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IN THE COURT OF COMMON PLEAS

MARY L. SWAIN
BUTLER COUNTY
CLERK OF COURTS

BUTLER COUNTY, OHIO

* * *

ERIN GABBARD,

et al.,

Plaintiffs/Relators,

vs.

CASE NO. CV 2018 09 2028

MADISON LOCAL SCHOOL

DISTRICT BOARD OF EDUCATION,

et al.,

Defendants/Respondents.

CONFIDENTIAL - ATTORNEYS' EYES ONLY

Deposition of JOHN KENT HALL,

Witness herein, called by the

Plaintiffs/Relators for cross-examination

pursuant to the Rules of Civil Procedure, taken

before me, Karen M. Rudd, a Notary Public in and

for the State of Ohio, at the Courtyard

Marriott, 1 Riverfront Plaza, Hamilton, Ohio, on

Friday, January 11, 2019, at 4:04 p.m.

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1 APPEARANCES:

2 On behalf of the Plaintiffs/Relators:

3 Everytown for Gun Safety

4 By: Alla Lefkowitz

5 Jed Miller

6 Krystan Hitchcock

7 Attorneys at Law

8 132 E. 43rd Street

9 #657

10 New York, New York 10017

11 646 324-8365

12 alefkowitz@everytown.org

13 jedmiller@everytown.org

14 khitchcock@everytown.org

15 On behalf of the Defendants/Respondents:

16 Frost, Brown, Todd

17 By: Brodi J. Conover

18 Carly M. Sherman

19 Attorneys at Law

20 9277 Centre Pointe Drive

21 Suite 300

22 West Chester, Ohio 45069

23 513 870-8200

24 bconover@fbtlaw.com

25 csherman@fbtlaw.com

On behalf of the Witness:

Butler County Prosecutor's Office

By: Dan Ferguson

Attorney at Law

315 High Street

10th Floor

Hamilton, Ohio 45011

513 887-3474

fergusondl@butlercountyohio.org

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24

25

1 JOHN KENT HALL
2 of lawful age, Witness herein, having been first
3 duly cautioned and sworn, as hereinafter
4 certified, was examined and said as follows:

5 CROSS-EXAMINATION

6 BY MR. MILLER:

7 Q. Good afternoon, Deputy Hall.

8 A. Good afternoon.

9 Q. My name is Jed Miller. I'm a
10 lawyer for Everytown for Gun Safety, and I
11 represent the plaintiffs in the lawsuit, Erin
12 Gabbard versus Madison Local School District
13 Board of Education. I'm joined at the table by
14 a couple of my colleagues, who I will give a
15 moment to introduce themselves, and then I'll
16 turn it over to the other counsel at the table
17 to introduce themselves. We are obviously also
18 joined in this room by a court reporter.

19 MS. LEFKOWITZ: Hi. My name is
20 Alla Lefkowitz. I'm also an attorney for the
21 plaintiffs in this case.

22 MS. HITCHCOCK: My name is Krystan
23 Hitchcock, and I am an attorney for the
24 plaintiffs.

25 MR. MILLER: And I see you are

1 joined by your counsel.

2 MR. FERGUSON: Dan Ferguson,
3 assistant prosecuting attorney, Butler County,
4 Ohio. I represent the sheriff's department and
5 representing the witness today in this
6 deposition.

7 MR. CONOVER: Brodi Conover on
8 behalf of the defendants in this case, the
9 Madison Local District School Board of
10 Education -- or Madison Local School District
11 Board of Education, my apologies, and Madison
12 Local School District superintendent Dr. Lisa
13 Tuttle-Huff.

14 MS. SHERMAN: Carly Sherman on
15 behalf of the defendants, as well.

16 BY MR. MILLER:

17 Q. Deputy Hall, have you ever given
18 prior testimony or deposition in any case?

19 A. Yes.

20 Q. How many times?

21 A. Through my whole career?

22 Q. Yes, sir.

23 A. I used to arrest a lot of people,
24 so I would say a lot.

25 Q. So are you familiar with your

1 obligations when you testify under oath?

2 A. Yes.

3 Q. You understand that above
4 everything else, you are -- since you are under
5 oath, you are required to testify truthfully and
6 accurately to the best of your ability?

7 A. Yes. Yes, sir.

8 Q. One other thing we should make sure
9 you understand is that if I ask a question that
10 you do not understand or if I phrase something
11 unclearly, I need you to tell me so that I can
12 ask you a better question. Can we agree on
13 that?

14 A. Yes.

15 Q. Okay. Because we have a court
16 reporter here who is making a written transcript
17 of everything we say, we need your answers to be
18 verbal. She cannot get down head nods, shaking
19 your head, things of that nature. It's also
20 very difficult to transcribe the answers uh-huh
21 and uh-uh, both of which look very similar on
22 paper. Is that clear?

23 A. Yes, sir.

24 Q. Okay. Your attorney or the other
25 attorneys at the table may object to a question

1 I've asked. If they do, you still have to
2 answer the question unless they instruct you not
3 to answer it. Do you understand?

4 A. Yes.

5 Q. And then if you would like a break,
6 we absolutely can accommodate you. This is not
7 an endurance test. The only thing I'd ask is if
8 I have asked a question when you need a break,
9 that you answer any question that's pending
10 before we take a break. Is that fair?

11 A. Yes, sir.

12 Q. Okay. We are going to be referring
13 to a couple of entities and things repeatedly in
14 this deposition, so I'd like to agree on a
15 couple of defined terms at the outset so we are
16 all clear what we're talking about.

17 This is a case against the Madison
18 Local School District Board of Education. I'd
19 like to refer to the school district,
20 specifically the Madison Local School District,
21 as either Madison or the district. Is that
22 clear?

23 A. Yes.

24 Q. And by using the term board, I'll
25 be referring to the Madison Local School

1 District Board of Education. Is that also
2 clear?

3 A. Yes.

4 Q. Would you state your full name and
5 spell it for the record, please?

6 A. John Kent Hall, J O H N, K E N T,
7 H A L L.

8 Q. And where are you employed, Deputy
9 Hall?

10 A. I'm employed at the Butler County
11 Sheriff's Office as a part-time deputy. I'm
12 also employed through Madison Township as a fire
13 chief.

14 Q. And what is your relationship to
15 the Madison Local School District?

16 A. What is my what?

17 Q. Your relationship to the Madison
18 Local School District.

19 A. I'm a school resource officer.

20 Q. And that is a job or a duty you
21 perform in connection with your position as a
22 deputy with the sheriff's department; is that
23 right?

24 A. That is correct.

25 Q. Are you under the influence of any

1 medications or other substances that could
2 affect your ability to testify here today?

3 A. I take medication, but it's not
4 going to affect my ability to testify, no.

5 Q. Okay. And lastly, are you
6 testifying pursuant to a subpoena in this
7 matter?

8 A. Yes.

9 MR. MILLER: Could you please mark
10 this as X, Exhibit X?

11 (Thereupon, Plaintiffs' Exhibit X,
12 Subpoena, was marked for purposes of
13 identification.)

14 BY MR. MILLER:

15 Q. The court reporter is handing you a
16 document that has been marked with a yellow
17 sticker showing that it's Exhibit X. Do you see
18 that?

19 A. Yes.

20 Q. What is this document, sir?

21 A. A subpoena.

22 Q. Is this the subpoena that you
23 received in connection with your testimony here
24 today?

25 A. I did not physically receive this.

1 I was told by Chief Deputy Dwyer that I had a
2 subpoena, and he sent me a picture of it via
3 text.

4 Q. I see. You can set that document
5 aside. How did you prepare for your deposition
6 today?

7 A. I have had some conversations with
8 the prosecutor here --

9 Q. Okay.

10 A. -- in relation to my testimony
11 today.

12 Q. Okay. I don't want to inquire
13 about any of the conversations you have had with
14 the prosecutor. Have you spoken to anyone else
15 other than the county -- the lawyer that's
16 representing you?

17 A. No, sir.

18 Q. Have you spoken with defense
19 counsel in connection with your testimony here
20 today?

21 A. No, sir.

22 Q. Have you spoken with any members of
23 the school district Board of Education?

24 A. No, sir.

25 Q. And what about with the

1 superintendent or anyone that works for the
2 Board of Education?

3 A. No, sir.

4 Q. Did you bring any documents with
5 you today?

6 A. No, sir.

7 Q. What does the term security
8 personnel mean to you with respect to the
9 Madison Local School District?

10 MR. CONOVER: Objection.

11 THE WITNESS: Security personnel?

12 MR. MILLER: Correct.

13 THE WITNESS: If you just say
14 security personnel, it's a wide term in my
15 opinion.

16 BY MR. MILLER:

17 Q. Okay. What would it mean for
18 someone to be security personnel at the Madison
19 Local School District in your view?

20 A. Well, in my view, we don't have
21 security personnel at Madison school, but --

22 Q. Okay.

23 A. Like I said, security personnel is
24 a very wide term.

25 Q. What are some of the things that in

1 your view would constitute security personnel?

2 A. You have security personnel in the
3 malls. You have security personnel in
4 hospitals.

5 Q. What are some of the things that
6 they do that make them security personnel in
7 your view?

8 MR. FERGUSON: I'm going to object
9 to all of this, because he is being asked for
10 his opinion about matters that are legal issues
11 that are subject to definition under the Ohio
12 Revised Code. They are what they are. Go ahead
13 and answer.

14 THE WITNESS: Could you repeat the
15 question?

16 MR. MILLER: Would you mind reading
17 it back, please?

18 (Record read.)

19 THE WITNESS: Some examples,
20 security personnel at a mall would be to monitor
21 and report anything that occurs at a mall.
22 Security personnel at a hospital could be a wide
23 variety, you know, all the way from medical
24 personnel coming in to assisting life squads to
25 investigating suspicious people on their

1 property.

