ARIZONA GAME AND FISH DEPARTMENT
5000 WEST CAREFREE HIGHWAY
PHOENIX, ARIZONA 85086

TRANSCRIPT OF INTERVIEW
DAVE GRANDMAISSON
JULY 16, 2009
VOLUME I

Individuals present at the Interview on 7/16/09:

Gary R. Hovatter, Arizona Game and Fish Department, Deputy Director, Interviewer
Marty Fabritz, Arizona Game and Fish Department, Ombudsman, Interviewer
Craig McMullen, Arizona Game and Fish Department, Wildlife Manager, Interviewer
Dave Grandmaisson, Employee

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1 PROCEEDINGS

2 MR. HOVATTER: Dave, I am Deputy Director, and I
3 think you have met Marty and Craig probably before. What we
4 are doing in the last couple weeks is we are digging into
5 trying to sort out all of the details we can about all the
6 events leading up to and including the capture of the Macho
7 B jaguar.

8 The reason we are doing this now is that when we
9 started into this, when the jaguar was originally captured,
10 we believed then and we continue to believe that this was an
11 incidental take. That is the way we operated. That is how
12 we announced it to the world, and we continue to deal with
13 all of the different media perspectives the folks have and
14 what that meant. And following the euthanization, a lot of
15 that heated up. Again, we believe that we were on solid
16 ground.

17 Towards the end -- towards the very end of March,
18 there were allegations from outside the Department that were
19 of the nature, and they were important to the media, the
20 Arizona Daily Star is the primary one that reported it, and
21 they gave an entirely different picture. At that time
22 because of the seriousness of dealing with an endangered
23 specie issue, especially something as emotional as the
24 jaguar was proven to be, we believe we needed to conduct a
25 formal investigation.

1 Also, it was quickly apparent that any
2 investigation that we did in-house internally was going to
3 be suspect, that we already had the Center for Biological
4 Diversity Center and other folks that made it clear that
5 they expected an outside investigation. So we called for --
6 the Director asked for an investigation by the Fish and
7 Wildlife Service, and they almost immediately agreed.
8 Now, when they did that, what we said we would do
9 is that we would not conduct our own -- any internal efforts
10 that we were doing. We had started some, we did have some
11 things about process, about procedures, things like the fact
12 that the satellite phone we used didn't work, things that we
13 needed to learn about ourselves for the future to improve
14 the way we would handle a situation like that, God forbid
15 should one happen again in the future.
16 So we would not conduct interviews that would
17 cause people that the Feds were going to want to talk to, to
18 have conversations that might create the perception that we
19 had tainted the investigation process. So we never dug into
20 this. We never got into the details and never really had an
21 opportunity to try and tie everything together and talk to
22 all the principals.
23 [redacted]
24 [redacted]
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12 [redacted]
13 [redacted]
14 So I coordinated with the Fish and Wildlife
15 Service to let them know that we were going to be conducting
16 our own set of interviews to get at the facts of the matter.
17 Now, we remain of the belief that this was, in fact, what we
18 believe it to be, that it was from the Department's
19 perspective and the Department's staff, this was an
20 incidental thing.
21 That said, there are allegations out there. The
22 Fish and Wildlife Service investigation is not complete. So
23 we decided to do this informal or administrative
24 investigation under Garrity and Garrity conditions, and
25 I will read Garrity to you. And it explains how -- what the

1 expectations of our interview will be, and it also is in our
2 belief, it is the best way to protect the rights of our
3 employees as we go through this.
4 So the Garrity Warning states the employee's name,
5 Dave Grandmaisson.
6 MR. GRANDMAISSON: Excuse me, Gary. Do you have a
7 copy of that?
8 MR. HOVATTER: No, you are going to get a copy.
9 MR. GRANDMAISSON: Oh, we get a copy?
10 MR. HOVATTER: Yeah, yeah, yeah. You are going to
11 get a copy of this. As soon as we sign off on this, you are
12 going to get a copy of it. What is the date? 16th?
13 MR. FABRITZ: Yeah.
14 MR. HOVATTER: All right. Dave Grandmaisson, 16
15 July 2009, not 209. Gary Hovatter -- Interviewers: Gary
16 Hovatter, Marty Fabritz, Craig McMullen. We are conducting
17 an internal investigation involving matters that will be
18 discussed shortly. This is an administrative investigation.
19 You do not have the right to have legal counsel present
20 during the interview, nor will you be advised of
21 Constitutional rights.
22 You are ordered to cooperate fully with this
23 investigation. You are ordered to respond completely and
24 truthfully to all questions posed to you during the
25 investigation. Failure to respond completely and truthfully

