

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

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AMERICAN NEWS & INFORMATION SVCS. INC. and EDWARD PERUTA Plaintiff	*	CIVIL ACTION NO. 3:15-CV-01209-RNC
	*	
vs.	*	
	*	
JAMES C. ROVELLA, MICHAEL COATES, BRANDON J. O'BRIEN, SEAN SPELL, BRIAN FOLEY, ET AL. Defendants	*	MARCH 16, 2017
	*	
	*	

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VIDEOTAPE DEPOSITION  
OF  
SEAN SPELL

Taken before Patricia Tyszka, Registered Merit Reporter and Notary Public, in and for the State of Connecticut, pursuant to the Federal Rules of Civil Procedure, at the Law Offices of Rachel M. Baird & Associate, 15 Burlington Road, Harwinton, Connecticut, on Thursday, March 16, 2017, commencing at 10:16 a.m.

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A P P E A R A N C E S

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By: Rebecca M. Harris, Esq.  
rharris@crumbielaw.com

ALSO IN ATTENDANCE:

Edward Peruta

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Transcript Legend

- [sic] - Exactly as said.
- [phonetic] - Exact spelling not provided.
- [...] - Indicates omission of word[s] when reading OR trailing off and not finishing a sentence.

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LIST OF EXHIBITS  
[Marked for Identification]

CHIEF JAMES C. ROVELLA

PLAINTIFF

<u>EXHIBIT NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
37	6/6/16 Sgt. Sean Spell's Objections and Responses to Plaintiff's Interrogatories, dated December 29, 2015 (22 pgs) .....	50
38	(Copy of Exhibit 4) Hartbeat Dispatch Summary Record 9/12/14 (14 pgs) .....	73
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40	Citizen Complaint Form IAD 06-101 (19 pgs) .....	172
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42	9/12/16 Delinquent Violation Notice Issued 8/17/15 .....	184

\*\*REPORTER'S NOTE: All exhibits retained by Court Reporter.

S T I P U L A T I O N S

1  
2  
3           It is stipulated by the Attorneys for the  
4 Plaintiff and the Defendant that each party reserves the  
5 right to make specific objections in open court to each and  
6 every question asked and the answers given thereto by the  
7 witness, reserving the right to move to strike out where  
8 applicable, except as to such objections as are directed to  
9 the form of the question.

10           It is stipulated and agreed to the adequacy of  
11 the notice.

12           It is stipulated and agreed between counsel for  
13 the parties that the proof of the authority of the  
14 Commissioner before whom this deposition is taken is  
15 waived.

16           It is further stipulated and agreed that the  
17 Deponent will read and sign the deposition transcript.  
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SEAN SPELL,

Deponent, of Hartford Police Department, 253 High Street, Hartford, Connecticut 06103, after first having been duly sworn by the Court Reporter, testified under oath as follows:

[Mr. Peruta not present.]

[Plaintiff Exhibit 37-42: Marked for ID.]

DIRECT EXAMINATION

BY MS. BAIRD:

Q So good morning --

A Good morning.

Q -- Mr. Spell. My name is Attorney Rachel Baird. We've never met before; correct?

A That's correct.

Q I represent American News & Information Services and Ed Peruta in a civil complaint that's been filed in federal court. Are you aware that that's the reason why you were noticed to be deposed today, because of that complaint?

A Yes.

Q And are you aware that you're a defendant in

1 that complaint?

2 A Yes.

3 Q And you're represented today by Rebecca Harris  
4 of Crumbie Law Firm?

5 A Yes.

6 Q Have you ever been through the deposition  
7 process previously?

8 A Yes.

9 Q On how many occasions?

10 A I believe once.

11 Q How long ago was that?

12 A Years ago. Maybe 10, 12, 15 years ago.

13 Q And was that related to your employment as a  
14 Hartford police officer?

15 A Yes.

16 Q So even though it was a while back, you probably  
17 still recall it and -- but I'll go over some ground rules  
18 to make it clear that if you have any questions or  
19 something's not clear to you, please let me know.

20 A Okay.

21 Q Don't answer a question if you don't understand  
22 the question.

23 A Okay.

24 Q Ask for clarification or ask to speak to your  
25 counsel, whatever you wish to do.

1 A Okay.

2 Q If you need a break, let me know and we can  
3 provide that as well. And just in general if you have any  
4 concerns, bring it to my attention.

5 A Okay.

6 Q Is there any reason why, physically, you believe  
7 that you can't pay attention today or focus on the  
8 questions and answer accurately?

9 A No.

10 Q Okay. So let's begin then.

11 You were a member of the Hartford Police  
12 Department; correct?

13 A Yes.

14 Q How long in -- in saying how long were you a  
15 member of the police department, tell me when you started  
16 work and when your work ended.

17 A It was August of 1996 that I started, and it was  
18 August of 2016 that I retired.

19 Q Prior to your employment with the Hartford  
20 Police Department, did you have any other experience in a  
21 law enforcement position?

22 A Yes.

23 Q What was that?

24 A Town of Bloomfield, Connecticut.

25 Q And were you a police officer with the Town of



1 Bloomfield?

2 A Yes.

3 Q From what year to what year?

4 A September of 1990 to August of 1996.

5 Q What ranks did you hold -- what rank or ranks  
6 did you hold during that six-year period?

7 A Police officer, Community Service Officer, and  
8 detective.

9 Q Did you have any training in law enforcement  
10 prior to September 1990 accepting the position with the  
11 Bloomfield Police Department?

12 A No.

13 Q And so other than the Bloomfield Police  
14 Department and the Hartford Police Department, you haven't  
15 worked for any other law enforcement agencies?

16 A No.

17 Q What did you do work-wise prior to  
18 September 1990?

19 A College.

20 Q What college did you attend?

21 A Manchester Community.

22 Q And what years did you attend Manchester  
23 Community College?

24 A 1988 to 1990.

25 Q Did you obtain a degree?

1 A Associate's.

2 Q In what?

3 A Criminal justice.

4 Q Have you attended or taken any additional  
5 college classes since that time?

6 A No.

7 Q And did you work while you were attending  
8 college at Manchester Community College?

9 A Yes.

10 Q Where did you work?

11 A I worked several jobs. I worked at  
12 Pratt & Whitney; I worked at Sears; I worked for a towing  
13 company; I worked for a landscaping company. I had like  
14 four jobs.

15 Q Did any of those jobs involve security?

16 A Pratt & Whitney did and Sears did.

17 Q And what security position -- security-related  
18 position did you hold at Pratt & Whitney?

19 A I don't recall exactly what they called them,  
20 but it was like a plant protection officer.

21 Q And how long did you do that?

22 A I couldn't accurately say exactly how long.  
23 Maybe -- I'd be guessing -- a year, give or take.

24 Q And what was the reason for leaving?

25 A I got hired by the Town of Bloomfield.

1 Q And Sears, in that security-related position,  
2 what was the name of the job title that you held?

3 A The loss prevention.

4 Q And did you hold that job before  
5 Pratt & Whitney?

6 A At the same time.

7 Q And what was your reason for leaving that job?

8 A Got hired by Bloomfield.

9 Q What did you do for the towing company?

10 A Towed cars.

11 Q And what towing company was it?

12 A South Windsor Garage.

13 Q When did you do that?

14 A All inside that time period.

15 Q And what was the reason for leaving that job?

16 A Got hired by the Town of Bloomfield.

17 Q And landscaping. Did you work for a company?

18 A I did.

19 Q And what company was that?

20 A Jay's Landscaping.

21 Q And was that during the same period as the other  
22 jobs?

23 A Yes, it was.

24 Q And what was your reason for leaving that job?

25 A And prior; I did that while in high school also.

1 I left for the same reason, Town of Bloomfield.

2 Q What academy or police training did you receive  
3 when you obtained the job with Bloomfield?

4 A The Municipal Training Academy in Meriden.

5 Q How long did that last?

6 A Oh, back then I think it was -- 26 years ago? I  
7 think it was like 16 weeks maybe?

8 Q And did you have field training while you were  
9 employed with the Bloomfield Police Department after  
10 you --

11 A Yeah.

12 Q -- left the -- or graduated from the Municipal  
13 Training Academy?

14 A Yes.

15 Q How long did your field training last?

16 A It was somewhere between 12 and 16 weeks.

17 Q During your six years with the Bloomfield Police  
18 Department, what chief or chiefs did you serve under?

19 A Chief Magno and Chief Mulhall.

20 Q You were -- was it a promotion from police  
21 officer to detective?

22 A Yes.

23 Q So when did you receive that promotion?

24 A Sometime in the area of 1993.

25 Q Was there an examination process to go through

1 for that promotion?

2 A No. It was by appointment.

3 Q Who was head of the Detective Division that you  
4 served under?

5 A I don't recall.

6 Q Did you receive any discipline while you were  
7 employed by the Bloomfield Police Department?

8 A Not that I recall, no.

9 Q What was your reason for leaving the Bloomfield  
10 Police Department?

11 A I had been assigned to Hartford sometime during  
12 that time frame once I made detective, and I had just  
13 made friends over there and decided to apply over there.

14 Q How long did it take between the application for  
15 the Hartford job and actually being notified that you had  
16 been accepted?

17 A It was a long time. It was several years,  
18 probably close to two years.

19 Q What was the application process you went  
20 through for the Hartford job while you were still with  
21 Bloomfield?

22 A The same as any other process. Pretty much the  
23 written, oral exam, physical exam, physical agility exam,  
24 polygraph, medical, chief's interview.

25 Q And did the Bloomfield Police Department know

1 that you were applying to go to Hartford?

2 A Yes. I advised them.

3 Q Did you get any recommendations from either the  
4 chief in Bloomfield or any other officers that you worked  
5 with or under?

6 A Yeah. I remember the chief gave a good  
7 recommendation.

8 Q Who was the chief that you interviewed with at  
9 the Hartford Police Department in the application process?

10 A Joseph Croughwell.

11 Q What was the work that you did with the Hartford  
12 Police Department while you were still with Bloomfield  
13 that kind of got you to be familiar with some of the  
14 Hartford officers?

15 A I was an undercover detective that purchased  
16 narcotics. And when you're in undercover in the  
17 department, they send things out to other departments  
18 saying they have undercover available. So they used me  
19 all around the state and Hartford to make undercover  
20 buys.

21 Q So you worked with other police departments as  
22 well?

23 A Yes.

24 Q What other police departments do you recall  
25 working with?

1           A     Off the top of my head, Torrington, Vernon, New  
2     Hartford, Avon, Simsbury, Canton, Windsor, Enfield, East  
3     Hartford. I don't know if I'm missing any ones. That's  
4     pretty much it.

5           Q     Now, in New --

6           A     Oh, Granby. Granby too also. I'm sorry.

7           Q     I'm sorry. You said Granby?

8           A     Granby and East Granby, yes.

9           Q     Now, in New Hartford, would that have been the  
10    State Police you were working with or the Resident  
11    Trooper? The Constable?

12          A     It was -- don't they have some officers that  
13    work there, like, under the State Police? It would have  
14    been with them.

15          Q     Okay.

16                   MS. HARRIS: You can't ask her questions,  
17                   so --

18                   THE WITNESS: Yeah, I just --

19                   MS. HARRIS: Rachel can't answer, so if you  
20                   don't remember you don't remember.

21          A     I don't know the city that well. New  
22    Hartford -- and I remember they had some officers or  
23    detectives, like one or two, and it was through them.

24    BY MS. BAIRD:

25          Q     Okay.

1           A     It was a long time ago.

2           Q     And what portion of your time with Bloomfield  
3 did you spend doing these undercover assignments for other  
4 departments?

5           A     Probably between '93 and up to sometime in '96.

6           Q     And those years coincide when you were with the  
7 Detective Division; correct?

8           A     Yeah. I was detached. I really wasn't directly  
9 under the Bloomfield detectives, just detached to a  
10 narcotics unit.

11          Q     Did you work at all with the Statewide Narcotics  
12 Task Force?

13          A     Yes.

14          Q     And would that work while you were employed with  
15 Bloomfield have been between 1993 and '96?

16          A     Yes.

17          Q     Did you apply to any other departments besides  
18 the Hartford Police Department while you were employed  
19 with Bloomfield?

20          A     No.

21          Q     What additional training, if any, did you  
22 receive when you were accepted as a Hartford police  
23 officer?

24          A     Four weeks of training at the Academy with  
25 policy and procedure, and then four weeks field training.



1 Q And from September 1990 through August of 2016,  
2 is it fair to say that your certification remained valid  
3 as a police officer?

4 A Yes.

5 Q It never lapsed for any reason?

6 A No.

7 Q Is your certification still valid now?

8 A Yes.

9 Q And what's your understanding of the time period  
10 it will be valid?

11 A Three years after departure.

12 Q Have you made any applications to any other  
13 police departments since retiring from the Hartford Police  
14 Department?

15 A No.

16 Q Why not?

17 A Because I did 26 years and did my time.

18 Q Okay. So is it correct that you're not  
19 interested -- at this point; I'm not going to hold you to  
20 it, but at this point -- in applying to any law  
21 enforcement agencies?

22 A Yes. That's correct.

23 Q What was your initial assignment with the  
24 Hartford Police Department in -- looks like you said you  
25 went there in August of 1996.

1 A Patrol officer.

2 Q In what area or areas of the city?

3 A North End.

4 Q And was Chief Croughwell still the chief when  
5 you were actually hired and began work in August of 1996?

6 A Yes.

7 Q You know, I asked you about depositions. I  
8 forgot to ask you have you testified in court before?

9 A Yes.

10 Q On approximately how many occasions?

11 A Eight, give or take.

12 Q Did any of those occasions occur while you were  
13 with the Bloomfield Police Department?

14 A I don't believe so.

15 Q And were these eight occasions that you've  
16 referenced related to your work as a Hartford police  
17 officer?

18 A Yes.

19 Q Was there a courthouse or courthouses where you  
20 primarily testified?

21 A Yes.

22 Q And which one was that?

23 A Hartford.

24 Q And is that at 101 Lafayette Street?

25 A Yes.

1 Q Do you know who the State's Attorney or State's  
2 Attorneys were while you were employed with the Hartford  
3 Police Department?

4 MS. HARRIS: Objection to the form.

5 You can answer.

6 THE WITNESS: Answer?

7 MS. HARRIS: Yes, you can answer.

8 A When I left, I know it was Gail Hardy. Prior to  
9 her, not really -- not really sure.

10 BY MS. BAIRD:

11 Q Do you know a State's Attorney named Jim Thomas?

12 A I do, yes. I mean I don't know him, but I'm  
13 familiar with the name.

14 Q So you never had any direct conversations with  
15 Mr. Thomas --

16 A Not that I recall.

17 Q -- that you recall. Okay.

18 What prosecutors did you testify -- let me --  
19 "for" I was going to say. But let me rephrase that  
20 question.

21 In the cases that you testified in in Hartford,  
22 who were the prosecutors who were prosecuting the cases?

23 A I don't remember. I mean -- the drug cases we  
24 had an assigned prosecutor. I think we had Vic Carlucci  
25 for a little while. And there was another guy, gang

1 prosecutor, Jeff -- he retired. I don't remember his  
2 last name.

3 Q Was he also -- this Jeff that you're referring  
4 to, also the firearms prosecutor for a period of time?

5 A He might have been. He was big into his dogs.  
6 Jeff -- can't remember his last name. And then --

7 Q Was he tall and thin?

8 A Yes.

9 Q Okay.

10 A And there was also a special gang prosecutor I  
11 worked with, who is now a judge. I think Carl Thomas?

12 Q Does Carl Taylor ring a bell?

13 A Carl Taylor, yes. Carl Taylor. And there may  
14 have been more, I just don't recall.

15 Q How long did you remain a patrol officer in  
16 Hartford before receiving a promotion, if you were  
17 promoted?

18 A I did like six to eight months in patrol.

19 Q And were the entirety of those six to eight  
20 months in the North End?

21 A Yes.

22 Q Did you have the same supervisor during that  
23 period?

24 A No.

25 Q Do you remember any of the supervisors you had?

1           A     They were all just, you know, patrol sergeants.  
2     Whoever it could have been that particular night.