2 BY MR. MILLER:

3 Q. Has Madison ever employed someone
4 that you would view as security personnel?

5 A. No, sir.

6 Q. Are you, as a school resource
7 officer assigned to the Madison Schools, a
8 security person or security personnel?

9 A. No, sir.

10 Q. Why not?

11 A. Because I'm a certified police
12 officer.

13 Q. And how does that keep you from
14 being a security personnel?

15 A. I'm a certified police officer, a
16 deputy sheriff, that has went through OPOTA
17 training, and that's how I, in my opinion,
18 believe that I'm a certified peace officer.

19 Q. Okay. What's the purpose of having
20 armed staff at Madison Schools in your view?

21 A. What's the purpose of having armed
22 staff?

23 Q. Yes.

24 A. I can only give an opinion of what
25 the school board -- the school board has

1 approved armed teachers at my school.

2 Q. We have asked members of the school
3 board to speak on their reasons for --

4 A. Right.

5 Q. -- arming staff. I'm wondering
6 whether you have a view of what armed staff do
7 for the district.

8 A. I don't really have an opinion on
9 it. I work at the school for the sheriff's
10 office as a school resource officer. What the
11 board does as far as their policies and
12 procedures is really of no concern to me.

13 Q. What have your interactions been
14 with the personnel who are armed at Madison
15 Schools?

16 A. My interactions?

17 Q. Yes.

18 A. I haven't had any.

19 Q. Do you know who the armed personnel
20 are?

21 A. I do.

22 Q. And do you know how many there are?

23 A. I do.

24 MR. CONOVER: If I can quickly
25 interject, I think we are probably entering an

1 area that we have previously designated as
2 highly confidential pursuant to a
3 confidentiality agreement among the parties, and
4 I just want to note that we probably would be at
5 some later point designating some of this
6 information as highly confidential and subject
7 to some sort of redaction between the parties.

8 MR. MILLER: Understood.

9 BY MR. MILLER:

10 Q. I'm going to direct your attention
11 to an exhibit that we previously introduced that
12 is Exhibit L.

13 (Thereupon, Plaintiffs' Exhibit L,
14 Resolution to allow armed staff in school safety
15 zone, having been previously marked, was
16 presented for purposes of identification.)

17 BY MR. MILLER:

18 Q. Do you recognize Exhibit L, Deputy
19 Hall?

20 A. I need a second to read it.

21 Q. Sure.

22 A. It looks like a motion by the
23 board.

24 Q. Have you ever seen the document
25 marked as Exhibit L before?

1 A. No, sir.

2 Q. Were you present at the school
3 board meeting where the resolution shown in
4 Exhibit L was passed by the school board?

5 A. Yes, sir.

6 Q. Do you have any specific
7 recollection of the meeting where this
8 resolution was passed?

9 A. The only recollection I have of the
10 meeting was the agenda came up, and it was
11 passed, and then there was some questions in the
12 crowd about was that the resolution. Some
13 people was a little bit confused in the crowd,
14 because there was a large crowd there, that the
15 agenda was passed. That's the only recollection
16 I have.

17 Q. Okay. Do you have any reason to
18 believe that this document shown as Exhibit L is
19 not the school district's resolution to allow
20 armed staff in the school safety zone?

21 A. I have never seen this document.

22 Q. Okay.

23 A. I was at the meeting when they
24 passed the resolution.

25 Q. Pointing your -- directing your

1 attention to the end of the first paragraph.
2 Would you agree that a purpose of the resolution
3 is to be prepared and equipped to defend and
4 protect our students?

5 MR. FERGUSON: I'm going to object
6 to the question. The document says what it
7 says.

8 MR. CONOVER: Objection.

9 MR. FERGUSON: It is what it is.
10 It speaks for itself.

11 MR. MILLER: You can answer the
12 question.

13 THE WITNESS: What was the
14 question?

15 MR. MILLER: Could you read it
16 back, please?

17 (Record read.)

18 THE WITNESS: What's the question?

19 BY MR. MILLER:

20 Q. Is a purpose of the resolution to
21 allow the school district to be prepared and
22 equipped to defend and protect students?

23 A. That statement is in the
24 resolution, yes.

25 Q. Would you agree that's a purpose of

1 arming Madison school teachers?

2 A. I would say in the board's mind.
3 In my opinion, by them arming teachers is to
4 provide -- protect the students at the school.

5 Q. Do you know how armed personnel are
6 supposed to protect students at the school?

7 A. The policy that I was instructed on
8 teachers was they are to not pursue individuals
9 that are potentially on school property. They
10 are to stay in their classroom and protect the
11 environment that they are currently in and their
12 kids in their classroom.

13 Q. In an emergency like an active
14 shooter situation, does the role of the armed
15 staff differ at all from that of unarmed staff?

16 A. In my opinion, the only difference
17 would be the teacher in a classroom that is
18 armed would be better equipped to protect
19 themselves and their kids.

20 Q. And specifically how would they be
21 better equipped?

22 A. Because they would be armed.

23 Q. And being armed would allow them to
24 do what?

25 A. Protect themselves and the kids in

1 the classroom.

2 Q. I apologize for asking an obvious
3 question, but do unarmed staff carry firearms on
4 Madison Local School District property?

5 A. Not to my knowledge.

6 Q. And do staff that are not
7 authorized by the board to carry a firearm in
8 fact carry a firearm on school district
9 property?

10 A. Repeat the question, please.

11 Q. Staff that have not been authorized
12 to carry on school property, do they nonetheless
13 have firearms?

14 A. To my knowledge, they do not, no.

15 Q. Okay. And is that a difference
16 between unarmed staff and armed staff?

17 A. An unarmed staff member and an
18 armed staff member is different, yeah.

19 Q. Do armed staff have the authority
20 to use deadly force in certain circumstances on
21 school district property?

22 A. I would say that if they are
23 confronted with an active shooter, they are
24 permitted to protect themselves and their kids.

25 Q. And that includes protecting

1 themselves and their kids through the use of
2 deadly force; is that right?

3 A. I would say they are able to
4 protect themselves in any way or means that they
5 can.

6 MR. FERGUSON: I'm going to object
7 to the question again, because you are asking
8 again for something that's defined in Ohio law
9 and is legal. The rights of defense and how you
10 employ it is very well-defined in Ohio law.

11 BY MR. MILLER:

12 Q. Do armed staff have any specialized
13 training for responding to emergencies like
14 active shooters?

15 A. Do armed staff have any specialized
16 training?

17 Q. Yes, specifically for responding to
18 emergencies like an active shooter.

19 A. The armed staff at Madison Schools
20 are -- what I have been told are CCW permits and
21 are through the FASTER program and are
22 interviewed by the school board.

23 Q. And you view that training
24 associated with CCW permits and the FASTER
25 program as training that these staff receive

1 that other unarmed staff do not?

2 MR. CONOVER: Objection.

3 THE WITNESS: Repeat the question.

4 BY MR. MILLER:

5 Q. The training you've just made
6 reference to, is that training that's provided
7 to all staff at the school district in your
8 understanding, or only to those individuals
9 authorized to carry a firearm?

10 MR. CONOVER: Objection.

11 THE WITNESS: My opinion, only the
12 ones that are approved to carry.

13 BY MR. MILLER:

14 Q. Have you taken FASTER training
15 yourself?

16 A. I have not.

17 Q. Do you know what FASTER training
18 comprises?

19 A. Somewhat.

20 Q. What does FASTER training entail?

21 A. The literature that I read over was
22 around 15 to 16 hours of range shooting,
23 barricade shooting, and then approximately 15 or
24 16 hours of critical first aid management.

25 Q. And where does your knowledge of

1 this information come from?

2 A. I believe I read it in a brochure
3 or online somewhere.

4 Q. Have you spoken with any FASTER
5 representatives?

6 A. I spoke to one at a school board
7 meeting one night.

8 Q. Was that in July of 2018?

9 A. I'm not sure.

10 Q. Was it at the public meeting held
11 in the gym?

12 A. I was not at that meeting, so it
13 would not have been that one.

14 Q. Was it at a board meeting?

15 A. Yes.

16 Q. Do you know what that individual's
17 name was?

18 A. I do not.

19 Q. And did that individual provide you
20 any information in person about what FASTER
21 training entails?

22 A. No. The reason why I found out he
23 was a FASTER member was he had an item on his
24 belt that I was inquiring what it was, if it was
25 a large knife or what, but ended up being a

1 medical device. So that's how our conversation
2 started, and he identified himself as one of the
3 members of the FASTER program.

4 Q. But you guys didn't discuss what
5 FASTER training entails?

6 A. No, sir.

7 Q. Okay. So your knowledge, if I --
8 not to put words in your mouth, but just to try
9 to recap, your knowledge of what FASTER training
10 entails comes from FASTER literature and/or from
11 the FASTER website? Is that what you testified
12 to?

13 A. Yes.

14 Q. Okay. Do you know whether FASTER
15 training entails training in how to use a
16 firearm to engage an active shooter?

17 A. I believe so on what I have read
18 online and in the brochures.

19 Q. Do you know whether it includes
20 training to identify threats and threatening
21 behavior?

22 A. I do not.

23 Q. Do you know whether it includes
24 training in situational awareness?

25 A. I do not.

1 Q. Do you know whether it includes
2 training on how to move while carrying a
3 firearm?

4 A. I would assume so, since barricade
5 shooting encompasses that. So I would assume
6 so.

7 Q. What is barricade shooting?

8 A. Going from structure to structure
9 using a barricade as, you know, self-defense.

10 Q. And how would you apply that
11 training in a scenario -- strike that.

12 How is that training relevant for
13 armed staff members at Madison Local School
14 District?

15 A. You could -- if you are engaged
16 with an active shooter, you definitely want to
17 find some type of barricade or blocking device
18 to -- you know, to protect yourself.

19 Q. Does that training comprise how to
20 move while shooting?

21 A. I would assume so.

22 Q. Do you know whether the FASTER
23 training includes training to enter, clear, and
24 secure spaces like classrooms?

