A. What do you mean by suspended?
 14 Q. Was he ever suspended at Junction City? It's a very
 15 simple question. Yes or no?
 16 A. I'd asked the sergeant to not allow him to be a reserve
 17 for a period of time while he investigated the allegations and
 18 determination at the University of Oregon. So I wouldn't call
 19 that suspended, but I would say that I asked him to not
 20 participate as a reserve and do any stops and come out and do
 21 any work until we could determine whether or not those issues
 22 had any liability for the City of Junction City.
 23 Q. Isn't it a fact that multiple officers at your department
 24 looked at all the things that happened at the University of
 25 Oregon and cleared my client of any wrongdoing?

1 A. Could you be more specific about that?
 2 Q. Sure. I would like you -- my client is terminated at the
 3 end of October of 2012. He leaves Junction City in March of
 4 2013. We're dealing with about five months. Okay? I would
 5 like you to pinpoint when in those five months, in the fall,
 6 you said this alleged traffic stop occurred.
 7 A. I would have to go back to the CAD reports and pull those
 8 up again, but I believe it was -- based on my recollection, it
 9 was in December.
 10 Q. Now, officers testified last week, from your department,
 11 that it was a normal practice for whoever was in charge to
 12 allow reserves to go out solo in your department.
 13 Did you know that?
 14 A. Eventually, I did know that, and -- yes, I did eventually
 15 learn that.
 16 Q. So even though my client may not have been on, in your
 17 opinion, solo status, he went out, according to those guys,
 18 often solo, at their discretion. Do you have any problem with
 19 that?
 20 A. Yes, I --
 21 MS. COIT: Object. Mischaracterizes his testimony .
 22 THE COURT: Overruled.
 23 BY MR. JASON KAFOURY: (Continuing)
 24 Q. Now, you said you had a problem with the fact that my
 25 client -- you were asked if he had actually written someone

1 else's police report, and you had a problem with that; right?
 2 A. Yes.
 3 Q. Okay. What if he sat around with other officers in the
 4 same room and they collaboratively worked together to write a
 5 report. Do you have a problem with that?
 6 A. Each officer -- yes, I do. Each officer should write
 7 their own report based on what they observed. So,
 8 independently, they could report that to the prosecutor so the
 9 court has an accurate recollection and facts from each specific
 10 officer. Not collaboratively coming together to write a report
 11 by three different or four different or five different
 12 individuals to write a report.
 13 Each officer should write a report based upon what they
 14 see at the time. Even if that is something different from each
 15 other.
 16 Q. Well, do you have any problem, for example, if someone
 17 takes a draft of the report and my client does some edits to
 18 it? Is that a problem?
 19 A. Yes. A reserve officer should not be editing a full-time
 20 officer's report. That's the job of a sergeant.
 21 Q. Did you ever tell anyone at the district attorney's office
 22 that my client had been terminated in the spring 2013?
 23 A. I might have, yes.
 24 Q. Why would you make an untruthful statement?
 25 A. Because when they sent me the letter in 2014 and then when

1 I returned to work in February, I came back to my desk and some
 2 of the stuff was on my desk that hadn't been completed. And
 3 one of those things that I wasn't able to complete was a
 4 request from the district attorney's office to forward over to
 5 them the information that I had concerns about with --
 6 regarding Mr. Cleavenger. Part of that would be letting them
 7 know that I had concerns about his truthfulness as well.
 8 Q. Okay. So you think you may have -- you didn't answer my
 9 question. When did you tell the district attorney that my
 10 client was terminated?
 11 A. It would have been sometime in the last six months that I
 12 would have terminated him if he would not have resigned.
 13 Q. I would like to show you this document. Who is that an
 14 email between?
 15 THE COURT: No, I don't know the exhibit number or
 16 the document.
 17 MR. JASON KAFOURY: I will give it an exhibit number
 18 so we can make a clear record.
 19 BY MR. JASON KAFOURY: (Continuing)
 20 Q. While he's doing that, why would you tell the district
 21 attorney's office in the last six months that my client was
 22 terminated if he wasn't actually terminated from Junction City?
 23 A. I met with him -- I think it was Alex -- over lunch, and
 24 based upon my leave, and I said there were some things that I
 25 would like to discuss with him about the *Brady* issues.

1 THE COURT: You said Alex?
 2 THE WITNESS: Excuse me. Our district attorney -- or
 3 our former district attorney, Gardner.
 4 BY MR. JASON KAFOURY: (Continuing)
 5 Q. And you met with him in the last six months to talk about
 6 this?
 7 A. That's my recollection, yes.
 8 Q. So have you given additional documents saying my client is
 9 untruthful to the district attorney in the last six months
 10 since you've been back?
 11 A. No, I have not.
 12 MR. JASON KAFOURY: We'll call this 273, Your Honor.
 13 THE COURT: 273. Thank you.
 14 BY MR. JASON KAFOURY: (Continuing)
 15 Q. Who's that an email between?
 16 A. From Patty Perlow to Alex Gardner.
 17 Q. Okay. And?
 18 A. And Paul Graebner.
 19 Q. Those are all people in the district attorney's office;
 20 correct?
 21 A. Yes.
 22 Q. Does that email -- what's the date on that email?
 23 A. June 23, 2014, at 2:20 p.m.
 24 Q. June what?
 25 A. June 23, 2014.

1 Q. 2014. So that is 15 months ago; right?
 2 A. Yes.
 3 Q. Okay. And what does it say there, the highlighted
 4 portion, about the status of my client in relation to his time
 5 at Junction City?
 6 MS. COIT: Your Honor, I object to the testimony. It
 7 sounds like hearsay between two district attorneys. I haven't
 8 seen the document.
 9 THE COURT: Overruled.
 10 BY MR. JASON KAFOURY: (Continuing)
 11 Q. What does it say about -- the highlighted portion, what
 12 does it say?
 13 A. It has parentheses on it, and it says, "Terminated spring
 14 of 2013."
 15 Q. Okay. Can you name anyone, as of June 2014, who would
 16 have told the district attorney's office my client was
 17 terminated other than you?
 18 A. I'm not understanding your question. Sorry.
 19 Q. Anybody -- well, where would the -- can you think of
 20 anyone in the Junction City Police Department that would have
 21 told the district attorney my client was terminated in June of
 22 2014 other than you?
 23 A. It could have been anybody.
 24 Q. Okay. You agree he was not terminated, though; right?
 25 A. Correct.

1 Q. Who would the district attorney have asked to come up with
 2 this statement that my client was terminated in the spring of
 3 2013 from Junction City Police Department? Who would they have
 4 asked?
 5 MS. COIT: Objection. Speculation.
 6 THE COURT: Overruled.
 7 THE WITNESS: Could you ask the question again?
 8 BY MR. JASON KAFOURY: (Continuing)
 9 Q. Yes. Who would the district attorney -- Alex, you just
 10 had lunch with, Alex Gardner. Who would they have talked to
 11 find out that information that at the Junction City Police
 12 Department my client was terminated in the spring of 2013?
 13 A. Any one of my staff.
 14 Q. So you think that one of your staff members communicated
 15 with the district attorney in June of 2014 at the same time the
 16 University of Oregon was putting forth *Brady* materials about my
 17 client? You think someone else on your staff may have
 18 communicated that termination?
 19 A. It's possible.
 20 Q. Because you didn't do it?
 21 A. Well, after June of 2014, in July, I got put on
 22 administrative pay -- on disparate pay administrative leave and
 23 I was gone until February, so I did not communicate anything to
 24 the district attorney's office after the letter was sent by the
 25 district attorney's office until I was reinstated and cleared

1 in February of this year.
 2 Q. You keep saying you were cleared. Is there not an ongoing
 3 investigation into what happened to you?
 4 A. It has been concluded, and I was returned to work and
 5 found no misconduct was found.
 6 Q. Okay. Where is the report?
 7 A. I don't know where the report is.
 8 Q. Have you asked for it?
 9 A. Yes, I have.
 10 Q. Do you know any reason why Junction City has not released
 11 the report?
 12 A. We've asked them to release the report and they have
 13 refused.
 14 Q. Let's talk about this *Brady* stuff for a couple of minutes.
 15 You said 2011, 2012 is when the *Brady* materials -- the district
 16 attorney really started working with the chiefs to get *Brady*
 17 material. Is that your memory?
 18 A. Well, *Brady* -- approximately, yes.
 19 MR. JASON KAFOURY: Okay. Mr. Hess, can you bring up
 20 Exhibit 215? Blow up the to and from. There it is. Okay. Can
 21 you blow up the to and from in this section, please.
 22 BY MR. JASON KAFOURY: (Continuing)
 23 Q. So March 5, 2012. Do you remember getting this email from
 24 Alex Gardner about *Brady* concerns?
 25 A. Yes, I do.

1 MR. JASON KAFOURY: Can you go down to the paragraph
 2 there right before "sincerely," Mr. Hess? Right above
 3 "sincerely." That's right.
 4 BY MR. JASON KAFOURY: (Continuing)
 5 Q. If one of your officers, troopers, or deputies is being
 6 faced with a well-supported allegation of untruthfulness,
 7 please advise at your earliest convenience.
 8 Will you agree with me that this push to get the chiefs of
 9 police to report *Brady* people started sometime here before
 10 March 2012?
 11 A. I -- could you move the date?
 12 Q. Sure.
 13 A. I can't see the date on here.
 14 MR. JASON KAFOURY: Can you blow up the date, too,
 15 Mr. Hess?
 16 THE WITNESS: So now what was your question again?
 17 BY MR. JASON KAFOURY: (Continuing)
 18 Q. So my question is: Do you agree with me that this push by
 19 the district attorney to get the word out to the chiefs of
 20 police to report officers who they thought were untruthful to
 21 please advise the district attorney at your earliest
 22 convenience, do you agree that this push by the district
 23 attorney had started before March of 2012?
 24 A. Well, this email indicates that he sent an email asking
 25 for *Brady* material. As far as when the exact date was, when it

1 started, I don't recall. We have been talking about it at the
 2 chief's association for several years, and *Brady* has been
 3 around for -- I'm not sure when the case actually started, but
 4 it's over 20 years old and *Brady* case, so it's been around a
 5 long time, but there was recently, within -- since I became a
 6 chief, a push for chiefs of police and sheriffs to report to
 7 the district attorney any *Brady* issue concerns. But the actual
 8 *Brady* case, I don't have a date in my head, but that actually
 9 occurred in, I think, 10, 20 years ago, when it was required
 10 to -- for DAs to reveal to defense attorneys the untruthfulness
 11 of, potentially, officers.
 12 Q. Let me make sure I've got this straight. Before this
 13 2012, there have been meetings of the chief talking about the
 14 *Brady* stuff a few years before this?
 15 A. I don't know when those started, but I do recall when I
 16 became chief. That was one of the things that I was trained
 17 about and it was talked about, whether it was 2009, '10, '11.
 18 I don't recall the exact date, if you wanted to, I guess, have
 19 the exact --
 20 Q. What year did you become a chief?
 21 A. April of 2009.
 22 Q. Okay. So right after you became a chief in April of 2009,
 23 that's where you started being trained and learning about the
 24 *Brady* stuff; is that right?
 25 A. Well, I heard about *Brady* before I became a chief, but

1 that was -- when I became a chief was the issues when I was
 2 told that we are required and it's our responsibility to
 3 forward information on to the DA if we have issues about
 4 untruthfulness, yes.
 5 Q. Okay. Are you aware that many of your officers have
 6 signed documents attesting to my client's truthfulness? Are
 7 you aware of that?
 8 A. In the last couple weeks, Ms. Coit provided me
 9 documentation of letters that not all of the staff, but some of
 10 the staff, signed.
 11 Q. And while you were gone on administrative leave, the three
 12 acting folks responded to the district attorney on behalf of
 13 Junction City; is that right?
 14 A. Yes, they did.
 15 Q. And they went through some of the allegations about -- in
 16 the *Brady* materials about the recording policy and about the
 17 cars that had them; right? They sort of detailed information
 18 in those -- in that letter?
 19 A. If you have the document for me to review, I could be more
 20 specific.
 21 Q. Showing you Plaintiff's 172, does that refresh your
 22 memory? Have you seen that document?
 23 A. Yes.
 24 Q. That was signed by the acting chief. Who else?
 25 A. It was signed by Acting Chief Eric Markell, Acting

1 Sergeant Brandon Nicol, and Officer Corey Mertz.
 2 Q. I do need to bring this up. There was questions from
 3 defense counsel about Officer Mertz last week, and there was an
 4 allegation put forth that he was disciplined for putting false
 5 information into a probable cause affidavit. Is that true?
 6 A. He was counseled about it. Not disciplined.
 7 Q. There's nothing in his file about that?
 8 A. I haven't looked at his file recently, but you
 9 generally -- when an officer is counseled, it's not put in
 10 their personnel file. When they're disciplined formally, then
 11 that document goes into their personnel file. But if you just
 12 have a conversation with them about corrective behavior, that
 13 does not become part of their permanent record, so I wouldn't
 14 believe there would be a copy of that in his file.
 15 Q. So you spoke with Lieutenant Lebrecht and gave him some
 16 information in relation to the *Brady* materials about my client;
 17 right?
 18 A. Yes.
 19 Q. Did you talk to Chief McDermid about my client and the
 20 *Brady* list before the materials were submitted?
 21 A. I did not talk to her about those -- those materials, I
 22 believe, before they were submitted. It was just strictly
 23 Mike Morrow and Lieutenant Lebrecht.
 24 Q. So you talked to Mike Morrow as well?
 25 A. Yes, I called him.

1 Q. When did you talk to him?
 2 A. It would have been before Mr. Cleavenger resigned from the
 3 Junction City Police Department and sometime after my sergeant
 4 concluded his investigation into the misconduct concerns that I
 5 was concerned about why Mr. Cleavenger was terminated from
 6 U of O.
 7 Counsel, would you mind -- my mouth is a little dry. Can
 8 you pour me a glass of water?
 9 Q. Did you ever talk to Chief McDermid about my client before
 10 he was terminated from the University of Oregon?
 11 A. No. I wasn't even aware he was terminated, and that was
 12 one of my concerns. So, no.
 13 Q. When was the last time you went to the University of
 14 Oregon Police Department? It's been in the last couple months,
 15 hasn't it?
 16 A. Yeah. I don't know the exact date. I went down there
 17 between, I don't know, February 2nd and today.
 18 Q. Who did you meet with there?
 19 A. I met with Chief McDermid and their PIO person.
 20 Q. What was the purpose of the meeting?
 21 A. Chief McDermid and I are on a committee for the Oregon
 22 Association Chiefs of Police, the marketing committee. We're
 23 trying to market the Oregon -- what the Oregon Chiefs of Police
 24 Association does throughout the state, and Chief McDermid had
 25 an expert person in community information, public information,

1 marketing, and as part of the board, I wanted to bring back
 2 information to the board about the proposal of creating a
 3 magazine, like the sheriff's office does, and so we met about
 4 that.
 5 Q. Have you applied for any jobs at the University of Oregon
 6 Department of -- Police Department?
 7 A. Yes, I have.
 8 Q. When did you apply for a job?
 9 A. It was around the time I was just coming back to work to
 10 Junction City.
 11 Q. And what's the status of your application there?
 12 A. I was denied employment.
 13 Q. Do you know why?
 14 A. I didn't meet the education -- they were looking for
 15 somebody with an education background, like from another
 16 college, that had university experience, and so I didn't meet
 17 the criteria to get into the first interviews.
 18 Q. And, finally, I want to ask you about the department
 19 policies at the time that you gave to Lieutenant Lebrecht about
 20 audio recording. What is that document?
 21 A. It says: Department directive. Subject: Directive 11 --
 22 which stands for the year -- 005 mobile audio video procedure.
 23 Q. Okay. And was this the policy in effect in 2012?
 24 A. I -- I am assuming so, I --
 25 Q. It was your policy; right? You came up with it?

1 A. Yes. I issued it.
 2 Q. And is it correct that this policy calls for required
 3 activation of the mobile unit for all field contacts involving
 4 actual or potential criminal conduct? That's how you had
 5 that -- that's the policy in effect in 2012?
 6 A. That's partially true.
 7 Q. Okay.
 8 THE COURT: What document number was that, Counsel?
 9 MR. JASON KAFOURY: That's -- it's in the *Brady*
 10 materials, which is Exhibit 150.
 11 THE COURT: 150.
 12 MR. JASON KAFOURY: Yeah, I believe that is page 19.
 13 THE COURT: Page 19. Thank you.
 14 BY MR. JASON KAFOURY: (Continuing)
 15 Q. You do agree that my client's test scores, when they were
 16 given to him, were inaccurate? Do you agree with that?
 17 A. The first letter that was sent out by one of my staff,
 18 yes, were incorrect.
 19 Q. Okay. Did you say that there's three city council members
 20 of Junction City that are on this community board?
 21 A. Yes. That's correct.
 22 Q. Who are those -- who were they? Who were those members?
 23 A. Well, it's changed over the years. Are you referring to
 24 currently now or when he got interviewed?
 25 Q. When my client was interviewed for this police position.

1 A. If I recall correctly, I believe it was Marti Templeton,
 2 Dave Branchen, and Jim Leach.
 3 Q. Were you in the office when my client came in to turn in
 4 his badge and uniform officially?
 5 A. I don't recall whether I was or wasn't.
 6 MR. JASON KAFOURY: Thanks.
 7 THE COURT: Redirect?
 8 MS. COIT: No. No questions. Thank you, sir.
 9 THE COURT: May the witness be excused, Counsel? Can
 10 the witness be excused?
 11 MS. COIT: Yes.
 12 THE COURT: Counsel, can the witness be excused?
 13 MR. JASON KAFOURY: Oh, yes. Sorry.
 14 THE WITNESS: I have a copy of one of your documents .
 15 THE COURT: We'll excuse you now . Thank you. Next
 16 witness.
 17 MS. COIT: The defense calls Lois Yoshishige.
 18 THE COURT: Thank you.
 19 Come forward, please, into the well of the courtroom.
 20 MS. YOSHISHIGE: Can I put my things down?
 21 DEPUTY COURTROOM CLERK: You're welcome to put things
 22 down on the bench.
 23 THE COURT: Would you stop at that location and
 24 please raise your right hand.
 25

1 LOIS YOSHISHIGE,
 2 called as a witness in behalf of the Defendants, being first
 3 duly sworn, is examined and testified as follows:
 4 THE WITNESS: Yes.
 5 THE COURT: Thank you. If you could enter the
 6 witness box and the entrance is closest to the wall. Be
 7 seated, please.
 8 THE WITNESS: Okay.
 9 THE COURT: Now, would you face the jury and state
 10 your full name, please, and slowly spell your last name.
 11 THE WITNESS: Lois Kiyono Yoshishige. Last name is
 12 Y-O-S-H-I-S-H-I-G-E. And K-I-Y-O-N-O.
 13 THE COURT: Direct examination, please.
 14
 15 DIRECT EXAMINATION
 16 BY MS. COIT:
 17 Q. Ms. Yoshishige, good afternoon. You're here under
 18 subpoena; correct?
 19 A. Yes.
 20 Q. And tell us who your employer is.
 21 A. University of Oregon.
 22 Q. And what do you do at the university?
 23 A. I do clerical work in the business office, student loan
 24 collections.
 25 Q. And how long have you been employed by the University of

1 Oregon?
 2 A. Thirty years.
 3 Q. And are you a member of the union?
 4 A. Yes.
 5 Q. Which union is that?
 6 A. Service Employees International Union.
 7 Q. Do you have a role in the union?
 8 A. Yes. I'm a steward and chief contact.
 9 Q. How long have you been a union steward?
 10 A. About 28 years.
 11 Q. And tell us what -- what is the function of a union
 12 steward?
 13 A. It is to represent an employee around -- in meetings with
 14 management, having to do with work issues and enforcing the
 15 contract.
 16 Q. Would that be the collective bargaining agreement?
 17 A. Yes.
 18 Q. Have you ever been involved in the bargaining negotiations
 19 for the contract?
 20 A. No. I haven't been at the bargaining table.
 21 Q. All right. And what do you mean by represent the
 22 employee? What does that entail?
 23 A. Sitting in on meetings, advising the employee.
 24 Q. Is it your responsibility or you hope it is to -- to help
 25 the union member to understand his or her rights and

1 responsibilities under the union contract?
 2 A. Yes.
 3 Q. When do you recall first becoming involved with Mr. James
 4 Cleavenger?
 5 A. About three or four years ago.
 6 Q. And do you recall what issue he was dealing with at the
 7 time that he requested a steward?
 8 A. Work performance issues.
 9 Q. Do you recall there being a written reprimand having been
 10 issued to him?
 11 A. Yes.
 12 Q. Before your testimony today, did you get any documents
 13 from Mr. Cleavenger's counsel to review?
 14 A. Yes.
 15 Q. Can you tell me what those documents consisted of?
 16 A. Some emails, review of the grievance procedure that Chief
 17 Steward John Ahlen put together, some testimony.
 18 Q. Whose testimony?
 19 A. I'm sorry. I don't recall.
 20 Q. When did you receive those emails ? The documents from
 21 counsel. Not when you originally received them.
 22 A. About -- about a week and a half ago.
 23 Q. Did you have any conversations with Mr. Cleavenger's
 24 counsel about those emails, about what they said?
 25 A. Yes.

1 Q. What were those conversations?
 2 A. Basically what did I recall.
 3 Q. And when you reviewed those emails, did you recall them?
 4 A. Yeah.
 5 Q. Okay. Did they tell you what they thought I was going to
 6 ask you here today?
 7 A. They -- yeah, they had some guesses.
 8 Q. Okay. All rightful. Well, let's see if they're right.
 9 All right. Were you Mr. Cleavenger's primary steward for
 10 a period of time?
 11 A. Yes.
 12 Q. And at some point were other stewards brought on?
 13 A. Yes.
 14 Q. And who were they?
 15 A. Donna Laue, the then-chief steward was helping me at the
 16 time; and then John Ahlen, after I stopped being his steward.
 17 Q. Why was Donna Laue brought in to assist you?
 18 A. To help me with research.
 19 Q. What sort of research?
 20 A. Contacting other classified employees in the department.
 21 Q. With regard to Mr. Cleavenger's reprimand?
 22 A. Yes. His treatment in the department.
 23 Q. Okay. Had you -- prior to Mr. Cleavenger, did you have
 24 any prior experience as a steward for a member of the
 25 University of Oregon Police Department?

1 A. Yes.
 2 Q. When was that?
 3 A. Maybe a year or two before that.
 4 Q. Do you recall Mr. Cleavenger wanting an unusually large
 5 amount of information from the University of Oregon Police
 6 Department to prepare for the grievance of his reprimand?
 7 A. It was more than I was used to, but I couldn't say that it
 8 was unusually large.
 9 Q. Had you ever, in your 28 years of experience as a steward,
 10 had a situation where the grievant was requesting that volume
 11 of information for a grievance of a written reprimand?
 12 A. No.
 13 Q. Who was your primary contact for the administration during
 14 this process?
 15 A. I don't understand that question.
 16 Q. Okay. Was it your role as the union steward to be the
 17 direct contact with the administration, the people who the
 18 grievance was against?
 19 A. I think mostly I was communicating with Randy Wardlow.
 20 Q. And Mr. Wardlow was in the human resources department?
 21 A. Yes.
 22 Q. Do you recall having a meeting with Lieutenant Lebrecht,
 23 Sergeant Cameron, yourself, and Mr. Cleavenger in July of 2012,
 24 where the four of you went over some of Mr. Cleavenger's
 25 videos, his dash cam videos?

1 A. Yes.
 2 Q. There were actually two meetings where you did that;
 3 correct?
 4 A. I think so.
 5 Q. Okay. So right now I'm talking about the first meeting.
 6 At that meeting, do you recall going over a video that involved
 7 Mr. Cleavenger's transport of the woman with the gun?
 8 A. Going over a video?
 9 Q. Watching the video in that meeting.
 10 A. I can't say I recall.
 11 Q. Do you recall that incident being discussed at that
 12 meeting?
 13 A. Yes.
 14 Q. What was discussed in your recollection about that
 15 incident?
 16 A. What I recall was something about that management felt it
 17 was unsafe for the woman to have her firearm in the car.
 18 Q. Do you recall at that meeting telling Lieutenant Lebrecht
 19 and Sergeant Cameron that the woman had her gun stored in a
 20 fanny pack?
 21 A. I don't recall.
 22 Q. Had you ever heard anything about this woman having a gun
 23 in a fanny pack? Does that ring any bells for you?
 24 A. No.
 25 Q. What do you recall Mr. Cleavenger telling you about that

1 incident with the woman with the gun?
 2 A. I don't recall, except that he felt it was safe.
 3 Q. Mr. Cleavenger felt it was safe?
 4 A. Yes.
 5 MS. COIT: Your Honor -- permission to approach, Your
 6 Honor?
 7 THE COURT: You may.
 8 MS. COIT: Exhibit 385.
 9 BY MS. COIT: (Continuing)
 10 Q. Is Exhibit 385 an email sent from Mr. Cleavenger to you
 11 and Ms. Laue?
 12 A. Yes.
 13 MS. COIT: Your Honor, defendant offers 385 with
 14 request for permission to publish.
 15 MR. JASON KAFOURY: Can I take a look at it?
 16 THE COURT: Any objection?
 17 MR. JASON KAFOURY: What's the date on it? I can't
 18 see it.
 19 BY MS. COIT: (Continuing)
 20 Q. Can you see the date on that, Ms. Yoshishige? It's kind
 21 of small.
 22 A. Yes.
 23 Q. What's the date?
 24 A. July 13, 2012.
 25 THE COURT: Received, Counsel.

1 MS. COIT: Thank you.
 2 THE COURT: Let me make sure. Who is this from? To?
 3 Who's it from?
 4 MS. COIT: Mr. Cleavenger.
 5 THE COURT: And who is it to?
 6 MS. COIT: To the witness, Your Honor.
 7 THE COURT: Received.
 8 MS. COIT: Thank you. Permission to publish?
 9 THE COURT: You may.
 10 BY MS. COIT: (Continuing)
 11 Q. Ms. Yoshishige, can you look at the top -- sorry, the top
 12 paragraph -- full paragraph there? And Mr. Cleavenger says,
 13 "As for their offer, they're basically saying, 'Stop the
 14 grievance or you will be fired.' That is obviously an illegal
 15 reprisal. We want them to offer this today. And, yes, I will
 16 not be able to answer any of their new allegations" --
 17 THE COURT: Counsel, continue reading. There's a
 18 comma.
 19 BY MS. COIT: (Continuing)
 20 Q. Oh, I'm sorry.
 21 -- "today, as I have not received the prior notice
 22 required by union contract, DPS policy, and ORS 236. I may
 23 generally refute some claims. Then I have a litany of
 24 questions for them regarding their investigation which will
 25 hopefully yield a number of additional lies."

1 My question is, do you know what offer Mr. Cleavenger was
 2 talking about in this email?
 3 A. I think it was an offer to accept retraining and -- yeah.
 4 Q. All right. Tell me about that offer. Was that offer made
 5 to you? For Mr. Cleavenger, but was it made directly to you?
 6 A. Yes. I think, yeah.
 7 Q. And who made that offer?
 8 A. Randy Wardlow.
 9 Q. Tell me what you recall about that offer.
 10 A. That he was saying that Mr. Cleavenger was to go through
 11 retraining for a certain period of time and that in exchange he
 12 needed to drop his grievance.
 13 Q. And what grievance did you understand Mr. Wardlow to be
 14 talking about?
 15 A. The written reprimand. The grievance against the written
 16 reprimand.
 17 Q. Do you recall Mr. Wardlow ever making a part of this offer
 18 Mr. Cleavenger's promise never to file another grievance?
 19 A. I don't recall.
 20 Q. And this email is dated July of 2012. Did you get the
 21 impression from Mr. Cleavenger's email to you that he was not
 22 particularly receptive to being retrained?
 23 A. There was concern that it was a setup.
 24 Q. A setup? Whose concern was that?
 25 A. Mr. Cleavenger's.

1 Q. Do you know what his concern was?
 2 A. That management would find things about his performance to
 3 discredit him and terminate him.
 4 Q. Did you have prior experience dealing with Mr. Wardlow in
 5 your capacity as a union steward?
 6 A. Yes.
 7 Q. Did anything in that prior experience that you had with
 8 him give you reason to believe that he was trying to set up
 9 Mr. Cleavenger; that that's something that he would do?
 10 A. No.
 11 Q. Did you believe, from your conversations with Mr. Wardlow,
 12 that he generally wanted Mr. Cleavenger to succeed in
 13 retraining?
 14 A. I think Mr. Wardlow believed that when he was saying that.
 15 Q. Did Mr. Cleavenger ever agree to this offer to go back
 16 into retraining and drop the grievance?
 17 A. I don't recall.
 18 Q. You are the one who responded to the offer; correct?
 19 A. Yes.
 20 Q. What was that response that you gave to Mr. Wardlow?
 21 A. I don't recall.
 22 Q. Do you recall Mr. Cleavenger going back into retraining?
 23 A. No.
 24 Q. Do you recall telling Mr. Wardlow that he would do what he
 25 was ordered to do but would not drop the grievance?

1 A. Yes.
 2 Q. This is Exhibit 391.
 3 THE COURT: 391? Thank you.
 4 BY MS. COIT: (Continuing)
 5 Q. Ms. Yoshishige, on Exhibit 391, there are three emails in
 6 this chain. I would like you to look at the middle email and
 7 tell me if you -- if that's you who has received it and who
 8 it's from.
 9 Or, excuse me, the other way around. Who it's from and
 10 who it was to.
 11 A. It was from me, and it was to James Cleavenger,
 12 Sean Brailey, and Donna Laue.
 13 MS. COIT: Your Honor, we offer 391 and request
 14 permission to publish.
 15 MR. JASON KAFOURY: Your Honor, same objection we had
 16 last night that we did not address.
 17 THE COURT: Well, portions of it are relevant.
 18 Portions of it aren't. I don't want the witness to come back,
 19 but can I see 39 for just a moment? I'm sorry, 329?
 20 MS. COIT: 391.
 21 THE COURT: 391.
 22 MS. COIT: And, Your Honor, my question is focused --
 23 THE COURT: Counsel, I don't want any discussion
 24 right now. Have a seat.
 25 DEPUTY COURTROOM CLERK: It's on the back also,

1 Judge.
 2 THE COURT: Counsel, first of all, I have no
 3 concern -- follow me closely now -- 391 with the email string
 4 starting from Shaw Ginger October 17, 2012. It goes, "Hello
 5 Lois."
 6 I do have concern and would want to speak further with
 7 both of you outside the presence of the jury concerning the
 8 email from Lois on October 12th at 20:39:33 -- sorry,
 9 Wednesday, October 17th, 2012.
 10 I have no concerns about the top email on October 18,
 11 2012, beginning "I" and both -- those three lines I have no
 12 concern about.
 13 I would want to speak to you further about the paragraph
 14 beginning "that."
 15 And I have no concern about the last line beginning "I
 16 know."
 17 Now, how are we going to resolve that, or do we need to
 18 bring the witness back next Monday?
 19 MS. COIT: Your Honor, it is the middle email that I
 20 want to question her about.
 21 THE COURT: Yeah, I think that needs some discussion.
 22 I'm not foreclosing that evidence at all. I just want a
 23 thoughtful record on my part, and I'm not certain that I'm
 24 prepared to make that without listening to each of the parties
 25 again.

1 for argument probably first thing Wednesday morning. Okay?
 2 And you'll probably have the case for your consideration,
 3 because I'm going to put a time limit of no more than an hour
 4 and a half on each counsel, so it's a timed limitation for
 5 their argument.
 6 With the jury instructions I read to you, they're very
 7 short. It would probably take me 20 minutes to read the law to
 8 you. In fact, I'll give you my instructions back in the jury
 9 room. I'll have you just return those to me after your
 10 deliberations. The law requires me, by the way, to read the
 11 instructions to you at one time. You're not to go to separate
 12 corners and waive instructions. I have to read those to you at
 13 one time and make certain that they're read. A lot of courts
 14 don't give out jury instructions. I'm going to give them to
 15 you back in chambers.
 16 After that, though, you have no idea and I have no idea
 17 how long your deliberations are going to take. Don't even
 18 get -- it could be very quick. It could be long. It's the
 19 process of the thoroughness and thoughtfulness of your
 20 discussions with each other. Okay? So that's my best time
 21 estimate.
 22 We could actually go faster than that, but I think in good
 23 faith if we get to Tuesday afternoon at 3:00 or 4:00, what I
 24 don't want to do is split the arguments. I don't want to have
 25 somebody arguing on Tuesday and then the other party coming

1 MS. COIT: I would be willing to put it into the
 2 record without the witness testifying about it.
 3 THE COURT: No, I don't think so. What are you doing
 4 next Monday? Do you live here in Portland?
 5 THE WITNESS: No. I'm in Eugene.
 6 THE COURT: Oh, that's not far. I just don't want to
 7 make a mistake. Okay?
 8 THE WITNESS: Okay.
 9 THE COURT: And if you don't mind, I'm going to have
 10 you back as our first witness on Monday so I don't feel pushed
 11 by counsel and we can discuss this outside the presence. I
 12 humbly apologize, but let's get a fair trial here.
 13 So, Counsel, we're going to recess this evening and
 14 discuss this, and I'll bring this witness back on Monday. And
 15 she'll be I think a very brief period of time. Counsel is
 16 almost done with their direct and then cross.
 17 Now, where are we in the case? I'll tell you where we
 18 are. I think that we're going to finish all the evidence --
 19 I'm pretty certain of this -- on Tuesday. Okay? Two more
 20 witnesses to go. I think that's a pretty good faith
 21 estimate --
 22 MS. COIT: Yes.
 23 THE COURT: -- based on what I've been told.
 24 There may be a little bit of rebuttal, but I'm not sure
 25 yet. But there may be a little bit. So you'll get the case

1 back on Wednesday. I would like to hear that in a block of
 2 time. So if we get done early on Tuesday, like 2:00 or 3:00 or
 3 4:00, I'm going to send you home. I don't try to get one more
 4 hour out of counsel. Fair enough? So I really think Wednesday
 5 you get it for your deliberations early on. Okay?
 6 So now when are we coming back?
 7 A JUROR: Monday.
 8 THE COURT: Excellent.
 9 A JUROR: 8:00.
 10 THE COURT: By the way -- I apologize, you can see me
 11 working up here -- Southwest Airlines \$142 instead of \$1,200.
 12 Not bad. Okay. I'm not advertising for Southwest. That should
 13 be on the record. I'll try Jet Blue and name them all. I
 14 think I got it back at a decent rate for the taxpayers and not
 15 \$1,200 for the taxpayers, which are you.
 16 Counsel, anything else? Christy, let me -- we're going to
 17 talk to counsel after hours tonight.
 18 Counsel, are there any other things that I need to say to
 19 the jury, except please don't discuss this matter with anybody?
 20 Don't even form or express an opinion in your mind. And
 21 first -- Christy, what? Oh, my goodness. Happy Birthday to
 22 juror number eight. And it's Friday.
 23 Well, hopefully you'll be able to keep both of the
 24 appointments. I wish you the best for your wife and,
 25 unfortunately, the funeral you're attending.

1 Goodnight. We will see you Monday at 8:00.
 2 A JUROR: Okay.
 3 THE COURT: Counsel, why don't you go take a break.
 4 I need a couple minutes, and I'll be right with you. Take a
 5 recess and come on back.
 6 (Jury not present.)
 7 (Recess taken.)
 8 THE COURT: All right. Let's go back on the record.
 9 The jury is not present and the concern is over Exhibit
 10 No. 137. Let's see what objections each of you have to which
 11 parts. On behalf of the defendant, are you requesting this
 12 entire document can be evidence or a portion of it?
 13 MS. COIT: Only a portion of it. The middle email.
 14 THE COURT: Now, it's difficult when you want a
 15 portion because I'm concerned that the information on the chain
 16 is confusing.
 17 MS. COIT: I have no objection to putting the whole
 18 thing in.
 19 THE COURT: You have no objection to putting the
 20 whole thing in?
 21 MS. COIT: No, not at all.
 22 THE COURT: All of it? 137?
 23 MS. COIT: No. 391.
 24 THE COURT: 391. Yeah. The plaintiff has objected
 25 to which portion?

1 you go to damages, that he had other job offers and, quite
 2 frankly, his state of mind was he could care less about the
 3 University of Oregon job.
 4 "Also, if I quit, instead of being fired, I will not have
 5 a cause of action tort lawsuit for wrongful dismissal."
 6 That's state of mind, and I'm not concerned about letting
 7 that in.
 8 "That being said, I'm open to the idea of quitting, but it
 9 would have to be a really decent deal. If you want to set up a
 10 meeting with Linda Smith to discuss it, that's fine with me."
 11 I don't know who Linda Smith is. I'm assuming it's not an
 12 attorney, but I don't know.
 13 MS. COIT: I think he meant to say Linda King.
 14 THE COURT: Doesn't matter who he meant. I don't
 15 know who Linda Smith is. And if so, that's an attorney-client
 16 privileged communication. When I don't know about it, I can't
 17 make a decent ruling. Who's Linda Smith?
 18 MR. JASON KAFOURY: My client is uncertain who he was
 19 referencing at that point.
 20 THE COURT: Maybe I should adopt the defendant's
 21 position. Linda King do you think?
 22 MS. COIT: Maybe Linda King and Brian Smith as a
 23 co-person.
 24 MR. CLEAVENGER: Exactly what I said.
 25 THE COURT: They're not attorneys. The attorney

1 MR. GREGORY KAFOURY: I think the whole thing should
 2 stay out because it's going to lead to confusion on the part of
 3 the jury. It's steering them away from the facts that they
 4 have to decide, and it's getting inside the -- the negotiating
 5 strategy. There's good reasons why we don't allow settlement
 6 discussions to come in, besides the fact that it tends to
 7 prevent people from settling if they thought the settlement is
 8 going to be discussed.
 9 THE COURT: I'm confused. The earlier discussion
 10 with your cocounsel was that he wanted the middle portion in.
 11 MR. JASON KAFOURY: No. I was -- I was arguing
 12 against the top portion. I never dealt with the middle portion
 13 yesterday. I think the middle portion is also prejudicial.
 14 THE COURT: Well, first --
 15 MR. GREGORY KAFOURY: "Confusing" was the word,
 16 Your Honor, used, and we would adopt that.
 17 THE COURT: Well, first, I don't know why I would
 18 withhold the email from Cleavenger on October 18, 2012, at
 19 3:09:24, which states he's available all on October 30th for
 20 the grievance hearing. So whatever intonation is that he
 21 walked out, wasn't available, wasn't participating is refuted
 22 by that. It's a positive piece of evidence for the plaintiff.
 23 "Both of my job offers could care less about whether or
 24 not I was fired from the UO job, so that is not an issue."
 25 I think that's beneficial for the defense. It shows, when

1 privilege doesn't apply to them, does it?
 2 MR. JASON KAFOURY: No.
 3 THE COURT: I can't imagine why the plaintiff would
 4 want -- I know this case is hard, complex, and time-consuming;
 5 however, I think it's right to do the right thing.
 6 Obviously, you want that in.
 7 But you want the middle portion specifically?
 8 MS. COIT: I specifically want --
 9 THE COURT: So let's go over that. I don't know that
 10 I'm inclined to start chopping things up. It looks like
 11 there's something hidden, and there better be a good reason for
 12 the Court doing that. I'm not a big fan of redactions, as you
 13 can tell.
 14 "Hi, James. Here is the request to schedule a hearing on
 15 October 30th for the written reprimand."
 16 Now, this is coming from Lois. This is her thought
 17 process.
 18 And I guess the October 18th email that I just read to you
 19 from Cleavenger back to her can only make sense if a portion or
 20 some of this or the entire email comes into evidence. And it
 21 states, "I've been thinking about the predissmissal meeting we
 22 had on Friday and the risks of going through a termination.
 23 Would being fired from U of O DPS affect your ability to get a
 24 job that you've been promised by the judge in Portland?"
 25 Now, this goes to damages. They're entitled to have that.

