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IN RE:

THE CITY OF SPOKANE

AND

FRANK STRAUB

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**INTERVIEW OF**

**CAPTAIN DAN TOROK**

**TAKEN ON  
MONDAY, FEBRUARY 22, 2016  
8:57 A.M.**

**SPOKANE COUNTY COURTHOUSE  
1116 WEST BROADWAY AVENUE, FIRST FLOOR  
SPOKANE, WASHINGTON 98199**

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**APPEARANCES**

**THE INTERVIEWER:**

KRIS CAPPEL, ESQUIRE

**Seabold Group**

4039 21st Avenue West, Suite 100

Seattle, Washington 98199

(206) 522-1152

(206) 522-1692 Fax

kcappel@seaboldgroup.com

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2 **CAPTAIN DAN TOROK**

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4 **MONDAY, FEBRUARY 22, 2016**

5 **8:57 A.M.**  
6

7 **MS. CAPPEL:** Good morning, Dan. My name is Kris  
8 Cappel. I'm with the Seabold Group, and my firm has been  
9 retained to investigate a number of issues related to the  
10 resignation of former Police Chief Frank Straub.

11 I've invited you here today because I think you  
12 might have information relevant to some of these issues that  
13 we're going to talk about. As you can see, this interview  
14 is being transcribed. It's also being audio-recorded to  
15 help the court reporter finalize the transcript.

16 Do I have your permission to record this  
17 interview?

18 **CAPTAIN TOROK:** You do.

19 **MS. CAPPEL:** Okay. Thank you. Before we get  
20 started I want to explain my role in this process.

21 **CAPTAIN TOROK:** Okay.

22 **MS. CAPPEL:** I am an attorney, but I don't do this  
23 work as an attorney, so what that means is I don't give  
24 legal advice. And I haven't been retained by the city as an  
25 attorney, so I don't represent the city and I don't

1 represent anyone working for the city.

2 **CAPTAIN TOROK:** Okay.

3 **MS. CAPPEL:** I also have no relationship to a  
4 number of the people who left the city who we're going to  
5 talk about and who have filed claims against the city.

6 **CAPTAIN TOROK:** Okay.

7 **MS. CAPPEL:** So no legal role whatsoever. Because  
8 this investigation has become fairly public and because  
9 there's litigation already filed, I can almost guarantee you  
10 that your statement is going to be requested either in a  
11 public records request or through litigation.

12 So I want to make sure everyone I meet with  
13 understands that there's really no confidentiality that I  
14 can assure anyone of --

15 **CAPTAIN TOROK:** Okay.

16 **MS. CAPPEL:** -- given the nature of the publicity.

17 So with that, do you have any questions before we  
18 get started?

19 **CAPTAIN TOROK:** No.

20 **MS. CAPPEL:** Great. How long have you been with  
21 the Spokane Police Department?

22 **CAPTAIN TOROK:** Be 27 years this October. About  
23 26 and -- what -- a third.

24 **MS. CAPPEL:** And what's your current rank?

25 **CAPTAIN TOROK:** Captain.

1           **MS. CAPPEL:** And can you just briefly describe the  
2 positions and ranks that you've held. You can either go  
3 backwards or start from the beginning and take us to today.

4           **CAPTAIN TOROK:** Okay. In October '89 I was hired  
5 as a probationary officer, attended the academy. I was  
6 promoted to detective in 1996, I believe early spring. Then  
7 in the fall I was promoted to sergeant.

8           As a sergeant I've held positions within patrol,  
9 within investigations, as well as specialized  
10 investigations, including our drug unit, SIU.

11           **MS. CAPPEL:** Okay.

12           **CAPTAIN TOROK:** I was promoted to lieutenant and  
13 was assigned to patrol for a short while, and I went over to  
14 the SIU, which is our drug unit. I was commander of that  
15 unit for a while.

16           I was promoted to captain. I was a captain of  
17 investigations for a short period of time. I was then the  
18 patrol captain for a short period of time.

19           The following year I was a -- pretty much an  
20 administrative captain to Assistant Chief Dobrow. That's  
21 what I did in 2015. In 2016 I went back to being a patrol  
22 captain for the city police.

23           **MS. CAPPEL:** Thank you. It's my understanding  
24 that Straub was hired in, I think, October of 2013 or  
25 thereabouts.

1 What was your rank at the time?

2 **CAPTAIN TOROK:** I was lieutenant.

3 **MS. CAPPEL:** And as a lieutenant, were you  
4 considered part of the command staff or executive team?

5 **CAPTAIN TOROK:** No.

6 **MS. CAPPEL:** Okay. During the period of Chief  
7 Straub's tenure, which would have been 2013 to September of  
8 2015, did you ever serve on his executive team?

9 **CAPTAIN TOROK:** Executive team? No. I want to  
10 draw some distinctions between executive team and command  
11 staff and senior staff.

12 **MS. CAPPEL:** Thank you. Go ahead.

13 **CAPTAIN TOROK:** Senior staff is lieutenants --  
14 everybody of the rank of lieutenant and above is considered  
15 in senior staff. Command staff is pretty much captains and  
16 above. Executive staff is his assistant chiefs, his  
17 directors. Deputy directors, I think, fall into that  
18 category, too.

19 During his tenure here, captains were considered  
20 part of command staff when he was first here. And I can't  
21 tell you the dates. However, in the middle of him being  
22 here, the captains were no longer part of the command staff.  
23 They were only senior staff.

24 **MS. CAPPEL:** And can you explain your  
25 understanding of why that change occurred?

1           **CAPTAIN TOROK:** I'm really not sure. I can  
2 speculate, but it would be pure speculation.

3           **MS. CAPPEL:** What was the effect of you no longer  
4 being part of the command staff and just being considered  
5 senior staff?

6           **CAPTAIN TOROK:** When he eliminated the captains  
7 from the command staff, pretty much your voice -- it just --  
8 it's -- I guess the best explanation is your voice is just  
9 not heard or it's not heard as well, if that makes sense.

10          **MS. CAPPEL:** And when you were still part of the  
11 command staff, did you meet with Straub on a regular basis?

12          **CAPTAIN TOROK:** We met -- yeah, it was fairly  
13 regular basis. He would have briefings, you know. He'd  
14 hear from -- for example, when I was in investigations, we'd  
15 come over and brief him on certain things.

16            You had more, probably, interaction, if you would.  
17 When he reduced the command staff or they were no longer  
18 considered part of the command staff, the interaction was  
19 just less.

20          **MS. CAPPEL:** And somewhere in the middle of his  
21 tenure that that --

22          **CAPTAIN TOROK:** I believe so. I can't give you  
23 dates.

24          **MS. CAPPEL:** That's fine. I'm going to give you a  
25 copy of the scope document that was, I believe, circulated

1 before the interviews, but --

2 **CAPTAIN TOROK:** Okay.

3 **MS. CAPPEL:** Well, let me trade you (indicating).  
4 Not that it makes a difference, but I got my name on the  
5 bottom of it.

6 **CAPTAIN TOROK:** Okay.

7 **MS. CAPPEL:** Hopefully this will help us go  
8 through the interview. And I want to start with the first  
9 issue that I've been asked to look into, and that's the  
10 facts and circumstances of any complaints that were made  
11 against Chief Straub while he was the police chief.

12 **CAPTAIN TOROK:** Okay.

13 **MS. CAPPEL:** And I'm going to do this in reverse  
14 chron, so I'm going to start with last September.

15 **CAPTAIN TOROK:** Okay.

16 **MS. CAPPEL:** I've been informed that there was a  
17 meeting on September 8th between the Lieutenants and  
18 Captains Association and City Administrator Sanders and  
19 Mayor Condon.

20 **CAPTAIN TOROK:** (Nods head.)

21 **MS. CAPPEL:** My question is, did you attend that  
22 meeting?

23 **CAPTAIN TOROK:** I did.

24 **MS. CAPPEL:** Can you tell me your understanding of  
25 what prompted the meeting?



1           **CAPTAIN TOROK:** The meeting -- there was an invite  
2 extended by the mayor's office. He was doing his budget  
3 presentation, and I believe there was on the announcement --  
4 I think it was e-mail -- "and other issues," "to discuss  
5 other issues."

6           **MS. CAPPEL:** So you received an e-mail from the  
7 mayor's office --

8           **CAPTAIN TOROK:** I believe it was either an e-mail  
9 or an announcement, and I'm not sure if it came from the E-  
10 Board from our union or it came directly from the mayor. It  
11 may have been sometimes passed on by the E-Board.

12           **MS. CAPPEL:** But you personally received an  
13 invitation or was it a result of you being a member of that  
14 association?

15           **CAPTAIN TOROK:** I don't -- good question. I don't  
16 know that I was personally invited. I was invited as a  
17 member of the association.

18           **MS. CAPPEL:** And one of the things you definitely  
19 knew the mayor wanted to address was budgeting?

20           **CAPTAIN TOROK:** Yes.

21           **MS. CAPPEL:** And there was some reference to other  
22 issues?

23           **CAPTAIN TOROK:** Yes.

24           **MS. CAPPEL:** Okay. Where was that meeting held?

25           **CAPTAIN TOROK:** It was held in his conference

1 room.

2 **MS. CAPPEL:** At city hall?

3 **CAPTAIN TOROK:** Yes.

4 **MS. CAPPEL:** Who else attended? Best  
5 recollection.

6 **CAPTAIN TOROK:** Oh, my. I believe there were 15  
7 of our members that attended. I know Captain Cummings was  
8 there, Joe Walker was there, Justin Lundgren.

9 **MS. CAPPEL:** And a bunch of other people?

10 **CAPTAIN TOROK:** Yeah. There was -- like I said, I  
11 believe 15 of our members --

12 **THE REPORTER:** I'm sorry. Would you start that  
13 over, please. I couldn't quite hear all of what you --

14 **CAPTAIN TOROK:** There were 15 of our members -- we  
15 have 21 members in the association -- attended.

16 **THE REPORTER:** Thank you.

17 **MS. CAPPEL:** And who from the mayor's office was  
18 there?

19 **CAPTAIN TOROK:** Theresa Sanders and the mayor.

20 **MS. CAPPEL:** Did they pass anything out to the --

21 **CAPTAIN TOROK:** Yeah. He passed out his budget  
22 presentation, colorful thing. I think he actually used it  
23 in his presentation to show the achievements and other  
24 things.

25 **MS. CAPPEL:** Anything else besides things relating

1 to the budget?

2 **CAPTAIN TOROK:** No, not that I recall.

3 **MS. CAPPEL:** Do you know if there were minutes  
4 taken of that meeting by anyone?

5 **CAPTAIN TOROK:** I don't know.

6 **MS. CAPPEL:** Did you take any notes of the  
7 meeting?

8 **CAPTAIN TOROK:** I had notes and basically -- I  
9 don't know -- there was some -- I'd taken notes in regards  
10 to things I would like to see discussed.

11 **MS. CAPPEL:** Going into the meeting, you mean?

12 **CAPTAIN TOROK:** Yes.

13 **MS. CAPPEL:** Do you still have those notes?

14 **CAPTAIN TOROK:** I don't think so, but I can  
15 certainly check. Those notes, at least parts of them, mimic  
16 things that have been contained in notes that have been  
17 requested via public records requests, which I'm sure you  
18 have. If you don't you have, we can --

19 **MS. CAPPEL:** Okay. We'll find out. We've  
20 received, I think it's been estimated, a million pages or  
21 will receive a million pages of documents before --

22 **CAPTAIN TOROK:** Okay.

23 **MS. CAPPEL:** -- this is all said and done. So, I  
24 have to confess, I haven't gone through all those million  
25 pages.

1           **CAPTAIN TOROK:** I understand.

2           **MS. CAPPEL:** So these notes that you just  
3 described are ones you took for yourself in preparation --

4           **CAPTAIN TOROK:** Yes. They weren't -- as they  
5 spoke, I wasn't taking notes, wasn't memorializing anything  
6 they were saying.

7           **MS. CAPPEL:** Did you notice whether the mayor or  
8 City Administrator Sanders was taking notes during the  
9 meeting?

10          **CAPTAIN TOROK:** I didn't notice.

11          **MS. CAPPEL:** Okay. Describe for me how the  
12 meeting rolled out. What happened?

13          **CAPTAIN TOROK:** The mayor went through his budget  
14 presentation, and then somebody opened it up to discuss  
15 issues occurring down here. That might have been Lieutenant  
16 Griffiths, but I couldn't say for sure.

17                 And we got into discussing the chief's  
18 interaction, explosiveness, his temper, things that have  
19 occurred during his tenure that went, in I believe most of  
20 our opinion, beyond -- you can criticize me as far as my  
21 work performance, but oftentimes he would go further into --  
22 it would delve into a personal attack. Issues such as that  
23 were brought up to both the mayor and Theresa.

