

1

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE WESTERN DISTRICT OF PENNSYLVANIA  
3 -----  
4 JOHN FRATANGELI, )  
5 Plaintiff, ) Civil Action No.  
6 PAUL G. CLARK, ) 2:16-cv-00490-NBF  
7 Consolidated Plaintiff, )  
8 And )  
9 CURTIS LARRICK, )  
10 Consolidated Plaintiff, )  
11 vs. )  
12 BEAVER COUNTY SHERIFF'S )  
13 OFFICE; BEAVER COUNTY, )  
14 PENNSYLVANIA and ANTHONY GUY, )  
15 Sheriff of Beaver County, )  
16 Pennsylvania, in his )  
17 individual capacity, )  
18 Defendants. )  
19 -----  
20 Deposition of CURTIS LARRICK  
21 Tuesday, February 1, 2017  
22  
23 Filed on behalf of Defendants  
24  
25 Counsel of Record for this Party:  
Marie Milie Jones, Esquire  
JonesPassodelis, PLLC  
LaGAMBA REPORTING SERVICES  
426 Maxwell Street  
Pittsburgh, PA 15205  
Phone: (412) 458-0439  
REPRODUCTION OF THIS TRANSCRIPT IS PROHIBITED  
WITHOUT AUTHORIZATION FROM THE CERTIFYING AGENCY

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
- - - - -	

2

1 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.  
11  
12 - - - - -  
13  
14 COUNSEL PRESENT:  
15 For the Plaintiff:  
16 John E. Black, III, Esquire  
17 Samuel J. Cordes & Associates  
18 245 Fort Pitt Boulevard, Second Floor  
19 Pittsburgh, PA 15222  
20 For the Defendants:  
21 Marie Milie Jones, Esquire  
22 JonesPassodelis, PLLC  
23 Suite 3510  
24 707 Grant Street  
25 Pittsburgh, PA 15222  
Also Present:  
Anthony Guy

4

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

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



25

1 limits, what you could and couldn't do?  
2 A. If I had to be off, after three days, I  
3 had to have a doctor's, you know, excuse.  
4 Q. Okay.  
5 A. If there was a problem with doctor's  
6 appointments or anything, let him or staffing  
7 know so I could attend those appointments without  
8 those being counted against me.  
9 Q. Okay.  
10 A. Or for my son, to answer that as well,  
11 they went hand in hand.  
12 Q. So when the sheriff indicated he felt,  
13 Sheriff David felt there were concerns about  
14 attendance, was that because he didn't think you  
15 were following those rules that Rick Darbut had  
16 set out?  
17 A. I couldn't tell you the exact reason.  
18 All I know is he was dead against me being on  
19 FMLA.  
20 Q. Did he ever say that he was concerned  
21 that you weren't following the rules that Rick  
22 Darbut had set down?  
23 A. To me personally, no.  
24 Q. Were you informed that through somebody  
25 else?

26

1 A. I was informed through Rick Darbut he  
2 wanted me fired.  
3 Q. And when was that?  
4 A. Midway through my FMLA.  
5 Q. Did Rick explain the reason the sheriff  
6 wanted you fired?  
7 A. Yes.  
8 Q. What did he say?  
9 A. He said basically the sheriff didn't  
10 believe that my medical needs warranted me being  
11 on FMLA.  
12 Q. Did Rick say whether he agreed with that  
13 or not?  
14 A. From my understanding, Rick said that the  
15 law department, him, the commissioners, the  
16 doctors, everybody signed off, it was approved,  
17 it was legal, and the sheriff had to accept it.  
18 It was law.  
19 Q. Did Rick explain that you did have to  
20 follow certain parameters, though, about giving  
21 notice?  
22 A. Absolutely. Yes.  
23 Q. Were you ever told that you hadn't done  
24 that, that is, followed the parameters that you  
25 were required to?

27

1 A. I have, from what I was told, I went  
2 above and beyond.  
3 Q. When you were a deputy sheriff, was that  
4 a position that was in the bargaining unit?  
5 A. Yes.  
6 Q. When you moved to sergeant, did that take  
7 you out of the bargaining unit?  
8 A. No.  
9 Q. If you went above the level of sergeant,  
10 would that have taken you out?  
11 A. Yes.  
12 Q. At some point while you were still with  
13 the sheriff's department, was there a change in  
14 the hierarchal structure, you know, the positions  
15 of management and others in the department?  
16 A. There was always a change any time when  
17 Policaro left, to when George David came in, to  
18 when Felix DeLuca came in, to when George had  
19 came in. There were certain management positions  
20 that changed, yes.  
21 Q. When you say that, do you mean different  
22 people filled certain positions?  
23 A. For management, yes.  
24 Q. So when you first were hired, there were  
25 deputy sheriffs and then there were sergeants, is

28

1 that right?  
2 A. Correct.  
3 Q. Were there positions above sergeant?  
4 A. Yes.  
5 Q. What were they?  
6 A. We had captains.  
7 Q. And then after Frank Policaro, George  
8 David came in, right?  
9 A. Briefly, yes.  
10 Q. Did those positions stay the same, even  
11 if the people changed?  
12 A. Yes.  
13 Q. When Felix DeLuca came in, did the  
14 positions stay the same, even if the people  
15 changed?  
16 A. He -- I believe he created a lieutenant's  
17 position. Also, there was an assistant chief's  
18 position, and sergeants.  
19 Q. So, there were sergeants before, weren't  
20 there?  
21 A. Briefly.  
22 Q. So, there were deputies, sergeants,  
23 captains, and the sheriff when you first started,  
24 right?  
25 A. Correct.

29

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.

30

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?

31

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

32

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

1 as a councilman.  
2 Q. When was that?  
3 A. From 2002 to 2004.  
4 Q. Nobody in Baden raised a conflict issue  
5 to you, did they, like in Harmony?  
6 A. No. We lived at the time in Baden.  
7 Q. But nobody in Baden, when you sought  
8 Chief Christner, when you sought any options on  
9 positions, said, oh, you've been previously an  
10 elected official, you can't do that?  
11 A. So many years have gone by, people have  
12 changed. Not a question.  
13 Q. When Sheriff David was the sheriff and  
14 ran for sheriff to begin his second term as  
15 sheriff --  
16 MR. BLACK: Just be sure you answer  
17 yes or no, not um-hmm.  
18 A. Yes, I'm sorry.  
19 Q. Did you participate in any way in  
20 supporting his election efforts?  
21 A. I was always active politically.  
22 Q. And what does that mean when you say  
23 that?  
24 A. I was a committee person for over 20  
25 years.

34

1 Q. For the Democratic committee?  
2 A. For the Democratic party.  
3 Q. Of Beaver County?  
4 A. Yes.  
5 Q. Is the committee person position an  
6 elected position?  
7 A. Yes, it is.  
8 Q. So what were the years that you served in  
9 that role?  
10 A. From 1996 to 2012.  
11 Q. In 2012, did you seek to continue to be a  
12 committee person?  
13 A. No. I resigned as well my role of  
14 commissioner.  
15 Q. And why did you do that?  
16 A. Didn't reside in the municipality that I  
17 was there, that I was elected in.  
18 Q. So for committee people, you had to also  
19 be from a particular district or section of the  
20 county, not just --  
21 A. Precinct. Yes. It was the precinct you  
22 lived in.  
23 Q. And you did give me your address, but can  
24 you tell me what township/municipality you live  
25 in?

35

1 A. Ambridge.  
2 Q. Ambridge. That's the name of the  
3 municipality, too, not just the mailing address?  
4 A. Yes.  
5 Q. Okay. So when you were active as a  
6 committee person, what kinds of activities did  
7 you engage in?  
8 A. It would range from going to political  
9 functions, distribution of signs, going door to  
10 door, helping them out as far as where they  
11 needed extra people at the polls, getting extra  
12 people to work at the polls.  
13 Q. And would I be correct that in the role  
14 as committee person for a party, when you do  
15 that, you support all candidates on the same  
16 party?  
17 A. That were endorsed by the slate, yes.  
18 Q. All endorsed candidates.  
19 So then it would be fair to say that in  
20 the primary election for sheriff in -- to be  
21 elected for 2016, you supported George David.  
22 A. For 2016?  
23 Q. Yes.  
24 A. No, I didn't.  
25 Q. In the primary?

36

1 A. No, I didn't.  
2 Q. Was Sheriff David endorsed?  
3 A. To be honest, I don't even remember  
4 whether he was or wasn't.  
5 Q. You were no longer a formal committee  
6 person.  
7 A. Correct. But I was active.  
8 Q. That was going to be my question. So you  
9 remained active in politics?  
10 A. Extremely.  
11 Q. And so for the 2016 sheriff's election,  
12 beginning at the primary stage, tell me what  
13 kinds of things you did to remain active.  
14 A. I attended different functions with the  
15 committee, different dinners, picnics, obviously  
16 supported Wayne Kress.  
17 Q. So you supported Wayne Kress even in the  
18 primary against George David.  
19 A. Yes.  
20 Q. In doing so, at the primary stage, did  
21 you put signs in your yard?  
22 A. I had signs everywhere.  
23 Q. Did you attend his functions, Kress'?'  
24 A. Several. I did not -- did not make all  
25 of them.

37

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

38

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.

39

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

40

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?



41

1 A. Yes, I did.  
2 Q. Are you aware of others in the  
3 department, the sheriff's department, who at that  
4 stage of the campaign, also supported Mr. Kress?  
5 A. To the best of my knowledge, the only  
6 other deputy that I am first-hand aware of that  
7 supported Mr. Kress was Paul Clark.  
8 Q. Do you have knowledge whether or not,  
9 first-hand, that others supported Kress in the  
10 election against Tony Guy?  
11 A. First-hand, did I witness anything as far  
12 as them supporting him, no.  
13 Q. Other than first-hand?  
14 A. I have no -- nothing that they supported  
15 them.  
16 Q. So you don't have information just from  
17 people telling you somebody was at an event for  
18 Kress or telling you that others supported Kress?  
19 A. There were a couple deputies that were at  
20 functions, as far as Democratic functions, yes.  
21 Q. And who were those?  
22 A. I believe one was Dave Mangerie, I  
23 believe Jen Bredemeier and her husband attended  
24 one political function.  
25 Q. Okay. What was the function that you

42

1 remember?  
2 A. It was held at Center Stage and it was  
3 the Democratic committee, they had a Steelers  
4 kickoff thing where it was for the committee as a  
5 whole.  
6 Q. And those are the kinds of committee  
7 events that you've attended throughout the years,  
8 is that right?  
9 A. Oh, yes.  
10 Q. And in you attending those events, it was  
11 your show of support for the whole slate, is that  
12 right?  
13 A. Correct.  
14 Q. So when you saw others attending those  
15 events, would it be fair to say you assumed they  
16 were supporting those Democratic candidates?  
17 A. Yes.  
18 Q. Did Dave Mangerie hold some position in  
19 the sheriff's department?  
20 A. President of the union.  
21 Q. And was Jen Bredemeier a deputy sheriff  
22 or some other position?  
23 A. Part-time deputy.  
24 Q. Any other persons who worked in the  
25 sheriff's department that you either saw at

43

1 events or had heard supported Wayne Kress?  
2 A. Not that I'm aware of.  
3 Q. Did you ever hear or have information  
4 from any source that Tom Shane supported Wayne  
5 Kress?  
6 A. Not that I'm aware of.  
7 Q. Did you ever have information from any  
8 source, whether first-hand or not, that Joe  
9 O'Shea supported Kress?  
10 A. To answer truthfully, all I heard was a  
11 rumor that he might have. But I have nothing  
12 concrete one way or the other to prove.  
13 Q. After Tony Guy was elected sheriff, am I  
14 correct that Dave Mangerie remained employed and  
15 still is employed at the sheriff's department?  
16 A. Yes, he is.  
17 Q. And after Tony Guy was elected sheriff,  
18 am I correct that Jen Bredemeier remained  
19 employed at the sheriff's department?  
20 A. Yes, she is.  
21 Q. Is Joe O'Shea also still employed at the  
22 sheriff's department, to your knowledge?  
23 A. Yes, he is.  
24 Q. When Kress was in the election against  
25 Tony Guy, did you work at various polls on the

44

1 election day?  
2 A. Yes, I did.  
3 Q. And when you worked at the polls, did you  
4 wear buttons or any kind of clothing that  
5 reflected who you were supporting?  
6 A. I had a white T-shirt saying Wayne Kress  
7 for Sheriff on, and on that white T-shirt I had  
8 several of the other candidates from the endorsed  
9 slate, their stickers, on that T-shirt.  
10 Q. So even though you weren't a committee  
11 person for the County party any longer, you  
12 remained active in supporting the whole slate of  
13 candidates through the committee, is that right?  
14 A. Yes.  
15 Q. Prior to election day, did you have any  
16 interactions with Tony Guy while he was running  
17 for office?  
18 A. Prior to election day?  
19 Q. Yes.  
20 A. No.  
21 Q. Had you met him?  
22 A. I met Mr. Guy years, years ago. And  
23 other than that, that was the only time we ever  
24 did anything, so to speak.  
25 Q. When did you meet him?



45

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.

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.

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.

21 Q. Did the people you were with know Tony  
22 before --

23 A. Joey David grew up with him. Yeah. Joey  
24 claims he was very good friends with him.

25 Q. Is Joey David related to George David?

46

1 A. Cousins.

2 Q. Was Joey David employed at the sheriff's  
3 department?

4 A. At that time, yes.

5 Q. And you said that was in the early '90s.

6 A. Yes.

7 Q. Do you know how Tony was employed at the  
8 time?

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.

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?

18 A. I never had the opportunity to do  
19 anything, you know, good or bad.

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?

23 A. Yes.

24 Q. What kinds of, like, would there be  
25 certain cases that might go on?

47

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.

5 Q. Did you ever have any dealings in a  
6 professional capacity with him?

7 A. With Mr. Guy?

8 Q. Yes.

9 A. No.

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.

13 A. No.

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?

17 A. He thought he was, no disrespect, he  
18 thought he was the better candidate to run.

19 Q. What was his background?

20 A. State trooper.

21 Q. And how long did you know Wayne?

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.

25 Q. Was he a state trooper the whole time in

48

1 his law enforcement career, to your knowledge,  
2 before running for sheriff?

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.

6 Q. So did you remain friendly with him over  
7 the years before he ran for sheriff?

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.

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?

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.

22 Q. So when did you kind of rekindle the  
23 relationship with him?

24 A. When I first heard that he was  
25 considering running, you know, and that was when

49

1 he was running against George, that's when, you  
2 know, we made contact and I told him then, we  
3 were friends for how long and, you know, I would  
4 back him.  
5 Q. So did you reach out to him or did he  
6 reach out to you?  
7 A. It was kind of mutual. We were both  
8 trying to get ahold of each other at the same  
9 time.  
10 Q. And what role, if any official role, did  
11 you play in his campaign?  
12 A. In his actual campaign?  
13 Q. Yes.  
14 A. I was a nobody.  
15 Q. So you weren't holding a position as  
16 treasurer, campaign manager?  
17 A. No. Nothing at all.  
18 Q. And had he retired from the state police?  
19 A. Yes.  
20 Q. So you thought he had the -- he said he  
21 felt he had -- he was a better candidate, he had  
22 the state trooper background, the military  
23 background. Anything else that he professed as  
24 his platform or his position if he were to be  
25 elected?

50

1 A. The only thing he stressed was that Wayne  
2 would clean up certain aspects of the office that  
3 needed cleaned up.  
4 Q. And what did you understand him to mean  
5 by that?  
6 A. Certain officers that, how can I say it,  
7 were engaged in certain things that they  
8 shouldn't be in.  
9 Q. Like what?  
10 A. John Fratangeli, false reports.  
11 Q. Am I correct there was an incident where  
12 Mr. Fratangeli was making allegations of criminal  
13 conduct that later turned out to be false?  
14 A. I'm not sure if it was proven to be  
15 false. I think it fell to the wayside, so to  
16 speak. He swore on an affidavit that his  
17 information was clearly false and nothing ever  
18 happened to him.  
19 Q. So was there some news coverage of that,  
20 or media coverage of that?  
21 A. That would be an understatement. Yes.  
22 Q. So it would be fair to say it was common  
23 knowledge that Mr. Fratangeli had been believed  
24 to engage in false reporting --  
25 A. Yes.

