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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF ORANGE (CENTRAL JUSTICE CENTER)

ROSS BYER, an individual,) Case No.
) 30-2024-01394359-
Plaintiff,) CU-OE-CJC
)
vs.)
)
CITY OF LA PALMA, a public entity;)
and DOES 1 through 100, inclusive,)
)
Defendants.)
_____)

REMOTE VIDEOTAPED DEPOSITION
OF
JESSE AMEND
VOLUME I

AUGUST 12, 2025

Reported by:
Christine Bemiss, RPR
CA CSR No. 10082, AZ CR No. 50073

Job No. 1839366

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vs.	)	
	)	
CITY OF LA PALMA, a public entity;	)	
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	)	
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REMOTE VIDEOTAPED DEPOSITION OF JESSE AMEND,
VOLUME I, taken on behalf of Plaintiff, beginning at
10:07 a.m. and adjourning at 2:54 p.m., on Tuesday,
August 12, 2025, before Christine Bemiss, Registered
Professional Reporter, Certified Shorthand Reporter in
and for the State of California, and Certified Reporter
in and for the State of Arizona, appearing via
videoconference.

1 Palma?

2 A. Chief Joe Guerrero.

3 Q. When did he become chief?

4 A. Approximately one year ago.

10:19 5 Q. So approximately the summer of 2024?

6 A. It was either summer -- it was either August or
7 September is fair to say.

8 Q. And prior to that, the chief of police was Ron
9 Wilkerson, correct?

10:20 10 A. Correct.

11 Q. And he was the chief of police from
12 approximately mid-2023 until Joe Guerrero become chief
13 in 2024, correct?

14 A. Correct. He was the chief for about one
10:20 15 year.

16 Q. Do you recall when Ron Wilkerson became chief
17 of police?

18 A. I don't. I just know he was the chief of
19 police for approximately one year.

10:20 20 Q. Okay. When did you say Ron -- or Joe Guerrero
21 became chief?

22 A. It was about a year ago. I think August or
23 September is a fair estimate to say -- to give.

24 Q. Okay. So a fair estimate for Chief Wilkerson
10:21 25 would be sometime in summer or early fall of 2023 to

1 approximately that same time period, summer -- late
2 summer or earlier fall of 2024?

3 A. It could be, as long as it's about one year.

4 Q. Okay. And the chief is the highest-ranking
10:21 5 position in the police department at La Palma,
6 correct?

7 A. Correct.

8 Q. Who does the chief report to?

9 A. To the city manager.

10:21 10 Q. And if officers within the police department
11 are not following department policy, it is up to the
12 police department to ensure that those officers do
13 follow policy, correct?

14 MS. COHEN: Objection; lack of foundation,
10:22 15 vague.

16 You can answer if you understand.

17 THE WITNESS: Could you rephrase the question,
18 please.

19 Q. (BY MR. PETRONELLI) Yeah, whose responsibility
10:22 20 is it to ensure that police officers in La Palma are
21 following department policy?

22 A. I would say overall responsibility lies on the
23 chief of police.

24 Q. Okay. How long have you been a police
10:22 25 officer?

1 Q. If there was what?

2 A. If there's a need to, I would, but it just
3 depends on the case --

4 Q. Okay.

10:27 5 A. -- on the circumstance.

6 Q. Okay. But if the witness's observations were
7 relevant to whether or not a crime had occurred, would
8 you talk to the witnesses?

9 MS. COHEN: Objection. These questions are all
10:27 10 speculative, hypothetical.

11 You can answer in the abstract, if possible.

12 THE WITNESS: Could you repeat the question,
13 please.

14 Q. (BY MR. PETRONELLI) No, I'll withdraw the
10:27 15 question.

16 You know Ross Byer, correct?

17 A. I do.

18 Q. He was a patrol officer for La Palma?

19 A. He was.

10:28 20 Q. And in January of 2023, approximately, Officer
21 Byer came to you with a concern he had regarding
22 Sergeant Koh, correct?

23 A. Correct.

24 Q. And as you sit here today, you can't recall
10:28 25 every word of the conversation that you had with Officer

1 Byer when he initially came to you about Sergeant Koh,
2 correct?

3 A. Correct.

4 Q. And where were you when he came to you about
10:28 5 this? Were you -- did you guys -- were you physically
6 in the police station and Officer Byer came into your
7 office, or did you meet somewhere? Tell me what
8 happened.

9 A. So he sent me a text message that he wanted to
10:28 10 speak with me. I believe he used the term "informally."
11 So I recommended to him, "Well, why don't we meet at a
12 coffee shop." So that's where I met him.

13 Q. Do you recall what coffee shop that was?

14 A. I don't remember the name. I do know it's
10:29 15 nearby the city, just outside the city limits.

16 Q. Okay. And during that conversation, you can't
17 recall every detail of it, but you recall generally that
18 he raised concerns with you regarding Sergeant Koh,
19 correct?

10:29 20 A. Correct.

21 Q. Okay. And one of the concerns that he raised
22 with you was Sergeant Koh making stops in Officer Byer's
23 patrol area?

24 A. Correct.

10:29 25 Q. Okay. And that patrol -- the patrol area that

1 he was assigned, that's also known as a beat, correct?

2 A. Yes.

3 Q. And what he communicated to you, that after
4 making those stops himself, Sergeant Koh would then call
10:29 5 Officer Byer and tell Officer Byer to handle the stops
6 that Koh had made, correct?

7 A. Correct.

8 Q. Okay. Now, at the time that Officer Byer
9 raised these concerns with you, his shift partner was
10:30 10 officer Jay Choi, correct?

11 A. Yes.

12 Q. And Officer Byer raised the concern with you
13 because Sergeant Koh was not making a similar number of
14 stops in Officer Choi's patrol area, correct?

10:30 15 A. I don't remember him using those words or
16 saying that.

17 Q. Well, did he communicate to you that he -- that
18 Sergeant Koh was making the same number of stops as --
19 in Byer's beat as he was in Choi's beat?

10:30 20 A. He did not.

21 Q. Did he express to you that he felt that he was
22 being treated differently than Officer Choi?

23 A. He did.

24 Q. Okay. And one of the specific examples he
10:30 25 raised as to how he felt Sergeant Koh was treating him

1 meeting?

2 A. He did.

3 Q. Okay. Because I previously asked you what else
4 you remembered him saying at that meeting, and you
10:41 5 didn't say that.

