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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO



Civil Action No.: 19-cv-00901-WJM-NRN

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DEPOSITION OF: MICHAELLA LYNN SURAT  
March 12, 2020

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MICHAELLA LYNN SURAT,  
Plaintiff,  
v.

RANDALL KLAMSER, in his individual capacity, and  
CITY OF FORT COLLINS, a municipality,  
Defendants.

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PURSUANT TO NOTICE, the deposition of  
MICHAELLA LYNN SURAT was taken on behalf of the  
Defendants at 1001 17th Street, Suite 300, Denver  
Colorado 80202, on March 12, 2020, at 9:04 a.m.,  
before Kimberly Smith, Registered Professional  
Reporter and Notary Public within Colorado.

Transcript of Michaela Lynn Surat  
Conducted on March 12, 2020

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1 A. Yes.

2 Q. When?

3 A. I don't remember exactly when it was. I  
4 was diagnosed with depression and post-traumatic  
5 stress disorder after the incident, but I don't  
6 remember exactly when it was.

7 Q. Okay. Did you have a diagnosis of  
8 depression before April 2017, before the incident?

9 A. I believe my anxiety and depression were  
10 diagnosed together, along with the ADHD.

11 Q. All right. I'll represent to you that the  
12 emergency department records show that you had -- that  
13 you had been depressed in the two weeks prior to the  
14 incident.

15 Does that sound about accurate?

16 A. I mean, yeah, I struggled with depression  
17 for my whole life. So, like, I don't know necessarily  
18 when I got diagnosed with depression, but I feel like  
19 you can be depressed and have depression far along  
20 before you're diagnosed with it.

21 Q. Well, prior to April 2017, if you struggled  
22 with depression your whole life, I'm assuming that you  
23 received some treatment for it, correct?

24 A. I don't remember. I did see a therapist,  
25 and we talked about, like, my anxiety and depression,

Transcript of Michaela Lynn Surat  
Conducted on March 12, 2020

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1 and we tried to get me on medication. So, yes, I did  
2 seek some help.

3 Q. When you say, "we," who is we? Your  
4 parents?

5 A. "We," like me and my therapist.

6 Q. Did your parents ever take you to a mental  
7 healthcare professional to get treated?

8 A. No.

9 Q. Does CSU have, like, a school clinic?

10 A. Yes.

11 Q. And had you ever gone to that school clinic  
12 for any reason?

13 A. Yes.

14 Q. For what reason?

15 A. Checkups, for when I was sick. And I also  
16 saw the therapist there, the psychiatrist.

17 Q. Okay. And do you remember that person's  
18 name?

19 A. I don't.

20 Q. Was that before the incident, after the  
21 incident, or both?

22 A. Both.

23 Q. What's the name of that clinic there, if  
24 you know?

25 A. I think it's just CSU Health Clinic (sic).

Transcript of Michaella Lynn Surat  
Conducted on March 12, 2020

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1 fights?

2 A. I don't really remember. I mean, I know he  
3 has, like, anger problems. He struggles controlling  
4 his anger. But I couldn't tell you. I don't remember  
5 the exact incident that led up to those things.

6 Q. Okay. And when he started choking you, for  
7 example, would you fight back?

8 A. Yeah. I would try to get him off me, like  
9 self-defend myself, yeah.

10 Q. Did you ever seek therapy for any of those  
11 incidents?

12 A. Specifically about that, no.

13 Q. There's a body cam video -- and I can't  
14 remember the date, so I don't know if it's with  
15 Mr. Waltz or not.

16 But the body cam video shows you dressed up  
17 in a -- with an automobile, and your boyfriend is  
18 there. And you're smiling, so I assume you know what  
19 video I'm talking about; is that correct?

20 A. Yes.

21 Q. Okay. And the video shows you with a black  
22 eye -- or what looks like a black eye, correct?

23 A. I have not seen the video.

24 Q. You have not seen the video?

25 A. I've not seen the video.

Transcript of Michaela Lynn Surat  
Conducted on March 12, 2020

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1 Q. Okay. You're aware of its existence?

2 A. I am aware.

3 Q. Are you aware of the incident I'm talking  
4 about?

5 A. I am.

6 Q. Who was the boyfriend that we're talking  
7 about?

8 A. That would be Jace.

9 Q. Okay. So we'll talk about that later.

10 And Mr. Waltz is somebody that you don't  
11 see anymore, correct?

12 A. Correct.

13 Q. All right. And do you believe -- and I  
14 might have asked you this. I apologize.

15 A. That's okay.

16 Q. But your self-diagnosis of battered woman  
17 syndrome arises partly out of the interactions with  
18 Mr. Waltz that you just described, correct?

19 A. Yeah, I would say so. It's hard -- it's  
20 hard to say, because when you're in that moment, you  
21 don't really know that that's what's going on.

22 When you're in that situation, you're  
23 like -- you're not like, Oh, I'm experiencing battered  
24 woman syndrome, and this is why I'm lying. This is  
25 why I'm acting this way: to protect this person that

Transcript of Michaella Lynn Surat  
Conducted on March 12, 2020

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1 that.

2 In your mind, Mitchell had actually left  
3 the bar?

4 A. Correct.

5 Q. When you first saw him and started talking  
6 to him, you were still on the patio, though, correct?

7 A. Correct.

8 Q. Why did you not leave the bar, if you were  
9 concerned, and go after him?

10 A. Well, I guess I was just kind of confused,  
11 because somebody told me he got kicked out, but that  
12 doesn't mean that he did. If somebody tells you the  
13 sky's purple, it doesn't mean the sky's purple.

14 So I went out to go see what was going on.  
15 And I didn't immediately leave, because I didn't want  
16 to leave. All my friends were inside. We were  
17 celebrating my birthday. All I wanted to do was  
18 figure out what was going on.

19 And I had never been with anybody who has  
20 gotten kicked out of a bar before. I don't know that  
21 they don't let you back in. I don't know that they  
22 call the cops. I have no idea that any of this  
23 happens. I've never been kicked out of a bar. I've  
24 never been with somebody who's been kicked out.

25 So I just go and see him asking questions.

Transcript of Michaela Lynn Surat  
Conducted on March 12, 2020

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1 I'm like, Maybe he can come back in. I don't know. I  
2 just went out there to see what was going on and see  
3 if he could come back in or -- I didn't really have a  
4 plan. I just went to go see what was happening.