1 to all the questions will be considered misconduct as set
2 forth in Garrity vs. New Jersey 385 U.S. 493 and the line of
3 cases which follow.
4 Any responses given during this administrative
5 investigation cannot be used against you in the subsequent
6 criminal investigation. You are instructed not to discuss
7 your interview or this investigation with any Arizona Game
8 and Fish Department employees while the investigation is
9 pending.
10 I have -- and the statement you and I are signing
11 says, I have read the above statements, and I understand the
12 orders given to me about this investigation. I understand
13 my obligation to cooperate fully with the investigation. I
14 understand my obligation to completely and truthfully answer
15 every question. I further understand that I have been
16 ordered not to discuss this investigation with any Arizona
17 Game and Fish Department employees while this investigation
18 is pending.
19 Do you have any questions on this?
20 MR. GRANDMAISSON: Yeah, could you reread the very
21 first sentence?
22 MR. HOVATTER: Just go ahead and read that. I
23 wanted to read it for the tape record on that, but I mean,
24 you are fully cognizant and capable of reading that
25 yourself.

1 MR. FABRITZ: Take your time reading it.
2 MR. GRANDMAISSON: What is an administrative
3 investigation? How does that -- how is that different than,
4 say, a criminal investigation or --
5 MR. HOVATTER: Well, as it states in there, you
6 know, the things you say under Garrity cannot be used
7 against you in the criminal prosecution. The material that
8 the -- the information that we get at here is not available
9 for criminal prosecution of an individual, of the individual
10 giving the statement. What it is, it does mean that -- what
11 it was, was designed as a way, is my understanding, to
12 enable organizations to get at facts they need to know in
13 order to operate their organization and still protect
14 employees against their right to not self-incriminate
15 themselves for possible criminal prosecution.
16 Now, you can tell the truth about the matter
17 without worrying about them seeing that in the criminal
18 court. It does mean that there are administrative, if we
19 were to discover that there was administrative -- something
20 that would make you or anybody that we interview subject to
21 an administrative action, that that would still be available
22 to the State to use.
23 Now, if we do -- there is a somewhat different
24 warning that is given when we are, in fact, investigating an
25 allegation of misconduct. That is not what we are doing

1 here. What we have been doing is just simply trying to get
2 to the facts of the case. It does, though, permit us to, in
3 fact, have access to administrative action, which is not a
4 criminal action, if we do, in fact, during the course of an
5 investigation discover that there has been some sort of
6 administrative misconduct.
7 And, Dave, I can also get -- I happen to have both
8 our lawyers here. I can probably have Diane, if you would
9 like a further explanation, I would be more than happy to
10 get them.
11 MR. GRANDMAISSON: No, that is fine. I was just
12 kind of curious. I don't know this terminology that well.
13 MR. HOVATTER: This is not done that often, I
14 understand. Most of us have not gone under this sort of
15 thing.
16 MR. GRANDMAISSON: Right.
17 MR. HOVATTER: Garrity law is a body of Federal
18 law.
19 MR. GRANDMAISSON: Sure. I should have boned up
20 on my Federal law before I came in.
21 MR. HOVATTER: No, that is fine.
22 MR. GRANDMAISSON: Just when I see things like
23 legal counsel and no right to have legal counsel and
24 Constitutional rights, I just needed to ask some questions
25 about that. I think you did a good job of letting me know

