

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

RHONDA LEDFORD, an individual; RAYMON)
GREGSTON, an individual; JO MCKINNEY,)
an individual; SHANE PENROD, an)
individual; KIM MCCORMICK, an)
individual; BOB ROBINSON, an)
individual; and GRACIE REYNA, an)
individual,)

Plaintiffs,)

vs.)

IDAHO DEPARTMENT OF JUVENILE)
CORRECTIONS, an executive department)
of the State of Idaho; IDJC DIRECTOR)
SHARON HARRIGFELD, in her individual)
and official capacities; IDJC)
JUVENILE CORRECTIONS CENTER - NAMPA)
SUPERINTENDENT BETTY GRIMM, in her)
individual and official capacities;)
and DOES 1-20,)

Defendants.)

Case No.

1:12-cv-00326-BLW

DEPOSITION OF DARLA CRESPIN

OCTOBER 2, 2013

REPORTED BY:

BEVERLY A. BENJAMIN, CSR No. 710, RPR

Notary Public

Page 2

1 THE DEPOSITION OF DARLA CRESPIAN was taken on
 2 behalf of the Plaintiffs, at Anderson, Julian & Hull,
 3 250 South Fifth Street, Suite 700, Boise, Idaho,
 4 commencing at 9:08 a.m. on October 2, 2013, before
 5 Beverly A. Benjamin, Certified Shorthand Reporter and
 6 Notary Public within and for the State of Idaho, in the
 7 above-entitled matter.
 8
 9 A P P E A R A N C E S:
 10 For the Plaintiffs:
 11 Law Office of Andrew T. Schoppe, PLLC
 12 BY MR. ANDREW T. SCHOPPE
 13 910 W. Main Street, Suite 358
 14 Boise, Idaho 83702-5796
 15 For the Defendants Idaho Department of Juvenile
 16 Corrections, Sharon Harrigfeld, and Betty Grimm:
 17 Anderson, Julian & Hull, LLP
 18 BY MS. ANDREA J. FONTAINE
 19 C. W. Plaza
 20 250 South 5th Street, Suite 700
 21 P.O. Box 7426
 22 Boise, Idaho 83707-7426
 23
 24 Also Present: Rhonda Ledford, Nancy Bishop, Shane
 25 Penrod, Lisa Littlefield

Page 3

1 I N D E X
 2 TESTIMONY OF DARLA CRESPIAN PAGE
 3 Examination by Mr. Schoppe 4
 4 Examination by Ms. Fontaine 61
 5 Further Examination by Mr. Schoppe 65
 6 Further Examination by Ms. Fontaine 68
 7
 8 E X H I B I T S
 9 NO. DESCRIPTION PAGE
 10 153 - Questionable IDJC Hiring Practices in 36
 11 the Last Three Years
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25

Page 4

1 DARLA CRESPIAN,
 2 first duly sworn to tell the truth relating to said
 3 cause, testified as follows:
 4
 5 EXAMINATION
 6 QUESTIONS BY MR. SCHOPPE:
 7 Q. Good morning.
 8 A. Good morning.
 9 Q. Thank you very much for coming here today.
 10 A. You are very much welcome.
 11 Q. My name is Andrew Schoppe. I represent the
 12 Plaintiffs.
 13 A. I've heard a lot about you.
 14 Q. I hope it's all good. Probably not. But
 15 thanks a lot for coming.
 16 First off, have you ever had your deposition
 17 taken before?
 18 A. I have not.
 19 Q. Lucky you, until today. But we'll make it as
 20 pain-free as possible.
 21 A. Okay.
 22 Q. Generally speaking, I'm just going to be
 23 asking you questions, just do your best to give me the
 24 best possible truthful answer that you can. If you have
 25 any questions or if anything is not clear to you in my

Page 5

1 question, by all means, ask me to clarify or restate it
 2 or rephrase it, whatever would help you understand it.
 3 A. Okay.
 4 Q. Whenever possible wait until I've finished
 5 asking the question before you give your response, and
 6 that is for the benefit of our court reporter.
 7 A. Okay.
 8 Q. And a clearer record.
 9 A. Does everybody ask me questions?
 10 Q. No, just me.
 11 A. Okay.
 12 Q. And the attorneys here will be free to object
 13 to any question that I ask and things like that.
 14 A. Okay.
 15 Q. And just generally speaking, I am entitled to
 16 your best answer, whatever you know, what you've seen,
 17 heard. And if it's something that you -- sometimes in
 18 an organization there will be something that you heard
 19 about via rumor, if you can do your best to tell me who
 20 you might have heard something from or who might be the
 21 best person to ask for that.
 22 A. Okay.
 23 Q. Anything impacting your ability to testify
 24 here today, whether it be memory problems, prescription
 25 medications, fatigue, anything like that?

Page 6

1 A. I'm almost 60, but other than that, no.
 2 Q. If you need a break at any point, by all means
 3 just ask us, just wait until you've answered whatever
 4 question I've asked last, let me know.
 5 A. Okay.
 6 Q. You are testifying here just as if you were
 7 testifying in court.
 8 A. Okay.
 9 Q. Just a little bit about your background. Are
 10 you from Idaho?
 11 A. I am.
 12 Q. Did you go to college here?
 13 A. Yes.
 14 Q. I understand that you are a nurse; is that
 15 right?
 16 A. Yes.
 17 Q. Where did you do your nursing training?
 18 A. BSU.
 19 Q. Any other certifications -- is it an RN that
 20 you have?
 21 A. An LPN.
 22 Q. That's a licensed practical nurse?
 23 A. Yes. In 1988.
 24 Q. Any other licenses or certifications or
 25 credentials along those lines that you might have?

Page 7

1 A. CPR and first aid instructor, that's it. IV
 2 certified.
 3 Q. Did you do anything before you became a nurse?
 4 A. I was a mom.
 5 Q. That's a big thing.
 6 How about your work history after you got your
 7 nursing degree, where did you work?
 8 A. Idaho State School and Hospital, at the VA
 9 Hospital, I worked out at the prison for a short time.
 10 When we moved to Oregon, I worked at a hospital and then
 11 I worked at the Umatilla County Jail.
 12 Q. Jail operations can be rough. My wife used to
 13 do psych screenings at the County Jail; that was one
 14 exciting story after another.
 15 After Umatilla, what did you do next?
 16 A. I came back to Boise, worked at the VA, and
 17 then where I am now.
 18 Q. And how is it that you came to work for the
 19 Department of Juvenile Corrections?
 20 A. At the VA Hospital I was tired of patients
 21 dying on me, I was tired of lifting, bathing, and all
 22 that stuff. And I knew that working in Corrections
 23 was -- they had an ad in the paper and I applied.
 24 Q. Do you remember what year that was that you
 25 applied?

Page 8

1 A. In July of 2000.
 2 Q. How did that application process go? Did you
 3 hear back from anybody in particular on your
 4 application, or what happened?
 5 A. Well, I turned in the application, I got the
 6 results back on my score, and then I was called for an
 7 interview. And I went to an interview with Betty
 8 Grimm, she was a nursing supervisor at the time, and
 9 then I was hired.
 10 Q. Do you recall who the superintendent of the
 11 Nampa facility was?
 12 A. Larry Callicutt.
 13 Q. How about the director of the department?
 14 A. Brent Reinke.
 15 Q. Did you know anybody who worked at the
 16 Department before that?
 17 A. I did not.
 18 Q. What was the first position you started in?
 19 A. As an LPN.
 20 Q. Who else did you work with there in the
 21 nursing department?
 22 A. Well, Betty, she was the supervisor. Mary
 23 Ritthaler, she was an LPN there. There has been a lot
 24 of nurses come and go. Kathy Tipton. That was back
 25 then. Now do you want to know who works there?

Page 9

1 Q. Yeah, sure. Let's go back to, say, 2009, who
 2 you worked with in that time frame.
 3 A. Frank Farnworth -- I can't remember. I don't
 4 remember. I know who works there now.
 5 Q. Okay. Who is that?
 6 A. Sandy Bieker, Simone Cates, our supervisor is
 7 Jeanette Angell, Jennifer Rolfson. There is another
 8 one.
 9 Q. Okay.
 10 A. There is another one. Amy Williams. Sorry
 11 about that.
 12 Q. No problem, you don't need to apologize. I
 13 don't always remember all of the Plaintiffs' names when
 14 I try to list them out like that.
 15 That's Amy Williams?
 16 A. Uh-huh.
 17 Q. Another general guideline or rule is, if you
 18 can't remember something, go ahead and say so, and if it
 19 pops in your head later, just let me know.
 20 A. Okay.
 21 Q. Have you been promoted or changed positions
 22 since you started as an LPN?
 23 A. No.
 24 Q. When did you actually start?
 25 A. July 2000, I think it was July 16 or

Page 10

1 something.
 2 Q. Fair to say that your duties have been more or
 3 less the same since then?
 4 A. Yes.
 5 Q. During that time when you started, Betty
 6 Grimm was your supervisor?
 7 A. Yes.
 8 Q. And then at some point she became the
 9 superintendent of the facility; right?
 10 A. Yes.
 11 Q. Who was your supervisor after that, when she
 12 became the superintendent?
 13 A. Ruth, crazy Ruth.
 14 Q. Ruth Davis?
 15 A. Davis, yes. Ruth Davis.
 16 Q. When was that that --
 17 A. Boy, I don't know.
 18 Q. We'll figure that out later.
 19 And after Ruth Davis?
 20 A. We had Rose Smith; she's dead.
 21 Q. That's too bad. And then --
 22 A. Jeanette Angell.
 23 Q. And that is your current supervisor.
 24 A. Yes.
 25 Q. In the course of any given day, what is it

