



IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

M. REBECCA DOWNING, et al.,)	
	Plaintiffs)
) Civil Action - Law
VS) No. 1:CV-05-0351
)
YORK COUNTY DISTRICT ATTORNEY)		
H. STANLEY REBERT, et al.)	
	Defendants)

--oOo--

DEPONENT: Randy Rizzuto

TAKEN BY: Plaintiffs

DATE: Wednesday, February 22, 2006

TIME: 12:00 noon

PLACE: Lavery Faherty Young & Patterson, P.C.
225 Market Street, Suite 304
Harrisburg, Pennsylvania

REPORTER: Karen J. Meister
Reporter, Notary Public

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COPY

1 yourself?
 2 A Yes.
 3 Q Do any of the correspondences to the
 4 best of your knowledge deal with Miss Downing's
 5 termination?
 6 A Yes.
 7 Q And do any of those correspondences
 8 discuss the possible reasons for Miss Downing's
 9 termination?
 10 A Yes.
 11 Q As you sit here today, do you recall
 12 any of those reasons?
 13 A No.
 14 Q But those are documents that you
 15 prepared, being typed up, that are in that file?
 16 A Yes.
 17 Q Where again? Is at your desk, is it
 18 in a drawer, is it kept in a --
 19 A Right.
 20 Q -- filing cabinet?
 21 A It's in a drawer.
 22 Q In a drawer. Is that a drawer in
 23 your desk?
 24 A No, it's a filing cabinet.
 25 Q Filing cabinet. Where's this filing

1 been.
 2 BY MR. JACOB:
 3 Q If you could review that again. If
 4 you could turn that file over to your counsel,
 5 it would be appreciated.
 6 A Okay.
 7 Q Did you ever send Miss Downing to Mr.
 8 Rebert's home to assist Mrs. Rebert with
 9 starting her vehicle?
 10 A Excuse me?
 11 Q Did you ever ask Miss Downing if she
 12 could go to Mr. Rebert's home to assist Mrs.
 13 Rebert in starting her Mazda Miata?
 14 A I don't recall. Why would I ask Miss
 15 Downing to do that?
 16 Q I'm just asking the questions.
 17 A Oh.
 18 Q And if you don't recall or you don't
 19 know, just say you don't know, don't recall or
 20 no, it didn't happen.
 21 At any point in time do you know
 22 whether Miss Downing went out to Mrs. Rebert's
 23 home to assist her with her vehicle?
 24 A I don't know.
 25 Q Did you ever possess a bankbook or a

1 cabinet located?
 2 A In my office.
 3 Q Okay. Do you know if Mr. Rebert is
 4 aware that you keep that type of file?
 5 A Well, sure.
 6 Q Okay. And how are you aware?
 7 A He doesn't know where it is, but he
 8 knows that I have a copy.
 9 Q Okay. Again, how does he know that?
 10 A I guess -- I don't know why.
 11 Q Sorry. Are --
 12 A I mean, our offices are right side by
 13 side.
 14 Q But the normal practice was you would
 15 prepare a document for him and then you would
 16 keep a copy of it?
 17 A Yes.
 18 Q It's in the file cabinet which is
 19 located in your office.
 20 A Yes.
 21 MR. JACOB: Again, I'm going to ask
 22 that all correspondences related to Miss
 23 Downing's termination that are apparently kept
 24 in the file be produced.
 25 MR. HUTCHINSON: I believe they have

1 checkbook for Mr. Rebert?
 2 A Yes.
 3 Q And that's for his personal account;
 4 is that correct?
 5 A It's his business account.
 6 Q His business account.
 7 A Um-hm.
 8 Q He has a business on the side?
 9 A No. It's just what he always called
 10 it; it was his business account.
 11 Q Okay. But to the best of your
 12 recollection, was it his personal finances or
 13 was it for a business?
 14 A Well, it was for both, yeah.
 15 Q And what was the reason that you
 16 would possess this?
 17 A Because his former secretary always
 18 had. I was just --
 19 Q Continuing a practice --
 20 A Yes.
 21 Q -- that was in place?
 22 A Yeah.
 23 Q And what was that practice in regard
 24 to the bankbook?
 25 A Well, just paying bills like his

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1 mortgage and -- Not his electric or anything.
 2 You know, that was their home account. But like
 3 their big loans or, you know, like school bills
 4 for their children, and whatever needed to be
 5 paid.
 6 Q I'm a little confused. You said not
 7 the electric, that would be his personal
 8 account. But you earlier said --
 9 A The home account, yeah. Well, I
 10 guess that was because that was, you know, more
 11 pricey, more -- Susan takes care of their home
 12 account.
 13 Q Okay.
 14 A Like heat, electric, or whatever.
 15 Q I'm just trying to understand. This
 16 account, though, this was not an account that
 17 was tied in any way to York County or the D.A.'s
 18 office; is that correct?
 19 A No. No, it was his business/
 20 personal.
 21 Q So this was just some other account
 22 that Mr. Rebert had?
 23 A Right. Right.
 24 Q When you would write these checks or
 25 pay these bills, was this during the normal

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1 course --
 2 A Yes.
 3 Q -- of the day?
 4 A Yes.
 5 Q So this wasn't something that was
 6 done during your lunch hour --
 7 A No.
 8 Q -- vacation time --
 9 A No.
 10 Q -- or anything like that?
 11 A No.
 12 Q Again, I think we're stepping on each
 13 other. It's my fault as well. But we have to
 14 be really careful so we have a clear record.
 15 Did you ever contact any insurance
 16 companies on behalf of the Reberts, being
 17 homeowner's insurance, their vehicle insurance,
 18 anything of that nature?
 19 MR. HUTCHINSON: Objection. What --
 20 MR. JACOB: The foundation is, if you
 21 want to object, we've just established that she
 22 was doing personal business for him during the
 23 workday. I'm trying to figure out the extent of
 24 that.
 25 MR. HUTCHINSON: So what?

