

JOHN BRADLEY FORD

November 27, 2023

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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

OFFICER JOHN DOE
POLICE OFFICER

VERSUS

DeRAY McKESSON; and
BLACK LIVES MATTER

CIVIL ACTION
16-743-BAJ-RLB
CHIEF JUDGE
BRIAN A JACKSON

MAG. JUDGE
RICHARD L.
BOURGEOIS, JR.

Deposition of JOHN BRADLEY FORD, via
Zoom videoconferencing, taken in the
above-entitled cause, pursuant to the
following stipulation, before Dawn H. Hymel,
Certified Court Reporter for the State of
Louisiana, on Monday, the 27th of November,
2023, commencing at 2:56 p.m.

JOHNS, PENDLETON, FAIRBANKS AND FREESE

EXHIBIT
A

JOHN BRADLEY FORD

November 27, 2023

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1 APPEARANCES:

2 Appearing on Behalf of Plaintiff, Officer John
Doe Police Officer:

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GRODNER LAW FIRM, APLC
4 BY: DONNA U. GRODNER, ESQ.
2223 Quail Run Drive
5 Baton Rouge, Louisiana 70808

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7 Appearing on Behalf of Defendant, DeRay
McKesson:

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SCHONEKAS, EVANS, McGOEY
9 & McEACHIN, LLC
BY: WILLIAM P. GIBBENS, ESQ.
10 909 Poydras Street, Suite 1600
New Orleans, Louisiana 70112

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13 ALSO PRESENT:

14 DARREN SIBLEY, Paralegal

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REPORTED BY:

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DAWN H. HYMEL
18 Certified Court Reporter #81016

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JOHN BRADLEY FORD

November 27, 2023

12

1 the -- the -- the -- the Alton Sterling
2 shooting was July 5th and then these protests
3 were -- this protest in Baton Rouge was July
4 9th, what -- were you -- were you all with the
5 police department doing anything to prepare
6 for any sort of events?

7 A. Yes, sir. We've had several briefings
8 and, you know, meetings about the protesters
9 coming.

10 Q. Okay. And in any of those briefings or
11 meetings, was there -- was there ever any
12 discussion of DeRay McKesson?

13 A. Yes, sir.

14 Q. Okay. Tell me about that.

15 A. Basically we was informed that because
16 of the shootings that we were going to have
17 Black Lives Matters coming from several
18 states. We were told that DeRay McKesson was
19 a Black Lives Matter leader and that they were
20 coming to Baton Rouge to try to get a response
21 from the police department, and that it would
22 probably be violent and, you know, that was
23 his track record everywhere that he went, it
24 was a violent protest, so it was preparing for
25 the worst pretty much.

JOHN BRADLEY FORD

November 27, 2023

13

1 Q. Okay. And who was telling you these
2 things?

3 A. It would be Operations and they
4 would -- they were getting the intel from
5 several sources. They was disseminating that
6 to the teams.

7 Q. Okay. And so who -- can you give me
8 any names, though, of who, who in Operations
9 would that -- would that have been?

10 A. I can see his face. I can't remember
11 his name. I can find out, but I can't
12 remember his name.

13 Q. Okay. But it was somebody in
14 Operations at the Baton Rouge Police
15 Department told you that DeRay McKesson was
16 coming in for a protest and to expect
17 violence?

18 A. Yes, sir.

19 Q. And did they -- did whoever this was
20 explain to you how they -- how they learned
21 this information?

22 A. Well, my understanding is they looked
23 at, you know, prior protests from Black Lives
24 Matter in different cities and they talked to
25 the police departments in those cities, you

JOHN BRADLEY FORD

November 27, 2023

14

1 know, about a lot of intel. They also -- they
2 had somebody, and I don't know who, but they
3 did have an informant that would call us and
4 give us information on what was being said and
5 done and movements and things like that.

6 Q. Okay. So tell me more about that. So
7 you don't know who the informant is?

8 A. No.

9 Q. And do you know where this person was?
10 I mean, how was -- do you know how they were
11 getting information?

12 A. No. I know that what I was -- what our
13 teams were told was that they had an informant
14 that was close to Black Lives Matter
15 activists. They also had an informant with,
16 they call it North Baton Rouge, people that's
17 in North Baton Rouge that was there when DeRay
18 came into town and they were privy to some of
19 the meetings he had with the New Black Panther
20 Party and other black activists in Baton
21 Rouge.