Page 11

1 that you do as a nurse at the Department?
 2 A. I go to work at 5:30. I draw blood on any
 3 kids that need blood drawn before they have breakfast.
 4 Pass medications, pick up medical kites -- medical
 5 requests, if they are sick or something they fill a
 6 paper out. We give immunizations. We do just regular
 7 nursing stuff.
 8 The doctor comes in twice a week. We have
 9 psych clinic, we have medical clinic, order medications,
 10 listen to the kids complain a lot, say "no" a lot.
 11 That's pretty much it. It doesn't sound like a lot, but
 12 it is.
 13 Q. That sounds like a pretty big list actually.
 14 I have nurses in the family. And it's a lot of time on
 15 your feet too, I think.
 16 More recently, stepping back to the fall of
 17 2011, do you recall there being an issue among the
 18 employees there, a concern with respect to hiring and
 19 promotion practices?
 20 A. Yes, I do.
 21 Q. What is it you remember about that?
 22 A. I remember that Laura Roters was promoted and
 23 then her job was taken away because she wasn't qualified
 24 for the job.
 25 Q. How is it that you knew about that?

Page 12

1 A. Gossip. Gossip, everybody knew, everybody was
 2 talking about it. I know there was an announcement made
 3 that she was promoted, and then there was an
 4 announcement made that the position would be now vacant.
 5 Q. Do you recall if that was in an all-staff
 6 e-mail?
 7 A. I don't recall.
 8 Q. I think there is an e-mail to that effect in
 9 there, in our exhibits. I'll see if I can pull that out
 10 at some point.
 11 Do you recall -- I'll show you an exhibit,
 12 something we've been referring to in this litigation as
 13 the petition. Is that something that you've seen
 14 before? Take as much time as you need to look at it.
 15 A. (Reviewing document.) Yes, I did see this.
 16 Q. Do you recall how you came to see it? Did
 17 someone show it to you?
 18 A. Yes.
 19 Q. Who was that?
 20 A. I don't recall.
 21 Q. Do you know if it could have been Ray
 22 Gregston?
 23 A. Possibly.
 24 Q. Do you recall discussing the petition with
 25 anybody in particular?

Page 13

1 A. I think we all talked about this. Several
 2 people at the facility talked about it. We are in
 3 agreement with it, with some of it, with it. And yeah,
 4 because -- yes.
 5 Q. When you say some of us talked about it, who
 6 is it that comes to mind?
 7 A. I know I talked about it with Sandy Bieker,
 8 probably with Rhonda, probably with Ray. I don't know
 9 if I talked about it with Rhonda or not for sure. Just
 10 everybody that was there. And I was in full agreement
 11 with this, this part of it, yes.
 12 Q. What was the general sentiment that was
 13 getting people so upset?
 14 A. Roters.
 15 Q. Being hired?
 16 A. Being promoted.
 17 Q. Do you recall what the position was that she
 18 was promoted to?
 19 A. No, I don't recall for sure. It was like in
 20 charge of the facility, I think.
 21 Q. Do you recall if you signed the petition?
 22 A. I may have signed it, but I'm not sure. I
 23 can't remember.
 24 Q. When you saw the petition, do you recall if
 25 you saw other signatures on it at the time?

Page 14

1 A. I do not recall, no.
 2 Q. Do you know anyone else who signed the
 3 petition?
 4 A. No.
 5 Q. But you are aware that other people, some
 6 other people did sign it.
 7 A. Right. I think that Bob the Builder, Bob the
 8 maintenance guy.
 9 Q. Bob Robinson?
 10 A. Is that his name? Yeah.
 11 Q. I think that is who you are referring to.
 12 A. Yeah.
 13 Q. How about staff from O&A, do you know if
 14 anyone from there signed it?
 15 A. I do not.
 16 Q. Did you ever discuss it with Tom Knoff?
 17 A. I don't know if he was still there at this
 18 time. I can't remember. I can't remember going in -- I
 19 know I did go in and talk to Tom, because Tom was my
 20 friend.
 21 Q. Because of the petition you talked to him or
 22 you talked to him about those concerns?
 23 A. I can't recall for sure.
 24 Q. I think it's clear from the record that he
 25 left the Department in May or June of 2012, if that

Page 15

1 helps you. Whereas this, I think we've established, was
 2 circulating around October or November of 2011, if that
 3 helps give you the time frame.
 4 A. Okay.
 5 Q. What sorts of things did you talk about with
 6 Mr. Knoff in connection with the hiring practices
 7 discussed in this petition?
 8 A. I don't recall any direct, any word-for-word
 9 conversation we had about it, just that it was, you
 10 know, unfair.
 11 Q. What do you mean by that; what was unfair
 12 about it?
 13 A. That it was like they already knew who they
 14 wanted in that position before they ever opened that
 15 position up. "They," I mean the superintendent and the
 16 other people.
 17 Q. So that was Betty Grimm?
 18 A. Betty Grimm.
 19 Q. Who else when you say "other people"?
 20 A. Probably her supervisor.
 21 Q. Director Harrigfeld?
 22 A. And probably that one old guy, Dave Rohrbach.
 23 Q. When you say Betty Grimm's supervisor, do you
 24 mean Director Harrigfeld?
 25 A. Yes.

Page 16

1 Q. And then Dave Rohrbach was at the time a unit
 2 manager; is that right?
 3 A. Yeah.
 4 Q. How about human resources?
 5 A. I don't know. I do believe that she's the one
 6 that sent out of the e-mail when they took the job back
 7 from Laura, I think it was from HR.
 8 Q. When you say "she," would that be Julie Cloud?
 9 A. I guess that is her name. I don't know her
 10 very much.
 11 Q. What was it that made you think that they knew
 12 who would get the job beforehand?
 13 A. Because of Rohrbach.
 14 Q. What do you mean by that?
 15 A. Because he wanted Laura, that was his little
 16 pet. He was going to make sure she had a good job
 17 before he quit.
 18 Q. Do you know why he was quitting?
 19 A. I don't know, because he's old, sick, I guess.
 20 And he was just gone one day, that was the end.
 21 Q. Did you hear anything about timecard fraud in
 22 connection with his departure?
 23 A. Well, yeah, I heard about it, but I didn't
 24 have any proof of it. I know that he wasn't there a
 25 lot, so I didn't know.

Page 17

1 Q. Did you ever talk about that with Betty Grimm?
 2 A. No, I don't think so.
 3 Q. After the petition circulated, after you saw
 4 it, do you recall an all-staff meeting being called
 5 sometime in November of 2011? This would have been with
 6 Director Harrigfeld and Superintendent Grimm.
 7 A. Maybe, maybe. I'm not going to say for sure,
 8 because they have those all-staff at 2:30, I get off at
 9 2:00, I usually don't go. I have gone to a few of them,
 10 but not very many.
 11 Q. Do you happen to recall if you might have gone
 12 to that one?
 13 A. No, I don't recall.
 14 Q. Do you recall after seeing the petition
 15 anything about a bucket list or sort of like a list of
 16 employee concerns, things like that?
 17 A. Yeah, I heard something about it.
 18 Q. Is that anything you might have ever discussed
 19 with anybody you worked with, like Mr. Knoff or Betty
 20 Grimm or anybody?
 21 A. I didn't talk to Betty about this lawsuit
 22 business. Betty is my friend. I did not talk to her
 23 about this stuff, about the lawsuit. The only things I
 24 disagree that she did was she gave Laura Roters a job
 25 and fired Tom Knoff. I disagree with those two things.