51

1 Q. -- that caused even Mr. Fratangeli to be  
2 investigated.  
3 A. Yes.  
4 Q. So would I be correct that at least  
5 Mr. Kress professed that someone like  
6 Mr. Fratangeli would not be a good person to stay  
7 in the sheriff's department.  
8 A. He was the only one that I had first-hand  
9 knowledge that he would say had no business being  
10 there.  
11 Q. So Mr. Fratangeli was the only person  
12 that you knew Mr. Kress would not have retained  
13 in the department, is that what you're saying?  
14 A. Yes. And that was made public, yes.  
15 Q. Were there any other issues or persons  
16 that were part of what Mr. Kress was suggesting  
17 needed cleaned up in the office if he got  
18 elected?  
19 A. That was the one thing that I was curious  
20 on myself, because if he had knowledge of  
21 something, I wish he would have said something.  
22 But he never divulged to me as far as what  
23 deputies he was referring to.  
24 Q. Would it be fair to say that Sheriff  
25 David had been in a lot of heated issues in the

52

1 media, including being charged criminally and  
2 going to trial on cases?  
3 A. Yes.  
4 Q. So was it a consistent message between  
5 Mr. Kress and Tony Guy that changes would likely  
6 come in the sheriff's department, if either were  
7 elected?  
8 A. For -- can you -- you're saying as far  
9 as, if they were involved with criminal  
10 activities or from both parties?  
11 Q. You said that Mr. Kress' platform  
12 certainly was that he would clean up aspects of  
13 the office, including potentially making changes  
14 with some of the deputies.  
15 A. Correct.  
16 Q. Did you have an understanding that Tony  
17 Guy had a similar platform, or a platform that  
18 included the same position?  
19 A. What was relayed to me and what I  
20 observed personally was that if Mr. Guy was  
21 elected, I was one of the first ones fired.  
22 Q. So would I be correct that that was  
23 somewhat similar to what Mr. Kress said in that  
24 he would make changes in the office if he were  
25 elected?

53

1 A. Yes and no.  
2 Q. How so?  
3 A. With John Joe, it was because he was  
4 involved in illegal activity. With my situation,  
5 what I overheard personally was that I was going  
6 to be gone because I supported Wayne.  
7 Q. And from whom did you hear that?  
8 A. Randy Tallon.  
9 Q. And when did you hear that?  
10 A. There were several times. I walked into  
11 the deputy's room, Randy was in a fit, flipping  
12 out, this was during a pre-morning -- sometimes we  
13 would have briefings, and Randy flat out said  
14 that I was a rat, I testified against Georgie, I  
15 couldn't be trusted. And as far as he was  
16 concerned, or from what he knew, I was the first  
17 one fired.  
18 Q. So he said you were a rat because you  
19 testified against George David.  
20 A. Yes. I was involved in the trial with  
21 George.  
22 Q. And then he said you would be the  
23 first --  
24 A. I would be the first one that, if Mr. Guy  
25 got elected, would be fired.

54

1 Q. And he specifically said that if Mr. Guy  
2 got elected, you would be fired.  
3 A. Yes.  
4 Q. And did he say anything else?  
5 A. No, because at that point, I  
6 immediately -- he saw me, I looked at him, a lot  
7 of people didn't know what was going to happen.  
8 I went right into the chief's office and said, we  
9 need to talk.  
10 Q. When was this?  
11 A. This was shortly after the election when  
12 Wayne beat Georgie.  
13 Q. So after the primary?  
14 A. Primary, yes.  
15 Q. And you went into the office of Jay  
16 Alstadt?  
17 A. Jay Alstadt was the chief at the time.  
18 Q. And tell me about that meeting.  
19 A. I explained to him that there was -- what  
20 had just occurred. He said he would look into  
21 it. And that was pretty much it for that  
22 morning. He said he would look into it.  
23 Q. Did you ever talk to him again about it?  
24 A. Numerous times.  
25 Q. What did he tell you?

55

1 A. That he had meetings with Darbut and that  
2 nothing would be done to Randy because Georgie  
3 was sheriff and Georgie wasn't going to do  
4 anything to him.  
5 Q. So when you went to see Jay, you went  
6 with the premise of explaining that you thought  
7 Randy should be disciplined?  
8 A. It was an ongoing situation with  
9 Mr. Tallon and myself.  
10 Q. And what was that?  
11 A. Randy has made threats in the past to  
12 different deputies.  
13 Q. How does that have to do with you?  
14 A. I was one of the deputies he threatened.  
15 Q. How so, what did he say?  
16 A. That initially started because I  
17 testified against George David.  
18 Q. What kind of threat did he make?  
19 A. One, he had his cell phone, and he would  
20 show people, I have a countdown, when he counts  
21 down to zero is D day. When it's D day, I'm  
22 taking people out. And I was the first one he  
23 made reference to. This was reported to HR, this  
24 was reported to the County detectives.  
25 Q. When he said taking people out, what did

56

1 you interpret that to mean?  
2 A. I took that that it was going to become  
3 physical.  
4 Q. So he was going to try to harm you?  
5 A. Absolutely.  
6 Q. And when did you first report that?  
7 A. Immediately, as soon as that happened.  
8 Q. Can you give me a time frame?  
9 A. It first started with Randy right after  
10 George was acquitted, or, you know, when he went  
11 through his trial. Comments were made that, see,  
12 we told you, Georgie was telling the truth,  
13 Larrick lied.  
14 Q. Who else do you believe was threatened by  
15 Randy?  
16 A. There was, Matt Jones was threatened,  
17 there was Rich Woznicki, who is now currently  
18 with the state police, he's no longer with the  
19 sheriff's office. And there were several county  
20 detectives that Randy threatened. But he  
21 threatened them for other reasons.  
22 Q. Okay. Why did he threaten them?  
23 A. Deputy Tallon was caught in the back --  
24 or in the front of the sheriff's car with a  
25 female, engaged in sexual conduct. And this was

57

1 done right in the middle of a prostitution sting  
2 that the County detectives had set up, and it was  
3 right in the same block, they witnessed it, they  
4 observed it, there were photos taken. He was  
5 confronted, he was -- Randy was demoted over it,  
6 and he blamed the detectives for him being  
7 demoted and everything else.

8 Q. What was the threat to Matt Jones or Rich  
9 Woznicki about?

10 A. Rich Woznicki, his dad was a -- he was  
11 employed under the attorney general's office as  
12 an agent. And Randy accused him of being a rat  
13 also, leaking information to outside agencies  
14 such as the AG and the state police.

15 Q. When did that occur?

16 A. Same time he accused me. His name was  
17 mentioned just before mine, and he was  
18 referring -- we had a board that had everybody's  
19 name for assignments, and we had tags, magnet  
20 strips, I believe they're still there. And he  
21 grabbed both of our names, threw them up and  
22 said, they're both rats, and they're done. And,  
23 you know, that's when he made the comment about  
24 me, and he turned around and I looked at him, he  
25 looked at me, I shook my head, and I went in to

58

1 see the chief.

2 Q. How about Matt Jones, what was he accused  
3 of, or threatened by Tallon about?

4 A. Matt witnessed an episode where Randy  
5 threatened me at the front doors and Matt turned  
6 him in to HR.

7 Q. And when did the incident at the front  
8 doors happen?

9 A. Pretty much right after Georgie's trial  
10 is when it first happened.

11 Q. Same time frame that he was making these  
12 other comments?

13 A. When I referred to Deputy Tallon, any  
14 chance he could get to throw a jab, when I say a  
15 jab, a comment, or try to do something, he would  
16 throw it at me.

17 Q. And what is your understanding of any  
18 action that HR engaged in with Mr. Tallon?

19 A. I believe they did an investigation, I  
20 believe they had -- I know for a fact they had  
21 several meetings, because we had a meeting with  
22 myself and Jay Alstadt present, and that's when  
23 it was also related to me that when I met with  
24 Sheriff George David, that he was fully aware of  
25 the situation, but he referred to him being

59

1 sheriff and he was not doing anything. And the  
2 County's stance was they could not do anything or  
3 overstep the sheriff's authority on disciplining.

4 Q. At some point he was, Tallon was demoted,  
5 right?

6 A. For his involvement with the female, yes.

7 Q. Was that before the events that involved  
8 you?

9 A. Yes.

10 Q. And what position did he hold and then  
11 what position --

12 A. He was assistant chief, then he got  
13 knocked down to deputy.

14 Q. So that's a couple levels, he got  
15 demoted?

16 A. Numerous levels.

17 Q. Would it be fair to say from your  
18 perspective, Mr. Tallon didn't like you?

19 A. That would be an understatement.

20 Q. And so Mr. Tallon made comments to you  
21 that he felt you would be the first to go if --  
22 or you would be gone if Tony Guy was elected?

23 A. Yes, he did.

24 Q. Did you at the time believe that that was  
25 just another comment or threat by Mr. Tallon

60

1 against you personally?

2 A. Randy Tallon was, from what I observed,  
3 campaigning hard for Mr. Guy.

4 Q. And so did you take his comment to be  
5 that if Mr. Guy was elected, Randy would be in a  
6 position to --

7 A. Do harm to me?

8 Q. -- make suggestions that would affect you  
9 negatively?

10 A. Yes.

11 MR. BLACK: Make sure she finishes  
12 the questions.

13 THE WITNESS: I apologize.

14 MS. JONES: That's okay.

15 BY MS. JONES:

16 Q. Did you have any other conversations with  
17 Mr. Tallon about the sheriff's department or your  
18 status in the sheriff's department?

19 A. I did everything humanly possible from  
20 talking to members of management to HR to keep me  
21 as far -- I stayed as far away from him, as well  
22 as another deputy that I was going through pretty  
23 much the same thing, I said I'm turning the other  
24 cheek, I distanced myself from them.

25 Q. Who was the other deputy?



61

1 A. Mike Hurst.  
2 Q. What was his position?  
3 A. He was sergeant, also.  
4 Q. And what interactions did you have with  
5 Hurst that were of a negative nature?  
6 A. Mike Hurst got caught calling my wife  
7 while on duty.  
8 Q. When was that?  
9 A. Initially, just before George David's  
10 trial.  
11 Q. Which is, like, what year? '15, '14?  
12 A. No. It was before that. I would  
13 actually say it goes way before the trial with  
14 Mike. I would say 2009, 2010. It was when it  
15 first surfaced with Mike.  
16 Q. And what is it that surfaced?  
17 A. The fact that he was calling her while on  
18 duty.  
19 Q. You weren't married at the time.  
20 A. At the time, when it first happened, yes.  
21 Q. Were you living together?  
22 A. Yes.  
23 Q. Were you separated or going through some  
24 kind of process to separate?  
25 A. No. None whatsoever.

62

1 Q. And what was the nature of the calls? If  
2 you know.  
3 A. I'll tell you exactly. I came home from  
4 work one night, my wife's phone was vibrating  
5 across the table, it was two in the morning, I  
6 picked it up, the text message from Mike Hurst  
7 saying you look so hot, you know, can't wait  
8 until we get together again, when are we going to  
9 hook up. And basically said he was hot, horny  
10 and ready to go. And at that point, yeah, I was  
11 extremely mad.  
12 Q. Did you come to learn whether your wife  
13 and Mr. Hurst were having any kind of  
14 relationship?  
15 A. Through everything I found out, there was  
16 117 calls from Mr. Hurst to my wife in a  
17 one-month period of time, through phone records.  
18 Q. And in what context did the phone records  
19 come out?  
20 A. All I had was date/times he would call  
21 her. I don't know the conversations, what  
22 transpired or what...  
23 Q. Is that because you had the phone bills?  
24 A. I pulled them up on the computer.  
25 Q. Did you come to learn that Mr. Hurst and

63

1 your wife were having some kind of relationship?  
2 A. Yes. It was first denied.  
3 Q. By your wife or by Mr. Hurst, or both?  
4 A. Both.  
5 Q. Was that an issue that led to your  
6 separation or divorce?  
7 A. I wouldn't say it was the deciding  
8 factor, but it hurt, and it was one of the  
9 contributing issues, trust.  
10 Q. So did you confront Mr. Hurst about that?  
11 A. Yes, I did.  
12 Q. And did you do that at the workplace?  
13 A. Him and I were supposed to work that same  
14 evening, on a detail, together, yes.  
15 Q. So tell me what happened.  
16 A. Asked him flat out, I said, why did you  
17 call my wife. At first he lied, said he never  
18 called. At the time I forwarded the message from  
19 her phone to mine, I held it up to him, I said,  
20 explain this. He told me to go to hell. And I  
21 said if you ever call her again, I'll kick your  
22 ass from one side of this county to another.  
23 Stay away from my family. I want nothing to do  
24 with you. End of discussion.  
25 Q. So, was that the point that you learned a

64

1 relationship had already occurred, or did the  
2 relationship occur afterwards?  
3 A. It opened my eyes to look into what all  
4 was going on. I immediately reported it to Jay  
5 Altstadt, you know, for him to handle it as far as  
6 what was going on, and I said I'm staying away  
7 from him, and the reason why. I wasn't  
8 jeopardizing my job or what was left of my  
9 family, because I didn't know what was going on.  
10 Q. What did Jay tell you in regard --  
11 A. He was in shock at first. He was in  
12 shock.  
13 Q. Did he indicate whether he would talk to  
14 Hurst --  
15 A. He spoke to him.  
16 Q. What else did he tell you about him?  
17 A. Immediately after, he said that Mike said  
18 I was lying, I couldn't be trusted, and I had no  
19 proof. Jay said if I had proof, to present it.  
20 Q. Did you do that?  
21 A. Handed him all four pages with 117 phone  
22 calls.  
23 Q. And then what happened?  
24 A. He called Hurst in, back in again, said,  
25 Mike, you need to tell me what really happened.



65

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

66

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 Alstadt?  
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

67

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

68

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

69

1 workplace, whether or not the issue of the  
2 relationship, you know, occurred?  
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.  
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?  
15 A. My comment was I haven't drank in years.  
16 For years.  
17 Q. So at the time of the events with  
18 Mr. Hurst, you didn't drink?  
19 A. No.  
20 Q. Irrespective of the drinking, was the  
21 concern about anger or behavior in the workplace  
22 addressed to you by the sheriff?  
23 A. No. It was more, if I was going to pass  
24 the drug and alcohol test.  
25 Q. Okay. You said you had to be evaluated

70

1 and that there were anger issues raised as well.  
2 A. Just over that statement that I was  
3 accused of making.  
4 Q. The statement about burning the house  
5 down?  
6 A. Yes, that statement.  
7 Q. How about the statement about where you  
8 beat him up, when you told him that?  
9 A. Never came into question.  
10 Q. Did anybody know about that, to your  
11 knowledge, other than Hurst?  
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.  
16 Q. So how long did you have to go through  
17 evaluation or the EAP process?  
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.  
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

71

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.  
4 Q. Who did you meet with through this  
5 process?  
6 A. Gateway.  
7 Q. And at Gateway, was it a counselor, a  
8 psychiatrist, a psychologist, do you know?  
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.  
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?  
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

72

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.  
5 A. Yes.  
6 Q. Did you ever have any other evaluations  
7 or referrals to an EAP program while employed by  
8 the County?  
9 A. No.  
10 Q. After the EAP was over, did you speak  
11 with the sheriff or Jay Alstadt about this  
12 situation?  
13 A. Yes.  
14 Q. And tell me about that.  
15 A. I had numerous discussions with Jay  
16 Alstadt.  
17 Q. And what were those about?  
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

73

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.

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?

10 A. No.

11 Q. Were there any other issues with Randy or  
12 Mike after that?

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.

18 Q. What kind of notes?

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.

23 Q. And why do you think it was Mike or  
24 Randy?

25 A. They've been known over the years to play

74

1 little games with different people like that.

2 Q. Did you ever ask them if it was them who  
3 did that?

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.

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.

15 Q. Did he tell you if he talked to anybody  
16 about it?

17 A. He said he spoke to both.

18 Q. Did he say whether they admitted that  
19 they did it?

20 A. Neither one would comment one way or the  
21 other.

22 Q. What is the time frame when that  
23 happened?

24 A. With both Mike Hurst and --

25 Q. I'm sorry, that incident with the

75

1 picture.

