

1 MR. PETRONELLI: PLAINTIFF CALLS JIM OLSON.

2 THE CLERK: DO YOU SOLEMNLY STATE THAT THE
3 EVIDENCE YOU ARE ABOUT TO GIVE IN THE CASE NOW PENDING
4 BEFORE THIS COURT SHALL BE THE TRUTH, THE WHOLE TRUTH,
5 AND NOTHING BUT THE TRUTH, SO HELP YOU GOD?

6 THE WITNESS: I DO.

7 THE CLERK: CAN YOU PLEASE STATE YOUR NAME AND
8 SPELL YOUR LAST NAME?

9 THE WITNESS: JAMES OLSON, O-L-S-O-N.

10 THE CLERK: THANK YOU.

11 THE COURT: GOOD MORNING.

12 THE WITNESS: GOOD MORNING.

13 JAMES OLSON,
14 CALLED AS A WITNESS BY THE PLAINTIFF, HAVING BEEN FIRST
15 DULY SWORN, WAS EXAMINED AND TESTIFIED AS FOLLOWS:

16 DIRECT EXAMINATION

17 BY MR. PETRONELLI:

18 Q GOOD MORNING, JIM.

19 A GOOD MORNING.

20 Q HOW YOU DOING?

21 A I'M DOING WELL. YOURSELF?

22 Q GOOD.

23 SO YOU JUST STATED YOUR NAME. COULD YOU
24 INTRODUCE YOURSELF TO THE JURY.

25 A HI, JURY. JIM OLSON. I KNOW I SAID "JAMES,"
26 BUT I GO BY "JIM."

1 Q SO COULD YOU -- COULD YOU TELL THE JURY A
2 LITTLE BIT ABOUT YOUR BACKGROUND IN LAW ENFORCEMENT?

3 A YES. OKAY. I'M A RETIRED POLICE COMMANDER
4 FROM THE CITY OF CYPRESS. I HAVE 27 YEARS OF LAW
5 ENFORCEMENT EXPERIENCE.

6 I STARTED MY CAREER WITH THE LOS ANGELES
7 COUNTY SHERIFF'S DEPARTMENT AND THEN AFTER A FEW YEARS,
8 LATERALED OVER TO CYPRESS POLICE DEPARTMENT. RETIRED IN
9 DECEMBER OF 2018.

10 Q AND IN YOUR -- ARE YOU CURRENTLY -- YOU'RE
11 RETIRED NOW?

12 A YES, SIR.

13 Q DO YOU STILL DO ANY SORT OF, LIKE, POLICE
14 TRAINING?

15 A I DO.

16 Q OKAY. AND WHERE DO YOU -- WHERE DO YOU DO
17 THAT?

18 A I DO THAT IN THE STATE OF CALIFORNIA AND A
19 LITTLE BIT IN ARIZONA.

20 Q OKAY. ARE THERE CERTAIN DEPARTMENTS OR
21 CERTAIN TRAINING CENTERS THAT YOU WORK AT?

22 A I WORK FOR A COMPANY CALLED NATIONAL TRAINING
23 CONCEPTS, OR NTC, AS EVERYBODY REFERS TO IT. WE DO LAW
24 ENFORCEMENT INSTRUCTOR-BASED TRAINING, SO TRAIN THE
25 TRAINER. WE TRAIN YOU. YOU GO BACK TO YOUR AGENCY.
26 YOU CAN NOW TRAIN YOUR PEOPLE.

1 MR. SCHULER: YOUR HONOR, THIS IS OBJECTED TO
2 AS CALLING FOR EXPERT WITNESS TESTIMONY. THIS
3 INDIVIDUAL HAS NOT BEEN DESIGNATED AS AN EXPERT WITNESS.

4 MR. PETRONELLI: YOUR HONOR, I'M NOT ASKING
5 FOR HIS OPINION ON WHETHER THEY'RE APPROPRIATE. I'M
6 ASKING IF HE'S EVER HEARD OF THEM.

7 THE COURT: OVERRULED.

8 THE WITNESS: OKAY. CAN YOU RESTATE THE
9 QUESTION?

10 BY MR. PETRONELLI:

11 Q YEAH.

12 HAVE YOU EVER HEARD OF THAT PRACTICE OF
13 SERGEANTS OR SUPERVISING OFFICERS, YOU KNOW, GOING OUT
14 AND PATROLLING AREAS THAT ARE BEATS THAT ARE ASSIGNED TO
15 PATROL OFFICERS, MAKING STOPS AND THEN ASSIGNING THOSE?

