

# EXHIBIT B

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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JOHN FRATANGELI, )  
Plaintiff, ) Civil Action No.  
PAUL G. CLARK, ) 2:16-cv-00490-NBF  
Consolidated Plaintiff, )  
And )  
CURTIS LARRICK, )  
Consolidated Plaintiff, )  
vs. )  
BEAVER COUNTY SHERIFF'S )  
OFFICE; BEAVER COUNTY, )  
PENNSYLVANIA and ANTHONY GUY, )  
Sheriff of Beaver County, )  
Pennsylvania, in his )  
individual capacity, )  
Defendants. )

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Deposition of CURTIS LARRICK  
Tuesday, February 1, 2017

Filed on behalf of Defendants

Counsel of Record for this Party:  
Marie Milie Jones, Esquire  
JonesPassodelis, PLLC

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DEPOSITION OF CURTIS LARRICK,

2 taken pursuant to the Federal Rules of Civil  
3 Procedure, by and before Debra D. LaGamba, a  
4 Registered Professional Reporter/Certified  
5 Realtime Reporter and a Notary Public in and for  
6 the Commonwealth of Pennsylvania, at the offices  
7 of JonesPassodelis, PLLC, Suite 3510, 707 Grant  
8 Street, Pittsburgh, Pennsylvania 15219, on  
9 Wednesday, February 1, 2017, scheduled to  
10 commence at 9:30 o'clock a.m.

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14 COUNSEL PRESENT:

15 For the Plaintiff:  
16 John E. Black, III, Esquire  
17 Samuel J. Cordes & Associates  
245 Fort Pitt Boulevard, Second Floor  
Pittsburgh, PA 15222

18 For the Defendants:  
19 Marie Milie Jones, Esquire  
20 JonesPassodelis, PLLC  
21 Suite 3510  
707 Grant Street  
Pittsburgh, PA 15222

22 Also Present:  
23 Anthony Guy

24  
25

3

I N D E X

WITNESS: CURTIS LARRICK

EXAMINATION BY:	PAGE:
Ms. Jones	4
Larrick Deposition	Marked for
Exhibit No.	Identification
1	75
2	88
3	121
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P R O C E E D I N G S

(9:41 o'clock a.m.)

CURTIS LARRICK,

the witness, having been first duly sworn, was  
examined and testified as follows:

EXAMINATION

BY MS. JONES:

Q. Can you state your name for the record,  
please.

A. Curtis Lee Larrick.

Q. Mr. Larrick, we've met before. I  
represent the sheriff, Tony Guy, and Beaver  
County in this lawsuit that you filed.

Is there any reason you won't be able to  
answer questions truthfully today?

A. No. I'm good.

Q. Okay. Feeling okay, not under any  
medication that will impact your ability to  
recall?

A. No.

Q. The court reporter, as you see, is taking  
down everything that is said, and so each of us  
needs to remember to verbalize all our questions  
and answers. If we nod our head or shrug our  
shoulders, we also have to say something so she

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5	<p>1 can understand what we're saying. Is that okay</p> <p>2 with you?</p> <p>3 A. Understood.</p> <p>4 Q. If you need to take a break at any time,</p> <p>5 you just let me know and we'll do that. I'll</p> <p>6 just ask that -- I'll tell you that we won't be</p> <p>7 able to take a break in between a question and</p> <p>8 answer. Okay?</p> <p>9 A. Not a problem. Thank you.</p> <p>10 Q. If you need anything, a drink or anything</p> <p>11 else, you just tell me.</p> <p>12 A. Thank you very much.</p> <p>13 Q. Can you give me your current address,</p> <p>14 please?</p> <p>15 A. It is 812 17th Street, Ambridge,</p> <p>16 Pennsylvania.</p> <p>17 Q. With whom, if anyone, do you live at that</p> <p>18 address?</p> <p>19 A. My son Cole.</p> <p>20 Q. How old is Cole?</p> <p>21 A. He is 15 now.</p> <p>22 Q. Are you responsible for Cole's financial</p> <p>23 support?</p> <p>24 A. Yes.</p> <p>25 Q. Does he have any other source of</p>	7	<p>1 frustrating to get him to do what he's supposed</p> <p>2 to do, but he struggles. That's why he's doing</p> <p>3 it at home. He has panic anxiety issues, as well</p> <p>4 as health, and that's why he's doing PA Cyber.</p> <p>5 Q. So, is there ever a time when a teacher</p> <p>6 or an instructor comes to the home?</p> <p>7 A. No. But it's available if he needs</p> <p>8 counseling or tutoring, that they make it</p> <p>9 available through the school. It's a really nice</p> <p>10 program.</p> <p>11 Q. Do you assist him during the class time,</p> <p>12 as I would call it, while he's on the computer?</p> <p>13 A. I try to.</p> <p>14 Q. So do you have to prepare or document</p> <p>15 anything that you do with him for purposes of him</p> <p>16 getting credit for the school?</p> <p>17 A. The only thing I have to do is, he has to</p> <p>18 log on. I have constant communication with the</p> <p>19 teachers as far as his progress. Like I said,</p> <p>20 with Cole, it's trying to get him to do -- any</p> <p>21 teenager, it's frustrating. I just want to make</p> <p>22 sure he's doing it properly, the work.</p> <p>23 Q. When you say you have constant</p> <p>24 communication with the teachers, what does that</p> <p>25 include?</p>
6	<p>1 financial support?</p> <p>2 A. Not currently.</p> <p>3 Q. Do you have custody through some</p> <p>4 arrangement of Cole?</p> <p>5 A. I have full custody now of Cole.</p> <p>6 Q. Did that change at some point, did you</p> <p>7 previously have only partial custody?</p> <p>8 A. I've always had full, but we had a</p> <p>9 custody arrangement for visitation with my ex.</p> <p>10 Q. Does that still occur?</p> <p>11 A. My ex has not seen my son since March.</p> <p>12 Q. And your ex-wife's name?</p> <p>13 A. Krista, K-R-I-S-T-A.</p> <p>14 Q. Does she live in the Beaver County area?</p> <p>15 A. Yes. She remarried, her last name is</p> <p>16 Jeschke. J-E-S-C-H-K-E.</p> <p>17 Q. Thank you. Is Cole in high school?</p> <p>18 A. Ninth grade.</p> <p>19 Q. And what school does he go to?</p> <p>20 A. He is currently in PA Cyber.</p> <p>21 Q. So I'm not familiar with how cyber</p> <p>22 school, you know, day to day, works. Can you</p> <p>23 just describe that so I understand that? Does he</p> <p>24 stay at home and get his classes by computer?</p> <p>25 A. He stays at home. As a parent, it's</p>	8	<p>1 A. I would call them or shoot them an</p> <p>2 e-mail.</p> <p>3 Q. Is that while he's taking the classes, or</p> <p>4 separate from that?</p> <p>5 A. No, separate.</p> <p>6 Q. Is there a particular teacher who is</p> <p>7 responsible for him as a cyber student, or does</p> <p>8 he have a variety of teachers?</p> <p>9 A. He has several teachers.</p> <p>10 Q. Okay. And how is he doing, generally in</p> <p>11 the school?</p> <p>12 A. Not good.</p> <p>13 Q. What kinds of grades is he getting?</p> <p>14 A. Cole is capable of doing A/B grades. He</p> <p>15 always was. His work is suffering. He's doing</p> <p>16 about Cs now.</p> <p>17 Q. Are you currently working in any</p> <p>18 capacity?</p> <p>19 A. I recently got hired part time with Field</p> <p>20 &amp; Stream in Cranberry, I'm in their hunting gun</p> <p>21 section, and it's on a part-time basis.</p> <p>22 Q. How many hours a week is that?</p> <p>23 A. Originally I thought I was going to be</p> <p>24 getting a lot, but it's turning out, I'm getting</p> <p>25 one to two days a week, that's it.</p>

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1 Q. And is that an hourly rate you get paid?  
 2 A. \$12 an hour.  
 3 Q. Are there any benefits?  
 4 A. No.  
 5 Q. How long have you been working at Field &  
 6 Stream?  
 7 A. Got hired with them beginning of  
 8 December. They hired massive, you know, a bunch  
 9 of us for holidays with Christmas.  
 10 Q. Were you busier in terms of the hours you  
 11 worked in December than in January?  
 12 A. It was more training in December than --  
 13 when I was placed on a regular schedule, it was  
 14 the same, one to two days a week.  
 15 Q. Any other current employment?  
 16 A. No.  
 17 Q. Prior to working with Field & Stream and  
 18 after working in Beaver County, did you have any  
 19 other employment?  
 20 A. No.  
 21 Q. What efforts did you make after leaving  
 22 Beaver County to find work?  
 23 A. Initially, through PA unemployment, to  
 24 even qualify, we had to fill out different  
 25 information, have it logged in, submit through

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1 them. It was required that we had to apply at  
 2 several places while going through that process.  
 3 Q. And did you receive unemployment  
 4 benefits?  
 5 A. Yes, I did.  
 6 Q. For how long?  
 7 A. Full term.  
 8 Q. What does that mean?  
 9 A. I believe it was 12 weeks.  
 10 Q. And after unemployment benefits were  
 11 concluded, or you no longer received them, did  
 12 you seek any other kind of employment before  
 13 finding the job at Field & Stream?  
 14 A. The only -- are you asking -- I don't  
 15 understand the question.  
 16 Q. Sure. That was a convoluted question.  
 17 What jobs, if any, did you apply for  
 18 between the time you were done getting  
 19 unemployment benefits and the time you got the  
 20 job at Field & Stream?  
 21 A. From the time I initially applied for  
 22 unemployment until present, I have applied at  
 23 several security companies, I've tried several  
 24 law enforcement, but unfortunately my  
 25 certification has expired. And the prerequisite

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1 to even apply, you have to have a current number.  
 2 Q. Tell me about that. What certification  
 3 is that?  
 4 A. I did have the Act 120, which expired, to  
 5 be honest, years ago. And my Act 2, which  
 6 expired beginning of April of last year.  
 7 Q. When you say Act 120 expired years ago,  
 8 what does that mean?  
 9 A. When I became full time with the  
 10 sheriff's office, I no longer -- I kept it for a  
 11 year for municipal, my municipal card, my MPT  
 12 number, so I could work part time with other  
 13 agencies, but when I got full time, I wanted to  
 14 concentrate solely on my full-time job.  
 15 Q. When you served as a deputy sheriff in  
 16 Beaver County, you did not, at least for all of  
 17 that period, have your Act 120 certification?  
 18 A. We kept it -- under Frank Policaro, they  
 19 kept our classes and everything updated for the  
 20 first couple years. After that, it was no  
 21 long -- because our powers came into question.  
 22 Q. Do you have a date when your Act 120  
 23 certification expired?  
 24 A. I believe it was '96 or '97.  
 25 Q. And is it your understanding that you did

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1 not have to have that certification to maintain  
 2 the job as a deputy sheriff?  
 3 A. Correct.  
 4 Q. If you wanted to work in a municipal  
 5 police department outside the sheriff's  
 6 department, you would have needed that, though,  
 7 isn't that correct?  
 8 A. Correct.  
 9 Q. And what, if you know, would you need to  
 10 do to get the Act 120 certification back?  
 11 A. Currently?  
 12 Q. Yes.  
 13 A. According to today's standards, I would  
 14 have to go through the academy all over again.  
 15 Q. And while you were still a deputy  
 16 sheriff, but did not have the certification under  
 17 Act 120, would you have also had to have gone  
 18 through the academy?  
 19 A. I was advised that there was a waiver  
 20 test I could take, because our training is  
 21 similar, the only difference is we have the civil  
 22 aspect as MPT that normal police officers do not.  
 23 Q. So is it your understanding that the  
 24 moment you were no longer a deputy sheriff, you  
 25 would have had to take the full academy to get

13	<p>1 that certification again?</p> <p>2 A. I wasn't made aware of that until I</p> <p>3 applied. I thought I would still be able to</p> <p>4 apply and take the waiver. I was informed when I</p> <p>5 applied at the local police departments that it's</p> <p>6 no longer that way.</p> <p>7 Q. And am I correct that the time that that</p> <p>8 waiver ends is the time that you are no longer</p> <p>9 employed?</p> <p>10 A. Correct.</p> <p>11 Q. Okay. And then Act 2, what certification</p> <p>12 is that?</p> <p>13 A. That is the deputy sheriff's.</p> <p>14 Q. And that expired in April of '16?</p> <p>15 A. Correct.</p> <p>16 Q. What do you have to do, if anything, to</p> <p>17 obtain that certification again?</p> <p>18 A. From what I was advised, was if the</p> <p>19 department, or if I would get my job back, I</p> <p>20 would be able to go to the waiver classes.</p> <p>21 Q. So is it fair to say that you understood</p> <p>22 that if you maintained a position as a deputy</p> <p>23 sheriff in Beaver County, or elsewhere, that</p> <p>24 allowed you to reapply, but you were likely</p> <p>25 entitled to a waiver?</p>	15	<p>1 police job?</p> <p>2 A. Baden, Economy, and Harmony Township.</p> <p>3 There were three. I wanted to check with, when I</p> <p>4 heard from the one, I wanted to make sure with</p> <p>5 the other ones that it was -- that the</p> <p>6 information was true and correct.</p> <p>7 Q. So is it your understanding that nobody</p> <p>8 can have a job with a municipal police department</p> <p>9 unless they're Act 120 certified?</p> <p>10 A. According to today's standards, yes.</p> <p>11 Q. And you can't be hired and then go to the</p> <p>12 academy under that municipal police department?</p> <p>13 A. No. It used to be that way. When I</p> <p>14 first started, it was that way. Now the</p> <p>15 prerequisite is you have to have the academy to</p> <p>16 even apply, to submit an application.</p> <p>17 Q. Did you know folks in either Baden,</p> <p>18 Economy, or Harmony's police departments?</p> <p>19 A. Yes.</p> <p>20 Q. And did you speak to them about trying to</p> <p>21 go back and get the certification, and if you</p> <p>22 did, whether there were any positions available?</p> <p>23 A. Yes.</p> <p>24 Q. And what were you told?</p> <p>25 A. With Economy, if I go through the academy</p>
14	<p>1 A. That is my understanding.</p> <p>2 Q. And when we talk about a waiver, you mean</p> <p>3 a waiver of having to go back to school to get --</p> <p>4 A. For the full academy. I would still have</p> <p>5 to do the vehicle code, crimes code updates, as</p> <p>6 well as the civil.</p> <p>7 Q. So from the time you were terminated,</p> <p>8 which was January 1st -- early January of 2016 to</p> <p>9 April of 2016, you still had that certification.</p> <p>10 A. Correct.</p> <p>11 Q. Did you apply during that time for any</p> <p>12 sheriff's positions, deputy sheriff's positions?</p> <p>13 A. Two.</p> <p>14 Q. Where?</p> <p>15 A. Allegheny County.</p> <p>16 Q. Anywhere else?</p> <p>17 A. Butler.</p> <p>18 Q. And did you have any interviews or</p> <p>19 follow-up from those applications?</p> <p>20 A. No follow-up from either.</p> <p>21 Q. I think you said you applied for some</p> <p>22 municipal police jobs and that's when you learned</p> <p>23 about the need for the Act 120 recertification?</p> <p>24 A. Correct.</p> <p>25 Q. Where did you apply for a municipal</p>	16	<p>1 and that, it would be great, but unfortunately at</p> <p>2 the time, they were not hiring.</p> <p>3 Q. How about the others?</p> <p>4 A. Baden, I believe it was the chief, Dave</p> <p>5 Christner, pretty much advised the same.</p> <p>6 Q. Pretty much or he did or he didn't?</p> <p>7 A. He did, but not in the same verbiage, so</p> <p>8 to speak.</p> <p>9 Q. Okay. So he didn't have any positions,</p> <p>10 even if you were certified, or he couldn't -- or</p> <p>11 something else?</p> <p>12 A. Both. He didn't have the positions</p> <p>13 available then, and he didn't see anything coming</p> <p>14 up in the near future.</p> <p>15 Q. And how about at Harmony?</p> <p>16 A. I was told flat out it would be a</p> <p>17 conflict for me to a apply.</p> <p>18 Q. Why is that?</p> <p>19 A. I served there for 12 years as</p> <p>20 commissioner. I was elected. And I had</p> <p>21 relatives on the board and they said it wouldn't</p> <p>22 look -- they said that's...</p> <p>23 Q. When you served as a commissioner, was</p> <p>24 that the rule as well, that is, if you were a</p> <p>25 commissioner, you didn't have relatives hired in</p>

17	<p>1 law enforcement or other positions?</p> <p>2 A. When I was -- when I served, we tried to</p> <p>3 stay away from it.</p> <p>4 Q. So that wasn't necessarily a surprise,</p> <p>5 then, for you to hear?</p> <p>6 A. No, but I had to check all avenues.</p> <p>7 Q. And are those the only three police</p> <p>8 departments where you sought or looked into</p> <p>9 whether there were positions available?</p> <p>10 A. Yes.</p> <p>11 Q. Is there any reason you didn't look into</p> <p>12 others?</p> <p>13 A. At that point it was pretty much -- once</p> <p>14 I verified I had to go through the academy again,</p> <p>15 it ruled it out, pretty much.</p> <p>16 Q. What is your understanding of the</p> <p>17 requirements today for completing the Act 120</p> <p>18 certification, what does it include, to go to the</p> <p>19 academy, time, cost?</p> <p>20 A. I believe it's 22 weeks, if you go</p> <p>21 straight through the academy.</p> <p>22 Q. Is that something you considered?</p> <p>23 A. Considered, yes.</p> <p>24 Q. Did you reject it?</p> <p>25 A. Contemplated it.</p>	19	<p>1 going to be for the Pittsburgh area for -- the</p> <p>2 position was for screening.</p> <p>3 Q. Is that civil service or no?</p> <p>4 A. To be honest, I'm not sure what they do</p> <p>5 to administer a test, I'm not sure what type of</p> <p>6 test they administer.</p> <p>7 Q. Do you need any type of certifications to</p> <p>8 take on a position with TSA?</p> <p>9 A. It was not advised when I submitted my</p> <p>10 résumé and everything to them. I never got</p> <p>11 anything saying no.</p> <p>12 Q. What is your educational background, if</p> <p>13 you could tell me, please.</p> <p>14 A. Graduated from Ambridge High School, went</p> <p>15 to California University of Pennsylvania, after</p> <p>16 that went to Community College, and then went</p> <p>17 to -- enrolled in the criminal justice, the</p> <p>18 police preservice, their police academy.</p> <p>19 Q. Through the Community College?</p> <p>20 A. Community College had an academy of their</p> <p>21 own as well.</p> <p>22 Q. Did you obtain any degree from California</p> <p>23 University?</p> <p>24 A. No.</p> <p>25 Q. And how about from Community College?</p>
18	<p>1 Q. Are you still contemplating it or have</p> <p>2 you made a decision about that?</p> <p>3 A. Always keep my avenues open. I'm looking</p> <p>4 what is best for my son and myself, both.</p> <p>5 Q. Does that mean you wouldn't want to go</p> <p>6 somewhere where you had to be in program for 22</p> <p>7 weeks?</p> <p>8 A. The thought doesn't bother me. I would</p> <p>9 do it. It was more or less, like I say, a</p> <p>10 financial issue.</p> <p>11 Q. So you applied for a position at Field &amp;</p> <p>12 Stream. Did you apply for any other non-law</p> <p>13 enforcement/non-security positions?</p> <p>14 A. I applied one other security, which was</p> <p>15 with -- I had relatives that worked for Mario</p> <p>16 Lemieux. He has his own private security, and</p> <p>17 basically he wants his own hand-picked people. I</p> <p>18 wasn't even considered or a thought, to be</p> <p>19 honest. But I tried.</p> <p>20 Q. Any other security companies, aside from</p> <p>21 that one?</p> <p>22 A. I also applied with TSA.</p> <p>23 Q. Did you hear back from your application?</p> <p>24 A. TSA has me on the list. They said</p> <p>25 they're going to let me know when the testing is</p>	20	<p>1 A. Some of my credits transferred over from</p> <p>2 California to CCBC, and with the academy and</p> <p>3 everything, I was able to get an associate's.</p> <p>4 Q. And what is that associate's degree in?</p> <p>5 A. Criminal justice.</p> <p>6 Q. Was your marriage to Krista your only</p> <p>7 marriage?</p> <p>8 A. Yes.</p> <p>9 Q. And is Cole your only child?</p> <p>10 A. Biological, yes.</p> <p>11 Q. Does that mean you have some adopted or</p> <p>12 other foster children or something?</p> <p>13 A. Prior to Krista and I getting married,</p> <p>14 she had a daughter that I raised, and as far as</p> <p>15 I'm concerned, you raise a little girl, that's my</p> <p>16 little girl. She'll always be my little girl.</p> <p>17 Q. What is her name?</p> <p>18 A. Annessia, A-N-N-E-S-S-I-A.</p> <p>19 Q. And how old is Annessia?</p> <p>20 A. Twenty years old.</p> <p>21 Q. Do you see Annessia or communicate with</p> <p>22 her on a regular basis?</p> <p>23 A. Unfortunately, no.</p> <p>24 Q. Does she live with her mother?</p> <p>25 A. She is down Coastal Carolina University.</p>

21

1 She graduates this year. But when she's not  
 2 there, yes, she resides --  
 3 Q. With her mother?  
 4 A. Yes.  
 5 Q. So can you tell me when you first began  
 6 employment with Beaver County.  
 7 A. June of, I believe it was 1991.  
 8 Q. And was that a part time or full time?  
 9 A. Part time.  
 10 Q. What was the position?  
 11 A. I was a deputy sheriff.  
 12 Q. And who was the sheriff at the time?  
 13 A. Frank Policaro.  
 14 Q. How long did you serve as a part-time  
 15 deputy?  
 16 A. I got full time in '92, my adjusted date  
 17 was '93. They gave us credit for our part-time  
 18 years.  
 19 Q. So you actually started working as full  
 20 time in '92 or '93?  
 21 A. We ended up filing a grievance because of  
 22 our hours. There was a group of us that got  
 23 hired, that was in '94. But they went retro back  
 24 to '93, giving us credit for service time. It  
 25 was a two for one deal is what they did for part

22

1 time for vacation, sick time.  
 2 Q. And how long did you serve as a full-time  
 3 deputy sheriff, then, until 2016?  
 4 A. Correct.  
 5 Q. Did you hold any other positions in the  
 6 sheriff's department?  
 7 A. I was a sergeant.  
 8 Q. And when was that?  
 9 A. From 2008 to, I believe, 2012.  
 10 Q. Under what sheriff did you become a  
 11 sergeant?  
 12 A. George David.  
 13 Q. And was George David also the sheriff in  
 14 2012 when you returned to the position of deputy?  
 15 A. Yes, he was.  
 16 Q. So why were you demoted?  
 17 A. I was going through my divorce. It  
 18 affected my job performance at the time. And I  
 19 was relieved of certain duties and placed back  
 20 with the rest of the deputies.  
 21 Q. In what way did it affect your  
 22 performance?  
 23 A. That, to be honest, I'm not sure. I  
 24 thought I was doing a good job. I thought I was  
 25 trying. I couldn't answer that.

23

1 Q. Was there something specific that was  
 2 referenced in terms of what parts of your job  
 3 seemed not to be as -- your performance seemed  
 4 not to be as strong? Whether you agreed with  
 5 them or not, but did somebody tell you the  
 6 reasons?  
 7 A. I was just advised that, from the  
 8 sheriff, that he felt, you know, it was -- my  
 9 divorce was affecting my performance and he said  
 10 if I got back on my feet, that the position would  
 11 be still there, but it never happened.  
 12 Q. So were you ever counseled or informed  
 13 that there were concerns about your attendance?  
 14 A. At that time? No.  
 15 Q. Okay. Any time?  
 16 A. Towards the end of George David's tenure  
 17 as sheriff, yes.  
 18 Q. And when you just described that you were  
 19 told the divorce affected your performance, was  
 20 that the sheriff himself who told you that?  
 21 A. Yes.  
 22 Q. And then later in his tenure, was it the  
 23 sheriff who also told you your attendance was an  
 24 issue?  
 25 A. Yes.