2 A. That was August -- I think the first part  
3 of September of 2015.

4 Q. When did you get divorced?

5 A. My divorce was 2012.

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?

10 A. That might be the time frame.  
11 (Larrick Deposition Exhibit 1  
12 was marked for identification.)

13 BY MS. JONES:

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.

20 Does that refresh your recollection about  
21 whether or not that's the same event involving  
22 this Mike Hurst related matter?

23 A. This was a -- I believe this was when my  
24 wife and I, both of us were going through  
25 independent counseling.

76

1 Q. And would you have been going through  
2 counseling in relation to --

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.

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?

9 A. It's one and the same. It was the  
10 program that the County offered if it was needed  
11 or suggested.

12 Q. Did you ever make any accusation against  
13 any other deputy for getting involved in matters  
14 involving your wife?

15 A. There were several deputies that were  
16 relaying information to her, yes.

17 Q. Who was that?

18 A. Kristin Chapes.

19 Q. Is she a deputy?

20 A. Yes.

21 Q. Kristin...?

22 A. Chapes.

23 Q. And what were the circumstances involving  
24 her that related to your wife?

25 A. For whatever reason they, after we

77

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.  
4 Q. So what kinds of things were being  
5 relayed that you believed were a problem?  
6 A. Everything from where I was, to my  
7 assignment, to my overtime, to --  
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?  
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.  
17 Q. So how did you learn about it, first,  
18 that you confronted Deputy Chapes about whether  
19 she was doing this?  
20 A. My kids.  
21 Q. Tell me how.  
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.

78

1 Q. Did your wife not think you were at work  
2 and she was asking someone to check up on that?  
3 A. My wife's intention was to, for all  
4 intents and purposes, make my life pure hell.  
5 Q. So what did Deputy Chapes say when you  
6 asked her if she was reporting your whereabouts  
7 to your wife?  
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.  
11 Q. Did you disagree with that?  
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.  
15 Q. And did you report her connection to your  
16 wife to Jay or somebody else?  
17 A. Yes.  
18 Q. And did Jay tell you that you should not  
19 worry about who's friends with who?  
20 A. No. They had the same concerns.  
21 Q. And the concern was what, that she was  
22 doing this while she was working?  
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

79

1 work and personal issues at home. And at no  
2 point in time should the two, you know, become  
3 related.  
4 Q. Did you make allegations against any  
5 other deputies that were getting involved in your  
6 home life, or personal life?  
7 A. The only other one that was having  
8 contact while on duty was James McGeehan.  
9 Q. And what was his job?  
10 A. He was a lieutenant at the time.  
11 Q. And what kind of contact was he making?  
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.  
17 Q. What kind of information was he trying to  
18 find out?  
19 A. To this day, I still don't know.  
20 Q. And what was your understanding of what  
21 the sheriff was trying to find?  
22 A. Still don't know.  
23 Q. How did you know that James was looking  
24 into you on Facebook? What --  
25 A. He wasn't looking into me. He was asking

80

1 my wife questions through Facebook.  
2 Q. Okay. And why is that a problem for him  
3 to communicate with someone through Facebook?  
4 A. He was on duty.  
5 Q. Okay.  
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.  
10 Q. And how did you learn that? Did you see  
11 it? Did somebody print it for you?  
12 A. My daughter.  
13 Q. What did your daughter tell you?  
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.  
17 Q. Did you see it, whatever he was doing,  
18 communicating?  
19 A. No.  
20 Q. Did anyone ever make a copy of it for  
21 you?  
22 A. No.  
23 Q. Do you have any such information today,  
24 documents that show this activity?  
25 A. On James McGeehan?



81

1 Q. Yes.

2 A. No, I do not.

3 Q. On any of these other deputies that you

4 said were involved in your personal life?

5 A. Other than the phone records I still

6 have, I have one message from Randy Tallon to

7 Krista saying, we need to talk through Facebook.

8 All of that was turned over to the chief and the

9 sheriff, and I trusted that they would act

10 appropriately and tell them, look, enough is

11 enough.

12 Q. Do you know if they did have any

13 conversations with them?

14 A. They spoke to all parties involved

15 repeatedly and told them, look, what happens here

16 stays here, and we're not going to get in this

17 habit of bringing personal lives, because they

18 said it works both ways. They said that could be

19 you one day, they tried to put it in that manner,

20 they talked to him numerous times.

21 Q. Did you have more than one instance of

22 James communicating with your wife? Or just the

23 one you've described on Facebook?

24 A. Once it was explained to me, I was led to

25 believe there were several. Once it was

82

1 explained that he did have several, but it was

2 because he was told to, by the sheriff.

3 Q. Did you ever get an answer as to whether

4 that was true?

5 A. Yes.

6 Q. What was the answer?

7 A. Yes. He made contact with her.

8 Q. I'm sorry. If the part about being

9 directed to do so by the sheriff was true?

10 A. Yes.

11 Q. Did the sheriff tell you that was true?

12 A. No. Rick Darbut did, and Jimmy McGeehan

13 pulled me aside and said, look, I don't want this

14 going any further, I was only doing what I was

15 told to do, and he goes, that's the end of it.

16 Q. So were you ever given an understanding

17 or an explanation as to why the sheriff was doing

18 that?

19 A. No, I wasn't.

20 Q. But with Mr. McGeehan, it stopped?

21 A. It stopped.

22 Q. And how about with Kristin Chapes?

23 A. It stopped while on duty. But their

24 friendship, if there is, was, or still is, to the

25 best of my knowledge, that's their business. I

83

1 had no say and I don't want a part. I have no

2 control over that, nor do I want to.

3 Q. Did Jay Alstadt tell you that he thought

4 you were coming to him too many times and

5 complaining about other deputies?

6 A. No.

7 Q. Did Jay Alstadt tell you, or words to the

8 effect, that you needed to move on and get past

9 everybody's perceived interest in you?

10 A. Jay said to me on several occasions, he

11 said, their mentality is if they see it's

12 bothering you, they're going to keep doing it.

13 Act like it don't bother you, move on. That's

14 how it was explained to me. But Jay had an open

15 door policy. He said, if there's a problem, tell

16 me and I will deal with it.

17 Q. So you would go back repeatedly and see

18 him?

19 A. If there was a problem.

20 Q. Were you ever counseled or told that

21 there was a concern about you not appearing to

22 get measured for a vest when somebody was coming

23 into the office to measure everybody for a

24 ballistic vest?

25 A. I was asked by Joe O'Shea if I was

84

1 available to come in on a certain day, and I

2 explained to him I was not available, spoke with

3 the chief, told him that I was going to be -- the

4 situation. He said I would be able to go on my

5 own, and that was pretty much my understanding of

6 how that was supposed to go.

7 Q. So by way of background, somebody was

8 coming in to the department to measure everybody

9 for these vests, is that right?

10 A. Correct.

11 Q. And the deputies were asked to appear so

12 they could be measured in the office?

13 A. There were several dates that were made

14 available, and the first date that they, Joe

15 asked for me to attend, I said I could not, I

16 asked to be rescheduled. I also informed them I

17 could go up, because I had to pick up other

18 things that I had ordered, and I could get it

19 done right then and there.

20 Q. Was there another day when they had them

21 in the office, and you were present, but you

22 wouldn't get measured?

23 A. That was the same day.

24 Q. So you're saying there was only one day

25 that you came to the office when these people



85

1 were there to measure folks for vests, and you  
2 did not get measured?  
3 A. I could not get measured that day,  
4 correct.  
5 Q. And why not?  
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.  
14 Q. Why didn't it work out that way?  
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.  
18 Q. What position was Joe O'Shea?  
19 A. Corporal.  
20 Q. And was he in a position to issue  
21 discipline?  
22 A. I was originally told no, but it  
23 happened.  
24 Q. And were you told you were being given a  
25 written warning because you were actually present

86

1 and could have been measured, rather than  
2 unavailable?  
3 A. If I stuck around for the day, I could  
4 have been measured.  
5 Q. Wasn't the person there only for a couple  
6 of hours to measure people?  
7 A. The person wasn't even there at the time.  
8 They were on their way there.  
9 Q. But it was only a limited period of time  
10 they were going to be there?  
11 A. Correct.  
12 Q. And you were there at those same limited  
13 periods of time?  
14 A. No. I was there prior to him being  
15 there.  
16 Q. And you had to leave.  
17 A. Correct.  
18 Q. You were not on duty that day?  
19 A. No. I was on FMLA.  
20 Q. But you came to the office.  
21 A. Correct.  
22 Q. Why did you come to the office if you  
23 were on FMLA?  
24 A. We had a union meeting that had certain  
25 things as far as fees that were going to be paid

87

1 for, attorneys, whatnot, and I wanted to be  
2 present for that.  
3 Q. Who is James -- is it Jeschke? What is  
4 your wife's, your ex-wife's current last name?  
5 A. Jeschke.  
6 Q. Who is James Jeschke?  
7 A. That's her new husband.  
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?  
11 A. She got married sooner, but that's when  
12 it appeared in the Beaver County Times.  
13 Q. Were you counseled or did you have issues  
14 raised to you about your dealings with James  
15 Jeschke?  
16 A. I was brought in and questioned on them,  
17 yes.  
18 Q. And what was the questioning about?  
19 A. Mr. Jeschke was alleging myself and other  
20 deputies were harassing him because he was with  
21 my wife.  
22 Q. Was that true?  
23 A. No.  
24 Q. And what happened with regard to the  
25 questioning of you about that?

88

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.  
6 Q. Was it your position that Mr. Jeschke was  
7 harassing you?  
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.  
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.  
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?  
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.)

89

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

90

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.

91

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

92

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?

97

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?

98

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

99

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.

100

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.

101

1 It was a hearing.

2 Q. What was the basis of the PFA? What did  
3 she say was the basis for the PFA?

4 A. That I struck my son and I pushed him.  
5 She filed a PFA on behalf of my son, not for her  
6 directly.

7 Q. And what was the testimony at the  
8 hearing?

9 A. There was none.

10 Q. There was no testimony?

11 A. No. They introduced, my son was -- he  
12 was given a forensic examination at Children's  
13 Hospital, and it was proven that he was coached  
14 and coerced and that nothing happened. It was  
15 later determined, once that was produced from my  
16 attorney to them, Krista dropped everything  
17 immediately.

18 Q. Was there any other time that any  
19 criminal charges or other charges were filed by  
20 your wife or involving your wife?

21 A. She made numerous allegations, but no  
22 charges were ever -- there were reports from  
23 multiple police departments.

24 Q. And which police departments?

25 A. Harmony Township.

102

1 Q. And when was that?

2 A. Immediately after we separated, 2009 to  
3 2010.

4 Q. And what was the report made?

5 A. Offhand, I don't remember the exact date.

6 Q. What was the nature of the report, what  
7 was claimed?

8 A. I apologize for laughing. The initial  
9 claim was that I cut several of her lingerie,  
10 undergarments.

11 Q. And who responded to that?

12 A. Harmony Township.

13 Q. Anyone in particular that you can recall?

14 A. I'm not sure if it was Jason Vular.

15 Q. What came of that report?

16 A. Absolutely nothing.

17 Q. Had you cut her clothes up?

18 A. No.

19 Q. What other police departments did she  
20 make reports to, to your knowledge?

21 A. Economy, and they told her that she  
22 didn't have, that there was not jurisdiction,  
23 that whatever she wanted, she had to go through  
24 Harmony Township. She said, I was just there and  
25 I didn't get the result I wanted, so they said,

103

1 it don't work that way.

2 Q. Was her claim the same thing, about the  
3 clothes, or something else?

4 A. She was just alleging that I was abusing  
5 my son and whatnot, and they said they'll make  
6 the appropriate calls, but they said, you have to  
7 report that to the appropriate agency.

8 Q. Do you know if she did or they did report  
9 that to anybody else?

10 A. Not sure. I never received any  
11 further...

12 Q. Did you ever have contact from Baden  
13 police?

14 A. Yes.

15 Q. And what was that about?

16 A. Pertaining to the custody issues.

17 Q. And do you recall when that was?

18 A. There were several occasions where I  
19 would be there for the custodial exchange, as far  
20 as for Cole, to pick him up, she wouldn't show  
21 up. Or when she was there, upon doing so, she  
22 would try to provoke a situation by flipping me  
23 off, saying a few things, and I just kept my  
24 mouth shut, gave my son a hug and said let's go.

25 Q. How did the police become involved in

104

1 those, if at all?

2 A. I actually called them.

3 Q. And do you recall when that was?

4 A. Not sure, but I have all the reports.

5 Q. Was that a report that occurred at the  
6 school or relating to a school exchange or a  
7 visit at the school?

8 A. That was a different incident.

9 Q. What was that?

10 A. My ex showed up at State Street  
11 Elementary School, tried to pick up my son, the  
12 school said, okay, we're aware of the custody  
13 arrangement, Curt has full custody, did you  
14 notify Curt? She said, no, I don't have to, I'm  
15 the mother, I'll take him when I want. They said  
16 it don't work that way.

17 They then called me at the sheriff's  
18 office, the chief and jail staff immediately  
19 pulled me from my courtroom, explained what  
20 they -- the call that they got. They got a call  
21 from the 911 center, the 911 center called me  
22 back, advised me of what was going on, they  
23 transferred me to Baden police, they said, you  
24 need to get down here and get Cole.

25 With the chief's and the sheriff's



105

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

106

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,

107

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

108

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

1 A. Yes.

2 Q. Is there any other events that you can  
3 recall in which you were either counseled or  
4 disciplined or told that there was a concern  
5 about some activity -- you mentioned attendance  
6 earlier that the sheriff had of you by your FMLA,  
7 and you connected those two.

8 Anything else you can recall?

9 A. Yes.

10 Q. What was that?

11 A. One was I was suspended for five days due  
12 to not wearing my seat belt.

13 Q. Okay. And is that -- on duty, right?

14 A. I was on duty.

15 Q. In the patrol car?

16 A. Yes. I was a passenger.

17 Q. And what was the nature of the  
18 discipline?

19 A. Told me to describe what happened. I  
20 don't understand, I got five days for not having  
21 my seat belt on.

22 Q. Did you think that was -- did you wear  
23 your seat belt or were you not wearing your seat  
24 belt?

25 A. It wasn't physically possible.

110

1 Q. Why?

2 A. The van that we were in did not have the  
3 seat belt on my side, but I was told that was  
4 irrelevant. I should have reported it or I  
5 should have not even got in the vehicle. But I  
6 was in the vehicle, we got hit, there was an  
7 accident, I got five days.

8 Q. Did you get injured?

9 A. Yes.

10 Q. Did you have to be off work for the  
11 injury?

12 A. For three days, I think I was off. I was  
13 back to work in a cast for several months.

14 Q. Did you break a bone?

15 A. No. I tore ligaments, tendons in my left  
16 wrist.

17 Q. Did that affect your ability to do the  
18 other duties you had?

19 A. Absolutely.

20 Q. And did the department tell you that you  
21 should have reported that because it affected  
22 your work, then?

23 A. The seat belt?

24 Q. Yes.

25 A. Everybody knew that the vehicle didn't

111

1 have a -- the van was clearly outdated. It  
2 didn't have handles, it didn't have any apparatus  
3 to hold on to. It was deplorable.

4 Q. Did you grieve that discipline?

5 A. No. I was told it was non-grievable.

6 Q. Why would that be?

7 A. I was just told that by Mike Tibolet.

8 Q. Who was Mike vis-a-vis --

9 A. At the time, he was the union president.

10 Q. Were you aware that there was discipline  
11 that was not grievable?

12 A. That was news to me.

13 Q. And your position is they said you could  
14 not grieve it, rather than they would not support  
15 you grieving it.

16 A. Both.

17 Q. And did they give you a reason as to why  
18 they wouldn't support you grieving it?

19 A. They cited another case that was with a  
20 DPW worker, it was very similar, that didn't have  
21 a seat belt on, and they said it was irrelevant  
22 whether it had it or didn't, he got five days,  
23 county policy states you're in a vehicle, you  
24 don't have it, this is what happens.

25 Q. Was that because they believed that if

112

1 you knew that, you should have told somebody  
2 that?

3 A. That was reported numerous times to the  
4 County, and -- I shouldn't say the County, to the  
5 individual in charge of the vehicles at the time.

