

Questions for Kochka.

Prequalifying questions (certification, time as an officer, blah blah.)

Trooper Kochka (TK): Please describe the circumstances around your first encountering me?

TK - Can you tell me the cause and nature to activate your emergency lights to pull me over?

TK- Is it true that you did not have an emergent reason to arrest my free movement?

TK - Is it also true, that suspicious behavior is not either a felony or misdemeanor?

TK - Do you recall the statements you made to me in the course of a non-criminal investigation?

TK - Did you make any statements in regards to taking me in for finger printing and the respons I made?

TK - Can you tell the court what statement I made during that encounter?

TK - Is it possible that this representation is not complete regarding the events of that encounter?

TK - Ok, TK, during that incident, did you run the vehicle plates, to identify the registered owner of that vehicle?

TK - Did you also run any checks to obtain the drivers license information of the driver?

TK - Did you provide personally identifiable information on the identity of the driver to any individuals not employed by Pennsylvania State Troopers?

TK - When you encountered me on 3/19, please describe the nature of you being on Octorar School Property?

TK - Who notified you and requested PSP assistance.

TK - What was the notification that prompted you to enter the school board meeting when you did?

TK - When you entered the room, what was the first thing that happened?

TK - Did you witness any criminal activity?

TK - Did you obtain a sworn affidavit from a reporting party prior to engaging me, after engaging me, or was no affidavit provided.

TK - Do you recall a statement regarding a request to put the board members under citizens arrest and the allegation tied to that request?

TK - Did I offer any resistance when you uttered the threat of arrest for defiant trespass after warning?

TK - Did I request what Crime had been committed to warrant removal from a public meeting?

TK - Did I state that I do not require the boards permission to speak on behalf of citizens?

TK - Did I inform you that I had agreements with school parents to advocate on their behalf?

TK - Did you perform any investigation on either the allegations of my request of a citizens arrest, or the nature of the crimes to be removed from a public meeting?

TK - Did you receive any communication from me regarding the cause, action and nature of this encounter?

TK - Did you allege that the document sent to me from Dr. Orner, was a criminal trespass warning?

TK - What was the duration of that warning, and what is the manner of due process to review such a document?

TK - Would a reasonable person view that document as a request, but know a criminal action as public property requires a crime to be removed through law enforcement. And, it is true that no evidence of a crime had been documented by law enforcement?

TK - Were you notified by me that your actions were a deprivation of my rights under color of law in violation of 42 USC 1983?

TK - Did I request a copy of the Criminal Trespass Warning along with a sworn affidavit and probable cause document?

TK- Did I make such requests verbally and in writing?

TK - Are you aware of a RTKL request and subsequent appeal dealing with this specific issue along with my arrest on 3/14?

TK - Are you aware of the Response in the appeal regarding the existence of the PC affidavit and reporting party affidavit?

TK - Are you aware that Pennsylvania State Troopers denied access to most of the items requested in that appeal?

TK - Are you aware that your partner, on the evening of the 3/19 encounter failed to identify herself, and that the response further alleged that her name had been provided, and no communication with me ever provided her name?

TK - Did you receive any other communication from me, just prior to my attempt to speak before the school board at the beginning of a new academic year?

TK - Did you have any discussions internally with your department, leadership, regarding that communication.

TK - To the best of your knowledge, did any other officers review the communication that I sent and the attached RTKL appeal response.

TK - Was there any directives on the actions which would be taken if I were to arrive on scene in an attempt to speak to the school board?

TK - Is there any written communication within PSP or other State, County, or Federal entities regarding this communication or external directives?

Your honor, I would like to reserve the right to call back this witness.