Page 18

1 But she's my friend, and I didn't go talk to her about
 2 this, no.
 3 Q. That's fine. That's just the facts.
 4 Did you ever talk with Betty about hiring
 5 Laura Roters and firing Tom Knoff?
 6 A. Yeah, I told her it was the two stupidest
 7 things she ever did.
 8 Q. Why did you think that?
 9 A. Well, because Tom is a good guy and Laura, I
 10 don't like her.
 11 Q. With respect to Mr. Knoff, how long had you
 12 worked with him?
 13 A. When did he get fired?
 14 Q. Was he there when you got to the Department?
 15 A. Yes, he was there when I got there.
 16 Q. Did you ever talk about safety problems --
 17 let's focus on the period from 2009 up to the time that
 18 Mr. Knoff left. Did you ever talk about safety problems
 19 with him or concerns over unreasonably unsafe conditions
 20 at the facility?
 21 A. I can't recall. That was kind of a -- things
 22 had changed. When a kid used to beat up somebody, they
 23 got 72 hours in their room. When the new superintendent
 24 took over, that was changed. They could beat somebody
 25 up and then come out after they wrote a letter or

Page 19

1 something. But I don't remember, I don't remember going
 2 in there and talking to Tom about it, no.
 3 Q. Do you remember him saying anything to you
 4 about it in any context about --
 5 A. No.
 6 Q. So as a nurse, do you typically, is part of
 7 your duties to treat juveniles or staff who might be
 8 injured in violent assaults and things like that inside
 9 the facility?
 10 A. Yes.
 11 Q. When you mentioned that things changed with
 12 respect to a 72-hour lockdown time versus when Director
 13 Harrigfeld took over and I think you said writing a
 14 letter or something, did you notice or perceive a change
 15 in the safety of the place? Did it stay the same,
 16 increase, decrease?
 17 A. It depended on what was going on. If a kid
 18 was out of control fighting and hitting and running down
 19 the hall, then it wasn't safe. If the kids were doing
 20 what they were supposed to be doing, then it was okay.
 21 It seems that we did have more incidents with
 22 kids fighting and stuff like that because they knew the
 23 consequences weren't going to be much.
 24 Q. You mean more fights after?
 25 A. Right, after the new rule for a while. I

Page 20

1 think it's mellowed out now.
 2 Q. Did you ever hear other employees express a
 3 heightened fear for their safety?
 4 A. Sure.
 5 Q. What did you hear about that?
 6 A. Just that they were -- it was scary being down
 7 there working sometimes with the kids and not enough
 8 staff and that things were -- they were afraid. There
 9 was staff injured and kids injured. And as a nurse, we
 10 are not down there that much, we go after, so...
 11 Q. Again, we are talking about a change after
 12 2009 when Director Harrigfeld took over?
 13 A. Yes.
 14 Q. Did you ever hear juveniles express fears for
 15 their safety after that time, sort of an increase in
 16 fears?
 17 A. I don't know about that time, but I heard
 18 something yesterday that a kid was afraid that he was
 19 going to be attacked by another kid. That was yesterday
 20 morning. But I don't know, like the kids, when they
 21 come to the clinic, they are usually there for medical
 22 stuff and they usually don't...
 23 Q. Did you ever hear any juveniles express
 24 concerns that if they had been attacked in those
 25 situations, that their attacker would be right back out

Page 21

1 with them?
 2 A. No, I never heard any of that.
 3 Q. So why is it that you think that terminating
 4 Tom Knoff was, as you said, a stupid decision by the
 5 Department?
 6 A. I don't know the facts of why he was
 7 terminated. I have no idea what the facts were, but he
 8 was a good guy, came to work, and he seemed to do a good
 9 job and he seemed to be liked by his staff. And the
 10 staff were not very happy when he was let go, some of
 11 them. Some of them were glad.
 12 Q. Did you ever hear any concern that O&A staff,
 13 including Mr. Knoff, weren't doing their jobs?
 14 A. No, never.
 15 Q. That would be prior to the time he was
 16 terminated?
 17 A. Yes.
 18 Q. In connection with the whole hiring and
 19 promotions issue that came up in fall of 2011, did you
 20 talk with Betty Grimm as a friend at that point in time
 21 about any of those issues that were coming up?
 22 A. No. In fact, I didn't talk to her about Tom
 23 and Laura until after she had quit, and I her told that
 24 was a stupid thing to do.
 25 Q. To quit?

Page 22

1 A. No. To fire -- after she had quit, that is
 2 when I told her it was stupid of her to fire Tom and
 3 hire Laura.
 4 Q. When did you talk about that? Was this right
 5 after she quit or just at some point?
 6 A. Yeah, after she quit at some point.
 7 Q. And is that what you spoke about with her,
 8 that Tom was a good guy or did a good job or anything
 9 specific in that regard regarding Mr. Knoff?
 10 A. Yes. She knew how I felt, that I thought Tom
 11 was a good guy.
 12 Q. What did she have to say to you about that?
 13 A. She just said that it was just -- there were
 14 other things that she wasn't -- she couldn't discuss.
 15 And I wouldn't expect her to discuss them with me if it
 16 was personnel things that had happened. That is really
 17 none of my business.
 18 Q. Did you get the sense or impression that was
 19 in connection with his termination or settlement
 20 agreement or something like that?
 21 A. No.
 22 Q. What did you talk about with respect to Laura
 23 Roters' hiring with Betty Grimm?
 24 A. What did I say?
 25 Q. Sure. What did you guys talk about?

Page 23

1 A. I asked her what the hell was the matter with
 2 her putting that witch in charge of anything.
 3 Q. Sounds like you don't have a terribly
 4 favorable impression of Ms. Roters?
 5 A. No, I do not like her at all.
 6 Q. Why is that?
 7 A. Because she's pushy and she talks down to
 8 everybody.
 9 Q. Are you familiar with a policy of the
 10 Department called standards of conduct regarding respect
 11 and things like that in the workplace?
 12 A. Yeah, we have one. I'm not familiar with it.
 13 Q. Generally speaking, is it your understanding
 14 that the policy requires that employees be respectful to
 15 one another and --
 16 A. Yeah.
 17 Q. What is your opinion with respect to Ms.
 18 Roters' conduct with people she supervises or works
 19 with? Does she comport with that policy or not?
 20 MS. FONTAINE: Object; I think the witness has
 21 testified she's not familiar with the policy, and it
 22 also calls for a legal conclusion.
 23 Q. (BY MR. SCHOPPE) You can still answer.
 24 A. If there is a policy, she knows it and she
 25 stays within the line of what she can do and what she

Page 24

1 can't do.
 2 Q. As far as you are concerned, is she respectful
 3 towards her subordinates?
 4 A. No.
 5 Q. What makes you say that?
 6 A. Just situations that have happened that --
 7 just situations that I've seen happen.
 8 Q. Can you come up with any examples? I know
 9 it's hard because --
 10 A. Yeah, I can give you an example. I went to an
 11 all-staff meeting after she was appointed -- not an
 12 all-staff, but with her staff, a meeting after she took
 13 over down there, just a couple, two or three times
 14 after, because we'd go to the team meetings and I was at
 15 the team meeting. And the staff had had a situation
 16 with a juvenile. They had handled the situation, they
 17 handled it. The kid didn't get restrained or get put in
 18 his room and came out with a positive outcome of the
 19 situation, and everything was fine, and the staff were
 20 telling how they handled the situation. And when they
 21 got through telling what they had done, she said: Now
 22 let me tell you what you should have done. And that to
 23 me right -- I got up and left, because I thought that
 24 was BS, I thought that was totally out of line, because
 25 they had done just fine.

Page 25

1 As a new supervisor, instead of saying, Way to
 2 go, guys, you got that handled without problem. And now
 3 let me tell how you should have done it? No. That's
 4 the only example I've got really that I better talk
 5 about.
 6 Q. When you are talking about the unit that you
 7 were just talking about, you are talking about O&A?
 8 A. Yes.
 9 Q. After she took over there from Tom Knoff; is
 10 that right?
 11 A. Correct.
 12 Q. Did you ever talk with anyone about the manner
 13 in which Ms. Roters was assigned to the O&A unit after
 14 Mr. Knoff left in terms of --
 15 A. Everybody in the facility talked about it. It
 16 was just common gossip.
 17 Q. What kind of things did you hear?
 18 A. What kind of things did I hear?
 19 Q. Sure.
 20 A. I just heard that it wasn't fair that she got
 21 that job, and just everybody was pretty upset with that.
 22 And I was already to join their little thing here after
 23 that happened myself because I didn't think it was fair.
 24 There was other candidates that applied for the job,
 25 Eric Cotton, and people like that that were much more

Page 26

1 qualified and would have been much better at that job.
 2 Q. I think you are referring to the first unit
 3 manager position that she was promoted to and that was
 4 revoked.
 5 With respect to -- well, do you recall that
 6 after that situation arose that she was then later
 7 promoted into that unit manager spot?
 8 A. Right.
 9 Q. I think that was in Solutions.
 10 A. I don't know where she went.
 11 Q. Choices and Solutions, I guess.
 12 And then at some point after that do you
 13 recall that she -- we've already talked about her taking
 14 over O&A after Tom Knoff left.
 15 A. Right.
 16 Q. Do you recall speaking with anybody about how
 17 that occurred, how she moved from Solutions unit manager
 18 over to O&A unit manager?
 19 A. I don't recall any specific conversation. I
 20 mean everybody was talking about it, how it didn't
 21 seem -- it seemed like when they got Tom out of there
 22 and put her in there, it seemed like a kick in the teeth
 23 for the O&A staff.
 24 Q. What do you mean by that?
 25 A. I think that -- I don't know a lot of facts on

Page 27

1 what goes on with the promoting and hiring. All we have
 2 is speculation and gossip. That is all we have.
 3 Q. Well, that's kind of the starting point. So
 4 if you could tell me what it was you might have heard or
 5 discussed with people or said about it, it kind of helps
 6 lead to --
 7 A. I heard that she wasn't qualified for the job,
 8 and that they sent her to classes so she could get
 9 qualified for the job. They pulled the job, then it
 10 wasn't there, and then they reopened it after she had
 11 gone and had the training to be a manager. And that
 12 just didn't seem fair, because the management training
 13 wasn't offered to anybody else. And there is other
 14 people that were just as qualified, if not more, than
 15 her that should have had the opportunity to go to the
 16 training.
 17 Q. When you spoke about the kick in the teeth to
 18 the O&A staff, do you recall what happened within O&A
 19 after she left? Were there people leaving, resigning,
 20 being terminated?
 21 A. After Roters took over?
 22 Q. Yes.
 23 A. Yeah. Everybody was putting in transfers
 24 trying to get out of there. The ones who couldn't
 25 transfer out -- they wanted to go to other units and

Page 28

1 stuff.
 2 Q. Are you talking about people like Dave
 3 Hottell?
 4 A. He quit.
 5 Q. Robin Smythe?
 6 A. Yeah, she quit. Good people. Good people.
 7 Q. Anybody else come to mind?
 8 A. I can't remember. There has been so many
 9 that --
 10 Q. How about Diane Carnell?
 11 MS. FONTAINE: What's the question?
 12 Q. (BY MR. SCHOPPE) Same question I was asking
 13 with respect to the others. Do you know what happened
 14 with these people?
 15 A. No, I have no idea.
 16 Q. How about Todd Inman, do you know if he left
 17 or why he might have left after --
 18 A. No. I don't know why he left.
 19 Q. Sheri Estrada?
 20 A. I don't even remember who that is.
 21 Q. What were you hearing about why it was that
 22 people were, as you put it, putting in for transfers or
 23 trying to get out?
 24 A. Because they didn't want to work for Laura.
 25 MS. FONTAINE: Object; lack of foundation.