1 "Even though you have a lot of evidence, I wouldn't say it
2 is certain that your discipline determination would be
3 overturned. With Morrow's 48-page report, I read into it that
4 his conclusion is that you do not fit as a DPS officer."

5 Well, that doesn't come as a surprise. It's not
6 prejudicial.

7 "In the end, every employee has to give at least the
8 appearance that they comply with management's orders. It
9 doesn't look as if you want to do that, so what is the point?"

10 Now, from the plaintiff's perspective, I would guess that
11 they would want to keep that out.

12 MR. GREGORY KAFOURY: I would guess.

13 THE COURT: From your perspective, subjectively, you
14 would want to get that in. That's her thought process, though.

15 Why am I excluding that? Why don't I just leave that for
16 argument? That's not Mr. Cleavenger. All Mr. Cleavenger is
17 doing is responding to the fact that he would leave under
18 certain circumstances and he's got a job in Oregon, et cetera.

19 "Gary told me that he talked to you for a while after the
20 meeting where management gave you notice of suspension without
21 pay. I don't know if the people offering you the job care
22 about if you have a dismissal on your record. If they do, I
23 think you should resign right away and ask for a mutual
24 reference before Linda King fires you. Once she fires you, you
25 can't ask for that anymore. Let me know what you think."

1 MR. GREGORY KAFOURY: I think "it doesn't look as if
2 you want to do that" is somebody else's opinion --

3 THE COURT: Well, it is.

4 MR. GREGORY KAFOURY: -- of my guy's opinion, and
5 it's not proper evidence on that basis.

6 THE COURT: But that can be explained in argument.
7 That's not his opinion. He responds as follows.

8 MR. GREGORY KAFOURY: But then what does it come in
9 for if it's not proper evidence?

10 THE COURT: Well, the fact that your client is
11 stating that he's got two job offers and that it comes in for
12 damages.

13 MR. GREGORY KAFOURY: Well, that -- that's a
14 different argument. I'm talking about that particular line.
15 "It doesn't look as if you want to do that." That's her
16 impression. It's improper opinion evidence. "It doesn't
17 look." Doesn't look to who?

18 THE COURT: So what specific portion -- if I rule
19 against you, I'll give you an opportunity to excise what
20 specific portion you think should be excluded. Knowing you're
21 tentatively losing this issue, now I'm giving you what I call
22 the backup to the backup.

23 MR. GREGORY KAFOURY: I appreciate it.

24 THE COURT: Which would you take out? What is the
25 irrelevant portion that doesn't go to damages, which is why

1 this should be received if it's received?

2 MR. GREGORY KAFOURY: I think the two lines "if I
3 quit instead of being fired, I will not have a cause of action
4 tort lawsuit for wrongful dismissal."

5 THE COURT: Just a moment. Okay. Which --

6 MR. GREGORY KAFOURY: Third line from the top.

7 THE COURT: Just a moment. Let me hear from the
8 opposition. Counsel?

9 MS. COIT: Your Honor?

10 THE COURT: Yes, please.

11 MS. COIT: Well, again, I'm not concerned with the
12 top email. If they want to redact that portion, that's fine
13 with me. I mean, he obviously filed a lawsuit.

14 THE COURT: Just a moment. If they -- now, I'm not
15 forcing you into this. I want that understood. Neither one of
16 you know what I'm going to do, but once I make a ruling, there
17 won't be a further discussion. So I'll thoroughly listen to
18 both of you. You're proposing, knowing tentatively I'm ruling
19 against you, that as a backup that what is prejudicial is
20 "also, if I quit instead of being fired, I will not have a
21 cause of action tort lawsuit for wrongful dismissal."

22 MR. GREGORY KAFOURY: Yes.

23 THE COURT: Just a minute. That doesn't resolve the
24 issue for you. Take some time.

25 MR. GREGORY KAFOURY: If that line is stricken, then

1 the next two-line paragraph needs to go as well because it's --
2 or at least the next line has to go because it is -- it is
3 linked to the earlier sentence. I am talking about "that being
4 said, I'm open to the idea of quitting, but it would have to be
5 a really decent deal." That would be read in conjunction with
6 the one above it. Ruminations about what might be a good deal,
7 what might not be a bad deal, and so on, is confusing to the
8 jury. It's potentially prejudicial. It is prejudicial. And
9 it raises the issue of wrongful dismissal, which is a claim
10 which has been eliminated from the lawsuit. So that's one more
11 thing we have to explain if this comes in. And it's leading
12 them away from liability and leading them away from damages.

13 THE COURT: Counsel, what are your thoughts?

14 MS. COIT: My thoughts are all evidence is
15 prejudicial or I wouldn't --

16 THE COURT: I'm sorry?

17 MS. COIT: My thought it all evidence is prejudicial
18 or I wouldn't offer it.

19 THE COURT: Let's get through that. That's an
20 argument that doesn't --

21 MS. COIT: Again, I don't care if that part comes in.
22 I'm not going to question her about it. So if that resolves
23 it, that's fine.

24 THE COURT: Let's just make certain.

25 So the portion "that being said, I'm open to the idea of

1 quitting, but I would have to be really -- it would have to be
 2 a really decent deal," yeah.
 3 MS. COIT: Excuse me. May I?
 4 THE COURT: Please.
 5 MS. COIT: That's with my understanding that the
 6 second sentence, "both of my job offers could care less," that
 7 that is staying in.
 8 THE COURT: That is staying in. Absolutely. Yeah.
 9 It goes to damages.
 10 Now, from the defense perspective, take a look at the rest
 11 of this document, along with your clients, and if this is
 12 harmful to you, if those excisions are harmful, I want to hear
 13 that.
 14 Chief, talk to your counsel.
 15 Kind of like settlement negotiations, you don't know where
 16 this is going to come out.
 17 MS. COIT: I'm sorry?
 18 THE COURT: I'm just joking.
 19 MR. JASON KAFOURY: Can I raise one more issue,
 20 Your Honor, for my client?
 21 THE COURT: Not yet. Very careful, though, on both
 22 sides, because when you press too hard --
 23 MR. JASON KAFOURY: My understanding is it's new
 24 information.
 25 THE COURT: What you may get is an unwelcome

1 THE COURT: I want you to give me your best thought.
 2 What do you want?
 3 MS. COIT: Well, I had no intention of asking her
 4 about that email. I can bring in just the email from Lois if
 5 you want.
 6 THE COURT: No. I -- I -- I'm not asking you to take
 7 anything out.
 8 MS. COIT: Right.
 9 THE COURT: I'm trying to see if there's some
 10 accommodation before I make a ruling because, once I do, we're
 11 sitting down. End of discussion. I don't debate with counsel
 12 after that. You're not coming back with another argument.
 13 That's the end of it. Jute.
 14 MS. COIT: Are we discussing the second email?
 15 THE COURT: "I am available all day on October 30th
 16 for the general grievance hearing. Both of my job offers could
 17 care less about whether or not I was fired from my U of O job
 18 so that this is not an issue. If you want to set up a meeting
 19 with Linda Smith to discuss it, that is fine with me. I know
 20 this case is hard, complex, and time-consuming; however, I
 21 think it's the right thing to do."
 22 Then the next portion would come in in its entirety and
 23 the next portion would come in in its entirety.
 24 MS. COIT: I say that's a good decision.
 25 THE COURT: Well, I haven't made it yet. Now,

1 surprise. Very easy for me to make a sweeping ruling one way
 2 or the other.
 3 Okay. Thoughts, Counsel?
 4 MS. COIT: I'm sorry. I wasn't listening.
 5 THE COURT: It's your opportunity now.
 6 MS. COIT: Still on the same lines?
 7 THE COURT: Yes.
 8 MS. COIT: I have conferred with my client s, and they
 9 also agree that we're not going to question her about that, so
 10 if they want it redacted, that's fine.
 11 THE COURT: Redact what? "That being said, I'm open
 12 to the idea of quitting"?
 13 MS. COIT: Yes. Along with the line above that.
 14 "Also, if I quit" --
 15 THE COURT: "Instead of being fired, I will."
 16 MS. COIT: Right.
 17 THE COURT: Okay. Now look at the rest of the
 18 document, though. I want to be certain because I'm not a fan
 19 of excising and chopping up what's good for one side against
 20 the other. In other words, this truly has to be a compromise
 21 what you find fair and acceptable to both sides with the
 22 pressure on the plaintiff, quite frankly, because I have
 23 indicated I have a concern about withholding certain portions
 24 out.
 25 MS. COIT: Do you want me to argue?

1 Counsel?
 2 MR. GREGORY KAFOURY: I would accept the --
 3 THE COURT: This isn't negotiation. Tell me what
 4 else is wrong.
 5 MR. GREGORY KAFOURY: I think the way you've read it
 6 is acceptable to our side.
 7 THE COURT: Okay.
 8 MR. GREGORY KAFOURY: And my remaining concern would
 9 be the speculation in the middle of the major paragraph in the
 10 next email. "It doesn't look as if you want to do that," which
 11 is.
 12 THE COURT: Well, you can't second-guess me. I kind
 13 of indicated what my tentative thought is. I'm about to make a
 14 ruling. I'll give you every opportunity.
 15 MR. GREGORY KAFOURY: And my suggestion is that you
 16 drop that line out.
 17 THE COURT: Which line is that?
 18 MR. GREGORY KAFOURY: The line that says "it doesn't
 19 look as if you want to do that." It's speculative. It's
 20 unclear.
 21 THE COURT: I can't. Oh, I see. Okay. "It doesn't
 22 look as if you want to do that, so what is the point?"
 23 Well, isn't she entitled to be asked what his response
 24 was, and isn't she going to respond to that whether it's in an
 25 email or not?

1 MR. GREGORY KAFOURY: She can be asked his response ,
 2 but her speculation in writing is --
 3 THE COURT: It's a distinction without a difference ,
 4 but --
 5 MR. GREGORY KAFOURY: Is prejudicial.
 6 THE COURT: Counsel?
 7 MS. COIT: The last two sentences in that paragraph
 8 come from his steward, who's been with him through every step
 9 of this process, who's been in the meetings, who's discussed
 10 with him what he's doing and what the perceptions are of his
 11 management and gotten his responses to their concerns about
 12 him, and it's her opinion, based on all of that personal
 13 knowledge, that he doesn't give the appearance they comply with
 14 management's orders and that -- or every employee needs to do
 15 that and it doesn't look like he wants to do that.
 16 THE COURT: Counsel, I think it is almost a
 17 distinction without a difference. I would allow the question
 18 to be asked what her impression was of his stance at that
 19 point.
 20 All right. Any further discussion? If not, I'm prepared
 21 to rule on this.
 22 Let me turn first to plaintiffs on this.
 23 MR. GREGORY KAFOURY: I believe it to be unfairly
 24 prejudicial and confusing to the jury and, to the extent they
 25 focus on it, they're being misled from the issues in the case,

1 It came yesterday -- Counsel, have a seat for a moment.
 2 Yesterday I was concerned about a ruling I made , and the
 3 ruling became -- Counsel, on your examination, and I -- I
 4 sustained an objection. Last night I was going over some
 5 notes. It came during Lieutenant Mike Morrow's testimony. Do
 6 you remember there was a question asked that I sustained an
 7 objection to about the opinion of whether Lieutenant Lebrecht
 8 would retaliate, and it was an objection from the other side,
 9 and I sustained that objection. Do you remember that? You
 10 asked -- you had asked Lieutenant Morrow -- well, strike that.
 11 Lieutenant Morrow -- I got that reversed -- had been asked
 12 whether he would retaliate or not. My apologies. I'm so used
 13 to the plaintiff sitting on that side of the courtroom. You
 14 two have done a dazzling display of confusing me by where
 15 you're sitting. In fact, Judge Haggerty commented on that
 16 today, and I just said I gave you a choice, apparently, which
 17 is interesting.
 18 You had asked the reputation about whether Lebrecht would
 19 retaliate or not, and there was an objection by plaintiff's
 20 counsel. What is seemingly -- and I sustained that objection.
 21 Do you recall?
 22 MS. COIT: Yes.
 23 THE COURT: Okay. What is seemingly unfair about
 24 that is there's been a lot of reputational evidence and a lot
 25 of evidence so far about whether retaliation is a character

1 which are liability and damages.
 2 THE COURT: Okay. Counsel?
 3 MS. COIT: No further argument.
 4 THE COURT: All right. If you're both agreeing , I'll
 5 strike "Also, if I quit instead of being fired, I will not have
 6 a cause of action tort lawsuit for wrongful dismissal." If you
 7 both agree, I will strike "That being said, I'm open to the
 8 idea of quitting, but it would have to be a really decent
 9 deal." As far as the rest of it, it's going to be received.
 10 I do -- I understand the prejudicial effect. By the same
 11 token, I think the probative value is also somewhat apparent,
 12 and I think it makes the document more understandable, and, in
 13 addition, she should be allowed to be asked that question on
 14 the stand.
 15 So if you both agree, fine; if not, then the entire
 16 document is coming in.
 17 MR. GREGORY KAFOURY: I'll go along with that.
 18 MS. COIT: I disagree. Just kidding. No, that's
 19 fine. We'll make the redactions and bring in the new exhibit
 20 on Monday.
 21 THE COURT: You can do the same thing. You can just
 22 cross it out with big black ink if you would like to because all
 23 of the documents in this case have been redacted with big black
 24 ink.
 25 I want to raise one other issue that I'm not certain of.

1 trait. And it came slipping in a couple of times. Sometimes
 2 without an objection. Now, I have about credibility and
 3 truthfulness. Some of it is stretched beyond, though. So let
 4 me reverse that. It's somewhat unfair to your position with
 5 all the evidence of retaliation coming in that Morrow is not
 6 able to cast an opinion concerning a reputation of whether
 7 Lieutenant Lebrecht would retaliate or not.
 8 So I'm sorry if I'm reversing the two parties.
 9 But there's been other evidence that I've allowed in
 10 without objection by either side about retaliation with some of
 11 the witnesses.
 12 But two wrongs don't make a right, and this does seem to
 13 be an appropriate objection and appropriate ruling tentatively
 14 by the Court because it goes to the very issue in this case
 15 involving one of the three parties.
 16 Now, seemingly, though, that has the appearance of some
 17 unfairness, so I want to hear from you again concerning that
 18 question.
 19 MS. COIT: Lieutenant Morrow worked closely and
 20 testified that he worked closely with Lieutenant Lebrecht.
 21 They were personal friends and professional peers. He felt and
 22 testified that he had sufficient personal knowledge to develop
 23 an opinion on whether or not Lieutenant Lebrecht would
 24 retaliate.
 25 THE COURT: Let me stop you right there. In all of

1 my years, and I could be humbly wrong, I haven't seen a
 2 character trait allowed in on the issue of retaliation.
 3 Usually it's character, credibility, truthfulness, but whether
 4 I go back to Witkin or I go to Bernie Jefferson over in
 5 California or whether I go to -- whatever treatise, I haven't
 6 been able to find a character trait on retaliation. I just
 7 don't like the way that the case shaped up in some form because
 8 the question got asked a couple times by different witnesses
 9 without objection, so it came flying in.

10 But I don't intend to, you know, try to right the ship.
 11 So is this a character trait? And if so, can I get some
 12 research over the weekend? In other words, go take a look at
 13 it. Okay? I'll look at it also, but I -- I tend to go over my
 14 notes at night, and I can't undo a couple of the rulings I
 15 think might have been close or might have gone another way upon
 16 reflection, but if you think it's a character trait, bring that
 17 to me by Monday.

18 MS. COIT: Okay.

19 THE COURT: I don't think it is.

20 MS. COIT: Okay.

21 THE COURT: And you can do a little bit of research
 22 also. I think it's a decent ruling, and I think it's the right
 23 ruling. It was a right objection. Okay. What else tonight?

24 MR. JASON KAFOURY: Defense counsel has not given me
 25 their exhibits for Monday.

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1 THE COURT: Okay. Can I let the court reporter go or
 2 do we need her any further this evening?

3 MR. JASON KAFOURY: No, I don't need the court
 4 reporter for this.

5 THE COURT: Okay. Let her go?

6 Listen, I want to thank you for a wonderful week. I want
 7 to put that on the record. You're an exemplary court reporter.
 8 It's been very much appreciated. We'll see you on Monday.

9 (Trial Day 7 adjourned.)

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1 C E R T I F I C A T E

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Cleavenger v. McDermed, et al.

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TRIAL DAY 7

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September 16, 2015

7

8 I certify, by signing below, that the foregoing is a true
 9 and correct transcript of the record, taken by stenographic
 10 means, of the proceedings in the above-entitled cause. A
 11 transcript without an original signature, conformed signature,
 12 or digitally signed signature is not certified.

13

14 /s/Jill L. Jessup, CSR, RMR, RDR, CRR

15

Official Court Reporter
 Oregon CSR No. 98-0346

Signature Date: 12/28/15
 CSR Expiration Date: 9/30/17

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<p>A JUROR: [8] 1858/8 1858/15 1858/17 1858/21 2012/24 2078/6 2078/8 2079/1</p> <p>DEPUTY COURTROOM CLERK: [2] 2063/20 2074/24</p> <p>MR. CLEAVENGER: [1] 2081/23</p> <p>MR. GREGORY KAFOURY: [22] 1995/21 2079/25 2080/14 2083/11 2083/25 2084/3 2084/7 2084/12 2084/22 2085/1 2085/5 2085/21 2085/24 2090/1 2090/4 2090/7 2090/14 2090/17 2090/25 2091/4 2091/22 2092/16</p> <p>MR. HESS: [9] 1833/11 1853/7 1858/10 1858/25 1950/12 1961/11 1961/13 1961/15 2005/21</p> <p>MR. JASON KAFOURY: [66] 1831/20 1866/6 1909/24 1915/24 1918/16 1927/5 1935/22 1936/19 1944/7 1944/10 1944/14 1944/16 1945/20 1945/23 1946/3 1946/5 1946/13 1950/9 1950/13 1952/1 1954/2 1954/22 1955/6 1956/20 1956/23 1957/13 1959/1 1959/14 1961/9 1961/12 1961/14 1967/10 1967/13 1967/22 1969/24 1974/23 1997/23 2021/8 2023/15 2023/20 2024/3 2024/7 2024/16 2027/25 2028/3 2028/7 2031/21 2051/16 2052/11 2055/18 2055/25 2056/13 2062/8 2062/11 2063/5 2063/12 2070/14 2070/16 2074/14 2080/10 2081/17 2082/1 2087/18 2087/22 2095/23 2096/2</p> <p>MR. MCDOUGAL: [55] 1824/16 1831/18 1831/21 1833/9 1833/12 1833/18 1838/13 1840/2 1841/13 1841/16 1848/17 1848/24 1849/15 1853/6 1853/8 1853/15 1854/10 1854/25 1855/23 1857/18 1857/22 1858/12 1858/16 1859/18 1859/23 1866/4 1866/7 1866/9 1868/18 1871/21 1873/3 1873/19 1873/22 1899/15 1900/20 1903/15 1903/24 1904/4 1908/15 1908/24 1909/6 1909/22 1982/12 1990/8 1990/12 1995/22 1997/25 1998/14 2005/20 2005/22 2008/25 2009/18 2011/5 2011/7 2011/12</p> <p>MS. COIT: [125] 1811/5 1815/15 1816/2 1816/4 1824/14 1828/21 1830/2 1839/22 1839/24 1840/1 1841/15 1841/19 1849/3 1852/12 1854/24 1855/20 1858/7 1859/25 1869/22 1870/23 1873/16 1873/21 1874/1 1891/10 1891/12 1891/22 1891/25 1896/10 1899/13 1909/13 1909/25 1910/4 1920/9 1920/16 1924/2 1924/5 1925/21 1925/23 1925/25 1926/2 1926/6 1927/3 1928/20 1944/6 1944/15 1962/22 1967/24 1969/23 1970/1 1973/11 1974/25 1975/4 1981/19 1981/21 1982/9 1982/14 1989/17 1990/6 1990/10 1994/12 2009/16 2010/8 2011/8 2011/10 2011/15 2011/18</p>	<p>2012/5 2021/11 2021/14 2024/1 2024/4 2025/19 2031/23 2040/1 2049/20 2053/5 2054/4 2063/7 2063/10 2063/16 2070/4 2070/7 2070/12 2070/25 2071/3 2071/5 2071/7 2074/12 2074/19 2074/21 2075/18 2075/25 2076/21 2079/12 2079/16 2079/20 2079/22 2081/12 2081/21 2082/7 2085/8 2085/10 2086/13 2086/16 2086/20 2087/2 2087/4 2087/16 2088/3 2088/5 2088/7 2088/12 2088/15 2088/24 2089/2 2089/7 2089/13 2089/23 2091/6 2092/2 2092/17 2093/21 2094/18 2095/17 2095/19</p> <p>MS. YOSHISHIGE: [1] 2063/19</p> <p>THE COURT REPORTER: [1] 1900/18</p> <p>THE COURT: [272]</p> <p>THE WITNESS: [57] 1811/11 1811/16 1828/25 1833/20 1842/3 1842/7 1842/9 1842/12 1852/13 1854/12 1855/2 1869/25 1871/1 1873/12 1874/9 1874/15 1905/21 1910/12 1910/20 1916/3 1920/17 1928/22 1944/9 1944/13 1944/20 1944/23 1945/3 1945/6 1945/21 1946/8 1946/10 1963/1 1975/11 1975/16 1975/19 1994/13 1998/2 2005/23 2012/13 2012/20 2012/23 2024/25 2025/10 2025/12 2028/1 2028/12 2028/14 2032/1 2052/1 2054/6 2056/15 2063/13 2064/3 2064/7 2064/10 2076/4 2076/7</p> <hr/> <p>\$</p> <p>\$1,200 [2] 2078/11 2078/15</p> <p>\$142 [1] 2078/11</p> <hr/> <p>'</p> <p>'10 [1] 2057/17</p> <p>'11 [2] 2014/21 2057/17</p> <p>'12 [2] 1816/20 1868/2</p> <p>'14 [1] 1822/22</p> <p>'63 [1] 1861/10</p> <p>'91 [1] 1976/20</p> <p>'91 and [1] 1976/20</p> <p>'Stop [1] 2071/13</p> <hr/> <p>/</p> <p>/s/Jill [1] 2097/14</p> <hr/> <p>0</p> <p>005 [1] 2061/22</p> <p>0346 [1] 2097/16</p> <hr/> <p>1</p> <p>1,500 [3] 1932/10 1970/9 1970/17</p> <p>10 [9] 1858/6 1858/7 1860/4 1905/16 1933/10 2008/12 2013/24 2042/20 2057/9</p> <p>10/12/12 [1] 1968/9</p> <p>10/19/12 [1] 1969/2</p> <p>10/25/12 [1] 1968/21</p> <p>100 [1] 1989/4</p> <p>100 percent [2] 1876/20 1987/4</p> <p>1000 [1] 1808/21</p> <p>10th [1] 1808/8</p>	<p>11 [8] 1927/13 1936/23 1950/17 1999/22 2013/20 2013/24 2042/20 2061/21</p> <p>11-year-old [2] 1892/9 1892/13</p> <p>11:35 [1] 1834/24</p> <p>11:35 a.m [2] 1834/18 1854/5</p> <p>11:39 when [1] 1834/24</p> <p>11th [1] 1960/13</p> <p>12 [5] 1928/18 1937/1 1968/9 1968/21 1969/2</p> <p>12-page document [1] 1928/12</p> <p>12/28/15 [1] 2097/15</p> <p>12th [2] 1838/24 2075/8</p> <p>13 [1] 2070/24</p> <p>137 [2] 2079/10 2079/22</p> <p>139 [5] 1943/24 1944/10 1944/11 1944/15 1945/18</p> <p>14 [1] 1906/7</p> <p>140 [1] 1943/22</p> <p>143 [1] 1942/25</p> <p>145 [2] 1943/5 1944/13</p> <p>146 [2] 1904/10 1943/22</p> <p>147 [1] 1967/15</p> <p>149 [1] 1943/24</p> <p>14th [1] 1906/8</p> <p>15 [3] 1957/1 2053/1 2097/15</p> <p>15-ish [1] 1844/20</p> <p>150 [11] 1866/7 1866/8 1867/3 1944/14 1944/15 1945/18 1989/5 2005/22 2005/23 2062/10 2062/11</p> <p>15th [2] 1906/20 2023/9</p> <p>16 [5] 1807/7 1813/11 1961/2 2019/8 2097/6</p> <p>161 [1] 1904/10</p> <p>16140 [2] 1943/21 1968/8</p> <p>16146 [2] 1943/21 1968/12</p> <p>168 [7] 1831/21 1831/22 1833/12 1833/13 1833/18 1833/19 1838/20</p> <p>16th [2] 1907/2 2023/10</p> <p>17 [3] 1961/3 2075/4 2097/16</p> <p>170 [1] 1989/5</p> <p>172 [1] 2058/21</p> <p>17th [4] 1904/13 1904/14 1907/16 2075/9</p> <p>18 [6] 1938/23 1950/20 1951/20 1992/17 2075/10 2080/18</p> <p>18th [4] 1960/14 1960/18 2042/4 2082/18</p> <p>19 [2] 2062/12 2062/13</p> <p>1981 [1] 1911/14</p> <p>1987 [2] 1911/15 1927/16</p> <p>1990 [2] 1812/7 1861/15</p> <p>1:00 [1] 1899/20</p> <p>1:15 [3] 1957/1 1957/2 1957/7</p> <p>1st [2] 1950/2 1976/16</p> <hr/> <p>2</p> <p>2,000-plus [1] 1932/8</p> <p>2,500 [1] 1970/13</p> <p>20 [8] 1845/12 1927/21 2008/9 2008/12 2011/23 2057/4 2057/9 2077/7</p> <p>20-minute [1] 1859/9</p> <p>200 [1] 1808/5</p> <p>2000 [2] 1842/21 1976/24</p> <p>2000s [1] 1997/2</p> <p>2001 [1] 1976/25</p>
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2 2004 [5] 1874/25 1883/22 1890/8 1891/2 1976/13 2005 [2] 1911/17 1999/25 2007 [3] 1936/7 1936/23 1937/1 2008 [5] 1885/11 1885/15 1885/20 1887/18 1976/14 2009 [8] 1905/23 1936/7 2013/8 2014/2 2036/11 2057/17 2057/21 2057/22 2010 [2] 1997/2 2014/21 2011 [17] 1816/20 1817/6 1817/15 1818/8 1876/6 1876/18 1877/1 1904/13 1905/11 1905/16 1950/17 1950/20 1951/20 1961/2 1961/3 2036/12 2055/15 2012 [48] 1822/17 1858/2 1859/22 1868/6 1868/8 1868/9 1877/2 1891/22 1911/19 1911/25 1912/14 1938/23 1941/24 1949/14 1949/15 1958/8 1963/11 1963/20 1963/21 1965/3 1965/8 1965/12 1969/10 1976/15 1979/9 1980/8 1998/22 2029/16 2029/20 2036/13 2039/11 2045/19 2047/21 2049/3 2055/15 2055/23 2056/10 2056/23 2057/13 2061/23 2062/5 2068/23 2070/24 2072/20 2075/4 2075/9 2075/11 2080/18 2013 [9] 1849/6 1911/11 1978/12 1981/6 2049/4 2050/22 2053/14 2054/3 2054/12 2014 [20] 1822/21 1847/22 1849/6 1858/6 1860/4 1875/4 1927/13 1978/12 1982/5 1989/25 2009/13 2038/13 2050/25 2052/23 2052/25 2053/1 2053/15 2053/22 2054/15 2054/21 2015 [2] 1807/7 2097/6 20:39:33 [1] 2075/8 215 [5] 1998/3 1998/4 1998/14 1998/16 2055/20 22 [2] 1843/13 1969/10 22-plus [2] 1844/19 1871/19 23 [2] 2052/23 2052/25 236 [1] 2071/22 237 [1] 1935/23 24 [1] 1891/22 25 [2] 1958/8 1963/21 257 [2] 1894/17 1894/19 25th [2] 1958/10 1967/20 26 [1] 1949/15 27 [3] 1858/2 1859/22 1868/2 273 [5] 1990/10 1997/24 1997/25 2052/12 2052/13 274 [7] 1946/1 1946/2 1946/2 1946/16 1946/17 1967/12 1967/13 28 [2] 2065/10 2068/9 29 [2] 1891/13 1891/24 2:00 or [1] 2078/2 2:20 p.m [1] 2052/23 2nd [4] 1950/4 2042/5 2044/20 2060/17	301 [1] 1808/21 30th [4] 1989/25 2080/19 2082/15 2089/15 31 [2] 1960/23 1961/12 31st [1] 1982/5 32 [1] 2013/11 326-8191 [1] 1808/22 329 [1] 2074/19 33 [1] 1964/6 331 [2] 1857/20 1859/20 35 [1] 1854/17 360 [1] 1808/8 364 [7] 1981/22 1981/23 1981/25 1982/6 1982/10 1999/20 2009/7 373 [4] 1989/22 1990/7 1990/11 1990/12 385 [3] 2070/8 2070/10 2070/13 39 [1] 2074/19 391 [9] 2074/2 2074/3 2074/5 2074/13 2074/20 2074/21 2075/3 2079/23 2079/24 3:00 or [2] 2077/23 2078/2 3:09:24 [1] 2080/19	97204 [2] 1808/5 1808/21 97401 [1] 1808/9 98-0346 [1] 2097/16 9th [1] 1905/2
	4 4,000 [1] 1970/9 40 [1] 2001/17 40.270 [2] 2021/2 2025/2 404 [8] 1924/6 1924/7 1924/9 1944/21 1946/9 1946/10 1946/12 1946/17 406 [3] 1815/19 1815/20 1816/3 411 [1] 1808/4 412 [5] 1853/7 1853/18 1859/22 1859/25 1860/2 42 [1] 1883/16 426 [2] 1968/3 1969/24 43 [1] 1854/17 48-page report [1] 2083/3 4:00 [2] 2077/23 2078/3	A a.m [2] 1834/18 1854/5 abilities [2] 1885/8 2030/2 ability [6] 1890/14 1960/6 1962/16 1972/8 2023/7 2082/23 able [17] 1869/12 1885/5 1888/13 1889/4 1890/14 1907/6 1971/15 2023/21 2023/22 2037/17 2042/9 2044/1 2051/3 2071/16 2078/23 2094/6 2095/6 about [353] above [4] 2056/2 2086/6 2088/13 2097/10 above-entitled [1] 2097/10 absolute [1] 1840/25 absolutely [8] 1845/19 1847/10 1850/5 1853/6 1881/7 1917/9 2026/12 2087/8 academies [4] 1813/21 1814/1 1814/8 1814/9 academy [22] 1812/10 1812/19 1812/20 1813/11 1813/18 1813/22 1813/23 1813/24 1819/17 1849/11 1875/5 1875/7 1887/13 1887/14 1978/19 1978/20 2015/14 2015/15 2015/18 2019/3 2019/7 2019/8 accelerated [1] 1959/19 accept [4] 1943/10 1958/21 2072/3 2090/2 acceptable [3] 1961/19 2088/21 2090/6 accepted [2] 2014/3 2015/13 accessibility [1] 2010/21 accessible [2] 2010/24 2011/4 accessing [1] 2043/20 accommodation [1] 2089/10 according [2] 2001/3 2049/17 account [1] 2032/9 accountability [1] 2031/6 accountable [1] 2034/25 accreditation [1] 2048/2 accuracy [1] 2006/9 accurate [10] 1841/3 1942/7 1959/13 1974/8 1974/10 1992/12 2003/20 2006/11 2006/13 2050/9 accurately [1] 1953/3 accusation [5] 1972/20 2007/1 2024/15 2037/15 2043/2 accusations [1] 2043/5 accused [4] 1838/6 1838/12 2040/7 2041/14 achieve [1] 1822/2 acknowledged [1] 1992/11 acquittal [1] 2002/9 across [7] 1878/6 1879/21 1880/25 1882/19 1890/12 1979/5 1995/8 act [2] 1882/17 2019/14 acting [5] 1843/20 2058/12 2058/24 2058/25 2058/25 acting-captain [1] 1843/20 action [18] 1846/15 1860/25 1894/13 1894/20 1911/20 1916/19 1918/3
3 30 [5] 1927/19 1929/23 1930/6 1939/13 1961/19 300 [1] 1808/9	5 50 [1] 2016/24 50 feet [1] 2007/6 503 [1] 1808/22 55 [1] 2037/21 5th [1] 1998/22	
	6 60 [2] 1893/14 1894/16 6:13-cv-01908-DOC [2] 1807/5 2097/4	
	7 70 [1] 2037/22	
	8 80 [3] 1920/11 1920/13 1921/18 80 officers [1] 2036/16 8191 [1] 1808/22 83 [1] 1893/4 85 [1] 2037/21 86 [7] 1926/1 1926/2 1926/5 1926/12 1926/23 1927/1 1946/22 89 [2] 1903/18 1903/24 8:00 [2] 2078/9 2079/1	
	9 9/30/17 [1] 2097/16 95 percent [1] 1942/5	