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1 MR. JACOB: Well, that was in the
 2 Complaint that somebody else complained about
 3 that, so that's what the so what is. If you'd
 4 like we can stop, you can get the judge on the
 5 phone. If not --
 6 MR. HUTCHINSON: Why don't we stop
 7 and get the judge on the phone.
 8 MR. JACOB: Okay, go ahead.
 9 MR. HUTCHINSON: I'm not going to.
 10 MR. JACOB: Well then, I'm going to
 11 proceed.
 12 MR. HUTCHINSON: I'm going to
 13 instruct her not to answer.
 14 MR. JACOB: Asserting a privilege?
 15 MR. HUTCHINSON: Yeah.
 16 MR. JACOB: What's privileged?
 17 MR. HUTCHINSON: Executive secretary
 18 privilege. What possible relevance is there
 19 that she may have paid a couple bills during the
 20 course of the day?
 21 MR. JACOB: Her personal
 22 homeowner's --
 23 MR. HUTCHINSON: Stop.
 24 MR. JACOB: -- insurance is an --
 25 MR. HUTCHINSON: Just stop.

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1 MR. JACOB: -- executive privilege?
 2 MR. HUTCHINSON: Just stop. The fact
 3 that she's here for a deposition doesn't mean
 4 that you have absolute free reign to ask any
 5 question that might pop into your mind.
 6 MR. JACOB: Hugh, how come every time
 7 we get into a sensitive area of one of the
 8 allegations --
 9 MR. HUTCHINSON: This isn't even
 10 sensitive. Nobody objects to the fact that she
 11 told you she does some work for him personally,
 12 as does every secretary in the world.
 13 MR. JACOB: Well, I don't know about
 14 that, first of all. But considering Mr. Rebert
 15 in his answer said that these types of things
 16 were done only on vacation time, I think it's
 17 interesting now that the testimony doesn't
 18 actually match up.
 19 MR. HUTCHINSON: You have what you
 20 want.
 21 MR. JACOB: I know.
 22 MR. HUTCHINSON: But we're not going
 23 to go into, like, all the checks that she wrote.
 24 MR. JACOB: Actually, I didn't ask
 25 for detail of the checks. I just asked if she

1 called an insurance company, and you're
2 asserting an executive privilege.

3 MR. HUTCHINSON: What is the
4 relevance of whether she called an insurance
5 company?

6 MR. JACOB: It wouldn't matter if it
7 was work related, but if it's not work related,
8 I'm simply getting a full scope of the
9 personal --

10 MR. HUTCHINSON: I'll tell you what.
11 How about if I stipulate that as his secretary
12 on occasion she did personal things for him?

13 MR. JACOB: No. How about if I just
14 ask the questions and we get through it quickly?

15 MR. HUTCHINSON: All right. Well, if
16 it goes to what I just stipulated to and is
17 looking for details on that --

18 MR. JACOB: I didn't ask for details.
19 I just want to know if she's ever called an
20 insurance company, period, yes or no.

21 MR. HUTCHINSON: No. We're just not
22 going into everything that she did for him.

23 MR. JACOB: Then the rules require
24 you to seek a protective order.

25 MR. HUTCHINSON: All right. And I'm

1 Q And were those during your normal
2 business hours?

3 A Yes.

4 Q Did you ever take Mr. Rebert to
5 doctors' appointments?

6 A No.

7 Q Do you know if Mr. Rebert ever had
8 anybody else in the office during their business
9 hours take him to doctors' appointments?

10 A Not that I'm aware of.

11 MR. JACOB: Executive privilege,
12 that's a good one.

13 BY MR. JACOB:

14 Q Did you ever have a conversation with
15 Tammy -- Is it Rohrbaugh-Stine?

16 A It's Stine now.

17 Q -- Stine now, in regards to running
18 vehicle registration information for Mr. Rebert?

19 A She had, yes.

20 Q And do you know for what purpose
21 those registrations were run?

22 A No, I have no idea.

23 Q Did you also routinely make vet
24 appointments and animal hospital appointments
25 for the Reberts' pets during business hours?

1 instructing her not to answer. Seek a motion to
2 compel.

3 MR. JACOB: All right. I'll just
4 move to compel on that.

5 MR. HUTCHINSON: That's fine. That's
6 absolutely fine.

7 MR. JACOB: With the understanding,
8 of course, if we win the motion I'll be asking
9 for costs. You realize that?

10 MR. HUTCHINSON: And if you lose, I
11 will.

12 MR. JACOB: That's fine. I know what
13 the law is --

14 MR. HUTCHINSON: Great.

15 MR. JACOB: -- in this regard and I
16 think we're fine.

17 BY MR. JACOB:

18 Q In regard to Mr. Rebert's vehicle or
19 driver's license, were you ever the one
20 responsible for renewing those types of items
21 for him?