6 Q. Who was that?

7 A. John Fratangeli.

8 Q. Did you ever report it?

9 A. To John Fratangeli, yes.

10 Q. Were you in that van before then and knew  
11 it didn't have seat belts?

12 A. Yes. Passenger seat belts. Not driver,  
13 just passenger.

14 Q. But you knew that?

15 A. Oh, yeah.

16 Q. Were you disciplined for anything else  
17 that you can recall, either formally or maybe  
18 informally told?

19 A. The only other time I was even consulted  
20 on anything, there was an issue raised by David  
21 Hunter.

22 Q. And who is Mr. Hunter?

23 A. Another deputy.

24 Q. What was the issue raised?

25 A. His girlfriend was one of the cleaning

113

1 people at the courthouse.  
2 Q. Okay. And what was the issue raised  
3 about Mr. Hunter's girlfriend?  
4 A. He thought we were getting too close.  
5 Q. And why did he think that?  
6 A. There were conversations between the two  
7 of us.  
8 Q. Were you friendly with the girlfriend?  
9 A. We were friends.  
10 Q. And were you friends because you saw her  
11 when she was working at the courthouse, or in  
12 some other capacity?  
13 A. It was a friendship based on -- it went  
14 back years.  
15 Q. And what was it that Mr. Hunter  
16 complained about?  
17 A. He didn't like me talking to her at all.  
18 Q. Did he tell you why?  
19 A. He felt it was not appropriate.  
20 Q. Why?  
21 A. Just that he didn't feel it was  
22 appropriate that somebody from the office would  
23 talk to somebody else's...  
24 Q. Did you think that was inappropriate?  
25 A. I told him he had a right to think what

114

1 he wanted, but I tried to reassure him, the  
2 discussions we had were on discussing medical  
3 issues that she was going through, as well as, at  
4 the time, Krista and I were still together,  
5 Krista was experiencing the same medical issues,  
6 and we were kind of going back and forth on  
7 treatments, and she was trying to help me out.  
8 Q. And would you talk to her when she was  
9 working at the courthouse?  
10 A. Yes.  
11 Q. So you would be on duty and she would be  
12 on duty?  
13 A. Yeah, discussions were very brief.  
14 Q. How was that different from your concern  
15 about people talking to your wife while they were  
16 on duty?  
17 A. Big difference.  
18 Q. Why?  
19 A. I was not pursuing it beyond a friendship  
20 or trying to engage in anything beyond a  
21 friendship, or making innuendos or comments,  
22 pursuing anything beyond that.  
23 Q. Did Mr. Hunter think you were?  
24 A. He thought I was.  
25 Q. So in essence, you and Mr. Hunter were in

115

1 the same situation?  
2 A. And I told him I could understand where  
3 he was coming from, but when I assured him what  
4 it was about, it was cleared up.  
5 Q. Did you think it was okay to do that  
6 while you were on duty, talk to her about these  
7 personal matters?  
8 A. At the time, after discussing it with the  
9 chief and that, I thought it was okay to get -- I  
10 mean, because she had questions, I had questions,  
11 we were helping each other out. It was a  
12 mutual -- it was kind of like, how can I say it,  
13 I was the middle person, because in all  
14 actuality, I was getting questions answered from  
15 my ex to her, they were both going through the  
16 same treatments, and trying to compare how each  
17 other felt. And ultimately, I said, look, if you  
18 two want to talk, here, talk.  
19 Q. Did you discuss this with Jay Alstadt?  
20 A. Yes.  
21 Q. And did Jay tell you that was sort of the  
22 same thing about -- that you were complaining of  
23 with the other officers?  
24 A. No. He agreed that it was completely  
25 different.

116

1 Q. So it was okay when you talked on duty,  
2 but not when Hurst or others talked on duty?  
3 A. It was the context of the discussions.  
4 Q. Even though you weren't involved in those  
5 other discussions that Hurst had with your wife.  
6 A. Correct.  
7 Q. So you don't really know the context.  
8 A. Well, judging from what I got, as far as  
9 the text message.  
10 Q. You got one text message in the middle of  
11 the night. That wasn't while you were on duty or  
12 he was on duty?  
13 A. Yes, he was.  
14 Q. You said you and he were going to be on  
15 the same shift the next morning.  
16 A. He sent it while he was on shift that  
17 night, to her.  
18 Q. And all the other phone calls or texts,  
19 you don't know what they said?  
20 A. No idea.  
21 Q. So did somebody tell you that it was best  
22 not to communicate while you were on duty with  
23 somebody else, while they were on duty as well?  
24 A. Yes.  
25 Q. Were you also counseled about how you

117

1 completed a log sheet for mileage?  
2 A. Yes.  
3 Q. And what do you recall about that?  
4 A. I forgot to turn in a mileage sheet, and  
5 Kevin Lupo wrote a write-up in reference to me  
6 not turning in a mileage sheet on the designated  
7 time that it was supposed to.  
8 Q. Is that something that Jay Alstadt in his  
9 position would be aware of?  
10 A. Oh, yeah.  
11 Q. Now, all of these events we've been  
12 discussing while you were employed were not  
13 events while Tony Guy was in office.  
14 A. No. Not one of them.  
15 Q. In fact, you probably never even heard  
16 the name Tony Guy in the context of the sheriff's  
17 department at that time?  
18 A. Correct.  
19 Q. But these are things Jay Alstadt would  
20 have knowledge of.  
21 A. Absolutely.  
22 Q. In fact, if there was ever a problem that  
23 you were experiencing or you thought somebody was  
24 doing something wrong, you would go to Jay  
25 Alstadt with that.

118

1 A. Yes.  
2 Q. So Mr. Alstadt had a lot of dealings with  
3 you throughout your tenure at the department?  
4 A. Jay and I had a relationship that was  
5 very professional, but yet it was also -- we did  
6 things as friends as well.  
7 Q. Okay. When you were married, did you  
8 receive health care benefits that covered your  
9 wife while -- from the County?  
10 A. Up until the time we actually got  
11 divorced, she was covered. Until the time of  
12 divorce.  
13 Q. Was an issue raised with you that your  
14 wife was being covered after you were separated?  
15 A. I got -- I received a bill afterwards,  
16 and it was -- I questioned it. I went to HR and  
17 I said, I got a problem with this, and they  
18 looked into it, and they said, yeah, there's an  
19 issue, and they referred it to the law  
20 department.  
21 Q. And what happened?  
22 A. Nothing ended up happening to my ex.  
23 Q. Did something happen to you?  
24 A. No.  
25 Q. Was the issue that you were divorced, or

119

1 at least separated, living separately, and she  
2 was still being covered by the County's health  
3 insurance?  
4 A. The issue was we were already divorced,  
5 she submitted insurance -- for her to be covered  
6 under insurance purposes in the amount of 42 --  
7 total ended up to \$42,000. And County said,  
8 whoa, wait a minute, there's a problem.  
9 And when they looked into it, they  
10 clearly had evidence that she was supposed to be  
11 removed from the County insurance, because they  
12 had the QDRO through the divorce, they had the  
13 actual divorce papers on file. But for whatever  
14 reason, the insurance carrier on their end still  
15 had her listed as being covered.  
16 Q. So you never told the County to take her  
17 off directly, correct?  
18 A. Yes, I did.  
19 Q. When?  
20 A. When we got divorced. My attorney  
21 actually went on my behalf -- I didn't  
22 personally. My attorney presented everything as  
23 far as the documents.  
24 Q. To who?  
25 A. HR.

120

1 Q. So your attorney went to HR to deal with  
2 HR about your benefits?  
3 A. To discuss the QDRO.  
4 Q. Why would your attorney, to your  
5 knowledge, need to go to the HR department to  
6 discuss the QDRO?  
7 A. To find out how long the process was  
8 going to be, to find out as far as the amounts  
9 that my ex was entitled to. And at that point  
10 she said, here is the exact date, time, the  
11 divorce is finalized, that's it, remove her name.  
12 My ex, I believe, went down immediately  
13 to the courthouse and changed her name back to  
14 her maiden name. She met with -- come on,  
15 Curt -- she's now in charge of HR, the one  
16 female.  
17 Q. Okay.  
18 A. I apologize. My mind is going a thousand  
19 miles an hour here, trying to get the name,  
20 but -- Sidney Shaw. I apologize. There you go.  
21 Sidney Shaw. She went down and changed, you  
22 know, her name and everything as far as to that,  
23 and Sidney had several discussions with Krista  
24 explaining that she is not covered.  
25 Q. How did you know that?

121

1 A. Sidney told me herself.  
2 Q. Did Jay Alstadt ever speak to you about  
3 this issue?  
4 A. No. I actually presented it to Jay.  
5 (Larrick Deposition Exhibit 3  
6 was marked for identification.)  
7 BY MS. JONES:  
8 Q. I'm going to show you an e-mail of  
9 October 1, 2012 from Trish Richner, who is listed  
10 as a payroll coordinator, to Jay Alstadt. I'm  
11 not sure you've ever seen this before, but if you  
12 can take a minute and look at it.  
13 A. Never saw this before.  
14 Q. Okay. It seems to reflect that payroll  
15 was asking for paperwork from you through Jay to  
16 take your wife off of the health care benefits.  
17 Is that what you gleaned from this, too,  
18 is that what that seems to say to you?  
19 A. That is what it seems to say.  
20 Q. It reflects that there were repeated  
21 requests to you, but you still hadn't turned in  
22 the paperwork. Do you recall that happening?  
23 A. Not at all.  
24 Q. Do you recall any other matters of  
25 discipline or counseling or any other issues that

122

1 were brought to your attention while you were  
2 employed at the sheriff's department that we  
3 haven't covered?  
4 A. There was one attempt where Mike Hurst  
5 tried to write me up once.  
6 Q. What was that for?  
7 A. I was out in the parking lot talking to  
8 Deputy Hunter, we were discussing lifting, I  
9 believe, weight lifting. We were talking for  
10 about 45 minutes out there. Sergeant Hurst  
11 approached me, immediately became argumentative,  
12 said, where's your hat? You're out of uniform.  
13 And I looked at him and I said, sir -- he stopped  
14 me, he said, I don't want to hear it. He said, I  
15 will see you in the office tomorrow morning,  
16 you're getting written up. I said, you do what  
17 you got to do.  
18 Q. Go ahead.  
19 A. Next morning I got in there, he had the  
20 paperwork drafted up, handed it to me, chief  
21 said, you going to sign this? I said, I'll sign  
22 it. I said, I'm going to turn around and file a  
23 grievance and I'm going to file a lawsuit. He  
24 goes, for what? I said, I was off duty. This is  
25 another example of Mike Hurst trying to harass

123

1 me. I was off duty for over an hour. I was on  
2 my own time, not the County's.  
3 Once the chief realized that, his exact  
4 words were, "oh, shit," called Hurst and told  
5 him, enough of this petty bullshit, we're done.  
6 Don't ever do this again.  
7 Q. And when was this? What time frame?  
8 A. 2015.  
9 Q. So no discipline was issued?  
10 A. None whatsoever.  
11 Q. Was there a complaint made that you were  
12 either harassing or bothering an individual named  
13 Kayla Stevenson?  
14 A. There was a complaint made. Yes.  
15 Q. What was your understanding of the  
16 complaint?  
17 A. That was being investigated by county  
18 officials.  
19 Q. And what was your understanding of the  
20 nature of the complaint?  
21 A. That I was supposedly harassing Kayla.  
22 Q. And what position does Kayla hold?  
23 A. She was a female deputy.  
24 Q. And was that in about 2014?  
25 A. Yes.

124

1 Q. So she held the same position as you?  
2 A. She was part-time deputy. Yes.  
3 Q. And what did she allege, to your  
4 knowledge?  
5 A. Just that I was calling or texting her, I  
6 believe, is what she alleged.  
7 Q. And had you been calling or texting her?  
8 A. Yes.  
9 Q. What came of that investigation, to your  
10 knowledge?  
11 A. That the initial complaint was coerced  
12 and instructed to do so by Sheriff George David.  
13 County officials were made aware of it, Rick  
14 Darbut was made aware of it, Rick did an  
15 investigation, Kayla admitted she was coerced  
16 into doing so. She was also coached by Deputy  
17 Randy Tallon to try to jam me up, was the exact  
18 verbiage, and Rick Darbut said he was going to  
19 forward this to the law department and to the  
20 detectives for possible charges, as well as  
21 contacting state police for harassment against  
22 George David.  
23 Q. Did Mr. Darbut tell you that he did not  
24 think you should contact her?  
25 A. He told me, he said, regardless of the



125

1 situation, Curt, he goes, at this point, don't  
2 have any contact with anybody involving this. He  
3 actually received, from what he told me, he  
4 received information that this was going to  
5 happen, prior to it even happening. Deputies  
6 came forward to him saying they caught wind  
7 they're conspiring to do this. That's why there  
8 was a big investigation into it. It was  
9 spearheaded by George David.

10 Q. Did you have any communication with  
11 Ms. Stevenson about the complaints she made?  
12 A. I found out about the complaints she made  
13 by her calling me.  
14 Q. And what did she say?  
15 A. She called me to say, just to let you  
16 know, they're going to call you in tomorrow, this  
17 is what's going to happen. She said I'm sorry.  
18 I said, for what? She said, she admitted,  
19 sheriff told me to do this, I don't know how this  
20 is going to turn out. I said, I'm telling you  
21 right now, I'm contacting Pennsylvania State  
22 Police.  
23 Q. Did you?  
24 A. Yes, I did.  
25 Q. What happened there?

126

1 A. Spoke to Trooper O'Lear and Dan Mosura,  
2 they said they were already made aware of it by  
3 talking to Rick Darbut, that he caught wind of  
4 it. And that they were going to consult with  
5 their superiors, as well as the AG, to see if any  
6 charges were going to be filed.  
7 Q. Were any charges filed?  
8 A. No.  
9 Q. Those two officers that you mentioned  
10 contacting, were they involved in the prosecution  
11 of George David?  
12 A. Yes, they were.  
13 Q. Are those officers that you had dealt  
14 with in your testimony against George David?  
15 A. Yes, they were.  
16 Q. So did Mr. Darbut tell you that he had to  
17 investigate the complaint and whether or not he  
18 found it to be of any merit?  
19 A. From what I was told, he met with Jay  
20 Alstadt and told Jay there was nothing to this,  
21 this matter was over. He actually called Dave  
22 Mangerie and Paul Clark, the two union reps at  
23 the time, called them to come up and instructed  
24 them, this is over. That's it. That's the last  
25 I ever heard about it.

127

1 Q. When you met with Mr. Darbut, was  
2 Mr. Mangerie or the other union rep there?  
3 A. Not to my knowledge.  
4 Q. So Mr. Darbut, in essence, said there was  
5 a lot of stories on both sides of that, and he  
6 wasn't making any conclusions? I'm paraphrasing,  
7 but I'm asking if that's accurate.  
8 A. He flat out told me I was being set up.  
9 Q. Okay. But he told you that you should  
10 leave her alone and not communicate?  
11 A. Never had one single discussion with her  
12 after that.  
13 Q. And he told you that as well, to do that?  
14 A. Yeah. He said, protect myself, yes.  
15 Q. Were you also called about a concern that  
16 you were making contact to one of the judge's  
17 female law clerks while on duty?  
18 A. I was called in by Jay Alstadt, and he  
19 inquired about my relationship with the one law  
20 clerk, yes.  
21 Q. And what was your response to that?  
22 A. I said, I'm friends with one, yes.  
23 Q. Did he tell you that the judge was  
24 concerned that it was, you were making too much  
25 contact, that it was disrupting the office?

