

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

RODNEY GRANT,

Plaintiff,

VERSUS

MARLIN GUSMAN, et al.,

Defendants.

CASE NO.

17-cv-2797-NJB-DMD

30 (b) (6) DEPOSITION OF THE DEPARTMENT OF PUBLIC SAFETY & CORRECTIONS, through its designated representative, ANGELA GRIFFIN, given in the above-entitled cause, pursuant to the following stipulation, before Sandra P. DiFebbo, Certified Shorthand Reporter, in and for the State of Louisiana, at the Department of Corrections, 504 Mayflower Street Baton Rouge, Louisiana, on the 10th day of January, 2020.

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APPEARANCES:

LAW OFFICE OF WILLIAM MOST, L.L.C.  
BY: WILLIAM MOST,  
ATTORNEY AT LAW  
201 St. Charles Avenue  
Suite 114-101  
New Orleans, Louisiana 70170  
Representing the Plaintiff

LOUISIANA DEPARTMENT OF JUSTICE  
OFFICE OF THE ATTORNEY GENERAL  
LITIGATION DIVISION, CIVIL RIGHTS SECTION  
BY: PHYLLIS GLAZER,  
ATTORNEY AT LAW  
1885 N. Third Street  
Fourth Floor  
Baton Rouge, Louisiana 70802  
Representing the State of Louisiana,  
Department of Corrections

Reported By:

Sandra P. DiFebbo  
Certified Shorthand Reporter  
State of Louisiana

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S T I P U L A T I O N

It is stipulated and agreed by and between Counsel for the parties hereto that the deposition of THE DEPARTMENT OF PUBLIC SAFETY & CORRECTIONS, through its designated representative, ANGELA GRIFFIN is hereby being taken pursuant to the Federal Rules of Civil Procedure for all purposes in accordance with law;

That the formalities of reading and signing are specifically reserved;

That the formalities of sealing, certification, and filing are hereby specifically waived.

That all objections, save those as to the form of the question and responsiveness of the answer are hereby reserved until such time as this deposition or any part thereof is used or sought to be used in evidence.

\* \* \* \* \*

Sandra P. DiFebbo, Certified Shorthand Reporter, in and for the State of Louisiana, officiated in administering the oath to the witness.

1           ANGELA GRIFFIN, 504 Mayflower Street,  
2           Baton Rouge, Louisiana, 70802, having been  
3           first duly sworn, was examined and testified on  
4           her oath as follows:

5           EXAMINATION BY MR. MOST:

6           Q.     Would you state your name for the record,  
7           please.

8           A.     Angela Griffin.

9           Q.     Good morning, Angela.

10          A.     Good morning.

11          Q.     Do you mind if I call you Angela? I will  
12          also call you Ms. Griffin, if that is your  
13          preference.

14          A.     No. Angela is fine.

15          MR. MOST:

16                   Phyllis, can we stipulate that this  
17                   deposition was properly noticed, and  
18                   the court reporter is duly qualified?

19          MS. GLAZER:

20                   Yes.

21          MR. MOST:

22                   Thank you.

23          BY MR. MOST:

24           Q.     So, Angela, I'm William Most. We've met  
25           before. I am the attorney for Rodney Grant. Are

1 A. Correct.

2 Q. That's the date of which someone's  
3 sentence is -- the maximum date of someone's  
4 sentence. Is that a fair characterization?

5 A. It is the full term that -- the date we  
6 are going to release him without supervision, yeah.

7 Q. So Rodney Grant's full term date would  
8 have been the date of his sentencing, if the DOC  
9 applied Bodeye, correct?

10 A. Again, it's the date we get the paperwork  
11 and know he's DOC and process the case. To us,  
12 that's his full term date. We have to know he is  
13 sentenced before we can time comp him and see what  
14 it would be.

15 Q. So if I'm understanding you right, the  
16 DOC doesn't try and figure out what date someone's  
17 sentence was over; they just try and figure out  
18 should he be released today or in the future?

19 A. Correct, because we can't go back.

20 Q. Because you can't go back in time and  
21 release someone in the past. What date do you think  
22 Rodney Grant's sentence was complete?