22 A No.

23 Q Did you routinely make doctors'
24 appointments for Mr. Rebert?

25 A Yes.

1 A I have made them, yes, but not
2 routinely. I have made them.

3 Q Do you know if Miss Downing ever
4 ended up at Mr. Rebert's home to assist Mrs.
5 Rebert or anybody with the computer in the home?

6 A I think I -- Yes.

7 Q And can you explain how that
8 occurred?

9 A I don't know. I guess Becky and Mr.
10 Rebert had a conversation and he asked her. I
11 don't know.

12 Q Do you know how many times this might
13 have occurred?

14 A No.

15 Q When Kenneth Ingle was employed by
16 the D.A.'s office, was the practice of personal
17 errands going on at that time?

18 A Yes.

19 Q Do you know if Mr. Ingle ever used a
20 county vehicle to transport family members of
21 Mr. Rebert to and from airports, train stations,
22 and whatnot?

23 A Not that I'm aware of.

24 Q Did you ever do that?

25 A Yes.

1 Q And when you did that were you
 2 working on the clock, so to speak?
 3 A Yes.
 4 Q And how many occasions did this
 5 occur?
 6 A Three or four times. I mean, it was
 7 very infrequent.
 8 Q And whose county vehicle were you
 9 using?
 10 A It was Stan's vehicle.
 11 Q And where were you going? Was it to
 12 an airport, a train station?
 13 A Train station in Lancaster.
 14 Q And how far approximately did you
 15 have to travel?
 16 A About 30 miles. I don't know how
 17 far.
 18 Q Each way?
 19 A Yes. It would be an hour.
 20 Q And you didn't put in for vacation
 21 time or anything like that?
 22 A No.
 23 Q Did Miss Downing -- Or did you ever
 24 ask Miss Downing if she would travel in your
 25 place to the Lancaster train station to --

1 were in the D.A.'s office?
 2 A No, I don't recall.
 3 Q Do you recall any point in time when
 4 Bob Leichter may have removed the signs from
 5 the office?
 6 A Yes.
 7 Q Do you remember the circumstances in
 8 which that occurred?
 9 A No, other than they were taken out
 10 the back door.
 11 Q Do you recall --
 12 A I think they were going to have a --
 13 I'm sorry.
 14 Q No, go ahead.
 15 A I think they were going to have a
 16 get-together later that evening; they meaning a
 17 group of people that were going to put the signs
 18 out. But I don't know who they were other than
 19 Tom Kelley, I know Becky was involved, Bob, of
 20 course. I don't know who else from the office.
 21 Q So the purpose then was to assemble
 22 for something that would occur after work?
 23 A Yes, um-hm.
 24 Q In regard to the personal favors, do
 25 you recall Miss Downing ever telling Stan that

1 A I don't think so.
 2 Q Do you know if any other employees of
 3 the D.A.'s office performed the transportation
 4 for family members of Mr. Rebert?
 5 A Not that I'm aware of.
 6 Q How about Mr. Ingle?
 7 A Well, yeah, he had. I mean --
 8 Q How often?
 9 A I don't know.
 10 Q Were you ever asked by Mr. Rebert to
 11 go to his residence during business hours to
 12 perform any types of errands, pick up food, or
 13 anything of that nature?
 14 A No.
 15 Q I believe we previously discussed Mr.
 16 Rebert's re-election campaign.
 17 A Um-hm.
 18 Q Where were those signs, the
 19 campaign -- the yard signs that we discussed --
 20 A Right.
 21 Q -- where were those located within
 22 the D.A.'s office?
 23 A In his office.
 24 Q Okay. Do you recall Sheriff Hose
 25 making a complaint about the fact that the signs

1 this is not a good practice, a proper practice
 2 for the D.A.'s office?
 3 A Several times.
 4 Q And what was Stan's reaction?
 5 A I don't know.
 6 Q You don't --
 7 A I wasn't there. I just -- You know,
 8 Becky would say, he wants me to do this and I'm
 9 not doing it. I'm like, okay.
 10 Q I guess --
 11 A I don't know if he ever -- I don't
 12 think he ever pressured her into doing anything.
 13 I mean, it was --
 14 Q But she told him the practice should
 15 stop?
 16 A Yes.
 17 Q Did the practice stop?
 18 A Yes.
 19 Q At what point, because you said
 20 several times? So it took several times before
 21 the process stopped?
 22 A Well, you know, it would depend. You
 23 know, like doing the election stuff was one of
 24 them. I don't really recall specifics because I
 25 just don't recall.

