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IN THE MATTER OF THE INDEPENDENT
INVESTIGATION UNDER EXECUTIVE
LAW 63 (8)
-----x

VIRTUAL ZOOM INVESTIGATION

May 14, 2021
9:19 a.m.

TESTIMONY of JILL DESROSIERS, taken by the
First Deputy Attorney General of the New York
Attorney General's Office in the above-entitled
action remotely held, taken before William
Visconti, a Shorthand Reporter and Notary
Public within and for the State of New York.

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A P P E A R A N C E S:

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BY: ANNE CLARK, ESQ.
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ALSO PRESENT:

STEVEN KENT, Videographer.

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THE VIDEOGRAPHER: Good morning.
We are going on the record at 9:19 a.m. on
May 14, 2021. When you are not speaking
please mute your audio input as your
microphone is sensitive and can pick up
whispering and background noise. Please
turn off cellphones or place them away from
the computer as they can interfere with the
deposition audio. Audio and video
recording will continue to take place
unless all parties agree to go off the
record.

This is media unit one of the video
recorded deposition of Jill DesRoviers in
the matter of the Independent Investigation
Under New York Executive Law Section 63 (8).

This deposition being held by video
conference with the witness located in New
York. My name is Steven Kent from the firm
Veritext Legal Solutions and I'm the
videographer. The court reporter is
William Visconti also from Veritext Legal
Solutions.

I'm not authorized to administer an

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oath. I'm not related to any party in this action nor am I financially interested in the outcome.

Counsel and all present in the room and everyone attending remotely will now state their appearances and affiliations for the record. If there are any objections to this proceeding, please state them at the time of your appearance beginning with the noticing attorney.

MS. PARK: Jennifer Kennedy-Park with the law firm of Cleary, Gottlieb, Steen & Hamilton, but for purposes of today I'm a special deputy to the First Deputy Attorney General of the New York Attorney General's Office. I'm here with my colleagues who will introduce themselves, Mr. Kim and Miss Michelen

MR. KIM: Joon Kim, I'm a partner of Jen Kennedy-Park's, I'm also a Special Deputy to the First Deputy Attorney General. Nice to meet you.

THE WITNESS: Nice to meet you.

MS. CLARK: I'm Anne Clark, I'm

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with a different law firm, Vladeck, Raskin & Clark, but I'm also a Special Deputy to the First Deputy Attorney General. Nice to meet you.

THE WITNESS: Nice to meet you.

MS. MICHELEN: I'm Lorena Michelen, I'm also with Cleary Gottlieb and also Special Deputy to the First Deputy Attorney General.

MS. HOGAN: Mary Beth Hogan, partner at Debevoise & Plimpton here with Jill DesRoviers.

MS. CANTWELL: Kelly Cantwell also a lawyer at Debevoise & Plimpton on behalf of Miss DesRosiers. Good morning everyone.

MS. ROSENBERG: Hi, I'm Leah Rosenberg also at Debevoise & Plimpton on behalf Miss DesRosiers.

THE VIDEOGRAPHER: Will the court reporter please swear in the witness.

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J I L L D E S R O S I E R S,
having been first duly sworn by the Notary Public,
was examined and testified as follows:

EXAMINATION CONDUCTED BY MS. PARK:

Q. Good morning, Miss DesRosiers.
Thank you for being here today.

A. Good morning.

Q. As I mentioned I'm Jen
Kennedy-Park. I'm totally comfortable today if
you call me Jen. Can I call you Jill?

A. Absolutely.

Q. As we mentioned, the New York
Attorney General has appointed lawyers from two
law firms, my law firm, Cleary, Gottlieb,
Hamilton & Steen and Anne Clark's law firm
Vladeck, Raskin & Clark, to conduct an
independent investigation under New York
Executive Law Section 63 (8) into allegations
of sexual harassment against Governor Andrew
Cuomo and surrounding circumstances and you're
here pursuant to a subpoena issued in
connection with that investigation.

I want to go over some sort of
basic ground rules and information first before

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JILL DES ROSIERS

we start asking questions. Okay?

A. Yes.

Q. As you know this is being video recorded by us, can you and your counsel confirm that you are neither video or audio recording this?

MS. HOGAN: We can confirm that yes.

Q. Can you and your counsel confirm that you're not broadcasting this or communicating about this with anyone who is not currently in the room with you?

MS. HOGAN: That is correct.

MS. PARK: Thank you, Mary Beth.

Q. Jill, you're under oath and that means that you have to testify fully and truthfully just as if you were in a court of law sitting before a judge or jury and your testimony is subject to the penalty of perjury. Do you understand?

A. Yes.

Q. If you would like to make any brief sworn statement on your own behalf, we ask that you do that at the conclusion of our

1 JILL DES ROSIERS

2 examination and I will mind you and your
3 counsel at the end that you have that
4 opportunity. Okay?

5 A. Yes.

6 Q. So, although is a civil
7 investigation the New York Attorney General's
8 Office does have criminal enforcement powers.
9 So you have the right to refuse to answer a
10 question if doing so would incriminate
11 yourself. However, failure to answer a
12 question could you be used against you in a
13 court of law in a civil proceeding. Do you
14 understand.

15 A. Yes.

16 Q. You're appearing here with your
17 lawyers and you can consult with them about
18 matters related to privilege. But this is not
19 a deposition and so we don't expect them to
20 object or interfere with the testimony
21 otherwise. But if you need a break or your
22 counsel would like to take a break, as long as
23 you answered a question that I have asked, we
24 are good at taking breaks.

25 We understand that [REDACTED]

1 JILL DES ROSIERS

2 [REDACTED] so we will break whenever
3 you need us to. Okay?

4 A. Thank you.

5 MS. HOGAN: Jen, I would just say
6 we will need to break at around 11 and
7 around 1:30 and then obviously to the
8 extent that we need short breaks in between
9 that time we will let you know.

10 MS. PARK: Whenever you need them.
11 We will definitely break at 11 and we will
12 definitely break at 1:30 and if you need
13 them otherwise just tell me and we will go
14 off the record and take a break.

15 MS. HOGAN: Okay, thank you.

16 MS. PARK: No problem.

17 Q. As you ask can see we have a court
18 reporter present in our virtual room with us,
19 so he is taking down my questions and he is
20 taking down your answers and that just means
21 that you can't give a head nods, you have to
22 verbally respond to every question that is
23 asked. Do you understand?

24 A. Yes.

25 Q. We are going to do our best, I

1 JILL DES ROSIERS

2 will try not to interrupt and talk over you and
3 you try not to interrupt and talk over me so he
4 gets a clean transcript. Okay?

5 A. Yes.

6 Q. If you don't know an answer to one
7 of my questions, please tell me. And if you
8 don't understand my question, please just tell
9 me. And we'll make sure that I ask a better
10 question. All right?

11 A. Yes.

12 Q. I want to make sure too that your
13 counsel is not communicating with anyone in
14 realtime about the substance of your testimony.

15 MS. PARK: Mary Beth, we only ask
16 that because this has come up in another
17 situation.

18 MS. HOGAN: What do you mean? I'm
19 here in the room.

20 MS. PARK: You're not communicating
21 with counsel for the Executive Chamber?

22 MS. HOGAN: During this testimony?

23 MS. PARK: During this testimony,
24 yes.

25 MS. HOGAN: No, no, no.

1 JILL DES ROSIERS

2 MS. PARK: Okay, great.

3 Q. So, the Executive Law Provision
4 63 (8) that this investigation is being
5 conducted under, Jill, prohibits you and your
6 counsel from revealing any information that you
7 obtain during this testimony to anyone. So if
8 anyone asks you to disclose what we discussed
9 here today you should let us know and your
10 counsel should let us know. Do you understand?

11 A. Yes.

12 Q. Are you taking any medication or
13 drugs that might make it difficult for you to
14 understand my questions today?

15 A. No.

16 Q. Have you had any alcohol today?

17 A. No.

18 Q. Is there any reason that you
19 couldn't answer my questions truthfully and
20 fully?

21 A. No.

22 Q. So can you state your full name,
23 date the birth and home address?

24 A. Jill Marie DesRosiers, my date of
25 birth is [REDACTED] and my address is

JILL DES ROSIERS

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[REDACTED]

Q. Do you have a business address?

A. Yes. 633 Third Avenue, New York, New York 10017.

Q. Have you ever given testimony before?

A. No.

Q. Never testified at trial or in a deposition?

A. No.

Q. Other than the conversations with your lawyers, did you do anything to prepare for today's testimony?

A. No, I met with my lawyers.

Q. There should be a sealed box in your room.

A. Yes, I see it.

Q. Can you go ahead and break the seal on that box and take out the binder that is in it?

A. Yes.

Q. Now you have the binder in front of you and obviously you have it open. So if you can turn to the first tab in the binder

1 JILL DES ROSIERS

2 labeled Exhibit 1.

3 (Exhibit 1 for identification,
4 Document subpoena.)

5 Q. Jill, if you want something put on
6 the screen let us know.

7 A. Okay.

8 Q. So, do you recognize what is
9 behind Exhibit 1?

10 A. Yes.

11 Q. Is that the document subpoena that
12 you received from our office?

13 A. Yes.

14 Q. Did you read it?

15 A. Yes, I believe this is the
16 subpoena that we received.

17 MS. HOGAN: And we discussed it
18 with her.

19 Q. What did you do to collect
20 documents in response to this subpoena?

21 A. My personal cell phone was given
22 to my lawyers and imaged for any personal texts
23 or e-mails and then the Chamber was collecting
24 any Chamber e-mails or documents that I may
25 have on that end.

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JILL DES ROSIERS

Q. Did you have any documents on desktops or laptops?

A. I had -- on the desktop, I don't know the Chamber was looking on that. On the laptop I have e-mails and those were also on my phone. So the images of my phone would capture those materials.

Q. Did you have any notebooks or hard copy documents?

A. I believe I had notebooks that the Chamber was collecting from my office. I haven't been in my office for some time.

Q. So for you personally it was your phone that you gave to your counsel and imaged and that is what was produced to us?

A. Yes.

Q. Go ahead and turn to what is in the binder as Exhibit 2.

(Exhibit 2 for identification, Testimony subpoena.)

Q. Is this the testimony subpoena that you received from our office?

A. Yes.

Q. Did you read this subpoena before

JILL DES ROSIERS

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today?

A. My lawyers shared it with me, yes.

Q. Do you understand that your testimony today is being taken pursuant to this subpoena?

A. Yes.

Q. You can put that aside for now. I'm going to talk about your educational and employment history. How far did you get in school?

A. I graduated with a bachelor's degree.

Q. From where?

A. From the University Of Pennsylvania.

Q. Can you give us sort of a high level description of your employment history after you graduated from University of Pennsylvania?

A. Sure, I worked at a consulting firm called Deloitte Consulting upon graduation. That was a fairly short-term employment and then I worked in government and on political campaigns from then. For a period

1 JILL DES ROSIERS

2 of time with the City Council first under Eva
3 Moskowitz who was a city council member at the
4 time. And then under Speaker Gilford Miller
5 and then Christine Quinn.

6 There were breaks within those
7 periods of time where I did work on a few
8 political campaigns for now Senator Joe Addabbo
9 and Senator at the time Tony Avila. I also did
10 volunteer work on the Governor's campaign for
11 Attorney General. I worked at the City Council
12 for Christine Quinn until around September,
13 2012 and then in October 2012 went to work in
14 the Governor's office.

15 Q. How did you come to work in the
16 Governor's office in October of 2012?

17 A. I was recruited to come to work in
18 the office by actually one of my very close
19 friends who worked there at the time named
20 [REDACTED] who was the legislative affairs
21 director at the time. And I had known some of
22 his staff from when I volunteered on his
23 campaign.

24 Q. What was your first role?

25 A. My first role was director of

JILL DES ROSIERS

1 scheduling.

2
3 Q. Why don't you talk us through your
4 roles after October, 2012 after director of
5 scheduling?

6 A. Sure. After becoming director of
7 scheduling I then, and apologies I don't
8 remember the exact date, sometime after 2014
9 was promoted to, it was deputy secretary for
10 executive operations and then executive deputy
11 secretary and then in January of 2019 I became
12 the chief of staff and currently I'm on [REDACTED]
13 [REDACTED] since the beginning of December, 2020.

14 Q. There was recently an announcement
15 about a new chief of staff being appointed.
16 Are you currently employed by the Executive
17 Chamber?

18 A. I'm currently employed on
19 [REDACTED] [REDACTED]. I'm currently employed but
20 I'm currently on [REDACTED] [REDACTED].

21 Q. But someone is now doing your
22 role?

23 A. Yes.

24 Q. In your role as deputy secretary
25 of executive operations, what were your

JILL DES ROSIERS

responsibilities?

A. So I remained overseeing the scheduling operation, although there was a director of scheduling who was appointed. And I also oversaw -- it changed a little bit over time, but some of the events, operation which would be the Governor events when he would travel and do events, the briefing, the briefing book operation and then that was the first iteration when I was the deputy secretary.

Q. Was there another iteration after that?

A. Yes, I became -- some of this is situational, but when there was hiring within the kind of executive operation, I was involved in that. And then also on some of the events I was able to -- I would become kind of the lead person to deal with some of the -- coordinating the substance of events and things like that.

Q. When you became executive deputy secretary, did your roles and responsibilities change?

A. I added to the role. I'm trying

1 JILL DES ROSIERS

2 to think of what exact assignments, but I think
3 more of a coordinative roll over some of the
4 different parts of the operation. I still
5 oversaw some of the pieces that I had always
6 overseen.

7 Q. What parts of coordinating the
8 operation were added?

9 A. The intergovernmental affairs and
10 constituency operations. The relationships
11 with community groups and communicating with
12 them, those operations. I'm not sure exactly
13 when that got added, whether it was when it was
14 the deputy secretary or executive deputy
15 secretary. That was another piece of the
16 position.

17 Q. What if anything changed when you
18 became chief of staff about your responsibilities?

19 A. Sure. I still had overseen many
20 of the or all of previous responsibilities, but
21 I also oversaw some of the or the appointments
22 process and commissions and then also at some
23 point, I don't know that it was right away,
24 some of the IT functions and some of the
25 administrative functions also were under me.

JILL DES ROSIERS

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2 Q. In your time in the Executive
3 Chamber, where was your physical office?

4 A. I had two offices. I had an
5 office in New York City on the 39th floor.
6 That office changed a few times, but all within
7 the same basic footprint. And then I also had
8 an office in the capitol, in Albany. That
9 physical space changed a few times, but it was
10 on the second floor.

11 Q. Your office at 633 Third Avenue, I
12 know you said it changed over time. Was it
13 always near the Governor's office or in
14 proximity to the Governor's office?

15 A. Yes, it was always fairly close.

16 Q. Whereabouts in Albany, it was on
17 the secure side in Albany?

18 A. It was on the secure side. It's
19 moved on different side of the hall, but always
20 on the secure side.

21 Q. I think you said in some point you
22 your responsibilities included hiring; is that
23 right?

24 A. Yes.

25 Q. Can you tell us what the hiring

JILL DES ROSIERS

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2 process is?

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A. It depends on the role. Let's say we are looking to replace an open position, we would recruit by placing ads, by networking, we would do interviews. There was a formal appointment process after that which included paperwork and interviews and questionnaires as well.

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Q. Are open positions -- sorry, go ahead, I didn't mean to interrupt you.

11

12

A. That is okay.

13

Q. Are open positions always posted in some way?

14

15

A. Usually, but I don't know that they always are.

16

17

Q. Are there ever occasions -- those are, sort of talking about open positions.

18

19

What about occasions in which you -- are there occasions which you find a position for

20

21

someone? There is someone that you want to bring into the Chamber and create a position

22

23

for them?

24

A. Yes. There are those positions as well. I'm trying to think of some examples of

25

JILL DES ROSIERS

1
2 a time. An example I can think of is when the
3 Bloomberg administration or the Obama
4 administration ended we tried to recruit talent
5 to bring in and sometimes folks would fit in an
6 open position and sometimes we would try to
7 find a fit that made sense or created a new
8 position.

9 Q. Who ultimately has final say of
10 hiring in the Executive Chamber?

11 A. I don't think there is anyone
12 clear-cut. I think it would depend on the
13 position.

14 Q. What about for briefers?

15 A. When I was responsible for hiring
16 within the executive operation, you know,
17 subject to background completion and that would
18 have been me.

19 Q. What about schedulers?

20 A. The same answer. When I was in
21 charge of those pieces of operation, subject to
22 background and formal review, that would have
23 been me.

24 Q. What about executive assistants to
25 the Governor?

1 JILL DES ROSIERS

2 A. I'm trying to think. I certainly
3 interviewed some of them. I don't know that I
4 always was the final say on executive
5 assistants in that office.

6 Q. Who was the final say?

7 A. Apologies, I'm trying to think
8 over time. I think generally Stephanie Benton
9 was the Director of Governor's Offices, she
10 would be certainly meet the person -- I'm
11 trying to answer your question final say. I
12 think there were probably multiple people that
13 would sign off on a person coming in. Usually
14 myself and Stephanie would be the two people
15 who meet them and probably select the final
16 person. At times probably other people who met
17 them as well.

18 Q. Did the Governor have a role in
19 interviewing or hiring executive assistants?

20 A. I think probably some of the
21 executive assistants he probably met. I don't
22 know that he met all of them.

23 Q. When you said background check,
24 did someone have to go through a background
25 check process to become staff in the Executive

JILL DES ROSIERS

1 Chamber?

2 A. Yes, they do a questionnaire and
3 go through a background state police and other
4 background check. That is usually the
5 appointments office and counsel's office
6 reviews those, yes.
7

8 Q. Did that have to be completed --
9 sorry, I didn't mean to interrupt you. Go
10 ahead.

11 A. That is for any position in the
12 Governor's office.

13 Q. Did that have to be completed
14 before someone can begin work in the Executive
15 Chamber?

16 A. It is usually completed before
17 someone begins. I don't know there may be
18 certain instances where someone started
19 contingent on their background.

20 Q. Can you think of any instances
21 when that happened?

22 A. Not off the top of my head. But
23 there I believe it did and then -- I'm sorry.

24 Q. You can't recall anyone
25 specifically?

1 JILL DES ROSIERS

2 A. I can't recall a specific name,
3 no.

4 Q. What about do you have a role in
5 people leaving the Executive Chamber to go to
6 other state agencies?

7 A. Sometimes.

8 Q. What was your role in that
9 process?

10 A. There have been some staff that
11 either expressed an interest or there was an
12 interest in going to another agency and I would --
13 and I have either worked with state operations
14 or appointments to try to identify either an
15 open position or a fit or a person for them to
16 meet within the agency and tried to help to
17 move that process.

18 Q. If someone who was a staff in the
19 Executive Chamber wanted to go to a state
20 agency, would they need approval from someone
21 in the Executive Chamber?

22 A. If someone wants to leave their
23 job and go to a different job, yes.

24 Q. Why do they need approval?

25 A. I don't know if approval is the

JILL DES ROSIERS

1 correct word. If someone was leaving the
2 Chamber, they would speak to their supervisor.
3 Like anyone leaving a position usually you come
4 to an agreement and then, you know, sorry,
5 maybe approval isn't the correct word, but, yes
6 I think anyone leaving a position they would
7 need to have a discussion about their intention
8 and what they wanted to do.
9

10 Q. I don't mean sort of your normal
11 everyday I'm telling my supervisor I'm leaving
12 for another job or I'm looking for another job.
13 I mean if someone from the Executive Chamber
14 staff wants to go a state agency, do they need
15 to make sure that the Executive Chamber is okay
16 with that before they apply, before they accept
17 a position?

18 A. Before they apply, no, not
19 necessarily. But I mean I think anyone leaving
20 a position, it would be similar in that they
21 would want to at some point whether it is after
22 they have -- their supervisor would need to
23 know at some point that they intended to go to
24 another agency and I think that certainly
25 happened as well.

