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UNITED STATES DISTRICT COURT.
SOUTHERN DISTRICT OF NEW YORK

-----X
ADRIAN SCHOOLCRAFT,
Plaintiff,

Case No:
10 CV 06005

- against -

THE CITY OF NEW YORK, ET AL.,
Defendants.

-----X
111 Broadway
New York, New York

June 18, 2014
10:28 a.m.

DEPOSITION OF CHRISTOPHER BROSCART, pursuant
to Notice, taken at the above place, date and
time, before DENISE ZIVKU, a Notary Public
within and for the State of New York.

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CHRISTOPHER BROSCART

MS. PUBLICKER METHAM: Just

 speak slowly --

MR. SMITH: Everybody does that.

A. Tour 1443 by 2230, assignment A
1 lieutenant, 1445 present for duty at 81,
2 1515 roll call, Lieutenant Broschart, SRD
3 01/16/10 COD white. 1620 in RMP 2774
4 operated and inspected by P.O. Cruz N/V/O no
5 contraband. 1620 10-61, 82-60 88th Place,
6 Queens.

Q. Stop you right there for a
7 second. The 10-61 what does that mean?

A. That's the stationhouse
8 assignment.

Q. You got an assignment to go to
9 that address at 1620?

A. Yes, sir.

Q. Who gave you that assignment?

A. Captain Lauterborn.

Q. Can you proceed. Thank you.

A. You're welcome. 1645 84 at
10 82-60 88th Place, Queens.

Q. I apologize for interrupting.
11 84 means you arrived at that address; is

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CHRISTOPHER BROSCART

MS. PUBLICKER METHAM:

Objection.

A. I was in a car and I was on patrol.

Q. According to go your memo book at 1620, you were sent to Schoolcraft's residence, right?

A. At 1620 I left for Schoolcraft's residence.

Q. Were you given an order to do that?

A. Yes, sir.

Q. By home?

A. Captain Lauterborn.

Q. What did he tell you?

A. That Schoolcraft had left earlier without permission and he sent me to go bring him back to the precinct.

Q. Did he say anything else to you?

MS. PUBLICKER METHAM:

Objection. You could answer.

A. Can you rephrase that? I can't.

Q. No, I can't actually. You know what I could do is -- where were you when

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there to the time I left with Schoolcraft in the ambulance.

Q. I understand that, but after Lauterborn told you to sit tight and see if Schoolcraft comes back, how long did you just sit there and nothing happened?

MS. PUBLICKER METHAM:

Objection.

A. About four hours.

Q. So is it fair to say for about four hours you were waiting in front of Schoolcraft's residence?

A. A couple of times we went back and knocked on the door to see if anyone was there.

Q. There was still again, no response, right?

A. No response and I talked to the landlord later on too.

Q. What did you talk to the landlord about?

A. One of the times went back, the landlord thought he might be in the apartment 'cause he heard springs, he

1 CHRISTOPHER BROSCART

2 believed, from a bed.

3 Q. The landlord, the individual
4 you've been talking about, is this a male?

5 A. Yes.

6 Q. White male?

7 A. Yes.

8 Q. Did you ever speak with the
9 landlady or the white female?

10 MS. PUBLICKER METHAM:

11 Objection. You could answer.

12 A. I can't recall.

13 Q. During the period you were
14 waiting outside of Schoolcraft's residence
15 or going upstairs and knocking a few times
16 on his door, did you speak with anybody else
17 at the 81 about the situation?

18 A. Just Lauterborn.

19 Q. What did you tell Lauterborn?

20 A. I believe he wasn't home. Then
21 when I heard from the landlord he thought he
22 might be there, I told him that. Then I saw
23 the TV going again, I told him that I think
24 he's home.

25 Q. During that four-hour period,

1 CHRISTOPHER BROSCART

2 Q. How were you communicating with
3 Lauterborn?

4 A. Cell phone, I believe.

5 Q. You were using your cell and
6 calling his cell phone?

7 A. I don't know if I was calling
8 his cell phone or the command itself. I
9 can't recall.

10 Q. Did Lauterborn tell you anything
11 else, other than he was going to respond?

12 A. Just that he was responding.
13 Also, he asked to see if I can get a key
14 from the landlord to the apartment.

15 Q. Did it strike you as unusual
16 that Lauterborn would be responding?

17 MS. PUBLICKER METTHAM:
18 Objection.

19 A. No.

20 Q. Did it strike you as unusual
21 that Lauterborn asked you to go get a key to
22 the apartment?

23 MS. PUBLICKER METTHAM:
24 Objection.

25 A. No.

1 CHRISTOPHER BROSCART

2 Q. Did you go get a key?

3 A. Yes, sir.

4 Q. How did you get that?

5 A. The landlord.

6 Q. What did you tell the landlord?

7 A. I can't recall exact words.

8 Q. Sum and substance, what did you

9 tell him?

10 A. Sum and substance that there's

11 another key just in -- 'cause we had to go

12 in and see if he's in the room 'cause we

13 were worried about him.