A	1958/6 1960/6 1961/4 1969/6 1975/14 1977/17 1981/14 1988/24 2007/6 2008/20 2012/16 2013/14 2015/20 2027/4 2028/19 2036/12 2038/25 2045/18 2045/19 2047/15 2047/21 2054/21 2054/24 2057/22 2060/3 2067/16 2077/9 2077/16 2078/17 2083/19 2089/12 afternoon [4] 1994/23 1994/24 2064/17 2077/23 again [55] 1811/14 1830/10 1830/22 1832/10 1833/7 1837/11 1838/19 1847/14 1847/24 1848/3 1850/2 1850/11 1851/10 1857/9 1858/13 1858/24 1859/15 1863/12 1864/8 1867/16 1871/2 1881/21 1887/9 1889/25 1893/16 1894/8 1902/6 1902/18 1905/17 1916/20 1920/7 1920/21 1925/9 1925/22 1925/24 1926/24 1930/2 1930/23 1947/20 1953/19 1955/3 1957/4 1965/16 1969/3 1973/10 1984/13 2015/6 2025/20 2049/8 2054/7 2056/16 2075/25 2085/11 2086/21 2094/17 against [33] 1829/24 1831/7 1845/9 1845/18 1856/5 1862/1 1869/13 1878/19 1884/1 1894/20 1901/16 1923/14 1928/19 1935/7 1935/15 1939/7 1951/22 1972/20 2007/1 2037/13 2038/2 2039/19 2040/11 2040/20 2041/12 2042/7 2044/16 2068/18 2072/15 2080/12 2084/19 2085/19 2088/19 age [2] 1878/16 1898/13 agencies [12] 1978/14 1979/14 1979/18 1980/2 1981/15 1987/6 1987/9 1990/20 1993/16 1995/25 2000/17 2017/3 agency [21] 1814/10 1823/20 1848/16 1848/22 1849/20 1981/8 1983/4 1984/1 1984/4 1984/10 1984/21 1986/3 1986/11 1992/8 1992/23 1992/24 1992/24 2000/20 2001/8 2018/15 2041/5 agency's [1] 1983/9 agent [1] 1843/18 Agilities [1] 1819/15 agility [2] 1819/17 1819/24 ago [18] 1839/21 1839/21 1850/12 1925/10 1933/10 1934/4 1947/21 1989/2 2008/9 2008/12 2008/13 2017/21 2033/16 2048/1 2053/1 2057/9 2066/5 2066/22 agree [25] 1860/6 1861/23 1863/2 1864/11 1895/4 1921/16 1936/22 1943/25 1962/11 1962/15 1965/12 1972/21 2007/20 2034/17 2047/17 2053/24 2056/8 2056/18 2056/22 2062/15 2062/16 2073/15 2088/9 2092/7 2092/15 agreed [1] 1927/1 agreeing [1] 2092/4 agreement [15] 1816/12 1816/13 1816/18 1902/9 1913/7 1913/9 1913/11 1913/12 1913/15 1916/12 1917/23 1919/14 1921/23 1933/5 2065/16	agreements [1] 1815/24 Ahlen [2] 2066/17 2067/16 Airlines [1] 2078/11 al [1] 2097/3 alcohol [1] 1878/16 Alex [9] 1872/4 1975/5 2038/14 2051/23 2052/1 2052/16 2054/9 2054/10 2055/24 ALEXANDER [2] 1975/9 1975/20 alibi [1] 2007/15 all [167] allegation [12] 1856/24 1935/4 1935/8 2039/19 2040/14 2043/7 2043/14 2043/16 2043/17 2046/23 2056/6 2059/4 allegations [19] 1850/19 1873/10 1933/23 1939/7 1947/18 1953/25 1963/24 1980/2 2040/10 2042/7 2042/18 2042/21 2042/22 2043/20 2044/16 2044/17 2048/17 2058/15 2071/16 alleged [4] 1954/6 1984/19 2024/16 2049/6 alleging [1] 1935/2 Allen [2] 1921/6 1928/7 allow [8] 1895/24 1934/13 1973/2 1983/25 2048/16 2049/12 2080/5 2091/17 allowed [9] 1869/14 1886/8 1962/13 1970/20 2018/15 2038/7 2092/13 2094/9 2095/2 allowing [2] 1856/4 1881/17 allows [2] 1906/25 1997/10 almost [6] 1845/12 1860/4 1863/4 1949/15 2076/16 2091/16 alone [4] 1882/7 1986/19 1986/21 2026/25 along [7] 1876/2 1882/17 1888/1 1896/1 2087/11 2088/13 2092/17 already [8] 1821/17 1831/20 1896/4 1926/3 1961/13 2015/3 2022/25 2032/21 also [40] 1818/14 1819/16 1830/6 1879/17 1882/6 1890/14 1905/24 1906/11 1907/6 1914/9 1918/10 1920/23 1926/14 1928/7 1928/7 1934/23 1935/25 1942/21 1953/8 1972/10 1972/15 1986/14 1990/2 1990/19 2011/3 2025/18 2027/5 2034/25 2035/1 2036/18 2074/25 2080/13 2081/4 2085/20 2088/9 2088/14 2092/5 2092/11 2095/13 2095/22 alter [1] 2039/14 altercation [1] 1894/8 altered [1] 2039/8 although [2] 1900/8 1952/25 always [8] 1877/22 1877/24 1905/19 1905/21 1925/7 1996/6 2017/11 2026/24 am [7] 1817/5 1909/10 2040/1 2061/24 2083/15 2086/3 2089/15 amendment [1] 1815/23 Amnesty [1] 1887/4 Among [1] 1866/22 amongst [2] 1835/16 2011/21 amount [5] 1820/11 1904/20 1934/13
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<p>A</p> <p>amount... [2] 1980/23 2068/5</p> <p>analysis [3] 1966/12 1991/8 2030/3</p> <p>and Sergeant [1] 1905/12</p> <p>and the [1] 1945/12</p> <p>and/or [1] 1990/3</p> <p>ANDREA [1] 1808/7</p> <p>Andrew [3] 1811/6 1811/9 1811/17</p> <p>angel [1] 1827/9</p> <p>angry [3] 1847/13 1847/14 1847/19</p> <p>annual [6] 1939/13 1939/15 1939/19 1939/23 1940/4 1940/7</p> <p>another [27] 1854/21 1865/21 1876/11 1880/14 1882/19 1885/5 1888/25 1892/14 1901/8 1904/3 1906/6 1936/1 1975/4 1989/7 1989/16 1992/8 1997/4 2007/5 2026/22 2027/5 2030/8 2034/17 2037/24 2061/15 2072/18 2089/12 2095/15</p> <p>answer [27] 1828/25 1855/3 1869/2 1869/12 1871/1 1871/11 1873/5 1900/13 1916/1 1916/3 1963/2 1992/6 2000/24 2003/9 2021/4 2022/7 2022/10 2022/14 2022/19 2023/25 2028/6 2040/12 2042/11 2046/10 2048/4 2051/8 2071/16</p> <p>answered [1] 1890/21</p> <p>answering [1] 2024/25</p> <p>answers [2] 1897/18 2023/23</p> <p>anticipated [1] 1978/6</p> <p>any [146]</p> <p>anybody [22] 1827/13 1861/23 1863/23 1865/1 1878/3 1888/13 1890/9 1908/8 1948/19 1948/22 1948/24 1949/1 1949/2 1949/6 1949/8 1949/11 1954/19 1957/3 2006/15 2053/19 2053/23 2078/19</p> <p>anymore [1] 2083/25</p> <p>anyone [8] 1867/22 1869/19 1884/14 1913/23 1949/5 2050/21 2053/15 2053/20</p> <p>anything [54] 1813/2 1818/23 1819/1 1819/10 1821/1 1846/13 1852/9 1855/15 1856/20 1860/17 1864/5 1867/11 1867/23 1871/21 1873/9 1882/18 1883/10 1883/23 1887/6 1888/11 1894/5 1899/23 1901/25 1902/3 1902/10 1907/18 1907/22 1925/5 1925/8 1942/22 1948/4 1965/20 1966/1 1966/9 1966/11 1966/21 1977/22 1980/25 1985/17 1985/20 1991/10 1991/11 2007/7 2007/8 2025/22 2033/22 2034/3 2040/7 2041/20 2054/23 2069/22 2073/7 2078/16 2089/7</p> <p>anywhere [1] 1947/10</p> <p>AO [1] 1907/4</p> <p>apartment [8] 1892/25 1893/4 1893/14 1893/17 1893/17 1894/16 1894/17 1895/6</p> <p>apartments [8] 1890/17 1890/22 1891/6 1891/19 1892/23 1893/1 1893/5 1893/5</p> <p>apologies [4] 1840/1 1854/12 2021/24 2093/12</p> <p>apologize [2] 2076/12 2078/10</p> <p>apparent [2] 2020/17 2092/11</p>	<p>apparently [2] 1836/9 2093/16</p> <p>appear [1] 2022/15</p> <p>appearance [3] 2083/8 2091/13 2094/16</p> <p>APPEARANCES [1] 1808/1</p> <p>appears [1] 1959/19</p> <p>applicants [1] 1825/16</p> <p>application [5] 2015/7 2031/1 2032/10 2032/15 2061/11</p> <p>applied [2] 2013/14 2061/5</p> <p>applies [2] 1978/5 1983/17</p> <p>apply [4] 1958/1 2029/13 2061/8 2082/1</p> <p>applying [2] 2014/3 2031/2</p> <p>appointed [1] 1976/12</p> <p>appointing [2] 1919/16 1970/18</p> <p>appointments [1] 2078/24</p> <p>appraisal [3] 1988/7 1989/16 1989/16</p> <p>appraisals [1] 1937/19</p> <p>appreciate [4] 2021/19 2022/12 2046/9 2084/23</p> <p>appreciated [1] 2096/8</p> <p>apprised [2] 1914/8 2047/23</p> <p>approach [13] 1815/16 1853/10 1891/11 1903/18 1924/3 1925/22 1925/24 1967/25 1981/20 1989/18 1989/19 1997/23 2070/5</p> <p>appropriate [8] 1819/23 1820/11 1921/17 1964/12 1971/5 2020/22 2094/13 2094/13</p> <p>approve [2] 1868/11 1964/13</p> <p>approved [1] 1964/10</p> <p>approximate [1] 1979/6</p> <p>approximately [3] 1852/22 1961/19 2055/18</p> <p>April [8] 1842/22 1842/23 1941/14 1959/20 1959/23 2013/8 2057/21 2057/22</p> <p>APSO [1] 1906/22</p> <p>arbitration [16] 1862/18 1919/8 1929/14 1930/1 1932/5 1934/19 1952/15 1973/17 1973/18 1973/21 1973/22 1973/24 1991/3 1992/16 1993/4 2002/12</p> <p>arbitrator [13] 1834/14 1841/11 1852/23 1853/5 1862/20 1863/2 1919/6 1919/9 1929/20 1947/3 1967/2 1992/22 2002/16</p> <p>arbitrator's [7] 1862/23 1966/25 1991/5 1991/11 1993/2 1993/7 2003/1</p> <p>arbitrators [4] 1991/15 1991/23 1993/4 2003/25</p> <p>are [159]</p> <p>area [21] 1815/4 1817/1 1848/3 1849/3 1877/17 1877/19 1877/21 1878/1 1880/25 1883/17 1883/21 1893/1 1894/18 1906/5 1907/12 1907/15 1930/25 1991/18 2004/22 2025/24 2036/7</p> <p>areas [6] 1877/25 1897/17 1897/24 1908/22 1961/22 2034/12</p> <p>aren't [3] 1898/14 2018/15 2074/18</p> <p>argue [1] 2088/25</p> <p>arguing [3] 1962/8 2077/25 2080/11</p> <p>argument [10] 1892/9 1892/11 2077/1 2077/5 2083/16 2084/6 2084/14 2086/20 2089/12 2092/3</p>	<p>Argumentative [1] 1830/3</p> <p>arguments [2] 1926/15 2077/24</p> <p>arises [2] 1978/3 1983/10</p> <p>arising [1] 1980/2</p> <p>arose [1] 1989/6</p> <p>around [32] 1822/14 1861/14 1861/16 1863/8 1863/11 1878/5 1879/16 1879/20 1880/19 1880/21 1880/23 1883/20 1888/17 1927/21 1941/13 1941/18 1980/23 1996/1 2000/2 2000/5 2007/16 2009/9 2018/20 2029/20 2035/15 2043/8 2050/3 2057/3 2057/4 2061/9 2065/13 2074/9</p> <p>arrest [8] 1814/23 1820/14 1825/22 1826/1 1826/5 1829/16 1907/3 2018/22</p> <p>arresting [1] 1860/25</p> <p>arrests [1] 1815/1</p> <p>arrived [1] 1905/25</p> <p>arts [1] 2014/5</p> <p>as [210]</p> <p>ask [44] 1828/20 1828/23 1833/24 1835/24 1839/20 1853/21 1859/11 1865/21 1865/24 1865/25 1866/22 1896/5 1896/25 1897/2 1898/17 1904/5 1904/15 1904/16 1904/16 1904/18 1914/20 1918/24 1923/3 1930/15 1930/25 1936/16 1936/22 1944/7 1949/18 1952/18 2010/12 2023/3 2024/1 2024/11 2025/14 2025/20 2031/10 2047/3 2047/6 2054/7 2061/18 2067/6 2083/23 2083/25</p> <p>asked [65] 1828/19 1829/4 1829/19 1830/12 1830/13 1830/15 1831/1 1855/17 1855/18 1855/19 1855/21 1855/22 1855/25 1879/5 1880/8 1880/18 1881/24 1882/2 1882/3 1882/13 1884/2 1884/3 1897/17 1897/19 1905/11 1905/13 1921/9 1934/9 1947/13 1972/3 1972/10 1974/1 1978/20 2007/5 2021/4 2021/5 2021/19 2023/17 2023/17 2031/9 2031/15 2041/1 2043/22 2045/9 2045/25 2046/4 2046/10 2046/24 2048/16 2048/19 2049/25 2054/1 2054/4 2055/8 2055/12 2090/23 2091/1 2091/18 2092/13 2093/6 2093/10 2093/10 2093/11 2093/18 2095/8</p> <p>asking [19] 1855/1 1865/5 1944/17 1945/21 1949/1 1988/4 1989/15 2002/14 2003/3 2003/3 2004/5 2010/17 2010/17 2010/18 2010/20 2024/13 2056/24 2089/3 2089/6</p> <p>aspects [2] 1898/9 1907/7</p> <p>asserted [2] 1964/3 1964/6</p> <p>assertion [2] 1956/3 1966/2</p> <p>assess [1] 1953/3</p> <p>assessment [1] 1988/5</p> <p>assigned [3] 1870/5 1876/10 1964/15</p> <p>assist [6] 1909/12 1964/17 1965/14 1965/24 1978/20 2067/17</p> <p>assistance [1] 1865/11</p> <p>assistant [1] 1988/17</p> <p>assisted [3] 1906/22 1906/24 1907/4</p> <p>associate [4] 1911/7 1911/17 1921/8</p>
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<p>A</p> <p>associate... [1] 2014/5</p> <p>associated [3] 1886/3 1886/3 2020/17</p> <p>association [11] 2029/23 2033/17 2033/19 2034/8 2034/14 2034/14 2035/18 2036/3 2057/2 2060/22 2060/24</p> <p>assume [1] 2011/5</p> <p>assuming [4] 1919/8 1939/18 2061/24 2081/11</p> <p>ASUO [3] 1885/25 1886/2 1887/2</p> <p>athletic [1] 1825/12</p> <p>attachments [1] 1903/22</p> <p>attack [2] 1894/3 1974/5</p> <p>attacked [1] 1893/22</p> <p>attacking [1] 1959/8</p> <p>attend [4] 1844/6 1849/6 1875/5 1956/6</p> <p>attended [2] 1863/10 1919/24</p> <p>attendeess [4] 1955/20 1955/25 1956/17 1959/10</p> <p>attending [3] 1887/14 1979/12 2078/25</p> <p>attention [1] 1989/3</p> <p>attesting [1] 2058/6</p> <p>attire [1] 1819/23</p> <p>attorney [73] 1822/12 1823/2 1823/7 1823/10 1823/25 1824/13 1831/9 1837/20 1837/20 1839/15 1847/22 1848/7 1848/11 1848/23 1850/24 1851/8 1852/11 1872/4 1872/21 1951/21 1976/10 1976/11 1977/1 1977/8 1977/15 1978/25 1981/6 1988/17 1993/23 1994/4 2004/25 2016/15 2020/25 2021/3 2022/19 2024/24 2024/24 2025/10 2025/15 2033/21 2033/23 2033/23 2035/10 2037/3 2037/5 2037/9 2037/17 2038/19 2038/22 2039/1 2040/19 2042/8 2042/14 2042/15 2044/25 2047/7 2051/9 2052/2 2052/3 2052/9 2053/21 2054/1 2054/9 2054/15 2055/16 2056/19 2056/21 2056/23 2057/7 2058/12 2081/12 2081/15 2081/25</p> <p>attorney's [26] 1872/18 1976/18 1977/18 1978/9 1979/1 1985/22 1987/3 1990/24 1994/2 2021/20 2022/12 2033/19 2034/5 2034/9 2034/17 2035/24 2036/5 2037/8 2038/10 2050/21 2051/4 2051/21 2052/19 2053/16 2054/24 2054/25</p> <p>attorney-client [1] 2081/15</p> <p>attorneys [7] 1980/15 2034/12 2034/13 2036/23 2053/7 2057/10 2081/25</p> <p>audio [5] 1902/21 1903/1 1966/10 2061/20 2061/22</p> <p>audios [1] 1898/3</p> <p>audit [5] 2031/12 2047/17 2047/21 2047/25 2048/2</p> <p>August [1] 1976/16</p> <p>August 1st [1] 1976/16</p> <p>AUSO [1] 1887/24</p> <p>authority [20] 1814/23 1814/24 1815/14 1816/10 1816/17 1816/22 1817/9 1825/21 1825/24 1908/20</p>	<p>1919/16 1970/18 1983/4 2018/21 2019/14 2020/8 2027/9 2027/15 2045/9 2045/15</p> <p>auto [2] 2017/18 2017/18</p> <p>autocrat [1] 1844/25</p> <p>automatically [1] 1848/11</p> <p>available [7] 1857/12 1932/17 1977/16 2000/21 2080/19 2080/21 2089/15</p> <p>Avenue [3] 1808/4 1808/8 1808/21</p> <p>avoid [1] 2022/25</p> <p>award [1] 1862/18</p> <p>aware [30] 1839/6 1839/10 1841/1 1876/21 1885/11 1885/14 1912/14 1940/2 1940/6 1951/19 1951/22 1952/14 1952/17 1954/14 1954/17 1971/23 1972/1 1986/7 1986/25 1996/21 1997/18 1999/12 2004/3 2020/14 2024/14 2038/11 2047/20 2058/5 2058/7 2060/11</p> <p>awareness [1] 2000/6</p> <p>away [8] 1841/7 1884/11 1901/12 1941/5 2080/3 2083/23 2086/12 2086/12</p> <p>awkward [1] 2023/4</p> <hr/> <p>B</p> <p>B-E-C-H-D-O-L-T [1] 1811/17</p> <p>bachelor [1] 2014/5</p> <p>back [65] 1824/5 1827/10 1858/12 1859/19 1876/18 1883/17 1892/18 1892/22 1894/19 1895/25 1933/17 1933/19 1936/2 1937/16 1938/24 1941/13 1945/17 1957/1 1957/10 1958/25 1959/2 1965/9 1965/11 1973/9 1976/13 1996/18 1999/25 2011/23 2012/3 2012/23 2013/22 2015/4 2021/25 2022/1 2022/2 2027/8 2035/6 2037/7 2042/1 2043/12 2045/14 2046/22 2049/7 2051/1 2052/10 2061/1 2061/9 2073/15 2073/22 2074/18 2074/25 2075/18 2076/10 2076/14 2077/8 2077/15 2078/1 2078/6 2078/14 2079/5 2079/8 2082/19 2089/12 2092/22 2095/4</p> <p>backbone [1] 1978/4</p> <p>background [12] 1817/11 1911/12 1948/23 1976/17 2013/10 2015/13 2017/23 2032/20 2032/21 2032/22 2032/24 2061/15</p> <p>backup [3] 2084/22 2084/22 2085/19</p> <p>bad [2] 2078/12 2086/7</p> <p>badge [1] 2063/4</p> <p>bag [2] 1884/5 1884/9</p> <p>baked [1] 1884/9</p> <p>Baker [2] 2032/2 2033/12</p> <p>bakery [1] 1884/10</p> <p>ball [1] 1892/15</p> <p>banter [1] 1836/1</p> <p>bar [2] 1883/17 1976/21</p> <p>bargaining [12] 1913/7 1913/9 1913/11 1913/15 1917/23 1919/14 1921/23 1933/5 1973/6 2065/16 2065/18 2065/20</p> <p>barricades [1] 1896/2</p> <p>base [2] 1820/24 1884/18</p> <p>based [20] 1815/1 1839/7 1845/16 1847/5 1857/11 1884/12 1884/22</p>	<p>1885/3 1918/15 1919/12 1964/10 1980/15 2030/23 2035/11 2049/8 2050/7 2050/13 2051/24 2076/23 2091/12</p> <p>basic [4] 1812/15 1813/11 1813/24 2015/15</p> <p>basically [12] 1877/21 1883/17 1886/15 1973/9 1978/19 1979/1 2005/4 2020/8 2030/3 2041/10 2067/2 2071/13</p> <p>basis [13] 1837/17 1841/5 1841/6 1856/13 1857/1 1877/10 1877/22 1947/3 1980/15 1986/20 2010/10 2030/24 2084/5</p> <p>Bates [4] 1943/17 1943/22 1944/8 1967/14</p> <p>bathroom [1] 2011/20</p> <p>be [302]</p> <p>bear [4] 1987/8 1990/21 1991/10 2023/2</p> <p>bearing [1] 1985/1</p> <p>bears [5] 1971/3 1983/2 1985/20 1987/2 2023/6</p> <p>became [13] 1903/9 1911/15 1911/16 1927/15 2020/16 2036/11 2036/13 2057/5 2057/16 2057/22 2057/25 2058/1 2093/3</p> <p>because [85] 1816/15 1825/16 1853/20 1853/24 1856/19 1865/20 1877/22 1880/21 1881/25 1884/10 1893/21 1896/25 1897/12 1897/14 1917/14 1932/4 1940/16 1941/20 1942/1 1952/10 1954/19 1955/3 1956/6 1959/8 1960/4 1962/8 1962/22 1974/20 1979/3 1979/25 1980/19 1984/25 1986/22 1987/13 1987/15 1988/5 1990/19 1993/1 1993/8 1993/25 1996/14 1996/16 1996/18 2000/21 2001/4 2001/21 2002/1 2002/2 2002/6 2004/22 2004/25 2007/14 2015/5 2022/10 2022/15 2024/15 2025/6 2031/5 2033/22 2034/15 2034/22 2034/22 2035/20 2036/18 2036/20 2036/20 2037/9 2040/12 2041/5 2042/9 2046/5 2050/25 2054/20 2077/3 2079/15 2080/2 2086/1 2086/2 2087/22 2088/18 2088/22 2089/10 2092/22 2094/14 2095/7</p> <p>Bechdolt [15] 1811/6 1811/9 1811/17 1811/22 1815/19 1838/19 1854/10 1863/21 1952/6 1952/15 1952/18 1952/22 1953/4 1963/14 1971/20</p> <p>Bechdolt's [2] 1854/14 1971/23</p> <p>become [8] 1885/14 1888/24 1912/14 1977/18 2017/19 2018/13 2057/20 2059/13</p> <p>becoming [4] 1977/1 2018/4 2039/9 2066/3</p> <p>been [136] 1811/25 1818/8 1818/10 1831/22 1836/16 1839/7 1840/16 1845/15 1846/19 1851/1 1851/2 1861/14 1861/16 1863/7 1865/4 1872/12 1876/3 1876/11 1878/24 1878/25 1880/13 1880/15 1881/14 1883/22 1884/23 1891/6 1891/13 1892/20 1893/22 1895/21 1896/4</p>
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<p>B</p> <p>been... [105] 1900/5 1902/17 1902/20 1920/4 1920/11 1922/18 1922/19 1925/7 1926/3 1927/18 1935/6 1946/16 1948/12 1950/11 1951/7 1953/1 1955/12 1960/6 1966/3 1970/2 1972/23 1973/3 1982/4 1984/1 1988/2 1992/8 1992/13 1993/13 1995/18 1996/1 1996/3 1996/7 1996/11 2000/2 2000/5 2000/6 2000/7 2000/8 2000/19 2001/1 2001/8 2002/8 2006/5 2006/8 2009/13 2009/15 2013/6 2014/4 2016/23 2019/3 2019/22 2019/23 2020/25 2022/25 2023/18 2024/10 2024/20 2025/16 2027/16 2030/5 2033/15 2034/1 2035/5 2036/9 2036/10 2036/15 2036/16 2036/20 2039/20 2039/22 2040/13 2040/15 2042/9 2047/22 2049/16 2050/22 2051/2 2051/11 2052/10 2053/23 2055/4 2057/1 2057/2 2057/4 2057/13 2060/2 2060/14 2064/25 2065/9 2065/18 2065/20 2066/9 2076/23 2082/21 2082/24 2086/10 2091/8 2091/9 2092/23 2093/11 2093/24 2094/9 2095/6 2095/15 2096/8</p> <p>beer [1] 1827/10</p> <p>before [75] 1807/15 1812/5 1824/22 1828/5 1828/11 1830/23 1838/13 1840/11 1840/16 1844/1 1846/13 1856/10 1860/11 1860/12 1860/17 1861/3 1861/16 1863/25 1866/1 1887/9 1891/6 1891/7 1894/9 1896/20 1904/16 1913/24 1914/4 1914/15 1914/17 1916/10 1919/1 1926/19 1927/10 1929/25 1941/9 1948/12 1949/11 1955/13 1957/18 1959/5 1965/22 1966/12 1966/21 1966/23 1969/18 1972/24 1976/8 1976/18 1980/12 1988/11 1992/7 1995/17 1995/18 1997/2 1997/12 2002/11 2018/3 2018/12 2023/25 2024/19 2048/7 2056/2 2056/9 2056/23 2057/12 2057/14 2057/25 2059/20 2059/22 2060/2 2060/9 2066/12 2068/3 2083/24 2089/10</p> <p>befuddled [1] 2002/6</p> <p>began [5] 1960/25 1961/2 1979/15 2014/14 2015/20</p> <p>beginning [5] 1965/11 2018/4 2075/11 2075/14 2075/15</p> <p>begins [1] 1937/8</p> <p>behalf [14] 1811/4 1811/10 1842/2 1874/8 1910/11 1929/21 1935/8 1973/24 1975/10 1979/12 2012/12 2058/12 2064/2 2079/11</p> <p>behavior [6] 1839/12 1839/14 1850/20 1917/15 1953/2 2059/12</p> <p>behaviors [1] 1877/13</p> <p>behind [3] 1827/8 1839/18 1883/17</p> <p>being [85] 1811/10 1820/1 1822/25 1842/2 1843/17 1844/2 1845/14 1846/10 1848/5 1848/12 1851/3 1853/4 1860/7 1860/8 1868/7 1874/8 1878/4 1879/18 1879/20 1880/2 1880/8 1882/4 1885/25 1902/6 1910/11 1913/17 1915/17 1915/18</p>	<p>1916/12 1917/3 1925/14 1925/15 1947/19 1947/22 1948/15 1951/21 1956/5 1972/20 1975/10 1981/14 1984/14 1997/2 2000/22 2004/22 2012/12 2013/14 2016/11 2016/12 2016/15 2016/16 2017/25 2018/6 2018/6 2018/16 2021/15 2021/17 2031/5 2033/22 2033/24 2034/25 2035/15 2038/2 2038/5 2038/13 2043/14 2046/1 2056/5 2057/23 2064/2 2066/9 2067/16 2069/11 2072/22 2081/4 2081/8 2082/23 2085/3 2085/20 2086/3 2086/25 2088/11 2088/15 2091/25 2092/5 2092/7</p> <p>belief [6] 1820/24 1821/11 1824/4 1895/2 1986/21 2020/23</p> <p>believable [1] 1977/14</p> <p>believe [63] 1818/18 1820/3 1820/16 1823/8 1825/2 1829/8 1830/24 1845/23 1855/22 1863/24 1869/1 1869/8 1869/16 1878/23 1878/25 1880/14 1884/15 1884/24 1884/24 1885/1 1887/6 1894/2 1894/23 1908/2 1912/23 1916/6 1916/11 1919/23 1921/19 1925/9 1926/3 1934/1 1943/6 1944/18 1947/16 1951/18 1966/24 1980/16 1982/7 1984/6 1988/25 1993/20 1996/17 2001/24 2002/3 2003/16 2004/23 2006/4 2014/25 2015/25 2023/10 2024/20 2043/22 2044/20 2045/14 2049/8 2059/14 2059/22 2062/12 2063/1 2073/8 2073/11 2091/23</p> <p>believed [4] 1887/3 1940/23 1987/8 2073/14</p> <p>believes [1] 1986/18</p> <p>bell [3] 1838/12 1933/20 1950/8</p> <p>bells [2] 1934/2 2069/23</p> <p>below [4] 1843/2 1906/14 1907/10 2097/8</p> <p>bench [1] 2063/22</p> <p>beneficial [1] 2080/25</p> <p>benefit [3] 2002/15 2002/17 2003/5</p> <p>benefits [1] 1911/15</p> <p>Bernie [1] 2095/4</p> <p>besides [1] 2080/6</p> <p>best [18] 1898/23 1978/1 1980/15 1980/16 1982/3 1999/22 2006/10 2006/20 2008/17 2009/7 2030/23 2032/17 2032/18 2032/18 2043/25 2077/20 2078/24 2089/1</p> <p>bet [1] 2023/2</p> <p>Beth [2] 1921/6 1928/7</p> <p>better [14] 1835/22 1882/19 1888/14 1888/14 1888/18 1964/17 1965/15 1965/24 1972/23 1997/20 1998/19 2004/12 2004/21 2082/11</p> <p>between [18] 1815/24 1833/2 1834/23 1865/2 1877/18 1885/25 1888/4 1894/8 1913/12 1913/15 1928/4 1977/2 2018/5 2019/25 2051/14 2052/15 2053/7 2060/17</p> <p>beyond [4] 1828/22 1928/21 1962/24 2094/3</p> <p>bias [3] 2002/24 2023/7 2025/8</p> <p>biased [1] 1984/2</p>	<p>bicycles [1] 1818/2</p> <p>big [9] 1844/3 1878/11 1879/6 1880/4 1964/20 2018/5 2082/12 2092/22 2092/23</p> <p>bike [4] 1877/16 1878/6 1895/19 1906/11</p> <p>birthdates [1] 1882/3</p> <p>Birthday [1] 2078/21</p> <p>bit [10] 1817/17 1852/24 1900/23 1941/18 1991/14 2014/11 2033/13 2076/24 2076/25 2095/21</p> <p>bizarre [1] 1871/19</p> <p>black [3] 1864/12 1878/1 2092/23</p> <p>blacked [1] 1898/14</p> <p>block [1] 2078/1</p> <p>blocked [1] 1895/23</p> <p>blocks [1] 1982/20</p> <p>blow [8] 1952/2 1952/3 1955/8 1959/4 1961/10 2055/20 2055/21 2056/14</p> <p>blown [1] 1998/8</p> <p>blue [3] 1944/20 1946/10 2078/13</p> <p>board [9] 1978/17 1978/18 2031/3 2031/8 2033/9 2036/3 2061/1 2061/2 2062/20</p> <p>boards [2] 2031/4 2031/13</p> <p>Boats [1] 1977/2</p> <p>body [3] 1886/5 2017/18 2017/18</p> <p>born [2] 1995/18 1995/20</p> <p>boss [1] 2040/23</p> <p>both [15] 1855/7 2016/3 2026/18 2075/7 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[1] 2063/2</p> <p>branches [5] 1877/20 1878/2 1878/7 1878/13 1878/20</p> <p>brand [1] 1843/25</p>
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<p>B</p> <p>BRANDON [4] 1807/7 1851/5 2019/21 2059/1</p> <p>break [8] 1887/21 1899/7 1956/21 1961/20 2011/18 2011/20 2011/25 2079/3</p> <p>breathe [1] 1863/8</p> <p>Brian [3] 1950/7 1950/9 2081/22</p> <p>brief [2] 1977/1 2076/15</p> <p>briefed [2] 2027/16 2034/16</p> <p>briefing [1] 1938/16</p> <p>briefings [2] 1956/6 2033/16</p> <p>briefly [6] 1812/2 1840/3 1924/12 1994/21 1994/22 2018/8</p> <p>bring [19] 1827/16 1830/17 1898/25 2025/24 2025/25 2040/25 2043/19 2046/22 2046/24 2047/1 2047/6 2055/19 2059/2 2061/1 2075/18 2076/14 2089/4 2092/19 2095/16</p> <p>bringing [1] 1855/9</p> <p>broad [2] 1897/24 1938/20</p> <p>brought [10] 1849/24 1863/14 1909/20 1916/9 1923/21 1938/3 2023/12 2045/4 2067/12 2067/17</p> <p>brush [1] 1827/9</p> <p>building [6] 1825/14 1827/8 1880/13 1880/16 1880/23 1880/24</p> <p>building's [1] 1880/20</p> <p>buildings [1] 1877/18</p> <p>bullhorn [1] 2044/4</p> <p>bunch [1] 1877/19</p> <p>burden [1] 1987/15</p> <p>burglaries [1] 1989/9</p> <p>Burglary [1] 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<p>camp [1] 1895/20</p> <p>campus [20] 1813/15 1815/8 1815/11 1817/17 1817/20 1821/25 1827/6 1879/14 1879/16 1879/17 1880/2 1883/20 1883/21 1886/19 1887/3 1895/13 1895/16 1932/23 1940/10 1961/20</p> <p>campus-wide [2] 1932/23 1940/10</p> <p>cams [1] 1898/3</p> <p>can [200]</p> <p>can't [43] 1819/5 1835/21 1838/1 1850/4 1856/19 1863/24 1867/19 1869/2 1878/9 1900/13 1901/7 1902/18 1914/17 1915/15 1920/8 1925/12 1928/23 1945/22 1987/9 1987/24 1988/13 1989/1 1993/8 1996/10 2001/24 2002/3 2005/12 2018/21 2019/24 2021/2 2021/5 2025/14 2042/11 2042/20 2056/13 2069/10 2070/17 2081/16 2082/3 2083/25 2090/12 2090/21 2095/14</p> <p>candid [2] 1845/6 1992/14</p> <p>candidate [3] 2016/5 2032/5 2032/24</p> <p>candidates [5] 2016/2 2030/10 2031/11 2032/17 2032/25</p> <p>candidly [1] 2006/21</p> <p>cannot [1] 2038/5</p> <p>cans [2] 1884/1 1884/4</p> <p>capacity [2] 2034/20 2073/5</p> <p>capital [1] 2013/23</p> <p>captain [6] 1839/1 1842/24 1843/2 1843/20 1987/18 1988/10</p> <p>captains [1] 1843/7</p> <p>car [16] 1881/2 1881/4 1881/5 1881/15 1881/16 1881/19 1881/19 1881/25 1882/5 1896/1 1905/22 1905/24 1941/3 2027/7 2027/7 2069/17</p> <p>card [1] 1820/15</p>	<p>care [7] 1992/25 2080/23 2081/2 2083/21 2086/21 2087/6 2089/17</p> <p>career [11] 1818/4 1821/8 1864/13 1864/22 1866/24 1898/24 1976/6 1991/21 2007/1 2014/1 2035/21</p> <p>careful [2] 2031/10 2087/21</p> <p>Careless [1] 1826/15</p> <p>Carey [1] 1875/20</p> <p>CAROLYN [10] 1807/7 1844/10 1853/24 1854/3 1856/2 1921/20 1990/1 1995/5 1997/17 1998/23</p> <p>Carolyn McDermid [1] 1853/24</p> <p>carried [1] 1887/7</p> <p>carry [2] 1879/24 1886/8</p> <p>cars [4] 1895/10 1916/5 1916/7 2058/17</p> <p>CARTER [1] 1807/15</p> <p>case [59] 1807/5 1821/19 1822/11 1860/24 1913/12 1914/11 1918/11 1919/12 1931/21 1949/14 1957/3 1977/5 1977/8 1977/10 1977/12 1977/16 1977/17 1977/23 1979/23 1980/18 1984/19 1992/7 1992/10 1995/15 1996/16 1996/19 1996/19 1996/20 1996/25 1997/9 1997/12 2000/9 2001/16 2001/17 2001/18 2001/19 2001/19 2002/4 2002/5 2004/1 2004/4 2008/8 2025/19 2026/19 2030/13 2035/13 2037/9 2057/3 2057/4 2057/8 2076/17 2076/25 2077/2 2082/4 2089/20 2091/25 2092/23 2094/14 2095/7</p> <p>case-in-chief [1] 2025/19</p> <p>caseload [1] 1976/23</p> <p>cases [28] 1845/14 1848/8 1862/14 1909/19 1914/6 1917/14 1977/20 1978/5 1980/16 1981/11 1989/4 1989/6 1991/21 1996/4 1996/11 2000/23 2001/7 2001/9 2001/10 2001/11 2001/13 2001/16 2005/1 2016/14 2035/5 2035/25 2037/14 2037/16</p> <p>Casey [1] 1928/9</p> <p>cast [1] 2094/6</p> <p>catalyze [1] 1979/2</p> <p>catalyzed [1] 1978/15</p> <p>catch [2] 1861/20 1877/24</p> <p>categories [2] 1855/7 1984/20</p> <p>category [2] 1907/13 1907/13</p> <p>caught [1] 1886/16</p> <p>cause [17] 1814/23 1815/1 1825/22 1884/18 1922/3 1925/20 2021/7 2023/19 2024/11 2024/16 2046/6 2059/5 2081/5 2085/3 2085/21 2092/6 2097/10</p> <p>caution [1] 1987/7</p> <p>cautious [1] 1988/7</p> <p>certain [20] 1865/20 1871/14 1893/3 1913/5 1946/2 2014/21 2014/22 2018/11 2021/5 2033/6 2072/11 2075/23 2076/19 2077/13 2083/2 2083/18 2086/24 2088/18 2088/23 2092/25</p> <p>certainly [21] 1824/18 1843/13 1844/25 1845/3 1848/14 1850/21 1857/9 1862/23 1865/19 1867/11 1869/2 1869/10 1870/7 1870/17</p>
<p>C</p> <p>C-H-A-S-E [1] 2012/21</p> <p>CAD [11] 1899/23 1955/24 1956/13 1956/15 1959/9 1959/12 1974/11 1974/12 2046/16 2046/18 2049/7</p> <p>cadet [2] 2013/13 2013/14</p> <p>CADs [1] 1898/3</p> <p>caliber [1] 2006/8</p> <p>California [1] 2095/5</p> <p>call [47] 1811/4 1839/3 1880/13 1883/5 1883/12 1883/14 1884/12 1888/7 1888/10 1888/12 1888/17 1888/20 1889/6 1889/15 1891/3 1891/6 1891/10 1891/18 1891/21 1892/5 1892/20 1893/11 1893/13 1894/6 1894/14 1894/23 1894/24 1895/2 1897/14 1898/9 1904/3 1905/25 1907/7 1908/5 1910/4 1919/25 1925/10 1936/1 1937/23 1975/4 1992/25 1996/8 2001/15 2016/20 2048/18 2052/12 2084/21</p> <p>called [22] 1811/10 1819/14 1842/2 1874/8 1883/15 1884/23 1892/12 1899/11 1899/12 1910/11 1973/24 1975/10 2008/19 2008/23 2012/12 2021/14 2021/16 2021/17 2030/15 2041/15 2059/25 2064/2</p> <p>caller [1] 1892/12</p> <p>calling [2] 1883/5 2022/24</p> <p>callout [1] 1883/10</p>		

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compelling [3] 1843/24 2002/6 2002/7	confident [2] 1979/10 1993/4	contend [1] 1955/19
competent [1] 1870/3	confirm [4] 1905/23 1907/6 1959/12 2024/22	contended [2] 2010/7 2010/14
complaining [2] 1892/21 1892/21		content [3] 1832/11 1832/12 2026/14
complaint [7] 1891/7 2037/13 2037/20 2039/4 2039/7 2039/8 2042/25		contention [2] 1966/3 1966/6
		contents [2] 1866/19 1867/3
		context [12] 1856/7 1864/10 1880/12 1978/3 1983/10 1983/13 1985/4 1989/8 2003/22 2004/8 2006/19 2047/3
		continue [12] 1844/21 1856/5 1859/18 1873/7 1942/4 1957/12 1961/23 1992/4 1992/6 2026/3 2027/18 2071/17
		continued [1] 1814/12
		continues [1] 1961/22
		Continuing [1] 1810/2
		continuous [1] 1980/6
		contract [18] 1914/12 1917/23 1918/2 1920/6 1920/8 1921/22 1922/1 1928/1 1929/9 1929/10 1940/2 1940/2 1951/18 1973/1 2065/15 2065/19 2066/1 2071/22