24          **MS. CAPPEL:** You mentioned that you think -- is it  
25 Major Griffiths?

1           **CAPTAIN TOROK:** Lieutenant.

2           **MS. CAPPEL:** -- Lieutenant -- sorry -- might have  
3 been the one that opened that discussion?

4           **CAPTAIN TOROK:** He may have opened it up, right.  
5 He's an E-Board member.

6           **MS. CAPPEL:** And do you recall the mayor's  
7 reaction to hearing what he was hearing?

8           **CAPTAIN TOROK:** I don't know that he had a verbal  
9 reaction. He had a -- I won't say a stunned look on his  
10 face, but it definitely was a concerned look is how I would  
11 categorize it.

12           **MS. CAPPEL:** Do you remember anything he said in  
13 response to the information he was provided?

14           **CAPTAIN TOROK:** He said he wouldn't make any rash  
15 decision, that they would look into it. I believe he made a  
16 comment, "Don't expect something to change in two days, but  
17 we'll look into it and act accordingly." No promises given,  
18 no -- nothing else, nothing beyond, "We've heard you. We'll  
19 look into it."

20           **MS. CAPPEL:** And how about Theresa Sanders? Do  
21 you remember anything she said in that meeting?

22           **CAPTAIN TOROK:** I believe Theresa asked a fair  
23 amount of questions. The mayor, by and far, was pretty  
24 quiet during the whole thing. Theresa asked most of the  
25 questions.

1 **MS. CAPPEL:** Do you remember what they were?

2 **CAPTAIN TOROK:** Specifically, no. It was, in  
3 general, how he reacted to things, and -- and it was usually  
4 us saying, At this point in this meeting this is what  
5 occurred. It went from a -- well, it turned into a personal  
6 attack. We brought up things that the chief had said that  
7 allegedly they had said.

8 **MS. CAPPEL:** Specific examples?

9 **CAPTAIN TOROK:** One, Lieutenant Walker was in his  
10 office. I was there. Now, it was A.C. Meidl at the time --  
11 is -- again, was there; and Rick Dobrow.

12 **(A discussion was held off the record.)**

13 **CAPTAIN TOROK:** I believe Rick was a captain at  
14 the time.

15 **MS. CAPPEL:** So you were about to describe -- and  
16 I'll try and slow us both down.

17 **CAPTAIN TOROK:** Right.

18 **MS. CAPPEL:** You were about to describe an  
19 incident involving Joe Walker and yourself that you told the  
20 mayor and Theresa on September 8th --

21 **CAPTAIN TOROK:** We were describing things that  
22 were said at a meeting between Chief Straub, myself, Joe  
23 Walker, Craig Meidl, and Rick Dobrow --

24 **MS. CAPPEL:** Okay.

25 **CAPTAIN TOROK:** -- all present.

1           **MS. CAPPEL:** So what did you tell the mayor that  
2 Straub had said in that --

3           **CAPTAIN TOROK:** I believe we brought up the things  
4 in regards to -- and this -- to set the stage a little bit,  
5 Walker rolled back from a position of a commander, and the  
6 mayor -- or the -- I'm sorry, not the mayor -- the chief was  
7 lecturing us about how the mayor doesn't give two shits  
8 about our personal life, he doesn't give a shit if we get a  
9 divorce, basically saying he expects his cabinet members to  
10 be -- I believe his term was "balls to the walls."

11           **MS. CAPPEL:** Balls --

12           **CAPTAIN TOROK:** Balls --

13           **MS. CAPPEL:** -- to the walls?

14           **CAPTAIN TOROK:** -- to the walls. And -- and, "Do  
15 you think the Microsoft millionairess" -- this is referring  
16 to Theresa Sanders -- "really cares about this? And do you  
17 see the house the mayor lives in?" A lot of weird things.

18           I think he was trying to get across this is a business  
19 and we're re pressing forward, all else be damned: Your  
20 personal life, your -- your health, your well-being, et  
21 cetera. The chief was obviously mad.

22           **MS. CAPPEL:** And that was a conversation you  
23 described to the mayor and to Theresa Sanders on September  
24 8th --

25           **CAPTAIN TOROK:** Talking points from that, if you

1 will, yes.

2 **MS. CAPPEL:** The conversation you just described,  
3 best guess of what year that happened?

4 **CAPTAIN TOROK:** Let me refer to my notes, if I  
5 could.

6 **MS. CAPPEL:** Was it near the time that Walker took  
7 a demotion?

8 **CAPTAIN TOROK:** Yes. It was early January, right  
9 after that. It was within days, probably, of that demotion.

10 **MS. CAPPEL:** We can come back to that.

11 **CAPTAIN TOROK:** Okay.

12 **MS. CAPPEL:** Regarding -- unless you found it.

13 **CAPTAIN TOROK:** I have dates all over here. Again,  
14 these were not notes made in preparation of this meeting.  
15 These were notes made in early 2014 just memorializing some  
16 of these meetings and conversations.

17 **MS. CAPPEL:** Was there something in particular  
18 that triggered your interest in taking notes? Did something  
19 happen?

20 **CAPTAIN TOROK:** That meeting happened.

21 **MS. CAPPEL:** And have you been keeping those notes  
22 contemporaneously during the period that they reflect?

23 **CAPTAIN TOROK:** Yes.

24 **MS. CAPPEL:** Were those notes disclosed as part of  
25 any public records request?



1           **CAPTAIN TOROK:** Part of them were disclosed as  
2 part of a public records request probably four weeks ago.  
3 The parts that were not, I had a conversation with City  
4 Attorney Pat Dalton, and it was referenced to -- and in here  
5 (indicating) I make reference that I attended a meeting as a  
6 union rep or as the association president.

7           They were union-related activities. He advised me  
8 at the time of the public records request that "Do not send  
9 those." So those were not part of the release.

10           **MS. CAPPEL:** I'm going to come back to that.  
11 Because the last issue we'll talk about today is -- are some  
12 public records requests that came out in August of 2015. So  
13 I'm going to set that aside for now, but I'll return to it.

14           **CAPTAIN TOROK:** Okay.

15           **MS. CAPPEL:** So back to the meeting on the 8th  
16 with Mayor Condon and Theresa Sanders. Did you personally  
17 provide any information about your experiences --

18           **CAPTAIN TOROK:** Yes.

19           **MS. CAPPEL:** -- with Chief Straub?

20           **CAPTAIN TOROK:** Those things right there.

21           **MS. CAPPEL:** The meeting with Walker --

22           **CAPTAIN TOROK:** Yes.

23           **MS. CAPPEL:** -- et cetera?

24           **CAPTAIN TOROK:** Yes.

25           **MS. CAPPEL:** Did you provide any other examples

1 that you can recall in the September 8th meeting?

2 **CAPTAIN TOROK:** No, I don't think so.

3 **MS. CAPPEL:** Did others provide different examples  
4 of their experiences?

5 **CAPTAIN TOROK:** Many did so, yes.

6 **MS. CAPPEL:** Best guess, how many people shared  
7 their personal experiences?

8 **CAPTAIN TOROK:** I would say if there were 15  
9 members in attendance, probably ten or 11 had input in  
10 regards to things they had seen, observed, their  
11 impressions, their -- I mean it was a pretty well -- most  
12 people were talking.

13 **MS. CAPPEL:** How long did that meeting last? Best  
14 guess.

15 **CAPTAIN TOROK:** Hour and a half maybe, something  
16 along that lines.

17 **MS. CAPPEL:** Okay.

18 **CAPTAIN TOROK:** Hour, hour and a half.

19 **MS. CAPPEL:** Did anyone speak up in support of  
20 Chief Straub at the September 8th meeting?

21 **CAPTAIN TOROK:** I want to say that I actually had  
22 some things said -- we have made gains. We have moved --  
23 you know what I mean -- from where we were, which was a  
24 pretty deep hole, if you will.

25 **MS. CAPPEL:** Did other people share that opinion?

1           **CAPTAIN TOROK:** I think other people had similar  
2 opinions, that there had been some good in -- his tenure  
3 wasn't all negative.

4           **MS. CAPPEL:** On balance, which way was the scale  
5 tipping?

6           **CAPTAIN TOROK:** Negative.

7           **MS. CAPPEL:** Significantly negative?

8           **CAPTAIN TOROK:** I would think so, yes.

9           **MS. CAPPEL:** Were there any requests from members  
10 of the association for Mayor Condon to do something  
11 specific?

12           **CAPTAIN TOROK:** There was no -- in fact, no. In  
13 fact, now that you just said that, I believe there was  
14 specific requests -- We're not asking you to do X or Y, but  
15 it was pretty much, Here is the information. You have it.  
16 (Indicating). Up to you what to do with it. Wasn't us  
17 demanding he do anything.

18           **MS. CAPPEL:** Okay. You mentioned that the  
19 invitation was couched in conversation about the budget. Did  
20 it appear to you that the mayor planned to go into these  
21 other areas or did it jump -- come up sort of spontaneously?

22           **CAPTAIN TOROK:** "Other areas of interest."  
23 Normally we're invited to the budget, which is usually  
24 pretty sparsely attended. You may get the E-Board, I mean,  
25 other members -- it is what it is.

1           **MS. CAPPEL:** Uh-huh.

2           **CAPTAIN TOROK:** This one, though -- I think  
3 anxiety had been building just with what had been going on  
4 internally, that something needed to change, something  
5 needed to be addressed.

6           **MS. CAPPEL:** So did you go to that meeting on the  
7 8th of September with the expectation that you would be able  
8 to share some of these concerns of --

9           **CAPTAIN TOROK:** I did.

10          **MS. CAPPEL:** And can you tell me, did it appear  
11 that your other members also thought that there was going to  
12 be an opportunity --

13          **CAPTAIN TOROK:** I think so.

14          **MS. CAPPEL:** Do you know why that is? Was there  
15 some heads-up or alert to people that they'd be given that  
16 opportunity?

17          **CAPTAIN TOROK:** I think the "other areas of  
18 interest" really got us -- and there had been a lot of talk,  
19 internal talk, amongst the captains, the lieutenants -- you  
20 know what I mean -- as far as, What do we do?

21                I mean, really, to put some context in this, when  
22 the chief came here, the feeling was, All right. We -- we --  
23 -- we're a mess, right? He's here. We need to sit back and  
24 we need to support him. We need to -- you know what I mean  
25 -- welcome these changes.

1 And so for several years we took the good, you  
2 know, his community outreach, his things with the pastors;  
3 and we ate the bad. That was his -- his personal attacks,  
4 his saying one thing to one person and saying something to  
5 another. You know what I mean?

6 **MS. CAPPEL:** Uh-huh.

7 **CAPTAIN TOROK:** So we just -- it was his -- it was  
8 -- it just -- we accepted it, if you will.

9 **MS. CAPPEL:** And the negatives that you're  
10 describing, did it seem to you that his negativity was  
11 directed more at men or more at women or none of the above?

12 **CAPTAIN TOROK:** Well, I mean most -- the majority,  
13 of course, are men. So my interaction was -- it was -- it  
14 was male. I mean I'm friends with Joe Walker. I was  
15 pretty, you know, in tune with what was occurring there as  
16 far as the rollback, voluntary rollback, and then the  
17 demotion.

18 I mean it was a demotion debacle was the  
19 conversation I had with the chief in an association capacity  
20 following his meeting with Walker.

21 **MS. CAPPEL:** Okay. So during the September 8th  
22 meeting with the mayor and Theresa Sanders, did Monique  
23 Cotton come up in any way, shape or form in those  
24 discussions?

25 **CAPTAIN TOROK:** I believe the interaction was in a

1 meeting I wasn't present at with Lieutenant Griffiths, and I  
2 believe that came up.

3 **MS. CAPPEL:** Do you remember the -- what the  
4 nature of the discussion was?

5 **CAPTAIN TOROK:** Specifics, no. I mean I've heard  
6 details of that conversation. And can I independently  
7 recall if those details were offered to Theresa and to the  
8 mayor at that time? I really don't.

9 **MS. CAPPEL:** Do you have any recollection of what  
10 triggered the conversation at the September 8th meeting  
11 about Monique and Griffiths and whatever happened at that  
12 other meeting?

13 **CAPTAIN TOROK:** I do.

14 **MS. CAPPEL:** And what triggered it?

15 **CAPTAIN TOROK:** We need to go back a little bit  
16 before this meeting obviously. Part of my job working for  
17 Assistant Chief Dobrow was our tele-staff system, which is  
18 in essence our payroll system.