128

1 A. He thought that I should stay clear of  
2 her, to quote the judge, because the judge even  
3 talked to me, he said, you're not the type of guy  
4 for her to stay clear. I said, it's not like  
5 that. He said, just stay clear.  
6 Q. So the judge himself also said something  
7 to you?  
8 A. Yes.  
9 Q. This is Judge Kwidis?  
10 A. Yes.  
11 Q. And Judge Kwidis didn't want you to --  
12 did he indicate he didn't want you contacting the  
13 law clerk because he didn't want you disrupting  
14 the office? Did he say that?  
15 A. Not to that extent at all.  
16 Q. He just knew you had been contacting her  
17 and said he didn't think you were her type?  
18 A. Pretty much.  
19 Q. So, did you understand then that the law  
20 clerk had reported to the judge that you were  
21 contacting her?  
22 A. I never was told one way or another what  
23 happened or what that whole situation was about,  
24 but I left it alone.  
25 Q. How do you think the judge would have

129

1 known that, that you were contacting the clerk?  
2 A. Well, there's several times when I was  
3 actually in his chambers, prior to court, prior  
4 to everything starting. When I was assigned to  
5 his courtroom, I would go up there to see what  
6 was going on, and her and I would talk and be  
7 engaged in a discussion about something.  
8 Q. While you were in the courtroom?  
9 A. No. In his chambers.  
10 Q. But while you were in the context of your  
11 duties for his courtroom?  
12 A. Yeah.  
13 Q. I'm talking about text messaging or other  
14 contacts.  
15 A. The couple text messages that were sent  
16 between her and I both were completely off duty,  
17 and it engaged her nephew, my son, and Easter.  
18 That was it.  
19 Q. Did Mr. Alstadt tell you that he didn't  
20 want you to communicate with her either by text  
21 or otherwise in the courthouse?  
22 A. He told me while I was on duty to stay  
23 away.  
24 Q. Did Mr. Alstadt reflect that he thought  
25 while you didn't think there was anything wrong

130

1 with the communication, that the judge seemed to  
2 have a concern about it?  
3 A. He told me, he said, you know how Judge  
4 Kwidis is, he's known your family for years, he  
5 knows you. I said, yeah. He said, take it for  
6 what it's worth, stay clear. I said, no problem.  
7 And I said, chief, here, here's the text  
8 messages, if you want to look, and he looked  
9 through my phone and said, no problem. Just stay  
10 clear.  
11 Q. And did you do that afterwards?  
12 A. Yes.  
13 THE WITNESS: Excuse me. Can we get  
14 some water?  
15 MS. JONES: Absolutely.  
16 (Discussion off the record.)  
17 BY MS. JONES:  
18 Q. So Sheriff David had been charged and  
19 ultimately prosecuted for some issues, and it's  
20 my understanding that you provided some testimony  
21 against him at the trial, is that right?  
22 A. Correct.  
23 Q. So by summary, can you tell me what your  
24 testimony related to?  
25 A. Part of Sheriff David's conditions was he

131

1 was not allowed to be around any type of  
2 firearms. I had walked through the office making  
3 my rounds, checking the doors, everything, along  
4 with the chief, we were always the last two to  
5 get our lunch. We always took care of the guys,  
6 make sure everybody eats first.  
7 We come down to get our lunch. Walked  
8 in, saw Mike Tibolet, he was walking out of the  
9 deputy's room area, and he was just ghostly  
10 white. And I was concerned. I said, Mike, are  
11 you okay? He shook his head. I said, what's  
12 wrong? The next thing I knew, I heard the  
13 racking of a shotgun, which has a very distinct  
14 sound. I immediately looked over to my left and  
15 there was the sheriff with John Fratangeli in the  
16 gun room holding a shotgun. I looked up at the  
17 cameras and I'm like, like, you got to be kidding  
18 me. Everything is videotaped. I immediately  
19 reported it to Tom Ochs, who was the one  
20 lieutenant at the time.  
21 Next thing I knew, they said I had a  
22 phone call, and it was Trooper Mosura from the  
23 state police, saying, we need to talk. I said,  
24 okay. Found out that Tom Ochs had already made a  
25 hard copy of the tape, because the sheriff had to

132

1 stay away from Tom Ochs. That was the one  
2 condition. The proximity of the gun room to Tom  
3 Ochs' office was approximately 15 feet. So I  
4 told Mosura exactly what I saw and witnessed, and  
5 led up to me testifying.  
6 Q. So was your testimony that you saw him  
7 with the gun and you understood that that was  
8 against his conditions of --  
9 A. That was his bond conditions, yes.  
10 Q. -- conditions of the bond.  
11 Did it have anything to do as well with  
12 whether that was perceived as a threat to Ochs?  
13 A. I didn't know how to take it. I just  
14 thought for the safety of all parties involved,  
15 that's not good.  
16 Q. I didn't read any testimony you ever  
17 gave. Did you ever testify about the concern  
18 that Ochs was close by and could be threatened?  
19 A. It was brought up.  
20 Q. After that report was made, do you know  
21 if the sheriff was made aware that you were the  
22 person raising that report?  
23 A. Oh, he was made aware real quick. Yes.  
24 Q. And did he ever have any conversations  
25 with you about that?

133

1 A. No, but through third parties, I was told  
2 to stay clear.  
3 Q. By whom?  
4 A. The chief.  
5 Q. The chief?  
6 A. Chief Alstadt.  
7 Q. What did he say?  
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.  
11 Q. Did you have a problem with that or did  
12 you agree with that?  
13 A. I agreed wholeheartedly.  
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?  
18 A. Yes.  
19 Q. And would Mr. Fratangeli be one of them?  
20 A. Yes.  
21 Q. Anyone else?  
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

134

1 I had to do. They said it was the right thing to  
2 do.  
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?  
6 A. Numerous people. Numerous members of law  
7 enforcement. Unfortunately, not too many within  
8 the sheriff's office.  
9 Q. Did some just not say anything to you?  
10 A. I was the outcast in the sheriff's  
11 office.  
12 Q. And when did that happen, that you saw  
13 this and made the report to the police?  
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.  
18 Q. Were you already divorced?  
19 A. In the process of finalizing everything,  
20 trying to finalize everything, I should say.  
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.  
25 A. Yes.

135

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.  
4 A. Okay.  
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?  
8 A. Yes, I did.  
9 Q. You worked in the primary, correct?  
10 A. Correct.  
11 Q. And then you worked in the general  
12 election?  
13 A. Yes, I did.  
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?  
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.  
22 Q. Those are people that you had issues with  
23 in the past, right?  
24 A. Correct.  
25 Q. So did you connect their comments about

136

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.  
5 A. Correct.  
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?  
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.  
18 Q. Is that because of what those people  
19 thought about you, that is, the deputies that you  
20 worked with?  
21 A. I was told that they were pushing for me  
22 to be fired.  
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



137

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

138

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

139

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

140

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 --



141

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.

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.

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.

142

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.

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.

16 Q. Anything else you can remember you didn't  
17 tell me about already?

18 A. Not as far as the discussion him and I  
19 had.

20 Q. Was it the only time you saw him that  
21 day?

22 A. That was the only time.

23 Q. Okay. Did you stay at that poll or go to  
24 other polls?

25 A. I went to -- my mom had to go take care

143

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.

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?

8 A. Thursdays.

9 Q. Is that a place, a location?

10 A. That's where they decided to have  
11 everything. They had food and everything,  
12 everybody was there.

13 Q. And at some point that night did you  
14 learn that Tony won the election?

15 A. Oh, yes.

16 Q. Any other discussions with Tony after  
17 that about your support of Kress or your  
18 involvement in the election?

19 A. The only time I had a follow-up in the  
20 discussion with Mr. Guy was at my interview.

21 Q. So no other happenstance meetings, ran  
22 into each other?

23 A. Not between the two of us, no.

24 Q. And then when you went back to the  
25 office, you were still working around that time,

144

1 correct?

2 A. Correct.

3 Q. Was there any discussion in the office  
4 about what might happen after the election  
5 results?

6 A. Oh, yeah.

7 Q. What was said?

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.

12 Q. Oh, you were not working?

13 A. I was not working.

14 Q. I think I just asked if you were working.

15 A. I was still under the employment of the  
16 sheriff's office, but I was not working.

17 Q. And were you not working because you were  
18 off for FMLA?

19 A. Yes.

20 Q. Why were you going to the sheriff's  
21 office?

22 A. To talk to the chief.

23 Q. About what?

24 A. The election.

25 Q. Are you supposed to go into the office

145

1 when you're off on FMLA?  
2 A. I wasn't told one way or the other, you  
3 can, you can't.  
4 Q. And what was the reason during that  
5 period of time, during the election time, that  
6 you were off. You said it's FMLA, but what was  
7 the reason, was it to do something for your son,  
8 was it something for you?  
9 A. That immediate day was an appointment for  
10 me.  
11 Q. And what was the appointment, what time?  
12 A. The appointment was in the afternoon. It  
13 was with Dr. Fox.  
14 Q. So if you had a doctor's appointment, was  
15 it your position that you took the whole day off?  
16 A. I was off on long-term leave. It wasn't  
17 where -- the County was aware of it. It was  
18 already signed off and agreed to. I was off on a  
19 long period of time.  
20 Q. What was the leave for?  
21 A. My stomach.  
22 Q. So you had an extended leave?  
23 A. Yes.  
24 Q. And how long was that leave?  
25 A. Total, it took up -- I missed a total of

146

1 six months.  
2 Q. Solid?  
3 A. Solid.  
4 Q. Not intermittent?  
5 A. Off.  
6 Q. Meaning, not here and there?  
7 A. I was off.  
8 Q. And what were those six-month periods,  
9 the dates, even close?  
10 A. That would have been from July, June or  
11 July, all the way through the end of the year.  
12 Q. Of '15?  
13 A. Yes.  
14 Q. So even though you were off, did you make  
15 it a practice to come to the office at least  
16 during every week?  
17 A. That was part of my requirement, was to  
18 bring copies of either the doctor's information  
19 to HR and let them know what was going on, or I  
20 could call. I happened to be -- the appointment  
21 was right there, met with them, went to the one  
22 other doctor's office, because I had to get  
23 bloodwork, because they didn't have the one girl,  
24 the -- phlebotomist?  
25 Q. Phlebotomist.

147

1 A. I apologize.  
2 She was not there at the time, so I had  
3 to go to Quest Diagnostics in Beaver, which was  
4 one block from the courthouse. I had all the  
5 doctor stuff, as far as my dates that I was  
6 scheduled to be off due to my medical. I turned  
7 it in right there to Rick Darbut, went downstairs  
8 to see the chief. Same building, same time.  
9 Q. This was the day after the election, or  
10 are you talking about another day?  
11 A. This was after the election.  
12 Q. I guess my question was, from June or  
13 July through the election, how often, if you were  
14 off work completely, how often did you go in to  
15 the office, the sheriff's department?  
16 A. Only when required.  
17 Q. What does that mean?  
18 A. If they needed additional information, or  
19 if there was like a union meeting that they  
20 needed everybody to be there for, which, to be  
21 honest, I did not attend.  
22 Q. Can you quantify it? Was it once a week,  
23 once a month, how often you went to the  
24 department, even though you were off work?  
25 A. I would say total during that span, I was

148

1 there maybe three times, max.  
2 Q. Okay. One just happened to be the day  
3 after the election?  
4 A. Yeah. Like I said, I had the doctor's  
5 appointment, they drew the blood, I had to turn  
6 it in to Darbut, and I was there.  
7 Q. If you were off work, where was it that  
8 Fratangeli, Tallon and Hurst were telling you  
9 they were pushing for you not to have a job after  
10 the election?  
11 A. Prior to me being off on that extended  
12 period.  
13 Q. So before June?  
14 A. Yeah. That summer I was being bombarded,  
15 so to speak.  
16 Q. The summer you weren't working, were you,  
17 you were off most of the summer?  
18 A. I was off. But when I was there and we  
19 had -- it was pretty much any time they saw me,  
20 whether it was in the office, outside the office,  
21 I felt like I was fair game.  
22 Q. When did you see them when you weren't in  
23 the office?  
24 A. The one occasion I ran into them, they  
25 were serving papers.

149

1 Q. Is that in an area where you live?  
2 A. Yes, they were in my area.  
3 Q. How would you run into them? If they're  
4 working to serve papers at somebody's home or  
5 something?  
6 A. They happened to be in the same area  
7 where I lived. It had nothing to do with me.  
8 They were there. It was just one of those  
9 things, then -- I'm not sure if it was posting a  
10 property for sheriff's sale or -- off the top of  
11 my head. I didn't get into it. It was none of  
12 my business to question the nature of what they  
13 were doing, but...  
14 Q. But you stopped to talk to them?  
15 A. No. It was kind of one of those things,  
16 where, in passing, things were done, gestures  
17 were made. It was pretty heated between us.  
18 Q. So they're doing their job, you're not  
19 working, you happen to run into them, as a matter  
20 of happenstance, and yet you get into some heated  
21 discussion about the fact that they're pushing  
22 for you not to get a job after the election?  
23 A. It wasn't no heated discussion.  
24 Q. I think you just said it was heated. Did  
25 I misunderstand that?

150

1 A. I said it was heated, the whole time  
2 frame between us. Maybe I was misquoted, but it  
3 was a heated relationship between us. It was not  
4 good.  
5 Q. So why would you stop and talk to them?  
6 A. I didn't.  
7 Q. Then how would you hear them saying that  
8 you -- they were pushing for you not to get a  
9 job?  
10 A. When I walked outside of my house, I'm  
11 attempting to go into my vehicle, the sheriff's  
12 car pulls up, stops right there, Randy Tallon  
13 puts the windows down, looks at me, his exact  
14 words were, "hey, asshole, your time is coming."  
15 And he leaves. Yes. It was reported.  
16 Q. So he said "your time is coming," and you  
17 took that to be, I'm pushing for you not to get a  
18 job --  
19 A. A threat.  
20 Q. -- if the election goes against you.  
21 A. He made it clear, my time is coming.  
22 Q. And you took that as a statement that you  
23 would not have a job if the election went against  
24 the way you wanted it to go?  
25 A. Based upon the past statements he made,

151

1 yes.  
2 Q. What past statements?  
3 A. He told me flat out that if Tony Guy was  
4 hired, I was going to be fired.  
5 Q. Where were you when he told you that?  
6 A. The first time? Sheriff's office.  
7 Q. And this was after the primary but before  
8 you went off on leave?  
9 A. Yes.  
10 Q. And then the last interaction you had  
11 with him was this drive-by?  
12 A. That was the last time.  
13 Q. And the drive-by, was Tallon in the car  
14 by himself, or with somebody else?  
15 A. He was by himself, which surprised me,  
16 because normally Randy is not outside serving  
17 papers.  
18 Q. To whom did you report it?  
19 A. Jay Alstadt.  
20 Q. Did you go in person to report it?  
21 A. I called right then and there.  
22 Q. What did he tell you?  
23 A. His first words were, you got to be  
24 kidding me. I said, chief, I'm standing right  
25 here. I said enough is enough. I'm done with

152

1 this.  
2 The chief's response was, Curt, look, you  
3 and I both know the sheriff isn't going to do  
4 anything, referring to George. He goes, just  
5 keep your mouth shut, do what you got to do. He  
6 goes, when Tony gets in, see what happens.  
7 That's what the chief told me.  
8 Q. Did you take that to be that the chief  
9 thought Tony would win? Or was it just if Tony  
10 got in, rather than when Tony got in?  
11 A. He just said if Tony got in, see what  
12 happens.  
13 Q. So it was more if he would win.  
14 A. Yeah.  
15 Q. So then you learn that there's going to  
16 be an interview, I think you said earlier.  
17 A. Yes.  
18 Q. How did you learn about that?  
19 A. Jay Alstadt called me.  
20 Q. What did he say?  
21 A. He called, and knowing Jay, if you know  
22 him, he was like, hey, brother, how you doing,  
23 tried doing his Hulk Hogan little impersonation,  
24 he is notorious for it.  
25 Q. Is that because of the mustache?

153

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

154

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.