16 A OKAY. I HAVEN'T HEARD OF THE PRACTICE, BUT
17 I'VE SEEN IT DONE.

18 Q OKAY. YOU'VE SEEN IT DONE.

19 IS THAT -- IN YOUR CAREER, HAVE YOU SEEN THAT
20 UTILIZED IN THE DEPARTMENTS YOU'VE WORKED AT AS A --
21 LIKE A COMMON TRAINING METHOD?

22 A NO. WE KIND OF FROWNED UPON IT AT OUR AGENCY.

23 Q WHY IS THAT?

24 MR. SCHULER: THIS IS EXPERT WITNESS
25 TESTIMONY, YOUR HONOR.

26 THE COURT: OVERRULED.

1 THE WITNESS: OKAY. SO I CAN -- IS IT OKAY IF
2 I TELL THE COURT? I WAS A SERGEANT FOR 14 YEARS, SO --
3 BY MR. PETRONELLI:

4 Q YEAH.

5 A -- I KNOW WHAT THE SERGEANT DOES AND --

6 Q WHAT DOES A SERGEANT DO?

7 A WELL, DEPENDS ON WHAT ASSIGNMENT THAT YOU
8 HAVE. BUT YOUR -- YOUR PRIMARY DUTY IS SUPERVISION AND
9 TO MAKE SURE THAT PEOPLE THAT ARE WORKING WITH YOU ARE
10 FOLLOWING THE POLICIES AND PROCEDURES OF YOUR AGENCY.

11 Q OKAY. AND SO WHY DID YOU SAY THAT WAS FROWNED
12 UPON AT THE AGENCIES YOU WORKED AT?

13 A WELL, AT OUR AGENCY WE WANTED OUR SERGEANTS TO
14 LEAD BY EXAMPLE. SO JUST AS THE OFFICERS DO, IF THEY
15 STOP A VEHICLE AND MAKE A STOP, IT'S KIND OF YOU CATCH
16 THEM, YOU CLEAN THEM.

17 SO ME MANY TIMES, AS A SERGEANT, WOULD STOP
18 CARS FOR VIOLATIONS OR WHATEVER IT MIGHT HAVE BEEN.
19 THAT IS NOW MY JOB TO CLEAN THAT UP OR TO HANDLE THAT
20 ENTIRE CALL.

21 I -- IN MY CAREER AS A SERGEANT, I NEVER ONCE
22 STOPPED A CAR AND THEN CALLED AN OFFICER OVER AND SAID,
23 "HEY, THIS IS NOW YOUR HANDLE. YOU DO IT." I WOULD
24 CALL THEM OVER AS A LEARNING EXPERIENCE, BUT I WOULD
25 NEVER TURN IT OVER TO THEM.

26 Q WOULD -- WOULD DOING SO, TURNING IT OVER TO

10

1 YOUR PATROL OFFICERS, CREATE MORE WORK FOR THEM?

2 A IT COULD. IT COULD, YES.

3 Q WHY?

4 A WELL, IT ALL DEPENDS ON -- IF THEY'RE A NEWER
5 OFFICER, MOST OF THE TIME THE NEWER OFFICERS GET MOST OF
6 THE CALLS. IT BUILDS UP THEIR EXPERIENCE LEVEL. SO IF
7 THEY'RE ALREADY HOLDING 10 REPORTS, MEANING THEY HAVE TO
8 WRITE 10 CRIME REPORTS ALREADY, I'M NOT GOING TO TURN
9 THIS ON TO THEM AS WELL AND THEN BURY THEM. THAT CAUSES
10 A HIGH LEVEL OF ANXIETY, STRESSES THEM OUT.

11 AND, YOU KNOW, THAT WASN'T MY JOB. MY JOB WAS
12 TO LEAD BY EXAMPLE. SO IF I STOP A CAR, I HANDLE IT,
13 SAME THING I ASK OF THEM.

14 Q GOTCHA.

15 DO YOU KNOW ROSS BYER, THE PLAINTIFF IN THIS
16 CASE?

17 A YES.

18 Q HOW DO YOU KNOW HIM?

19 A I MET ROSS AT THE GOLDEN WEST LAW ENFORCEMENT
20 TRAINING CENTER.

21 Q OKAY. AND WHAT IS THAT?

22 A THAT'S A POLICE ACADEMY.

23 Q OKAY. AND DO YOU REMEMBER APPROXIMATELY WHEN
24 THAT WAS?

25 A THAT'S PROBABLY ABOUT SEVEN YEARS AGO, GIVE OR
26 TAKE. I DON'T KNOW THE EXACT DATE.

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