5 Q. You had a conversation with him over the --  
6 over that fence that's there on the patio, right?

7 A. Correct.

8 Q. What were you discussing with him? Did you  
9 ask him what happened?

10 A. I believe I was asking him like, Where is  
11 Rudy? Oh, our friend Rudy was also with us.

12 Q. What's Rudy's last name?

13 A. Schwartz.

14 I was asking where he is. And Mitchell  
15 said, He's inside. And I said, No, he's not. And  
16 that's when I'm, like, shaking my head. You can see  
17 me saying, No, he's not.

18 So yeah. Just kind of, like, confused,  
19 like, What happened? Where is Rudy? How are you out  
20 there? How is Rudy not here? I'm just, like, asking  
21 him what's . . .

22 Q. Did Mr. Waltz tell you that he got kicked  
23 out of the bar?

24 A. I don't remember exactly what he said. I  
25 think he was confused too. He was just like, I don't

Transcript of Michaela Lynn Surat  
Conducted on March 12, 2020

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1 know what happened. They threw me out.

2 So, yeah, I guess he knew that he got  
3 kicked out, because the bouncers picked him up and  
4 threw him.

5 Q. Okay. Did you believe that if you left the  
6 bar's premises, you would have to wait in that line to  
7 get back in?

8 A. Yeah.

9 Q. Okay.

10 A. Yeah, if I wanted to come back in.

11 Q. Okay. All right.

12 A. Well, I guess, it depend- -- yes. Yeah.

13 Sometimes they stamp your hand, and they let you come  
14 back. Sometimes you have to stand in the line again.

15 Q. All right. At what point did you decide to  
16 go beyond that fence and talk to Mr. Waltz?

17 A. Beyond the fence?

18 Q. Yeah.

19 A. Well, I saw the cops arrive and -- well,  
20 originally, before the police officers showed up, I  
21 was talking to the bouncer.

22 And he was telling me that he was going to  
23 figure out what was going on with Mitchell and that he  
24 would let him back in.

25 So that's also part of the reason why I was



Transcript of Michaela Lynn Surat  
Conducted on March 12, 2020

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1 hanging around there: because he was telling me that  
2 he was going to let him back in. He was like, We're  
3 just figuring out what's going on. Like, We'll let  
4 him back in in a second. And so I'm like, Okay.  
5 Cool. I'm just hanging out there.

6 Then I saw Officer Klamser and Officer  
7 Pastor show up. And I -- like I said, I don't know  
8 that they're here for the reason that Mitchell got  
9 kicked out.

10 I just see police, and I'm like, Whatever.  
11 This is, like -- this is dumb. They're not paying  
12 attention to me. The bouncer is, like -- they're not  
13 answering me. Mitchell is clearly not coming back in.  
14 Like, let's just go. I had no idea that the police  
15 were there for Mitchell.

16 Q. When you left the premises, you bumped into  
17 the bouncer, correct?

18 A. I did, yeah. There's a very small space,  
19 and it's, like, on cobblestone.

20 Q. I understand. I'm just asking if you  
21 bumped into the bouncer.

22 A. I did.

23 Q. And you also bumped into Officer Klamser?

24 A. I believe -- I don't believe I actually  
25 bounced -- bumped into him. I don't really -- you

Transcript of Michaela Lynn Surat  
Conducted on March 12, 2020

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1 can't really tell, so I don't really know. But I  
2 believe I bumped into the bouncer, and I believe the  
3 bouncer bumped into him.

4 Q. So you don't believe you bumped into  
5 Klamser?

6 A. I'm not sure. It's hard to tell. And I  
7 don't -- I think I bumped the bouncer.

8 Q. Okay. And do you recall -- in watching  
9 this video, you saw Officer Klamser go, "Excuse me,"  
10 correct?

11 A. Correct.

12 Q. But when you were there on the day of the  
13 incident, did you hear Officer Klamser go, "Excuse  
14 me"?

15 A. Yes.

16 Q. And what was your response?

17 A. "Excuse you."

18 Q. Why would you say that?

19 A. Well, I just didn't -- I mean, I bumped the  
20 bouncer; I didn't bump him. So I didn't really know  
21 why he was saying excuse you to me (sic), because I  
22 didn't bump him. The bouncer did. I bumped the  
23 bouncer, but I didn't bump him.

24 Q. Did you think your response was rude?

25 A. No.

Transcript of Michaela Lynn Surat  
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1 Q. When you look at this video now, for the  
2 umpteenth time today, you don't believe your response  
3 to Officer Klamser was rude?

4 A. No.

5 Q. How you responded to Officer Klamser, was  
6 that generally taught in your Making Better Choices  
7 classes: how to respond to somebody?

8 A. I guess, in a way, we talked about how to  
9 respond to people.

10 Q. Did you see any of the police officers  
11 talking to your boyfriend at the time that you left  
12 and bumped into the bouncer?

13 A. No, I did not.

14 Q. Did your parents teach you manners when you  
15 were a child?

16 A. Yes.

17 Q. Do you believe you have manners?

18 A. Yes.

19 Q. Do you believe the day of the incident, you  
20 had manners?

21 A. Yes.

22 Q. Do you think they were a little diluted by  
23 the amount of alcohol you had in you?

24 A. I mean, I don't -- I can't say for sure. I  
25 don't know.

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1 Q. Did your parents ever tell you to be a  
2 respectful person?

3 A. Yes.

4 Q. Did anybody ever teach you that your  
5 actions may have consequences?

6 A. Yes.

7 Q. And you were taught that as a child;  
8 weren't you?

9 A. Uh-huh.

10 Q. Is that a yes?

11 A. Yes. Sorry.

12 Q. Is that something that they taught you in  
13 that Making Better Choices classes -- or class?

14 A. I'm sorry. What --

15 Q. Sure. I asked you if you had ever been  
16 taught that actions have consequences, and you said,  
17 "Yes."

18 A. Yes.

19 Q. My next question is: Is that something  
20 that they were trying to teach you in that Making  
21 Better Choices class?

22 A. Yes.

23 Q. Is it your testimony that when you grabbed  
24 your boyfriend's hand, you had no idea that he was  
25 talking to the police officer?

Transcript of Michaela Lynn Surat  
Conducted on March 12, 2020

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1 A. Yes.

2 Q. Do you remember, as we sit here today --  
3 well, strike that.

4 Before watching any body cam videos, do you  
5 recall grabbing your boyfriend's hand and trying to  
6 walk away?

7 A. Yes.

8 Q. So you were at least sober enough to recall  
9 that --

10 A. Yes.

11 Q. -- is that correct?

12 A. Yes.

13 Q. You were also sober enough to hear Officer  
14 Klamser tell you that your boyfriend wasn't free to  
15 go, but you could keep walking?