Page 29

1 Q. (BY MR. SCHOPPE) Did you hear anybody say
 2 that Laura Roters had been sent to clean house or to get
 3 rid of people in O&A?
 4 A. No.
 5 Q. Never heard anything like that?
 6 A. I never heard anything like that. If I did, I
 7 don't remember. I could have.
 8 Q. Did you ever talk about anything like that
 9 with Betty Grimm?
 10 A. No.
 11 Q. After Ms. Grimm left did you ever discuss the
 12 situation with Julie McCormick, the circumstances about
 13 her termination?
 14 A. No.
 15 Q. Never talked anything about that with her?
 16 A. Maybe, but I don't recall what was said.
 17 Betty was just like -- I know that there is a lot of
 18 talk about Betty knowing what was going on and Betty
 19 being a part of it and stuff. Betty would do nothing to
 20 hurt one of those kids. I don't think Betty -- I don't
 21 know. See, I don't know. I don't have all the
 22 information on that either. But I know that Betty
 23 wouldn't do anything to hurt a kid, ever.
 24 There is talk about e-mails being out that she
 25 knew and didn't do anything. I don't know. I just

1 can't see her doing that. Maybe I don't want to believe
 2 it. There you go.
 3 Q. I understand.
 4 Did you ever talk with Betty about what she
 5 discovered that led her to report Julie McCormick to the
 6 police?
 7 A. No.
 8 Q. Did she ever indicate that her decision to
 9 retire had anything to do with Julie McCormick?
 10 A. No.
 11 Q. In terms of incidents of child abuse or
 12 neglect or sexual interactions with staff and juveniles,
 13 in your training and background and experience as a
 14 nurse, is it your understanding that you are required to
 15 report such situations to either law enforcement or the
 16 Department of Health and Welfare?
 17 A. Yes. We have a number posted in the clinic of
 18 who we are to call if a kid reports that to us, yes.
 19 Q. Is there anyone else that you are required to
 20 report it to? For example, do you take that to a
 21 supervisor or where does it go?
 22 A. We tell our supervisor after we've made the
 23 call.
 24 Q. Did you ever become aware of any other rumors
 25 or reports of sexual interactions between staff and

1 the facility?
 2 A. The name is familiar. I can't put a face with
 3 the kid though.
 4 Q. At any point did you become aware of a problem
 5 or an issue involving Jackie Raymond having kissed a
 6 juvenile?
 7 A. No.
 8 Q. Do you know who Jackie Raymond is?
 9 A. Yeah. There was an accusation made about her
 10 and another kid, but it wasn't that kid.
 11 Q. Who was the other kid?
 12 A. That was why she quit. But then when it was
 13 time for the kid to go to court, he said he made it up
 14 or something. I don't know. Jackie never came back.
 15 Q. Do you know what the nature of the other
 16 allegation was?
 17 A. I don't know, that she took the kid in the
 18 visitation room out to the gym or something. And the
 19 kid's name was [REDACTED]. I remember that now.
 20 Q. Do you know how to spell that?
 21 A. [REDACTED]. I think he's in prison for
 22 murder now.
 23 Q. [REDACTED]?
 24 A. [REDACTED]. But there was nothing -- the kid was
 25 lying about it and admitted he was lying about it when

1 juveniles at the Department?
 2 A. In our facility?
 3 Q. Yes.
 4 A. There was an accusation with one of the
 5 Choices kids and one of the staff that worked there, but
 6 that's -- and then there was one I heard about in
 7 Lewiston. I don't know for sure. There has been a
 8 couple, yeah.
 9 Q. Was the first one you referred to with the
 10 Choices kid, could that have been Francine Diaz and
 11 Bryce
 12 A. Yes.
 13 Q. As far as you know, was that ever investigated
 14 or --
 15 A. I have no idea.
 16 Q. The one in Lewiston, was that relatively
 17 recent, like within the last couple years?
 18 A. No.
 19 Q. A long time ago?
 20 A. Five or six years ago.
 21 Q. Do you recall any of the names that were
 22 involved in that?
 23 A. No, I do not.
 24 Q. Going way back when you first started, do you
 25 recall a juvenile by the name of Michael Curtis being in

1 it was time to go to court, but that was when she lost
 2 her job and was put on investigation. And the day that
 3 that came out, she was escorted out the door. It was on
 4 Thanksgiving.
 5 Q. Are you familiar with the name Dr. Richard
 6 Pines?
 7 A. Yes.
 8 Q. How so?
 9 A. Being a nurse, I've seen a lot of -- I've had
 10 to talk to him before about kids on medications, to get
 11 verification for medication to his office. He used to
 12 live next door to Syringa House. I forgot I worked
 13 there for a short time too, at Syringa House. And he's
 14 been in the news lately.
 15 Q. What have you heard about that?
 16 A. There is accusations that he molested some
 17 kids.
 18 Q. Do you recall when those allegations were
 19 made?
 20 A. No. It was probably last year.
 21 Q. Do you know of any connection between Juvenile
 22 and --
 23 A.
 24 Q. And Dr. Pines?
 25 A. Yes.

1 Q. What is the connection, as far as you know?
 2 A. That was when [redacted] was up in Lewiston up at
 3 Northwest Children's Home. Pines was the doctor that
 4 worked up there. And then [redacted] didn't have anywhere
 5 to go, I guess, and Pines was his foster parent or
 6 something. I don't know if they -- I don't know. That
 7 was a long time ago. [redacted] is now at our facility.
 8 Q. Are you aware of Dr. Pines visiting [redacted] at
 9 the Nampa facility?
 10 A. Before the acquisitions were made about him
 11 being a child molester, yeah, I think he did come in and
 12 see him.
 13 Q. How about after those allegations were made?
 14 A. I don't think so. But like I say, I'm not
 15 down there on visiting days, so to be absolutely sure, I
 16 don't know.
 17 Q. As a healthcare professional and as an
 18 employee of the Department, should Dr. Pines have been
 19 allowed to visit [redacted] after those allegations were
 20 made?
 21 MS. FONTAINE: Objection; lacks foundation.
 22 Q. (BY MR. SCHOPPE) Just in your opinion.
 23 A. No.
 24 Q. Did anyone ever discuss with you or in your
 25 hearing that they had concerns about strange

1 Q. Do you know why it was, as you testified
 2 earlier, that Mr. Rohrbach really wanted her in that
 3 position; do you know why that was?
 4 A. Well, yeah, because that was his friend. They
 5 were good friends, and he wanted to make sure she had a
 6 good job before he left. Dave Blume and Roters went to
 7 work for Rohrbach back in RPP. And after that then he
 8 always took care of them.
 9 Q. Do you know what role, if any, Betty Grimm
 10 played in promoting Ms. Roters to that unit manager
 11 position?
 12 A. Well, I would figure that she would have had
 13 to have been all for it because she was the
 14 superintendent.
 15 Q. Did you ever discuss that with her?
 16 A. No.
 17 Q. When you say Dave Blume, is that Jo Blume?
 18 A. Yeah, Jo Blume.
 19 MR. SCHOPPE: Let's take a short break.
 20 (Recess taken.)
 21 MR. SCHOPPE: First of all, some housekeeping.
 22 Can we mark this as the next exhibit.
 23 (Exhibit 153 marked.)
 24 Q. (BY MR. SCHOPPE) I'm going to ask you to take
 25 a look at this big book of exhibits here, take a look at

1 interactions or inappropriate interactions between
 2 Dr. Pines and [redacted] at the facility?
 3 A. No.
 4 Q. Did you work with Dr. Pines at the Syringa
 5 House?
 6 A. No.
 7 Q. As far as you know, in your capacity as a
 8 nurse, did he treat juveniles from the Nampa facility or
 9 other Department facilities, at Syringa House or the
 10 Northwest Children's Home?
 11 A. No. I think Northwest Children's Home, but
 12 not at Syringa House.
 13 Q. Do you know who he might have treated at
 14 Northwest Children's Home?
 15 A. No, I have no idea.
 16 Q. Were you aware that he did treat some
 17 juveniles?
 18 A. I think that's where he worked out of is
 19 Northwest Children's Home.
 20 Q. Going back to Ms. Roters and the reasons for
 21 her hiring. Did you ever hear that there was anything
 22 like a memorandum or anything that was given to her to
 23 protect her from consequences that might fall on her in
 24 connection with making big changes at O&A?
 25 A. No.