19 Overtime has always been an issue, and part of  
20 what I was told to do was pay attention to the overtime. If  
21 there were ever correction requests -- so like most places,  
22 they'll do a payroll projection followed by a correction at  
23 the end of the pay period.

24 Ours is all done, probably like everybody else's,  
25 online computer wise. If there is a correction that needed

1 to be completed, meaning they missed the two-day window to  
2 have it either entered or approved, it would go to me to  
3 approve.

4 An overtime request correction came from Captain  
5 Olsen for Lieutenant Griffiths for some overtime, and it was  
6 overtime related to making phone calls on a weekend. There  
7 is no provision in our contract that allows for overtime  
8 phone calls made on the weekend.

9 The incident -- at least one of the -- some of the  
10 phone calls were as a result of a call-out involving the  
11 DSO, duty staff officer, which is a rotational thing. Every  
12 five weeks the captains are all on call for one week at a  
13 time. I happened to be the captain on call during that  
14 weekend.

15 There was an incident -- and I can't recall the  
16 nature of the incident, but nobody had contacted Mark, but  
17 he took it upon himself to have some -- have -- make some  
18 phone calls and subsequently later put in for overtime for  
19 something that he initiated, nothing he was called out to  
20 do. As a result, the overtime did not fit the contract  
21 provisions.

22 And I brought that up, "This does not fit." The  
23 contract says if there's a dispute, then the chief of police  
24 obviously will make the decision. He was presented with the  
25 facts of the case, made a decision that -- that overtime

1 would be denied, and it was denied.

2 That came back up again because apparently there  
3 were some other details, and there I'm not really privy to  
4 about how these phone calls originated. The chief  
5 apparently -- and part of this is third-hand.

6 But the chief apparently felt like they had  
7 discredited him in some way by not providing him with the  
8 information initially, and he was mad. He had this meeting  
9 with them, again, a meeting I wasn't present at, and I had  
10 left. It occurred over in the Gardner building in Assistant  
11 Chief Selby Smith's office, which is right next to a  
12 conference room.

13 We had just had Compstat, and there was still some  
14 people in that Compstat room. I had left. They took it to  
15 an office, but it was loud enough that people in the  
16 Compstat room heard the conversation --

17 **MS. CAPPEL:** Heard it --

18 **CAPTAIN TOROK:** -- or parts of it.

19 **MS. CAPPEL:** Going back to the September 8th  
20 meeting with the mayor and Theresa --

21 **CAPTAIN TOROK:** Uh-huh.

22 **MS. CAPPEL:** -- how did that meeting that you just  
23 described come up in the September 8th meeting?

24 **CAPTAIN TOROK:** I believe -- I believe, again,  
25 Mark probably brought up the -- how he was treated. Because



1 this -- much of the conversation after the budget  
2 presentation was about the chief's treatment of employees.

3 **MS. CAPPEL:** Was there any discussion about  
4 allegations of sexual harassment that came up on September  
5 8th?

6 **CAPTAIN TOROK:** The specifics words "sexual  
7 harassment" I don't recall hearing.

8 **MS. CAPPEL:** Anything along the lines of women  
9 feeling like the chief was harassing them because they're  
10 women?

11 **CAPTAIN TOROK:** I -- no, not to my recollection.  
12 Again, male dominated -- you know what I mean? Look at the  
13 percentage we have here. I don't recall any -- any specific  
14 sexual harassment, et cetera.

15 **MS. CAPPEL:** That came up as a topic in the  
16 September 8th meeting?

17 **CAPTAIN TOROK:** No. No.

18 **MS. CAPPEL:** And to the extent Monique Cotton was  
19 discussed, is it your recollection it all related to this  
20 meeting you just described on the overtime issue?

21 **CAPTAIN TOROK:** I believe so.

22 **MS. CAPPEL:** How about Carly Cortright? Did she  
23 come up at all --

24 **CAPTAIN TOROK:** No.

25 **MS. CAPPEL:** -- in the September 8th meeting?

1           **CAPTAIN TOROK:** No.

2           **MS. CAPPEL:** Do you recall if there was any  
3 discussion at this September 8th meeting with your  
4 association around the issue of harassment of women in the  
5 police department?

6           **CAPTAIN TOROK:** I don't remember anything specific  
7 to women in the police department. I know after the mayor  
8 had ended the meeting he had another one, meeting, right  
9 behind us.

10           We were talking to Theresa Sanders and I remember  
11 Keith Cummings, Captain Cummings, saying something about,  
12 "This could almost be a hostile work environment," but I  
13 don't know -- and Keith could obviously let you know really  
14 the -- the context of that, if it was Monique related or it  
15 was just treatment of employees related -- but those were  
16 his words, "could be considered a hostile work environment."

17           Because I remember Theresa looking perplexed,  
18 serious -- I'm not sure what the face was, but very -- when  
19 he -- he said those words, she definitely -- her ears perked  
20 up. This was the meeting -- not a meeting. This was after  
21 the meeting.

22           **MS. CAPPEL:** And you mentioned that Theresa asked  
23 some questions during the meeting and did more talking than  
24 the mayor at the September 8th.

25           **CAPTAIN TOROK:** (Nods head.)

1           **MS. CAPPEL:** From your perspective was she  
2 defending Straub? Was she just asking questions about  
3 things she hadn't already known?

4           **CAPTAIN TOROK:** I didn't take her questions as  
5 defending anybody. It was more like a -- she wanted to  
6 hear. She wanted to have the information and then determine  
7 what to do with it. So I believe she was more inquiring  
8 than she was defensive. I don't recall her -- I really  
9 don't recall her being defensive at all.

10           **MS. CAPPEL:** So I'm told there was a meeting on  
11 September 10th, two days after the meeting we just talked  
12 about, with the executive team that was in place at the time  
13 --

14           **CAPTAIN TOROK:** Uh-huh.

15           **MS. CAPPEL:** -- and Mayor Condon and Theresa  
16 Sanders. Did you attend that meeting?

17           **CAPTAIN TOROK:** No.

18           **MS. CAPPEL:** Were you aware that it was scheduled  
19 or that it occurred?

20           **CAPTAIN TOROK:** My understanding was the executive  
21 team met with the city attorney, but I think that was -- if  
22 we go back to days, a Saturday? A Friday?

23           But as far as executive staff or executive  
24 leadership, I may have heard they -- I don't recall  
25 specifics, was not in attendance at an E-Board meeting with

1 the mayor's office.

2 **MS. CAPPEL:** Fast-forward to September 17th, 2015.  
3 I'm told there was a meeting between your association, the  
4 executive board, and members of the Guild and then H.R.

5 Steinolfson? Is that how you --

6 **CAPTAIN TOROK:** Yeah, Meghann.

7 **MS. CAPPEL:** Let's use Meghann. That's easier.  
8 I'll give you the spelling when we're done.

9 Did you attend that meeting?

10 **CAPTAIN TOROK:** I --

11 **MS. CAPPEL:** It was a labor meeting?

12 **CAPTAIN TOROK:** No, no. Labor-management?

13 **MS. CAPPEL:** Yeah. Yeah.

14 **CAPTAIN TOROK:** No, I did not.

15 **MS. CAPPEL:** I'm going to show you a letter that's  
16 dated September 18, 2015 and it's to the city attorney's  
17 office from the executive board of the Lieutenants and  
18 Captains Association, and the "Regarding" line says  
19 "Confidential attorney-client privileged material." Take a  
20 minute to look at that document.

21 The first question will be, have you seen it  
22 before?

23 **CAPTAIN TOROK:** I have.

24 **MS. CAPPEL:** Did you have any role in drafting it?

25 **CAPTAIN TOROK:** I did not.

1 **MS. CAPPEL:** Do you know who drafted it?

2 **CAPTAIN TOROK:** I believe Justin Lundgren authored  
3 it. I believe.

4 **MS. CAPPEL:** And did you review it before it was  
5 finalized and submitted to the city attorney's office?

6 **CAPTAIN TOROK:** I don't recall if they sent around  
7 -- it would have been via e-mail -- do you know what I mean  
8 -- this -- prior to them sending it.

9 **MS. CAPPEL:** A draft?

10 **CAPTAIN TOROK:** A draft.

11 **MS. CAPPEL:** To everybody in the association?

12 **CAPTAIN TOROK:** That would be my recollection.

13 Again, everything involved would be easy to bring up there.

14 **MS. CAPPEL:** Would this be considered union  
15 activity, the drafts going through the membership to  
16 finalize?

17 **CAPTAIN TOROK:** Yes.

18 **MS. CAPPEL:** Okay. Do you know whether drafts  
19 were produced in any public -- as a result of any public  
20 records request?

21 **CAPTAIN TOROK:** I don't know.

22 **MS. CAPPEL:** It would have -- it would have been  
23 e-mail? Do you remember offering any revisions or edits to  
24 the letter?

25 **CAPTAIN TOROK:** No, I don't remember offering any

1 revisions or edits.

2 **MS. CAPPEL:** Do you know why it's addressed to the  
3 city attorney's office?

4 **CAPTAIN TOROK:** No.

5 **MS. CAPPEL:** Were you part of any discussion about  
6 who to send this to or who to direct it to?

7 **CAPTAIN TOROK:** Not that I recall.

8 **MS. CAPPEL:** And do you have any information about  
9 why it's described as confidential attorney-client  
10 privileged material?

11 **CAPTAIN TOROK:** (Shakes head.)

12 **MS. CAPPEL:** All right.

13 **CAPTAIN TOROK:** No. Like I said, if I had a  
14 calendar, it would make this a little easier. September  
15 18th? Any idea what day of the week that might have been?

16 **MS. CAPPEL:** I'll look it up. I don't know.

17 **CAPTAIN TOROK:** The reason I'm saying that, it is  
18 my understanding that the E-Board or at least some of the E-  
19 Board had a meeting with the city attorney post-budget  
20 meeting but prior to this (indicating). That may offer the  
21 insights as to where it's addressed to.

22 **MS. CAPPEL:** Okay. The letter describes some  
23 behaviors that are attributed to Chief Straub, one of which  
24 is the use of profanity.

25 Did you personally experience that with Chief

1 Straub?

2 **CAPTAIN TOROK:** Yes.

3 **MS. CAPPEL:** And was it inappropriate, in your  
4 view? And I'll qualify that because I know language can get  
5 harsh within a police department and everyone accepts that.

6 Was this different?

7 **CAPTAIN TOROK:** The context in which he would use  
8 it, yes. And, you're right, police officers, at least in my  
9 experience, most of their mouths could be a little better.  
10 That's how we talk to one another; we talk sort of rough.

11 But there's a difference in -- when it boils down  
12 to a personal attack, and I'm using those words to describe  
13 you on a level that's far different than me referring to,  
14 "That call was a cluster fuck."

15 Does that make sense, what I'm saying?

16 **MS. CAPPEL:** It does.

17 **CAPTAIN TOROK:** Okay.

18 **MS. CAPPEL:** Can you recall any examples of Chief  
19 Straub using those personal attacks with you?

20 **CAPTAIN TOROK:** Towards me?

21 **MS. CAPPEL:** Towards you.

22 **CAPTAIN TOROK:** No.

23 **MS. CAPPEL:** Were you present when he did it with  
24 others?

25 **CAPTAIN TOROK:** The Walker meeting, there was

1 plenty of personal attacks.

2 **MS. CAPPEL:** How about other than that meeting?

3 **CAPTAIN TOROK:** That was primarily the meeting at  
4 which --

5 **MS. CAPPEL:** That stands out for you?

6 **CAPTAIN TOROK:** As far as my attendance and me  
7 directly involved. I've obviously heard the language  
8 associated with the -- the post-Compstat meeting, but --

9 **MS. CAPPEL:** In that meeting --

10 **CAPTAIN TOROK:** -- but I wasn't there.

11 **MS. CAPPEL:** -- Griffiths --

12 **CAPTAIN TOROK:** Yes.

13 **MS. CAPPEL:** All right. There's another letter  
14 dated September 18 from the executive team with a similar  
15 caption.

16 Did you have any role in creating that letter?

17 **CAPTAIN TOROK:** No.

18 **MS. CAPPEL:** Do you think you've seen it? I can  
19 pull it out.

20 **CAPTAIN TOROK:** I may have seen it post. And I  
21 believe those were published in the --

22 **THE REPORTER:** Published in the what?

23 **CAPTAIN TOROK:** Paper.

24 **MS. CAPPEL:** You know, I've seen reference to the  
25 association letter --



1           **CAPTAIN TOROK:** Uh-huh.

2           **MS. CAPPEL:** -- and, actually, I did see reference  
3 to both letters, but I don't know that they were made  
4 available in those articles.

5           **CAPTAIN TOROK:** Okay.

6           **MS. CAPPEL:** But in any event, they're certainly  
7 out there.

