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BEFORE THE  
MERIT SYSTEMS PROTECTION BOARD  
WASHINGTON REGIONAL OFFICE

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TERESA C. CHAMBERS,	x
	:
Appellant,	: Docket No.
vs.	: DC-0752-04-0642-I-1
	: Judge E.B. Bogle
DEPARTMENT OF INTERIOR,	:
	:
Agency.	x

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Thursday, August 26, 2004  
Washington, D.C.

DEPOSITION OF:

PHILIP J. BECK,

a witness, was called for examination by counsel for the appellant, pursuant to Notice and agreement of the parties as to time and date, beginning at approximately 9:19 o'clock, a.m., in the Offices of Public Employees For Environmental Responsibility, 2001 S Street, N.W., Suite 570, Washington, D.C. 20009, before Ronnie C. Palmer, a court reporter and Notary Public in and for the District of Columbia, when were present on behalf of the respective parties:

1 APPEARANCE OF COUNSEL:

2 For the Appellant:

3 KENTUCKY ENVIRONMENTAL FOUNDATION  
4 BY: MICK G. HARRISON, ESQUIRE  
5 128 Main Street  
6 Berea, Kentucky 40403  
7 859-321-1586

and

8 PUBLIC EMPLOYEES FOR ENVIRONMENTAL  
9 RESPONSIBILITY  
10 BY: RICHARD CONDIT, GENERAL COUNSEL  
11 2001 S Street, N.W., Suite 570  
12 Washington, D.C. 20009  
13 202-265-PEER

14 For the Agency:

15 McNAMARA & L'HEUREUX, ESQUIRES  
16 BY: ROBERT D. L'HEUREUX, ESQUIRE  
17 1522 King Street  
18 Alexandria, Virginia 22314  
19 703-535-3014

and

20 U.S. DEPARTMENT OF INTERIOR  
21 OFFICE OF THE SOLICITOR  
22 BY: JACQUELINE JACKSON, ATTORNEY-ADVISOR  
1849 C Street, N.W., Room 7323  
Washington, D.C. 20240  
202-208-6848

17 ALSO PRESENT: Teresa Chambers, the appellant

18 I-N-D-E-X

19 Witness:

Page:

20 Philip John Beck

21 Examination by Mr. Harrison

3

22 - 0 -

1 WHEREUPON,

2 PHILIP J. BECK,

3 a witness, was called for examination by counsel for  
4 the appellant, and after having been duly sworn, was  
5 examined and testified as follows:

6 EXAMINATION BY COUNSEL FOR

7 APPELLANT

8 BY MR. HARRISON:

9 Q Good morning, sir. My name is Mick  
10 Harrison. I am the attorney for Teresa Chambers.  
11 There are a couple of appeals pending that involve  
12 Teresa Chambers, and I am going to ask you questions  
13 relative to those. If you have difficulty hearing or  
14 understanding me, let me know and I will repeat it.  
15 If you need to take a break. We will accommodate  
16 you.

17 Would you state your full name for the  
18 record?

19 A Philip John Beck.

20 Q What is your position at the moment, your  
21 job position?

22 A Lieutenant.

1 Q With the United States Park Police?

2 A Correct.

3 Q How long have you been with the U.S. Park  
4 Police?

5 A Over 15 years.

6 Q Have you been promoted over the years?

7 A Yes.

8 Q All right. What are your duties at this  
9 time with the Park Police?

10 A Executive officer for the Chief of  
11 Police.

12 Q All right. And you were with the Park  
13 Police when Teresa Chambers was the Chief of the Park  
14 Police?

15 A Yes.

16 Q What were your duties at that time?

17 A Shortly after I came on board, I became  
18 her executive officer.

19 Q All right. Have you had any training in  
20 your profession?

21 A Yes.

22 Q What would that be?

1           A           I would have brought my list.

2           Q           In summary.

3           A           Our basic training is we go to the  
4 Federal Law Enforcement Center in Glynco, Georgia,  
5 and I have had various other training related to  
6 police work. Certified EMT paramedic through the  
7 national registry, certified diver.

8           Q           Have you ever received any training in  
9 the classification of national security sensitive  
10 documents?

11          A           Yes.

12          Q           Where was that?

13          A           At the Geological Survey.

14          Q           Geological Survey. How did you come to  
15 get training from them?

16          A           I believe it was Geological Survey out in  
17 Reston.

18          Q           They just offered training?

19          A           No. It was to get my clearance.

20          Q           You do have a security clearance?

21          A           Yes.

22          Q           Do your duties involve classification of

1 documents?

2 A No.

3 Q Do you recall an article coming out in  
4 the Washington Post on December 2nd, 2003, which made  
5 reference to Chief Chambers?

6 A There were several articles. I can't  
7 tell you a specific date or article.

8 Q Do you recall any controversy arising  
9 about an article in the Washington Post in the  
10 December 2003 time frame?

11 A Yes.

12 Q Do you recall seeing a particular article  
13 that was the subject of that controversy?

14 A Yes.

15 Q Did you happen to read it yourself.

16 A Probably did. Yes.

17 Q Did you have occasion to discuss it with  
18 anyone around that time?

19 A Yes.

20 Q All right. Did anyone bring the article  
21 to your attention as distinguished from you  
22 initiating the conversation?

1 A No. I don't think so.

2 Q All right. Do you recall talking about  
3 the article with any of the Ms. Chambers' superiors?

4 A No.

5 Q Did you come to know whether or not any  
6 of Ms. Chambers' superiors had a concern about that  
7 article?

8 A Yes.

9 Q How did you come to know that?

10 A By Chief Chambers.

11 Q No other way that you recall?

12 A No.

13 Q Do you recall in the 2003 time frame  
14 there being an issue regarding the scope of the  
15 mission of the U.S. Park Police?

16 A The what?

17 Q The scope of the mission of the Park  
18 Police?

19 A Yes.

20 Q Were you involved in any discussions  
21 about revising the mission?

22 A Probably involved in -- I was involved in

1 meetings that we discussed the mission and where the  
2 Park Police were going. Yes.

3 Q Do you know whether there was any  
4 official group that was assigned the task of refining  
5 the mission of the U.S. Park Police?

6 A I believe that was given to the Chief and  
7 her special assistant.

8 Q And were there any meetings that you know  
9 of that were held for that purpose to refine the  
10 mission?

11 A I believe there were.

12 Q Did you attend any of those?

13 A Probably.

14 Q Do you remember them today, those  
15 meetings?

16 A Not specifically.

17 Q Do you know a Mr. Larry Parkinson?

18 A Yes.

19 Q Did you ever attend any meetings  
20 regarding the mission of the U.S. Park Police that  
21 Mr. Parkinson attended?

22 A Yes.



1 Q And did you know what his role was in  
2 those meetings?

3 A I believe his role was the acting as the  
4 Deputy Assistant Secretary for Law Enforcement and  
5 Security.

6 Q And do you know whether he chaired any of  
7 those meetings?

8 A I don't know if there was a specific  
9 chair or not.

10 Q I see. Okay. Do you know whether any  
11 member of that group of people who were meeting on  
12 the mission were assigned to draft up a document  
13 regarding the mission?