3           Q     Did you work a particular shift during that  
4     period?

5           A     I worked some midnight shifts and then pretty  
6     much rotated around different shifts.

7           Q     What happened after that six to eight months in  
8     terms of your rank, if anything?

9           A     Nothing.

10          Q     Okay. After the six to eight months as a patrol  
11     officer in the North End, did your assignment change?

12          A     Yes.

13          Q     What did it change to?

14          A     To North PSA Task Force.

15          Q     What does "PSA" stand for?

16          A     Police Service Area.

17          Q     And was that -- was your work in that assignment  
18     in any way different than what you had been doing  
19     previously as a patrol officer?

20          A     Yes.

21          Q     How is it different?

22          A     It was like a -- we weren't dispatched to calls  
23     for service, it was a proactive, street level type,  
24     quality of life type of a street crime unit.

25          Q     When you left the Hartford Police Department in

1 August of 2016, did they still have a PSA Task Force in  
2 any areas of the city?

3 A No. They -- it went from the PSA and they  
4 changed the names to Conditions Units.

5 Q How long were you assigned to the North PSA Task  
6 Force?

7 A I'd say until sometime in 1999.

8 Q Did your rank remain the same -- a patrol  
9 officer?

10 A Yes.

11 Q What did your assignment change to in 1999?

12 A Went to another -- a different task force.

13 Q What task force did you go to?

14 A The FBI Violent Crime Task Force.

15 Q Did you ever attend the FBI Academy for  
16 training?

17 A No.

18 Q And what did you do on the FBI Violent Crime  
19 Task Force?

20 A Did long-term investigations regarding violent  
21 crime.

22 Q Who did you work with?

23 A At that time it was -- Warren Bamford was the  
24 agent in charge. I'm not sure of the spelling of his  
25 last name.

1 Q And you started on this FBI Violent Crime Task  
2 Force in 1999. Was there a period where that assignment  
3 ended?

4 A Yeah, about a -- a little over a year to a  
5 year-and-a-half afterwards.

6 Q What did you do then?

7 A Detective in Narcotics.

8 Q And were you still at the rank of a patrol  
9 officer?

10 A No. After a year of a plainclothes assignment,  
11 by union contract there's -- pretty much have to promote  
12 you to detective at that time.

13 Q And does the pay increase with the promotion to  
14 detective?

15 A It does.

16 Q Who did you work under in the Detective  
17 Division -- the detective Narcotics assignment, starting  
18 in 2001?

19 A At that time it was Arvin Leftwich.

20 Q How long were you assigned to the Narcotics  
21 Division as a detective?

22 A Until I think around 2003.

23 Q What did you do then?

24 A Went to a Community Service Officer in  
25 Parkville.

1           Q     In the cases where you testified in court over  
2 at 101 Lafayette Street, were there particular inspectors  
3 or investigators assigned to the State's Attorney's office  
4 that you worked with?

5           A     No.

6           Q     Do you know who Gerry Kumnick is?

7           A     Yes.

8           Q     Who is he?

9           A     He's an inspector.

10          Q     With the State's Attorney's office in Hartford?

11          A     Yes.

12          Q     And did you ever work with him on a case?

13          A     Gerry was at Hartford P.D. while I was there  
14 until he retired and went over to the court. And as far  
15 as working with him on a case, I would say Gerry, no.

16          Q     How about Steve Kumnick; do you know him?

17                   MS. HARRIS: Can we pause for a second? I  
18 want to just talk to him outside for a second.

19

20                   [Off record: 10:40 a.m. to 10:40 a.m.]

21

22 BY MS. BAIRD:

23           Q     I think the pending question was do you know  
24 someone named Steve Kumnick?

25           A     Yes.



1 Q And how do you know him?

2 A He was also a Hartford police officer at the  
3 time that I was there.

4 Q How long were you a Community Services Officer  
5 in Parkville after you were assigned there in 2003?

6 A You know -- and the years might be close to one  
7 other or overlap --

8 Q No, I --

9 A -- but, yeah, a year, give or take.

10 Q What were your duties during that period as a  
11 Community Services Officer in Parkville?

12 A Just assigned to the Parkville community as  
13 their Community Service Officer. So it could be anything  
14 from answering calls to community meetings, addressing  
15 the community's concerns, to be there for the residents  
16 of Parkville.

17 Q After Chief Croughwell left the department, who  
18 was the next chief that you served under?

19 A Rachel, there's been so many chiefs I would have  
20 to -- I mean I think from Croughwell it probably went to  
21 like maybe -- maybe Bruce Marquis possibly, and then at  
22 some time it changed from Bruce Marquis to Patrick  
23 Harnett. In between there there were some acting chiefs.  
24 You had -- Chief Barrow was acting at one time. You had  
25 another guy that was acting at one time. It's -- it's a

1 lot.

2 Q Okay. Did the Community Services Officer  
3 position in the Parkville area that went from about 2003  
4 onward for approximately a year include an area in  
5 Hartford referred to as Frog Hollow?

6 A No. It actually -- Orange Street, I'm familiar  
7 with Orange Street where the bridge is. That's pretty  
8 much the dividing line between Parkville and then heading  
9 into Frog Hollow.

10 Q So Frog Hollow, if they had a Community Services  
11 Officer, would have had a different one.

12 A Yes.

13 Q What did you do next then after the  
14 approximately one-year period as Community Services  
15 Officer?

16 A Sergeant.

17 Q Did you go through a promotional process to  
18 obtain the rank of sergeant?

19 A Yes.

20 Q And what was that process?

21 A Written test, oral interview, chief's interview.

22 Q And do you remember who that chief was that you  
23 interviewed for the sergeant's position?

24 A I believe at that time Patrick Harnett.

25 Q Were you -- at the time you were promoted to

1 sergeant, do you know if anyone else was as well in the  
2 group?

3 A Yes.

4 Q How many?

5 A Total off that list or ...

6 Q Well, let me clarify my question then.

7 Yes. Who was notified that they had  
8 successfully gone through the process and been promoted  
9 to sergeant when you received word that you had been  
10 promoted to sergeant? If you know.

11 A Eight to 10 possibly?

12 Q How long between the notification that you had  
13 successfully gone through the process and been promoted to  
14 sergeant until you actually put on the stripes and started  
15 to receive the pay?

16 A It was an extended period of time due to  
17 changing of police chiefs.

18 Q Can you tell me what you mean by "extended"?  
19 Just approximate.

20 A Eight to 10 months?

21 Q Did you go through any litigation process to be  
22 promoted to sergeant? Did you have to go to court?

23 A No.

24 Q Are you aware of a case that's been pending in  
25 federal court called *Cintron versus Vaughn*?

1           A     I've heard of it, yes.

2           Q     Okay. Do you know if you had counsel that filed  
3 an appearance on your behalf in that case?

4           A     I don't know.

5           Q     Do you know if you've ever intervened in that  
6 case?

7           A     I don't think so.

8           Q     Okay. And sitting here today, what you recall  
9 the reason for the extended period that it took between  
10 eight and 10 months for you to actually receive the  
11 promotion was due to a change in chiefs?

12          A     Yes.

13          Q     Do you know of any other reason why it might  
14 have taken that extended period of time?

15          A     No.

16          Q     Did your assignment change when you became a  
17 sergeant?

18          A     Yes.

19          Q     And how did it change?

20          A     I went from Community Service Officer to  
21 supervisor of the South PSA.

22          Q     What areas of the city does the South -- when  
23 you say "South PSA," what areas did that include?

24          A     Pretty much everything south of Capitol Avenue.

25          Q     How many people did you supervise over the

1 period of time when you were the sergeant for the South  
2 PSA?

3 A At first it was approximately 25.

4 Q Did it increase or decrease over time?

5 A Decreased over time.

6 Q And how long of a time were you the sergeant for  
7 the South PSA?

8 A Maybe five to six years?

9 Q Now, were you a shift sergeant?

10 A No.

11 Q Okay. So you -- you were the ranking sergeant  
12 for the South PSA?

13 A Yes.

14 Q Were there any other sergeants assigned?

15 A Various sergeants came and opted to leave.

16 Q What shift did you work during that time?

17 A Whatever shift they told us to work. Usually  
18 the worse shifts, like 7:00 at night to 3:00 in the  
19 morning on Fridays and Saturdays. During the day,  
20 usually on Tuesdays or Wednesdays, Mondays.

21 Q What kind of work did you do as a sergeant for  
22 the South PSA?

23 A Supervised the men and women assigned to the  
24 South PSA.

25 Q And what kind of work did they do?

1           A     Anything from street level narcotics to quality  
2 of life violations. It could be anything we're directed  
3 to.

4           Q     Did you work at all with the Detective Division  
5 while you were the sergeant of the South PSA?

6           A     Give or take, as chiefs changed and  
7 administration changed. At some points they had one or  
8 two detectives assigned to the PSA. At other times they  
9 had them assigned under the Detective Division. That  
10 changed several times.

11          Q     Do you know James Rovella?

12          A     Yes.

13          Q     And how long have you known him?

14          A     Oh, I knew of him when I first came on, but I  
15 didn't know him; and then became more familiar with him  
16 in about July of 2011.

17          Q     When did the five- to six-year period at the  
18 South -- with the -- as a sergeant in the South PSA end?  
19 If it ended.

20          A     I'd have to guess a year. Around 2008 or '09,  
21 somewhere in there.

22          Q     And what did you go on to do around 2008 or  
23 2009?

24          A     Downtown Patrol Division.

25          Q     You were still a sergeant; correct?

1 A Yes.

2 Q And you served in a supervisory capacity?

3 A Yes.

4 Q How long were you the Downtown Patrol Division  
5 sergeant supervisor?

6 A Until around July of 2011.

7 Q And what did your assignment change to in  
8 July 2011?

9 A Shooting Task Force.

10 Q Is that the same time period when you became  
11 more familiar with James Rovella?

12 A Yes.

13 Q And why is that?

14 A He was the chief inspector in charge.

15 Q Is that a rank, "inspector"?

16 A I'm not really familiar with the rank structure  
17 there.

18 Q Okay. And when you say "there," you mean the  
19 Shooting Task Force?

20 A No. The rank structure within the chief  
21 inspectors or court inspectors or --

22 Q Okay.

23 A -- how that works.

24 Q So when you became familiar with James Rovella  
25 in July 2011, he was not a Hartford police officer;

1 correct?

2 A Correct.

3 Q Was he working over at the State's Attorney's  
4 office?

5 A I believe out of Rocky Hill.

6 Q And what was it that caused you to become more  
7 familiar with him in July 2011?

8 A Because he was in charge of the Shooting Task  
9 Force as far as the State's Attorney's office goes.

10 Q Was he your supervisor?

11 A No -- well, yes and no. He was in charge, so  
12 yes. But I had a Hartford supervisor.

13 Q And who was your Hartford supervisor?

14 A Lieutenant Lance Sigersmith.

15 Q And how long were you in the Shooting Task  
16 Force?

17 A Until I retired.

18 Q And am I correct that in July 2011 when you were  
19 assigned to the Shooting Task Force, you were a sergeant?

20 A Yes.

21 Q Are there different steps of sergeant in the  
22 Hartford Police Department?

23 A Not really, no.

24 Q Okay.

25 A The senior sergeant is just recognized as the



1 First Sergeant, but it's no different as far as the rank  
2 or pay goes.

3 Q And at some point you became a First Sergeant?

4 A Yes.

5 Q When was that?

6 A Probably January of 2016.

7 Q How did your duties change, if they changed,  
8 when you became a First Sergeant in January 2016?

9 A Your duties don't change.

10 Q Did your responsibilities change at all?

11 A Nothing changes, so no.

12 Q When you retired in August of 2016, do you know  
13 of any other police officers who had the title First  
14 Sergeant?

15 A Yes.

16 Q And were there a lot?

17 A It would be whoever the one senior sergeant of  
18 the department is. So prior to me it was Ed Yergo. And  
19 as people retire that carries on.

20 Q So at any given time in the Hartford Police  
21 Department there's only one First Sergeant?

22 A Yes. That's why it's the First Sergeant.

23 Q And he or she is the person that has been  
24 employed by the Hartford Police Department the longest?  
25 As a sergeant or just overall?

1           A     It would be the senior-most sergeant. So right  
2     now the First Sergeant, when he retires probably any day  
3     now, there is a No. 2 sergeant who becomes the First  
4     Sergeant, and it just keeps going on and on and on.  
5     So ...

6           Q     And who retired or left, allowing you to step up  
7     to be the First Sergeant?

8           A     Sergeant Ed Yergo.

9           Q     And it seems like he probably left around  
10    January 2016?

11          A     He did, yes.

12          Q     Okay. When you joined the Shooting Task Force  
13    in July 2011, how many people from the Hartford Police  
14    Department were on that task force?

15          A     That's another thing that changed up and down  
16    throughout the years as, you know, manpower allotment  
17    changed. But when we first started, maybe eight to 10  
18    Hartford.

19          Q     Did you work with officers from other  
20    departments on the Shooting Task Force?

21          A     Yes.

22          Q     Were they members of the Shooting Task Force?

23          A     Yes.

24          Q     What other departments?

25          A     That also changed over time, but originally

1 Manchester, West Hartford. Windsor at some point.  
2 Wethersfield on a part-time basis. Bloomfield at some  
3 point. And for police departments -- oh, and State  
4 Police.

5 Q So is it fair to say the Shooting Task Force was  
6 a multiagency task force?

7 A Yes.

8 Q Did Hartford Police Department have its own  
9 Shooting Task Force or was it a member of a multiagency  
10 task force?

11 A You have to clarify that for me.

12 Q Okay. For example, did Manchester have its own  
13 Shooting Task Force?

14 A No.

15 Q Okay. Did the Hartford Police Department have  
16 its own Shooting Task Force?

17 A Anyone who would have been assigned to the  
18 Shooting Task Force was part of the multijurisdictional  
19 Shooting Task Force.

20 Q Did the task force exist prior to July 2011?

21 A No.

22 Q So you joined the task force -- the Shooting  
23 Task Force right at its inception -- its beginning?

24 A Yes.

25 Q Did you go through an application process to

1 become a member of the Shooting Task Force?

2 A Honestly, I really don't know. I'm not sure.

3 Q Did you know that there was going to be a  
4 Shooting Task Force?

5 A I did, yes.

6 Q Did you express an interest in becoming a  
7 member?

8 A No, I did not.

9 Q Did someone approach you and ask you if you were  
10 interested in being on the task force?

11 A Yes.

12 Q And who was that?

13 A Lieutenant Lance Sigersmith.

14 Q Had you worked with Lieutenant --

15 MS. BAIRD: Do you want to take a break?

16 MS. HARRIS: One second. I'm sorry.

17 MS. BAIRD: That's okay.

18 MS. HARRIS: I have no idea who that is, so  
19 no. Sorry about that.

20 BY MS. BAIRD:

21 Q Did you work with Lieutenant Sigersmith in any  
22 of the previous assignments that we've gone through during  
23 your period as a Hartford police officer since August of  
24 1996?

25 A I don't -- oh, in Narcotics at some point he was

1 a sergeant when I was a detective. Yes.

2 Q So when the lieutenant approached you, you knew  
3 who he was.

4 A Yes, I did.

5 Q You'd had direct dealings with him before?

6 A Yes.

7 Q You'd worked with him before.

8 A Yes.

9 Q And did he indicate to you why he was  
10 approaching you for this new task force?

11 A Told me he thought I would be good for the  
12 position.

13 Q And at that time what was your understanding of  
14 what the position entailed in terms of what you would be  
15 doing?

16 A Investigating unsolved shootings.

17 Q And unsolved shootings, does that involve, for  
18 example, an unsolved murder that was a result of a  
19 shooting?

20 A No.

21 Q Okay.

22 A No murders.

23 Q What is an unsolved shooting?

24 A Basically anyone that would have been struck by  
25 gunfire in which no arrest was made. And they could go

1 back as far as five years due to the statute of  
2 limitations.

3 Q And were these investigations of unsolved  
4 shootings limited to shootings that had happened in  
5 Hartford?

6 A For the most part, yes.

7 Q And did the officers from, example, Manchester  
8 or West Hartford, Wethersfield, Bloomfield assist in  
9 solving the unsolved shootings that happened in Hartford?