<p>C</p> <p>contradict [3] 1862/16 1862/21 1962/1</p> <p>contradicts [1] 1962/5</p> <p>contrary [2] 1847/19 1900/7</p> <p>contributed [2] 1979/20 1979/24</p> <p>controlled [2] 1815/7 1847/20</p> <p>convened [2] 1980/9 1980/12</p> <p>convenience [2] 2056/7 2056/22</p> <p>conversation [13] 1849/2 1880/12 1882/21 1887/19 1979/2 1979/25 1987/21 1987/24 1988/3 1988/10 2022/22 2029/2 2059/12</p> <p>conversations [7] 1913/25 1914/18 1918/22 1926/15 2066/23 2067/1 2073/11</p> <p>convict [1] 1983/15</p> <p>convicted [1] 2004/10</p> <p>conviction [1] 1983/17</p> <p>cooperation [1] 1906/10</p> <p>coordinator [1] 2020/9</p> <p>coordinators [3] 2015/12 2019/21 2019/25</p> <p>cop [2] 1985/15 1985/16</p> <p>cops [1] 1992/21</p> <p>copy [7] 1949/23 1957/20 2009/24 2010/3 2044/2 2059/14 2063/14</p> <p>Corey [3] 2019/22 2048/2 2059/1</p> <p>Corey's [1] 2033/8</p> <p>corner [1] 1880/20</p> <p>corners [1] 2077/12</p> <p>correct [162]</p> <p>correction [1] 1821/14</p> <p>corrections [3] 1812/16 1812/16 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1828/20 1841/19 1855/23 1859/9 1859/15 1859/18</p>	<p>1867/12 1873/7 1873/21 1897/2 1897/12 1899/12 1899/15 1899/15 1903/19 1903/24 1904/2 1909/24 1910/4 1916/2 1930/19 1935/24 1936/17 1945/8 1945/17 1945/17 1947/6 1949/18 1956/23 1957/7 1957/11 1957/12 1968/7 1968/18 1970/5 1974/1 1974/25 1975/2 1975/4 1987/5 1990/12 1995/21 1998/13 2006/7 2010/12 2011/7 2011/12 2011/15 2011/25 2012/4 2012/5 2021/10 2022/7 2022/23 2023/11 2023/17 2024/7 2024/9 2025/18 2026/3 2028/3 2031/23 2046/25 2047/6 2048/10 2059/3 2060/7 2062/8 2063/9 2063/12 2066/13 2066/21 2066/24 2070/25 2071/17 2074/23 2075/2 2076/11 2076/13 2076/15 2077/4 2078/4 2078/16 2078/17 2078/18 2079/3 2085/8 2086/13 2087/14 2088/3 2089/11 2090/1 2091/6 2091/16 2092/2 2093/1 2093/3 2093/20 2095/24</p> <p>counseled [3] 2045/24 2059/6 2059/9</p> <p>count [1] 1943/14</p> <p>counties [1] 1996/10</p> <p>country [2] 2036/17 2036/19</p> <p>county [19] 1816/25 1887/13 1976/10 1976/11 1976/22 1976/24 1976/24 1981/5 1982/8 1994/19 1994/25 1995/3 1995/4 1995/4 1996/9 2010/6 2013/15 2015/14 2024/24</p> <p>county's [1] 2010/1</p> <p>couple [18] 1850/12 1877/14 1879/25 1886/18 1900/10 1908/7 1938/7 1963/23 2015/25 2018/18 2036/12 2055/14 2058/8 2060/14 2079/4 2094/1 2095/8 2095/14</p> <p>course [10] 1819/18 1819/24 1850/8 1861/25 1865/8 1865/12 1867/8 1867/10 2000/14 2001/25</p> <p>coursework [1] 2014/7</p> <p>court [43] 1807/1 1807/16 1808/20 1815/3 1816/23 1816/25 1828/14 1848/8 1858/22 1860/22 1861/3 1896/18 1896/20 1896/21 1897/5 1899/3 1899/8 1923/25 1977/4 1977/14 1977/23 1995/17 2005/7 2008/13 2008/15 2008/15 2014/11 2021/20 2022/13 2025/8 2034/22 2037/23 2038/12 2040/25 2043/19 2047/2 2050/9 2082/12 2094/14 2096/1 2096/3 2096/7 2097/15</p> <p>courtesy [1] 1859/17</p> <p>Courthouse [1] 1808/20</p> <p>courtroom [10] 1841/22 1874/4 1910/7 1952/15 1954/15 1975/7 2041/21 2046/23 2063/19 2093/13</p> <p>courts [2] 2000/25 2077/13</p> <p>cover [1] 1876/11</p> <p>coversheet [1] 1873/1</p> <p>crashing [1] 1878/20</p> <p>crazy [1] 2003/17</p> <p>create [3] 1877/21 1899/16 2017/12</p> <p>created [6] 1902/15 1915/21 1937/7 1977/24 1982/6 2022/25</p> <p>creates [1] 2025/8</p>	<p>creating [1] 2061/2</p> <p>creation [1] 1978/15</p> <p>credibility [18] 1848/23 1956/4 1959/8 1974/5 1981/8 1981/12 1981/16 1986/3 1987/2 1987/8 1993/17 2000/17 2033/21 2034/4 2034/23 2038/15 2094/2 2095/3</p> <p>credible [3] 1841/3 1984/10 2035/11</p> <p>crime [7] 1826/1 1984/2 1984/18 1984/19 1984/24 1984/25 2004/10</p> <p>crimes [5] 1815/2 1818/2 1879/17 1879/18 1995/1</p> <p>criminal [20] 1839/11 1839/14 1862/14 1864/16 1977/10 1978/5 1978/7 1983/20 1984/9 1984/15 1984/17 1989/4 1989/5 1993/22 1993/24 1994/5 2000/23 2001/11 2014/6 2062/4</p> <p>criteria [3] 2034/13 2034/15 2061/17</p> <p>critical [2] 1947/24 1993/5</p> <p>criticized [1] 1829/16</p> <p>critique [1] 1906/25</p> <p>cross [28] 1809/5 1809/10 1809/14 1809/19 1810/6 1810/12 1824/16 1824/20 1828/12 1852/15 1852/17 1859/18 1865/13 1865/16 1869/19 1869/20 1887/8 1896/12 1896/14 1927/5 1927/8 1994/15 1994/17 2023/12 2040/3 2040/5 2076/16 2092/22</p> <p>cross-examination [20] 1809/5 1809/10 1809/14 1809/19 1810/6 1810/12 1824/16 1824/20 1852/15 1852/17 1859/18 1896/12 1896/14 1927/5 1927/8 1994/15 1994/17 2023/12 2040/3 2040/5</p> <p>crossed [1] 1869/24</p> <p>CRR [2] 1808/20 2097/14</p> <p>CSR [4] 1808/20 2097/14 2097/16 2097/16</p> <p>culture [1] 1923/13</p> <p>curious [2] 2016/8 2016/13</p> <p>current [7] 1811/23 1842/19 1842/22 1875/11 1911/3 1976/3 2013/3</p> <p>currently [5] 1875/21 2008/18 2023/12 2023/13 2062/24</p> <p>curriculum [4] 1813/6 1813/24 1814/2 2015/16</p> <p>curve [1] 1880/20</p> <p>cv [2] 1807/5 2097/4</p> <p>D</p> <p>D-E-S-H-P-A-N-D-E [1] 1842/14</p> <p>DA [24] 1834/21 1840/8 1840/21 1840/24 1849/21 1851/4 1851/4 1857/2 1857/8 1861/24 1863/5 1866/24 1976/13 1977/9 1992/18 1994/19 1994/25 1996/2 1996/15 1996/20 1997/11 2002/15 2035/21 2058/3</p> <p>DA's [13] 1848/15 1850/7 1850/22 1851/15 1857/13 1865/8 1866/16 1869/4 1976/22 1976/24 1982/8 1986/14 1997/8</p> <p>daily [6] 1819/6 1877/6 1904/8 1904/17 1904/19 1905/1</p> <p>Dallas [2] 2013/17 2013/19</p>
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D	decent [7] 2078/14 2081/9 2081/17 2086/5 2087/2 2092/8 2095/22 decertified [2] 2036/16 2036/21 decide [5] 1869/4 1882/4 2032/17 2035/10 2080/4 decided [7] 1833/16 1861/8 1878/19 1881/24 1941/9 1995/16 2028/21 deciding [3] 1947/4 1971/4 2004/8 decision [46] 1837/21 1841/11 1846/17 1846/18 1848/17 1848/24 1860/16 1860/18 1862/25 1863/2 1869/4 1915/10 1915/14 1915/18 1916/10 1916/25 1917/7 1917/17 1919/1 1919/9 1919/19 1938/20 1949/14 1964/18 1965/15 1965/25 1973/7 1973/8 1973/8 1974/23 1983/2 1983/2 1986/21 1987/1 1987/16 1991/3 1991/5 1991/11 2002/12 2004/1 2029/3 2034/18 2035/19 2035/22 2037/6 2089/24 decision-making [4] 1938/20 1964/18 1965/15 1965/25 decisions [4] 1916/22 1970/20 2004/3 2008/14 declared [1] 1887/5 defend [2] 1829/24 1831/7 defendant [16] 1864/16 1962/25 1977/11 1980/20 1983/16 1983/20 1984/12 1984/13 1984/15 1984/17 1984/19 1993/24 2004/9 2004/25 2070/13 2079/11 defendant's [3] 1968/3 1978/7 2081/20 defendants [14] 1807/9 1808/7 1811/10 1816/3 1842/2 1848/8 1864/24 1865/3 1874/8 1910/11 1975/10 1994/5 2012/12 2064/2 DEFENDANTS' [2] 1809/2 1810/3 defense [40] 1811/5 1811/6 1841/20 1874/2 1910/5 1947/6 1949/18 1977/10 1977/15 1980/20 1986/23 1986/25 1993/22 1993/23 1994/12 2003/11 2004/25 2006/6 2011/1 2012/6 2021/13 2022/24 2023/13 2023/17 2024/9 2025/19 2025/25 2033/23 2034/6 2035/17 2037/9 2046/25 2047/6 2048/10 2057/10 2059/3 2063/17 2080/25 2087/10 2095/24 defensive [1] 1882/17 define [1] 1932/25 defined [1] 1977/19 definitely [2] 1972/25 1998/12 degree [8] 1879/9 1941/14 1941/16 1997/4 2014/5 2014/6 2014/9 2016/17 deli [1] 1884/11 deliberations [3] 2077/10 2077/17 2078/5 deliver [2] 1851/14 1872/18 delivered [3] 1872/24 1872/25 1988/25 delivery [1] 1851/17 demanding [1] 1845/1 demographic [1] 1817/19 demonstrated [3] 1962/9 1963/8 1963/9 demonstrates [2] 1906/4 1907/15	demonstrating [3] 1959/25 1962/4 1962/5 demonstratively [1] 2006/14 denied [6] 1922/24 1964/7 1964/16 1965/22 1966/3 2061/12 deny [2] 1964/12 1966/4 department [115] 1812/9 1812/11 1812/12 1812/18 1816/12 1816/14 1823/5 1831/1 1831/17 1832/8 1834/1 1843/14 1843/15 1843/22 1843/23 1844/1 1844/3 1844/9 1844/18 1846/25 1856/11 1865/5 1869/17 1870/17 1871/18 1874/23 1877/5 1889/23 1890/4 1901/18 1902/5 1911/14 1912/15 1912/15 1913/23 1914/11 1914/11 1914/15 1914/16 1914/19 1915/1 1915/8 1916/9 1921/20 1922/18 1923/11 1923/14 1928/10 1928/25 1930/24 1931/4 1931/5 1931/8 1931/11 1935/15 1937/11 1937/12 1938/4 1939/22 1940/3 1940/8 1940/15 1949/1 1953/14 1954/12 1955/4 1955/17 1955/20 1956/2 1963/3 1970/21 1971/14 1973/21 1974/2 1978/18 1988/22 1991/2 1991/2 1995/1 2013/14 2013/19 2013/22 2013/23 2014/14 2014/19 2015/17 2017/4 2019/6 2023/6 2029/6 2030/8 2032/23 2035/13 2043/9 2043/10 2044/11 2046/2 2047/11 2048/23 2049/10 2049/12 2053/20 2054/3 2054/12 2060/3 2060/14 2061/6 2061/6 2061/18 2061/21 2067/20 2067/22 2067/25 2068/6 2068/20 department's [1] 1916/5 departmental [2] 1930/10 1930/15 departments [5] 1900/16 1900/25 1911/22 1930/21 2001/3 depend [3] 1903/11 1903/12 1903/13 dependent [1] 1939/9 Depending [1] 1997/4 depends [2] 1986/7 2030/12 deployed [1] 2000/22 deposition [15] 1927/12 1931/7 1931/24 1932/2 1934/9 1934/11 1939/13 1940/22 1941/25 1947/13 1947/15 1947/17 1947/21 1947/24 1948/3 deputies [1] 2056/5 deputy [5] 1851/4 1872/21 1988/19 1990/20 2013/16 describe [16] 1813/10 1816/9 1817/18 1819/4 1821/11 1821/22 1844/24 1845/2 1877/6 1877/15 1888/9 1890/10 1942/9 1980/11 2013/9 2017/9 described [3] 1918/22 1992/13 2031/1 describing [4] 1862/15 1982/3 1982/4 2036/9 description [1] 1883/17 descriptions [1] 1850/20 Deshpande [6] 1838/25 1841/20 1842/1 1842/14 1842/19 1872/3 Deshpende [2] 1987/19 1988/10 designation [1] 1982/23 desire [1] 1890/3
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<p>D</p> <p>desk [3] 1989/10 2051/1 2051/2</p> <p>detail [2] 2037/12 2045/5</p> <p>detailed [1] 2058/17</p> <p>details [1] 1952/7</p> <p>detective [1] 1842/20</p> <p>detention [1] 1985/6</p> <p>determination [13] 1837/21 1848/15 1953/6 1970/19 1984/1 1985/24 1987/14 1993/17 2001/14 2005/3 2038/3 2048/18 2083/2</p> <p>determinations [3] 1967/6 1994/9 2003/24</p> <p>determine [6] 1902/18 2029/18 2035/7 2037/17 2045/10 2048/21</p> <p>determined [3] 1967/2 2035/16 2039/22</p> <p>determining [1] 1963/15</p> <p>develop [2] 1846/9 2094/22</p> <p>developed [2] 1876/22 1985/8</p> <p>device [1] 1964/25</p> <p>dicks [5] 1870/8 1871/5 1871/10 1871/15 1923/5</p> <p>did [356]</p> <p>did you [1] 1966/15</p> <p>didn't [94] 1813/5 1820/15 1821/20 1821/20 1826/24 1826/25 1827/14 1828/17 1828/19 1828/20 1828/23 1830/13 1835/4 1835/18 1835/23 1836/8 1836/10 1855/15 1860/19 1861/2 1863/25 1865/15 1868/8 1868/11 1871/11 1881/14 1881/25 1884/23 1885/10 1887/3 1887/6 1897/11 1897/16 1897/17 1898/6 1899/16 1901/18 1908/11 1921/1 1928/19 1931/7 1933/14 1933/17 1938/10 1940/7 1941/14 1948/4 1949/18 1951/1 1952/16 1953/5 1954/19 1956/14 1963/14 1963/16 1963/20 1963/20 1969/21 1970/12 1971/2 1973/17 1973/21 1973/22 1974/5 1974/7 1979/20 1992/24 1995/17 1999/18 2002/1 2010/15 2017/2 2022/9 2022/13 2022/20 2023/14 2024/3 2025/7 2028/16 2039/15 2039/15 2040/11 2040/25 2041/23 2043/19 2045/11 2046/22 2046/25 2047/3 2047/6 2051/8 2054/20 2061/14 2061/16</p> <p>die [1] 2000/14</p> <p>difference [6] 1817/11 1880/4 1953/6 2018/5 2091/3 2091/17</p> <p>different [34] 1844/14 1844/14 1849/12 1870/20 1875/15 1877/8 1880/2 1886/20 1889/1 1889/2 1901/13 1908/5 1931/3 1937/16 1940/7 1944/23 1978/24 1991/17 1996/14 2008/10 2015/12 2015/16 2017/22 2017/23 2029/24 2031/1 2041/7 2041/12 2050/11 2050/11 2050/11 2050/14 2084/14 2095/8</p> <p>difficult [3] 1945/3 2000/16 2079/14</p> <p>difficulty [1] 2023/6</p> <p>dig [1] 1881/17</p> <p>digging [1] 1881/4</p> <p>digitally [1] 2097/12</p> <p>dinner [2] 2007/12 2007/14</p>	<p>direct [32] 1809/4 1809/9 1809/13 1809/18 1810/5 1810/11 1810/14 1811/18 1811/20 1818/20 1828/22 1842/15 1842/17 1865/17 1874/18 1874/20 1910/22 1911/1 1928/21 1942/21 1947/7 1949/18 1962/25 1975/22 1976/1 2013/1 2019/19 2026/4 2064/13 2064/15 2068/17 2076/16</p> <p>directed [1] 2029/4</p> <p>direction [4] 1830/20 2005/7 2018/23 2024/24</p> <p>directions [1] 1820/2</p> <p>directive [3] 1852/10 2061/21 2061/21</p> <p>directly [14] 1816/17 1816/23 1843/2 1860/7 1878/6 1893/13 1895/5 1914/18 1917/25 1919/2 1962/1 2019/18 2020/7 2072/5</p> <p>director [5] 1911/16 1917/5 1921/8 1927/15 1978/20</p> <p>disadvantage [1] 1984/12</p> <p>disagree [1] 2092/18</p> <p>disagreement [2] 1902/12 1902/13</p> <p>disagrees [1] 1919/6</p> <p>disappeared [1] 2042/22</p> <p>disciplinary [9] 1911/19 1912/9 1912/9 1922/17 1932/16 1950/2 1951/8 2021/1 2025/3</p> <p>discipline [33] 1818/23 1900/14 1911/22 1911/23 1912/22 1913/4 1913/17 1914/6 1917/12 1917/19 1917/22 1922/22 1932/4 1932/25 1933/1 1933/4 1937/15 1937/22 1938/3 1950/25 1951/3 1951/9 1951/10 1951/10 1951/14 1951/16 1959/19 1960/5 1967/5 1970/14 1974/14 2024/21 2083/2</p> <p>disciplined [5] 2023/18 2024/10 2059/4 2059/6 2059/10</p> <p>disciplines [1] 1970/24</p> <p>disclose [22] 1850/6 1863/23 1865/10 1977/22 1983/9 1984/5 1984/21 1996/21 1999/3 2001/21 2003/11 2004/18 2005/6 2008/20 2008/24 2021/1 2021/6 2033/23 2035/16 2037/3 2037/11 2047/11</p> <p>disclosed [4] 1848/7 1851/8 1851/9 1985/21</p> <p>disclosing [2] 2001/3 2036/25</p> <p>disclosure [17] 1847/21 1848/1 1849/13 1865/3 1865/17 1983/25 1984/22 1984/22 1985/14 1996/8 1997/18 2000/2 2000/11 2001/6 2001/20 2007/24 2025/3</p> <p>disclosures [2] 1858/5 2036/9</p> <p>discovery [1] 2024/14</p> <p>discredit [1] 2073/3</p> <p>discretion [3] 1982/24 2035/9 2049/18</p> <p>discretionary [4] 1823/20 1848/17 1848/24 1850/1</p> <p>discriminated [1] 1935/6</p> <p>discrimination [1] 1923/14</p> <p>discuss [16] 1859/5 1886/7 1888/12 1888/17 1889/21 1889/25 1890/3 1938/14 2011/21 2047/2 2051/25 2076/11 2076/14 2078/19 2081/10 2089/19</p>	<p>discussed [13] 1849/7 1873/9 1902/24 1931/13 1931/19 1940/12 1948/2 1956/3 2035/25 2069/11 2069/14 2080/8 2091/9</p> <p>discussing [6] 1924/22 1935/19 1951/4 1957/17 1997/21 2089/14</p> <p>discussion [28] 1835/11 1835/13 1846/16 1864/2 1872/13 1873/13 1885/24 1889/15 1889/24 1892/18 1915/6 1915/12 1915/23 1916/2 1980/23 1981/10 1981/13 2022/9 2028/19 2034/24 2036/8 2038/1 2074/23 2075/21 2080/9 2085/17 2089/11 2091/20</p> <p>discussions [15] 1823/1 1845/20 1846/8 1849/9 1851/16 1851/18 1851/21 1912/19 1913/22 1914/14 1914/22 1915/1 2035/23 2077/20 2080/6</p> <p>dishonest [4] 1836/6 1845/7 1956/5 1985/19</p> <p>dishonesty [2] 2000/9 2004/6</p> <p>dismiss [1] 1973/9</p> <p>dismissal [17] 1918/3 1918/6 1919/9 1920/19 1922/15 1926/6 1929/15 1933/9 1951/8 1958/7 1964/2 2081/5 2083/22 2085/4 2085/21 2086/9 2092/6</p> <p>dismissed [3] 1926/14 2001/12 2001/19</p> <p>disobey [1] 1852/6</p> <p>disparate [2] 2038/25 2054/22</p> <p>dispatch [2] 1882/4 1892/21</p> <p>dispatched [1] 1894/5</p> <p>dispatchers [2] 1812/21 2043/11</p> <p>display [2] 1998/16 2093/14</p> <p>disputed [1] 2024/17</p> <p>disputes [1] 1862/4</p> <p>disseminate [1] 1979/16</p> <p>disseminated [1] 1981/15</p> <p>distinction [2] 2091/3 2091/17</p> <p>district [83] 1807/1 1807/2 1807/16 1808/20 1822/12 1823/2 1823/7 1823/9 1823/24 1824/13 1831/9 1837/20 1837/20 1839/15 1847/22 1848/7 1848/11 1848/22 1850/24 1851/8 1852/11 1872/4 1872/18 1872/21 1951/21 1976/10 1976/11 1976/18 1977/1 1977/8 1977/18 1978/8 1981/6 1985/22 1987/3 1988/17 1990/24 1994/2 1994/4 2033/18 2033/20 2033/22 2034/5 2034/9 2034/11 2034/13 2034/17 2035/10 2035/24 2036/2 2036/2 2036/4 2036/5 2036/23 2037/3 2037/5 2037/8 2038/10 2038/19 2038/22 2039/1 2050/21 2051/4 2051/9 2051/20 2052/2 2052/3 2052/9 2052/19 2053/7 2053/16 2053/21 2054/1 2054/9 2054/15 2054/24 2054/25 2055/15 2056/19 2056/21 2056/22 2057/7 2058/12</p> <p>division [2] 1807/3 1928/4</p> <p>divorce [1] 1992/17</p> <p>do [339]</p> <p>DOC [2] 1807/5 2097/4</p> <p>doctor [1] 2033/5</p>
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<p>D</p> <p>document [73] 1816/8 1853/13 1856/16 1857/14 1857/16 1858/16 1858/17 1866/13 1866/14 1866/21 1866/23 1867/7 1867/9 1867/16 1867/21 1867/23 1868/3 1868/6 1873/14 1903/21 1904/18 1904/23 1920/15 1928/12 1928/15 1928/16 1928/24 1934/17 1936/23 1937/1 1937/2 1938/13 1939/3 1944/7 1945/10 1946/20 1947/2 1947/11 1954/21 1956/15 1958/14 1960/24 1961/11 1967/8 1982/3 1982/18 1989/22 1997/23 1999/23 2006/3 2006/8 2006/25 2009/8 2009/11 2009/11 2011/2 2040/25 2042/6 2042/7 2043/18 2051/13 2051/16 2053/8 2058/19 2058/22 2059/11 2061/20 2062/8 2079/12 2087/11 2088/18 2092/12 2092/16</p> <p>documentation [3] 1937/20 2046/24 2058/9</p> <p>documenting [1] 1934/19</p> <p>documents [28] 1846/11 1851/15 1851/17 1859/4 1860/17 1861/3 1866/15 1866/22 1868/24 1869/7 1869/11 1872/24 1896/18 1897/1 1935/20 1935/24 1937/19 1943/23 2014/20 2029/18 2044/1 2052/8 2058/6 2063/14 2066/12 2066/15 2066/20 2092/23</p> <p>does [51] 1813/22 1814/12 1815/13 1816/8 1818/16 1838/12 1838/13 1849/2 1850/7 1854/4 1854/6 1854/9 1854/19 1860/9 1891/17 1907/9 1908/1 1921/13 1934/1 1936/4 1942/15 1950/8 1954/24 1954/25 1967/17 1969/5 1969/11 1973/1 1982/25 1987/1 1987/2 2007/6 2010/6 2025/12 2026/10 2041/8 2044/6 2050/17 2052/22 2053/3 2053/11 2053/12 2058/21 2059/13 2060/24 2061/3 2065/22 2069/23 2082/1 2084/8 2094/12</p> <p>doesn't [31] 1847/9 1863/9 1869/21 1871/21 1906/7 1916/1 1919/10 1932/16 1933/20 1934/3 1962/1 1972/11 1997/6 2003/11 2039/18 2081/14 2082/1 2083/5 2083/9 2084/1 2084/15 2084/16 2084/17 2084/25 2085/23 2086/20 2090/10 2090/18 2090/21 2091/13 2091/15</p> <p>doing [34] 1812/7 1819/21 1826/22 1865/23 1878/17 1904/6 1912/22 1917/13 1925/4 1939/6 1941/3 1951/7 1962/22 1966/14 1966/22 1972/8 1974/2 1985/19 1986/15 1987/6 2008/7 2008/14 2037/21 2037/22 2041/14 2045/20 2047/17 2047/25 2048/2 2051/20 2076/3 2082/12 2083/17 2091/10</p> <p>domestic [1] 1941/2</p> <p>don't [270]</p> <p>done [19] 1831/12 1841/7 1864/4 1870/6 1882/18 1885/25 1888/14 1888/14 1904/20 1921/14 1922/19 1952/19 1963/3 1966/12 1999/6</p>	<p>2027/17 2076/16 2078/2 2093/14</p> <p>Donna [4] 1943/5 2067/15 2067/17 2074/12</p> <p>door [5] 1884/11 1938/7 1940/24 1941/1 1941/4</p> <p>doors [4] 1881/4 1893/3 1893/4 1938/7</p> <p>double [1] 1829/3</p> <p>doubt [5] 1846/20 1856/13 1997/17 2037/5 2037/11</p> <p>Douglas [2] 1976/22 1976/24</p> <p>down [27] 1835/18 1841/18 1853/23 1873/25 1877/20 1886/19 1893/21 1900/20 1900/22 1903/5 1912/7 1923/23 1925/17 1938/7 1953/13 1954/3 2011/14 2013/15 2014/10 2016/23 2021/10 2035/24 2056/1 2060/16 2063/20 2063/22 2089/11</p> <p>dozen [1] 2044/16</p> <p>DPS [3] 2071/22 2082/23 2083/4</p> <p>DPSST [6] 1812/17 1812/18 1812/23 1813/8 1814/12 1825/19</p> <p>Dr [1] 2033/7</p> <p>draft [2] 1931/22 2050/17</p> <p>drafted [3] 1946/21 1946/24 1982/7</p> <p>drafting [1] 1939/21</p> <p>drafts [2] 1939/15 1939/19</p> <p>Drake [4] 1818/18 1818/19 1876/17 1876/21</p> <p>draw [1] 1844/3</p> <p>drink [1] 1877/24</p> <p>drinking [1] 1878/16</p> <p>drive [1] 1883/24</p> <p>driver's 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1945/1 1970/15 2020/17 2041/5 2050/6 2050/6 2050/9 2050/13 2050/14 2075/24 2077/4 2077/20 2079/10</p> <p>earlier [11] 1834/4 1834/5 1835/11 1935/19 1948/7 2009/8 2009/24 2010/7 2010/14 2080/9 2086/3</p> <p>earliest [3] 1834/7 2056/7 2056/21</p> <p>early [9] 1876/6 1877/2 1962/21 1963/18 1963/20 1965/3 1977/21 2078/2 2078/5</p> <p>easily [3] 1878/18 2010/24 2011/4</p> <p>East [1] 1808/8</p> <p>easy [3] 1845/1 1845/1 2088/1</p> <p>easygoing [1] 1844/25</p> <p>eat [2] 1871/14 1896/7</p> <p>eating [5] 1895/15 1896/4 1899/13 1899/19 1899/22</p> <p>edit [1] 1982/20</p> <p>editing [1] 2050/19</p> <p>edits [2] 1939/1 2050/17</p> <p>education [2] 2061/14 2061/15</p> <p>educational [3] 2013/9 2017/22 2017/23</p> <p>EFD [1] 1905/25</p> <p>effect [4] 1864/21 2061/23 2062/5 2092/10</p> <p>effective [1] 1821/19</p> <p>efforts [1] 1979/21</p> <p>eight [6] 1832/25 1852/22 1853/4 1854/17 1854/18 2078/22</p> <p>either [16] 1821/19 1847/14 1915/9 1939/20 1964/7 1977/11 1990/4 2010/25 2010/25 2011/2 2018/19 2021/8 2022/18 2024/12 2047/8 2094/10</p> <p>elected [1] 1976/14</p> <p>elements [2] 1866/19 1873/15</p> <p>eliminated [1] 2086/10</p> <p>else [9] 1856/16 1863/18 2026/15 2026/22 2054/17 2058/24 2078/16 2090/4 2095/23</p> <p>else's [2] 2050/1 2084/2</p> <p>email [56] 1833/9 1833/16 1833/18 1834/10 1834/12 1834/24 1837/6 1838/23 1839/4 1839/6 1839/18 1840/17 1852/21 1853/2 1853/23 1854/3 1854/4 1854/16 1854/20 1860/6 1998/6 1998/10 1998/21 1999/8 1999/14 2009/23 2010/1 2010/7 2010/14 2010/24 2051/14 2052/15 2052/22 2052/22 2055/23 2056/24 2056/24 2070/10 2072/2 2072/20 2072/21 2074/6 2075/3 2075/8 2075/10 2075/19 2079/13 2080/18 2082/18 2082/20 2085/12 2089/4 2089/4 2089/14 2090/10 2090/25</p> <p>emailed [2] 1938/22 1938/24</p> <p>emails [10] 1833/25 1852/24 1858/4 1863/12 1863/13 2066/16 2066/20 2066/24 2067/3 2074/5</p> <p>embarrassed [1] 2044/3</p> <p>employed [5] 1822/15 1832/19 1922/25 1950/12 2064/25</p> <p>employee [31] 1847/11 1911/21 1912/24 1912/24 1914/6 1915/4</p>
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employee... [25] 1918/4 1919/9 1919/15 1920/3 1920/6 1920/22 1922/14 1929/24 1930/2 1930/6 1934/21 1940/3 1960/5 1970/24 1972/11 1973/2 1973/2 1980/3 1984/1 2044/3 2065/13 2065/22 2065/23 2083/7 2091/14	entry [2] 1895/25 1899/23 environment [1] 1879/19 envisioning [1] 1821/22 equipment [2] 1858/19 1858/24 Eric [2] 2019/22 2058/25 erode [2] 1984/11 1993/25 err [1] 1987/7 errors [1] 1985/16 escorted [1] 1892/15 escorting [1] 1907/5 especially [3] 1879/18 1897/6 2032/18 ESPN [1] 1827/6 essential [1] 1984/7 essentially [11] 1813/2 1813/4 1813/23 1814/9 1821/17 1844/2 1848/9 1927/18 1996/17 1999/15 2004/12 established [1] 1821/18 estimate [5] 1890/24 1932/24 1981/5 2076/21 2077/21 estimating [1] 1932/20 et [2] 2083/18 2097/3 ethical [2] 1847/10 1993/9 EUGENE [30] 1807/3 1808/9 1815/3 1815/25 1816/1 1816/9 1816/12 1816/13 1816/16 1816/18 1843/13 1843/14 1843/16 1843/20 1843/22 1844/9 1844/17 1846/25 1871/18 1879/14 1895/13 1911/13 1994/20 1995/1 1995/3 1995/3 1995/6 1997/6 1997/19 2076/5 evaluated [1] 2005/1 evaluating [4] 2004/14 2004/15 2004/17 2005/9 evaluation [7] 1939/15 1939/19 1939/23 1940/4 2015/10 2018/12 2033/7 evaluations [4] 1939/13 1940/7 1961/23 1962/20 even [20] 1820/14 1888/23 1898/6 1977/25 1978/9 1986/16 1986/20 1988/1 1996/21 2032/20 2036/25 2039/15 2039/15 2040/17 2049/16 2050/14 2060/11 2077/17 2078/20 2083/1 evening [2] 2076/13 2096/2 evenings [1] 2019/9 event [5] 1825/12 1825/14 1827/6 1827/6 1847/1 events [1] 2017/6 eventually [4] 1864/9 2047/13 2049/14 2049/14 ever [56] 1822/4 1824/3 1833/24 1845/7 1845/9 1845/13 1847/11 1847/13 1850/9 1856/8 1862/18 1866/23 1868/13 1868/15 1869/5 1869/20 1869/20 1876/3 1876/8 1889/6 1889/14 1889/14 1889/18 1889/21 1889/25 1890/3 1895/4 1895/15 1896/8 1902/20 1908/8 1941/9 1941/10 1949/3 1966/8 1971/7 1988/21 1993/8 1997/21 2001/22 2018/15 2019/11 2019/17 2023/18 2029/13 2037/6 2048/12 2048/12 2048/14 2050/21 2060/9 2065/18 2068/9 2069/22 2072/17 2073/15	everybody [6] 1870/17 1889/2 1908/4 1979/1 1980/22 2000/10 Everyone [1] 1870/17 everything [6] 1856/17 1862/14 1865/1 1888/25 1927/1 2037/5 evidence [52] 1860/12 1860/13 1862/1 1862/2 1862/4 1862/5 1862/6 1862/7 1862/11 1862/24 1926/15 1943/10 1958/21 1974/7 1977/13 1978/2 1983/16 1984/3 1986/10 1992/9 1992/9 2002/1 2002/3 2002/5 2002/6 2002/7 2002/17 2002/25 2004/24 2010/8 2010/15 2010/18 2041/3 2041/8 2041/11 2047/17 2047/21 2075/22 2076/18 2079/12 2080/22 2082/20 2083/1 2084/5 2084/9 2084/16 2086/14 2086/17 2093/24 2093/25 2094/5 2094/9 evolved [2] 1864/9 2009/12 evolving [6] 1980/6 1980/22 1996/3 2000/7 2001/1 2037/1 exact [10] 1822/18 1822/20 1832/3 1863/12 1864/8 1966/22 2056/25 2057/18 2057/19 2060/16 exactly [11] 1819/5 1844/20 1849/12 1861/6 1872/25 1925/2 1941/11 2019/24 2042/20 2047/15 2081/24 exam [2] 1947/7 1949/19 examination [61] 1809/4 1809/5 1809/6 1809/7 1809/9 1809/10 1809/11 1809/13 1809/14 1809/15 1809/16 1809/18 1809/19 1809/20 1809/21 1810/5 1810/6 1810/7 1810/8 1810/11 1810/12 1810/14 1811/18 1811/20 1824/16 1824/20 1838/17 1840/5 1842/15 1842/17 1852/15 1852/17 1859/18 1872/1 1874/18 1874/20 1896/12 1896/14 1909/3 1909/17 1910/22 1911/1 1927/5 1927/8 1957/13 1968/1 1973/15 1975/22 1976/1 1994/15 1994/17 2009/5 2009/21 2013/1 2023/12 2026/4 2040/3 2040/5 2064/13 2064/15 2093/3 examine [1] 2047/2 examined [7] 1811/11 1842/3 1874/9 1910/12 1975/11 2012/13 2064/3 example [20] 1830/17 1830/24 1834/1 1856/8 1928/9 1928/10 1930/14 1930/23 1931/1 1931/16 1977/13 1986/19 1991/19 2001/13 2002/4 2002/21 2002/22 2005/15 2045/4 2050/16 examples [13] 1827/4 1829/7 1829/16 1829/18 1829/22 1830/6 1830/9 1830/10 1830/14 1924/23 1930/21 1948/17 1953/2 Excellent [1] 2078/8 except [5] 1951/10 1954/20 2013/21 2070/2 2078/19 excessive [1] 2037/18 exchange [3] 1860/6 1984/8 2072/11 excise [1] 2084/19
employee's [5] 1913/4 1919/18 1932/16 1970/21 1972/16 employees [15] 1911/20 1912/10 1913/13 1927/21 1928/4 1932/9 1933/1 1951/12 1970/7 1970/9 1970/10 1970/15 1970/16 2065/6 2067/20 employees' [1] 1938/18 employer [5] 1832/1 1874/22 1918/11 1922/24 2064/20 employing [1] 2034/20 employment [9] 1845/21 1917/1 1928/8 1983/25 2000/16 2001/4 2027/4 2028/20 2061/12 employs [1] 1814/10 encompasses [1] 1869/18 encountered [1] 1817/19 encounters [1] 1817/25 encouraged [1] 1983/24 end [12] 1884/12 1932/4 1941/24 2003/10 2031/16 2032/15 2035/8 2047/21 2049/3 2083/7 2089/11 2089/13 ended [5] 1871/9 1886/18 1951/20 1962/21 1968/12 ender [1] 1991/21 ending [1] 2027/21 ends [2] 1960/25 1961/3 endurance [1] 2030/4 enforce [2] 1816/2 1816/24 enforcement [35] 1812/8 1820/5 1820/11 1823/20 1843/10 1848/16 1848/22 1849/20 1894/20 1915/18 1979/14 1981/7 1981/15 1982/22 1982/24 1983/4 1983/9 1983/23 1984/4 1984/21 1985/23 1986/2 1986/10 1987/5 1991/15 1991/17 1991/22 1993/16 2000/13 2013/10 2013/25 2014/6 2016/13 2017/25 2018/20 enforcement's [1] 2036/24 enforcing [1] 2065/14 enjoy [1] 2017/24 enough [10] 1858/2 1868/16 1868/21 1869/3 1994/10 2012/8 2025/17 2041/3 2041/8 2078/4 ensure [4] 1913/6 1913/19 1914/9 2031/6 entail [3] 1813/22 1986/6 2065/22 entails [2] 1814/21 1848/2 enter [2] 1997/9 2064/5 entered [1] 1920/11 entire [12] 1845/12 1853/22 1862/7 1870/11 1872/23 1904/18 1904/23 1986/17 2047/20 2079/12 2082/20 2092/15 entirety [3] 1968/4 2089/22 2089/23 entitled [3] 2082/25 2090/23 2097/10 entrance [6] 1842/6 1874/12 1910/15		