6 Is there anything else you remembered him
7 saying at that initial meeting?

8 A. I'm sure there is. I mean, we talked for a
9 little while. I guess if you have a specific question
10:41 10 that would help me to recall.

11 Q. Well, I don't -- I wasn't at that meeting, and
12 so I don't know what was said. I'm just asking you what
13 you remember.

14 And so have you now testified to everything you
10:41 15 can remember discussing with Officer Byer during that
16 first meeting?

17 A. To this point.

18 Q. Okay. And after that meeting, did you go and
19 look at the number of the stops that Sergeant Koh had
10:41 20 made in Officer Byer's beat and then compare those to
21 the numbers of sergeant specials that Officer Koh had
22 made in Officer Choi's beat?

23 A. Not after. Not while Byer was still working
24 with us.

10:42 25 Q. Okay. So you didn't do that after Byer --

1 between the time Byer initially complained to you about
2 Sergeant Koh and when he resigned, you didn't go and
3 compare the number of sergeant specials that were made
4 for Officer Choi by Sergeant Koh to the number of
10:42 5 sergeant specials that were made for Officer Byer by
6 Sergeant Koh?

7 A. You mean traffic stops made by Sergeant Koh
8 where he called him on it?

9 Q. Yeah, that were then assigned to one of those
10:42 10 two officers.

11 A. Correct, I did not.

12 Q. Okay. Do you know if anyone at La Palma did?

13 A. I'm unaware of that.

14 Q. You're unaware of anyone doing it, or you just
10:42 15 don't know if somebody did it?

16 A. I'm unaware. I don't know if anyone did or
17 not.

18 Q. Okay. You know you didn't do it. And did you
19 tell anybody else to do it?

10:43 20 A. I did not.

21 Q. Okay. And during that initial meeting with
22 Officer Byer, you told him that you would talk to
23 Sergeant Koh about his concerns, correct?

24 A. I did.

10:43 25 Q. But, in fact, you did not talk to Sergeant Koh

1 Byer come to you again several more times about Sergeant
2 Koh before you discussed the issues with Sergeant Koh?

3 A. I don't remember exactly how much time. I know
4 it was a matter of several weeks before I actually did
10:44 5 talk to Sergeant Koh.

6 Q. Okay.

7 A. I don't -- I don't remember exactly how many
8 weeks precisely.

9 Q. Okay. And what do you recall -- well, let me
10:44 10 ask you this way: So is it accurate to say that the
11 several more conversations that you had with Officer
12 Byer, you don't recall every detail of the
13 conversations, the subsequent conversations that you had
14 with Officer Byer, is that true, or do you recall every
10:45 15 detail?

16 A. No, that's correct, I don't recall every
17 detail.

18 Q. What do you recall about those subsequent
19 conversations that you had with Officer Byer concerning
10:45 20 Sergeant Koh?

21 A. Sure. The -- one of the conversation was he
22 had asked me if I talked to Sergeant Koh yet. I told
23 him I had not.

24 Well, I guess maybe to clarify a little better,
10:45 25 we had a subsequent conversation after we met in person

1 he thought that.

2 Q. And when you spoke with Sergeant Koh, you --
3 did you at that point inform him that Officer Byer had
4 raised these concerns with you regarding the sergeant
10:47 5 specials that he had made in Byer's patrol area?

6 A. I -- what I brought up to Koh was that he did
7 raise concerns of him making traffic stops and calling
8 him over to complete the investigation.

9 Q. What else do you recall -- well, do you recall
10:48 10 everything you talked with Sergeant Koh about when you
11 two met?

12 A. Not everything. I don't recall everything.

13 Q. What do you recall discussing?

14 A. So I recall discussing with Koh that Byer
10:48 15 didn't seem to be receiving what Koh was doing very
16 well. He didn't like -- I explained to Koh that Byer
17 did not like Koh making stops and calling Byer over to
18 complete the investigation.

19 So I told Koh, "Hey, look, if your desired
10:48 20 effect is to get Byer to do more investigations or train
21 him to complete -- conduct better investigations, you
22 might want to reevaluate your approach because he
23 doesn't seem to be very receptive to this."

24 Q. Anything else you remember discussing with
10:48 25 Sergeant Koh?

1 A. I remember asking him -- I remember Byer told
2 me that he didn't like -- he told me that when Koh was
3 counseling him on his performance, that Koh made some
4 statement to the effect of that "You should tell your
10:49 5 wife your job is on the line because you're not doing
6 all that good in your work performance."

7 So I talked to Sergeant Koh about that as well
8 and that that's not something to say.

9 Q. And in that conversation you had with Sergeant
10:49 10 Koh, you communicated these things, but you did not tell
11 Sergeant Koh that he had to stop doing the sergeant
12 specials in Officer Byer's beat, correct?

13 A. Right. I never told him he could not make
14 traffic stops and call Officer Byer over to complete the
10:50 15 investigation. I never told him he could not do that.

16 Q. Did you ever -- did you tell him during this
17 initial meeting that if he was going to make stops in
18 Officer Byer's beat, that he also needed to not do it in
19 a discriminatory fashion?

10:50 20 A. Are you asking if that's what I told Koh?

21 Q. Yeah.

22 A. No, I did not tell him that.

23 Q. Did you tell him during that conversation that
24 if he was going to make stops in Byer's beat, that he
10:50 25 also needed to make stops the Choi's beat?

1 A. No.

2 Q. Did you ask Sergeant Koh why he felt that
3 Officer -- well, let me strike that.

4 Did you -- in that conversation with Sergeant
10:50 5 Koh where you raised the concerns that were brought to
6 you by Officer Byer, did you ask Sergeant Koh to provide
7 you any information concerning the number of stops that
8 Officer Byer had made compared to the number of stops
9 Officer Choi had made?

10:51 10 A. No, I did not.

11 Q. Did you ask him during that conversation how
12 many stops he had assigned to Sergeant Choi compared to
13 how many stops he had assigned to Officer Byer?

14 A. No.

10:51 15 Q. Why not?

16 A. I don't know. Because I never asked the
17 question. I don't see a reason why I would have.

18 Q. Well, let me ask you this: In the
19 conversations you had with Officer Byer, the several
10:51 20 that you had before you brought the concerns to
21 Sergeant Koh, was your takeaway from those conversations
22 with Officer Byer that he felt like he was being treated
23 a different way than how Officer Choi was being
24 treated?

10:52 25 A. No. I felt like -- I felt -- my takeaway from

1 A. I can.

2 Q. So you did not document this first complaint
3 that Officer Byer raised with you on a personnel
4 complaint form, correct?