24

1 Q. And what about your attendance did he  
 2 believe was a problem, or report to you was a  
 3 problem?  
 4 A. He had a hard time accepting the  
 5 paperwork and me being on -- I was on FMLA.  
 6 Q. Was the FMLA related to your son, or  
 7 something else?  
 8 A. I was on FMLA for two reasons, one for my  
 9 son, yes, and also for myself.  
 10 Q. What was the reason for yourself?  
 11 A. I was diagnosed with ischemic colitis.  
 12 Q. And when we reference your son, I said  
 13 that because I understood you referencing some  
 14 health or mental health issues he has that you  
 15 needed to maintain for him.  
 16 A. Correct. That is correct.  
 17 Q. When you went on FMLA, was there an  
 18 understanding that there would be certain times  
 19 or ability for you to not appear to work on  
 20 certain days?  
 21 A. Rick Darbut explained what all I was  
 22 entitled to, to me, and he was very specific in  
 23 the instructions what I could do and what I  
 24 couldn't do.  
 25 Q. What was your understanding of those

<p style="text-align: right;">25</p> <p>1 limits, what you could and couldn't do?</p> <p>2 A. If I had to be off, after three days, I</p> <p>3 had to have a doctor's, you know, excuse.</p> <p>4 Q. Okay.</p> <p>5 A. If there was a problem with doctor's</p> <p>6 appointments or anything, let him or staffing</p> <p>7 know so I could attend those appointments without</p> <p>8 those being counted against me.</p> <p>9 Q. Okay.</p> <p>10 A. Or for my son, to answer that as well,</p> <p>11 they went hand in hand.</p> <p>12 Q. So when the sheriff indicated he felt,</p> <p>13 Sheriff David felt there were concerns about</p> <p>14 attendance, was that because he didn't think you</p> <p>15 were following those rules that Rick Darbut had</p> <p>16 set out?</p> <p>17 A. I couldn't tell you the exact reason.</p> <p>18 All I know is he was dead against me being on</p> <p>19 FMLA.</p> <p>20 Q. Did he ever say that he was concerned</p> <p>21 that you weren't following the rules that Rick</p> <p>22 Darbut had set down?</p> <p>23 A. To me personally, no.</p> <p>24 Q. Were you informed that through somebody</p> <p>25 else?</p>	<p style="text-align: right;">27</p> <p>1 A. I have, from what I was told, I went</p> <p>2 above and beyond.</p> <p>3 Q. When you were a deputy sheriff, was that</p> <p>4 a position that was in the bargaining unit?</p> <p>5 A. Yes.</p> <p>6 Q. When you moved to sergeant, did that take</p> <p>7 you out of the bargaining unit?</p> <p>8 A. No.</p> <p>9 Q. If you went above the level of sergeant,</p> <p>10 would that have taken you out?</p> <p>11 A. Yes.</p> <p>12 Q. At some point while you were still with</p> <p>13 the sheriff's department, was there a change in</p> <p>14 the hierarchal structure, you know, the positions</p> <p>15 of management and others in the department?</p> <p>16 A. There was always a change any time when</p> <p>17 Policaro left, to when George David came in, to</p> <p>18 when Felix DeLuca came in, to when George had</p> <p>19 came in. There were certain management positions</p> <p>20 that changed, yes.</p> <p>21 Q. When you say that, do you mean different</p> <p>22 people filled certain positions?</p> <p>23 A. For management, yes.</p> <p>24 Q. So when you first were hired, there were</p> <p>25 deputy sheriffs and then there were sergeants, is</p>
<p style="text-align: right;">26</p> <p>1 A. I was informed through Rick Darbut he</p> <p>2 wanted me fired.</p> <p>3 Q. And when was that?</p> <p>4 A. Midway through my FMLA.</p> <p>5 Q. Did Rick explain the reason the sheriff</p> <p>6 wanted you fired?</p> <p>7 A. Yes.</p> <p>8 Q. What did he say?</p> <p>9 A. He said basically the sheriff didn't</p> <p>10 believe that my medical needs warranted me being</p> <p>11 on FMLA.</p> <p>12 Q. Did Rick say whether he agreed with that</p> <p>13 or not?</p> <p>14 A. From my understanding, Rick said that the</p> <p>15 law department, him, the commissioners, the</p> <p>16 doctors, everybody signed off, it was approved,</p> <p>17 it was legal, and the sheriff had to accept it.</p> <p>18 It was law.</p> <p>19 Q. Did Rick explain that you did have to</p> <p>20 follow certain parameters, though, about giving</p> <p>21 notice?</p> <p>22 A. Absolutely. Yes.</p> <p>23 Q. Were you ever told that you hadn't done</p> <p>24 that, that is, followed the parameters that you</p> <p>25 were required to?</p>	<p style="text-align: right;">28</p> <p>1 that right?</p> <p>2 A. Correct.</p> <p>3 Q. Were there positions above sergeant?</p> <p>4 A. Yes.</p> <p>5 Q. What were they?</p> <p>6 A. We had captains.</p> <p>7 Q. And then after Frank Policaro, George</p> <p>8 David came in, right?</p> <p>9 A. Briefly, yes.</p> <p>10 Q. Did those positions stay the same, even</p> <p>11 if the people changed?</p> <p>12 A. Yes.</p> <p>13 Q. When Felix DeLuca came in, did the</p> <p>14 positions stay the same, even if the people</p> <p>15 changed?</p> <p>16 A. He -- I believe he created a lieutenant's</p> <p>17 position. Also, there was an assistant chief's</p> <p>18 position, and sergeants.</p> <p>19 Q. So, there were sergeants before, weren't</p> <p>20 there?</p> <p>21 A. Briefly.</p> <p>22 Q. So, there were deputies, sergeants,</p> <p>23 captains, and the sheriff when you first started,</p> <p>24 right?</p> <p>25 A. Correct.</p>



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1 Q. And then at some point, that changed  
2 under DeLuca and it became sheriffs, deputy  
3 sheriffs, sergeants, lieutenants?  
4 A. Sergeants at that point under DeLuca  
5 initially were not there. That's where it  
6 changed.  
7 Q. Deputy sheriff to --  
8 A. Lieutenant, captain.  
9 Q. Captain, assistant chief?  
10 A. Assistant chief.  
11 Q. And sheriff.  
12 A. Yes.  
13 Q. And then when George David came back in,  
14 because he came in again, right?  
15 A. Yes.  
16 Q. What were the positions?  
17 A. It went from deputy to -- there were two  
18 corporal positions, there were five of us as  
19 sergeants, then the lieutenant, captain,  
20 assistant chief and chief.  
21 Q. You moved up to sergeant under George  
22 David in his first --  
23 A. Second term.  
24 Q. -- or second term?  
25 A. Second.

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1 Q. And then it was in that same term that  
2 you went back down to deputy.  
3 A. Yes.  
4 Q. When you described earlier that you were  
5 aware that those management positions changed, am  
6 I correct that you were referring to that the  
7 people in those positions changed?  
8 A. Correct. Personnel.  
9 Q. And what was your understanding of why  
10 they changed?  
11 A. New sheriff coming in, always pretty much  
12 brought in his own chief, but everything else  
13 from that point down pretty much stayed the same  
14 as far as personnel being employed. Just a  
15 reshuffling of the deck, so to speak.  
16 Q. Did you have an understanding that when a  
17 new sheriff came in, he could make changes to the  
18 management level positions?  
19 A. Management level positions?  
20 Q. Yes.  
21 A. I believe, yeah, I think he could.  
22 Q. Did you understand that that could be  
23 based on whether those persons in management were  
24 of the same thinking as the sheriff who was  
25 coming on board?

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1 A. For management, yes.  
2 Q. Just to clean up a couple things, to move  
3 on to a different area.  
4 So when you described the Act 120  
5 training, you said it was 22 weeks and you would  
6 have to pay for that if you wanted to go back  
7 into law enforcement?  
8 A. Correct.  
9 Q. Is the Act 2 training the same, that is,  
10 you go get it before you get the deputy sheriff's  
11 job, or do I understand that you can get that  
12 once you get a position with a sheriff's  
13 department?  
14 A. It's my understanding if the sheriff  
15 hires you, they have one full year to send you to  
16 the full academy.  
17 Q. Full academy being the Act 2 training?  
18 A. Correct.  
19 Q. Can you do that on your own?  
20 A. I do not believe so.  
21 Q. You don't think it's the same as the Act  
22 120.  
23 A. Correct.  
24 Q. So you said you held the position of, is  
25 it commissioner in Harmony -- is it Harmony

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1 Township?  
2 A. Correct.  
3 Q. And was that an elected position?  
4 A. Yes, it was.  
5 Q. And how long did you serve and what  
6 years?  
7 A. I served from 2004 all the way to 2012.  
8 Q. In 2012, did you seek to stay on as  
9 commissioner, that is, run again, or did you not  
10 run in that --  
11 A. I withdrew.  
12 Q. Why did you withdraw?  
13 A. Due to the divorce and the residency, my  
14 son and I no longer resided in, if you want to  
15 call it the marital house. We moved to a  
16 different address, and it was not legal for me to  
17 be on the board, and therefore, I resigned and  
18 did the proper thing.  
19 Q. So have you sought any other public  
20 office?  
21 A. Since then?  
22 Q. Yes.  
23 A. No. Prior to that, yes.  
24 Q. What positions did you seek before that?  
25 A. I served for two years for Baden council

33	<p>1 as a councilman.</p> <p>2 Q. When was that?</p> <p>3 A. From 2002 to 2004.</p> <p>4 Q. Nobody in Baden raised a conflict issue</p> <p>5 to you, did they, like in Harmony?</p> <p>6 A. No. We lived at the time in Baden.</p> <p>7 Q. But nobody in Baden, when you sought</p> <p>8 Chief Christner, when you sought any options on</p> <p>9 positions, said, oh, you've been previously an</p> <p>10 elected official, you can't do that?</p> <p>11 A. So many years have gone by, people have</p> <p>12 changed. Not a question.</p> <p>13 Q. When Sheriff David was the sheriff and</p> <p>14 ran for sheriff to begin his second term as</p> <p>15 sheriff --</p> <p>16 MR. BLACK: Just be sure you answer</p> <p>17 yes or no, not um-hmm.</p> <p>18 A. Yes, I'm sorry.</p> <p>19 Q. Did you participate in any way in</p> <p>20 supporting his election efforts?</p> <p>21 A. I was always active politically.</p> <p>22 Q. And what does that mean when you say</p> <p>23 that?</p> <p>24 A. I was a committee person for over 20</p> <p>25 years.</p>	35	<p>1 A. Ambridge.</p> <p>2 Q. Ambridge. That's the name of the</p> <p>3 municipality, too, not just the mailing address?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. So when you were active as a</p> <p>6 committee person, what kinds of activities did</p> <p>7 you engage in?</p> <p>8 A. It would range from going to political</p> <p>9 functions, distribution of signs, going door to</p> <p>10 door, helping them out as far as where they</p> <p>11 needed extra people at the polls, getting extra</p> <p>12 people to work at the polls.</p> <p>13 Q. And would I be correct that in the role</p> <p>14 as committee person for a party, when you do</p> <p>15 that, you support all candidates on the same</p> <p>16 party?</p> <p>17 A. That were endorsed by the slate, yes.</p> <p>18 Q. All endorsed candidates.</p> <p>19 So then it would be fair to say that in</p> <p>20 the primary election for sheriff in -- to be</p> <p>21 elected for 2016, you supported George David.</p> <p>22 A. For 2016?</p> <p>23 Q. Yes.</p> <p>24 A. No, I didn't.</p> <p>25 Q. In the primary?</p>
34	<p>1 Q. For the Democratic committee?</p> <p>2 A. For the Democratic party.</p> <p>3 Q. Of Beaver County?</p> <p>4 A. Yes.</p> <p>5 Q. Is the committee person position an</p> <p>6 elected position?</p> <p>7 A. Yes, it is.</p> <p>8 Q. So what were the years that you served in</p> <p>9 that role?</p> <p>10 A. From 1996 to 2012.</p> <p>11 Q. In 2012, did you seek to continue to be a</p> <p>12 committee person?</p> <p>13 A. No. I resigned as well my role of</p> <p>14 commissioner.</p> <p>15 Q. And why did you do that?</p> <p>16 A. Didn't reside in the municipality that I</p> <p>17 was there, that I was elected in.</p> <p>18 Q. So for committee people, you had to also</p> <p>19 be from a particular district or section of the</p> <p>20 county, not just --</p> <p>21 A. Precinct. Yes. It was the precinct you</p> <p>22 lived in.</p> <p>23 Q. And you did give me your address, but can</p> <p>24 you tell me what township/municipality you live</p> <p>25 in?</p>	36	<p>1 A. No, I didn't.</p> <p>2 Q. Was Sheriff David endorsed?</p> <p>3 A. To be honest, I don't even remember</p> <p>4 whether he was or wasn't.</p> <p>5 Q. You were no longer a formal committee</p> <p>6 person.</p> <p>7 A. Correct. But I was active.</p> <p>8 Q. That was going to be my question. So you</p> <p>9 remained active in politics?</p> <p>10 A. Extremely.</p> <p>11 Q. And so for the 2016 sheriff's election,</p> <p>12 beginning at the primary stage, tell me what</p> <p>13 kinds of things you did to remain active.</p> <p>14 A. I attended different functions with the</p> <p>15 committee, different dinners, picnics, obviously</p> <p>16 supported Wayne Kress.</p> <p>17 Q. So you supported Wayne Kress even in the</p> <p>18 primary against George David.</p> <p>19 A. Yes.</p> <p>20 Q. In doing so, at the primary stage, did</p> <p>21 you put signs in your yard?</p> <p>22 A. I had signs everywhere.</p> <p>23 Q. Did you attend his functions, Kress'?</p> <p>24 A. Several. I did not -- did not make all</p> <p>25 of them.</p>

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1 Q. Did you give financial support to Kress?  
 2 A. No. That was the one thing I could not  
 3 at the time do.  
 4 Q. And you could not because of your own  
 5 resources, or for some other reason?  
 6 A. My own resources.  
 7 Q. Was there any policy or practice when  
 8 George David was the sheriff in terms of what  
 9 role a person employed in the sheriff's  
 10 department could play in a sheriff's election?  
 11 A. We were told we had the right to support  
 12 who we wanted, but -- I'm not sure I understand  
 13 the full question. I mean, we're allowed to  
 14 participate actively. If we chose to run for  
 15 sheriff, we would have to, from what we were  
 16 told, by law, resign as a deputy. We were not  
 17 allowed to be employed to seek -- if we wanted to  
 18 go for his position, so to speak.  
 19 Q. Who told you that?  
 20 A. He did. Even prior to that, it was with  
 21 Felix DeLuca.  
 22 Q. So you had an understanding that you  
 23 could be politically active in terms of  
 24 supporting whoever you wanted, but if you  
 25 personally wanted to run, you would have to

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1 resign your job.  
 2 A. Correct.  
 3 Q. Did you have an understanding as to  
 4 whether being active politically for whoever you  
 5 wanted meant you could, in the sheriff's office,  
 6 display signs or buttons or anything showing your  
 7 support?  
 8 A. For me, that was taboo, from what I was  
 9 told. We were never permitted, while on duty, to  
 10 display, you know, political material, have  
 11 political material, that was a cardinal sin.  
 12 Q. Did you ever see anybody at the sheriff's  
 13 department do that?  
 14 A. Yes.  
 15 Q. Who?  
 16 A. John Fratangeli.  
 17 Q. And in what election did you see him do  
 18 that?  
 19 A. 2016 election for George David.  
 20 Q. So what candidate was he supporting?  
 21 A. George David.  
 22 Q. And what did he do in the office or  
 23 department that was an obvious sign of support  
 24 for David?  
 25 A. Had signs in the back of a patrol car.

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1 Q. That was obviously the primary stage,  
 2 right?  
 3 A. Yes.  
 4 Q. Did anyone ever call him on it?  
 5 A. From my understanding, yes.  
 6 Q. Did anything ever happen?  
 7 A. No.  
 8 Q. Who called him on it, if you know?  
 9 A. Not sure exactly who. It was a heated  
 10 discussion within the office. But nothing ended  
 11 up ever happening.  
 12 Q. Were you involved in that discussion?  
 13 A. To be honest, I stayed out of it.  
 14 Q. Were you present when it happened,  
 15 though?  
 16 A. Did I see signs in the car? Yes.  
 17 Q. Were you present when the discussion  
 18 happened in the office?  
 19 A. Initially, yes.  
 20 Q. And who was it between, who was involved  
 21 in that discussion?  
 22 A. There were -- I believe it was Randy  
 23 Tallon, I believe there was Matt Jones --  
 24 correction -- Matt was not there. It was Randy,  
 25 it was Mike Matzie, myself, John Fratangeli, we

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1 call him John Joe. There were two other  
 2 part-timers, but I can't remember exactly who  
 3 they were at the time. Because once it started,  
 4 I left. I walked out.  
 5 Q. And when you say nothing ever happened to  
 6 him, on what do you base that?  
 7 A. Nothing happened to him. He never lost  
 8 rank, he never got written up. It was one of  
 9 them deals, nothing happened to him.  
 10 Q. When you say he wasn't written up, how do  
 11 you know that?  
 12 A. Just by, you know, the guys in the  
 13 office.  
 14 Q. So the story was he never got disciplined  
 15 in any way.  
 16 A. Nope.  
 17 Q. So after the primary election in 2016,  
 18 I'm correct that Wayne Kress defeated George  
 19 David, right?  
 20 A. Yes, he did.  
 21 Q. And Tony Guy was the Republican candidate  
 22 for sheriff at the time, is that right?  
 23 A. Yes, he was.  
 24 Q. So at that stage of the campaign, did you  
 25 continue to support Mr. Kress?

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<p>1 A. Yes, I did.</p> <p>2 Q. Are you aware of others in the</p> <p>3 department, the sheriff's department, who at that</p> <p>4 stage of the campaign, also supported Mr. Kress?</p> <p>5 A. To the best of my knowledge, the only</p> <p>6 other deputy that I am first-hand aware of that</p> <p>7 supported Mr. Kress was Paul Clark.</p> <p>8 Q. Do you have knowledge whether or not,</p> <p>9 first-hand, that others supported Kress in the</p> <p>10 election against Tony Guy?</p> <p>11 A. First-hand, did I witness anything as far</p> <p>12 as them supporting him, no.</p> <p>13 Q. Other than first-hand?</p> <p>14 A. I have no -- nothing that they supported</p> <p>15 them.</p> <p>16 Q. So you don't have information just from</p> <p>17 people telling you somebody was at an event for</p> <p>18 Kress or telling you that others supported Kress?</p> <p>19 A. There were a couple deputies that were at</p> <p>20 functions, as far as Democratic functions, yes.</p> <p>21 Q. And who were those?</p> <p>22 A. I believe one was Dave Mangerie, I</p> <p>23 believe Jen Bredemeier and her husband attended</p> <p>24 one political function.</p> <p>25 Q. Okay. What was the function that you</p>	<p>1 events or had heard supported Wayne Kress?</p> <p>2 A. Not that I'm aware of.</p> <p>3 Q. Did you ever hear or have information</p> <p>4 from any source that Tom Shane supported Wayne</p> <p>5 Kress?</p> <p>6 A. Not that I'm aware of.</p> <p>7 Q. Did you ever have information from any</p> <p>8 source, whether first-hand or not, that Joe</p> <p>9 O'Shea supported Kress?</p> <p>10 A. To answer truthfully, all I heard was a</p> <p>11 rumor that he might have. But I have nothing</p> <p>12 concrete one way or the other to prove.</p> <p>13 Q. After Tony Guy was elected sheriff, am I</p> <p>14 correct that Dave Mangerie remained employed and</p> <p>15 still is employed at the sheriff's department?</p> <p>16 A. Yes, he is.</p> <p>17 Q. And after Tony Guy was elected sheriff,</p> <p>18 am I correct that Jen Bredemeier remained</p> <p>19 employed at the sheriff's department?</p> <p>20 A. Yes, she is.</p> <p>21 Q. Is Joe O'Shea also still employed at the</p> <p>22 sheriff's department, to your knowledge?</p> <p>23 A. Yes, he is.</p> <p>24 Q. When Kress was in the election against</p> <p>25 Tony Guy, did you work at various polls on the</p>
42	44
<p>1 remember?</p> <p>2 A. It was held at Center Stage and it was</p> <p>3 the Democratic committee, they had a Steelers</p> <p>4 kickoff thing where it was for the committee as a</p> <p>5 whole.</p> <p>6 Q. And those are the kinds of committee</p> <p>7 events that you've attended throughout the years,</p> <p>8 is that right?</p> <p>9 A. Oh, yes.</p> <p>10 Q. And in you attending those events, it was</p> <p>11 your show of support for the whole slate, is that</p> <p>12 right?</p> <p>13 A. Correct.</p> <p>14 Q. So when you saw others attending those</p> <p>15 events, would it be fair to say you assumed they</p> <p>16 were supporting those Democratic candidates?</p> <p>17 A. Yes.</p> <p>18 Q. Did Dave Mangerie hold some position in</p> <p>19 the sheriff's department?</p> <p>20 A. President of the union.</p> <p>21 Q. And was Jen Bredemeier a deputy sheriff</p> <p>22 or some other position?</p> <p>23 A. Part-time deputy.</p> <p>24 Q. Any other persons who worked in the</p> <p>25 sheriff's department that you either saw at</p>	<p>1 election day?</p> <p>2 A. Yes, I did.</p> <p>3 Q. And when you worked at the polls, did you</p> <p>4 wear buttons or any kind of clothing that</p> <p>5 reflected who you were supporting?</p> <p>6 A. I had a white T-shirt saying Wayne Kress</p> <p>7 for Sheriff on, and on that white T-shirt I had</p> <p>8 several of the other candidates from the endorsed</p> <p>9 slate, their stickers, on that T-shirt.</p> <p>10 Q. So even though you weren't a committee</p> <p>11 person for the County party any longer, you</p> <p>12 remained active in supporting the whole slate of</p> <p>13 candidates through the committee, is that right?</p> <p>14 A. Yes.</p> <p>15 Q. Prior to election day, did you have any</p> <p>16 interactions with Tony Guy while he was running</p> <p>17 for office?</p> <p>18 A. Prior to election day?</p> <p>19 Q. Yes.</p> <p>20 A. No.</p> <p>21 Q. Had you met him?</p> <p>22 A. I met Mr. Guy years, years ago. And</p> <p>23 other than that, that was the only time we ever</p> <p>24 did anything, so to speak.</p> <p>25 Q. When did you meet him?</p>

<p style="text-align: right;">45</p> <p>1 A. Early '90s. How can I say this? A bunch 2 of us were out, we ended up going to a night club 3 called Heartbeat in Moon Township, I was with 4 Joseph David, Mr. Guy was there. It's my 5 understanding -- from what I remember, we had a 6 pretty good time. We left there, went to a 7 couple places in Aliquippa, and it was very 8 brief. It was a one night thing, ended up 9 dropping him off.</p> <p>10 I'm not sure if he was either married at 11 the time or engaged, but that's who we ended up 12 dropping him off to. She was coming down the 13 road, we were going up the road, and his exact 14 words, this the only reason I remembered it, his 15 exact words, he was like, "oh, shit, I got to 16 go," and he got out and Joey said bye, we both 17 looked at each other, said nice seeing you.</p> <p>18 That was my only involvement with him. 19 It was just a one night thing where we ended up 20 going out. It wasn't even planned that way.</p> <p>21 Q. Did the people you were with know Tony 22 before --</p> <p>23 A. Joey David grew up with him. Yeah. Joey 24 claims he was very good friends with him.</p> <p>25 Q. Is Joey David related to George David?</p>	<p style="text-align: right;">47</p> <p>1 A. There might be warrants that they have 2 that we were following up on or doing, or 3 information we might come across that we would 4 forward.</p> <p>5 Q. Did you ever have any dealings in a 6 professional capacity with him?</p> <p>7 A. With Mr. Guy?</p> <p>8 Q. Yes.</p> <p>9 A. No.</p> <p>10 Q. So, then, other than this time in the 11 early '90s, you didn't have any personal 12 interaction with him before election day.</p> <p>13 A. No.</p> <p>14 Q. What, if you can recall, was the stated 15 position of Wayne Kress in terms of why he 16 thought he should be elected sheriff?</p> <p>17 A. He thought he was, no disrespect, he 18 thought he was the better candidate to run.</p> <p>19 Q. What was his background?</p> <p>20 A. State trooper.</p> <p>21 Q. And how long did you know Wayne?</p> <p>22 A. I have known Wayne since we were 17 years 23 old. That's why I supported Wayne. We were 24 friends prior to everything, you know, going on.</p> <p>25 Q. Was he a state trooper the whole time in</p>
<p style="text-align: right;">46</p> <p>1 A. Cousins.</p> <p>2 Q. Was Joey David employed at the sheriff's 3 department?</p> <p>4 A. At that time, yes.</p> <p>5 Q. And you said that was in the early '90s.</p> <p>6 A. Yes.</p> <p>7 Q. Do you know how Tony was employed at the 8 time?</p> <p>9 A. I believe, the way it was explained to me 10 was, he was with -- I knew he was with the 11 Pennsylvania State Police. Joey explained to me 12 that he was The Man, as far as SWAT goes, and 13 just relax, we'll have a good time tonight. And 14 that was it.</p> <p>15 Q. And from that time in the '90s until the 16 time he ran for sheriff, you didn't have any 17 dealings with him?</p> <p>18 A. I never had the opportunity to do 19 anything, you know, good or bad.</p> <p>20 Q. When you worked at the deputy sheriff's 21 office, would you have occasion to interact with 22 state police officers for any official business?</p> <p>23 A. Yes.</p> <p>24 Q. What kinds of, like, would there be 25 certain cases that might go on?</p>	<p style="text-align: right;">48</p> <p>1 his law enforcement career, to your knowledge, 2 before running for sheriff?</p> <p>3 A. Prior to that he was military. He was in 4 the Air Force. But, yeah, he only served in the 5 state police.</p> <p>6 Q. So did you remain friendly with him over 7 the years before he ran for sheriff?</p> <p>8 A. Not as close as we were prior to him 9 leaving, you know, when he was -- before he left 10 for the military.</p> <p>11 Q. So is this somebody you knew when you 12 were younger, and then he went off to the 13 military and later to the state police, but you 14 didn't really maintain an active friendship?</p> <p>15 A. We were friends. It was one of them 16 situations where he got married, had kids, I got 17 married, had kids, and the rest was history, so 18 to speak. It's one of those things, that, 19 unfortunately, things, commitments with family, 20 kids, and everything got in the way and you lose 21 touch with people.</p> <p>22 Q. So when did you kind of rekindle the 23 relationship with him?</p> <p>24 A. When I first heard that he was 25 considering running, you know, and that was when</p>