1 JILL DES ROSIERS

2 Q. Have you ever told someone who
3 came to you and said I'm going to a state
4 agency that they could not go?

5 A. Not that I remember.

6 Q. Have you ever called a future
7 employer of someone in the Executive Chamber
8 staff to tell them that the Executive Chamber
9 did not want them to take the role?

10 A. No.

11 Q. Have you ever interfered at all in
12 someone's attempt to take a position at another
13 state agency leaving the Executive Chamber?

14 A. Not that I remember.

15 Q. Do you know if anyone else in the
16 Executive Chamber senior staff has ever done
17 something like that?

18 A. I don't know.

19 Q. Do you have any knowledge of any
20 member of the Executive Chamber staff making
21 somebody's offer from another state agency kind
22 of go away? Making sure that the offer was
23 revoke or the opportunity wasn't available
24 anymore?

25 A. Not that I remember.

1 JILL DES ROSIERS

2 Q. Do you know Andrew Ball?

3 A. Yes.

4 Q. Who is Andrew Ball?

5 A. Andrew Ball was with me for a long
6 period of time as my deputy. He was director
7 of scheduling for awhile. He was deputy
8 secretary and we worked very closely together.

9 Q. What do you know about him leaving
10 the Executive Chamber?

11 A. He went into private -- he went to
12 work for a private company. But he did previously
13 desire to work potentially for an agency.

14 Q. Did he end up working for an
15 agency?

16 A. He did not.

17 Q. What do you know about why he
18 didn't end up working for a agency?

19 A. He wanted to go -- he wanted to go
20 to the MTA. I don't remember all the
21 conversations, but at the time, I think at the
22 time folks didn't want him to come over to the
23 MTA and I don't remember who or how. But there
24 was sensitivity around moving him over to the
25 MTA and having more Governor staff over there.

1 JILL DES ROSIERS

2 Q. So what happened?

3 A. Ultimately he wasn't offered the
4 position at the MTA and he left and took a
5 position elsewhere.

6 Q. Were there discussions between any
7 members of the Executive Chamber staff and
8 individuals at the MTA about Andrew?

9 A. I don't remember. I remember
10 talking to Andrew about it. I don't remember.

11 Q. What did you talk to Andrew about?
12 What did you say to Andrew?

13 A. I remember Andrew wanting to go to
14 the MTA. I remember him being -- I remember --
15 I remember having a conversation with Melissa
16 about Andrew wanting to go there and I remember --
17 I don't remember the conversation exactly, but
18 I think at the time and I don't know -- I think -- I'm
19 trying to remember, I'm sorry. I think Melissa
20 and the Governor wanted him to stay doing
21 events at the Chamber and not move to the MTA
22 and that is what I remember. And he didn't
23 want to do that.

24 Q. So Melissa and the Governor didn't
25 want him to have the role at the MTA?

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JILL DES ROSIERS

A. That's my memory.

Q. Do you have any knowledge whether Melissa or the Governor spoke to anyone at the MTA about Andrew's application?

A. I don't know.

Q. Did Andrew ever tell you what happened with his potential position at the MTA?

A. Yes.

Q. What did he tell you?

A. He was upset because something that he was looking forward to doing and then he had told me that they didn't want him to do it and they wanted him to stay doing events and he didn't want to do that.

Q. So in essence Andrew couldn't go to the MTA because the Governor and Miss DeRosa did not want him to?

A. That is my memory, they wanted him to do a different -- yes.

Q. Are there any other circumstances similar to that that you can remember where people wanted to go to a different role, were in the process of getting a role at a different

1 JILL DES ROSIERS

2 agency and someone from the senior staff of the
3 Chamber did not want them to leave?

4 A. I believe Annabelle Walsh also
5 wanted to at some point and I believe, and
6 again she left and went to a private company.
7 She wanted to go to the Port Authority. There
8 wasn't an open position there and I don't know
9 if she ever spoke to them, but I think at the
10 time there was a similar situation.

11 I think at the time folks were
12 trying to convince her to just stay in the
13 Chamber. I don't know that it was a similar
14 situation. I don't know if she interviewed
15 with them or met with them, but expressed an
16 interest.

17 Q. So circling back to the original
18 question that I asked. If you are a member of
19 the staff of the Executive Chamber and you want
20 to go to a state agency do you need the
21 approval of Executive Chamber senior staff. It
22 sounds like the answer to that is yes?

23 A. I guess I would say in certain
24 circumstances, yes. I don't know that that was
25 the case for every single person, but...

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Q. But for some people?

A. Yes.

Q. What about the hiring of outside consultants, did you have any role in that for the Executive Chamber?

A. What type of consultants?

Q. Just like third-party consultants. Does the Executive Chamber ever use third-party consultants?

A. During COVID I believe we consulted -- used -- I don't know if it was the Chamber or the Department of Health consulted with some consulting groups. But, no, I wasn't involved in that process.

Q. What about law firms, does the Chamber ever retain outside law firms?

A. Yes.

Q. What is the process for retaining outside law firms?

A. That's not a process that I have been involved in. I believe it would have been counsel's office and budget or administration, I don't know.

Q. Are you familiar with any policies

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or practices regarding gifts or services for members of Executive Chamber staff? Services for free or gifts?

A. Yes.

Q. What is the policy?

A. The ethics policy is that you shouldn't accept gifts or services.

Q. You said that is the ethics policy?

A. Yes.

Q. Is that a policy that you got trained on?

A. Yes.

Q. Does everyone in the Chamber get trained on that policy?

A. We take annual training so, yes.

Q. You did the annual training, did you have to certify that you did the annual ethics training?

A. Yes.

Q. This gift policy and services for free policy, is that like a conflicts of interest policy?

A. Yes, I believe so.

Q. Are you aware of any occasion in

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1
2 which members of the Executive Chamber staff
3 accepted gifts?

4 A. I don't know.

5 Q. Do you ever accept a gift?

6 A. Not that I'm aware of.

7 Q. Are you aware of any members of
8 the Executive Chamber accepting services for
9 free?

10 A. Not that I'm aware of.

11 Q. If the members under this policy
12 you're telling me about, the gifts and services
13 policy, if you get a gift, is there some sort
14 of registry that you have to fill out?

15 A. Yes, you do your disclosure, your
16 annual disclosure and that would be listed on
17 that.

18 Q. And this would include free
19 services as well in your annual disclosure?

20 A. Yes, I believe so, yes.

21 Q. When you say annual disclosure,
22 what is the title of that disclosure?

23 A. The JCOPE financial disclosure.

24 Q. Tell us about the human resources
25 function in the Chamber?

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2 A. So we have an administrative
3 services unit which I think is what you're
4 referring to. They work with budget on
5 people's benefits and office space, supplies,
6 whatever other types of -- we don't probably
7 have a traditional human resources department,
8 but that would be -- if you have any specific
9 kind of office needs that's who we go to.

10 Q. It is called the administrative
11 services unit?

12 A. Yes.

13 Q. Is there a chief of that unit?

14 A. The director is Lauren Grasso
15 based in Albany and there is the deputy based
16 in New York City named [REDACTED].

17 Q. The administrative services unit,
18 do they maintain personnel files for Executive
19 Chamber staff?

20 A. Yes.

21 Q. What is in the personnel file?

22 A. Their employment history --
23 apologies I don't think I know exactly
24 everything that is in the file. But any thing
25 relevant to their employment history. If there

1 JILL DES ROSIERS

2 were any issues, I think those would also go in
3 the file.

4 Q. So every employee of the Chamber
5 staff has a personnel file with administrative
6 services?

7 A. I believe so.

8 Q. When you say any kind of issue
9 would go in the file, what do you mean by that?
10 What do you mean by issue?

11 A. If they were -- I don't know -- I
12 believe if there was any formal counseling or
13 action taken against that employee. I believe a
14 record of that would go into their file.

15 Q. Were you ever involved in a
16 situation where you did counselling for an
17 issue that was written up and put in someone's
18 personnel file?

19 A. I was involved in a few issues
20 that related to counselling. I would include
21 our counsel's office in any of those
22 conversations. I'm not sure whether or not
23 counseling formal went into the file or not.

24 Q. Tells who were the individuals
25 involved in those instances?

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2 A. Sure. [REDACTED] who was a
3 deputy secretary for intergovernmental affairs,
4 I counseled him with [REDACTED]. [REDACTED]
5 [REDACTED] who was a person in our constituency
6 operation who dealt with woman's affairs and
7 African American affairs. Alphonso and I did
8 counsel her. I'm trying to think of some more
9 examples. I can't think of any more specific
10 ones right now.

11 Q. You said [REDACTED], is that
12 person a lawyer in the Executive Chamber?

13 A. She is in with counsel's office,
14 yes.

15 Q. Without telling me the substance
16 of any legal advice that was given by [REDACTED]
17 [REDACTED], what was the nature the counseling
18 for [REDACTED]?

19 A. Counsel's office received a letter
20 from an external constituent that included some
21 text messages and like direct messages with
22 [REDACTED] that they raised as a concern to the
23 Chamber that they wanted to make us aware of
24 because they felt like they were aggressive and
25 referenced working in the Governor's office and

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2 I'm trying to think of the exact issue. A
3 disagreement or argument about people working
4 in restaurants during COVID or something like
5 that.

6 Q. What was [REDACTED] told, if anything,
7 about the confidentiality of the counselling
8 that was done?

9 A. I don't remember.

10 Q. Is it a practice of any sort to
11 discuss confidentiality throughout counselling?

12 A. I honestly don't remember either
13 of those considerations that we just mentioned.

14 Q. What is your understanding as to
15 whether those were intended to be confidential
16 discussions?

17 A. I don't know.

18 Q. The counseling with [REDACTED]
19 [REDACTED], without giving --

20 A. The first name is [REDACTED] [REDACTED]

21 Q. [REDACTED], sorry. Without disclosing
22 substance of any legal advice that was given by
23 Mr. David, what was the nature of the
24 counselling?

25 A. The nature of the counselling was

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2 that she was -- her manager at the time was
3 having issues with her and had attempted to
4 work through them himself. I think poor
5 performance and attendance and attitude were
6 issues.

7 Q. In both of these situations how
8 come you're involved?

9 A. [REDACTED] reported to me.
10 So when counsel's office received the letter,
11 they first came to me to make me aware of it
12 and then we met with him. And then in the case
13 of [REDACTED] while she didn't directly
14 report to me, her supervisor at the time did
15 and came to me. And I went to or came to --
16 went to Alphonso for advice and assistance in
17 handling that.

18 Q. In either of these situations did
19 you discuss the situation with anyone other
20 than the lawyer involved and the supervisor an
21 employee involved?

22 A. I think in both situations I let
23 my supervisor, I believe in both situations at
24 the time it was Melissa, know as well.

25 Q. Anyone else that you let know?

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A. In the case of [REDACTED] with we did ultimately circle back and include her supervisor and the supervisor's deputy who had been the ones to raise the issue.

Q. Anyone else?

A. Not that I remember.

Q. In the [REDACTED] situation did anything about that situation go into [REDACTED]'s personnel file?

A. I don't know.

Q. Who would know?

A. At the time Alphonso would have known and I'm not sure if [REDACTED] would have still been in charge of administrative services at the time or not or if it would have been Lauren, I don't know. [REDACTED] retired and Lauren replaced her.

Q. Do you have a personnel file?

A. Yes, I believe I do.

Q. What is your expectation with respect to confidentiality around that file?

A. I don't know that there has ever been a conversation with me about my personnel file about confidentiality.

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Q. Putting aside whether someone had a conversation with you, do you have an expectation about that file -- what the purposes it is used for or who has access to it?

A. I don't.

Q. Would you be surprised if that personnel file was provided to the press?

A. Yes.

Q. Why is that?

A. I don't know, it would just surprise me. I can't say that anyone had a discussion with me about my personnel file.

Q. Put your binder back in front of you for a little bit. Do you have it there?

A. Yes.

MS. HOGAN: This is Mary Beth, could we take like 5, it has been about an hour, a short break?

MS. PARK: Sure.

THE VIDEOGRAPHER: We are now off the record the time on the video monitor is 10:22.

(Recess taken)

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THE VIDEOGRAPHER: We are now on
the record, the time is 10:29.

BY MS. PARK:

Q. Jill, so you told me earlier you
receive ethics training on an annual basis.
Did you receive sexual harassment training?

A. Yes. There were a series of
trainings that we received annually. That was
one of them too.

Q. Sexual harassment training is
annual.

A. Yes.

Q. Do you have to certify, similar to
the ethics training, that you completed the
sexual harassment training?

A. Yes.

Q. Did you do that every year?

A. I did that every year usually in
December. So in 2020 unfortunately I went on

[REDACTED]

[REDACTED]. I usually did my trainings in
December, so I didn't do 2020.

Q. So last time that you did training
would have been end of the year 2019?

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A. Yes.

Q. Do you have any knowledge about the Governor doing his annual sexual harassment training.

A. No.

Q. Did you talk to anybody about making sure that he did his training every year?

A. No.

Q. Did you ever see him doing his training?

A. No.

Q. Did you ever talk to Miss Benton about the Governor doing his annual sexual harassment training.

A. Not that I remember.

Q. Do you remember in the training talking about the employee handbook?

A. Yes.

Q. Look at what is in your binder as Exhibit 3.

(Exhibit 3 for identification, State of New York Executive Department Equal Employment Opportunity Rights and

1 JILL DES ROSIERS

2 Responsibilities, A Handbook for Employees
3 dated December, 2011.)

4 Q. If I did this right Exhibit 3 is
5 the State of New York Executive Department
6 Equal Employment Opportunity Rights and
7 Responsibilities, A Handbook for Employees. Is
8 that right?

9 A. Yes.

10 Q. Dated December, 2011. Have you
11 seen this document before?

12 A. I'm not sure.

13 Q. Do you ever remember seeing an
14 employee handbook for the Executive Chamber?

15 A. I have seen an employee handbook
16 for the Executive Chamber, yes.

17 Q. You're just not sure if this is
18 the one that you have seen?

19 A. Right.

20 Q. It could have been a later
21 version?

22 A. Yes.

23 Q. Why don't you turn to page 11.
24 The page numbers are on the bottom. If I've
25 done this right, on page 11 at the top it says

1 JILL DES ROSIERS

2 Sex a three bolded lines down it says Sexual
3 Harassment. Do you see that?

4 A. Yes.

5 Q. In the third paragraph in sexual
6 harassment it says, "Hostile environment
7 sexual harassment consist of words, signs,
8 jokes, pranks, intimidation or physical
9 violence which are of a sexual nature or which
10 are directed at an individual because of that
11 individual's sex." Do you see that.

12 A. Yes.

13 Q. Were you made aware of this
14 definition of hostile environment sexual
15 harassment?

16 A. I believe it was part of the
17 training.

18 Q. Do you agree that that is a
19 correct statement of the policy?

20 A. Yes.

21 Q. It goes on to say, "sexual
22 harassment has also been defined as any
23 unwanted verbal or physical advances, sexually
24 explicit derogatory statements or sexually
25 discriminatory remarks made by someone in the

1 JILL DES ROSIERS

2 workplace which are offensive or objectionable
3 to the recipient which cause the recipient
4 discomfort or humiliation or which interfere
5 with recipient's job performance."

6 Is that your understanding also of
7 the definition of sexual harassment in the
8 policy?

9 A. Yes.

10 Q. Do you have any reason to believe
11 that making someone experience discomfort using
12 sexual derogatory statements or sexually
13 discriminatory remarks is not sexual
14 harassment?

15 A. I'm sorry, can you read that?

16 Q. Do you have any reason to believe
17 that this statement that "sexually derogatory
18 statements or sexually discriminatory remarks
19 that cause a recipient discomfort" would not be
20 sexual harassment?

21 A. Consistent with this policy, no.

22 Q. If you turn to page 12, the fourth
23 paragraph on page 12 the second sentence from
24 the last sentence of that paragraph it says,
25 "Any complaint whether verbal or written must

1 JILL DES ROSIERS

2 be investigated by the agency."

3 Is that your understanding of the
4 policy?

5 A. It is my understanding of it
6 reading it now, yes. That is what it says.

7 Q. Did you not understand this to be
8 the policy while you were an employee of the
9 Executive Chamber?

10 A. Yes, I believe this is the policy
11 that I was trained on, so, yes.

12 Q. Then it says, "Furthermore, any
13 supervisory or managerial employee who observes
14 or otherwise becomes aware of conduct of a
15 sexual harassing nature must report such
16 conduct so it could be investigated."

17 Are you aware of that part of the
18 policy?

19 A. In reading it, yes, I'm aware.

20 Q. Not just reading, you were trained
21 on this policy?

22 A. I was trained on the policy. I
23 don't know that I reviewed -- you know. Yes.

24 Q. And then the next paragraph the
25 last sentence says, "Once informed, the agency

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1
2 is required to initiate an investigation and
3 take prompt and effective remedial action where
4 appropriate."

5 Were you aware of that part of the
6 policy?

7 A. Yes.

8 Q. Were you aware that at some point
9 there was a change in protocol as to who did
10 investigations related to sexual harassment
11 within the executive branch in the New York
12 State Government?

13 A. I'm aware that at some point in
14 May of 2020 there was a new policy.

15 Q. Were you aware in August of 2018
16 of an executive order related to the government
17 office of employee relations doing
18 investigations related to workplace misconduct?

19 A. I don't remember the exact date,
20 but I know at some point there was a package of
21 sexual harassment in the past changing some of
22 the reporting.

23 Q. Tell us what your role was in that
24 package of changes to the sexual harassment
25 reporting laws?

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A. At the time I think the Governor did a series of press conferences when he was working to get it passed, I would have been involved in those pieces of it. I wasn't involved with drafting legislation or negotiation with the houses isn't something that I'm involved in.

Q. What was your understanding as to what the changes were to the sexual harassment laws and practices?

A. I don't remember the exact changes at the time. I know they were all aimed at strengthening of the laws.

Q. Let's look at what is in your binder as Exhibit 4.

(Exhibit 4 for identification, Executive Order Number 187.)

Q. So Exhibit 4 is an executive order, do you see that?

A. Yes.

Q. It is Executive Order Number 187 the title of which is "Ensuring Diversity and Inclusion and Combating Harassment and Discrimination in the Workplace."

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If you look at the third page Roman numeral III. It should be titled "Combating Sexual Harassment and Discrimination in State Agencies." Do you see that section?

A. Yes.

Q. Point B says "In order to promote the effective, complete and timely investigation of complaints of employment-related protected class discrimination, as of December 1st, 2018 the Governor's Office of Employer Relations, GOER, shall be responsible for conducting all investigations into employment related discrimination complaints filed by employees, contractors, interns or other persons engaged in employment at effective state agencies defined in Article 3A I of this order." Do you see that?

A. I see that.

Q. Did you understand that at some point the law had changed and that GOER was responsible for doing investigations related to workplace misconduct and sexual harassment?

A. This is the first time that I read this executive order. I did know that GOER had

1 JILL DES ROSIERS

2 an increased role in sexual harassment conduct.

3 Q. What was your understanding of
4 their increased role?

5 A. They were involved in
6 investigations related to sexual harassment.

7 Q. Involved or were they responsible
8 for conducting those investigations?

9 A. My understanding was I think
10 involved. But I'm reading it says responsible
11 for.

12 Q. Your understanding is they were
13 involved. What did that mean to you that they
14 would be involved?

15 A. In conducting or assisting in
16 conducting the investigation.

17 Q. So they could assist in conducting
18 it, but they could do it with the agency, is
19 that what you're saying?

20 A. I think for me this would be a
21 situation similar to when I did training where
22 if I had any doubt or question about the
23 process, I would go counsel's office. They
24 write these executive orders and they are in
25 charge the laws, yes, this clearly says they

1 JILL DES ROSIERS

2 are responsible for conducting the
3 investigations.