155

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

156

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

1 to me, and -- let me back up. I apologize.  
2 They asked me a few questions about what  
3 I did, as far as duties. I told them I was kind  
4 of a jack of all trades and a master of none, so  
5 to speak. I said I was a gofer, I did this,  
6 whatever needed to be done, I did, even as a  
7 sergeant. If it required me transporting  
8 somebody, I did it. If it required me to be in  
9 the courtroom, I did it. If it required me  
10 working the doors, I did it. It didn't matter.  
11 Once we got through all that, they did  
12 ask a couple very basic preliminary educational  
13 questions, you know, background, prior police  
14 experience. And then it got to the point where  
15 there was a list of all the deputies, they said,  
16 here's a list, do you recognize these names, I  
17 told them yes. He asked me if I could tell him  
18 something about the deputies, good or bad, they  
19 would like to know them. Went through that.  
20 And at that point is when I told them up  
21 front, and I was trying to be honest, I said,  
22 look, just so all parties are involved, there is  
23 a problem with -- an ongoing issue with Randy  
24 Tallon and Mike Hurst. And when questioned about  
25 it, I explained the situation to both of them

158

1 about Mike, and I actually presented, I showed  
2 them copies of the phone records.  
3 Mr. Guy did, when he looked at it, he  
4 looked at it and he said, obviously, there's a  
5 problem with this. He goes, hopefully it will be  
6 addressed. I took it as, yes, finally something,  
7 you know, on my end is going to be done to undo a  
8 wrong, so to speak.  
9 He said he didn't have anything further,  
10 he did say that he did speak with members of the  
11 state police and that, in reference to my  
12 situation, and we didn't get into that one way or  
13 another as far as what was said, what was done,  
14 it was just, yes, he spoke to them.  
15 Q. And that refers to the state police that  
16 were involved in the prosecution of George David?  
17 A. Yes.  
18 Q. And did you --  
19 A. Them being aware of the situation with  
20 Randy Tallon, Mike Hurst. I took it as he  
21 discussed that issue with them, is how I took it.  
22 Q. Not the George David case, but --  
23 A. He knew they were one and the same.  
24 Q. But you understood, or you believed Tony  
25 Guy understood that you had dealt with these same

159

1 police officers on complaints about Tallon and  
2 Hurst, that you had already told Tony about.  
3 A. Yes. At that point, Dean Michael said he  
4 had a few questions. He said part of his job is,  
5 you know, with the marshals, was that he was  
6 heavily engaged in the interview process, you  
7 know, with different things, and I said not a  
8 problem. He said, look, he said, would it  
9 surprise you as far as comments were made to you  
10 as far as your trustworthiness and you being a  
11 liar? And at that point, he said, give you an  
12 opportunity to defend yourself on it, and I  
13 proceeded to explain.  
14 I said, look, I testified against George  
15 David. I said, obviously, that was my boss,  
16 there were really bad feelings with it. George  
17 made it perfectly clear to everybody that I was  
18 no good, that I couldn't be -- he was actually  
19 telling people I was no good, couldn't be  
20 trusted. Explained the whole situation to them,  
21 also explained the situation with Mike Hurst.  
22 And I said, so I fully was prepared to be accused  
23 of that, because of those situations.  
24 I said, other than that, I said, there's  
25 no problem. I mean, I didn't have a problem, I

160

1 actually spoke up in favor of some of the  
2 deputies, gave credit to a couple of the guys.  
3 One, offhand, was Aaron Ogrizovich, saying how  
4 much he matured, he came a long way. And  
5 actually everybody kind of chuckled because  
6 everybody that knew Griz knew that he did come a  
7 long way. He was doing good.  
8 But I was just caught off guard that -- I  
9 felt like I was -- I couldn't be believed, even  
10 though I had the phone records, everything  
11 saying, hey, look. And I told him, I said, I'm  
12 not going to lie, it hurt, to have a fellow  
13 brother, somebody do this and see that text  
14 message, my heart sunk. And he assured me that  
15 that will not occur when I'm here. And I took  
16 that as, okay, cool, maybe there is a sign of  
17 light at the end of the tunnel here. But it was  
18 very brief, and at that point, that was pretty  
19 much it.  
20 I mean, it was one of the things where  
21 Dean Michael looked at the clock and said, you  
22 know, not a problem, we shook hands, and I made  
23 the comment, I said, I look forward to working  
24 with you, and he said, we'll be in touch. And  
25 that concluded my interview.

161

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

162

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?

163

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

164

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.



**Planet Depos**  
We Make It *Happen*™

---

# Transcript of Rick Darbut

**Date:** March 9, 2017

**Case:** Larrick -v- The Sheriff of Beaver County, Pennsylvania, et al.

**Planet Depos**  
**Phone:** 888-433-3767  
**Fax:** 888-503-3767  
**Email:** [transcripts@planetdepos.com](mailto:transcripts@planetdepos.com)  
**www.planetdepos.com**

Transcript of Rick Darbut  
 Conducted on March 9, 2017

<p style="text-align: right;">17</p> <p>1 Q. And with respect to the role of HR with                  2 the Sheriff Department's office giving the 1620                  3 rights, did you serve only in an advisory                  4 capacity then?                  5 A. Correct.                  6 Q. And are you aware if any disciplinary                  7 action was taken with respect to Hurst?                  8 A. No.                  9 Q. And did Chief Alstadt ever tell you                  10 that Hurst had lied to him with respect to his                  11 contact with Larrick's wife?                  12 A. No.                  13 Q. And as a result of your investigation                  14 into Larrick's complaints, did you recommend                  15 anything be done at that time at the Sheriff's                  16 Department or Sheriff's Office?                  17 A. No, I don't recall.                  18 Q. And following this May 24th, 2011                  19 letter, did Larrick come back to you at other                  20 times regarding what he believed to be harassment                  21 in the Sheriff's Office?                  22 A. Yes.                  23 Q. And do you recall how many times during                  24 his employment Larrick came back to you?                  25 A. I would say at least three times.</p>	<p style="text-align: right;">19</p> <p>1 from Matt Jones who basically felt that, you                  2 know, Tallon I think tried to bully, you know,                  3 some people in the office.                  4 Q. And did, did Larrick raise concerns                  5 with you about Hurst at any time after May of                  6 2011?                  7 A. No.                  8 Q. And did, at any point Larrick raise                  9 with you concerns that Sheriff David was                  10 targeting him?                  11 A. No, I can't -- I take that back. There                  12 is no proof, but again, I know that he had told                  13 me that when the Sheriff had his party after the                  14 dismissal of the charges against him in the first                  15 hearing, that he had heard, or overheard that,                  16 again, he was going to be dismissed.                  17 Q. And do you recall in what context                  18 Larrick told you that?                  19 A. Via conversation in the office, that he                  20 came to in to relay.                  21 Q. And did Larrick ever tell you he                  22 believed he was being targeted for his testimony                  23 in the criminal proceedings for Sheriff David?                  24 A. No.                  25 Q. At any point in time did Larrick ever</p>
<p style="text-align: right;">18</p> <p>1 Q. Okay. And sitting here today, do you                  2 recall what the issues were that Larrick raised                  3 with you when he came back to you?                  4 A. Um, I know that he had had problems                  5 with a friend of his, Matt Jones, who was a                  6 former Deputy. I know that there had been issues                  7 in regards to people accusing them of being gay                  8 because they would go on vacation together. I                  9 know that was a particular issue.                  10 I know that Curt had problems with,                  11 with his wife, who he felt was always trying to                  12 get him fired. And I know that Sergeant Tibolet                  13 and I think it was Sergeant Lupo, I believe there                  14 was a problem with them in regards to criticizing                  15 Curt's work performance.                  16 Q. And with respect to Larrick's issues                  17 that he was having, did he ever raise any                  18 concerns that he had with Assistant Chief Tallon                  19 with you?                  20 A. Randy, Randy Tallon he felt sometimes                  21 was out of control.                  22 Q. And did he tell you at all what Tallon                  23 was doing that he believed was out of control?                  24 A. I think that, you know, Tallon, Tallon                  25 I think was -- and I really learned that more</p>	<p style="text-align: right;">20</p> <p>1 say that he believed he was not safe because he                  2 had testified against Sheriff David?                  3 A. No.                  4 Q. With respect to Larrick's contact with                  5 you, did he also have contact with you regarding                  6 the need for certain leave?                  7 A. Yes.                  8 Q. Okay. And do you recall what type of                  9 leave that Larrick was in contact with you                  10 regarding?                  11 A. Two types, actually Family Medical                  12 Leave and also he took a leave for himself in                  13 2015, actually 2014 as well. 2014 and 2015.                  14 Q. And with respect to the Family Medical                  15 Leave, was that for his son Cole?                  16 A. Correct.                  17 Q. And was that related to Cole having                  18 anxiety attacks?                  19 A. Yes.                  20 Q. And with respect to the leave that                  21 Larrick was taking for himself that you                  22 mentioned, do you recall what the purpose of that                  23 leave was for?                  24 A. That was for his own personal health.                  25 Q. And was that also FMLA leave?</p>



Transcript of Rick Darbut  
 Conducted on March 9, 2017

<p style="text-align: right;">21</p> <p>1 <b>A. No, he would have exhausted his FMLA</b>                  2 <b>leave. He was actually under sick and accident</b>                  3 <b>coverage from the County at that point.</b>                  4 Q. And was the sick and accident, was that                  5 something that was provided contractually?                  6 <b>A. Yes, correct.</b>                  7 Q. Do you recall what the nature of                  8 Larrick's health was that required him to take                  9 the leave?                  10 <b>A. All we did was receive, you know, a</b>                  11 <b>note from his physician that basically stated,</b>                  12 <b>you know, that he needed to be off. I don't</b>                  13 <b>think that they went into any specific details.</b>                  14 Q. And was that leave approved?                  15 <b>A. Yes.</b>                  16 Q. And who was responsible for approving                  17 that leave?                  18 <b>A. That would have been approved through</b>                  19 <b>my office.</b>                  20 Q. And do you recall why you approved that                  21 leave?                  22 <b>A. Sick and accident would have been --</b>                  23 <b>it's contractually and with medical</b>                  24 <b>documentation, again, like I said, we would have</b>                  25 <b>no reason to turn it down.</b></p>	<p style="text-align: right;">23</p> <p>1 response that you worried about employees being                  2 upset about him being on medical leave?                  3 <b>A. At one point I actually had to send out</b>                  4 <b>a note from the department. I was actually asked</b>                  5 <b>by both Sheriff David and also by Jay Alstadt to</b>                  6 <b>send down a reminder to the office that, again,</b>                  7 <b>FMLA leaves basically are leaves that are</b>                  8 <b>federally approved and it's a federal policy and</b>                  9 <b>that basically there should be no criticism of</b>                  10 <b>anybody in, you know, regards to, you know, what</b>                  11 <b>the situation is.</b>                  12 Part of it I think was a                  13 misunderstanding, maybe with some of the                  14 employees, who I think later told Curt that we                  15 didn't know what your situation was, and I think                  16 actually apologized to him for some of the                  17 comments that they made.                  18 Q. And do you recall who some of those                  19 employees were?                  20 <b>A. No, I do not.</b>                  21 Q. Do you recall how you learned that they                  22 may have apologized to Curt?                  23 <b>A. Curt I think was one of the people that</b>                  24 <b>actually told me about that.</b>                  25 (THEREUPON, Darbut Deposition Exhibit 4</p>
<p style="text-align: right;">22</p> <p>1 Q. And with respect to Larrick's own sick                  2 and accident leave, did you discuss that with any                  3 of the management in the Sheriff's Office?                  4 <b>A. Well, first of all, with PHI, I'm not</b>                  5 <b>able to sit there and divulge anything. So</b>                  6 <b>essentially the only thing I can sit there and</b>                  7 <b>present to them is the fact that, you know, he</b>                  8 <b>has gone ahead and he's turned in medical</b>                  9 <b>documentation that states why he needs to be off.</b>                  10 Q. And all I'm asking you is was the                  11 Sheriff's Office aware --                  12 <b>A. Apprised of it.</b>                  13 Q. -- that he was on an approved medical                  14 leave?                  15 <b>A. Yes, we send out notification of that.</b>                  16 Q. Did anyone from the Sheriff's Office                  17 tell you that the other employees were upset that                  18 Larrick was not at work because he was on a                  19 leave?                  20 <b>A. Yes.</b>                  21 Q. And who told you that?                  22 <b>A. Um, actually I may have heard that from</b>                  23 <b>Jay, I'm not sure. Jay Alstadt. I'm not sure</b>                  24 <b>about that.</b>                  25 Q. Do you recall if you said anything in</p>	<p style="text-align: right;">24</p> <p>1 was marked for identification.)                  2 Q. Hand you what we have marked as Exhibit                  3 4. Have you seen this document before?                  4 <b>A. Oh, yes.</b>                  5 Q. And is this a document that you                  6 created?                  7 <b>A. Yes, I did.</b>                  8 Q. And what was the purpose of this                  9 document?                  10 <b>A. It was to let both Chief Alstadt and</b>                  11 <b>also Paul Clark, who is the Chief Union Steward</b>                  12 <b>for the association, letting them know that again</b>                  13 <b>I had investigated Ms. Stevenson's claims and</b>                  14 <b>essentially, if you remember correctly, she was</b>                  15 <b>actually stating that she had been harassed by</b>                  16 <b>Mr. Larrick, and basically I had investigated the</b>                  17 <b>claims and basically to no finding, and I had</b>                  18 <b>indicated that in my letter.</b>                  19 Q. And with respect to the investigation                  20 with Ms. Stevenson, did anyone ever tell you that                  21 Sheriff David had put her up to that, to those                  22 allegations?                  23 <b>A. No one told me that, no.</b>                  24 Q. Had you learned from any source that                  25 Sheriff David had encouraged Stevenson to bring</p>

Transcript of Rick Darbut  
Conducted on March 9, 2017

7 (25 to 28)

<p style="text-align: right;">25</p> <p>1 the claim?</p> <p>2 A. There was a subsequent investigation</p> <p>3 that I had that basically, when Curt had asked me</p> <p>4 to investigate a couple other people in the</p> <p>5 office, one of the girls in the office had</p> <p>6 indicated that, you know, she had brought some</p> <p>7 documentation and had overheard that particular</p> <p>8 comment, about Curt heard whether this was</p> <p>9 information that could be used against Curt.</p> <p>10 Q. And would that have been Stephani?</p> <p>11 A. Correct.</p> <p>12 Q. And last name --</p> <p>13 A. That is correct. Stephani was one of</p> <p>14 the office, office people.</p> <p>15 Q. And do you recall what Stephani told</p> <p>16 you that she had overheard?</p> <p>17 A. No, she just basically said that that's</p> <p>18 what, you know, the, she had basically overheard</p> <p>19 him talking, the Sheriff talking to Paul Clark in</p> <p>20 regards to, that information that Kayla Stevenson</p> <p>21 was bringing.</p> <p>22 Q. And following this note that we've</p> <p>23 marked as Exhibit 4, did you discuss it at all</p> <p>24 with Sheriff David?</p> <p>25 A. Not with Sheriff David. I think that</p>	<p style="text-align: right;">27</p> <p>1 ahead and, you know, shed some light, you know,</p> <p>2 in terms of, you know, what is going on with this</p> <p>3 particular investigation. And she named Joe</p> <p>4 Hamilton, Branchetti and also Rapko as people</p> <p>5 that could possibly sit there and go ahead, you</p> <p>6 know, give additional information on that. So I</p> <p>7 had interviewed all four of these people.</p> <p>8 Q. Okay. And in your interview with</p> <p>9 Branchetti, can you tell me what Branchetti told</p> <p>10 you?</p> <p>11 A. Branchetti I believe used to, his</p> <p>12 comment was something to the effect that Curt had</p> <p>13 talked about going out to Las Vegas for vacation</p> <p>14 and basically had, you know, that was really it.</p> <p>15 You know, I think that, you know, he was used to</p> <p>16 possibly going ahead and having a good time out</p> <p>17 in Las Vegas and essentially at that point he was</p> <p>18 looking to find out if anybody else wanted to go</p> <p>19 to Las Vegas, to go ahead and go on vacation with</p> <p>20 him.</p> <p>21 Q. And with respect to Rapko, what did you</p> <p>22 learn from Rapko?</p> <p>23 A. Not too much. I think that was pretty</p> <p>24 much an uneventful interview with him.</p> <p>25 Q. And how about from Hamilton?</p>
<p style="text-align: right;">26</p> <p>1 this was sent -- I didn't. Again, like I said,</p> <p>2 anything that I was doing at that time was being</p> <p>3 done through Jay Alstadt.</p> <p>4 Q. And did you discuss this document with</p> <p>5 Alstadt?</p> <p>6 A. Yes, actually it was sent to him.</p> <p>7 Q. Okay. And after you sent it to him,</p> <p>8 did you discuss it with him at all?</p> <p>9 A. Nothing further, no.</p> <p>10 Q. Okay. And some of the documents we got</p> <p>11 today, which are marked Exhibit 1, I wanted to</p> <p>12 talk to you a little bit about those documents.</p> <p>13 Are the first two pages of this packet</p> <p>14 of documents we got today your notes related to</p> <p>15 the Stevenson investigation?</p> <p>16 A. Yes.</p> <p>17 Q. And having a chance to look at these</p> <p>18 notes, can you tell me what your process was in</p> <p>19 investigating that complaint?</p> <p>20 A. Well, in summary, what I did was I</p> <p>21 interviewed Kayla Stevenson first, and then after</p> <p>22 I was done interviewing Kayla Stevenson I went</p> <p>23 ahead and interviewed, 'cause I had asked her, I</p> <p>24 says is there anyone else, I says, that may</p> <p>25 possibly be a person that could sit there and go</p>	<p style="text-align: right;">28</p> <p>1 A. Hamilton, the only thing that</p> <p>2 Hamilton's comment was was really about</p> <p>3 inappropriate language.</p> <p>4 Q. Did he give you any indication what</p> <p>5 that language was?</p> <p>6 A. No, as a matter of fact he said, you</p> <p>7 know, really he says I'm sorry, he says I've been</p> <p>8 in that position, he said times before he says</p> <p>9 when people have talked inappropriately, he says</p> <p>10 I should have spoken up and said something then.</p> <p>11 But he said I didn't say anything.</p> <p>12 Q. And I'm looking on the second page</p> <p>13 under where it says Branchetti and then there is</p> <p>14 a name underlined. And then there is some things</p> <p>15 written. And the one it looks like it says</p> <p>16 parenthesis Jay, hyphen parenthesis snitch. Do</p> <p>17 you know what that refers to?</p> <p>18 A. I don't recall that one. Again, like I</p> <p>19 said, I know that's my handwriting, but I don't</p> <p>20 remember what that was.</p> <p>21 Q. Okay. With respect to the</p> <p>22 investigation notes, did you share these notes</p> <p>23 with anyone?</p> <p>24 A. No.</p> <p>25 Q. Have you ever investigated Larrick any</p>