8           **CAPTAIN TOROK:** Sure.

9           **MS. CAPPEL:** The letter that was authored by the  
10 executive team goes into a little more detail about some of  
11 their concerns, and I just want to go through them. If you  
12 could tell me whether you personally experienced this  
13 behavior.

14          **CAPTAIN TOROK:** Okay.

15          **MS. CAPPEL:** Unreasonable emotional outbursts?

16          **CAPTAIN TOROK:** Yes.

17          **MS. CAPPEL:** Can you describe --

18          **CAPTAIN TOROK:** Again, that's back to the Walker  
19 meeting where it turned into a personal attack on, "You  
20 think you're a leader? You're not a leader. You don't have  
21 the respect of the troops. You don't have the respect of  
22 city hall." Again, delves into, "Do you think the mayor  
23 gives two shits," et cetera.

24          **MS. CAPPEL:** Okay. How about threats regarding  
25 employment?

1           **CAPTAIN TOROK:** Only third-hand.

2           **MS. CAPPEL:** Any experiences with what you thought  
3 was retaliation by Chief Straub?

4           **CAPTAIN TOROK:** Direct experience with me?

5           **MS. CAPPEL:** Yes.

6           **CAPTAIN TOROK:** Some people think my assignment to  
7 the administrative capacity was somewhat of a -- put me in a  
8 corner. I don't know if that's what it was or not.

9           **MS. CAPPEL:** Had you had some kind of conflict  
10 with the chief that preceded that?

11           **CAPTAIN TOROK:** I don't know that I've ever had  
12 direct conflict with the chief where (indicating) straight  
13 to my face he would say things.

14           **MS. CAPPEL:** Uh-huh.

15           **CAPTAIN TOROK:** But there's been reference to how  
16 the union needs to get rid of certain people out of union  
17 positions. I think I was named, Joe Walker was named, Brad  
18 Arleth might have been named. The irony of that, I wasn't  
19 holding one of the E-Board positions at the time.

20           **MS. CAPPEL:** And you apparently heard that from  
21 someone --

22           **CAPTAIN TOROK:** That came via Captain Olsen at a  
23 meeting that he apparently had or had been involved in.

24           **MS. CAPPEL:** With Straub?

25           **CAPTAIN TOROK:** Yes.

1           **MS. CAPPEL:** Any personal experiences where Chief  
2 Straub has been untruthful --

3           **CAPTAIN TOROK:** I don't --

4           **MS. CAPPEL:** -- come to mind?

5           **CAPTAIN TOROK:** Not jumping out at me.

6           **MS. CAPPEL:** How about any experiences where Chief  
7 Straub misrepresented the mayor or the city administrator  
8 other than what you've already described?

9           **CAPTAIN TOROK:** Other than what I've already  
10 described, no, not off the top of my head.

11           **MS. CAPPEL:** So did you personally ever take any  
12 of your concerns about Chief Straub to anyone outside the  
13 police department before this September 8th meeting --

14           **CAPTAIN TOROK:** Yes.

15           **MS. CAPPEL:** -- that we've been talking about?

16           **CAPTAIN TOROK:** Yes.

17           **MS. CAPPEL:** Can you talk to me about that?

18           **CAPTAIN TOROK:** Right. After the rollback and  
19 then demotion of Walker, Walker, myself, Rick Dobrow, had  
20 met with Erin Jacobsen and Heather Lowe.

21           **MS. CAPPEL:** And when did that meeting occur?

22           **CAPTAIN TOROK:** That meeting occurred, I believe,  
23 in January, a few weeks after Walker's demotion.

24           **MS. CAPPEL:** So are we talking about 2014?

25           **CAPTAIN TOROK:** Yes.

1           **MS. CAPPEL:** And can we go off the record for one  
2 second.

3           **(A discussion was held off the record.)**

4           **MS. CAPPEL:** We're talking about the meeting you  
5 described that you had with Heather and Erin.

6           **CAPTAIN TOROK:** Uh-huh.

7           **MS. CAPPEL:** Go ahead.

8           **CAPTAIN TOROK:** Okay. The meeting was because  
9 Walker had rolled back voluntarily from a commander. He  
10 should have been a captain at that point. However, he  
11 wanted to roll back to a lieutenant to get away from Straub.  
12 And so he had been communicating with, I believe, Heather  
13 and Erin to accomplish that.

14           We had a meeting to discuss that double rollback,  
15 if you would, downtown, I believe in an H.R. conference  
16 room; and that was a meeting with myself, Erin Jacobsen,  
17 Heather Lowe, Rick Dobrow, and Joe Walker was there for a  
18 short time.

19           **MS. CAPPEL:** Had the demotion already occurred by  
20 the time you had the meeting with Erin and Heather?

21           **CAPTAIN TOROK:** He had voluntarily rolled back to  
22 the commander, and this was the finalized rollback to  
23 lieutenant.

24           **MS. CAPPEL:** And during that meeting, was there  
25 any discussion about concerns or complaints around Straub's

1 behavior?

2 **CAPTAIN TOROK:** I brought up a lot of what he had  
3 said in the meeting, his behavior, what appeared to be  
4 personal attacks, yes. I brought that up to both Erin and  
5 Heather.

6 **MS. CAPPEL:** And how did Heather respond?

7 **CAPTAIN TOROK:** They listened. They -- they made  
8 it clear they were fairly frustrated with the organizational  
9 chart that couldn't remain steady for more than three weeks  
10 at a time, if you would.

11 Obviously his moves impacted the H.R. department  
12 with all, you know, the moves and the org charts, et cetera.  
13 So it almost felt like they were commiserating with us when  
14 we were telling them about his behavior. And, again, at  
15 that meeting Joe had left. Rick Dobrow was still present.

16 **MS. CAPPEL:** Okay. Did anything other than  
17 Walker's request to roll back and the frustrations around  
18 Straub come up in that meeting about any other police staff?

19 **CAPTAIN TOROK:** I believe it was all focused  
20 around, that meeting, Joe's request to roll back.

21 **MS. CAPPEL:** And do you recall whether Erin or  
22 Heather were taking notes?

23 **CAPTAIN TOROK:** (Shakes head.) I don't recall.

24 **MS. CAPPEL:** How did that meeting end?

25 **CAPTAIN TOROK:** It ended with Joe being able to

1 roll back to a -- I believe a patrol position. They had  
2 done whatever they needed to do. And what was complicated  
3 was A.C. Meidl had demoted Joe to the rank of lieutenant.

4 Joe actually had civil service position of  
5 captain. He was promoted, I believe, one day ahead of Rick  
6 Dobrow. And like most places, when you start rollbacks,  
7 it's -- the least junior person is rolled back first, which  
8 means they skipped over Rick to get to Joe for a rollback.  
9 That was the association position there --

10 **MS. CAPPEL:** Uh-huh.

11 **CAPTAIN TOROK:** -- "You can't do this." Joe said,  
12 "No. I don't care. Roll me back. I'll be a lieutenant.  
13 That way I will be completely away from Straub."

14 **MS. CAPPEL:** Okay. Other than that meeting with  
15 Heather and Erin, did you personally ever talk to anyone  
16 outside the police department about concerns related to  
17 Straub --

18 **CAPTAIN TOROK:** In --

19 **MS. CAPPEL:** -- before the September 8th meeting?

20 **CAPTAIN TOROK:** Yes.

21 **MS. CAPPEL:** Can you tell me about that.

22 **CAPTAIN TOROK:** I met Nancy -- right about the  
23 time she got hired she did a ride-along with me. I was  
24 working the streets. And she and I have coffee, you know,  
25 every couple months. And I've expressed Straub's behavior

1 and, you know, various things that are happening internally  
2 within the department.

3 **MS. CAPPEL:** Do you remember any of the concerns  
4 you shared specifically about Straub with Nancy?

5 **CAPTAIN TOROK:** Definitely this meeting.

6 **MS. CAPPEL:** The Walker meeting?

7 **CAPTAIN TOROK:** Yes. We also talked about the  
8 Monique Cotton complaint. I shared my perspective on that.  
9 I shared my perspective on what a joke of an investigation  
10 was done by the H.R. department in regards to that  
11 complaint.

12 And these are things I vaguely recall. And we  
13 would talk in a generic sense, "How are things down there?"  
14 "It's okay." A variety of things.

15 **MS. CAPPEL:** So the Monique complaint that you're  
16 referring to is the -- what started as an IA complaint about  
17 potential dishonesty related to damage to her city-owned car  
18 and then also an e-mail she had -- was it with you?

19 **CAPTAIN TOROK:** Yes, with me.

20 **MS. CAPPEL:** Okay. That's the complaint you're  
21 referring to?

22 **CAPTAIN TOROK:** Yes, it is.

23 **MS. CAPPEL:** It's my understanding that was  
24 investigated in the early part of 2014. Is that consistent  
25 with your recollection?

1           **CAPTAIN TOROK:** Yes, it is.

2           **MS. CAPPEL:** And so the conversation with Nancy  
3 would have been sometime after --

4           **CAPTAIN TOROK:** It would have been post --

5           **MS. CAPPEL:** -- early --

6           **CAPTAIN TOROK:** -- yeah, post complaint.

7           **MS. CAPPEL:** Do you remember if those discussions  
8 bled into 2015 at all with Nancy?

9           **CAPTAIN TOROK:** It may have. Like I said,  
10 probably every other month we had coffee for an hour at a  
11 time. So I don't recall everything we've talked about, but  
12 it certainly may have.

13           **MS. CAPPEL:** All right. Any other discussions  
14 with anyone outside of the police department about Straub-  
15 related behavior other than what you've described with Erin  
16 and Heather and Nancy?

17           **CAPTAIN TOROK:** No. I only met with Erin and  
18 Heather on that one occasion. That's my best recollection  
19 is just that one occasion.

20           **MS. CAPPEL:** How about Theresa Sanders? Before  
21 September 8th of 2015 do you recall having a conversation  
22 with Theresa about --

23           **CAPTAIN TOROK:** I don't know that I ever spoke  
24 with Theresa one-on-one prior to -- or -- you're talking  
25 about the first meeting the association had?



1 **MS. CAPPEL:** September 8th of 2015?

2 **CAPTAIN TOROK:** No.

3 **MS. CAPPEL:** How about the mayor?

4 **CAPTAIN TOROK:** Actually, yes. We talked to --  
5 Joe Walker was the president of the union and I was the vice  
6 president when Straub got hired, so -- and so let me go  
7 back.

8 Theresa was present at that meeting. Because the  
9 mayor talked about his choices for hiring the next police  
10 chief, that narrowed that down to, I want to say, a  
11 gentleman out of California -- I'm not certain on that --  
12 and -- and Frank Straub.

13 **MS. CAPPEL:** What do you remember about that  
14 discussion?

15 **CAPTAIN TOROK:** From the association point of  
16 view, my analogy was it's like playing a high-dollar slot  
17 machine. You know, you put the \$5,000 coin in the slot  
18 machine and you pull it. If it hits, you're looking good.  
19 If it doesn't, you just lost a big chunk of money.

20 That was my analogy to hiring Straub. Because we  
21 all were aware of what occurred in Indianapolis, you know,  
22 and the media reported quite extensively on background  
23 stuff.

24 **MS. CAPPEL:** On his history in --

25 **CAPTAIN TOROK:** Yes.

1 **MS. CAPPEL:** -- Indianapolis?

2 **CAPTAIN TOROK:** Yes.

3 **MS. CAPPEL:** What did the mayor say about that,  
4 Straub, during that conversation?

5 **CAPTAIN TOROK:** The mayor was wrestling with the  
6 decision. It appeared to be apparent, by the look on his  
7 face, and "I know" (indicating) type thing, that was -- and  
8 we said, "We're ready to move ahead. We're going to support  
9 whomever."

10 And I think you can probably find public documents  
11 with me commenting, "We look forward to working with the new  
12 chief," et cetera.

13 **MS. CAPPEL:** Before he was hired did any  
14 information come to your attention that he had had  
15 inappropriate relationships with female staff in other  
16 positions?

17 Was that a subject of discussion?

18 **CAPTAIN TOROK:** I think subject of speculation  
19 based on his engagement with his then-fiancee, who was his  
20 director of Animal Control. Of course, that came via the  
21 news. That wasn't an internally generated conversation.

22 **MS. CAPPEL:** So that was part of the discussion?  
23 Was it part of the discussion with the mayor --

24 **CAPTAIN TOROK:** No.

25 **MS. CAPPEL:** -- this speculation?

1           **CAPTAIN TOROK:** No.

2           **MS. CAPPEL:** How about with Theresa?

3           **CAPTAIN TOROK:** No. It was more about him, who --  
4 and who he was going to pick. You know, he had some choices  
5 to make.