10 A I'm sorry. East Hartford also.

11 Yes, they did. And also if there happened to be  
12 a shooting in one of those towns, a Hartford detective  
13 would assist that detective from that prospective agency.  
14 If asked.

15 Q Now, am I correct that from your employment --  
16 from the beginning of your employment as a law enforcement  
17 officer in September 1990, through your retirement in  
18 August 2016, you carried a firearm?

19 A Yes.

20 Q Did you receive at either the Municipal Training  
21 Academy or the training academy that you attended for four  
22 weeks when you became a Hartford police officer any  
23 training in firearms?

24 A Yes.

25 Q And what kind of training did you receive at the

1 Municipal Police Training Academy?

2 A Just firearm use and safety and range  
3 qualifications.

4 Q And what kind of training did you receive during  
5 the four weeks when you were training to become a Hartford  
6 police officer?

7 A I had to qualify at the range.

8 Q Did you receive additional training while you  
9 were actually working as a police officer with the  
10 Bloomfield Police Department?

11 A Additional training as far as?

12 Q Firearms. I'm sorry.

13 A It would have been the same type of  
14 qualification requirements.

15 Q And with the Hartford Police Department was  
16 there additional training in firearms beyond what you  
17 received during the four weeks training to become a  
18 Hartford police officer?

19 A Quarterly training throughout your career.

20 Q Is it fair to say you received the same training  
21 as other police officers?

22 A Yes.

23 Q In firearms.

24 A I would say so.

25 Q Did you receive any additional training in

1 firearms because of your assignment in July 2011 to the  
2 Shooting Task Force?

3 A No. As far as firearms go?

4 Q Yes.

5 A No.

6 Q Did your job duties as part of the Shooting Task  
7 Force change in any way while you were there for five  
8 years?

9 A Not really, no.

10 Q Is it fair to say the focus remained on solving  
11 unsolved shootings?

12 A Yes.

13 Q In the City of Hartford?

14 A One of the focuses, yes.

15 Q Okay. Did the Shooting Task Force have any  
16 regular meetings or -- meetings for its members?

17 A Yes.

18 Q And where would those meetings take place?

19 A Wherever our office would have been.

20 Q So it sounds like during the five years that you  
21 were part of the task force, the office might have changed  
22 locations?

23 A Yes.

24 Q What was the location of the office in  
25 July 2011?



1 A Edwards Street. The school, Quirk Middle.

2 Q And that's the school that you went to your four  
3 weeks' training to become a Hartford police officer?

4 A No.

5 Q No. Where did you go for that?

6 A The Hartford Police Academy.

7 Q And when the meetings of the Shooting Task Force  
8 were held at the Edwards Street location, who would be the  
9 person running the meeting?

10 A At that time, Chief Rovella.

11 Q And he was a chief inspector at that time.

12 A Yes.

13 Q And back -- again I'm focused right when this  
14 task force began in July 2011. About how many people  
15 would be present at a meeting on Edwards Street of the  
16 Shooting Task Force?

17 A Originally, you know, maybe 30. And that  
18 probably increased over time for a while.

19 Q Other than Chief Inspector Rovella, did anyone  
20 else from the Chief State's Attorney in Rocky Hill  
21 attend -- and I'll stick to the Edwards Street meetings  
22 for the time being -- in July 2011? Around that time?

23 A Yeah, many -- many inspectors attended.

24 Q And do you know if all the inspectors were from  
25 the Chief State's Attorney's office?

1           A     Some were from Rocky Hill and some from  
2     Hartford.

3           Q     And who were the inspectors who attended from  
4     Hartford?

5           A     Steve Kumnick. He was the main one because he  
6     was the inspector assigned to the Shooting Task Force.  
7     He wasn't there with us, but he was our -- pretty much  
8     our contact that we went to for everything.

9           Q     And over time, from July 2011 during the next  
10    five years, was there any kind of change in the membership  
11    in terms of how many people were members in the Shooting  
12    Task Force?

13          A     Yeah. There were numerous changes along the  
14    road.

15          Q     Numerous changes in personnel?

16          A     Yes.

17          Q     When you retired in August 2016, were you one of  
18    the longest serving personnel in the Shooting Task Force?

19          A     Yes.

20          Q     Do you know if anybody had been on it longer at  
21    that time?

22          A     No.

23          Q     How about Lieutenant Sigersmith? Was he still  
24    on the task force in August 2016?

25          A     No. He had retired.

1 Q Did a lieutenant take his place when he retired?

2 A Yes.

3 Q Who was that?

4 A Lieutenant O'Brien.

5 Q And when you left in August 2016, was Lieutenant  
6 O'Brien still the lieutenant on the task force?

7 A Yes.

8 Q Do you know if Lieutenant O'Brien, when he was  
9 the lieutenant for the Shooting Task Force, if he reported  
10 to anybody?

11 A I would say he did, yes.

12 Q Who did he report to?

13 A Either a captain that may or may not have been  
14 there at the time, or the chief.

15 Q Was a lieutenant the highest ranking officer on  
16 the task force?

17 A At one time there probably was a captain.

18 Q But in August 2016 you don't recall a captain  
19 being assigned to the Shooting Task Force?

20 A Yeah, there was. It was Captain Buyak.

21 Q B-u-y-a-k?

22 A Yes. He was the captain, I believe, of the  
23 entire Detective Division.

24 Q At any time during the five years that you were  
25 on the task force, was the task force assigned to another

1 division within the Hartford Police Department?

2 A At one time when there might have been a spike  
3 in homicides and they needed help, a few detectives I  
4 think were sent over there to give them a hand.

5 Q Were the detectives sent over to the Shooting  
6 Task Force?

7 A No. The Shooting Task Force detectives were  
8 sent over to Major Crimes.

9 Q Did you ever work for Major Crimes?

10 A No.

11 Q Did James Rovella remain the chief inspector for  
12 the Shooting Task Force during the entirety of the five  
13 years that you were on it?

14 A No.

15 Q At some point did that change?

16 A Yes.

17 Q And when did it change?

18 A I don't remember.

19 Q Did someone replace James Rovella as the chief  
20 inspector of the Shooting Task Force?

21 A Yeah. He would have been replaced when he made  
22 chief of the Hartford Police Department.

23 Q And who became the new chief inspector of the  
24 Shooting Task Force?

25 A It was Robert Hughes.

1 Q And did he also work in Rocky Hill?

2 A Yes.

3 Q Did the location of the meetings of the Shooting  
4 Task Force change from Edwards Street?

5 A Yes.

6 Q And when did that happen?

7 A When we moved from Edwards Street to Jennings  
8 Road.

9 Q Did the meetings change at any point -- of the  
10 Shooting Task Force -- from Jennings Road to another  
11 location?

12 A No.

13 Q When you retired in August of 2016, were the  
14 meetings still being held on Jennings Road of the Shooting  
15 Task Force?

16 A Yes.

17 Q What was the last Shooting Task Force meeting  
18 you attended?

19 A I don't recall.

20 Q How often were they held?

21 A Originally they were weekly, and then it changed  
22 to biweekly.

23 Q Did it become less frequent than biweekly at any  
24 point?

25 A If there was a holiday or one meeting was

1 skipped, it would have been, yes. Didn't happen that  
2 often, though.

3 Q Did you regularly attend the Shooting Task Force  
4 meetings?

5 A Yes.

6 Q Did you make presentations at any task force  
7 meetings?

8 A As far as?

9 Q Well, let me put it this way. Did you attend  
10 the task force meetings as simply a spectator?

11 A No.

12 Q Did you participate at the task force meetings  
13 in addressing other members of the task force?

14 A Yes.

15 Q And what would you address other members of the  
16 task force about?

17 A Usually with my guys, calling on them to present  
18 what they're working on and the current status of their  
19 cases, as would another sergeant -- as the Major Crimes  
20 sergeant did for his guys and as the Narcotics sergeant  
21 would do for his guys. We rotated around with the  
22 supervisors.

23 Q Did you -- let me withdraw that.

24 When did Chief Rovella become the chief?

25 A I don't recall exactly when.

1 Q And after Chief Rovella became the chief, did  
2 you ever make any presentations about the Shooting Task  
3 Force at meetings that are called COMSTAT meetings?

4 A No.

5 Q Do you know what a COMSTAT meeting is?

6 A I do.

7 Q Did you ever attend any?

8 A A few.

9 Q As a spectator?

10 A Yes.

11 Q Did you ever present or address Chief Rovella  
12 and the other attendees at a COMSTAT meeting?

13 A No. The lieutenant usually did that.

14 Q And that would have been Lieutenant O'Brien?

15 A Or Sigersmith.

16 Q While you were on the Shooting Task Force, did  
17 you apply for any other assignments in the Hartford Police  
18 Department?

19 A No.

20 Q During your years with the Hartford Police  
21 Department, did you make application to any other police  
22 departments --

23 A No.

24 Q -- for jobs?

25 Did your work in the Shooting Task Force involve

1 coordinating what had been termed "gun buybacks" in the  
2 City of Hartford?

3 A Yes.

4 Q Did that involvement in gun buybacks as a duty  
5 related to your work in the Shooting Task Force, begin  
6 immediately in July 2011?

7 A It may have been. I'm not sure exactly when the  
8 first one was.

9 Q Approximately how many gun buybacks did you  
10 participate in while assigned to the Shooting Task Force?

11 A I can't give you a solid number. It may be  
12 five, give or take -- five to six. Maybe seven. I don't  
13 know.

14 MS. HARRIS: Rachel, can I just interrupt?  
15 You're certainly allowed to ask questions about  
16 his background and whatnot, but this is not a  
17 forum to be gathering information for Ed's  
18 other -- or Mr. Peruta's, pardon me -- other  
19 issues with the department.

20 MS. FEOLA-GUERRIERI: I join in that  
21 objection. I think we're headed down that path.

22 MS. BAIRD: Well, I claim the question  
23 because there is an answer to an interrogatory  
24 from Mr. Spell indicating that he first became  
25 aware of Mr. Peruta at a gun buyback.



1 MS. HARRIS: Well, and you can certainly  
2 ask him about that --

3 MS. FEOLA-GUERRIERI: Right.

4 MS. HARRIS: -- I just -- in terms of --  
5 you know, if you're going to get into all of  
6 Mr. Peruta's --

7 MS. BAIRD: Well, we can object --

8 MS. HARRIS: -- issues about --

9 MS. BAIRD: -- question by question then.

10 MS. HARRIS: Right. But I'm just --

11 MS. BAIRD: Okay? And then I'll claim it  
12 and then we'll see what the Court says. Okay?

13 MS. HARRIS: Yes.

14 MS. BAIRD: Okay.

15 BY MS. BAIRD:

16 Q Were there gun buybacks during this period while  
17 you were with the Shooting Task Force that you did not  
18 participate in?

19 A I might have missed one because I was on  
20 vacation maybe?

21 Q And what was your role?

22 A I was one of the -- the supervisor sergeant for  
23 the gun buyback.

24 Q Okay. So I think -- let me see.

25 MS. BAIRD: I think I gave Counsel a copy

1 of a June 6th, 2016, document, Sergeant Spell's  
2 objections?

3 MS. HARRIS: Mm-hmm.

4 MS. BAIRD: Okay. If we could have that  
5 marked as the next exhibit.

6 MS. HARRIS: Wait. Objections to  
7 June 6th -- I'm sorry. I just want to make sure  
8 I got the right thing. Yes. Okay. We're on  
9 the same thing.

10

11 [Plaintiff Exhibit 37: Marked for ID.]

12

13 MS. HARRIS: Oh. Rachel, there's notes on  
14 this. I don't know if you want me to have your  
15 notes.

16 MS. BAIRD: Let me see. Yeah, the copies  
17 don't have those. Okay. They would have  
18 been --

19 MS. HARRIS: Is it on the original? Maybe  
20 you want to check the original exhibit.

21 MS. BAIRD: That one does not. And I think  
22 this is the only one that does.

23 MS. HARRIS: There's no -- okay. I just  
24 want to make sure there's no notes on there.

25 THE WITNESS: No.

1 MS. HARRIS: All right.

2 BY MS. BAIRD:

3 Q I see you're looking through Exhibit 37, and I  
4 am going to ask you if you recognize all 22 pages or part  
5 of or none of Exhibit 37.

6 A I recognize -- I recognize it, yes.

7 Q And is that your signature that appears on page  
8 17 of Exhibit 37?

9 A Yes.

10 Q I'd like to direct your attention to page eight  
11 of Exhibit 37, question No. 9 -- oh, I'm sorry. That's  
12 not the right one. Let me find the right one.

13 Page nine of Exhibit 37, question No. 11. Was a  
14 gun buyback event sponsored by the Hartford Police  
15 Department the first occasion that you had encountered an  
16 individual by the name of Edward Peruta?

17 A That I know of, yes.

18 Q Were you familiar with the name Edward Peruta  
19 prior to that gun buyback event that you reference in  
20 question No. 11 to Exhibit 37?

21 A I don't believe so, but I may -- there may have  
22 been some talk about an objection he had with the gun  
23 buyback. But I think that's the first time I became  
24 aware of him and actually met him.

25 Q And would you describe that meeting that you

1 reference in question 11 of Exhibit 37?

2 A He just had showed up with a camera, and really  
3 nobody knew who he was. And he presented himself as a  
4 member of the media, from what I saw, and wanted to film  
5 the gun buyback.

6 Q And did you speak to Mr. Peruta at that event?

7 A Briefly.

8 Q And what was it that you said?

9 A I really didn't have much of a conversation with  
10 him other than after he had filmed he had some type of  
11 paper and wanted the gun buyback to stop.

12 Q Did you take possession of the paper at any  
13 time?

14 A I believe Lieutenant Sigersmith did.

15 Q Were you present when Lieutenant Sigersmith took  
16 possession of the piece of paper?

17 A I may not have been directly right there, but I  
18 was on the premises.

19 Q Did you read the piece of paper?

20 A At some point I did, yes.

21 Q And what did the piece of paper say?

22 A It was some type of a cease and desist order to  
23 discontinue with the gun buyback, if I remember  
24 correctly.

25 Q And when did you read it?

1           A     At some point when Lieutenant Sigersmith showed  
2     it to me after he received it that day.

3           Q     Did you take possession of this piece of paper?

4           A     No.

5           Q     Was Mr. Peruta -- was the encounter that you had  
6     with Mr. Peruta at the gun buyback program or event,  
7     referenced in question 11 of Exhibit 37, ever discussed at  
8     a Shooting Task Force meeting?

9           A     It may have been, yes.

10          Q     Is it fair to say that meeting would have been  
11     one that occurred after the gun buyback event referenced  
12     in question 11 of Exhibit 37?

13          A     Yes.

14          Q     And were you present at a meeting where  
15     Mr. Peruta was discussed?

16          A     I may have been, yes.

17          Q     Did you say anything about Mr. Peruta at a  
18     Shooting Task Force meeting?

19          A     No.

20          Q     Who did?

21          A     I don't directly recall.

22          Q     And this meeting would have occurred when Robert  
23     Hughes was the chief inspector of the Shooting Task Force?

24          A     I don't know.

25          Q     Okay.

1           A     I'm not sure.

2           Q     What was the nature of the discussion about  
3 Mr. Peruta's appearance at this gun buyback event that you  
4 reference in No. 11 of Exhibit 37?

5                   MS. HARRIS: Just note my objection to  
6                   relevance for the record.

7                   You can answer.

8           A     I really don't remember. Whatever it was, it  
9 was very brief and just that he had -- was seeking to  
10 stop the gun buybacks. That was pretty much it.

11 BY MS. BAIRD:

12           Q     And do you know why he was seeking to stop the  
13 gun buybacks?

14           A     That particular day I didn't know, but  
15 afterwards I did a little research and found out why.

16           Q     And what did your research tell you?

17           A     That he's basically contesting people without a  
18 pistol permit bringing a gun to the gun buyback he said  
19 was -- would be illegal.

20           Q     And did you present any information that you  
21 obtained as a result of your research to anyone else on  
22 the Shooting Task Force?