1 what an administrative investigation means, so let's carry
2 on.
3 MR. HOVATTER: You and I need to sign that.
4 MR. FABRITZ: Why don't you guys sign that. I
5 need to step outside.
6 MR. HOVATTER: I think you hit on the key points
7 of this, I think, make the distinction, if there was, in
8 fact, a criminal investigation, you would have all the
9 rights of counsel and all the other Constitutional rights
10 you are guaranteed to.
11 MR. GRANDMAISSON: Uh-huh.
12 MR. HOVATTER: Craig, is your wife, is she back
13 home?
14 MR. MCMULLEN: Yeah.
15 MR. HOVATTER: Are your kids back?
16 MR. MCMULLEN: They got back Tuesday.
17 MR. FABRITZ: Thanks.
18 DAVE GRANDMAISSON,
19 pursuant to Garrity Warning, was examined and testified as
20 follows:
21 EXAMINATION
22 BY MR. HOVATTER:
23 Q. And, Dave, you are free to take notes or anything
24 you want. If you want to take notes of the conversation,
25 you can. If you want a copy of the tape after we are done,

1 we will make a copy of the tape. So we are happy to do any
2 of that.
3 A. Okay.
4 Q. I didn't have a set of questions in front of me.
5 I guess what I wanted to ask you, do you have any -- I know
6 you were not involved with the folks who were actually on
7 the ground, at least it is my understanding. I never came
8 across your name as being a part of that team that was
9 working on the jaguar issue back there in early February.
10 Have you ever had any dealings with any of the
11 jaguar issues or any of the -- have you ever been privy to
12 any conversations about the jaguar operations and activities
13 you have been involved in?
14 A. No. I was aware of the conductivity study that
15 was being conducted down in the Sky Islands, but I wasn't
16 privy to any conversations about jaguars.
17 Q. The conductivity studies that you had -- or the
18 conductivity studies, how did you become aware of that?
19 Part of the questions that I have been asking folks do get
20 to the process. Part of what we are interested in, in the
21 conductivity study, is that how that study was managed and
22 how it was supervised.
23 A. Okay.
24 Q. So how did you become aware of that conductivity
25 study?

1 A. I was aware of it at the early stages when the
2 original proposal for that study was being developed. A
3 biologist who used to work for the research brach by the
4 name of Todd Atwood had put together a research proposal,
5 and he had consulted with -- well, I was probably one of the
6 people that he had consulted with to read the proposal, edit
7 it, get some comments, that kind of thing.
8 From that point, I know that he subsequently left
9 and moved on, and it was, you know, that project did end up
10 getting some funding. I am not sure what the funding source
11 was for it, and then it was handed to another biologist just
12 to manage. That is the extent of my knowledge from the
13 beginning on that study.
14 Q. When you helped review that study, one of the
15 questions that I had is, you know, the idea of using bears
16 and lions as surrogates for jaguars. Did you get into
17 any -- as part of your looking at it, did you get into any
18 literature, look at any literature about other types of
19 surrogate studies that they could talk to you, you know,
20 about that methodology, the validity of that methodology?
21 A. Not for this particular project, I didn't delve
22 into any of the literature, but I mean, there is -- there
23 are many examples in the literature where you find people
24 who are trying to answer questions about a species that is
25 difficult to work with. So they go to a species that is

1 similar. It is in the same taxonomic guild or it has
2 similar characteristics, life history, that kind of thing.
3 So there is a body of knowledge that would support that type
4 of approach.
5 Q. Well, it is logical. I am aware of some things,
6 you know, if you want to study Ivory-billed Woodpeckers, you
7 have got a challenge ahead of you, but you do have similar
8 species that you could take a look at. I don't mean that
9 facetiously. I understand that. I think the challenge, of
10 course, is that the species do have to be, not just
11 morphologically similar, but, in fact, similar enough in
12 habits to where the surrogacy does, in fact, seem to match.
13 And it has been wholly logical that the study from
14 the beginning looking at -- that looking at that as a way of
15 getting answers about a species like the jaguar that are
16 extremely difficult to get a beat on. I know I talked to a
17 few folks that have had the opinion that jaguars use the
18 habitat so differently that as a surrogate, they may not
19 have a very good surrogate anywhere in their borderlands
20 habitat.
21 But I am not -- I just thought since you had had a
22 chance to look at that, that maybe you had an opportunity to
23 dig into that a little deeper, but it is more of a --
24 because we are going to still have the challenge of trying
25 to get at the borderland jaguar habitat, borderland jaguar