14 Q. Were you worried about him?

15 MS. PUBLICKER METHAM:

16 Objection.

17 A. At the time, yes.

18 Q. When did you become worried

19 about him?

20 A. Over the course while I was

21 waiting.

22 Q. Why did you become worried about

23 Schoolcraft?

24 A. Just circumstances.

25 Q. What were the circumstances that

1 CHRISTOPHER BROSCART

2 Q. After Marino asked Mauriello
3 and/or Lauterborn to deal with him, then he
4 stepped out of the bedroom, what happened
5 next?

6 A. Just sum and substance, I don't
7 remember exactly what they said, they were
8 talking about Adrian, he had to go back to
9 the command and he didn't want to. Said in
10 sum and substance that he wasn't feeling
11 well and we had brought EMS in to take a
12 look at him 'cause he refused to go back to
13 the 81 at the time 'cause he wasn't feeling
14 well.

15 Q. Then what happened?

16 A. EMS examined him, took his blood
17 pressure, took his respiration. I don't
18 know what other test they did to him and
19 they found something wrong and said he
20 should go to the hospital. He had to go to
21 the hospital basically.

22 Q. Then what happened?

23 A. I don't know if it was Chief
24 Marino or Mauriello and they convinced him
25 to go to the hospital on his own. I talked

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to the EMS lieutenant and got her name. I believe it was Hanlon from EMS 5. We walked out with Adrian. I was behind him. I don't know who was in front of me, who was in back of me. He was going down the steps. He was on the phone. Shortly before we got to the bus, which was a short distance from the house, I told my driver just continue walking with him to the bus, let me go get my hat out of the bus, so I can go to the hospital with him. When I returned with my hat, I saw him still on the cell phone, walking fast right back into the apartment, back up the stairs into the house back into the apartment.

Q. You said that you got the lieutenant from the fire department's name?

A. Yes, I believe it was Hanlon, EMS 5.

Q. And did you make a note in your memo book of that?

A. No, I don't have a memo book. It just stuck out in my mind.

Q. So you didn't make a note of

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CHRISTOPHER BROSCART

occasion?

A. I know it was taken in the apartment. I don't know if it was taken in the bus, because I never saw him the first time in the bus.

Q. When Schoolcraft got into the bus, was he still in the chair or was he restrained in some way?

MS. PUBLICKER METTHAM:

Objection.

A. He was still handcuffed. I can't remember if he stayed in the chair or was put in the gurney. I can't remember.

Q. While he was being taken to the hospital, was he handcuffed?

A. Yes.

Q. From behind?

A. Yes.

Q. So was he sitting or lying on his hands?

MS. PUBLICKER METTHAM:

Objection.

A. He was sitting on an incline, if I remember and every once in a while he

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would look up, look out the window.

Q. But he was cuffed from behind?

A. Behind, if I remember.

Q. Hands were behind him?

A. Hmm-mm.

Q. You have to say yes.

A. Yes.

Q. What do you recall happening in the ride over to the hospital?

MS. PUBLICKER METHAM:

Objection. You can answer.

A. I answered before, but EMS asked him pedigree questions and every once in a while when they weren't getting the answers, I would ask Adrian the same question again that they were asking and he would answer.

Q. Do you recall anything else happening?

A. Not specifically.

Q. Do you recall him saying anything, other than responding to your questions that you asked him to provide the information for?

A. Not that I recall.

1 CHRISTOPHER BROSCART

2 Q. What was his demeanor like in
3 the bus?

4 A. It was kind of weird to me. He
5 had a -- to me he had a big grin on his
6 face. He didn't seem overly concerned.
7 Like I said, he kept on popping his --
8 leaning up, looking out the car like he's
9 looking for the police car behind him. I'm
10 not sure what it was, but that's about it.
11 He was answering the questions they asked
12 him and that was it.

13 Q. Well, you said there were times
14 when he was not answering the questions?

15 A. I don't know if he heard them or
16 not. He wasn't necessarily not answering
17 'cause he didn't want to answer. I don't
18 know if he heard them or not.

19 Q. Do you recall what the
20 information was that he was providing to the
21 emergency medical technician in the bus that
22 was inconsistent --

23 MS. PUBLICKER METTHAM:

24 Objection.

25 Q. -- with what he provided in the

1 CHRISTOPHER BROSCART

2 apartment?

3 MS. PUBLICKER METHAM:

4 Objection.

5 MR. RADOMISLI: Objection.

6 A. I remember it just being
7 pedigree and history and I can't remember to
8 this day -- it just strikes me as it was
9 inconsistent. Certain things you remember,
10 certain things you don't, but I don't know
11 exact what it was.

12 Q. Did anything else happen on the
13 ride over that you remember?

14 A. Not that I recall.

15 Q. What happened when you got to
16 the hospital?

17 A. My driver met us behind. He was
18 taken out of the bus and he was brought to
19 the triage.

20 Q. How was he brought to triage?

21 A. On a gurney, I believe.

22 Q. Was he handcuffed to the gurney?

23 A. When he got to triage I believe
24 is when we un-handcuffed him from the rear
25 and handcuffed him with one hand to the