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[17] 1937/18 1937/21 1937/23 1938/1 1938/2 1951/15 1972/20 1972/22 2024/21 2037/13 2037/20 2059/7 2059/8 2059/10 2059/11 2059/14 2072/18</p> <p>filed [2] 2040/10 2085/13</p> <p>files [4] 1934/18 1934/20 1937/16 1938/6</p> <p>fill [2] 1813/5 2033/5</p> <p>filled [1] 1884/9</p> <p>final [3] 1970/19 1987/13 2035/21</p> <p>finalized [1] 1857/15</p> <p>finally [1] 2061/18</p> <p>find [11] 1877/22 1941/11 1963/14 1966/22 1990/21 2008/15 2045/13 2054/11 2073/2 2088/21 2095/6</p> <p>finder [1] 1983/15</p> <p>finding [2] 1840/7 2004/6</p> <p>findings [7] 1839/8 1850/15 1873/11 1884/19 1972/1 1991/6 1993/2</p> <p>finds [1] 2037/9</p> <p>fine [9] 2006/9 2010/22 2081/10 2085/12 2086/23 2088/10 2089/19 2092/15 2092/19</p> <p>fine-tooth [1] 2006/9</p> <p>finish [3] 2014/9 2032/10 2076/18</p> <p>finished [4] 1821/12 1821/18 1976/20 2032/11</p> <p>firearm [2] 1915/24 2069/17</p> <p>fired [11] 1890/4 1967/3 2001/6 2080/24 2081/4 2082/23 2085/3 2085/20 2088/15 2089/17 2092/5</p> <p>fired.' [1] 2071/14</p> <p>fires [2] 2083/24 2083/24</p> <p>firing [1] 1967/21</p> <p>first [62] 1811/10 1812/4 1824/23 1825/4 1833/5 1833/16 1833/22 1842/2 1843/19 1844/16 1847/25 1848/4 1857/19 1860/23 1865/16 1870/10 1874/8 1888/23 1902/1 1910/11 1912/20 1921/21 1930/2 1930/4 1933/4 1933/6 1934/9 1942/15 1942/15 1942/16 1944/25 1945/6 1948/12 1958/7 1959/5 1965/1 1965/3 1965/11 1975/10 1976/12 1982/22 1983/8 1988/24 2004/17 2012/12 2014/23 2015/20 2016/25 2019/20 2022/17 2061/17 2062/17 2064/2 2066/3 2069/5 2075/2 2076/10 2077/1 2078/21 2080/14 2080/17 2091/22</p> <p>first-line [1] 1843/19</p> <p>firsthand [1] 1870/14</p> <p>fit [4] 1830/25 2032/18 2035/7 2083/4</p> <p>Fitness [1] 1873/2</p> <p>five [8] 1839/21 1841/10 1934/4 1938/17 2036/14 2049/4 2049/5 2050/11</p> <p>fix [1] 1890/15</p> <p>fixed [5] 1858/25 1859/3 1859/7 1859/10 1859/11</p> <p>flag [1] 1997/10</p> <p>flags [3] 1865/14 1917/6 1939/3</p> <p>flat [1] 2000/10</p> <p>fleeing [1] 1948/22</p> <p>flipped [1] 1930/7</p> <p>flying [1] 2095/9</p>	<p>focus [3] 1857/24 1859/20 2091/25</p> <p>focused [1] 2074/22</p> <p>focusing [1] 1943/7</p> <p>foggy [1] 1872/7</p> <p>folks [8] 1818/1 1845/14 1858/19 1929/10 1954/7 1997/22 2002/4 2058/12</p> <p>follow [13] 1865/11 1917/17 1925/8 1952/4 1968/5 1968/5 1969/6 1969/16 1972/8 2003/13 2011/22 2026/24 2075/3</p> <p>follow-up [5] 1952/4 1968/5 1968/5 1969/6 1969/16</p> <p>followed [3] 1852/8 1913/17 1913/20</p> <p>following [2] 1914/12 1955/17</p> <p>follows [9] 1811/11 1842/3 1874/9 1910/12 1913/6 1975/11 2012/13 2064/3 2084/7</p> <p>font [1] 1998/7</p> <p>food [1] 1895/15</p> <p>football [1] 1923/11</p> <p>force [4] 1813/1 1813/3 1813/24 2037/18</p> <p>forcing [1] 2085/15</p> <p>foreclosing [1] 2075/22</p> <p>forefront [3] 1849/24 1863/14 2000/18</p> <p>foregoing [1] 2097/8</p> <p>forensics [1] 1813/2</p> <p>forever [2] 1863/8 2000/5</p> <p>forget [1] 1864/15</p> <p>forgetting [1] 1840/2</p> <p>forgive [1] 1996/18</p> <p>forgiving [4] 1845/14 1856/2 1856/6 1856/9</p> <p>forgot [1] 2007/14</p> <p>fork [1] 1899/21</p> <p>form [6] 1824/8 1859/5 1993/14 2033/4 2078/20 2095/7</p> <p>formal [1] 2006/25</p> <p>formally [2] 1836/12 2059/10</p> <p>formation [1] 1843/25</p> <p>former [3] 1976/13 2040/22 2052/3</p> <p>forming [1] 1824/4</p> <p>forth [17] 1844/7 1846/1 1846/12 1851/19 1852/3 1862/17 1873/15 1887/1 1913/9 1913/16 1914/12 1922/2 1938/24 1965/2 2035/7 2054/16 2059/4</p> <p>forum [1] 1888/13</p> <p>forward [11] 1811/7 1874/3 1919/19 1974/6 1975/6 1980/9 2012/8 2034/4 2051/4 2058/3 2063/19</p> <p>fought [3] 1878/18 1879/25 2035/6</p> <p>found [17] 1862/20 1905/22 1906/11 1907/6 1953/4 1971/21 1985/4 1992/8 1992/19 1992/20 1992/21 1996/5 2040/14 2040/17 2045/13 2055/5 2055/5</p> <p>foundation [7] 1835/8 1848/18 1848/19 1849/3 1869/23 1962/23 2028/11</p> <p>founded [1] 2041/11</p> <p>four [21] 1812/1 1813/11 1835/2 1836/13 1836/13 1839/21 1841/10 1932/13 1932/20 1939/18 1939/19 1945/19 1946/15 1962/12 1976/13 2023/14 2029/24 2043/24 2050/11</p>	<p>2066/5 2068/24</p> <p>four-minute [1] 1835/2</p> <p>four-month [1] 1976/13</p> <p>frame [1] 1941/23</p> <p>Franklin [2] 1895/20 1895/22</p> <p>frankly [3] 1981/10 2081/2 2088/22</p> <p>fraternize [1] 2020/22</p> <p>fraudulent [1] 1838/7</p> <p>free [1] 2043/3</p> <p>frequently [1] 1978/3</p> <p>Friday [2] 2078/22 2082/22</p> <p>Friendly [1] 1877/18</p> <p>friends [4] 1889/12 1890/1 2013/21 2094/21</p> <p>friendship [2] 1876/22 2020/15</p> <p>frightened [1] 1893/21</p> <p>frisk [2] 1814/24 1825/24</p> <p>front [16] 1858/5 1880/20 1880/23 1893/14 1895/5 1910/14 1943/25 1944/19 2002/8 2006/6 2022/6 2022/14 2022/21 2023/3 2025/7 2043/17</p> <p>frustrate [1] 1980/19</p> <p>FTEP [3] 1821/5 1821/5 1826/19</p> <p>FTO [1] 1908/1</p> <p>fuel [1] 2027/7</p> <p>full [32] 1811/15 1813/13 1813/25 1842/12 1874/14 1875/2 1910/19 1927/21 1975/18 1975/20 2012/20 2013/17 2015/13 2016/3 2016/5 2016/22 2017/13 2017/14 2017/24 2018/1 2018/5 2018/7 2018/16 2019/3 2021/14 2026/21 2029/13 2031/18 2040/13 2050/19 2064/10 2071/12</p> <p>full-time [13] 1813/25 1927/21 2016/3 2016/5 2016/22 2017/24 2018/1 2018/5 2018/7 2018/16 2019/3 2029/13 2050/19</p> <p>fully [2] 2039/24 2047/2</p> <p>fun [2] 2034/1 2044/8</p> <p>function [9] 1840/22 1844/2 1851/4 1869/16 1869/18 1870/5 2017/7 2017/7 2065/11</p> <p>functioning [1] 1821/13</p> <p>functions [1] 2016/22</p> <p>fundamental [1] 1985/20</p> <p>funeral [1] 2078/25</p> <p>funny [1] 1871/19</p> <p>further [14] 1871/22 1873/20 1895/24 1925/5 1983/8 1986/13 1989/13 2040/2 2075/6 2075/13 2085/17 2091/20 2092/3 2096/2</p> <p>Furthermore [1] 1964/15</p> <p>future [3] 1835/25 1848/8 1890/15</p> <p>fuzzy [1] 1846/12</p> <hr/> <p>G</p> <p>G-A-R-D-N-E-R [1] 1975/21</p> <p>GameDay [1] 1827/6</p> <p>games [1] 1847/10</p> <p>gang [1] 2013/25</p> <p>Gardner [12] 1872/4 1975/5 1975/9 1975/21 1976/3 1994/13 2009/7 2038/14 2052/3 2052/16 2054/10 2055/24</p> <p>Gary [2] 1808/8 2083/19</p> <p>gas [1] 2045/14</p>
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<p>G</p> <p>gather [2] 1919/1 1989/13</p> <p>gathered [1] 1918/25</p> <p>gauge [1] 2011/17</p> <p>gave [30] 1819/10 1829/8 1830/24 1831/14 1832/4 1832/5 1840/8 1840/13 1857/7 1901/15 1906/22 1927/12 1928/14 1944/8 1949/11 1968/8 1968/8 1968/12 1968/18 1971/12 2006/7 2030/20 2031/16 2032/7 2042/13 2059/15 2061/19 2073/20 2083/20 2093/16</p> <p>Geeting [1] 1875/18</p> <p>general [11] 1867/5 1867/12 1914/1 1914/3 1923/18 1924/17 1931/20 1938/16 1991/9 2040/20 2089/16</p> <p>General's [1] 1978/25</p> <p>generally [10] 1813/22 1913/1 1926/17 1929/18 2006/20 2017/10 2041/8 2059/9 2071/23 2073/12</p> <p>generated [1] 1867/12</p> <p>gentlemen [1] 1956/25</p> <p>get [94] 1824/5 1824/22 1825/5 1825/6 1828/16 1828/17 1833/25 1834/23 1834/25 1844/19 1845/5 1847/13 1847/14 1847/19 1855/12 1857/23 1858/24 1859/3 1859/3 1859/6 1859/6 1859/10 1859/11 1880/23 1882/17 1888/1 1888/12 1890/3 1892/4 1893/2 1898/10 1898/23 1898/23 1901/7 1901/24 1915/2 1927/25 1934/18 1938/14 1939/5 1940/4 1940/7 1943/2 1957/3 1957/15 1974/2 1977/11 1978/13 1978/23 1979/3 1979/13 1983/16 1988/5 1989/3 1996/15 2003/14 2010/15 2011/22 2016/2 2016/15 2022/1 2022/2 2023/14 2025/17 2027/6 2027/7 2031/18 2033/4 2033/4 2033/9 2037/12 2044/1 2044/5 2044/12 2045/11 2046/8 2055/16 2056/8 2056/19 2061/17 2066/12 2072/20 2076/12 2076/25 2077/18 2077/23 2078/2 2078/3 2078/5 2082/23 2083/14 2086/19 2087/25 2095/11</p> <p>gets [5] 1918/4 1920/6 1922/22 1989/4 2007/2</p> <p>getting [12] 1836/14 1847/19 1852/21 1897/18 1930/7 1934/13 1939/10 1953/14 1963/9 2043/3 2055/23 2080/4</p> <p>Ginger [1] 2075/4</p> <p>gist [2] 1834/15 1854/6</p> <p>give [39] 1812/2 1827/3 1829/7 1829/21 1830/6 1830/9 1833/25 1851/21 1856/19 1861/24 1872/22 1880/12 1897/18 1911/12 1930/21 1933/25 1953/24 1976/17 1996/1 1996/1 2003/19 2009/1 2018/4 2021/24 2025/1 2029/9 2030/9 2030/22 2044/6 2051/17 2073/8 2077/8 2077/14 2077/14 2083/7 2084/19 2089/1 2090/14 2091/13</p> <p>given [30] 1834/8 1857/7 1875/16 1881/14 1883/18 1886/8 1896/6 1900/5 1900/15 1900/25 1908/7 1920/3 1938/23 1946/5 1950/3 1950/6</p>	<p>1950/16 1951/21 1970/20 1971/7 1971/24 1991/1 2005/19 2006/3 2010/8 2040/13 2040/19 2052/8 2062/16 2095/24</p> <p>giving [5] 1829/15 1959/20 2006/10 2025/2 2084/21</p> <p>glass [1] 2060/8</p> <p>glasses [1] 1998/20</p> <p>go [95] 1813/7 1813/18 1813/21 1814/4 1816/23 1835/22 1836/6 1838/21 1839/2 1839/20 1842/13 1858/11 1859/19 1860/22 1863/15 1877/23 1878/5 1881/24 1881/24 1882/5 1885/2 1894/12 1895/22 1895/24 1904/2 1906/6 1906/6 1906/20 1910/14 1911/14 1917/25 1919/19 1921/21 1925/7 1929/18 1929/25 1932/16 1937/15 1937/25 1943/2 1943/20 1944/6 1945/10 1951/24 1951/24 1954/3 1955/7 1958/5 1958/25 1959/2 1959/15 1963/23 1964/2 1970/23 1971/2 1973/9 1996/15 1996/23 2003/24 2011/25 2015/8 2015/9 2018/11 2022/18 2030/7 2030/12 2032/18 2033/3 2033/7 2034/24 2042/1 2048/5 2049/7 2049/12 2056/1 2072/10 2073/15 2076/20 2077/11 2077/22 2079/3 2079/8 2081/1 2082/9 2084/25 2086/1 2086/2 2092/17 2095/4 2095/4 2095/5 2095/12 2095/13 2096/1 2096/5</p> <p>goal [1] 1953/25</p> <p>goals [1] 1822/2</p> <p>goes [15] 1812/20 1870/25 1898/5 1913/4 1926/14 1937/22 1973/10 1987/16 2031/24 2043/13 2059/11 2075/4 2082/25 2087/9 2094/14</p> <p>going [102] 1821/25 1828/3 1828/13 1828/19 1828/20 1829/4 1829/19 1830/12 1830/13 1836/5 1851/19 1853/20 1854/7 1854/19 1858/23 1858/24 1861/3 1864/19 1866/24 1878/9 1881/15 1881/18 1883/15 1883/25 1896/25 1897/2 1897/5 1897/16 1897/18 1898/21 1898/24 1902/8 1904/2 1904/16 1907/16 1912/17 1912/20 1914/5 1917/11 1919/2 1920/23 1930/13 1931/20 1931/21 1935/25 1938/17 1939/22 1940/12 1951/4 1962/24 1967/5 1976/15 1976/18 1980/4 1980/9 1984/11 1984/12 1989/9 2006/2 2006/6 2016/24 2017/11 2017/18 2021/7 2021/11 2021/13 2021/14 2021/19 2021/22 2022/21 2023/2 2025/5 2027/6 2027/6 2030/21 2034/2 2036/6 2038/5 2046/8 2067/5 2069/6 2069/8 2073/22 2075/17 2076/9 2076/13 2076/18 2077/3 2077/14 2077/17 2078/3 2078/16 2080/2 2080/8 2082/22 2085/16 2086/22 2087/16 2088/9 2090/24 2092/9 2093/4</p> <p>gone [9] 1840/21 1840/23 1897/15 1899/8 1919/8 2032/21 2054/23 2058/11 2095/15</p>	<p>good [26] 1811/2 1811/22 1852/19 1852/20 1889/4 1896/16 1896/17 1956/23 1994/23 1994/24 2010/8 2010/15 2010/18 2025/9 2030/9 2034/23 2040/15 2044/6 2064/17 2076/20 2077/22 2080/5 2082/11 2086/6 2088/19 2089/24</p> <p>goodness [1] 2078/21</p> <p>Goodnight [1] 2079/1</p> <p>goods [1] 1884/9</p> <p>Gosh [1] 2032/3</p> <p>got [50] 1812/4 1832/23 1833/13 1834/15 1834/24 1841/4 1843/18 1851/23 1852/24 1864/19 1880/18 1896/5 1896/20 1897/8 1899/9 1903/22 1908/3 1909/23 1933/16 1933/19 1936/17 1937/6 1943/22 1953/16 1956/10 1974/4 1980/22 1998/20 2000/13 2003/19 2007/6 2008/20 2010/7 2010/14 2013/16 2015/12 2016/25 2022/20 2026/12 2042/6 2042/7 2046/25 2054/21 2057/12 2062/24 2078/14 2083/18 2084/11 2093/11 2095/8</p> <p>gotten [4] 1876/2 1892/9 1954/18 2091/11</p> <p>government [1] 1886/5</p> <p>governor [1] 1976/12</p> <p>grab [2] 1960/12 1967/11</p> <p>graduate [1] 1875/7</p> <p>graduated [2] 2015/20 2016/9</p> <p>Graebner [1] 2052/18</p> <p>grass [1] 1877/19</p> <p>grave [1] 1967/4</p> <p>graveyard [2] 1817/20 1817/21</p> <p>great [2] 1985/16 2011/20</p> <p>GREGORY [1] 1808/3</p> <p>grew [1] 2013/17</p> <p>grievance [17] 1929/9 1930/3 1973/4 1991/6 2066/16 2068/6 2068/11 2068/18 2071/14 2072/12 2072/13 2072/15 2072/18 2073/16 2073/25 2080/20 2089/16</p> <p>grievant [1] 2068/10</p> <p>grooming [2] 1951/4 1951/6</p> <p>ground [1] 1878/14</p> <p>grounds [1] 1840/20</p> <p>group [12] 1906/23 1978/12 1978/16 1978/21 1979/6 1979/11 1980/8 1980/12 1981/15 1982/9 1987/6 2015/20</p> <p>groups [1] 1978/24</p> <p>Guard [1] 1812/7</p> <p>guess [11] 1900/8 1970/8 1981/9 2004/6 2006/19 2043/4 2057/18 2082/18 2083/10 2083/12 2090/12</p> <p>guesses [1] 2067/7</p> <p>guided [1] 2031/15</p> <p>guidelines [2] 1902/4 2005/2</p> <p>gun [13] 1916/7 1947/7 1947/10 1947/14 1948/5 1948/9 1948/15 1949/5 1949/13 2069/7 2069/19 2069/22 2070/1</p> <p>guns [3] 1879/24 1880/6 1886/8</p> <p>guy [3] 1884/4 1884/7 1952/19</p> <p>guy's [1] 2084/4</p> <p>guys [3] 1827/15 1939/6 2049/17</p>
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1807/4 1912/16 1943/2 1968/9 1987/22 1987/22 2032/4 2066/3 2074/11 2082/14</p> <p>Jamie [1] 1928/14</p> <p>JASON [4] 1808/2 1927/9 1973/16 2040/6</p> <p>JC [2] 1943/2 1943/7</p> <p>Jefferson [1] 2095/4</p> <p>Jeremy [1] 2032/4</p> <p>Jessup [2] 1808/20 2097/14</p> <p>Jet [2] 1977/2 2078/13</p> <p>JFK [1] 1861/10</p> <p>Jill [2] 1808/20 2097/14</p> <p>Jim [1] 2063/2</p> <p>job [40] 1814/20 1819/11 1879/10 1908/21 1911/8 1912/8 1913/19 1933/16 1933/19 1935/8 1940/12 1958/3 1963/25 1970/23 1971/4 1971/18 1972/18 1987/17 2014/3 2016/14 2030/3 2031/2 2031/25 2036/21 2044/7 2047/18 2048/7 2050/20 2061/8 2080/23 2080/24 2081/1 2081/3 2082/24 2083/18 2083/21 2084/11 2087/6 2089/16 2089/17</p> <p>jobs [6] 1977/3 2014/1 2017/10 2017/24 2036/16 2061/5</p> <p>John [3] 2019/22 2066/17 2067/16</p> <p>John Ahlen [2] 2066/17 2067/16</p> <p>John Thornburg [1] 2019/22</p> <p>Johnson [1] 1895/19</p> <p>joining [2] 1845/22 1976/8</p> <p>joking [2] 1871/17 2087/18</p> <p>jokingly [1] 1871/20</p> <p>JONATHAN [1] 1808/7</p> <p>judge [7] 1807/16 1853/17 2005/2 2035/14 2075/1 2082/24 2093/15</p> <p>judgment [22] 1819/8 1827/3 1831/2 1915/20 1915/21 1916/22 1918/12 1918/23 1921/25 1924/24 1940/16 1948/17 1953/2 1958/1 1964/17 1965/15 1965/24 1980/15 1985/16 1985/25 1993/8 2003/2</p> <p>July [20] 1858/2 1859/22 1868/2 1868/9 1904/13 1904/14 1905/2 1905/11 1905/16 1906/6 1906/7 1906/8 1906/20 1907/2 1907/16 2042/4 2054/21 2068/23 2070/24 2072/20</p> <p>July 13 [1] 2070/24</p> <p>July 14 [1] 1906/7</p> <p>July 14th [1] 1906/8</p> <p>July 15th [1] 1906/20</p> <p>July 16th [1] 1907/2</p> <p>July 17th [1] 1907/16</p> <p>July 18th [1] 2042/4</p> <p>July 27 [3] 1858/2 1859/22 1868/2</p> <p>July 7 [2] 1904/13 1904/14</p> <p>July 9th [1] 1905/2</p> <p>jumping [2] 1930/18 1941/18</p> <p>Junction [41] 1896/9 1990/3 2013/5 2013/6 2014/3 2014/13 2014/24 2015/2 2015/3 2016/19 2017/7</p>	<p>2017/10 2019/12 2019/14 2020/24 2023/14 2026/24 2027/21 2028/20 2029/14 2039/10 2039/25 2040/11 2043/20 2046/7 2047/11 2047/21 2048/11 2048/14 2048/22 2049/3 2051/22 2053/5 2053/20 2054/3 2054/11 2055/10 2058/13 2060/3 2061/10 2062/20</p> <p>June [8] 1989/25 2052/23 2052/24 2052/25 2053/15 2053/21 2054/15 2054/21</p> <p>June 23 [1] 2052/25</p> <p>June 30th [1] 1989/25</p> <p>jurisdiction [4] 1814/6 1814/7 1997/5 2034/17</p> <p>juror [1] 2078/22</p> <p>jurors [7] 1927/24 1930/21 1932/25 2003/23 2003/25 2011/22 2022/6</p> <p>jurors' [1] 2022/9</p> <p>jury [62] 1811/2 1811/15 1812/17 1827/17 1831/23 1842/12 1848/1 1859/8 1859/14 1859/15 1874/14 1907/19 1910/14 1910/19 1936/19 1957/6 1957/9 1957/11 1975/18 1977/7 1977/14 1982/2 1983/12 1983/15 1992/19 1994/1 2002/8 2004/1 2004/3 2004/6 2004/8 2005/6 2010/8 2010/15 2011/24 2012/2 2012/4 2012/19 2016/18 2022/4 2022/11 2022/14 2022/21 2023/3 2024/19 2025/7 2025/17 2026/1 2035/15 2040/16 2044/18 2064/9 2075/7 2077/6 2077/8 2077/14 2078/19 2079/6 2079/9 2080/3 2086/8 2091/24</p> <p>just [158]</p> <p>justice [5] 1980/17 1980/17 1980/19 1984/9 2014/6</p> <p>justification [1] 1955/16</p> <p>justify [1] 1967/4</p> <p>Jute [1] 2089/13</p> <p>K</p> <p>K-I-N-G [1] 1910/21</p> <p>K-I-Y-O-N-O [1] 2064/12</p> <p>KAFOURY [6] 1808/2 1808/3 1808/4 1927/9 1973/16 2040/6</p> <p>keep [9] 1882/13 1912/8 1921/10 1921/10 1922/25 2010/2 2055/2 2078/23 2083/11</p> <p>keeping [1] 1871/20</p> <p>kept [5] 1871/16 1871/17 1914/7 1937/14 2010/11</p> <p>Kevin [2] 1886/1 1886/9</p> <p>Kevin Williams [1] 1886/1</p> <p>key [1] 2001/9</p> <p>kid [3] 1892/9 1892/14 1892/17</p> <p>kidding [2] 2022/2 2092/18</p> <p>kids [1] 1844/5</p> <p>KIEL [1] 1808/3</p> <p>killed [1] 1887/4</p> <p>kind [31] 1817/18 1819/22 1845/4 1863/14 1877/21 1882/13 1889/2 1918/3 1919/11 1931/19 1933/7 1937/21 1978/6 1980/5 1984/8 1986/15 2012/8 2015/4 2015/6 2016/2 2016/8 2016/12 2023/5 2025/17</p>
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<p>K</p> <p>kind... [7] 2031/6 2031/15 2035/6 2036/13 2070/20 2087/15 2090/12</p> <p>kinds [2] 1871/19 1966/22</p> <p>King [13] 1910/5 1910/10 1910/21 1911/3 1927/4 1927/10 1968/3 1970/7 1973/12 2081/13 2081/21 2081/22 2083/24</p> <p>Kiyono [1] 2064/11</p> <p>knell [1] 1864/12</p> <p>knew [39] 1828/3 1830/15 1833/3 1835/5 1836/5 1836/16 1837/2 1837/12 1840/19 1840/21 1840/23 1840/25 1846/14 1849/22 1855/12 1860/19 1864/23 1868/1 1871/17 1878/16 1880/21 1883/18 1891/10 1893/5 1893/5 1893/16 1897/2 1897/12 1897/21 1897/24 1898/2 1898/21 1915/14 1941/14 1947/2 1947/23 1947/24 1977/23 2018/3</p> <p>knives [1] 1886/20</p> <p>know [214]</p> <p>knowing [7] 1881/18 1955/17 1994/3 2003/6 2005/10 2084/20 2085/18</p> <p>knowledge [10] 1835/9 1845/16 1869/20 1876/24 1900/16 1908/11 2027/24 2043/13 2091/13 2094/22</p> <p>knowledgeable [1] 1906/23</p> <p>known [8] 1836/5 1837/1 1845/7 1851/4 1861/5 1861/6 1941/17 1988/6</p> <p>knows [1] 2032/24</p>	<p>2064/10 2064/11 2074/16 2075/15 2091/7 2093/4</p> <p>last-minute [1] 1955/24</p> <p>lasted [1] 1925/1</p> <p>late [6] 1877/1 1896/5 1978/12 1979/9 1980/8 2020/16</p> <p>later [8] 1854/18 1860/4 1886/18 1886/18 1945/24 1951/20 1999/13 2047/23</p> <p>latest [1] 2008/13</p> <p>Laue [4] 2067/15 2067/17 2070/11 2074/12</p> <p>Laue's [1] 1943/5</p> <p>law [47] 1812/8 1816/25 1823/19 1823/21 1828/14 1843/9 1848/16 1848/21 1849/20 1941/14 1941/16 1966/16 1976/20 1977/17 1977/23 1979/14 1981/7 1981/15 1982/22 1982/23 1983/4 1983/9 1983/9 1983/23 1984/4 1984/21 1985/23 1986/2 1986/10 1987/5 1991/15 1991/16 1991/22 1993/16 2000/13 2008/9 2013/9 2014/6 2014/8 2016/9 2016/13 2016/17 2017/25 2021/5 2036/24 2077/7 2077/10</p> <p>lawn [1] 1878/6</p> <p>laws [1] 1985/11</p> <p>lawsuit [11] 1823/14 1869/13 1935/3 1935/16 1947/22 2081/5 2085/4 2085/13 2085/21 2086/10 2092/6</p> <p>lawyer [4] 1834/2 1909/20 1993/22 2001/22</p> <p>Leach [1] 2063/2</p> <p>lead [5] 1865/9 1865/12 1905/24 1935/2 2080/2</p> <p>leader [2] 2037/4 2044/10</p> <p>leadership [4] 1863/11 1865/9 1955/22 2044/13</p> <p>leading [7] 1849/9 1849/16 1873/4 1915/25 1918/17 2086/11 2086/12</p> <p>leads [2] 1916/2 2041/17</p> <p>learn [10] 1836/19 1849/15 1849/19 1849/25 1889/5 1955/21 1978/1 2034/3 2047/25 2049/15</p> <p>learned [14] 1836/13 1852/22 1853/5 1863/24 1905/15 1912/20 1941/6 1941/16 1943/6 1955/22 1964/7 2027/3 2039/3 2039/6</p> <p>learning [4] 1854/18 1855/9 1985/25 2057/23</p> <p>least [11] 1836/12 1845/23 1850/22 1857/12 1880/22 1907/12 1949/25 1999/15 2002/13 2083/7 2086/2</p> <p>leave [24] 1846/5 1846/7 1882/6 1892/16 1941/19 1941/22 1942/1 2023/5 2023/13 2023/14 2023/15 2024/15 2024/18 2025/19 2025/21 2038/25 2039/4 2042/2 2042/4 2051/24 2054/22 2058/11 2083/15 2083/17</p> <p>leaves [1] 2049/3</p> <p>LEBRECHT [51] 1807/8 1820/20 1822/7 1830/7 1831/3 1838/4 1846/21 1847/3 1851/1 1851/21 1852/21 1854/9 1854/10 1854/11 1854/12 1854/19 1855/25 1863/20 1869/13 1870/12 1870/22 1871/4 1872/17</p>	<p>1872/22 1873/3 1873/10 1875/21 1875/24 1876/1 1880/9 1881/8 1882/10 1882/22 1884/16 1928/19 1943/2 1953/15 1954/20 1955/13 1955/18 1956/7 2059/15 2059/23 2061/19 2068/22 2069/18 2093/7 2093/18 2094/7 2094/20 2094/23</p> <p>Lebrecht's [2] 1851/12 1852/5</p> <p>led [4] 1869/1 1869/8 1951/9 1966/24</p> <p>left [9] 1879/20 1911/14 1957/17 1958/25 1959/7 1968/19 1976/23 2019/24 2027/4</p> <p>legal [4] 1834/1 1987/9 2025/10 2041/14</p> <p>legible [3] 1945/11 1945/13 1945/23</p> <p>leisure [4] 1819/22 1824/24 1825/1 1825/11</p> <p>length [6] 1813/10 1814/3 1814/11 1947/6 1970/2 1983/18</p> <p>lengths [1] 1943/2</p> <p>lengthy [1] 2011/17</p> <p>less [7] 1977/14 1983/15 2016/14 2080/23 2081/2 2087/6 2089/17</p> <p>lesser [1] 2016/14</p> <p>let [34] 1829/3 1833/24 1836/1 1838/21 1840/8 1841/5 1855/12 1857/8 1866/18 1866/22 1869/3 1898/17 1904/5 1904/15 1914/20 1957/15 1965/5 1984/13 1997/23 2006/24 2008/18 2022/17 2023/16 2037/6 2057/12 2071/2 2078/16 2083/25 2085/7 2091/22 2094/3 2094/25 2096/1 2096/5</p> <p>let's [55] 1825/5 1825/6 1834/10 1838/21 1839/2 1847/25 1854/17 1858/11 1860/16 1864/10 1864/22 1867/8 1894/12 1905/1 1906/6 1906/20 1934/7 1934/11 1935/1 1935/18 1936/16 1937/4 1940/19 1942/25 1943/13 1946/2 1946/20 1946/20 1948/9 1949/22 1950/24 1952/25 1953/13 1954/2 1955/7 1958/5 1958/25 1959/15 1961/8 1964/2 1982/21 1995/15 2013/11 2019/20 2023/7 2042/1 2042/6 2055/14 2067/8 2076/12 2079/8 2079/10 2082/9 2086/19 2086/24</p> <p>lethal [1] 1887/4</p> <p>letter [70] 1866/4 1914/7 1920/6 1920/18 1920/21 1920/25 1921/1 1921/11 1921/25 1922/21 1926/6 1926/10 1926/18 1926/18 1926/21 1927/2 1931/17 1931/25 1932/1 1932/15 1932/19 1938/23 1948/13 1949/23 1950/3 1950/6 1950/16 1950/19 1950/25 1951/4 1951/7 1951/8 1951/14 1951/19 1952/12 1952/25 1953/20 1957/17 1958/7 1958/25 1959/3 1960/9 1960/20 1961/4 1961/5 1961/6 1962/2 1962/8 1963/6 1963/21 1964/3 1966/21 1967/21 1967/22 1968/4 1969/19 1969/22 1974/5 1989/15 1989/25 1990/2 1990/4 1990/16 2005/20 2039/1 2047/7 2050/25 2054/24 2058/18 2062/17</p> <p>letters [15] 1932/4 1932/8 1932/13</p>
<p>L</p> <p>label [1] 1946/1</p> <p>labor [3] 1911/21 1911/25 1919/5</p> <p>lack [3] 1869/6 2004/12 2015/5</p> <p>lacked [1] 1862/17</p> <p>Lacks [1] 1848/18</p> <p>Ladies [1] 1956/25</p> <p>lady [4] 1838/6 1892/8 1892/18 1894/16</p> <p>laid [1] 1918/2</p> <p>Lake [1] 2033/8</p> <p>Lane [12] 1816/25 1887/13 1976/10 1976/11 1976/24 1981/5 1994/19 1994/25 1995/4 1995/4 1996/9 2015/14</p> <p>language [7] 1908/3 1913/5 1931/17 1932/2 1932/6 1934/12 1938/15</p> <p>lapse [1] 1991/20</p> <p>laptop [1] 1907/6</p> <p>large [6] 1854/22 1855/7 1877/19 1877/20 2068/4 2068/8</p> <p>large-scale [1] 1854/22</p> <p>last [57] 1811/15 1874/15 1910/20 1920/17 1928/13 1942/25 1944/6 1944/11 1945/10 1945/12 1945/13 1947/17 1947/21 1952/25 1955/24 1958/13 1958/20 1959/3 1959/4 1959/4 1959/23 1961/8 1961/8 1961/11 1961/14 1961/15 1961/15 1961/16 1961/16 1962/12 1968/15 1975/19 1975/21 1980/7 2007/12 2008/14 2008/15 2012/20 2032/11 2033/15 2036/14 2048/10 2049/10 2051/11 2051/21 2052/5 2052/9 2058/8 2059/3 2060/13 2060/14</p>		