23                   MS. HARRIS: Objection. Again, irrelevant.

24                   You can answer.

25           A     No.

1 BY MS. BAIRD:

2 Q Was it discussed, at any Shooting Task Force  
3 meeting, Mr. Peruta's position that you just stated? That  
4 people without permits bringing guns to buyback programs  
5 was illegal?

6 A I don't --

7 MS. FEOLA-GUERRIERI: Objection.

8 MS. HARRIS: Again objection. Irrelevant.

9 You can answer.

10 A I don't believe so.

11 BY MS. BAIRD:

12 Q Who did you discuss this encounter that you had  
13 with Mr. Peruta at the gun buyback event, that you  
14 reference in question 11 to Exhibit 37, with, other than  
15 Lieutenant Sigersmith?

16 A Probably that day with Steve Kumnick because  
17 Steve was familiar with Ed and gave some background  
18 information on him.

19 Q Okay. And how did you learn that Steve Kumnick  
20 was familiar with Ed?

21 A Because Steve happened to be at the gun buyback.

22 Q Did you see -- when you say -- did you see  
23 Mr. Peruta and Steve Kumnick talking?

24 A I did, yes.

25 Q And what did you learn from Steve Kumnick about

1 Mr. Peruta?

2 MS. HARRIS: Again, objection. Irrelevant.

3 You can answer.

4 A I don't remember exactly what he said, other  
5 than he had been a Wethersfield officer for a very short  
6 time in the early seventies, and then that was it. And  
7 that he had some type of media business or something to  
8 that effect. I just don't recall exactly what was said.

9 BY MS. BAIRD:

10 Q And did this conversation take place on the day  
11 of the gun buyback event?

12 A Yes.

13 Q Did you have any further discussions with  
14 Mr. Steve Kumnick about Mr. Peruta after the date of the  
15 gun buyback?

16 A I do not believe so.

17 Q So other than Lieutenant Sigersmith and Steve  
18 Kumnick, did you discuss Mr. Peruta and your encounter  
19 with him at the gun buyback event with anyone else?

20 A Not that I specifically recall, no.

21 Q Did you discuss your encounter with Mr. Peruta  
22 at the gun buyback event with Chief Rovella?

23 MS. HARRIS: Again, objection. No --  
24 irrelevant.

25 You can answer.



1 MS. FEOLA-GUERRIERI: Objection.

2 A At some point Chief Rovella showed up and it was  
3 discussed amongst several people what Ed was -- what his  
4 intentions were.

5 BY MS. BAIRD:

6 Q And at that time Chief Rovella was chief of the  
7 Hartford Police Department.

8 A I believe so.

9 Q And did you and Chief Rovella have any  
10 conversation on the day of the gun buyback event, that's  
11 referenced in question 11 of Exhibit 37, about Mr. Peruta?

12 MS. HARRIS: Again, objection. Irrelevant.  
13 You can answer.

14 MS. FEOLA-GUERRIERI: Objection.

15 A I don't believe I did, no.

16 BY MS. BAIRD:

17 Q Who did you observe Chief Rovella talking to at  
18 the gun buyback event referenced in question 11?

19 MS. HARRIS: Again, objection. Irrelevant.  
20 You can answer.

21 MS. FEOLA-GUERRIERI: Objection.

22 A Everybody.

23 BY MS. BAIRD:

24 Q Did you observe Chief Rovella talking to  
25 Mr. Peruta?

1 MS. HARRIS: Objection.

2 You may answer.

3 A I don't remember if Ed Peruta had left prior to  
4 Chief Rovella's arrival, so I don't know.

5 BY MS. BAIRD:

6 Q Did you participate in gun buyback events  
7 subsequent to the one that you reference in question 11 of  
8 Exhibit 37?

9 MS. HARRIS: Objection.

10 A Yes.

11 MS. HARRIS: Objection. Irrelevant.

12 But yes, you can answer.

13 A Yes.

14 BY MS. BAIRD:

15 Q What was the last gun back event you  
16 participated in prior to your retirement?

17 MS. HARRIS: Objection.

18 You can answer.

19 A I don't recall. At some point the gun buybacks  
20 were turned over to Project Longevity.

21 BY MS. BAIRD:

22 Q Did the Hartford Police Department participate  
23 in the gun buybacks after they were turned over to Project  
24 Longevity?

25 MS. HARRIS: Objection. Irrelevant.

1                   You can answer.

2           A     Project Longevity is part of the police  
3     department.

4     BY MS. BAIRD:

5           Q     Okay.  And who was head of Project Longevity  
6     when you left?

7                   MS. HARRIS:  Objection.  Irrelevant.

8                   You can answer.

9                   MS. FEOLA-GUERRIERI:  Objection.

10          A     As far as sergeant, lieutenant, or ...

11     BY MS. BAIRD:

12          Q     Well, I mean I know the chief of the police  
13     department would have been head of everything.

14          A     Yeah.

15          Q     I guess what I'm asking is who was the highest  
16     ranking person who supervised Project Longevity -- who  
17     supervised Project Longevity?

18                   MS. FEOLA-GUERRIERI:  Objection.

19                   MS. HARRIS:  Objection.

20          A     Highest ranking would be Lieutenant O'Brien.

21     BY MS. BAIRD:

22          Q     And he would have also been the supervisor of  
23     the Shooting Task Force at that time; right?

24          A     Yes.

25          Q     And was there a sergeant under Lieutenant

1 O'Brien on the Project Longevity?

2 MS. HARRIS: All right. I'm going to --

3 MS. FEOLA-GUERRIERI: Yes.

4 MS. HARRIS: -- I'm going to object at this  
5 point if I need to seek a Court order. I mean  
6 this is not the forum for you to gather  
7 information for all of Mr. Peruta's disputes  
8 with the Hartford Police Department. This is  
9 the place to answer questions about this  
10 particular case, and I think we've now gone  
11 pretty far afield of that.

12 MS. BAIRD: Okay. Well, this is why I  
13 claim it. I claim it because this was  
14 Mr. Spell's first encounter with Mr. Peruta;  
15 that it's important to know who he spoke to and  
16 what contacts he had with others with regard to  
17 Mr. Peruta; it's important to know what effect,  
18 if any, Mr. Peruta had on the gun buyback  
19 program's future; to determine whether, when  
20 Mr. Peruta again ran into Mr. Spell on  
21 September 12th, 2014, and August 7th of 2015,  
22 what knowledge Mr. Spell -- or Sergeant Spell at  
23 that time -- had about Ed Peruta, and his  
24 motivations towards Mr. Peruta. And that is why  
25 I claim it.

1 MS. HARRIS: You can ask him any questions  
2 about his knowledge about Mr. Peruta, but you're  
3 now -- and you've already asked him all the  
4 questions -- or many questions about what  
5 happened at the gun buyback, which is perfectly  
6 appropriate. But now we're getting into --

7 MS. BAIRD: You know --

8 MS. HARRIS: But now after you left --

9 MS. BAIRD: No. 1, I object to both of you  
10 objecting because you represent him, not you.  
11 So that's totally improper. Number --

12 MS. FEOLA-GUERRIERI: Well, wait --

13 MS. HARRIS: You have to prove --

14 MS. FEOLA-GUERRIERI: I'm here representing  
15 the Chief of Police.

16 MS. HARRIS: So I mean we're getting very  
17 far afield in terms of other things. And --

18 MS. BAIRD: And No. 2 --

19 COURT REPORTER: One at a time, please.

20 MS. BAIRD: And No. 2, there's not supposed  
21 to be speaking objections for Federal Court.  
22 You're supposed to object, and he can answer.  
23 And really if you want to tie this up and, you  
24 know, do another motion and everything back, but  
25 I am totally, in my opinion, within the scope of

1 discovery in asking these questions. So --

2 MS. HARRIS: Well, I'm going to keep  
3 objecting. I don't think you are.

4 MS. BAIRD: But if you tell him not to --

5 MS. HARRIS: And I think you're very far  
6 afield, and if this takes until the end of the  
7 day because you've taken up the whole day with  
8 far afield, I'm going to object to this  
9 continuing for another day.

10 MS. BAIRD: Well, no. I know, what, I  
11 think Nathalie and I just spoke about that the  
12 other day. There is a 7-hour limitation. I'm  
13 well aware of that. I'm well aware of that.  
14 And I don't plan on taking longer than 7 hours;  
15 that's not what I'm doing. I'm not trying to  
16 extend this past 7 hours. I'm not even sure it  
17 will take 7 hours. But if you're going to  
18 object and tell him not to answer --

19 MS. HARRIS: I'm not telling him not to  
20 answer but --

21 MS. BAIRD: Oh, okay.

22 MS. HARRIS: Well, I'm objecting to the  
23 line of questioning in general because it's not  
24 the forum, and it's improper to --

25 MS. BAIRD: So just object.

1 MS. HARRIS: -- conduct to continue to --

2 MS. BAIRD: So just object then. You're  
3 not going to convince me.

4 MS. FEOLA-GUERRIERI: You're speaking over  
5 Attorney Harris, who is indicating whether --  
6 she is actually trying to respond to you and  
7 you're interjecting.

8 I join in this objection to the extent that  
9 you're going into areas which are not even  
10 proportional to the needs of your case. If you  
11 want to ask questions about -- that are directed  
12 to motivation, then by all means you're entitled  
13 to do that. But now you're getting into an area  
14 where we all know Mr. Peruta had another issue  
15 with the Chief on. So to that extent I'm going  
16 to join in the objection, and if it goes beyond  
17 that, then we will claim it.

18 MS. BAIRD: Okay. Well, I'm going to keep  
19 asking questions the way I've been asking them,  
20 and you can obviously object and either tell him  
21 to answer or not answer. And if you tell him  
22 not to answer, then I will claim it and we'll  
23 resolve it at a later date. I mean, that's the  
24 way it works.

25 MS. HARRIS: Just ask your questions.

1           Trying to save you some time.

2           MS. BAIRD: I'm reviewing my notes to try  
3           to get what the last question was, so I'll take  
4           a minute.

5 BY MS. BAIRD:

6           Q     Oh. So who was the sergeant that served under  
7           Lieutenant O'Brien on Project Longevity when you believe  
8           that the gun buyback events were transferred from the  
9           Shooting Task Force to Project Longevity?

10           MS. FEOLA-GUERRIERI: Objection.

11           MS. HARRIS: Join.

12                     You can answer.

13           A     Sergeant Austin.

14 BY MS. BAIRD:

15           Q     Were you ever a member of the police department  
16           assigned to Project Longevity?

17           A     No.

18           Q     And do you know when the transfer of the gun  
19           buyback events occurred from the Shooting --  
20           responsibility occurred from the Shooting Task Force to  
21           Project Longevity?

22           MS. FEOLA-GUERRIERI: Objection.

23           MS. HARRIS: Join.

24           A     I don't remember exactly when.

25



1 BY MS. BAIRD:

2 Q Did you attend any gun buyback events as a  
3 member of the Shooting Task Force after the event  
4 referenced in question 11 of Exhibit 37?

5 MS. FEOLA-GUERRIERI: Objection.

6 MS. HARRIS: Objection. Irrelevant.

7 You can answer.

8 A Maybe one to help out.

9 BY MS. BAIRD:

10 Q And would that have been to help out Project  
11 Longevity?

12 A Yes.

13 Q Other than the solving unsolved shootings and  
14 the gun buyback events, were there any other duties that  
15 the Shooting Task Force was assigned or responsible for  
16 between July of 2011 and August 2016?

17 A Anything at the direction of our supervisor.

18 Q And what was the specific date of your  
19 retirement from the Hartford Police Department?

20 A I believe the actual date was August 19th, 2016.

21 Q And at that point you had not obtained other  
22 employment with another police department; correct?

23 A Correct.

24 Q You hadn't even applied; right?

25 A Correct.

1 Q What was the reason for your decision to retire  
2 on that date -- August 19, 2016?

3 A It was my 20 years.

4 Q And had you planned for a period of time to  
5 retire at 20 years?

6 A Yes.

7 Q Is there a process where you put in paperwork  
8 when you want to notify the department of your intention  
9 to retire?

10 A There is.

11 Q And when did you put in your paperwork?

12 A The city requires a letter -- well, appropriate  
13 letter two weeks prior.

14 Q And when did you put in your letter?

15 A The letter went in two weeks prior.

16 Q And when did you make the decision to retire at  
17 20 years?

18 A I don't know exactly when I made the decision,  
19 but I notified the chief in or about January of 2016.

20 Q And when you say "notify," how did you notify  
21 him?

22 A Just verbally so that he would have -- the  
23 proper thing to do was give your supervisors ample notice  
24 so they can get a replacement in there for you, so  
25 they're not surprised with a two-week letter.

1 Q And so the position that would have needed to be  
2 filled that required the, you know -- well, not required,  
3 but for which you gave ample notice to the chief was the  
4 First Sergeant position or --

5 A No.

6 Q No. Because that's automatic; right?

7 A Yes.

8 Q Would it have been the sergeant of the Shooting  
9 Task Force?

10 A I don't understand.

11 Q Oh. I thought you had said that one of the  
12 reasons you verbally notified Chief Rovella in January of  
13 2016 was so he would have time to find someone to replace  
14 you.

15 A My position on the Shooting Task Force.

16 Q Okay.

17 A Yes.

18 Q And who replaced you on the Shooting Task Force?  
19 In your position.

20 A They sent Sergeant Sean Michel in to start  
21 training.

22 Q Did Sergeant Michel begin training while you  
23 were still employed at the department?

24 A Yes.

25 Q Did you participate in training him?

1 A Yes.

2 Q And when did the training start?

3 A I don't know exactly. Maybe February or March.

4 Q Of 2016?

5 A Yes.

6 Q Was Sergeant Michel reassigned to the Shooting  
7 Task Force at that time, in February or March of 2016?

8 A Yes.

9 Q And was this training memorialized in any way  
10 like field training is?

11 A No.

12 Q And was it your observation on or about the time  
13 of your retirement in August 2016, that Sergeant Michel  
14 was ready to take over your position?

15 A Yes.

16 Q So the training had been proceeding at that time  
17 for about six months?

18 A Yes. There was -- it was -- I guess I'm going  
19 to say gradual -- or I can't say exactly how long the  
20 training took place. There were -- at one point before I  
21 left, he had started doing the day-to-day operations.

22 Q And do you know what Sergeant Michel was doing  
23 before he came over to the Shooting Task Force to start  
24 his training to replace you?

25 A I believe patrol.

1 Q Do you know who took his place? Who replaced  
2 him while he was in training with you?

3 A There's no replacement in Patrol.

4 Q As a rule there's no replacement in Patrol?

5 A It's just automatically -- just -- somebody's  
6 taken out of Patrol doesn't necessarily mean that they  
7 need to fill that position. It could be filled with  
8 overtime or any ways, I guess.

9 Q Did you have any input into selecting Sergeant  
10 Michel to be the one to replace you on the Shooting Task  
11 Force?

12 A No.

13 Q Had you worked with Sergeant Michel before?

14 A Yes, I have.

15 Q In one of the assignments that we've already  
16 reviewed during our history of your employment?

17 A Yes.

18 Q Okay. And which assignment would that have  
19 been?

20 A South PSA.

21 Q Did you supervise Sergeant Michel?

22 A As an officer.

23 Q I'd like to direct your attention to September  
24 12th of 2014. You were employed as a Hartford police  
25 officer at that time; correct?

1 A Yes.

2 Q And you were assigned to the Shooting Task  
3 Force?

4 A Yes.

5 MS. HARRIS: Rachel, can I just take a  
6 quick break before you start?

7 MS. BAIRD: Oh, definitely.

8

9 [Off record: 11:45 a.m. to 11:48 a.m.]

10

11 BY MS. BAIRD:

12 Q And at that time, on September 12th, 2014, when  
13 you were a Hartford police officer assigned to the  
14 Shooting Task Force, was Lieutenant O'Brien your  
15 supervisor in that task force?