1 Q Okay. But do you recall Miss Downing
 2 saying, you should not be doing your re-election
 3 activities in the office, or something --
 4 A Yeah.
 5 Q -- to that effect?
 6 A Yes, um-hm.
 7 Q Again we're stepping on each other.
 8 As far as the personal errands, at
 9 some point you remember Miss Downing telling
 10 Stan, hey, people should not be doing personal
 11 errands for you during the normal business
 12 hours? Do you recall something to that effect?
 13 A No.
 14 Q But just something that the personal
 15 errands should stop?
 16 A Right.
 17 Q Do you recall if Miss Downing ever
 18 told Stan that, hey, county vehicles shouldn't
 19 be used to transport family members?
 20 A No, I don't know that.
 21 Q Do you recall receiving a fax from
 22 Mike Barley in regard to Jennifer Ceurran,
 23 C-E-U-R-R-A-N?
 24 A I remember seeing it.
 25 Q Was that a fax that you would have

1 your counsel is finished, I'm going to ask you
 2 if you can identify the document that you're
 3 looking at?
 4 A Um-hm, yes.
 5 Q And what is that document?
 6 A I guess it's a --
 7 Q If you know.
 8 A Yeah. Obviously, Mike Barley talked
 9 to Stan and Stan probably asked him to fax it in
 10 with the information. And then I remember Stan
 11 asking Becky to check it out, and she said no.
 12 Q And what was the reason why she said
 13 no, if you recall?
 14 A Well, I don't recall why she said she
 15 couldn't do it. I know the reason why it wasn't
 16 done. Because if it's not an investigation, you
 17 know, then we're not supposed to do that.
 18 Q And how did you know that?
 19 A Because -- About what?
 20 Q That if it's not an investigation,
 21 this type of information should not be --
 22 A Because Tammy told me several times,
 23 you know, I mean, this is -- That's what I was
 24 told. That it's illegal to get any information
 25 from CLEAN or NCIC unless it's an investigation.

1 received?
 2 A I didn't know -- I don't know if it
 3 was faxed or if Stan brought the paper in. I
 4 don't recall -- I thought it was on a piece of
 5 paper. I don't know if it was faxed.
 6 Q Okay. So you don't know if this came
 7 in on the D.A.'s office fax, correct?
 8 A No.
 9 Q When I say this, I apologize. I'm
 10 looking at -- You don't know if the fax from
 11 Barley came in on the district attorney's office
 12 fax, is that correct?
 13 A I don't know if that piece of paper
 14 came in faxed. That's what I mean.
 15 Q I'm going to show your counsel, it's
 16 been redacted in regard to a date of birth and
 17 Social Security number. But I'm going to show
 18 you what's already made a part of the record, so
 19 it doesn't need to --
 20 A Um-hm.
 21 Q -- be an exhibit here.
 22 A Oh, okay, so it was faxed.
 23 Q Let me just, so I can make it clear
 24 on the record. It's Exhibit A to both the
 25 Complaint and the Amended Complaint. And once

1 Q Okay. And Tammy told you this. Do
 2 you remember when Tammy told you this?
 3 A No. It's probably, you know, just
 4 when I first came on board and, you know, just
 5 certain things.
 6 Q So it was early on in your career
 7 with the D.A.'s office?
 8 A Yeah.
 9 Q And approximately when did you start
 10 with the D.A.'s office?
 11 A September 2nd, 1998.
 12 Q So from around sometime in '98, you
 13 knew that it would be improper, or as you say --
 14 A Yes.
 15 Q -- illegal to obtain this type of --
 16 A Yes.
 17 Q Let me finish. -- to obtain this
 18 type of information unless it was tied to a
 19 criminal investigation?
 20 A Yes.
 21 Q Do you know if Stan ever knew that?
 22 A Well, I would think so.
 23 Q You said that you believe that Stan
 24 spoke to Mr. Barley. Do you have firsthand
 25 knowledge of that?

1 present for the meeting where you're asking if
 2 there was an admission.
 3 MR. JACOB: Yes. She already said
 4 she was aware of it.
 5 MR. LEBER: She said she was
 6 confronted, and then you asked if at a meeting
 7 if Susan Voyzey admitted to something.
 8 BY MR. JACOB:
 9 Q Did you ever attend a meeting --
 10 MR. LEBER: You didn't ask if Miss
 11 Rizzuto was there.
 12 BY MR. JACOB:
 13 Q Did you ever attend a meeting with
 14 Miss Voyzey, Paul Crouse and Miss Downing?
 15 A Yes.
 16 Q And during that meeting did she ever
 17 admit that she was addicted to cocaine?
 18 A She never admitted she was addicted.
 19 She admitted that she used it.
 20 Q Okay. And do you know if Miss
 21 Downing or Mr. Crouse -- Let's start with Miss
 22 Downing. Did Miss Downing ever inform Mr.
 23 Rebert of the fact that Miss Voyzey admitted to
 24 using cocaine?
 25 A I'm sorry.