PLANET DEPOS

888.433.3767 | WWW.PLANETDEPOS.COM

Transcript of Rick Darbut  
 Conducted on March 9, 2017

<p style="text-align: right;">29</p> <p>1 time other than the Stevenson incident for sexual                  2 harassment?                  3 <b>A. No, I don't recall anything else.</b>                  4 <b>Q. And we talked a little bit about</b>                  5 <b>Exhibit 2 there is some references to sexual</b>                  6 <b>harassment in Exhibit 2.</b>                  7 <b>A. I'm not sure, again, like I said, the</b>                  8 <b>time period, I don't know when this is because</b>                  9 <b>there is no date on the document.</b>                  10 <b>Q. Well, let me ask you this. "As the</b>                  11 <b>Chief and myself have pointed out, several</b>                  12 <b>complaints have been verbally filed concerning</b>                  13 <b>his contact and conduct with said women."</b>                  14 <b>Other than the Stevenson incident, were</b>                  15 <b>you ever made aware of any specific women that</b>                  16 <b>had complaints about Larrick's interaction with</b>                  17 <b>them?</b>                  18 <b>A. I believe there was one that came down</b>                  19 <b>from Dave Hunter who had actually gone ahead and</b>                  20 <b>I guess he was talking with Judge Kwidis and</b>                  21 <b>basically had said that Curt was bothering the, I</b>                  22 <b>guess his judicial secretary.</b>                  23 <b>Q. And did you address that with Larrick?</b>                  24 <b>A. Actually Jay addressed that with Larry.</b>                  25 <b>Q. And do you recall if there was any</b></p>	<p style="text-align: right;">31</p> <p>1 <b>7/16, this actually took place after the Ocean</b>                  2 <b>City incident in Maryland with Cole and Curt who</b>                  3 <b>was on vacation. And his son who went ahead and</b>                  4 <b>contacted the wife at home.</b>                  5 <b>Q. And how did you learn about the Ocean</b>                  6 <b>City incident?</b>                  7 <b>A. Curt.</b>                  8 <b>Q. And what did Curt tell you about the</b>                  9 <b>Ocean City incident?</b>                  10 <b>A. I believe he even gave us a copy of the</b>                  11 <b>report I think on the Ocean City incident. But I</b>                  12 <b>know that he told the Sheriff's Department as</b>                  13 <b>well, because I think he wanted to keep them in</b>                  14 <b>the loop and let them know.</b>                  15 <b>Q. And was any action taken with Larrick</b>                  16 <b>with respect to the Ocean City incident?</b>                  17 <b>A. No, if I recall correctly, the Ocean</b>                  18 <b>City Police that investigated found that there</b>                  19 <b>was no cause and that they were going to sit</b>                  20 <b>there and go ahead and turn the incident over to</b>                  21 <b>the, you know, local authorities up here to sit</b>                  22 <b>there and investigate, but there was no further</b>                  23 <b>findings as I understand.</b>                  24 <b>Q. And if we can go to the next page of</b>                  25 <b>Exhibit 1. Can you tell me what this is?</b></p>
<p style="text-align: right;">30</p> <p>1 discipline issued with respect to Larrick?                  2 <b>A. All it was, if I remember correctly,</b>                  3 <b>all it was was a written disciplinary report with</b>                  4 <b>no disciplinary action attached to it.</b>                  5 <b>Q. And looking at Exhibit 1, the third</b>                  6 <b>page of this document, can you tell me what that</b>                  7 <b>refers to?</b>                  8 <b>A. Curt had said that there were two phone</b>                  9 <b>calls that were placed to his wife by the</b>                  10 <b>Sheriff's Office, and I went ahead and I went</b>                  11 <b>back and I was able to get from our IT department</b>                  12 <b>a call detail on that, and it was Jim McGeehan</b>                  13 <b>who was the, I guess Jimmy's rank at the time was</b>                  14 <b>captain under George. He had gone ahead and made</b>                  15 <b>a couple phone calls there. And when I contacted</b>                  16 <b>Jay, Jay told me that he was asked to do that by</b>                  17 <b>the, by the Sheriff.</b>                  18 <b>Q. So Sheriff, so what Jay told you was</b>                  19 <b>that McGeehan was asked to contact Larrick's</b>                  20 <b>ex-wife by Sheriff David?</b>                  21 <b>A. That is correct.</b>                  22 <b>Q. And were you provided any reason why</b>                  23 <b>Sheriff David had asked for one of his command</b>                  24 <b>staff to contact Larrick's ex-wife?</b>                  25 <b>A. These dates that are on here 7/15,</b></p>	<p style="text-align: right;">32</p> <p>1 <b>A. I'm drawing a blank on this one. I</b>                  2 <b>think this is probably possible phone records</b>                  3 <b>from, you know, from, you know, inside the</b>                  4 <b>Sheriff's Office on those particular dates.</b>                  5 <b>Q. Is it possible that, looking at the</b>                  6 <b>page before, that's a spread sheet and this is</b>                  7 <b>the data used to compile that? If you know?</b>                  8 <b>A. I don't. I mean, if I would have</b>                  9 <b>looked at this probably to find out an answer, I</b>                  10 <b>would probably be looking at this spread sheet.</b>                  11 <b>Q. Okay. And then just the last page of</b>                  12 <b>the document, of the documents produced in this</b>                  13 <b>group, was that Stevenson's actual written</b>                  14 <b>complaint?</b>                  15 <b>A. Yes, correct.</b>                  16 <b>Q. Okay. With respect to the Stevenson</b>                  17 <b>complaint, following your investigation, were</b>                  18 <b>there any further complaints by Ms. Stevenson?</b>                  19 <b>A. No, there were no other complaints by</b>                  20 <b>her.</b>                  21 <b>Q. And were there, after the Stevenson</b>                  22 <b>complaint, were there any other complaints</b>                  23 <b>regarding Larrick's interaction with women after</b>                  24 <b>that?</b>                  25 <b>A. No.</b></p>



Transcript of Rick Darbut  
Conducted on March 9, 2017

11 (41 to 44)

<p>41</p> <p>1 MS. JONES: Okay.</p> <p>2 Q. You testified earlier about talking to</p> <p>3 Stephani?</p> <p>4 A. Uh-huh.</p> <p>5 Q. Can you tell me, because I was going to</p> <p>6 use the document, but we can come back. What did</p> <p>7 Stephani tell you when you talked to her?</p> <p>8 A. Instead of-- again, like I said the</p> <p>9 summary is where we mention --</p> <p>10 MS. JONES: We're trying to not use the</p> <p>11 document. I'm sorry. That's the point of</p> <p>12 the question.</p> <p>13 THE WITNESS: I see.</p> <p>14 MS. JONES: Right?</p> <p>15 MR. BLACK: Yes.</p> <p>16 MS. JONES: So if you can, answer his</p> <p>17 question, but the idea was not to divulge</p> <p>18 information in the document right now.</p> <p>19 THE WITNESS: Okay, very good.</p> <p>20 MS. JONES: Thank you.</p> <p>21 A. Vaguely, again, she had come in to go</p> <p>22 ahead and talk because there had been ongoing</p> <p>23 discussions in the office in regards to some of</p> <p>24 the problems that the clerical people had had in</p> <p>25 the office with the Sheriff, and she had</p>	<p>43</p> <p>1 incident; is that fair?</p> <p>2 A. Correct.</p> <p>3 Q. And at the point in time of the</p> <p>4 Stevenson matter, had Larrick provided any</p> <p>5 information to the State Police regarding Sheriff</p> <p>6 David?</p> <p>7 A. Curt had provided information to the</p> <p>8 Pennsylvania State Police I think on probably</p> <p>9 both occasions.</p> <p>10 Q. Okay. And to your recollection, what</p> <p>11 do you recall the first incident with David that</p> <p>12 led to court proceedings? What do you remember</p> <p>13 about that?</p> <p>14 A. Sorry, I didn't mean to chuckle. I</p> <p>15 guess it was, I guess it was the gun permitting</p> <p>16 issue. I also understand that there was a</p> <p>17 problem with the Dan Fleishman. He was a poll</p> <p>18 worker I think. And there was an issue at that</p> <p>19 particular point, comments that the Sheriff had</p> <p>20 made to Fleishman. I think that was it. I mean,</p> <p>21 I can't think of anything else at that point.</p> <p>22 Q. And do you remember what the nature of</p> <p>23 the comments to Fleishman were?</p> <p>24 A. Um, it was at the poles. The guy came</p> <p>25 up to shake his hand and basically George</p>
<p>42</p> <p>1 indicated, 'cause I had asked her if she knew</p> <p>2 anything about this particular instance with</p> <p>3 Kayla Stevenson and indicated that Kayla</p> <p>4 Stevenson had come in and brought some</p> <p>5 documentation, which she overheard her talking to</p> <p>6 the Sheriff and Paul Clark.</p> <p>7 Now, I don't know what that</p> <p>8 conversation was, but she indicated that was, you</p> <p>9 know, that was the case.</p> <p>10 And then when she was concluding her</p> <p>11 discussion, she said that she suspected that she</p> <p>12 might be the next person that, you know, might be</p> <p>13 subject to discharge down there.</p> <p>14 Q. Did she say why?</p> <p>15 A. Stephani had, she was actually part of</p> <p>16 the first, 2013, 2014, there was some problems</p> <p>17 with gun permitting that was downstairs and the</p> <p>18 charging of that, you know, for the cost of the</p> <p>19 gun permits. And there was issues there in</p> <p>20 regards to, I think she testified, and I don't</p> <p>21 think the testimony was what the Sheriff wanted</p> <p>22 to hear.</p> <p>23 Q. And just so, she testified something</p> <p>24 that you believe was not what Sheriff David</p> <p>25 wanted to hear, was related to the earlier</p>	<p>44</p> <p>1 reacted, he said he was mad and basically at that</p> <p>2 point told him he said you want to shake my hand,</p> <p>3 I'd sooner cut your hands off and eat them.</p> <p>4 Q. And with the later proceedings related</p> <p>5 to Sheriff David, what do you recall about those?</p> <p>6 A. The only other thing that I can</p> <p>7 remember about where that progressed to, George,</p> <p>8 when the first set of hearings took place and it</p> <p>9 ended, George I think was confined I think to the</p> <p>10 civil side of the Sheriff's Department. I don't</p> <p>11 think he was allowed on the criminal side.</p> <p>12 And what had happened was that during</p> <p>13 this time elapsed, moving forward from the end of</p> <p>14 that particular hearing, George, he was not</p> <p>15 supposed to have anything to do I guess with the</p> <p>16 weapons room, and basically he was in with John</p> <p>17 Fratangelli, I don't know if I'm saying that</p> <p>18 right, where I guess he was overheard racking a</p> <p>19 shotgun.</p> <p>20 Q. And are you aware if Larrick was</p> <p>21 involved in reporting that?</p> <p>22 A. Yes, actually I believe there was a</p> <p>23 video of that which showed Curt out in the</p> <p>24 hallway, which actually showed that taking place.</p> <p>25 Q. Moving forward, just on Stevenson, is</p>

PLANET DEPOS

888.433.3767 | WWW.PLANETDEPOS.COM



Transcript of Rick Darbut  
 Conducted on March 9, 2017

<p style="text-align: right;">57</p> <p>1 <b>A. Correct.</b></p> <p>2 (THEREUPON, Darbut Deposition Exhibit 7</p> <p>3 was marked for identification.)</p> <p>4 Q. Hand you Exhibit 7. Is this a document</p> <p>5 you created?</p> <p>6 <b>A. Yes, correct.</b></p> <p>7 Q. And what was the purpose of this?</p> <p>8 <b>A. This was basically to go ahead and</b></p> <p>9 <b>discuss with, this was actually sent to both</b></p> <p>10 <b>George and Jay, in regards to Curt's application</b></p> <p>11 <b>for FMLA time, because of the issue that Curt was</b></p> <p>12 <b>having with Cole and his need for some stability</b></p> <p>13 <b>in terms of what, you know, his being available</b></p> <p>14 <b>to Cole for the problems that he was having.</b></p> <p>15 (THEREUPON, Darbut Deposition Exhibit 8</p> <p>16 was marked for identification.)</p> <p>17 Q. With respect to Exhibit 8, is this</p> <p>18 another document that you created?</p> <p>19 <b>A. That is correct.</b></p> <p>20 Q. And is this related to a schedule</p> <p>21 change under the FMLA?</p> <p>22 <b>A. Correct.</b></p> <p>23 Q. And we also talked a little bit about</p> <p>24 the sick and accident leave. At any point in</p> <p>25 time did you believe that Mr. Larrick was being</p>	<p style="text-align: right;">59</p> <p>1 EXAMINATION BY COUNSEL FOR THE DEFENDANTS</p> <p>2 BY MS. JONES:</p> <p>3 Q. You had indicated early on in your</p> <p>4 testimony, Mr. Darbut, that you recall dealing</p> <p>5 with Mr. Larrick relative to an issue where he</p> <p>6 took leave that related I think you characterized</p> <p>7 it as an EAP issue?</p> <p>8 <b>A. Correct.</b></p> <p>9 Q. Was that leave that was, that's not the</p> <p>10 same as the leave for the sick and accident that</p> <p>11 you described later; correct?</p> <p>12 <b>A. That's right. EAP is done on a</b></p> <p>13 <b>two-fold basis, if you will. Okay. That can</b></p> <p>14 <b>either be mandated or it can be self, you know, a</b></p> <p>15 <b>self-referral, all right. The, you know, a</b></p> <p>16 <b>notification, the only thing that we get back,</b></p> <p>17 <b>okay, from Gateway EAP, is basically when a</b></p> <p>18 <b>person, first of all, is the person attending,</b></p> <p>19 <b>number one, and second of all when they complete,</b></p> <p>20 <b>okay. And that's pretty much, pretty much the</b></p> <p>21 <b>extent of what we would receive.</b></p> <p>22 Q. And does that, do you have any</p> <p>23 recollection about the length of leave that was</p> <p>24 taken by Mr. Larrick for that issue?</p> <p>25 <b>A. I don't recall that that actually</b></p>
<p style="text-align: right;">58</p> <p>1 dishonest with you regarding his leave requests?</p> <p>2 <b>A. No.</b></p> <p>3 Q. Did anyone from the Sheriff's</p> <p>4 Department ever convey to you that they believed</p> <p>5 that Larrick was being dishonest regarding his</p> <p>6 leave requests?</p> <p>7 <b>A. No.</b></p> <p>8 Q. And did anyone from the Sheriff's</p> <p>9 Department ever convey to you that they believed</p> <p>10 that Curtis Larrick was a liar or did not tell</p> <p>11 the truth?</p> <p>12 <b>A. No.</b></p> <p>13 Q. Were you ever involved in any</p> <p>14 investigations related to Larrick being involved</p> <p>15 in dishonesty?</p> <p>16 <b>A. No, nothing that I can recall.</b></p> <p>17 Q. And did anyone from the Sheriff's</p> <p>18 Department, under the David regime, ever discuss</p> <p>19 with you Larrick's testimony at the criminal</p> <p>20 proceedings?</p> <p>21 <b>A. No.</b></p> <p>22 <b>MR. BLACK: I don't have any further</b></p> <p>23 <b>questions for you at this time.</b></p> <p>24 <b>MS. JONES: I have some questions,</b></p> <p>25 <b>follow-up.</b></p>	<p style="text-align: right;">60</p> <p>1 <b>resulted in him being off work. That</b></p> <p>2 <b>notification that you normally get, you know, if</b></p> <p>3 <b>it's EAP, you can sometimes do that after because</b></p> <p>4 <b>they have sessions that are actually scheduled</b></p> <p>5 <b>after work. We try to encourage employees to try</b></p> <p>6 <b>and attend either before or after.</b></p> <p>7 Q. Okay. My notes reflect that you</p> <p>8 described it as a leave issue, which is why I</p> <p>9 asked about the time off as leave. But you have</p> <p>10 no recollection one way or the other whether it</p> <p>11 was actually time off?</p> <p>12 <b>A. I don't. Like I said, it could have</b></p> <p>13 <b>been either of those two circumstances.</b></p> <p>14 Q. And in your various discussions with</p> <p>15 Mr. Larrick, did you come to learn the nature of</p> <p>16 the EAP request?</p> <p>17 <b>A. No, I did not.</b></p> <p>18 Q. Okay. Did you have any information one</p> <p>19 way or another if the EAP request related to any</p> <p>20 complaint about behavior of Mr. Larrick?</p> <p>21 <b>A. No.</b></p> <p>22 Q. So is it fair to say that you do not</p> <p>23 generally get involved in the issuance of, did</p> <p>24 not, when you were the Director of HR, get</p> <p>25 involved in the issuance of discipline for</p>