22 Q. Okay. So let's start -- let me start
23 with the -- you said there was an informant
24 that was -- that was close to a Black Lives
25 Matter activist. Do you know what -- what

JOHN BRADLEY FORD

November 27, 2023

16

1 the -- you never spoke to the informant?

2 A. No, sir.

3 Q. Okay. And you don't know -- you don't
4 have any names for who that informant may have
5 been?

6 A. No, sir.

7 Q. And what about any reports that -- I
8 mean, what you got was just verbally relayed
9 to you, or were there documents talking about
10 what this informant said?

11 A. I never seen documents. They were just
12 verbal.

13 Q. Okay. All right. So I think there
14 were -- it sounds like there were two, sort of
15 two sort of subject matters that you got from
16 this informant, and one of them was
17 information about what Black Lives Matter was
18 planning to do when they came to Baton Rouge;
19 is that right?

20 A. Yes, sir.

21 Q. And then one of them was specific
22 information about what Mr. McKesson had done
23 or was doing when he got to Baton Rouge?

24 A. Yes, sir.

25 THE COURT REPORTER:

JOHN BRADLEY FORD

November 27, 2023

26

1 like a few meetings in two days. A lot of
2 information was passed on to us. I just -- I
3 can't for the life of me remember anybody
4 specifically that was heading the meetings,
5 and it was different officers heading
6 different meetings.

7 Q. Uh-huh. Okay. Can you at least give
8 me any names of people that, you know, that it
9 could have been, people who, you know,
10 typically spoke at these meetings and gave you
11 information?

12 A. I do remember one and, like I said, I
13 cannot remember his name. I can see his face
14 and I know him. And I believe he was a
15 captain.

16 Lord, they got a TV going in here.

17 I cannot remember his name. I can see
18 his face as plain as day.

19 Q. Okay. And what did this person tell
20 you?

21 A. Basically -- basically what I stated
22 earlier with -- that they had been getting
23 intel that DeRay McKesson was coming to Baton
24 Rouge, he was going to be the leader of the
25 Black Lives Matter protests.)

JOHN BRADLEY FORD

November 27, 2023

38

1 recall for sure what he -- what it had written
2 on it.

3 Q. Okay. But he was just in a T-shirt?

4 A. As far as I can remember, yes, sir.

5 Q. Okay. Now, you said you heard -- you
6 heard him talking to a lot of people. What
7 did -- did you hear anything in particular
8 that he said?

9 A. Well, the casual conversations, no.
10 There was too much traffic and it was loud out
11 there. But I could hear his chants and stuff
12 like that.

13 Q. Okay. What did you hear him say?

14 A. The main thing they started off with
15 was no justice, no peace, no racist police.
16 That was the main chant that I actually heard
17 him from his own voice say.

18 Q. Okay. Besides that, did you hear him
19 say anything else?

20 A. Nothing personal, no.

21 Q. Okay.

22 A. No -- no personal conversation.

23 Q. Okay. And this is just -- and so
24 I'll -- I know there's some other times that
25 you saw him and I'll -- I wanted to ask you

JOHN BRADLEY FORD

November 27, 2023

43

1 they stopped there, but everybody was
2 following him, and the New Black Panther Party
3 and him, when they started moving back out
4 towards the road, they all -- the whole crowd
5 started following him.

6 Q. Okay. Did you see him making any hand
7 gestures, signaling people, or anything like
8 that?

9 A. I don't remember any signaling, like --
10 like what you're asking, I don't believe.

11 Q. Okay. Did you ever -- did you see him
12 throw anything?

13 A. I did not see him throw anything
14 personally.

15 Q. Did you see him directing anybody to
16 throw anything?

17 A. Not personally, no, sir.

18 Q. Okay. When you say "not personally,"
19 are you -- have you been told by anybody else
20 that they saw -- they saw him throwing things
21 or directing people to throw things?