1 document 136. I don't have another copy to share, just
 2 what's there. Take your time to look through it and let
 3 me know when you are done looking at it.
 4 A. (Reviewing document.) Just this one page?
 5 Q. Just go ahead and go to the next tab -- I mean
 6 all the pages that are under that tab.
 7 A. Okay. (Reviewing document.)
 8 Q. So this is a document that we've discussed a
 9 few times in these proceedings. E-mail from -- it's
 10 dated --
 11 A. July 12th from Julie Cloud.
 12 Q. Right. And to Sharon Harrigfeld regarding
 13 Betty monitoring Julie McCormick, among other things.
 14 Around that time did you ever discuss Betty
 15 monitoring Julie McCormick or anything like that?
 16 A. No. I had no idea about any of that stuff
 17 until after Julie was gone, and then people started
 18 talking. But I knew nothing about that, not one single
 19 word did I know about that.
 20 Q. After Betty left the Department, did she
 21 discuss whether they had all been watching Julie
 22 McCormick?
 23 A. No.
 24 Q. Did you ever hear anyone indicate that there
 25 was concern that Julie McCormick was spending too much

1 time around male juveniles prior to the time she was
 2 arrested?
 3 A. The only thing I heard about Julie McCormick,
 4 she was spending too much time in the Solutions unit and
 5 bringing food in for one of the male staff that worked
 6 there. That was all I heard, and they thought that she
 7 was having something going with one of the male staff.
 8 Q. Do you know who that was?
 9 A. No, I don't recall which staff it was.
 10 Q. Do you know who you heard that from? Who told
 11 you that?
 12 A. No, I don't know.
 13 Q. Have you talked with Betty Grimm since she had
 14 her deposition taken in this case?
 15 A. No, I have not.
 16 Q. With respect to Ms. Roters, have you ever
 17 heard any kind of a rumor or report that she referred to
 18 juveniles as dumb asses, and not just referred to in the
 19 third-party sense, but called juveniles dumb asses?
 20 A. I never heard her say anything like that. I
 21 never heard her say that. I wished I would have.
 22 Q. You never heard anybody say that she said
 23 that?
 24 A. No.
 25 Q. Why do you wish --

1 was kind of telling her things were better with this new
 2 lady we got.
 3 Q. Is that Lynn Viner?
 4 A. Yes.
 5 Q. So that's since Betty retired?
 6 A. Right, since she retired.
 7 Q. Did she expound on that at all? Did she talk
 8 about, for example, in connection with Ms. Roters'
 9 hiring or Mr. Knoff's termination?
 10 A. No.
 11 Q. Did Betty ever indicate to you that Ms. Roters
 12 had been sent by the top or by Director Harrigfeld to
 13 get rid of people in O&A?
 14 A. No.
 15 Q. Or to clean house in O&A?
 16 A. No.
 17 Q. Did you ever discuss Ms. Grimm having said
 18 something like that with Ray Gregston?
 19 A. I talk to Ray a lot, but I don't recall saying
 20 that for sure.
 21 Q. Do you recall telling him anything like that?
 22 A. No, but -- no.
 23 Q. Do you recall discussing that Ms. Roters had
 24 been sent by Director Harrigfeld to clean house or get
 25 rid of people in O&A with Lisa Littlefield?

1 A. No, I don't. I just...
 2 Q. Did Ms. Grimm ever indicate to you that she
 3 felt that her decisions as superintendent were made for
 4 her by --
 5 A. Yes.
 6 Q. What did you hear about that?
 7 MS. FONTAINE: Can you repeat the question?
 8 The whole thing.
 9 Q. (BY MR. SCHOPPE) Did you ever hear Betty
 10 Grimm indicate that her decisions as superintendent were
 11 made for her?
 12 A. Yes. She told me that she never made any
 13 decisions without approval from the top.
 14 Q. And by "top" did you understand her to mean --
 15 A. I meant Harrigfeld and -- that is the top, as
 16 far as I was concerned.
 17 Q. Was there any particular context that she was
 18 talking about or just overall?
 19 A. Just overall.
 20 Q. How did that come to be that you discussed
 21 that?
 22 A. I might have been telling Betty about the
 23 changes that were happening out there at the facility
 24 now that are good. And she just said that she never
 25 made any decisions without approval from the top. And I

1 A. I don't remember. I do not remember. And I
 2 don't know what Ms. Harrigfeld does. I don't know what
 3 her plan is.
 4 Q. I'm talking more about things that Betty
 5 Grimm would have said to you about why Laura Roters was
 6 placed at O&A.
 7 A. No. If I did, I don't remember.
 8 Q. If Mr. Gregston or Ms. Littlefield testified
 9 that you had told them that Betty Grimm had said that
 10 Laura Roters was sent to clean house, would they be
 11 lying?
 12 MS. FONTAINE: Objection; I think she's
 13 already answered that.
 14 THE WITNESS: No.
 15 MR. SCHOPPE: It's a different question.
 16 Q. (BY MR. SCHOPPE) My question was: If Ms.
 17 Littlefield or Mr. Gregston testified that you had said
 18 that Betty told you that, that Laura Roters had been
 19 sent to clean house, would Lisa or Ray be lying?
 20 A. No. Or yes, they would be lying because I
 21 don't remember.
 22 Q. Is it that -- well, help me out. Is it you
 23 are sure you didn't say that or --
 24 A. No. I'm not sure I didn't say it, but I don't
 25 recall saying it. But I don't remember Betty and I

Page 42

1 talking about that. The discussions I had with Betty
 2 about Laura being down there in O&A were just that I
 3 thought that was one of the stupidest things she did.
 4 Q. Did you ever hear anybody say that Laura
 5 Roters had been sent to clean house or get rid of people
 6 in O&A?
 7 A. No, but it sure did appear that way.
 8 Q. Why did it appear that way to you?
 9 A. Because that's what happened.
 10 Q. So did it seem unusual to you that people were
 11 leaving O&A after she got there, or what was it that --
 12 A. Was it unusual?
 13 Q. What was it that made you think it was
 14 something other than just the ordinary change of
 15 personnel?
 16 A. Because everybody wanted out of there, no one
 17 wanted to work for her. Their schedules were changed,
 18 their lives were changed.
 19 Q. Did you ever talk with Tom Knoff about Betty
 20 indicating that Ms. Roters had been sent to clean house
 21 or get rid of people in O&A?
 22 A. No, I don't recall.
 23 Q. If he were to testify otherwise, would he be
 24 lying?
 25 A. Yes, I guess so, because I don't remember.

Page 43

1 Q. Is that again to say, you could have talked
 2 about it with him, but you don't remember?
 3 A. I could have, but I don't remember. So asking
 4 if I'd call them liars, it's kind of a...
 5 Q. Have you ever had any involvement with human
 6 resources in the context of problem solving or
 7 disciplinary actions?
 8 A. Not really. We had a problem with Ruth Davis,
 9 but HR really didn't do anything, so...
 10 Q. What was that problem?
 11 A. What was the problem?
 12 Q. Right.
 13 A. She was just a poor supervisor.
 14 Q. Stepping back to when you indicated that Ms.
 15 Grimm had told you that she didn't make her own
 16 decisions.
 17 A. Right.
 18 Q. Did she ever say that in the specific context
 19 of terminating anyone at all? I know I asked you
 20 specifically about Tom Knoff.
 21 A. Yeah. No.
 22 Q. I'm not sure if I asked you the same question
 23 with respect to Ms. Roters. Did she say that hiring
 24 Ms. Roters was not her decision?
 25 A. She didn't say. But I do think that that is

Page 44

1 what we were talking about, was Tom Knoff and Roters
 2 when she told me that, that she didn't make her own
 3 decisions, that the decisions were...
 4 Q. What makes you think that is what you were
 5 talking about?
 6 A. Well, I just think that that might have been
 7 something that came up, because that is when I told her,
 8 after she quit, that was the stupidest thing she did.
 9 And that might be when she said she didn't...
 10 Q. Did she agree or disagree with you when you
 11 said that to her?
 12 A. No. She didn't make her own decisions.
 13 That's all that was said.
 14 Q. Did she offer any reason as to why it was that
 15 Ms. Roters was hired or promoted and Mr. Knoff was
 16 terminated?
 17 A. You know, those are things that weren't my --
 18 no, I never really asked her why Tom got fired or why
 19 Roters got that job. Because why Tom got fired is a
 20 personnel issue. I don't know. There is other things,
 21 I'm sure. You can't just fire somebody. Why Roters got
 22 that job, I don't know.
 23 Q. But Betty never told you why one way or the
 24 other?
 25 A. No, I never asked her.