25 A. I do not.

1 Q. Do you know whether it includes
2 training to ambush an attacker?

3 A. I do not.

4 Q. Do you know whether it includes
5 training on firearms retention?

6 A. I do not.

7 Q. Do you know whether it includes
8 training to manage physical stress when using a
9 firearm in a crisis?

10 A. I do not.

11 Q. You said you have been certified as
12 a peace officer; is that the correct
13 terminology?

14 A. Yes.

15 Q. And how did you obtain that
16 certification, sir?

17 A. Going through OPOTA training
18 several years ago and then keeping up on
19 trainings every year.

20 Q. Okay. About how many years ago did
21 you go through OPOTA training?

22 A. Approximately 26, 27 years ago.

23 Q. Okay. Do you still remember it
24 clearly?

25 A. No.

1 Q. Okay. Are you familiar with what
2 OPOTA training for officers today is comprised
3 of?

4 A. Not totally, no.

5 Q. Do you know whether it's similar to
6 the training you took approximately 26 years
7 ago?

8 A. When I took it 26, 27 years ago, it
9 was 500 hours of training, and it's now up to
10 over 800 hours --

11 Q. Okay.

12 A. -- of training, so no.

13 Q. Is the FASTER program that Madison
14 armed personnel undertake the same as the OPOTA
15 training you are referencing?

16 A. I don't know, sir.

17 Q. How many hours is the FASTER
18 program, if you know?

19 A. Like I said, I read it online, it's
20 approximately 35, 34 hours. I'm not sure,
21 though, the total amount.

22 Q. That's a far different number from
23 the roughly 800 you mentioned a second ago; is
24 that right?

25 A. 30 is different than 800, yes.

1 Q. Okay. Based on that difference,
2 are you able to determine whether the FASTER
3 program is, in fact, OPOTA peace officer
4 training?

5 MR. CONOVER: Objection.

6 THE WITNESS: I have no idea.

7 BY MR. MILLER:

8 Q. What is your role as the school
9 resource officer in responding to an active
10 shooter?

11 A. My role would be to go to the
12 threat.

13 Q. Okay. And that means what exactly?

14 A. Go to the threat, stop the threat.

15 Q. And how do you know that is part of
16 your responsibilities?

17 A. That's why -- that's why I'm there.

18 Q. Is that -- do you have these
19 responsibilities in some written form, or has
20 this been communicated to you in some other way?

21 A. Just being a police officer. They
22 hire a police officer. That's why I'm there.

23 Q. Do you have special training to
24 perform this action of moving towards an
25 attacker and engaging them?

1 A. We have training at the sheriff's
2 office throughout the year that -- you know,
3 that we have firearms training, we have active
4 shooter training, we have CPR, first aid, we
5 have drivers training. You know, we have
6 different trainings throughout the year.

7 Q. Are all of those trainings relevant
8 to how you would respond in an active shooter
9 situation?

10 A. All the trainings are relevant to
11 what my job is. Whether I'm in a school, on the
12 street, in a mall, it's relative to my job.

13 Q. When you are on duty at Madison
14 Local School District, are you in uniform?

15 A. Yes.

16 Q. Always?

17 A. Yes.

18 Q. Do you ever appear out of uniform
19 while on duty at Madison Schools?

20 A. On occasion if we have a training
21 day or something that I might use a dress down
22 uniform, BDUs, and a collar with markings of the
23 Butler County Sheriff's Office on it.

24 Q. A BDU is a battle dress uniform?

25 A. It's just a training uniform.

1 Q. Okay. But you, under no
2 circumstances, attempt to obscure your identity
3 or -- your identity or your role as a sheriff's
4 deputy while on duty at Madison Local School
5 District?

6 A. No, sir.

7 Q. Is that correct?

8 A. No, sir.

9 Q. Why not?

10 A. It's just required through the
11 sheriff's office that we have to have a uniform
12 on.

13 Q. Do you know why it's required?

14 A. You'd have to ask Sheriff Jones.

15 Q. Is there a safety purpose behind
16 that requirement?

17 A. You'd have to ask Sheriff Jones.

18 Q. I don't intend to subpoena your
19 boss. Are you the only SRO at Madison?

20 A. No.

21 Q. How many SROs does Madison have?

22 A. There's two.

23 Q. How long have there been two SROs?

24 A. We just turned 2019. Sometime in,
25 I'm going to say, April of 2015, but I'm not --

1 don't hold me to that, the second one started.

2 Q. How long have you been an SRO at
3 Madison?

4 A. Since February of 2015
5 approximately.

6 Q. Were you the second SRO hired or
7 the first?

8 A. Well, there's been several there.

9 Q. I see. Have you been on duty at
10 Madison -- since being assigned there in
11 February 2015, have you been there continuously
12 is what I'm asking?

13 A. Yes, sir.

14 Q. And does Madison have any security
15 personnel who are not SROs?

16 A. No, sir.

17 (Thereupon, Plaintiffs' Exhibit D,
18 Madison School Resource Officer Contract, having
19 been previously marked, was presented for
20 purposes of identification.)

21 BY MR. MILLER:

22 Q. I'm going to show you a document
23 that's marked as Exhibit D. If you don't mind,
24 I'll take back the exhibits that we are not
25 using and hand you the correct one.

1 MR. MILLER: D, as in Delta. It
2 should be a -- I'll ask him what it is.

3 BY MR. MILLER:

4 Q. Do you recognize this document,
5 sir, that's marked Exhibit D?

6 A. I do not.

7 Q. If you turn to page two, under the
8 signature line sheriff, do you recognize the
9 name there?

10 A. Yes.

11 Q. Do you recognize the signature?

12 A. Well, I don't see it that often,
13 but it appears to be the signature of Sheriff
14 Jones.

15 Q. And Sheriff Jones is the Butler
16 County sheriff; is that right?

17 A. Yes.

18 Q. Do you have any reason to believe
19 this document is not the Madison school resource
20 officer contract between the sheriff's office
21 and the Madison Local School District concerning
22 the provision of SROs?

23 A. Well, like I said, I've never seen
24 it before, but it does state at the top of it
25 Madison school resource officer contract.

1 Q. I want to direct your attention to
2 the paragraph one on the first page. That is
3 the page with the little number 284 in the
4 corner. So paragraph one, and the second
5 sentence, which states that the officers will
6 patrol exclusively at Madison Schools to keep
7 the peace, protect the property, and perform
8 other necessary police functions in the school
9 district. Do you see where it says that?

10 A. Yes.

11 MR. CONOVER: To clarify, that's
12 the third sentence, not the second.

13 MR. MILLER: Thank you.

14 BY MR. MILLER:

15 Q. That is, in fact, the third
16 sentence in paragraph one, is it not?

17 A. Yes.

18 Q. Thanks. Does that describe your
19 job duties as an SRO at Madison Local Schools as
20 you understand them?

21 A. Yes.

22 Q. Do you have any duties that are not
23 described in the overview in those terms?

24 A. Well, there are numerous duties
25 that we perform there --

1 Q. I'm sure.

2 A. -- you know, that are not listed in
3 these -- in this sentence.

4 Q. Okay.

5 A. You know, traffic control, you
6 know, or numerous other things that we do. So
7 it's a wide statement and sentence.

8 Q. Okay. Would your response to an
9 active shooter on campus fall within one of the
10 duties that's listed or in some other duty?

11 A. Probably fall under keep the peace.

12 Q. You can put this document aside.
13 Are the roles and responsibilities of armed
14 school personnel -- strike that. Excuse me.

15 Are the roles and responsibilities
16 of Madison school personnel generally when
17 responding to an active shooter spelled out in
18 any document that you are aware of?

19 A. Of just normal --

20 Q. Of any --

21 A. -- teachers?

22 Q. Of any school personnel at the
23 school, is there --

24 A. The school has an emergency
25 operating guideline.

1 Q. Okay,

2 A. In that guideline, it has
3 information pertaining to active shooter.

4 Q. Okay. Is there a section -- strike
5 that.

6 The guideline you are referring to,
7 is that the district's emergency management
8 plan?

9 A. I would say so. It's an emergency
10 operating guideline that I have in my office
11 that I've went through a couple times, but --

12 Q. And that emergency operating
13 guideline, is that part of a comprehensive
14 emergency management plan or emergency response
15 plan, like an all hazards plan?

16 A. It's an emergency operation
17 guideline that the superintendent put together
18 to cover a variety of emergencies that could
19 possibly occur.

20 Q. And so it's part of a larger
21 document you mean?

22 A. It's -- yes.

23 Q. Does that document describe the
24 roles and responsibilities of unarmed staff in
25 responding to an active shooter situation?

1 A. I've briefly went through the
2 guidelines, but I don't recall anything
3 particular.

4 Q. Do you know whether it describes
5 roles and responsibilities of armed staff in
6 responding to an emergency like an active
7 shooter?

8 A. Not that I recall.

9 Q. Do the roles and responsibilities
10 of a particular staff member in responding to an
11 active shooter depend on that person's job
12 duties to your knowledge?

13 MR. CONOVER: Objection.

14 THE WITNESS: Repeat the question,
15 please.

16 MR. MILLER: Can you read it back?
17 (Record read.)

18 THE WITNESS: That's kind of a
19 confusing question. I don't understand the
20 question.

21 BY MR. MILLER:

22 Q. How are Madison school personnel,
23 teachers and others, non-teaching personnel, how
24 are they supposed to respond in the event of an
25 active shooter if you know?

1 A. Well, we have drills at the school,
2 different drills that if they are made -- if
3 there's an announcement made that there's an
4 intruder in the building, then they are supposed
5 to respond according to those drills.

6 Q. Okay. I understand there are
7 drills, and I would like to ask you a couple
8 questions about those, as well. But I'm
9 wondering what physical actions the staff
10 members take. Do you know what actions they
11 take?

12 A. The physical actions that a staff
13 member would take would be up to the staff
14 member. I can't really tell you exactly what a
15 staff member would do with not being there I
16 mean.

17 Q. Okay.

18 A. They are going to do what they feel
19 is best for themselves.

20 Q. Okay. And do you know whether
21 there's any guidance provided to staff members
22 in the form of a document or otherwise regarding
23 how they are supposed to respond?