6           **MS. CAPPEL:** All right. You --

7           **CAPTAIN TOROK:** Let me add, during that meeting I  
8 remember him saying specifically -- because it caught me off  
9 guard because the mayor talks like a cop, which surprised me  
10 -- something to the effect of, "We said we'll let you know  
11 if there's issues." And he made a reference to, "I bet you  
12 assholes will be back." He smiled and joked. It was --  
13 wasn't meant -- but it -- "We'll let you know."

14           But when thing started to really, let's say, look  
15 bad, there was no way we could go back because we -- we  
16 thought we'd be looked at, "They're just complaining. Change  
17 is hard. They'll complain about change." So that's why --  
18 this thing festered. It festered for a period of time.

19           **MS. CAPPEL:** I'm going to go on to a new subject -

20 -

21           **CAPTAIN TOROK:** Okay.

22           **MS. CAPPEL:** -- and it's -- I think the -- it's  
23 described as No. 2 on the scope document, but it's the  
24 circumstances around Chief Straub's resignation.

25           And my first question is, how did you learn that

1 Chief Straub had resigned from the department?

2 **CAPTAIN TOROK:** That's a great question. I'm not  
3 sure if I learned internally or I learned externally in  
4 regards to the resignation. I knew or had heard internally  
5 that he had a meeting -- I believe he was gone on a cruise.  
6 He was on vacation, I believe.

7 And the word going around -- and I can't tell you  
8 where it came from -- was that he had a meeting with the  
9 mayor and/or Theresa early Monday, Tuesday, whenever he had  
10 returned.

11 **MS. CAPPEL:** But you're hearing this from other  
12 folks?

13 **CAPTAIN TOROK:** Yes. This was the internal  
14 conversation.

15 **MS. CAPPEL:** Were you contacted by anyone in the  
16 mayor's administration before you learned that Straub had  
17 resigned?

18 **CAPTAIN TOROK:** About his resignation?

19 **MS. CAPPEL:** To get input from you.

20 **CAPTAIN TOROK:** No, I don't think so. The --  
21 Theresa -- give me some context.

22 **MS. CAPPEL:** I'm not saying it happened.

23 **CAPTAIN TOROK:** Oh. I'm --

24 **MS. CAPPEL:** Do you recall that they tried to  
25 reach out for the association --

1           **CAPTAIN TOROK:** To get our recommendation as to --

2           **MS. CAPPEL:** Or to tell you that it was going to  
3 happen?

4           **CAPTAIN TOROK:** Not to me.

5           **MS. CAPPEL:** Okay. I'm going to backtrack for a  
6 moment. In any of the discussions with Theresa and the  
7 mayor when Straub concerns were being discussed, was there  
8 any talk about, "We're going to investigate these claims" --

9           **CAPTAIN TOROK:** Yeah.

10          **MS. CAPPEL:** -- "of misconduct"?

11          **CAPTAIN TOROK:** Sure. Theresa, when we brought it  
12 up at the September 8th meeting, "I'll have to look into  
13 this. I'll have to talk to people and I'll have to talk to  
14 the chief," I believe she said at the meeting.

15           It was obvious she had taken the concerns  
16 seriously. And many of us discussed, as we left the  
17 meeting, she -- there was some encouragement that they would  
18 at least look into issues occurring in the department  
19 involving the chief.

20          **MS. CAPPEL:** Okay. I'm going to move on to issue  
21 No. 3, which are issues around Monique Cotton and Carly  
22 Cortright.

23          **CAPTAIN TOROK:** Okay.

24          **MS. CAPPEL:** Do you need a break at all?

25          **CAPTAIN TOROK:** No.

1 **MS. CAPPEL:** You're good?

2 **CAPTAIN TOROK:** I'm good.

3 **MS. CAPPEL:** Let's start with Monique Cotton. Are  
4 you generally familiar with the position that Monique held?

5 **CAPTAIN TOROK:** Yes.

6 **MS. CAPPEL:** What was it?

7 **CAPTAIN TOROK:** Director of communications.

8 **MS. CAPPEL:** And what -- briefly, what does that  
9 mean? What was her job?

10 **CAPTAIN TOROK:** She coordinated media -- I won't  
11 say releases. That was the PIO. She coordinated -- I --  
12 things with the media, interviews. She did, I believe,  
13 marketing, branding of the department.

14 **MS. CAPPEL:** Did you know her before she was  
15 hired?

16 **CAPTAIN TOROK:** No.

17 **MS. CAPPEL:** Did you -- what was the degree of  
18 interactions you had with her in her role?

19 **CAPTAIN TOROK:** It was fairly frequent. Because I  
20 oftentimes had to do interviews and the relay of information  
21 for public release or, "Hey, here's a good news story," or  
22 "FYI, we arrested this person for this charge," because all  
23 that was filtered through Monique.

24 **MS. CAPPEL:** And did you have the opportunity to  
25 observe Monique and Chief Straub work together?

1           **CAPTAIN TOROK:** They always worked together.  
2 Seemed like they were always together.

3           **MS. CAPPEL:** And how would you describe the  
4 working relationship between the two of them based on what  
5 you saw?

6           **CAPTAIN TOROK:** Describe -- they appeared to have  
7 a close working relationship, if that's -- I'm not sure what  
8 you're asking.

9           **MS. CAPPEL:** Meaning it was a friendly  
10 relationship?

11           **CAPTAIN TOROK:** Yeah.

12           **MS. CAPPEL:** They appeared to get along?

13           **CAPTAIN TOROK:** It seemed like it.

14           **MS. CAPPEL:** Did that ever change, in your  
15 observation?

16           **CAPTAIN TOROK:** I had one -- I had a meeting with  
17 the chief where he had asked me to review something. I  
18 remember reading the document and Monique coming in, him  
19 saying something -- and, again, I'm reading it.

20           But what stood out to me, and still does to this  
21 day, was her comment, "Oh, I bet that's how" -- "I bet that  
22 is how they talk to women at IBM, too," which, of course,  
23 perked my ears up. But I have no idea what the chief said.

24           So I heard that comment. She appeared to be a  
25 little bit irritated, but I don't know what precipitated the

1 comment because I was reading whatever he had me reviewing.

2 **MS. CAPPEL:** Okay.

3 **CAPTAIN TOROK:** But that does stand out in my  
4 mind.

5 **MS. CAPPEL:** But you mentioned that when Monique  
6 said it, she appeared -- what was your word?

7 **CAPTAIN TOROK:** "Irritated" --

8 **MS. CAPPEL:** -- irritated?

9 **CAPTAIN TOROK:** -- would be the word.

10 **MS. CAPPEL:** Did Chief Straub ever talk to you  
11 personally about Monique Cotton?

12 **CAPTAIN TOROK:** No. He made mention of Monique  
13 in, I believe, the conversation with Walker about how Walker  
14 would not do interviews; and sometimes you just had to put  
15 up with things to get things accomplished.

16 He gave the example, "Do you think I really want  
17 to hear about Monique's new purse?" I mean that's --  
18 reference like that, but other than that --

19 **MS. CAPPEL:** Do you remember him, "him" being  
20 Straub, talking positively about how Monique was performing  
21 in your presence?

22 **CAPTAIN TOROK:** He would say publicly about the  
23 good work she's doing. We'd hear that all the time. You'd  
24 hear it at Compstat. You'd hear it frequently.

25 **MS. CAPPEL:** Did that ever change, where he



1 stopped being positive and started being critical, or --

2 **CAPTAIN TOROK:** Not to me. Not ever one-on-one  
3 with me. I can't recall in a group setting him ever saying  
4 anything negative.

5 **MS. CAPPEL:** Did you ever personally observe any  
6 kind of inappropriate closeness or touching between Chief  
7 Straub and Monique?

8 **CAPTAIN TOROK:** Touching? No.

9 **MS. CAPPEL:** Efforts to hug her, kiss her, slap  
10 her on the butt?

11 **CAPTAIN TOROK:** Physical interactions? No.

12 **MS. CAPPEL:** No personal observations of that?

13 **CAPTAIN TOROK:** No.

14 **MS. CAPPEL:** Did Monique ever talk to you about  
15 that that was going on between her and Straub?

16 **CAPTAIN TOROK:** We weren't that close. I don't  
17 think that's something she would say to me.

18 **MS. CAPPEL:** Did you hear from any source that  
19 Monique felt like she was being harassed by Chief Straub?

20 **CAPTAIN TOROK:** Not until all this stuff came out  
21 in the media. Well, let me back up, too. Also as a result  
22 of the -- was there an April meeting over -- after the  
23 Compstat with Lieutenant Griffiths and Monique, her transfer  
24 to -- I'm sorry. Let me back up.

25 Her working from home, which precipitated her

1 transfer to Parks, was -- at least the internal-generated  
2 word was obviously as a result of whatever dispute or  
3 whatever the issue was between her and the chief. But,  
4 again, not personally observed by me.

5 **MS. CAPPEL:** So what you're referencing is there  
6 was a time after this encounter that we've been talking  
7 about where Griffiths, Olsen, Dobrow, the chief, and Monica  
8 were there, and she was working at home after that?

9 **CAPTAIN TOROK:** Yes.

10 **MS. CAPPEL:** And then she transferred to Parks?

11 **CAPTAIN TOROK:** Yes.

12 **MS. CAPPEL:** Were you personally involved in any  
13 of the logistics of that transfer?

14 **CAPTAIN TOROK:** Absolutely not.

15 **MS. CAPPEL:** Consulted in any way?

16 **CAPTAIN TOROK:** No.

17 **MS. CAPPEL:** How did you learn that she was going  
18 to transfer to Parks?

19 **CAPTAIN TOROK:** She had been gone for a week,  
20 maybe more, and it was like, "Where's" -- missing for a week  
21 in action. "Where's Monique?" And, "Oh, she's working from  
22 home." "Okay." And then we hear that she's going to work  
23 for the Parks, so --

24 **MS. CAPPEL:** Did the chief ever explain, while you  
25 were present, the reasons for Monique going to Parks?

1           **CAPTAIN TOROK:** I do not recall an explanation by  
2 the chief.

3           **MS. CAPPEL:** Do you recall him bringing it up in  
4 any way, shape or form?

5           **CAPTAIN TOROK:** No. No. I remember reading her  
6 statement -- it might have been an e-mail -- about an  
7 opportunity, and -- you know what I mean -- and she was  
8 pursuing this other opportunity, and -- pretty much it.

9           **MS. CAPPEL:** But the internal discussion was that  
10 it -- that it was somehow related to that --

11           **CAPTAIN TOROK:** Yes.

12           **MS. CAPPEL:** -- blow-up?

13           **CAPTAIN TOROK:** Yes.

14           **MS. CAPPEL:** And in the internal discussions --  
15 and I know this is second- and third-hand, but I'll take it  
16 -- was there any reference to Monique alleging sexual  
17 harassment or claiming that she was being sexually harassed  
18 by the chief?

19           **CAPTAIN TOROK:** I didn't hear that.

20           **MS. CAPPEL:** Did you ever hear that before it came  
21 out in the newspaper, that Monique was claiming sexual  
22 harassment?

23           **CAPTAIN TOROK:** No. It appeared like they had a  
24 close working relationship. And as you asked before,  
25 sometimes it seemed like it was --

1           **MS. CAPPEL:** Let me --

2           **CAPTAIN TOROK:** -- a bit odd, but I didn't see  
3 anything from her or hear from her in regards to -- and let  
4 me qualify the "bit odd."

5           **MS. CAPPEL:** I was going to ask you.

6           **CAPTAIN TOROK:** Blooms Day Road Race, if you're  
7 not from around here -- the chief was there, and Monique was  
8 wearing his command staff jacket.

9           That's these dark blue/light blue, "Police" on the  
10 back, badge on the front. And it just -- it was odd. It  
11 reminds you back to the high school days when your, you  
12 know, significant other wore your letterman's jacket. It  
13 was odd.

14           **MS. CAPPEL:** And were they both on duty at the  
15 time?

16           **CAPTAIN TOROK:** Yes. They were both at the Blooms  
17 Day or -- yes, it was Blooms Day, Blooms Day event.

18           **MS. CAPPEL:** Are you aware of them socializing  
19 outside of work?

20           **CAPTAIN TOROK:** No.

21           **MS. CAPPEL:** Any other observations between the  
22 two of them that stuck out as odd?

23           **CAPTAIN TOROK:** Very strange text I received.

24           **MS. CAPPEL:** We'll go through that.

25           **CAPTAIN TOROK:** You want to wait for that?

1 **MS. CAPPEL:** Yeah.

2 **CAPTAIN TOROK:** Okay.

3 **MS. CAPPEL:** Anything else?