10:57 5 A. Correct.

6 Q. You didn't document it at all, correct?

7 A. Correct.

8 Q. And you didn't document any of the subsequent
9 conversations that Officer Byer had with you about
10:57 10 Sergeant Koh on a personnel complaint form, correct?

11 A. Correct.

12 Q. You didn't document any of those conversations
13 at all, correct?

14 A. Correct.

10:57 15 Q. And during this meeting you had with Officer --
16 or Sergeant Koh, you did not tell him that he was
17 required to change his behavior toward Officer Byer,
18 correct?

19 A. What do you mean?

10:57 20 Q. You didn't tell him, "Hey, stop doing this.
21 You can't do this anymore"?

22 A. Are you talking about related to the traffic
23 stops that he --

24 Q. Related to anything. Related to anything. Did
10:58 25 you -- did you tell Sergeant Koh in that meeting you had

1 with him about Officer Byer's concerns that he needed to
2 change his behavior?

3 A. No.

4 Q. And you didn't open an investigation into the
10:58 5 officer -- strike that.

6 You didn't -- during that first conversation
7 that you had with Sergeant Koh, you had not opened any
8 sort of an investigation into Officer Byer's concerns
9 that he had raised with you about Sergeant Koh?

10:58 10 A. Correct.

11 Q. Okay. And you never opened any sort of
12 investigation into the concerns that were brought to you
13 by Officer Byer concerning Sergeant Koh, true?

14 A. Correct.

10:58 15 Q. And you're unaware of anyone in La Palma
16 opening an investigation into Officer Byer's concerns
17 regarding Sergeant Koh?

18 A. Correct. I'm unaware of anyone that has opened
19 an investigation.

10:59 20 Q. And did you say you're not aware?

21 A. I'm unaware. Unaware.

22 Q. Unaware. Okay.

23 Have you testified to everything that you
24 recall was said during that conversation you had with
10:59 25 Sergeant Koh about Officer Byer's concerns?

1 A. I would say I testified to the best of my
2 ability.

3 Q. Okay. And there's nothing else, as you sit
4 here today, that you can recall about the content of the
10:59 5 conversation that you had with Sergeant Koh?

6 A. Not that I can recall in the moment, no.

7 Q. Okay. And there is no documentation or
8 recording of that conversation that you had with
9 Sergeant Koh concerning Officer Byer's concerns, true?

11:00 10 A. Correct. Correct.

11 Q. During that meeting that you had with Sergeant
12 Koh where you raised these concerns that had been raised
13 with you by Officer Byer, you didn't ask Sergeant Koh
14 any questions about why he was assigning stops to Byer
11:00 15 and not to Choi?

16 A. I did not.

17 Q. Was there anyone else present in that
18 meeting?

19 A. There was. It was Captain Wilkerson -- then
11:00 20 was Captain Wilkerson. He later became chief but is --
21 now is retired.

22 Q. Do you recall anything that Captain Wilkerson
23 said during that meeting?

24 A. No, other than echoing what I was telling Koh,
11:01 25 "If your endgame is to have your officers conduct more

1 Q. Okay. You know Officer Jay Choi, true?

2 A. I do.

3 Q. He is a police officer for La Palma?

4 A. He is.

11:16 5 Q. And he was hired by La Palma as a police
6 officer approximately two months before Ross Byer was
7 hired, true?

8 A. I don't know how much -- how much earlier than
9 Byer he was hired by.

11:16 10 Q. Can you give me an estimate?

11 A. No. I know he was a newer officer at that
12 time, but I don't -- I don't know how much more time on
13 with La Palma he has over Byer.

14 Q. Okay. He was a newer officer at the same time
11:17 15 that Ross Byer worked there; is that what you're
16 saying?

17 A. He was.

18 Q. Okay. So they were both -- they were both
19 still on probation when they worked for La -- when they
11:17 20 worked together for La Palma, true?

21 A. Correct.

22 Q. Okay. And probation, that is an 18-month
23 probation at La Palma, true?

24 A. It is.

11:17 25 Q. Okay. So during that time period when Officers

1 Byer and Choi were reporting to Sergeant Koh, both of
2 those officers were on probation at that time, true?

3 A. They were.

4 Q. And after Officer Byer came to you about
11:18 5 Sergeant Koh, you never spoke with Officer Choi about
6 the concerns that Officer Byer had brought to you,
7 true?

8 A. I never did.

9 Q. And you never asked Officer Choi whether he
11:18 10 felt that he was receiving favorable treatment from
11 Sergeant Koh compared to Officer Byer, correct?

12 A. Correct.

13 Q. You never asked Officer Choi how often Sergeant
14 Koh made stops in his patrol area versus how often
11:18 15 Sergeant Koh made stops in Officer Byer's patrol area,
16 true?

17 A. Correct.

18 Q. You never asked any other officers at La Palma
19 whether they had observed Sergeant Koh show favoritism
11:18 20 to Officer Choi over Officer Byer, correct?

21 A. Correct.

22 Q. And you never asked Officer Choi whether he
23 felt that Sergeant Koh was showing him favoritism
24 because he was Korean and Byer was not, correct?

11:19 25 A. I'm sorry, can you repeat the question,

1 please.

2 Q. Yes. You never asked Officer Choi whether he
3 felt that Sergeant Koh was showing him favoritism over
4 Officer Byer, true?

11:19 5 A. True.

6 Q. And you never asked Sergeant Choi [sic] whether
7 he felt that Sergeant Koh was treating him more
8 favorably than Officer Byer because he was Korean?

9 A. I'm sorry, can you repeat that. I thought I
11:19 10 heard you say Sergeant Choi, and I was kind of confused
11 on that.

12 Q. Oh, my mistake if I said that.

13 A. It's okay.

14 Q. So you never asked Officer Choi whether he felt
11:19 15 that he was being treated favorably by Office -- by
16 Sergeant Koh because he was Korean?

17 A. Correct, I never asked him that.

18 Q. Okay. And is it -- is it true that you never
19 discussed Officer Byer's concerns with Officer Choi at
11:20 20 all?

21 A. Correct.

22 Q. And neither did anyone else at the La Palma
23 Police Department, that you're aware of, correct?

24 A. Not that I'm aware of.

11:20 25 Q. And I know you said that you had never

1 Q. Okay. So you believe it was -- you did not
2 review it for the first time the same day that it was
3 issued, but you do not recall how many days before the
4 meeting that you reviewed it?