14 A I'm sure that someone was tasked with  
15 drafting a new mission statement, and I believe that  
16 is in the works.

17 Q You haven't see seen it yet?

18 A No. I am not privy to that.

19 Q As far as you know, the mission is still  
20 as it has been in 2002 as of today. It has not been  
21 officially refined?

22 A I don't believe so.

1 Q Okay. All right. Do you recall on  
2 December 2nd, 2003, having occasion to deliver a  
3 document for Chief Chambers to Secretary Mainella's  
4 office?

5 A I delivered an enclosed, sealed, blue  
6 envelope, and I wasn't aware of its contents.

7 Q Did you actually drop it off at the  
8 Director Mainella's office?

9 A Yes, I did.

10 Q Do you remember who may have received it?

11 A I don't. However, I spoke to Director  
12 Mainella in the hall and advised her that it was  
13 there.

14 Q She would have known you had delivered  
15 something?

16 A Yes.

17 Q After the December 2nd, 2003, Washington  
18 Post article was published within a few days after  
19 that time frame, do you recall transporting Chief  
20 Chambers and perhaps the Deputy Chief, Mr. Holms to a  
21 meeting?

22 A Assistant Chief.

1           Q       Assistant Chief.  Beg your pardon.  You  
2 transferred those persons?

3           A       To Interior, yes.

4           Q       Where did you take them?

5           A       To the parking garage and then up to the  
6 Director's suite.

7           Q       And the parking garage you are referring  
8 to, would that be a normal place to park for the  
9 Chief and her staff in coming to a meeting there?

10          A       No.

11          Q       Was there a reason why you parked there  
12 that day?

13          A       I was directed that day.

14          Q       Do you recall where that direction came  
15 from?

16          A       Came from Mr. Murphy's secretary.

17          Q       Would that be Ms. Brooks?

18          A       Correct.

19          Q       Was there a reason given to you at that  
20 time as to why you were to park in that particular  
21 location?

22          A       No.

1           Q           Did you know what the purpose of the  
2 meeting for which you were transporting the Chief and  
3 the Assistant Chief?

4           A           No.

5           Q           On that day which I believe was Friday  
6 December the 5th, does that sound about right?

7           A           Yes.

8           Q           Did you have any reason to believe prior  
9 to the meeting taking place between Chief Chambers  
10 and Mr. Murphy that Chief Chambers would be placed on  
11 administrative leave?

12          A           No.

13          Q           Did you have any occasion to be  
14 questioned by Mr. Murphy about Chief Chambers prior  
15 to the meeting being placed on administrative leave  
16 on December 5th, 2003, let's say in the week prior  
17 to?

18          A           No.

19          Q           Did Mr. Murphy question you regarding  
20 Chief Chambers' between the day the Chief was placed  
21 on administrative leave, December 5th, 2003, and the  
22 date she was noticed of her removal which would have

1 been December 17th?

2 A No.

3 Q Do you recall at any time Deputy Director  
4 Murphy seeking your input as to a performance  
5 appraisal for Chief Chambers?

6 A No.

7 Q Do you recall at any time other than  
8 perhaps Chief Chambers herself any person seeking  
9 your input for a performance appraisal for Chief  
10 Chambers?

11 A No one has ever done that.

12 Q Are you familiar with an organization  
13 called the Organization of American States, OAS?

14 A Yes.

15 Q And do you recall that there was a time  
16 surrounding the period when Chief Chambers was  
17 proposed to be removed when an issue arose about the  
18 Organization of American States?

19 A I believe that issue was way before Chief  
20 Chambers.

21 Q Can you place that in time for us?

22 A I know the Chief had a meeting -- We

1 became involved with the Organization of American  
2 States during the tractor man incident on the Mall.

3 Q When was that, approximately?

4 A I believe it was March. Somewhere around  
5 the 17th.

6 Q 2003?

7 A Yes.

8 Q And do you recall the nature of the issue  
9 that arose?

10 A Well, the issue that I had was that -- a  
11 person with whom I had made contact during that  
12 situation had requested a meet and greet with the  
13 Chief of Police to bring his boss to meet the Chief  
14 of Police. The meeting was set up.

15 Q Do you recall any sort of complaint, a  
16 written complaint, a formal complaint being lodged by  
17 the OAS regarding the Park Police?

18 A No.

19 Q The meet and greet meeting was set up as  
20 you recall?

21 A Yes.

22 Q Do you know what became of that meeting?

1 Did it take place?

2 A Yes, it did.

3 Q Okay. Have you been given any training  
4 in your position over the years in terms of any  
5 restrictions placed upon you in communications with  
6 the media or the press?

7 A I have attended media training.

8 Q And who offered that training to you?

9 A The Park Police.

10 Q Would that have been the communications  
11 officers?

12 A It was the public information officer at  
13 the time.

14 Q Do you recall who that would have been?

15 A I believe it was either Sergeant Rob  
16 McLain.

17 Q Were you given any written training  
18 materials as a part of that?

19 A I don't believe.

20 Q Is it fair to say you probably would not  
21 have retained them at this point in time had you been  
22 given any or do you think you might have some?

1           A           If I dig, I might be able to find some.

2   I don't know.

3           Q           Do you recall the substance of the  
4   training, what you were being told was the proper  
5   procedure for handling the press?

6           A           It was sort of an informal training  
7   session where we were -- actually had media  
8   personalities come in and interview us. They gave us  
9   hints on what to do, what not to do, how to interact  
10   with the media, and just wasn't guidelines as far as  
11   you can't say this, you can't say that.

12          Q           It was how to deal with them?

13          A           In the situation.

14          Q           Interaction with the press?

15          A           Correct.

16          Q           I see. In that regard if you were to be  
17   encountered by a member of the press and they were to  
18   ask you a direct question, if you recall, what was  
19   the guidance given to you as to whether you had  
20   answered the question directly, honestly, or in some  
21   other manner?

22          A           There would be no other way to answer the



1 question.

2 Q Have you ever been given any training in  
3 regard to communications with Congress?

4 A No. But I have testified before  
5 Congress.

6 Q When did that happen?

7 A The day the tractor man ended his siege.

8 Q Was that on your initiative or did  
9 someone invite you to do so?

10 A I was invited.

11 Q I take it the invitation came from  
12 Congress or do you know?

13 A Yes, it did.

14 Q Do you recall I take it you were probably  
15 on the force during the September 11th, 2001,  
16 attacks?

17 A Yes, I was.

18 Q I am sure they are still in your memory.

19 A Yes, it is.

20 Q Is it fair to say that the burdens placed  
21 on the U.S. Park Police were somewhat greater after  
22 those terrorist attacks?

1           A           Yes.

2           Q           Is it your understanding that the  
3 staffing by the U.S. Park Police for what I call the  
4 icons, some of the more important national monuments  
5 in Washington, that type of staffing was increased?