1 A It was rumor.
 2 Q Did Mr. Rebert, to the best of your
 3 knowledge, do anything to Miss Voyzey as far as
 4 discipline-wise for using cocaine?
 5 A No, he didn't discipline her, but he
 6 was in the process of possibly firing her. But,
 7 he didn't.
 8 Q He didn't fire her?
 9 A He didn't, huh-uh, but I know he had
 10 conversation with Sharon Luker.
 11 Q You know that he had these
 12 conversations?
 13 A Yes.
 14 Q Were you present for these
 15 conversations?
 16 A You know, he was on the phone with
 17 Sharon and I was in -- you know, just came into
 18 the office but then left. I didn't hear the
 19 conversation.
 20 Q So you don't know the substance of
 21 those conversations?
 22 A Exactly.
 23 Q Do you know time frame-wise when the
 24 conversations with Miss Luker occurred in regard
 25 to the meeting that you were present for with

1 Q Were you ever present when Miss
 2 Downing and Mr. Rebert were in a room and the
 3 fact that Miss Voyzey was using cocaine was
 4 discussed?
 5 A No.
 6 Q So you were never present for a
 7 meeting with Miss Downing, Mr. Crouse and Mr.
 8 Rebert in February of --
 9 A Oh, I'm -- Yes, I'm sorry. Yes, I
 10 was, because -- Yes.
 11 Q And during that meeting didn't Miss
 12 Downing discuss with Mr. Rebert the fact that
 13 Miss Voyzey has indicated that she's using
 14 cocaine?
 15 A I don't know what was discussed. I
 16 know there was a meeting and the discussion was
 17 Susan Rebert (sic) and --
 18 Q Susan Voyzey?
 19 A Susan Voyzey, and her admission of
 20 using cocaine.
 21 Q Okay. So it was discussed?
 22 A Yeah, but I don't know --
 23 Q In fact, to the best of your
 24 knowledge, was it common knowledge around the
 25 office that Miss Voyzey was using cocaine?

1 Miss Downing and Mr. Rebert?
 2 A It was, you know, right after that.
 3 Q Do you know if Miss Downing ever
 4 indicated to Mr. Rebert that Miss Voyzey should
 5 be terminated?
 6 A I don't know.
 7 Q Are you familiar with the Whitman
 8 murder investigation?
 9 A I know of it, yes.
 10 Q Did you ever become aware that a set
 11 of crime scene photographs were missing?
 12 A Just rumor.
 13 Q Okay. Did you ever become aware
 14 that Miss Voyzey was suspected of taking those?
 15 A Rumor.
 16 Q Do you know if Miss Downing ever
 17 went to Mr. Rebert with this information that
 18 Miss Voyzey was suspected of taking the
 19 photographs?
 20 A I don't know.
 21 Q Do you know if Mr. Rebert was aware
 22 that Miss Voyzey was suspected of taking the
 23 photographs?
 24 A Yes.
 25 Q And how do you know that?

1 A Because I think several people had
 2 told him. You know, not knowing the specific
 3 person or persons, but it was just rumor around
 4 the office that she did this. I'm like --
 5 Q Okay. When you say persons went to
 6 Mr. Rebert, do you remember who those persons
 7 were?
 8 A No, I don't recall.
 9 Q But you do know that he was aware of
 10 the issue?
 11 A Right.
 12 Q Do you know if he ever investigated
 13 the issue?
 14 A I'm not sure.
 15 Q Who's Paul Crouse?
 16 A He's the administrator.
 17 Q Did Paul Crouse ever reveal to you
 18 his feelings in regard to Stan Rebert?
 19 MR. HUTCHINSON: His feelings? I'm
 20 sorry. His feelings about Mr. Rebert?
 21 MR. JACOB: I'll be more specific.
 22 BY MR. JACOB:
 23 Q Did he ever tell you that he hated
 24 or disrespected Mr. Rebert?
 25 MR. HUTCHINSON: I'll let her

1 Q And did Mr. Rebert ever discipline
 2 Mr. Crouse for this?
 3 A No.
 4 Q Going back to the point in time when
 5 Mr. Ingle was working for the district
 6 attorney's office, was it a routine practice
 7 that the D.A.'s office or Mr. Rebert received
 8 fair tickets from York Fair?
 9 A Yes.
 10 Q And what types of tickets or passes
 11 were received?
 12 A The fair passes and ride tickets.
 13 Q And who received those tickets? Was
 14 it the D.A. himself?
 15 A Mr. Rebert, um-hm.
 16 Q And do you remember -- Go ahead.
 17 A Well, Ken Ingle used to get them,
 18 but then I remember after Ken was no longer
 19 there Stanley then got them.
 20 Q Okay. Was it the understanding that
 21 the tickets that were being given to Ken Ingle
 22 were to go to Mr. Rebert for distribution or
 23 use?
 24 A I have no idea.
 25 Q Okay. Do you know how many fair

1 answer. But, once again, you're so far afield.
 2 THE DEPONENT: He'd show his
 3 frustration with Mr. Rebert.
 4 BY MR. JACOB:
 5 Q Did he ever use obscenities or --
 6 A I'm sure he had, but --
 7 Q Do you know if Mr. Rebert was aware
 8 of this?
 9 A No.
 10 Q Do you know if he was ever
 11 disciplined for this conduct?
 12 A No.
 13 Q However, at some point in time, am I
 14 correct that Mr. Crouse was suspected of taking
 15 his personnel file from your filing cabinet?
 16 A Say that again?
 17 Q At some point in time Mr. Crouse was
 18 suspected of taking his personnel file from your
 19 filing cabinet, correct?
 20 A Yes, he did.
 21 Q And was Mr. Rebert aware of this?
 22 A I think -- Yeah, I think I did tell
 23 him.
 24 Q You did tell him?
 25 A I think I did tell him.