11:43 5 A. Correct.

6 Q. Okay. And how would this have been sent to you
7 to review? Did you typically get these in email, or
8 would they -- the sergeant hand it to you, like a
9 physical copy?

11:44 10 A. So it could go either way. Sometimes they're
11 emailed; sometimes it's hand-delivered.

12 Q. And after Sergeant -- well, do you know who
13 prepared this performance evaluation, the one year?

14 A. Which evaluation?

11:44 15 Q. The one-year evaluation?

16 A. Oh, for Byer?

17 Q. Yes.

18 A. Oh, no, that's Sergeant Koh.

19 Q. Did anyone else -- was there anyone else
11:44 20 involved that you're aware of in preparing that
21 document?

22 A. No. So it's not uncommon for people to have
23 input into that document or to give suggestions, but
24 ultimately it's the sergeant's discretion on what goes
11:44 25 in the evaluation.

1 And what I mean is, did you have any input into
2 whether or not he was -- overall his performance was
3 ranked as needing improvement, meets expectations,
4 exceeds expectations, et cetera?

11:46 5 A. So I -- in reviewing performance evaluations,
6 that's something I would look at. If I had opinions or
7 suggestions, I might bring that up, but I don't -- I'm
8 not the overall -- I don't overall decide what -- I
9 don't pick if they need improvement or they exceed
11:46 10 expectations.

11 Q. Gotcha.

12 So the person at La Palma who decided that
13 Officer Byer's annual evaluation would -- he would
14 receive a score of needs improvement overall, that was a
11:47 15 decision made by Sergeant Koh?

16 A. Correct.

17 Q. Was there anyone else at La Palma involved in
18 that decision, that you're aware of?

19 A. Not that I'm aware of.

11:47 20 Q. And was there anyone else who actually filled
21 out the annual evaluation for Officer Byer besides
22 Sergeant Koh?

23 A. Not that I'm aware of.

24 Q. Did you have any concerns about Sergeant Koh
11:47 25 preparing the annual evaluation for Officer Byer in May

1 used to work for La Palma with the last name Goble?

2 A. I do.

3 Q. During Officer Goble's employment or
4 thereafter, did you ever learn that he had complained to
11:49 5 command staff about Sergeant Koh?

6 A. I am aware, yes.

7 Q. Okay. And did you ever become aware that after
8 Sergeant Koh learned about Goble's complaint, that
9 Sergeant Koh confronted Officer Goble in a parking lot
11:49 10 and told him that he shouldn't be, quote, "bitching and
11 moaning" about Sergeant Koh to command staff?

12 A. I'm aware that Sergeant Koh talked to him, at
13 least that's what Goble made me aware of, but I don't
14 recall him ever making that statement that you just made
11:50 15 that Koh would have said to him. I don't remember him
16 telling me that at all.

17 Q. Okay. But Officer Goble did tell you at some
18 point that Sergeant Koh had confronted him in a parking
19 lot about going to command staff?

11:50 20 A. He did.

21 Q. And what did he tell you?

22 A. That -- just that, that Koh didn't like that he
23 spoke with command staff about Koh, but I don't remember
24 any specific details about what was said, just that Koh
11:50 25 didn't -- obviously didn't like that Goble did that.

1 Q. Did Goble -- so it sounds like Goble told you
2 that in person; is that right?

3 A. He did. He did.

4 Q. Okay. So do you know when that was? Can you
11:51 5 give me an estimate in time approximately when that
6 conversation had between you and Mr. Goble?

7 A. No. It's -- so much time has passed, I'm
8 not -- I don't know.

9 Q. Okay. So at some point Officer Goble had this
11:51 10 meeting with you, and he told you that Sergeant Koh had
11 confronted him about going to command staff.

12 Do you recall anything else that was discussed
13 in that meeting you had with Officer Goble concerning
14 Sergeant Koh?

11:51 15 A. I remember him -- when he approached command
16 staff, I remember him saying that he didn't like that
17 Sergeant Koh made traffic stops and would have him come
18 over to take over the investigation. That was his
19 complaint. He didn't like that.

11:52 20 Q. Okay. So it sounds like the complaint that
21 Officer Goble brought to command staff was a similar
22 complaint to the one that Officer Byer brought to you.

23 Is that true?

24 A. Correct.

11:52 25 Q. Okay.

1 Goble had gone to human resources to complain about his
2 evaluation?

3 A. I don't remember.

4 Q. Okay. At some point you did learn that, you
12:04 5 don't -- that he went to human resources; you don't know
6 how you learned it.

7 Do you remember when you learned that Officer
8 Goble had gone to human resources? Was it when he was
9 still employed by La Palma, or was it after he was
12:05 10 released from his probation?

11 A. I don't recall when.

12 Q. Okay. And do you know whether or not the chief
13 of police, prior to terminating Officer Goble or
14 releasing him from his probation, do you know whether
12:05 15 the chief, at the time that he made that decision, knew
16 that Goble had gone to human resources?

17 A. I don't remember.

18 Q. Okay. In your time at La Palma, have you ever
19 had an officer get involved in a traffic collision while
12:06 20 on duty?

21 A. I have.

22 Q. What -- well, have you had any officers who are
23 currently employed by La Palma get involved in traffic
24 collisions while on duty?

12:06 25 MS. COHEN: I'm just going to caution the

1 witness not to reveal information from officers'
2 personnel files that have not been the subject of a
3 Pitchess motion.

4 So if your knowledge is based on information
12:06 5 contained in personnel information relating to some
6 officer, please don't disclose it.

7 THE WITNESS: I'm not sure.

8 Q. (BY MR. PETRONELLI) You're not sure?

9 A. Correct.

12:06 10 Q. When an officer gets involved in a traffic
11 collision while on duty, are they always given some sort
12 of disciplinary action?

13 A. No, there's a review process involved when an
14 officer does become involved in a collision, a traffic
12:07 15 collision.

16 Q. Okay. And I'm not asking about the review
17 process. What I'm asking is, if they get in a traffic
18 collision, regardless if it's a minor collision or a
19 severe collision, is that collision always included in
12:07 20 their performance evaluation?

21 A. I think it depends.

22 Q. Is it fair to say it's within the discretion of
23 the officer preparing the evaluation whether or not to
24 include or to not include the traffic collision?

12:07 25 A. That's fair to say.