16 A. Yes.

17 MR. McNULTY: Objection. Form.

18 Q. (BY MR. RATNER) Okay. Were you sober  
19 enough, after you grabbed your boyfriend's hand, to  
20 hear Officer Klamser tell you that the boyfriend was  
21 not free to go, but you were free to keep on walking?

22 A. Yes.

23 Q. Why didn't you just keep on walking?

24 A. Well, I'm a young girl. I'm intoxicated.  
25 I don't really feel it's safe for me to keep walking

Transcript of Michaella Lynn Surat  
Conducted on March 12, 2020

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1 alone while my boyfriend is -- I mean, when -- for me,  
2 when I go out with my boyfriend, like, he's there to  
3 protect me.

4 Like, obviously, I need to protect myself,  
5 but I'm not just going to walk away by myself when I'm  
6 intoxicated, walking around Old Town when it's almost  
7 midnight.

8 Q. Had you ever, prior to this incident,  
9 walked around Old Town by yourself?

10 A. I don't believe so, not at night,  
11 intoxicated.

12 Q. You believed that you were intoxicated  
13 enough that you shouldn't be walking around Old Town  
14 by yourself, correct?

15 MR. McNULTY: Objection to form.

16 A. I don't feel like even if I was sober, I  
17 would really feel that safe walking around Old Town  
18 alone.

19 Q. (BY MR. RATNER) Did you ever tell Officer  
20 Klamser that?

21 A. No. I don't believe I really had the  
22 chance.

23 Q. At what point did you realize that your  
24 boyfriend was talking with the police officer?

25 A. After he said, like, He's not free to

Transcript of Michaela Lynn Surat  
Conducted on March 12, 2020

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1 leave. Then I was like, Oh, they're here for you.

2 Like, They're here for him.

3 Q. You would agree with me, though, that if  
4 you had kept on walking, we wouldn't be here, right?

5 A. I don't know. I stayed right where I was.  
6 Like, I don't understand, like -- sorry.

7 Q. When you say you stayed where you were --  
8 so at the point in time Officer Klamser told you that  
9 you could keep on walking, your testimony is you  
10 stayed where you were?

11 A. If you slow the video down -- like, if you  
12 watch it at full speed, it's very hard to tell,  
13 because it all happened so fast.

14 If you slow it down to about half-speed,  
15 you can see and you can hear -- and you can see him  
16 shove my shoulder and say, Back off, before I take a  
17 step, before I do anything.

18 I say -- he says, You can keep walking.  
19 And I say, Okay. I'll stay right here, away from --  
20 away from the people, away -- I said, I'll stay right  
21 here.

22 I wasn't in Officer Pastor's face. I  
23 wasn't in Mitchell's face. I was away from all of  
24 them. So I don't understand why -- I said I would  
25 stay right here, and before anything else happened,

Transcript of Michaela Lynn Surat  
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1 he's shoving me back off, putting his hands on me.

2 Q. Did you -- were you sober enough at this  
3 point to realize that Officer Klamser was telling you  
4 that you could keep on walking?

5 A. I was sober enough that -- yeah. He said,  
6 You could keep on walking. He did not say, You -- I  
7 am demanding you to walk, or you will be arrested. He  
8 said, You can keep walking.

9 Q. Do you believe --

10 A. Like, "You can" means . . .

11 Q. So you're telling me that your interaction  
12 with Officer Klamser -- at the point he says, You can  
13 keep on walking, you believe there was an option for  
14 you to just stay put?

15 A. Right. Correct.

16 Q. All right.

17 MR. RATNER: Let's play the video again.

18 (Video played.)

19 Q. (BY MR. RATNER) All right. So your  
20 response to Officer Klamser is, I'm going to stay  
21 right here, correct?

22 A. Correct.

23 Q. And your testimony is you don't believe  
24 Officer Klamser was giving you a lawful order to keep  
25 on going?



Transcript of Michaela Lynn Surat  
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1 A. Correct.

2 Q. At any point, did you believe Officer  
3 Klamser was telling you that you couldn't stand there?

4 A. I -- no, I never felt like he said that,  
5 You cannot be here. Like, You are not allowed to be  
6 here.

7 Q. At some point, you started hitting Officer  
8 Klamser; didn't you?

9 A. I did not ever hit him.

10 Q. It's your testimony you never hit Officer  
11 Klamser?

12 A. I never hit him. I tried to pry his hands  
13 off of me. I never hit him.

14 Q. And did you ever try -- did you ever put  
15 your hands around his throat?

16 A. I did not.

17 Q. At some point, did you understand that  
18 Officer Klamser was going to arrest you?

19 A. Not until he said, You're under arrest,  
20 which was several seconds after there was already  
21 hands-on movement.

22 Q. Do you believe that you were trying to walk  
23 through Officer Klamser at any point?

24 A. "Walk through him." No, I don't believe I  
25 was. I was standing right there. And like I said,

Transcript of Michaela Lynn Surat  
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1 it's kind of hard to see when you watch it in full  
2 speed, because I'm standing -- I say, Okay. I'll  
3 stand right here, and then he's shoving me.

4 Q. When you first engage Officer Klamser and  
5 you say you would stand right here, the video shows  
6 you actually walking back, towards the entrance of  
7 Bondi Beach Bar, correct?

8 A. No. I don't -- like I said, if you watch  
9 it half-speed, I don't move. It's hard to see when  
10 it's in fast, full motion. But I'm, like . . .

11 (Video played.)

12 A. I stumbled because he pushed me.

13 Q (BY MR. RATNER) Okay. I'm playing Video  
14 702.2 -- or Surat 702.2. And at around -- I'm not  
15 going to get too specific here. But at around 1  
16 minute, 11 seconds, he says, Put your hand on top of  
17 your head. You're under arrest, correct?

18 A. Correct.

19 Q. Okay. You didn't listen to him; did you?

20 A. I did not.

21 Q. Why?

22 A. Because a strange man is grabbing me. I'm  
23 repeatedly asking him, Why are you grabbing me? Why  
24 are you grabbing me? Why are you grabbing me?

25 And when I'm asking him repeatedly, Why are

Transcript of Michaela Lynn Surat  
Conducted on March 12, 2020

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1 you grabbing me, Why are you grabbing me, I'm not  
2 under arrest yet. He hasn't said I'm under arrest.  
3 He hasn't told me to do anything.

4 So this strange, large man, that's twice  
5 the size of me, is grabbing me. So, no, I didn't  
6 listen to him, because he shouldn't have been touching  
7 me.