Page 45

1 Q. Did she ever indicate that she didn't know why
 2 Ms. Roters got the job?
 3 A. No.
 4 Q. Did you ever tell anybody that you thought
 5 that Betty was a great nursing supervisor but a terrible
 6 superintendent?
 7 A. Yeah.
 8 Q. Who did you talk to about that?
 9 A. Well, whoever I talked to I would tell them
 10 that.
 11 Q. Why did you say that?
 12 A. What?
 13 Q. Why did you think that?
 14 A. She was just so -- well, the main reason is
 15 because she was such a good nurse, such a good nursing
 16 supervisor, and not nearly as good a superintendent.
 17 She should have just stayed in the nursing department
 18 where she belonged. That is probably what I meant by --
 19 probably not a terrible superintendent. She should have
 20 just stayed where she belonged. And I begged her to
 21 stay in there. I said: Don't go take that job.
 22 Q. Why was it you thought that she was, say, less
 23 than a great superintendent?
 24 A. Because all this stuff started, all this kind
 25 of stuff started, the morale of staff and changes and

1 things. A lot of people didn't like coming to work.
2 People didn't want to come to work.

3 Q. You are pointing to the petition that we
4 talked about?

5 A. Yeah, stuff like that. And we never had that
6 stuff before. There had been problems, but nothing --
7 things just got out of hand.

8 Q. With respect to human resources, questions I
9 asked you before, involvement in problem solving or
10 disciplinary proceedings, did you ever have any other
11 involvement with human resources along those lines?

12 A. I don't know, maybe little things, but I don't
13 remember any -- no, I don't remember anything.

14 Q. Have you ever filed a problem-solving request?

15 A. No.

16 Q. Have you ever been subject to discipline by
17 human resources?

18 A. What do you mean?

19 Q. Anything from -- are you familiar with the
20 progressive discipline system at the Department, from
21 sort of counseling, coaching?

22 A. No, no.

23 Q. But you are familiar with that process?

24 A. I've heard about it, but...

25 Q. When you say no, you mean to say that no,

1 A. No. It seems like Shane was put on nights
2 because God knows why. He was a good transport officer.
3 He transported our kids for years for us, and then all
4 of a sudden he's on the nightshift. I never figured
5 that one out.

6 And Lisa, she was our transport coordinator,
7 and she did an excellent job, had a good rapport with
8 everybody in the state. And if we needed something, all
9 we had to do was pick up the phone and call her and she
10 was like, Oh, for God's sake, okay, I'll do it. But it
11 was like she always did her job and she did an excellent
12 job. And why she got pulled out of that position, I
13 don't know who she made angry, or whatever, but that
14 should have never happened.

15 Q. Do you know if she ever questioned Ms. Roters'
16 qualifications for the job?

17 A. I don't know anything about that. I just know
18 that we lost when she got taken out of there, the whole
19 facility lost.

20 Q. That's high praise.

21 And do you know who it was that put Shane
22 Penrod on the nightshift?

23 A. I have no idea.

24 Q. Stepping back to the fall 2011 time frame when
25 there were concerns about hiring, promotions practices.

1 you --

2 A. I never had that, no.

3 Q. Never been subject to discipline?

4 A. No.

5 MR. SCHOPPE: Give me two minutes to just take
6 a quick glance through my notes, then I think we are
7 done.

8 (Off the record.)

9 Q. (BY MR. SCHOPPE) Have you ever heard any
10 employees, including any of the Plaintiffs, express
11 concerns that they've been subject to retaliation at the
12 Department?

13 A. Yes.

14 Q. What did you hear about that?

15 A. Just that their shifts were changed, stuff
16 like that. I don't know anybody that has ever been put
17 on administrative leave or anything like that, but just
18 that if they did something, then their shift got changed
19 to a different shift.

20 Q. When you say "did something," what is it that
21 you are thinking of?

22 A. I don't know, maybe spoke out against Ms.
23 Roters or somebody.

24 Q. Is there anybody in particular that comes to
25 mind?

1 Were you aware of a concern about the way in which Julie
2 McCormick had been placed as a supervisor in safety and
3 security?

4 A. I didn't -- I didn't have any -- I didn't
5 understand it, because she was just a kid that came over
6 from the Job Corps and then worked nights. Then the
7 next thing you know she's the boss. I don't know how
8 that happened.

9 Q. Did you ever talk about that with anybody?

10 A. Probably with Sandy in the clinic. We
11 probably all talked about it. We were all like shocked.

12 Q. It seemed strange to you that someone with
13 that level of inexperience would be promoted to that
14 position?

15 A. Yes.

16 Q. Do you know if anybody else applied for that
17 position?

18 A. I have no idea.

19 Q. Did Tom Knoff ever indicate to you that he
20 felt that he was being subjected to retaliation?

21 A. Yeah, he did.

22 Q. What did he have to say about that?

23 A. He just like made comments that the management
24 was out to get him and that they were probably watching
25 him and listening to him. He sent a few jokes on the

Page 50

1 e-mail and he got in trouble for that, and other people
 2 did it all the time. Which we don't do anymore. But he
 3 used to -- that is one thing, yeah.
 4 Q. Did you agree with him, disagree with him,
 5 that he had been subjected to retaliation?
 6 A. I didn't know enough about the situation, but
 7 I listened to him, so I probably agreed with him.
 8 Q. A different question from asking whether Ms.
 9 Roters -- whether you ever heard anybody say that Ms.
 10 Roters was sent to clean house. Did you ever hear
 11 anybody say that she was or that they had heard she was
 12 sent to clean house or get rid of people in O&A?
 13 A. No. No, I don't think so. But it was pretty
 14 obvious that she was.
 15 Q. For the same reasons that you talked about
 16 before?
 17 A. Yeah, because she got rid of everybody.
 18 Q. When you say "it was pretty obvious that she
 19 was," was that something that, as far as you know, a
 20 decision that Betty made or Director Harrigfeld or
 21 someone else?
 22 A. I don't know who made the -- I don't know who
 23 made that decision.
 24 Q. Is it your understanding, based on your prior
 25 testimony, that it was not Betty Grimm's decision to

Page 51

1 appoint her to that position?
 2 A. Well, after she told me she didn't make any
 3 decisions without the approval from upstairs, yeah. But
 4 Ms. Roters and I, that goes back a long ways. I just
 5 don't like her.
 6 Q. I understand.
 7 Have you ever heard -- do you know who
 8 Dr. Si Steinberg is?
 9 A. Yes.
 10 Q. Who is he?
 11 A. He's our psychiatrist and my neighbor and my
 12 friend.
 13 Q. Okay. Has he ever expressed any concern to
 14 you about the manner in which juveniles are diagnosed or
 15 classified according to mental health needs or
 16 behavioral needs within the facility?
 17 A. No.
 18 Q. In your opinion, and this is based on your
 19 impressions and experiences working at Juvenile
 20 Corrections, is the hiring process fair and merit based
 21 or is there an issue with cronyism and favoritism?
 22 Let's talk about the last five years.
 23 A. I think it's favoritism more, and yeah, hiring
 24 from within, yeah. Because I've seen people a lot more
 25 qualified for a job and not get it than people that got

Page 52

1 the job.
 2 Q. So you've already testified, fair to say, that
 3 Laura Roters' hiring, her promotion, fits into that
 4 category?
 5 A. Yes.
 6 Q. Same with Julie McCormick?
 7 A. Yeah. I don't know who all applied for her
 8 job though.
 9 Q. Are there any other specific examples that
 10 come to mind when you are talking about that?
 11 A. Sarah Cerda, I don't know how she got the job
 12 she's got. She's down in Choices, drug and alcohol
 13 something. I don't know how she got that job.
 14 Q. Why is it you think that she might not deserve
 15 that job?
 16 A. Well, she hasn't been there that long and
 17 she's gone a lot, off a lot, sick a lot, calls in a lot,
 18 yet she got promoted when there were other people who
 19 applied for that position that didn't get it. But I'm
 20 the nurse, I don't know what the hiring deal is. But I
 21 was very shocked when she got that job.
 22 Q. Do you have any involvement in the drug and
 23 alcohol counseling program at all?
 24 A. No.
 25 Q. Are you AUF certified, by the way?

Page 53

1 A. Yeah. Well, yeah, we are not full-blown able
 2 to do hand-to-hand combat, but we take training and can
 3 defend ourselves a little bit.
 4 Q. How about POST certified, do you have anything
 5 like that?
 6 A. No.
 7 Q. Have you ever heard anything about
 8 Ms. McCormick or anybody else expressing a preference
 9 against hiring veterans or correctional officers?
 10 A. Oh, yeah. Yeah, she came into the clinic one
 11 day and she said, We are not -- because they were
 12 looking for SSOs, and she says, It's so hard to hire
 13 somebody because we don't want anybody that is an
 14 ex-cop, we don't want ex-military, and we don't want any
 15 prison guards, because that is not who we want in this
 16 facility working.
 17 Q. When she said "we," who was she referring to?
 18 A. I have no idea who she was talking about.
 19 Whoever is with her on that interview panel, I would
 20 imagine. But I thought that was really something to be
 21 saying right at the time that they were having all these
 22 job fairs and trying to get all these vets hired, and
 23 she's in the clinic telling us that.
 24 Q. Do you remember when that was?
 25 A. I don't know when it was, but I do remember

Page 54

1 that.

2 Q. Did you ever hear any sentiment like that on

3 the part of Ms. Grimm or anybody in human resources or

4 Director Harrigfeld or anybody like that?

5 A. No, I can't say for sure. Harrigfeld, no.

6 But Betty I can't remember for sure on her.

7 Q. Have you ever heard anybody express any

8 concerns over safety issues, like juveniles being

9 allowed to wear gang colors in the facility or having

10 too easy access to weapons or things that can be turned

11 into weapons, things like that? Again, we'll focus on

12 in the last five years.