24 A. The guidance is the training and
25 the drills that we have --

1 Q. Okay.

2 A. -- at the school.

3 Q. And what do the training and drills
4 that you hold at the school instruct staff
5 members to do in an emergency like an active
6 shooter?

7 A. We train on the ALICE concept, you
8 know, the alert and lockdown and inform and
9 counter. That's what we have been trained on is
10 the ALICE concept.

11 Q. Okay.

12 A. So it's up to each particular staff
13 member and teacher to listen to what's going on,
14 and then they respond appropriately.

15 Q. Okay. And this ALICE concept
16 for -- strike that.

17 I believe you have just described
18 what the acronym ALICE stands for; is that
19 right?

20 A. Some parts of it, yes.

21 Q. Is there a hierarchy or almost a
22 flowchart of actions one is supposed to take
23 under this ALICE concept?

24 A. There's not a flowchart. There's
25 training to tell what each acronym means.

1 Q. Okay.

2 A. But it's -- each incident is
3 different.

4 Q. Sure.

5 A. So whatever -- wherever you are at
6 and whatever you hear is how you should respond.

7 Q. Is there a preferred hierarchy of
8 actions you are supposed to take under ALICE?

9 A. No, sir.

10 Q. And so some folks might think it's
11 best to lock down; is that right?

12 A. That's correct.

13 Q. And some might choose to flee?

14 A. That's correct.

15 Q. Is that right? And what were some
16 of the other actions you might take under ALICE?

17 A. Counter.

18 Q. And what is that?

19 A. Fight.

20 Q. Anything else?

21 A. The other acronym is inform, and
22 then the other one is alert.

23 Q. And what do those two concepts
24 mean?

25 A. Alert means that's how you get the

1 information, either you've heard something loud
2 or you've heard an announcement over the
3 speaker. And then the inform is, you know,
4 calling 9-1-1 or calling the office.

5 Q. Are armed staff members also --
6 strike that.

7 How many drills have you conducted
8 on -- involving Madison School District
9 personnel this year? And by this year, I mean
10 this school year beginning in August or
11 September of 2018.

12 A. I don't recall.

13 Q. Is it more than ten?

14 A. I would say not.

15 Q. Do you think it's more than five?

16 A. I don't recall.

17 Q. How many drills do you recall
18 specifically?

19 A. I don't recall.

20 Q. Are there different types of
21 drills?

22 A. Well, there's fire drills, there's
23 tornado drills, there's safety drills --

24 Q. Okay.

25 A. -- there's lockdown drills.

1 Q. Okay. Which drills would be
2 applicable in the response to an armed shooter?
3 Obviously not a fire drill, for example, right?

4 A. Which drills would be --

5 Q. Which drills prepare the staff to
6 respond to an armed shooter, which types of
7 drills?

8 A. Well, that would be the ALICE
9 concept.

10 Q. Okay. How many ALICE concept
11 drills have been conducted at Madison Local
12 School District this school year to your
13 knowledge?

14 A. I don't recall.

15 Q. Have there been any?

16 A. Yes.

17 Q. Okay. More than one?

18 A. Definitely, yeah. Yeah, more than
19 one. Yeah.

20 Q. Okay.

21 A. I believe.

22 Q. Have there been any actual
23 lockdowns at Madison Local School District this
24 year?

25 A. Drills?

1 Q. No, actual real life lockdowns.

2 A. No.

3 Q. Okay. No security risks or threats
4 presented that necessitated a lockdown, at least
5 not this year?

6 A. Not that I recall. At times road
7 patrol will maybe get into a police pursuit or
8 they will be looking for a subject that would be
9 close to the school and we might do a lockout.

10 Q. I see.

11 A. Which --

12 Q. You practice that, as well?

13 A. Yeah.

14 Q. Are those lockout practices in
15 addition to the ALICE drills you've just
16 mentioned?

17 A. Yes.

18 Q. What is your role in an ALICE
19 drill? What do you do?

20 A. I mostly observe. The one we did
21 this year, I kind of headed the drill up and put
22 it on for the staff. Just mostly observe and
23 seeing how they are doing, and then we talk
24 about it after and see --

25 Q. Okay.

1 A. -- pros and cons.

2 Q. Do all staff on site participate in
3 the ALICE drill when it occurs?

4 A. I don't know. You'd have to ask
5 the school. Because I don't know if everybody
6 is there or not.

7 Q. Okay. Do armed staff do anything
8 different in an ALICE drill than unarmed staff?

9 A. No, sir, not -- not to my
10 knowledge, no.

11 Q. In an actual active shooter
12 situation, would armed staff be required to or
13 be directed to identify themselves in some
14 fashion as armed staff?

15 MR. CONOVER: Objection.

16 THE WITNESS: There's a policy.

17 BY MR. MILLER:

18 Q. And before you go too much further,
19 I don't actually need you to explain necessarily
20 how they are identified, if they are. I'd just
21 like you to explain whether they take actions to
22 identify themselves.

23 MR. CONOVER: Can I ask for a
24 clarification? Are you talking about
25 identifying to the sheriff's office or to an

1 armed intruder? I just --

2 MR. MILLER: I'm going to
3 explore -- I'm going to explore all of those
4 permutations. And I realize we have sort of
5 gotten off the question a little bit, so if you
6 don't mind going back up and rereading the
7 question as I asked it. And if you need
8 clarification of anything, let me know.

9 (Record read.)

10 THE WITNESS: There's a policy with
11 the school that if there's an incident, the
12 armed staff does have items that will identify
13 themselves to the sheriff's office.

14 BY MR. MILLER:

15 Q. And is that -- when you say by
16 sheriff's office, are you including yourself in
17 that?

18 A. Yes, sir.

19 Q. And so they use some sort of item
20 to identify themselves to you as armed staff; is
21 that right?

22 A. And to other road patrol and
23 personnel.

24 Q. To other responding sheriff's
25 department personnel?

1 A. Uh-huh. Yes.

2 Q. Do they practice using those items
3 to identify themselves during the drills or not?

4 A. No, sir.

5 Q. Why do they use this item to
6 identify themselves to sheriff's department
7 personnel?

8 A. If road patrol shows up on an
9 active shooter scene and they are in the midst
10 of students and have a firearm, then they could
11 be easily identified by the police officers.

12 Q. They could, in fact, be
13 misidentified, isn't that right, misidentified
14 as an assailant, correct?

15 A. The reason why they are wearing or
16 using this certain item is so they can be
17 identified as an armed staff teacher.

18 Q. And the reason you would want them
19 identified as an armed staff member is to avoid
20 confusion about whether they are an attacker; is
21 that correct?

22 A. It's for the purpose of identifying
23 for road deputy personnel.

24 Q. And it's so the road deputies don't
25 engage them by accident; is that right?

1 A. It's so the road patrol deputies
2 know that they are armed personnel.

3 Q. And in fact authorized to be armed
4 on site?

5 A. That they are armed staff
6 personnel.

7 Q. I believe you testified a little
8 while ago about a portion of the emergency
9 management plan or an emergency management
10 policy relating to an active shooter situation,
11 which you -- I believe you testified provided
12 some guidance to staff in their roles and
13 responsibilities in such an emergency; is that
14 right?

15 A. As far as training?

16 Q. As far as their role -- that
17 defined or provided guidance concerning staff
18 members' roles and responsibilities in an
19 emergency like an active shooter.

20 A. The question is have I had
21 correspondence with staff about active shooter
22 situations? Is that what your question is?

23 Q. I'm ultimately looking to
24 understand how staff understand their roles and
25 responsibilities in responding to an active

1 shooter. And I believe you testified there was
2 a document of some type that provided guidance,
3 but I wanted to confirm that. I didn't want to
4 put words in your mouth. Is there such a
5 document?

6 A. Well, in my opinion, the staff have
7 been trained on the active ALICE concept --

8 Q. Okay.

9 A. -- for active shooter. That's what
10 we have been trained on.

11 Q. Okay.

12 A. Does that answer your question?

13 Q. In part, yes. So one way that
14 staff know their role in responding to an
15 emergency is through the ALICE drills that you
16 conduct on site, is that what you're saying?

17 A. Yes.

18 Q. And are there any policies or
19 procedures in written form that are given to
20 staff or shown to them that also describe their
21 roles and responsibilities?

22 A. The first thing I think of is the
23 guideline that I spoke of earlier.

24 Q. Okay. Again, to clarify, what was
25 this guideline again?

1 A. It's the emergency operations
2 guideline that all staff and teachers have --

3 Q. Okay.

4 A. -- for different situations and
5 emergencies that might occur in the school.

6 Q. And this is a guideline that
7 includes some specific direction about an active
8 shooter response; is that right?

9 A. Yes, sir.

10 Q. And this is -- you said this is a
11 guideline that's actually provided to staff
12 members?

13 A. Yes.

14 Q. Is this provided to all staff
15 members?

16 A. I would assume so, yes.

17 Q. Would you assume that includes both
18 teaching staff and non-teaching staff, like
19 custodians, administrators, and others?

20 A. I would assume so.

21 Q. Do you know so?

22 A. I haven't physically seen them give
23 a copy to each staff member, but I would assume
24 each party would have one.

25 Q. Do you have any role in providing

1 that document to staff members?

2 A. No, sir.

3 Q. Okay. Are you an author of that
4 document?

5 A. No, sir.

6 Q. Who maintains it? Like who keeps
7 it up to date?

8 A. In my opinion, it would be the
9 superintendent.

10 Q. Is it you? It's not you, is it?

11 A. In my opinion, it would be the
12 superintendent.

13 Q. Okay.

14 A. I'm not the superintendent.

15 Q. Are you aware of anything else that
16 spells out the responsibilities of staff in
17 responding to an armed shooter situation?

18 A. Just what I've spoke of.

19 Q. Okay. Are you aware of any
20 non-written forms of guidance that's provided to
21 staff, whether it's verbal or otherwise,
22 concerning how they are supposed to respond in
23 an emergency?