1 Q. And you've done that throughout your time as
2 captain, while he was sergeant, correct?

3 A. Correct.

4 Q. Okay. And so how many performance evaluations
12:15 5 would you estimate you've done for Sergeant Koh?

6 A. I'd estimate two.

7 Q. Well, how many -- how often does he receive a
8 performance evaluation?

9 A. Annually.

12:16 10 Q. Okay. He only receives one a year?

11 A. Correct --

12 Q. When are they --

13 A. -- once you're off probation, you receive an
14 annual performance evaluation.

12:16 15 Q. When are they given, what time of year?

16 A. It depends on their either hire date,
17 especially if you're a newer officer, or once you're
18 promoted to sergeant, then it goes by your promotion
19 date.

12:16 20 Q. Okay. And you estimate you've given two?

21 A. Correct.

22 Q. Do you recall in December of 2024 when Sergeant
23 Koh was involved in a chase of a vehicle and that chase
24 resulted in a collision that killed a 67-year-old woman
12:17 25 named Maria Casey?

1 A. I am.

2 Q. Okay. Was Koh's -- did that collision in which
3 a citizen was killed as a result of his chase, did that
4 impact his -- or did that result in any discipline?

12:17 5 MS. COHEN: I'm going to object on Pitchess
6 grounds to the extent that any discipline against the
7 officer is contained in any personnel files or records
8 that -- for which no Pitchess motion has been filed and
9 granted, that the witness cannot testify to the contents
12:17 10 of that information.

11 Q. (BY MR. PETRONELLI) Okay. How about we say it
12 this way: That crash that killed that citizen happened
13 December of 2024, correct?

14 A. Correct.

12:18 15 Q. And Sergeant Koh was a sergeant then,
16 correct?

17 A. Correct.

18 Q. He's still a sergeant now, correct?

19 A. Correct.

12:18 20 Q. He's still employed by La Palma, correct?

21 A. Yes.

22 Q. Okay. And going back to -- and, again, I don't
23 want you to tell me anything that was in Sergeant Koh's
24 evaluation, but just like Sergeant Koh had discretion as
12:18 25 to whether to include or not include in Ross Byer's

1 Q. (BY MR. PETRONELLI) And, again, I'm not trying
2 to confuse you, but when I asked you before about
3 whether or not a traffic collision always makes its way
4 in an officer evaluation, you said it's within the
12:20 5 discretion of the officer preparing the evaluation. I'm
6 just trying to figure out if that's true.

7 Is that your understanding?

8 A. Yeah, I would say anyone that prepares a
9 performance evaluation, there's some degree of
12:20 10 discretion for anything, even traffic collisions. It
11 depends on the nature. It depends -- there's just a lot
12 of factors that I would have to speculate on to decide
13 if --

14 Q. Okay.

12:20 15 A. -- something should go in a performance
16 evaluation or not.

17 Q. Okay. And so let me ask you this way: You're
18 not aware of any rule or policy at La Palma that says
19 every single time an officer gets involved in a traffic
12:20 20 collision, that that must be included in their
21 performance evaluation, true?

22 A. Correct.

23 Q. And you're not aware of any policy or rule at
24 La Palma that says that traffic collisions of a
12:21 25 particular severity must be included in performance

1 Q. Okay. The -- Officer Zachary Goble, based on
2 your observations, what race is Officer Goble?

3 A. I'm not sure. I don't know if he's Italian.
4 I'm really not sure.

01:23 5 Q. And I'm not asking his national origin or his
6 ethnicity. I'm asking you if you, in your observation
7 of Officer Goble, would you say that he is White, Black,
8 Hispanic, Asian, or another race?

9 A. No, his skin color is White.

01:23 10 Q. Okay. And then what about Officer Ron Lopino?
11 In your observation, what race -- and I'm not asking
12 about, again, national origin, ethnicity -- what race do
13 you observe Officer Ron Lopino to be?

14 A. He appears to be White.

01:24 15 Q. And based on your observation, what race do you
16 observe Officer Byer to be?

17 A. To be White.

18 Q. I'm going to show you another document. This
19 is Exhibit 12.

01:24 20 (Exhibit Number 12 was marked for
21 identification.)

22 Q. (BY MR. PETRONELLI) And this document is
23 Bates-stamped City's RRTP 1-0605 through 0606.

24 And if you could look at the first page of this
01:25 25 document. And I can scroll through it if you'd like.

1 policy manual.

2 Q. Okay. And is it your understanding that this
3 policy prohibits retaliation against employees who
4 report conduct that they believe to be unlawful?

01:28 5 A. That's my understanding.

6 Q. And you said it's been a while since you
7 reviewed this?

8 A. Correct.

9 Q. Okay. So looking up at the first page, and it
01:29 10 looks like under the very first Section, 0 -- or 1008.1,
11 Purpose and Scope, the policy prohibits retaliation
12 against members who identify workplace issues, such as
13 fraud, waste, abuse of authority, gross mismanagement,
14 or any inappropriate conduct or practices, including
01:29 15 violations that may pose a threat to safety, health, or
16 well-being of members.

17 Is that consistent with your understanding of
18 what the policy is for?

19 A. Of what it says? That's...

01:30 20 Q. That the purpose of the policy is to prohibit
21 retaliation against members of the police department
22 when they report conduct that they believe to be fraud,
23 waste, abuse of authority, gross mismanagement,
24 inappropriate conduct.

01:30 25 A. It does.

1 Q. And Section 1008.3, and if you can just -- if
2 you can read that highlighted section and let me know
3 when you're done.

4 A. Sure.

01:30 5 Under Retaliation Prohibited --

6 Q. Yeah, you don't have to -- yeah, you don't have
7 to -- read it to yourself and then let me know when
8 you're done.

9 A. Okay.

01:31 10 Okay.

11 Q. So under this, based on -- what is your
12 understanding of -- when an officer comes to you and
13 reports an issue that they're having, in order to be
14 protected by this policy, does the officer have to use
01:31 15 certain words in order to be protected from retaliation,
16 based on your understanding?

17 A. What do you mean by "certain words"?

18 Q. Well, do they need to use the words -- some of
19 the words in here are "unlawful," "unethical,"
01:31 20 "discriminatory" or "retaliatory."

21 Do they need to use specific words when they
22 report conduct to you that they believe to be
23 inappropriate or unlawful? Are there certain words they
24 need to use in making that report in order to be
01:31 25 protected from retaliation, based on your

1 understanding?

2 A. Well, I would say in order for me to understand
3 it, using those words or words like that would be
4 helpful, but if they didn't and as long as what they are
01:32 5 articulating to me where I would believe it falls in one
6 of these categories, then, yeah, it would cover it.