1 passes were routinely given to Mr. Rebert?
 2 A I don't know.
 3 Q And when you say tickets, passes --
 4 A Well, passes or tickets. Passes,
 5 fair passes.
 6 Q I just want to make sure we're not
 7 talking about apples and oranges.
 8 A Right.
 9 Q What are you talking about? Which
 10 ones?
 11 A Fair passes to get into the fair.
 12 Q Okay. Were there ride passes as
 13 well?
 14 A Ride, yes.
 15 Q And those were also received by Mr.
 16 Rebert?
 17 A Yes.
 18 Q Okay. In regard to the tickets to
 19 get into the fair, can you approximate how many
 20 tickets he would receive?
 21 A I don't know. It just -- I don't
 22 know.
 23 Q A hundred, 500, a thousand?
 24 MR. HUTCHINSON: She said she
 25 doesn't know.

1 MR. JACOB: I'm asking her to
 2 approximate, if she can.
 3 MR. HUTCHINSON: I'm telling her she
 4 doesn't need to guess at it if she doesn't know.
 5 BY MR. JACOB:
 6 Q One ticket or a thousand? I mean,
 7 do you have any idea at all?
 8 A A hundred tickets maybe.
 9 Q Hundred, okay.
 10 A Yeah.
 11 Q And those were for tickets to get
 12 into the fair?
 13 A Yes.
 14 Q And how about the ride tickets, do
 15 you know approximately --
 16 A No, I don't.
 17 Q Was it just one, if you know?
 18 A No, there was -- Oh, gosh. Maybe a
 19 hundred, equal value. I don't know. Just --
 20 Q In fact, am I -- Go ahead.
 21 A Oh, I just know what -- You know,
 22 Stan would say, here, give these to the staff.
 23 Q In fact, am I correct in saying they
 24 came in a bag? Am I right?
 25 A The ride tickets, yes.

1 A All staff.
 2 Q Approximately how many persons work
 3 in the D.A.'s office?
 4 A Well, at that time probably
 5 65 employees.
 6 Q And when you say at that time, what
 7 time period are we talking about?
 8 A Back in -- From about 2000 to 2004.
 9 Q In 2000 to 2004.
 10 A Um-hm.
 11 Q Is the reason why -- If Ken Ingle
 12 was the person who normally received the tickets
 13 when he was there, is there a reason why Miss
 14 Downing didn't receive the tickets when she was
 15 there?
 16 A I don't know.
 17 Q Do you know if she was ever asked to
 18 take receipt of the tickets?
 19 A I don't know.
 20 Q Do you know if Miss Downing ever
 21 indicated that she would not take receipt of the
 22 tickets?
 23 A I'm sure she did.
 24 Q You're sure she did. Why?
 25 A Just because that was Becky. If she

1 Q And when I say bag, shopping bag
 2 type?
 3 A Oh, no, no, no. Just a little
 4 folder, Manila folder.
 5 Q A Manila folder?
 6 A Um-hm. Not a folder. Envelope,
 7 clasp envelope.
 8 Q Okay.
 9 A Yeah, the smaller one.
 10 Q Smaller one, letter size or --
 11 A No, no, the small one.
 12 Q Now, you just indicated about a foot
 13 long.
 14 A The small ones. Not the 8-by-10, or
 15 eight and half by 11; not that size.
 16 Q Something smaller.
 17 A The smaller, yeah.
 18 Q Do you know what Mr. Rebert did with
 19 the tickets for the fair?
 20 A He gave them to me and I distributed
 21 them to each of the staff. And whoever had
 22 children got the ride tickets.
 23 Q Okay. And when you say you
 24 distributed them to the staff, was it certain
 25 staff in the office, all staff?

1 thought something was immoral or thought
 2 illegal, she was like, no, she wouldn't do it.
 3 Q Was Stan aware that Miss Downing
 4 would not take receipt of the tickets?
 5 A I'm sure.
 6 Q And why are you sure?
 7 A Just because I know Stanley, and --
 8 Just because I know Stanley.
 9 Q Okay. Did Miss Downing ever make it
 10 clear that the detectives, when she worked
 11 there, were not to take receipt of any of the
 12 tickets or passes?
 13 A Yes, because they were already
 14 getting in for free.
 15 Q Okay. But when they got in for
 16 free, was that for purposes of performing their
 17 detective functions?
 18 A To work, yes.
 19 Q Okay. But how about their families?
 20 A Yes, as a matter of fact.
 21 Q Yes as a matter of fact what?
 22 A Yes, as a matter of fact, some of
 23 the detectives did ask me for tickets for their
 24 girlfriends, spouses, so their friends could
 25 come in with the friend.