24 A. Not that I'm aware of.

25 Q. Did you provide any direct training

1 to armed staff concerning their roles and
2 responsibilities in responding to an active
3 shooter?

4 A. No, sir.

5 Q. Do you conduct any trainings that
6 specifically focus on armed staff in response to
7 an active shooter?

8 A. No.

9 Q. Or in response to any other
10 emergency?

11 A. No, sir.

12 Q. Do you conduct any special
13 trainings at all with armed staff to your
14 knowledge?

15 A. No, sir.

16 Q. What types of emergencies are armed
17 staff authorized to use their firearms in?

18 MR. CONOVER: Objection.

19 THE WITNESS: In my opinion, the
20 armed staff, their responsibility is to do
21 exactly what I spoke of earlier, is to protect
22 the kids that they are currently in charge of in
23 their classroom.

24 BY MR. MILLER:

25 Q. Are they supposed to leave their

1 classroom under any circumstances?

2 A. According to the policy that I've
3 been informed, no, they are not.

4 Q. What policy is it that you are
5 referring to?

6 A. The school policy.

7 Q. Does it have a name or a title?

8 A. I'm not sure.

9 Q. Have you ever seen the policy
10 yourself that you are referring to?

11 A. I have. I have. I have seen it.

12 Q. Are staff members only permitted to
13 use their firearms in response to an active
14 shooter, or are they also permitted to use them
15 in response to other types of emergency if you
16 know?

17 MR. CONOVER: Objection.

18 THE WITNESS: In my opinion, an
19 armed staff member, if they feel threatened,
20 they have the right to protect themselves and
21 the kids that they are in charge of.

22 BY MR. MILLER:

23 Q. So that would not necessarily be
24 limited to an active shooter emergency; is that
25 right?

1 A. In my opinion, an armed staff
2 member has a right to protect themselves and
3 their kids.

4 Q. And I'm sorry, is that only during
5 an active shooter, or also in other situations
6 that might present such a threat?

7 A. What other situations are you
8 talking about?

9 Q. You tell me.

10 A. You're asking the question. You
11 tell me.

12 Q. What are the rules of engagement --

13 MR. CONOVER: Objection.

14 BY MR. MILLER:

15 Q. -- the rules of engagement for
16 armed staff specifically?

17 MR. CONOVER: Objection.

18 THE WITNESS: In my opinion, they
19 are not to engage. They are to protect
20 themselves and their kids in their immediate
21 area and classroom. So they are not to engage.
22 That's my job.

23 BY MR. MILLER:

24 Q. Do you know the criteria under
25 which they are permitted to use deadly force?

1 A. In my opinion, they would be
2 allowed to use force to protect themselves and
3 their kids.

4 Q. What is that opinion based on?

5 A. If you get threatened by an active
6 shooter, then you have the right to protect
7 yourself.

8 Q. Are there any other criteria that
9 you are aware of for when staff are permitted to
10 use their firearms?

11 A. Repeat the question.

12 Q. Are you aware of any other criteria
13 for when staff are permitted to use their
14 firearms?

15 A. Staff would be permitted to use
16 their firearm to protect themselves and the
17 kids.

18 Q. I assume -- let me not assume.
19 Protect themselves or the kids against any
20 threat or some particular level of threat?

21 A. A threat that they fear for the
22 safety of themselves and their kids.

23 Q. Do you know whether there are
24 criteria specifically for when staff are allowed
25 to access or draw their firearm?

1 A. No, I do not.

2 Q. Are authorized personnel, and by
3 that term I mean persons who are authorized to
4 carry a firearm by the board, are these
5 authorized personnel, in fact, armed at all
6 times when on school property?

7 A. I would assume so.

8 Q. Do you know?

9 A. I know that the school board has
10 passed a policy, and I know that they have
11 advised me that they have personnel that are
12 armed.

13 Q. Okay. Do you do anything to verify
14 whether authorized staff are, in fact, carrying
15 their firearms?

16 A. I do not.

17 Q. Is having armed staff on site
18 intended to deter an attack?

19 MR. CONOVER: Objection.

20 THE WITNESS: Having armed staff on
21 site, according to the school board policy, is
22 for safety and security of the kids and
23 themselves.

24 BY MR. MILLER:

25 Q. Do you know whether having armed

1 staff on site deters attackers or potential
2 attackers?

3 A. I can't get into the mind of an
4 attacker. I don't know.

5 MR. MILLER: We have been going for
6 an hour. I think we should take a five-minute
7 break.

8 THE WITNESS: Sure.

9 (Recess taken.)

10 BY MR. MILLER:

11 Q. Deputy Hall, before the break, I
12 had asked you early on whether you had taken
13 FASTER training. Do you remember that question?

14 A. Yes.

15 Q. In your answer, I believe you said
16 you have not; is that right?

17 A. I have not.

18 Q. Have you ever signed up to take
19 FASTER training?

20 A. I have not.

21 Q. Do you know whether the school
22 district has ever signed you up?

23 A. I don't recall signing up. I have
24 inquired to take FASTER. I believe the first
25 time there was scheduling issues --

1 Q. Okay.

2 A. -- and then I never inquired again.
3 So there's a possibility we could have been
4 signed up, but due to scheduling and time of the
5 month and all of that, it wasn't available.

6 Q. Okay. And when you say you
7 inquired about signing up, who did you inquire
8 to?

9 A. I believe the sheriff's office put
10 out something about the FASTER program, and they
11 felt it would be good for one of us to go
12 through it to experience the program.

13 Q. By us, when you say one of us, who
14 do you mean?

15 A. Myself or the other deputy that's
16 assigned to Madison.

17 Q. Do you know whether your other --
18 the other deputy in fact took FASTER training or
19 not?

20 A. He has not.

21 Q. And so to your knowledge, neither
22 deputy presently assigned to the school district
23 has taken FASTER training?

24 A. That's correct.

25 Q. Do you know why the sheriff's

1 department was interested in having you take
2 FASTER training?

3 A. Just to get the experience.

4 Q. Have you ever been party to
5 discussions by the board concerning whether or
6 not to hire additional SROs for the district?

7 A. No, sir.

8 Q. Have you ever told the board that
9 they should hire additional SROs?

10 A. No, sir.

11 Q. In your opinion, does the school
12 district need additional SROs?

13 A. That would be up to the school
14 board, sir.

15 Q. I'm going to bring your attention
16 to a document that we have marked as Exhibit F
17 in this set.

18 (Thereupon, Plaintiffs' Exhibit F,
19 Firearm Authorization Policy, having been
20 previously marked, was presented for purposes of
21 identification.)

22 BY MR. MILLER:

23 Q. Have you seen this document before,
24 Deputy Hall?

25 A. I have not.

1 Q. Did you have any role in creating
2 it?

3 MR. MILLER: Off the record for
4 just a moment.

5 (Thereupon, an off-the-record
6 discussion was held.)

7 MR. MILLER: Back on the record.
8 Before you respond to that question, I want to
9 memorialize a quick discussion with counsel for
10 defendants.

11 In showing the deputy this
12 document, counsel has expressed that they do not
13 have any concerns regarding Deputy Hall viewing
14 this document given that he has -- he is a
15 signatory to a confidentiality agreement with
16 the district concerning its firearms
17 authorization policy. Is that accurate, or do
18 you want to add to that?

19 MR. CONOVER: Yeah, that's fair. I
20 will quickly add that I think Deputy Hall has
21 mentioned he has not ever seen this document, so
22 I would flag that for any further questions, but
23 also that any questions related to the firearms
24 authorization policy would still be subject to
25 the confidentiality agreement between the

1 parties and would be marked as highly
2 confidential and subject to a later redaction or
3 something of the sort.

4 BY MR. MILLER:

5 Q. Okay. Just a couple of questions,
6 then, since you just testified you have not
7 actually seen this document previously. Do you
8 know how the board -- strike that.

9 Do you know what qualifications are
10 required of armed staff before they can be
11 armed?

12 A. I know that the requirement was CCW
13 permit, the FASTER program, and then board
14 approval, and then other items that the board
15 required. But off the top of my head, no.

16 Q. Okay. It's not a memory test, but
17 I want to ask a couple of follow-up questions.
18 Do you know how the board determined -- strike
19 that.

20 You've mentioned a couple of items,
21 in particular CCW and FASTER. Are both of those
22 types of training?

23 A. Yes.

24 Q. And CCW stands for what?

25 A. Carry concealed weapon.

1 Q. And what is the training associated
2 with CCW in Ohio?

3 A. I have never taken CCW training.

4 Q. Do you know about how many hours it
5 is?

6 A. I do not.

7 Q. Do you have any sense of whether
8 it's more or less than ten?

9 A. I do not.

10 Q. Do you know how the board arrived
11 at these particular training requirements for
12 armed personnel?

13 A. I do not.

14 Q. Did you have any input over the
15 board's selection -- let me rephrase that
16 slightly. Did you have any input or give any
17 advice to the board about the training
18 requirements to set for armed staff?

19 A. No, sir.

20 Q. Have you ever been at a board
21 meeting where the training requirements were
22 discussed?

23 A. I don't recall.

24 Q. Have you ever raised any concerns
25 to the board regarding armed personnel?

1 A. I don't recall.

2 Q. I'd like to show you a document
3 that has been marked R.

4 (Thereupon, Plaintiffs' Exhibit R,
5 community letter from Madison Local Schools,
6 having been previously marked, was presented for
7 purposes of identification.)

8 BY MR. MILLER:

9 Q. Take a quick look at Exhibit R,
10 please. Have you ever seen this document
11 before?

12 A. Give me a second.

13 Q. Sure. Yeah, no rush. Take your
14 time to read it, please.

15 A. Do you want me to answer?

16 Q. Do you want me to have the question
17 read back to us?

18 A. Yes, please.

19 MR. MILLER: Could you read back
20 the question, please?

21 (Record read.)

22 THE WITNESS: I recall some parts
23 of it.

24 BY MR. MILLER:

25 Q. What parts do you recall, or what

1 do you mean by that?