8 Q. So you said, "strange, large man."  
9 Certainly you didn't know Officer Klamser --

10 A. Right.

11 Q. -- at that point in time.

12 A. Right.

13 Q. Yeah. But you recognized him as a police  
14 officer, right?

15 A. Right.

16 Q. You had no misconceptions about Officer  
17 Klamser's job at that point; did you?

18 A. No.

19 Q. You knew he was a police officer?

20 A. Yes.

21 Q. And you knew a police officer could give  
22 you orders, correct?

23 MR. McNULTY: Objection. Form.

24 A. Lawful orders, like in -- right in the  
25 realm of, like -- he -- I mean, I don't feel like just

Transcript of Michaela Lynn Surat  
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1 because he's a police officer, he can go and order me  
2 to do something just because he wants to.

3 Q. (BY MR. RATNER) Sure. You believed at  
4 that period of time, meaning right around 1 minute and  
5 11 seconds, that you could question Officer Klamser's  
6 ability to interact with you and place you under  
7 arrest; fair statement?

8 A. At this point in time, can I question why  
9 his hands are on me? Yes.

10 Q. Okay. Once you hear him say, You're under  
11 arrest, you continue to struggle; don't you?

12 A. Yes. Because I'm in, like, flight-or-fight  
13 mode at this point, and I'm just trying to get him off  
14 me. He's not answering me. He's grabbing me. I have  
15 no idea what's going to happen next. Like I said,  
16 he's way stronger than me.

17 Q. Well, he's a police officer.

18 A. Well, yeah. He's also twice my size.

19 Q. But at that point, he's not really a  
20 stranger. You understand that he's a police officer  
21 who is trying to arrest you, correct?

22 A. He's still a stranger. Just because he's a  
23 police officer doesn't mean he's not a stranger. And,  
24 like, there are good cops and bad cops. Like, I don't  
25 know.

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1           You know, he's still a strange man. Even  
2           though he's in uniform, he's still a strange man who  
3           is grabbing a young woman, who shouldn't be.

4           Q.    So you wanted to have the issue of whether  
5           or not you were properly under arrest adjudicated at  
6           that particular moment?

7           A.    I'm sorry. I don't understand what you  
8           just asked me.

9           Q.    Well, sure. Officer Klamser said, You're  
10          under arrest, right?

11          A.    (Deponent nodded head up and down.)

12          Q.    Yes?

13          A.    Yes.

14          Q.    You're shaking your head. She can't take  
15          that down.

16          A.    I didn't know you were finished with the  
17          statement.

18          Q.    Officer Klamser stated to you clearly, and  
19          you understood, that you were under arrest, correct?

20          A.    Correct.

21          MR. McNULTY: Objection to form.

22          Q    (BY MR. RATNER) And at that point in time,  
23          in your mind, in your intoxicated state, you said, I  
24          don't think I should be under arrest, correct?

25          A.    I was more asking, Why am I under arrest,

Transcript of Michaela Lynn Surat  
Conducted on March 12, 2020

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1 not really I shouldn't be under arrest. If you would  
2 tell me why I was under arrest, maybe I would think  
3 that I should be under arrest.

4 Q. Well, where were you ever taught that a  
5 police officer, at that point in time, when he's  
6 arresting you, has to explain to you why he's  
7 arresting you?

8 A. I have never encountered a situation where  
9 I ever heard of, saw, or learned that somebody got  
10 arrested and wasn't informed why they were being  
11 arrested.

12 I mean, when a police officer pulls you  
13 over, the first thing they say, Do you know why I  
14 pulled you over? They explain to you: Why are you  
15 getting pulled over.

16 So if somebody's arresting me, I feel like  
17 the first thing that they should say -- like, You're  
18 under arrest because blah, blah, blah, blah, blah.

19 Q. Okay. So you wanted to determine whether  
20 or not the arrest by Officer Klamser was valid at that  
21 1-minute-and-11-second point in the video; fair  
22 statement?

23 MR. McNULTY: Objection. Form.

24 A. I'm not really -- like, I don't really know  
25 "valid" is the right, like -- I mean, you can't just

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1 arrest people for no reason, and I don't -- I wasn't  
2 doing anything. So I just -- I don't see why -- I  
3 don't see why he just couldn't tell me.

4 Q. (BY MR. RATNER) Did you feel you were  
5 sober enough in your mind to figure out what it is  
6 maybe that you did wrong?

7 A. That's why I was so confused, because I had  
8 not done anything wrong.

9 Q. Right. Prior to 1 minute and 11 seconds,  
10 again, when you're first interacting with Officer  
11 Klamser, he told you to back off, correct?

12 A. Correct.

13 Q. Why did you not back off?

14 A. Well, he was telling me to back off when I  
15 was not even moving forward or nothing. Like, I was  
16 standing. He didn't say, You need to go over there.

17 Like, there wasn't -- he never, like --  
18 back off -- like, when he told me, Back off, back off  
19 from what? I wasn't doing anything.

20 Q. Okay. Ms. Surat, you are an intelligent,  
21 educated young woman, on April 6, 2017.

22 Is it your testimony that you didn't  
23 understand what Officer Klamser meant when he tells  
24 you: one, you could keep on walking; two, that you  
25 could back off; three, you're under arrest; four, put

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1 your hand on top of your head?

2 MR. McNULTY: Objection. Form.

3 A. You can say a lot of -- you can say words,  
4 whatever you want, but that doesn't mean that they're  
5 true or that they make sense or that there was any  
6 meaning behind them.

7 Q. (BY MR. RATNER) Okay. Who ever taught you  
8 that you could question a police officer in the  
9 situation you found yourself in on April 7 of 2017?

10 A. I was taught --

11 MR. McNULTY: Objection. Foundation.

12 A. I was --

13 MR. RATNER: That's why I'm asking her.

14 A. I was taught that you stand up for yourself  
15 in situations where people are acting inappropriately.  
16 And it doesn't matter who you are or what situation it  
17 is. Like, you stand up for yourself, and you fight  
18 for what you believe is right.

19 In that situation, a grown man was grabbing  
20 a young woman, who had done nothing. And just because  
21 he's a police officer doesn't mean he's allowed to  
22 grab me like that.

23 And that I don't -- I don't agree with,  
24 like, you just bow down when a police officer says;  
25 you just obey when a police officer says.



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1           Like, yes, I respect police. Yes, I obey  
2 police. But it comes with -- like, if you want my  
3 respect, I feel like I need your respect. And I'm not  
4 going to let a man touch me like that, when he  
5 shouldn't be.