1 conservation, when the dust settles on all this. And,
2 certainly, if we could find that type of study has merit,
3 that is one way to get at it.
4 Were you familiar -- I know that I think you and
5 Michelle were housemates during part of that time when she
6 was working on that bear and lion study?
7 A. That's correct.
8 Q. Did that extend to -- she started on that, I think
9 in, November. She worked with Emil McCain. I think she was
10 in on that tracking that first lion, that Lion No. 1, for
11 that study. Were you -- did your relationship then extend
12 to that period or did it start after that or --
13 A. Yeah. She rented a room in my house, and she
14 moved in in November, beginning of November.
15 Q. Okay.
16 A. I believe it was the beginning of November.
17 Q. Did she have any -- did you guys talk any shop
18 about that November part of that when they were doing the
19 bear and lion work along the border?
20 A. Not really, you know, super busy, our paths not
21 crossing very often.
22 Q. What project were you on at that time?
23 A. Let's see, November, I would have been wrapping up
24 the field season on a couple different desert tortoise
25 projects and getting prepped for this season, working on a

1 lot of calls down in Pima County. So I was still -- I'd say
2 November is kind of when things build up for field season.
3 So I could have still been running around quite a bit in
4 November.
5 Q. Well, then they ran out of collars. They put all
6 their collars on fairly quickly in that amount of time, so
7 they had a hiatus, too.
8 A. I do remember that, yeah.
9 Q. You know, kind of fast forward, we get back into
10 February, and we have got collars now, so we are getting to
11 restart. We are ready to re-resurrect that. We lost that
12 one line from that Lion No. 1 out of that, that had been
13 trapped in that one area. So there was the effort to go
14 back in and resurrect that snare line, so try to replace
15 that line, at least that's my understanding. Did you have
16 any conversations with her as she was getting ready for that
17 project or have an opportunity to talk to her?
18 A. No.
19 Q. Do you have any memory of conversations with her
20 after she got back from that project on the 9th after she
21 worked there that first time when they re-established that
22 snare line? That was before they captured the jaguar.
23 A. Ask the question again.
24 Q. Do you have any memory of having any conversations
25 with her about that field work when she got back from

1 it after -- she was there, I think, the 5th through the 9th.
2 MR. FABRITZ: He is referring to February, just to
3 clarify.
4 Q. BY MR. HOVATTER: February, yeah.
5 A. I don't remember anything specific, you know. You
6 guys have probably had a chance to talk to Michelle. She's
7 very quiet, you know, usually when I would see her, I would
8 be coming in from being out in the field, or she would be
9 coming in, it would be like, hey, how are you doing? How
10 was the field work? Okay. Good. I am going to bed or I
11 have got to go do laundry. So no shop talk that I can
12 remember in February.
13 Q. Well, I mean, I know that you guys doing the field
14 work that you do, I mean, it is a pretty rigorous lifestyle
15 from the standpoint you are here one day, literally
16 someplace halfway across the state the next sometimes. So
17 it doesn't surprise me that you don't cross paths all that
18 much.
19 So moving forward from that, she goes back out
20 then on the 16th of February. And then she's there a day,
21 out a day, back, and then she comes back on the morning of
22 the 18th, and that's when they go out and run the snare
23 line, and that is when they captured -- find Macho B in one
24 of the snares. She didn't spend much more time out there
25 because I think she had some class work and some other

1 things she had to do.
2 Did you have any conversations with her about that
3 capture after the fact?
4 A. Yeah. I do remember one day coming into the
5 house, and she was working at her computer, I don't know
6 what the day was, and she was pretty excited to show me some
7 photos that she had taken.
8 Q. Was that the tracking photos or the actual
9 capture?
10 A. The actual --
11 Q. The actual capture?
12 A. Right. Well, it was photos of the animal, yeah.
13 And I was like, wow, that is great. It was kind of like a
14 hey, cool, type of conversation. You know, I didn't get
15 into asking her any details really about it.
16 Q. Did she have any -- in her discussion of that,
17 did -- I guess I am thinking you probably answered this.
18 You stated there was no detail, no digging into any
19 methodology or how -- do you have any lion snare or snaring
20 experience?
21 A. A little bit, yeah. I knew that they had caught
22 it in a snare, but, you know, I don't recall any real nuts
23 and bolts kind of conversation. It was mostly just checking
24 out the pictures a little bit, and that was pretty much it.
25 Q. Were there any -- did she seem to or did you have

