

1 C. LAMSTEIN-REISS, M.D.
2 believe you're 2899 and 282, Mr. Smith?

3 MR. SMITH: I'm actually
4 referring to 2901, with the ledger and
5 pager.

6 MS. PUBLICKER METTHAM: It is
7 D282, it is but 2901.

8 Q. So is there a rather long entry
9 for 10/31 in your file, Doctor?

10 A. I don't know what you consider
11 rather long, but it's --

12 Q. Four pages?

13 A. One, two, three, four and a
14 third, yes.

15 Q. All right, can you just read
16 that into the record.

17 A. Sure. Pager duties regarding
18 P.O. Adrian Schoolcraft, 10/31/09, on left
19 of the page I noted that I was on at 17:40
20 hours. Page number 455 refers to the sick
21 desk log of my being put on duty. I noted
22 below that that I was off duty at 21:40
23 hours. Back to the main text in the body.
24 10/31/09. Telephone contact with sick desk
25 Sergeant Kloos.

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2 MS. PUBLICKER METTHAM:

3 K-l-o-o-s.

4 A. Yes. I believe that's the
5 spelling. It's possible I'm wrong about the
6 spelling. MOS was at work today. He
7 slammed sick report on the sergeant's desk
8 and said he was going out sick. Sergeant
9 told him to stick around. He refused and
10 left. Didn't follow procedure. Typically,
11 they called sick desk and get authorization
12 and wait for command to arrange coverage.
13 MOS was working on the telephone
14 switchboard. MOS did not go straight home.
15 Cops are at his home waiting for his
16 arrival. They called MOS on his cell phone.
17 They think he picked up and then hung up.
18 Since then no answer. They are thinking of
19 suspending him, but they suspect it is more
20 of psych problem. XO of MOS's command, the
21 81 Precinct, is Captain Lauterborn and
22 requests response from PES and I signed my
23 name.

24 Q. The is information that you
25 received from Sergeant Kloos from the sick

1 C. LAMSTEIN-REISS, M.D.

2 desk?

3 A. Correct.

4 Q. All right, please continue.

5 A. It will be more clear as I'm
6 reading through the notes, but it's possible
7 that the part about possibly not suspending
8 him because they thought it might be more of
9 a psych problem, that may have come
10 secondhand through Sergeant Kloos. If it
11 came directly, it would be the rest the
12 notes.

13 Telephone contact with Captain
14 Lauterborn. MOS doing a 7 to 3 day tour
15 today at TS all day, meaning telephone
16 switchboard all day. All was fine. He
17 typically keeps to self and doesn't converse
18 much with other officer and did same today.
19 Nothing seemed out of ordinary. 2:00 p.m.,
20 he went down to locker room, changed and
21 then put a sick report on sergeant's desk
22 and said going sick. He wrote that he had
23 stomach pain. Sergeant tried to stop him,
24 but he left anyway. Underlying issues. MOS
25 has made allegations against others.

1 C. LAMSTEIN-REISS, M.D.
2 Department's investigation of these
3 allegations picked up this week and it
4 snowballed from there. This week about four
5 P.O.'s and two civilian people were called
6 down for questioning. MOS goes up to them
7 and asked about it. Notifications are in
8 telephone message log, so he knows who is
9 going. When they return, he tries to
10 intercept them and get information from them
11 about what he was asked -- about -- it
12 should have been what they were asked. Or
13 that thought the person was a he. Anyway,
14 that's what it says what he was asked.
15 Today was first tour back after RDOs. Not
16 sure what happened today that triggered him
17 to leave like that.

18 Delegates, peers, sergeants and
19 Captain Lauterborn all left him messages and
20 asked him to go back to command. A
21 lieutenant is at him home. His car is
22 there. Landlord said MOS may have been
23 there earlier. Can usually hear MOS's
24 footsteps when home. MOS not home.

25 Next entry, I left a message on

1 C. LAMSTEIN-REISS, M.D.
2 MOS's cell phone. I gave my cell number and
3 Captain Lauterborn's cell phone. I told him
4 that the Captain said he could just return
5 to his home if didn't want to go to the
6 command. I urged him to go home or call his
7 captain, so this could be resolved quickly
8 and easily without need for a city-wide
9 mobilization to search for him or
10 disciplinary action, like suspension. Much
11 easier to just resolve it quickly and easily
12 now. I explained that everyone is just
13 concerned for his safety and they want to
14 make sure everyone is okay.

15 Next entry, telephone contact
16 with Captain Lauterborn. I informed captain
17 that I left message on MOS's cell phone as
18 described above. I suggested that captain
19 call MOS's father because that's the person
20 he is closest to and the person who is most
21 likely to know his whereabouts. Captain
22 will call undersigned when locates or hears
23 from MOS, signed my name.

24 Next entry at 20:15 hours.
25 Telephone contact with Captain Lauterborn.

1 C. LAMSTEIN-REISS, M.D.
2 Still no word from MOS. Captain called MOS's
3 father, who also hadn't heard from him.
4 Father, quote, had some issues, end quote,
5 over the phone -- over phone, but eventually
6 understood captain's point of view and
7 confirmed. Hoping father will call MOS and
8 encourage him to go home. Captain will go
9 to MOS's home. It's possible he's home, but
10 not answering phone. I asked if the
11 landlord has a spare key. He said yes and
12 captain has it, but legal issues with using.
13 Have to have cause. Hoping to avoid going
14 that route.