6           Q.     (BY MR. RATNER) You understand a jury  
7 disagreed with you, correct?

8           A.     I understand that.

9           Q.     How were you -- hypothetically, how would  
10 you have reacted if Officer Klamser was a female?

11          A.     I would have reacted the same way. I mean,  
12 if anybody -- you shouldn't put hands on anybody.

13          Q.     Well, you understand part of being arrested  
14 is putting hands on you and placing handcuffs on you,  
15 correct?

16          A.     Right, after you've already broken the law,  
17 after you've already done something to be under  
18 arrest.

19          Q.     Okay. So I'm going back to -- my initial  
20 point is: Officer Klamser believed that you broke the  
21 law, but you believed you didn't break the law,  
22 correct?

23          A.     Right.

24          Q.     So you wanted to argue with him then and  
25 there as to whether or not you broke the law; fair

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1 statement?

2 MR. McNULTY: Objection. Form.

3 A. No, not fair. I didn't want to argue with  
4 him. I was asking him a question, and I just wanted  
5 him to tell me.

6 Whether or not I agreed with him in that  
7 moment, that wasn't the concern. He could have told  
8 me why he was arresting me, and I could have disagreed  
9 with him; but he wouldn't even answer me.

10 Q. (BY MR. RATNER) You believe, under the  
11 law, he was supposed to explain to you the factual  
12 basis as to why you're being arrested?

13 MR. McNULTY: Objection. Form.

14 A. I mean, in it's so -- detail -- like, being  
15 so formal, like, no. But, like, you're under arrest  
16 because you just did this, like, you're under arrest  
17 because, you know, like -- like I said, he touched me,  
18 put his hands off (sic) me.

19 Like, before he even finished the phrase,  
20 Back off, like, before he even, you know, finished  
21 that, he had his hands on me.

22 So it's just confusing to me how I'm -- I'm  
23 just supposed to sit here and let this large man grab  
24 me just because he wants to.

25 Q. (BY MR. RATNER) Well, if you kept on

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1 walking, he would have no reason to grab you, correct?

2 A. Right. But he didn't tell me I had to keep  
3 on walking.

4 Q. You really thought that it was an option  
5 that you could just stand there --

6 A. Yeah.

7 Q. -- when he told you you could keep on  
8 walking?

9 A. Yeah, I did. I truly -- I said, I can  
10 stand right here. Like, what's the problem in that?  
11 You want me to walk away? You want me to leave the  
12 situation? That's fine. I understand that.

13 But me standing right here, I'm not  
14 involved in the situation. There's no reason why I  
15 can't stand here.

16 Q. Okay. At what point did you realize that  
17 the police officers were there to investigate a fight  
18 between somebody in the bar and your boyfriend?

19 A. It wasn't until, like, I had already  
20 started walking away. And then the officer pulled  
21 Mitchell's hand back, and then Mitchell pulled my hand  
22 back, and we had turned back around. And they were  
23 like, Mitchell is not free to leave. And I was like,  
24 Okay.

25 Q. Did you, prior to this incident, understand

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1 that police officers had a responsibility to  
2 investigate crimes?

3 A. Yes.

4 Q. And at that point in time, you understood  
5 that that's what the police officers were doing,  
6 correct?

7 A. Well, I didn't understand that there was a  
8 crime. But I guess at that point, it started to  
9 click, like, Oh, they're here because of whatever  
10 happened with Mitchell.

11 Q. You admit at some point you were using  
12 physical force against Officer Klamser, correct?

13 A. To take his hands off of mine, yes.

14 Q. All right. And that was after he said,  
15 You're under arrest, correct?

16 A. I think -- I mean, I feel like I was just  
17 trying to get his hands off me from the immediate  
18 moment he grabbed me, because I didn't want him to be  
19 grabbing me.

20 Q. Well, that's not my question.

21 A. Okay.

22 Q. You understand the court has already  
23 determined -- well, strike that.

24 You understand a jury has already  
25 determined that you were using some sort of physical

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1 force or violence, correct?

2 A. Yes.

3 Q. All right.

4 A. I mean . . .

5 Q. You understand in this lawsuit, civil  
6 lawsuit, the court has already also determined that at  
7 some point you were using physical force or violence  
8 against Officer Klamser?

9 MR. McNULTY: Objection. Form.

10 Q. (BY MR. RATNER) Go ahead.

11 A. Well, I don't really -- I mean, "physical  
12 force," as in . . . I don't -- I mean, I'm not under  
13 the understanding that --

14 Q. You don't believe --

15 A. -- they said that I used physical force.

16 Q. Okay. Do you believe you used any sort of  
17 physical force or violence against Officer Klamser at  
18 any time?

19 A. Violence? Violence? No. Physical force  
20 to get myself away from him, like my own physical  
21 force and strength, yes.

22 Q. And what physical force was that?

23 A. Pulling away, trying to get his hands off  
24 me.

25 Q. And at the point in time you were trying to

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1 get his hands off of you, he'd already told you you  
2 were under arrest; didn't he?

3 A. Like I said, I think I was trying to get  
4 his hands off me before he even said that.

5 Q. Okay.

6 MR. RATNER: Let's play the video and see  
7 where we are.

8 (Video played.)

9 Q. (BY MR. RATNER) Okay. Hold on a second.  
10 Let me ask you that. He says, "Put your hands up."  
11 And your response was, "No," correct?

12 A. Yes.

13 Q. Is that correct?

14 All right. So you were refusing a police  
15 officer's order? It's a yes or no answer.

16 A. I don't --

17 MR. McNULTY: Objection --

18 A. -- believe that a police officer can just  
19 order you to do something; and if you don't do it,  
20 then you're breaking the law.

21 Q. (BY MR. RATNER) Okay.

22 (Video played.)

23 Q. (BY MR. RATNER) All right. So the video I  
24 stopped at 1 minute and 22 seconds. And it shows you  
25 trying to remove Officer Klamser's hand from your arm;

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1 is that correct?

2 A. Correct.

3 Q. All right. Did you, at that point in time,  
4 think you were under arrest?

5 A. I mean, he was saying I was under arrest,  
6 so --

7 Q. Okay. But in your mind, you didn't think  
8 you were under arrest?

9 A. Well, I didn't do anything wrong.

10 Q. Okay.

11 A. So . . .

12 Q. So my question is pretty simple.

13 A. Okay.

14 Q. At the point in time when you're trying to  
15 remove Officer Klamser's hand from your arm --

16 A. Yes.

17 Q. -- which we've frozen at 1 minute and 22  
18 seconds, you understood that Officer Klamser was  
19 telling you you were under arrest, correct?