23 A. To DOC, it was the date we processed his  
24 time comp. We did his time comp and released him.

25 Q. But someone's sentence is a result of

1 what the judge orders, right?

2 A. Yes. The initial -- the instant offense  
3 is what the judge orders, which could run into  
4 other things that will make him serve on something  
5 else, which the judge may not know about, doesn't  
6 order it. It could cause additional sentence, not  
7 on that case.

8 Q. So the release date might turn on when  
9 the DOC calculates someone's time or does time  
10 comp, but there is a date at which Rodney Grant's  
11 sentence was over; would you agree with that?

12 A. As far as when we calculated it, yes.

13 Q. I'm just asking just generally. Is there  
14 a day that Rodney Grant's sentence was done,  
15 independent of what the DOC did?

16 A. It could have been in the future. It  
17 could have taken different turns on him. He could  
18 have owed more time on something else, depending on  
19 what happened with this case, when he committed it,  
20 different things, could have caused him to be a  
21 parole violator, which he would have owed more time  
22 on it.

23 Q. But just looking -- you have looked at  
24 Mr. Grant's file very thoroughly, correct?

25 A. Uh-huh.

1 Q. So standing here today, with everything  
2 you know, not sort of trying to step into the past,  
3 but just with everything you know, can you say what  
4 day Rodney Grant's sentence was complete?

5 A. The date we calculated it, found out  
6 everything was -- he would not be a parole  
7 violator, when his crime was actually committed.  
8 We found that out. That would not violate him. We  
9 calculated his time and released him on that date.  
10 That's the date he was completed.

11 Q. So your contention is that Mr. Grant's  
12 sentence continued -- the judge's sentence  
13 continued until the date that y'all did the final  
14 time computation?

15 MS. GLAZER:

16 Object to form.

17 THE WITNESS:

18 I'm not sure what you mean by that.

19 BY MR. MOST:

20 Q. I'm not trying to trick you. I'm asking  
21 when his sentence was complete, knowing everything,  
22 and you are telling me it's the date we finished  
23 processing him, right?

24 A. Right.

25 Q. So are you saying that someone's sentence



1 continues until the DOC finishes processing them?

2 A. I'm saying the offender cannot be  
3 released until we find out everything that he needs  
4 to serve is served.

5 Q. Understood, right, but independent of  
6 when someone should be released and when they  
7 should not be released, I'm just asking, when was  
8 the end of his sentence?

9 A. For DOC, it was the date we time comped  
10 and released him.

11 Q. So to the DOC, someone's sentence  
12 continues until you do time comp and release him?  
13 Is that what you're saying?

14 A. It does -- it continues to the case that  
15 we release him on, that case, on that docket, until  
16 we get clarification what kind of credit he gets,  
17 what is going to apply, if he is going to owe more  
18 time. Because if he would not have gotten all of  
19 that credit, he would not have been due for  
20 release. So once we figure that out and give it to  
21 him and find out he gets it, then he gets released  
22 on that day.

23 Q. Let me ask it this way. Does the time  
24 comp department calculate what the end of someone's  
25 sentence is? Is that the full-term date?

1 release date should be?

2 A. Correct.

3 Q. Must Serve is the days that the person  
4 still must serve in incarceration, correct?

5 A. Must Serve would be his -- I'm trying to  
6 see how to -- his sentence less his good time, good  
7 time rate.

8 Q. So it's the days you've got left to spend  
9 in prison?

10 A. Right.

11 Q. Here Mr. Grant has -- it's been input  
12 that he has a sentence length of one year, correct?

13 A. Correct.

14 Q. And he has jail credit of 2,475 days?

15 A. Correct.

16 Q. And that's for all of that time he has  
17 been incarcerated from 2009 to 2015?

18 A. It was actually 2008 to 2015.

19 Q. That's why we get a negative must serve  
20 date, because his jail credit is thousands of days  
21 longer than his sentence, correct?

22 A. Correct.

23 Q. So anyone with a negative must serve  
24 number is eligible for immediate release?

25 A. Correct.