Transcript of Rick Darbut  
 Conducted on March 9, 2017

69	71
<p>1 action by your office for him to come back to                  2 work, any paperwork process?                  3 <b>A. They would have to go and bring back a                  4 release to sit there and go to return to work.</b>                  5 Q. And is there a period of time that the                  6 sick and accident coverage lasts?                  7 <b>A. Six months.</b>                  8 Q. So it could last for as long as six                  9 months and either the employee would have to come                  10 back to work or would they have an option to                  11 certify some other kind of issue that would allow                  12 them to take more time off?                  13 <b>A. If they had exhaust, basically at that                  14 point they could take leave without.</b>                  15 Q. Okay. So you could take leave and not                  16 be paid?                  17 <b>A. Correct.</b>                  18 Q. Do you know if that happened in the                  19 case of Mr. Larrick?                  20 <b>A. No, he would have actually been paid                  21 during that leave because of the S&amp;A benefit                  22 period.</b>                  23 Q. So you believe he did not exhaust it or                  24 if he exhausted it, he came back to work?                  25 <b>A. He would have been just about out of</b></p>	<p>1 investigating the matter?                  2 <b>A. Yes.</b>                  3 Q. So this note from Ms. Stevenson went to                  4 the Sheriff and then did the Sheriff turn it into                  5 you?                  6 <b>A. I believe that's how it got there, yes.</b>                  7 Q. And as I understand it, you then                  8 interviewed Ms. Stevenson --                  9 <b>A. Right.</b>                  10 Q. -- and interviewed people she mentioned                  11 might have heard or had information; is that                  12 right?                  13 <b>A. Right.</b>                  14 Q. And then did you interview Mr. Larrick?                  15 <b>A. Yes, I talked to him after I was done.</b>                  16 Q. After you were done with all the other                  17 interviews?                  18 <b>A. Correct.</b>                  19 Q. Okay. Now, looking at page 4, the                  20 initial part of the Complaint indicates that                  21 Ms. Stevenson was unhappy with Mr. Larrick                  22 calling and texting her at home when it was not                  23 work related. Do you recall discussing that with                  24 Mr. Larrick?                  25 <b>A. I did not. I did sit there and speak</b></p>
70	72
<p>1 <b>time right at the beginning of the year, January                  2 4th.</b>                  3 Q. Of which year?                  4 <b>A. That would have been 2016.</b>                  5 Q. So at the time he was, at the time                  6 Sheriff Guy took over and was coming into                  7 office --                  8 <b>A. Uh-huh.</b>                  9 Q. -- in January of 2016, Mr. Larrick was                  10 back on the, back to work?                  11 <b>A. No. Curt would have been off, Curt was                  12 off during that time period, 2015, okay. He                  13 wasn't scheduled to return to work until January,                  14 January 2016.</b>                  15 Q. Okay. So he was scheduled to be back                  16 to work in January of '16, but then he was given                  17 notice of termination?                  18 <b>A. Exactly.</b>                  19 Q. Okay. Look at Exhibit 1, this is the                  20 grouping with your handwritten notes on the top,                  21 please.                  22 <b>A. Okay.</b>                  23 Q. Thank you. Turning to the last page of                  24 that Exhibit. Is that the Complaint that was                  25 made by Kayla Stevenson that started you</p>	<p>1 <b>to Kayla because what I was interested in finding                  2 out what whether she actually had those texts.</b>                  3 Q. Yes.                  4 <b>A. Sit there and go ahead and look at                  5 them. And she told me she did not. And she had                  6 deleted whatever information she had.</b>                  7 Q. I understand. But you didn't ask                  8 Mr. Larrick whether he, in fact, did text or call                  9 her off duty?                  10 <b>A. No, I did not.</b>                  11 Q. Okay. She also made comments that she                  12 felt inappropriate things were said to her in                  13 front of others and those persons expressed that                  14 they didn't have either comfort with it or                  15 somehow may have acknowledged what she heard.                  16 And then you spoke with those persons listed; is                  17 that right?                  18 <b>A. That is correct.</b>                  19 Q. Now, there was a reference in your                  20 notes about Vegas. And you said in response to                  21 that reference to Mr. Black, that Mr. Larrick had                  22 apparently talked to somebody about going to                  23 Vegas, that it might be fun and who else might                  24 want to go.                  25 <b>A. Uh-huh.</b></p>

Transcript of Rick Darbut  
Conducted on March 9, 2017

19 (73 to 76)

73	<p>1 Q. Is that right?</p> <p>2 A. <b>That's correct.</b></p> <p>3 Q. Ms. Stevenson, however, complained that</p> <p>4 Mr. Larrick had made statements about the two of</p> <p>5 them, meaning Mr. Larrick and Ms. Stevenson,</p> <p>6 lying in bed together on a vacation to Vegas.</p> <p>7 Did you ask anybody about that statement?</p> <p>8 A. <b>I did ask Ms. Stevenson about that.</b></p> <p>9 Q. Okay. And did she repeat that</p> <p>10 statement to you?</p> <p>11 A. <b>No.</b></p> <p>12 Q. Okay. Did she deny it?</p> <p>13 A. <b>No, she didn't bring it up. I asked</b></p> <p>14 <b>her, I said, you know, what exactly, I says, were</b></p> <p>15 <b>you uncomfortable with, what exactly are you, you</b></p> <p>16 <b>know, that you didn't like about, you know, what</b></p> <p>17 <b>he was saying, or what, you know, what comments</b></p> <p>18 <b>he made.</b></p> <p>19 <b>My impression of that particular</b></p> <p>20 <b>interview, was she almost seemed like she was</b></p> <p>21 <b>embarrassed to be there in the office, even sit</b></p> <p>22 <b>there and answer questions in regards to what,</b></p> <p>23 <b>you know, what this was all about.</b></p> <p>24 Q. Are you familiar with the fact that</p> <p>25 many people who make complaints about harassment</p>	75	<p>1 <b>misunderstanding the question.</b></p> <p>2 Q. Yeah, I'll be clear.</p> <p>3 A. <b>In regards to this.</b></p> <p>4 Q. In regards to Ms. Stevenson, did you</p> <p>5 ask Mr. Larrick for any phone records?</p> <p>6 A. <b>No, I did not.</b></p> <p>7 Q. Okay. Then on Exhibit 4, the August</p> <p>8 15, 2014 note from you to Jay Alstadt, can you</p> <p>9 put that in front of you? That was a separate</p> <p>10 document.</p> <p>11 A. <b>I'm sorry, which one was that again?</b></p> <p>12 Q. Exhibit 4.</p> <p>13 A. <b>Got it.</b></p> <p>14 Q. So at the top it says Jay Alstadt, Paul</p> <p>15 Clark?</p> <p>16 A. <b>Right.</b></p> <p>17 Q. Does that mean it went to both of them?</p> <p>18 A. <b>Yes.</b></p> <p>19 Q. Okay. And would it go to Mr. Clark</p> <p>20 because -- why would it go to Mr. Clark?</p> <p>21 A. <b>Union Steward.</b></p> <p>22 Q. Thank you. At the bottom of paragraph,</p> <p>23 the first full paragraph of that letter, maybe</p> <p>24 the second paragraph, I guess depending on</p> <p>25 whether this first line is a paragraph, it says</p>
74	<p>1 are uncomfortable of reporting those complaints?</p> <p>2 A. <b>I understand. Even if they are</b></p> <p>3 <b>definitely excitable, you are going to see some</b></p> <p>4 <b>physical reaction from somebody to sit there and</b></p> <p>5 <b>go ahead and indicate that there was further</b></p> <p>6 <b>upset.</b></p> <p>7 Q. Okay. Now, what was the position of --</p> <p>8 is it Mr. Rapko?</p> <p>9 A. <b>Deputy.</b></p> <p>10 Q. Deputy. Is that a man?</p> <p>11 A. <b>Yes.</b></p> <p>12 Q. Okay. And he was a Deputy Sheriff?</p> <p>13 A. <b>That's correct.</b></p> <p>14 Q. Okay. Now, these events took place in</p> <p>15 July of '14?</p> <p>16 A. <b>Yes.</b></p> <p>17 Q. According to Ms. Stevenson.</p> <p>18 A. <b>Right.</b></p> <p>19 Q. And is that a period when you recall</p> <p>20 Mr. Larrick was working rather than on leave?</p> <p>21 A. <b>Yeah, Curt was working 2014.</b></p> <p>22 Q. Okay. Did you ask Mr. Larrick for any</p> <p>23 phone records?</p> <p>24 A. <b>I did when, let me see if it was</b></p> <p>25 <b>attached to this or not -- I'm sorry, I'm</b></p>	76	<p>1 the last two sentences, you asked Ms. Stevenson</p> <p>2 about the resolution she required. And it was</p> <p>3 that he leave her alone. And then it says "I</p> <p>4 communicated that to Mr. Larrick and I considered</p> <p>5 the issue closed."</p> <p>6 A. <b>Right.</b></p> <p>7 Q. So it's your recollection that you told</p> <p>8 Mr. Larrick that Ms. Stevenson didn't want him</p> <p>9 reaching out to her?</p> <p>10 A. <b>That's right.</b></p> <p>11 Q. Okay. Did he have any objection to</p> <p>12 that?</p> <p>13 A. <b>No.</b></p> <p>14 Q. Okay. Did you speak with Mr. Larrick</p> <p>15 about the allegation relating to the vacation in</p> <p>16 Vegas? Did you ask him about that in terms of</p> <p>17 what Ms. Stevenson claimed?</p> <p>18 A. <b>No, I did not.</b></p> <p>19 Q. Did you ask Mr. Larrick about the</p> <p>20 statement in Ms. Stevenson's report or complaint</p> <p>21 about wrestling with a girl in a pool filled with</p> <p>22 oil, pudding or mud?</p> <p>23 A. <b>No.</b></p> <p>24 Q. Did you ask him about any specific</p> <p>25 allegations that she made?</p>

PLANET DEPOS

888.433.3767 | WWW.PLANETDEPOS.COM



Transcript of Rick Darbut  
 Conducted on March 9, 2017

<p style="text-align: right;">77</p> <p>1 A. Not of those particular, particular                  2 items.                  3 Q. Why not?                  4 A. Found it kind of farfetched to be                  5 honest with you.                  6 Q. You didn't think your job was to                  7 investigate the claim and ask the person about                  8 whom the complaint was raised whether it was true                  9 or not?                  10 A. No, I did not. I did not do that.                  11 Q. Okay. You testified that you attended                  12 all of the criminal trial, or at least multiple                  13 days of the criminal trial of Sheriff David; is                  14 that right?                  15 A. Correct.                  16 Q. Did you attend the whole thing, all of                  17 the days?                  18 A. No, I don't think -- second one I think                  19 I was there for all of it. The first one, I                  20 think that was two days I think that ran or three                  21 days. I only got in on the first day.                  22 Q. Did you have to testify in that first                  23 trial?                  24 A. No, I did not.                  25 Q. In either one of them?</p>	<p style="text-align: right;">79</p> <p>1 A. No, never met him before.                  2 Q. Okay. And when was the first time that                  3 you met him?                  4 A. Day after the election.                  5 Q. And that's the day you said that many                  6 of the people who won the election came into the                  7 Courthouse to discuss some transition issues?                  8 A. All the Republican candidates, I know                  9 that Lozier, Gabauer, Tony, all three of those                  10 guys were in. Commissioners, I think Dan Camp                  11 was here. Sandy I think was probably late, you                  12 know, getting here, but she got there eventually.                  13 Q. Okay. And was the theme of each of                  14 them the same, that is just trying to get to know                  15 people and who's who and what is what in the                  16 Courthouse?                  17 A. Yeah, I think they were trying to get                  18 an idea of the offices and the problems and the                  19 things that were going on.                  20 Q. Okay. Okay. You testified earlier                  21 that you recalled Sheriff Guy asking about                  22 personnel records. Is it accurate to say he                  23 asked if when he got into office he would be able                  24 to see personnel records rather than ask for them                  25 in November?</p>
<p style="text-align: right;">78</p> <p>1 A. No.                  2 Q. Did you have to provide any records                  3 found in your department relative to the Sheriff                  4 or the case?                  5 A. Well, on the Grand Jury, Grand Jury had                  6 asked for information whenever we were doing                  7 that. But, no, other than that, there wasn't                  8 anything on that on either of the trials.                  9 Q. Okay. Were you attending the hearings                  10 and the trials in your capacity as the HR                  11 Director since this related to County personnel?                  12 A. Well, I wanted to, again, you know,                  13 since there was issues that were there, yes,                  14 again, to find out again, like I said, what the                  15 resolution of this was going to be.                  16 Q. Did, for example, the Commissioners ask                  17 you to attend --                  18 A. No.                  19 Q. -- or somebody else ask you to attend?                  20 A. No, they did not.                  21 Q. Okay. Before the election in November                  22 of 2015 --                  23 A. Uh-huh.                  24 Q. -- did you know Tony Guy? Had you met                  25 him?</p>	<p style="text-align: right;">80</p> <p>1 A. No, I think, my recollection was it was                  2 at that time in November.                  3 Q. But in any event, he did not see any                  4 personnel records?                  5 A. No.                  6 Q. You did not provide them and you would                  7 not have allowed him to review them?                  8 A. That's correct.                  9 Q. Okay. And so did he, but I think you                  10 testified that he did not ask you about any                  11 specific employees within the Sheriff's                  12 Department?                  13 A. That's also right.                  14 Q. Okay. Did, before your position as                  15 Director of Human Resources, did you know                  16 Mr. Larrick?                  17 A. Only from work.                  18 Q. Okay. So only through the fact that                  19 you worked in the County?                  20 A. Right.                  21 Q. Okay. And that's because you saw him                  22 in the Courthouse or came to know him in your                  23 capacity as the HR Director?                  24 A. I had no outside relationship with                  25 Mr. Larrick.</p>