<p>L</p> <p>letters... [12] 1932/22 1934/13 1937/14 1937/15 1937/25 1938/15 1939/10 1951/11 1951/16 1951/17 2041/13 2058/9</p> <p>letting [3] 1850/22 2051/6 2081/6</p> <p>level [17] 1850/18 1850/21 1871/21 1914/25 1915/2 1938/20 1961/19 1973/11 2020/20 2035/7 2037/1 2038/5 2038/6 2038/8 2038/10 2041/16 2041/16</p> <p>levels [3] 2017/22 2034/11 2038/4</p> <p>levied [1] 1972/20</p> <p>levity [1] 2044/8</p> <p>Lewis [1] 2014/8</p> <p>liability [5] 2019/4 2046/6 2048/22 2086/12 2092/1</p> <p>license [1] 1881/15</p> <p>lie [7] 1987/2 2000/14 2005/11 2005/12 2005/18 2007/19 2037/12</p> <p>lies [2] 2000/10 2071/25</p> <p>lieutenant [70] 1811/22 1811/24 1811/25 1812/14 1815/19 1820/1 1820/20 1822/7 1838/4 1838/5 1838/19 1843/19 1846/21 1847/3 1850/10 1851/1 1851/12 1851/21 1852/5 1852/21 1852/25 1854/10 1854/14 1855/6 1863/1 1863/20 1863/21 1869/13 1872/17 1872/22 1873/3 1873/10 1875/21 1875/22 1875/24 1876/1 1880/9 1881/8 1882/10 1882/22 1884/16 1900/9 1903/6 1928/19 1952/6 1952/14 1952/18 1952/22 1953/4 1954/14 1955/13 1955/18 1956/7 1963/14 1964/11 1971/20 1971/23 2059/15 2059/23 2061/19 2068/22 2069/18 2093/5 2093/7 2093/10 2093/11 2094/7 2094/19 2094/20 2094/23</p> <p>Lieutenant Bechdolt [1] 1952/22</p> <p>Lieutenant Lebrecht [35] 1820/20 1822/7 1838/4 1846/21 1847/3 1851/1 1851/21 1852/21 1854/10 1863/20 1869/13 1872/17 1872/22 1873/3 1873/10 1875/21 1875/24 1876/1 1880/9 1881/8 1882/10 1882/22 1884/16 1928/19 1955/13 1956/7 2059/15 2059/23 2061/19 2068/22 2069/18 2093/7 2094/7 2094/20 2094/23</p> <p>Lieutenant Lebrecht's [2] 1851/12 1852/5</p> <p>Lieutenant Mike [1] 2093/5</p> <p>Lieutenant Morrow [8] 1820/1 1838/5 1850/10 1863/1 1954/14 2093/10 2093/11 2094/19</p> <p>life [1] 1844/8</p> <p>light [1] 1986/8</p> <p>lighters [1] 1878/3</p> <p>lights [2] 1878/2 1949/9</p> <p>like [74] 1811/4 1813/18 1813/19 1818/23 1830/23 1835/11 1841/11 1854/5 1854/17 1855/6 1858/6 1860/7 1862/25 1867/14 1867/16 1869/4 1869/11 1879/9 1882/18 1886/16 1896/3 1898/16 1899/22 1902/10 1903/21 1917/9 1918/10 1923/23</p>	<p>1928/3 1929/10 1929/16 1929/20 1931/13 1931/22 1932/10 1933/8 1935/18 1937/19 1942/4 1951/11 1953/8 1957/12 1960/23 1979/17 1994/9 2002/17 2003/5 2005/1 2015/7 2017/6 2018/20 2024/22 2026/3 2029/10 2030/17 2035/19 2036/15 2038/8 2048/5 2049/2 2049/5 2051/13 2051/25 2053/7 2061/3 2061/15 2074/6 2078/1 2078/2 2082/10 2087/15 2091/15 2092/22 2095/7</p> <p>likely [1] 1983/15</p> <p>limit [1] 2077/3</p> <p>limitation [2] 1815/4 2077/4</p> <p>limitations [2] 2018/8 2018/25</p> <p>limited [2] 1986/15 2018/21</p> <p>Linda [12] 1910/5 1910/10 1910/21 2081/10 2081/11 2081/13 2081/15 2081/17 2081/21 2081/22 2083/24 2089/19</p> <p>line [12] 1843/19 2030/12 2075/15 2084/14 2085/6 2085/25 2086/1 2086/2 2088/13 2090/16 2090/17 2090/18</p> <p>lines [5] 1882/17 2043/21 2075/11 2085/2 2088/6</p> <p>linked [1] 2086/3</p> <p>list [36] 1831/10 1832/1 1832/1 1832/19 1832/22 1834/20 1834/23 1836/5 1836/12 1837/3 1837/23 1866/1 1870/8 1870/13 1871/5 1871/7 1871/10 1871/16 1871/17 1871/21 1921/22 1921/24 1923/5 1983/5 1996/7 1996/8 1996/9 1996/10 1997/7 1997/14 2001/7 2005/20 2007/24 2034/10 2034/18 2059/20</p> <p>listable [1] 1832/6</p> <p>listed [13] 1835/10 1835/20 1836/2 1836/4 1836/11 1836/16 1836/20 1837/4 1837/18 1837/21 1848/12 1997/3 2042/8</p> <p>listen [4] 2022/8 2046/9 2085/17 2096/6</p> <p>listening [3] 1878/4 2075/24 2088/4</p> <p>listing [13] 1831/15 1832/13 1835/6 1837/17 1840/20 1853/1 1853/2 1857/1 1858/4 1864/11 1864/23 2007/7 2007/9</p> <p>lit [1] 1878/4</p> <p>litany [1] 2071/23</p> <p>litigation [5] 1852/3 1972/12 1972/16 2000/16 2001/4</p> <p>little [23] 1817/17 1846/12 1852/24 1862/13 1872/7 1886/6 1900/23 1905/20 1906/7 1925/3 1941/18 1945/2 1957/2 1964/14 1976/17 2014/10 2033/13 2041/7 2044/8 2060/7 2076/24 2076/25 2095/21</p> <p>live [3] 1813/15 1863/8 2076/4</p> <p>lives [1] 1883/20</p> <p>loaded [6] 1947/7 1947/10 1947/14 1948/5 1948/9 1948/15</p> <p>loaded-gun [6] 1947/7 1947/10 1947/14 1948/5 1948/9 1948/15</p> <p>loan [1] 2064/23</p> <p>local [2] 1990/17 2015/16</p> <p>location [4] 1895/16 1910/7 1975/7</p>	<p>2063/23</p> <p>locked [2] 1825/14 1825/15</p> <p>logo [2] 1858/22 1858/23</p> <p>Lois [7] 2063/17 2064/1 2064/11 2075/5 2075/8 2082/16 2089/4</p> <p>long [30] 1808/8 1811/25 1825/19 1833/2 1835/3 1835/4 1840/16 1851/3 1861/5 1861/16 1865/13 1925/1 1925/9 1929/1 1976/11 1988/6 1992/7 1993/13 1995/7 1996/1 1996/11 1996/19 2000/2 2000/25 2013/6 2057/5 2064/25 2065/9 2077/17 2077/18</p> <p>longer [3] 1880/24 1925/3 2008/16</p> <p>look [64] 1834/10 1838/19 1839/20 1841/1 1853/20 1857/12 1864/22 1865/19 1866/17 1878/2 1891/17 1897/1 1898/10 1902/21 1903/21 1904/8 1904/23 1905/22 1924/12 1934/11 1942/25 1942/25 1944/25 1952/25 1956/13 1956/18 1961/8 1965/20 1966/1 1968/25 1969/8 1971/2 1971/25 1981/25 1982/21 1983/7 1995/15 1995/17 1997/23 2001/15 2014/21 2029/17 2032/16 2037/17 2043/18 2044/1 2045/9 2046/4 2070/15 2071/11 2074/6 2083/9 2084/1 2084/15 2084/17 2084/17 2087/10 2088/17 2090/10 2090/19 2090/22 2091/15 2095/12 2095/13</p> <p>looked [10] 1857/11 1866/4 1896/19 1896/20 1899/22 1939/3 1973/8 2007/2 2048/24 2059/8</p> <p>looking [12] 1816/8 1818/1 1853/18 1905/19 1905/21 1944/22 1958/19 1958/21 1973/10 2005/2 2045/12 2061/14</p> <p>looks [10] 1854/5 1854/17 1855/6 1858/6 1860/7 1865/20 1898/15 2006/5 2041/5 2082/10</p> <p>loses [1] 2037/8</p> <p>losing [1] 2084/21</p> <p>lost [2] 2036/16 2036/21</p> <p>lot [28] 1820/12 1837/3 1862/24 1864/21 1880/25 1881/1 1883/16 1884/7 1888/23 1889/3 1890/23 1895/23 1895/25 1896/1 1897/15 1908/4 1932/11 1949/9 1953/19 1980/24 2011/23 2016/10 2016/24 2034/2 2077/13 2083/1 2093/24 2093/24</p> <p>lots [1] 1991/12</p> <p>low [1] 1961/21</p> <p>lunch [7] 1956/22 1957/2 1957/5 1957/18 1959/7 2051/23 2054/10</p> <p>lying [2] 1909/6 2037/20</p> <hr/> <p>M</p> <p>ma'am [1] 1976/7</p> <p>made [48] 1822/12 1841/1 1844/7 1847/22 1850/21 1857/3 1857/11 1860/18 1862/25 1863/2 1883/12 1890/14 1890/21 1915/20 1916/10 1917/16 1926/16 1952/24 1953/6 1959/18 1963/24 1965/11 1969/6 1973/7 1973/8 1985/5 1985/16</p>
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<p>M</p> <p>made... [21] 1999/12 2000/16 2000/25 2001/14 2007/24 2011/1 2027/5 2027/8 2039/4 2039/7 2039/8 2039/19 2040/23 2042/21 2043/2 2045/13 2072/4 2072/5 2072/7 2089/25 2093/2</p> <p>magazine [1] 2061/3</p> <p>magnitude [1] 1867/11</p> <p>maintain [1] 1996/10</p> <p>maintained [1] 1937/11</p> <p>major [2] 1971/14 2090/9</p> <p>majority [2] 1845/23 2040/10</p> <p>make [70] 1813/5 1815/1 1821/3 1825/7 1828/13 1837/20 1841/2 1848/15 1851/22 1866/25 1869/4 1885/2 1885/3 1897/8 1900/15 1901/1 1908/19 1932/1 1932/6 1957/22 1971/25 1972/22 1973/7 1977/14 1979/9 1980/18 1983/3 1983/14 1984/8 1985/2 1987/13 1987/16 1993/17 1994/9 1995/25 1999/25 2000/1 2001/5 2001/19 2002/11 2003/24 2005/3 2006/12 2007/20 2018/22 2019/15 2022/14 2022/15 2022/20 2025/7 2032/25 2035/19 2035/21 2037/6 2050/24 2051/18 2057/12 2071/2 2075/24 2076/7 2077/13 2081/17 2082/19 2085/16 2086/24 2088/1 2089/10 2090/13 2092/19 2094/12</p> <p>makes [5] 1970/19 1984/1 2035/3 2037/15 2092/12</p> <p>making [26] 1817/22 1824/5 1824/8 1838/6 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1998/22 2049/3 2055/23 2056/10 2056/23</p>	<p>March 10 [3] 1858/6 1858/7 1860/4</p> <p>March 12th [1] 1838/24</p> <p>March 2012 [1] 2056/10</p> <p>March 31st [1] 1982/5</p> <p>March 5th [1] 1998/22</p> <p>margin [1] 2004/21</p> <p>Marion [2] 1982/8 2013/15</p> <p>maritime [1] 1812/8</p> <p>mark [7] 1808/2 1864/12 1994/21 2011/16 2012/6 2012/11 2012/21</p> <p>marked [6] 1924/5 1945/1 1945/4 1946/16 1946/17 1946/18</p> <p>Markell [2] 2019/22 2058/25</p> <p>market [2] 1880/25 2060/23</p> <p>marketing [2] 2060/22 2061/1</p> <p>Marti [1] 2063/1</p> <p>Mary [2] 1921/6 1928/7</p> <p>Maryland [4] 1977/5 1977/9 1995/15 2033/14</p> <p>MASH [1] 1989/7</p> <p>master's [2] 2014/7 2014/9</p> <p>material [6] 1867/23 1986/22 1991/1 1999/12 2055/17 2056/25</p> <p>materials [25] 1831/10 1832/1 1834/21 1834/23 1834/25 1857/2 1860/23 1861/24 1863/4 1864/23 1866/1 1866/5 1869/15 1951/22 1966/8 2003/11 2003/14 2008/20 2054/16 2055/15 2058/16 2059/16 2059/20 2059/21 2062/10</p> <p>math [1] 2029/24</p> <p>matter [17] 1823/12 1828/8 1832/14 1835/6 1835/24 1850/3 1850/12 1859/5 1906/7 1921/10 1989/7 2003/11 2011/21 2022/24 2035/4 2078/19 2081/14</p> <p>matters [4] 1864/19 1970/12 2003/21 2025/3</p> <p>may [65] 1815/17 1816/6 1833/20 1841/15 1841/18 1853/11 1857/22 1864/1 1864/3 1866/9 1866/14 1869/1 1873/21 1873/24 1880/14 1889/3 1891/12 1891/24 1903/19 1909/24 1919/24 1920/13 1924/3 1924/4 1925/25 1926/8 1929/8 1932/4 1934/5 1938/23 1941/14 1941/17 1942/10 1945/24 1949/14 1953/1 1962/16 1967/25 1974/25 1981/20 1981/21 1982/16 1989/10 1989/20 1990/14 2005/15 2007/11 2008/8 2011/7 2021/20 2023/7 2024/14 2033/21 2037/7 2049/16 2051/8 2054/17 2063/9 2070/7 2071/9 2071/22 2076/24 2076/25 2087/3 2087/25</p> <p>May 18 [1] 1938/23</p> <p>May 6 [1] 1949/14</p> <p>maybe [24] 1820/13 1820/14 1821/2 1822/17 1853/1 1862/16 1864/6 1872/7 1882/14 1888/15 1899/12 1904/5 1925/3 1925/10 1937/25 1979/8 2012/22 2019/22 2036/12 2037/20 2046/5 2068/3 2081/20 2081/22</p> <p>McDERMED [28] 1807/7 1822/9 1823/23 1824/4 1834/12 1840/23 1844/10 1845/7 1846/17 1853/24 1854/3 1856/2 1916/24 1920/19</p>	<p>1928/19 1971/8 1990/1 1995/5 1997/17 1998/23 2009/15 2009/23 2059/19 2060/9 2060/19 2060/21 2060/24 2097/3</p> <p>McDermid's [5] 1845/16 1852/10 1854/16 1917/7 1997/22</p> <p>McDOUGAL [11] 1808/2 1808/4 1824/21 1840/6 1852/18 1896/15 1909/5 1909/18 1994/18 1994/21 2009/22</p> <p>McIntyre [2] 1933/11 1936/4</p> <p>me [149]</p> <p>meal [1] 1899/19</p> <p>mean [19] 1844/19 1845/5 1862/3 1864/5 1865/25 1899/16 1919/10 1921/13 1926/18 1926/24 1982/25 2001/10 2006/11 2034/7 2041/9 2044/12 2048/13 2065/21 2085/13</p> <p>meaning [3] 1821/17 1959/10 2041/16</p> <p>means [13] 1821/16 1921/15 1983/1 1983/13 1983/14 1987/1 2035/20 2041/3 2041/4 2041/8 2041/10 2041/11 2097/10</p> <p>meant [3] 1856/24 2081/13 2081/14</p> <p>media [5] 1870/11 1870/11 1871/6 1980/2 1980/5</p> <p>medical [6] 1905/25 2021/1 2023/13 2023/15 2024/18 2033/3</p> <p>meet [9] 1846/23 1872/20 1919/15 1987/12 2033/5 2033/6 2060/18 2061/14 2061/16</p> <p>meeting [38] 1824/1 1873/9 1886/12 1886/23 1915/14 1919/13 1919/20 1919/22 1920/5 1922/5 1922/8 1923/16 1923/19 1924/21 1925/1 1925/4 1925/6 1931/13 1931/23 1940/11 1940/13 1942/23 1950/4 1950/7 1950/9 1968/16 1968/22 2060/20 2068/22 2069/5 2069/6 2069/9 2069/12 2069/18 2081/10 2082/21 2083/20 2089/18</p> <p>meetings [20] 1872/5 1931/18 1931/19 1937/24 1938/10 1938/11 1938/14 1938/16 1955/19 1956/1 1959/11 1974/7 1974/9 2030/14 2034/8 2057/13 2065/13 2065/23 2069/2 2091/9</p> <p>Melissa [1] 2040/23</p> <p>member [7] 1867/17 1913/14 2030/8 2030/9 2065/3 2065/25 2067/24</p> <p>members [6] 1914/14 1914/16 2017/1 2054/14 2062/19 2062/22</p> <p>memo [1] 2029/5</p> <p>memorandum [1] 1815/23</p> <p>memory [18] 1850/14 1861/10 1873/15 1891/18 1895/1 1905/4 1909/12 1922/8 1925/9 1925/18 1935/21 1936/5 1979/8 1982/19 1988/6 1989/17 2055/17 2058/22</p> <p>Mental [1] 2023/1</p> <p>mention [3] 1887/21 1902/20 1924/13</p> <p>mentioned [4] 1887/24 1896/6 1923/22 1944/13</p> <p>mentioning [1] 1986/14</p> <p>mentor [1] 2014/2</p> <p>merely [1] 1871/20</p> <p>merited [1] 1902/20</p>
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<p>M</p> <p>Mertz [16] 2019/22 2020/13 2020/24 2021/15 2021/15 2023/5 2023/9 2023/17 2024/5 2024/10 2024/20 2024/21 2025/21 2048/2 2059/1 2059/3</p> <p>Mertz's [1] 2020/14</p> <p>message [1] 1886/25</p> <p>met [10] 1847/1 1894/19 1914/7 1915/16 1927/10 1994/21 2051/23 2052/5 2060/19 2061/3</p> <p>meter [1] 1933/12</p> <p>Michael [4] 1818/18 1818/19 1876/17 1876/21</p> <p>microphone [7] 1825/6 1842/11 1874/14 1910/17 1975/16 2012/18 2012/25</p> <p>microphones [1] 2043/21</p> <p>mid [2] 1981/6 2038/13</p> <p>mid-2013 [1] 1981/6</p> <p>mid-2014 [1] 2038/13</p> <p>middle [13] 1889/1 1942/15 1942/16 1943/5 1952/3 2074/6 2075/19 2079/13 2080/10 2080/12 2080/13 2082/7 2090/9</p> <p>midnight [1] 1899/20</p> <p>might [35] 1824/14 1828/13 1829/6 1845/15 1872/12 1873/16 1882/18 1930/24 1930/25 1934/18 1935/2 1937/23 1937/24 1953/6 1965/13 1965/21 1977/10 1977/11 1977/12 1977/13 1978/2 1988/1 1991/10 1993/25 1999/9 2002/19 2002/19 2003/8 2007/16 2021/9 2050/23 2086/6 2086/7 2095/15 2095/15</p> <p>Mike [23] 1856/16 1863/20 1872/23 1916/11 1925/10 1929/4 1943/9 1953/9 1953/10 1956/10 1956/11 1958/10 1964/11 1966/2 1967/17 1968/5 1969/12 1969/21 1971/8 1974/13 2059/23 2059/24 2093/5</p> <p>Mike Morrow [19] 1856/16 1863/20 1916/11 1925/10 1929/4 1943/9 1953/9 1953/10 1958/10 1964/11 1966/2 1967/17 1968/5 1969/12 1969/21 1971/8 1974/13 2059/23 2059/24</p> <p>Mike Morrow's [1] 1872/23</p> <p>military [1] 1948/23</p> <p>mind [17] 1828/12 1831/13 1857/20 1865/13 1865/16 1869/5 1869/19 1869/20 1870/25 1935/15 1997/17 2031/24 2060/7 2076/9 2078/20 2081/2 2081/6</p> <p>minds [1] 1869/24</p> <p>mine [3] 1875/15 1886/15 2003/2</p> <p>minimum [1] 1820/14</p> <p>minor [1] 1824/22</p> <p>minute [10] 1824/17 1832/22 1832/24 1835/2 1838/20 1859/9 1866/17 1891/17 1955/24 2085/23</p> <p>minutes [11] 1836/13 1852/22 1853/4 1854/16 1854/17 1854/18 1957/1 2011/23 2055/14 2077/7 2079/4</p> <p>minutia [1] 2037/25</p> <p>MIS [1] 1859/3</p> <p>Mischaracterizes [2] 1854/25 2049/21</p>	<p>misconduct [6] 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<p>month [8] 1832/25 1841/9 1932/14 1932/22 1961/4 1976/13 1999/13 2014/18</p> <p>months [33] 1813/12 1825/20 1832/25 1832/25 1833/1 1840/11 1840/11 1841/9 1841/10 1841/10 1841/10 1841/10 1841/10 1933/8 1949/15 1962/13 1992/18 2013/16 2017/20 2019/9 2023/14 2042/2 2047/15 2047/24 2048/7 2049/4 2049/5 2051/11 2051/21 2052/5 2052/9 2053/1 2060/14</p> <p>moral [1] 1984/6</p> <p>more [63] 1818/20 1818/21 1821/1 1821/2 1821/23 1827/1 1837/6 1847/20 1848/19 1849/3 1850/13 1876/14 1879/18 1888/24 1908/24 1917/10 1918/5 1931/20 1932/10 1933/3 1933/25 1938/16 1938/20 1942/4 1944/24 1944/25 1946/7 1951/6 1958/5 1974/8 1974/10 1977/18 1977/24 1978/21 1979/2 1979/15 1979/15 1979/17 1979/18 1980/13 1981/9 1985/2 1988/4 1989/1 1989/4 1989/15 1996/4 2000/16 2006/19 2018/9 2023/17 2040/9 2041/5 2047/24 2049/1 2058/19 2068/7 2076/19 2077/3 2078/3 2086/10 2087/19 2092/12</p> <p>morning [8] 1811/2 1811/22 1852/19 1852/20 1896/16 1896/17 1950/4 2077/1</p> <p>Morris [1] 1875/19</p>	<p>Morrow [36] 1820/1 1838/5 1841/4 1850/10 1856/16 1862/25 1863/1 1863/20 1916/11 1925/10 1929/4 1943/9 1953/9 1953/10 1953/15 1954/14 1954/20 1956/10 1956/11 1958/10 1958/16 1958/18 1964/11 1966/2 1967/17 1968/5 1969/12 1969/21 1971/8 1974/13 2059/23 2059/24 2093/10 2093/11 2094/5 2094/19</p> <p>Morrow's [4] 1868/2 1872/23 2083/3 2093/5</p> <p>most [7] 1849/22 1978/3 1978/4 1980/6 2002/4 2003/16 2016/14</p> <p>mostly [2] 1812/16 2068/19</p> <p>mother [4] 1892/10 1892/17 1892/17 1898/15</p> <p>motivation [1] 1915/17</p> <p>motive [1] 1865/18</p> <p>motives [2] 1918/16 1918/20</p> <p>mouth [1] 2060/7</p> <p>move [11] 1842/11 1843/22 1925/20 1936/16 1958/23 1974/16 1974/21 1997/22 2030/1 2033/1 2056/11</p> <p>moved [1] 1978/17</p> <p>Movement [3] 1895/13 1899/13 1923/8</p> <p>moving [4] 1847/2 1918/15 1919/6 1921/10</p> <p>MR [13] 1824/21 1840/6 1852/18 1869/22 1896/15 1909/18 1927/9 1928/3 1973/16 1994/18 2009/22 2021/15 2040/6</p> <p>Mr. [220]</p> <p>Mr. Cleavenger [133] 1818/5 1818/25 1819/11 1820/5 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Mr. Cleavenger... [3] 2073/22 2083/16 2083/16	name [28] 1811/15 1811/16 1838/12 1838/13 1842/12 1842/13 1874/14 1874/15 1874/16 1910/19 1910/20 1975/18 1975/19 1975/20 2012/20 2012/21 2017/7 2017/7 2026/13 2026/20 2026/21 2026/23 2032/3 2053/15 2064/10 2064/10 2064/11 2078/13	night [8] 1877/25 1878/5 1895/19 1896/5 2007/13 2074/16 2093/4 2095/14
Mr. Cleavenger's [38] 1821/8 1826/19 1840/13 1845/21 1850/9 1857/5 1864/22 1869/6 1876/8 1881/11 1882/25 1884/18 1885/8 1908/13 1913/24 1915/20 1917/1 1917/7 1921/24 1926/14 1938/18 1939/23 1971/3 2020/11 2027/21 2028/20 2030/13 2039/17 2045/12 2066/13 2066/23 2067/9 2067/21 2068/24 2069/7 2072/18 2072/21 2072/25	named [2] 1823/14 1919/24	nine [3] 1833/1 2013/16 2014/4
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Mr. James [2] 1987/22 2066/3	narrow [1] 1953/13	nobody [1] 1992/18
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Mr. Wardlow [16] 1912/4 1912/19 1928/5 1931/16 1937/6 1938/14 1938/22 1941/8 2068/20 2072/13 2072/17 2073/4 2073/11 2073/14 2073/20 2073/24	needed [20] 1813/3 1821/9 1821/14 1821/20 1822/2 1823/1 1823/9 1827/1 1830/20 1833/3 1833/5 1835/20 1851/8 1851/9 1865/11 1909/11 1952/11 1974/21 2027/18 2072/12	noodles [2] 1896/3 1899/22
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multiple [3] 1844/15 1888/11 2048/23	new [8] 1843/25 1989/4 1989/5 2029/21 2031/5 2071/16 2087/23 2092/19	noticed [4] 1821/14 1830/20 1889/3 1889/4
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		November 18 [2] 1950/20 1951/20
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		now [103] 1813/17 1818/14 1820/16 1827/5 1833/10 1834/10 1834/18 1837/13 1846/12 1850/2 1855/12 1860/6 1861/9 1864/21 1882/25 1891/3 1893/7 1894/23 1896/21 1901/15 1902/19 1908/2 1910/19 1913/22 1916/15 1919/5 1919/13 1921/21 1923/16 1925/4 1926/10 1927/15 1930/9 1931/12 1932/8 1935/18 1938/10 1939/5 1939/13 1940/11 1940/19 1941/13 1941/18 1942/12 1946/20 1947/6 1947/7 1953/4 1954/10 1956/20 1959/18 1960/23 1962/11 1962/20 1971/20 1974/1 1980/24 1980/25 1981/19

<p>N</p> <p>now... [44] 1988/17 1992/18 1995/15 1996/13 1996/14 1997/2 1998/19 1998/20 1999/20 2005/19 2008/15 2015/9 2015/11 2020/4 2023/3 2025/23 2035/8 2045/3 2047/17 2048/10 2049/10 2049/24 2056/16 2062/24 2063/15 2064/9 2069/5 2074/24 2075/3 2075/17 2076/17 2078/6 2079/14 2082/16 2082/25 2083/10 2084/21 2085/14 2087/10 2088/5 2088/17 2089/25 2094/2 2094/16</p> <p>number [38] 1831/19 1833/11 1850/17 1866/6 1870/20 1872/6 1872/8 1878/9 1881/16 1893/14 1924/22 1935/22 1935/24 1943/14 1944/12 1944/20 1944/20 1946/8 1946/8 1960/16 1967/10 1974/17 1977/20 1989/10 1998/1 1998/2 2017/6 2019/21 2019/23 2032/2 2032/3 2032/11 2032/15 2051/15 2051/17 2062/8 2071/25 2078/22</p> <p>numbered [2] 1967/14 1970/16</p> <p>numbers [6] 1903/17 1904/11 1943/17 1943/19 1943/22 1944/8</p> <p>numerous [1] 1985/11</p>	<p>obtained [1] 1906/10</p> <p>obvious [1] 1981/12</p> <p>obviously [8] 1873/13 1984/11 1985/1 2001/16 2022/10 2071/14 2082/6 2085/13</p> <p>occasion [1] 1878/17</p> <p>occasionally [1] 1981/4</p> <p>occasions [7] 1877/6 1877/8 1877/11 1877/16 1954/10 1985/11 2002/19</p> <p>occupation [1] 1976/3</p> <p>Occupy [7] 1895/13 1895/16 1895/16 1896/6 1899/13 1899/19 1923/8</p> <p>occur [2] 1919/11 2045/17</p> <p>occurred [13] 1882/10 1884/17 1942/10 1955/19 1959/20 1959/22 1963/11 1979/22 2002/3 2041/18 2046/23 2049/6 2057/9</p> <p>occurring [2] 1837/2 2036/10</p> <p>occurs [1] 1982/24</p> <p>October [23] 1875/4 1911/11 1949/15 1950/2 1950/4 1958/8 1958/9 1958/10 1963/18 1963/20 1963/21 1967/20 1969/10 2049/3 2075/4 2075/8 2075/9 2075/10 2080/18 2080/19 2082/15 2082/18 2089/15</p> <p>October 12th [1] 2075/8</p> <p>October 17 [1] 2075/4</p> <p>October 17th [1] 2075/9</p> <p>October 18 [1] 2075/10</p> <p>October 18th [1] 2082/18</p> <p>October 1st [1] 1950/2</p> <p>October 2012 [1] 1963/20</p> <p>October 2013 [1] 1911/11</p> <p>October 22 [1] 1969/10</p> <p>October 25 [1] 1958/8</p> <p>October 25th [2] 1958/10 1967/20</p> <p>October 26 [1] 1949/15</p> <p>October 30th [3] 2080/19 2082/15 2089/15</p> <p>off [16] 1813/23 1821/25 1826/19 1847/25 1881/24 1895/24 1915/18 1936/10 1950/21 1950/24 1957/17 1958/25 1959/7 1983/16 1988/24 2020/17</p> <p>offenses [1] 1991/18</p> <p>offer [20] 1816/3 1859/24 1945/24 1969/24 1982/10 1987/9 1990/7 2071/13 2071/15 2072/1 2072/3 2072/4 2072/4 2072/7 2072/9 2072/17 2073/15 2073/18 2074/13 2086/18</p> <p>offered [2] 1891/14 1964/8</p> <p>offering [1] 2083/21</p> <p>offers [6] 2070/13 2080/23 2081/1 2084/11 2087/6 2089/16</p> <p>office [56] 1827/15 1831/25 1848/15 1850/7 1850/22 1857/13 1865/8 1866/16 1869/4 1872/18 1912/6 1912/7 1921/8 1937/7 1938/7 1976/19 1976/22 1976/25 1977/18 1978/9 1978/25 1979/1 1980/14 1980/14 1982/8 1985/18 1985/22 1986/13 1986/14 1987/3 1988/12 1988/15 1989/3 1990/24 1997/8 1999/18 2015/14 2028/24 2033/8 2033/17 2034/5 2034/9 2035/24 2036/5 2037/8 2038/10 2050/21 2051/4 2051/21 2052/19 2053/16 2054/24 2054/25</p>	<p>2061/3 2063/3 2064/23</p> <p>office-by-office [1] 1980/14</p> <p>officer [196]</p> <p>Officer Cleavenger [2] 1830/7 1961/24</p> <p>Officer Hermens [1] 1894/1</p> <p>Officer Phillips [2] 1874/22 1909/5</p> <p>officer's [17] 1848/5 1848/6 1848/23 1850/4 1864/13 1885/6 1931/10 1981/8 1981/12 1986/3 1987/2 1987/8 1991/6 1994/1 2034/4 2035/10 2050/20</p> <p>officers [74] 1813/17 1813/20 1813/21 1813/25 1814/13 1814/16 1814/18 1814/22 1816/2 1816/10 1816/17 1816/19 1816/22 1817/2 1817/22 1819/16 1819/19 1825/21 1835/19 1860/22 1871/20 1884/23 1886/7 1888/11 1890/9 1909/19 1941/4 1943/6 1943/6 1949/2 1955/21 1964/9 1966/14 1966/22 1980/25 1981/17 1986/18 1986/22 1991/23 2000/12 2000/17 2000/19 2001/6 2008/3 2008/12 2016/22 2017/10 2018/9 2020/5 2020/20 2020/22 2026/18 2031/4 2032/19 2034/9 2034/25 2035/7 2036/16 2036/19 2036/20 2037/13 2040/10 2041/19 2043/6 2043/12 2043/15 2048/11 2048/23 2049/10 2050/3 2056/5 2056/20 2057/11 2058/5</p> <p>officers' [1] 2026/7</p> <p>offices [1] 1812/9</p> <p>official [6] 1913/5 1937/18 1937/21 1938/1 1954/21 2097/15</p> <p>officially [1] 2063/4</p> <p>officials [1] 2025/2</p> <p>often [8] 1838/8 1863/9 1914/6 1932/18 1979/23 2016/14 2020/20 2049/18</p> <p>oftentimes [1] 2044/5</p> <p>Oh [16] 1822/22 1848/13 1866/10 1921/12 1924/6 1933/25 1943/21 1967/8 1972/25 2008/11 2012/24 2063/13 2071/20 2076/6 2078/21 2090/21</p> <p>OJ [1] 2002/4</p> <p>okay [192]</p> <p>old [8] 1861/12 1892/9 1892/13 1995/19 1995/22 1995/23 2013/21 2057/4</p> <p>older [1] 1877/19</p> <p>once [15] 1811/13 1850/3 1859/15 1883/12 1887/19 2001/14 2016/4 2016/5 2019/10 2030/6 2033/6 2037/16 2083/24 2085/16 2089/10</p> <p>one [147]</p> <p>one-to-three [1] 2030/24</p> <p>ones [5] 1902/23 1902/25 1966/10 2026/13 2044/14</p> <p>ongoing [3] 1979/23 1980/10 2055/2</p> <p>only [30] 1816/22 1862/1 1863/6 1865/23 1868/23 1876/11 1894/15 1897/12 1897/21 1898/15 1917/10 1929/14 1932/13 1932/22 1942/16 1948/3 1954/18 1969/21 1973/23 1974/1 1981/10 1984/25 2001/19</p>
<p>O</p> <p>oath [4] 1898/19 1898/21 1985/18 2047/10</p> <p>object [12] 1828/22 1830/3 1848/18 1855/21 1870/24 1899/14 1915/15 1928/21 1962/23 2010/9 2049/21 2053/6</p> <p>objected [1] 2079/24</p> <p>objecting [1] 2028/8</p> <p>objection [34] 1848/25 1849/16 1854/25 1860/1 1869/23 1873/4 1909/7 1915/25 1918/17 1982/12 1982/13 1990/9 1990/12 1990/13 2028/1 2028/4 2028/17 2031/22 2054/5 2070/16 2074/15 2079/17 2079/19 2093/4 2093/7 2093/8 2093/9 2093/19 2093/20 2094/2 2094/10 2094/13 2095/9 2095/23</p> <p>objections [1] 2079/10</p> <p>obligated [1] 1848/14</p> <p>obligation [38] 1823/6 1823/13 1823/16 1823/19 1824/10 1824/12 1831/9 1831/10 1831/18 1840/8 1848/16 1848/21 1849/7 1849/19 1849/23 1850/1 1852/2 1977/18 1977/21 1977/24 1981/19 1983/1 1983/9 1984/5 1984/6 1984/6 1994/5 1994/11 1996/3 1996/4 1996/5 1996/12 1996/20 2001/20 2004/17 2004/24 2025/15 2033/20</p> <p>obligations [10] 1848/2 1849/10 1977/7 1978/14 1994/3 1995/25 1999/11 2033/14 2036/9 2036/25</p> <p>obliged [1] 1993/21</p> <p>observation [6] 1819/6 1904/8 1904/17 1904/19 1905/1 1905/9</p> <p>observations [2] 1820/19 1821/4</p> <p>observe [2] 1877/12 1885/2</p> <p>observed [1] 2050/7</p>		

<p>O</p> <p>only... [7] 2016/25 2023/11 2037/22 2046/9 2047/24 2079/13 2082/19</p> <p>Onyx [2] 1895/20 1895/22</p> <p>OPAT [1] 2030/2</p> <p>open [11] 1815/8 1819/19 1825/15 1871/9 1881/4 1888/12 2081/8 2086/4 2086/25 2088/11 2092/7</p> <p>open-ended [1] 1871/9</p> <p>openings [1] 1878/2</p> <p>operate [2] 1815/5 1962/13</p> <p>operating [1] 1966/5</p> <p>operational [1] 1964/11</p> <p>opinion [49] 1821/9 1821/25 1823/4 1823/5 1823/12 1823/16 1823/19 1824/8 1824/10 1834/14 1847/5 1851/6 1851/9 1852/9 1855/20 1859/6 1862/23 1868/16 1868/22 1868/22 1875/24 1879/10 1901/6 1908/7 1952/19 1957/5 1966/25 1986/24 1992/20 1993/2 1993/14 1993/19 2002/11 2003/9 2003/21 2011/19 2025/14 2034/10 2039/17 2049/17 2078/20 2084/2 2084/4 2084/7 2084/16 2091/12 2093/7 2094/6 2094/23</p> <p>opinions [3] 1889/21 2004/10 2011/22</p> <p>opportunity [5] 1844/5 1919/18 2084/19 2088/5 2090/14</p> <p>opposed [2] 1817/13 1882/20</p> <p>opposite [1] 1845/15</p> <p>opposition [1] 2085/8</p> <p>OR-PAT [1] 1819/15</p> <p>oral [5] 2030/7 2031/3 2031/4 2031/7 2031/13</p> <p>order [15] 1852/6 1852/6 1852/8 1886/7 1906/7 1984/8 1987/11 1987/11 2014/22 2022/19 2025/5 2025/7 2025/9 2034/25 2039/9</p> <p>ordered [3] 1992/23 2025/3 2073/25</p> <p>ordering [1] 2022/14</p> <p>orders [2] 2083/8 2091/14</p> <p>ordinance [1] 2018/20</p> <p>ordinary [2] 1867/8 1867/10</p> <p>OREGON [107] 1807/2 1807/9 1812/3 1812/6 1812/10 1812/19 1813/7 1813/17 1814/21 1814/22 1815/6 1815/8 1815/13 1816/16 1816/24 1817/4 1817/12 1817/13 1817/18 1817/20 1819/15 1824/11 1826/3 1842/25 1843/23 1844/4 1844/22 1846/24 1847/2 1851/7 1861/20 1874/23 1874/24 1876/4 1886/4 1887/10 1888/2 1889/22 1895/12 1911/5 1911/15 1912/15 1913/13 1913/23 1917/6 1921/22 1927/16 1927/19 1930/4 1930/5 1930/10 1954/11 1970/8 1973/11 1976/5 1976/8 1976/15 1978/13 1978/19 1978/22 1979/13 1980/13 1987/18 1988/11 1988/14 1989/17 1991/2 1994/7 2010/5 2013/15 2013/19 2013/23 2013/23 2015/18 2017/14 2019/7 2021/5 2027/4 2027/17 2029/23 2030/2 2033/18 2036/3 2036/3 2036/14 2036/15 2045/7 2045/20 2046/2 2047/12 2047/22</p>	<p>2048/18 2048/25 2054/16 2060/10 2060/14 2060/21 2060/23 2060/23 2061/5 2064/21 2065/1 2067/25 2068/5 2081/3 2083/18 2097/16</p> <p>organization [1] 2037/4</p> <p>original [3] 1853/14 1853/14 2097/11</p> <p>originally [1] 2066/21</p> <p>ORS [2] 2021/2 2071/22</p> <p>ORS 236 [1] 2071/22</p> <p>ORS 40.270 [1] 2021/2</p> <p>Oswego [1] 2033/8</p> <p>other [73] 1812/2 1824/13 1825/16 1844/4 1855/7 1860/10 1869/24 1875/19 1878/4 1882/7 1883/23 1884/22 1888/19 1892/22 1892/25 1893/16 1893/17 1897/17 1901/6 1902/16 1941/4 1942/9 1943/6 1945/2 1953/8 1958/24 1966/14 1966/22 1971/15 1978/5 1989/9 1990/18 1990/21 1991/17 1997/10 1997/14 1998/24 2001/17 2004/9 2007/15 2017/3 2017/6 2017/10 2018/16 2020/17 2024/13 2026/7 2034/11 2034/12 2034/13 2041/12 2042/12 2042/18 2043/24 2044/14 2050/3 2050/15 2053/17 2053/22 2067/12 2067/20 2074/9 2077/20 2077/25 2078/18 2081/1 2088/2 2088/20 2088/20 2092/25 2093/8 2094/9 2095/12</p> <p>others [2] 1915/22 1979/18</p> <p>otherwise [2] 1966/24 1971/18</p> <p>ought [1] 1993/25</p> <p>our [40] 1819/19 1831/19 1833/10 1858/10 1858/19 1858/24 1865/10 1865/11 1867/12 1878/1 1883/16 1918/22 1938/16 1978/1 1980/21 1981/1 1993/8 2000/25 2002/9 2006/20 2017/3 2017/17 2018/11 2020/25 2021/3 2033/19 2033/20 2035/24 2036/4 2036/5 2036/7 2043/8 2043/8 2048/2 2048/3 2052/2 2052/3 2058/2 2076/10 2090/6</p> <p>Ours [1] 1831/20</p> <p>ourselves [1] 1865/22</p> <p>out [85] 1820/2 1822/5 1827/7 1839/3 1845/17 1847/17 1850/25 1870/11 1878/1 1879/15 1879/25 1880/3 1880/10 1881/18 1882/14 1883/5 1883/15 1884/1 1884/4 1884/10 1884/23 1889/15 1890/6 1898/14 1904/4 1905/19 1905/21 1906/7 1906/11 1907/5 1918/2 1921/9 1928/7 1933/11 1941/11 1942/13 1952/6 1953/5 1965/21 1966/6 1966/22 1968/19 1970/23 1971/2 1978/13 1979/3 1979/14 1990/21 1996/15 1996/23 1996/25 2015/7 2017/2 2018/17 2019/4 2020/4 2023/1 2027/6 2027/6 2032/12 2032/13 2033/5 2034/21 2036/6 2037/9 2041/23 2044/16 2046/21 2048/20 2049/12 2049/17 2054/11 2056/19 2062/17 2077/14 2078/4 2080/2 2080/21 2083/11 2084/24 2087/16 2088/24 2089/7 2090/16 2092/22</p> <p>outcome [1] 2035/17</p>	<p>outdoor [1] 1827/6</p> <p>outlined [2] 1928/18 1928/24</p> <p>outlines [1] 1815/25</p> <p>outlining [2] 1920/7 1951/25</p> <p>outside [7] 1878/5 1887/21 2032/22 2032/22 2045/9 2075/7 2076/11</p> <p>over [60] 1818/11 1818/13 1823/9 1825/6 1842/21 1847/2 1849/20 1880/18 1881/14 1881/16 1881/25 1882/5 1883/5 1883/12 1884/3 1885/2 1894/6 1894/17 1894/19 1895/20 1924/12 1926/14 1927/19 1939/13 1940/8 1945/12 1957/4 1959/25 1962/4 1963/7 1966/17 1970/9 1987/25 1988/2 1993/21 1994/5 2000/15 2003/19 2004/25 2016/14 2020/8 2033/15 2034/5 2035/5 2036/9 2036/15 2036/16 2051/4 2051/23 2057/4 2062/23 2068/24 2069/6 2069/8 2079/9 2082/9 2093/4 2095/4 2095/12 2095/13</p> <p>overall [4] 1922/12 1961/18 1961/21 2032/9</p> <p>overhead [1] 1949/9</p> <p>override [3] 1922/24 2022/19 2028/17</p> <p>Overruled [13] 1828/24 1849/17 1855/2 1869/25 1870/25 1873/12 1916/2 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[54] 1833/7 1833/8 1835/21 1837/7 1838/6 1840/18 1846/18 1849/12 1850/19 1852/21 1853/2 1853/4 1860/20 1861/9 1863/12 1864/1 1864/8 1873/14 1876/19 1877/1 1897/14 1897/15 1898/6 1915/5 1915/15 1924/22 1928/13 1929/24 1940/11 1940/13 1940/13 1941/16 1941/17 1954/8 1965/1 1965/3 1987/24 1987/25 1988/1 1989/10 2009/10 2009/11 2016/12 2019/24 2029/1 2029/12 2032/3 2044/13 2044/14 2045/5 2045/7 2055/23 2093/6 2093/9</p> <p>remembered [2] 1898/8 2016/8</p> <p>remembering [1] 1857/9</p> <p>remind [3] 1811/22 1908/1 2027/15</p> <p>reminder [1] 1999/11</p> <p>reminding [1] 1999/2</p> <p>remiss [1] 1850/5</p> <p>remove [1] 1915/10</p> <p>removed [1] 1951/14</p> <p>renew [1] 1928/10</p> <p>renewing [1] 1927/25</p> <p>repeat [4] 1821/21 1824/25 1829/1 1908/4</p> <p>repeated [1] 1953/2</p> <p>Repercussion [1] 2006/17</p> <p>repercussions [1] 2006/15</p> <p>rephrase [1] 1841/5</p> <p>reply [1] 1854/14</p> <p>report [59] 1833/17 1841/4 1856/22 1857/17 1857/20 1859/20 1865/2 1878/22 1881/8 1884/14 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1922/10</p>	<p>representing [4] 2007/17 2042/15 2042/17 2044/25</p> <p>reprimand [24] 1912/23 1912/25 1913/24 1914/15 1914/17 1914/23 1918/3 1929/17 1931/17 1931/21 1931/25 1932/1 1932/22 1933/5 1933/6 1938/23 1948/13 2066/9 2067/21 2068/6 2068/11 2072/15 2072/16 2082/15</p> <p>reprimanded [1] 1891/4</p> <p>reprimands [1] 1937/21</p> <p>reprisal [1] 2071/15</p> <p>reputation [3] 1835/25 2093/18 2094/6</p> <p>reputational [1] 2093/24</p> <p>request [8] 1965/2 1965/11 1999/12 2011/1 2051/4 2070/14 2074/13 2082/14</p> <p>requested [3] 1964/14 2011/1 2066/7</p> <p>requesting [2] 2068/10 2079/11</p> <p>requests [6] 1964/6 1964/9 1964/13 1964/14 1965/21 1971/3</p> <p>require [3] 1814/12 1991/23 2000/11</p> <p>required [17] 1825/2 1888/11 1921/22 1921/23 1977/15 2005/5 2010/2 2018/11 2033/5 2034/2 2034/4 2037/2 2038/11 2057/9 2058/2 2062/2 2071/22</p> <p>requirement [3] 1814/15 1922/1 1922/2</p> <p>requirements [8] 1913/5 1913/8 1913/9 1913/20 1980/21 1987/12 1997/18 2010/6</p> <p>requires [4] 1977/9 1980/17 2016/24 2077/10</p> <p>reread [1] 1869/10</p> <p>research [7] 1926/19 1959/21 1963/23 2067/18 2067/19 2095/12 2095/21</p> <p>reserve [49] 1813/20 1813/21 1813/21 1813/22 1813/23 1814/1 1814/8 1814/9 1814/10 1814/16 1842/20 1887/13 1887/23 1990/20 2015/1 2015/3 2015/4 2015/14 2016/1 2016/5 2016/7 2016/19 2016/25 2017/2 2017/9 2017/12 2017/15 2017/20 2018/3 2018/6 2018/9 2019/4 2019/8 2019/11 2019/14 2019/21 2020/1 2020/8 2020/9 2026/6 2026/18 2026/19 2027/18 2032/19 2032/21 2046/3 2048/16 2048/20 2050/19</p> <p>reserves [11] 1817/8 2014/24 2015/10 2016/3 2017/17 2018/15 2019/1 2026/25 2030/21 2031/17 2049/12</p> <p>residing [1] 1961/20</p> <p>resign [5] 2028/22 2029/3 2029/6 2029/7 2083/23</p> <p>resigned [5] 2028/24 2029/11 2048/7 2051/12 2060/2</p> <p>resolve [4] 2021/11 2021/22 2075/17 2085/23</p> <p>resolves [1] 2086/22</p> <p>resource [1] 1955/23</p> <p>resources [13] 1911/7 1911/8 1911/16 1911/18 1919/17 1922/18 1927/15 1927/18 1930/9 1932/21 1937/18 1986/15 2068/20</p> <p>resources' [2] 1911/19 1932/19</p>	<p>respect [3] 1831/2 1853/14 1988/5</p> <p>respected [3] 1820/17 1820/21 1830/16</p> <p>respond [5] 1854/9 1879/4 1883/8 1891/7 2090/24</p> <p>responded [6] 1834/24 1883/9 1892/20 1894/23 2058/12 2073/18</p> <p>responding [6] 1834/11 1834/12 1892/7 1892/8 1894/6 2083/17</p> <p>responds [1] 2084/7</p> <p>response [9] 1854/13 1865/17 1882/12 1883/10 1901/22 1964/7 2073/20 2090/23 2091/1</p> <p>responses [1] 2091/11</p> <p>responsibilities [2] 2036/5 2066/1</p> <p>responsibility [3] 2033/20 2058/2 2065/24</p> <p>responsible [1] 1977/25</p> <p>rest [3] 2087/10 2088/17 2092/9</p> <p>restarted [1] 2015/6</p> <p>restricted [1] 1815/6</p> <p>result [5] 1992/17 2001/24 2002/3 2002/6 2002/9</p> <p>resulted [1] 1948/7</p> <p>results [1] 1848/11</p> <p>retaliate [6] 1845/17 2093/8 2093/12 2093/19 2094/7 2094/24</p> <p>retaliated [1] 1935/14</p> <p>retaliating [1] 1845/9</p> <p>retaliation [7] 1928/18 1942/22 2093/25 2094/5 2094/10 2095/2 2095/6</p> <p>retention [2] 2010/6 2010/21</p> <p>reticent [2] 1851/25 1852/4</p> <p>retire [1] 1911/10</p> <p>retired [3] 1911/5 1911/6 1927/20</p> <p>retrained [1] 2072/22</p> <p>retraining [7] 1831/3 1831/4 2072/3 2072/11 2073/13 2073/16 2073/22</p> <p>return [1] 2077/9</p> <p>returned [3] 2044/19 2051/1 2055/4</p> <p>returns [1] 1919/10</p> <p>reveal [3] 2037/5 2038/11 2057/10</p> <p>revealed [6] 1837/14 1837/17 1839/11 1984/23 2037/10 2038/7</p> <p>reveals [1] 1985/10</p> <p>reverse [1] 2094/4</p> <p>reversed [1] 2093/11</p> <p>reverses [1] 1919/9</p> <p>reversing [1] 2094/8</p> <p>review [30] 1846/12 1850/22 1851/15 1855/15 1856/19 1856/22 1860/17 1860/23 1861/2 1866/1 1866/16 1866/25 1868/6 1869/3 1896/18 1902/3 1909/11 1914/6 1914/9 1930/15 1930/22 1931/1 1931/22 1935/25 1982/19 1988/21 1989/12 2058/19 2066/13 2066/16</p> <p>reviewed [20] 1850/9 1850/11 1866/13 1866/17 1867/2 1867/11 1868/5 1921/12 1923/25 1955/23 1955/25 1956/16 1959/9 1959/12 1988/25 1993/12 1993/14 2002/18 2006/9 2067/3</p> <p>reviewing [3] 1860/20 1922/19 2014/20</p> <p>reviews [1] 1930/11</p>