1 any conversations after -- unfortunately, when the animal
2 was recaptured, she wasn't a part of that, but did she seem
3 to you or ever have any opinions about after the animal had
4 to be destroyed, did that seem to affect her? Did you have
5 any sense of her having -- I don't know. That's really
6 unfair to ask that question.
7 Did she ever discuss anything -- any of her
8 beliefs or thoughts about the capture and then recapturing
9 and euthanization of the animal?
10 A. Not to my knowledge. I don't recall any
11 discussion that we had about that topic.
12 Q. And did she ever have any of her friends, Emil
13 McCain or Janay Brun or any of the folks from those days
14 when she was working out there at Ruby, ever stop by that
15 you are aware of?
16 A. Stop by my house?
17 Q. Yeah.
18 A. No, I never met any of those people. So, no, I am
19 not aware of them being there.
20 MR. HOVATTER: Guys, you got any questions?
21 MR. MCMULLEN: This is probably a short interview.
22 You spent a lot more time driving than you did talking.
23 David, in the trapping session that they had, the field
24 session that they had before the one where they captured
25 Macho B, they found a track that they believed to be that of

1 a jaguar. And do you remember any discussion or ballyhoo
2 about that at all at the house?
3 THE WITNESS: No, I wasn't aware of that, huh-uh.
4 MR. MCMULLEN: All right.
5 MR. HOVATTER: Marty, have you got anything?
6 MR. FABRITZ: No.
7 MR. HOVATTER: I appreciate you coming down. I
8 know it was a hell of a drive. You had a lot of things
9 going on. We really can't do these interviews on the
10 telephone. They have to have -- we have to have --
11 everybody has got to have awareness of who is in the room.
12 You have got to know who is in here. We have got to know
13 who is on the other end with whoever we are talking to. So
14 we had to do it this way.
15 But I appreciate you coming down, and I doubt that
16 we will -- if you come down this way again, it won't be
17 because we called and asked to talk to you. I think we are
18 done.
19 MR. GRANDMAISSON: Okay.
20 MR. HOVATTER: If you would like a copy of the
21 tape or something, let Marty know, and we can get a copy to
22 you.
23 MR. GRANDMAISSON: Okay.
24 MR. HOVATTER: All right.
25 MR. FABRITZ: I hope you can get back and get your

1 office work done.

2 MR. GRANDMAISSON: I will be able to get back. Am

3 I going to have energy to do the office work? I don't know.

4 MR. HOVATTER: I expect not.

5 MR. GRANDMAISSON: I am always willing to do

6 whatever I need to do to help. I just thought maybe it

7 would be nice if we could have scheduled like ahead of time,

8 that was my only point.

9 MR. MCMULLEN: I understand. It is

10 understandable.

11 MR. HOVATTER: And just let me say this, and I

12 appreciate that, but understand, this Department's

13 reputation is on the line right now. And right now I was

14 not going to have an interview wait until the middle of next

15 week when I was going to finish everything up this week. I

16 really appreciate you helping.

17 MR. GRANDMAISSON: That is why I am here.

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1 CERTIFICATE.

2 I, Tammy Gillett, do hereby certify that the
3 foregoing 19 pages were transcribed by me; that I was then
4 and there a Certified Reporter in and for the County of
5 Maricopa, State of Arizona, and that the foregoing pages
6 contain a full, true, and accurate transcript of all the
7 digitally recorded and/or taped proceedings, all to the best
8 of my skill and ability.

9 I FURTHER CERTIFY that I am not related to nor
10 employed by any of the parties hereto, and have no interest
11 in the outcome.

12 DATED at Phoenix, Arizona, this 7th day of August,
13 2009.

14 TAMMY GILLETT
Certified Reporter
15 No. 50430

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