49	<p>1 he was running against George, that's when, you</p> <p>2 know, we made contact and I told him then, we</p> <p>3 were friends for how long and, you know, I would</p> <p>4 back him.</p> <p>5 Q. So did you reach out to him or did he</p> <p>6 reach out to you?</p> <p>7 A. It was kind of mutual. We were both</p> <p>8 trying to get ahold of each other at the same</p> <p>9 time.</p> <p>10 Q. And what role, if any official role, did</p> <p>11 you play in his campaign?</p> <p>12 A. In his actual campaign?</p> <p>13 Q. Yes.</p> <p>14 A. I was a nobody.</p> <p>15 Q. So you weren't holding a position as</p> <p>16 treasurer, campaign manager?</p> <p>17 A. No. Nothing at all.</p> <p>18 Q. And had he retired from the state police?</p> <p>19 A. Yes.</p> <p>20 Q. So you thought he had the -- he said he</p> <p>21 felt he had -- he was a better candidate, he had</p> <p>22 the state trooper background, the military</p> <p>23 background. Anything else that he professed as</p> <p>24 his platform or his position if he were to be</p> <p>25 elected?</p>	51	<p>1 Q. -- that caused even Mr. Fratangeli to be</p> <p>2 investigated.</p> <p>3 A. Yes.</p> <p>4 Q. So would I be correct that at least</p> <p>5 Mr. Kress professed that someone like</p> <p>6 Mr. Fratangeli would not be a good person to stay</p> <p>7 in the sheriff's department.</p> <p>8 A. He was the only one that I had first-hand</p> <p>9 knowledge that he would say had no business being</p> <p>10 there.</p> <p>11 Q. So Mr. Fratangeli was the only person</p> <p>12 that you knew Mr. Kress would not have retained</p> <p>13 in the department, is that what you're saying?</p> <p>14 A. Yes. And that was made public, yes.</p> <p>15 Q. Were there any other issues or persons</p> <p>16 that were part of what Mr. Kress was suggesting</p> <p>17 needed cleaned up in the office if he got</p> <p>18 elected?</p> <p>19 A. That was the one thing that I was curious</p> <p>20 on myself, because if he had knowledge of</p> <p>21 something, I wish he would have said something.</p> <p>22 But he never divulged to me as far as what</p> <p>23 deputies he was referring to.</p> <p>24 Q. Would it be fair to say that Sheriff</p> <p>25 David had been in a lot of heated issues in the</p>
50	<p>1 A. The only thing he stressed was that Wayne</p> <p>2 would clean up certain aspects of the office that</p> <p>3 needed cleaned up.</p> <p>4 Q. And what did you understand him to mean</p> <p>5 by that?</p> <p>6 A. Certain officers that, how can I say it,</p> <p>7 were engaged in certain things that they</p> <p>8 shouldn't be in.</p> <p>9 Q. Like what?</p> <p>10 A. John Fratangeli, false reports.</p> <p>11 Q. Am I correct there was an incident where</p> <p>12 Mr. Fratangeli was making allegations of criminal</p> <p>13 conduct that later turned out to be false?</p> <p>14 A. I'm not sure if it was proven to be</p> <p>15 false. I think it fell to the wayside, so to</p> <p>16 speak. He swore on an affidavit that his</p> <p>17 information was clearly false and nothing ever</p> <p>18 happened to him.</p> <p>19 Q. So was there some news coverage of that,</p> <p>20 or media coverage of that?</p> <p>21 A. That would be an understatement. Yes.</p> <p>22 Q. So it would be fair to say it was common</p> <p>23 knowledge that Mr. Fratangeli had been believed</p> <p>24 to engage in false reporting --</p> <p>25 A. Yes.</p>	52	<p>1 media, including being charged criminally and</p> <p>2 going to trial on cases?</p> <p>3 A. Yes.</p> <p>4 Q. So was it a consistent message between</p> <p>5 Mr. Kress and Tony Guy that changes would likely</p> <p>6 come in the sheriff's department, if either were</p> <p>7 elected?</p> <p>8 A. For -- can you -- you're saying as far</p> <p>9 as, if they were involved with criminal</p> <p>10 activities or from both parties?</p> <p>11 Q. You said that Mr. Kress' platform</p> <p>12 certainly was that he would clean up aspects of</p> <p>13 the office, including potentially making changes</p> <p>14 with some of the deputies.</p> <p>15 A. Correct.</p> <p>16 Q. Did you have an understanding that Tony</p> <p>17 Guy had a similar platform, or a platform that</p> <p>18 included the same position?</p> <p>19 A. What was relayed to me and what I</p> <p>20 observed personally was that if Mr. Guy was</p> <p>21 elected, I was one of the first ones fired.</p> <p>22 Q. So would I be correct that that was</p> <p>23 somewhat similar to what Mr. Kress said in that</p> <p>24 he would make changes in the office if he were</p> <p>25 elected?</p>

53	55
<p>1 A. Yes and no.</p> <p>2 Q. How so?</p> <p>3 A. With John Joe, it was because he was</p> <p>4 involved in illegal activity. With my situation,</p> <p>5 what I overheard personally was that I was going</p> <p>6 to be gone because I supported Wayne.</p> <p>7 Q. And from whom did you hear that?</p> <p>8 A. Randy Tallon.</p> <p>9 Q. And when did you hear that?</p> <p>10 A. There were several times. I walked into</p> <p>11 the deputy's room, Randy was in a fit, flipping</p> <p>12 out, this was during a pre-morning -- sometimes we</p> <p>13 would have briefings, and Randy flat out said</p> <p>14 that I was a rat, I testified against Georgie, I</p> <p>15 couldn't be trusted. And as far as he was</p> <p>16 concerned, or from what he knew, I was the first</p> <p>17 one fired.</p> <p>18 Q. So he said you were a rat because you</p> <p>19 testified against George David.</p> <p>20 A. Yes. I was involved in the trial with</p> <p>21 George.</p> <p>22 Q. And then he said you would be the</p> <p>23 first --</p> <p>24 A. I would be the first one that, if Mr. Guy</p> <p>25 got elected, would be fired.</p>	<p>1 A. That he had meetings with Darbut and that</p> <p>2 nothing would be done to Randy because Georgie</p> <p>3 was sheriff and Georgie wasn't going to do</p> <p>4 anything to him.</p> <p>5 Q. So when you went to see Jay, you went</p> <p>6 with the premise of explaining that you thought</p> <p>7 Randy should be disciplined?</p> <p>8 A. It was an ongoing situation with</p> <p>9 Mr. Tallon and myself.</p> <p>10 Q. And what was that?</p> <p>11 A. Randy has made threats in the past to</p> <p>12 different deputies.</p> <p>13 Q. How does that have to do with you?</p> <p>14 A. I was one of the deputies he threatened.</p> <p>15 Q. How so, what did he say?</p> <p>16 A. That initially started because I</p> <p>17 testified against George David.</p> <p>18 Q. What kind of threat did he make?</p> <p>19 A. One, he had his cell phone, and he would</p> <p>20 show people, I have a countdown, when he counts</p> <p>21 down to zero is D day. When it's D day, I'm</p> <p>22 taking people out. And I was the first one he</p> <p>23 made reference to. This was reported to HR, this</p> <p>24 was reported to the County detectives.</p> <p>25 Q. When he said taking people out, what did</p>
54	56
<p>1 Q. And he specifically said that if Mr. Guy</p> <p>2 got elected, you would be fired.</p> <p>3 A. Yes.</p> <p>4 Q. And did he say anything else?</p> <p>5 A. No, because at that point, I</p> <p>6 immediately -- he saw me, I looked at him, a lot</p> <p>7 of people didn't know what was going to happen.</p> <p>8 I went right into the chief's office and said, we</p> <p>9 need to talk.</p> <p>10 Q. When was this?</p> <p>11 A. This was shortly after the election when</p> <p>12 Wayne beat Georgie.</p> <p>13 Q. So after the primary?</p> <p>14 A. Primary, yes.</p> <p>15 Q. And you went into the office of Jay</p> <p>16 Alstadt?</p> <p>17 A. Jay Alstadt was the chief at the time.</p> <p>18 Q. And tell me about that meeting.</p> <p>19 A. I explained to him that there was -- what</p> <p>20 had just occurred. He said he would look into</p> <p>21 it. And that was pretty much it for that</p> <p>22 morning. He said he would look into it.</p> <p>23 Q. Did you ever talk to him again about it?</p> <p>24 A. Numerous times.</p> <p>25 Q. What did he tell you?</p>	<p>1 you interpret that to mean?</p> <p>2 A. I took that that it was going to become</p> <p>3 physical.</p> <p>4 Q. So he was going to try to harm you?</p> <p>5 A. Absolutely.</p> <p>6 Q. And when did you first report that?</p> <p>7 A. Immediately, as soon as that happened.</p> <p>8 Q. Can you give me a time frame?</p> <p>9 A. It first started with Randy right after</p> <p>10 George was acquitted, or, you know, when he went</p> <p>11 through his trial. Comments were made that, see,</p> <p>12 we told you, Georgie was telling the truth,</p> <p>13 Larrick lied.</p> <p>14 Q. Who else do you believe was threatened by</p> <p>15 Randy?</p> <p>16 A. There was, Matt Jones was threatened,</p> <p>17 there was Rich Woznicki, who is now currently</p> <p>18 with the state police, he's no longer with the</p> <p>19 sheriff's office. And there were several county</p> <p>20 detectives that Randy threatened. But he</p> <p>21 threatened them for other reasons.</p> <p>22 Q. Okay. Why did he threaten them?</p> <p>23 A. Deputy Tallon was caught in the back --</p> <p>24 or in the front of the sheriff's car with a</p> <p>25 female, engaged in sexual conduct. And this was</p>

57	<p>1 done right in the middle of a prostitution sting</p> <p>2 that the County detectives had set up, and it was</p> <p>3 right in the same block, they witnessed it, they</p> <p>4 observed it, there were photos taken. He was</p> <p>5 confronted, he was -- Randy was demoted over it,</p> <p>6 and he blamed the detectives for him being</p> <p>7 demoted and everything else.</p> <p>8 Q. What was the threat to Matt Jones or Rich</p> <p>9 Woznicki about?</p> <p>10 A. Rich Woznicki, his dad was a -- he was</p> <p>11 employed under the attorney general's office as</p> <p>12 an agent. And Randy accused him of being a rat</p> <p>13 also, leaking information to outside agencies</p> <p>14 such as the AG and the state police.</p> <p>15 Q. When did that occur?</p> <p>16 A. Same time he accused me. His name was</p> <p>17 mentioned just before mine, and he was</p> <p>18 referring -- we had a board that had everybody's</p> <p>19 name for assignments, and we had tags, magnet</p> <p>20 strips, I believe they're still there. And he</p> <p>21 grabbed both of our names, threw them up and</p> <p>22 said, they're both rats, and they're done. And,</p> <p>23 you know, that's when he made the comment about</p> <p>24 me, and he turned around and I looked at him, he</p> <p>25 looked at me, I shook my head, and I went in to</p>	59	<p>1 sheriff and he was not doing anything. And the</p> <p>2 County's stance was they could not do anything or</p> <p>3 overstep the sheriff's authority on disciplining.</p> <p>4 Q. At some point he was, Tallon was demoted,</p> <p>5 right?</p> <p>6 A. For his involvement with the female, yes.</p> <p>7 Q. Was that before the events that involved</p> <p>8 you?</p> <p>9 A. Yes.</p> <p>10 Q. And what position did he hold and then</p> <p>11 what position --</p> <p>12 A. He was assistant chief, then he got</p> <p>13 knocked down to deputy.</p> <p>14 Q. So that's a couple levels, he got</p> <p>15 demoted?</p> <p>16 A. Numerous levels.</p> <p>17 Q. Would it be fair to say from your</p> <p>18 perspective, Mr. Tallon didn't like you?</p> <p>19 A. That would be an understatement.</p> <p>20 Q. And so Mr. Tallon made comments to you</p> <p>21 that he felt you would be the first to go if --</p> <p>22 or you would be gone if Tony Guy was elected?</p> <p>23 A. Yes, he did.</p> <p>24 Q. Did you at the time believe that that was</p> <p>25 just another comment or threat by Mr. Tallon</p>
58	<p>1 see the chief.</p> <p>2 Q. How about Matt Jones, what was he accused</p> <p>3 of, or threatened by Tallon about?</p> <p>4 A. Matt witnessed an episode where Randy</p> <p>5 threatened me at the front doors and Matt turned</p> <p>6 him in to HR.</p> <p>7 Q. And when did the incident at the front</p> <p>8 doors happen?</p> <p>9 A. Pretty much right after Georgie's trial</p> <p>10 is when it first happened.</p> <p>11 Q. Same time frame that he was making these</p> <p>12 other comments?</p> <p>13 A. When I referred to Deputy Tallon, any</p> <p>14 chance he could get to throw a jab, when I say a</p> <p>15 jab, a comment, or try to do something, he would</p> <p>16 throw it at me.</p> <p>17 Q. And what is your understanding of any</p> <p>18 action that HR engaged in with Mr. Tallon?</p> <p>19 A. I believe they did an investigation, I</p> <p>20 believe they had -- I know for a fact they had</p> <p>21 several meetings, because we had a meeting with</p> <p>22 myself and Jay Altstadt present, and that's when</p> <p>23 it was also related to me that when I met with</p> <p>24 Sheriff George David, that he was fully aware of</p> <p>25 the situation, but he referred to him being</p>	60	<p>1 against you personally?</p> <p>2 A. Randy Tallon was, from what I observed,</p> <p>3 campaigning hard for Mr. Guy.</p> <p>4 Q. And so did you take his comment to be</p> <p>5 that if Mr. Guy was elected, Randy would be in a</p> <p>6 position to --</p> <p>7 A. Do harm to me?</p> <p>8 Q. -- make suggestions that would affect you</p> <p>9 negatively?</p> <p>10 A. Yes.</p> <p>11 MR. BLACK: Make sure she finishes</p> <p>12 the questions.</p> <p>13 THE WITNESS: I apologize.</p> <p>14 MS. JONES: That's okay.</p> <p>15 BY MS. JONES:</p> <p>16 Q. Did you have any other conversations with</p> <p>17 Mr. Tallon about the sheriff's department or your</p> <p>18 status in the sheriff's department?</p> <p>19 A. I did everything humanly possible from</p> <p>20 talking to members of management to HR to keep me</p> <p>21 as far -- I stayed as far away from him, as well</p> <p>22 as another deputy that I was going through pretty</p> <p>23 much the same thing, I said I'm turning the other</p> <p>24 cheek, I distanced myself from them.</p> <p>25 Q. Who was the other deputy?</p>



61	<p>1 A. Mike Hurst.</p> <p>2 Q. What was his position?</p> <p>3 A. He was sergeant, also.</p> <p>4 Q. And what interactions did you have with</p> <p>5 Hurst that were of a negative nature?</p> <p>6 A. Mike Hurst got caught calling my wife</p> <p>7 while on duty.</p> <p>8 Q. When was that?</p> <p>9 A. Initially, just before George David's</p> <p>10 trial.</p> <p>11 Q. Which is, like, what year? '15, '14?</p> <p>12 A. No. It was before that. I would</p> <p>13 actually say it goes way before the trial with</p> <p>14 Mike. I would say 2009, 2010. It was when it</p> <p>15 first surfaced with Mike.</p> <p>16 Q. And what is it that surfaced?</p> <p>17 A. The fact that he was calling her while on</p> <p>18 duty.</p> <p>19 Q. You weren't married at the time.</p> <p>20 A. At the time, when it first happened, yes.</p> <p>21 Q. Were you living together?</p> <p>22 A. Yes.</p> <p>23 Q. Were you separated or going through some</p> <p>24 kind of process to separate?</p> <p>25 A. No. None whatsoever.</p>	63	<p>1 your wife were having some kind of relationship?</p> <p>2 A. Yes. It was first denied.</p> <p>3 Q. By your wife or by Mr. Hurst, or both?</p> <p>4 A. Both.</p> <p>5 Q. Was that an issue that led to your</p> <p>6 separation or divorce?</p> <p>7 A. I wouldn't say it was the deciding</p> <p>8 factor, but it hurt, and it was one of the</p> <p>9 contributing issues, trust.</p> <p>10 Q. So did you confront Mr. Hurst about that?</p> <p>11 A. Yes, I did.</p> <p>12 Q. And did you do that at the workplace?</p> <p>13 A. Him and I were supposed to work that same</p> <p>14 evening, on a detail, together, yes.</p> <p>15 Q. So tell me what happened.</p> <p>16 A. Asked him flat out, I said, why did you</p> <p>17 call my wife. At first he lied, said he never</p> <p>18 called. At the time I forwarded the message from</p> <p>19 her phone to mine, I held it up to him, I said,</p> <p>20 explain this. He told me to go to hell. And I</p> <p>21 said if you ever call her again, I'll kick your</p> <p>22 ass from one side of this county to another.</p> <p>23 Stay away from my family. I want nothing to do</p> <p>24 with you. End of discussion.</p> <p>25 Q. So, was that the point that you learned a</p>
62	<p>1 Q. And what was the nature of the calls? If</p> <p>2 you know.</p> <p>3 A. I'll tell you exactly. I came home from</p> <p>4 work one night, my wife's phone was vibrating</p> <p>5 across the table, it was two in the morning, I</p> <p>6 picked it up, the text message from Mike Hurst</p> <p>7 saying you look so hot, you know, can't wait</p> <p>8 until we get together again, when are we going to</p> <p>9 hook up. And basically said he was hot, horny</p> <p>10 and ready to go. And at that point, yeah, I was</p> <p>11 extremely mad.</p> <p>12 Q. Did you come to learn whether your wife</p> <p>13 and Mr. Hurst were having any kind of</p> <p>14 relationship?</p> <p>15 A. Through everything I found out, there was</p> <p>16 117 calls from Mr. Hurst to my wife in a</p> <p>17 one-month period of time, through phone records.</p> <p>18 Q. And in what context did the phone records</p> <p>19 come out?</p> <p>20 A. All I had was date/times he would call</p> <p>21 her. I don't know the conversations, what</p> <p>22 transpired or what...</p> <p>23 Q. Is that because you had the phone bills?</p> <p>24 A. I pulled them up on the computer.</p> <p>25 Q. Did you come to learn that Mr. Hurst and</p>	64	<p>1 relationship had already occurred, or did the</p> <p>2 relationship occur afterwards?</p> <p>3 A. It opened my eyes to look into what all</p> <p>4 was going on. I immediately reported it to Jay</p> <p>5 Alstadt, you know, for him to handle it as far as</p> <p>6 what was going on, and I said I'm staying away</p> <p>7 from him, and the reason why. I wasn't</p> <p>8 jeopardizing my job or what was left of my</p> <p>9 family, because I didn't know what was going on.</p> <p>10 Q. What did Jay tell you in regard --</p> <p>11 A. He was in shock at first. He was in</p> <p>12 shock.</p> <p>13 Q. Did he indicate whether he would talk to</p> <p>14 Hurst --</p> <p>15 A. He spoke to him.</p> <p>16 Q. What else did he tell you about him?</p> <p>17 A. Immediately after, he said that Mike said</p> <p>18 I was lying, I couldn't be trusted, and I had no</p> <p>19 proof. Jay said if I had proof, to present it.</p> <p>20 Q. Did you do that?</p> <p>21 A. Handed him all four pages with 117 phone</p> <p>22 calls.</p> <p>23 Q. And then what happened?</p> <p>24 A. He called Hurst in, back in again, said,</p> <p>25 Mike, you need to tell me what really happened.</p>

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1 Q. And did Mr. Hurst change his story?

2 A. Initially no, Mike lied. Mike said that

3 it never happened, he goes, Curt is lying, this

4 is all there is to it. And Jay said, you need to

5 choose your words wisely, slid the papers across

6 to him. At that point Mike Hurst admitted to him

7 that, in his words, she needed some comfort. She

8 needed somebody to be there.

9 Q. But he admitted that there was some

10 relationship?

11 A. He admitted to the fact that, yes, there

12 was something there, but he wouldn't elaborate to

13 what extent.

14 Q. So what, if anything else, happened

15 relative to your meeting with Jay or somebody

16 being -- did anyone get disciplined about that

17 matter?

18 A. Over the whole situation?

19 Q. Yes.

20 A. Mike was never disciplined. I was sent

21 through the County to do a drug and alcohol test,

22 and an evaluation.

23 Q. And what were you told was the reason for

24 that?

25 A. Somehow the rumor was that I was going

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1 to, in a drunken rage, burn down Mike Hurst's

2 house.

3 Q. And did you ever make any such

4 statements?

5 A. As far as burning his house down? No.

6 Q. You said earlier you told Hurst you were

7 going to beat him up, in essence.

8 A. I initially told the chief the same

9 thing. I said, look, I'm not going to rephrase,

10 I'm not going to lie. This is what I told him

11 initially.

12 Q. Did you make other statements

13 outside the --

14 A. -- workplace, no.

15 Q. How about in the workplace?

16 A. No.

17 Q. So, was there a concern expressed to you

18 that there was a need for an evaluation for any

19 anger issues for you?

20 A. That was part of the drug and alcohol.

21 Q. And is it fair to say that when you had a

22 concern, you went to Jay Altstadt?

23 A. Immediately.

24 Q. I mean in general. Was he sort of the

25 guy you went to if you had a concern in the

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1 department?

2 A. Yes. Jay was the type of chief that he

3 cared about the individuals, he cared about the

4 employees, and Jay and I were friends and I knew

5 I would get an honest answer from him. Not only

6 did I go to Jay as my chief, I went to him as a

7 friend as far as, look, this is what happened. I

8 mean, I'm not going to lie, I was in tears.

9 Q. So you showed him and -- you showed Hurst

10 the text messages. Did you show that to Jay,

11 too?

12 A. Jay saw everything.

13 Q. And you showed them phone records showing

14 calls had taken place?

15 A. Correct.

16 Q. And it was your position that that was

17 evidence that some relationship was going on.

18 A. Yes.

19 Q. And then you believe Mr. Hurst admitted

20 some relationship was going on?

21 A. Yes. He admitted he was having contact

22 with her, but his explanation was that she needed

23 somebody, she needed comfort.

24 Q. And without commenting on the propriety

25 of somebody having a relationship with somebody

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1 else's wife, did you have an understanding that

2 there was concern about you, because you were

3 reacting in the workplace in a way that Jay felt

4 was too strong?

5 A. I never got that from Jay.

6 Q. Did you get that from somebody else?

7 A. When I was told I had to go to the

8 program was through the sheriff directly. He

9 said I had to cooperate or ultimately I would be

10 fired.

11 Q. Was the sheriff the person who would

12 ultimately issue any discipline in the department

13 generally?

14 A. Yes. Yes, he was.

15 Q. It wasn't Jay who did that?

16 A. No.

17 Q. So if you were going to be told of any

18 concern, it would come from either the sheriff or

19 perhaps HR as well?