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1 Q Okay. And this is while Miss
 2 Downing was employed there?
 3 A Yes.
 4 Q Do you know which detectives did
 5 that?
 6 A I recall Detective Martz asking me
 7 for tickets for his girlfriend at the time, now
 8 his wife.
 9 Q Any others?
 10 A I'm not sure. There might have been
 11 one or two others, but I don't recall.
 12 Q But as far as you understood it,
 13 Miss Downing did make it clear the detectives
 14 were not supposed to, right?
 15 A Right, um-hm. Well that, and I
 16 didn't give it to the detectives only because
 17 they were working there, so they didn't need the
 18 passes anyway.
 19 Q But am I correct when Ken Ingle was
 20 there they did receive passes?
 21 A Oh, I don't know. I don't know.
 22 Q Okay.
 23 A Because I didn't have anything to do
 24 with the tickets.
 25 Q Fair enough. About how many tickets

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1 were you giving to each employee, if you
 2 remember?
 3 A Two.
 4 Q Two. And how about ride passes, if
 5 you recall?
 6 A Like five.
 7 Q And did those come with parking
 8 passes as well?
 9 A No.
 10 Q How about concert passes?
 11 A I don't know anything about concert
 12 passes.
 13 Q Do you know if Mr. Rebert was
 14 attending concerts at the York Fair?
 15 A I doubt it, but I don't know.
 16 Q Do you know the circumstances under
 17 which Mr. Ingle retired?
 18 A Yes.
 19 Q Can you explain the circumstances?
 20 A He was forging overtime.
 21 Q Okay. So was he disciplined for
 22 this?
 23 A Yes. He was fired.
 24 Q He was fired or did he voluntarily
 25 retire?

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1 A Well, he was let go.
 2 Q So --
 3 A Voluntary termination, yeah.
 4 Q So he quit?
 5 A Yeah, um-hm.
 6 Q Voluntarily?
 7 A Yes.
 8 Q Did Mr. Rebert ever indicate he was
 9 going to fire him if he didn't resign?
 10 A Not to my knowledge.
 11 Q Do you know if Mr. Rebert ever
 12 conducted a criminal investigation into Mr.
 13 Ingle's forgery?
 14 A No.
 15 Q Do you know what time -- Was it
 16 shortly before he voluntarily quit that this
 17 came to light?
 18 MR. HUTCHINSON: What came to light?
 19 THE DEPONENT: Yeah.
 20 MR. JACOB: The forgery.
 21 THE DEPONENT: Say that again?
 22 BY MR. JACOB:
 23 Q Was it shortly before he quit that
 24 the forgery came to light?
 25 A Yes. Yes, um-hm.

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1 Q Do you know whether Susan Rebert
 2 ever possessed a cell phone from York County?
 3 A She has a cell phone, yes.
 4 Q Was it from York County?
 5 A Yes.
 6 Q And how do you have this
 7 information?
 8 A I just know she's had one since I
 9 started there.
 10 Q Okay. But how do you know? Do you
 11 have some sort of firsthand knowledge of this?
 12 Did she tell you this? Was this told to you by
 13 somebody?
 14 A No. She has a phone. She has a
 15 phone, you know.
 16 Q I have a phone too.
 17 A And I know she wasn't paying for it.
 18 Q How do you know that?
 19 A Because Bill Graff pays for it out
 20 of the drug forfeiture account.
 21 Q How do you know that?
 22 A Just common knowledge. I mean, just
 23 because I know. I don't know how I know.
 24 Q Okay. But you say common knowledge.
 25 Where's the information coming from? Is it just

1 a rumor, or do you know for a fact? Did Bill
 2 tell you?
 3 A Bill told me.
 4 Q So Bill told you he pays for Susan
 5 Rebert's phone --
 6 A Yes.
 7 Q -- out of the drug task force money?
 8 A Right.
 9 Q And do you know how long that had
 10 been going on?
 11 A No.
 12 Q Was it one year? Was it four years?
 13 A I have no idea.
 14 Q Okay. Did this occur while Miss
 15 Downing was employed by the D.A.'s office?
 16 A Yes.
 17 Q And is this something that Miss
 18 Downing complained to Mr. Rebert about?
 19 A I don't know.
 20 Q Okay. Do you know if Miss Downing
 21 told Bill Graff that this is not --
 22 A I don't know.
 23 Q Do you know if at any point in time
 24 the county ceased paying for Mrs. Rebert's
 25 phone?

1 Mr. Ingle had --
 2 A Yes, because he kept the time; you
 3 know, the attendance; time and attendance.
 4 Q So did he report that to anybody, do
 5 you know?
 6 A To whom?
 7 Q That's what I'm asking. Is that how
 8 this whole thing came to light, that Mr. Crouse
 9 discovered this?
 10 A Yeah, I guess he submitted for
 11 overtime. Paul was like, there's no way, you
 12 know, and I guess he told Stan about it.
 13 Q When you say you guess, do you know
 14 for sure that that's what happened; that Paul
 15 Crouse knew?
 16 A Yes. Yeah, because Paul kept time
 17 and attendance at that time.
 18 Q Okay. And at that time, what time
 19 period are we talking about again? That would
 20 be before --
 21 A Before Becky, yeah.
 22 Q So then, at the time Mr. Ingle's
 23 sentencing for the gun charges and whatnot, Mr.
 24 Crouse would have known about the forgery
 25 situation involving Mr. Ingle?