7 Q. Okay.

8 Okay. Now, this section, 1008.5, Supervisor
9 Responsibilities, it says "Supervisors are expected to
01:32 10 remain familiar with this policy and ensure that members
11 under their command are aware of its provisions."

12 Do you see that?

13 A. I do.

14 Q. And when Officer Byer came to you these time --
01:33 15 well, I don't know if it was the time immediately after
16 when you met at the coffee shop or a time after that,
17 but when he came to you at some point and said that he
18 felt that he had been retaliated against by Sergeant
19 Koh, did you look at this policy and then direct -- did
01:33 20 you look at this policy personally to see whether or not
21 what Officer Byer was reporting to you fell within it?

22 A. No, I didn't.

23 Q. Did you direct Officer Byer to look at this
24 policy?

01:33 25 A. No.

1 Q. So when you see here down a little bit lower,
2 it says "The responsibility of supervisors include, but
3 are not limited to: Ensuring complaints of retaliation
4 are investigated as provided in the Personnel Complaints
01:34 5 Policy."

6 Do you see that?

7 A. I do.

8 Q. After Officer Byer reported to you that he felt
9 retaliation from Sergeant Koh, did you conduct any
01:34 10 investigation?

11 A. I did not.

12 Q. And it says down here, item (c),
13 "Responsibilities of supervisors: Documenting the
14 complaint and any steps taken to resolve the problem."
01:34 15 Did you document Officer Byer's complaint when
16 he reported that he had felt retaliation from Sergeant
17 Koh?

18 A. I did not.

19 Q. Number (d), "Acknowledging receipt of the
01:34 20 complaint, notifying the chief of police via the chain
21 of command, and explaining to the member how the
22 complaint will be handled."

23 Did you do that?

24 A. No.

01:35 25 Q. Item (f) says "Monitoring the work environment

1 to ensure that any member making a complaint is not
2 subject to further retaliation."

3 Do you see that?

4 A. I do.

01:35 5 Q. After Officer Byer initially reported that he
6 felt retaliation from Sergeant Koh, did you follow up
7 with Officer Byer to ask him whether he felt any further
8 retaliation after that?

9 A. I don't remember if I did or not.

01:35 10 Q. In that conversation that you had with
11 Sergeant Koh where you talked with him about Officer
12 Byer's complaints, did you tell Officer Koh that he was
13 prohibited from retaliating against Officer Byer?

14 A. I did not.

01:36 15 Q. I'm going to show you another document. This
16 is Exhibit 9.

17 (Exhibit Number 9 was marked for
18 identification.)

19 Q. (BY MR. PETRONELLI) This is the annual
01:37 20 evaluation for Ross Byer that was prepared by Sergeant
21 Koh.

22 And this document is Bates City's RRTP 1-0507
23 through 0515.

24 And on the last page of this document, is that
01:37 25 third signature down your signature?

1 A. It is.

2 Q. Okay. And is that the date that you met with
3 Ross Byer to deliver the evaluation, May 31st, 2023?

4 A. I am not sure.

01:37 5 Q. Okay. And if this helps, I don't really know,
6 going to the top, it looks like the evaluation period is
7 through the 28th of May 2023.

8 So I don't know if it was -- I can't tell from
9 the document if it was prepared on the 28th, but it
01:38 10 looks like --

11 A. Judging by those dates, it's a fair probability
12 that's when he was talked to.

13 Q. Do you guys typically sign or -- sign the
14 evaluation on the day that you meet with the person?

01:38 15 A. We do. At minimum, it would be the supervisor
16 and the employee and then ultimately the division head,
17 the police chief, but there could be a little difference
18 in dates with the division head and police chief,
19 depending on when I would get to signing off on it. But
01:38 20 in this case, the dates match.

21 Q. Okay.

22 A. So I think it's fair to say that's a high
23 probability that's when it was given.

24 Q. Okay. And your -- in terms of Ross Byer's
01:38 25 performance, you did not personally work shifts with

1 Ross Byer; is that true?

2 A. I did not.

3 Q. You never went out on patrol with him?

4 A. No.

01:39 5 Q. Okay. And so your knowledge in terms of his
6 performance, that was based on what other members of the
7 police department told you; is that accurate?

8 A. Yes.

9 Q. Okay. And other than talking with Sergeant Koh
01:39 10 about Officer Byer, leading up to Officer Byer's
11 one-year performance evaluation, do you recall talking
12 with any other members of the police department to
13 obtain their opinions concerning Ross Byer's
14 performance?

01:40 15 A. No, I don't recall speaking with anyone else.

16 Q. So I know we talked about a couple police
17 officers that had come to you concerning Sergeant Koh.
18 And I don't want to talk about any of them again.

19 But other than the ones we've talked about
01:40 20 already, do you recall any other police officers in
21 La Palma coming to you with a concern that they had
22 regarding Sergeant Koh's treatment of them?

23 A. I do.

24 Q. Who?

01:41 25 A. So one of them is Officer Ryan Genera. So he

1 assigning them?

2 A. No, there was no investigation.

3 Q. Okay. Are you aware of any policy that La
4 Palma has regarding when an officer complaint about
01:43 5 another officer should be investigated?

6 A. I'm not sure of a specific policy about that.

7 Q. Okay. Do you have an understanding of what the
8 word "retaliation" means?

9 A. I do.

01:44 10 Q. What's your understanding?

11 A. That if you report some sort of wrongdoing
12 against another employee, whether a supervisor or not,
13 and that person retaliates against you, that does
14 something against you that would be considered
01:44 15 retaliation or is retaliation, that would be
16 retaliation.

17 Q. And then do you have an understanding of what
18 the word "discrimination" means?

19 A. I do.

01:44 20 Q. What is that understanding?

21 A. So taking some sort of action against someone
22 for something you don't like.

23 Q. And what do you mean by "something you don't
24 like"?

01:45 25 A. To me, that centers around protected class,

1 like race, sex, religion, sexual orientation.

2 Q. Okay. And how did you come to that
3 understanding of discrimination and retaliation, those
4 understandings?

01:45 5 A. That's, to me, just working in this profession
6 and being in this kind of position, that's how I view
7 those words or what's associated with those words.

8 Q. I'm going to show you another document. This
9 is Exhibit 3.

01:45 10 (Exhibit Number 3 was marked for
11 identification.)