20 A. Correct.

21 Q. So in this instance, did you have an

22 understanding that you were being told by the

23 sheriff, in this case, about a need to be

24 evaluated or go to EAP because there was a

25 concern about how you were reacting in the

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<p>1 workplace, whether or not the issue of the 2 relationship, you know, occurred?</p> <p>3 A. The sheriff was confused. When I say 4 confused, he understood the need to address the 5 situation as far as if there were comments made, 6 but on the flip side, the sheriff knew me well 7 enough at that time and for years, I don't drink, 8 and he knew that that part of it was fictitious. 9 He goes, Curt, you don't drink. He attended 10 functions with me. I was always the designated 11 driver. I don't drink.</p> <p>12 Q. Did you tell me a story about meeting 13 Tony Guy in the '90s where I thought you said you 14 guys were out having some drinks?</p> <p>15 A. My comment was I haven't drank in years. 16 For years.</p> <p>17 Q. So at the time of the events with 18 Mr. Hurst, you didn't drink?</p> <p>19 A. No.</p> <p>20 Q. Irrespective of the drinking, was the 21 concern about anger or behavior in the workplace 22 addressed to you by the sheriff?</p> <p>23 A. No. It was more, if I was going to pass 24 the drug and alcohol test.</p> <p>25 Q. Okay. You said you had to be evaluated</p>	<p>1 issues, and that was related directly to HR. 2 They said, thank you very much for you attending, 3 I said, no problem, and that was it.</p> <p>4 Q. Who did you meet with through this 5 process?</p> <p>6 A. Gateway.</p> <p>7 Q. And at Gateway, was it a counselor, a 8 psychiatrist, a psychologist, do you know?</p> <p>9 A. To be honest, I don't remember the exact 10 title. There was female and a young man that was 11 there, and same thing, they asked me to produce 12 those records, as far as the phone, you know. 13 And once I produced it, I said, here's what 14 happened, and then they asked me if he was ever 15 disciplined, I said no. And they said, but 16 you're here and he's not. I said, yep, I was 17 told I had to be here, so I cooperated.</p> <p>18 Q. So your recollection is that these people 19 whose job it is to assess people for anger or 20 drug and alcohol, or whatever EAP issues, were 21 commenting to you about whether Mr. Hurst should 22 have been visiting them as well?</p> <p>23 A. They questioned why he wasn't there as 24 well, and I said, I cannot answer that for you. 25 I said, I'm only telling you I'm here, and this</p>
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<p>1 and that there were anger issues raised as well. 2 A. Just over that statement that I was 3 accused of making.</p> <p>4 Q. The statement about burning the house 5 down?</p> <p>6 A. Yes, that statement.</p> <p>7 Q. How about the statement about where you 8 beat him up, when you told him that?</p> <p>9 A. Never came into question.</p> <p>10 Q. Did anybody know about that, to your 11 knowledge, other than Hurst?</p> <p>12 A. I divulged that immediately when I went 13 for the evaluation. I said, look, this is what I 14 said initially, I'm not going hide it, I'm not 15 going to lie about it. This is what I said.</p> <p>16 Q. So how long did you have to go through 17 evaluation or the EAP process?</p> <p>18 A. First initial test was to do the drug 19 test, they were waiting for the results. And 20 they did the background, as far as events leading 21 up to why things were said and done.</p> <p>22 The second one, at the completion of the 23 second one, they said there was no reason for me 24 to be there, and their exact words were, they're 25 surprised that Mr. Hurst was not disciplined for</p>	<p>1 is why, and I'm going to comply. 2 Q. And they questioned that after you used 3 his name and showed them records from his phone 4 number.</p> <p>5 A. Yes.</p> <p>6 Q. Did you ever have any other evaluations 7 or referrals to an EAP program while employed by 8 the County?</p> <p>9 A. No.</p> <p>10 Q. After the EAP was over, did you speak 11 with the sheriff or Jay Alstadt about this 12 situation?</p> <p>13 A. Yes.</p> <p>14 Q. And tell me about that.</p> <p>15 A. I had numerous discussions with Jay 16 Alstadt.</p> <p>17 Q. And what were those about?</p> <p>18 A. I tried to find out, like, how can I even 19 be accused of something as far as the drinking 20 aspect, and he said, Curt, don't even try to 21 figure it out. He said, the fact is they made 22 the accusation, you dealt with it, move on. I 23 said, well, for the record, to avoid a problem or 24 any hearsay or misinformation, I said, I'm 25 staying away from Mike. I said, I'm staying away</p>

## CURTIS LARRICK

<p style="text-align: right;">73</p> <p>1 from Randy. You can put me wherever you want, I 2 said, I'll do my job, and I did. I even avoided 3 signing up for overtime. If I knew their names 4 were on the list, to avoid any future problem, I 5 thought it was in the best interest of myself and 6 the office, I stayed clear of them.</p> <p>7 Q. Did the sheriff or Jay ever indicate that 8 that was a problem when you weren't available to 9 work certain shifts?</p> <p>10 A. No.</p> <p>11 Q. Were there any other issues with Randy or 12 Mike after that?</p> <p>13 A. With Randy, it continued. With Mike, 14 same thing, any time he could throw a comment or 15 a jab towards me, hurtful, to the point where it 16 was childish games they were playing, I got notes 17 in my box.</p> <p>18 Q. What kind of notes?</p> <p>19 A. Somebody thought it was cute, they cut up 20 my wife's wedding picture with her new husband, 21 made like 20 copies, put it in the box saying, 22 how does it feel.</p> <p>23 Q. And why do you think it was Mike or 24 Randy?</p> <p>25 A. They've been known over the years to play</p>	<p style="text-align: right;">75</p> <p>1 picture.</p> <p>2 A. That was August -- I think the first part 3 of September of 2015.</p> <p>4 Q. When did you get divorced?</p> <p>5 A. My divorce was 2012.</p> <p>6 Q. In 2010, you were referred to the EAP 7 program. Was that the same event that you were 8 referring to with Mr. Hurst, or was that 9 something different?</p> <p>10 A. That might be the time frame.</p> <p>11 (Larrick Deposition Exhibit 1 12 was marked for identification.)</p> <p>13 BY MS. JONES:</p> <p>14 Q. Mr. Larrick, I'm showing you what is 15 marked as your Deposition Exhibit No. 1, which is 16 a March 29, 2010 letter to Rick Darbut, on which 17 you were copied, from Sally Littell from Back on 18 Track, which is listed as an employee assistance 19 program.</p> <p>20 Does that refresh your recollection about 21 whether or not that's the same event involving 22 this Mike Hurst related matter?</p> <p>23 A. This was a -- I believe this was when my 24 wife and I, both of us were going through 25 independent counseling.</p>
<p style="text-align: right;">74</p> <p>1 little games with different people like that.</p> <p>2 Q. Did you ever ask them if it was them who 3 did that?</p> <p>4 A. It wasn't my position to. I had no 5 authority to, and I told them I was going to stay 6 clear, I didn't want to be confrontational.</p> <p>7 When I discovered it, Jay Alstadt was 8 right there. We both walked in the same morning, 9 I go to my pigeon hole, we have mail boxes, and I 10 was like, you got to be kidding me. He goes, 11 what? And I said, what is this? And he even 12 said, he said this is ridiculous. He said I'll 13 address it, and he said it will stop. And it 14 did, as far as the newspaper clippings.</p> <p>15 Q. Did he tell you if he talked to anybody 16 about it?</p> <p>17 A. He said he spoke to both.</p> <p>18 Q. Did he say whether they admitted that 19 they did it?</p> <p>20 A. Neither one would comment one way or the 21 other.</p> <p>22 Q. What is the time frame when that 23 happened?</p> <p>24 A. With both Mike Hurst and --</p> <p>25 Q. I'm sorry, that incident with the</p>	<p style="text-align: right;">76</p> <p>1 Q. And would you have been going through 2 counseling in relation to --</p> <p>3 A. No, you know what this is, this was with 4 the -- Back on Track program. This was with the 5 Mike Hurst situation.</p> <p>6 Q. Okay. Well, you described earlier that 7 you may have met with someone from Gateway, is 8 that different than this Back on Track?</p> <p>9 A. It's one and the same. It was the 10 program that the County offered if it was needed 11 or suggested.</p> <p>12 Q. Did you ever make any accusation against 13 any other deputy for getting involved in matters 14 involving your wife?</p> <p>15 A. There were several deputies that were 16 relaying information to her, yes.</p> <p>17 Q. Who was that?</p> <p>18 A. Kristin Chapes.</p> <p>19 Q. Is she a deputy?</p> <p>20 A. Yes.</p> <p>21 Q. Kristin...?</p> <p>22 A. Chapes.</p> <p>23 Q. And what were the circumstances involving 24 her that related to your wife?</p> <p>25 A. For whatever reason they, after we</p>

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<p>1 separated, the two of them became friends, and no 2 matter what I did, it was relayed directly back 3 to my ex through Kristin.</p> <p>4 Q. So what kinds of things were being 5 relayed that you believed were a problem?</p> <p>6 A. Everything from where I was, to my 7 assignment, to my overtime, to --</p> <p>8 Q. How did you know about that, how did you 9 find out that Kristin was telling your wife what 10 you were up to?</p> <p>11 A. She admitted it the one time to me, flat 12 out. She told the sheriff when I addressed it, I 13 said, I don't think it's right that what I do 14 here in my workplace, people go back to my ex, or 15 my soon to be ex. What happens at work stays at 16 work.</p> <p>17 Q. So how did you learn about it, first, 18 that you confronted Deputy Chapes about whether 19 she was doing this?</p> <p>20 A. My kids.</p> <p>21 Q. Tell me how.</p> <p>22 A. My daughter told me that -- she flat out 23 said that mommy is friends with a couple of the 24 deputies and no matter what you do, she finds 25 out. She is making it a point to find out.</p>	<p>1 work and personal issues at home. And at no 2 point in time should the two, you know, become 3 related.</p> <p>4 Q. Did you make allegations against any 5 other deputies that were getting involved in your 6 home life, or personal life?</p> <p>7 A. The only other one that was having 8 contact while on duty was James McGeehan.</p> <p>9 Q. And what was his job?</p> <p>10 A. He was a lieutenant at the time.</p> <p>11 Q. And what kind of contact was he making?</p> <p>12 A. From what I understand, it was through 13 Facebook, and he -- his explanation to me, he 14 said he was only doing what the sheriff told him, 15 he had to find out some information, and it only 16 happened on several occasions.</p> <p>17 Q. What kind of information was he trying to 18 find out?</p> <p>19 A. To this day, I still don't know.</p> <p>20 Q. And what was your understanding of what 21 the sheriff was trying to find?</p> <p>22 A. Still don't know.</p> <p>23 Q. How did you know that James was looking 24 into you on Facebook? What --</p> <p>25 A. He wasn't looking into me. He was asking</p>
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<p>1 Q. Did your wife not think you were at work 2 and she was asking someone to check up on that?</p> <p>3 A. My wife's intention was to, for all 4 intents and purposes, make my life pure hell.</p> <p>5 Q. So what did Deputy Chapes say when you 6 asked her if she was reporting your whereabouts 7 to your wife?</p> <p>8 A. She said that she has a right to be 9 friends with who she wants to and no matter what 10 I say or do is going to change that.</p> <p>11 Q. Did you disagree with that?</p> <p>12 A. I said, I have no problem with that. But 13 what you do, you do off duty, you do not do it on 14 duty.</p> <p>15 Q. And did you report her connection to your 16 wife to Jay or somebody else?</p> <p>17 A. Yes.</p> <p>18 Q. And did Jay tell you that you should not 19 worry about who's friends with who?</p> <p>20 A. No. They had the same concerns.</p> <p>21 Q. And the concern was what, that she was 22 doing this while she was working?</p> <p>23 A. She was doing this while she was working, 24 and their feelings was the same, that when an 25 employee is at work, you leave work issues at</p>	<p>1 my wife questions through Facebook.</p> <p>2 Q. Okay. And why is that a problem for him 3 to communicate with someone through Facebook?</p> <p>4 A. He was on duty.</p> <p>5 Q. Okay.</p> <p>6 A. Asking personal, from what I understand, 7 personal questions about my divorce, about 8 different things going on, and it just wasn't 9 appropriate.</p> <p>10 Q. And how did you learn that? Did you see 11 it? Did somebody print it for you?</p> <p>12 A. My daughter.</p> <p>13 Q. What did your daughter tell you?</p> <p>14 A. Once again, she said, dad, you ain't 15 going to believe this, she told me, and I said, 16 really? And so I reported it.</p> <p>17 Q. Did you see it, whatever he was doing, 18 communicating?</p> <p>19 A. No.</p> <p>20 Q. Did anyone ever make a copy of it for 21 you?</p> <p>22 A. No.</p> <p>23 Q. Do you have any such information today, 24 documents that show this activity?</p> <p>25 A. On James McGeehan?</p>

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<p>1 Q. Yes.</p> <p>2 A. No, I do not.</p> <p>3 Q. On any of these other deputies that you</p> <p>4 said were involved in your personal life?</p> <p>5 A. Other than the phone records I still</p> <p>6 have, I have one message from Randy Tallon to</p> <p>7 Krista saying, we need to talk through Facebook.</p> <p>8 All of that was turned over to the chief and the</p> <p>9 sheriff, and I trusted that they would act</p> <p>10 appropriately and tell them, look, enough is</p> <p>11 enough.</p> <p>12 Q. Do you know if they did have any</p> <p>13 conversations with them?</p> <p>14 A. They spoke to all parties involved</p> <p>15 repeatedly and told them, look, what happens here</p> <p>16 stays here, and we're not going to get in this</p> <p>17 habit of bringing personal lives, because they</p> <p>18 said it works both ways. They said that could be</p> <p>19 you one day, they tried to put it in that manner,</p> <p>20 they talked to him numerous times.</p> <p>21 Q. Did you have more than one instance of</p> <p>22 James communicating with your wife? Or just the</p> <p>23 one you've described on Facebook?</p> <p>24 A. Once it was explained to me, I was led to</p> <p>25 believe there were several. Once it was</p>	<p>1 had no say and I don't want a part. I have no</p> <p>2 control over that, nor do I want to.</p> <p>3 Q. Did Jay Alstadt tell you that he thought</p> <p>4 you were coming to him too many times and</p> <p>5 complaining about other deputies?</p> <p>6 A. No.</p> <p>7 Q. Did Jay Alstadt tell you, or words to the</p> <p>8 effect, that you needed to move on and get past</p> <p>9 everybody's perceived interest in you?</p> <p>10 A. Jay said to me on several occasions, he</p> <p>11 said, their mentality is if they see it's</p> <p>12 bothering you, they're going to keep doing it.</p> <p>13 Act like it don't bother you, move on. That's</p> <p>14 how it was explained to me. But Jay had an open</p> <p>15 door policy. He said, if there's a problem, tell</p> <p>16 me and I will deal with it.</p> <p>17 Q. So you would go back repeatedly and see</p> <p>18 him?</p> <p>19 A. If there was a problem.</p> <p>20 Q. Were you ever counseled or told that</p> <p>21 there was a concern about you not appearing to</p> <p>22 get measured for a vest when somebody was coming</p> <p>23 into the office to measure everybody for a</p> <p>24 ballistic vest?</p> <p>25 A. I was asked by Joe O'Shea if I was</p>
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<p>1 explained that he did have several, but it was</p> <p>2 because he was told to, by the sheriff.</p> <p>3 Q. Did you ever get an answer as to whether</p> <p>4 that was true?</p> <p>5 A. Yes.</p> <p>6 Q. What was the answer?</p> <p>7 A. Yes. He made contact with her.</p> <p>8 Q. I'm sorry. If the part about being</p> <p>9 directed to do so by the sheriff was true?</p> <p>10 A. Yes.</p> <p>11 Q. Did the sheriff tell you that was true?</p> <p>12 A. No. Rick Darbut did, and Jimmy McGeehan</p> <p>13 pulled me aside and said, look, I don't want this</p> <p>14 going any further, I was only doing what I was</p> <p>15 told to do, and he goes, that's the end of it.</p> <p>16 Q. So were you ever given an understanding</p> <p>17 or an explanation as to why the sheriff was doing</p> <p>18 that?</p> <p>19 A. No, I wasn't.</p> <p>20 Q. But with Mr. McGeehan, it stopped?</p> <p>21 A. It stopped.</p> <p>22 Q. And how about with Kristin Chapes?</p> <p>23 A. It stopped while on duty. But their</p> <p>24 friendship, if there is, was, or still is, to the</p> <p>25 best of my knowledge, that's their business. I</p>	<p>1 available to come in on a certain day, and I</p> <p>2 explained to him I was not available, spoke with</p> <p>3 the chief, told him that I was going to be -- the</p> <p>4 situation. He said I would be able to go on my</p> <p>5 own, and that was pretty much my understanding of</p> <p>6 how that was supposed to go.</p> <p>7 Q. So by way of background, somebody was</p> <p>8 coming in to the department to measure everybody</p> <p>9 for these vests, is that right?</p> <p>10 A. Correct.</p> <p>11 Q. And the deputies were asked to appear so</p> <p>12 they could be measured in the office?</p> <p>13 A. There were several dates that were made</p> <p>14 available, and the first date that they, Joe</p> <p>15 asked for me to attend, I said I could not, I</p> <p>16 asked to be rescheduled. I also informed them I</p> <p>17 could go up, because I had to pick up other</p> <p>18 things that I had ordered, and I could get it</p> <p>19 done right then and there.</p> <p>20 Q. Was there another day when they had them</p> <p>21 in the office, and you were present, but you</p> <p>22 wouldn't get measured?</p> <p>23 A. That was the same day.</p> <p>24 Q. So you're saying there was only one day</p> <p>25 that you came to the office when these people</p>

<p style="text-align: right;">85</p> <p>1 were there to measure folks for vests, and you 2 did not get measured?</p> <p>3 A. I could not get measured that day, 4 correct.</p> <p>5 Q. And why not?</p> <p>6 A. It was explained to the chief, I had 7 other obligations as far as doctors' 8 appointments. I could not stay for the whole 9 day. I went there for a meeting, did what I was 10 originally told to do, and I was led to believe 11 that I could come back at a later date, there 12 were several dates that were there, and it didn't 13 work out that way.</p> <p>14 Q. Why didn't it work out that way?</p> <p>15 A. I believe I was given a written warning 16 from Joe O'Shea that I didn't show up when he 17 told me that I was ordered.</p> <p>18 Q. What position was Joe O'Shea?</p> <p>19 A. Corporal.</p> <p>20 Q. And was he in a position to issue 21 discipline?</p> <p>22 A. I was originally told no, but it 23 happened.</p> <p>24 Q. And were you told you were being given a 25 written warning because you were actually present</p>	<p style="text-align: right;">87</p> <p>1 for, attorneys, whatnot, and I wanted to be 2 present for that.</p> <p>3 Q. Who is James -- is it Jeschke? What is 4 your wife's, your ex-wife's current last name?</p> <p>5 A. Jeschke.</p> <p>6 Q. Who is James Jeschke?</p> <p>7 A. That's her new husband.</p> <p>8 Q. Okay. And she got married in -- did you 9 say 2015, when that article came out, or did she 10 get married sooner?</p> <p>11 A. She got married sooner, but that's when 12 it appeared in the Beaver County Times.</p> <p>13 Q. Were you counseled or did you have issues 14 raised to you about your dealings with James 15 Jeschke?</p> <p>16 A. I was brought in and questioned on them, 17 yes.</p> <p>18 Q. And what was the questioning about?</p> <p>19 A. Mr. Jeschke was alleging myself and other 20 deputies were harassing him because he was with 21 my wife.</p> <p>22 Q. Was that true?</p> <p>23 A. No.</p> <p>24 Q. And what happened with regard to the 25 questioning of you about that?</p>
<p style="text-align: right;">86</p> <p>1 and could have been measured, rather than 2 unavailable?</p> <p>3 A. If I stuck around for the day, I could 4 have been measured.</p> <p>5 Q. Wasn't the person there only for a couple 6 of hours to measure people?</p> <p>7 A. The person wasn't even there at the time. 8 They were on their way there.</p> <p>9 Q. But it was only a limited period of time 10 they were going to be there?</p> <p>11 A. Correct.</p> <p>12 Q. And you were there at those same limited 13 periods of time?</p> <p>14 A. No. I was there prior to him being 15 there.</p> <p>16 Q. And you had to leave.</p> <p>17 A. Correct.</p> <p>18 Q. You were not on duty that day?</p> <p>19 A. No. I was on FMLA.</p> <p>20 Q. But you came to the office.</p> <p>21 A. Correct.</p> <p>22 Q. Why did you come to the office if you 23 were on FMLA?</p> <p>24 A. We had a union meeting that had certain 25 things as far as fees that were going to be paid</p>	<p style="text-align: right;">88</p> <p>1 A. Things were presented to the sheriff, 2 members of management, as well as there was a 3 letter from my attorney addressing Mr. Jeschke 4 that if he continued further harassment, that 5 charges will be filed against him.</p> <p>6 Q. Was it your position that Mr. Jeschke was 7 harassing you?</p> <p>8 A. Mr. Jeschke and my ex-wife went to four 9 police departments, filed four false reports, 10 that were all proven false, and was warned if 11 they filed one more, charges would be filed.</p> <p>12 My divorce attorney, Debbie Decostro, 13 sent a letter to them through their attorney 14 advising them to cease and desist immediately, 15 that enough is enough. At that point, everything 16 stopped with Mr. Jeschke.</p> <p>17 Q. And when in that series of events you 18 just described did the sheriff or someone from 19 the sheriff's department question you about your 20 actions involving Mr. Jeschke?</p> <p>21 A. George David and the chief brought it to 22 my attention that he was there wanting to file a 23 PFA against me, is what the exact verbiage was. 24 (Larrick Deposition Exhibit 2 25 was marked for identification.)</p>

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1 BY MS. JONES:  
 2 Q. I'm going to show you a September 11,  
 3 2011 note from James Jeschke to George David.  
 4 Have you ever seen this before? And you can take  
 5 a minute to read it.  
 6 A. (Witness reviews document.) This is not  
 7 the correct document.  
 8 Q. What do you mean by that?  
 9 A. There was a -- this is something new,  
 10 completely new to me.  
 11 Q. Okay. So you've not seen this before?  
 12 A. No. I was presented a letter from the  
 13 sheriff stating that he was there, James Jeschke  
 14 filed a complaint alleging that I made threats.  
 15 It was addressed, questions were asked and  
 16 answered. At that point, you know, it was over  
 17 and done with.  
 18 Q. So you're referring to a letter that you  
 19 received from the sheriff?  
 20 A. I was shown a copy of. I was not allowed  
 21 to keep a copy for myself, no.  
 22 Q. But the letter was from the sheriff  
 23 directed to you?  
 24 A. No.  
 25 Q. I'm sorry. Who was the letter to and

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1 from?  
 2 A. It was a letter from Mr. Jeschke to the  
 3 sheriff.  
 4 Q. Do you know the date of the letter?  
 5 A. (Witness shaking head.)  
 6 Q. Do you have a copy of the letter?  
 7 A. No. As I indicated, I was never given a  
 8 copy.  
 9 Q. And when were you shown it, and by whom?  
 10 A. By the sheriff.  
 11 Q. Sheriff David?  
 12 A. Yes, and Jay Altstadt.  
 13 Q. Was that, to your knowledge, after  
 14 Mr. Jeschke had supposedly made complaints about  
 15 you to the sheriff?  
 16 A. He had made allegations to a lot of  
 17 people and the sheriff wanted to know why. When  
 18 I told him to talk to the different people to get  
 19 answers, he did, and he said, as far as he was  
 20 concerned, that was the end of it.  
 21 Q. So then I guess I'm not entirely clear.  
 22 What did the letter that you were shown say?  
 23 A. That basically, I was stalking,  
 24 harassing, making threats to get him out at a  
 25 bar, that I was going to have people arrest him.

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1 Q. And did you ever make an allegation that  
 2 you were going to have him arrested?  
 3 A. No.  
 4 Q. Were you at a bar when he was there?  
 5 A. I haven't been at a bar for years, as I  
 6 stated. No.  
 7 Q. So this letter, Exhibit 2, does make  
 8 allegations that you were harassing or stalking  
 9 him, but you think that was a different letter?  
 10 A. This is a completely different letter. I  
 11 was never shown this.  
 12 Q. In looking at it, does it include some of  
 13 the things that were told to you that Mr. Jeschke  
 14 was claiming, even if you've never seen it?  
 15 A. Certain things on here that was made to  
 16 my attention, as far as him wanting to file the  
 17 restraining order.  
 18 Q. Okay. Is Randy DoBich a friend of, to  
 19 your knowledge, of Mr. Jeschke's or a friend of  
 20 yours?  
 21 A. Randy DoBich, I grew up with his family,  
 22 but he was one of the best men in Mr. Jeschke's  
 23 wedding.  
 24 Q. And were you ever told that Mr. DoBich  
 25 had either made reports or backed up

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1 Mr. Jeschke's version of events?  
 2 A. No. Because I haven't had contact with  
 3 Mr. DoBich for years.  
 4 Q. So you didn't speak to Mr. DoBich while  
 5 you were in uniform and raise any issues about  
 6 Mr. Jeschke.  
 7 A. No, I did not.  
 8 Q. Do you know a Joel Chalupiak?  
 9 A. Yes.  
 10 Q. Did you ever approach Mr. Chalupiak and  
 11 make comments about your ex-wife?  
 12 A. Mr. Chalupiak knew my ex-wife and myself  
 13 personally. He was a former neighbor, attended  
 14 barbecues, and we had functions, and he knew us  
 15 both.  
 16 Q. Did you ever talk to him and make a  
 17 comment that you thought your ex-wife and her new  
 18 boyfriend, Mr. Jeschke, might be doing drugs?  
 19 A. Not to that, no.  
 20 Q. What do you mean, not to that, what does  
 21 that mean?  
 22 A. There were comments made about my wife,  
 23 but not about drugs.  
 24 Q. What were the comments made to  
 25 Mr. Chalupiak?