13 A. Yeah, the kids in Choices wear what they want.

14 And one day this kid was all dressed in red from head to

15 toe. And it's like, What the heck is going on? But I

16 don't know if he earned -- I don't know.

17 Q. Did you have an understanding that was a gang

18 color or a gang affiliation?

19 A. Yeah, he said that was his gang color. I

20 said, Why do you have on all those red clothes?

21 That is my color.

22 Q. As far as you know, is wearing gang colors

23 inside the facility prohibited?

24 A. I don't know. I don't know.

25 Q. Did he tell you which gang?

Page 55

1 A. No.

2 Q. Bloods or Aztecs or Mayans?

3 A. It's the North or the South or the something.

4 I don't know. I just thought that was a little strange

5 because that has never happened before.

6 Q. Before when?

7 A. In the last -- I had never seen it before, a

8 kid dressed like that, until just recently. First time

9 I had seen one was a month or two ago.

10 And weapons, we try to keep things picked up

11 and put away from the kids, but they do get stuff. You

12 have to watch them all the time. There is stuff all

13 over the facility. Pictures on the walls can be a

14 weapon, glasses can be made a weapon.

15 Q. Have you had any greater fear for your safety

16 since Director Harrigfeld became director of the

17 Department compared to what you felt before?

18 A. Well, there is times when kids get out of

19 line. We had one kid come in the clinic one day and he

20 was ticked off, and I told him to get out of there and

21 he did. Just if the kids are -- but that has been ever

22 since I worked there. If the kids are all doing fine,

23 everything is good, then it's all good. But if they are

24 not, one of them is out of -- everybody is at risk, and

25 you don't know how many can jump in if something

Page 56

1 happens.

2 A girl got attacked in the gym one day at

3 breakfast and there weren't very many staff there. That

4 was an incident. It all depends. It's not an everyday,

5 walk in there and be afraid. You've got to be aware and

6 know what is going on. But that hasn't changed since

7 the day I started.

8 Q. Do you know what a "staff assist" is?

9 A. Yeah.

10 Q. What is that?

11 A. That's just where if a kid walks out of class,

12 a staff just goes and follows him around.

13 Q. Is that a different approach to dealing with

14 that situation than what existed before Director

15 Harrigfeld took over or --

16 A. That is just something new since Ms. Viner

17 took over.

18 Q. Does that to you seem to constitute a safety

19 problem, as far as you are concerned?

20 A. Having the staff chase the kid all over the

21 building? It could become a safety problem for anybody

22 the kid encounters.

23 Q. Fair to say a juvenile could encounter other

24 juveniles or staff?

25 A. Sure.

Page 57

1 Q. Do you know what the policy was before the

2 change?

3 A. When a kid walked out of class?

4 Q. Yes.

5 A. They contained the kid. They gathered around

6 the kid and kept him from moving throughout the

7 facility.

8 Q. Have you ever heard of any rumors or reports

9 of sexual or romantic relations between Bryce and

10 a juvenile by the name of

11 A. Yeah, they got married, didn't they?

12 Q. I'm not sure of that. What did you hear about

13 that?

14 A. Just that when she got out that they started

15 dating and they got married.

16 Q. Do you know if there is policy against that

17 sort of thing?

18 A. Getting married when they get out? I don't

19 know. You shouldn't be probably finding your spouse in

20 jail. But Bryce had -- he had been there himself.

21 Q. As a juvenile?

22 A. Uh-huh, and then came there to work as a cook

23 and then got out and quit. I did not know anything

24 going on between him and while he was employed

25 there.

1 Q. Have you ever heard any reports or rumors of
 2 sexual or romantic relations between staff and juveniles
 3 involving Katie McClain?
 4 A. Maybe just in gossip, but nothing with
 5 anybody.
 6 Q. What did you hear about that?
 7 A. I can't remember, just that she was pretty
 8 flirty with the kids.
 9 Q. This would have been years ago?
 10 A. Years ago.
 11 Q. How about with respect to Valerie Lietau? I
 12 don't know if I'm saying that right.
 13 A. Yeah. Yeah, that's right, Lietau.
 14 Q. Never heard anything about that?
 15 A. One of the girls in Solutions said she was
 16 dating one of the kids that got out. She doesn't work
 17 there anymore. But that she was with one of the kids
 18 that got out. She was a nurse there.
 19 Q. Do you know which juvenile?
 20 A. Chris Thomas. I don't know if that is true or
 21 not.
 22 Q. How about Marcie Harris, same question?
 23 A. Nothing. She's just silly, so no.
 24 Q. "Silly" just as a professional matter or --
 25 A. Yeah.

1 Q. Did you ever hear about that sort of thing in
 2 connection with an assault or a kick in the head
 3 involving Sabrina McNally or Sabrina Payne, one of those
 4 is her married name?
 5 A. I know show got kicked in the head, but I
 6 didn't read the report. I didn't read it.
 7 Q. Do you know what PbS or Performance-based
 8 Standards are?
 9 A. Yeah.
 10 Q. Have you ever filled out a PbS survey?
 11 A. Yes.
 12 Q. Is it fair to say that since Director
 13 Harrigfeld took over, there is more pressure to get
 14 better PbS
 15 MS. FONTAINE: Objection; lacks foundation.
 16 THE WITNESS: I don't know about that.
 17 Q. (BY MR. SCHOPPE) Have you heard anybody
 18 express that they felt pressure to underreport incidents
 19 or anything like that to get better PbS
 20 A. No.
 21 MR. SCHOPPE: I think that is everything I
 22 have. So if you have if any questions, by all means.
 23 MS. FONTAINE: I do.
 24
 25

1 Q. But nothing --
 2 A. Nothing with any kids, for sure.
 3 Q. Are you involved in preparing incident reports
 4 at all?
 5 A. Yes.
 6 Q. Are you aware of any instances in which
 7 incidents haven't been correctly reported, for example,
 8 specifically in the context of violent assaults? For
 9 example, what gets reported is different from what
 10 actually happened?
 11 A. I've heard that goes on, but I haven't come
 12 across any in my work, in what I do. I've heard that
 13 things are written different than they happened or
 14 things have been taken out. But as far as affecting my
 15 work, I haven't seen it.
 16 Q. Do you know who you heard that from or who you
 17 heard it about?
 18 A. I think that was just rumor. I can't remember
 19 who was in there and said something was -- had put
 20 something in an incident report and it was gone or
 21 something happened and then it wasn't there or that
 22 isn't the way it happened.
 23 Q. You don't recall who --
 24 A. I don't recall who told me that. It's been
 25 more than once though.

1 EXAMINATION
 2 QUESTIONS BY MS. FONTAINE:
 3 Q. I will try and be brief here. I know you need
 4 to get out of here.
 5 In your role as an LPN in the Nampa facility,
 6 do you have any direct knowledge in the day-to-day
 7 management of the facility?
 8 A. Like what?
 9 Q. Are you involved in making any decisions?
 10 A. No.
 11 Q. Do you have direct information from those who
 12 do make decisions on the day-to-day management of the
 13 facility?
 14 A. We get a report every morning. Supervisors
 15 have a morning briefing and stuff comes out every day
 16 about that. We get a transport schedule every day that
 17 tells us what is going to happen for the day.
 18 Q. Do you have direct knowledge of what training
 19 opportunities are offered to every employee in the
 20 facility?
 21 A. Yes.
 22 Q. And how do you have knowledge of every
 23 training opportunity?
 24 A. Well, maybe not every training opportunity,
 25 because the required ones are in our TrainCaster. We

Page 62

1 can go in there and open it up and see trainings that
 2 are coming up. Like a couple of the nurses are going to
 3 Tennessee in the next couple weeks, and I don't think
 4 that was probably offered to everybody, because it was a
 5 medical conference. If it's a clinical conference, then
 6 they get the stuff about that, so it's training. I
 7 don't know all the training.
 8 Q. You don't talk to the supervisors about how
 9 they implement training for the people they supervise?
 10 A. No.
 11 Q. And you don't talk to the supervisors about
 12 their decisions in hiring?
 13 A. No.
 14 Q. Did you ever talk to Dave Rohrbach directly
 15 and specifically about Laura Roters being hired?
 16 A. No.
 17 Q. Did you ever talk to anyone before Tom Knoff
 18 was terminated, specifically about -- I'm sorry.
 19 Before Ms. Grimm left, did you ever speak to
 20 anybody about why he was terminated?
 21 A. I think we all talked about what happened to
 22 Tom, why he was gone, but we didn't know why.
 23 Q. So you didn't speak to --
 24 A. I didn't speak to Betty or anything about it,
 25 no. I didn't say anything to Betty until after she