6                        And I am not asking you to give us any  
7 sensitive information. But was increased to some  
8 extent as a result of the ongoing threats of the  
9 terrorist attacks?

10          A           Yes.

11          Q           All right. In your own experience, do  
12 you consider the threat as of today the ongoing  
13 threat of a terrorist attack on the icons the  
14 national monuments to be real or imagined?

15          A           I believe it to be a real threat.

16          Q           How would you describe the impact on the  
17 U.S. Park Police of the demand for staffing the icons  
18 after those terrorist attacks? Was it an easy think  
19 to do? Did it draw staff from other areas?

20                        What was the impact of having to staff  
21 those icons?

22          A           There was a burden, and staff was drawn

1 from other patrol areas to bring people in to  
2 maintain the security level at those icons.

3 Q Are you familiar with what the role of  
4 the U.S. Park Police is in patrolling the parkways?

5 A Which ones?

6 Q Baltimore-Washington?

7 A Yes.

8 Q And do you have on your experience any  
9 opinion as to whether a reduced police presence on  
10 that particular parkway might impact traffic safety?

11 A Yes.

12 Q What is the gist of your opinion in that  
13 regard?

14 A The opinion is if you don't have enough  
15 police officers out there and it's not just the  
16 parkways. It's any area that the police -- If you  
17 don't have enough police out there to police it, it's  
18 not going to be policed.

19 Q If it's not policed, what impact may that  
20 have on public safety?

21 A It can lead to increased crime, increased  
22 traffic problems, increased accident.

1           Q           Thank you.  When Chief Chambers was put  
2   on administrative leave on December 5th, did anyone  
3   set you down and explain to you the charges that had  
4   been brought against her at that time?

5           A           No.

6           Q           When Chief Chambers was placed or given  
7   her proposed removal notice, that would be December  
8   17th.  I think it was issued and maybe delivered on  
9   the 18th, at that point thereafter did anyone set you  
10  down and explain to you the charges brought against  
11  Chief Chambers and the proposed removal notice?

12          A           No one sat me down.  However, Chief  
13  Chambers had put it out on her web site.

14          Q           So, it was publicly available?

15          A           Yes.

16          Q           Apart from the publicly available  
17  sources, did any person in official status make an  
18  effort to explain that to you?

19          A           No.  It was a personnel matter, and it  
20  was directly regarding Chief Chambers.  So, it was  
21  not a matter to delve into with the force.

22          Q           I take it you are explaining your answer,

1 and your answer would be no, no one ever sat down and  
2 explained it to you?

3 A Correct.

4 Q And you were given context for why that  
5 might have been?

6 A Yes. It was explained to us it was a  
7 personnel matter and the issues would not be  
8 discussed.

9 Q Did anyone tell you that an official was  
10 appointed as the reviewing or deciding official  
11 regarding the proposed removal and that an  
12 investigation would take place to determine whether  
13 or not the proposed removal should be sustained?

14 A I am sorry. You had about five questions  
15 in there.

16 Q It was context. I hope it's only one  
17 question. We'll find out.

18 Did anyone inform you that after the  
19 proposed removal was issued that some official was  
20 appointed as the reviewing or deciding official to  
21 perform an inquiry whether or not the proposed  
22 removal of Ms. Chambers should, in fact, take place?

1           A           I don't know if someone specifically came  
2 to me and told me, but it was put out there that  
3 there was a deciding official.

4           Q           Did you ever come to learn who that was?

5           A           Deputy Assistant Secretary Paul Hoffman.

6           Q           Did Mr. Hoffman ever approach you to  
7 obtain any information as part of his inquiry?

8           A           No.

9           Q           Did anyone on Mr. Hoffman's behalf to  
10 your knowledge ever approach you to obtain any  
11 information to inform Mr. Hoffman?

12          A           No.

13          Q           I'm assuming from your testimony this  
14 morning but correct me if I am mistaken, that Chief  
15 Chambers had delegated to you the task of setting up  
16 the meet and greet meeting with the OAS?

17          A           No. That's not correct.

18          Q           How did that come to be?

19          A           That came to be the contact that I had  
20 made with OAS during the tractor man incident called  
21 me specifically and asked to set up a meet and greet.

22          Q           You did that on your own initiative?

1           A           I did that on my own initiative.

2           Q           Understood. Did anyone ever inquire with  
3 you after December 5th, 2003, as to the fact  
4 surrounding your communications with the Organization  
5 of American States and the circumstances of setting  
6 up this meeting?

7           A           No.

8           Q           Do you know when the final decision was  
9 made or approximately when that Chief Chambers would,  
10 in fact, be removed from her position?

11          A           I don't recall the exact date. Somewhere  
12 after the 4th of July, I believe.

13          Q           Which year?

14          A           2004.

15          Q           Do you remember learning about that?

16          A           Yes.

17          Q           How did you come to learn about it?

18          A           I don't recall.

19          Q           Had you ever seen a final or draft copy  
20 of either the proposed removal notice to Chief  
21 Chambers or the final removal decision?

22          A           I don't believe I ever saw the final, and

1 I don't believe I saw the proposed either unless it  
2 was on the web site. I don't recall.

3 Q Understood. And I take it from your  
4 answer that you would not have seen any non-final  
5 version of either of those documents?

6 A Correct.

7 Q From the time period of December 2nd,  
8 2003, when the Washington Post article came out and  
9 today, have you ever had occasion to speak with any  
10 official of the Department of Interior, the National  
11 Park Service, or the U.S. Park Police at Chief  
12 Chambers' level or above regarding any of the actions  
13 taken against Chief Chambers?

14 A Yes.

15 Q Do you recall who you would have spoken  
16 to?

17 A Yes.

18 Q Who would that be?

19 A Larry Parkinson.

20 Q Do you recall when you would have spoken  
21 to Mr. Parkinson?

22 A It was sometime after the 5th of December



1 2003.

2 Q Did you initiate that communication or  
3 did he?

4 A I did.

5 Q Was it in person or by telephone?

6 A In person.

7 Q Your office or his?

8 A His.

9 Q About how long did the conversation last?

10 A The conversation wasn't entirely about  
11 Chief Chambers.

12 Q I appreciate that. Nonetheless.

13 A It was probably an hour and a half, two  
14 hours.

15 Q Do you recall what Mr. Parkinson said in  
16 regard to Chief Chambers during that meeting?

17 A Not specifically.

18 Q What do you recall?

19 A What I recall was I explained to him that  
20 I didn't feel the way the incident was handled on the  
21 5th was appropriate, and he said that he wasn't  
22 involved because he was out of town. And that's

1 basically where it was left.

2 Q Did Mr. Parkinson indicate any position  
3 of his own as to whether he felt the December 5th  
4 incident of placing the Chief on administrative leave  
5 was handled in a manner he thought was appropriate?