16 A No.

17 Q Who was?

18 A Lieutenant Sigersmith.

19 Q Do you recall on that date of September 12th,  
20 2014, responding to a dispatch involving shots fired on  
21 Park Street --

22 A Yes.

23 Q -- in Hartford?

24 A Yes.

25 Q And is there a reason you remember that, sitting

1 here today?

2 A Because it was a homicide. Yes.

3 Q Did you respond to that dispatch?

4 A I did.

5 Q Were you on duty at the time of the dispatch?

6 A I was.

7 Q What were you -- what duties were you performing  
8 during that shift on September 12th, 2014, prior to the  
9 dispatch?

10 A Probably like a -- what we call like an evening  
11 detail which responded to shots fired and serious crimes.

12 Q Who else from the task force was on duty that  
13 night that responded with you?

14 A I couldn't give you a full run-down right now.

15 Q And did you respond in your capacity as a member  
16 of the Shooting Task Force?

17 A Yes.

18 Q And in responding as a member of the Shooting  
19 Task Force, were you there to perform specific functions?

20 A Yes.

21 Q And what were the functions that you were there  
22 to perform?

23 A To assist with the shooting and homicide.

24 Q What kind of things does assisting with a  
25 shooting and homicide entail?

1           A     It could be -- it could be many things.  Each  
2 situation is different.

3           Q     And who would you be assisting?

4           A     Patrol units, patrol supervisors.  Anyone that  
5 needs the assistance.

6           Q     I'm handing you a 14-page document that has  
7 been -- Exhibit 4 -- admitted as Exhibit 4 previously in  
8 this case.

9                   MS. BAIRD:  And, Counsel, I'm counting the  
10 number of pages in Exhibit 4 because, as I  
11 discussed at the last deposition, I am still  
12 searching for the original exhibits, which I  
13 anticipate I will find.

14                  MS. HARRIS:  My office did look.  We don't  
15 have them.

16                  MS. BAIRD:  Okay.  So if you want to  
17 double-check what I'm handing him with what you  
18 have, we can do that.

19                  MS. HARRIS:  How many did you say?  
20 Fourteen?

21                  MS. BAIRD:  Fourteen pages.

22                  MS. HARRIS:  That's what I have.

23                  MS. BAIRD:  And I actually think just to be  
24 safe we should mark the one he's looking at as  
25 the next exhibit.



1 MS. HARRIS: It's your deposition.

2 Whatever you want to do.

3 MS. BAIRD: Yes. Let's do that just to be  
4 extra safe.

5 So if that could be the next exhibit -- the  
6 document that Mr. Spell has.

7

8 [Plaintiff Exhibit 38: Marked for ID.]

9

10 BY MS. BAIRD:

11 Q So I believe that Exhibit 38 is the same as  
12 Exhibit 4. But to be safe, I'm re-marking the document  
13 for today's deposition as Exhibit 38.

14 Do you recognize what Exhibit 38 is?

15 A Yes.

16 Q And what is it?

17 A The Heartbeat Dispatch Summary.

18 Q Is the Heartbeat Dispatch Summary a record that  
19 you became familiar with during the course of your service  
20 as a Hartford police officer?

21 A Yes.

22 Q And in what way -- or what duties or assignments  
23 cause you to become familiar with the Heartbeat Dispatch  
24 Summary?

25 A Just being a police officer you become familiar

1 with it.

2 Q Did you ever rely on Hartbeat Dispatch Summary  
3 Records in investigating cases?

4 A Possibly.

5 Q In looking at Exhibit 38, is there any  
6 indication in that 14-page document of your arrival,  
7 departure, or activity at the September 12th, 2014,  
8 homicide scene?

9 A Yes.

10 Q And if you could direct me to the first  
11 indication of your activity at that homicide scene.

12 MS. HARRIS: Objection to form.

13 But you can answer.

14 MS. FEOLA-GUERRIERI: Yes. Object.

15 BY MS. BAIRD:

16 Q If you could direct me to the indication in  
17 Exhibit 38 of your first activity at the September 12th,  
18 2014, homicide scene?

19 MS. FEOLA-GUERRIERI: Objection.

20 MS. HARRIS: Join.

21 You can answer.

22 A 2121 it said that I arrived on the scene.

23 BY MS. BAIRD:

24 Q And that is on the sixth page of Exhibit 38 from  
25 the front?

1 A No. Page seven.

2 Q Oh. Okay. So on the seventh page of  
3 Exhibit 38, how do you see your activity at the 9/12/2014  
4 homicide scene reflected?

5 A This is 2121 arrived.

6 Q And does your name appear on Exhibit -- on page  
7 seven of Exhibit 38?

8 A Yes.

9 Q And what does "Unit 570" mean, to the left of  
10 your name; if you know?

11 A Just my unit number.

12 Q Was that the unit number you were assigned for  
13 that shift?

14 A Yes.

15 Q Was that the same unit number you were assigned  
16 for every shift?

17 A Yes.

18 Q And what does "570" indicate?

19 A My unit number.

20 Q What -- does a unit indicate a cruiser?

21 A It could. In that particular it does not.

22 Q Okay. So it indicates your particular badge  
23 number?

24 A No.

25 Q What is the definition of "unit" as it appears

1 on page seven of Exhibit 38?

2 A I don't know how else to explain it, other than  
3 my unit designation.

4 Q Is a unit a person?

5 A It would be the person assigned to that unit,  
6 yes.

7 Q Okay. Does the Unit No. 570 apply exclusively  
8 at that time to a member of the Shooting Task Force?

9 A Yes.

10 Q So, for example, if another member of the  
11 Shooting Task Force responded and not you, would they have  
12 that same unit number?

13 A No.

14 Q Would their unit number begin with a 5?

15 A Possibly, yes.

16 Q So did you respond in a cruiser?

17 A Unmarked cruiser.

18 Q Was anyone with you in the cruiser when you  
19 responded?

20 A Yes.

21 Q Who was with you?

22 A Sergeant Ian Case.

23 Q Was he working with you that evening in your  
24 capacity as a member of the Shooting Task Force?

25 A Yes.

1 Q Was he a member of the Shooting Task Force?

2 A Yes.

3 Q And is Ian Case -- or was Ian Case at that time  
4 a member of the State Police?

5 A Yes.

6 Q Does your unit number or your name appear at any  
7 other place in the Heartbeat Dispatch Summary of  
8 Exhibit 38?

9 A Yes.

10 Q And where does it appear?

11 A The very last page that has text on it. Where  
12 it says 2307, additional assignment, 570.

13 Q And do you know what that additional assignment  
14 was?

15 MS. HARRIS: Objection to the form.

16 You can answer.

17 A I do not.

18 BY MS. BAIRD:

19 Q Where did you go, if anywhere, to perform that  
20 additional assignment indicated on the last page of  
21 Exhibit 38 at 2307?

22 MS. FEOLA-GUERRIERI: Objection to the  
23 form.

24 MS. HARRIS: Objection to the form.

25 I'm sorry. You can answer.

1           A     Would have gone back to the office with  
2     everybody to try to develop intel on the shooting.

3 BY MS. BAIRD:

4           Q     And when you received -- or when that additional  
5     assignment is indicated on the last page of Exhibit 38,  
6     did that apply to -- is it Trooper Case or --

7           A     Sergeant Case.

8           Q     Sergeant Case as well? Did he go with you?

9           A     I believe he did.

10          Q     How long were you at the homicide scene on Park  
11     Street on 9/12/2014?

12          A     I don't know.

13          Q     And am I correct that you can't necessarily rely  
14     on the times in Exhibit 38 to know how long you were  
15     there?

16          A     Yeah, that would -- usually it's an estimate,  
17     it's not always completely accurate. But that could be  
18     correct.

19          Q     But is it fair to say that Exhibit 38 on the  
20     seventh page does indicate that Unit 570 arrived at 2120?

21          A     I thought it was 2121.

22          Q     2121?

23          A     Yes.

24          Q     And that there was an additional assignment for  
25     Unit 570 at 2307?

1 A That's what it says, yes.

2 Q For ever long -- how long you were at the scene  
3 on September 12th, 2014, what kinds of duties did you  
4 specifically perform at that scene to assist the patrol  
5 and the other police personnel that were there?

6 A Talked to witnesses. Evaluated the crime scene.  
7 Checked for cameras. Tried to locate witnesses. Helped  
8 out with the suspected victim or a suspect inside a  
9 barbershop. Canvass for evidence.

10 Q Did you complete any report about what you did  
11 or observed at the homicide scene on September 12th, 2014?

12 A No.

13 Q What witnesses did you talk to, if any?

14 A I don't recall the names of the witnesses.

15 Q Did the witnesses that you spoke to provide any  
16 information relevant to the homicide investigation?

17 A The homicide investigator would have to answer  
18 that.

19 Q Well, did you convey the information that you  
20 obtained from the witnesses -- did you convey any  
21 information that you obtained from witnesses to the  
22 homicide investigator?

23 A Yes.

24 Q And who was the homicide investigator?

25 A I don't remember at the time.

1 Q Would the investigator have been with Major  
2 Crimes?

3 A Yes.

4 Q And would you have conveyed that information  
5 about what the witnesses said verbally to the homicide  
6 investigators?

7 A No.

8 Q How would it have been conveyed?

9 A That there were some witnesses that are secured  
10 somewhere that would like to talk.

11 Q Where did you -- where did you encounter these  
12 witnesses?

13 A On the street. And in a bar across the street.

14 Q What's the name of the bar?

15 A I believe it's Diamante.

16 Q And do you know how many witnesses you spoke to?

17 A Several. I don't recall exactly how many. Some  
18 people will just spout off information and refuse to give  
19 a name and try to walk away. Not many people stop and  
20 leave their name.

21 Q Did you memorialize in any way the identity of  
22 any witnesses who refused to -- or not "refused," but who  
23 walked away and didn't provide identification?

24 MS. HARRIS: Objection to form.

25 But you can answer.



1           A     I don't quite understand. Like --

2 BY MS. BAIRD:

3           Q     You don't understand the question?

4           A     Not really, no.

5           Q     Okay. Did you write down, for example, a  
6 description of any witnesses who didn't give their names?

7           A     At that point it was so fluid and people are  
8 just kind of yelling things out -- "he ran this way," "he  
9 ran that" -- it was tough to do that.

10          Q     Okay.

11          A     It was a pretty chaotic scene.

12          Q     And any information that you would have -- that  
13 you did obtain, you passed on verbally to the homicide  
14 investigator?

15          A     I believe the stuff for the people I couldn't  
16 stop or detain I put on the radio, and the people that we  
17 could secure we secured. Some people wanted to be  
18 hidden. They didn't want to be seen. They didn't want  
19 to be seen talking to the police.

20          Q     Okay. And you had mentioned a barbershop. Did  
21 you locate any individuals in a barbershop that were  
22 relevant to the homicide investigation?

23          A     Me personally? No.

24          Q     Did you go into the barbershop?

25          A     No.

1 Q Did you find any evidence related to the  
2 homicide?

3 MS. HARRIS: Objection.

4 But you can answer.

5 A I would say based on what I just said, yes.

6 BY MS. BAIRD:

7 Q Okay. And you're referring to what you  
8 testified about witnesses?

9 A Witnesses. Shell casings.

10 Q So did you locate shell casings?

11 A They were all around us. There were so many.

12 Q Do you know -- well, let me ask you first, did  
13 you memorialize in writing any information about you  
14 locating shell casings?

15 A No. That would be CSD's duties.

16 Q And what does "CSD" stand for?

17 A Crime Scene Division.

18 Q And would the homicide investigator have been in  
19 the Crime Scene Division?

20 A No.

21 Q Crime Scene Division is evidence?

22 A Yes.

23 Q Did you convey any information to the Crime  
24 Scene Division about what you observed about shell casings  
25 or any other tangible evidence that you found at the

1 scene?

2 A No. We just tried to preserve the location of  
3 the shell casings from people walking around them.

4 Q Okay. What did you do, if anything, in terms of  
5 evaluating the crime scene?

6 MS. HARRIS: Objection to form.

7 You can answer if you understand.

8 A I'm not sure exactly what you're --

9 BY MS. BAIRD:

10 Q I had just made a note of some things that you  
11 said you had done. Maybe I wrote it down wrong: Talk to  
12 witnesses; evaluation of crime scene; locate witness,  
13 suspect. So I may have written it down wrong. So if you  
14 don't know what I mean I'll just move on.

15 When you say crime scene -- well, I don't think  
16 you did say "crime scene." Was there a crime scene  
17 established, if you know, on 9/12/2014, at the homicide  
18 location?

19 A There were several crime scenes established,  
20 yes.

21 Q Okay. And were they established at the same  
22 time?

23 A No.

24 Q What was the first crime scene that was  
25 established?

1           A     Probably on Park Street, between Hungerford and  
2     the next street east, Wolcott Street.

3           Q     What was the status of that establishment of  
4     this first crime scene when you arrived there?

5           A     The status?

6           Q     Yes.

7           A     I don't understand the question.

8           Q     Do you know if that first crime scene had  
9     already been established when you arrived?

10          A     Yes.

11          Q     And how do you know?

12          A     Because the crime scene tape was up.

13          Q     Do you know who made the determination of the  
14     area of that first crime scene?

15          A     No.

16          Q     You weren't there yet.

17          A     I may have been.

18          Q     Well, when you got there, was the crime scene  
19     tape already up?

20          A     Yes, I just said so. It was.

21          Q     So am I correct that someone made a  
22     determination about what the crime scene was before the  
23     tape went up?

24          A     I would assume so, yes.

25          Q     Did you make that determination about the first

1 crime scene?

2 A No.

3 Q Do you know who did?

4 A No. Usually the patrol officers are pretty good  
5 when they get there, and they just automatically have  
6 tape with them and start putting it up.

7 Q Did you ever do that when you were a patrol  
8 officer with Hartford?

9 A Yes.

10 Q And how about with Bloomfield? Did you perform  
11 that function of putting tape up when arriving?

12 A I don't recall.

13 Q This has already been admitted as Exhibit 36.  
14 I'm just going to ask you -- close this up a little bit so  
15 everybody can see it.

16 If you just ignore these pink tapes for a  
17 minute, I'm going to ask you if, other than the pink  
18 tapes, you recognize the area portrayed on Exhibit 36?

19 A Yes.

20 Q And when you referred to Hungerford Street in  
21 your testimony a couple of questions ago, I'm pointing to  
22 the middle of Exhibit 36 to a street that's designated.  
23 Do you recognize that as Hungerford Street?

24 A Yes.

25 Q And is it fair to say that Park Street in

1 Hartford runs in an east/west direction?

2 A Yes.

3 Q And that if you look -- if you're looking  
4 straight on at Exhibit 36, and to the right of Exhibit 36  
5 that's the east direction, and to the left that's the west  
6 direction?

7 A Yes.

8 Q And then on Hungerford Street on the top of  
9 Exhibit 36, it designates a north direction.

10 A Yes.

11 Q You had mentioned a street called Wolcott Street  
12 where the extent of the initial crime scene may have been  
13 established. Am I correct that Wolcott Street doesn't  
14 appear on Exhibit 36?

15 A It may.

16 Q Okay.

17 A Up there in the corner. Very top, bottom right.  
18 (Indicating.)

19 Q This may be Wolcott Street here?

20 A No. That one.

21 Q Here.

22 A Yes.

23 Q Okay. So does Wolcott Street move in an  
24 east/west direction?

25 A No. North/south.

1 Q This way.

2 A One-way, from south to the north.

3 Q Okay. So I'm pointing on Exhibit 36 in the  
4 bottom right-hand corner as you look directly at it, and  
5 Wolcott Street -- it intersects with Park Street; right?

6 A Yes.

7 Q Okay. In a south-to-north direction?

8 A Yes.

9 Q You had mentioned that there were two crime  
10 scenes. Would the crime scene that was determined after  
11 the initial crime scene be called the secondary crime  
12 scene?

13 A Yes.

14 MS. HARRIS: I'm just going to object to  
15 the characterization. I don't think he said  
16 "two."

17 But you can answer.

18 BY MS. BAIRD:

19 Q Well, how many crime scenes were established  
20 related to the homicide investigation on 9/12/14; if you  
21 know?