20 A. Correct: He was telling me that.

21 Q. Okay. But in your mind, you felt as though  
22 you shouldn't be under arrest?

23 A. Correct.

24 MR. McNULTY: If you get to a good stopping  
25 point, it's already noon.

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1 MR. RATNER: Yeah.

2 (Lunch recess taken.)

3 Q. (BY MR. RATNER) Ms. Surat, you understand  
4 that you're still under oath, correct?

5 A. Yes, I understand.

6 Q. Going back a little bit: You had testified  
7 that if we slowed the video down, we could see certain  
8 things, correct?

9 A. Uh-huh.

10 Q. Is that a yes?

11 A. Correct. Sorry.

12 Q. And if the video is playing at full speed,  
13 it appears as though things start to change in a split  
14 second, correct?

15 A. Correct. It's just hard to see, at full  
16 speed, everything.

17 Q. Right. Because things are evolving pretty  
18 quickly?

19 A. Correct.

20 Q. All right. Do you have any reason to  
21 believe, in your experience as an adult, that it would  
22 be out of the ordinary for a police officer to have a  
23 need to make split-second decisions?

24 A. Yes.

25 Q. You believe it would be out of the



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1 ordinary?

2 A. Oh, sorry. No. I believe that would be  
3 normal: for a police officer to have to make a  
4 split-second decision.

5 Q. Okay. And you understand that whether  
6 you're dealing with an individual as a police officer  
7 or even in day-to-day life, situations are continually  
8 evolving, correct?

9 A. Correct.

10 Q. And you certainly knew that on the day of  
11 this incident in April of 2017, correct?

12 A. Correct.

13 Q. Would you agree with me that the situation  
14 between you and Officer Klamser could be described as  
15 intense?

16 A. Yes.

17 Q. Would you also agree with me that you --  
18 your involvement with Officer Klamser -- strike that.

19 You would agree with me, would you not,  
20 that you were arguing with Officer Klamser?

21 A. Yes, I would agree with that.

22 Q. And then prior to the takedown, you would  
23 agree that you were not listening to Officer Klamser,  
24 correct?

25 A. Correct.

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1 Q. From the point in time when you left the  
2 patio to when -- right before you engaged with Officer  
3 Klamser, you had not done anything wrong, correct?

4 A. Correct.

5 Q. And is it your testimony, so I understand,  
6 that you're claiming the only time you put hands on  
7 Officer Klamser was when you were trying to remove his  
8 hand from your wrist?

9 A. Correct.

10 Q. What do you say -- well, strike that.

11 Do you have an understanding that there are  
12 some witnesses who testified that you were striking  
13 Officer Klamser?

14 A. I do.

15 Q. And how do you respond to that?

16 A. I think there's a specific individual at  
17 the end of the body cam who approaches, who -- I don't  
18 believe he was in the right frame of mind to be giving  
19 what he saw.

20 Like, I don't think -- I think he was  
21 exacerbating the situation, and he wasn't involved,  
22 and I think he was just making inferences and -- yeah.

23 Q. And this individual you're talking about is  
24 Michael Findley; is that correct?

25 A. Correct.

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1 Q. Are you aware there are other witnesses who  
2 will testify that you were striking Officer Klamser?

3 A. Not specifically.

4 Q. As we sit here, the only witness that you  
5 know about that states you were striking Officer  
6 Klamser was Mr. Findley?

7 A. I think so, yeah.

8 Q. If the other officer, who we'll call  
9 Officer Pastor, states that he observed you hitting  
10 Officer Klamser, how would you respond to that?

11 A. I would say that that isn't what happened.  
12 And maybe he thought he saw that I was hitting him,  
13 but I wasn't.

14 Q. Okay. Had you ever tried to resist a  
15 police officer before this incident?

16 A. No.

17 Q. When you -- strike that.

18 When you first engaged Officer Klamser,  
19 were you willing to cooperate with him?

20 A. Yes.

21 Q. And in what way did you want to cooperate?

22 A. I wanted to just stand right there while  
23 they conducted their means of business.

24 Q. Why did you think you had a right to just  
25 stand right there while they conducted their business?

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1 A. Because we were in a public place.

2 Q. And at that point, let's hypothetically say  
3 that you engaged Officer Klamser, and you said, I want  
4 to stand right here, and there was no touching going  
5 on, and Officer Klamser said, No, what would your  
6 response have been?

7 A. If he had never touched me, I believe I  
8 would have asked him, Well, can I -- well, where can I  
9 stand; or Can I stand over there, and point farther  
10 away; or just ask him, Is there something else I can  
11 do besides leave, because I don't want to leave at  
12 this very moment and be by myself.

13 Q. Did you have -- at the point in time where  
14 he said, You can keep on walking, did you feel as  
15 though maybe you could have just walked about 10 or  
16 15 feet away and watched the situation?

17 A. Yeah, I guess I just wasn't really thinking  
18 that it was necessary for me to move. I didn't feel  
19 like I was in the way.

20 Q. And the fact that you felt as though you  
21 weren't in the way was from your perspective, correct?

22 A. Correct.

23 Q. Do you think it's possible that Officer  
24 Klamser could have had a different perspective on  
25 that?

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1 A. Yes.

2 Q. Do you think it would have been proper for  
3 Officer Klamser to believe that he wanted you to stand  
4 farther away than where you wanted to stand?

5 MR. McNULTY: Objection. Foundation. I  
6 don't know how she can testify as to what Officer  
7 Klamser was thinking.

8 Q. (BY MR. RATNER) Go ahead.

9 A. Could you repeat the question, please.

10 Q. Sure.

11 MR. RATNER: No, I can't, but the court  
12 reporter can.

13 Please.

14 (The last question was read back as  
15 follows: "Do you think it would have been proper for  
16 Officer Klamser to believe that he wanted you to stand  
17 farther away than where you wanted to stand?")

18 A. Do I believe it would have been proper --

19 Q. (BY MR. RATNER) Let me rephrase that.

20 A. Okay.

21 Q. Let me see if I can clear this up a little  
22 bit. You testified that on the day of the incident,  
23 you felt it was generally reasonable for you to stand  
24 where you were standing while Officer Klamser and  
25 Officer Pastor engaged your boyfriend in an

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1 investigation; fair?

2 A. Correct.

3 Q. Okay. And on that day, did it run through  
4 your mind that maybe Officer Klamser felt as though  
5 where you were standing was not reasonable?