12 Q. (BY MR. PETRONELLI) And this document is
13 Bates-stamped City's RRTP 1400 through 1410.

14 And it looks to be La Palma Police Department's
01:46 15 Policy Manual Policy Number 1020.

16 Do you recognize this document?

17 A. I do.

18 Q. And what do you recognize it to be?

19 A. It's our Personnel Complaints Policy.

01:46 20 Q. And is this a policy that you're familiar
21 with?

22 A. It is.

23 Q. And if you could, take a look at the -- it's
24 Policy 1020.3 on the bottom of the first page. And if
01:47 25 you could -- and it carries over to the next page. If

1 Q. Okay. Bear one second.

2 I'm going to show you another exhibit. This is
3 Exhibit 4.

4 (Exhibit Number 4 was marked for
01:58 5 identification.)

6 Q. (BY MR. PETRONELLI) This is another policy
7 from the La Palma Police Department Policy Manual.

8 And this is Bates City's R RTP 1-1363 through
9 1366.

01:59 10 Do you recognize this policy?

11 A. I do.

12 Q. What do you recognize it to be?

13 A. That's our employee evaluation policy.

14 Q. Okay. And is this a policy that's contained in
01:59 15 the La Palma Police Department Manual that you -- to
16 your knowledge?

17 A. It is.

18 Q. Okay. And if you look at the bottom of the
19 second page, Policy 1002.5.1, Ratings.

01:59 20 Do you see that?

21 A. I do.

22 Q. And it says right here "Meets Expectations."
23 It's the highlighted language at the bottom. Or, I'm
24 sorry, "Meets Standards - Is the performance of a
01:59 25 physically competent employee. It means satisfactory

1 performance that meets the standards required for the
2 position."

3 Do you see that?

4 A. I do.

02:00 5 Q. Is that your understanding of what "meets
6 standards" means in terms of an officer's performance
7 for La Palma?

8 A. It is.

9 Q. And is it true that performance scores or
02:00 10 performance ratings like the ones we're looking at here
11 on this document of outstanding, exceeds standards,
12 meets standards, needs improvement, or unsatisfactory,
13 that those ratings in performance evaluations can impact
14 things like raises and promotions?

02:00 15 A. They can.

16 Q. And going down to page 3, do you see -- it's
17 Policy 1002.6, Evaluation Interview.

18 Do you see that?

19 A. I do.

02:00 20 Q. And it says, the highlighted language in the
21 middle of that paragraph, "If the employee has valid and
22 reasonable protests of any of the ratings, the
23 supervisor may make appropriate changes to the
24 evaluation."

02:01 25 Do you see that?

1 stops."

2 But you can answer if you understand what's
3 being asked.

4 THE WITNESS: I interpret it as looking at car
02:06 5 video. I don't remember ever doing that, comparing
6 them.

7 Q. (BY MR. PETRONELLI) Well, let me -- did you
8 ever -- in the evaluation of Officer Byer, did
9 Sergeant Koh critique Officer Byer in saying that -- you
02:06 10 know, one of his critiques was that he needed to be more
11 proactive while on patrol?

12 A. I remember something like that in there.

13 Q. Okay. And in terms of the number of traffic
14 stops that Officer Byer made compared to the number of
02:07 15 traffic stops that Officer Choi made while they were
16 both reporting to Sergeant Koh, did you ever compare the
17 number of stops that those two officers made to see
18 whether or not one versus the other was making more
19 stops on their shifts?

02:07 20 A. Not during that time. I do recall preparing a
21 document for this matter that broke down numbers of
22 stops that Byer made, number of stops that Choi made.

23 Q. Okay. And how did you go about doing that?

24 A. Through our records management system. I'm
02:07 25 able to pull that information up for specific periods of

1 time.

2 Q. Okay. And you recall at some point doing that
3 in the course of this litigation?

4 A. Correct.

02:08 5 Q. Okay. Okay. I'm going to show you a document.
6 This is Exhibit 17.

7 Oop.

8 Actually, it's going to be Exhibit 16.

9 (Exhibit Number 16 was marked for
02:08 10 identification.)

11 Q. (BY MR. PETRONELLI) This document is Bates
12 City's RRTP 2-1556 through 1559.

13 Have you ever seen this document?

14 A. I have.

02:09 15 Q. What is it?

16 A. It's a breakdown of traffic stops made by a
17 particular officer for a specific time period.

18 Q. Okay. And from looking at this document, are
19 you able to tell which officer this is for?

02:09 20 A. No. I don't see a name on it.

21 Q. Okay. And so how did you go about pulling the
22 number of stops for this particular officer?

23 A. So in our records management system, you can
24 pick -- you can look up just different types of data.

02:09 25 So if I want to look up traffic stops, I would enter the

1 officer's name, enter a time period and have it search
2 for traffic stops, and it would give me the
3 information.

4 Q. Gotcha.

02:10 5 And you recall at some point in this litigation
6 you did that for Officer Byer and for Officer Choi?

7 A. Correct.

8 Q. Okay. And other than searching within a
9 certain period of time and then applying that officer's
02:10 10 name to it, did you do anything else to filter the
11 results of that search that you recall?

12 A. Not that I recall.

13 Q. Okay.

14 A. It's a pretty straightforward process.

02:10 15 Q. Gotcha.

16 And I'm going to show you Exhibit 18.

17 (Exhibit Number 18 was marked for
18 identification.)

19 Q. (BY MR. PETRONELLI) All right. And this is
02:11 20 City's RRTP 2-1560 through 1565.

21 And this is a similar -- a document similar to
22 the one we just looked at.

23 And, again, this document doesn't say the name
24 of the officer, but it looks to be stops made within a
02:11 25 certain period of time from May -- it looks like this

1 one's from May 31st, 2022, through June 8th of 2023.

2 Does this appear to be another list of stops by
3 a particular officer that you pulled and produced in
4 this case?

02:11 5 A. It does.

6 Q. Was there anybody else involved besides
7 yourself in pulling these -- the number of stops that
8 are set forth in this report?

9 A. No, just me.

02:12 10 Q. And what system did you access in order to
11 generate these documents?

12 A. It's our records management system.

13 Q. What's it called?

14 A. It's called Spillman. It's, actually -- yeah,
02:12 15 it's Spillman. It's also called Flex.

16 Q. Do you recall during Officer Byer's employment
17 with La Palma that he sustained an injury to his hand at
18 some point?

19 A. I do recall he received an injury when he
02:13 20 became involved in the traffic collision, but I don't
21 remember exactly what that injury was.