22 A It depends on what you determine a crime scene.

23 Q Right.

24 A I mean, wherever the tape is put up. I mean,  
25 it's tough to say. On that originally. If you pop it

1 back up for a minute?

2 Q Okay, I will. Exhibit 36?

3 A Right.

4 So what would happen is the first responding  
5 units, the patrol units that get there, who aren't as  
6 focused on the investigation as detectives or my guys  
7 might be, the first thing to do is stop pedestrian  
8 traffic and vehicular traffic. So the first thing you do  
9 is you set it up in between the two blocks. So where you  
10 see the "northeast" sticker? Below that on the sidewalk  
11 would be where the body is, and the most natural thing to  
12 do to prevent pedestrians is you block off the two  
13 closest streets, which would be Hungerford and Wolcott  
14 Street, so that way people walking have somewhere to go  
15 along with traffic; you know, cars coming. That would be  
16 the original thing.

17 Then as cars come in, they'll -- a cruiser will  
18 block off Broad Street. Another cruiser will block off  
19 Hungerford and Grand Street, which is the next one north,  
20 and another cruiser would block off Wolcott and Russ  
21 Street, which is the next one south. So everything's --  
22 but it's a process that happens. It doesn't immediately  
23 happen.

24 Q Okay. And did you -- I think you've already  
25 testified -- correct me if I'm wrong -- that when you



1 arrived, the tape was already up at Hungerford and Park  
2 Street?

3 A Yes.

4 Q And perhaps Park Street and Wolcott Street.

5 A Yes.

6 Q And do you know if there was any tape up in any  
7 of the other locations that you just testified about:  
8 Russ Street and ...

9 A I saw some other tape over by the front of the  
10 Diamante. And by the parking lot to the west of the  
11 Diamante where the "Google" words are, there was tape.  
12 But I really didn't see exactly where the tape was or how  
13 it was construed.

14 Q Okay. So on Exhibit 36 when you make reference  
15 to the Diamante, that's a bar; right?

16 A Yes.

17 Q And there is on the bottom of Exhibit 36, maybe  
18 a little to the right of center, a black box. Do you see  
19 that?

20 A Could you point it out?

21 Q (Indicating.)

22 A Yes.

23 Q Is that the Diamante?

24 A I believe so.

25 Q And the parking lot that you've referenced is to

1 the left of Diamante; right?

2 A Yes.

3 Q On Exhibit 36.

4 A Yes.

5 Q Was there any evacuation of residents who  
6 resided in the block between Hungerford Street and -- is  
7 it Wolcott Street?

8 A Yes.

9 Q In the Park Street -- the intersection of Park  
10 Street and Hungerford Street eastward to the intersection  
11 of Park Street and Wolcott Street, do you know of any  
12 evacuation of residents or business owners that was done  
13 as a result of there being a crime scene established in  
14 that area?

15 A I believe that a patrol sergeant that was in  
16 charge there, when they thought there might be somebody  
17 in the barbershop, they might have cleared out some  
18 businesses. But I was dealing with something else other  
19 than that.

20 Q And what was it that you were dealing with other  
21 than that?

22 A Expanding the crime scene.

23 Q About how long after you arrived did you start  
24 dealing with expanding the crime scene?

25 A I couldn't give you an actual time. Maybe

1 three, four, five minutes? I'm not exactly sure of the  
2 time frame.

3 Q What was the -- what was the reason for -- well,  
4 let me ask you this first. When you say you were dealing  
5 with expanding the crime scene, how many times did you  
6 expand the crime scene?

7 A Me personally? Maybe one time.

8 Q So I'll focus on that one time then. What was  
9 the reason for needing to expand the crime scene on that  
10 one occasion that you were involved in?

11 A There were actually several reasons.

12 Q Okay. Go ahead. What were the several reasons?

13 A One of the reasons is I believe that a suspect  
14 was inside the barbershop, or a victim for -- somebody  
15 that spotted the blood going in.

16 Another reason was we had received information  
17 that two armed individuals had ran northbound on  
18 Hungerford Street and may have discarded or taken off his  
19 shirt. So that would have put Hungerford Street into  
20 play.

21 And then also the shell casings and position of  
22 the body, how many shell casings, where they were would  
23 all be part of the investigation later on down the road,  
24 and Mr. Peruta had a camera there filming that.

25 Q The shell casings.

1           A     The shell casings, position of the body.

2           Q     Okay.  And I'm not sure why you mentioned that  
3 Mr. Peruta had a camera there filming that.  Why did you  
4 mention that in your testimony just now with regard to the  
5 expansion of the crime scene?

6           A     Because the capturing of that would disclose  
7 what would later be used as evidence down the road --  
8 possibly used as evidence during the homicide  
9 investigation.

10          Q     Okay.  So as a technique of law enforcement were  
11 you trained in a procedure where officers sometimes  
12 withhold certain details of a crime as a means to solve  
13 it?

14          A     Yes.

15          Q     And tell me about that technique.  How does it  
16 work?

17          A     Well, when you're interviewing somebody -- a  
18 possible suspect, witnesses -- sometimes witnesses come  
19 forward that really didn't see stuff and you can ask them  
20 key questions about position of the body, location of the  
21 body, where shots were placed.  There's just numerous  
22 investigative techniques that you could use that no one  
23 would know besides the investigators.

24          Q     And that was -- was that a technique that you  
25 attempted to employ in -- as a means to solve the homicide

1 on 9/12/2014?

2 A It's a technique that I -- myself and others  
3 within the Division have gone to crime scene training  
4 that could be used in any homicide. So it's pretty much  
5 what you would do to any homicide.

6 Q Okay. So how was it specifically employed by  
7 you in the September 12th, 2014, homicide?

8 A I don't investigate homicides, so it wouldn't be  
9 employed by me. It would be the homicide investigator,  
10 whether he comes across the necessity to use those  
11 tactics.

12 Q Okay. How, if at all, did Mr. Peruta impact  
13 that technique that you've been discussing of withholding  
14 information of a crime to further the investigation?

15 A I don't know if he would or would have impacted  
16 it because -- I'm not sure if it was.

17 Q Okay. So just to be clear, I had asked you the  
18 reasons for the expansion of the crime scene on the one  
19 occasion that you were involved in the expansion, and you  
20 had mentioned Mr. Peruta; correct?

21 A Yes. At some point -- the light was so bright,  
22 so at first I didn't know who it was until there was some  
23 type of pushback or -- I could hear that whoever it was  
24 wasn't cooperating. As I walked down to see, at one  
25 point he put the camera light down, which was very

1 bright, and I saw that it was Mr. Peruta.

2 Q And when you saw it was Mr. Peruta, how did that  
3 impact what you did next, if it did impact it?

4 MS. HARRIS: Objection to form.

5 You can answer if you --

6 A I don't quite understand the question.

7 BY MS. BAIRD:

8 Q Okay. Did your identification of Mr. Peruta  
9 affect the -- well, let me strike that all.

10 Let me just ask this. Did you employ at all the  
11 technique at the 9/12/2014 homicide scene of attempting  
12 to withhold certain information about the crime so that  
13 the investigation could be furthered?

14 A Yes.

15 Q And in what way did you do that?

16 A By expanding the crime scene. One of the  
17 many -- one of the reasons. I did state the others.

18 Q And how did expanding the crime scene further  
19 the technique of withholding information about the  
20 homicide so that the investigation could be furthered?

21 A (No response.)

22 Q Well, what's the relationship between the  
23 expanding of the crime scene that you were involved in,  
24 and the technique we've been discussing of withholding  
25 information so that the investigation could be furthered?

1           A     Well --

2                     MS. HARRIS:  Objection to form.

3                     You can answer.

4           A     The homicide investigator would be able to  
5 answer that, whether he used those techniques or not.  
6 But like I said, that was one of the reasons.  The other  
7 reason was a possible suspect or victim inside the  
8 barbershop in which they had to force entry.  And then it  
9 all kind of happened fluidly and, simultaneously,  
10 information coming in that two armed suspects may have  
11 ran north on Hungerford Street, which at that point  
12 wasn't cordoned off.  Sometimes these crime scenes, when  
13 the first officers get there, start off rather small, and  
14 as information develops and -- just like this situation,  
15 new information develops, crime scenes may be enlarged.  
16 Each situation is different.

17 BY MS. BAIRD:

18           Q     Did any homicide investigator or member of the  
19 Crime Scene Division instruct you to expand the crime  
20 scene on that one occasion you were involved in expanding  
21 the crime scene?

22           A     No.  This is at the very beginning stages of the  
23 homicide where stuff is still fluid and those guys all  
24 come back on a callback basis.  So they might show up an  
25 hour later.

1           What we're taught is bigger is always better.  
2       If they see a need to make it smaller, they make that  
3       determination.

4           Q     And when you say that's what we're always  
5       taught, "bigger is always better," who teaches you -- when  
6       you say "we," do you mean --

7           A     Yeah, it was --

8           Q     -- law -- wait. Do you mean law enforcement  
9       officers are taught that?

10          A     Yes.

11          Q     And are they taught that at the academies?

12          A     That may be one of the locations.

13          Q     Are they taught that in field training?

14          A     Yes.

15          Q     And then are they taught that by their  
16       supervisors on the job?

17          A     Yes.

18          Q     And do you know who the patrol officers were who  
19       set up the initial tape where -- where I know you've said  
20       was at the intersection of Park Street and Hungerford  
21       Street, and possibly at the intersection of Park Street  
22       and Wolcott Street. Do you know who those officers were?

23          A     No.

24          Q     Was there anything specific about the location  
25       of the -- let me lay a groundwork.



1           Did you observe any shell casings on Park  
2 Street?

3           A     Yes.

4           Q     Was there anything specific about the location  
5 of those shell casings that you concluded would aid the  
6 investigation if not revealed to the public?

7           A     Could be, yes.

8           Q     And what was it about the location of those  
9 shell casings that led you to conclude that?

10          A     They appeared to be on the east side of the  
11 body, strewn across the sidewalk, which would indicate  
12 that the shooter was probably on the easterly side of the  
13 victim, shooting in a westerly direction. On the north  
14 sidewalk.

15          Q     Did you take any precautions to hide the shell  
16 casings so that people would not be able to see them, to  
17 keep their location --

18          A     Well, at first --

19          Q     -- secret?

20          A     -- we tried to get EMS to not step on them, and  
21 then like I said, when I had to go down and deal with  
22 what I previously mentioned, I believe at some point the  
23 officers up there -- I don't know at what point -- put a  
24 cover over the body. And I don't know if they were able  
25 to protect shell casings or not. If that was part of

1 what they did, I'm not sure.

2 It would be kind of tough to do what you  
3 mentioned without expanding the crime scene, to be honest  
4 with you.

5 Q Before the deceased was covered, did you have  
6 any concerns about photographs or video being taken of the  
7 uncovered dead body?

8 A Yes.

9 Q And what were your concerns?

10 A It was a very, very gruesome scene; probably one  
11 of the most gruesome scenes I've ever seen. Probably in  
12 excess of eight to 10 gunshots in the head, with brain,  
13 blood, bodily fluids all over the place. And that's  
14 something that probably, you know, could be traumatizing  
15 for people to see. And along with that, family members  
16 possibly of the deceased could see that before they're  
17 officially notified. And the dignity of the deceased.

18 Q And were these concerns that you've just listed,  
19 about photographing or recording an uncovered, deceased  
20 body, concerns that you personally held?

21 A No.

22 Q Were they concerns that you were taught at the  
23 Police Academy?

24 A Yes. Taught from day No. 1 and throughout your  
25 career.

1           Q     Do you recall specific training that you  
2 received during the four weeks prior to your employment  
3 with the Hartford Police Department, or while you were  
4 with the Hartford Police Department, about  
5 photographing -- the photographing or recording of dead  
6 bodies?

7           A     Maybe not particularly of dead bodies.  
8 Something probably out in the field will be taught as the  
9 situations occurred.

10          Q     So for example, if I showed you your Training  
11 Trakker from the Hartford Police Department, would you be  
12 able to identify any training on that Trakker that you  
13 received specifically with regard to policies or  
14 procedures or standards to follow when individuals were  
15 attempting or were recording or photographing gruesome  
16 scenes like you've just described?

17          A     The only one I can kind of remember is a  
18 training I went to called "Inside the Tape." Crime scene  
19 investigations.

20          Q     Okay, let me -- give me just a moment. I'm  
21 going to pull out your Training Trakker to see if it's on  
22 there or not.

23          A     If it is on there, it would be after 2011.

24          Q     Okay.

25          A     It was, like, an outside agency training that I

1 was sent to, so I'm not sure if it would be there.

2 Q I referenced a Training Trakker in one of my  
3 questions to you. Do you recognize Exhibit 29 as the  
4 Training Trakker related to your training?

5 A Yes.

6 Q Okay. And on the fifth page of Exhibit 29, it  
7 appears to have the oldest -- or the training that you  
8 received the longest ago listed under a course named  
9 "Firearms Qualification," on 10/21/96. Do you see that?

10 A Yes.

11 Q And that's around the time that you became an  
12 officer in the Hartford Police Department.

13 A Yes.

14 Q Do you have any way of knowing, looking at  
15 Exhibit 29, whether it includes all the training you  
16 received while with the Hartford Police Department?

17 A No, I --

18 Q Okay.

19 A -- don't know.

20 Q And you had mentioned a course called "Inside  
21 the Tape" that may be listed under a different name. Do  
22 you see anything related to that course in Exhibit 29?

23 A I do not see it in here. These look like all  
24 classes that are conducted at our Academy. I don't know  
25 if I see any ones that were conducted outside the

1 department.

2 Q There are some listed that -- for example, well,  
3 No. 13, "Collect Re-certification" on the first page.

4 It's item No. 13.

5 A Yes.

6 Q It lists DPS. That's the State Police; right?

7 A Yes.

8 Q Do you think you received that at the Hartford  
9 Police Department or --

10 A I did, yes.

11 Q Okay. And then how about item No. 20 on page  
12 one of Exhibit 29? What is "Bomac"; if you know?

13 A Bureau of -- I forget exactly what it stands  
14 for, but it's a company that teaches police courses.

15 Q And would that have been at the police  
16 department?

17 A May have been. I don't recall.

18 Q So who offered the "Inside the Tape" training?

19 A I don't remember who offered it, but it was at  
20 Bristol P.D.

21 Q Did you attend that training more than once?

22 A Yes. I went two times.

23 Q And when did you go?

24 A Sometime after 2011.

25 Q And did anyone else from the Hartford Police

1 Department go?

2 A Yes.

3 Q Who?

4 A Some Major Crimes investigators and some  
5 Shooting Task Force detectives.

6 Q And do you know if there was a specific reason  
7 why at that point in time you and these others from the  
8 Hartford Police Department went to that training?

9 A Yes. Because part of our duties in the Shooting  
10 Task Force would be to respond to major crime scenes such  
11 as homicides and shootings, and to learn crime scene  
12 tactics and procedures.

13 Q And did this course "Inside the Tape" address  
14 the erection of crime tape?

15 A It did, yes.

16 Q Did it have, like, pictures or videos of  
17 examples of crime scene taping erected?

18 A Yes.

19 Q Was there a practice session part of it where  
20 you actually put up the crime scene tape?

21 A No.

22 Q Okay. And did that course, on the two times  
23 that you attended it, address setting up crime scene tape  
24 for the purpose of keeping certain elements of the crime  
25 scene secret to further the investigation in the future?

1 A Yes.

2 Q And did that course, the two times you attended  
3 it -- well, was it exactly the same the two times you  
4 attended it?

5 A I think one might have been like a step up, like  
6 a little advanced type of one? I don't recall exactly.

7 Q And again, you said you didn't think you saw it  
8 in here; right?

9 A No, I didn't.

10 Q So in either of the sessions that you went to --  
11 the two sessions that you've testified you went to of a  
12 course called "Inside the Tape," did the presenter or  
13 presenters or did any of the material coursework address  
14 photographing or videotaping by individuals or the media  
15 of dead bodies at crime scenes?