2 A. I recall reading this. I'm not
3 sure who put it out or where it came from, but I
4 do recall this coming out.

5 Q. You are not the author of this
6 document?

7 A. No, sir.

8 Q. Do you know whether you had any
9 input in drafting it?

10 A. No, sir.

11 Q. I want to direct your attention
12 just to one quick thing on the first page. I
13 believe you are looking at the second page now.
14 But on the first page, the second bullet on the
15 first page, it's the bullet that begins we spoke
16 with our SRO and Sheriff Jones. Do you see that
17 bullet?

18 A. Yes.

19 Q. Okay. And I want to direct your
20 attention to the second sentence which reads we
21 also spoke about working with our SROs and the
22 concern of the SRO arriving on scene with an
23 armed teacher.

24 A. Okay.

25 Q. Is that a concern that you raised

1 to the board, the concern --

2 A. I didn't make this document, so
3 I --

4 Q. I understand. And I understand you
5 are not the author here. This is not your voice
6 speaking. But this document suggests the board
7 spoke to our SRO. I believe that's a reference
8 to you or your co-deputy; is that right?

9 A. Yeah, there's two of us.

10 Q. And that the board also spoke to
11 Sheriff Jones. And it further says that we, the
12 board, also spoke about working with our SROs
13 and the concern of the SRO arriving on scene
14 with an armed teacher. I'm wondering whether
15 the concern they are referring to is a concern
16 that you raised to them?

17 A. I don't recall.

18 Q. Okay. Have you ever been concerned
19 about arriving on scene with an armed teacher?

20 A. No, sir.

21 Q. Why not?

22 A. Because there's a policy in place
23 that I'm aware of.

24 Q. Do you understand what that concern
25 is, in fact, a concern about?

1 A. I didn't write this correspondence,
2 so I don't know, sir.

3 Q. Okay. A moment ago I asked you a
4 question about your -- whether you had given any
5 input to the board or provided any advice to
6 them with respect to the training requirements
7 for armed teachers. Do you remember that
8 question?

9 A. Yes.

10 Q. And if you don't mind reminding me
11 of your response.

12 A. I believe I said I don't recall.

13 Q. Okay. I want to show you a
14 document marked K. I'll take back the exhibits
15 you've just been looking at and hand you a new
16 one. Actually, you can leave that one there for
17 a minute.

18 (Thereupon, Plaintiffs' Exhibit K,
19 minutes from the Madison Board of Education
20 regular Board of Education meeting March 26,
21 2018, having been previously marked, was
22 presented for purposes of identification.)

23 BY MR. MILLER:

24 Q. I'm handing you a document marked
25 Exhibit K. Do you recognize this document?

1 A. I would need to read it for a
2 second.

3 Q. Sure. I'm specifically going to
4 ask you about the last page of it, so I don't
5 know that you actually need to read the whole
6 thing, but you're certainly welcome to.

7 A. March of 2018.

8 Q. So I believe the question that is
9 pending, I'll just reiterate it, is do you
10 recognize this document marked as Exhibit K?

11 A. It appears to be board minutes from
12 a board meeting from March 26, 2018.

13 Q. Okay. And was there, in fact, a
14 board meeting on March 26, 2018?

15 A. I don't know, sir.

16 Q. Do you have any reason to doubt
17 there was?

18 A. There's board minutes, so I would
19 assume that there was one.

20 Q. Is there a way to tell whether you
21 attended this board meeting?

22 A. I don't recall.

23 Q. Do you normally attend board
24 meetings?

25 A. Recently I have been attending

1 them. I'm not sure at what point I started
2 attending them as far as dates.

3 Q. Okay. When you say recently, how
4 recently do you mean?

5 A. I don't recall.

6 Q. Was it before or after the start of
7 this school year?

8 A. I would say before.

9 Q. Do you believe it was before or
10 after the board meeting at which the board
11 enacted the resolution to arm teachers, if you
12 know?

13 A. I was at that board meeting.

14 Q. Okay.

15 A. I'm not -- I don't recall if I was
16 at previous board meetings before that.

17 Q. Do you always attend board
18 meetings?

19 A. Not always.

20 Q. How do you decide whether or not to
21 attend a board meeting?

22 A. It's either brought up in a
23 discussion between myself, the superintendent,
24 or the treasurer or a principal on whether or
25 not they would like to have an officer at the

1 board meeting.

2 Q. Okay. And I take it that one of
3 the individuals you just mentioned requests that
4 you come to a board meeting; is that accurate?

5 A. Yes.

6 Q. And are those requests so that you
7 can provide law enforcement services at the
8 board meeting, or so that you can advise the
9 board on some topic, or for some other purpose
10 entirely?

11 MR. CONOVER: Objection.

12 THE WITNESS: Just being there as a
13 presence, as a SRO.

14 BY MR. MILLER:

15 Q. Have you ever been asked to attend
16 a board meeting to advise the board on any
17 topic?

18 A. No, sir.

19 Q. I'd like to direct your attention
20 to the final page of Exhibit K. And you'll see
21 at the top of this that it appears to refer to
22 agenda item 8.02 FASTER program. Do you see
23 where it says that?

24 A. Yes, sir.

25 Q. And I want to refer you to the

1 third item from the bottom which begins with the
2 statement Dr. Jennewine stated. Do you see that
3 bullet --

4 A. Yes.

5 Q. -- or entry?

6 A. Yes, sir.

7 Q. And specifically that it says
8 Dr. Jennewine stated that he spoke with SRO Kent
9 Hall. Do you see where it says that?

10 A. Yes, sir.

11 Q. Do you recall having a discussion
12 at any time with Dr. Jennewine concerning the
13 FASTER program?

14 A. I recall having a discussion with
15 Dr. Jennewine referencing the program. I don't
16 recall the specific statements that were made.

17 Q. Okay. Do you recall having one
18 discussion with Dr. Jennewine on this topic or
19 multiple discussions?

20 A. I don't recall, sir.

21 Q. Do you know how you had this
22 discussion, like what type of communication it
23 was?

24 A. I see him about every day.

25 Q. Where do you see him?

1 A. Dropping his kids off at school.
2 So, you know, just an everyday thing during
3 conversation.

4 Q. Okay. Do you have any specific
5 recollection of actually having the conversation
6 that's referenced here?

7 A. I recall having a conversation with
8 Dr. Jennewine about the program and items, but I
9 don't recall the specifics.

10 Q. What do you remember about it other
11 than that it concerned the program?

12 A. Just that we had a conversation
13 about the program.

14 Q. Okay. Do you see where the bullet
15 we have been discussing on K continues Deputy
16 Hall was in favor of the program if the training
17 process was thorough? Have I read that
18 correctly?

19 A. That's what it says.

20 Q. Did you, in fact, tell
21 Dr. Jennewine at any point that you were in
22 favor of the program to arm teachers?

23 A. I don't recall.

24 MR. FERGUSON: Objection. Is this
25 document referring to the program to arm

1 teachers, or is it referring to the FASTER
2 training?

3 MR. MILLER: I can clarify.

4 MR. FERGUSON: Okay.

5 BY MR. MILLER:

6 Q. The reference in that sentence I've
7 just read you to the program, do you know
8 whether that's a reference to the FASTER program
9 specifically, or whether it's a reference to the
10 board's program to arm teachers?

11 A. I don't recall.

12 Q. Do you recall having -- strike
13 that.

14 Do you recall telling Dr. Jennewine
15 that you were in favor of the FASTER program if
16 the training process was thorough?

17 A. I don't recall.

18 Q. Do you recall having a discussion
19 or telling Dr. Jennewine that you were in favor
20 of the armed teacher program if its training
21 process was thorough?

22 A. I don't recall.

23 Q. So you don't have a recollection of
24 what that is referring to either way?

25 A. We have had a couple different

1 discussions. I can't remember exactly what was
2 said.

3 Q. Is it important in your opinion for
4 armed civilian personnel at the school to be
5 thoroughly trained?

6 A. In my opinion, any type of training
7 should be thorough training.

8 Q. And specifically we are referring
9 to training for armed civilians in a school
10 setting. Should the training for those
11 individuals be thorough?

12 A. Any training should be thorough.

13 Q. Why do you believe that the
14 training for armed civilians in Madison schools
15 should be thorough?

16 A. I don't recall if I said that or
17 not. Any training should be thorough. If you
18 go train on something, you should have a
19 thorough training.

20 Q. Do you know how the board selected
21 the FASTER program for its training program as
22 opposed to other training vendors?

23 A. I do not.

24 Q. Did you have any role in that
25 selection?

1 A. I did not.

2 Q. If I can bring you back to Exhibit
3 F for a moment, which I believe is on the table
4 next to you.

5 Under review of qualifications, the
6 final bullet on the second page of this
7 document -- it's the page that ends in 264. If
8 I can direct your attention down towards the
9 bottom, I'll read in summary here, and you can
10 follow along, and then confirm whether I've read
11 it right.

12 The required qualifications -- this
13 is referring to qualifications for armed
14 personnel are as follows: Holding a valid Ohio
15 concealed handgun license, completing a minimum
16 of 24 hours of response to active shooter/killer
17 training from an approved vendor, including the
18 following. And do you see that on the top of
19 the next page there are three sub-bullets
20 listing vendors? Do you see that?

21 A. Yes.

22 Q. And is one of those bullets in fact
23 the Butler County Sheriff's Office?

24 A. Yes.

25 Q. To your knowledge, does the Butler

1 County Sheriff's Office provide training in
2 response to active shooter/killers to armed
3 personnel at Madison School District?

4 A. Not that I'm aware of.

5 Q. Have you been involved in the
6 creation of any sort of training program
7 concerning response to active shooters for
8 Madison school personnel?

9 A. No, sir.

10 Q. Are you aware of any colleagues at
11 the sheriff's office working on any such
12 training?

13 A. No, sir.

14 Q. I'll represent to you that this
15 document spells out other training obligations
16 in addition to the ones that we have just
17 discussed. I just want to take a moment and
18 find out if you know anything about what they
19 mean.