4 Q. Then I think you said that you
5 understood there was some other changes to the
6 sexual harassment laws as well. Let's look at
7 tab, your Exhibit 5.

8 (Exhibit 5 for identification,
9 Employee handbook dated May, 2020.)

10 Q. If I did this right, your
11 Exhibit 5 should be the employee handbook dated
12 May, 2020?

13 A. Yes.

14 Q. Have you seen this document
15 before?

16 A. I have seen it recently. I don't
17 remember receiving it in May of 2020. But with
18 the middle of COVID and -- I've recently
19 reviewed it.

20 Q. Do you have any memory of -- other
21 than with your lawyers, do you have any memory
22 of seeing this document?

23 A. No.

24 Q. If you turn to page 1 of the
25 document, the last paragraph on that page you

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1
2 see the paragraph starts "As part of the
3 process of implementing the provisions of this
4 handbook Governor Andrew Cuomo issued executive
5 order number 187." Do you see that?

6 A. I see that.

7 Q. That is the executive order that
8 you and I just looked at together, right?

9 A. Yes.

10 Q. You see going down the paragraph
11 the second to last sentence says, "All such
12 complaints of protected class employment-related
13 discrimination will be investigated by GOER."
14 Do you see that?

15 A. I see that.

16 Q. Do you have any reason to believe
17 that is incorrect?

18 A. No.

19 Q. If you turn to page 12 the second
20 full paragraph that begins "Sexual harassment
21 is unlawful". The second sentence says,
22 "Sexual harassment may not be severe or
23 pervasive to be unlawful and can be any
24 sexually harassing conduct that consists of
25 more than petty play or trivial inconveniences."

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2 Do you see that?

3 A. I see that.

4 Q. Does that refresh your memory
5 about what the change in the law was that we
6 were just discussing?

7 A. I mean I know that we strengthened
8 it. I don't know exactly how. But I don't
9 remember exactly how.

10 Q. Did you have any understand that
11 the strengthening of the law removed the
12 requirement that harassment has to be severe or
13 pervasive in order to be unlawful?

14 A. I don't exactly remember.

15 Q. Do you have any reason to believe
16 that this policy is an incorrect statement of
17 the law?

18 A. No.

19 Q. The next paragraph says, "It is
20 not a requirement that an individual tell the
21 person who is sexually harassing that the
22 conduct is unwelcomed."

23 Do you understand that to be a
24 correct statement of the policy?

25 A. I'm reading it here, so I see

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that.

Q. Any reason to believe it is wrong?

A. No.

Q. "In fact the Human Rights Law now provides that even if a recipient of sexual harassment did not make a complaint about the harassment to the employer, the failure of the employee to complain shall not determinative whether the employer is liable." Any reason to believe that is wrong?

A. No.

Q. Turn to page 39 of that policy. The top of page 39 it says, "Retaliation." Do you see that?

A. Yes.

Q. The first sentence says "Retaliation is prohibited." Did you understand that this policy prohibited retaliation against those who complained about workplace misconduct?

A. Yes.

Q. Then you see the third sentence says, "The adverse action does not need to be job related or occur in the workplace."

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2 Retaliation can be any action more than trivial
3 and have the affect of dissuading a reasonable
4 person from making or supporting an allegation
5 of discrimination. Such action may be taken by
6 any individual employee."

7 Do you have any reason to believe
8 that that is an incorrect statement?

9 A. No.

10 Q. It says, "Actual retaliation by an
11 employer can occur after the individual is no
12 longer employed by that employer."

13 Do you have any reason to believe
14 that that is incorrect?

15 A. No.

16 Q. Turn to page 41, the section is
17 "Confidentiality and Cooperation."

18 A. Yes.

19 Q. It says, "All discrimination
20 complaints and investigations will be kept
21 confidential to the extent possible." Do you
22 see that?

23 A. Yes.

24 Q. Is that your understanding of how
25 discrimination complaints and investigations

JILL DES ROSIERS

1 were to be treated by the Executive Chamber?

2 A. Yes.

3 Q. I know you said that you just read
4 this very recently, was there any occasion
5 during your time in the Chamber before you went
6 on [REDACTED] [REDACTED] where you consulted that
7 handbook related to a complaint?

8 A. That I personally consulted it,
9 no.

10 Q. Do you know who the EEO officer is
11 for the Executive Chamber?

12 A. The current EEO officer?

13 Q. Is there an EEO officer for the
14 Executive Chamber?

15 A. I don't know who the current EEO
16 officer is. Previously --

17 Q. Do you know any of --

18 A. I believe previously it was
19 Alphonso and [REDACTED], but I don't know
20 who it currently is.

21 Q. Alphonso David was the EEO officer
22 at some point?

23 A. I believe so.

24 Q. And [REDACTED] was the EEO
25

1 JILL DES ROSIERS

2 officer at some point?

3 A. I believe so.

4 Q. What is the role of the EEO
5 officer?

6 A. Previously I believe the EEO
7 officer or the EEO officer was the person who
8 was in charge of accepting or was the person
9 that you were supposed to go to with
10 complaints.

11 Q. So if a complaint of harassment
12 was made in the Executive Chamber, the EEO
13 officer should have been involved?

14 A. I mean I know the policy has
15 shifted so I don't know, but yes, I believe
16 that was the policy.

17 Q. Let's turn to what should be in
18 your binder as tab 7.

19 (Exhibit 7 for identification,
20 Sexual Harassment in the Workplace
21 E-Learning Course December, 2020.)

22 Q. It should be Exhibit 7. It should
23 say "Sexual Harassment in the Workplace
24 E-Learning Course December, 2020."

25 Is that a course that you didn't

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do because you were out of the office?

A. I was not -- I was out starting December 3rd.

Q. You said December 3rd?

A. The 3rd was when I was in the afternoon I was formally out. Yes

Q. Flip to what is marked in your binder as Exhibit 8.

(Exhibit 8 for identification, Equal Employment Opportunity Rights and Responsibilities E-Learning Course Dated December 20th 17.)

Q. Which should be the "Equal Employment Opportunity Rights and Responsibilities E-Learning Course Dated December 20th 17." Do you see that?

A. Yes, I see that.

Q. Did you do that e-learning course?

A. I believe so.

Q. Turn to page 5 of the e-learning course.

A. Okay.

Q. The 6th paragraph -- actually the 5th paragraph it says, "If a supervisor or

1 JILL DES ROSIERS

2 manager receives a report of harassment or is
3 otherwise aware of harassment, he or she must
4 promptly report to the agency without
5 exception. It must be reported even if the
6 supervisor or manager does not believe that the
7 conduct constitutes harassment or the harassed
8 individual asks that it not be reported." Do
9 you see that?

10 A. I see that.

11 Q. It that your understanding of what
12 your responsibilities were with respect to
13 reports of harassment?

14 A. Yes.

15 Q. And then it says, "Your employee
16 agency has the duty to investigate all reports
17 of harassment." Do you see that?

18 A. I see that.

19 Q. Is that your understanding of what
20 the Executive Chamber's policy was?

21 A. Yes.

22 Q. We have about five minutes before
23 I know you have to take a break, Jill, coming
24 up at 11. I just want to cover one short
25 little topic and we will take your break at 11

JILL DES ROSIERS

as requested.

Are you aware of any record retention policy for the executive Chamber.

A. Related to what type of records?

Q. Let's start with records with a capital R. Records that have to be retained under state law, are you aware of any policies regarding that?

A. Not specifically, but yes, I'm sure there are record retention policies.

Q. Did you receive any training on record retention policies?

A. I don't remember.

Q. What did you do to comply with your obligation to retain state records?

A. If there were any directives that came out of counsel's office or our administrative folks I would have complied. I'm trying to think if there are specific types of records that you're referring to. I don't know.

Q. Let's look at what is in your binder as Exhibit 10.

(Exhibit 10 for identification,

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JILL DES ROSIERS

State of New York Executive Chamber Records
Retention and Disposition Schedule.)

Q. Exhibit 10 is titled "State of New
York Executive Chamber Records Retention and
Disposition Schedule."

Have you ever seen this document
before?

A. Not that I remember.

Q. Anyone ever tell you that you had
an obligation to retain certain records with a
capital R for purposes of complying with this
policy?

A. I don't remember being
specifically trained on this, but I don't.

Q. Look at page 14 it says, the title
on page 14 is "5" it says "Governor's
Activities."

A. Okay.

Q. It describes the Governor's
schedule. In the fourth line it says, "The
Governor's schedule as posted retain in office
until end of administration."

You were the director of
scheduling at some point, correct?

1 JILL DES ROSIERS

2 A. Yes.

3 Q. What did you do to ensure that you
4 Governor's schedule as posted was retained in
5 the office until the end of the administration?

6 A. The counsel's office and then the
7 counsel for risk, ethics and compliance for the
8 Governor's schedule, and this I believe was in
9 process before I even got there, the Governor's
10 schedule would be posted publicly on a routine
11 basis. So any of the Governor's schedules
12 would get posted online. They would really be
13 point on doing that posting, but they would
14 work with the scheduling team and when I was a
15 scheduler work with us to make sure they knew
16 what the meetings or events that he did.

17 Q. Were you involved at all in making
18 sure that that schedule was retained?

19 A. Yes, we kept it so that we could
20 go through it with the lawyers who were posting
21 it in a file, as close to a version of the
22 schedule as we could, the daily schedule of it.

23 Q. You kept a file of the Governor's
24 daily schedule?

25 A. Yes.

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Q. Is that an electronic file or a hard copy file?

A. Electronic and it would include scheduled events or meetings. He also would do phone calls and other things that weren't on the schedule. But yes, there was a file, there should be a file.

Q. Did you ever communicate about the Governor's schedule using Blackberry PIN messages?

A. Yes.

Q. What did you do to retain Blackberry PIN messages?

A. I don't know that I retained Blackberry PIN messages, but the schedule posted certainly was retained in a folder.

Q. Did you have occasion to retain any -- did someone tell you to retain a Blackberry PIN message?

A. I believe during the Moreland Commission Investigation, I think [REDACTED] or whoever was Chamber point at the time or IT, I don't who it was, asked me to retain Blackberry PIN messages, but that was the last time that I

JILL DES ROSIERS

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remember.

Q. How did you do that?

A. I don't remember. I remember there being no easy or simple way to do it. I don't remember. I think like copying them in an e-mail and saving them, but I don't recall.

Q. What do you use Blackberry PIN messages for?

A. Communicating with the Governor when sending him the schedule. He doesn't have e-mail or other -- the security detail sends him messages that the scheduling operation and some other folks get as far as his movements so you can track them against the schedule. And then some interactions with staff as well.

Q. What is your understanding as to why the Governor does not have e-mail?

A. I don't know. That was -- he is not very tech savvy, but I don't know. That was set up before I got to the office.

Q. But he can use Blackberry PIN messages, right?

A. He uses Blackberry PIN messages. I don't know why it was determined that he

JILL DES ROSIERS

1 didn't have e-mail.

2 Q. You never had any discussions
3 about why the Governor didn't use e-mail?
4

5 A. No. When I started here he had
6 just used pins.

7 Q. When you were in the Executive
8 Chamber was there any discussion about why the
9 Governor was using PIN messages?

10 A. Not that I remember.

11 Q. At some point did some members of
12 Executive Chamber staff change over from
13 Blackberry to iPhones?

14 A. Yes, we were going through a
15 process -- Blackberry towers or whatever you
16 call them for service were starting to be
17 eliminated. So IT was starting to go through
18 the process of moving us over to iPhones. Also
19 Blackberry itself I believe stopped or
20 seriously slowed down making new devices. It
21 start to become an issue where if a device
22 broke you can't necessarily replace it.

23 Q. Did some people keep their
24 Blackberry?

25 A. Yes, there were some folks that

1 JILL DES ROSIERS

2 have both an iPhone and Blackberry while we
3 were not transitioned yet because they still
4 worked.

5 Q. Why did those people keep their
6 Blackberries?

7 A. Because we never fully
8 transitioned over to the iPhone. It was just
9 like you had the iPhone, but you also had the
10 Blackberry.

11 Q. It had nothing to do with the fact
12 that the Governor wanted to use Blackberry PIN
13 messages?

14 A. I think that that was -- I think
15 the Governor wanted to use PIN or the Governor
16 was still on PIN and hadn't fully transition or
17 learned iPhone yet. I think that was a factor.

18 Q. Do you have any understanding as
19 to whether Blackberry PIN messages are retained
20 on a server?

21 A. I don't know that they are.

22 Q. Was there any ever any discussion
23 about using Blackberry PIN because they were
24 more difficult to retrieve?

25 A. Not that I remember.

JILL DES ROSIERS

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2 Q. Was there any discussion about not
3 wanting to switch over to the iPhone because
4 the iPhone text messages exist in the iCloud?

5 A. There was discussions about the
6 iPhone text, but I don't remember them -- I
7 don't remember that it was the case that they
8 were saved in the cloud.

9 Q. Was there any discussion in any of
10 your time in the Executive Chamber about the
11 senior staff or the Governor wanting to make
12 sure that they did not have retained messages
13 on servers?

14 A. There were conversations about
15 e-mail retention policies. At some point there
16 was a discussion about some folks had a 30-day
17 deletion policy that's set on their e-mails and
18 some didn't. I know I think they are saved on
19 a server anyway. But is there something
20 specific, I'm sorry?

21 Q. I'm just trying to understand if
22 there was any discussions that you were
23 involved in during your time at the Executive
24 Chamber where people were talking about how
25 they didn't want messages to be saved.

1 JILL DES ROSIERS

2 A. There were conversations about the
3 new iPhone and how the text feature would
4 compare with PINs and where it would be saved.
5 And what the logistics of it were so we can
6 understand it.

7 Q. What was that conversation about
8 the differences between iPhone text messages
9 and the Blackberry PIN messages and where they
10 were saved?

11 A. I don't exactly remember. My
12 memory is that the texts were similar to PINs
13 in that they weren't saved in the cloud, but I
14 don't remember.

15 Q. You don't remember any discussion
16 about -- well, do you remember any discussion
17 about why if that was the case people still
18 wanted to keep their Blackberry?

19 A. I don't remember why some of us
20 exactly kept our Blackberries, other than we
21 kept them to communicate, but I don't remember.

22 MS. PARK: We went little past 11
23 so I apologize for that. Let's take a
24 break. How long do you need for a break.

25 THE WITNESS: Like 20, 25 minutes

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usually.

MS. PARK: Sure. Do we want to say we will come back on the record at 11:35?

MS. HOGAN: That sounds great. There is one thing I want to mention to you after Jill goes.

MS. PARK: Let's go off the record.

THE VIDEOGRAPHER: We are now off the record the time on the video monitor is 11:10.

(Recess taken.)

THE VIDEOGRAPHER: We are now on the record, the time on the video monitor is 11:37.

BY MS. PARK:

Q. Jill, during your time at the Executive Chamber has there been a staffing protocol for the Governor?

A. As it relates to what type of staffing?

Q. Any kind of staffing.

A. So, yes, we have event staffing and staffing plans like a public event. And what those different jobs are, event lead, site

JILL DES ROSIERS

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2 leads, press lead. That type of thing. Then
3 we have folks that staff him day-to-day in the
4 office. How they make phone calls, meetings,
5 things like that. Sometimes for a bigger
6 meeting in the office we will have someone
7 assigned to be the point on making sure it is
8 arranged as well.

9 Q. For that day-to-day staffing of
10 the Governor, is there a protocol for that?

11 A. Protocol meaning?

12 Q. Did you ever have any discussion
13 with someone about protocol about staffing for
14 the Governor?

15 A. Protocol meaning if they were
16 staffing him?

17 Q. I mean like rules, guidance,
18 policies, practice, a normal way of doing
19 things.

20 A. I guess I'm a little confuse about
21 the question. If someone was going to be part
22 of the staffing rotation and assist the
23 Governor, did I instruct them on what to do?
24 Is that the question?

25 Q. Let's start there, is there a

1 JILL DES ROSIERS

2 staffing rotation for staffing the Governor?

3 A. There is different -- two
4 different offices and so there is people who
5 kind of staff him and over time staffed him in
6 both places. In New York City there is two
7 desks that usually get manned to staff him.
8 Sometimes it ends up being one. And then in
9 Albany which is just a bigger office there are
10 three or four desks and folks who staff him.

11 As far as a rotation, in New York
12 City we have changed over time generally or
13 Stephanie is the director of Governor's
14 offices, so she generally is the lead person
15 staffing the Governor. She is based in Albany,
16 but she will go down to New York City to --
17 over time we had different folks in New York
18 City either assist her or be the lead person.
19 There is usually a few people assigned to that
20 or that are trained in doing that who could be
21 kind of brought in to do that.

22 We tried different folks to be the
23 lead person so that Stephanie doesn't have to
24 come down to New York City as much over time.
25 That is New York City. That could be during

1 JILL DES ROSIERS

2 the week, sometimes it happens on the weekends.

3 In Albany there are three, four,
4 assistants who are assigned whose job it is to
5 assist that office, answer the phone and there
6 are additional folks who also in busy times or
7 on weekends assist as well.

8 Q. You said that you train the
9 individuals who are going to staff the
10 Governor. What is the training?

11 A. I said that they did get trained.
12 Generally because going through how to staff
13 the Governor, I know the basis, but frankly I
14 never had to be the one to staff him through
15 the day. That would usually be Stephanie, I
16 think at some point Andrew Ball or Annabelle
17 also have trained folks.

18 Training I think means how you
19 use the phones, how -- just what to expect and
20 how to kind of get him through his day or what
21 it means to kind of be part of that.

22 Q. When you say what to expect, what
23 do you mean?

24 A. I mean like even -- you know,
25 folks call or come in for meetings or staff

1 JILL DES ROSIERS

2 wants to come in to meet with him. How to
3 handle the different types of situations.
4 Again, largely it would be his him working with
5 Stephanie or someone that had experience doing
6 it. Just kind of doing that.

7 Q. What about training for
8 interacting with the Governor himself?

9 A. I mean I think we -- yes.

10 Q. What is that training?

11 A. I don't know that that is a formal
12 training, but I think probably more ongoing.
13 But, you know, how he would want a meeting
14 organized or, you know, how he does common
15 things with the staff who work there. If he is
16 working on a speech they might help type things
17 up. Those type of situational things.

18 Q. What about any informal training
19 or guidance on confidentiality around
20 interactions with the Governor?

21 A. Likely there were conversations --
22 I don't know that I -- I'm trying to think if I
23 ever had a conversation with somebody.

24 Probably confidentiality around who he is
25 meeting with or calling or information to give

1 JILL DES ROSIERS

2 out to folks looking for it, sure, I think that
3 certainly was a conversation that I had with
4 folks.

5 Q. Tell us more about that
6 conversation? What did you tell people?

7 A. I don't know that it was
8 specifically me, but I may have had the
9 conversation with folks like even if staff
10 wants to know what he is doing or who he is
11 meeting with, that is not something necessarily
12 that they need to know. That sort of thing.
13 Or if someone is calling whoever it is, they
14 don't need to be told exactly what the Governor
15 is doing at the time. It could be that he is
16 unavailable is a better way to word it than
17 giving out exactly what he doing, if that makes
18 sense.

19 Q. Describe for us what is it like
20 working for Governor? What's he like?

21 A. Really intense. It's a lot of, I
22 get a lot of briefing done for the workers. It
23 could be really challenging. Many of us are
24 always in Albany and it could be a really
25 rewarding experience, but it could be grueling.

JILL DES ROSIERS

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2 Q. When you say challenging, what do
3 you mean by challenging?

4 A. He is very direct with his
5 feedback and it could be pretty harsh. I think
6 challenging I would say specific to the kind of
7 scheduling and operational world it could be,
8 you know, it could be challenging in trying to
9 accomplish everything that you have to do.

10 Also you would be told directly if something
11 wasn't working or it was your fault or the plan
12 changed pretty regularly so the team would have
13 to like adjust to plans on a regular basis.