<p style="text-align: right;">93</p> <p>1 A. She is constantly harassing me, coming up 2 with different allegations to different various 3 agencies. 4 Q. Do you know Donna Michaels? 5 A. Yes. 6 Q. That is your former mother-in-law? 7 A. Yes. 8 Q. Did you tell her that there was a 9 restraining order against Mr. Jeschke in the 10 past? 11 A. No. I advised her that he was trying to 12 get one on me. 13 Q. Did you ever make comments about 14 Mr. Jeschke and having problems with his former 15 wife to Donna Michaels? 16 A. No. 17 Q. Did you make any comments about 18 Mr. Jeschke and his former wife to anybody else? 19 A. No. 20 Q. Janice Beall, she is a public official in 21 Beaver, isn't she? 22 A. Yes, she is. 23 Q. Did you speak with Ms. Beall about 24 Mr. Jeschke? 25 A. One occasion.</p>	<p style="text-align: right;">95</p> <p>1 A. No. That was actually to the police 2 department. 3 Q. Who is John Allison? 4 A. Former employee of Jimmy Jeschke. 5 Q. Did you ever speak to Mr. Allison about 6 Jeschke? 7 A. Yes. 8 Q. And was that at the fair? 9 A. No. It was actually at my house. 10 Q. Was Mr. Allison at your house? 11 A. Numerous times. 12 Q. Why? 13 A. He was a friend of mine. We'd go 14 hunting, fishing. 15 Q. So you never spoke to him while in 16 uniform about Mr. Jeschke? 17 A. No. At the house, yes. 18 Q. And who is Holly Betekeeper, Betekeeper? 19 A. Betekeeper. That is his -- Jimmy 20 Jeschke's sister-in-law. 21 Q. Did you ever make comments to Holly about 22 either your ex-wife or Mr. Jeschke? 23 A. About my ex-wife, yes. 24 Q. What did you say? 25 A. Just that the whole situation was</p>
<p style="text-align: right;">94</p> <p>1 Q. What was that conversation? 2 A. Just to let her know that her and I were 3 friends for years and at no point in time was the 4 actions of her nephew going to reflect on her and 5 I. 6 Q. Why would you have that conversation with 7 her? 8 A. I made it known to her that he was trying 9 to file false reports against me, and I just told 10 her, I said, you know, you and I have been 11 friends, I don't want this getting involved, and 12 she understood. 13 Q. Did she ever tell you to stop bothering 14 her or bothering her nephew? 15 A. No. 16 Q. And you never made a comment that 17 Mr. Jeschke was an alcoholic or had problems with 18 drinking? 19 A. No. 20 Q. Did you ever report to anyone that 21 Mr. Jeschke was driving past your house and doing 22 burnouts in front of your house? 23 A. Yes. 24 Q. And was that to John Allison, or somebody 25 else?</p>	<p style="text-align: right;">96</p> <p>1 terribly wrong. 2 Q. And how did you know Holly? 3 A. Holly and I have been friends since we 4 were in kindergarten. 5 Q. And did you know Mr. Jeschke, too, since 6 you were younger? 7 A. Mr. Jeschke is a few years younger than 8 me. 9 Q. Did you know him? 10 A. Yes. 11 Q. Were you friends at any point in time? 12 A. Yes. His sister used to hang out with us 13 all the time. 14 Q. There's reference here that you have a 15 history of stalking Holly that goes back almost 16 20 years. Has anyone ever made that allegation, 17 other than in this letter? 18 A. No. That is kind of shocking. 19 Q. Holly never made that claim or asked you 20 to stay away from her? 21 A. Never. 22 Q. Did you speak to your ex-wife about 23 Jeschke? 24 A. Yes. 25 Q. What did you say to her?</p>

97	<p>1 A. I inquired why is he going to my place of 2 employment, why is he filing all of these false 3 reports? 4 Q. What did she say? 5 A. She just laughed and she said, it's -- 6 this ain't over. 7 Q. What did that mean, or how did you 8 interpret that? 9 A. I took it that there was more to come. 10 Q. Did she tell you that she felt you were 11 harassing him? 12 A. I never had phone contact, text, message, 13 I never had any contact with Mr. Jeschke, ever. 14 Q. Whether it was direct contact or not, did 15 your ex-wife ever tell you that she thought you 16 were harassing him? 17 A. No. 18 Q. Did she tell you she thought you were 19 harassing her? 20 A. No. 21 Q. Did she tell you to stay away from her? 22 A. She told me to stay away from her family. 23 Q. But you didn't think that meant her. 24 A. Her family. 25 Q. Who did you think that meant?</p>	99	<p>1 sexual activity with him, so you don't apply to 2 this. Sheriff David also told him that. 3 Q. So he went to multiple police departments 4 to try to stop you from harassing him, from his 5 perspective, and no one told him -- strike that. 6 And those departments told him that the 7 only way you could file the PFA was if you had a 8 certain kind of relationship, which you two 9 didn't have. 10 A. Correct. 11 Q. Did he file any other kind of charges, to 12 your knowledge, against you? 13 A. No. Everything ceased when my attorney 14 filed -- ultimately filed the letter through his 15 attorney saying enough is enough. 16 Q. Were there other incidents with police 17 that were raised either by Mr. Jeschke or your 18 ex-wife against you? 19 A. Yes. 20 Q. What were those? 21 A. She tried to file a PFA. 22 Q. And when was that? 23 A. Last year. Last March. 24 Q. 2016? 25 A. Yes.</p>
98	<p>1 A. She made it perfectly clear that I am no 2 longer to go down to my ex in-laws, whether that 3 was me, my son, she didn't want us associated 4 with him. 5 Q. Did she tell you why? 6 A. She didn't think it was appropriate, 7 since she remarried. 8 Q. Was she remarried, though, in 2011? 9 A. No. But I'm saying at the time, those 10 are discussions her and I had pertaining to 11 Mr. Jeschke. That's the only discussions we've 12 had. 13 Q. Was there anything else, other than what 14 has been referenced in this letter that we just 15 discussed, that you were told Mr. Jeschke was 16 alleging about you? 17 A. Other than I was told he was at several 18 police departments, Harmony Township, Economy, 19 Baden, all of which trying to file a PFA, and all 20 of them told him the exact same thing. 21 Q. What did they tell him? 22 A. Either, A -- they told him, one, you 23 don't qualify. He was not happy with that, he 24 said, why not, they said you're not family. And, 25 two, they said, obviously, you're not engaged in</p>	100	<p>1 Q. And where did she try to file that? 2 A. She filed it with the local magistrate. 3 She got a temporary with -- I'm trying to 4 remember the magistrate, now, for Economy. 5 Q. But it was Economy Borough? 6 A. Yes. 7 Q. And then what happened after the 8 temporary PFA was issued? 9 A. My son went to her immediately, my guns 10 were relinquished to other family members, I had 11 to relinquish my pistol permit. 12 Q. And then what happened? 13 A. Shortly after everything, when we had our 14 first hearing, when it was proven that there was 15 nothing there against me, everything was dropped 16 immediately. 17 Q. Where was that hearing? 18 A. Beaver County courthouse. 19 Q. In front of who? 20 A. Juvenile division. 21 Q. What judge or official? 22 A. It was juvenile, I'm trying to remember, 23 J.T. Engel. 24 Q. Is that a master? 25 A. No. He was one of the social workers.</p>

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<p>1 It was a hearing.</p> <p>2 Q. What was the basis of the PFA? What did</p> <p>3 she say was the basis for the PFA?</p> <p>4 A. That I struck my son and I pushed him.</p> <p>5 She filed a PFA on behalf of my son, not for her</p> <p>6 directly.</p> <p>7 Q. And what was the testimony at the</p> <p>8 hearing?</p> <p>9 A. There was none.</p> <p>10 Q. There was no testimony?</p> <p>11 A. No. They introduced, my son was -- he</p> <p>12 was given a forensic examination at Children's</p> <p>13 Hospital, and it was proven that he was coached</p> <p>14 and coerced and that nothing happened. It was</p> <p>15 later determined, once that was produced from my</p> <p>16 attorney to them, Krista dropped everything</p> <p>17 immediately.</p> <p>18 Q. Was there any other time that any</p> <p>19 criminal charges or other charges were filed by</p> <p>20 your wife or involving your wife?</p> <p>21 A. She made numerous allegations, but no</p> <p>22 charges were ever -- there were reports from</p> <p>23 multiple police departments.</p> <p>24 Q. And which police departments?</p> <p>25 A. Harmony Township.</p>	<p>1 it don't work that way.</p> <p>2 Q. Was her claim the same thing, about the</p> <p>3 clothes, or something else?</p> <p>4 A. She was just alleging that I was abusing</p> <p>5 my son and whatnot, and they said they'll make</p> <p>6 the appropriate calls, but they said, you have to</p> <p>7 report that to the appropriate agency.</p> <p>8 Q. Do you know if she did or they did report</p> <p>9 that to anybody else?</p> <p>10 A. Not sure. I never received any</p> <p>11 further...</p> <p>12 Q. Did you ever have contact from Baden</p> <p>13 police?</p> <p>14 A. Yes.</p> <p>15 Q. And what was that about?</p> <p>16 A. Pertaining to the custody issues.</p> <p>17 Q. And do you recall when that was?</p> <p>18 A. There were several occasions where I</p> <p>19 would be there for the custodial exchange, as far</p> <p>20 as for Cole, to pick him up, she wouldn't show</p> <p>21 up. Or when she was there, upon doing so, she</p> <p>22 would try to provoke a situation by flipping me</p> <p>23 off, saying a few things, and I just kept my</p> <p>24 mouth shut, gave my son a hug and said let's go.</p> <p>25 Q. How did the police become involved in</p>
<p>1 Q. And when was that?</p> <p>2 A. Immediately after we separated, 2009 to</p> <p>3 2010.</p> <p>4 Q. And what was the report made?</p> <p>5 A. Offhand, I don't remember the exact date.</p> <p>6 Q. What was the nature of the report, what</p> <p>7 was claimed?</p> <p>8 A. I apologize for laughing. The initial</p> <p>9 claim was that I cut several of her lingerie,</p> <p>10 undergarments.</p> <p>11 Q. And who responded to that?</p> <p>12 A. Harmony Township.</p> <p>13 Q. Anyone in particular that you can recall?</p> <p>14 A. I'm not sure if it was Jason Vular.</p> <p>15 Q. What came of that report?</p> <p>16 A. Absolutely nothing.</p> <p>17 Q. Had you cut her clothes up?</p> <p>18 A. No.</p> <p>19 Q. What other police departments did she</p> <p>20 make reports to, to your knowledge?</p> <p>21 A. Economy, and they told her that she</p> <p>22 didn't have, that there was not jurisdiction,</p> <p>23 that whatever she wanted, she had to go through</p> <p>24 Harmony Township. She said, I was just there and</p> <p>25 I didn't get the result I wanted, so they said,</p>	<p>1 those, if at all?</p> <p>2 A. I actually called them.</p> <p>3 Q. And do you recall when that was?</p> <p>4 A. Not sure, but I have all the reports.</p> <p>5 Q. Was that a report that occurred at the</p> <p>6 school or relating to a school exchange or a</p> <p>7 visit at the school?</p> <p>8 A. That was a different incident.</p> <p>9 Q. What was that?</p> <p>10 A. My ex showed up at State Street</p> <p>11 Elementary School, tried to pick up my son, the</p> <p>12 school said, okay, we're aware of the custody</p> <p>13 arrangement, Curt has full custody, did you</p> <p>14 notify Curt? She said, no, I don't have to, I'm</p> <p>15 the mother, I'll take him when I want. They said</p> <p>16 it don't work that way.</p> <p>17 They then called me at the sheriff's</p> <p>18 office, the chief and jail staff immediately</p> <p>19 pulled me from my courtroom, explained what</p> <p>20 they -- the call that they got. They got a call</p> <p>21 from the 911 center, the 911 center called me</p> <p>22 back, advised me of what was going on, they</p> <p>23 transferred me to Baden police, they said, you</p> <p>24 need to get down here and get Cole.</p> <p>25 With the chief's and the sheriff's</p>

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1 approval, I left, went down, Baden police told me  
 2 to meet them at the back of the building. Went  
 3 to the back of the building, teachers were there,  
 4 they were in tears, they said she's out there  
 5 pretty much flipping out saying she's taking Cole  
 6 and nobody is going to stop her.

7 Q. And what was the ultimate resolution?

8 A. I left with my son, they tried to get me  
 9 out of there so there would not be a conflict,  
 10 which I understood. The chief and the officers  
 11 that were there tried to explain to Krista, they  
 12 said, as a courtesy, we will give you this one  
 13 time, you need to calm down, but you can't be  
 14 flipping out in a school like this, you could be  
 15 arrested, there's a custody order. And she  
 16 threatened to sue them and everybody else. And  
 17 that was that incident.

18 Q. Any others where you can recall the  
 19 police being called?

20 A. Oh, yes.

21 Q. What were they?

22 A. There was one when I was on vacation in  
 23 Ocean City, Maryland.

24 Q. What happened there?

25 A. I was down there with a good friend, Matt

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1 Jones, one of the other deputies, my daughter and  
 2 my son. My daughter and my son got into a  
 3 typical brother/sister sibling argument, I told  
 4 them both to shut up, we're here to have a good  
 5 time, let's go on the beach. I told them --  
 6 opened up the sliding glass door, I said, look,  
 7 beach. It's beautiful. Let's have fun. Let's  
 8 go.

9 We proceed to go down. My son said, I'll  
 10 be there in a few minutes. It was only a matter  
 11 of 60 yards. You open up the door, you're right  
 12 there. Ten, fifteen minutes goes by, no Cole.  
 13 That's my son's first name, Cole. We're like,  
 14 let's go up and check on him. I get there, and  
 15 there are three officers there.

16 And next thing I knew the one officer  
 17 said, are you Curt Larrick? I said, yeah. I was  
 18 placed in handcuffs, sat on the back balcony.  
 19 Matt was detained, he was placed in handcuffs,  
 20 and my daughter was detained.

21 Turns out that immediately after we left,  
 22 my ex had called to check on the kids, see how  
 23 they were doing, Cole told them that him and  
 24 Annessia got into a fight. And one thing led to  
 25 another, and somehow, the next thing you know,

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1 Krista called Ocean City police, saying that I  
 2 was the one that was abusive and that -- and she  
 3 reported to them that if any officer showed up,  
 4 that I would shoot them, that I was under a lot  
 5 of stress, that I was under medication, that she  
 6 spoke to my office on numerous occasions about  
 7 these situations.

8 After Ocean City police conducted a very  
 9 thorough hour and a half investigation of all  
 10 parties involved, after talking to my daughter,  
 11 myself, and it was determined even after talking  
 12 to Cole, it never happened. They said they're  
 13 going to refer to Children and Youth here for  
 14 charges to be filed on Krista for false reports.  
 15 CYS up here did nothing because they said it was  
 16 out of their jurisdiction because it actually  
 17 happened in the state of Maryland.

18 Q. Did you follow up with CYS on that?

19 A. Oh, yes.

20 Q. And they wouldn't do that for the  
 21 jurisdictional reason?

22 A. That was the only reason. I immediately  
 23 called, once the situation happened, my chief and  
 24 the sheriff's office to let them know. It was  
 25 protocol. Police were called. I was involved in

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1 a situation. Told them the whole thing. I said,  
 2 if there's any problems, this is the supervisor's  
 3 name, this is what happened.

4 Everybody agreed, I did nothing wrong,  
 5 and it was another situation where my ex filed  
 6 another false report.

7 Q. You said you maintained at least some of  
 8 those reports yourself?

9 A. I have all of them.

10 MS. JONES: We'll make a follow-up  
 11 request for that, just to make sure we're not  
 12 misunderstanding anything.

13 A. One should be on file with the sheriff's  
 14 office.

15 Q. Why so?

16 A. I gave them a copy. And it was later  
 17 divulged to me that the sheriff's office actually  
 18 called Ocean City police for a copy of the  
 19 report, so they have two. Yeah.

20 Q. Were you, other than the demotion that  
 21 we've talked about and the incident with Hurst  
 22 where you were referred to EAP, and I'm not sure  
 23 if we covered anything else already, but is there  
 24 any other -- we talked about the measuring for  
 25 the vest issue.

109	<p>1 A. Yes.</p> <p>2 Q. Is there any other events that you can</p> <p>3 recall in which you were either counseled or</p> <p>4 disciplined or told that there was a concern</p> <p>5 about some activity -- you mentioned attendance</p> <p>6 earlier that the sheriff had of you by your FMLA,</p> <p>7 and you connected those two.</p> <p>8 Anything else you can recall?</p> <p>9 A. Yes.</p> <p>10 Q. What was that?</p> <p>11 A. One was I was suspended for five days due</p> <p>12 to not wearing my seat belt.</p> <p>13 Q. Okay. And is that -- on duty, right?</p> <p>14 A. I was on duty.</p> <p>15 Q. In the patrol car?</p> <p>16 A. Yes. I was a passenger.</p> <p>17 Q. And what was the nature of the</p> <p>18 discipline?</p> <p>19 A. Told me to describe what happened. I</p> <p>20 don't understand, I got five days for not having</p> <p>21 my seat belt on.</p> <p>22 Q. Did you think that was -- did you wear</p> <p>23 your seat belt or were you not wearing your seat</p> <p>24 belt?</p> <p>25 A. It wasn't physically possible.</p>	111	<p>1 have a -- the van was clearly outdated. It</p> <p>2 didn't have handles, it didn't have any apparatus</p> <p>3 to hold on to. It was deplorable.</p> <p>4 Q. Did you grieve that discipline?</p> <p>5 A. No. I was told it was non-grievable.</p> <p>6 Q. Why would that be?</p> <p>7 A. I was just told that by Mike Tibolet.</p> <p>8 Q. Who was Mike vis-a-vis --</p> <p>9 A. At the time, he was the union president.</p> <p>10 Q. Were you aware that there was discipline</p> <p>11 that was not grievable?</p> <p>12 A. That was news to me.</p> <p>13 Q. And your position is they said you could</p> <p>14 not grieve it, rather than they would not support</p> <p>15 you grieving it.</p> <p>16 A. Both.</p> <p>17 Q. And did they give you a reason as to why</p> <p>18 they wouldn't support you grieving it?</p> <p>19 A. They cited another case that was with a</p> <p>20 DFW worker, it was very similar, that didn't have</p> <p>21 a seat belt on, and they said it was irrelevant</p> <p>22 whether it had it or didn't, he got five days,</p> <p>23 county policy states you're in a vehicle, you</p> <p>24 don't have it, this is what happens.</p> <p>25 Q. Was that because they believed that if</p>
110	<p>1 Q. Why?</p> <p>2 A. The van that we were in did not have the</p> <p>3 seat belt on my side, but I was told that was</p> <p>4 irrelevant. I should have reported it or I</p> <p>5 should have not even got in the vehicle. But I</p> <p>6 was in the vehicle, we got hit, there was an</p> <p>7 accident, I got five days.</p> <p>8 Q. Did you get injured?</p> <p>9 A. Yes.</p> <p>10 Q. Did you have to be off work for the</p> <p>11 injury?</p> <p>12 A. For three days, I think I was off. I was</p> <p>13 back to work in a cast for several months.</p> <p>14 Q. Did you break a bone?</p> <p>15 A. No. I tore ligaments, tendons in my left</p> <p>16 wrist.</p> <p>17 Q. Did that affect your ability to do the</p> <p>18 other duties you had?</p> <p>19 A. Absolutely.</p> <p>20 Q. And did the department tell you that you</p> <p>21 should have reported that because it affected</p> <p>22 your work, then?</p> <p>23 A. The seat belt?</p> <p>24 Q. Yes.</p> <p>25 A. Everybody knew that the vehicle didn't</p>	112	<p>1 you knew that, you should have told somebody</p> <p>2 that?</p> <p>3 A. That was reported numerous times to the</p> <p>4 County, and -- I shouldn't say the County, to the</p> <p>5 individual in charge of the vehicles at the time.</p> <p>6 Q. Who was that?</p> <p>7 A. John Fratangeli.</p> <p>8 Q. Did you ever report it?</p> <p>9 A. To John Fratangeli, yes.</p> <p>10 Q. Were you in that van before then and knew</p> <p>11 it didn't have seat belts?</p> <p>12 A. Yes. Passenger seat belts. Not driver,</p> <p>13 just passenger.</p> <p>14 Q. But you knew that?</p> <p>15 A. Oh, yeah.</p> <p>16 Q. Were you disciplined for anything else</p> <p>17 that you can recall, either formally or maybe</p> <p>18 informally told?</p> <p>19 A. The only other time I was even consulted</p> <p>20 on anything, there was an issue raised by David</p> <p>21 Hunter.</p> <p>22 Q. And who is Mr. Hunter?</p> <p>23 A. Another deputy.</p> <p>24 Q. What was the issue raised?</p> <p>25 A. His girlfriend was one of the cleaning</p>

113	<p>1 people at the courthouse.</p> <p>2 Q. Okay. And what was the issue raised</p> <p>3 about Mr. Hunter's girlfriend?</p> <p>4 A. He thought we were getting too close.</p> <p>5 Q. And why did he think that?</p> <p>6 A. There were conversations between the two</p> <p>7 of us.</p> <p>8 Q. Were you friendly with the girlfriend?</p> <p>9 A. We were friends.</p> <p>10 Q. And were you friends because you saw her</p> <p>11 when she was working at the courthouse, or in</p> <p>12 some other capacity?</p> <p>13 A. It was a friendship based on -- it went</p> <p>14 back years.</p> <p>15 Q. And what was it that Mr. Hunter</p> <p>16 complained about?</p> <p>17 A. He didn't like me talking to her at all.</p> <p>18 Q. Did he tell you why?</p> <p>19 A. He felt it was not appropriate.</p> <p>20 Q. Why?</p> <p>21 A. Just that he didn't feel it was</p> <p>22 appropriate that somebody from the office would</p> <p>23 talk to somebody else's...</p> <p>24 Q. Did you think that was inappropriate?</p> <p>25 A. I told him he had a right to think what</p>	115	<p>1 the same situation?</p> <p>2 A. And I told him I could understand where</p> <p>3 he was coming from, but when I assured him what</p> <p>4 it was about, it was cleared up.</p> <p>5 Q. Did you think it was okay to do that</p> <p>6 while you were on duty, talk to her about these</p> <p>7 personal matters?</p> <p>8 A. At the time, after discussing it with the</p> <p>9 chief and that, I thought it was okay to get -- I</p> <p>10 mean, because she had questions, I had questions,</p> <p>11 we were helping each other out. It was a</p> <p>12 mutual -- it was kind of like, how can I say it,</p> <p>13 I was the middle person, because in all</p> <p>14 actuality, I was getting questions answered from</p> <p>15 my ex to her, they were both going through the</p> <p>16 same treatments, and trying to compare how each</p> <p>17 other felt. And ultimately, I said, look, if you</p> <p>18 two want to talk, here, talk.</p> <p>19 Q. Did you discuss this with Jay Alstadt?</p> <p>20 A. Yes.</p> <p>21 Q. And did Jay tell you that was sort of the</p> <p>22 same thing about -- that you were complaining of</p> <p>23 with the other officers?</p> <p>24 A. No. He agreed that it was completely</p> <p>25 different.</p>
114	<p>1 he wanted, but I tried to reassure him, the</p> <p>2 discussions we had were on discussing medical</p> <p>3 issues that she was going through, as well as, at</p> <p>4 the time, Krista and I were still together,</p> <p>5 Krista was experiencing the same medical issues,</p> <p>6 and we were kind of going back and forth on</p> <p>7 treatments, and she was trying to help me out.</p> <p>8 Q. And would you talk to her when she was</p> <p>9 working at the courthouse?</p> <p>10 A. Yes.</p> <p>11 Q. So you would be on duty and she would be</p> <p>12 on duty?</p> <p>13 A. Yeah, discussions were very brief.</p> <p>14 Q. How was that different from your concern</p> <p>15 about people talking to your wife while they were</p> <p>16 on duty?</p> <p>17 A. Big difference.</p> <p>18 Q. Why?</p> <p>19 A. I was not pursuing it beyond a friendship</p> <p>20 or trying to engage in anything beyond a</p> <p>21 friendship, or making innuendos or comments,</p> <p>22 pursuing anything beyond that.</p> <p>23 Q. Did Mr. Hunter think you were?</p> <p>24 A. He thought I was.</p> <p>25 Q. So in essence, you and Mr. Hunter were in</p>	116	<p>1 Q. So it was okay when you talked on duty,</p> <p>2 but not when Hurst or others talked on duty?</p> <p>3 A. It was the context of the discussions.</p> <p>4 Q. Even though you weren't involved in those</p> <p>5 other discussions that Hurst had with your wife.</p> <p>6 A. Correct.</p> <p>7 Q. So you don't really know the context.</p> <p>8 A. Well, judging from what I got, as far as</p> <p>9 the text message.</p> <p>10 Q. You got one text message in the middle of</p> <p>11 the night. That wasn't while you were on duty or</p> <p>12 he was on duty?</p> <p>13 A. Yes, he was.</p> <p>14 Q. You said you and he were going to be on</p> <p>15 the same shift the next morning.</p> <p>16 A. He sent it while he was on shift that</p> <p>17 night, to her.</p> <p>18 Q. And all the other phone calls or texts,</p> <p>19 you don't know what they said?</p> <p>20 A. No idea.</p> <p>21 Q. So did somebody tell you that it was best</p> <p>22 not to communicate while you were on duty with</p> <p>23 somebody else, while they were on duty as well?</p> <p>24 A. Yes.</p> <p>25 Q. Were you also counseled about how you</p>

117	<p>1 completed a log sheet for mileage?</p> <p>2 A. Yes.</p> <p>3 Q. And what do you recall about that?</p> <p>4 A. I forgot to turn in a mileage sheet, and</p> <p>5 Kevin Lupo wrote a write-up in reference to me</p> <p>6 not turning in a mileage sheet on the designated</p> <p>7 time that it was supposed to.</p> <p>8 Q. Is that something that Jay Alstadt in his</p> <p>9 position would be aware of?</p> <p>10 A. Oh, yeah.</p> <p>11 Q. Now, all of these events we've been</p> <p>12 discussing while you were employed were not</p> <p>13 events while Tony Guy was in office.</p> <p>14 A. No. Not one of them.</p> <p>15 Q. In fact, you probably never even heard</p> <p>16 the name Tony Guy in the context of the sheriff's</p> <p>17 department at that time?</p> <p>18 A. Correct.</p> <p>19 Q. But these are things Jay Alstadt would</p> <p>20 have knowledge of.</p> <p>21 A. Absolutely.</p> <p>22 Q. In fact, if there was ever a problem that</p> <p>23 you were experiencing or you thought somebody was</p> <p>24 doing something wrong, you would go to Jay</p> <p>25 Alstadt with that.</p>	119	<p>1 at least separated, living separately, and she</p> <p>2 was still being covered by the County's health</p> <p>3 insurance?</p> <p>4 A. The issue was we were already divorced,</p> <p>5 she submitted insurance -- for her to be covered</p> <p>6 under insurance purposes in the amount of 42 --</p> <p>7 total ended up to \$42,000. And County said,</p> <p>8 whoa, wait a minute, there's a problem.</p> <p>9 And when they looked into it, they</p> <p>10 clearly had evidence that she was supposed to be</p> <p>11 removed from the County insurance, because they</p> <p>12 had the QDRO through the divorce, they had the</p> <p>13 actual divorce papers on file. But for whatever</p> <p>14 reason, the insurance carrier on their end still</p> <p>15 had her listed as being covered.</p> <p>16 Q. So you never told the County to take her</p> <p>17 off directly, correct?</p> <p>18 A. Yes, I did.</p> <p>19 Q. When?</p> <p>20 A. When we got divorced. My attorney</p> <p>21 actually went on my behalf -- I didn't</p> <p>22 personally. My attorney presented everything as</p> <p>23 far as the documents.</p> <p>24 Q. To who?</p> <p>25 A. HR.</p>
118	<p>1 A. Yes.</p> <p>2 Q. So Mr. Alstadt had a lot of dealings with</p> <p>3 you throughout your tenure at the department?</p> <p>4 A. Jay and I had a relationship that was</p> <p>5 very professional, but yet it was also -- we did</p> <p>6 things as friends as well.</p> <p>7 Q. Okay. When you were married, did you</p> <p>8 receive health care benefits that covered your</p> <p>9 wife while -- from the County?</p> <p>10 A. Up until the time we actually got</p> <p>11 divorced, she was covered. Until the time of</p> <p>12 divorce.</p> <p>13 Q. Was an issue raised with you that your</p> <p>14 wife was being covered after you were separated?</p> <p>15 A. I got -- I received a bill afterwards,</p> <p>16 and it was -- I questioned it. I went to HR and</p> <p>17 I said, I got a problem with this, and they</p> <p>18 looked into it, and they said, yeah, there's an</p> <p>19 issue, and they referred it to the law</p> <p>20 department.</p> <p>21 Q. And what happened?</p> <p>22 A. Nothing ended up happening to my ex.</p> <p>23 Q. Did something happen to you?</p> <p>24 A. No.</p> <p>25 Q. Was the issue that you were divorced, or</p>	120	<p>1 Q. So your attorney went to HR to deal with</p> <p>2 HR about your benefits?</p> <p>3 A. To discuss the QDRO.</p> <p>4 Q. Why would your attorney, to your</p> <p>5 knowledge, need to go to the HR department to</p> <p>6 discuss the QDRO?</p> <p>7 A. To find out how long the process was</p> <p>8 going to be, to find out as far as the amounts</p> <p>9 that my ex was entitled to. And at that point</p> <p>10 she said, here is the exact date, time, the</p> <p>11 divorce is finalized, that's it, remove her name.</p> <p>12 My ex, I believe, went down immediately</p> <p>13 to the courthouse and changed her name back to</p> <p>14 her maiden name. She met with -- come on,</p> <p>15 Curt -- she's now in charge of HR, the one</p> <p>16 female.</p> <p>17 Q. Okay.</p> <p>18 A. I apologize. My mind is going a thousand</p> <p>19 miles an hour here, trying to get the name,</p> <p>20 but -- Sidney Shaw. I apologize. There you go.</p> <p>21 Sidney Shaw. She went down and changed, you</p> <p>22 know, her name and everything as far as to that,</p> <p>23 and Sidney had several discussions with Krista</p> <p>24 explaining that she is not covered.</p> <p>25 Q. How did you know that?</p>