6 A I don't recall if he said that or not --  
7 he felt it was appropriate or not. I just remember  
8 discussing my feelings with him.

9 Q Did he disagree with you?

10 A Not openly.

11 Q He didn't say so?

12 A He didn't agree with me, either.

13 Q Okay. All right. And what other topic  
14 did you discuss in that meeting?

15 A Topics of a personal nature because I've  
16 known Mr. Parkinson for quite some time.

17 Q It did not involve the Park Police?

18 A I was discussing issues about the Park  
19 Police, but general conversations. It was just the  
20 way things had been when he was a prosecuting  
21 attorney with the U.S. Attorneys Office, and the way  
22 things have progressed in the Park Police.

1           Q           Okay.  Were you expressing satisfaction  
2           or dissatisfaction with the direction in which the  
3           Park Police had gone over time?

4           A           It was not a matter of satisfaction or  
5           dissatisfaction.  It was just a discussion about  
6           things.

7           Q           Were you noting changes that had taken  
8           place?

9           A           Yes.  And he noted changes that had taken  
10          place in the Federal Bureau of Investigation since  
11          9-11, as well.

12          Q           I am not asking about those.

13          A           You asked about the discussion.

14          Q           You welcomed to volunteer it, but you  
15          don't need to go into detail about it.  I would like  
16          to know about the Park Police.

17          A           Just general conversation about different  
18          issues.  I don't recall all the issues.  I know the  
19          one issue was the regional law enforcement  
20          specialists, and we were discussing how that was  
21          going to play out.  And there was no decision at the  
22          time.  He said that was still in Mr. Murphy's arena.

1           Q           Was there any issue discussed other than  
2 what you've told us that would have involved Ms.  
3 Chambers' role as Chief of the U.S. Park Police?

4           A           No.

5           Q           Did the December 2nd, 2003, Washington  
6 Post article come up?

7           A           I don't know if it did or not.

8           Q           Did Mr. Parkinson indicate in any manner  
9 what he felt would be the ultimate disposition of  
10 Chief Chambers' disciplinary action?

11          A           No.

12          Q           Did you get the impression from Mr.  
13 Parkinson that he had known about Ms. Chambers being  
14 placed on administrative leave or that he learned  
15 about it only after it had occurred?

16          A           I don't know if he did or not. I know he  
17 was on travel. I don't know when he was notified.

18          Q           Did he ever say where he was travelling?

19          A           I don't recall.

20          Q           Did the topic come up in that  
21 conversation of the future of the Park Police in Ms.  
22 Chambers' absence as the Chief?

1           A           I don't believe it did.

2           Q           Could you determine from the conversation  
3 whether Mr. Parkinson was assuming the Chief would  
4 return to her position at some point?

5           A           I don't know that we got to that  
6 discussion.

7                       MR. HARRISON: Let's take a short break  
8 and let me check my notes.

9                       (Off the record.)

10                      BY MR. HARRISON:

11          Q           Mr. Beck, you had mentioned that you had  
12 been instrumental in setting up a meet and greet with  
13 OAS and that that meeting had happened. Was there  
14 any follow-up communications perhaps not from the OAS  
15 but regarding the OAS that occurred after the meet  
16 and greet?

17          A           From who?

18          Q           Anyone in the Department of Interior with  
19 the U.S. Park Police?

20          A           With me?

21          Q           With you in particular.

22          A           No.

1 Q Do you know a Mr. Randy Myers?

2 A Yes.

3 Q Did he ever inquire in any manner  
4 regarding the OAS?

5 A To me, no.

6 Q Not to you. Do you know whether he did  
7 to others than you?

8 A I learned from the Chief that he had  
9 made -- tried to make an appointment with her to  
10 discuss issues regarding the OAS.

11 Q Do you know what became of that meeting?

12 A I don't believe it ever materialized.

13 Q Do you recall at some point that Mr.  
14 Myers ceased his request for such a meeting?

15 A Yes.

16 Q Did you ever see a document that  
17 indicated that?

18 A Yes.

19 Q Do you recall what that document was?

20 A I believe it was an e-mail to the Chief.

21 Q Did you have any role in communicating  
22 with Mr. Myers regarding such a meeting?

1           A           I couldn't recall whether it was myself  
2 or the Secretary who had set up the meeting. But I  
3 know that there was subsequent tries to have the  
4 meeting happen, and it just never did.

5           Q           Okay. Did you communicate with the  
6 Secretary of the I assume you are talking about for  
7 the U.S. Park Police, but I don't know. Is that  
8 correct?

9           A           Yes.

10          Q           Did you communicate with the Secretary of  
11 the Park Police in regards to attempts to set up a  
12 meeting with Mr. Myers?

13          A           I probably did. It wasn't something that  
14 stuck out in my mind.

15          Q           It wasn't a big priority for you?

16          A           No.

17          Q           Okay. Did you ever see a document that  
18 reflected a written order by Deputy Director Murphy  
19 to Chief Chambers instructing her to meet with Mr.  
20 Myers?

21          A           No.

22          Q           Who was the Secretary involved in

1 attempting to schedule a meeting with Mr. Myers? Do  
2 you know?

3 A I don't know if it was myself or the  
4 Secretary Sharon Stevenson.

5 Q One of the two of you?

6 A Right.

7 Q In your role with the Park Police during  
8 Chief Chambers' tenure, did you have occasion to see  
9 incoming correspondence to the Park Police?

10 A Yes.

11 Q How would you have?

12 A Correspondence that came into the office  
13 was either opened by myself or Ms. Stevenson.

14 Q So, that was part of your routine duties?

15 A Yes.

16 Q Do you know a Mr. Alex -- I don't know if  
17 I'll say the pronunciation right. Flores?

18 A Yes.

19 Q Is he associated with the OAS in some  
20 way?

21 A Yes.

22 Q How is that?



1           A           He was the contact I made at the OAS.

2           Q           Okay. Did you have occasion to speak  
3 with him any time after the I guess what you call the  
4 tractor man incident?

5           A           Yes, I did.

6           Q           Did you do so perhaps on a number of  
7 occasions?

8           A           That was the gentleman I set up the  
9 meeting with.

10          Q           It was? All right. I take it, correct  
11 me if I'm wrong, that Mr. Flores had never  
12 communicated to you that he had filed a complaint  
13 against the Park Police?

14          A           Correct.

15          Q           And did you feel like during your  
16 communications with Mr. Flores that the relationship  
17 between OAS and the U.S. Park Police was fine, was on  
18 a good basis?

19          A           Yes.

20          Q           Do you have occasion to attend what are  
21 called all employees meetings?

22          A           For who?

1 Q I guess this would be with the U.S. Park  
2 Police?

3 A Yes.

4 Q And who all attends those meetings to  
5 your knowledge?

6 A Any employees who wants to. All  
7 employees.

8 Q It is open?

9 A Yes. No one is restricted.

10 Q Does Deputy Director Murphy or Director  
11 Mainella ever attend those meeting?

12 A I know Deputy Director Murphy did. I  
13 don't know if Director Mainella ever did.

14 Q Do you know whether Mr. Larry Parkinson  
15 ever attended those meetings?

16 A Yes.

17 Q In any of those meetings, do you ever  
18 recall Mr. Parkinson in particular making any  
19 reference to what was happening to Chief Chambers?