4 **CAPTAIN TOROK:** No. No. They -- I mean because  
5 of his office and -- and her being a director, they worked  
6 closely together; and there's nothing that raised -- other  
7 than, like I said, the odd things like that (indicating).

8 **MS. CAPPEL:** Okay. Did any of the female staff in  
9 the Spokane Police Department ever share with you that  
10 Straub made them uncomfortable?

11 **CAPTAIN TOROK:** No.

12 **MS. CAPPEL:** Did you personally ever report to  
13 anyone outside the department a concern about the closeness  
14 of the relationship between Cotton and Straub?

15 **CAPTAIN TOROK:** I may have expressed that to Nancy  
16 via the jacket, weird thing. I certainly couldn't tell you  
17 for sure.

18 **MS. CAPPEL:** All right.

19 **CAPTAIN TOROK:** It was one of those behaviors,  
20 like, Well, that's weird. But it wasn't one of those, you  
21 know, front-page news weird things. It just seemed a bit  
22 odd. But it was one of those, It's a bit odd, whatever --

23 **MS. CAPPEL:** Right.

24 **CAPTAIN TOROK:** -- type thing.

25 **MS. CAPPEL:** Who was your H.R. analyst assigned to

1 the department when Straub was there?

2 **CAPTAIN TOROK:** I believe Gita Hatcher.

3 **MS. CAPPEL:** Gita?

4 **CAPTAIN TOROK:** I believe she was our analyst.

5 **MS. CAPPEL:** Do you remember going to her for any  
6 reason about any concerns about -- between Straub and  
7 Monique and the closeness of their relationship?

8 **CAPTAIN TOROK:** No, I don't believe I ever spoke  
9 to Gita.

10 **MS. CAPPEL:** Okay. Let's talk about the text  
11 messages. So I'm going to give you what is a portion of an  
12 extraction report that was produced as a result of a public  
13 records request (indicating).

14 **CAPTAIN TOROK:** Okay.

15 **MS. CAPPEL:** And I honestly don't know whose phone  
16 was extracted. I can't tell from this report. But if you'd  
17 turn to page 7.

18 **CAPTAIN TOROK:** (Complied.)

19 **MS. CAPPEL:** And I've got a stickie note next to  
20 it.

21 **CAPTAIN TOROK:** Uh-huh.

22 **MS. CAPPEL:** There's a series of texts, and they -  
23 - the ones I'm interested in begin August 23, 2013 at 7:09  
24 and 45 seconds. And the number that's attributed to Monique  
25 is on the document and there's a number attributed to

1 Straub, and then there's a number, (509) 993-7961.

2 Do you know whose number that is?

3 **CAPTAIN TOROK:** That would be me.

4 **MS. CAPPEL:** Is that your city-issued --

5 **CAPTAIN TOROK:** Yes.

6 **MS. CAPPEL:** -- cell phone?

7 **CAPTAIN TOROK:** Yes.

8 **MS. CAPPEL:** The first text that I'm going to read  
9 is -- it appears to be from Monique to Chief Straub and to  
10 you, and it says:

11 "You're welcome. Very important for community to  
12 know the amazing work we are doing to keep the city" -- keep  
13 city safe."

14 Do you recall the context of this text?

15 **CAPTAIN TOROK:** Uh-huh.

16 **MS. CAPPEL:** What was going on?

17 **CAPTAIN TOROK:** I believe there had been an arrest  
18 or some other news-worthy item and so there was a group  
19 text; and it was the chief, Monique, and myself on this  
20 group text. And -- well -- okay. I'm not seeing it here.  
21 If you had the text before that, I think it would show you  
22 that -- what was being discussed.

23 **MS. CAPPEL:** And I don't know why we don't have  
24 that. Because it looks like part of the discussion is  
25 missing.

1           **CAPTAIN TOROK:** Yes.

2           **MS. CAPPEL:** But in any event, on August 23, 2013  
3 you were involved in a text message conversation with  
4 Monique and Chief Straub?

5           **CAPTAIN TOROK:** Yes.

6           **MS. CAPPEL:** And it was over some event that  
7 occurred that was of public interest?

8           **CAPTAIN TOROK:** That's my recollection.

9           **MS. CAPPEL:** So after the text that I just read,  
10 it looks like Straub sends a text to you and to Monique, and  
11 it says:

12           "See you soon. Love you. You are an awesome  
13 partner and best friend. You always will be."

14           And there's an exclamation point at the end. Do  
15 you recall seeing this text at the time?

16           **CAPTAIN TOROK:** Yes.

17           **MS. CAPPEL:** And how did you react?

18           **CAPTAIN TOROK:** How did I -- I didn't do anything.  
19 I mean do you want to know what my --

20           **MS. CAPPEL:** What's your --

21           **CAPTAIN TOROK:** -- personal reaction was?

22           **MS. CAPPEL:** Yes.

23           **CAPTAIN TOROK:** This is weird. This was not meant  
24 for me, and this was not meant for me to see.

25           **MS. CAPPEL:** And had you seen anything like this



1 kind of text between Straub and Cotton before the 23rd of  
2 August?

3 **CAPTAIN TOROK:** That I was involved in?

4 **MS. CAPPEL:** Right.

5 **CAPTAIN TOROK:** No. No. This, in my opinion,  
6 appeared to be an errant text. So I'd not been recipient  
7 nor have I on any other group text, no.

8 **MS. CAPPEL:** Have you seen any text from Chief  
9 Straub similar to what I just read, saying, "Love you,  
10 awesome partner, best friend," et cetera?

11 **CAPTAIN TOROK:** Only about three minutes later  
12 when he told me he loved me, too.

13 **MS. CAPPEL:** Other than that, had you seen any  
14 similar text?

15 **CAPTAIN TOROK:** No.

16 **MS. CAPPEL:** Did you know him to use that kind of  
17 language with his staff --

18 **CAPTAIN TOROK:** No.

19 **MS. CAPPEL:** -- express love and admiration and --

20 **CAPTAIN TOROK:** No.

21 **MS. CAPPEL:** So there's one more -- I'm going to  
22 go through this series of texts. But after the one I read  
23 about, "See you soon," et cetera, there is a text from Chief  
24 Straub to you and Monique on the 23rd of August, 2013, 7:19  
25 in the morning, and it says: "Group hugs this morning at

1 the briefing."

2 And then a few -- no, it looks like a continuation at  
3 the same time. Chief Straub continues to write: "Dan, you  
4 are totally awesome as well. I love you. Good advice on  
5 both of your parts."

6 Do you remember receiving that text?

7 **CAPTAIN TOROK:** Yes.

8 **MS. CAPPEL:** What was your reaction to being told  
9 by the chief that he loved you, too?

10 **CAPTAIN TOROK:** He realized he made a mistake and  
11 I was involved in the group text, and now he was trying to  
12 cover for it.

13 **MS. CAPPEL:** Did you ever have a conversation with  
14 Chief Straub about this text exchange?

15 **CAPTAIN TOROK:** Absolutely not.

16 **MS. CAPPEL:** Did it ever come up again?

17 **CAPTAIN TOROK:** No.

18 **MS. CAPPEL:** How about with Monique? Any  
19 conversation about --

20 **CAPTAIN TOROK:** No. It seemed at the time like  
21 one of those dirty things you shouldn't have seen, and I  
22 certainly wasn't going to bring it up to either one of them.

23 **MS. CAPPEL:** Had you seen any indications either  
24 around or before this time, the time being August 23, 2013,  
25 of any kind of personal relationship between Monique and

1 Chief Straub?

2 **CAPTAIN TOROK:** Again, they had a close working  
3 relationship. How personal it is? I don't know what goes  
4 on behind closed doors, so there was nothing that I was  
5 aware of.

6 **MS. CAPPEL:** All right. That's all I have for  
7 that text-message exchange.

8 So did you interact with Monique at all after she  
9 left the police department and transferred to Parks?

10 **CAPTAIN TOROK:** No.

11 **MS. CAPPEL:** Do you recall the last time you've  
12 seen or talked to her?

13 **CAPTAIN TOROK:** I haven't seen her in forever. I  
14 can tell you the last time I exchanged anything with her.  
15 Looks like Friday, September 19, 2014.

16 **MS. CAPPEL:** And are you looking at a text of --

17 **CAPTAIN TOROK:** I am.

18 **MS. CAPPEL:** Do you recall ever observing that  
19 Monique looked uncomfortable or fearful around Chief Straub?

20 **CAPTAIN TOROK:** No. Like I said, my only adverse  
21 experience, if you will, was her comment to him, which I had  
22 -- like I said, I didn't hear what he said. So it was the  
23 only time I'd ever seen her look irritated or -- I don't  
24 know if I'd use the word "uncomfortable," but irritated.

25 **MS. CAPPEL:** Okay. I want to move on to Carly

1 Cortright. Are you familiar with Carly?

2 **CAPTAIN TOROK:** I am.

3 **MS. CAPPEL:** Did you work with her when she was in  
4 the police department?

5 **CAPTAIN TOROK:** I did.

6 **MS. CAPPEL:** What was her position as far as you  
7 understood?

8 **CAPTAIN TOROK:** Her latest when she left?

9 **MS. CAPPEL:** Yeah, the position she held at the  
10 time she transferred.

11 **CAPTAIN TOROK:** I can't recall her title, if it  
12 was finance director or something to that effect; but she in  
13 essence was our budget, money person, if you will.

14 **MS. CAPPEL:** Did you have the opportunity to work  
15 with her, I mean, interact with her?

16 **CAPTAIN TOROK:** Just a little bit.

17 **MS. CAPPEL:** Did you observe her interactions with  
18 Chief Straub?

19 **CAPTAIN TOROK:** No.

20 **MS. CAPPEL:** Anything come to mind where you saw  
21 either they got along great or --

22 **CAPTAIN TOROK:** No. No.

23 **MS. CAPPEL:** Did she ever talk to you about her  
24 working relationship with Straub?

25 **CAPTAIN TOROK:** No.

1           **MS. CAPPEL:** Do you know anything about the  
2 circumstances of her leaving the police department and  
3 transferring to another department?

4           **CAPTAIN TOROK:** Only third-hand information.

5           **MS. CAPPEL:** Did Straub ever talk to you about  
6 Carly that you can recall?

7           **CAPTAIN TOROK:** I recall one comment he made, but  
8 this was prior -- this is when he was fairly new, right  
9 after he got hired.

10          **MS. CAPPEL:** What was it?

11          **CAPTAIN TOROK:** Let me lay the stage. He had  
12 invited then-association president Joe Walker and myself,  
13 the vice president of the association, to go have beers at -  
14 - oh, my gosh -- the little Irish place on Spokane Falls. I  
15 can't remember the name of it.

16          **MS. CAPPEL:** Okay.

17          **CAPTAIN TOROK:** And during the course of that  
18 conversation he talked about various personnel, strengths,  
19 weaknesses.

20                 He did make the offhand comment about Carly,  
21 something to the effect of, "She gets what she wants because  
22 she has big tits," or "The only reason she gets anything is  
23 because she has big tits."

24                 And it was a comment that was sort of -- sort of  
25 came out of nowhere with really no context, if that makes

1 any sense.

2 **MS. CAPPEL:** Do you remember how you reacted to  
3 that?

4 **CAPTAIN TOROK:** With sort of some surprise and,  
5 "Okay." There's not much to say. It appeared like he was  
6 trying to have this -- like we are peers, this is some kind  
7 of camaraderie thing, et cetera. I don't recall myself  
8 responding or Joe saying anything to that comment.

9 **MS. CAPPEL:** And you mentioned this was closer to  
10 the time that he was hired?

11 **CAPTAIN TOROK:** Yes. Yes.

12 **MS. CAPPEL:** Do you remember any other comments  
13 that he made about Carly specifically other than that one?

14 **CAPTAIN TOROK:** No, just that one.

15 **MS. CAPPEL:** Any comments -- any similar comments  
16 about other women --

17 **CAPTAIN TOROK:** Yes.

18 **MS. CAPPEL:** -- in the department?

19 Can you describe that?

20 **CAPTAIN TOROK:** Actually, it wouldn't be in the  
21 department.

22 **MS. CAPPEL:** All right. Comments of people who  
23 weren't in the department?

24 **CAPTAIN TOROK:** This would have been -- I'll give  
25 you a date range because I don't have it. Lieutenant Tracy

1 Meidl had just been promoted, and I remember that because  
2 there was an issue with her working the odd hours that we  
3 work in the drug unit and I was a captain over there at the  
4 time.