20 There is a reference to -- and this
21 is on page 264. It's under the heading
22 training, and it's in the middle of the
23 paragraph. And it reads any school employee
24 authorized to possess a firearm shall be
25 provided additional training in crisis

1 intervention, active shooter, management of
2 hostage situations, and other training as the
3 board or designee may determine necessary or
4 appropriate. Did I read that sentence
5 correctly?

6 A. Yes.

7 Q. Do you have any idea what training
8 is being referred to by that sentence?

9 A. No, sir.

10 Q. Have you had any role in creating
11 or providing the training that's described by
12 that sentence to Madison personnel in -- to your
13 knowledge?

14 A. No, sir.

15 Q. Have you taken any of the training
16 that's referenced in there to your knowledge?

17 A. Referenced in where?

18 Q. In the sentence I read a moment
19 ago.

20 A. We take active shooter training.
21 We take different trainings throughout the year.

22 Q. Okay. Do you know whether the
23 training you are referring to is the same
24 training that's referred to in this sentence or
25 not?

1 A. I do not.

2 Q. One other thing on 264. The final
3 sentence of the training paragraph, which reads
4 such employees must engage in proficiency
5 training with ongoing handgun practice, do you
6 see where it says that?

7 A. Yes.

8 Q. Did I read that right? Did I read
9 that accurately, sir?

10 A. Yes, sir.

11 Q. Do you have any role in
12 administering or ensuring compliance with
13 proficiency training with ongoing handgun
14 practice for armed personnel in Madison Schools?

15 A. No, sir.

16 Q. You can put this document down.
17 Thanks. Do you have any role in revising
18 Madison's emergency management plan?

19 A. The superintendent at times will
20 ask -- could ask about different emergency
21 scenarios or guidelines. With me being the fire
22 chief, I'm sometimes involved in the fire aspect
23 of the school also, so --

24 Q. Are you the fire chief for an area
25 that encompasses the Madison Local School

1 District's facilities?

2 A. Yes, sir.

3 Q. What is the name of that district?

4 A. Madison Township Fire Department.

5 Q. Okay. Have you ever played any
6 role in revising portions of Madison's emergency
7 management plan that relate to active shooter
8 response?

9 A. Not that I recall.

10 Q. And have you had any role in
11 revising Madison's emergency management plan
12 with respect to any part of it that deals
13 specifically with armed teachers to your
14 knowledge?

15 A. Not that I recall.

16 Q. Do you know what the term NEOLA,
17 N E O L A, NEOLA policies refers to?

18 A. No, sir.

19 Q. Do you have any role in revising
20 the Board of Education's policies to your
21 knowledge?

22 A. No, sir.

23 Q. And specifically to revising its
24 NEOLA policies?

25 A. No, sir.

1 Q. Okay. Did you have any role in
2 drafting the arm the teacher resolution that was
3 passed by the board on -- in April 2018 to your
4 knowledge?

5 A. No, sir.

6 Q. Do you play any role in reviewing
7 the qualifications of personnel who wish to
8 become authorized to carry a firearm on Madison
9 school property?

10 A. No, sir.

11 Q. Are you a member of the Board of
12 Education's security or safety committee, by
13 either of those names, that interviews
14 applicants to go armed in Madison Schools?

15 A. No, sir.

16 Q. Have you ever interviewed someone
17 in connection with their application for
18 authorization to go armed in Madison Schools?

19 A. No, sir.

20 Q. Do you have any role in revoking a
21 person's authorization to go armed in school?

22 A. Not that I'm aware of, sir.

23 Q. I'm going to ask you a couple of
24 follow-up questions on Exhibit F, if I may.
25 I'll bring you back to it for a second.

1 This firearms authorization policy
2 sets certain limitations on the equipment that
3 armed personnel are permitted to use. Are you
4 familiar with any limitations on the equipment
5 that they are permitted to use?

6 A. During the enactment of this
7 policy, it was shown to me, and it was told to
8 me about the armed personnel and about when they
9 are supposed to engage and when they are not and
10 that policy and all of this, but -- I know that
11 there was information pertaining to this in this
12 policy, but I did not view it at the time.

13 MR. MILLER: Okay. Can you read
14 back to me that answer?

15 (Record read.)

16 BY MR. MILLER:

17 Q. I just want to ask to try to
18 clarify when you began that response with the
19 phrase during the enactment of this policy, it
20 was shown to me, what do you mean by that?

21 A. The policy of arming teachers I was
22 made aware of.

23 Q. Okay. And by policy, the policy
24 you are referring to in that answer, is that the
25 document you're holding as Exhibit F --

1 A. These guidelines --

2 Q. -- or is it something else?

3 A. These guidelines was told to me and
4 was shown to me, but I don't recall specifics of
5 the -- like the caliber of the weapon. I don't
6 recall all of that.

7 Q. Okay. I guess I'm just trying to
8 clarify if you have, in fact, seen Exhibit F or
9 perhaps a pre-enactment version of it, or not,
10 if you know?

11 A. I was made aware of this policy.

12 Q. Okay.

13 A. It was in front of me. It was told
14 to me about the policy of the arming of
15 teachers, but I don't recall specifics about the
16 policy.

17 Q. Okay. Do you know who showed it to
18 you?

19 A. The superintendent.

20 Q. And the superintendent -- since the
21 school superintendent has changed, do you
22 remember which superintendent it was?

23 A. The current one.

24 Q. Lisa Tuttle-Huff?

25 A. Yes.

1 Q. Dr. Lisa Tuttle-Huff?

2 A. Yes.

3 Q. Do you remember when she showed
4 this policy to you?

5 A. I do not.

6 Q. Do you remember whether it was
7 before or after the board enacted this policy?

8 A. I do not.

9 Q. Do you know if it was a draft
10 policy when she showed it to you?

11 A. I do not.

12 Q. Why did she show it to you?

13 A. She made me aware of the policy and
14 the requirements of the armed staff and made me
15 aware of the policy, but I didn't read the
16 policy per line.

17 Q. Okay. Did you actually -- did she
18 actually show you a copy of it, or did she just
19 refer to it?

20 A. Showed me a copy.

21 Q. Okay. Was she showing you it in
22 order to solicit your opinion or information or
23 input on the policy, or was she showing it to
24 you just to make you aware of it?

25 A. Make me aware.

1 MR. CONOVER: Objection.

2 BY MR. MILLER:

3 Q. Did she ask you any questions about
4 the policy?

5 A. No, sir.

6 Q. Did she ask for any guidance from
7 you on the policy?

8 A. No, sir.

9 Q. If I can direct you to page 265,
10 which is the third and last page of this
11 document, and specifically to -- under the
12 heading selection of firearms, the sentence that
13 reads school employees authorized to possess
14 firearms shall be trained on the firearms and
15 caliber and shall possess only -- excuse me,
16 shall only possess firearms of the caliber for
17 which they have received training. Do you see
18 where that is?

19 A. Yes, sir.

20 Q. Are there any limitations or
21 restrictions or other guidance with respect to
22 the type of firearm or the caliber of firearm
23 that authorized staff are permitted to carry?

24 A. You would have to ask the board
25 that established this policy.

1 Q. I'm just wondering if you are aware
2 of any.

3 A. Not that I'm aware.

4 Q. Do you know whether armed staff --
5 strike that.

6 Do you know whether there are any
7 restrictions on the type of ammunition that
8 armed staff may use or load their weapons with?

9 A. You'd have to ask the board.

10 Q. Are you aware of any restrictions
11 on the type of trigger mechanism or holster that
12 armed staff must use?

13 A. You'd have to ask the board.

14 Q. And so you are not aware of any of
15 the types of restrictions that I've just been
16 making reference to yourself?

17 A. You'd have to ask the board.

18 Q. Well, I'm just wondering what your
19 recollection is or knowledge of those
20 restrictions, if any, is?

21 A. I don't recall.

22 Q. Do you do anything to confirm armed
23 staff are, in fact, compliant with restrictions
24 on things like ammunition type, holster,
25 et cetera?

1 A. No, sir.

2 Q. You don't, yourself, check, for
3 example, that they have only loaded their weapon
4 with the proper ammunition?

5 A. No, sir.

6 Q. Do you do anything to assist armed
7 staff in maintaining their weapons?

8 A. No, sir.

9 Q. Do you know whether armed staff are
10 responsible for maintaining their weapons or if
11 it's somebody else? Let me rephrase that.

12 Do you know who is responsible for
13 maintaining armed staff members' weapons?

14 A. You'd have to ask the board.

15 Q. I'm just wondering if you know.

16 A. It's their policy. You'd have to
17 ask the board.

18 Q. Are you responsible -- are you
19 responsible in any way for ensuring that armed
20 staff members keep their weapon concealed while
21 on school property?

22 A. It's not my responsibility. It's
23 the board's policy.

24 MR. MILLER: Let's take a
25 two-minute break, and I think we may be at the

1 end of our questioning. I just want to take a
2 moment to confirm.

3 (Recess taken.)

4 MR. MILLER: Let's go back on,
5 please.

6 BY MR. MILLER:

7 Q. Deputy Hall, just one or two last
8 follow-up questions. I had asked you earlier
9 about whether Butler County provided any
10 training to armed staff members or applicants to
11 be armed staff members in connection with the
12 school's armed teacher policy. Do you remember
13 that question?

14 A. Yes.

15 Q. And I believe your answer was no;
16 is that correct?

17 A. I don't recall what my answer was
18 specifically, but I don't believe so.

19 Q. Okay. And that you, yourself, are
20 not --

21 A. Unless you're talking about the CCW
22 classes that the sheriff provides.

23 Q. I'm going to -- that's sort of what
24 I'm going to get into in a sec. But with
25 respect to armed personnel specifically and the

1 training requirements that are imposed for armed
2 personnel, you are not aware of Butler County
3 providing any training of that nature to school
4 district personnel?

5 A. Could you repeat the question?

6 Q. That was a mouthful. I apologize.
7 I don't think we need to further revisit this
8 area. You've testified on it, and I don't think
9 we need further testimony on this particular
10 question.