20 A Other than he wasn't going to make  
21 comment, if he did make comment. I think Mr. Murphy  
22 handled all questions that arose regarding the

1 Chief's situation. I don't know that Mr. Parkinson  
2 ever spoke directly about it. If he did, there was  
3 no substance to it.

4 Q Do you know whether Mr. Parkinson ever  
5 gave a clue as to how he felt procedurally the matter  
6 should be handled?

7 A No.

8 Q Okay.

9 A Other than through the channels in the  
10 Interior I don't --

11 Q Not in these meetings?

12 A I don't believe so. No.

13 Q In these meetings or otherwise, did you  
14 ever hear Mr. Parkinson comment to the effect  
15 regarding Ms. Chambers' disciplinary actions that  
16 we'll just have to let the thing ride and it will  
17 work out. Something to that effect?

18 A Sounds somewhat familiar, but, you know,  
19 I --

20 Q You don't have a specific memory?

21 A No.

22 Q Okay. Do you recall any statements from

1 Mr. Murphy regarding what was happening with Chief  
2 Chambers in these meetings?

3 A No.

4 Q Do you recall ever hearing Mr. Murphy  
5 ever acknowledge in regard to what had occurred  
6 regarding disciplinary actions for Chief Chambers  
7 that some mistakes had been made by the Park Service?

8 A No. I don't recall that.

9 Q It may not have been the exact words but  
10 the gist was we could have done things better?

11 A Yes. You're right. He did. I believe  
12 that did happen in one of those meetings.

13 Q Now when you accompanied the Chief and  
14 Assistant Chief to the meeting on December 5th, did  
15 you actually escort the Chief and Assistant Chief to  
16 Mr. Murphy's office?

17 A Yes.

18 Q So, did you encounter any employees  
19 during that walk to Mr. Murphy's office? Do you  
20 recall?

21 A Yes.

22 Q Do you recall whether any of those

1 employees had any reaction to what was about to  
2 happen to the Chief during the time you were walking  
3 to the meeting?

4 A The Chief went ahead down to the where  
5 the Secretary's desk is and I stayed back with the  
6 Assistant Chief. So, I don't know what reaction or  
7 what was said specifically.

8 Q To the Chief?

9 A To the Chief.

10 Q Did you encounter anyone that gave a  
11 reaction to you at that time?

12 A No.

13 Q Did you speak with anyone during your  
14 walk to Mr. Murphy's office on that occasion?

15 A I spoke to a gentleman standing outside  
16 Mr. Murphy's office.

17 Q Would that have been a special agent?

18 A Yes.

19 Q Was any remark made regarding Chief  
20 Chambers in that conversation?

21 A Both myself and Chief Holmes were  
22 chatting back and forth, and I asked Chief Holmes

1 what the role of the special agent was. He didn't  
2 know. He went over to the special agent and asked  
3 what his role was, and he stated he was there just in  
4 case.

5 Q Understood. I take it you didn't know  
6 exactly what was going on at that time?

7 A I had a pretty good idea once that  
8 comment was made.

9 Q You inferred from the special agent being  
10 there that some personnel action was taking place?

11 A Yes.

12 Q Do you know whether any of the employees  
13 in that particular building in which Mr. Murphy's  
14 office is located had been pre-informed that  
15 something was to happen regarding Chief Chambers  
16 during that day?

17 A I have no specific knowledge of that.

18 Q Did you notice Director Mainella present  
19 when you arrived?

20 A No.

21 Q Did you ever notice her present on that  
22 day?

1           A           Yes.

2           Q           When was that?

3           A           After Chief was asked to go into Mr.

4   Murphy's office.

5           Q           And when did you notice Director

6   Mainella?

7           A           When she came down the hall.

8           Q           While you were still waiting outside?

9           A           Yes.

10          Q           Did you speak with her?

11          A           Yes, I did.

12          Q           Just a greeting?

13          A           Hi, how are you. You know.

14          Q           And where did Director Mainella go at

15   that point?

16          A           I believe she went to her office.

17          Q           Okay. Was anyone with her at that time?

18          A           Walking with her?

19          Q           Yes.

20          A           No. I don't think so.

21          Q           Do you know whether anyone was in her

22   office that she was going to meet?

1           A           I never made it into her office.  So, I  
2   don't know who was there.

3           Q           Do you know a woman by the name of Bee  
4   Chester?

5           A           Yes.

6           Q           Have you ever had any interactions with  
7   her?

8           A           Yes.

9           Q           Have you ever had any interactions with  
10   her regarding Chief Chambers?

11          A           No.

12          Q           Do you know whether Ms. Chester ever  
13   made any inquiries regarding Chief Chambers in the  
14   December 2003 time period or after?

15          A           Yes.  I believe she did.

16          Q           Tell us what you remember about that.

17          A           I don't really recall.  I know that she  
18   was trying to schedule Chief for I believe it was a  
19   personnel matter concerning one of our employees, but  
20   I don't know the specifics.  I was basically playing  
21   phone tag trying to get in touch with whoever she  
22   needed to get in touch with.



1           Q           I see. Do you know whether Ms. Chester  
2 ever conducted any interviews making inquiries  
3 regarding Chief Chambers?

4           A           As far as this issue?

5           Q           Regarding disciplinary actions taken  
6 against Chief Chambers?

7           A           No. I don't know -- I don't have any  
8 firsthand knowledge of that. No.

9           Q           Do you have any secondhand knowledge?

10          A           No. I don't.

11          Q           Do you know whether Ms. Chester ever  
12 reviewed any documents in the files of the U.S. Park  
13 Police in November or December of 2003?

14          A           Did she review any files of U.S. Park  
15 Police?

16          Q           Yes, sir.

17          A           I don't know that she did, but I would  
18 imagine if she's handling a case for the Park Police,  
19 that she would have to look at Park Police files.

20          Q           I'm not asking you what her reasons might  
21 have been. I am just asking you do you know that she  
22 did that?

1           A           No, I don't.

2           Q           Did anyone ever come to review documents  
3 of the U.S. Park Police after Ms. Chambers was placed  
4 on administrative leave in regard to Ms. Chambers?

5           A           Not to me.

6           Q           Not to your knowledge?

7           A           Not to me.

8           Q           Did you observe anyone doing it?

9           A           No.

10          Q           Other than your personal observation, do  
11 you know whether anyone may have done document review  
12 regarding Ms. Chambers?

13          A           I don't know.

14          Q           Okay. If someone wanted to view the  
15 files of the U.S. Park Police, who would have to  
16 basically approve that review? Would someone have to  
17 authorize access to your files?