14 Q. When you say the Governor can
15 speak harshly, can you give us an example?

16 A. Sure, he can use the word stupid
17 or incompetent.

18 Q. Did he ever yell at you?

19 A. Yes.

20 Q. Did you ever see him yell at other
21 people?

22 A. Yes.

23 Q. Has he ever cursed at you?

24 A. Yes, I think so.

25 Q. Did you ever see him curse at

JILL DES ROSIERS

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other people?

A. Yes, I think so.

Q. You said he could be harsh, can he also be kind?

A. Definitely.

Q. Have you ever seen him flirt with someone?

A. Yes, I have seen him like be friendly which could come up as flirty.

Q. Describe what that looks like?

A. You know, call them by a nickname or might, you know, like, you know, be really like jokey, I don't know.

Q. What kind of nicknames?

A. You know, nothing anything particularly creative. I think one for me was Jillybean or Jilley. Annabelle was Anna Mae Belle. Alphonso was the Fonz or Fonzy. Those are the types of nicknames that he had for people.

Q. What about in terms of endearment, did he ever use terms of endearment for people on the staff.

A. I heard him use sweetheart or

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darling.

Q. For men and women or just women?

A. I don't think I heard him call a man darling or sweetheart.

Q. Which woman?

A. I heard him use that those two for lots of women.

Q. In the Chamber?

A. Yes. Or like the cabinet.

Q. You said that you have seen him kind of make friendly or flirty jokes, what is the example of that?

A. I can't think of one off top of my head like a specific example. Sorry.

Q. Did you ever hear the Governor make jokes or comments that had sexual content or had sexual innuendo?

A. I probably have.

Q. Can you remember any occasion?

A. I can't think of a specific example.

Q. Sometimes you said you probably have, but you can't think --

A. I'm trying to think of.

JILL DES ROSIERS

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2 Q. Are you saying you probably have
3 because that is something that has happened?

4 A. Yes, you know he would joke about
5 people's dating life, that type of thing.

6 Q. What is an example of that, about
7 joking about someone's dating life?

8 A. He would joke with Dani about
9 whether she had a bad break up and then she was
10 seeing somebody new. How that was going. That
11 type of thing. He would joke with Annabelle
12 when she was dating somebody for awhile who
13 also worked in the office. He would joke with
14 her about that.

15 Q. What do you mean by joked, would
16 the jokes --

17 A. Like teasing more than anything
18 else I would say.

19 Q. When you say Dani, you mean Dani
20 Lever?

21 A. Yes.

22 Q. Annabelle you mean Annabelle
23 Walsh?

24 A. Yes.

25 Q. Did the Governor ever ask you

1 JILL DES ROSIERS

2 about your sex life or make jokes about your
3 sex life?

4 A. No.

5 Q. Did you hear about him joke or ask
6 questions about someone else's sex life?

7 A. I heard him joke about [REDACTED] and
8 whether [REDACTED] was dating [REDACTED], whether he was
9 dating like a bunch of people. I might have
10 heard him tease [REDACTED] about whether he
11 was dating anybody. I don't know if that is
12 specific to your question about sex life, like
13 dating life, I don't know if it ever got to
14 sex.

15 Q. It wasn't uncommon for the
16 Governor to make questions about people's
17 dating life?

18 A. No, was not uncommon.

19 Q. Were you in the office when the
20 Governor received his Emmy award?

21 A. It was around October or November.
22 There was a time in November [REDACTED]
23 [REDACTED] where I was starting to work from home,
24 and there is time period where I had gone from
25 Albany to working in New York City, so I don't

1 JILL DES ROSIERS

2 remember specifically being in the office the
3 day that he got his Emmy, but it is possible.

4 Q. Do you remember the Governor
5 making any comments about the Emmy statute?

6 A. Not that I remember.

7 Q. Have you ever heard the Governor
8 make comments about a person's physical
9 appearance?

10 A. Yes.

11 Q. Tell us about that?

12 A. I've heard him comment sometimes
13 when like on outfits or things like that if we
14 were wearing what he thought was a wacky dress.
15 I heard him comment to like Annabelle and
16 comment to Lindsey. I don't know if it was
17 directly to [REDACTED] or to [REDACTED], I think I
18 heard him call [REDACTED] overweight. [REDACTED].
19 So, yes, to your question.

20 Q. Anything else that you remember
21 specifically?

22 A. Not specifically.

23 Q. And when you said the comments
24 about clothing, that was you said Annabelle
25 Walsh?

1 JILL DES ROSIERS

2 A. Yes.

3 Q. And Lindsey Boylan?

4 A. Yes.

5 Q. The comments to Lindsey Boylan,
6 what do you remember about it?

7 A. I have a vague memory of her like
8 wearing a dress and a big hat and commenting
9 that it was a wacky outfit.

10 Q. What about Annabelle Walsh?

11 A. Similar type of thing. I don't
12 remember exactly. She we dressed down or
13 something and he talked about something like
14 what do you got on today or something look
15 that.

16 Q. What is dressing down mean for the
17 Chamber?

18 A. Dressing down, she had like a
19 sweat shirt on. Maybe a pair of jeans and was
20 going to change into something more business
21 attire.

22 Q. Did the Governor have an
23 expectation that you understood what people
24 should wear in the Chamber?

25 A. I don't know if the Governor had

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JILL DES ROSIERS

Q. Did you wear slacks to the office?

A. Yes.

Q. Did you wear flats to the office?

A. Yes.

Q. Did the Governor ever comment on you wearing slacks in the office?

A. No.

Q. Did you Governor ever comment on you wearing flats in the office?

A. No.

Q. Did you ever hear a discussion among staff of the Executive Chamber about women feeling the need to wear high heels in the office?

A. No.

Q. Did you ever hear any discussion about women feeling the need to wear dresses in the office?

A. No.

Q. If the Governor didn't like what somebody was wearing, would he make that known?

A. Sometimes.

Q. Any other occasions than the ones that you remember specifically with Annabelle

1 JILL DES ROSIERS

2 and with Lindsey Boylan?

3 A. I do remember Andrew Ball wearing
4 flip flops one day. I think he was planning to
5 change them, but the Governor had seen him
6 before he changed them and he certainly made a
7 comment about that. I can't think of more
8 specific examples.

9 Q. What was the comment that the
10 Governor made to Andrew Ball about his flip
11 flops?

12 A. I think it was something like what
13 are you doing wearing flip flops.

14 Q. You said that the Governor had
15 commented about [REDACTED]. What did
16 the Governor say?

17 A. I don't know if it was to him or
18 about him, but I think I heard him call him [REDACTED]
19 before.

20 Q. Putting aside sort of clothing or
21 what you're wearing, have you heard the
22 Governor make comments about anybody else's
23 body?

24 A. I can't think of a specific
25 example.

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JILL DES ROSIERS

Q. Does that mean he has or he hasn't?

A. I think he has. I'm trying to think of another -- think of a specific to share. I can't think of a specific example.

MS. CLARK: Did you ever hear the Governor comment on a women's legs when she was wearing a dress?

THE WITNESS: Not that I can remember. Not that I can remember.

MS. CLARK: Do you have some vague recollection without being able to recall a specific or...

THE WITNESS: Commenting on someone's legs?

MS. CLARK: About them showing some legs or nice to see their legs or anything along those lines.

THE WITNESS: I can't think of a specific example, but I have an a vague memory of him maybe saying somebody was showing legs or something like that.

MS. CLARK: Did you ever observe or hear about the Governor asking a women

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wearing a dress to spin around for him?

THE WITNESS: No, I don't think so.

MS. CLARK: Jen, I will turn it
back to you.

Q. Have you ever looked at
photographs from events with the Governor?

A. Yes.

Q. In looking at photographs from
events, has the Governor ever commented on the
appearance of someone in the photo?

A. Yes. He didn't regularly go
through photos with me. I would likely get
called in to go through photos with him. If
one -- if there was somebody who was incorrect,
like the letter didn't match the photo. I
wasn't the first or second line of -- it was
usually like I could be blamed for that even if
I had never seen it. He would also be
conscience it there was a photo of him that he
didn't like that we are proactively sending
somebody.

Q. So it sounds like you had
occasions where he's commented on how he
looks in a photograph, right?

1 JILL DES ROSIERS

2 A. For sure, yes.

3 Q. What did the Governor not like
4 about how he looked in the photograph?

5 A. Since they were photos that we
6 proactively sending out, if he was making a
7 funny face or was from behind and you couldn't
8 see him or if he didn't look good in it then it
9 in his opinion that there would be no reason
10 that we would be sending that out.

11 Q. What about commenting on other
12 people in the photographs, have you ever heard
13 him do that?

14 A. Like I said, with me it was more
15 along the lines that we screwed something up or
16 either the person was wrong in it or often he
17 would -- the letters and photos and there would
18 be letters for people that attended the event
19 that maybe there wasn't a photo, that he was
20 sure there must have been a better photo or a
21 photo at all. Those would be the ones that he
22 would go through with me. It was not regular,
23 but on occasion.

24 Q. But have you ever heard him
25 comment on the attractiveness of someone in a

JILL DES ROSIERS

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photo?

A. Yes, I think I probably have.

Q. What do you remember about that?

A. I don't think more like she was good looking, along those lines.

Q. How many times do you remember that occurring?

A. Not frequently. Maybe four, five.

Q. Did you ever have an occasion in which you were asked to find a women the Governor had met at an event and use the photograph to do that?

A. To find a woman that the Governor had met at the event and use the photograph to do that?

Q. Yes.

A. Potentially.

Q. What do you remember about that?

A. Sorry, I don't know. I mean it doesn't sound that out off the ordinary, but I can't remember a time doing that.

Q. What do you mean it doesn't sound out of the ordinary, that he would ask you to find --

1 JILL DES ROSIERS

2 A. A man or woman like, who is this,
3 is this somebody that -- it doesn't -- it is
4 not that -- it doesn't sound that odd to me,
5 but I can't think of a specific time that I was
6 asked to find somebody based on a photo.

7 Q. What about finding someone that he
8 met at an event that if he wanted to hire them?

9 A. Yes.

10 Q. Tell us what you remember about
11 that?

12 A. I'm trying to think of [REDACTED]
13 [REDACTED] who worked for us, worked for Tim
14 Kennedy who was a senator in Western New York,
15 she was a lawyer, the Governor asked Alphonso
16 to meet with -- interview her and see if she
17 would be interested in coming to work with us.
18 I think senator at the time had been in like
19 the hold room before an event in Western New
20 York and introduce them and talked about how
21 great she was.

22 Kaitlin [REDACTED], the Governor met at
23 a, I believe a private event and asked for, I
24 don't know, I don't know Stephanie may have
25 asked me to follow up with her and see if she

1 JILL DES ROSIERS

2 would be interested in coming in for an
3 interview.

4 He would see people like or talk
5 to people and pass along to like [REDACTED]
6 who use to work for his father, he saw
7 somewhere or talked to somewhere and he asked
8 us to follow up with him to see if he would be
9 interested in coming to the Chamber.

10 I'm trying to think of more
11 examples. He definitely has done that. I
12 don't know that he has always directly said it
13 to me, it might have been -- in the case
14 [REDACTED], he might have talked to Alphonso and
15 Alphonso pulled me in and she ended up working
16 for us in legislative affairs. In the case
17 Kaitlin I think Stephanie might have talked to
18 me about.

19 Q. Let's put aside Kaitlin for a
20 minute. You said [REDACTED] ended up working
21 in the Executive Chamber?

22 A. Yes.

23 Q. And your understanding that the
24 Governor met her in a green room at an event?

25 A. He met her in an event in Western

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1
2 New York. At the time she worked for a senator
3 in Western New York and the senator had
4 introduced her to the Governor.

5 Q. How long did they interact?

6 A. I don't know, I wasn't at the
7 event.

8 Q. What were you told about what the
9 Governor wanted you to do?

10 A. I believe in that case he or
11 Stephanie had asked Alphonso to follow up.
12 Alphonso pulled me in to interview -- to see if
13 she would be interested in coming to the
14 Chamber and interview her.

15 Q. Is there anything else that you
16 were told about why the Governor wanted to
17 potentially hire her for the Chamber?

18 A. Not that I remember.

19 Q. Putting aside Kaitlin, do you
20 remember ever the Governor asking you to find a
21 woman that he met at an event that had a
22 tattoo?

23 A. I read that in an article. I
24 don't necessarily remember -- I don't remember
25 that.

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Q. You don't remember having any involvement in finding the woman that had the tattoo?

A. I don't remember that. I mean --

Q. Do you remember any event where the Governor commented on a woman's tattoo?

A. I remember that Super Bowl event that was described in that article. I don't remember that.

Q. What do you remember about the Super Bowl event in terms of the Governor's actions with women at that event?

A. It was a casual event at a bar quite a number of years ago, I don't remember exactly. I know the Governor was working the room, I believe with some staff like some community people, labor people. Some of his family I think was there too.

Q. Was the Governor sitting with any women in a booth?

A. I don't remember. I remember that bar, I think it was Dorian's Bar there is a kind of a front area part which is like where I stay most of the time and there is booths

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JILL DES ROSIERS

toward the like the back of the restaurant. So I don't remember watching what he was doing.

Q. Did you see the Governor touch any women at that event?

A. He went around and took photos, yes, I think I saw him put his arm around people when he was taking photos.

Q. When the Governor puts his arm around people taking a photo, where did he put his arm?

A. I've seen him put his arm around people's shoulders. I seen him put his arm around people's waist.

Q. Have you ever seen the Governor put his arm around a woman under her breasts in taking a photo?

A. Like that, I can't do my hands.
(Indicating)

Q. No, like around the back but under near the breast area.

A. Like around the ribs?

Q. Yes.

A. I probably have. I mean yes, I have seen photos of that.

JILL DES ROSIERS

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2 Q. Is there any difference in the way
3 that you see Governor interact with women and
4 men at events?

5 A. I mean putting his arm around men
6 too and kissing them hello. I don't know that
7 I ever seen him put his arm around like by the
8 rib cage of a man. I do he similarly kisses
9 men hello and hugs them like I have seen him do
10 to women at events.

11 Q. When you say kiss, what kind of
12 kiss is it?

13 A. Like a kiss on the cheek.

14 Q. You seen him kiss both men and
15 women on the cheek?

16 A. I have, yes.

17 Q. With the same frequency.

18 A. I don't know that I necessarily
19 been paying attention that closely, but I've
20 seen him both kiss men and women.

21 Q. The men that you have seen him
22 kiss, are they men that the Governor has known
23 or known?

24 A. Yes, I think so, yes.

25 Q. Have you ever seen him kiss a male

1 JILL DES ROSIERS

2 that is a stranger to him?

3 A. No, I don't believe so.

4 Q. Have you ever seen the Governor
5 kiss a woman who is a stranger to him?

6 A. I think I have seen him like at an
7 event or something like. Maybe kiss somebody
8 hello who he might not know.

9 Q. Have you ever heard the Governor
10 ask someone, can I kiss you?

11 A. Not that I remember.

12 Q. Going back to the Super Bowl
13 party. What year was this, the one at
14 Dorian's, the one that you were in the front?

15 A. I don't remember. We had a
16 couple. Maybe 2016 or 2017. I don't remember.

17 Q. What do you know about a women or
18 any women sitting on the Governor's lap?

19 A. I don't know.

20 Q. You never seen a women sit on
21 Governor's lap?

22 A. Not to my memory.

23 Q. You never been told that someone
24 was sitting on the Governor's lap, a women?

25 A. I may have been, I don't remember.

1 JILL DES ROSIERS

2 Q. What do you mean you may have
3 been?

4 A. I don't have a memory of that.
5 What I mean by may have been, did someone tell
6 me that, I don't know.

7 Q. Have you ever seen the Governor
8 touch a woman in a way that she looked
9 uncomfortable?

10 A. I mean certainly in that photo
11 from -- that has been in the press where he got
12 that woman with two hands kissing her, she
13 looked uncomfortable.

14 Q. Any other occasions other than
15 having seen that picture in the press where you
16 saw a woman look uncomfortable with the way the
17 Governor touched her?

18 A. I mean I think I have seen people
19 get pulled in for a photo as I described where
20 he's pulled in somebody around their waist
21 where I thought like they look a little
22 uncomfortable, but I don't know. Yeah..

23 Q. I mean the Governor pulled someone
24 in for a photo and was holding them around
25 their waist or breast area?

1 JILL DES ROSIERS

2 A. Again, the waist rib area, yes.

3 And thinking --

4 Q. Sorry, you thought to yourself.

5 A. They looked a little

6 uncomfortable.

7 Q. Did the Governor on that occasion

8 ask if he could put his hands on that person?

9 A. I don't know.

10 Q. Do you know who that person was or

11 those people were the times that you have seen

12 that?

13 A. No. I mean he kind of works the

14 room at events, either staff or otherwise, so

15 I'm trying to think of concrete examples to

16 give you and I can't think of one. But I know

17 I thought that.

18 Q. On the occasion when you thought

19 that, was it a women or a man that you were

20 looking at?

21 A. A woman.

22 Q. What did she look like?

23 A. I don't remember.

24 Q. Why don't you pull up in your

25 binder. You made reference to a photo that you

1 JILL DES ROSIERS

2 had seen in the press of a woman looking
3 uncomfortable. Can you look at Exhibit 18.

4 (Exhibit 18 for identification,
5 Photos.)

6 Q. Are these the photos that you have
7 seen?

8 A. I think the middle one was the one
9 that was in the press.

10 Q. When say this is -- you remembered
11 a picture of a woman looking uncomfortable when
12 the Governor was touching her, this is the
13 picture that you were referring to?

14 A. Yes.

15 Q. Are there any other occasions --
16 you can put that aside. Are there any other
17 occasions in which you're aware of either
18 because someone told you or because you saw it,
19 the Governor touching someone in a way that
20 made them uncomfortable?

21 A. I can't think of more specific
22 examples for you.

23 Q. Have you ever seen the Governor
24 kiss someone on the lips at an event or in the
25 Executive Chamber?

1 JILL DES ROSIERS

2 A. I don't think so.

3 Q. Do you have any knowledge of the
4 Governor having a sexual relationship with any
5 staff in the Executive Chamber?

6 A. No.

7 Q. Have you ever heard rumors that
8 the Governor was having a sexual relationship
9 with someone who is a staff member in the
10 Executive Chamber?

11 A. I heard rumors.

12 Q. What have you heard?

13 A. There were rumors that he was
14 having a relationship with Senior Staffer #1 and there is
15 rumors that he was having a relationship with
16 Senior Staffer #2.

17 Q. Did you ever discuss those, the
18 rumor about Senior Staffer #1 with Senior Staffer #1?

19 A. She discussed them with me because
20 she were upsetting to her.

21 Q. What did she say?

22 A. We discussed it a few different
23 times of the year. I think one of the first
24 times she had said she had heard from somebody
25 that the New York Times or a different reporter

1 JILL DES ROSIERS

2 was potentially working on a story that they
3 were in a relationship. She asked me -- she
4 was upset. She said it wasn't true. It was
5 upsetting to her because she was married at the
6 time.

7 She heard a similar rumor from
8 like somebody from the senate, similar type of
9 conversation each time there was an article
10 that she was upset about. Insinuate it. That
11 kind of thing. What was that conversation with
12 her about, was it a rumor that I heard and did
13 people think it was true. That type of thing.

14 Q. Did **Senior Staffer #1** ever tell you that
15 the rumor was true or false?

16 A. She had told me it wasn't true.

17 Q. Did she tell you she was not
18 having a sexual relationship with the Governor?

19 A. Yes, she told me.

20 Q. Do you have any reason to believe
21 that that was not true?

22 A. No.

23 Q. Who was the other woman that you
24 said there was a rumor about?

25 A. **Senior Staffer #2** .

JILL DES ROSIERS

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Q. Did you ever discuss that with Senior Staffer #2 ?