<p>R</p> <p>Revised [2] 1816/24 1826/3</p> <p>rice [2] 1896/4 1899/22</p> <p>rich [1] 1879/19</p> <p>Richard [1] 1975/20</p> <p>rid [2] 1927/25 1943/2</p> <p>ride [3] 1878/1 1949/11 2018/19</p> <p>riding [1] 1877/17</p> <p>right [308]</p> <p>rightful [1] 2067/8</p> <p>rights [6] 1865/4 1972/17 1978/7 2007/23 2041/14 2065/25</p> <p>ring [5] 1838/12 1933/20 1934/1 1950/8 2069/23</p> <p>rise [10] 1831/14 1832/4 1832/5 1840/8 1840/13 1850/18 1850/21 1857/7 1871/21 2038/9</p> <p>risk [13] 1902/15 1915/19 1915/22 1916/20 1916/22 1918/8 1918/8 1934/23 1935/1 1935/3 1935/8 1935/11 1941/5</p> <p>risks [3] 1917/11 1917/16 2082/22</p> <p>river [2] 1906/9 1977/2</p> <p>RMR [2] 1808/20 2097/14</p> <p>road [2] 1886/19 1895/24</p> <p>robberies [1] 1989/9</p> <p>robbery [1] 2007/16</p> <p>robust [3] 1979/2 1980/24 1981/10</p> <p>rode [1] 1878/6</p> <p>role [22] 1840/2 1844/12 1850/23 1850/25 1851/12 1851/14 1869/16 1879/8 1885/22 1885/22 1908/18 1911/19 1911/25 1930/9 1947/23 1970/18 1971/14 2002/15 2016/18 2030/25 2065/7 2068/16</p> <p>roles [1] 1976/25</p> <p>Romania [4] 1880/13 1880/16 1880/20 1880/24</p> <p>room [7] 1808/21 2031/8 2043/12 2047/17 2047/21 2050/4 2077/9</p> <p>rooted [1] 2000/4</p> <p>rough [2] 1848/9 1892/13</p> <p>Roughly [1] 1843/13</p> <p>routinely [2] 1989/4 2008/2</p> <p>rude [1] 2003/8</p> <p>Rudnick [1] 1808/8</p> <p>rule [3] 1991/9 2084/18 2091/21</p> <p>rulebook [1] 1908/23</p> <p>rules [2] 1908/19 1908/22</p> <p>ruling [15] 1849/1 1993/7 2022/14 2025/23 2081/17 2085/16 2085/18 2088/1 2089/10 2090/14 2093/2 2093/3 2094/13 2095/22 2095/23</p> <p>rulings [1] 2095/14</p> <p>Ruminations [1] 2086/6</p> <p>run [11] 1813/23 1814/8 1819/20 1819/23 1820/1 1826/17 1878/17 1879/21 1882/3 1931/9 1971/14</p> <p>running [3] 1815/11 1819/25 1927/18</p>	<p>1828/21 1829/5 1830/24 1831/2 1831/25 1838/10 1839/14 1875/1 1878/11 1879/11 1886/7 1887/10 1897/7 1897/17 1899/25 1900/11 1901/3 1902/4 1902/16 1902/16 1903/4 1903/10 1915/10 1915/19 1915/21 1915/22 1918/9 1918/13 1931/4 1937/12 1940/4 1940/9 1947/14 1947/18 1948/2 1949/2 1960/21 1962/12 1962/14 1962/17 1962/18 1962/19 1964/9 1974/15 1974/18 2015/17 2019/6 2030/14 2030/15</p> <p>said [65] 1827/3 1830/6 1830/20 1835/11 1836/4 1836/12 1837/6 1839/18 1855/12 1855/19 1856/2 1856/12 1862/20 1863/7 1868/1 1879/5 1880/19 1881/25 1882/15 1883/25 1886/16 1898/5 1901/13 1901/15 1901/25 1908/4 1928/24 1931/24 1941/25 1942/3 1950/25 1960/14 1964/18 1974/8 1974/13 1996/3 1999/15 2000/4 2003/24 2006/7 2007/11 2007/13 2008/9 2014/2 2016/10 2016/15 2024/2 2024/5 2028/9 2034/7 2037/21 2040/21 2049/6 2049/24 2051/24 2052/1 2055/15 2066/24 2081/8 2081/24 2086/4 2086/25 2088/11 2092/7 2093/16</p> <p>Salem [8] 1849/11 1863/11 2013/13 2013/15 2013/22 2013/22 2015/19 2035/13</p> <p>Salsbury [10] 2027/3 2027/10 2027/13 2027/20 2027/24 2028/14 2028/20 2029/4 2029/5 2045/23</p> <p>same [56] 1813/23 1814/15 1814/25 1816/20 1817/15 1824/10 1845/5 1848/25 1849/1 1879/14 1879/16 1879/21 1884/8 1908/9 1912/6 1912/7 1935/6 1939/15 1944/18 1944/22 1945/1 1945/5 1945/6 1949/10 1958/10 1961/5 1966/14 1966/22 1967/21 1967/22 1973/9 1979/19 1979/24 1980/1 1980/22 1990/2 1990/4 1996/13 2007/21 2010/5 2010/5 2015/8 2015/9 2022/12 2026/19 2027/16 2029/22 2034/12 2041/2 2045/20 2050/4 2054/15 2074/15 2088/6 2092/10 2092/21</p> <p>sanction [1] 1972/23</p> <p>sanctions [2] 1933/3 2006/17</p> <p>sat [4] 1915/13 1989/10 2035/24 2050/3</p> <p>satisfactory [1] 1907/12</p> <p>Saturday [1] 2019/10</p> <p>saw [13] 1827/7 1866/14 1866/20 1868/7 1868/9 1868/23 1868/24 1877/10 1878/3 1879/1 1928/25 2002/7 2042/10</p> <p>say [81] 1817/24 1820/22 1821/16 1822/17 1831/11 1832/22 1834/4 1834/6 1848/4 1850/11 1854/6 1854/19 1856/22 1860/19 1863/23 1867/19 1869/20 1871/2 1885/15 1888/13 1888/19 1889/12 1891/25 1896/8 1897/6 1899/9 1900/18 1901/3</p>	<p>1901/21 1902/13 1907/9 1908/5 1909/20 1916/17 1917/3 1925/2 1928/23 1930/13 1930/13 1931/23 1942/7 1942/15 1947/20 1954/10 1955/16 1962/5 1970/13 1979/8 1980/14 1981/6 1981/10 1986/23 1987/10 1997/6 1999/8 1999/14 1999/16 2001/24 2002/25 2003/16 2005/4 2019/21 2021/3 2022/21 2036/11 2036/12 2036/24 2037/21 2044/5 2046/25 2048/19 2053/3 2053/11 2053/12 2062/19 2068/7 2069/10 2078/18 2081/13 2083/1 2089/24</p> <p>saying [29] 1840/8 1855/6 1867/23 1868/9 1885/4 1897/21 1897/23 1902/14 1902/19 1907/8 1917/20 1924/20 1925/11 1935/6 1935/14 1951/11 1955/4 1956/5 1974/6 2008/3 2025/23 2037/23 2037/24 2044/22 2052/8 2055/2 2071/13 2072/10 2073/14</p> <p>says [15] 1884/4 1902/7 1905/10 1905/11 1907/14 1921/15 1940/3 1950/2 1958/20 1983/23 1996/20 2053/13 2061/21 2071/12 2090/18</p> <p>scale [1] 1854/22</p> <p>Scandinavian [3] 2016/23 2017/5 2044/4</p> <p>scenario [2] 2007/2 2007/5</p> <p>scene [1] 1949/9</p> <p>schedule [3] 1920/9 1955/21 2082/14</p> <p>scheduled [1] 1955/21</p> <p>schedules [1] 1955/24</p> <p>scheduling [1] 1955/22</p> <p>school [6] 1879/18 1976/20 2013/12 2013/18 2016/10 2017/19</p> <p>science [1] 2014/5</p> <p>scope [3] 1828/22 1928/21 1962/24</p> <p>score [2] 1825/11 2030/1</p> <p>scores [4] 2039/9 2039/14 2039/16 2062/15</p> <p>scoring [1] 2031/8</p> <p>SCOTT [2] 1807/8 1914/22</p> <p>screen [6] 1858/21 1893/7 1920/15 1998/8 1998/10 2006/2</p> <p>screen's [1] 1866/10</p> <p>screening [1] 2033/3</p> <p>scrutinized [1] 2004/22</p> <p>scrutiny [1] 1980/24</p> <p>se [1] 1850/19</p> <p>Sean [2] 1919/24 2074/12</p> <p>Sean Brailey [1] 2074/12</p> <p>searches [1] 2008/4</p> <p>seat [4] 1995/3 2022/7 2074/24 2093/1</p> <p>seated [19] 1811/3 1811/13 1827/21 1828/1 1842/5 1842/9 1859/16 1874/11 1874/13 1910/16 1930/18 1975/13 1975/15 1992/3 2012/15 2012/17 2012/19 2026/2 2064/7</p> <p>second [23] 1808/4 1828/8 1831/23 1838/21 1843/5 1853/20 1888/24 1903/22 1921/2 1933/6 1950/11 1959/3 1959/4 1992/2 2004/18 2009/1 2022/1 2032/4 2038/6 2040/16 2087/6 2089/14 2090/12</p> <p>second-guess [1] 2090/12</p>
<p>S</p> <p>safe [3] 1970/13 2070/2 2070/3</p> <p>safety [68] 1812/10 1812/18 1813/17 1814/18 1814/21 1814/22 1815/13 1816/1 1816/10 1816/17 1816/19 1816/22 1817/2 1817/12 1819/1 1819/7 1825/21 1827/19 1828/11</p>		

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second-to-the-last [1] 1959/3	1941/24 1941/24 1959/23 1962/16	1892/14 1893/20 1893/21 1893/21
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2017/5 2017/8	1875/14 1875/18 1875/19 1875/20	1948/22 1949/1 1949/5 1949/9
see [66] 1838/21 1838/23 1845/5	1875/20 1878/25 1880/8 1881/9	1949/20 1995/13 1997/18 2010/5
1854/3 1854/13 1854/17 1859/4	1882/9 1882/22 1884/15 1889/8	2010/7 2010/8 2010/14 2010/15
1863/12 1863/13 1864/11 1865/19	1889/14 1889/18 1889/21 1890/6	2010/18 2047/3 2047/6 2047/9
1866/17 1868/12 1878/3 1878/3	1890/10 1900/9 1903/6 1903/7 1903/9	2083/24 2090/23 2090/24 2091/1
1878/9 1880/21 1884/4 1885/1	1905/12 1905/14 1914/22 1914/25	2092/13
1888/25 1889/14 1889/18 1893/23	1915/5 1949/8 1966/4 2020/9 2027/3	she'll [1] 2076/15
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1961/22 1963/24 1965/21 1966/13	Sergeant Cameron [1] 1820/20	2033/17 2034/14 2061/3
1968/10 1968/12 1997/13 1998/19	Sergeant Morris [1] 1875/19	sheriffs [3] 2036/23 2044/12 2057/6
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2089/9 2090/21 2096/8	serious [16] 1821/1 1828/8 1831/10	shirt [1] 1819/24
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1899/3 1899/4 1899/5 1966/8 1966/11	services [1] 2013/25	1836/1 1836/4 1836/5 1836/19
2044/21 2044/23 2044/24 2053/8	session [2] 1957/10 2012/4	1837/18 1837/19 1837/24 1838/1
2058/22 2095/1	set [10] 1814/1 1825/5 1886/6 1913/9	1840/21 1840/23 1841/6 1848/4
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seizures [1] 2008/4	setting [2] 1886/25 2006/24	1862/11 1864/3 1866/25 1869/21
selecting [1] 2029/21	settlement [3] 2080/5 2080/7 2087/15	1886/7 1887/7 1889/22 1893/7 1902/1
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seminar [1] 1822/1	setup [2] 2072/23 2072/24	1925/8 1928/7 1931/17 1984/21
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send [6] 1854/4 1980/4 1987/7	1920/24 1943/16 1945/18 1950/21	1994/8 2000/1 2002/12 2002/14
1998/23 2021/25 2078/3	1950/24 2043/24	2002/15 2004/18 2005/6 2007/23
sending [2] 1839/3 2009/8	seven-day [2] 1920/8 1920/24	2026/21 2033/1 2050/6 2050/13
sends [1] 1854/3	several [9] 1877/5 1954/10 1986/12	2050/19 2078/12 2080/1 2081/20
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sense [12] 1844/8 1852/4 1857/11	2048/1 2057/2	shouldn't [4] 1837/1 1885/15 1919/19
1900/15 1901/1 1973/7 1977/21	severe [4] 1917/15 1918/5 1918/8	2002/12
1984/6 1984/7 2006/17 2035/3	1933/3	show [20] 1813/5 1819/20 1825/16
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sensible [3] 1992/19 1992/20 1992/22	sexual [1] 1856/5	1935/19 1935/20 1956/8 1960/6
sensitive [1] 2036/22	sexually [1] 1935/2	1960/23 1962/12 1962/16 1965/5
sent [12] 1820/2 1839/6 1840/16	shall [1] 1946/21	1967/8 1985/15 2046/16 2046/19
1853/2 1990/2 2009/23 2009/25	shaped [1] 2095/7	2051/13
2050/25 2054/24 2056/24 2062/17	share [8] 1836/24 1977/9 1980/19	showed [5] 1819/22 1868/3 1945/17
2070/10	1986/25 1991/10 1994/11 2038/19	1945/18 2002/22
sentence [13] 1893/20 1943/1	2038/21	showing [7] 1853/13 1866/10 1924/4
1952/25 1954/24 1965/22 1977/11	shared [3] 1836/22 1955/18 2030/17	1944/7 2009/24 2047/1 2058/21
1982/22 1983/8 1983/18 1983/18	sharing [2] 1979/17 2009/11	shown [3] 1972/3 1972/7 2010/15
1983/23 2086/3 2087/6	shaving [3] 1900/10 1900/17 1901/2	shows [5] 1862/16 1889/1 1943/1
sentences [1] 2091/7	Shaw [1] 2075/4	1991/20 2080/25
separate [8] 1892/19 1893/1 1895/10	she [57] 1824/8 1840/23 1840/25	shred [1] 2046/22
1937/7 1937/10 1937/11 1938/2	1840/25 1841/6 1841/6 1844/12	side [11] 1881/3 1881/3 1887/25