Page 63

1 quit.
 2 Q. And did you talk to any supervisors
 3 specifically about the reasons for Laura Roters'
 4 assignment?
 5 A. No.
 6 Q. It's fair to say you don't like Laura Roters.
 7 A. I don't like her at all, no.
 8 Q. She stepped on your toes in your capacity as a
 9 nurse? Do you think she's overstepped her boundaries
 10 into your realm as a nurse?
 11 A. I think she oversteps everybody's boundaries
 12 that are doing their job at our facility. I think she
 13 gets her nose into every --
 14 Q. And that really bothers you.
 15 A. It's just the things that she's done really
 16 bother me. I've heard her belittle kids. I've heard
 17 her do all kinds of stuff.
 18 Q. Do you have specific information as to why any
 19 of the staff shifts were changed?
 20 A. No.
 21 Q. Do you have specific information as to why
 22 Lisa Littlefield was taken off --
 23 A. No.
 24 Q. When you spoke to Betty Grimm about her saying
 25 she didn't make her own decisions, did she tell you

Page 64

1 specifically what she was referring to?
 2 A. No.
 3 Q. Are you aware if Laura Roters ever personally
 4 terminated anybody's employment?
 5 A. No. I don't think she has that power. I
 6 don't know.
 7 Q. Has anybody asked you to join this lawsuit?
 8 A. Yes.
 9 Q. And can you explain the circumstances of that?
 10 A. When it first started out and it was just this
 11 stuff, I was for it. I thought it was a good idea and I
 12 said, Yeah, I'd be interested in getting signed up,
 13 whatever. But then as it got bigger and bigger, it's
 14 like it's way out of hand now. There is too much stuff.
 15 Too much stuff against Betty I couldn't even think of
 16 getting involved in it.
 17 Q. And did you ever receive any kind of verbal
 18 warning with respect to something you had said about
 19 somebody involved in this lawsuit?
 20 A. I think that one time I supposedly said that
 21 Deb put a hit on you, on Rhonda. But I don't remember
 22 saying it or who I said it to. If I did say it, it was
 23 just like every other flip thing that I say when I
 24 shouldn't be saying anything.
 25 And Betty Grimm did call me in and asked me if

Page 65

1 I said it. I said, I don't recall. She said, Don't
 2 ever say anything like that again. I said, Okay, I
 3 won't. And I have not said anything since.
 4 Q. That was the end of it?
 5 A. That was the end of it. Sorry.
 6 MS. FONTAINE: I don't have any further
 7 questions.
 8
 9 FURTHER EXAMINATION
 10 QUESTIONS BY MR. SCHOPPE:
 11 Q. Just a couple real quick. You mentioned that
 12 you heard Ms. Roters yell at kids. What did you hear
 13 about that?
 14 A. Not yell at them, just belittle them.
 15 Q. How so?
 16 A. You want to know?
 17 Q. Yes.
 18 A. All right. One day I went in the room and I
 19 was in there cutting finger and toenails on the weekend,
 20 that was our job. She was over there telling this
 21 Mexican kid that -- nothing against Mexicans -- but that
 22 he could never see his mother again and he should never
 23 talk to his mother again, she's no good, she's a drug
 24 addict. And she was doing it in front of the other
 25 kids. And that is not even -- and I told her, That

Page 66

1 isn't even reality, lady. She says, Well, his mother is
 2 no good. And to say that to one of those kids is far
 3 out of line.
 4 Another time she told a kid in the kitchen,
 5 that was working in the kitchen, that his dad was
 6 nothing but a drunk. He'd come in there to visit drunk,
 7 and he was no good. And she badgered and badgered and
 8 badgered the kid, trying to get the kid -- I don't know
 9 if she wanted to get knocked on her butt or if she
 10 wanted to get some kind of reaction out of him. The
 11 kid's name was [REDACTED], I remember that. And she
 12 badgered that kid, saying his dad was an alcoholic and a
 13 drunk and he shouldn't have come to visit. Well, she
 14 shouldn't have let him in if he was drunk. It's just
 15 things like that that have happened in the past that's
 16 not good.
 17 Q. Would you say that's professional conduct?
 18 A. Very unprofessional conduct, and yet she is a
 19 supervisor.
 20 Q. Is that the sort of thing that employees would
 21 get disciplined for, as far as you know?
 22 A. Well, yeah, they would get disciplined for
 23 that. You would never -- well, just common sense would
 24 tell you you wouldn't do that.
 25 Q. Do you know if Ms. Roters has ever been

Page 67

1 subjected to any discipline because of that?
 2 A. I have no idea.
 3 Q. Okay. Do you happen to recall who the -- you
 4 said the Mexican kid, do you remember his name?
 5 A. No.
 6 Q. Or the other juveniles who were around and
 7 heard that?
 8 A. This has been like five years ago, six years
 9 ago. So those kids are all long gone. They are
 10 probably all in prison -- or all graduated on to
 11 something else.
 12 Q. Hopefully are graduated.
 13 A. I didn't mean to say that.
 14 Q. Did you ever hear any allegations about
 15 timecard fraud at the facility? Do you know anything
 16 about that?
 17 A. I heard, but I don't know anything about it.
 18 I heard that Rohrbach was doing it, wasn't coming to
 19 work, padding his timecard. But I don't know how much
 20 sick time he had. I didn't keep track of him.
 21 Q. Did you ever talk about anything like that
 22 with Betty Grimm?
 23 A. No. She was his supervisor, she was the one
 24 approving his timecards, so...
 25 Q. Did you ever talk with Betty Grimm -- before

Page 68

1 she left the facility, did you ever talk with her about
 2 any of the Plaintiffs, specifically about any issues or
 3 problems she might have had with any of them?
 4 A. I don't recall any really conversations that
 5 we had about anybody like that.
 6 MR. SCHOPPE: Well, I think that about wraps
 7 it up. You'll have the chance to take a look at your
 8 transcript when it's ready, and you can make corrections
 9 or changes. If there were a couple things you didn't
 10 remember here or there, fill in the blanks, names,
 11 things like that. Apart from that, I think we are --
 12 MS. FONTAINE: I'm sorry. One of your
 13 questions made me think of one more question, if you
 14 don't mind.
 15 MR. SCHOPPE: Not at all.
 16
 17 FURTHER EXAMINATION
 18 QUESTIONS BY MS. FONTAINE:
 19 Q. Did you speak to Betty or Sharon Harrigfeld
 20 about Laura Roters' treatment of juveniles?
 21 A. Betty Grimm all the time, because this was
 22 back when Laura was just -- she was just a tech, she was
 23 just working. And yes, I went to Betty several times.
 24 Betty knew.
 25 Q. What year was that?

Page 69

1 A. Boy, I don't know when she started working
 2 there.
 3 Q. So it was when she started working there?
 4 A. Yeah, and it was throughout the years. I
 5 can't remember what year it was. I don't even know when
 6 she started there, maybe '05 or '04, something like
 7 that. I don't know when Laura started.
 8 Q. Do you have knowledge of Betty Grimm's
 9 interactions with Laura after you spoke to Betty?
 10 A. No. Betty was just a nursing supervisor at
 11 the time. So whether she took it to her supervisor or
 12 not, I don't know.
 13 Q. Okay. So you spoke to Betty Grimm when she
 14 was a nursing supervisor.
 15 A. Yes, not when she was the -- about Roters and
 16 her antics and the way she was.
 17 Q. So you did not speak to her when she was in
 18 her capacity as a supervisor about Laura.
 19 A. No.
 20 MS. FONTAINE: Thank you.
 21 (Deposition concluded at 11:08 a.m.)
 22
 23
 24
 25

CERTIFICATE OF WITNESS

I, DARLA CRESPIN, being first duly sworn, depose and say:

That I am the witness named in the foregoing deposition, consisting of pages 1 through 72; that I have read said deposition and know the contents thereof; that the questions contained therein were propounded to me; and that the answers contained therein are true and correct, except for any changes that I may have listed on the Change Sheet attached hereto:

DATED this ____ day of _____, 20__.

DARLA CRESPIN

SUBSCRIBED AND SWORN to before me this ____ day of _____, 20__.

NAME OF NOTARY PUBLIC
NOTARY PUBLIC FOR
RESIDING AT
MY COMMISSION EXPIRES

REPORTER'S CERTIFICATE

I, BEVERLY BENJAMIN CSR No. 710, Certified Shorthand Reporter, certify: That the foregoing proceedings were taken before me at the time and place therein set forth, at which time the witness was put under oath by me;

That the testimony and all objections made were recorded stenographically by me and transcribed by me or under my direction;

That the foregoing is a true and correct record of all testimony given, to the best of my ability;

I further certify that I am not a relative or employee of any attorney or party, nor am I financially interested in the action.

IN WITNESS WHEREOF, I set my hand and seal this 9th day of October 2013.

BEVERLY A. BENJAMIN, CSR No. 710
Notary Public
P.O. Box 2636
Boise, Idaho 83701-2636
My commission expires May 28, 2019

ERRATA SHEET FOR DARLA CRESPIN

Page ___ Line ___ Reason for Change
Reads
Should Read

Page ___ Line ___ Reason for Change
Reads
Should Read

Page ___ Line ___ Reason for Change
Reads
Should Read

Page ___ Line ___ Reason for Change
Reads
Should Read

Page ___ Line ___ Reason for Change
Reads
Should Read

Page ___ Line ___ Reason for Change
Reads
Should Read

Page ___ Line ___ Reason for Change
Reads
Should Read

Page ___ Line ___ Reason for Change
Reads
Should Read

Page ___ Line ___ Reason for Change
Reads
Should Read

You may use another sheet if you need more room.
WITNESS SIGNATURE