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A. Yes, I think I probably did. I think I did. I don't know if they were at the same time. A similar thing type of thing. Unfair rumor and it was not true and it was upsetting to her.

9

10

Q. So Senior Staffer #2 told you it was not true?

11

12

A. Yes.

13

14

Q. Do you have any reason to believe she was not telling you the truth?

15

16

A. No.

17

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Q. Did you ever get any gifts from the Governor?

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A. Yes. He would give like holiday gifts usually to the cabinet, like some sort of fleece or something like with the Governor's office on it. Also I've also gotten one year he gave me this, like for the holidays it was like this old like clock kind of thing with like a inscription about like keeping everybody

JILL DES ROSIERS

1 on time, that sort of thing.

2 Yes, he gave like when I turned 40
3 he and the people, the other folks in the
4 office gave me a bottle of wine. When [REDACTED]
5 [REDACTED] he and the office, it was the Governor
6 and the Chamber sent flowers.
7

8 Q. Did the Governor ever give you
9 perfume?

10 A. No.

11 Q. Did he ever give you makeup?

12 A. No.

13 Q. Do you have any knowledge of him
14 giving perfume or makeup to any other staff
15 members in the Executive Chamber?

16 A. The holiday gifts, yes, I think
17 Stephanie chose them. I think she probably did
18 give makeup one year to somebody. I think that
19 year I got gloves. But, yes, I think -- I
20 can't remember exactly who, but that sounds
21 very familiar to me. I don't remember perfume,
22 but I remember makeup.

23 Q. You can't remember --

24 A. It might have been Dani Lever.

25 Q. You said that Miss Benton chooses

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the gifts. How do you know that?

A. Because I talked to her about it. I don't know if they coordinate, but I differently talked to her about it, about that.

Q. Circling back to Senior Staffer #2 and Senior Staffer #1. I asked you if you had any reason to believe that the rumors about them having a sexual relationship with Governor and you said no.

Have you ever seen Senior Staffer #1 have any physical contact with the Governor?

A. Yes, I have seen him -- I have seen them take photos, I have seen him put his arm around her. I seen him put his hand on her back as we they were walking around. They would walk around a bunch together.

Q. Have you ever seen him hold her hand?

A. Not that I remember.

Q. Did you ever see him kiss her?

A. Yes, I think I have.

Q. Describe the kisses?

A. Like a kiss on the cheek, hello.

Q. You have seen him kiss her on the

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JILL DES ROSIERS

mouth?

A. No.

Q. On the forehead?

A. I don't think so, but --

Q. What about **Senior Staffer #2**, have you ever seen any physical contact between **Senior Staffer #2** and the Governor?

A. Yes, probably similar to **Senior Staffer #1**. I have seen him kiss her hello, I have seen him take photos with her and while he is walking he would put his hand on their back to let them go in front of him or something like that.

Q. And the kissing you said it would like with **Senior Staffer #1**, he would see the Governor kiss her on her cheeks?

A. Her.

Q. Did you ever see him kiss her on the lips?

A. No.

Q. Or anywhere else?

A. Not that I remember.

Q. Did anyone ever tell you that they had seen the Governor and **Senior Staffer #1** engaged

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1
2 in physical contact beyond what you just
3 described? Saw them kissing each other or saw
4 them touching each other in different way other
5 than what you described?

6 A. There was a rumor but I didn't
7 hear directly but that I heard somebody in the
8 office had seen them laying on a couch together
9 and I think I heard that at the time from

10 [REDACTED].

11 Q. Did he tell he's the one that saw
12 that?

13 A. No, he said one of the former
14 executive assistants saw it.

15 Q. Did he tell you which executive
16 assistant?

17 A. Her name is [REDACTED].

18 Q. Did he tell you anything else
19 about what [REDACTED] had seen?

20 A. He told me she saw them laying on
21 the couch.

22 Q. Which couch?

23 A. In the New York City office.

24 Q. How were they laying?

25 A. I don't know that I got that level

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1 of detail.

2 Q. What did you say back to [REDACTED]
3 when he told you that?
4

5 A. I don't remember.

6 Q. Did you tell anybody else about
7 that conversation?

8 A. Yes, I don't know if [REDACTED] did or
9 I did first, but Senior Staffer #2 and then later
10 Senior Staffer #1

11 Q. What did you say to Senior Staffer #2?

12 A. Just that -- just what I knew
13 which is [REDACTED] claims she saw them
14 laying on couch.

15 Q. What did Senior Staffer #2 say?

16 A. She didn't believe it.

17 Q. Did she say I don't believe it?

18 A. I don't remember exactly what she
19 said. But, yes, I believe that was the spirit
20 of what she said.

21 Q. Why did you tell Senior Staffer #2 about
22 it?

23 A. [REDACTED] at the time worked under
24 Senior Staffer #2. I don't remember exactly why I told
25 her at the time, but I think just to make her

JILL DES ROSIERS

1
2 aware of what the rumor was. For her in the
3 front office.

4 Q. You spoke to Senior Staffer #1 ?

5 A. At some point and I'm not sure if
6 did or I did, but yes, at some point.

7 Q. Tell us what you remember about
8 the conversation with Senior Staffer #1 ?

9 A. I remember, again, telling her
10 about the rumor and that I believe at the time
11 she said that it wasn't true.

12 Q. Anything else in that conversation
13 with Senior Staffer #1 ?

14 A. Not that I remember. Sorry.

15 Q. Do you know if anyone spoke to
16 about what she saw?

17 A. I don't know.

18 Q. Was any action taken?

19 A. I don't know.

20 Q. Who would know?

21 A. I'm sorry, I don't know.

22 Q. Was the Governor ever told?

23 A. I don't know.

24 Q. You never discussed that with
25 Senior Staffer #1 ?

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A. No.

Q. You never discussed that with Senior Staffer #2?

A. No.

Q. Are you aware of any other occasions on which someone observed or believed that they saw Senior Staffer #1 and the Governor engaged in physical contact or contact that was more than what you had described in terms of handshaking and kisses on the cheek?

A. I have seen them having dinner or lunch or something together. Like at Docks restaurant downstairs and I have seen them sitting closely.

Q. You're talking about the photographs that were in the New York Post?

A. I don't know where they were.

Q. The photographs that were in the newspaper of them sitting closely?

A. Yes.

Q. Did you discuss those photographs with anyone?

A. I don't think so.

Q. No one in the office talked about

1 JILL DES ROSIERS

2 those photographs?

3 A. I wasn't in the office when those
4 photographs came out.

5 Q. So you haven't been involved in
6 any conversations about those photos?

7 A. I don't remember having a
8 conversation about those photos.

9 Q. Other than those photos and [REDACTED]
10 [REDACTED] saying she saw them, **Senior Staffer #1** and the
11 Governor laying on couch together, any other
12 information that you heard or became aware of
13 about the Governor and **Senior Staffer #1** having
14 physical contact or a relationship beyond
15 professional?

16 A. Not that I remember. But like I
17 said, there were rumors that were always kind
18 of circulating about them, yes.

19 Q. Did you ever see them interact --
20 I asked about physical contact did you ever see
21 them interact in a flirtatious way?

22 A. Yes, I think I probably have.

23 Q. Tell us about that?

24 A. Just I'm trying to think of
25 examples. Just like friendly, jokey -- I can't

1 JILL DES ROSIERS

2 think of more specific examples.

3 Q. Did they sometimes use baby talk
4 to talk to each other?

5 A. Not that I heard.

6 Q. You look a little taken aback.

7 A. I'm trying to imagine Senior Staffer #1
8 doing baby talk with the Governor.

9 Q. Do you think that would be
10 appropriate in the workplace?

11 A. Using baby talk, no.

12 Q. Anyone else that you can
13 specifically -- I know you said that the
14 Governor can be flirtatious, anyone that you
15 specifically remember the Governor being
16 flirtatious with in the Executive Chamber?

17 A. No one specifically. I mean --

18 Q. Would you flirt with men and
19 women?

20 A. I don't know that I remember him
21 flirting with men.

22 Q. Are there any things that the
23 women who he flirts with have in common?

24 A. No.

25 Q. Did they all look a certain way or

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JILL DES ROSIERS

similar.

A. Not really.

Q. Did you ever discuss that the Governor prefers women that have blonde hair?

A. Yes, I think folks joked about that because Sandra and Kerry were both blonde, Kerry Kennedy.

Q. Any other reason other than the jokes that the Governor ever flirts more with women that were blonde?

A. Not specifically that I remember.

Q. When you were looking at photographs of the Governor you said there were occasions in which he would say someone is attractive. Did any of the women that he said were attractive, did they have anything in common? Did they look a certain way?

A. I don't remember.

Q. Look at Exhibit 20.

(Exhibit 20 for identification, Text message between Miss DesRosiers and [REDACTED] [REDACTED].)

Q. You need to look at the front and back to get the full chain. Each line of your

1 JILL DES ROSIERS

2 text messages got printed out on one page.

3 This is text message between you and [REDACTED]

4 [REDACTED] ?

5 A. [REDACTED] used to work with
6 us in the Chamber overseeing like the speech
7 team and now is a consultant. This text is
8 like a day or a day and a half after I [REDACTED]
9 [REDACTED]. So I did see this when my
10 lawyer was showing me this before, but I
11 definitely don't remember getting it.

12 Q. Your don't remember getting it.
13 You see the line where she says and she is not
14 even a blonde?

15 A. I see that.

16 Q. That is referring to Lindsay
17 Boylan, do you see that?

18 A. I see that.

19 Q. What do you understand that to
20 mean?

21 A. I believe [REDACTED] is a trying to
22 make a joke that he couldn't have liked
23 Lindsay, she is not even a blond. That is what
24 I take that to mean. But again --

25 Q. The rumor is that he prefers

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blondes, right?

A. That is what her joke is, yes.

Q. You can put that aside.

Did you ever tell anyone that the Chamber would never hire a man for the briefer role?

A. Not that I remember. We did higher [REDACTED] who was a man.

Q. How many men filled the briefer role in your time in the Chamber?

A. [REDACTED] may have been the only man as part of that team.

Q. And that is from when you started in the Chamber to today?

A. Yes, I'm trying to think if there is anybody that I'm not thinking of.

Q. Does the Governor have a preference for having women on the briefing team?

A. No.

Q. Is there a reason only one man was on the briefing team in your time in the Chamber?

A. When I focused on the team I tried

1 JILL DES ROSIERS

2 to involve them in the hiring process to meet
3 with potential candidates to present options.
4 They did end up being women for most of the
5 time except for [REDACTED].

6 Q. Who were the people that you were
7 presenting options to?

8 A. For instance when we were placing
9 someone on the team, you know, [REDACTED]
10 went to law school, I would have them, the team
11 work with the appointment folks and do a first
12 round of interviews and they would present me
13 with options of people.

14 Q. When you say the team, that's the
15 debriefing team?

16 A. Yes.

17 Q. Who supervises the briefing team?

18 A. That also changed over time. The
19 director of scheduling generally and that falls
20 under me. So ultimately on the briefers I
21 would make decisions on who to hire when I was
22 overseeing that part. When I first came in
23 there was already a person doing that so the
24 day after [REDACTED] left.

25 Q. At some point did you stop being

1 JILL DES ROSIERS

2 the person that oversees the briefers?

3 A. The briefing team is within my
4 portfolio, but at some point yes, when
5 Annabelle was the director of scheduling she
6 more directly oversaw them although they were
7 always under my portfolio. I was responsible
8 for them.

9 Q. During the course of your
10 employment in the Chamber did you have any male
11 candidates for the briefer role?

12 A. Yes.

13 Q. Do you remember why they were not
14 chosen?

15 A. We found stronger candidates.

16 Q. Do you remember specifically what
17 was not strong about any of the male candidates?

18 A. I don't remember. I'm sorry. I
19 don't think it is fair to say they were not
20 strong, but...

21 Q. I want to you to be -- your next
22 break was at 1 you said?

23 A. I believe we said 1:30.

24 Q. I thought it was 1. Are you okay
25 to go for another 25 minutes and we will take a

JILL DES ROSIERS

1

longer break?

2

3

A. Yes.

4

Q. Did you ever hear the Governor
comment or discuss his hand size?

5

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A. Yes, I think I have.

7

Q. What have you heard him say about
his hand size?

8

9

A. I think it was around the time
when like there was a whole thing with Trump
and the debates and his hand size. I think I
heard him say he has big hands, like in that
context.

10

11

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Q. Was the Governor making any
innuendo or comparison between the size of his
hands and the size of his penis?

15

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A. I mean I think that -- yes. I
think that was the general context of the whole
Trump thing. He was saying it too, yes.

18

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Q. Who else was there when that was
said?

21

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A. I don't remember.

23

Q. How many times did that happen?

24

A. Maybe a couple.

25

Q. I earlier ask you if ever heard

1 JILL DES ROSIERS

2 the Governor use sexual innuendos or makes
3 jokes of a sexual nature and I think you said
4 probably, but you couldn't remember anything
5 specific.

6 Have you now refreshed your
7 recollection about that?

8 A. Yes, I guess this would be a
9 specific example, yes.

10 Q. Can you now remember any other
11 examples?

12 A. Not that I remember, I'm sorry.

13 Q. Did the Governor have a cigar box
14 in his office in Albany?

15 A. Yes.

16 Q. Have you ever heard him talk about
17 that cigar box?

18 A. Yes.

19 Q. What has he said?

20 A. He has a number of, including that
21 things that he was given during the Clinton
22 administration. I heard him and I think when
23 he -- one of things that I seen him do when
24 people come in for a meeting or inside or
25 outside people he walks around the room showing

1 JILL DES ROSIERS

2 them the things in it, either pictures of his
3 daughters or for instance the cigar box. I
4 have certainly seem him, next to it a bowl that
5 he got during Clinton administration. I you
6 seen him show both to lots of people.

7 Q. Have you ever heard him make
8 any sexual innuendos or sexual jokes about the
9 cigar box?

10 A. I don't think I have.

11 Q. Has someone ever told you that
12 they heard him make a joke about the cigar box?

13 A. No, I think it was one of the
14 things that I read in Lindsey Boylan's article
15 or essay.

16 Q. I may have asked you this, but
17 just to make sure, because I don't have a
18 running transcript in front of me. I believe
19 you said you heard the Governor make jokes of a
20 sexual nature. Has anyone ever told you of
21 jokes of a sexual nature that the Governor
22 made?

23 A. Not that I remember.

24 Q. Has anyone ever told you that the
25 Governor asked about their sex life or their

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sex drive?

A. I think [REDACTED] told me that the Governor asked him about his sex life. Sex drive.

Q. What do you remember [REDACTED] telling you?

A. I think it was after [REDACTED] worked there. I think he told me something about the Governor calling him back and asking him -- calling him back to the office and I don't know if it was like how long has it been since he had sex or something along those lines. Something like that. I don't remember exactly.

Q. Do you remember [REDACTED] telling you anything else about what the Governor said about sex or how long it had been since [REDACTED] had sex or why it had been so long?

A. I don't remember.

Q. Are there any other occasions on which someone told you that the Governor had said something to them that was related to sex, of a sexual nature or related to their physical appearance?

A. At some point Charlotte had come

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2 to me and talked to me about inappropriate or
3 what she thought were uncomfortable
4 conversations. Charlotte Bennett.

5 Q. Putting aside Miss Bennett.
6 Anything one else?

7 A. Not that I remember.

8 Q. Did anyone ever complain to you
9 or come to you concerning that they had been
10 treated hostilely or bullied in the Executive
11 Chamber?

12 A. We were, like I described to you,
13 it was a really tough environment and we would
14 regularly or we would -- the Governor would be --
15 could be very harsh to us and yeah, I think we
16 would complain to each other when that
17 happened. No one formally complained to me,
18 but yes, there -- we would kind of go through
19 these bad meetings or bad conversations and
20 everybody would walk out together and convene
21 and complain and try to figure out how to move
22 on. So, yes.

23 Q. Who were the people that you're
24 talking about, who were sort of complaining to
25 one another?

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A. A lot of the kind of scheduling and events operation folks were and Andrew Ball Annabelle, myself, we are kind of regularly in that group and then depending on if there were and Dani Lever, depending on if there were other people involved in the conversation, it would be others as well.

Q. Those are kind of all members of senior staff. Like in my mind those are members of senior staff; Mr. Ball, Miss Walsh, you?

A. Yes, in the senior staff meetings yes.

Q. You're talking about coming out of a senior staff meeting and complaining about --

A. There was an events meeting or a conversation, yes.

Q. What about any members of the junior staff, did any members of the junior staff ever come to you to complain about being bullied or treated hostilely in the Executive Chamber?

A. I had an open door, the junior staff -- yes, they probably -- yes, sometimes

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2 folks with would come in and complain. Be it
3 like by another staff person or -- yes. Like I
4 said it could be a great exhilarating
5 environment, but it could be pretty intense.

6 Q. Can you remember any specifics
7 about who came to complain to you about being
8 treated hostilely or being bullied among the
9 junior staff?

10 A. I don't know if anybody said they
11 were treated hostilely or bullied, but they
12 certainly -- you know, [REDACTED] who was in
13 charge of the constituency affairs would
14 sometimes complain that Andrew Ball was being
15 hostile to him. Sometimes, I had a staff
16 person [REDACTED] who complained to Dani and I
17 her supervisor at the time [REDACTED] was
18 overseeing her for some portion of what she was
19 doing was being tough on her about her
20 deadlines. I'm trying to think, some folks
21 would. I don't know if they complained
22 directly to me, but some folks would complain
23 even Melissa or Linda could be harsh.

24 Q. In what way could Melissa or --
25 start with Melissa, Melissa be harsh?

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A. She was very direct and was under a lot of pressure herself to get things done. She would either verbally or in e-mail tell you when they weren't doing their job or if they were doing something stupid.

Q. Did she yell at people?

A. Yes.

Q. Did she curse at people?

A. Yes.

Q. When people came to you to raise concerns about the way Melissa DeRosa was treating them, what did you do about it?

A. I don't know that anybody specifically -- sometimes that was part of the conversation, getting yelled at or being told you were stupid and in those cases there would be amongst the folks on the call you kind of try to pick either push back on the conversation or try to figure out what needs to be done to address that issue.

Sometimes I tried to help whatever person it was -- I'm trying to think of specific examples other than -- you just in general I would try to help people kind of work through

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2 whatever the issue was that they came to me.
3 If it was something because the deadline was
4 unreasonable, try to help them work with that
5 or something like that.

6 Q. You said try to think of specific
7 examples other than, other than what? Did you
8 have an example in mind?

9 A. Talking about ones that I wasn't
10 involved in the receiving end of the yelling as
11 well and trying to think of an example where
12 someone came to me specifically versus just
13 kind of as a group we are complaining this is
14 unfair.

15 Q. Did you ever speak to Miss DeRosa
16 about her behavior?

17 A. I'm sure I have at some point.

18 Q. Tell us about those discussions?

19 A. You know, I -- sometimes I would
20 tell her when she was being too harsh on
21 someone.

22 Q. Anything else?

23 A. No.

24 Q. You said that Miss Lacewell that
25 you heard people complain about the way that

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1 Miss Lacewell treated them. What were those
2 issues?
3

4 A. Sometimes she could have an
5 abrasive way of talking to folks. She had been
6 at some point involved with when she was
7 working in the Chamber, involved with kind of
8 an event operation and making sure that we were
9 following any like legal guidelines or things
10 like that and she would sometimes just be kind
11 of aggressive to make her point with some folks
12 which, you know, made people upset.

13 Q. Did it make people cry?

14 A. Yes.

15 Q. Did Miss DeRosa ever make people
16 cry?

17 A. I think she probably did.

18 Q. Did the Governor ever make people
19 cry?

20 A. Yes.

21 Q. Did he ever make you cry?

22 A. Yes.

23 Q. Miss DeRosa ever make you cry?

24 A. No, I don't think so.

25 Q. Did Miss Lacewell ever make you

JILL DES ROSIERS

1
2 cry?