18          A           What kind of files are you talking about?

19          Q           Files Ms. Chambers may have maintained,  
20 personnel files, incident files.

21          A           Some incident like a criminal incidents  
22 and case incidents they're open to review through

1 FOIA, through the Privacy Act, and through other  
2 avenues. But personnel records, there are specific  
3 guidelines as to what can be released and what cannot  
4 be released.

5 I'm not in charge of that. So, I  
6 wouldn't be doing it.

7 Q You wouldn't know who would have been  
8 given access or not to the files?

9 A To which files?

10 Q Park Police files. Any of them?

11 A No.

12 Q Okay. Can anyone can walk in off the  
13 street and ask to review the Park Police files?

14 A No.

15 Q Who in the Park Police would have to know  
16 if someone had, in fact, come in and asked I'd like  
17 to review some documents regarding Ms. Chambers or  
18 otherwise? Who would have to know in the Park  
19 Police?

20 A It would depend on what record you were  
21 looking for.

22 Q How would you categorize the records

1 maintained by the Park Police?

2 A You have personnel records. You have  
3 incident records. I guess those are basically the  
4 two major.

5 Q Maybe, I assume, policy communications?  
6 Things like that. Memos?

7 A Again, it would determine who is asking  
8 for them and how they are asking for them. You can  
9 access through Freedom of Information. It would be  
10 up to the FOIA officer and our --

11 I guess you'd just use the term the FOIA  
12 officer, and they concur -- I believe they also send  
13 a request. If a request comes in, it would be  
14 reviewed by the Solicitor's Office. And then this  
15 Solicitor would give input, and it would go from  
16 there.

17 Q If someone from Mr. Murphy's office  
18 wanted to review files of the U.S. Park Police, would  
19 someone in the U.S. Park Police have to be informed  
20 of that could that be done without anyone's  
21 knowledge?

22 A Some files like the Chief's aren't

1 maintained by the Park Police. They are maintained  
2 in Interior. So, it would be the Interior folks that  
3 would be the custodian of those records.

4 Q Let's say if we are talking about files  
5 actually maintained by the U.S. Park Police. Could  
6 Mr. Murphy arrange to look at those files without  
7 anyone knowing?

8 A I don't so.

9 Q Who would likely have to know?

10 A The custodian of records.

11 Q Who is that?

12 A You have Mr. Troy Pederferd. Arthur --  
13 Troy Pederferd is in charge of our records division.  
14 We have a planning and development unit in charge of  
15 dispersing or that is in charge of our FOIA, Privacy  
16 Act, and that type of outlet.

17 Q So, one of those persons would probably  
18 have to know?

19 A Yes.

20 Q Apart from a formal investigation or  
21 interviews which believe you said you had not been  
22 made a part of regarding Chief Chambers?

1           A           Correct.

2           Q           Was there ever any informal conversation  
3 you had with Mr. Murphy regarding Chief Chambers  
4 meaning December 5th or thereafter?

5           A           No. I don't believe.

6           Q           So, I assume, correct me if I am wrong,  
7 you would not have had an informal conversation with  
8 Director Mainella about Chief Chambers after December  
9 5th?

10          A           I spoke to Director Mainella at -- I  
11 can't remember the date -- at the Kennedy Center  
12 Honors. And Director Mainella would express that she  
13 was sorry that the incident had gone as far as it  
14 did, that she had not wanted it to go this far.

15          Q           Meaning --

16          A           I took it to mean the situation with the  
17 Chief. That was basically the extent of the  
18 conversation. As I -- we'll get through this like  
19 the Park Police has always done.

20          Q           Do you recall what time frame that might  
21 have been?

22          A           It was last year's Kennedy Center Honors.

1 I can't tell you the exact date.

2 Q Was it before Christmas or the new year?  
3 Was it for 2003 or 2004?

4 A I believe it was in December, but I can't  
5 give you an exact date.

6 Q Understood. Have you ever seen any  
7 reports or studies regarding staffing of the U.S.  
8 Park Police?

9 A Yes.

10 Q And can you identify any of those  
11 specifically?

12 A There are zillions of reports and work  
13 studies on the Park Police as to our staffing, what  
14 we should be doing, what we shouldn't be doing.

15 Q Can you give us categories of who would  
16 have prepared such reports?

17 A The NAPA Report, Booze Allen Hamilton,  
18 International Association of Chiefs of Police.  
19 Internal studies by I believe the Park Service and  
20 Interior. We've been studied to death.

21 Q Understood. Have you had occasion to  
22 read these reports yourself?

1           A           Not in full.  No.

2           Q           You've seen them?

3           A           I've seen them.  Yes.

4           Q           And again I'm not asking you to disclose  
5 any information that may be of a sensitive nature  
6 from those reports that you have read or those  
7 portions that you have read.

8                        Do you recall any of the staffing reports  
9 drawing any conclusion of the nature that staffing  
10 shortages within the Park Police could have an  
11 adverse impact on the ability to protect the icons  
12 from a terrorist attack?

13          A           Excuse me.  I have heard that verbiage  
14 and I'm not sure where it's coming from, which  
15 reports it's in, or where it's located, but I have  
16 heard that verbiage.

17          Q           Okay.  You had mentioned that in the  
18 conversation you had had with Mr. Parkinson that you  
19 had made a comment to the effect that you believed  
20 the December 5th placement of the Chief on  
21 administrative leave was not handled properly or as  
22 well as it might have been.  Do you recall that?



1           A           Yes.

2           Q           Was there something specific in your mind  
3 at that time you felt should have been done  
4 differently or was handled badly on that occasion?

5           A           I personally didn't feel that there  
6 needed to be an armed guard at the door and that if  
7 you are taking the powers of the Chief of Police and  
8 you are bestowing the power of the Chief of Police on  
9 another official within the Park Police that that  
10 official should handle the property belonging to the  
11 U.S. Park Police.

12          Q           Did you communicate that specifically to  
13 Mr. Parkinson?

14          A           No. I just wasn't happy with the way  
15 things had gone down. That was where I left it.

16          Q           Understood. Did you ever communicate any  
17 of your specific concerns to anyone regarding that  
18 particular occasion?

19          A           To anyone? I told the Chief.

20          Q           Anybody else?

21          A           And the Assistant Chief, and I believe  
22 anybody I talked to I didn't agree with the way that

1 the situation was handled.

2 Q So, it was fairly open discussion at the  
3 time with whoever you may have talked about it?

4 A Yes.

5 Q Do you know whether there was ever any  
6 request to copy any files regarding Chief Chambers or  
7 to send any files out of the agency for review  
8 regarding Chief Chambers after December 5th, 2003?

9 A I guess I don't understand your question.

10 Q I can help you. After December 5th,  
11 2003, were any of the files that you would have had  
12 knowledge of, meaning files maintained by the U.S.  
13 Park Police, were any requests made to copy them in  
14 regard to any matter regarding Chief Chambers or was  
15 there any request to actually take the original set  
16 and send them somewhere regarding Chief Chambers?