22 A. When I say "not personally," I mean I
23 didn't see him do it, but, yes, I did hear
24 them say that he was directing the crowd and
25 that he was kind of agitating the crowd to do

JOHN BRADLEY FORD

November 27, 2023

44

1 certain things, to commit crimes and stuff, as
2 far as walking out into the road, but I wasn't
3 standing there like other cops were.

4 Q. Okay. So who told you that he was
5 doing these things?

6 A. Just other police officers that was out
7 there.

8 Q. Okay. Can you give me any names?

9 A. I -- Mr. Gibbens, that's so long ago.
10 I don't know who it all was. We had several
11 agencies out there that wasn't even with Baton
12 Rouge Police Department.

13 Q. Okay. And what did these people tell
14 you?

15 A. This was after the fact, but, you know,
16 just talking around the police department,
17 they were talking about how DeRay was
18 agitating the crowd to do certain chants, he
19 was agitating the crowd to move out into the
20 highway to block traffic, and so forth.

21 Q. Okay. Anything else? Did they tell
22 you he was doing anything else?

23 A. I'm sure they did. If I can recall
24 anything, I'll let you know. I'll let you
25 know if I -- if I can remember anything.

JOHN BRADLEY FORD

November 27, 2023

48

1 saw Mr. DeRay, Mr. McKesson throwing anything
2 at the protest?

3 A. I don't remember anybody telling me
4 that they saw him throw anything. They -- I
5 know I personally saw him with a water bottle
6 in his hand, but I never saw him throw a water
7 bottle. But as far as anybody saying they saw
8 him throw anything, I don't have anybody that
9 told me that that I -- that I remember.

10 Q. And what about, did anybody tell you
11 that they saw -- they saw him directing other
12 people to throw anything?

13 A. No, I don't remember anyone telling me
14 that they saw him directly tell somebody to
15 throw anything.

16 Q. Okay. Did anybody tell you that they
17 heard him telling people to go out into the --
18 into Airline Highway?

19 A. Yes.

20 Q. Okay. And who was that?

21 A. About half the Shield Team, I guess. I
22 don't know names specifically, but there were
23 several people out there when he was telling
24 them to block the roads.

25 Q. Okay. And so they -- somebody told you

JOHN BRADLEY FORD

November 27, 2023

50

1 and then the last time you said you saw him
2 downtown?

3 A. Yes, sir. They had some protests
4 downtown, too, that we went to.

5 Q. Okay. So that -- All right. When was
6 it -- at some point I think you were -- you
7 were hit with something, a rock or a piece of
8 concrete or something?

9 A. Yes, sir.

10 Q. Okay. When did that happen?

11 A. That was late in the evening. I
12 believe it's going to be between 10:00 and
13 11:00 p.m.

14 Q. Okay. Do you know where Mr. McKesson
15 was at that time?

16 A. He was in the crowd. I had just seen
17 him probably two minutes before that happened,
18 but as far as exactly the exact time, I don't
19 know where he was standing in the crowd.

20 Q. Okay. And this -- at this point, where
21 were you?

22 A. We were behind the shield guys and,
23 like I say, we was on the Arrest Team, so we
24 were arresting agitators, and I had just went
25 into the crowd to make an arrest when I got

JOHN BRADLEY FORD

November 27, 2023

51

1 hit.

2 Q. Okay. But this was on -- was this on
3 Airline Highway? Was this downtown?

4 A. Oh, I'm sorry. This was -- we were
5 standing on Airline Highway pushing the crowd
6 back into the Circle K parking lot.

7 Q. Okay. And you were -- and you said you
8 were going to -- you were going in to make an
9 arrest and that's when you got hit in the
10 head?

11 A. Yes, sir.

12 Q. Okay. And did you actually -- did you
13 arrest anybody at that time?

14 A. Yes, sir.

15 Q. Okay. So you got -- just -- I guess if
16 you can kind of narrate for me what happened
17 here.

18 A. Basically, we -- there was a lot of
19 stuff being thrown into the roadway and in our
20 direction, toward the police from that parking
21 lot. We were identifying agitators, and so we
22 had people, like my sergeant, telling us when
23 to go in to make the arrest. We would -- we
24 would actually point out who we was going to
25 get based on who was agitating the crowd.

