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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ADRIAN SCHOOLCRAFT,
Plaintiff,

Case No:
10 CV 06005

- against -

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

-----X

111 Broadway
New York, New York

May 29, 2014
10:19 a.m.

DEPOSITION OF STEVEN WEISS, 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.

1 STEVEN WEISS

2 A. No, that I remember, I don't.
3 (Plaintiff's Exhibit 126,
4 document, was marked for identification
5 as of this date by Mr. Smith.)

6 Q. Showing you what's marked as
7 126. It's a two-page document Bates Stamp
8 Numbers 2844 through 45. Is this the
9 article that you were just referring to?

10 A. Yes.

11 Q. Is that your handwriting on the
12 first page?

13 A. Yes, it is. In relation to the
14 September '07 and January '08 this thing on
15 the bottom --

16 Q. Yeah, you anticipated my next
17 question. The handwriting on the right-hand
18 column on the first page, your handwriting?

19 A. Yes.

20 Q. What about the handwriting phone
21 number 646-610-4509; is that your
22 handwriting?

23 A. Yes.

24 Q. What's that a number to?

25 A. It's a headquarters number, but

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STEVEN WEISS

Q. -- line dated January 12, 2010, right?

A. Correct.

Q. You were not at the ICO -- you were not at the 81st Precinct on January 12, 2010?

A. No, I wasn't. So this wouldn't be the fax. I don't know if I sent them anything else.

Q. You got to --

A. I said I don't know if I sent them anything else.

MR. SMITH: I am going to call for the production of the file in the early invention unit file pertaining to Officer Schoolcraft including, but not limited to the copy of the article that the witness has identified as being sent to that unit.

MR. SHAFFER: You have the article. You just handed it to him.

MR. SMITH: No, I know. I want their copy of the article and ideally all of the information reflecting when

1 STEVEN WEISS

2 it was transmitted. This copy does not
3 provide that information, but if the
4 witness faxed, as he said, a copy of
5 this newspaper article to that unit,
6 then there may be information in their
7 files about when it was faxed. There
8 may be also information about what else
9 was sent to the unit and what action,
10 if anything, the unit took with respect
11 to Schoolcraft. So I am making a
12 request for the entire file.

13 MR. SHAFFER: Put it in writing.

14 We will take under advisement.

15 Q. You found this article,
16 Exhibit 126, on the internet?

17 A. Yes.

18 Q. Why were searching on the
19 internet for Schoolcraft?

20 A. It was -- I was -- like I said,
21 I was worried about the guy a little bit.
22 Why specifically I did it, I don't recall.
23 I imagine I was looking for anything he may
24 have posted that was on there. I don't
25 know. I don't really remember what led me

STEVEN WEISS

1 to do it.

2 Q. He was not within your line of
3 supervision at that time, was he?
4

5 A. As the ICO, everybody is in my
6 line of supervision.

7 Q. Did Mauriello ask you to do a
8 search for information about Schoolcraft on
9 the internet?

10 A. No.

11 Q. Did Lauterborn ask you to do a
12 search on Schoolcraft?

13 A. No.

14 Q. Did Caughey ask you to do a
15 search on the internet for Schoolcraft?

16 A. No.

17 Q. So you did this on your own
18 initiative?

19 A. My best recollection, yeah.

20 Q. Do you recall speaking with
21 Caughey about speaking to the early
22 intervention unit?

23 A. I don't recall specific
24 conversation we had about it, no.

25 Q. Do you recall generally talking

1 STEVEN WEISS

2 about Officer Schoolcraft with Caughey?

3 A. We spoke about Officer
4 Schoolcraft, yes.

5 Q. What did you speak with Caughey
6 about Officer Schoolcraft?

7 A. Everything from the memo book to
8 the CD I gave him, to this, he appealed his
9 evaluation.

10 Q. When you say referring to this
11 --

12 A. To the article.

13 Q. I mean the Leader Herald
14 article?

15 A. Correct. He appealed his
16 evaluation, he all of sudden had no gun and
17 we couldn't find out why, what his
18 assignment would be after he came back to
19 the precinct with no gun. It came up in
20 conversation.

21 Q. Did it come up in conversation
22 contacting the early intervention unit?

23 MR. SHAFFER: Objection.

24 A. I don't have a specific
25 recollection of speaking to about it. It

1 STEVEN WEISS

2 That's my recollection. Past that, I'm not
3 a hundred percent sure.

4 Q. What do you recall about your
5 discussion with Lauterborn about the request
6 for a duty captain?

7 A. Just how bizarre and unusual it
8 was and how it pointed towards the fact that
9 there was something perhaps not right with
10 this guy at this point. That we needed to
11 -- I felt we needed to, at least, have
12 somebody talk to him on a level that they
13 could evaluate his psychological wellbeing
14 to make sure that he was okay. That he
15 wasn't, for lack of a better term, crazy.

16 Q. Did you have that discussion
17 with Lauterborn the same day he made his
18 request?

19 A. Yes.

20 Q. The same day that Schoolcraft
21 made the request for the duty captain?

22 A. Yes.

23 Q. Do you recall anything that you
24 discussed with Lauterborn?

25 A. I don't specifically remember

1 STEVEN WEISS

2 A. I don't know.

3 Q. Who was the duty captain that
4 day?

5 A. I don't know.

6 Q. Did you have any discussion with
7 anybody else that day about Schoolcraft's
8 request for the duty captain?

9 A. Other than Lauterborn, my
10 recollection is also, Sergeant Stukes was
11 somebody that I spoke to about it.

12 Q. What did you speak to Stukes
13 about?

14 A. I believe Stukes went to the --
15 seemed to find out why he was asking for the
16 duty captain. So the conversation was
17 regarding that.

18 Q. What do you recall about your
19 discussion with Stukes?

20 A. Not much. I remember having a
21 discussion with him about it. And then him
22 speaking to the captain about it, I believe.
23 Past that, I don't really remember even
24 partially about the unusualness about the
25 request from what I remember.

1 STEVEN WEISS

2 Q. Do you recall speaking with
3 anybody else that day about Schoolcraft's
4 request for a duty captain?

5 A. Not that I could remember.

6 Q. When did you discuss
7 Schoolcraft's duty captain request with
8 Caughey?

9 A. Probably, from my recollection,
10 it was right after we -- right after it came
11 over then walking into the -- as we walked
12 from our office to the captain's office.
13 They were like across the hall -- not across
14 the hall, but across the lobby of the
15 precinct.

16 Q. So the same day that you had the
17 conversation with Lauterborn, you also had a
18 conversation Caughey about --

19 A. Yeah, this all happened at the
20 same time.

21 Q. What do you recall about your
22 discussion with Caughey?

23 A. Just that I felt that he needed
24 to be evaluated.

25 Q. Was Schoolcraft evaluated?

1 STEVEN WEISS

2 about his duty captain request?

3 A. I'm not sure. I don't know.

4 Q. Was your contact with the early
5 invention before or after Schoolcraft
6 requested the duty captain?

7 A. Good question, I don't know.

8 Q. What's the next thing that you
9 remember with regards to Schoolcraft?

10 MR. SHAFFER: Objection.

11 A. I remember when he came back to
12 the precinct after I had spoken with the
13 early invention people at some point and he
14 now he came back and he had no gun, no
15 shield and I had a short conversation with
16 him in my office about that.

17 Q. What was that conversation?

18 A. Basically what happened, how
19 come you have no gun and shield, which he
20 really wasn't able to provide any kind of
21 answer, other than to say that they showed
22 up at his house and drove him someplace and
23 took his gun and his shield and brought him
24 back home. That's what I remember him
25 telling me.