17 A Unless you can give me a specific file of  
18 what you're looking for, I don't know that any were.  
19 Maybe something. If you can refresh -- If you can  
20 tell me.

21 Q Well, that's not my job at the moment.  
22 But what I'm wondering is whether you remember any

1 occasion sitting in here that fits that description  
2 with me refreshing your memory.

3 A Now you got me really wondering.

4 Q I'm not meaning to.

5 A I really don't.

6 Q Just tell me your memory.

7 A No, I don't.

8 Q That's fine. After Chief Chambers was  
9 put on administrative leave, did you ever have  
10 occasion to overhear any remarks by Mr. Murphy  
11 regarding Chief Chambers?

12 A No.

13 Q And apart from what you told us about  
14 your conversation with Director Mainella, did you  
15 ever have occasion to hear any of the Director  
16 remarks regarding Chief Chambers?

17 A No.

18 Q Same question for Mr. Parkinson.

19 A No.

20 Q Do you recall a discussion ever taking  
21 place among officials of the Park Police, the Park  
22 Service, or the Department of Interior after December

1 5th regarding Chief Chambers' reinstatement or  
2 potential reinstatement?

3 A Well, there were rumors abounding she'll  
4 be back tomorrow, she wouldn't be back ever. It was  
5 just a rumor mill. Nothing official.

6 Q Did you ever have occasion to overhear  
7 any remark of an employee of the Park Police, Park  
8 Service, or the Department of Interior express a  
9 reaction to either the December 2nd Washington Post  
10 article or other press coverage on that day?

11 A Chief Chambers had told me that  
12 Mr. Murphy was quite upset with her speaking with the  
13 press.

14 I know she had done some stand-up  
15 interviews where Mr. Murphy was trying to get in  
16 touch with her, back and forth. Those were  
17 communications directly with her, and it was related  
18 that he had had communication with her. But I had no  
19 direct communication with anybody.

20 Q Understood. Were you aware directly or  
21 indirectly that Mr. Murphy had instructed Chief  
22 Chambers at some point on December 2nd to have no

1 further interviews with the press?

2 A Yes.

3 Q And did you learn that through Chief  
4 Chambers or some other --

5 A Yes.

6 Q Chief Chambers?

7 A Yes.

8 Q Did you ever see any written instruction  
9 to that effect from Mr. Murphy?

10 A I believe there was.

11 Q Have you ever received such an  
12 instruction from Mr. Murphy or anyone to -- that you  
13 should not have any interviews with the press?

14 A No.

15 Q In reviewing the studies that you have  
16 referred to of staffing of the Park Police, have you  
17 ever seen any numbers that reflected a recommendation  
18 for a full staffing level for the Park Police?

19 A Yes.

20 Q Do you happen to recall what any of those  
21 numbers would have been?

22 A I believe the Chief recommended thirteen

1 hundred officers.

2 Q Are there other numbers you have seen  
3 recommended by other sources?

4 A There's a whole variety. Each survey  
5 that was done on the Park Police came up with  
6 different conclusions, and the numbers change  
7 depending on which way the wind blew.

8 Q Based on your experience with the Park  
9 Police, did you have any opinion as to what you felt  
10 would be a proper staffing level after the events of  
11 September 11, 2001?

12 MR. L'HEUREUX: Objection. This  
13 individual was not called as an expert witness. His  
14 opinion on this subject is irrelevant, inadmissible.  
15 You may answer the question, however.

16 THE WITNESS: I do believe the Park  
17 Police need more officers. As far as a hard and fast  
18 number, I could not give that to you.

19 BY MR. HARRISON:

20 Q Okay. Do you know whether any other  
21 police agencies in the Washington D.C. area have  
22 altered their staffing numbers after the September

1 11th events?

2 A Many agencies have gotten a lot more  
3 manpower, a lot more toys to play with than the Park  
4 Police has. Yes.

5 Q Do you recall what level of priority was  
6 placed by Chief Chambers during her tenure on icon  
7 security and protection, what steps she may have  
8 taken in that regard without disclosing any sensitive  
9 information?

10 A Icon protection was, you know, obviously  
11 a priority. And then it was directed by the  
12 Secretary of the Interior, I believe, that the  
13 Director or the Secretary -- I'm not sure whether he  
14 was the Secretary at that time of Homeland  
15 Security -- that they conduct a study.

16 There was a study done by Homeland  
17 Security recommending -- making recommendations for  
18 staffing at these icons, and those were meetings the  
19 Chief attended regularly with folks at Interior.  
20 They were instituted I guess at the Chief's direction  
21 or higher above.

22 Q Did you know whether the Chief directed

1 any inspections, audits, unannounced observations of  
2 icon security as quality control measures?

3 A Yes, she did.

4 Q Were you familiar with those?

5 A Yes.

6 Q Was it part of your duties to handle I  
7 guess what you would call the data or results of  
8 those inspections?

9 A Yes.

10 Q How did you do that?

11 A I each day each tour I received a  
12 checklist from those that were completing inspections  
13 of the icons, and I formulated a weekly report to the  
14 Chief of Police as to how those icon inspections were  
15 done, were there any deficiencies or accolades that  
16 could be given as a result of these inspections.

17 Q Is that task still part of your duties  
18 today?

19 A No.

20 Q And when did it cease being part of your  
21 task or your duties?

22 A I can't give you a specific date.



1 Q Do you know why that's no longer part of  
2 your duties?

3 A Yes.

4 Q Why is that?

5 A Because there has been a person tasked  
6 and placed in charge of icon security.

7 Q A Park Police official?

8 A Yes.

9 Q And let me ask you. Do you know whether  
10 these inspections that are being conducted of the  
11 Chief's still occur?

12 MR. L'HEUREUX: Objection. I'm  
13 instructing the witness not to answer that question  
14 on the grounds it touches on a security matter.

15 MR. HARRISON: Whether quality control  
16 inspections still occur?

17 MR. L'HEUREUX: Right.

18 MR. HARRISON: What is the basis?

19 MR. L'HEUREUX: It is a security matter.  
20 It is not being disclosed here. It's irrelevant to  
21 the case.

22 MR. HARRISON: What is the basis for

1 saying it is a classified security matter?

2 MR. L'HEUREUX: It does not have to be a  
3 classified security matter. It is a security matter.  
4 You're confusing. It is a security matter  
5 concerning what measures are being taken to discuss  
6 the icons. We're not going to discuss it.

7 MR. HARRISON: I am asking you a basis  
8 for asserting the privilege.

9 MR. L'HEUREUX: It's not the --

10 MR. HARRISON: Wait a minute.

11 MR. L'HEUREUX: It's not the privilege.  
12 What I'm telling you is we are not going to disclose  
13 security matters here about the things going on  
14 currently. First, it's irrelevant to the case.  
15 Secondly, it's a securities matter.

16 MR. HARRISON: What is the legal basis  
17 for --

18 MR. L'HEUREUX: I just told you.

19 MR. HARRISON: Let me finish my  
20 statement, please. What is the legal basis for  
21 instructing the witness not to answer?