15 Q. What were those legal issues?

16 A. I didn't ask. I don't know.

17 MS. PUBLICKER METTHAM:

18 Objection.

19 Q. All right, go ahead?

20 A. And I signed my name. 20:40
21 hours the next entry -- I'm sorry 21:40
22 hours is the next entry. Telephone contact
23 with Sergeant Kloos. Sick desk off duty
24 since not known when MOS might be located
25 and I signed my name.

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C. LAMSTEIN-REISS, M.D.

Then next page on the top regarding Adrian Schoolcraft addendum to 10/31/09 note of telephone contact with Captain Lauterborn at approximately 17:50 hours. Delayed entry made on 10/14/10. In reviewing folder, the below information was found to not be documented in prior note, but is clear in undersigned's memory. Captain Lauterborn asked if MOS was suicidal or depressed because he needed to know how concerned they should be about MOS's safety given his going AWOL. Not answering phone calls, not answering door of home, but his car was there, et cetera.

Q. Can I stop you right there. When did you make this entry?

A. October 14, 2010.

Q. October what?

A. 14, 2010.

Q. Can I see the original that you're reading from?

A. Sure.

Q. How do you know that you made this entry on October 24, 2010?

1 C. LAMSTEIN-REISS, M.D.

2 MS. PUBLICKER METTHAM:

3 Objection. She said October 14th.

4 MR. SMITH: No, I'm sorry you're
5 right. The 14th.

6 A. Because that's what I wrote.
7 It's there on the page.

8 MS. PUBLICKER METTHAM: She also
9 read it out loud.

10 Q. And what you read out loud was
11 the words delayed entry made on 10/14/10?

12 A. Correct, that's what that means.

13 Q. Why did you make a delayed entry
14 in the file?

15 A. In reviewing the file I realized
16 that my initial notes of my telephone
17 contact with Captain Lauterborn were focused
18 on information he was telling me and I did
19 not document what I had told him regarding
20 that. Since then or perhaps, I had become
21 aware just from interviews the officer did
22 with the media that mischaracterized that
23 conversation that said I told the captain
24 that there were I think no cause for concern
25 or something like, that he had no

1 C. LAMSTEIN-REISS, M.D.
2 psychological problems. Something like
3 that. So at some point in the future, I was
4 reviewing the folder and I realized that my
5 telling the captain everything in that note
6 was not previously documented, but it was
7 very, very clear in my memory. So I felt it
8 important to add that note and I noted the
9 date that I added it.

10 Q. So what was the statement in
11 what media that led you a year later to make
12 this entry?

13 MS. PUBLICKER METTHAM:

14 Objection.

15 A. I don't remember which article.
16 I just recall there had been report that I
17 said that there was no -- that he had no
18 kind of psychological problem or anything,
19 implying that I said there was no cause for
20 concern that night and so as I was reading
21 it, I realized that was missing that I
22 really was writing what the captain was
23 telling me what was going on and I didn't
24 document what I had told the lieutenant --
25 I'm sorry, the captain. So at some point

1 C. LAMSTEIN-REISS, M.D.
2 when I was reviewing the folder and I
3 realized that wasn't there, I deemed it
4 important enough to make a delayed entry and
5 put that in there. I think the report I had
6 read was something that I said he was never
7 suicidal or something like that, but it left
8 out the part that my evaluation of that is
9 only as good as the last time I saw him and
10 if he was acting differently or if something
11 more stressful happened after I saw him,
12 then I can't comment on any -- on his mental
13 status that date, only as of a few days ago.
14 Someone could find out very upsetting and
15 then kill themselves and three days earlier
16 may not have been in their mind and that
17 qualifier had not initially been reported.

18 Q. Did you ever have any
19 discussions with anybody about making this
20 entry, this delayed entry?

21 MS. PUBLICKER METHAM:

22 Objection.

23 A. I don't believe I did. I don't
24 recall.

25 Q. Did you talk with your

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supervisors about making this entry?

A. I don't think I did. I know my supervisor always reviews my folder. So he probably reviewed that at some point and saw that.

Q. It was made a year after the event?

A. Yeah, actually I think Dr. Knour reviewed it at some point, as well --

Q. Did you ever have any discussion with Proper and Knour about this delayed entry?

A. I have no idea. I don't remember.

Q. Did you ever have any discussion with anybody at the 81st Precinct about this delayed entry?

A. No, that I did not.

Q. Did ever have any discussion with anybody employed by the City of New York about this delayed entry?

MS. PUBLICKER METHAM:

Objection. Not including conversations you've had with legal counsel.