<p style="text-align: right;">121</p> <p>1 A. Sidney told me herself.</p> <p>2 Q. Did Jay Alstadt ever speak to you about</p> <p>3 this issue?</p> <p>4 A. No. I actually presented it to Jay.</p> <p>5 (Larrick Deposition Exhibit 3</p> <p>6 was marked for identification.)</p> <p>7 BY MS. JONES:</p> <p>8 Q. I'm going to show you an e-mail of</p> <p>9 October 1, 2012 from Trish Richner, who is listed</p> <p>10 as a payroll coordinator, to Jay Alstadt. I'm</p> <p>11 not sure you've ever seen this before, but if you</p> <p>12 can take a minute and look at it.</p> <p>13 A. Never saw this before.</p> <p>14 Q. Okay. It seems to reflect that payroll</p> <p>15 was asking for paperwork from you through Jay to</p> <p>16 take your wife off of the health care benefits.</p> <p>17 Is that what you gleaned from this, too,</p> <p>18 is that what that seems to say to you?</p> <p>19 A. That is what it seems to say.</p> <p>20 Q. It reflects that there were repeated</p> <p>21 requests to you, but you still hadn't turned in</p> <p>22 the paperwork. Do you recall that happening?</p> <p>23 A. Not at all.</p> <p>24 Q. Do you recall any other matters of</p> <p>25 discipline or counseling or any other issues that</p>	<p style="text-align: right;">123</p> <p>1 me. I was off duty for over an hour. I was on</p> <p>2 my own time, not the County's.</p> <p>3 Once the chief realized that, his exact</p> <p>4 words were, "oh, shit," called Hurst and told</p> <p>5 him, enough of this petty bullshit, we're done.</p> <p>6 Don't ever do this again.</p> <p>7 Q. And when was this? What time frame?</p> <p>8 A. 2015.</p> <p>9 Q. So no discipline was issued?</p> <p>10 A. None whatsoever.</p> <p>11 Q. Was there a complaint made that you were</p> <p>12 either harassing or bothering an individual named</p> <p>13 Kayla Stevenson?</p> <p>14 A. There was a complaint made. Yes.</p> <p>15 Q. What was your understanding of the</p> <p>16 complaint?</p> <p>17 A. That was being investigated by county</p> <p>18 officials.</p> <p>19 Q. And what was your understanding of the</p> <p>20 nature of the complaint?</p> <p>21 A. That I was supposedly harassing Kayla.</p> <p>22 Q. And what position does Kayla hold?</p> <p>23 A. She was a female deputy.</p> <p>24 Q. And was that in about 2014?</p> <p>25 A. Yes.</p>
<p style="text-align: right;">122</p> <p>1 were brought to your attention while you were</p> <p>2 employed at the sheriff's department that we</p> <p>3 haven't covered?</p> <p>4 A. There was one attempt where Mike Hurst</p> <p>5 tried to write me up once.</p> <p>6 Q. What was that for?</p> <p>7 A. I was out in the parking lot talking to</p> <p>8 Deputy Hunter, we were discussing lifting, I</p> <p>9 believe, weight lifting. We were talking for</p> <p>10 about 45 minutes out there. Sergeant Hurst</p> <p>11 approached me, immediately became argumentative,</p> <p>12 said, where's your hat? You're out of uniform.</p> <p>13 And I looked at him and I said, sir -- he stopped</p> <p>14 me, he said, I don't want to hear it. He said, I</p> <p>15 will see you in the office tomorrow morning,</p> <p>16 you're getting written up. I said, you do what</p> <p>17 you got to do.</p> <p>18 Q. Go ahead.</p> <p>19 A. Next morning I got in there, he had the</p> <p>20 paperwork drafted up, handed it to me, chief</p> <p>21 said, you going to sign this? I said, I'll sign</p> <p>22 it. I said, I'm going to turn around and file a</p> <p>23 grievance and I'm going to file a lawsuit. He</p> <p>24 goes, for what? I said, I was off duty. This is</p> <p>25 another example of Mike Hurst trying to harass</p>	<p style="text-align: right;">124</p> <p>1 Q. So she held the same position as you?</p> <p>2 A. She was part-time deputy. Yes.</p> <p>3 Q. And what did she allege, to your</p> <p>4 knowledge?</p> <p>5 A. Just that I was calling or texting her, I</p> <p>6 believe, is what she alleged.</p> <p>7 Q. And had you been calling or texting her?</p> <p>8 A. Yes.</p> <p>9 Q. What came of that investigation, to your</p> <p>10 knowledge?</p> <p>11 A. That the initial complaint was coerced</p> <p>12 and instructed to do so by Sheriff George David.</p> <p>13 County officials were made aware of it, Rick</p> <p>14 Darbut was made aware of it, Rick did an</p> <p>15 investigation, Kayla admitted she was coerced</p> <p>16 into doing so. She was also coached by Deputy</p> <p>17 Randy Tallon to try to jam me up, was the exact</p> <p>18 verbiage, and Rick Darbut said he was going to</p> <p>19 forward this to the law department and to the</p> <p>20 detectives for possible charges, as well as</p> <p>21 contacting state police for harassment against</p> <p>22 George David.</p> <p>23 Q. Did Mr. Darbut tell you that he did not</p> <p>24 think you should contact her?</p> <p>25 A. He told me, he said, regardless of the</p>



125	<p>1 situation, Curt, he goes, at this point, don't</p> <p>2 have any contact with anybody involving this. He</p> <p>3 actually received, from what he told me, he</p> <p>4 received information that this was going to</p> <p>5 happen, prior to it even happening. Deputies</p> <p>6 came forward to him saying they caught wind</p> <p>7 they're conspiring to do this. That's why there</p> <p>8 was a big investigation into it. It was</p> <p>9 spearheaded by George David.</p> <p>10 Q. Did you have any communication with</p> <p>11 Ms. Stevenson about the complaints she made?</p> <p>12 A. I found out about the complaints she made</p> <p>13 by her calling me.</p> <p>14 Q. And what did she say?</p> <p>15 A. She called me to say, just to let you</p> <p>16 know, they're going to call you in tomorrow, this</p> <p>17 is what's going to happen. She said I'm sorry.</p> <p>18 I said, for what? She said, she admitted,</p> <p>19 sheriff told me to do this, I don't know how this</p> <p>20 is going to turn out. I said, I'm telling you</p> <p>21 right now, I'm contacting Pennsylvania State</p> <p>22 Police.</p> <p>23 Q. Did you?</p> <p>24 A. Yes, I did.</p> <p>25 Q. What happened there?</p>	127	<p>1 Q. When you met with Mr. Darbut, was</p> <p>2 Mr. Mangerie or the other union rep there?</p> <p>3 A. Not to my knowledge.</p> <p>4 Q. So Mr. Darbut, in essence, said there was</p> <p>5 a lot of stories on both sides of that, and he</p> <p>6 wasn't making any conclusions? I'm paraphrasing,</p> <p>7 but I'm asking if that's accurate.</p> <p>8 A. He flat out told me I was being set up.</p> <p>9 Q. Okay. But he told you that you should</p> <p>10 leave her alone and not communicate?</p> <p>11 A. Never had one single discussion with her</p> <p>12 after that.</p> <p>13 Q. And he told you that as well, to do that?</p> <p>14 A. Yeah. He said, protect myself, yes.</p> <p>15 Q. Were you also called about a concern that</p> <p>16 you were making contact to one of the judge's</p> <p>17 female law clerks while on duty?</p> <p>18 A. I was called in by Jay Alstadt, and he</p> <p>19 inquired about my relationship with the one law</p> <p>20 clerk, yes.</p> <p>21 Q. And what was your response to that?</p> <p>22 A. I said, I'm friends with one, yes.</p> <p>23 Q. Did he tell you that the judge was</p> <p>24 concerned that it was, you were making too much</p> <p>25 contact, that it was disrupting the office?</p>
126	<p>1 A. Spoke to Trooper O'Lear and Dan Mosura,</p> <p>2 they said they were already made aware of it by</p> <p>3 talking to Rick Darbut, that he caught wind of</p> <p>4 it. And that they were going to consult with</p> <p>5 their superiors, as well as the AG, to see if any</p> <p>6 charges were going to be filed.</p> <p>7 Q. Were any charges filed?</p> <p>8 A. No.</p> <p>9 Q. Those two officers that you mentioned</p> <p>10 contacting, were they involved in the prosecution</p> <p>11 of George David?</p> <p>12 A. Yes, they were.</p> <p>13 Q. Are those officers that you had dealt</p> <p>14 with in your testimony against George David?</p> <p>15 A. Yes, they were.</p> <p>16 Q. So did Mr. Darbut tell you that he had to</p> <p>17 investigate the complaint and whether or not he</p> <p>18 found it to be of any merit?</p> <p>19 A. From what I was told, he met with Jay</p> <p>20 Alstadt and told Jay there was nothing to this,</p> <p>21 this matter was over. He actually called Dave</p> <p>22 Mangerie and Paul Clark, the two union reps at</p> <p>23 the time, called them to come up and instructed</p> <p>24 them, this is over. That's it. That's the last</p> <p>25 I ever heard about it.</p>	128	<p>1 A. He thought that I should stay clear of</p> <p>2 her, to quote the judge, because the judge even</p> <p>3 talked to me, he said, you're not the type of guy</p> <p>4 for her to stay clear. I said, it's not like</p> <p>5 that. He said, just stay clear.</p> <p>6 Q. So the judge himself also said something</p> <p>7 to you?</p> <p>8 A. Yes.</p> <p>9 Q. This is Judge Kwidis?</p> <p>10 A. Yes.</p> <p>11 Q. And Judge Kwidis didn't want you to --</p> <p>12 did he indicate he didn't want you contacting the</p> <p>13 law clerk because he didn't want you disrupting</p> <p>14 the office? Did he say that?</p> <p>15 A. Not to that extent at all.</p> <p>16 Q. He just knew you had been contacting her</p> <p>17 and said he didn't think you were her type?</p> <p>18 A. Pretty much.</p> <p>19 Q. So, did you understand then that the law</p> <p>20 clerk had reported to the judge that you were</p> <p>21 contacting her?</p> <p>22 A. I never was told one way or another what</p> <p>23 happened or what that whole situation was about,</p> <p>24 but I left it alone.</p> <p>25 Q. How do you think the judge would have</p>

129	<p>1 known that, that you were contacting the clerk?</p> <p>2 A. Well, there's several times when I was</p> <p>3 actually in his chambers, prior to court, prior</p> <p>4 to everything starting. When I was assigned to</p> <p>5 his courtroom, I would go up there to see what</p> <p>6 was going on, and her and I would talk and be</p> <p>7 engaged in a discussion about something.</p> <p>8 Q. While you were in the courtroom?</p> <p>9 A. No. In his chambers.</p> <p>10 Q. But while you were in the context of your</p> <p>11 duties for his courtroom?</p> <p>12 A. Yeah.</p> <p>13 Q. I'm talking about text messaging or other</p> <p>14 contacts.</p> <p>15 A. The couple text messages that were sent</p> <p>16 between her and I both were completely off duty,</p> <p>17 and it engaged her nephew, my son, and Easter.</p> <p>18 That was it.</p> <p>19 Q. Did Mr. Alstadt tell you that he didn't</p> <p>20 want you to communicate with her either by text</p> <p>21 or otherwise in the courthouse?</p> <p>22 A. He told me while I was on duty to stay</p> <p>23 away.</p> <p>24 Q. Did Mr. Alstadt reflect that he thought</p> <p>25 while you didn't think there was anything wrong</p>	131	<p>1 was not allowed to be around any type of</p> <p>2 firearms. I had walked through the office making</p> <p>3 my rounds, checking the doors, everything, along</p> <p>4 with the chief, we were always the last two to</p> <p>5 get our lunch. We always took care of the guys,</p> <p>6 make sure everybody eats first.</p> <p>7 We come down to get our lunch. Walked</p> <p>8 in, saw Mike Tibolet, he was walking out of the</p> <p>9 deputy's room area, and he was just ghostly</p> <p>10 white. And I was concerned. I said, Mike, are</p> <p>11 you okay? He shook his head. I said, what's</p> <p>12 wrong? The next thing I knew, I heard the</p> <p>13 racking of a shotgun, which has a very distinct</p> <p>14 sound. I immediately looked over to my left and</p> <p>15 there was the sheriff with John Fratangeli in the</p> <p>16 gun room holding a shotgun. I looked up at the</p> <p>17 cameras and I'm like, like, you got to be kidding</p> <p>18 me. Everything is videotaped. I immediately</p> <p>19 reported it to Tom Ochs, who was the one</p> <p>20 lieutenant at the time.</p> <p>21 Next thing I knew, they said I had a</p> <p>22 phone call, and it was Trooper Mosura from the</p> <p>23 state police, saying, we need to talk. I said,</p> <p>24 okay. Found out that Tom Ochs had already made a</p> <p>25 hard copy of the tape, because the sheriff had to</p>
130	<p>1 with the communication, that the judge seemed to</p> <p>2 have a concern about it?</p> <p>3 A. He told me, he said, you know how Judge</p> <p>4 Kwidis is, he's known your family for years, he</p> <p>5 knows you. I said, yeah. He said, take it for</p> <p>6 what it's worth, stay clear. I said, no problem.</p> <p>7 And I said, chief, here, here's the text</p> <p>8 messages, if you want to look, and he looked</p> <p>9 through my phone and said, no problem. Just stay</p> <p>10 clear.</p> <p>11 Q. And did you do that afterwards?</p> <p>12 A. Yes.</p> <p>13 THE WITNESS: Excuse me. Can we get</p> <p>14 some water?</p> <p>15 MS. JONES: Absolutely.</p> <p>16 (Discussion off the record.)</p> <p>17 BY MS. JONES:</p> <p>18 Q. So Sheriff David had been charged and</p> <p>19 ultimately prosecuted for some issues, and it's</p> <p>20 my understanding that you provided some testimony</p> <p>21 against him at the trial, is that right?</p> <p>22 A. Correct.</p> <p>23 Q. So by summary, can you tell me what your</p> <p>24 testimony related to?</p> <p>25 A. Part of Sheriff David's conditions was he</p>	132	<p>1 stay away from Tom Ochs. That was the one</p> <p>2 condition. The proximity of the gun room to Tom</p> <p>3 Ochs' office was approximately 15 feet. So I</p> <p>4 told Mosura exactly what I saw and witnessed, and</p> <p>5 led up to me testifying.</p> <p>6 Q. So was your testimony that you saw him</p> <p>7 with the gun and you understood that that was</p> <p>8 against his conditions of --</p> <p>9 A. That was his bond conditions, yes.</p> <p>10 Q. -- conditions of the bond.</p> <p>11 Did it have anything to do as well with</p> <p>12 whether that was perceived as a threat to Ochs?</p> <p>13 A. I didn't know how to take it. I just</p> <p>14 thought for the safety of all parties involved,</p> <p>15 that's not good.</p> <p>16 Q. I didn't read any testimony you ever</p> <p>17 gave. Did you ever testify about the concern</p> <p>18 that Ochs was close by and could be threatened?</p> <p>19 A. It was brought up.</p> <p>20 Q. After that report was made, do you know</p> <p>21 if the sheriff was made aware that you were the</p> <p>22 person raising that report?</p> <p>23 A. Oh, he was made aware real quick. Yes.</p> <p>24 Q. And did he ever have any conversations</p> <p>25 with you about that?</p>

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<p>1 A. No, but through third parties, I was told 2 to stay clear.</p> <p>3 Q. By whom?</p> <p>4 A. The chief.</p> <p>5 Q. The chief?</p> <p>6 A. Chief Alstadt.</p> <p>7 Q. What did he say?</p> <p>8 A. He said until this resolves one way or 9 another, it's in your best interest to stay away 10 from the sheriff right now.</p> <p>11 Q. Did you have a problem with that or did 12 you agree with that?</p> <p>13 A. I agreed wholeheartedly.</p> <p>14 Q. Did you think some of the folks in the 15 sheriff's department had a problem with you 16 testifying or being so open in terms of your 17 allegations against the sheriff?</p> <p>18 A. Yes.</p> <p>19 Q. And would Mr. Fratangeli be one of them?</p> <p>20 A. Yes.</p> <p>21 Q. Anyone else?</p> <p>22 A. Deputy Hurst, Deputy Tallon, Kristin 23 Chapes. There were others that voiced their 24 disapproval of me testifying against another cop, 25 so to speak, but they understood I had to do what</p>	<p>1 Q. So let's turn our attention, then, to the 2 election for sheriff in the general election, 3 Wayne Kress versus Tony Guy.</p> <p>4 A. Okay.</p> <p>5 Q. So I understand that you've testified 6 before that you worked the polls on election day 7 in the November election as well, is that right?</p> <p>8 A. Yes, I did.</p> <p>9 Q. You worked in the primary, correct?</p> <p>10 A. Correct.</p> <p>11 Q. And then you worked in the general 12 election?</p> <p>13 A. Yes, I did.</p> <p>14 Q. Prior to the time of the election day 15 itself, had you made any statements to anybody 16 about what you believed Tony Guy may or may not 17 do if he got elected?</p> <p>18 A. Yes. I told people exactly how I felt 19 and what was told to me, the reason why I was 20 told from those individuals that if he was 21 elected that, yeah, I was going to be fired.</p> <p>22 Q. Those are people that you had issues with 23 in the past, right?</p> <p>24 A. Correct.</p> <p>25 Q. So did you connect their comments about</p>
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<p>1 I had to do. They said it was the right thing to 2 do.</p> <p>3 Q. I was going to ask that. Did anyone tell 4 you they thought you had to do it and they were 5 supportive of what you did?</p> <p>6 A. Numerous people. Numerous members of law 7 enforcement. Unfortunately, not too many within 8 the sheriff's office.</p> <p>9 Q. Did some just not say anything to you?</p> <p>10 A. I was the outcast in the sheriff's 11 office.</p> <p>12 Q. And when did that happen, that you saw 13 this and made the report to the police?</p> <p>14 A. That was shortly after the sheriff 15 initially got charged. Exact date, I could not, 16 off the top of my head, I could not give you. 17 There's tons of records and reports.</p> <p>18 Q. Were you already divorced?</p> <p>19 A. In the process of finalizing everything, 20 trying to finalize everything, I should say.</p> <p>21 Q. So some of the allegations that were 22 raised about Hurst being in touch with your wife, 23 that would have predated the report about the 24 sheriff.</p> <p>25 A. Yes.</p>	<p>1 you being fired to those individuals versus Tony 2 Guy? That is, you had problems with some of 3 these people, justified or not, but you didn't 4 necessarily get along with these folks.</p> <p>5 A. Correct.</p> <p>6 Q. And they were saying you would be the 7 first to go. Was it your impression that they 8 were saying that because they didn't like you 9 versus something Mr. Guy did or didn't say about 10 you?</p> <p>11 A. I couldn't answer whether Mr. Guy liked 12 me, disliked me, or if he remembered me. I 13 couldn't tell you that much. I can tell you that 14 judging from what those deputies told me, and 15 what I heard and what other people were telling 16 me that they were still saying, I was told I was 17 being fired.</p> <p>18 Q. Is that because of what those people 19 thought about you, that is, the deputies that you 20 worked with?</p> <p>21 A. I was told that they were pushing for me 22 to be fired.</p> <p>23 Q. So you understood that the comments about 24 the potential for you being fired, at least prior 25 to election day, were based on the people making</p>

<p style="text-align: right;">137</p> <p>1 the comments supporting the idea that you get 2 fired. Pushing the idea? 3 A. They were pushing it. 4 Q. And that was Fratangeli, Hurst, Tallon, 5 did I get that right? 6 A. Correct. 7 Q. Anybody else? 8 A. No. Everybody else, even Kristin Chapes, 9 stayed out of it. Everybody, you know, never -- 10 how can I say it -- they never brought it to my 11 attention, you know, their personal feelings. 12 I mean, other people said, yeah, we heard 13 Randy say this, we heard Mike say this, which was 14 already common knowledge to me. I knew. 15 Q. So it was Randy, Mike, and Fratangeli? 16 A. Correct. 17 Q. John Joe. 18 A. John Joe. I apologize. Everybody knows 19 him as John Joe. 20 Q. And did there come a time on election day 21 when you finally saw Mr. Guy in person? 22 A. Yes, there was. 23 Q. Tell me about that. 24 A. It started off a rather unique set of 25 circumstances. While working my poll, which was</p>	<p style="text-align: right;">139</p> <p>1 both two different type of people as far as, you 2 know, descriptions. 3 Q. Yeah. You look different, don't you? 4 A. Yes. I'm bald, he fortunately still has 5 hair, I don't. I'm overweight and, you know, 6 he's not. I'm just calling it as it is. 7 Q. And you were wearing a shirt that had his 8 opponent's name on it? 9 A. Wayne Kress T-shirt, yes. 10 Q. So you were mistaken by somebody for Tony 11 Guy? 12 A. Correct. 13 Q. That is your testimony? 14 A. Yes. 15 Q. All right. So then what happens? 16 A. Afterwards I laughed about it, I thought 17 it was -- and I started calling around to the 18 other polls to check on the people I had working, 19 and spoke to my mom, spoke to my brother-in-law, 20 his father. I said, I'm going to make my rounds. 21 And when I got up to the one church, up 22 at Economy, lo and behold, Mr. Guy was there. So 23 I approached him and he looked at me and kind 24 of -- first he kind of smiled, like, okay, 25 somebody backing this guy, no problem, somebody</p>
<p style="text-align: right;">138</p> <p>1 in Harmony Township at the fire hall, an elderly 2 couple come in, I'm passing out the normal 3 literature, and some people either take it or 4 discard it, you know. Elderly gentleman looked 5 at me, became rather irate and started cursing. 6 And I was like, sir, I said, there's no need, I 7 said, I don't know you. His exact words, he 8 says, "don't tell me that, Tony," and I was like 9 what do you mean, Tony? His wife said, you got 10 the wrong person, shut up, to her husband. They 11 proceeded into the polling place. 12 They come back out, he started right back 13 where he left off. And a real little guy. And 14 he's chastising me, he's cussing me up one side, 15 down the other, and he said, you know what you 16 did to me, Tony. And I said, sir, who do you 17 think I am? He said, you're Tony Guy, how dare 18 you run for sheriff. I said, sir, look at me. 19 I'm wearing all this. I am not Tony Guy, my name 20 is Curt Larrick. He said, don't tell me 21 otherwise. 22 His wife goes, look, I apologize. I 23 said, look, no damage done to me, I said, just I 24 don't understand why he thinks I'm Tony Guy. I 25 mean, no disrespect to Mr. Guy, but I think we're</p>	<p style="text-align: right;">140</p> <p>1 has to work the polls here. And I looked at him, 2 I said, hi, how are you doing, I introduced 3 myself. And when I said who I was, he had this 4 look like, and if I'm not mistaken, he made the 5 comment, he said, you're Curt. And I said, yeah, 6 I said, look, you got a minute we can talk? And 7 we did. 8 We stepped off to the side, off the main 9 sidewalk, the discussion was -- I brought him up 10 to speed on what happened. I said, look, I ran 11 into this gentleman, I don't know what happened, 12 I said, I want to give you the heads up, I don't 13 know what you did, if you did do anything 14 hypothetically to this elderly couple. He 15 couldn't, off the top of his head, remember doing 16 anything to anybody. I said well, this is what 17 he looked like, this is who he was, this is what 18 happened. He goes, okay. 19 And ultimately, it come out, and I said, 20 look, I'm here, how can you mistake me for you, 21 and I said, look, I got my Wayne Kress shirt, he 22 said, I see that. Obviously Mr. Guy didn't look 23 too happy I was wearing it, but I said, look, I 24 said, I backed the slate card, I back -- I've 25 always been involved politically. And he said --</p>