22 MR. L'HEUREUX: That the answer touches

1 on a security matter irrelevant to this case. It is  
2 possibly a matter which could cause considerable  
3 trouble if disclosed as to whether there are or  
4 aren't any such inspections, the scope of those  
5 inspections, and all of these things is utterly  
6 irrelevant to the issues in this case. If you want  
7 to move to compel, move to compel.

8 MR. HARRISON: Are you finished?

9 MR. L'HEUREUX: Yes.

10 MR. HARRISON: Irrelevance is not a basis  
11 for instructing the witness not to answer. It's the  
12 basis for objection.

13 MR. L'HEUREUX: If you wish, I will seek  
14 a protective order at my earlier opportunity. That  
15 is another reason I can instruct the witness not to  
16 answer.

17 MR. HARRISON: I have no problem with  
18 that.

19 MR. L'HEUREUX: That's what's going to  
20 happen unless you want to move to compel now.

21 MR. HARRISON: I think the proper  
22 procedure is to seek a protective order which you

1 would identify the legal and factual basis for  
2 prohibiting his testimony. Perhaps if articulated,  
3 I'll understand it. I don't understand it at the  
4 moment. I will respect your request to do that.

5 BY MR. HARRISON:

6 Q Do you have an understanding, Mr. Beck,  
7 of what officials were involved in a decision to  
8 place Chief Chambers on administrative leave?

9 A I don't know who was involved.

10 Q Do you have an understanding of who was  
11 involved to place Chief Chambers -- to propose to  
12 remove Chief Chambers?

13 A No.

14 Q And I take it your answer would be the  
15 same but perhaps not. Do you know what officials  
16 were involved in the final decision to remove Chief  
17 Chambers?

18 A No.

19 Q Were you involved in formulating the  
20 request from the U.S. Park Police for a budget  
21 allocation for fiscal year 2005?

22 A No.

1                   MR. L'HEUREUX: Counsel, I am going to  
2 make a statement for the record. I'm not necessarily  
3 making an objection but very close to it.

4                   MR. HARRISON: You are welcomed to make  
5 an objection.

6                   MR. L'HEUREUX: Your questions is  
7 bordering on harassing and oppressing of the Agency.  
8 You didn't notice the witness for any of these  
9 subjects. You didn't identify any of these subjects  
10 as the ones the witness was supposedly knowledgeable  
11 about when you answered our interrogatory question  
12 about what witnesses knew about this thing.

13                   There is no prior indication that you  
14 were going to question this witness all over the  
15 question about policy matters within the Department.  
16 You noticed this witness for a couple of specific  
17 areas.

18                   Now you are ranging all over the place.  
19 Do you know the deciding officials. I am going to  
20 start objecting to these on the grounds of relevance.  
21 You are wasting his time and our time with this  
22 fruitless digging for maybe you will find an acorn

1 for Mr. Murphy said something in the hallway.

2                   It's preposterous. It is harassing and  
3 oppressing. You're wasting the Agency's time with  
4 this witness and this line of questions. I am saying  
5 if I don't start hearing relevant questions soon we  
6 will terminate the deposition.

7                   MR. HARRISON: You will have to seek a  
8 protective order to do that. There is nothing a  
9 harassing in attempting to obtain information. This  
10 is a discovery deposition. It is not for testimony.

11                   BY MR. HARRISON:

12           Q        Have you ever had occasion to stamp a  
13 document as national security classified in any  
14 manner yourself?

15           A        No.

16           Q        Have you ever had occasion to stamp a  
17 document as law enforcement sensitive?

18           A        I've marked documents law enforcement  
19 sensitive. Yes.

20           Q        By your handwriting on them or how?

21           A        When I typed it into the computer.

22           Q        It would print out on the document?

1           A           Yes.

2           Q           Have you ever been given a job  
3 description that imposes upon you a duty to classify  
4 documents as law enforcement sensitive?

5           A           No.

6           Q           Has anyone ever delegated to you the  
7 authority to classify documents as law enforcement  
8 sensitive exclusively?

9           A           No.

10          Q           Has anyone ever directed you to classify  
11 a document as law enforcement sensitive?

12          A           No.

13          Q           Have you ever seen a written document  
14 that spells out the policy and procedure within the  
15 Department of Interior for categorizing or stamping a  
16 document law enforcement sensitive?

17          A           No.

18          Q           If a fact of police staffing was  
19 observable to the general public in a public place,  
20 would you consider that fact to be law enforcement  
21 sensitive?

22          A           If I could see a police officer where

1 they were standing, no. But I wouldn't want to see  
2 how it's directed that they are standing there. That  
3 would be law enforcement sensitive.

4 Q How it's directed?

5 A Yes.

6 Q What do you mean?

7 A Postings and that type, what your duties  
8 are in that area.

9 Q Understood. The mere presence of the  
10 police officer at a location or how many if they are  
11 observable by the public would not in and of itself  
12 be law enforcement sensitive?

13 A Just someone seeing that, no.

14 Q And regarding the other details you  
15 mentioned about details of the -- perhaps the posting  
16 and perhaps what their duties are in doing a patrol  
17 and so forth, have you ever read a document that  
18 would indicate to you that that information should be  
19 classified as law enforcement sensitive or is that  
20 your personal or professional judgment?

21 A That's my professional judgment.

22 Q Do you know whether there's any



1 systematic procedure within the U.S. Park Police for  
2 reviewing documents and information and classifying  
3 it or not as law enforcement sensitive?

4 A I don't know if there is or not.

5 Q Are you familiar with the Fraternal Order  
6 of Police in relation to the U.S. Park Police?

7 A Yes.

8 Q What role does that organization play for  
9 the Park Police?

10 A They are the bargaining unit for the  
11 United States Park Police.

12 Q And do you know whether or not a  
13 representative of the Fraternal Order of Police  
14 communicated with the Washington Post prior to the  
15 December 2nd, 2003, article coming out?

16 A I believe a member did. I'm not sure  
17 when exactly those conversations took place.

18 MR. HARRISON: We have no further  
19 questions for the witness.

20 MR. L'HEUREUX: I have no questions,  
21 either.

22 (Whereupon, at approximately 10:41

1                   o'clock, a.m., the above deposition  
2                   ended and signature was waived.)

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## 1 CERTIFICATE OF NOTARY PUBLIC

2 I, Ronnie C. Palmer, the officer before whom  
3 the foregoing proceedings were taken, do hereby  
4 certify that the foregoing transcript is a true and  
5 correct record of the proceedings; that said  
6 proceedings were taken by me stenographically and  
7 thereafter reduced to typewriting under my  
8 supervision; and that I am neither counsel for,  
9 related to, nor employed by any of the parties to  
10 this case and have no interest, financial or  
11 otherwise, in its outcome.

12

13 My commission expires:

14 February 28, 2009

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18 NOTARY PUBLIC IN AND FOR THE

19 DISTRICT OF COLUMBIA

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