JOHN BRADLEY FORD

November 27, 2023

52

1 I -- the shields opened, I went into the
2 crowd, and I had to chase my guy just a little
3 ways. I caught him in kind of like a bear
4 hug-type hold and was bringing him back
5 towards the shields, back into the highway to
6 get behind the shield guys, and I looked back
7 for a second to make sure nobody was running
8 at me. There was people running everywhere at
9 this time. It was very chaotic. When I
10 turned and looked backward, back behind me,
11 that's when I got hit in the -- in the face.

12 Q. Okay. So this -- the person that you
13 went to arrest was -- did you identify that
14 person as an agitator or did somebody tell you
15 he was an agitator?

16 A. I -- well, actually, I identified him.
17 He was yelling and coming up and hitting the
18 shields and doing, you know, agitating, trying
19 to get the crowd to come back into the roadway
20 and stuff.

21 Q. Okay. And about how -- do you have any
22 idea about how many people were arrested that
23 day?

24 A. Ooh, there was a lot. I'd be afraid to
25 give you a number, sir. I don't really --

JOHN BRADLEY FORD

November 27, 2023

53

1 there was a lot of people.

2 Q. But as far as your unit and your
3 participation, the people that you all were
4 arresting were people who had been identified
5 as people who were agitating the crowd?

6 A. Yes, sir.

7 Q. All right. So you had arrested this
8 guy, and do you have any record of who that
9 person -- who the person was that you arrested
10 when you got hit?

11 A. I don't personally have it with me, no.
12 I don't know what his name was, but I'm sure
13 there is a record of -- I know once I got hit,
14 he and I both fell down, because I drug him
15 down with me when I fell, but I handed him off
16 to another police officer because I was
17 injured.

18 Q. Okay.

19 A. And so I don't know if that other
20 officer actually did the arrest. I'm sure he
21 did, because I think I went home shortly
22 after.

23 Q. Okay. So tell me about the injury.
24 You were hit in the head. Do you know what
25 you were hit with?

JOHN BRADLEY FORD

November 27, 2023

97

1 I just have one follow-up.

2 EXAMINATION BY MS. GRODNER:

3 Q. When we gave you your admissions, we
4 asked you, did you hear him giving orders, and
5 you said you did.

6 So is your -- what's with your memory?
7 Are you having memory problems? Are you
8 confused?

9 A. That's why I try to say I don't recall
10 because I do, I have some memory problems,
11 but, you know, I'm just trying to remember
12 specifically, like, hearing him giving like --
13 I know that he -- I did say that he told them
14 to come out into the road, didn't I?

15 Q. Yes, you did.

16 A. Okay. Well, that's -- that's the only
17 time then. I'm sorry. I do recall that, but
18 I don't -- I don't recall any other specific
19 orders given, just him, you know, having them
20 follow him, you know, into the road and stuff
21 like that.

22 Q. Okay. You're not saying you didn't
23 hear other orders, but you do have specific
24 recollection of him telling people to come out
25 into the road and block the highway, correct?

JOHN BRADLEY FORD

November 27, 2023

98

1 A. That I -- yeah, that -- that I
2 personally heard. I'm sorry. I probably
3 didn't make that clear.

4 EXAMINATION BY MR. GIBBENS:

5 Q. Okay. Yeah, let me follow up with
6 that, because I -- because I think what your
7 testimony was earlier was that they were
8 following his body language.

9 So what exactly did you hear him say?

10 A. Yeah, I -- the initial time that they
11 went out into the Airline Highway, he did
12 have -- have the body language and
13 positioning, like I was saying, and people
14 following him, and he was telling them, let's
15 block the road. I thought I told you that,
16 but if I didn't, that's what I meant to say.

17 MR. GIBBENS:

18 Okay. All right. Thank you very
19 much.

20 THE WITNESS:

21 Thank you.

22 MS. GRODNER:

23 He's going to read and sign.

24 Brad, where do you want her to
25 mail your copy of your deposition, or