1 A I don't know. I don't pay the
 2 bills.
 3 Q Okay. I'm just saying, did Bill
 4 Graff ever come to you and say, hey, we put an
 5 emergency quit out on the phone or --
 6 A No, he never did.
 7 Q Since it appears that you're
 8 friendly with Mrs. Rebert --
 9 A Yes.
 10 Q -- I was wondering if she ever told
 11 you that?
 12 A No.
 13 (Mr. Jacob and client confer
 14 privately.)
 15 BY MR. JACOB:
 16 Q Going back to Ken Ingle and the
 17 circumstances surrounding his retirement, do you
 18 know if Paul Crouse was ever aware of the
 19 forgery situation involving Mr. Ingle?
 20 A Prior to him firing him or --
 21 Q Well, we just agreed that --
 22 A I mean --
 23 Q -- he voluntarily quit.
 24 A Before --
 25 Q Was he aware of the discovery that

1 A Yes.
 2 Q Okay. Do you recall Mr. Rebert ever
 3 making any statements to the effect of needing
 4 the detectives to work the polls?
 5 A The detectives never -- He never
 6 asked the detectives to work the polls because
 7 he was always unopposed, so there was no need
 8 for anybody to work the polls.
 9 Q Okay. But do you recall him ever
 10 making that type of statement?
 11 A No. He always wanted the chief
 12 county detective to be aware that if anything
 13 happened at the polls, that they were available.
 14 Q Fair enough. Did you ever stuff
 15 envelopes at the office for Mr. Rebert's
 16 political campaign?
 17 A Yes.
 18 Q Did you ever solicit money for
 19 persons to attend the country club functions --
 20 A No.
 21 Q -- in regard to the campaign?
 22 A No.
 23 Q And you never were involved in a
 24 collection or solicitation of money for that?
 25 A If he would bring the checks in,

1 day, I believe it was September 20th of 2004,
 2 after working a period of 10 days in a row?
 3 A She said that to me specifically?
 4 Q Something to that effect. Do you
 5 recall an issue coming with her attempting to
 6 take a comp day after working 10 days straight?
 7 A No, I don't recall, but --
 8 Q Do you recall Miss Downing ever
 9 being injured in the workplace?
 10 A Yes.
 11 Q When she was injured in the
 12 workplace, had she previously requested that she
 13 take that day off as a comp day?
 14 A Not that I -- I don't know.
 15 Q Did you ever investigate the
 16 circumstances in regard to the workers' comp
 17 claim in regard to that injury?
 18 A No.
 19 Q Did you ever have any conversations
 20 with Mr. Rebert about the request for comp, any
 21 time surrounding her injury?
 22 A No.
 23 Q Did you ever fill out paperwork in
 24 regard to a workers' comp claim --
 25 A No.

1 Q Let me finish the question. -- in
 2 regard to a workers' comp claim for Mr. Rebert
 3 to then sign?
 4 MR. HUTCHINSON: A workers' comp
 5 claim for Mr. Rebert?
 6 MR. JACOB: No, no. In regard -- I
 7 apologize. Maybe my question wasn't clear.
 8 BY MR. JACOB:
 9 Q Did you ever fill out paperwork in
 10 regard to Miss Downing's workplace injury for a
 11 workers' comp that Mr. Rebert then would have
 12 signed?
 13 A Not that I'm aware of. I mean, I'm
 14 sure she had to fill out like a form for Risk
 15 Management. What's that thing called when
 16 you're hurt on the job?
 17 MR. JACOB: Let me take a moment
 18 here.
 19 (Short recess occurred.)
 20 (Deposition resumed. Ms. Robinson
 21 not present in deposition room.)
 22 BY MR. JACOB:
 23 Q I have a few more questions and
 24 then, unless other counsel has questions, we'll
 25 be done. Did you ever hear Miss Downing speak

1 out about Mr. Rebert's practice of refusing to
 2 discipline employees for a comment that could be
 3 deemed to be harassing?
 4 A No.
 5 Q Did you ever hear Miss Downing speak
 6 out about the investigation of Kenneth Ingle and
 7 whether he was or was not prosecuted for some
 8 stolen property?
 9 A No.
 10 Q Did you ever hear Miss Downing speak
 11 out about Mr. Rebert's possession of a hand gun
 12 that should possibly have been in the evidence
 13 room in the D.A.'s office?
 14 A I know of a gun that he had.
 15 Q Okay. Did you ever hear Miss
 16 Downing speak to him about that gun?
 17 A Other than the fact that, he
 18 shouldn't have that gun in his office.
 19 That's --
 20 Q So you heard her say something to
 21 that effect?
 22 A Yeah.
 23 Q Did you ever hear Miss Downing speak
 24 to Mr. Rebert about having a slot machine or
 25 other York County property at his home?

1 A I know there was, not rumor, or
 2 whatever, about a slot machine being at his
 3 home, but I'm not sure why or how it got there.
 4 Q Okay. But you've heard Miss Downing
 5 have a conversation with Mr. Rebert about that
 6 slot machine?
 7 A Oh, yeah.
 8 Q And was the conversation something
 9 to the effect that it shouldn't be at your home?
 10 A Yeah. Yeah.
 11 Q And do you know if that slot machine
 12 ever ended up back at the D.A.'s office?
 13 A No, I'm not aware of that.
 14 Q How about a York County couch?
 15 A I don't know anything about a couch.
 16 Q Fair enough. Did you ever hear Miss
 17 Downing speak out about the circumstances under
 18 which either the CLEAN -- Do you know what I'm
 19 referring to when I say CLEAN --
 20 A Um-hm.
 21 Q -- or the NCIC, or the JNet computer
 22 systems were being used?
 23 A I'm sorry. Repeat that question.
 24 Q Did you ever hear Miss Downing have
 25 a conversation with Mr. Rebert about the