5 He and Joe Walker -- the three of us went to lunch  
6 at the Pita Pit over by Gonzaga, and he had made the comment  
7 that Nancy and Ken, her husband, had been at his house for  
8 dinner or some other function; and he made the offhanded  
9 comment, "She sure likes to talk about you. In fact, when  
10 she was talking about you, I think it makes her nipples  
11 hard," was his comments about the city attorney.

12 **MS. CAPPEL:** I missed that last one. Can you say  
13 that again.

14 **CAPTAIN TOROK:** Yeah. That "She likes to talk  
15 about you. She really likes you." This is --

16 **MS. CAPPEL:** Who is --

17 **CAPTAIN TOROK:** -- she --

18 **MS. CAPPEL:** Who is "she"?

19 **CAPTAIN TOROK:** Nancy Isserlis, the city attorney.

20 **MS. CAPPEL:** Oh, she's referencing Nancy.

21 **CAPTAIN TOROK:** He is --

22 **MS. CAPPEL:** Okay.

23 **CAPTAIN TOROK:** -- yes.

24 **MS. CAPPEL:** Okay.

25 **CAPTAIN TOROK:** Referencing Nancy and how "She

1 likes to talk about you. She really likes you. Talking  
2 about you makes her nipples hard," was the comment.

3 **MS. CAPPEL:** I'm sorry. I thought that was  
4 attributed to Tracy, but --

5 **CAPTAIN TOROK:** No. No. It was -- I'm trying to  
6 get the time frame. I don't have a date.

7 **MS. CAPPEL:** I gotcha. But he's talking to you,  
8 saying, "Nancy really likes you, Dan," and --

9 **CAPTAIN TOROK:** Uh-huh.

10 **MS. CAPPEL:** Okay. Got it.

11 **CAPTAIN TOROK:** My understanding is Nancy has  
12 always said -- in a professional -- you know what I mean --  
13 been quite the advocate as far as my work, et cetera.

14 **MS. CAPPEL:** Any other comments along those lines  
15 about women, either in the department or outside the  
16 department, that stand out?

17 **CAPTAIN TOROK:** He made a comment in -- I want to  
18 say it was -- senior staff was talking about the  
19 achievements, specifically the South Perry district and how  
20 they were so happy with him, he could probably have any  
21 woman that he wanted up there. This was made in a room full  
22 of 20 people.

23 **MS. CAPPEL:** Who was in the room?

24 **CAPTAIN TOROK:** Probably most every lieutenant and  
25 captain in the department. It would have been -- I believe



1 it was in a senior staff meeting, which is everybody  
2 lieutenant and above.

3 **MS. CAPPEL:** Okay. Did he get any response to  
4 that kind of comment?

5 **CAPTAIN TOROK:** I don't remember any response.  
6 It's -- again, it's one of those comments that you're not  
7 expecting from the CEO of the company to say. I mean, let's  
8 go back to the Nancy comment.

9 That -- he's not my peer. You know what I mean?  
10 If I had a peer give me some ribbing about something, might  
11 be a little different. Again, coming from the CEO of the  
12 organization, weird.

13 **MS. CAPPEL:** Any other comments about women that  
14 stand out?

15 **CAPTAIN TOROK:** No. No. Let's go back to the  
16 Nancy comments. What I thought was even more weird is Nancy  
17 is -- you may have talked to her -- 64-, 65-year-old woman?  
18 Grandmother.

19 **MS. CAPPEL:** I haven't met her yet, no.

20 **CAPTAIN TOROK:** Anyways --

21 **MS. CAPPEL:** Did he share his views on the city  
22 attorney -- other than that comment, did he talk about the  
23 working relationship with the city attorney's office or  
24 Nancy in particular?

25 **CAPTAIN TOROK:** He made some generalizations for

1 the -- over the mayor's office, the council -- basically how  
2 he could run circles around people. I don't recall it being  
3 directly related to her, but it was the administration: The  
4 council, the mayor, Theresa.

5 **MS. CAPPEL:** That he was able to run circles  
6 around that group of people?

7 **CAPTAIN TOROK:** Yes.

8 **MS. CAPPEL:** Okay.

9 **CAPTAIN TOROK:** He thought highly of his abilities  
10 and in the course of meetings would say just that. Back to  
11 the Joe Walker -- give you an idea -- Joe Walker meeting, it  
12 was, "I have this police chief thing down to a science,  
13 kids."

14 And that's part of his -- the demeaning -- at the  
15 time I was, what, 47 years old? Been a long time since I've  
16 been a kid. But it's that -- just, again, that demeaning  
17 behavior. And that was part of the conversation at the  
18 meeting with the mayor and Theresa.

19 **MS. CAPPEL:** Okay. I'm going to just round out  
20 one area --

21 **CAPTAIN TOROK:** Okay.

22 **MS. CAPPEL:** -- and that is, did you personally  
23 ever observe Chief Straub interact inappropriately with any  
24 women, either inside the department or outside the  
25 department, where you thought he had crossed professional

1 boundaries?

2 **CAPTAIN TOROK:** No.

3 **MS. CAPPEL:** All right. So I'm going to move on  
4 to the fifth issue -- and I'm right on time. It's how the  
5 city handled some public records requests that were made by  
6 media outlets for documents relating to Straub and to  
7 Cotton.

8 And I want to show you three requests in  
9 particular that I'm focusing on (indicating), and if you can  
10 just scan them and tell me whether you recall ever being  
11 notified of the requests.

12 **CAPTAIN TOROK:** (Reading.) I believe I've -- I  
13 saw this one (indicating). And they've at some point got to  
14 the city -- or the city -- they e-mail all the captains, all  
15 the executive staff, every time you get a public records  
16 request, regardless of our involvement. I believe I've seen  
17 this one (indicating).

18 **MS. CAPPEL:** And "this one" is the one --

19 **CAPTAIN TOROK:** It's --

20 **MS. CAPPEL:** -- dated --

21 **THE REPORTER:** I'm sorry. If we could have that  
22 one at a time, please.

23 **MS. CAPPEL:** It's the one dated August 18, 2015?

24 **CAPTAIN TOROK:** Yes.

25 **MS. CAPPEL:** Do you recall seeing the one dated

1 August 20?

2 **CAPTAIN TOROK:** No. I don't know what the city  
3 SOP is for -- for these public records. If they're specific  
4 names, do they only go to the named people? I don't know.  
5 Obviously Terri Pfister could probably tell you that. I  
6 don't recall seeing this one (indicating), though.

7 **MS. CAPPEL:** How about the last one?

8 **CAPTAIN TOROK:** (Reading.) I don't specifically  
9 recall seeing this. These come in pretty frequently, large  
10 quantities.

11 **MS. CAPPEL:** Okay.

12 **CAPTAIN TOROK:** So, like I say, there's nothing  
13 that draws my attention to this. I may have seen it.

14 **MS. CAPPEL:** So I'm going to go through the first  
15 and the third one. Do you recall looking for records that  
16 were responsive to the August 18th? This is the one that  
17 has eight specific requests.

18 **CAPTAIN TOROK:** Let me see it again.

19 **MS. CAPPEL:** Sure (indicating).

20 **CAPTAIN TOROK:** The e-mails, I know they searched  
21 the vault to do -- to find those. So I didn't search for  
22 any e-mails. Complaints made against Frank. Like I said, I  
23 may have seen this, obviously go through there.

24 I don't have any e-mails regarding complaints  
25 against Chief Frank Straub, so -- I don't recall if I

1 specifically did any search. And what makes it so nice now  
2 is everything is on the computer, right?

3 **MS. CAPPEL:** Uh-huh.

4 **CAPTAIN TOROK:** So word search is great. I don't  
5 recall if I did any word searches on my computer in regards  
6 to this or I looked at it -- like e-mails related to the  
7 budget for Parks? That's way outside my purview. Yeah.  
8 Phone records for the chief and Monique's phone.

9 **MS. CAPPEL:** Wouldn't be --

10 **CAPTAIN TOROK:** That's not relevant to me. So the  
11 things that appeared relevant -- every time I get one of  
12 these, if I review it and it looks relevant or it may be  
13 records that I would possess, then I'll do a search.

14 **MS. CAPPEL:** And what kind of search would you  
15 typically do? I know the IT department handles the e-mail  
16 queries.

17 **CAPTAIN TOROK:** Right.

18 **MS. CAPPEL:** So what do you look at?

19 **CAPTAIN TOROK:** I would do a word search for my --

20 **MS. CAPPEL:** On your hard drive?

21 **CAPTAIN TOROK:** Yeah. Ninety -- my gracious. I  
22 betcha 95 percent of all business is via e-mail. So -- so  
23 much of this stuff (indicating) is encompassed via e-mail.

24 **MS. CAPPEL:** How about any handwritten notes or,  
25 for instance, the notes that you were keeping?

1           **CAPTAIN TOROK:** Uh-huh.

2           **MS. CAPPEL:** Did you look for or discover that  
3 information?

4           **CAPTAIN TOROK:** Well, that's the result of a  
5 public records request in December that was "any and all  
6 conversations and documents related to conversations." I  
7 mean it was worded so -- you know, it was enormously broad.

8           **MS. CAPPEL:** Do you know who made the request,  
9 which media outlet or --

10           **CAPTAIN TOROK:** Spokesman-Review maybe. I  
11 believe. Had to have been Nick (indicating) -- same guy  
12 that did this one (indicating).

13           **MS. CAPPEL:** Deshais?

14           **CAPTAIN TOROK:** Deshais, yeah.

15           **MS. CAPPEL:** So what do you recall about -- what  
16 triggered your discovery of these notes (indicating) in  
17 response to December that was different than what you looked  
18 for in August?

19           **CAPTAIN TOROK:** I believe there was -- there was -  
20 - well, do you have that one? Conversation --

21           **MS. CAPPEL:** The December?

22           **CAPTAIN TOROK:** Yeah.

23           **MS. CAPPEL:** I don't.

24           **CAPTAIN TOROK:** Yeah. I believe it was specific  
25 conversations -- "documents related to conversations." I

1 mean it opened it up fairly wide as opposed to -- oh, let's  
2 see. I had nothing to do with the transfer of Monique. Like  
3 I said, I can go through these one by one if you'd like.

4 **MS. CAPPEL:** Do you remember producing any records  
5 in response to the August 18 public records request?

6 **CAPTAIN TOROK:** I don't think I did.

7 **MS. CAPPEL:** How about the 21st, the one on the  
8 21st?

9 **CAPTAIN TOROK:** (Reading.) Nope.

10 **MS. CAPPEL:** Do you recall any conversations with  
11 either Terri or her staff about these two (indicating)  
12 requests?

13 **CAPTAIN TOROK:** I do not recall.

14 **MS. CAPPEL:** Do you recall having any conversation  
15 with anyone in the city attorney's office about these  
16 earlier August requests (indicating)?

17 **CAPTAIN TOROK:** No.

18 **MS. CAPPEL:** Okay. And then in December you had  
19 the conversation with Pat Dalton?

20 **CAPTAIN TOROK:** Yes.

21 **MS. CAPPEL:** And that's where he said he thinks  
22 they're exempted in some fashion?

23 **CAPTAIN TOROK:** Uh-huh.

24 **MS. CAPPEL:** Okay. Anyone else in the city  
25 attorney's office that you've talked to about the December -

1 -

2 **CAPTAIN TOROK:** No. I talked to Terri in early  
3 January. She had sent an e-mail out that was confusing  
4 about this, and all it was was notification that we planned  
5 to release these notes.

6 So I called, left a message with her. She  
7 returned the call, just saying that she was saying -- sorry,  
8 I'll slow down -- that it was just notification that they  
9 would be releasing.

10 **MS. CAPPEL:** It's your understanding they have  
11 released portions of those notes?

12 **CAPTAIN TOROK:** They -- yes. Yes. I've read them  
13 online.

14 **MS. CAPPEL:** So how do you handle requests for  
15 text messages on your city-issued phone?

16 **CAPTAIN TOROK:** They rip my phone. I had the TARU  
17 rip the phone.

18 **MS. CAPPEL:** You had who?

19 **CAPTAIN TOROK:** The T-A-R-U, Technical Assistance  
20 Response Unit. It's our computer guys that do the phones  
21 and computers, the forensic examinations.

22 **MS. CAPPEL:** And you said they ripped your phone?

23 **CAPTAIN TOROK:** Yes.

24 **MS. CAPPEL:** When was the first time they did  
25 that?



1           **CAPTAIN TOROK:** They ripped my phone -- oh, my.  
2 That's probably -- that (indicating) is from my phone, so --  
3 I'm not sure if there's a date on that report or not, that  
4 part that you have there.

5           **MS. CAPPEL:** The text messages that I showed you  
6 earlier?

7           **CAPTAIN TOROK:** Yes.

8           **MS. CAPPEL:** It's actually over here (indicating).  
9 But you believe that came from your phone?