1 C. LAMSTEIN-REISS, M.D.

2 A. Right. Not including
3 conversations with legal counsel and I did
4 not have any other discussions with anybody.

5 Q. Wait a minute, excluding any
6 conversations that you may have had with any
7 lawyers?

8 A. Right.

9 Q. Did you ever discuss this
10 delayed entry with anybody working for the
11 City of New York?

12 A. It would be in the folder when I
13 met with IAB to go over my folder if that
14 conversation was -- if going over my case
15 folder was after that date, then yes, I
16 would have.

17 Q. What I want to know is sitting
18 here today, do you have a recollection of
19 discussing this delayed entry with anybody
20 who is an employee of the City of New York,
21 other than maybe conversations you had with
22 your lawyer?

23 MS. PUBLICKER METTHAM:

24 Objection.

25 A. I just answered that. I do not

1 C. LAMSTEIN-REISS, M.D.
2 have any recollection. What I am telling
3 you is I recall that at some point I
4 reviewed the case folder with IAB Group 1.
5 The date of that is in the case folder. If
6 the date is after I made that entry, then I
7 would have discussed it with them.

8 Q. I am not asking you about what
9 you would have done. I am asking about what
10 you recall. Do you understand the
11 difference?

12 MS. PUBLICKER METHAM: If you
13 want to give her her file, she can tell
14 you if it was before or after she met
15 with IAB.

16 MR. SMITH: I'm not interested
17 in her inferences or your arguments--

18 MR. KRETZ: She's given you an
19 answer, Nat.

20 MR. SMITH: I just want to know
21 what you recall. We can always draw
22 inferences based on facts and we can
23 draw more inferences based on more
24 facts.

25 Q. I want to know what you know

1 C. LAMSTEIN-REISS, M.D.
2 about discussing this delayed entry with
3 anybody?

4 MS. PUBLICKER METTHAM:
5 Objection.

6 MR. KRETZ: She's answered that.

7 MR. SMITH: I think she has --

8 A. I only recall at some point --
9 at some point I reviewed all my notes with
10 IAB --

11 Q. But you don't have a
12 recollection sitting here today --

13 A. No.

14 Q. -- of discussing?

15 A. I don't recall if that was
16 before or after I made that entry.

17 Q. Do you have a recollection
18 sitting here of discussing the delayed entry
19 with IAB?

20 MS. PUBLICKER METTHAM:
21 Objection.

22 A. No. I recall discussing the
23 full case and that would have been part of
24 it if that conversation was after that date.

25 Q. All right, thank you. I think I

1 C. LAMSTEIN-REISS, M.D.

2 understand what you're telling me. Did you
3 ever speak with anybody from the media about
4 Schoolcraft?

5 A. No. We never speak to the
6 media.

7 Q. Okay. So you never spoke to
8 anybody from the media about Schoolcraft,
9 right?

10 A. Correct.

11 Q. Continue reading the delayed
12 entry.

13 THE WITNESS: Do you have where
14 I left off?

15 Q. The first sentence ends with in
16 writer's memory.

17 A. Undersigned.

18 Q. Undersigned's memory, right.
19 Can you go on from there?

20 A. From there, Captain Lauterborn
21 asked if MOS was suicidal or depressed
22 because he needed to know how concerned they
23 should be about MOS's safety given his going
24 AWOL, not answering phone calls, not
25 answering door of home, but his car was

1 C. LAMSTEIN-REISS, M.D.

2 there, et cetera. I informed captain that I
3 last saw MOS at PES on 10/27/09 and at that
4 time he looked okay and reported being
5 asymptomatic. At no time had he ever
6 expressed thoughts of suicide, but he also
7 never went AWOL before and acted the way he
8 was acting on 10/31/09. My assessment of
9 his suicide risk is only as good as the last
10 time I saw him. If something happened after
11 and led him to be so upset that he left work
12 without permission an hour before the end of
13 his tour, said he had stomach pains, et
14 cetera. Then I am unable to say with any
15 reasonable amount of certainty that he is
16 not at risk for suicidal ideation under
17 present circumstances.

18 I provided captain with basic
19 information about reason MOS was on
20 restricted duty. That he had significant
21 physical symptoms of stress insomnia, GI
22 symptoms, cardiac symptoms, et cetera.
23 Unclear if MOS was reporting openly on
24 10/27/09 when he said all of his symptoms
25 went away without treatment. Motivation to

1 C. LAMSTEIN-REISS, M.D.

2 minimize is that he did not want to be
3 psychological restricted duty. He was open
4 during initial evaluation, but denied any
5 and all symptoms in subsequent monitoring
6 sessions. When also expressed being upset
7 about being on psychological restricted
8 duty. His reporting on 10/31/09 that he had
9 stomach pains severe enough to warrant
10 leaving work before end of tour without
11 permission suggests either the symptoms
12 never did go away or they reoccurred on
13 10/31/09 due to his being really upset about
14 something. It is also possible that there
15 was medical cause for the stomach pain, but
16 the angry manner in which he left work
17 suggests a psychological cause and I signed
18 my name.

19 MS. PUBLICKER METTHAM: D284

20 and --

21 MR. OSTERMAN: 2890.

22 Q. Had you, when you prepared this
23 note, any thoughts that there was going to
24 be litigation about what happened to
25 Schoolcraft on October 31, 2009?