16 A The way you're wording it it's tough to answer.

17 Q Okay.

18 A I mean the best I can? Yes. By the reasons I  
19 explained to you earlier.

20 Q Did either one of these "Inside the Tape"  
21 sessions address handling media with cameras at crime  
22 scenes?

23 A The actual handling or the ...

24 Q Well, I'll start with handling.

25 A No.

1 Q Okay. Did either one of the "Inside the Tape"  
2 sessions address the media in general who appear at crime  
3 scenes?

4 A I don't believe so.

5 Q Did you have any training at all during your  
6 employment with the Hartford Police Department about a  
7 police officer's relationship with the media?

8 A Yes.

9 Q And are any of those courses reflected on  
10 Exhibit 29?

11 A Maybe under patrol procedures? I couldn't ...

12 Q And what number is to the left of the course  
13 you're referring to?

14 A Let me find it again. You know, I'm not sure.  
15 I'm guessing, so I --

16 Q Well, don't guess.

17 MS. HARRIS: Yes, don't guess. If you  
18 know.

19 A I don't know.

20 BY MS. BAIRD:

21 Q Okay. But even without being able to identify  
22 in Exhibit 29 any specific course, do you recall  
23 independently taking a course or courses about an  
24 officer's relationship with the media?

25 A Within our routine training at the Academy, at



1 some point, I think several times we went over the media  
2 policy and dealing with the media. Yes.

3 Q And did any of that training include dealing  
4 with the media at actual crime scenes?

5 A Yes.

6 Q Was there instruction, while you were taking  
7 these courses as a member of the Hartford Police  
8 Department, about dealing with media at homicide crime  
9 scenes?

10 A I don't know. Possibly.

11 Q Was there any training about preventing media  
12 from photographing deceased homicide victims -- well,  
13 homicide victims or gruesome scenes as you've described  
14 was present on Park Street?

15 MS. HARRIS: Objection to form.

16 You can answer.

17 A I can say the training we went over would have  
18 been going over the General Order, recognition of the  
19 General Order, the policy and procedure, and general  
20 dealing with the media in all situations, whether it's a  
21 crime scene, dead body, runaway child. It could be  
22 anything. Media relations.

23 BY MS. BAIRD:

24 Q Okay. You had mentioned that on 9/12/2014, that  
25 you had a concern about the dignity of the deceased and

1 that it may be traumatizing for people to see --

2 A Yes.

3 Q -- the deceased; correct?

4 A Yes.

5 Q And did you receive training at any course taken  
6 while you were a member of the Hartford Police Department  
7 that it was part of your duty to -- as a police officer at  
8 a homicide scene to somehow protect the dignity of the  
9 deceased?

10 A I think at one point I said earlier that out in  
11 the field that was something we were always taught.

12 Q And is it your position that one way of  
13 protecting the dignity of the deceased is to prevent  
14 photographs or video of the deceased body, while it's  
15 uncovered at least?

16 A Could be, yes.

17 Q Did you observe on September 12th, 2014,  
18 Mr. Peruta attempting to either photograph or video-record  
19 the uncovered homicide victim on Park Street?

20 A I can't say exactly what he was trying to film,  
21 but the crime scene area, yes.

22 Q Was there anyone else that you observed taking  
23 pictures or recording in the direction of the crime scene  
24 on September 12th, 2014?

25 A At that time I just remember seeing the bright

1 light from the professional camera.

2 Q Okay. I just want to make sure that you've  
3 included all the reasons that you can think of right now  
4 for expanding the crime scene on the one occasion that you  
5 were involved in the expansion.

6 One of the reasons was that there was a suspect  
7 inside of the barbershop, and you had received  
8 information that two individuals had run northbound on  
9 Hungerford Street; correct?

10 A Yes.

11 Q And then another reason was the reason that you  
12 had been taught a technique about not revealing certain  
13 information about a crime scene so that the investigation  
14 could benefit from that in the future if people came  
15 forward and obviously were trying to give witness  
16 testimony, but it was clear through their testimony they  
17 didn't really observe what was going on?

18 A That could be, yes.

19 Q And then another reason was because through  
20 being out in the field with officers, it was conveyed that  
21 an uncovered, dead body photographs, recordings could be  
22 traumatizing for people to see and invade or diminish the  
23 dignity of the deceased; right?

24 A Yeah. And hurt family members, obviously.

25 Q Are there any other reasons you can think of

1 right now for expanding that crime scene on the one  
2 occasion that you were involved in it?

3 A At some point we secured some witnesses in a  
4 cafe that didn't want to be seen by the public.

5 Q Is the cafe that you're referring to present on  
6 Exhibit 36?

7 A Yes.

8 Q Did you say it was the name of a bar previously?

9 A Yes.

10 Q What, Dignati?

11 A Diamante.

12 Q Diamante. Okay. And you've already pointed  
13 that out --

14 A Right.

15 Q -- on Exhibit 36.

16 A Right.

17 Q Now, the Diamante bar on Exhibit 36 was within  
18 the crime -- within the tape that you originally observed  
19 when you arrived; right?

20 A Yes.

21 Q Okay. And what impact did expanding the crime  
22 scene on the one occasion you were involved in expanding  
23 the crime scene have on securing those witnesses in the  
24 Diamante bar?

25 A Well, that was later on, so that would have

1 protected their identity.

2 Q Okay.

3 A After all the other things I had mentioned.

4 Q And how did the expansion of the crime scene  
5 protect the identity of the witnesses in the Diamante bar?

6 A They wouldn't be seen by other people in the  
7 area and/or be on film.

8 Q So if, for example, somebody from the Diamante  
9 bar wanted to come out of the bar, they wouldn't be  
10 photographed or recorded.

11 A Yes. One of the reasons. But there was also a  
12 crime scene directly in front of it almost. Across the  
13 street.

14 Q And what relevance did the fact there was a  
15 crime scene directly across from the Diamante bar have on  
16 expanding the crime scene beyond the Park Street and  
17 Hungerford Street, and Wolcott Street and Park Street?

18 A The Diamante thing with the witnesses came into  
19 play long after it was -- not long, but after the crime  
20 scene was already expanded.

21 Q Anything else you can think of right now, other  
22 than -- I have it down as four reasons.

23 MS. HARRIS: I'm sorry. Just for --

24 MS. BAIRD: Yes.

25 MS. HARRIS: Expanding the crime scene?

1 MS. BAIRD: Yes.

2 MS. HARRIS: I just want to make sure what  
3 your question is.

4 MS. BAIRD: Yes.

5 A As of right now, yeah, that's correct.

6 BY MS. BAIRD:

7 Q Okay.

8 MS. FEOLA-GUERRIERI: Could we just take a  
9 quick break?

10

11 [Off record: 12:54 p.m. to 1:01 p.m.]

12

13 MS. FEOLA-GUERRIERI: Due to the inclement  
14 weather on Tuesday, my trial management  
15 conference on another matter was rescheduled by  
16 the Court for this afternoon, so I'm going to  
17 have to leave this deposition and allow it to  
18 continue in progress while you proceed, because  
19 I don't want to inconvenience anyone else.

20 If there are inquiries with regard to, you  
21 know, periphery matters, I've already stated my  
22 objection to relevance on those grounds, and I  
23 think Rebecca will do that as well.

24 I don't need a copy of the transcript.

25 Thank you.

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[Ms. Feola-Guerrieri left proceedings.]

BY MS. BAIRD:

Q After -- I know from Exhibit 4, and 38 that you probably still have in front of you, the Heartbeat Dispatch --

A Yes.

Q -- you had indicated that there was an additional assignment reflected for Unit 570 on the last page, and that involved going back to headquarters to discuss the case?

A I believe so, but actually from their means -- what an "additional assignment" means as far as -- you know, this is the dispatch summary. I'm not sure exactly if that's what it means or not. But we would have gone back to our office at that time, whether it was Edwards Street or Jennings Road, and, you know, what we call "work the case." Our function is to develop as much information, intel, suspect information, possible suspects and anything we come up with. My detectives forward that over to the Major Crime investigators which they use to help solve the homicide.

Q Other than that, did you have any involvement in investigating the homicide beyond September 12th, 2014, or

1 into the early morning hours of September 13th --

2 A No.

3 Q -- 2014?

4 A No.

5 Q Did you become aware at all whether there was an  
6 arrest or not?

7 A There was an arrest, yes.

8 Q And fair to say you never had to testify in  
9 court or anything about it.

10 A No.

11 MS. BAIRD: This is Exhibit 7. It's a copy  
12 of Exhibit 7, which I believe should now be also  
13 made Exhibit 39 just to make the record clear.

14

15 [Plaintiff Exhibit 39: Marked for ID.]

16

17 BY MS. BAIRD:

18 Q Exhibit 37 and -- excuse me -- Exhibit 7 and 39,  
19 which are the same, is a two-page document. Do you  
20 recognize this document titled Crime Scene Entry Log?

21 A I haven't seen it prior to this, but I do  
22 recognize it as a crime scene log.

23 Q And do you recognize this Exhibit 39 as a record  
24 related to the work of Hartford Police Department  
25 officers?



1 A Yes.

2 Q Have you ever been tasked with being the officer  
3 in charge of filling out a Crime Scene Entry Log?

4 A In excess of 15 years ago, yes.

5 Q And at the bottom of Exhibit 39 it contains a  
6 notation of "HPD Form 402 5/89." Do you see that?

7 A Yes.

8 Q So do you know if this was the same form that  
9 you used about 15 years ago or more?

10 A It would be, yes.

11 Q What is the purpose of a Crime Scene Entry Log?

12 A To keep track of who enters the crime scene.

13 Q And does your name appear on Exhibit 39?

14 A Yes.

15 Q What does the column on the left-hand side,  
16 "IN," indicate?

17 A The time.

18 Q Would that be the time when someone enters the  
19 crime scene?

20 A Yes.

21 Q Or at least the time that whoever is filling out  
22 the form observes the person enter the crime scene;  
23 correct?

24 A Yes.

25 Q Sitting here today, you don't know if the time

1 reflected on there of 21:20 is actually the time that you  
2 entered the crime scene?

3 A Correct.

4 Q Because you didn't fill out a report or make any  
5 notations; right?

6 A Correct. The Hartbeat indicates 21:21, so it's  
7 pretty accurate.

8 Q And when you enter a crime scene, do you go up  
9 to someone and say I'm here, and the person filling out  
10 the entry log puts your name down? Or is it just up to  
11 the person filling out the Crime Scene Entry Log to keep,  
12 you know, observing and noticing who comes in and out and  
13 to note it?

14 A It could be either/or, given the scene and  
15 what's actually occurring at the time.

16 Q And looking at the Crime Scene Entry Log, at  
17 least looking at what is noted, it appears that there may  
18 have been one person who came into the crime scene before  
19 you did, and five or six people who came at the same time  
20 as you; correct?

21 A That's what this indicates, yes.

22 Q Okay. And do you recall when you arrived that  
23 there weren't as many people there as came afterwards?

24 A Yes, of course.

25 Q You were one of the first arrivals at the crime

1 scene?

2 A I would say so, yes.

3 Q Okay. And your partner, Sergeant Case, arrived  
4 at the same time as you, according to this; right?

5 A He was with me, so yes.

6 Q Okay. And did you have any input or any control  
7 over what names appeared on the Crime Scene Entry Log,  
8 Exhibit 39?

9 A No.

10 Q And you already testified you'd never seen it  
11 before I just handed it to you; right?

12 A Yes.

13 Q Have you viewed any clips -- video clips taken  
14 by Mr. Peruta related to the 9/12/14 homicide scene?

15 A Yes, I have.

16 Q And other than with your counsel, which I don't  
17 want to know about, have you viewed them with anyone else  
18 or at any other time?

19 A By myself.

20 Q And when did you do that?

21 A Shortly after, when it began to circulate that  
22 there was some type of video posted by Mr. Peruta on  
23 YouTube.

24 Q And do you recall how many clips you looked at  
25 or if you looked at a few or all of them, or how much time

1 you spent looking at them?

2 A Can you clarify? By myself or with my attorney  
3 or --

4 Q Oh, leave your attorney out.

5 MS. HARRIS: Anything -- anything that you  
6 and I have discussed do not -- she doesn't get  
7 to know.

8 A It was just one YouTube video clip that I viewed  
9 by myself. The nice one where it had the names pop up  
10 and the captions and -- nice work.

11 BY MS. BAIRD:

12 Q And how did you find out that a clip or clips  
13 had been posted?

14 A Another officer, like, I just don't recall who,  
15 had sent it to me.

16 Q Do you know if when you viewed it whether the  
17 crime had already been solved or not?

18 A Don't recall.

19 Q Well, let me ask you, can you see that TV screen  
20 here in the conference room clearly?

21 A Once it starts playing I'll be able to tell you  
22 better, but --

23 Q Okay. Okay. We'll see.

24 MS. HARRIS: I'm sorry. I shouldn't laugh.

25 I know we keep trying, Rachel. It's a really

1 good, like, idea. We have one in our office, as  
2 you know, that I have never managed to figure  
3 out how to get work. It's a waste of perfectly  
4 good technology in my office.

5 BY MS. BAIRD:

6 Q This is Exhibit 34 that I am placing in the  
7 computer, and I'm going to begin with what we've been  
8 calling Clip 1.

9 MS. HARRIS: It should auto-start for you  
10 since you just put it back in.

11 MS. BAIRD: Oh, the Park Street.

12 MS. HARRIS: Don't mess with it. It will  
13 just do its thing. It should, anyway.

14 MS. BAIRD: I am showing you Clip 1 from  
15 the Exhibit 34.

16 [Video Played and Paused.]

17 MS. HARRIS: Can you see that?

18 THE WITNESS: Can I get up to just watch a  
19 little closer to see?

20 MS. BAIRD: Yes.

21 THE WITNESS: Just the glare from the  
22 street is what does it.

23 MS. BAIRD: Yes, I know. And it had to be  
24 snowing today.

25 THE WITNESS: That's better here. I can

1           see it okay here, I guess.

2

3                         [Off record: 1:14 p.m. to 1:15 p.m.]

4

5 BY MS. BAIRD:

6           Q     This is Clip 1 from Exhibit 34. Do you  
7 recognize whose face is in the bottom left-hand corner of  
8 that video?

9           A     Yes.

10          Q     And who is --

11                         [Off record: 1:15 p.m. to 1:15 p.m.]

12

13 BY MS. BAIRD:

14          Q     And who is that?

15          A     Officer Barone.

16                         MS. HARRIS: Hold on one second.

17                         Are you able to hear him well enough?

18                         COURT REPORTER: Yes. I'll let you know.

19 BY MS. BAIRD:

20          Q     And the tape that we see behind Officer Barone,  
21 is that the tape that extends from the --

22          A     Yes.

23                         MS. HARRIS: Let her finish the question  
24 before you answer.

25

1 BY MS. BAIRD:

2 Q -- from the northeast corner of Park and  
3 Hungerford in a southerly direction to the other side of  
4 Park Street?

5 A The tape you're referring to --

6 Q Oh, I was referring to the tape right behind  
7 Officer Barone's head.

8 A In front of. Yes. I see it.

9 Q Okay. Is that the tape that extended from the  
10 intersection of Park Street and Hungerford Street on the  
11 northeast side in a southerly direction across Park  
12 Street?

13 A I believe it is, but the clip is tough to  
14 really --

15 Q Okay. Do you recognize the gentleman on the  
16 north side of Park Street with the blue shirt and white  
17 pants?

18 A Appears to be Lieutenant Sigersmith.

19 Q And there's a uniformed officer standing in  
20 front of the appliances store. Do you recognize him?

21 A No. Too blurred.

22 Q And then there are three individuals to the  
23 right of Lieutenant Sigersmith. Do you recognize them?

24 A Too blurry. No.

25 Q And then there's an individual in a white shirt

1 and pants at the back of a police SUV in the middle of  
2 Park Street. Do you recognize that individual?

3 A Possibly could be me. But I'm not sure.

4 Q Did you observe Officer Barone when you arrived  
5 on the scene?

6 A At some point, yes.

7 Q Do you know what I'm going to do? I'm going to  
8 show the whole video just so you see the whole thing so  
9 you can put things in context. I think that's probably  
10 fair. This is Clip 1.

11 [Video Played and Paused.]