10          **CAPTAIN TOROK:** Yeah.

11          **MS. CAPPEL:** Okay.

12          **CAPTAIN TOROK:** Specifically there was an inquiry  
13 made as to -- "We've heard" -- this was from Tim -- I have  
14 days like this.

15          **MS. CAPPEL:** Schwering?

16          **CAPTAIN TOROK:** -- Tim Schwering -- my goodness --  
17 yeah, that, "We heard that you might have a text message."  
18 "I do." I recall him calling me because I was at Newport at  
19 a high school girls' soccer game. I said, "Yes, I certainly  
20 do. It's on my old phone." He said, "We're going to need  
21 it."

22          **MS. CAPPEL:** Do you remember about when that  
23 happened?

24          **CAPTAIN TOROK:** If I looked at the soccer  
25 schedule, I could tell you exactly when it happened.

1 **MS. CAPPEL:** Was it in 2015?

2 **CAPTAIN TOROK:** Yes.

3 **MS. CAPPEL:** And --

4 **CAPTAIN TOROK:** Would have been early fall. Early  
5 -- nope. If I referred to a schedule, I could tell you  
6 exactly when. There should be a date on when he ripped that  
7 phone, though. So the conversation would have happened  
8 probably two or three days ahead of time.

9 **MS. CAPPEL:** And your recollection is the  
10 conversation was with Tim that prompted you to --

11 **CAPTAIN TOROK:** Yes.

12 **MS. CAPPEL:** -- turn over your old phone?

13 **CAPTAIN TOROK:** Yes.

14 **MS. CAPPEL:** And who did you give it to?

15 **CAPTAIN TOROK:** I gave it to Ryan Schneider.

16 **MS. CAPPEL:** And what's Ryan's position?

17 **CAPTAIN TOROK:** He's an officer in that technical  
18 unit.

19 **MS. CAPPEL:** Within the police department?

20 **CAPTAIN TOROK:** Yes.

21 **MS. CAPPEL:** Are they the ones that did the  
22 extraction as far as you know?

23 **CAPTAIN TOROK:** Yes.

24 **MS. CAPPEL:** Do they give you any documentation of  
25 having taken your phone and doing what they do and then

1 giving it back?

2 **CAPTAIN TOROK:** Like receipt or anything?

3 **MS. CAPPEL:** Anything -- like chain of custody?

4 **CAPTAIN TOROK:** No. I have a disk of what's --  
5 you know what I mean -- of the messages, but -- no.

6 **MS. CAPPEL:** So they provided you with a full disk  
7 of messages?

8 **CAPTAIN TOROK:** Uh-huh.

9 **MS. CAPPEL:** Were you asked to review them?

10 **CAPTAIN TOROK:** No.

11 **MS. CAPPEL:** Is that the only time that your  
12 phones have been ripped, as you say?

13 **CAPTAIN TOROK:** Yes. And I believe that was in  
14 response to a public records request for text messages and  
15 something else that Tim told me about.

16 **MS. CAPPEL:** Okay. Do you recall providing any  
17 kind of documentation to members of the city attorney's  
18 office in response to a public records request around Straub  
19 and Cotton as opposed to sending anything to Terri?

20 **CAPTAIN TOROK:** Just the notes that I sent to Pat  
21 Dalton.

22 **MS. CAPPEL:** And what prompted you to send those  
23 notes to Pat instead of Terri?

24 **CAPTAIN TOROK:** When I had a conversation with  
25 him, I said, "I'll remove the association-related material

1 and I can send it to Terri," or -- I believe he said, "You  
2 can just send it to me." "Okay."

3 **MS. CAPPEL:** But you mentioned you're not sure  
4 what the sort of process is that the city clerk's office  
5 follows in connection with collecting documents as part of a  
6 public records --

7 **CAPTAIN TOROK:** I don't have what their procedure  
8 is.

9 **MS. CAPPEL:** Do you remember how you learned of  
10 this December request that triggered --

11 **CAPTAIN TOROK:** That came -- that came out in one  
12 of the generic, to everybody type -- or not everybody --  
13 probably command staff or senior staff.

14 **MS. CAPPEL:** And you were aware of these notes  
15 that we've been talking about?

16 **CAPTAIN TOROK:** Uh-huh.

17 **MS. CAPPEL:** So who did you contact to let them  
18 know that you had these notes?

19 **CAPTAIN TOROK:** I believe I talked to Pat Dalton.

20 **MS. CAPPEL:** All right.

21 **CAPTAIN TOROK:** "I have notes" -- you know what I  
22 mean --

23 **MS. CAPPEL:** Right.

24 **CAPTAIN TOROK:** -- "that I think fall within what  
25 they're requesting, but part of it's association," and hence

1 my conversation with him. That would have been in early  
2 December? Mid to late December?

3 **MS. CAPPEL:** Okay.

4 **CAPTAIN TOROK:** I think I forwarded the notes to  
5 him around the 15th of December.

6 **MS. CAPPEL:** And I'm sorry that I'm a little  
7 thick-headed on this, but --

8 **CAPTAIN TOROK:** Okay.

9 **MS. CAPPEL:** -- normally I see Terri send out the  
10 notifications --

11 **CAPTAIN TOROK:** Uh-huh.

12 **MS. CAPPEL:** -- that the city has received a  
13 public records request.

14 **CAPTAIN TOROK:** Uh-huh.

15 **MS. CAPPEL:** So in this case where you had the  
16 conversation with Pat, do you know why it is you responded  
17 to Pat as opposed to someone in the city clerk's office?

18 **CAPTAIN TOROK:** With my question?

19 **MS. CAPPEL:** Yeah.

20 **CAPTAIN TOROK:** I believe Mary Muramatsu told me  
21 to bounce it off Pat.

22 **MS. CAPPEL:** Okay.

23 **CAPTAIN TOROK:** I think I may have inquired with  
24 Mary, and she said Pat Dalton is -- you know what I mean --  
25 as far as public records.

1 **MS. CAPPEL:** And can you spell Mary's last name?

2 **CAPTAIN TOROK:** M-u-r-a-m-a-t-s-u, I believe.

3 Muramatsu.

4 **MS. CAPPEL:** And what's her role?

5 **CAPTAIN TOROK:** She is the SPD legal liaison.

6 **MS. CAPPEL:** Okay. All right. I think I've  
7 gotten through my list.

8 **CAPTAIN TOROK:** Okay.

9 **MS. CAPPEL:** Do you have any questions of me  
10 before we part ways?

11 **CAPTAIN TOROK:** No, not really.

12 **MS. CAPPEL:** Are there any individuals with whom  
13 you think I should speak as part of this investigation?

14 **CAPTAIN TOROK:** That's not on your list?

15 **MS. CAPPEL:** That -- if you saw the list, yeah,  
16 that's not on that list that you were privy to.

17 **CAPTAIN TOROK:** No, nobody's jumping out at me.  
18 You have Tim on the list obviously, right?

19 **MS. CAPPEL:** Yes.

20 **CAPTAIN TOROK:** Rick Dobrow.

21 **MS. CAPPEL:** Yes.

22 **CAPTAIN TOROK:** And you've got Meidl, of course.

23 **MS. CAPPEL:** Yes.

24 **(A discussion was held off the record.)**

25 **CAPTAIN TOROK:** No. I think -- right now I think

1 you have a pretty comprehensive list.

2 **MS. CAPPEL:** Okay. Well, thank you. We can go  
3 off the record now.

4 **(WHEREUPON, the interview of CAPTAIN DAN TOROK was**  
5 **concluded at 10:29 a.m.)**

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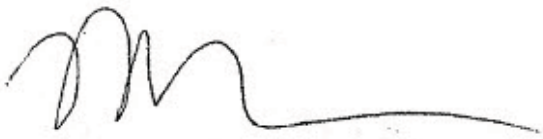
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1 CERTIFICATE

2  
3 I, Maryann Matthews, do hereby certify that  
4 I reported all proceedings adduced in the foregoing matter  
5 and that the foregoing transcript pages constitutes a  
6 full, true and accurate record of said proceedings to the  
7 best of my ability.

8  
9 I further certify that I am neither related  
10 to counsel or any party to the proceedings nor have any  
11 interest in the outcome of the proceedings.

12  
13 IN WITNESS HEREOF, I have hereunto set my  
14 hand this 15th day of March, 2016.

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CORRECTION SHEET

Interview of: Dan Torok Date: 2/22/16  
 Regarding: City of Spokane and Frank Straub  
 Transcriber: Matthews

\_\_\_\_\_

Please make all corrections, changes or clarifications to your testimony on this sheet, showing page and line number. If there are no changes, write "none" across the page. Sign this sheet on the line provided.

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Signature \_\_\_\_\_

Dan Torok

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DECLARATION

Interview of: Dan Torok Date: 2/22/16

Regarding: City of Spokane and Frank Straub

Transcriber: Matthews

\_\_\_\_\_

I declare under penalty of perjury the following to be true:

I have read my deposition and the same is true and accurate save and except for any corrections as made by me on the Correction Page herein.

Signed at \_\_\_\_\_, \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Signature \_\_\_\_\_

Dan Torok

<p> <hr/>                 \$  <b>\$5,000</b> 41:17  <hr/>                 1  <hr/> <b>10:29</b> 79:5  <b>10th</b> 27:11  <b>11</b> 18:9  <b>15</b> 10:6 10:11                  10:14 18:8  <b>15th</b> 77:5  <b>17th</b> 28:2  <b>18</b> 28:16                  32:14 67:23                  71:5  <b>18th</b> 30:15                  68:16  <b>19</b> 59:15  <b>1996</b> 5:6  <hr/>                 2  <hr/> <b>2</b> 43:23  <b>20</b> 64:22 68:1  <b>2013</b> 5:24 6:7                  54:23                  56:2                  57:24 58:24  <b>2014</b> 16:15                  35:24 39:24                  59:15  <b>2015</b> 5:21 6:8                  17:12                  28:2                  28:16                  40:8                  40:21                  41:1                  67:23 74:1  <b>2016</b> 3:4 5:21             </p>	<p> <b>21</b> 10:15  <b>21st</b> 71:7                  71:8  <b>22</b> 3:4  <b>23</b> 54:23 56:2                  58:24  <b>23rd</b> 57:1                  57:24  <b>26</b> 4:23  <b>27</b> 4:22  <hr/>                 3  <hr/> <b>3</b> 45:21  <hr/>                 4  <hr/> <b>45</b> 54:24  <b>47</b> 66:15  <hr/>                 5  <hr/> <b>509</b> 55:1  <hr/>                 6  <hr/> <b>64</b> 65:17  <b>65-year-old</b>                  65:17  <hr/>                 7  <hr/> <b>7</b> 54:17  <b>7:09</b> 54:23  <b>7:19</b> 57:24  <hr/>                 8  <hr/> <b>8:57</b> 3:5  <b>89</b> 5:4  <b>8th</b> 8:17                  14:20 15:24                  17:15 18:1             </p>	<p>                 18:20                  20:7                  21:21 22:10                  24:19 24:23                  25:5                  25:16 25:25                  26:3                  26:24 35:13                  38:19 40:21                  41:1 45:12  <hr/>                 9  <hr/> <b>95</b> 69:22  <b>993-7961</b> 55:1  <hr/>                 A  <hr/> <b>A.C</b> 14:10                  38:3  <b>a.m</b> 3:5 79:5  <b>abilities</b>                  66:9  <b>able</b> 20:7                  37:25 66:5  <b>Absolutely</b>                  50:14 58:15  <b>academy</b> 5:5  <b>accepted</b> 21:8  <b>accepts</b> 31:5  <b>accomplish</b>                  36:13  <b>accomplished</b>                  48:15  <b>accordingly</b>                  13:17  <b>achievements</b>                  10:23 64:19  <b>across</b> 15:18  <b>act</b> 13:17             </p>	<p> <b>action</b> 50:21  <b>activities</b>                  17:7  <b>activity</b>                  29:15  <b>actually</b>                  10:22 18:21                  33:2 38:4                  41:4                  62:20 73:8  <b>add</b> 43:7  <b>address</b> 9:19  <b>addressed</b>                  20:5 30:2                  30:21  <b>administratio</b>  <b>n</b> 44:16                  66:3  <b>administrativ</b>  <b>e</b> 5:20 34:7  <b>administrator</b>                  8:18 12:8                  35:7  <b>admiration</b>                  57:19  <b>adverse</b> 59:20  <b>advice</b> 3:24                  58:4  <b>advised</b> 17:7  <b>advocate</b>                  64:13  <b>against</b> 4:5                  8:11                  68:22 68:25  <b>ago</b> 17:2  <b>ahead</b> 6:12                  36:7 38:5             </p>
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