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<p>1 he did ask me a question. He said, so you're  2 Curt, and I said, yeah, and he goes, he said, so  3 why are you telling people I'm firing people?  4 And I was kind of caught off guard by that, and I  5 said, the only thing I said to people is that it  6 got back to me that I was being fired. And when  7 he asked by who, I told him Randy Tallon, Mike  8 Hurst.</p> <p>9 He did indicate, he said, I wish you  10 would have come to me prior to the election, and  11 I told him, I said no disrespect, it wasn't going  12 to change who I supported one way or another. I  13 told him, I'm friends with Wayne, I said, but I  14 encourage you, please, talk to state police,  15 different people, they will tell you what is  16 really going on with Mike and Randy, and it's  17 documented. There's a history, there are things  18 going on that you need to be made aware of.</p> <p>19 And it just seemed like he wasn't happy  20 that, you know, I was supporting who I was, and  21 it was a situation where I felt very  22 uncomfortable because the initial mood was, you  23 know, when I walked up, we were both kind of  24 laughing at first, even with the situation with  25 the elderly gentleman.</p>	<p>1 of my dad, so I went down to the one poll for an  2 hour or two, then I ended up, I finished up at  3 the one fire hall down in Economy Borough.</p> <p>4 Q. And did you go somewhere for like the  5 results of the election that night? You know how  6 sometimes people go to the place of a particular  7 candidate or a committee or something?</p> <p>8 A. Thursdays.</p> <p>9 Q. Is that a place, a location?</p> <p>10 A. That's where they decided to have  11 everything. They had food and everything,  12 everybody was there.</p> <p>13 Q. And at some point that night did you  14 learn that Tony won the election?</p> <p>15 A. Oh, yes.</p> <p>16 Q. Any other discussions with Tony after  17 that about your support of Kress or your  18 involvement in the election?</p> <p>19 A. The only time I had a follow-up in the  20 discussion with Mr. Guy was at my interview.</p> <p>21 Q. So no other happenstance meetings, ran  22 into each other?</p> <p>23 A. Not between the two of us, no.</p> <p>24 Q. And then when you went back to the  25 office, you were still working around that time,</p>
142	144
<p>1 But when I told him about Randy, he did  2 explain that he really didn't have any close  3 involvement with those people, but I told him, I  4 said, look, I'm only telling you what they're  5 telling me. And he reiterated that I wish you  6 would have spoke to me. And I said, well, I  7 said, like I said, it's not going to change, I  8 wish you the best.</p> <p>9 And I looked over, saw a bunch of people  10 that were friends with my ex and whatnot, and I  11 said, look, I'm going to get going. I said, I  12 wish you the best, if you need to discuss  13 anything, you know, get ahold of me, I wish you,  14 one way or the other. And that was pretty much  15 the discussion we had at the poll.</p> <p>16 Q. Anything else you can remember you didn't  17 tell me about already?</p> <p>18 A. Not as far as the discussion him and I  19 had.</p> <p>20 Q. Was it the only time you saw him that  21 day?</p> <p>22 A. That was the only time.</p> <p>23 Q. Okay. Did you stay at that poll or go to  24 other polls?</p> <p>25 A. I went to -- my mom had to go take care</p>	<p>1 correct?</p> <p>2 A. Correct.</p> <p>3 Q. Was there any discussion in the office  4 about what might happen after the election  5 results?</p> <p>6 A. Oh, yeah.</p> <p>7 Q. What was said?</p> <p>8 A. I walked through the door, Deputy Tallon  9 was standing there, and I was there for one  10 reason only, because I was still off on medical  11 at the time, I was not working.</p> <p>12 Q. Oh, you were not working?</p> <p>13 A. I was not working.</p> <p>14 Q. I think I just asked if you were working.</p> <p>15 A. I was still under the employment of the  16 sheriff's office, but I was not working.</p> <p>17 Q. And were you not working because you were  18 off for FMLA?</p> <p>19 A. Yes.</p> <p>20 Q. Why were you going to the sheriff's  21 office?</p> <p>22 A. To talk to the chief.</p> <p>23 Q. About what?</p> <p>24 A. The election.</p> <p>25 Q. Are you supposed to go into the office</p>

145	<p>1 when you're off on FMLA?</p> <p>2 A. I wasn't told one way or the other, you</p> <p>3 can, you can't.</p> <p>4 Q. And what was the reason during that</p> <p>5 period of time, during the election time, that</p> <p>6 you were off. You said it's FMLA, but what was</p> <p>7 the reason, was it to do something for your son,</p> <p>8 was it something for you?</p> <p>9 A. That immediate day was an appointment for</p> <p>10 me.</p> <p>11 Q. And what was the appointment, what time?</p> <p>12 A. The appointment was in the afternoon. It</p> <p>13 was with Dr. Fox.</p> <p>14 Q. So if you had a doctor's appointment, was</p> <p>15 it your position that you took the whole day off?</p> <p>16 A. I was off on long-term leave. It wasn't</p> <p>17 where -- the County was aware of it. It was</p> <p>18 already signed off and agreed to. I was off on a</p> <p>19 long period of time.</p> <p>20 Q. What was the leave for?</p> <p>21 A. My stomach.</p> <p>22 Q. So you had an extended leave?</p> <p>23 A. Yes.</p> <p>24 Q. And how long was that leave?</p> <p>25 A. Total, it took up -- I missed a total of</p>	147	<p>1 A. I apologize.</p> <p>2 She was not there at the time, so I had</p> <p>3 to go to Quest Diagnostics in Beaver, which was</p> <p>4 one block from the courthouse. I had all the</p> <p>5 doctor stuff, as far as my dates that I was</p> <p>6 scheduled to be off due to my medical. I turned</p> <p>7 it in right there to Rick Darbut, went downstairs</p> <p>8 to see the chief. Same building, same time.</p> <p>9 Q. This was the day after the election, or</p> <p>10 are you talking about another day?</p> <p>11 A. This was after the election.</p> <p>12 Q. I guess my question was, from June or</p> <p>13 July through the election, how often, if you were</p> <p>14 off work completely, how often did you go in to</p> <p>15 the office, the sheriff's department?</p> <p>16 A. Only when required.</p> <p>17 Q. What does that mean?</p> <p>18 A. If they needed additional information, or</p> <p>19 if there was like a union meeting that they</p> <p>20 needed everybody to be there for, which, to be</p> <p>21 honest, I did not attend.</p> <p>22 Q. Can you quantify it? Was it once a week,</p> <p>23 once a month, how often you went to the</p> <p>24 department, even though you were off work?</p> <p>25 A. I would say total during that span, I was</p>
146	<p>1 six months.</p> <p>2 Q. Solid?</p> <p>3 A. Solid.</p> <p>4 Q. Not intermittent?</p> <p>5 A. Off.</p> <p>6 Q. Meaning, not here and there?</p> <p>7 A. I was off.</p> <p>8 Q. And what were those six-month periods,</p> <p>9 the dates, even close?</p> <p>10 A. That would have been from July, June or</p> <p>11 July, all the way through the end of the year.</p> <p>12 Q. Of '15?</p> <p>13 A. Yes.</p> <p>14 Q. So even though you were off, did you make</p> <p>15 it a practice to come to the office at least</p> <p>16 during every week?</p> <p>17 A. That was part of my requirement, was to</p> <p>18 bring copies of either the doctor's information</p> <p>19 to HR and let them know what was going on, or I</p> <p>20 could call. I happened to be -- the appointment</p> <p>21 was right there, met with them, went to the one</p> <p>22 other doctor's office, because I had to get</p> <p>23 bloodwork, because they didn't have the one girl,</p> <p>24 the -- phlebotomist?</p> <p>25 Q. Phlebotomist.</p>	148	<p>1 there maybe three times, max.</p> <p>2 Q. Okay. One just happened to be the day</p> <p>3 after the election?</p> <p>4 A. Yeah. Like I said, I had the doctor's</p> <p>5 appointment, they drew the blood, I had to turn</p> <p>6 it in to Darbut, and I was there.</p> <p>7 Q. If you were off work, where was it that</p> <p>8 Fratangeli, Tallon and Hurst were telling you</p> <p>9 they were pushing for you not to have a job after</p> <p>10 the election?</p> <p>11 A. Prior to me being off on that extended</p> <p>12 period.</p> <p>13 Q. So before June?</p> <p>14 A. Yeah. That summer I was being bombarded,</p> <p>15 so to speak.</p> <p>16 Q. The summer you weren't working, were you,</p> <p>17 you were off most of the summer?</p> <p>18 A. I was off. But when I was there and we</p> <p>19 had -- it was pretty much any time they saw me,</p> <p>20 whether it was in the office, outside the office,</p> <p>21 I felt like I was fair game.</p> <p>22 Q. When did you see them when you weren't in</p> <p>23 the office?</p> <p>24 A. The one occasion I ran into them, they</p> <p>25 were serving papers.</p>

149	<p>1 Q. Is that in an area where you live?</p> <p>2 A. Yes, they were in my area.</p> <p>3 Q. How would you run into them? If they're</p> <p>4 working to serve papers at somebody's home or</p> <p>5 something?</p> <p>6 A. They happened to be in the same area</p> <p>7 where I lived. It had nothing to do with me.</p> <p>8 They were there. It was just one of those</p> <p>9 things, then -- I'm not sure if it was posting a</p> <p>10 property for sheriff's sale or -- off the top of</p> <p>11 my head. I didn't get into it. It was none of</p> <p>12 my business to question the nature of what they</p> <p>13 were doing, but...</p> <p>14 Q. But you stopped to talk to them?</p> <p>15 A. No. It was kind of one of those things,</p> <p>16 where, in passing, things were done, gestures</p> <p>17 were made. It was pretty heated between us.</p> <p>18 Q. So they're doing their job, you're not</p> <p>19 working, you happen to run into them, as a matter</p> <p>20 of happenstance, and yet you get into some heated</p> <p>21 discussion about the fact that they're pushing</p> <p>22 for you not to get a job after the election?</p> <p>23 A. It wasn't no heated discussion.</p> <p>24 Q. I think you just said it was heated. Did</p> <p>25 I misunderstand that?</p>	151	<p>1 yes.</p> <p>2 Q. What past statements?</p> <p>3 A. He told me flat out that if Tony Guy was</p> <p>4 hired, I was going to be fired.</p> <p>5 Q. Where were you when he told you that?</p> <p>6 A. The first time? Sheriff's office.</p> <p>7 Q. And this was after the primary but before</p> <p>8 you went off on leave?</p> <p>9 A. Yes.</p> <p>10 Q. And then the last interaction you had</p> <p>11 with him was this drive-by?</p> <p>12 A. That was the last time.</p> <p>13 Q. And the drive-by, was Tallon in the car</p> <p>14 by himself, or with somebody else?</p> <p>15 A. He was by himself, which surprised me,</p> <p>16 because normally Randy is not outside serving</p> <p>17 papers.</p> <p>18 Q. To whom did you report it?</p> <p>19 A. Jay Alstadt.</p> <p>20 Q. Did you go in person to report it?</p> <p>21 A. I called right then and there.</p> <p>22 Q. What did he tell you?</p> <p>23 A. His first words were, you got to be</p> <p>24 kidding me. I said, chief, I'm standing right</p> <p>25 here. I said enough is enough. I'm done with</p>
150	<p>1 A. I said it was heated, the whole time</p> <p>2 frame between us. Maybe I was misquoted, but it</p> <p>3 was a heated relationship between us. It was not</p> <p>4 good.</p> <p>5 Q. So why would you stop and talk to them?</p> <p>6 A. I didn't.</p> <p>7 Q. Then how would you hear them saying that</p> <p>8 you -- they were pushing for you not to get a</p> <p>9 job?</p> <p>10 A. When I walked outside of my house, I'm</p> <p>11 attempting to go into my vehicle, the sheriff's</p> <p>12 car pulls up, stops right there, Randy Tallon</p> <p>13 puts the windows down, looks at me, his exact</p> <p>14 words were, "hey, asshole, your time is coming."</p> <p>15 And he leaves. Yes. It was reported.</p> <p>16 Q. So he said "your time is coming," and you</p> <p>17 took that to be, I'm pushing for you not to get a</p> <p>18 job --</p> <p>19 A. A threat.</p> <p>20 Q. -- if the election goes against you.</p> <p>21 A. He made it clear, my time is coming.</p> <p>22 Q. And you took that as a statement that you</p> <p>23 would not have a job if the election went against</p> <p>24 the way you wanted it to go?</p> <p>25 A. Based upon the past statements he made,</p>	152	<p>1 this.</p> <p>2 The chief's response was, Curt, look, you</p> <p>3 and I both know the sheriff isn't going to do</p> <p>4 anything, referring to George. He goes, just</p> <p>5 keep your mouth shut, do what you got to do. He</p> <p>6 goes, when Tony gets in, see what happens.</p> <p>7 That's what the chief told me.</p> <p>8 Q. Did you take that to be that the chief</p> <p>9 thought Tony would win? Or was it just if Tony</p> <p>10 got in, rather than when Tony got in?</p> <p>11 A. He just said if Tony got in, see what</p> <p>12 happens.</p> <p>13 Q. So it was more if he would win.</p> <p>14 A. Yeah.</p> <p>15 Q. So then you learn that there's going to</p> <p>16 be an interview, I think you said earlier.</p> <p>17 A. Yes.</p> <p>18 Q. How did you learn about that?</p> <p>19 A. Jay Alstadt called me.</p> <p>20 Q. What did he say?</p> <p>21 A. He called, and knowing Jay, if you know</p> <p>22 him, he was like, hey, brother, how you doing,</p> <p>23 tried doing his Hulk Hogan little impersonation,</p> <p>24 he is notorious for it.</p> <p>25 Q. Is that because of the mustache?</p>

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1 A. The whole thing, the stature, the  
2 thousand pictures he has in the office, the  
3 whole -- it's pretty cool.  
4 But to answer your question, he called  
5 me, and said, look, I was instructed to get a  
6 list up and running, it's going to be posted,  
7 you're to be here, I believe it was a Thursday,  
8 it was the Thursday after Thanksgiving, the week  
9 after. He goes, you're to be here at this time  
10 for the interview. I said, chief, just so you're  
11 aware, there's an appointment for my son at 1:00.  
12 He said, not a problem, you'll be out in plenty  
13 of time. I said, I just want to make you aware,  
14 because I can't change his appointment. He said,  
15 not a problem. And I told him, I said, please  
16 make sure that all parties were, that are going  
17 to be there are aware of it. He goes, not a  
18 problem.  
19 Q. So you came in for the meeting?  
20 A. Yes, I did.  
21 Q. And this was during a period when you  
22 were still off work?  
23 A. Yes.  
24 Q. And who did you meet with?  
25 A. First I reported to the chief to tell him

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1 I was there, went to the office. I said, where  
2 do you want me, where are we doing these? He  
3 instructed me to where to report. I went down  
4 around the hallway to the left, sat down on the  
5 bench and waited for my turn.  
6 Q. And did you have an understanding that  
7 everybody was meeting with Tony?  
8 A. Yes.  
9 Q. Everybody who was in the department?  
10 A. Yes.  
11 Q. Did you have any discussions with the  
12 chief about the meeting?  
13 A. Prior to or after?  
14 Q. Prior to.  
15 A. No. It was one of the things, he said --  
16 we were instructed -- I apologize. We were  
17 instructed to fill out a very brief résumé type,  
18 like a one page, like just a summary of who we  
19 are, education, what we did, so that Mr. Guy  
20 would have something in front of him so he knew  
21 who he was talking to, who he was dealing with.  
22 Q. Was that to bring with you or you did it  
23 right there?  
24 A. No, we had to have that submitted prior  
25 to.

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1 Q. Did you do that?  
2 A. Yes, I did.  
3 Q. When you went in to meet with Tony, was  
4 it just you and Tony?  
5 A. No. I was introduced to Dean Michael.  
6 Q. Did you know Mr. Michael before that?  
7 A. Knew of him, but not, you know,  
8 personally.  
9 Q. What did you know of him?  
10 A. That -- originally from Beaver Falls  
11 area, he's with the U.S. Marshals. People kept  
12 getting him confused with my father-in-law.  
13 Q. The name?  
14 A. Yes. Because everybody was joking with  
15 me saying, how can you have him for a  
16 father-in-law? I said, he's not my  
17 father-in-law.  
18 Q. Tell me about the meeting.  
19 A. It was an hour and a half -- we were an  
20 hour and a half late, they were in there with --  
21 Deputy DiSilvio was in there prior to me.  
22 The time that I was told to be there was  
23 8:30 and we didn't get started until -- it was  
24 like 10, 10:30. I entered the room, Mr. Guy was  
25 there, Dean Michael, they introduced themselves

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1 to me, and he was like, hey, Curt, you know, this  
2 is why we're here, we're trying to get to know  
3 everybody, we have a few questions. And they  
4 proceeded with a little bit of the interview.  
5 Q. Do you remember any of the things  
6 discussed or questions asked?  
7 A. It was very brief. But, yes, I do.  
8 First thing I did was I reminded everybody, I  
9 said, just so everybody is aware, I said, I hope  
10 the chief told you guys my son has an  
11 appointment. Mr. Guy said, yes, we were made  
12 aware of that, he goes, and by all means, don't  
13 worry about it, you will be able to make your son's  
14 appointment, don't worry about it. I said, thank  
15 you.  
16 And a few questions were raised.  
17 Mr. Guy -- one question was raised about the  
18 George David, and Mr. Guy interjected by saying,  
19 I'm fully well aware of Curt's testimony and how  
20 he cooperated with that; he said, however, Dean  
21 Michael was not aware of everything. But he said  
22 he would brief him and let him know what all  
23 happened.  
24 One of things that was -- Dean Michael  
25 had a list of all the deputies and he handed it



157	<p>1 to me, and -- let me back up. I apologize.</p> <p>2 They asked me a few questions about what</p> <p>3 I did, as far as duties. I told them I was kind</p> <p>4 of a jack of all trades and a master of none, so</p> <p>5 to speak. I said I was a gofer, I did this,</p> <p>6 whatever needed to be done, I did, even as a</p> <p>7 sergeant. If it required me transporting</p> <p>8 somebody, I did it. If it required me to be in</p> <p>9 the courtroom, I did it. If it required me</p> <p>10 working the doors, I did it. It didn't matter.</p> <p>11 Once we got through all that, they did</p> <p>12 ask a couple very basic preliminary educational</p> <p>13 questions, you know, background, prior police</p> <p>14 experience. And then it got to the point where</p> <p>15 there was a list of all the deputies, they said,</p> <p>16 here's a list, do you recognize these names, I</p> <p>17 told them yes. He asked me if I could tell him</p> <p>18 something about the deputies, good or bad, they</p> <p>19 would like to know them. Went through that.</p> <p>20 And at that point is when I told them up</p> <p>21 front, and I was trying to be honest, I said,</p> <p>22 look, just so all parties are involved, there is</p> <p>23 a problem with -- an ongoing issue with Randy</p> <p>24 Tallon and Mike Hurst. And when questioned about</p> <p>25 it, I explained the situation to both of them</p>	159	<p>1 police officers on complaints about Tallon and</p> <p>2 Hurst, that you had already told Tony about.</p> <p>3 A. Yes. At that point, Dean Michael said he</p> <p>4 had a few questions. He said part of his job is,</p> <p>5 you know, with the marshals, was that he was</p> <p>6 heavily engaged in the interview process, you</p> <p>7 know, with different things, and I said not a</p> <p>8 problem. He said, look, he said, would it</p> <p>9 surprise you as far as comments were made to you</p> <p>10 as far as your trustworthiness and you being a</p> <p>11 liar? And at that point, he said, give you an</p> <p>12 opportunity to defend yourself on it, and I</p> <p>13 proceeded to explain.</p> <p>14 I said, look, I testified against George</p> <p>15 David. I said, obviously, that was my boss,</p> <p>16 there were really bad feelings with it. George</p> <p>17 made it perfectly clear to everybody that I was</p> <p>18 no good, that I couldn't be -- he was actually</p> <p>19 telling people I was no good, couldn't be</p> <p>20 trusted. Explained the whole situation to them,</p> <p>21 also explained the situation with Mike Hurst.</p> <p>22 And I said, so I fully was prepared to be accused</p> <p>23 of that, because of those situations.</p> <p>24 I said, other than that, I said, there's</p> <p>25 no problem. I mean, I didn't have a problem, I</p>
158	<p>1 about Mike, and I actually presented, I showed</p> <p>2 them copies of the phone records.</p> <p>3 Mr. Guy did, when he looked at it, he</p> <p>4 looked at it and he said, obviously, there's a</p> <p>5 problem with this. He goes, hopefully it will be</p> <p>6 addressed. I took it as, yes, finally something,</p> <p>7 you know, on my end is going to be done to undo a</p> <p>8 wrong, so to speak.</p> <p>9 He said he didn't have anything further,</p> <p>10 he did say that he did speak with members of the</p> <p>11 state police and that, in reference to my</p> <p>12 situation, and we didn't get into that one way or</p> <p>13 another as far as what was said, what was done,</p> <p>14 it was just, yes, he spoke to them.</p> <p>15 Q. And that refers to the state police that</p> <p>16 were involved in the prosecution of George David?</p> <p>17 A. Yes.</p> <p>18 Q. And did you --</p> <p>19 A. Then being aware of the situation with</p> <p>20 Randy Tallon, Mike Hurst. I took it as he</p> <p>21 discussed that issue with them, is how I took it.</p> <p>22 Q. Not the George David case, but --</p> <p>23 A. He knew they were one and the same.</p> <p>24 Q. But you understood, or you believed Tony</p> <p>25 Guy understood that you had dealt with these same</p>	160	<p>1 actually spoke up in favor of some of the</p> <p>2 deputies, gave credit to a couple of the guys.</p> <p>3 One, offhand, was Aaron Ogrizovich, saying how</p> <p>4 much he matured, he came a long way. And</p> <p>5 actually everybody kind of chuckled because</p> <p>6 everybody that knew Griz knew that he did come a</p> <p>7 long way. He was doing good.</p> <p>8 But I was just caught off guard that -- I</p> <p>9 felt like I was -- I couldn't be believed, even</p> <p>10 though I had the phone records, everything</p> <p>11 saying, hey, look. And I told him, I said, I'm</p> <p>12 not going to lie, it hurt, to have a fellow</p> <p>13 brother, somebody do this and see that text</p> <p>14 message, my heart sunk. And he assured me that</p> <p>15 that will not occur when I'm here. And I took</p> <p>16 that as, okay, cool, maybe there is a sign of</p> <p>17 light at the end of the tunnel here. But it was</p> <p>18 very brief, and at that point, that was pretty</p> <p>19 much it.</p> <p>20 I mean, it was one of the things where</p> <p>21 Dean Michael looked at the clock and said, you</p> <p>22 know, not a problem, we shook hands, and I made</p> <p>23 the comment, I said, I look forward to working</p> <p>24 with you, and he said, we'll be in touch. And</p> <p>25 that concluded my interview.</p>

<p style="text-align: right;">161</p> <p>1 Q. Did you have any conversations with any 2 other deputies or persons in the sheriff's 3 department about the meetings after your meeting? 4 A. Everybody was talking about everybody's 5 meeting. How do you think you did? What was 6 asked? We're our own worst enemies sometimes. 7 Everybody gossips, how did you do, you know, and 8 I took it as the obvious. Those who knew me, 9 knew my situation, knew I was going to be accused 10 of -- you know, because, to be honest, some of 11 the newer people who don't know me, I could see 12 them being told, hey, Curt can't be trusted, he's 13 a liar. To be honest, it's not fair to me. 14 Q. Did you learn from communications with 15 others after the interview that the same kind of 16 process seemed to occur with everybody? That is, 17 asked about other people in the department, 18 questions may have been raised if somebody raised 19 something? 20 A. Pretty much -- 21 Q. -- specific? 22 A. Pretty much, except for how short mine 23 was. Everybody said, are you already done? I 24 was like, yeah, I'm done. And shortly after that 25 is when rumors were circulating that there was a</p>	<p style="text-align: right;">163</p> <p>1 All I can tell you is, Curt, yeah, there's a 2 list. That's not guaranteeing that those people 3 on the list are going to be terminated, but 4 there's a list of potential people. 5 Two weeks after that, I got a phone call 6 from Dave Mangerie, New Year's Eve, telling me 7 that he was instructed to call me and tell me 8 that I was terminated. And that I had to turn my 9 gear in immediately, that I was -- that was it. 10 Q. I'm sorry. 11 A. He apologized. He said, I know it's a 12 holiday and everything, but I'm only doing what 13 I'm told. 14 Q. When you heard about the list and your 15 name may be at the top of it, who told you that? 16 A. I'm not sure if it was Kevin Lupo or if 17 it was Griz. Off the top of my head, I 18 couldn't -- I remember talking to a bunch of 19 guys, everybody was concerned that there was this 20 potential list. 21 Q. When you talked to a bunch of guys, was 22 it while they were at work? 23 A. No. 24 Q. Where was it at? 25 A. I was in my living room, this was about</p>
<p style="text-align: right;">162</p> <p>1 list of seven deputies that were going to be 2 terminated. 3 Q. And if you weren't working at the time, 4 how would you hear about things that were going 5 on, how would you hear rumors about the list? 6 A. I kept contact with the guys, guys would 7 call me, I mean, everybody always talked. 8 Q. Anyone in particular you kept in touch 9 with more? 10 A. One person was the chief. 11 Q. Did the chief say he had heard there was 12 a list? 13 A. At first he said, I'm hearing rumors of 14 it, he goes, Curt, just relax, like I told you. 15 I said okay. 16 Then I received a call from one of the 17 other deputies who said, hey, we're hearing your 18 name is on the top of this list. First thing I 19 said, who did you hear it from? And they said, 20 better off not knowing. I said, is it the same 21 ones? They said you're better off not knowing. 22 To keep the peace, I said, okay, I said, is my 23 name on the list. They said, Curt, we haven't 24 seen it, but we're hearing there is a list. 25 I called the chief back, is there a list?</p>	<p style="text-align: right;">164</p> <p>1 8:00 at night. 2 Q. And when Mangerie called, is there 3 anything else about the conversation you can 4 recall? Other than him calling you and saying, 5 I'm sorry I have to do this, but -- 6 A. It was very brief. I know he felt -- the 7 only way I can describe it, I could hear the 8 tension, I could hear the awkwardness as far as 9 he didn't feel comfortable doing what he was 10 doing, but he had to do it. He said, Curt, it's 11 not -- I said, Dave, we're cool. I said, we're 12 friends, we're cool. I said, you're doing what 13 you're told. 14 Q. Did you ask him who else was on the list? 15 A. Yes, I did. 16 Q. Did he tell you? 17 A. He said he could not and would not 18 elaborate because he said some people have not 19 been told yet and he didn't feel it was right 20 that rumor would get out there without him 21 personally telling them officially. I said, I 22 can respect that. 23 Q. And then did you have to report to the 24 office? 25 A. Yes. January 4.</p>