6 A. Yes.

7 Q. So why didn't you just listen to him?

8 A. I guess I just don't feel like I -- I  
9 didn't feel like I needed to. Like, I didn't feel  
10 like it was 100 percent necessary that I move.

11 And so I guess without, like, explanation  
12 as -- like, Hey, can you move over there, so that we  
13 can have more room, or You're in our way, or something  
14 like that would have helped me understand why where I  
15 was was not okay.

16 Q. Other than Gamma Phi Beta, were you  
17 involved in any organizations at your time at CSU?

18 A. No. Just GPhi. "GPhi," meaning Gamma Phi  
19 Beta.

20 Q. We used to call them Gamma Phis.

21 A. Yeah, Gamma Phis, GPhis.

22 Q. Were you involved in any -- or have you  
23 been involved in any political organizations?

24 A. No.

25 Q. Have you ever taken place in any political

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1 gatherings or rallies?

2 A. Huh-uh. No.

3 Q. Okay. In general, what is -- well, prior  
4 to April of 2017, what was generally your feeling  
5 about police officers?

6 A. I mean, I still have the same feeling now:  
7 I respect them. I think that they put their lives on  
8 the line for us every day, and I respect what they do.

9 You know, I could never do the job that  
10 they do. And I think that they have a hard job. And  
11 I respect that they, you know, risk leaving their  
12 families to protect our city.

13 But I also feel like just because they're a  
14 police officer and risk their lives, they don't get to  
15 act out of -- out of order or out of how a normal  
16 human being should act just because they have that  
17 badge.

18 But I respect police officers. I did  
19 before and I still do. I don't have any malicious  
20 thoughts or feelings toward them at all.

21 Q. Well, let me ask you this: You said that  
22 you could never do that job. Why is that?

23 A. It's just a lot of work. Like, I mean, you  
24 literally put your life at risk for people that you  
25 don't know.

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1 Q. And why is it you believe police officers  
2 put their life at risk?

3 A. Like, why did they choose to -- like --

4 Q. No.

5 A. Okay. I see.

6 Q. In the job -- let me explain. In the job,  
7 in general, why do you believe when a police officer  
8 goes to work, they're putting their life at risk?

9 A. They could come in contact with people who  
10 have weapons; who, you know, are on drugs and  
11 unstable; who are behind, like, an operated vehicle  
12 and don't want to cooperate, you know, like a car  
13 chase or something.

14 Q. Right.

15 A. There's just a lot of different things that  
16 they could get.

17 Q. You testified, beginning of the deposition,  
18 that you've gotten a few speeding tickets.

19 A. Yeah.

20 Q. Have you ever gone to court?

21 A. No.

22 Q. Have you ever gone to court, other than in  
23 this criminal matter?

24 A. No.

25 Q. Did you understand, prior to this incident,



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1 that if somebody got a speeding ticket, you could go  
2 to court, and you could contest it?

3 A. Yes.

4 Q. And you understood, prior to this incident,  
5 that if a police officer gave you a ticket, there was  
6 a process by which you could contest that ticket?

7 A. Yes.

8 Q. Did you -- were you ever aware, prior to  
9 this incident, that there could be a process for  
10 contesting whether or not you were properly arrested?

11 A. I guess I never really thought about it,  
12 no.

13 Q. Well, you understood that, after being  
14 arrested, somebody would be transferred and appear in  
15 front of a judge, correct?

16 A. Yeah.

17 Q. And you might have learned that in  
18 government class or civics class, or something along  
19 those lines; fair statement?

20 A. Yes.

21 Q. And you understood, on the day of the  
22 incident, that even if Officer Klamser's arrest of you  
23 was improper, you would have a chance to explain that  
24 to a judge, correct?

25 A. On that day, I guess in that moment, I

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1 wasn't really thinking about that, no.

2 MR. RATNER: Okay. I'm going to play a  
3 portion of the video again, from after the takedown  
4 until she's transported to the car. Again, this  
5 doesn't have to be transcribed.

6 All right. So just for the record: Before  
7 we get started, I'm at 1 minute and 38 seconds.

8 (Video played.)

9 Q. (BY MR. RATNER) All right. So I've  
10 stopped the video at 2 minutes and 3 seconds. And  
11 after you're in handcuffs -- so after the takedown and  
12 after you're in handcuffs, you keep saying, I'm not  
13 resisting. I'm not resisting. I'm not resisting.

14 You heard that on the video, right?

15 A. Yes.

16 Q. Why did you keep saying that?

17 A. Because they keep telling me, Quit  
18 resisting. Stop resisting. They keep saying that to  
19 me, so I'm telling them I'm not.

20 Q. Okay.

21 (Video played.)

22 Q. (BY MR. RATNER) All right. At this point,  
23 you're being walked through the square in handcuffs,  
24 correct?

25 A. Correct.

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1 Q. And my understanding is your dress was  
2 hiked up, correct?

3 A. Correct.

4 Q. Okay. Can you tell me how far it was hiked  
5 up? I mean, it doesn't show it on the video, and  
6 that's why I'm asking.

7 A. Maybe, like -- I don't know. Like, this  
8 far up my behind (indicated).

9 Q. Okay. So --

10 A. Showing my buttocks. Yeah.

11 Q. So your buttocks were showing?

12 A. Yes.

13 Q. Okay. All right.

14 (Video played.)

15 Q. (BY MR. RATNER) Okay. I stopped the video  
16 at 2:35. And you fall onto the ground.

17 A. Correct.

18 Q. Why did you fall onto the ground?

19 A. He was hurting me.

20 Q. Okay. And hurting you in what way?

21 A. Grabbing and, like, kind of twisting my arm  
22 and, like, squeezing my arm.

23 Q. You're in handcuffs, correct?

24 A. Right.

25 Q. At this point, you understand you're under

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1 arrest?

2 A. Right.

3 Q. And did you understand where he was taking  
4 you?

5 A. To a police car -- well, I guess I didn't  
6 know at this moment. I assumed I would probably have  
7 been going to a police car. I don't think it had  
8 arrived yet.

9 Q. And so I'm having trouble understanding.  
10 You fell to the ground because he was hurting you.  
11 Was it because of the pain that you fell to the  
12 ground, or was it because you didn't want to walk any  
13 farther? Or why did you fall to the ground?

14 A. Mainly the pain.

15 Q. There was a portion in there where you  
16 didn't feel like you should walk any farther?

17 MR. McNULTY: Objection. Form.

18 Q. (BY MR. RATNER) Go ahead.

19 A. I don't really feel like I -- I don't think  
20 I felt like I shouldn't walk any farther. He was just  
21 hurting me, and I fell and -- I don't know. I was  
22 also not sober.