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side... [8] 1893/17 1987/7 2022/18 2088/19 2090/6 2093/8 2093/13 2094/10	2019/8 2019/23 2041/19 2043/24 2051/11 2051/21 2052/5 2052/9	somebody's [2] 1898/24 2007/1
sides [2] 2087/22 2088/21	skip [7] 1904/6 1907/16 1917/12 1917/25 1925/20 1973/2 1974/15	somehow [1] 1968/7
sign [6] 1921/9 1921/11 2026/13 2026/20 2026/21 2026/23	skipped [2] 1920/2 1974/21	someone [12] 1834/1 1837/17 1918/11 1925/10 1929/21 1935/1 1935/6 1935/14 1941/6 2049/25 2050/16 2054/17
signature [11] 1921/3 1921/4 1921/5 1936/23 1936/25 1937/1 2026/15 2097/11 2097/11 2097/12 2097/15	skipping [7] 1917/18 1918/7 1918/14 1919/2 1919/6 1967/4 1972/24	someone's [2] 1934/12 1934/18
signed [6] 1826/19 2058/6 2058/10 2058/24 2058/25 2097/12	sleep [1] 1877/23	something [55] 1821/22 1824/6 1831/12 1832/6 1832/23 1833/24 1844/1 1851/7 1861/20 1862/16 1863/8 1865/20 1867/14 1885/1 1886/10 1886/21 1888/18 1889/3 1901/9 1901/12 1901/13 1906/14 1906/15 1906/16 1914/4 1923/4 1923/22 1929/16 1930/11 1942/19 1968/19 1972/10 1980/18 1985/19 1986/17 1990/4 1993/7 1996/2 2005/16 2008/7 2023/1 2023/1 2024/20 2024/23 2025/9 2035/18 2037/9 2041/13 2041/14 2046/6 2046/25 2050/14 2069/16 2073/9 2082/11
significance [2] 1888/10 2008/6	sleeping [1] 1878/14	sometime [6] 1868/7 1868/9 2009/9 2051/11 2056/9 2060/3
significant [1] 1989/8	slide [1] 2012/23	sometimes [18] 1901/9 1901/12 1919/10 1919/10 1932/15 2002/2 2005/14 2016/21 2018/20 2030/8 2030/11 2031/4 2031/7 2031/10 2034/10 2038/1 2041/6 2094/1
signing [1] 2097/8	slightly [2] 1889/2 1908/5	somewhat [2] 2092/11 2094/4
similar [4] 1814/24 1888/18 1990/5 2015/17	slipping [1] 2094/1	soon [1] 1988/24
simple [4] 1850/25 1858/20 2048/6 2048/15	slow [4] 1900/19 1900/22 1998/7 2014/10	sooner [1] 1920/9
simply [6] 1908/22 1922/2 1936/22 1971/24 1971/25 2022/17	slower [1] 1905/20	sorry [41] 1822/20 1824/25 1840/1 1853/16 1853/17 1858/12 1858/13 1863/1 1868/18 1871/2 1896/23 1899/16 1900/13 1900/19 1900/21 1921/2 1924/6 1925/23 1926/18 1933/21 1934/3 1943/18 1951/17 1951/17 1983/23 1994/21 2010/19 2011/13 2012/24 2029/12 2053/18 2063/13 2066/19 2071/11 2071/20 2074/19 2075/8 2086/16 2087/17 2088/4 2094/8
simulates [1] 2030/3	slowly [1] 2064/10	sort [25] 1813/18 1818/22 1819/25 1846/6 1846/16 1847/18 1849/23 1851/4 1862/14 1869/18 1871/17 1908/20 1912/23 1920/3 1977/20 1979/16 1979/24 1993/15 1993/21 1993/23 1993/24 1994/8 2000/18 2058/17 2067/19
since [13] 1847/2 1867/8 1883/21 1883/22 1886/8 1890/8 1891/2 1903/9 2013/8 2024/9 2039/3 2052/10 2057/5	small [5] 1818/13 1904/20 1998/7 2018/15 2070/21	sound [1] 2003/8
sincere [1] 1918/16	Smith [9] 1950/7 1950/9 1982/8 2081/10 2081/11 2081/15 2081/17 2081/22 2089/19	sounds [3] 2029/17 2029/19 2053/7
sincerely [2] 2056/2 2056/3	smoking [2] 1877/24 1878/15	source [1] 1955/23
singling [1] 1822/4	so [323]	Southwest [2] 2078/11 2078/12
sir [89] 1811/13 1811/15 1824/15 1832/10 1841/18 1842/8 1842/10 1842/12 1852/13 1852/20 1853/3 1853/13 1854/2 1856/11 1857/16 1858/3 1860/15 1863/7 1864/8 1865/12 1868/15 1871/1 1873/18 1873/24 1874/3 1874/13 1896/11 1897/20 1907/25 1908/21 1975/6 1975/17 1995/7 1995/9 1995/11 1995/14 1995/17 1996/17 1996/24 1997/1 1997/4 1997/16 1997/20 1998/7 1998/12 1998/20 1998/24 1998/24 1999/4 1999/7 1999/11 1999/19 1999/21 1999/24 2000/4 2001/5 2002/2 2002/4 2002/10 2002/14 2002/21 2002/25 2003/5 2003/6 2003/15 2003/18 2003/20 2004/1 2004/6 2006/4 2006/11 2006/19 2007/9 2007/11 2007/21 2008/1 2008/8 2008/22 2008/25 2010/1 2010/6 2010/25 2011/5 2011/14 2012/7 2012/9 2012/15 2025/13 2063/8	sole [1] 2035/9	space [2] 1853/17 1906/25
sit [8] 1936/14 1940/6 1952/14 1973/22 1974/7 2030/16 2031/4 2031/7	solely [2] 1982/24 2018/13	speak [12] 1851/11 1863/6 1863/16 1868/23 1879/2 1886/12 1887/18 1969/21 1979/12 2027/10 2075/6 2075/13
sitting [13] 1832/17 1850/14 1867/2 1872/14 1876/13 1899/21 1916/7 1922/8 1936/18 2065/23 2089/11 2093/13 2093/15	soliciting [1] 1979/18	speaking [7] 1868/15 1872/3 1872/9 1886/23 1935/14 1935/15 2006/20
situation [18] 1847/19 1881/20 1887/24 1903/11 1903/13 1906/9 1916/18 1918/9 1933/10 1933/18 1939/14 1940/24 1949/10 1992/7 2001/22 2005/12 2041/17 2068/10	solo [8] 1821/13 2016/20 2018/13 2019/11 2019/15 2049/12 2049/17 2049/18	specialized [1] 1822/1
situations [5] 1914/8 1918/7 1936/11 1938/18 1953/3	some [118] 1813/2 1814/8 1818/1 1819/3 1819/6 1819/7 1819/8 1819/25 1820/4 1821/14 1821/14 1821/15 1821/21 1822/25 1824/22 1827/4 1827/8 1830/6 1830/9 1830/20 1846/6 1850/19 1851/18 1860/12 1860/25 1862/4 1862/21 1863/15 1863/19 1867/17 1869/1 1875/2 1877/22 1880/12 1882/25 1884/17 1888/10 1890/9 1896/2 1897/2 1897/3 1898/6 1899/25 1908/13 1914/18 1915/20 1918/3 1920/3 1930/23 1933/7 1935/20 1947/2 1948/7 1948/17 1958/5 1958/24 1963/23 1964/13 1974/15 1977/12 1977/21 1979/11 1979/21 1985/1 1985/19 1988/14 1989/15 1996/9 1997/11 1997/13 2001/2 2001/2 2001/10 2001/10 2004/21 2005/7 2008/2 2013/21 2014/7 2014/20 2017/7 2017/11 2017/11 2017/12 2017/13 2017/17 2018/8 2023/5 2023/6 2030/16 2031/15 2034/15 2035/19 2044/13 2048/10 2048/11 2050/17 2051/1 2051/24 2058/9 2058/15 2059/15 2066/16 2066/17 2067/7 2067/12 2068/24 2071/23 2075/21 2082/20 2085/24 2089/9 2093/4 2094/3 2094/10 2094/16 2095/7 2095/11	specific [39] 1828/23 1830/10 1830/13 1831/16 1832/10 1833/7 1839/20 1850/18 1856/23 1869/5 1869/9 1872/7 1873/14 1897/25 1898/2 1900/2 1904/19 1906/4 1907/14
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<p>S</p> <p>specific... [20] 1908/24 1914/21 1923/3 1940/13 1964/10 1964/16 1965/13 1965/23 1970/21 1985/2 1995/11 2040/9 2041/5 2045/4 2046/10 2049/1 2050/9 2058/20 2084/18 2084/20</p> <p>specifically [15] 1819/5 1824/2 1830/22 1830/23 1838/2 1846/18 1867/25 1870/5 1872/9 1884/3 1914/21 1926/24 2016/12 2082/7 2082/8</p> <p>specifics [20] 1827/22 1828/13 1828/16 1828/17 1828/19 1829/9 1829/22 1831/5 1832/15 1832/17 1835/5 1836/21 1837/11 1838/9 1856/19 1925/12 1929/2 1933/18 1933/25 2023/15</p> <p>specter [1] 1972/12</p> <p>spectrum [1] 1994/10</p> <p>speculation [3] 2054/5 2090/9 2091/2</p> <p>speculative [1] 2090/19</p> <p>speech [6] 1885/19 1885/22 1887/8 1887/18 1901/15 1901/25</p> <p>speeding [1] 2038/9</p> <p>spell [6] 1811/15 1874/15 1910/20 1975/19 2012/20 2064/10</p> <p>Spencer [15] 1890/16 1890/22 1891/3 1891/18 1893/2 1897/13 1897/22 1898/6 1898/8 1940/17 1940/20 1940/23 1941/11 1948/4 1949/19</p> <p>spent [2] 1926/23 1949/25</p> <p>split [2] 1882/6 2077/24</p> <p>spoke [7] 1893/19 1914/16 1966/2 1967/17 1969/12 2001/14 2059/15</p> <p>spoken [3] 1868/13 1872/7 1887/23</p> <p>sporting [1] 1847/1</p> <p>spring [4] 2050/22 2053/13 2054/2 2054/12</p> <p>stack [1] 1904/9</p> <p>staff [21] 1852/2 1863/19 1867/17 1869/19 1915/9 1931/25 1933/22 1939/5 1939/10 1939/24 1940/15 1941/7 1989/16 2030/9 2039/16 2054/13 2054/14 2054/17 2058/9 2058/10 2062/17</p> <p>staffing [2] 1955/20 1964/11</p> <p>stalking [2] 1826/9 1948/23</p> <p>stance [1] 2091/18</p> <p>stand [8] 1839/18 1888/17 1930/17 1975/13 1991/24 1992/2 2035/11 2092/14</p> <p>standard [5] 1814/1 1814/3 1979/4 2015/18 2043/9</p> <p>standardized [1] 1819/18</p> <p>standards [11] 1812/10 1812/13 1812/18 1869/17 1951/5 1951/7 1978/19 2019/7 2033/6 2036/18 2036/19</p> <p>standing [1] 1881/1</p> <p>stands [2] 1984/17 2061/22</p> <p>start [11] 1843/17 1861/14 1868/8 1874/24 1943/19 1957/3 1964/3 1979/12 1979/25 2018/4 2082/10</p> <p>started [31] 1812/7 1821/6 1824/22 1844/16 1856/10 1861/15 1863/6 1864/2 1874/25 1878/5 1883/22</p>	<p>1890/8 1911/13 1968/8 1976/22 1976/24 1979/7 1979/9 1980/12 1999/13 2013/12 2014/3 2014/19 2045/12 2055/16 2056/9 2056/23 2057/1 2057/3 2057/15 2057/23</p> <p>starting [3] 1846/24 1980/8 2075/4</p> <p>starts [2] 1938/2 1938/4</p> <p>state [29] 1811/15 1812/19 1812/20 1813/7 1814/1 1816/25 1819/18 1842/12 1870/25 1874/14 1910/19 1975/18 1976/5 1976/8 1976/15 1978/18 1979/5 1979/13 1980/13 1980/16 1983/8 1995/5 2012/19 2031/24 2034/12 2060/24 2064/9 2081/2 2081/6</p> <p>State's [2] 1977/12 1984/18</p> <p>state-wide [1] 1814/1</p> <p>stated [4] 1830/23 1955/17 1959/8 1964/13</p> <p>statement [5] 1848/6 1951/12 2010/10 2050/24 2054/2</p> <p>statements [7] 1850/20 1857/3 1867/21 1885/6 1898/25 2006/14 2006/22</p> <p>states [6] 1807/1 1807/16 1808/20 1979/1 2080/19 2082/21</p> <p>stating [2] 1959/20 2084/11</p> <p>station [1] 2027/8</p> <p>stationary [1] 1867/4</p> <p>statistics [1] 2036/15</p> <p>status [5] 1990/22 2021/6 2049/17 2053/4 2061/11</p> <p>statute [4] 1814/23 1816/24 1826/4 2025/2</p> <p>Statutes [1] 1826/3</p> <p>statutorily [2] 1826/2 1826/16</p> <p>stay [2] 2027/18 2080/2</p> <p>staying [3] 1896/4 2087/7 2087/8</p> <p>steak [1] 2007/14</p> <p>steal [2] 1818/2 1918/11</p> <p>steering [1] 2080/3</p> <p>stemming [1] 1972/16</p> <p>stenographic [1] 2097/9</p> <p>step [39] 1811/7 1841/18 1841/21 1873/24 1874/3 1874/4 1910/6 1917/3 1917/10 1917/12 1917/18 1917/25 1918/7 1918/14 1919/2 1919/6 1920/2 1920/23 1925/20 1929/9 1929/13 1929/13 1929/13 1929/16 1929/24 1930/3 1930/3 1930/7 1933/4 1933/6 1933/7 1933/8 1972/24 1974/15 1974/21 1975/6 2011/14 2012/7 2091/8</p> <p>stepping [1] 2021/10</p> <p>steps [9] 1912/22 1914/12 1918/2 1929/18 1930/4 1938/21 1958/5 1973/2 1989/13</p> <p>stern [1] 1890/12</p> <p>steward [14] 1922/10 2065/8 2065/9 2065/12 2066/7 2066/17 2067/9 2067/15 2067/16 2067/24 2068/9 2068/16 2073/5 2091/8</p> <p>stewards [1] 2067/12</p> <p>Stewart [1] 2033/8</p> <p>still [25] 1818/9 1822/23 1827/21 1828/1 1836/21 1840/18 1846/25 1858/16 1858/17 1885/1 1895/1</p>	<p>1957/20 1980/10 1999/20 2000/20 2000/21 2000/22 2003/19 2017/15 2020/24 2034/2 2042/10 2044/17 2046/3 2088/6</p> <p>stolen [3] 1905/24 1906/12 1907/6</p> <p>stood [1] 1909/20</p> <p>stop [23] 1814/23 1825/24 1883/23 1884/17 1910/7 1966/18 1975/7 1984/13 1985/5 2027/5 2027/8 2038/3 2045/4 2045/6 2045/13 2045/21 2045/24 2046/12 2047/1 2048/5 2049/6 2063/23 2094/25</p> <p>stop-and-frisk [1] 1825/24</p> <p>stopped [2] 1954/7 2067/16</p> <p>stops [9] 1908/19 1966/13 1966/15 1966/23 2018/21 2019/15 2024/23 2045/8 2048/20</p> <p>stored [1] 2069/19</p> <p>straight [2] 1967/5 2057/12</p> <p>straightforward [1] 1847/9</p> <p>strange [1] 1871/20</p> <p>strategy [1] 2080/5</p> <p>street [1] 1880/25</p> <p>streets [2] 1815/11 1815/14</p> <p>strength [2] 1994/1 2030/4</p> <p>stress [2] 1992/17 2023/5</p> <p>stretch [2] 1930/17 1992/2</p> <p>stretched [1] 2094/3</p> <p>stricken [1] 2085/25</p> <p>strictly [2] 1815/6 2059/22</p> <p>strike [5] 2021/11 2022/17 2092/5 2092/7 2093/10</p> <p>string [1] 2075/3</p> <p>striving [1] 2018/1</p> <p>student [4] 1886/3 1886/3 1886/5 2064/23</p> <p>students [5] 1817/23 1877/22 1877/23 1878/15 1961/20</p> <p>stuff [10] 1871/20 1896/4 1898/6 1903/9 1960/12 1981/3 2051/2 2055/14 2057/14 2057/24</p> <p>style [3] 1844/24 1890/10 1890/11</p> <p>subgroup [1] 2030/15</p> <p>subject [6] 1831/4 1832/13 1907/5 1979/15 1986/18 2061/21</p> <p>subjectively [1] 2083/13</p> <p>submission [7] 1822/12 1824/5 1824/9 1851/13 1851/17 1851/22 1981/16</p> <p>submit [7] 1823/13 1824/12 1839/15 1862/5 1862/7 1863/4 1988/14</p> <p>submitted [8] 1823/2 1866/2 1928/15 1964/6 1988/11 1993/11 2059/20 2059/22</p> <p>submitting [4] 1823/24 1850/24 1857/1 1864/23</p> <p>subordinate [3] 1845/10 1845/18 1852/5</p> <p>subpoena [1] 2064/18</p> <p>subpoenaed [1] 1997/12</p> <p>subsequent [3] 1868/7 1977/17 1977/23</p> <p>substantially [1] 1990/4</p> <p>substitute [3] 1993/8 2003/1 2003/3</p> <p>succeed [2] 1882/23 2073/12</p> <p>successful [1] 1934/14</p> <p>such [6] 1871/11 1871/12 1871/13</p>
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<p>S</p> <p>such... [3] 1872/6 2003/24 2011/2</p> <p>suddenly [1] 1878/20</p> <p>suffering [1] 1992/16</p> <p>sufficient [6] 1820/5 1846/14 1857/7 1925/20 1958/2 2094/22</p> <p>sufficiently [1] 1967/4</p> <p>suggest [1] 1916/1</p> <p>suggested [1] 1985/17</p> <p>suggesting [3] 1835/8 1835/9 2007/22</p> <p>suggestion [1] 2090/15</p> <p>suggests [1] 1873/5</p> <p>suit [4] 1819/22 1824/24 1825/1 1825/11</p> <p>Suite [2] 1808/5 1808/9</p> <p>summarized [2] 1866/20 2042/18</p> <p>summarizes [1] 1982/9</p> <p>summarizing [1] 2040/20</p> <p>summary [6] 1982/3 2005/19 2042/11 2042/13 2044/1 2044/23</p> <p>summation [1] 1946/13</p> <p>summer [4] 1976/12 1976/16 1976/20 1976/21</p> <p>superiors [1] 1965/2</p> <p>supervise [2] 1818/5 2019/17</p> <p>supervised [6] 1818/9 1818/25 1835/20 1846/2 1915/4 1990/18</p> <p>supervising [2] 1875/21 1903/14</p> <p>supervision [2] 1890/13 2019/5</p> <p>supervisor [20] 1818/20 1818/22 1820/17 1843/19 1844/12 1844/13 1844/15 1847/17 1875/13 1875/14 1875/25 1878/22 1882/20 1912/13 1914/5 1927/25 1932/18 2020/2 2020/5 2020/6</p> <p>supervisors [10] 1820/21 1901/4 1911/22 1924/18 1932/17 1937/24 1942/22 1973/20 2004/13 2019/19</p> <p>supervisory [4] 1844/24 1890/10 1915/3 2013/21</p> <p>support [3] 1922/2 2016/22 2017/3</p> <p>supported [3] 1915/15 2002/23 2056/6</p> <p>suppose [3] 1826/6 1826/16 1827/18</p> <p>supposed [8] 1830/1 1830/2 1858/9 1858/10 1940/4 1951/14 1957/23 2021/3</p> <p>suppressed [1] 1984/2</p> <p>Supreme [1] 1977/4</p> <p>sure [43] 1825/7 1841/2 1848/3 1848/3 1858/15 1862/3 1862/15 1863/21 1866/14 1866/20 1866/25 1867/19 1868/11 1873/5 1876/20 1897/4 1897/8 1897/10 1898/18 1908/2 1913/25 1932/1 1932/6 1940/13 1956/24 1957/22 1972/22 1988/2 1999/22 1999/25 2001/11 2003/13 2005/5 2006/4 2010/18 2014/12 2029/18 2049/2 2056/12 2057/3 2057/12 2071/2 2076/24</p> <p>surface [1] 1981/1</p> <p>surfaced [1] 1981/11</p> <p>surprise [2] 2083/5 2088/1</p> <p>surprised [1] 1887/22</p> <p>surrounding [1] 2043/10</p> <p>surveillance [1] 2043/8</p> <p>survive [1] 2001/18</p>	<p>suspect [2] 1836/7 1840/25</p> <p>suspected [1] 1829/6</p> <p>suspended [5] 2048/12 2048/12 2048/13 2048/14 2048/19</p> <p>suspension [3] 1920/24 1950/3 2083/20</p> <p>suspicion [1] 1824/4</p> <p>sustained [11] 1830/4 1848/19 1918/18 2041/6 2041/6 2041/9 2041/11 2093/4 2093/6 2093/9 2093/20</p> <p>SW [2] 1808/4 1808/21</p> <p>sweeping [1] 2088/1</p> <p>switched [1] 1858/11</p> <p>sworn [9] 1811/7 1811/11 1842/3 1874/9 1910/12 1927/12 1975/11 2012/13 2064/3</p> <p>system [8] 1913/14 1930/4 1932/9 1973/11 1984/9 1984/11 2002/9 2004/20</p> <hr/> <p>T</p> <p>T-shirt [1] 1819/24</p> <p>table [1] 2065/20</p> <p>tabulate [1] 2039/15</p> <p>tactical [1] 2025/24</p> <p>Tactics [2] 1965/6 1965/12</p> <p>tag [1] 1946/10</p> <p>tags [1] 1826/17</p> <p>taint [1] 1860/19</p> <p>take [51] 1821/1 1821/2 1821/20 1830/7 1842/21 1851/19 1852/10 1853/20 1859/9 1861/11 1863/4 1865/8 1865/12 1866/17 1879/10 1891/17 1901/12 1903/22 1905/1 1907/20 1917/10 1923/18 1926/17 1926/25 1938/10 1942/13 1956/21 1970/4 1974/3 1989/12 1997/23 2011/18 2011/25 2014/7 2021/25 2022/9 2029/22 2029/25 2030/2 2032/15 2037/4 2070/15 2077/7 2077/17 2079/3 2079/4 2084/24 2085/24 2087/10 2089/6 2095/12</p> <p>taken [11] 1859/13 1866/16 1915/18 1920/23 1921/16 1922/16 1947/22 1957/8 2012/1 2079/7 2097/9</p> <p>takes [3] 1895/23 1926/20 2050/17</p> <p>taking [11] 1819/11 1820/5 1820/10 1879/7 1881/16 1884/1 1884/4 1884/10 2031/17 2032/9 2034/21</p> <p>talk [46] 1828/5 1845/1 1847/21 1860/16 1867/8 1881/21 1882/15 1883/23 1888/13 1888/17 1897/25 1934/7 1935/1 1935/18 1937/4 1938/17 1940/19 1943/13 1946/20 1946/20 1948/9 1949/22 1950/24 1954/2 1954/19 1957/2 1958/16 1958/24 1979/25 1980/4 1981/3 1986/12 2008/2 2014/10 2021/23 2033/13 2036/5 2042/6 2052/5 2055/14 2059/19 2059/21 2060/1 2060/9 2078/17 2087/14</p> <p>talked [31] 1817/17 1829/15 1860/7 1860/10 1864/21 1894/16 1894/18 1895/4 1897/14 1899/25 1900/5 1902/25 1947/6 1952/21 1953/4 1956/10 1956/11 1957/3 1958/10</p>	<p>1962/21 2009/8 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[48] 1826/19 1827/1 1830/21 1849/2 1849/14 1849/15 1849/19 1849/25 1863/11 1876/3 1876/9 1876/14 1876/14 1876/16 1876/23 1902/1 1902/8 1906/22 1908/18 1964/6 1964/8 1964/9 1964/13 1964/13 1964/14 1964/16 1965/1 1965/7 1965/13 1965/20 1965/23 1971/3 1979/13 1979/21 1980/22 2002/7 2008/12 2015/5 2015/18 2015/21 2018/12 2019/2 2019/7 2020/1 2020/2 2020/4 2020/11 2033/19</p> <p>trainings [9] 1849/6 1872/4 1872/6 1872/8 1966/1 1966/3 1966/4 1979/22 1987/22</p> <p>trait [5] 2094/1 2095/2 2095/6 2095/11 2095/16</p> <p>transcript [4] 1807/14 1811/1 2097/9 2097/11</p> <p>transferred [1] 1843/20</p> <p>transformation [1] 1844/2</p> <p>transformed [1] 1844/3</p> <p>transient [2] 1818/1 1883/20</p> <p>transients [1] 1877/23</p> <p>transition [1] 2019/24</p> <p>transport [1] 2069/7</p> <p>treating [1] 1822/5</p> <p>treatise [1] 2095/5</p> <p>treatment [2] 1978/22 2067/22</p> <p>tree [1] 1877/20</p> <p>trees [1] 1877/19</p> <p>trespassing [1] 1880/16</p> <p>trial [7] 1807/13 1865/2 2001/23 2037/10 2076/12 2096/9 2097/5</p> <p>tried [3] 1882/15 1987/25 1999/16</p> <p>trooper [1] 1976/5</p> <p>troopers [1] 2056/5</p> <p>trouble [2] 1890/4 1980/3</p> <p>Trout [1] 2017/7</p> <p>true [23] 1837/5 1901/13 1929/23 1931/9 1935/12 1939/7 1940/5 1956/17 1956/19 1963/25 1964/5 1972/7 1972/9 1972/19 2003/20 2008/5 2023/22 2024/11 2026/16 2041/2 2059/5 2062/6 2097/8</p> <p>truly [1] 2088/20</p> <p>trunk [1] 1881/1</p> <p>trust [4] 1885/5 1885/8 1993/1 2003/23</p> <p>trustworthiness [1] 2045/3</p> <p>trustworthy [2] 2047/18 2048/6</p> <p>truth [4] 1909/9 1992/15 2035/2 2039/18</p> <p>truthful [6] 1986/19 1986/24 2004/23 2004/24 2006/12 2035/1</p> <p>truthfully [1] 2006/21</p> <p>truthfulness [16] 1832/16 1835/12 1862/21 1991/20 2004/14 2005/9 2035/12 2036/17 2036/21 2037/22 2039/17 2041/20 2051/7 2058/6 2094/3 2095/3</p> <p>try [13] 1858/23 1878/19 1880/9 1882/16 1882/16 1904/25 1996/23 2017/11 2044/7 2046/8 2078/3 2078/13 2095/10</p>	<p>trying [20] 1881/17 1892/4 1931/1 1935/11 1978/13 1990/20 2001/5 2002/25 2004/12 2007/20 2011/17 2017/19 2032/3 2034/14 2035/7 2044/13 2048/4 2060/23 2073/8 2089/9</p> <p>Tuesday [5] 2019/9 2076/19 2077/23 2077/25 2078/2</p> <p>turn [9] 1849/20 1866/18 1945/12 1946/22 1993/21 1994/5 2004/24 2063/3 2091/22</p> <p>turned [5] 1823/9 1825/7 1879/25 1906/11 2029/5</p> <p>turns [1] 1850/25</p> <p>TV [1] 2043/11</p> <p>two [52] 1841/9 1860/4 1863/4 1864/10 1864/15 1864/19 1872/20 1875/15 1877/18 1880/15 1880/22 1881/2 1881/13 1881/16 1886/16 1888/4 1889/12 1889/25 1892/21 1893/13 1899/7 1900/17 1901/2 1906/8 1929/13 1929/24 1930/4 1932/22 1933/8 1936/4 1936/5 1937/16 1947/17 1947/21 1951/20 1973/2 1977/3 2021/22 2022/1 2032/3 2038/10 2053/7 2068/3 2069/2 2076/19 2084/11 2085/2 2086/1 2091/7 2093/14 2094/8 2094/12</p> <p>two-line [1] 2086/1</p> <p>type [5] 1814/11 1816/18 1819/25 1866/23 1880/3</p> <p>typed [2] 1867/3 1907/8</p> <p>typical [1] 1914/25</p> <p>typically [6] 1814/7 1817/21 1817/22 1817/24 1819/24 1843/17</p> <hr/> <p>U</p> <p>U of O [8] 1823/8 1913/14 1933/6 1990/1 1997/22 2060/6 2082/23 2089/17</p> <p>Uh [7] 1893/8 1893/10 1898/20 1898/22 1956/12 1965/10 1966/20</p> <p>Uh-huh [7] 1893/8 1893/10 1898/20 1898/22 1956/12 1965/10 1966/20</p> <p>ultimate [3] 1970/14 1970/18 1987/1</p> <p>ultimately [7] 1891/4 1925/19 1983/2 1992/11 2018/13 2033/11 2038/21</p> <p>unarmed [1] 1880/1</p> <p>unauthorized [2] 1985/5 2027/5</p> <p>unbiased [1] 1986/8</p> <p>uncertain [1] 2081/18</p> <p>unclear [1] 2090/20</p> <p>uncommon [2] 1989/5 2044/11</p> <p>uncovered [1] 1993/5</p> <p>under [37] 1852/8 1878/16 1898/19 1898/21 1906/2 1906/3 1912/24 1915/12 1919/14 1920/6 1920/8 1922/1 1933/5 1977/8 1978/14 1980/24 1982/22 1983/8 1987/12 1994/2 1994/3 1999/3 1999/9 1999/10 2005/1 2008/8 2016/19 2018/19 2018/23 2021/1 2021/5 2033/14 2044/17 2047/10 2064/17 2066/1 2083/17</p> <p>underneath [5] 1853/14 1860/22 1878/7 1878/10 1907/8</p> <p>understand [18] 1849/4 1871/13</p>	<p>1901/10 1912/20 1934/12 1934/14 1934/16 1936/20 1991/16 1996/9 2022/6 2025/11 2035/8 2038/6 2065/25 2068/15 2072/13 2092/10</p> <p>understandable [1] 2092/12</p> <p>understanding [29] 1815/23 1823/21 1840/15 1846/9 1848/1 1848/9 1848/10 1848/13 1848/21 1850/2 1894/10 1897/20 1900/25 1917/19 1938/5 1940/19 1941/20 1967/7 1980/21 1982/23 1990/19 1996/22 2001/1 2011/3 2033/13 2036/24 2053/18 2087/5 2087/23</p> <p>understood [8] 1852/1 1871/16 1977/22 1996/13 1996/13 2000/10 2008/11 2085/15</p> <p>undertake [1] 1986/3</p> <p>undertaking [1] 1990/24</p> <p>undisputed [1] 1949/13</p> <p>undo [1] 2095/14</p> <p>undoubtedly [2] 1995/8 1995/10</p> <p>unethical [2] 1852/7 1852/10</p> <p>unfair [3] 1904/23 2093/23 2094/4</p> <p>unfairly [2] 1822/5 2091/23</p> <p>unfairness [1] 2094/17</p> <p>unfortunately [1] 2078/25</p> <p>unfounded [7] 2040/21 2041/2 2041/3 2041/6 2041/8 2041/10 2041/16</p> <p>unhappiness [1] 1928/25</p> <p>uniform [5] 1827/9 1978/21 1979/4 1980/13 2063/4</p> <p>union [30] 1886/3 1911/20 1912/24 1913/13 1913/15 1914/12 1917/22 1919/24 1920/1 1922/10 1922/14 1928/4 1929/9 1929/22 1932/8 1940/3 1973/1 1973/2 2035/5 2065/3 2065/5 2065/6 2065/7 2065/9 2065/11 2065/25 2066/1 2068/16 2071/22 2073/5</p> <p>unions [2] 1978/24 2035/6</p> <p>unit [2] 1989/7 2062/3</p> <p>UNITED [4] 1807/1 1807/16 1808/20 1978/25</p> <p>university [103] 1812/3 1812/5 1813/17 1814/21 1814/22 1815/6 1815/8 1815/13 1815/24 1816/1 1816/16 1817/3 1817/12 1817/13 1817/18 1817/20 1818/4 1822/15 1822/23 1823/13 1824/11 1842/25 1843/9 1843/20 1843/23 1844/4 1844/5 1844/21 1845/23 1846/24 1847/2 1851/7 1863/7 1868/8 1874/23 1874/24 1874/25 1876/4 1883/1 1884/2 1886/4 1887/10 1888/2 1889/22 1890/19 1895/12 1902/4 1911/5 1911/8 1911/14 1912/15 1913/1 1913/14 1913/16 1913/23 1914/10 1915/22 1917/5 1921/14 1921/21 1921/23 1927/16 1927/19 1929/21 1930/4 1930/5 1930/10 1932/9 1932/13 1935/9 1940/5 1954/11 1970/8 1971/15 1973/11 1987/18 1988/11 1988/14 1989/17 1991/2 1994/7 2010/5 2017/14 2027/4 2027/17 2045/7 2045/19 2046/1 2047/12 2047/22 2048/18 2048/24 2054/16 2060/10 2060/13 2061/5</p>
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[7] 2061/16 2064/21 2064/22 2064/25 2067/25 2068/5 2081/3</p> <p>university-owned [1] 1890/19</p> <p>University-wide [1] 1932/13</p> <p>unless [2] 1900/8 2021/2</p> <p>unprofessional [1] 1861/2</p> <p>unsafe [2] 1940/20 2069/17</p> <p>unsolicited [1] 1981/7</p> <p>until [12] 1836/13 1868/8 1927/20 1950/4 1962/16 1963/21 1976/15 1978/17 1980/9 2048/21 2054/23 2054/25</p> <p>unto [1] 1856/25</p> <p>untrue [2] 2040/14 2040/17</p> <p>untruthful [11] 1848/5 1862/17 1984/2 1992/8 2033/22 2033/25 2035/2 2037/8 2050/24 2052/9 2056/20</p> <p>untruthfulness [10] 1838/2 1839/11 1850/19 1856/23 1856/25 1992/11 2038/3 2056/6 2057/10 2058/4</p> <p>unusually [2] 2068/4 2068/8</p> <p>unwelcome [1] 2087/25</p> <p>UO [1] 2080/24</p> <p>UOPD [9] 1811/23 1842/20 1866/22 1866/23 1867/4 1872/10 1925/10 1955/22 2011/4</p> <p>up [105] 1814/6 1814/7 1814/10 1819/9 1819/20 1819/22 1825/5 1825/16 1827/11 1839/20 1848/15 1849/24 1850/7 1851/10 1853/9 1855/9 1857/19 1858/20 1859/3 1859/6 1859/11 1861/20 1865/11 1866/5 1878/1 1882/6 1884/12 1886/6 1886/18 1887/20 1889/1 1893/7 1893/13 1895/5 1896/3 1900/1 1900/10 1900/11 1900/16 1900/17 1901/1 1901/2 1901/7 1902/17 1902/20 1909/20 1911/23 1920/23 1923/21 1925/9 1930/17 1932/4 1935/14 1937/16 1940/24 1945/8 1951/9 1951/20 1952/2 1952/3 1952/4 1952/23 1955/8 1957/20 1959/4 1961/10 1967/8 1968/5 1968/5 1969/6 1969/16 1970/4 1981/1 1984/20 1992/2 1992/7 1995/17 1997/12 1998/8 2005/21 2013/17 2014/8 2023/12 2025/25 2025/25 2030/12 2033/8 2034/14 2045/4 2046/22 2049/8 2054/1 2055/19 2055/20 2055/21 2056/14 2059/2 2061/25 2073/8 2078/11 2081/9 2082/10 2088/19 2089/18 2095/7</p> <p>updated [2] 1912/8 2008/13</p> <p>upheld [1] 1972/22</p> <p>upon [11] 1856/14 1856/15 1907/9 1961/24 1986/20 1987/15 2030/23 2035/11 2050/13 2051/24 2095/15</p> <p>upset [2] 1901/20 1901/21</p> <p>us [61] 1811/23 1812/2 1812/2 1812/12 1813/10 1813/22 1814/20 1815/22 1817/18 1819/13 1820/8 1821/16 1843/12 1843/17 1849/22 1849/22 1850/23 1852/1 1856/19 1863/22 1866/18 1874/22 1877/15 1878/18 1880/12 1881/11 1883/14</p>	<p>1885/22 1886/22 1888/9 1889/4 1892/4 1892/4 1893/4 1911/3 1911/12 1913/11 1921/17 1942/13 1944/20 1950/11 1960/24 1976/3 1976/8 1976/17 1980/11 1997/10 2005/3 2013/3 2013/9 2015/1 2017/16 2017/20 2018/9 2021/24 2030/9 2044/7 2045/21 2046/2 2064/20 2065/11</p> <p>use [13] 1813/1 1813/3 1816/17 1819/16 1841/5 1895/25 1907/13 1924/23 1951/10 2015/16 2033/7 2034/12 2037/18</p> <p>use-of-force [1] 1813/3</p> <p>used [7] 1819/16 1902/6 1902/9 1974/4 2068/7 2080/16 2093/12</p> <p>uses [1] 2015/18</p> <p>using [1] 2044/3</p> <p>usually [6] 1888/10 1893/2 1930/15 1933/7 2016/1 2095/3</p> <hr/> <p>V</p> <p>vague [1] 1933/15</p> <p>Vaguely [1] 1926/22</p> <p>validity [1] 1971/11</p> <p>value [4] 2003/7 2004/10 2018/3 2092/11</p> <p>Van [1] 1893/21</p> <p>Van-Huyser [1] 1893/21</p> <p>vandalize [1] 1818/2</p> <p>variation [1] 1870/20</p> <p>varies [2] 1813/25 1919/12</p> <p>variety [3] 1976/25 1978/23 2013/25</p> <p>various [3] 1852/4 1871/6 1924/25</p> <p>vast [1] 1845/23</p> <p>vehicle [4] 1827/21 1827/24 1828/2 1881/16</p> <p>vehicles [1] 1827/21</p> <p>veracity [9] 1848/5 1850/4 1857/5 1862/17 1868/17 1868/18 1868/22 1869/6 2003/21</p> <p>verbal [3] 1959/24 1962/2 1963/6</p> <p>verbatim [2] 1873/1 1873/14</p> <p>versa [1] 1851/5</p> <p>version [8] 1870/21 1870/22 1870/23 1871/4 1982/20 2009/10 2009/24 2015/15</p> <p>versus [3] 1860/20 1917/12 2019/8</p> <p>very [54] 1814/24 1818/13 1835/6 1844/25 1845/1 1845/6 1845/14 1845/22 1847/9 1851/25 1856/2 1856/6 1856/8 1863/9 1864/10 1864/19 1865/16 1871/9 1873/24 1876/2 1877/20 1881/20 1882/17 1897/6 1898/5 1901/23 1910/2 1928/13 1954/25 1965/1 1965/3 1965/11 1975/2 1976/23 1986/14 1995/12 1995/22 1995/23 1996/19 2008/10 2009/17 2011/14 2022/2 2032/11 2046/10 2048/6 2048/14 2076/15 2077/6 2077/18 2087/21 2088/1 2094/14 2096/8</p> <p>via [1] 1833/9</p> <p>vice [6] 1851/5 1911/7 1911/17 1930/14 1930/24 1930/25</p> <p>video [15] 1902/21 1903/1 1954/16 1965/6 1965/12 2037/16 2037/19</p>	<p>2043/8 2043/8 2043/10 2043/13 2061/22 2069/6 2069/8 2069/9</p> <p>videos [3] 1964/23 2068/25 2068/25</p> <p>view [19] 1889/2 1890/16 1890/22 1891/3 1891/18 1893/2 1897/13 1897/22 1898/7 1898/8 1908/5 1936/1 1940/17 1940/20 1940/23 1941/11 1948/4 1949/19 2030/9</p> <p>violated [8] 1865/4 1865/4 1954/11 1954/21 1955/4 1966/9 1978/8 1985/11</p> <p>violates [1] 2007/23</p> <p>violation [1] 1972/16</p> <p>violations [1] 1815/2</p> <p>violence [2] 1940/25 1941/3</p> <p>virtue [1] 1851/3</p> <p>visible [1] 1941/3</p> <p>vision [1] 2033/5</p> <p>voice [2] 1847/15 1965/16</p> <p>volume [1] 2068/10</p> <p>volunteer [4] 2013/13 2016/21 2017/24 2046/3</p> <p>volunteered [1] 1990/19</p> <p>volunteers [1] 2044/7</p> <p>VPSD [1] 2033/4</p> <hr/> <p>W</p> <p>W-A-D-E [1] 1875/20</p> <p>Wade [1] 1875/20</p> <p>wait [5] 1831/23 1831/23 1841/9 1841/11 2040/16</p> <p>waiting [1] 1865/13</p> <p>waive [1] 2077/12</p> <p>walk [1] 1880/21</p> <p>walked [1] 2080/21</p> <p>wall [6] 1842/7 1874/12 1910/15 1975/14 2012/16 2064/6</p> <p>walls [1] 1879/15</p> <p>wander [1] 1879/16</p> <p>want [93] 1822/17 1838/19 1841/1 1841/2 1847/21 1853/23 1860/19 1862/14 1864/11 1885/2 1887/3 1888/16 1898/23 1901/18 1905/17 1907/20 1925/18 1936/18 1938/13 1957/22 1966/7 1979/8 1981/9 1985/7 1986/9 1987/15 1991/7 1991/9 1993/5 1993/23 1996/8 1998/13 1998/17 1999/14 1999/25 2002/25 2008/17 2011/18 2011/19 2017/24 2021/25 2022/5 2022/9 2022/13 2023/2 2024/8 2024/11 2025/7 2025/20 2031/11 2037/6 2037/12 2045/4 2048/3 2061/18 2071/15 2074/18 2074/23 2075/6 2075/13 2075/20 2075/22 2076/6 2077/24 2077/24 2079/14 2081/9 2082/4 2082/6 2082/7 2082/8 2083/9 2083/11 2083/14 2084/2 2084/15 2085/12 2085/15 2087/12 2088/10 2088/18 2088/25 2089/1 2089/2 2089/5 2089/18 2090/10 2090/19 2090/22 2092/25 2094/17 2096/6 2096/6</p> <p>wanted [24] 1819/20 1851/22 1879/23 1882/22 1896/7 1914/5 1927/24 1932/1 1932/5 1932/18 1953/24 1972/21 1987/13 1993/16 2016/15 2017/1 2022/21 2027/17 2029/6</p>
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we're [37] 1816/8 1823/16 1848/13 1853/18 1858/23 1858/24 1892/4 1930/13 1931/20 1931/21 1932/17 1937/16 1954/19 1957/10 1957/22 1958/23 2000/15 2000/20 2005/5 2005/5 2006/20 2007/21 2010/1 2012/3 2018/15 2021/2 2023/4 2034/4 2036/6 2046/8 2049/4 2060/22 2076/13 2076/18 2078/16 2088/9 2089/10	what [364]	
we've [13] 1821/17 1822/11 1832/23	what's [30] 1831/19 1833/10 1834/13 1855/19 1866/5 1878/9 1881/18 1881/19 1881/19 1886/2 1888/24 1907/8 1920/21 1922/19 1931/19 1938/17 1944/11 1946/8 1950/19 1952/19 1958/7 1965/7 1967/10 2000/15 2032/14 2052/22 2061/11 2070/17 2070/23 2088/19	

<p>W</p> <p>who... [24] 2054/10 2056/20 2058/24 2060/18 2062/22 2062/22 2062/22 2064/20 2067/14 2068/13 2068/17 2071/2 2071/5 2072/7 2073/18 2074/7 2074/7 2074/9 2074/10 2081/11 2081/14 2081/15 2081/18 2084/17</p> <p>who's [11] 1838/25 1875/13 2004/22 2020/2 2048/2 2052/15 2071/3 2081/17 2091/8 2091/9 2091/9</p> <p>whoever [3] 2020/7 2020/9 2049/11</p> <p>whole [12] 1818/24 1844/7 1864/2 1940/5 1955/8 1999/13 2004/11 2005/8 2042/10 2079/17 2079/20 2080/1</p> <p>whom [3] 1886/17 1986/18 1992/21</p> <p>Whose [5] 1835/13 1835/14 1921/5 2066/18 2072/24</p> <p>why [67] 1816/13 1821/11 1824/8 1828/18 1835/24 1836/1 1836/19 1836/21 1838/1 1843/22 1846/9 1856/13 1859/9 1863/4 1878/8 1879/5 1879/13 1881/24 1884/21 1888/22 1896/24 1897/11 1901/7 1904/3 1913/3 1919/19 1922/15 1930/16 1932/5 1934/19 1935/25 1942/10 1951/3 1955/5 1973/1 1974/15 1974/17 1974/21 1992/1 1993/2 2016/2 2016/8 2016/13 2017/1 2021/6 2021/22 2021/24 2022/7 2025/20 2038/4 2038/24 2040/25 2045/10 2047/1 2050/24 2051/20 2055/10 2060/5 2061/13 2067/17 2079/3 2080/5 2080/17 2082/3 2083/15 2083/15 2084/25</p> <p>wide [4] 1814/1 1932/13 1932/23 1940/10</p> <p>wife [1] 2078/24</p> <p>will [29] 1817/1 1853/1 1907/19 1920/4 1934/13 1936/22 1975/15 1983/17 2001/18 2004/21 2004/25 2011/17 2012/17 2021/10 2022/25 2031/4 2031/10 2051/17 2056/8 2071/14 2071/15 2071/24 2079/1 2081/4 2085/3 2085/20 2088/15 2092/5 2092/7</p> <p>Williams [2] 1886/1 1886/9</p> <p>willing [3] 1943/2 1991/10 2076/1</p> <p>wings [1] 1827/9</p> <p>winning [1] 1929/24</p> <p>winter [1] 1961/20</p> <p>wise [1] 2021/20</p> <p>wish [1] 2078/24</p> <p>withhold [2] 1850/4 2080/18</p> <p>withholding [1] 2088/23</p> <p>within [21] 1816/16 1836/11 1836/12 1930/5 1931/3 1931/4 1931/8 1931/8 1931/11 1932/9 1934/15 1935/7 1935/15 1937/11 1963/3 2017/3 2017/6 2027/18 2028/5 2028/10 2057/5</p> <p>without [29] 1816/18 1819/5 1831/12 1836/6 1846/19 1856/12 1916/5 1920/24 1932/19 1959/25 1962/4 1962/5 1963/8 1974/4 2003/6 2018/16 2019/5 2035/15 2043/6 2043/14 2075/24 2076/2 2083/20 2091/3</p>	<p>2091/17 2094/2 2094/10 2095/9 2097/11</p> <p>Witkin [1] 2095/4</p> <p>witness [56] 1811/4 1811/10 1811/14 1822/4 1841/15 1841/19 1842/2 1842/6 1873/21 1874/1 1874/8 1874/11 1903/18 1904/3 1909/24 1910/4 1910/11 1936/1 1962/24 1973/23 1974/25 1975/4 1975/10 1975/13 1977/14 1982/24 1993/1 1997/11 1997/13 2001/15 2001/21 2008/19 2008/23 2011/7 2011/15 2012/5 2012/12 2012/16 2012/22 2023/10 2023/10 2024/7 2024/9 2024/22 2063/9 2063/10 2063/12 2063/16 2064/2 2064/6 2071/6 2074/18 2075/18 2076/2 2076/10 2076/14</p> <p>witness's [1] 1946/3</p> <p>witnessed [3] 1845/9 1847/11 2026/19</p> <p>witnesses [12] 1809/2 1810/3 1978/4 1978/5 1986/7 1997/9 1997/12 2000/22 2001/17 2076/20 2094/11 2095/8</p> <p>woman [9] 1893/20 1915/24 1916/5 1948/19 2069/7 2069/17 2069/19 2069/22 2070/1</p> <p>women [1] 1923/14</p> <p>won [1] 1834/15</p> <p>won't [4] 1844/19 1853/9 2021/18 2085/17</p> <p>wonderful [1] 2096/6</p> <p>wondering [1] 2016/12</p> <p>word [6] 1861/11 1932/2 1993/1 2004/13 2056/19 2080/15</p> <p>words [4] 1902/6 2024/13 2088/20 2095/12</p> <p>wore [1] 1964/25</p> <p>work [56] 1812/11 1825/19 1830/1 1830/2 1831/1 1844/10 1844/17 1844/21 1845/1 1846/4 1846/6 1847/13 1856/6 1858/19 1877/11 1887/9 1887/22 1889/22 1901/1 1912/3 1912/3 1924/24 1931/16 1932/17 1933/22 1955/21 1976/21 1976/23 1976/24 1978/12 1978/16 1979/6 1979/7 1979/11 1980/8 1980/12 1981/15 1982/9 1984/9 1987/6 1987/7 2013/22 2017/13 2018/13 2018/16 2018/19 2018/22 2041/23 2044/20 2048/21 2051/1 2055/4 2061/9 2064/23 2065/14 2066/8</p> <p>worked [33] 1812/8 1812/9 1838/13 1847/3 1871/18 1877/4 1888/1 1911/21 1928/7 1928/9 1929/4 1931/4 1931/6 1933/14 1940/8 1977/2 1990/19 1992/21 1997/18 2013/13 2013/16 2013/19 2013/20 2013/24 2013/24 2013/25 2020/16 2035/14 2047/24 2048/3 2050/4 2094/19 2094/20</p> <p>working [36] 1817/20 1821/6 1845/12 1846/25 1858/24 1863/6 1874/25 1877/16 1880/2 1886/10 1894/18 1895/12 1914/8 1919/10 1929/19</p>	<p>1929/20 1931/24 1937/23 1939/24 1949/25 1953/13 1962/18 1962/19 1979/19 1980/12 1980/15 1991/15 2014/14 2014/19 2019/4 2020/24 2026/19 2026/25 2046/3 2055/16 2078/11</p> <p>workplace [1] 1935/7</p> <p>works [6] 1867/6 1986/18 2004/20 2017/14 2017/15 2017/15</p> <p>world [4] 1863/9 1900/15 1991/15 2003/17</p> <p>worried [1] 1918/9</p> <p>worth [1] 1986/14</p> <p>would [346]</p> <p>wouldn't [24] 1818/22 1819/23 1901/21 1902/13 1930/13 1938/13 1939/21 1953/7 1972/15 1981/9 1986/11 1986/12 1989/8 1993/9 1993/9 2003/7 2004/7 2007/8 2026/16 2048/18 2059/13 2083/1 2086/15 2086/18</p> <p>Wow [2] 1890/25 2046/25</p> <p>write [26] 1826/13 1827/11 1835/18 1906/3 1906/16 1921/1 1923/22 1926/10 1932/19 1939/10 1951/11 1963/5 1963/20 1963/21 1989/15 1998/21 2018/22 2026/12 2026/18 2026/20 2026/22 2050/4 2050/6 2050/10 2050/12 2050/13</p> <p>writes [1] 1893/19</p> <p>writing [12] 1865/17 1867/3 1903/10 1904/20 1907/22 1926/17 1926/20 1926/21 1926/23 1990/16 2026/7 2091/2</p> <p>written [38] 1900/1 1900/10 1900/11 1900/16 1900/17 1901/1 1901/2 1901/7 1902/17 1902/20 1903/4 1907/24 1912/22 1912/25 1913/24 1914/22 1926/13 1929/10 1931/21 1933/4 1933/6 1951/19 1959/24 1962/3 1963/7 2029/22 2029/25 2030/6 2039/8 2045/22 2045/23 2045/25 2049/25 2066/9 2068/11 2072/15 2072/15 2082/15</p> <p>wrong [11] 1878/17 1882/18 1905/22 1906/14 1908/4 1971/21 2007/6 2008/7 2023/1 2090/4 2095/1</p> <p>wrongdoing [1] 2048/25</p> <p>wrongful [5] 2081/5 2085/4 2085/21 2086/9 2092/6</p> <p>wrongs [1] 2094/12</p> <p>wrote [31] 1837/6 1906/18 1920/25 1921/18 1921/19 1925/16 1926/22 1943/3 1943/4 1948/12 1949/22 1950/16 1953/20 1954/20 1956/15 1957/18 1960/2 1962/1 1962/2 1965/22 1966/21 1967/21 1969/22 1989/25 1992/12 1998/11 2026/14 2026/15 2026/17 2046/14 2046/15</p> <p>Y</p> <p>Y-O-S-H-I-S-H-I-G-E [1] 2064/12</p> <p>yeah [54] 1813/12 1814/8 1821/7 1826/6 1827/18 1827/18 1829/20 1835/1 1835/15 1836/7 1837/8 1837/25 1838/24 1840/15 1845/3 1847/10 1862/13 1868/19 1872/13</p>
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<p>Y</p> <p>yeah... [35] 1879/9 1891/2 1893/2 1902/7 1902/25 1905/18 1917/3 1926/22 1927/3 1929/7 1958/16 1961/13 1961/15 1962/19 1969/17 1969/17 1972/13 1999/15 2005/23 2018/10 2023/20 2031/21 2036/11 2037/1 2040/10 2060/16 2062/12 2067/4 2067/7 2072/3 2072/6 2075/21 2079/24 2087/2 2087/8</p> <p>year [23] 1822/16 1822/18 1822/20 1832/25 1842/22 1842/23 1875/10 1879/18 1892/9 1892/13 1947/17 1947/21 1951/15 1959/25 1962/4 1963/8 1989/1 1995/16 2014/18 2055/1 2057/20 2061/22 2068/3</p> <p>year's [1] 2008/15</p> <p>years [57] 1812/1 1839/21 1839/21 1843/13 1844/17 1844/19 1845/12 1850/12 1851/2 1851/4 1860/4 1861/7 1863/4 1871/19 1884/8 1886/18 1927/19 1929/23 1930/6 1933/10 1934/4 1939/14 1940/7 1947/17 1947/21 1951/20 1966/23 1980/7 1996/7 1996/10 2000/20 2008/9 2008/12 2008/13 2013/11 2013/20 2013/24 2013/24 2014/4 2016/24 2017/20 2019/23 2033/16 2033/16 2036/12 2036/14 2048/1 2057/2 2057/4 2057/9 2057/14 2062/23 2065/2 2065/10 2066/5 2068/9 2095/1</p> <p>Yep [1] 1949/17</p> <p>yes [396]</p> <p>yesterday [4] 1954/15 2080/13 2093/1 2093/2</p> <p>yet [8] 1836/16 1873/6 1948/2 2040/15 2044/21 2076/25 2087/21 2089/25</p> <p>yield [1] 2071/25</p> <p>Yoshishige [7] 2063/17 2064/1 2064/11 2064/17 2070/20 2071/11 2074/5</p> <p>you [1553]</p> <p>you'd [2] 1888/15 1897/21</p> <p>you'll [4] 2008/23 2076/25 2077/2 2078/23</p> <p>you're [87] 1819/24 1827/1 1828/13 1831/1 1833/16 1835/25 1836/5 1840/7 1841/4 1843/5 1862/14 1865/5 1865/23 1867/23 1868/9 1868/11 1881/17 1890/16 1896/25 1897/5 1897/21 1898/19 1898/24 1900/12 1902/19 1902/23 1907/9 1910/2 1913/8 1917/13 1917/19 1918/9 1929/15 1929/16 1934/19 1934/22 1935/3 1935/11 1938/14 1939/9 1939/10 1941/13 1941/23 1944/2 1944/22 1951/11 1953/13 1953/14 1955/3 1956/5 1958/18 1958/21 1959/7 1960/4 1963/15 1974/2 1975/2 1975/15 1984/13 2001/22 2003/20 2003/23 2004/14 2004/15 2005/9 2005/10 2006/24 2010/18 2010/20 2012/17 2012/22 2021/19 2022/6 2022/10 2025/23 2044/18 2044/22 2063/21 2064/17 2077/11 2078/25 2084/20 2085/18 2089/12 2092/4 2093/15 2096/7</p>	<p>you've [19] 1812/3 1864/19 1868/1 1868/13 1907/24 1934/7 1936/17 1939/18 1943/22 2003/19 2004/23 2022/20 2025/9 2025/23 2036/8 2046/25 2052/10 2082/24 2090/5</p> <p>younger [1] 2018/1</p> <p>your [335]</p> <p>Your Honor [3] 1945/25 2080/16 2087/20</p> <p>yourself [3] 1811/14 1865/24 2068/23</p> <p>yourselves [1] 2011/22</p> <p>youth [1] 2013/25</p> <hr/> <p>Z</p> <hr/> <p>zone [1] 2037/21</p>	
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