165	<p>1 Q. And when you reported, did you meet with 2 anybody then?</p> <p>3 A. Tried to come through the side door, and 4 I couldn't. Called the chief and said, you want 5 to meet me at the door, I can't get in the 6 building. He said, well, that's a problem. You 7 have to come through either the front or back. 8 He said, I'll meet you at the back. He said, 9 I'll explain when you get there.</p> <p>10 I get to the back door, carrying all my 11 belongings I was turning in and whatnot. And I 12 said, what's the deal, he said your -- we had 13 swipe cards. He said they were deactivated. He 14 said, you cannot gain access. I said, no 15 problem.</p> <p>16 I said, first and foremost, before we go 17 any further, here is my weapon. I gave him the 18 weapon. It was in a box, separate from the ammo, 19 magazines, and everything, it was unloaded. He 20 checked it, reviewed it, he said, no problem. He 21 patted me on the back, said relax, I said, it is 22 what it is.</p> <p>23 At that point Ronny Costanza, the deputy, 24 was at the back door, and Ronny shook his head, 25 shook my hand, because Ronny and I grew up</p>	167	<p>1 At that point, Mr. Guy came in and he 2 said, look, guys, he said, going to be short and 3 sweet, this is how it is, obviously, I'm the new 4 sheriff, he goes -- and he had letters for each 5 one of us, our discharge, saying we were to 6 report to HR, and things will be explained to us 7 once we got there as far as what we're eligible 8 for. He did say that if you want to retire or 9 resign, he would accept our letter of 10 resignation, but it had to be in by the end of 11 the day. First it was told to us it had to be 12 done then, then I'm not sure if it was him or 13 Dave Mangerie, I think it was Tony Guy, said, 14 I'll give you to the end of the day if you wish 15 to do it.</p> <p>16 Everybody was like looking around, and he 17 said, that's all I have. And I was the only one 18 who said, to the best of my knowledge, I said are 19 we done? And everybody was like, yeah, and I 20 think they were surprised because I was extremely 21 cordial, I was polite, I shook everybody's hand, 22 I said, thank you for your time, shook 23 everybody's hand, and I left. I said, thank you, 24 and I proceeded to go upstairs.</p> <p>25 Q. And nobody else said anything in the</p>
166	<p>1 together, gave me a hug, so to speak, and he 2 goes, hate to do this, I said, do what, and he 3 proceeded to wad me down and search me. I said, 4 you are kidding me. And he goes, no. And the 5 chief said, Curt, they have to, they were 6 instructed to search. And I said, go ahead, do 7 what you got to do. Guys know me.</p> <p>8 So we then went downstairs and we 9 proceeded to wait for all parties to get there 10 that were showing up, or that might have showed 11 up.</p> <p>12 Q. Did you meet with anyone else, Tony or 13 Dean Michael?</p> <p>14 A. We met with -- no, we didn't have any 15 contact other than -- it was a short period, an 16 hour and a half later, maybe two hours. There 17 was Deputy Fratangeli, Paul Clark, myself, Tanya 18 Kuhlber, all of us were asked to go into the 19 sheriff's office, you know, with him. Mitch 20 Shahan was there, Jay Alstadt, Dean Michael, and 21 chief was like, hey, Curt, you know, he shook my 22 hand, he goes -- I said, Chief, it's not 23 personal, Mitch said, hey, Curt, we shook hands, 24 it was very -- like I said, I was the only one 25 that actually socialized or said anything.</p>	168	<p>1 meeting or the room?</p> <p>2 A. If they did, it wasn't when I was there. 3 To the best of my knowledge, like I said, they 4 were all pretty upset, and I tried to remain 5 professional, and like I said, I shook 6 everybody's hand, said, thanks, no problem. Like 7 I said, on the way out, chief gave me a hug and a 8 couple other guys said, Curt, I said look, not 9 the time and place, because I was getting choked 10 up, teary-eyed, that was my life. That was my 11 career.</p> <p>12 Q. Did you ever have any other discussions 13 with Tony Guy after that, until the filing of 14 this lawsuit?</p> <p>15 A. No. Did not.</p> <p>16 Q. How about Dean Michael?</p> <p>17 A. No.</p> <p>18 Q. Any further discussions with Jay Alstadt 19 about the position?</p> <p>20 A. Have I spoke with Jay, yes, but not about 21 the situation. I tried to distance myself 22 because of the lawsuit.</p> <p>23 I looked at Jay, like I said, when I was 24 going through an unfortunate time with my 25 divorce, Jay was somebody I could trust. And,</p>

169	<p>1 you know, I have respect for the man. And</p> <p>2 there's a situation where, you know, we're going</p> <p>3 to remain friends. There are guys in that office</p> <p>4 that, just because of the situation, I'm not</p> <p>5 there, doesn't mean I'm not friends with them.</p> <p>6 Q. Are there people in the office you still</p> <p>7 socialize with or communicate with regularly?</p> <p>8 A. There are guys that I miss dearly, yes.</p> <p>9 But because of the situation, I felt it best on</p> <p>10 my part, on my own, I felt it best to distance</p> <p>11 myself from the office so nobody could say one</p> <p>12 way or another, things were being discussed, I</p> <p>13 just distanced myself. I said, when this sorts</p> <p>14 itself out, those of you who are true friends,</p> <p>15 I'll know who they are. It's nothing personal.</p> <p>16 It's just one of them things that I said, you</p> <p>17 have nothing to do with it, stay out of it.</p> <p>18 Q. What was your reaction when</p> <p>19 Mr. Fratangeli was let go?</p> <p>20 A. My reaction?</p> <p>21 Q. Um-hmm.</p> <p>22 A. Shocked.</p> <p>23 Q. Why?</p> <p>24 A. Because initially, John Joe had bragged</p> <p>25 that he was staying. In all honesty, he said he</p>	171	<p>1 that would -- that he would stay in the</p> <p>2 department?</p> <p>3 A. Oh, yes. He made that very well known.</p> <p>4 Q. Were you involved with a group of other</p> <p>5 deputies who filed a grievance about the date of</p> <p>6 the termination and not getting paid time for</p> <p>7 that date?</p> <p>8 A. All seven of us were, yes.</p> <p>9 Q. And am I correct that you received some</p> <p>10 back pay as a result of that grievance being --</p> <p>11 A. I can't answer what they received. I</p> <p>12 received the four weeks pay, I received the three</p> <p>13 personal days -- due to the fact that I was on</p> <p>14 FMLA in the short-term medical, I was not</p> <p>15 eligible for the sick time, because we get ten</p> <p>16 sick days every year, and it's based on if you</p> <p>17 work the following year. I did not receive that</p> <p>18 package. But I did get what I was entitled to,</p> <p>19 as well as my vacation, and the four weeks pay.</p> <p>20 Q. Were your benefits provided --</p> <p>21 A. Terminated immediately.</p> <p>22 Q. Was that part of the grievance?</p> <p>23 A. No. We wanted it to be.</p> <p>24 Q. Have you talked to Mr. Fratangeli after</p> <p>25 that day?</p>
170	<p>1 was staying.</p> <p>2 Q. Did he indicate before the election, the</p> <p>3 general election, that he was supporting Tony</p> <p>4 Guy?</p> <p>5 A. Yes.</p> <p>6 Q. And did you have any discussions with him</p> <p>7 after the two of you were both let go?</p> <p>8 A. I let John Joe vent and do his own thing</p> <p>9 upstairs, and he vented.</p> <p>10 Q. What did he do?</p> <p>11 A. In the hallway, flat out said that he had</p> <p>12 numerous meetings with the sheriff, that he was</p> <p>13 going to expose him for various things, and at</p> <p>14 that point, I abruptly walked away because it was</p> <p>15 another situation where I looked at the cameras</p> <p>16 and I'm like, not again. I walked away.</p> <p>17 Q. And when you said the sheriff, did you</p> <p>18 mean Sheriff David --</p> <p>19 A. Tony Guy. I walked away. And if I'm not</p> <p>20 mistaken, I think Paul Clark did, too, him and</p> <p>21 his wife. I think he walked away, also, like,</p> <p>22 let him go.</p> <p>23 Q. So Mr. Fratangeli had made it known</p> <p>24 before the election that he was going to support</p> <p>25 Mr. Guy and premised -- and also said he thought</p>	172	<p>1 A. I spoke to him again that same day in the</p> <p>2 hallway while we were waiting for Mr. Darbut.</p> <p>3 Mr. Darbut was not in his office at the time. It</p> <p>4 was explained to each one of us that he was going</p> <p>5 to go personally with each one individually,</p> <p>6 instead of in a group. So we were all kind of</p> <p>7 like in limbo. In the meantime, a couple of us</p> <p>8 went around saying goodbye to people in the</p> <p>9 courthouse. I spoke to Mr. Fratangeli again.</p> <p>10 Q. Did you talk about the termination of the</p> <p>11 two of you?</p> <p>12 A. No. At that point, I actually advised</p> <p>13 Mr. Fratangeli to try to calm down.</p> <p>14 Q. Was he still fired up?</p> <p>15 A. Yes.</p> <p>16 Q. What was he saying?</p> <p>17 A. Got to be honest, he was saying that he</p> <p>18 had information that he was going to expose</p> <p>19 Mr. Guy for messing around, doing other things.</p> <p>20 And I told John Joe, I said, look, I don't want</p> <p>21 to know, I said, but you're stirring up a</p> <p>22 hornet's nest, I said, trust me, I used myself as</p> <p>23 an example, I said, look at what I went through</p> <p>24 with the divorce. I don't like people talking</p> <p>25 about it. Whether it's true or not, don't start</p>

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1 something, and he -- he dropped the F bomb, he  
2 said F this, F that, I'm taking him down, and I  
3 said, I'm out of here. Went to HR, sat down, and  
4 I said I will wait until Rick gets here. I'm not  
5 leaving. That was the last I saw of  
6 Mr. Fratangeli.

7 Q. What did you talk to Rick Darbut about,  
8 just benefits, or other things?

9 A. Rick was -- he started off, he was kind  
10 of emotional, I've known Rick for years, he said,  
11 Curt, sorry to see you leave, he said, it's  
12 nothing -- I said, Rick, I understand, let's do  
13 what we got to do, and he understood.

14 He explained to us what we were going to  
15 get, and he said, they're going to do some  
16 calculations, you know, with everybody, everybody  
17 is a little different, whether they're part time  
18 or full time, he said, but you'll be hearing from  
19 us very shortly. And I was like, okay, thank you  
20 very much, shook his hand, gave Sidney and Tammy  
21 both, you know, a hug goodbye in HR, and I said,  
22 hopefully I'll be back somehow or some way, and I  
23 said, you guys take care. In the meantime, if  
24 you need something, call.

25 Q. Did you keep in touch with Jay -- I might

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1 have asked you that. I'm sorry, I don't remember  
2 the answer.

3 A. Initially, yeah, I --

4 Q. You did say at some point you wanted to  
5 be careful not to discuss the lawsuit. But  
6 before the lawsuit was filed?

7 A. I always go -- every year I take my son  
8 to vacation for a couple days. Friends of mine  
9 are retired from law enforcement. In-laws did  
10 very well, they've got a 50-foot boat, we go  
11 fishing with them while we're there. I'm big  
12 into hunting and fishing. I always give Jay,  
13 Lupo, Griz, I always bring in tuna, I bring in  
14 deer meat, I share with everybody, and we all,  
15 you know, have a good time with it. I always  
16 hook them up with a care package. I call it a  
17 care package.

18 But this was the first year in 20 some  
19 years that none of them received anything. It  
20 wasn't anything personal, I just told them, I  
21 don't want to be misconstrued or taken that I'm  
22 doing anything or saying anything. They  
23 understood. And Jay said, brother, look, my door  
24 is always open for you. You need to talk, you  
25 need to do whatever, he was extremely concerned

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1 about my son Cole. Everybody in the office knew  
2 my son. Everybody loved my son. But like I  
3 said, I got a lot of respect for Jay.

4 Q. Have you been back to the office?

5 A. I only went down once, that's when I had  
6 to pick up my pistol permit when everything was  
7 dropped. And the only deputies that I saw were  
8 Kevin Lupo, Kevin came up and said, hey, Curt, I  
9 said, hey, what's up. He said, how's it going?  
10 I said, hanging in there. And Kevin was like,  
11 hey, we've always been friends, I said, Kevin, I  
12 appreciate that, that's all I ask. I said, leave  
13 it at that. He said, cool.

14 Saw Griz, Ogrizovich. With Griz it was  
15 pretty much in passing, he pretty much nodded his  
16 head, like, hey, hi, how are you doing type deal.  
17 I was like, hi, Griz. That's typical.

18 Ran into Deputy Buccilli. I ran into  
19 several of them. And George Palumbo received  
20 calls from a good bit of the guys saying, hey,  
21 look -- you know, this was immediately after,  
22 they all expressed their, hey, wish you the best  
23 in the future, you know. And some of them were  
24 surprised on certain things, some of them  
25 weren't, but I told them, look, if you're my

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1 friend, just stay out of it, and when this is all  
2 said and done, we'll all hang out and do  
3 something like we used to.

4 Q. You said you had vacationed at times with  
5 a deputy named Matt Jones. Have you stayed  
6 friends with Mr. Jones?

7 A. Yes.

8 Q. Is he still employed in the sheriff's  
9 office?

10 A. No.

11 Q. What is he doing now?

12 A. He is, I believe also currently -- he was  
13 working for Thiel College for the police when he  
14 left the sheriff's office.

15 Q. Did he leave on his own?

16 A. He left on his own under circumstances.

17 Q. What does that mean?

18 A. He was forced out.

19 Q. What is your understanding of why?

20 A. There was a problem between him and John  
21 Fratangeli where threats were made, calls were  
22 made to state police, investigation was done, no  
23 arrests made, but threats were made.

24 Q. So he left when Sheriff David was still  
25 in office.

177	<p>1 A. Yes.</p> <p>2 Q. And he went to work at Thiel College?</p> <p>3 A. Yes. But he remained friends with all</p> <p>4 the guys. He was always down there -- because he</p> <p>5 also worked part time at Rochester police</p> <p>6 department. He remained friends with everybody.</p> <p>7 Q. Who is Patricia Larrick?</p> <p>8 A. That's my mom.</p> <p>9 Q. I think her name was listed on a</p> <p>10 disclosure. What information would Patricia have</p> <p>11 in terms of this litigation?</p> <p>12 A. She would have information as far as the</p> <p>13 current financial hardship I'm going through.</p> <p>14 Also, she would have information as far as any</p> <p>15 follow-up that might be needed with my son Cole.</p> <p>16 Q. Does she assist you with your son Cole?</p> <p>17 A. We help each other. My father had a</p> <p>18 massive stroke a couple years ago. His entire</p> <p>19 left side is permanently paralyzed.</p> <p>20 Q. So your mother is a caregiver for your</p> <p>21 dad?</p> <p>22 A. We kind of take care of each other,</p> <p>23 that's what family is for.</p> <p>24 Q. You help your mom with your dad?</p> <p>25 A. Yeah.</p>	179	<p>1 somebody named Andrew Gall. Did he work in the</p> <p>2 sheriff's department or in the courthouse?</p> <p>3 A. County detective. He's chief county</p> <p>4 detective.</p> <p>5 Q. Was he involved in any way in the matters</p> <p>6 involving the prosecution of George David?</p> <p>7 A. No, he was not.</p> <p>8 Q. Why would he be listed as a witness,</p> <p>9 then, to the extent you think he would have</p> <p>10 information in the case?</p> <p>11 A. Detective Gall was privy to information</p> <p>12 on Mike Hurst and Randy Tallon as far as the</p> <p>13 harassment. It was reported to him as far as</p> <p>14 what they were saying and doing, and he did his</p> <p>15 own -- I shouldn't say his own, but he did what</p> <p>16 was required and reported it appropriately.</p> <p>17 Q. Reported to him by you or by others?</p> <p>18 A. He, from what I understood, talked to</p> <p>19 different people that were involved and reported</p> <p>20 to Rick Darbut his findings.</p> <p>21 Q. Did you make a report to Detective Gall</p> <p>22 about Hurst and Tallon?</p> <p>23 A. Yes.</p> <p>24 Q. Is that by way of a formal complaint?</p> <p>25 A. Went up in person.</p>
178	<p>1 Q. And your mom helps you out when you need</p> <p>2 it with Cole?</p> <p>3 A. Absolutely. That's one of the reasons</p> <p>4 why I'm kind of stuck as far as trying to</p> <p>5 relocate out of the state. I have obvious</p> <p>6 issues, you know, with family, and I have to,</p> <p>7 financially, and I can't go out.</p> <p>8 Q. Would it be your preference to maintain</p> <p>9 part-time work rather than full time so you could</p> <p>10 commit to the family issues?</p> <p>11 A. I would love to get back to full time. I</p> <p>12 prefer it, to be honest with you. We had a</p> <p>13 decent schedule where, you know, we were able to</p> <p>14 handle everything and it was working pretty good.</p> <p>15 Obviously, you have ups and downs, just like any</p> <p>16 other family, but you overcome them and deal with</p> <p>17 them. That's pretty much that.</p> <p>18 MS. JONES: I'm going to take a</p> <p>19 minute. I might be close to done. I'll take a</p> <p>20 minute and look at my notes.</p> <p>21 (Recess.)</p> <p>22 BY MS. JONES:</p> <p>23 Q. Just a couple quick questions.</p> <p>24 A. Not a problem.</p> <p>25 Q. In your disclosures you also listed</p>	180	<p>1 Q. We had gone through an exhibit where</p> <p>2 there were complaints made by Mr. Jeschke about</p> <p>3 you. Do you know if he went to any police</p> <p>4 departments to make formal complaints?</p> <p>5 A. Yes.</p> <p>6 Q. And which departments were those?</p> <p>7 A. He went to Economy, Harmony, and Baden</p> <p>8 police departments.</p> <p>9 Q. And which is the one where you used to be</p> <p>10 a commissioner?</p> <p>11 A. Harmony Township. And Baden, years ago,</p> <p>12 though.</p> <p>13 Q. Okay. And Baden, but years ago.</p> <p>14 A. Yes.</p> <p>15 Q. And none of those departments ever filed</p> <p>16 any formal charges against you.</p> <p>17 A. No.</p> <p>18 Q. Did you ever communicate with anyone from</p> <p>19 those departments?</p> <p>20 A. They advised me that he was there, they</p> <p>21 contacted me, and told me that he was here, just</p> <p>22 to give you the heads up, and advised me what</p> <p>23 they told him.</p> <p>24 Q. And in terms of giving you a heads up, is</p> <p>25 that because you had some history, they knew you,</p>

181	<p>1 so they wanted to call you?</p> <p>2 A. They were aware of the situation.</p> <p>3 Q. What situation?</p> <p>4 A. That Mr. Jeschke and my ex, they weren't</p> <p>5 happy with the result of one police department,</p> <p>6 would go to another, then go to another, yes.</p> <p>7 Q. Did they ever indicate that -- were these</p> <p>8 people that you knew when they called you, from</p> <p>9 the police departments?</p> <p>10 A. In all honesty, yes.</p> <p>11 Q. Is that from your experience working</p> <p>12 there or living in those areas?</p> <p>13 A. Living in those areas. Years ago, I used</p> <p>14 to work for Economy police, I used to work for</p> <p>15 Harmony Township police, when I first started,</p> <p>16 then when I got full time. But, yes, I knew all</p> <p>17 the guys up there.</p> <p>18 Q. Were you aware of any, either direct</p> <p>19 promises or statements that Mr. Kress made about</p> <p>20 who he might keep or not keep if he were elected?</p> <p>21 A. Mr. Kress, to the best of my knowledge,</p> <p>22 personally, what I've read, everything, only made</p> <p>23 one promise, and that was that he was getting rid</p> <p>24 of Deputy Fratangeli.</p> <p>25 Q. And you worked to support him, he never</p>	183	<p>1 meeting, though. There was never a time, when</p> <p>2 you said you couldn't say anything further, you</p> <p>3 were given the opportunity to describe anything</p> <p>4 you wanted to, weren't you?</p> <p>5 A. Yes, I was. I was told that, but like I</p> <p>6 said, it was very short.</p> <p>7 Q. Now, I think you said early on that you</p> <p>8 did apply to get some jobs with security</p> <p>9 companies. One was Mario Lemieux's company and</p> <p>10 one was TSA. Were there any others?</p> <p>11 A. There was one through -- when we were</p> <p>12 required to go through unemployment compensation,</p> <p>13 it was the one, they automatically send them out</p> <p>14 to various, and they said they sent one out, the</p> <p>15 exact company, I'm not sure if it was Allied</p> <p>16 or -- but they said it's all part of a central</p> <p>17 data bank, from what I understand, and you have</p> <p>18 to fill out a résumé with unemployment, it's on</p> <p>19 file. And what they do is, there's an option,</p> <p>20 you can release it to other agencies, you know,</p> <p>21 which I said, yeah, you know, hit the button,</p> <p>22 release it, apply, send it out to whoever, and</p> <p>23 they did.</p> <p>24 Q. Was it your understanding that you could</p> <p>25 perform those jobs, you didn't need any special</p>
182	<p>1 told you anything more than that?</p> <p>2 A. He never discussed any promises, other</p> <p>3 than he promised to get rid of John Joe.</p> <p>4 Q. Was there anything that you had wanted to</p> <p>5 or tried to report to either Tony Guy or Dean</p> <p>6 Michael in the meeting that you had with them</p> <p>7 that you weren't able to report?</p> <p>8 A. To be honest, the meeting was so short</p> <p>9 and so bizarre, because like I said, it was so</p> <p>10 short, it wasn't like any other interview I've</p> <p>11 gone through. You had to be there. I just felt,</p> <p>12 to be honest, based upon everything I've heard,</p> <p>13 and, you know, through those other deputies, that</p> <p>14 no matter what I said, I was gone.</p> <p>15 Q. You didn't say that earlier, did you,</p> <p>16 Mr. Larrick? You told me you thought that</p> <p>17 Mr. Guy said some things to you and seemed to</p> <p>18 understand what you were saying.</p> <p>19 A. Yes, he did. That's why I said, maybe</p> <p>20 there is light at the end of the tunnel. But</p> <p>21 based upon what was told to me, I didn't think I</p> <p>22 had a prayer's chance.</p> <p>23 Q. You mean after you left the meeting?</p> <p>24 A. Yeah.</p> <p>25 Q. I'm talking about while you were in the</p>	184	<p>1 certification to perform those jobs?</p> <p>2 A. Normally for security, you have to be Act</p> <p>3 235, which I am not, but I do know of some guys</p> <p>4 that don't have it that got hired. That's why I</p> <p>5 took the chance. I'm applying anywhere I can.</p> <p>6 Q. Is Act 235 something that has a fairly</p> <p>7 short training to obtain?</p> <p>8 A. It used to be a couple weeks training,</p> <p>9 but I'm not sure what the standards are right</p> <p>10 now.</p> <p>11 Q. You're not familiar with, it's probably</p> <p>12 like a week's worth of time to get the training</p> <p>13 and certification?</p> <p>14 A. I'm not 100 percent positive.</p> <p>15 Q. You didn't look into that?</p> <p>16 A. As far as actual training, no.</p> <p>17 MS. JONES: That's all the questions</p> <p>18 I have.</p> <p>19 MR. BLACK: I don't have any</p> <p>20 questions. We'll read.</p> <p>21 (Witness excused.)</p> <p>22 (Deposition concluded at 1:28</p> <p>23 o'clock p.m.)</p> <p>24 (Signature not waived.)</p> <p>25</p>

CURTIS LARRICK

185

1 DEPOSITION OF CURTIS LARRICK  
 2 CHANGES AND/OR CORRECTIONS  
 3  
 4 PAGE \_\_\_\_\_ LINE \_\_\_\_\_ NOW READS: \_\_\_\_\_  
 5 \_\_\_\_\_  
 6 SHOULD READ: \_\_\_\_\_  
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 3 COMMONWEALTH OF PENNSYLVANIA )  
 4 COUNTY OF ALLEGHENY )  
 5  
 6 I, Debra D. LaGamba, a  
 7 Registered Professional Reporter/Certified  
 8 Realtime Reporter and a notary public in and for  
 9 the Commonwealth of Pennsylvania, do hereby  
 10 certify that the witness CURTIS LARRICK, was by  
 11 me first duly sworn to testify to the truth, the  
 12 whole truth, and nothing but the truth; that the  
 13 foregoing deposition was taken at the time and  
 14 place stated herein; and that the said deposition  
 15 was recorded stenographically by me and then  
 16 reduced to typewriting under my direction, and  
 17 constitutes a true record of the testimony given  
 18 by said witness, all to the best of my skill and  
 19 ability.  
 20  
 21 I further certify that the  
 22 inspection, reading and signing of said  
 23 deposition were not waived by counsel for the  
 24 respective parties and by the witness.  
 25  
 I further certify that I am not a  
 relative, or employee of either counsel, and that  
 I am in no way interested, directly or  
 indirectly, in this action.  
 IN WITNESS WHEREOF, I have hereunto  
 set my hand and affixed my seal of office this  
 15th day of February, 2017.

PROFESSIONAL REGISTRATION  
 DEBRA D. LaGamba  
 REALTIME REPORTER/CERTIFIED  
 REGISTERED PROFESSIONAL REPORTER  
 COMMONWEALTH OF PENNSYLVANIA  
 REGISTRATION NO. 12345

Debra D. LaGamba  
Notary Public

My Commission Expires September 3, 2018.

186

1 CURTIS LARRICK, )  
 2 Consolidated Plaintiff )  
 3 vs. )  
 4 BEAVER COUNTY SHERIFF'S )  
 5 OFFICE, et al. )  
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