22 Q. Okay. Do you recall there being a period of
23 time where Officer Byer, due to some sort of an injury,
24 was on desk duty and not on patrol?

02:13 25 A. Correct. He was on light duty for

1 traffic stop that Byer mentioned and provided enough
2 specific information about, I personally reviewed the
3 department's recordings of these stops involving
4 Sergeant Koh, using available video or dash cam footage
02:35 5 of the stop"?

6 Do you see that?

7 A. I do.

8 Q. After you had your meetings with Officer Byer
9 in which he expressed concerns he had about Sergeant
02:35 10 Koh, why did you go and review this traffic stop data?

11 A. Well, because he expressed some sort of concern
12 about it. Even though I thought, well, how would you
13 even know if you're not present when he makes a stop.
14 But I looked anyways based on the ones that he told me
02:35 15 about and gave me information on, and that's why I
16 reviewed it.

17 Q. And do you recall how many stops you
18 reviewed?

19 A. I don't remember exactly. Approximately
02:36 20 three.

21 Q. And did you document anywhere what stops you
22 reviewed or what you saw when you reviewed them?

23 A. I didn't document it. I pulled up -- I
24 reviewed the ones he told me about and was satisfied at
02:36 25 that point that there was no wrongdoing on Sergeant

1 Koh's part.

2 Q. Based on the three stops?

3 A. Correct.

02:36

4 Q. Okay. And based on what you saw on video of
5 the three stops?

6 A. Correct.

02:37

7 Q. Okay. And by "no wrongdoing by Sergeant Koh,"
8 you mean you concluded, based on reviewing those three
9 traffic stops, that Sergeant Koh had not done anything
10 improper or unlawful in making those three traffic
11 stops?

12 A. Correct.

02:37

13 Q. Okay. Do you recall any conversations with
14 Officer Byer where he expressed to you that Sergeant Koh
15 had instructed him to criminally profile individuals
16 based on whether or not they had prison tattoos?

17 A. No, he's -- Byer never told me anything like
18 that or about that.

02:37

19 Q. Going down to paragraph 10 of your declaration,
20 it references the all-Korean police force comment.

21 Do you see that?

22 A. I do.

02:38

23 Q. Okay. And it said that you became aware of it,
24 but you do not recall Byer mentioning this comment to
25 you in any of your conversations.

1 already knew that Byer had fallen asleep twice in the
2 field. I knew that he locked the jail cell keys in the
3 jail with an inmate.

4 So there's just different things that I was
02:39 5 made aware of where I already know, okay, this person is
6 having performance issues. There was never anything
7 like that reported about Choi.

8 Also, in one of our -- a meeting that I had
9 with Koh, when I did talk to him about Byer, one of the
02:40 10 things I brought up to Koh was that, "Byer said that you
11 seem to favor Choi more than Byer." And what he told me
12 was that, "Well, he's not having performance issues.
13 He's progressing very well as an employee. As an
14 officer, I'm not having any of these types of issues
02:40 15 with him."

16 And that's where I came up with that
17 conclusion, that he was more impressed with the
18 performance of Officer Choi over Officer Byer.

19 Q. Okay. And I think you previously testified to
02:40 20 this, that everything that you learned about Officer
21 Byer's alleged deficiencies in his performance you
22 learned from Sergeant Koh telling you that, correct?

23 A. I did.

24 Q. Okay.

02:41 25 A. I did.

1 Q. And so it sounds like now you're saying during
2 one of these conversations that you had with Officer --
3 or with Sergeant Koh, you did raise to him Officer
4 Byer's concern that Officer Byer felt that he was being
02:41 5 treated less favorably than Officer Choi.

6 A. No, I raised with him that he felt that he
7 favored Choi more than he did Byer.

8 Q. Okay. And by "him," you're saying you raised
9 that concern with Sergeant Koh?

02:41 10 A. I did.

11 Q. Okay. And you did that as a result of Officer
12 Byer raising that issue with you?

13 A. Correct.

14 Q. Okay. And you're saying that Officer -- or
02:42 15 Sergeant Koh's response was, well, I'm not -- you know,
16 I'm not raising these issues with regard to Choi because
17 Choi's not having the performance issues that he
18 perceived Byer to be having?

19 A. That's correct. He said Choi was not having
02:42 20 those same types of performance issues.

21 Q. Did you look at any documents to confirm what
22 Sergeant Koh was saying, that Choi was not having any
23 similar issues to those that Byer was allegedly having
24 concerning performance?

02:42 25 A. No, not that I'm aware of.

1 Q. Did you talk to anybody in the department to
2 verify whether or not Byer was having performance issues
3 that Choi was not having?

4 A. Not that I recall.

02:43 5 Q. So other than what we talked about today, is
6 there anything else that I -- anything I haven't asked
7 you -- let me strike that.

8 Other than the things that Sergeant Koh
9 reported to you concerning Officer Byer, did you come to
02:43 10 learn, through any other source, anything negative about
11 Officer Byer's performance for La Palma?

12 A. Not that I can remember.

13 Q. Do you recall any officers that worked for
14 La Palma coming to you and telling you that Officer Byer
02:44 15 was having performance issues?

16 A. I don't recall that.

17 Q. Do you recall any other sergeants or any other
18 captains at La Palma coming to you and telling you that
19 they felt Officer Byer was having performance issues?

02:44 20 A. I don't. I don't know of any.

21 Q. At some point in time, regardless if it was
22 during Byer's employment or thereafter, did you come to
23 learn that Officer Byer had claimed that Sergeant Koh
24 had encouraged him to engage in racial profiling while
02:45 25 doing --

REPORTER'S CERTIFICATE

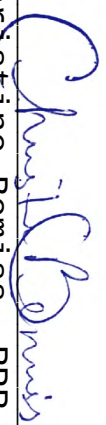
I, Christine Bemiss, a Certified Shorthand Reporter of the State of California and the State of Arizona, do hereby certify:

That prior to being examined, the witness in the foregoing proceedings was by me duly sworn and said proceedings were taken remotely before me and were taken down by me in shorthand and thereafter transcribed under my direction and supervision; and, in addition, the dismantling, unsealing, or unbinding of the original deposition transcript will render the Reporter's Certificate null and void.

I further certify that I am neither counsel for nor related to any party to said proceedings, nor in any way interested in the outcome thereof.

IN WITNESS WHEREOF, I have this date subscribed my name.

Dated: AUGUST 21, 2025


Christine Bemiss, RPR,
CA CSR No. 10082
AZ CR No. 50073