3 A. Yes.

4 Q. Can you tell us about what
5 happened then, if there was more than once?

6 A. I'm trying to think. She could
7 make you feel stupid at times when she is
8 making her point. And I don't think that I
9 often cried. I would same there was a
10 similarity, but I can't think a specific
11 instance, but like working 24/7 and somebody
12 makes you feel stupid, you can get to the point
13 where you cry.

14 When I first worked in the office
15 and learning how things worked and things like
16 that, I do think she made me cry once or twice.

17 Q. What about the occasions on which
18 the Governor made you cry, tell us about those?

19 A. Similar, like I said, he is very
20 focused on events and the schedule operation.
21 There would be times where we have success and
22 there would be lots times even the smallest
23 detail or you didn't have the right information
24 for him and you would be just made to feel
25 really stupid and told that you're stupid.

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Q. We have a couple of minutes left.
We talked about nicknames earlier.

MS. CLARK: Can I jump in?

MS. PARK: Yes.

MS. CLARK: When you told Miss
DeRosa on occasion that you thought she was
being harsh, how did she respond?

THE WITNESS: I think she thought
about it and I don't remember her pushing
back on me when I said it.

MS. CLARK: Did you ever notice any
change in her behavior after you spoke to
her about being too harsh?

THE WITNESS: Yes, I think so.

MS. CLARK: How long did it last.

THE WITNESS: Sorry, I cut you off.
I didn't mean to cut you off.

Yes, she would take in, like if
you came to her and said I think you're
being harsh, she would take it in and I
think she would change her behavior. How
long did it last? I don't want to make it
seem like she was always harsh to people,
because she wasn't. She was demanding,

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2 but. It is not fair to say that -- I think
3 in that moment you could have a
4 conversation with her and it would get her
5 thinking about it and she probably would
6 change. I don't have a good answer to your
7 question. But I do think she would take
8 the feedback and act on it. And I can't
9 say that I had that conversation a lot of
10 times and I can't say she was always harsh
11 to people.

12 I reported to her, she was my
13 supervisor but we were also friends, so you
14 would go to her and say I thought that she
15 was being harsh.

16 MS. CLARK: About how many times
17 did you do that.

18 THE WITNESS: Probably a handful.

19 MS. CLARK: More than five?

20 THE WITNESS: Probably a little more
21 than five.

22 MS. CLARK: Thank you, Jen.

23 Q. Did you ever have a similar
24 conversation with Miss Lacewell, you gave her
25 feedback?

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2 A. No.

3 Q. Why not?

4 A. I didn't have that relationship
5 with Linda where I felt I could do that. I
6 don't remember doing that.

7 Q. Did you ever have a conversation
8 with the Governor where you gave him feedback
9 about being harsh with people?

10 A. I certainly stood up for myself
11 and my team on occasion. Yes.

12 Q. What does standing up, what does
13 that look like, what does it sound like?

14 A. It is when something was unfair or
15 I thought it was not a rational response to
16 whatever happened or if I thought the facts
17 weren't correct, that he would be seeing it
18 wrong, you know, we got more comfortable with
19 it over time as I worked in the office, but I
20 would tell him.

21 Q. Did you ever tell him he shouldn't
22 yell at people?

23 A. I don't think I ever told him
24 that.

25 Q. Did you ever tell him that he

JILL DES ROSIERS

1 shouldn't curse at people?

2 A. No, I don't think I ever told him
3 that.
4

5 Q. Did you ever tell him that he
6 shouldn't belittle people, call them stupid,
7 things like that?

8 A. I think I more said to whomever he
9 was talking about, they are not stupid, don't
10 call them that. Yes. Or I'm not stupid, don't
11 call me that.

12 Q. One last series of questions real
13 quick. Have you ever heard the term "mean girls"
14 used in Executive Chamber?

15 A. Yes.

16 Q. Tell us what it means and who you
17 heard it from?

18 A. I heard it from both Andrew Ball,
19 the Governor. I think it was meant as a way to
20 describe me, Melissa, Stephanie, Annabelle and
21 Dani who they felt like were very clicky and
22 was a moniker I think that was meant to
23 irritate us.

24 Q. Who came up with it?

25 A. I don't remember. It could have

1 JILL DES ROSIERS

2 been Andrew Ball. It could have been -- I
3 don't know. I don't remember who came up with
4 it originally.

5 Q. Could it have been the Governor?

6 A. He definitely used it. I guess it
7 could have been, I don't remember.

8 Q. What do you think it conveyed to
9 more junior staffers calling you and the other
10 women that were members of the senior staff
11 mean girls?

12 A. It was a nickname. I attempt to
13 be nice and open to everybody on the staff, so
14 what do I think it conveyed, we were this
15 clicky group of people which we did spend a lot
16 of time with each other, but I don't think it
17 conveyed the right message.

18 Q. Did you ever tell that to the
19 Governor?

20 A. Yes.

21 Q. What did he say?

22 A. Again, in that moment because I
23 think I did say it once in anger that it was
24 being used. I think at this moment he didn't
25 use it again, but I think in the future he did.

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Q. Do you remember what you said to him?

A. Do I remember what I said?

Q. Yes.

A. Yes. I don't remember what the meeting was about, he said something like, here we go again, the mean girls. I said something like I'm not a mean girl. I hate when you say that. I'm one of the nicest people on the staff. Like cut it out and something along those lines and it kind of got dropped in that conversation.

Q. But then he said it again in other contexts?

A. I think so.

Q. In front of other people?

A. I think so, yes.

Q. Is that the only time that you ever said anything to him about using the term mean girls?

A. I think a few times I said something about that name, that nickname.

Q. Did any of the other women who were part of the senior staff that he referred

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to as mean girls say anything to him to your knowledge about the use of that term?

A. I don't know.

Q. Did you ever talk to any of those other women about what they felt about the use of that term?

A. I think I probably talked to Dani and Annabelle about hating it and I think they agreed.

Q. Do you remember anything else that either Annabelle or Dani said about the term mean girls?

A. Not really, no.

MS. PARK: We are past 1:30, unless Anne you have questions about the use of that term?

MS. CLARK: No, I'm good, thank you.

MS. PARK: Let's take our break.

THE VIDEOGRAPHER: The time on video monitor is 1:38 and we are off the record.

(Lunch recess taken at 1:38 p.m.)

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2 time. She also previously had worked for
3 Congressman [REDACTED].

4 I remember at the time [REDACTED]
5 [REDACTED]'s chief of staff had reached out and
6 said what a great hire she would be. We
7 brought her on to the Chamber, I don't remember
8 the exact date. It was the first position that
9 she was brought on was working in the New York
10 City office assisting with staffing the
11 Governor.

12 It was a time period where
13 Stephanie had been coming down pretty regularly
14 working out of the New York City office and we
15 were like looking for somebody who could be
16 someone who potentially could grow so that
17 Stephanie didn't have to come down from Albany
18 as much. We were spending a lot of time in the
19 city.

20 Q. Going backwards a little bit. In
21 the description that you just gave us, you said
22 Miss Benton had asked you to reach out to
23 interviewed after the Governor met her at an
24 event with her prior employer.

25 Did you know anything about why

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JILL DES ROSIERS

Miss Benton or the Governor wanted you to reach out to her to potentially hire her?

A. I don't, I don't remember exactly the conversation. I think at the time I had thought it was somebody good -- no, I don't remember the conversation. We are always looking for people that have experience and she worked for a congressman and for a lobbying firm.

Q. Before you reached out to her or before you interviewed her, what did you understand the Governor knew about her from meeting her at that event?

A. My understanding is that he knew she was working for [REDACTED]. I'm not sure if I found out in the interview process or if I knew beforehand she worked for the congressman as well.

Q. Did you know anything about whether Kaitlin [REDACTED] provided her resume to the Governor at the event where they met?

A. I don't believe she did.

Q. How long did the meeting between the Governor and Kaitlin [REDACTED] at the event last?

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2 A. I don't know, I was not there.

3 Q. Did you ever speak directly to the
4 Governor about him meeting Kaitlin at this
5 event?

6 A. I don't think I did. I think
7 Stephanie was relaying it to me.

8 Q. Did Miss Benton tell you what
9 Kaitlin's name was?

10 A. I don't remember the conversation
11 at the time, but -- I don't remember. I think so.

12 Q. Why don't we look at a document
13 maybe it will help refresh your recollection a
14 little bit. It is Exhibit 22.

15 (Exhibit 22 for identification,
16 Printout from Google Hangouts Messages.)

17 Q. If you look on the second page it
18 is messages from December 13th, do you see
19 that?

20 A. Yes.

21 Q. This is a printout from Google
22 Hangouts Messages, what is Google Hangouts
23 Messages?

24 A. I think it is G Chat.

25 Q. Do you use G Chat to communicate

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1
2 with other members of the Executive Chamber
3 staff?

4 A. Not regularly, but it seems like I
5 did here.

6 Q. Anyone else other than Miss Benton
7 who you used G Chat to communicate with at the
8 Executive Chamber staff?

9 A. I don't remember, but you believe
10 it was searched through when my phone was
11 imaged. I don't, I'm sorry.

12 Q. That's okay. Do you know if there
13 are any rules or policies regarding the use of
14 personal e-mail for state business?

15 A. Yes, you're supposed to use your
16 state e-mail for state business and vice-versa.

17 Q. Are there occasions where you used
18 your personal e-mail or personal chat for state
19 business?

20 A. Yes, I think there probably were.

21 Q. So this is Google Chat it has a
22 bunch of dates on it, but on the second page
23 there is chat from you to Miss Benton on
24 December 13, 2016 at 8:41 p.m. and you say,
25 "Can we ask if this is who he meant?" And then

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2 there is a link to what looks like the [REDACTED]
3 [REDACTED]'s website to Kaitlin [REDACTED]'s profile.
4 Do you see that?

5 A. I see that.

6 Q. Does this help refresh your
7 recollection as to whether Miss Benton told you
8 that the Governor knew her name?

9 A. Honestly, not really. I don't
10 know -- I don't know.

11 Q. Do you remember Miss Benton
12 replying to this?

13 A. I don't remember.

14 Q. Did you have a picture of [REDACTED]
15 Kaitlin [REDACTED] that you were working from from the
16 event?

17 A. I don't remember. I don't
18 remember if they told me it was somebody that
19 worked for [REDACTED]. I honestly don't
20 remember.

21 Q. And you said that you interviewed
22 Kaitlin [REDACTED]; is that right?

23 A. Yes.

24 Q. Was it unusual for the Governor to
25 ask you to find someone and interview them that

1 JILL DES ROSIERS

2 he had met at an event?

3 A. I don't think it happened that
4 frequently, no.

5 Q. Do you remember discussing
6 Kaitlin's appearance in relation to her
7 receiving an interview from the Executive
8 Chamber?

9 A. No.

10 Q. Tell us about your interview with
11 Kaitlin?

12 A. I can't say I remember exactly the
13 interview. I interviewed lots of people. We
14 talked about her experiences working for the
15 congressman and I think she recently joined her
16 current position and we talked about the office
17 and what we were looking for help with is my
18 memory. But again, I don't really remember the
19 conversation in detail.

20 Q. Do you remember what the title was
21 of the position she was interviewing for?

22 A. I believe it was a deputy to
23 Stephanie. I don't remember the exact title of
24 it.

25 Q. If I told you it was deputy

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director of the Governor's office, does that sound right?

A. Yes, Stephanie is the director of Governor's office, so that would make sense.

Q. What were **Kaitlin**'s qualifications to be the deputy director of Governor's office?

A. A person in that role is in charge of assisting Stephanie in staffing the office. So it is helpful that they have some experience with, general experience with kind of government and have some sense of kind of who is who. We like all the positions in the office, we were looking for hardworking people who want to make change and get involved in government. That is kind of the main thing that we are looking for.

After the interview I got a call from the congressman's office, we would be crazy not to hire her. She would a great get and how much they loved working with her. I think the things that we generally talk about in the interviews for folks for the positions is that they are detailed oriented. That they

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2 are used to kind of juggling things because it
3 can be a little chaotic at times with a lot of
4 incoming, that type of thing.

5 Q. Did Kaitlin in the interview
6 with her ever express any concerns about how
7 she had come to be interviewed by you?

8 A. I don't remember exactly. I do
9 believe she was a little surprised we reached
10 out, but I don't remember exactly what she
11 said.

12 Q. Do you remember any reason she
13 gave for why she was surprised?

14 A. I don't remember the exact
15 conversation.

16 Q. Do you remember anything generally
17 about the conversation why she was surprised?

18 A. I believe, again, I don't remember
19 the exact conversation. I believe because we
20 reached out to her versus the other way around.
21 I think she was surprised. She wasn't applying
22 for a position, but we were reaching out if she
23 would be interested in an interview.

24 Q. Did she ever say anything about
25 how she met the Governor to you?

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2 A. I don't remember. I mean it is
3 possible that she told me she met him at an
4 event, but I don't remember.

5 Q. Was there any connection between
6 her saying I met him at an event and her
7 surprise of being called for an interview?

8 A. Yes.

9 Q. Did she tell you how long she
10 spent with the Governor at that event?

11 A. Not that I remember.

12 Q. Did she tell you that she had
13 taken pictures with the Governor at that event?

14 A. I don't remember.

15 Q. Anything else that you can
16 remember about the interview with her?

17 A. I don't know if it was in the
18 first interview, but one of the conversations
19 she talked a little bit about how she was
20 working multiple jobs, so this was going to --
21 we talked a little bit about salary, how that
22 would allow her not have to work multiple jobs.
23 She was looking forward to that I remember. We
24 talked a little bit -- I don't remember the
25 exact conversation in the interview.

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Q. What do you remember about her salary?

A. Her salary was around -- was less than Stephanie's because she was a deputy to Stephanie. But it was I remember it being over \$100,000.

Q. How did that compare to other people with similar experience to her?

A. Probably on the higher end of that.

Q. Who had a role in determining what her salary would be?

A. I did, Stephanie did, I'm not sure exactly who else at the time we talked to whether it was -- I'm not sure if Linda was still working there at the time or anybody else on the appointments or [REDACTED] on the administrative front. I just don't remember.

Q. Did the Governor have any role in determining what her salary would be?

A. Not that I knew of.

Q. Could you have said no to hiring her?

A. Yes.

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Q. You weren't instructed by the Governor to hire her, you were just instructed to interview her?

A. To bring her in and see if she would be interested in coming in for an interview.

Q. Did you ever talk to the Governor directly about hiring Kaitlin ?

A. I don't remember, but I don't think I did.

Q. Do you remember when Kaitlin started?

A. I don't. I mean --

Q. Do you remember telling her that she needed to be present at a -- I'm sorry.

MS. HOGAN: I don't think she was finished

Q. Sorry, I didn't mean to cut you off.

A. I think we hired her pretty quick after the interview process. I don't remember when. It is -- I mean it is also -- I don't remember these dates, but around December is like around we are working on the State of the

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State and the budget and there is a need for more people, so we probably moved quickly. I just don't remember the dates.

Q. Do you remember her first day of work being assigned to attend a New Year's Eve event?

A. No.

Q. Do you remember her being at a New Year's Eve event at the Second Avenue subway?

A. I don't remember her specifically there. There were like a thousand people there. It was one of kind of all hands on deck event. We had taken over a couple of subway stations of the not open subway, it is certainly possible that she was assigned to help us out with that. Much of the staff worked that event.

Q. December 13th is the Gmail chat between you and Miss Benton, and Kaitlin hasn't been interviewed yet. Assume that her first day of work was December 31st, of that year, was that process quick for the Executive Chamber?

A. That process is pretty quick.

1 JILL DES ROSIERS

2 Like I said, during the State of the State
3 process we were always looking for new people
4 to bring onboard. That is pretty quick for an
5 appointment process.

6 Q. Can you remember anyone else that
7 had an appointment process that was about two
8 weeks?

9 A. Yes. We brought on some new
10 members of the health team during like COVID
11 and that, I think it was two, three weeks. We
12 had some speech writers who came onboard
13 quickly when we needed more people. There are
14 certainly instances where we ask people to
15 start quicker.

16 Q. I didn't understand that word, it
17 sounds like C traders?

18 A. Speech writers.

19 Q. What about the background check
20 process, when it happen this quickly what
21 happens with the background check process?

22 A. Sometimes it is expedited and you
23 can get it done quickly. If you know and the
24 person you need the person to start. Sometimes
25 portions of it will be complete and then the

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2 hiring would be contingent on the rest of the
3 background being complete. Which would need to
4 be signed off by counsel's office for somebody
5 to start before their background was complete.

6 Q. So someone would have, in counsel
7 office would have to sign off for **Kaitlin**
8 starting because her background process
9 couldn't have been complete in two weeks?

10 A. I don't know. Like I said,
11 sometimes things were expedited in the
12 background process and you could get it done
13 quickly. If they weren't and she started
14 before her background was complete, yes, in
15 order to get an e-mail and get started without
16 having the background process, somebody would
17 have to sign off on that in the counsel's
18 office.

19 Q. Once **Kaitlin** started working
20 in the Executive Chamber, you said her first
21 position was as deputy director. Did you ever
22 observe her interacting with the Governor?

23 A. Yes.

24 Q. Tell us what you observed?

25 A. She was working with Stephanie on

1 JILL DES ROSIERS

2 staffing, helping to place phone calls,
3 organize meetings, that sort of thing.

4 Q. Did you ever see the Governor
5 flirt with Kaitlin ?

6 A. I think he was very nice to her
7 when she started. I'm trying to think if I -- not that I
8 remember. But...

9 Q. Did they have occasion on which
10 they would be alone in his office?

11 A. They might have.

12 Q. It's possible?

13 A. It's possible, yes.

14 Q. Did you ever see the Governor
15 touch Kaitlin ?

16 A. I don't remember.

17 Q. Did you ever see the Governor kiss
18 Kaitlin ?

19 A. Not that I remember.

20 Q. Did you ever see the Governor hug
21 Kaitlin ?

22 A. Not that I remember.

23 Q. Putting aside whether you saw it,
24 did you ever hear about the Governor touching,
25 hugging or kissing Kaitlin ?

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A. Not that I remember.

Q. Did you ever observe the Governor using any nicknames for Kaitlin ?

A. Yes.

Q. What nicknames did he use for her?

A. He nickname sponge as then like try to be a sponge and learn from everybody all you can. When she first started working there.

Q. The Governor used that nickname for her.

A. I did hear him call her that.

Q. Did anyone else call her that?

A. At points I think I probably did, Annabelle did, Stephanie, Andrew.

Q. Help me understand, would you say to her hey sponge do X or hey sponge come here, that is how people referred to her?

A. Not always.

Q. Sometimes?

A. Yes, more in like a joking way, but yes.

Q. Did Kaitlin ever seem uncomfortable being called sponge?

A. Not that I noticed.

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Q. Did she ever complain about being called sponge?

A. Not that I remember.

Q. Did you ever observe or hear any comments or questions by the Governor to **Kaitlin** related to her romantic relationship?

A. Not that I remember.

Q. Did you ever hear of or observe the Governor comment on **Kaitlin**'s appearance?

A. Not that I remember.

Q. Did you ever observe anything that you thought was inappropriate occur between **Kaitlin** and the Governor?

A. Not that I remember. Honestly.

Q. Did you ever hear about any actions by the Governor that you think were inappropriate towards **Kaitlin**?

A. Not that I remember.

Q. You said when Kaitlin first started work in the Executive Chamber that the Governor was nice to her. Did that ever change?

1 JILL DES ROSIERS

2 A. No, I think he was always nice to
3 her. I think being the person at that desk,
4 you do occasionally always get -- I can't say
5 that I exactly remember it happened to Kaitlin,
6 but you're in the kind of hot seat for lack of
7 a better word. Sometimes when you're trying to
8 get somebody on the phone or find people or get
9 a meeting together, so like with the rest of us
10 I think over time he probably got a little bit
11 more direct with her too.