23 Q. Okay. Did you intentionally fall down?

24 A. No, I did not.

25 Q. Is it your testimony that you -- well,

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1 strike that.

2 Did you trip?

3 A. I'm not sure if I tripped on something or  
4 I -- I just know that I was in a lot of pain, and I  
5 just fell.

6 Q. Okay.

7 (Video played.)

8 Q. (BY MR. RATNER) Okay. I stopped it at --  
9 after we started the video, I stopped it at 2:40 -- or  
10 2 -- we'll call it 2:49 -- 2:48. And I lost my train  
11 of thought. Hold on a second.

12 (Video played.)

13 Q (BY MR. RATNER) Okay. Now I remember. So  
14 I stopped it again at 2:48. And he says, Can you  
15 please stand up? And you said, No. If you let go of  
16 me, I'll stand up.

17 A. Right.

18 Q. Why did you feel as though him letting go  
19 of you had anything to do with you standing up?

20 A. I believe the way he was grabbing me, the  
21 way he was holding onto my arm, with myself being in  
22 handcuffs and being in heels, I don't think -- I  
23 couldn't get up without him letting go of me.

24 Q. Okay. You didn't express what you just  
25 expressed to me, though, to Officer Klamser; did you?

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1 A. Correct: I did not.

2 Q. When you were walking through the square  
3 and you were asking -- well, strike that.

4 You were walking through the square and  
5 asking people to help you; is that correct?

6 A. Correct.

7 Q. And why were you asking people to help you?

8 A. Because even though I was under arrest, I  
9 felt like what had just happened to me was not  
10 appropriate, and I was in pain. I didn't think what  
11 was going on was okay. And my dress was up, and I  
12 just wanted somebody to help me.

13 Q. Okay. And was your asking passersby to  
14 help you limited to putting your dress back down  
15 properly?

16 A. Like, I guess -- I mean, I was just asking  
17 for help in a general sense, but I needed,  
18 specifically, help with my dress.

19 I mean, I knew there was really nothing  
20 anybody could do to help me get away from the police  
21 officer. You know, they're just, like, random  
22 civilians. What are they going to do?

23 But I guess I was just -- like, just trying  
24 anything I could do to help me and, like, signal,  
25 like -- I mean, obviously the people we were passing

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1 didn't see what had just happened.

2 But just signaling, like, This is not okay.  
3 Like, what just happened to me is not okay. I'm not  
4 okay. I need help. I'm not safe right now with  
5 somebody who's supposed to be protecting me.

6 Q. When you were walking through the square  
7 asking people to help you, did you expect them to come  
8 and interfere when Officer Klamser's walking you to  
9 wherever it is he was walking you?

10 A. I don't really think I had any  
11 expectations. I was just trying to help -- like,  
12 trying to get help from wherever I could. I didn't  
13 really know what to do at that point.

14 Q. Well, again, you realize you were under  
15 arrest, correct?

16 A. Correct.

17 Q. Did you think the way you reacted as  
18 Officer Klamser walked you through the square was  
19 appropriate?

20 A. Yes. I don't think it was inappropriate.  
21 I was upset, and I was crying. I had just gotten  
22 body-slammed to the concrete.

23 (Video played.)

24 Q (BY MR. RATNER) So I stopped the video at  
25 2:52. And at one point, you tell Officer Klamser

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1 you're not under arrest for any reason. What do you  
2 mean by that?

3 A. Correct. I didn't feel like I had done  
4 anything wrong. And, you know, at this point, he  
5 still hadn't explained to me at what point I had  
6 broken the law.

7 So I'm still in shock at this point that  
8 I'm under arrest, just got body-slammed to the floor.  
9 So I don't -- I didn't believe there was any reason  
10 that I was under arrest. I understood that I was  
11 under arrest, but I didn't believe it was for any  
12 reason.

13 Q. Okay.

14 (Video played.)

15 Q. (BY MR. RATNER) So at some point, you  
16 called Officer Klamser a bitch, right?

17 A. Correct.

18 Q. And you said -- what did you say? "Record  
19 me, bitch"?

20 A. Yes.

21 Q. Why would you say that?

22 A. Because I knew he was recording me. And I  
23 knew that he was acting in an inappropriate and  
24 aggressive way, and I knew it was on camera.

25 Q. Was this video shown to the jury in the



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1 criminal trial?

2 A. Yeah, I believe so.

3 (Video played.)

4 Q (BY MR. RATNER) You call Officer Klamser a  
5 pussy.

6 A. I did.

7 Q. Do you think that's appropriate?

8 A. I thought that it was appropriate in that  
9 moment. A grown man just threw a young woman, who had  
10 done nothing wrong to him, to the ground and abused  
11 me. And, yeah, I think that exhibits -- displays  
12 those actions of that word.

13 Q. How would you feel if someone called you a  
14 pussy?

15 A. I mean, if I was doing something that --  
16 what's the word I'm looking for? If I was doing  
17 something that, like -- like, if I was acting that way  
18 and someone called me that, I would be like, Yeah,  
19 that's how I was acting. Like, I've been called a  
20 bitch before in my life.

21 Q. Was it -- did it make you feel good when  
22 you were called a bitch?

23 A. No, it doesn't make you feel good. But if  
24 that's how you're being, then you have to own up to  
25 how you're acting.

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1 Q. Has your mom or dad taught you that if  
2 somebody's doing something to you you don't like, you  
3 should call them a pussy?

4 A. No, they've never told me to do that.

5 Q. You wouldn't call your mom or dad a pussy;  
6 would you?

7 A. No, I would not.

8 Q. You wouldn't call your mom or dad a bitch;  
9 would you?

10 MR. McNULTY: Objection. Relevance.

11 MR. RATNER: She said it; not me.

12 Q. (BY MR. RATNER) And not Officer Klamser --

13 MR. McNULTY: I don't know what her parents  
14 have anything to do with . . .

15 (Video played.)

16 THE REPORTER: Did I get an answer to that  
17 last question: "You wouldn't call your mom or dad a  
18 bitch; would you?"

19 THE DEPONENT: I would not.

20 THE REPORTER: Thank you.

21 (Video played.)

22 Q. (BY MR. RATNER) Okay. I stopped it at  
23 roughly 4:14. Officer Klamser, when he delivered you  
24 to a waiting police car and there was another female  
25 officer there, asked you if you needed EMS, correct?