11 I do want to ask about whether
12 Butler County Sheriff's Office provides any form
13 of training of any type concerning firearms to
14 civilians to your knowledge.

15 A. Just what I recently spoke of.
16 Sheriff Jones offers CCW classes for teachers.
17 That's been widely put on the news and talked
18 about.

19 Q. And you said that's CCW classes
20 for -- in particular for teachers?

21 A. I know he has offered it to
22 teachers. I'm not sure if he offered it to
23 other --

24 Q. Is it open to the general public?

25 A. I don't know, sir.

1 Q. Do you have any role in teaching or
2 administering that class?

3 A. No, sir.

4 Q. Does Butler County Sheriff's Office
5 provide any other training to government
6 employees who are not themselves law
7 enforcement?

8 A. You would have to ask Sheriff
9 Jones.

10 MR. MILLER: I have no further
11 questions.

12 MR. CONOVER: Mr. Ferguson?

13 MR. FERGUSON: No.

14 MR. CONOVER: I just have a few
15 questions if everyone is okay with that.

16 DIRECT EXAMINATION

17 BY MR. CONOVER:

18 Q. Deputy Hall, thank you for being
19 here today. I think in your testimony earlier
20 this evening you had mentioned that your role as
21 an SRO at Madison is to go -- in the context of
22 an active shooter situation, is to go to the
23 threat; is that correct?

24 A. That's correct.

25 MR. MILLER: Objection.

1 BY MR. CONOVER:

2 Q. Was it your training that taught
3 you to go towards the threat?

4 A. I would say so. You know, years of
5 experience on road patrol, different scenarios
6 and different types of calls, yeah, that's a
7 training we receive, and that's how we're
8 supposed to respond.

9 Q. That all relates to your job and
10 your role as a peace officer for the state -- or
11 for Butler County in this case; is that correct?

12 MR. MILLER: Objection.

13 THE WITNESS: That's correct.

14 BY MR. CONOVER:

15 Q. And you mentioned also that Madison
16 now has two SROs; is that right?

17 A. That's correct.

18 Q. And do you recall when the school
19 shooting at Madison was?

20 A. It was February 29th, 2014.

21 Q. If I represented to it was 2016 --

22 A. '16.

23 Q. -- is that fair? Is that your
24 understanding?

25 A. Yeah, 2016.

1 Q. Sure. At that time, how many SROs
2 did Madison have?

3 A. One.

4 Q. So it was after the school shooting
5 in 2016 that they hired a second SRO; is that
6 correct?

7 A. That is correct.

8 Q. Are you a resident of the Madison
9 Local School District?

10 A. I am.

11 Q. And as a resident of the community,
12 what are your views on the district's -- the
13 school board's decision to arm some of its staff
14 members?

15 MR. MILLER: Objection.

16 THE WITNESS: I fully support it.
17 Everybody should have a right to defend
18 themselves. I strongly believe in the CCW, that
19 everybody should be able to protect themselves.

20 MR. CONOVER: I think that's all I
21 have. Thank you, Deputy, for being here.

22 RECROSS-EXAMINATION

23 BY MR. MILLER:

24 Q. Deputy, when you just answered
25 counsel's last question, you spoke about

1 supporting the district's resolution because, in
2 your view, everybody should have a right; is
3 that what you said?

4 A. That's correct.

5 Q. And the right you are referring to
6 is what right?

7 A. To be able to protect themselves.

8 Q. And specifically to carry a firearm
9 in doing so; is that right?

10 MR. CONOVER: Objection.

11 THE WITNESS: If you need to.

12 BY MR. MILLER:

13 Q. The right you're referring to, is
14 that the Second Amendment right?

15 MR. CONOVER: Objection.

16 THE WITNESS: I strongly believe
17 everybody should have the right to protect
18 themselves.

19 BY MR. MILLER:

20 Q. And do you believe that the staff
21 members of Madison Local School District before
22 the board enacted the resolution we have been
23 discussing did not, in fact, have that right?

24 A. Repeat the question.

25 Q. Did the board -- excuse me. Did

1 staff of the Madison Local School District have
2 that right before the board enacted this
3 resolution?

4 MR. CONOVER: Objection.

5 THE WITNESS: In my opinion,
6 everybody should have the right to protect
7 themselves.

8 BY MR. MILLER:

9 Q. Do you have any other reasons for
10 supporting the district's armed staff policy?

11 A. I just strongly believe everybody
12 should be able to protect themselves.

13 Q. I'm just asking whether --

14 A. I'm a strong advocate of the CCW
15 permit.

16 Q. Okay. So you can think of no other
17 reason for supporting the policy than your
18 support for CCW and individuals' right of
19 self-defense; is that correct?

20 A. I just strongly believe somebody
21 should be able to protect themselves, and I'm a
22 supporter of the CCW program.

23 Q. When counsel also asked you a
24 moment ago about the shooting that happened at
25 Madison School District in February of 2016, you

1 made reference to your training teaching you to
2 go towards the attacker; is that accurate?

3 MR. CONOVER: Objection.

4 THE WITNESS: Yes.

5 BY MR. MILLER:

6 Q. When the shooting happened in
7 Madison School District in 2016, you were on
8 duty; is that right?

9 A. Yes.

10 Q. And you did, in fact, pursue the
11 attacker and ultimately apprehended him; is that
12 correct?

13 A. I pursued the attacker, and with
14 help of other area law enforcement personnel, we
15 did secure the shooter.

16 Q. How did you know to pursue the
17 attacker as opposed to taking some other course
18 of action?

19 A. At the time of the shooting
20 incident, the victims were being treated by
21 school staff, he was fleeing on foot, and it was
22 my job to attempt to apprehend him.

23 Q. I guess all I'm asking is how you
24 knew it was your job to attempt to apprehend
25 him? Did you rely on your training to know

1 that?

2 A. Yes.

3 Q. How much time elapsed between the
4 start of the shooting and your arrival on the
5 scene of the shooting, if you know?

6 MR. CONOVER: Objection.

7 THE WITNESS: Approximately eight
8 to nine seconds.

9 BY MR. MILLER:

10 Q. It was a matter of seconds, wasn't
11 it?

12 MR. CONOVER: Objection.

13 THE WITNESS: Yes.

14 BY MR. MILLER:

15 Q. Did you have any time to consider
16 anything other than your training in those eight
17 or nine seconds?

18 A. You just fall back on your
19 training. You kind of --

20 Q. Is it fair to say that in an
21 emergency like the one you, yourself,
22 encountered, you fall back on your training?

23 A. You fall back on your training.
24 You do what you think is the right and the best
25 thing to do.

1 Q. Training is, in fact, of paramount
2 importance in guiding how you respond --

3 MR. CONOVER: Objection.

4 BY MR. MILLER:

5 Q. -- to an emergency like this; is
6 that right?

7 MR. CONOVER: Objection.

8 THE WITNESS: Training -- training
9 will help you do your job.

10 BY MR. MILLER:

11 Q. Did you rely on anything else other
12 than your training when deciding how to respond
13 in those eight or nine seconds?

14 MR. CONOVER: Objection.

15 THE WITNESS: I don't recall.

16 MR. MILLER: Nothing further. So
17 the last thing that we need to cover is how the
18 witness will review and sign the transcript. If
19 we can go off the record for just a moment.

20 (Thereupon, an off-the-record
21 discussion was held.)

22 MR. MILLER: Back on, please. Just
23 to memorialize the agreement we just described
24 with counsel, we are anticipating having this
25 transcript available for the witness's review on

1 Wednesday of next week, which is the 16th of
2 January. And then the witness, through counsel,
3 has agreed that they will sign that -- he will
4 review and sign no later than the 25th of
5 January subject to the understanding that if
6 some unforeseen circumstance comes up, we will
7 enter into some discussions to extend that if
8 necessary. Is that accurate, Counsel?

9 MR. FERGUSON: That's accurate.

10 MR. MILLER: We are done.

11 (Thereupon, the deposition was
12 concluded at 5:56 p.m.)
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STATE OF _____)
) : ss
COUNTY OF _____)

I, JOHN KENT HALL, the witness
herein, having read the foregoing
testimony of the pages of this deposition,
do hereby certify it to be a true and
correct transcript, subject to the
corrections, if any, shown on the attached
page.

JOHN KENT HALL

Sworn and subscribed to before me,
this _____ day of _____, 2019.

Notary Public

1 STATE OF OHIO)
2 COUNTY OF MONTGOMERY) SS: CERTIFICATE

3 I, Karen M. Rudd, a Notary
4 Public within and for the State of Ohio, duly
5 commissioned and qualified,

6 DO HEREBY CERTIFY that the
7 above-named JOHN KENT HALL, was by me first duly
8 sworn to testify the truth, the whole truth and
9 nothing but the truth.

10 Said testimony was reduced to
11 writing by me stenographically in the presence
12 of the witness and thereafter reduced to
13 typewriting.

14 I FURTHER CERTIFY that I am not a
15 relative or Attorney of either party, in any
16 manner interested in the event of this action,
17 nor am I, or the court reporting firm with which
18 I am affiliated, under a contract as defined in
19 Civil Rule 28(D).

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INSTRUCTIONS TO WITNESS

Please read your deposition over carefully and make any necessary corrections. You should state the reason in the appropriate space on the errata sheet for any corrections that are made.

After doing so, please sign the errata sheet and date it.

You are signing same subject to the changes you have noted on the errata sheet, which will be attached to your deposition.

It is imperative that you return the original errata sheet to the deposing attorney within thirty (30) days of receipt of the deposition transcript by you. If you fail to do so, the deposition transcript may be deemed to be accurate and may be used in court.

E R R A T A

I wish to make the following changes,
for the following reasons:

PAGE LINE

_____ CHANGE: _____

REASON: _____

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JOHN KENT HALL

DATE

SUBSCRIBED AND SWORN TO BEFORE
ME THIS _____ DAY OF _____, 201 .

NOTARY PUBLIC

COMMISSION EXPIRES