12 I can remember at some point a
13 piece of her -- we added a piece to her
14 portfolio where she was working with the
15 scheduling team as well and following up on
16 deadlines and things like that, which was a
17 tough job to try to get people to keep on track
18 when things were changing all the time.

19 I think I can remember her a few
20 times getting lumped in with the rest of us and
21 being told that we weren't doing what we should
22 be.

23 Q. Did she travel with the Governor?

24 A. She may have come up to Albany a
25 bit to work out of that office. I don't remember her

1 JILL DES ROSIERS

2 period of time and then going to -- I don't
3 exactly remember.

4 Q. Did you have any conversations
5 with Kaitlin [REDACTED] about going to [REDACTED] ?

6 A. I did.

7 Q. Tell us about your conversations
8 with Kaitlin [REDACTED] about going to [REDACTED] .

9 A. I don't remember the exact
10 timeline, at some point [REDACTED] was
11 leaving the office and I don't remember if
12 Kaitlin -- this is before this or after that,
13 but she wanted to leave the Chamber and I think
14 I had a conversation with her about what she
15 was interested in doing in government.

16 I think, I don't remember exactly
17 what the conversation was, but I remember we
18 settled on that that was an area like [REDACTED]
19 [REDACTED] was an area she was
20 interested in. And I think even she knew some
21 of the folks working on that team who worked
22 with [REDACTED] .

23 So we kind of settled on that that
24 would be something she would be interested in.
25 And I worked with [REDACTED] who was on the

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2 state operations team to find out if there
3 would a fit and interview her for the process
4 for that.

5 Q. In your conversation with
6 **Kaitlin**, did she tell you why she wanted to
7 leave the Executive Chamber?

8 A. I don't remember. I remember her
9 being unhappy, but I don't remember. I don't
10 remember.

11 Q. You don't remember anything about
12 why she was unhappy?

13 A. I don't remember the details of
14 why she was unhappy. I know that --

15 Q. Did she say anything about the
16 Governor? Sorry, I didn't mean to cut you off?

17 A. That's okay.

18 Q. You were saying that you know
19 that?

20 A. One role that I talked to her
21 about, the scheduling role, she was still
22 helping staff in the scheduling role and that
23 was a hard position trying to get everybody to
24 follow up on their deadlines even if you didn't
25 supervise them. She didn't like that.

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2 I thought she like working for
3 [REDACTED] and [REDACTED] was leaving and I don't
4 remember her saying anything about the Governor
5 at the time.

6 Q. But you remember knowing she was
7 unhappy?

8 A. And wanted to leave the team, yes.

9 Q. Even if it wasn't specific to the
10 Governor, did she say anything about the
11 environment or culture of the Executive
12 Chamber?

13 A. I don't remember. I don't
14 remember the conversation.

15 Q. Do you remember her complaining
16 that she wasn't doing anything of value?

17 A. I remember her when she was doing
18 the scheduling role complaining of that, yes, I
19 do. I don't know if it was in that conversation or in
20 passing.

21 Q. What was her complaint?

22 A. I don't exactly remember. I think
23 on the scheduling, like deadline enforcement
24 job, I definitely remember her complaining
25 about that. It was kind of a no win situation

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2 because the schedule kept changing. So you
3 would literally be following up with somebody
4 on a deadline that was due that they just find
5 out. I remember her being frustrated with
6 that. And while it was important to the
7 overall operation, I don't remember her
8 thinking it was like substantive. Then working
9 with [REDACTED] I thought she liked working with
10 [REDACTED] but then [REDACTED] was leaving, so I don't
11 remember.

12 Q. Did she say anything to you about
13 how she was being treated?

14 A. Not that I remember.

15 Q. Did you say anything to her about
16 how she was being treated?

17 A. Not that I remember. I would try
18 to help her especially on the scheduling front
19 because that would be ultimately my
20 responsibility if things didn't happen. But
21 sorry, I can cut you off.

22 Q. No, that is okay. On the
23 scheduling front or otherwise, did you ever
24 express to her in sum or substance that you
25 didn't think it was what was happening to her

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1
2 or use the words that you just used it's a no
3 win situation?

4 A. On the scheduling deadline
5 enforcement front, I might have. I certainly
6 might have. I mean it was -- it would have
7 been an important job, but it was just like,
8 yes, it was -- I certainly might have said
9 that.

10 Q. Then you said you talked to her
11 about what her options would be --

12 A. I think that it was more talking
13 about areas of the interest and kind of [REDACTED]
14 [REDACTED] was one and I don't
15 remember if she came up [REDACTED] or if in
16 talking to [REDACTED] who was working in
17 state operations who I talked to after I talked
18 to her, if she thought that that might be a
19 fit. I don't remember the sequence.

20 Q. Do you remember if DFS came up,
21 Department of Financial Services an a potential
22 option?

23 A. I don't remember, but it could
24 have.

25 Q. What about the Department of

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1 State, could that have come up?

2 A. Yes, it could have.

3 Q. When you spoke to [REDACTED],
4 what did you tell her about why Kaitlin [REDACTED] was
5 looking to leave the Executive Chamber?
6

7 A. I don't exactly remember, but I
8 don't remember getting into more detail than
9 she was looking to leave the Chamber and find a
10 more substantive role at an agency.

11 Q. Did you ever say in sum or
12 substance to [REDACTED] that it wasn't a good
13 fit for her, that the Executive Chamber wasn't
14 a good fit for her?

15 A. I don't remember, but it's
16 possible.

17 Q. Who at [REDACTED] did you talk to
18 about Kaitlin [REDACTED]?

19 A. I don't know that I talked to
20 [REDACTED] directly. I think that [REDACTED] did.

21 Q. [REDACTED] did?

22 A. Yes.

23 Q. Who did she speak to at [REDACTED],
24 do you know?

25 A. I don't remember off hand. I

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1 don't know if she talked to the deputy
2 secretary who we have been in state operations
3 who had to manage his agency who is on the
4 floor or someone in the agency, I just don't
5 know.
6

7 Q. Do you know anything about what
8 [REDACTED] told anyone at [REDACTED] about why
9 Kaitlin [REDACTED] was leaving the Executive Chamber?

10 A. I don't know. I don't know that
11 she got into it. I don't know.

12 Q. Did you ever speak to [REDACTED]
13 [REDACTED] about Kaitlin [REDACTED] ?

14 A. [REDACTED] who is the head of
15 [REDACTED]. I don't remember.

16 Q. Is it possible that you did?

17 A. Or it is possible that she talked
18 to me about it. It's possible, but I don't
19 know.

20 Q. What about [REDACTED], did
21 you ever speak to [REDACTED] about Kaitlin
22 [REDACTED] ?

23 A. Again, it is possible. He was --
24 I don't think I did, but it's possible. He was
25 the person on the floor who was in charge of

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2 managing that portfolio within the state
3 operations.

4 Q. You said it is possible, do you
5 have any memory of any conversation with
6 [REDACTED] about Kaitlin [REDACTED]?

7 A. No, not really, no.

8 Q. Did you have any conversation with
9 [REDACTED] about Kaitlin [REDACTED]?

10 A. Not that I remember.

11 Q. Is there anyone else that you
12 spoke to about Kaitlin [REDACTED] leaving the
13 Executive Chamber?

14 A. Possibly the appointments folks
15 when they settle on a position. So maybe [REDACTED]
16 [REDACTED].

17 Q. Anyone else?

18 A. Not that I remember.

19 Q. Did you ever come to understand
20 that Kaitlin [REDACTED] was uncomfortable being near
21 the Governor?

22 A. Not that I remember, other than
23 the things without using her full name that
24 that article was referring to. There was an
25 article that I believe was referring to her

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experience.

Q. Other than the article that refers to someone named Kaitlin?

A. Not that I remember.

Q. Did you see Kaitlin [REDACTED] in the Executive Chamber after she had gone to work for [REDACTED]?

A. I don't think so.

Q. After she went to work for [REDACTED], did you have any contact with her?

A. Not that I really remember, no.

Q. Look at what is Exhibit 23.

(Exhibit 23 for identification, Text messages between Miss DesRosiers and [REDACTED] [REDACTED] on August 4th, 2020.)

THE VIDEOGRAPHER: Can we go off for a second before we do that.

MS. PARK: Sure. Off the record.

THE VIDEOGRAPHER: Off the record, the time on the video monitor is 3:06.

(Recess taken) .

THE VIDEOGRAPHER: We are now on the record the time on the video monitor is 3:08.

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BY MS. PARK:

Q. Do you have Exhibit 23 in front of you?

A. Yes.

Q. So Exhibit 23 is a series of text messages between you and someone named [REDACTED] on August 4th, 2020; is that correct?

A. Yes.

Q. Who is [REDACTED]?

A. [REDACTED] was the Queens regional rep for the Governor and then became the downstate director of intergovernmental affairs. He moved to -- he works for the Port Authority now doing governmental affairs for the airports.

Q. In August of 2020 was he working at the Port Authority?

A. Yes, I think he would have left by then, yes.

Q. He texted you a Twitter tweet from Kaitlin [REDACTED], do you remember what the tweet was?

A. I don't remember this exchange really, although I did recently look at this. I believe she tweeted something critical of the

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Governor as it relates to the public safety or criminal justice package that we were working on.

Q. Then if you keep going through the tweet you say "Gees, I don't know, let me check. Are we sure that is the same person?" He says "definitely" and then he says "The same person who shit the bed in Chamber. "And you say "Oh, I remember." What is that a referring to?

MS. HOGAN: Just to be clear this is looking at different pages of the text not the tweet.

MS. PARK: Yes, I'm looking, I said tweet, so I apologize. I'm just paging through the text messages

A. I think all I remember is like she left, like it says here, she left the Chamber.

Q. He said who shit the bed in the Chamber? What do you understand that to mean?

A. I took that to be [REDACTED]'s way of saying in a impolite way she didn't work out in the Chamber and moved to an agency.

Q. And then you said oh, I remember?

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A. I remember she didn't work out, yes.

Q. Was there something other than her not working out that was -- was there any incident with her? Did she not do her job well? Saying she shit the bed, and you say I remember a little more than just she decided she wanted to leave which is what we talked about earlier.

A. No, I don't believe there is more than that. I think part of [REDACTED] saying she shit the bit, I remember that he knew her from [REDACTED]'s office. I think there was a fair amount of competitiveness amongst that the staff as far as like she worked on the 39th floor with the Governor and he worked in different spots.

I don't think take shit the bed in the Chamber more than like she didn't work out. That sounds like an [REDACTED] thing to say and I said I remember her.

Q. Before she told you that she wanted to leave the Chamber, did her desk get moved?

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2 A. When she moved off of staffing the
3 Governor and working with [REDACTED] she moved. I
4 don't know how many times she moved, but she
5 definitely moved at least once when she worked
6 for us.

7 Q. I think we didn't cover this. Why
8 did she move from staffing the Governor to
9 working for [REDACTED]?

10 A. I don't remember at the time how
11 she moved over to do that. I don't.

12 Q. Do you remember any discussions
13 that you had about why she was changing roles?

14 A. I knew she was unhappy doing the
15 schedule pieces. I don't remember.

16 Q. I think you --

17 A. When she went to work for [REDACTED], I
18 think she would occasionally help in staffing.
19 I could be wrong.

20 Q. The text message with [REDACTED]
21 you say, "Oie, we'll look, maybe they started
22 to let her go and she is pissed. I haven't
23 heard from her since she moved over."

24 Was that true that you hadn't
25 heard from her since she had moved to [REDACTED]?

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A. I don't think so, or not that I remember and I also don't remember after sending that actually looking into it.

Q. You anticipated my next question, what did you do after getting these text messages?

A. Honestly at the time I don't think I did anything. I don't remember doing anything even if she is sending a tweet out that is critical of the Governor on her personal Twitter. I don't remember if I liked flagged if for one of the press people or I did nothing. I don't remember really looking into it, frankly.

Q. Do you remember talking to anybody else about it?

A. Not really.

Q. Between -- that is August 20th, 2020.

A. Yes.

Q. And the date of the, I think you made reference to a New York Magazine article that mentioned someone named Kaitlin that you read?

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A. Yes.

Q. Between August 20th and the time that you read that article in the New York Magazine, did you have any conversations about Kaitlin [REDACTED]?

A. At some point in December I [REDACTED]
[REDACTED], [REDACTED]
[REDACTED]

[REDACTED]. There is some point in December where Melissa called me and it largely I was out of touch with mostly everyone because I was dealing with [REDACTED]
[REDACTED].

But she called me and asking me, I don't remember the exact question, she asked me along the lines of if knew of anybody who might have left the Chamber unhappily or something along those lines. And I believe I did reference Kaitlin and I think she asked me if I knew more details and I think at the time which is true, which is what I know, which is I remember her moving her over to -- her transferring over to [REDACTED] but I don't remember the exact details.

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Q. That conversation with Miss DeRosa is in December at some point?

A. Yes in December at some point.

Q. Do you remember if that was before or after Miss Lindsey Boylan had tweeted allegations again the Governor?

A. I don't remember exactly, but I think it was after.

Q. How did Miss DeRosa get in touch with you?

A. She called my personal phone which I think [REDACTED] is all I had with me.

Q. Did she text you before she called you?

A. I don't know.

Q. In that conversation did she tell you why she was asking if you knew of any people who had I guess unhappily left the Chamber?

A. I remember it being a brief conversation. I think it was after [REDACTED] [REDACTED] because we spent most of the time on that. And she asked me, it must have been after

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2 Lindsey, and she ask me if saw any of that.

3 Which I [REDACTED] at that time, so
4 I think I had seen it on New York One, but I
5 wasn't really paying attention.

6 I think she just asked me if there
7 is anybody else or if there is anybody that I
8 knew of that, I think it was the way -- what I
9 remember is, the way that I said it which is
10 left the team unhappily or something like she
11 had heard that Lindsey might be reaching out to
12 folks that worked at the Chamber and was asking
13 about certain -- about people.

14 Again I don't remember it being a
15 very long conversation because of [REDACTED]
16 [REDACTED] at the time, but I do remember that
17 that was an instance where I brought up Kaitlin
18 as somebody who I thought was unhappy and moved
19 and working in an agency.

20 Q. Did you give her any other names
21 in that conversation?

22 A. Not that I remember. I think she
23 also asked me if I remembered why [REDACTED]
24 left or why he was unhappy.

25 Q. Any other names that came up in

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2 that conversation?

3 A. I don't remember.

4 Q. Anything else that you remember
5 that either you or she said during that conversation
6 other than what you told me already?

7 A. Not that I remember.

8 Q. Did she tell you what she was
9 going to do with the information that you gave
10 her?

11 A. No.

12 Q. Did you have any expectations
13 about what she was going to do with the
14 information that you gave her?

15 A. No, but I can't say after I hung
16 you up the phone that I really thought about it
17 again. I was dealing with [REDACTED]
18 [REDACTED] at that particular moment.

19 Q. So other than this conversation
20 with Miss DeRosa some time in December of 2020,
21 have you had any other conversations about
22 Kaitlin [REDACTED] since August 20th?

23 A. At some point in this similar
24 timeframe I had a conversation with Judy Mogul
25 as well [REDACTED].

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Q. Without telling me the content of the conversation, what was the topic of that conversation, all the lawyers are going to enjoy this now, what was the topic of that conversation?

A. Again, the conversation first about [REDACTED] to check in and then -- [REDACTED], sorry. And then I believe it was a similar conversation to the one that I already had with Melissa.

Q. So the topic was people who left the Chamber?

A. Yes.

Q. Unhappily?

A. Yes.

Q. So I assume if I ask you to tell me the content of that conversation your lawyers are going to instruct you not to answer on the grounds of privilege.

MS. PARK: Is that right, Mary Beth?

MR. HOGAN: That's right at the direction of counsel for the Chamber.

Q. Other than your conversation with Miss Mogul and Miss DeRosa, after August 20th

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2 have you had any conversations about or
3 communications about Kaitlin ?

4 A. I don't think so.

5 Q. Did you talk to Andrew Ball about
6 Kaitlin ?

7 A. Yes, sorry. At some point Andrew
8 Ball reached out to me, I don't remember actually
9 when we actually connected, at some point he
10 was saying that he had gotten a similar type of
11 outreach from Melissa and he had mentioned her
12 I think or I mentioned her, yes. I want to say
13 I don't remember what time period that was, but
14 at some point, yes, I think we did.

15 Q. Do you remember anything else
16 about your conversation with Mr. Ball?

17 A. He had said he had a series of
18 conversations with Melissa and I think
19 Stephanie, I'm not sure, because they were
20 trying to remember or piece together kind of
21 who kind of who worked for us over time.
22 Andrew work in the Chamber from the Governor's
23 first day. And they were saying because they
24 were trying to remember who worked for us or
25 who like used to work for us that worked for

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2 agencies. I think he told me after the fact
3 they might have asked him to reach out to a
4 couple of people that he used to work with.

5 Q. What did he tell you about why
6 they wanted him to reach out to people he had
7 worked with?

8 A. He told me that, I think, that
9 they thought that Lindsey was making outreach
10 to some folks. Some of the previous staff
11 people and I believe they wanted him to reach
12 out to find out if she had been reached out --
13 if they had been reached out to or not. I
14 think that was the nature of it. Or like how
15 they felt about what Lindsey had put out in the
16 tweets.

17 Q. Did Mr. Ball saying say anything
18 to you about whether he was comfortable or
19 wanted to make those phone calls?

20 A. I think he said he wasn't
21 comfortable.

22 Q. Did he say anything else about why
23 he made the phone calls?

24 A. I think he ended making them
25 because they -- he wasn't comfortable, but at

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the end of day he made them because they asked him to.

Q. Did Mr. Ball tell you that he had been threatened in any way?

A. I don't remember him saying he was threatened, but I remember him saying that they basically told me I had to make the calls.

Q. Who is the they that told him he had to make the calls?

A. Stephanie and Melissa. I don't remember exactly the words that he used, but something along those lines.

Q. What did Mr. Ball say to you about why he thought he had to make the calls?

A. I don't remember exactly what he said, but he felt pressured to make them.

Q. Did he say anything else?

A. I remember him saying that like he had talked to them more in the short period of time than his last -- he was always making light of things too, then most of his last year in the office.

Q. When Mr. Ball was having these conversations with others, was he an employee

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of the state?

A. No, he had already left.

Q. Do you have any understanding as to why he felt pleasure to make the calls even though he was not employed by the Executive Chamber or the state?

A. I don't know. I mean I think he worked with them for a long time and he felt pressured because they were asking him to. I don't remember him telling me more about that.

Q. Did he say anything about what he thought would happen if he didn't make the calls?

A. Not that I remember.

Q. Did he tell you what happened when he made the calls?

A. Yes, he -- I don't remember exactly, but I remember him saying that he made a call that didn't really -- like he called [REDACTED] who used to work for the Chamber, but, you more, just had a casual conversation with her about -- like I want to say he like he told her that whatever his current employer might be working for a new

1 JILL DES ROSIERS

2 consulting group and she worked for a
3 consulting firm. That is my memory of that
4 conversation. I think he made one more call
5 and I don't remember him telling me about that
6 one.

7 Q. What did he tell you about whether
8 he had reported back to Miss Benton or anyone
9 else in the Executive Chamber on his phone
10 call?

11 A. I don't remember that part. I
12 remember him saying he talked a lot for a
13 period of time, but I don't remember him
14 telling me there was like a result or what he
15 said the follow up was.

16 Q. Is there anything else that you
17 remember about the conversation with Mr. Ball
18 that you haven't told me?

19 A. Not that I remember from that
20 conversation.

21 Q. Was there another conversation
22 with Mr. Ball that you had recently?

23 A. Yes, he reached out when there was
24 one of the first articles that had my name in
25 it. We know each other well, he knew that I

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1 was dealing with [REDACTED] at
2 that point, at the point in time and reach out
3 a few times to see if I was okay, to, like, you
4 know, be supportive. To try to, like, be nice
5 and reassuring. We talked a few times.
6

7 Q. Other than being nice and
8 reassuring, did you talk about any of the
9 substance of any articles that had your name in
10 them?

11 A. Yes, I think for the initial story
12 with Charlotte in The New York Times, I think
13 he did tell me that he thought -- it sounds
14 like I did the right thing from what he read.
15 He asked if I thought he should reach out to
16 Charlotte and he supported her and I said sure
17 if you want to.

18 I don't know if -- it's possible
19 after one of the other articles we talked about
20 that too, just in the -- we talked a few times
21 as that was happening and he was trying to be
22 supportive and [REDACTED]

23 [REDACTED].

24 Q. Is there anything else that you
25 remember from those conversations with Mr. Ball

JILL DES ROSIERS

1 after those articles came out?

2 A. Not that I remember exactly.

3 Q. Did Mr. Ball advise you to get a
4 lawyer?
5

6 A. I think at that time I already
7 had. Yes, he probably did say that. He was
8 very nice, but I don't know that that's --

9 Q. Did he say anything else about why
10 you should get your own personal lawyer as
11 opposed to using the Executive Chamber lawyers?

12 A. I don't remember the conversation.
13 I remember him saying that, I don't remember
14 exactly what he said other than make sure there
15 would be somebody that would be looking out for
16 me.

17 And like he -- I think over -- we
18 worked closely together and I think he had like
19 a love/hate relationship with the Chamber at
20 that time. I certainly could see, I don't
21 remember exactly how he said it or what he
22 said, I think it was something along the lines
23 of, who knows, you should get your own lawyer
24 so you have somebody that is looking out for
25 you versus the Chamber, something like that.

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2 Q. You talked about Mr. Ball and
3 Miss DeRosa, any other conversations about
4 Kaitlin that you can remember or
5 communications about Kaitlin between
6 August 20th and today?

7 MR. HOGAN: I assume you're not
8 asking about any conversations with
9 counsel?

10 MS. PARK: No, I'm not.

11 Q. None of my questions do I ever
12 want to hear your conversations with counsel.

13 A. I believe I had a conversation
14 with counsel about her -- as I mentioned,
15 Miss Mogul. She is mentioned in more than one
16 conversation, I think.

17 Q. Anyone else?

18 A. Not that I remember.

19 Q. You said you read the New York
20 Magazine article that mentioned someone named
21 Kaitlin, right?

22 A. Yes.

23 Q. What was your reaction to the
24 allegations made by Kaitlin in that article?

25 A. I don't remember them exactly, but

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2 some of the description of the Governor leaving
3 six a.m. and having to race into the office
4 rings true for her and many of us because that
5 did happen. There is reference to her being
6 nicknamed sponge, which is what we already
7 talked about. And some of what she described
8 in there I didn't know about. I think she
9 referenced like him specifically talking to her
10 about her attire.

11 Q. Is there anything that you read in
12 that article that Kaitlin said that you know to
13 be false to the extent that you remember the
14 article?

15 A. I don't fully remember. I don't
16 remember if it was attributed to her or
17 somebody else. There was reference by somebody
18 to an expectation of wearing high heels and
19 that is just not something that I know of or
20 remember or believe, but...

21 Q. That wasn't your experience?

22 A. That wasn't my experience, yes.

23 Q. Anything else that you recall from
24 the article thinking that is not true?

25 A. I mean there were things that I

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wouldn't have known about, but no.

MS. PARK: Why don't we take, we have been going for about an hour and a half now, let's take five minutes.

THE VIDEOGRAPHER: We are now off record, the time on video monitor is 3:45.

(Recess taken.)

THE VIDEOGRAPHER: We are back on the record, the time on the video monitor is 3:53.

BY MS. PARK:

Q. Jill, do you know Charlotte Bennett?

A. Yes.

Q. How do you know her?

A. I believe I hired her in the Chamber to be part of the briefing team originally, but I worked with her for a few years within the Executive Chamber.

Q. You interviewed her?

A. Yes.

Q. How did she come to the attention of the Executive Chamber?

A. She applied for the position and

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1 I believe, I'm not sure, I believe [REDACTED]
2 who was our deputy secretary for education also
3 somehow new her and recommended her or at least
4 recommended -- one of the colleges might have
5 recommended her to him and he recommended her.
6

7 Q. You said she was initially hired
8 to be a briefer; is that right?

9 A. Yes.

10 Q. What was her responsibilities as a
11 briefer?

12 A. The main responsibility of the
13 briefing team is to prepare the briefing book
14 that goes to the Governor and also at times
15 folks were also travelling with the Governor
16 like the press folks. That includes their --
17 his materials for the next day.

18 So if there is events, it would
19 include the event detail and bios of the key
20 folks that would be part of the event. It
21 would include, probably depending the
22 announcement, some sort of policy document that
23 laid out what the announcement is or remarks,
24 that sort of thing.

25 They would also -- they were in

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2 charge of compiling all of those materials from
3 all the different pieces of the Chamber or
4 sometimes agencies or other folks that we work
5 with. They also -- depending on what the
6 Governor is working on, like shuttle documents
7 to him like the briefing book materials include
8 like PowerPoints and things that he is working
9 on, so then they also get involved in making
10 sure they are getting to him. Things that he
11 might need or be prepared for. That's the main
12 role

13 Q. In her role as briefer, who did
14 Miss Bennett report to?

15 A. The briefing team has had
16 different iterations over time. I think when
17 she first started the senior briefer, the kind
18 of lead on that team might have been [REDACTED]
19 [REDACTED] who has since went to law school. I
20 believe they reported up -- ultimately the
21 briefing team is under my portfolio, but I
22 believe in Charlotte's time period in the
23 office they reported to the director of
24 scheduling and then ultimately to me.

25 Over time we changed that a

JILL DES ROSIERS

1
2 bunch and they report to different people,
3 but...

4 Q. Who was the director of scheduling
5 at the time Miss Bennett was working in the
6 Executive Chamber?

7 A. I don't remember her exact date,
8 it would have been either Annabelle Walsh or
9 Andrew Ball, I think Annabelle for her full
10 period of time, but there may have been some
11 overlap with Andrew.

12 Q. Where was Miss Bennett's office?

13 A. She was based out of the New York
14 City office, but also would routinely come up
15 to Albany as well. The briefing team because
16 it changed over time it is usually two or three
17 people and we try to have one based Downstate
18 and someone based upstate at least. Charlotte
19 was based Downstate, but also travelled upstate
20 sometimes.

21 Q. When she was in the New York City
22 office at 633 Third Avenue, where was Miss
23 Bennett's desk in relation to the Governor's
24 office?

25 A. When she first started, I believe

1 JILL DES ROSIERS

2 she was on the 38th floor. Which was a floor
3 down from where the Governor' office is.
4 That's my memory.

5 Q. Did her roles and responsibilities
6 ever change overtime when she was employed by
7 the Executive Chamber?

8 A. Yes. We were -- she worked on the
9 briefing book, she still works on the briefing
10 book. At some point we were looking to some
11 additional folks who might assist with staffing
12 the Governor, especially in New York City.

13 My former assistant [REDACTED]
14 [REDACTED] who was moving to take another job
15 at the Port Authority and so that left a gap of
16 somebody additional. I believe when she
17 started assisting with staffing was around when
18 he was leaving.

19 Q. Can you ballpark when that was?

20 A. I don't remember, 2019. I don't
21 remember, sorry.

22 Q. When Miss Bennett took on the
23 additional responsibilities of staffing the
24 Governor, did her desk location change?

25 A. I don't know that it completely

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2 formally changed immediately. But when she
3 would assist with the staffing she would sit at
4 a desk outside his office. She may have also
5 retained her desk downstairs with the other
6 member of the briefing team. I don't remember
7 exactly.

8 Q. Did her roles and responsibilities
9 change again after that point?

10 A. Yes, in the summer of 2020 she
11 moved over to the health -- in the state
12 operations to the health team's portfolio.

13 Q. Before she moved over to the
14 health team's portfolio, was there any other
15 change in her roles and responsibilities?

16 A. Yes, she became -- at some point
17 she became the senior briefer on the team when
18 [REDACTED] I believe went to law school. And in
19 addition to helping staffing New York city, she
20 would also go and help staff in Albany as well
21 at times.

22 Q. When COVID hit, did anything about
23 Miss Bennett's location or responsibilities
24 change?

25 A. COVID hitting changed almost

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2 everybody's responsibilities for a relative
3 time. We closed the New York City office at
4 some point. So there was not both an office to
5 go to or a need there. At some point, I don't
6 exactly remember when, but I think she came up
7 to work out of Albany and help out.

8 I think part of her day-to-day
9 probably changed during COVID because while we
10 were doing the daily briefings there wasn't the
11 same kind of schedule and events things like
12 that to prepare for regularly and announcements.
13 Some of the day-to-day changed for all of us
14 and folks were pitching in on different things
15 that weren't necessarily their job description
16 I guess is the best way it put it.

17 Q. At the time she was still senior
18 briefer and staffing the Governor?

19 A. She was senior briefer and also
20 assisting staffing the Governor, yes.

21 Q. What was your perception on her
22 job performance?

23 A. I thought she was smart in her
24 working.

25 Q. Did you have any concerns about

1 JILL DES ROSIERS

2 her work performance?

3 A. I mean there would be sometimes
4 mistakes in the book that unfortunately the
5 Governor or somebody else would point out, but
6 they were understandable mistakes. No, I
7 didn't have a problem with her performance.

8 Q. Anybody raise to your attention
9 concerns or issues about Miss Bennett's
10 performance in her job?

11 A. Annabelle at times would raise to
12 me just -- I don't know if this is specific to
13 Charlotte, but just having to at times
14 micromanage the process. But, no, not specific
15 to Charlotte's performance that I remember.

16 Q. Micromanage the process of putting
17 a briefing book together?

18 A. Right, yes.

19 Q. Did you ever observe Miss
20 Bennett's interactions with the Governor?

21 A. Yes, I think I did, yes.

22 Q. Describe those interactions for
23 us?

24 A. I observed her when she was
25 staffing him certainly in New York City because

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1
2 her desk is right outside of his office which
3 you had to walk by to walk into the office. I
4 seen him ask her to place a phone call or say
5 hello in the morning. On the briefing book end
6 I don't know that they had as much interaction.

7 Q. Did you ever observe the Governor
8 and Miss Bennett engage in flirting?

9 A. Not that remember. I definitely
10 remember him being friendly and joking with
11 her. I don't specifically remember him
12 flirting with her.

13 Q. Do you remember prior to June,
14 2020, did anyone ever talk to you about the
15 Governor flirting with Miss Bennett or
16 communicate with you?

17 A. I think I recall an exchange with
18 Annabelle where I think she uses that word,
19 yes.

20 Q. Go ahead and look in your binder
21 at Exhibit 25.

22 (Exhibit 25 for identification, Text
23 communication between Miss DesRosiers and
24 Miss Walsh.)

25 A. Okay.

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JILL DES ROSIERS

Q. Is this the text communication that you were just referring to with Miss Walsh.

(Witness reviewing document.)

A. No.

Q. What communication are you referring to between you and Miss Walsh about Miss Bennett?

A. I believe there was an instance where -- and I don't remember the exact detail, but Charlotte is staffing the Governor on a weekend in the New York City office and I can't tell exactly from the exchange, but I think the -- I don't believe I was there, at some point Annabelle goes into the office and the Governor was saying that we were working Charlotte too hard. And then Annabelle sends me a note saying, it was I think during the time period where he was -- we were having a tough time with him on schedule and trying to pin him down to actually meet with us to talk about what he wanted to do. Annabelle goes to the office and she says to me like, you know, I get there and they are flirting and he sees me and he is mad

1 JILL DES ROSIERS

2 again, something like that.

3 Q. Let's look at tab --

4 MS. PARK: Lorena, is it tab 15.

5 MS. MICHELEN: Yes.

6 (Exhibit 15 for identification, Text
7 communication that you were just referring
8 to with Miss Walsh.)

9 Q. Is this the communication that
10 year referring to?

11 A. Yes.

12 Q. This is, besides this text
13 exchange with Miss Walsh, did you have a
14 conversation with Miss Walsh about this
15 incident?

16 A. I think we probably did have a
17 phone conversation at the time.

18 Q. What do you remember about the
19 phone conversation?

20 A. I remember -- like I said, I
21 remember it being a situation where -- I don't
22 remember what exactly was going on that week,
23 but she and I were with routine and we were
24 trying to have a conversation about the
25 schedule and what we needed to do. And I think

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2 it was -- which is not irregular. I think he
3 wouldn't have a conversation with us.

4 I remember at some point and I
5 don't remember how, at some point he either --
6 he tells us that we are working Charlotte too
7 hard, she is here on the weekends and you both
8 are not. Annabelle goes into the office and I
9 don't remember talking too much about the
10 Charlotte interaction other than like she
11 thinks he was asking Charlotte to go through
12 what she knew about what was happening in the
13 week and that really annoyed Annabelle because
14 he was not having the conversation with us. He
15 was asking her about it. Which she was
16 involved in some of the scheduling
17 conversations because she had to put together
18 book, but wouldn't have been somebody who he
19 would have had to like make scheduling
20 decisions or anything else. She was really mad
21 about that.

22 I think at the time I don't
23 remember exactly what was happening in context,
24 like he was mad about something we had done
25 with the schedule or an event and so I think

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1 she described to me he was in there, in his
2 office with Charlotte and they were joking
3 around and laughing and then Annabelle came in
4 and she was trying to then get work done with
5 him because he was saying that Charlotte was
6 working and we were essentially like home not
7 working on, I think this is weekend day.

8 So I just remember her being
9 really mad.

10 Q. At some point in the text chain
11 you say Miss Walsh says, "I'm going to lose my
12 mind. I hate him so much." And then it looks
13 like the next day you say, "Also I'm going to
14 find someone else to hire and move Charlotte
15 downstairs. I'm not doing this. He probably
16 doesn't like her but doesn't want to say." Why
17 did you say that?

18 A. I mean we were downstairs and
19 moved back to the briefing team. I think at
20 the time I was pissed. We were all working
21 24/7, so the idea that we were overworking
22 Charlotte -- it is not Charlotte's fault, but I
23 think and it's reading a lot into it, but I
24 think at the time I probably felt like him
25

1 JILL DES ROSIERS

2 saying you guys are working her too hard in my
3 mind was his way of saying like, you know, you
4 guys should be here doing this, not her, which
5 is why he is going through the scheduling with
6 her and things like that.

7 So why do I say, I'm going to find
8 somebody else to hire, I think that meant to
9 staff him. My memory is like if it was -- and
10 again, it is always hard to find people to
11 staff him just because it was just -- it was
12 like a chaotic place a little bit, a tough job.
13 If it was always going to be that we were
14 working too hard when she would like staff him
15 on the weekends or something like that, then my
16 opinion was like, okay, let's find somebody, so
17 that's not the answer. I also felt bad that
18 Annabelle felt like she had to come into the
19 office even though she wasn't supposed to.

20 I did not find someone else or
21 move her back downstairs. I think I was just
22 mad in the moment.

23 Q. You said he probably doesn't like
24 her but doesn't want to say. What did you mean
25 by that?

1 JILL DES ROSIERS

2 A. I mean we, the staff, would have
3 all sorts of conversations about what we
4 thought the Governor really meant by whatever
5 he was doing. Frankly like -- so I on any
6 given day or most of or lots of staff people on
7 any given day wouldn't probably say that. So I
8 think I was trying to read into like what it
9 could mean by like you're working her too hard.
10 You're too busy making Annabelle feel guilty
11 like to come in, he didn't want to have her
12 staffing. I don't remember. I think I was
13 just mad in the moment. It seems like from
14 this exchange like we both were.

15 Q. Did you have any, prior to June of
16 2020, any other conversations with members of
17 staff about the Governor's like or dislike of
18 Charlotte Bennett?

19 A. You know, when she first started
20 staffing him I probably had a conversation
21 that, either with Stephanie or Annabelle, as we
22 were kind of assessing whether it was working
23 that it seemed like it was working and he liked
24 her. I probably did.

25 Q. Miss Bennett's reporting chain I

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2 guess is -- was she the senior briefer at this
3 time in October, 2019?

4 A. I don't remember if she was a
5 senior briefer or junior at that time. Again, when
6 she would be staffing, when she would staff the
7 Governor, that operation or kind of what
8 happens in it that reported through Stephanie.
9 And then on the briefing end I think that would
10 have reported up through Annabelle and
11 ultimately to me.

12 Q. Did you have any concerns that the
13 Governor was flirting with Bennett?

14 A. I don't remember at the time
15 having a concern about that piece of it, no.

16 Q. Did you have a concern about other
17 pieces of it?

18 A. No, just what I described which
19 was like being annoyed that he was going
20 through scheduling with her and feeling like
21 that was meant to get under our skin and that
22 sort of thing.

23 Q. Prior to June, 2020 did you ever
24 have any concerns about the way the Governor
25 was interacting with Miss Bennett?

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JILL DES ROSIERS

A. Not that I remember.

Q. Prior to June of 2020 did anyone raise to your attention any concerns about the way the Governor was interacting with Miss Bennett?

A. Not that you remember. I think I had another conversation with Annabelle where she had similar frustrations. He would be nasty about something to her and nice to Charlotte. Yes, I think so. There were some days Stephanie wouldn't come in and Annabelle filled in being the director of scheduling and assisting with staffing. So I worked more directly with the two of them.

Q. Did you ever observe the Governor touch Miss Bennett?

A. I think I seen the two of them take a photo together and him having his arm around her.

Q. Where was his arm?

A. I don't remember exactly, I'm sorry.

Q. Any other occasions on which you have seen the Governor touch Miss Bennett?

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JILL DES ROSIERS

A. Not that I remember, but -- not that I remember.

Q. Did you ever hear the Governor refer to Miss Bennett by any nickname in terms of affection?

A. I don't know if this was directed to Charlotte, sometimes when he was walking into the office I could hear him say hey darling to some folks whose offices were along his route, so that's possible.

Q. Did you ever hear Governor refer to Charlotte as bun?

A. When she met with us I heard her --

Q. Did you ever hear the Governor refer --

A. Thank you. No, I didn't.

Q. Did you ever hear the Governor comment on Miss Bennett's appearance?

A. Not that I remember.

Q. Did your hear the Governor comment on her makeup?

A. Not that I remember.

Q. Did you ever see the Governor ask Miss Bennett to memorize song lyrics or to sing

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for him?

A. No, I don't remember that.

Q. Do you remember anyone in the Chamber being asked to memorize song lyrics for the Governor or sing for the Governor?

A. No, I don't remember that. We would have a holiday party at the end every year and some of the folks would do a song. They would make up a song to sing and some people would do toasts, but I don't remember that.

Q. Other than after June 2020, did you ever hear about the Governor asking Miss Bennett to memorize the lyrics of a song and sing a song for him?

A. Other than after June, 2020, no.

MS. PARK: Since you have to stop at 4:30. Let go off the record.

THE VIDEOGRAPHER: We are now on the record the time on the video monitor is 4:26.

(TIME NOTED: 4:26 P.M.)

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C E R T I F I C A T E

STATE OF NEW YORK)

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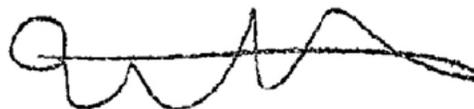
COUNTY OF NEW YORK)

I, WILLIAM VISCONTI, a Certified Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify that the foregoing proceedings were taken before me on May 14, 2021;

That the within transcript is a true record of said proceedings;

That I am not connected by blood or marriage with any of the parties herein nor interested directly or indirectly in the matter in controversy, nor am I in the employ of the counsel.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of May, 2021.



WILLIAM VISCONTI