12 BY MS. BAIRD:

13 Q In viewing the entirety of Clip 1, are you able  
14 to tell where the tape behind Officer Barone's head  
15 extends from now?

16 A Yes.

17 Q Okay. And where does it extend?

18 A Somewhere in the area of the Diamante parking  
19 lot to the corner of Park and Hungerford Street.

20 Q And -- go ahead.

21 A I'd like to just add that I'm pretty sure that's  
22 me behind the SUV, and at that point I have no idea or  
23 where Mr. Peruta is on scene. And when Barone is  
24 referring to a sergeant, he's referring to his sergeant,  
25 which would be Sergeant Michel.



1 Q Okay.

2 MS. HARRIS: Just let her ask you the  
3 questions one by one.

4 [Video Played and Paused.]

5 BY MS. BAIRD:

6 Q So in that clip when Sergeant Barone says,  
7 "they're pushing the crime scene back," at that point do  
8 you know if you had been involved in any determination of  
9 pushing the crime scene back?

10 A At that point, no.

11 [Video Played and Paused.]

12 BY MS. BAIRD:

13 Q And at that point in the video, at the 15-second  
14 mark, when Sergeant Barone says "my sergeant," is it your  
15 testimony that he's not referring to you?

16 A Yes.

17 [Video Played and Paused.]

18 BY MS. BAIRD:

19 Q The cruiser in -- not cruiser, but the SUV that  
20 is in Clip 1 where you've identified yourself being in the  
21 white shirt at the back of the SUV, do you know if that  
22 portrays when you first arrived at the scene or how long  
23 you'd been at the scene?

24 A It would be relatively soon.

25 Q Do you know what you were doing?

1           A     I believe I'm looking for evidence markers to  
2     try to protect the -- some of the shell casings.

3                     [Video Played and Paused.]

4 BY MS. BAIRD:

5           Q     And what do evidence markers -- what did the  
6     evidence markers look like that night? Were they like the  
7     little folded white things with numbers on them or --

8           A     They're like little triangles.

9           Q     Okay.

10          A     EMS was walking around them quite a bit.

11          Q     I'm just going to show the entirety of Clip 2.

12                     [Video Played and Paused.]

13 BY MS. BAIRD:

14          Q     Are you able to see yourself in this portion of  
15     the video?

16                     MS. HARRIS: Rachel, can you just say for  
17     the record where you're stopped?

18                     MS. BAIRD: Yes. I'm at 16 seconds.

19                     MS. HARRIS: Thank you.

20          A     At that particular moment I --

21 BY MS. BAIRD:

22          Q     I'm going to take it back a few seconds.

23                     [Video Played and Paused.]

24 BY MS. BAIRD:

25          Q     I'm at 14 seconds now. I'm directing your

1 attention to an individual in a white shirt underneath the  
2 appliances store. Do you know who that is?

3 A That appears to be me.

4 Q And I'll move on.

5 [Video Played and Paused.]

6 BY MS. BAIRD:

7 Q And do you know what you're doing?

8 A Looking at shell casings. Determining where  
9 shell casings are.

10 Q And the individual to the right of you in the  
11 blue shirt and the white pants, is that Lieutenant  
12 Sigersmith?

13 A It is.

14 Q And again we're at 17 seconds right now in  
15 Clip 2. There's a store to the left of the appliance  
16 store. What kind of store is that?

17 A I'm not really sure.

18 Q Okay. It's not the barbershop; right?

19 A No.

20 Q And do you know who the officer is inside that  
21 lighted store next to the appliance?

22 A No.

23 Q And how about the officer who is in uniform  
24 standing out on Park Street looking in the direction of  
25 the camera?

1 A Can't tell who it is.

2 Q Okay.

3 A Yeah, I'm looking at something on the ground. I  
4 just don't know what at that time.

5 Q Okay. I'm going to replay Clip 2 up from the  
6 6-second mark.

7 [Video Played and Paused.]

8 BY MS. BAIRD:

9 Q At the 17-second mark in Clip 2, do you know who  
10 the individual on the right of the video is with his right  
11 hand extended, seemingly pointed?

12 A Uniformed Sergeant Michel.

13 Q I'm going to show Clip 3 now.

14 [Video Played and Paused.]

15 BY MS. BAIRD:

16 Q This is Clip 3. Is that Sergeant Barone in the  
17 lower left side of the clip?

18 A Officer Barone.

19 Q Officer Barone.

20 A Yes.

21 Q And are you -- are you visible in Clip 3?

22 A Yes.

23 Q Is that you with the white shirt, the back  
24 turned towards the camera?

25 A Yes.

1 Q And Lieutenant Sigersmith is next to you, to the  
2 right?

3 A Possibly, yes.

4 Q And do you recognize anybody else in that photo?

5 A No.

6 Q And in Clip 3, in front of the grocery store on  
7 the far left there is a gentleman with a baseball hat on.  
8 Do you know who that is?

9 A I believe Trooper Carmine Verno, but not a  
10 hundred percent sure.

11 MS. HARRIS: Hold on one second. I just  
12 can't even see what you're --

13 THE WITNESS: Trooper Verno.

14 MS. HARRIS: Okay. Thanks.

15 BY MS. BAIRD:

16 Q And when you were there at the scene in Clip 3,  
17 and we're at the 12-second mark, did you notice any  
18 individuals looking out from second- and third-story  
19 windows like the ones above the haircut place?

20 A I did at some point. I just can't particularly  
21 tell you at what point I did.

22 Q Okay. And were you involved at all in telling  
23 them to not look down?

24 MS. HARRIS: Objection to form.

25 A No.

1 MS. HARRIS: You can answer.

2 A No.

3 BY MS. BAIRD:

4 Q Okay. Do you know if there were any preventive  
5 measures to prevent those individuals from looking down at  
6 the crime scene?

7 A I believe at some point the covering of the  
8 body.

9 Q Okay. And how about the shell casings? Were  
10 they covered at any point?

11 A I'm not the one that covered the body, so I'm  
12 not sure if they included that or not.

13 Q Do you know if any individuals were looking out  
14 second- or third-story windows with cameras or cell  
15 phones?

16 A No.

17 Q Does that mean you didn't know?

18 A I didn't notice whether they were or weren't.

19 Q Okay. Did anyone have a concern at that time,  
20 12 seconds into Clip 3, that anyone on the second- or  
21 third-story of one of those buildings could have looked  
22 out and taken a picture of the uncovered, deceased body?

23 A At that particular time the scene was still very  
24 fresh in nature, so me in particular, I can only speak  
25 for myself, I would say not that I recall at that

1 particular moment.

2 Q I'm going to show Clip 4.

3 [Video Played and Paused.]

4 BY MS. BAIRD:

5 Q This is Clip 4 at the end, the 21-second mark.

6 Do you see crime tape in Clip 4?

7 A Yes.

8 Q And am I correct that the crime tape is attached  
9 to a trash can on the northeast corner of Park and  
10 Hungerford?

11 A Yes.

12 Q Right in front of a store?

13 A Yes.

14 Q Did you go into that store during the course of  
15 the time you were at the crime scene?

16 A Over the course of the time, yes.

17 Q For what reason?

18 A Part of my duties canvassing, et cetera.  
19 Looking for cameras.

20 Q Were you canvassing for witnesses?

21 A Witnesses, suspects, cameras, videos. I mean  
22 there's a possibility that one of the shooters or  
23 shooters -- shooters or shooter could have walked into  
24 the store at some point, being captured on video.

25 Q Do you know if at any point while you were there

1 whether that store at the corner of Park and Hungerford on  
2 the northeast corner was evacuated or closed?

3 A I believe it was, yes.

4 Q And what did you -- did you have any involvement  
5 in evacuating or closing that store?

6 A Not in closing it or -- no, I don't believe so.

7 Q What observations did you make that lead you to  
8 believe it was evacuated or closed at some point?

9 A I just think I remember at some point when some  
10 investigators got there, they wanted that store closed.  
11 They had to prevent obviously the -- when Hungerford  
12 Street became part of the crime scene, there is no way  
13 you could get in or enter the store without going into  
14 Hungerford Street.

15 Q And so when Hungerford became part of the crime  
16 scene, am I correct that the tape extending from the trash  
17 can at the northeast corner of Park and Hungerford Street,  
18 extending across to the northwest corner of Park and  
19 Hungerford Street, somehow moved?

20 A Yes.

21 Q And was that the one occasion that you were  
22 involved in expanding the crime scene?

23 A I believe so, yes.

24 Q And where did that tape move?

25 A To the opposite side of Hungerford Street at



1 that time. So the west side of Hungerford at Park.

2 Q And then where did the tape that was already  
3 attached across Hungerford Street move to?

4 A It would have been further north on, onto  
5 Hungerford. At some point after I had said that two  
6 suspects had been possibly seen running north on  
7 Hungerford Street, one of the officers started checking  
8 the area and found a firearm, and I believe possibly a  
9 shirt maybe, but I'm not a hundred percent sure on that.

10 Q So -- so what tape moved, if any, on the one  
11 occasion that you were involved in expanding the crime  
12 scene?

13 A I would say the tape indicated from the garbage  
14 can on the northeast corner of Park and Hungerford would  
15 have just been extended over to the northwest corner,  
16 preventing anybody from going north on Hungerford Street.  
17 You're just -- just basically the west side of Hungerford  
18 Street at Park Street. So from here to basically here.

19 Q So after the crime scene was expanded on the one  
20 occasion you were involved in, the tape no longer extended  
21 from the northeast to the northwest corner of Park and  
22 Hungerford; correct?

23 A Right. It would have extended further north, to  
24 an area north on Hungerford. So now you have people  
25 prevented from coming Park Street eastbound, and then you

1 have nobody coming -- walking south on Hungerford Street.

2 Q Okay. So looking at Exhibit 36 then, the  
3 blow-up, the tape that you're describing that would have  
4 moved that -- from the north -- connecting the northeast  
5 corner of Park and Hungerford to the northwest corner of  
6 Park and Hungerford would have moved, in total, north up  
7 Hungerford to be connected somewhere else?

8 MS. HARRIS: Objection.

9 You can answer.

10 A Yeah, it would have been moved to somewhere up  
11 here, to where the evidence was found. And then the  
12 piece that went from here to here would have been moved  
13 at that point from here to here somewhere, wherever  
14 Sergeant Michel and Officer Barone were. So here. So  
15 you're prevented from coming up; there's no way, you're  
16 at a dead end.

17 BY MS. BAIRD:

18 Q Okay. So correct me if I'm wrong, but you just  
19 used Exhibit 36 to point out that the tape between the  
20 northeast corner and the northwest corner of Park and  
21 Hungerford would have been removed. There would have been  
22 tape erected north of the Park Street/Hungerford  
23 intersection on Hungerford Street going east/west across  
24 Hungerford, and then there would have been another piece  
25 of tape erected from, you know, across Park Street

1 north/south direction -- I don't know.

2 A To clarify the --

3 Q At some point.

4 A At that point the people that were here, the  
5 civilians, along with Mr. Peruta -- as at some point I  
6 think the video shows -- would have been pushed over  
7 here. So that way now there is no nobody that can be  
8 here, and the tape went from the fence, across the fence  
9 there, preventing anybody from walking up, regardless,  
10 here. So that means nobody's here, nobody's here,  
11 nobody's here, and there is nobody in here. So it  
12 encapsulates that entire area.

13 Q Okay. And so the direction you're pointing is  
14 from the northwest corner of Park and Hungerford, across  
15 Park to the south side of Park, a new tape erected to  
16 prevent people --

17 A I don't know if it was a new tape or existing  
18 tape or --

19 Q Okay. A tape.

20 A Yes.

21 Q A tape.

22 A Yes.

23 Q Okay. In the Clip 4 at 21 seconds, do you see  
24 yourself in that video?

25 A Possibly my back, but I'm not a hundred percent

1 sure.

2 Q Okay. There's a gentleman in a white shirt  
3 standing under -- or right in front of a lamp, a street  
4 lamp. And to the right of that gentleman, over the  
5 shoulder of the person next to him is a bright light. Do  
6 you know what that light was?

7 A It looks to me, if you can start playing it a  
8 little prior, maybe a light bar on EMS?

9 [Video Played and Paused.]

10 A Yeah. The light bar flashing on one of the  
11 ambulances or Aetna ambulance or -- that's a flashing  
12 light bar.

13 BY MS. BAIRD:

14 Q This is Clip 5.

15 [Video Played and Paused.]

16 BY MS. BAIRD:

17 Q This is a blurry clip. Do you recognize EMS  
18 personnel within the crime scene?

19 A Yes.

20 Q And there's an officer with his right side  
21 facing the camera, with his right hand in his pocket, in  
22 uniform, about three-quarters to the right of the video.  
23 Do you know who that is?

24 A No.

25 Q And there is a gentleman to the far right, at

1 the 10-second point in the video, with a sweatshirt and  
2 blue jeans on. Do you know who that is?

3 A You're referring to him?

4 Q Yes.

5 A I do not know.

6 Q And do you know if you were still in the crime  
7 scene area when the EMS workers came in?

8 A Yes, I was in the area there. I'd instructed at  
9 some point -- or told Sergeant Case, who is pictured to  
10 the left of the EMS workers in the white shirt, to try to  
11 protect shell casings, which is what I'm pretty sure he's  
12 doing at that point.

13 Q And we're at --

14 [Video Played and Paused.]

15 BY MS. BAIRD:

16 Q We're at the 4-second mark of Clip 5, and  
17 Sergeant Case is in that clip to the left of the EMS  
18 workers in the blue shirt?

19 A Yes.

20 [Video Played and Paused.]

21 BY MS. BAIRD:

22 Q This is Clip 6.

23 [Video Played and Paused.]

24 BY MS. BAIRD:

25 Q Are any of the white items of cardboard or paper

1 on the ground, markers for the shell casings that you can  
2 see in this video?

3 A Not at this point. It's a little blurry.

4 MS. HARRIS: I'm sorry. Is that a "no,  
5 they're not" or is that a you don't know?

6 THE WITNESS: I don't know.

7 BY MS. BAIRD:

8 Q Were any shell casings that you recall -- did  
9 you observe any shell casings on the west side of the EMS  
10 workers as they're portrayed in Clip 6 at the 10-second  
11 mark?

12 A I did not see any at that point, no.

13 Q Okay. This is Clip 7.

14 [Video Played and Paused.]

15 BY MS. BAIRD:

16 Q Do you know who the officer is that is directly  
17 inside the crime scene tape, near the fire hydrant, in  
18 uniform?

19 A I believe it's Officer Barone.

20 Q And can you see yourself in Clip 7 at the  
21 2-second mark?

22 A No.

23 Q And that bright light that is coming from the  
24 westerly direction facing east, at the 2-second mark, is  
25 that the light that was coming from the EMS or from the

1 ambulance?

2 MS. HARRIS: I'm sorry, Rachel, I don't  
3 understand your question.

4 BY MS. BAIRD:

5 Q That bright -- the bright lights, the two of  
6 them that are in the middle of the video Clip 7 at the  
7 2-second mark --

8 MS. HARRIS: The reddish color?

9 BY MS. BAIRD:

10 Q Yes, that are facing from the west towards the  
11 east. Do you know where those lights are coming from?

12 A EMS or fire.

13 Q This gentleman inside the corner store at the  
14 2-second mark of Clip 7 that you can see through the  
15 window, do you know who he is?

16 A No.

17 Q Did you talk to him?

18 A Don't recall.

19 Q And the three individuals in the video that  
20 appear to be non-law enforcement that are to the north of  
21 the tape erected across Hungerford Street, do you know who  
22 they are?

23 A No.

24 Q And did you talk to any of them?

25 A I don't believe so. I believe Officer Barone is

1 talking to them.

2 [Video Played and Paused.]

3 BY MS. BAIRD:

4 Q I want to ask you, in Clip 7 about at the  
5 14-second mark, does that appear to be crime scene tape in  
6 a westerly direction on the west side of the EMS personnel  
7 on Park Street?

8 A If you're referring to here --

9 Q Yes.

10 A -- I believe that's still part of the -- it's  
11 tough to tell. I don't know. That looks like something  
12 that originally responding officers that showed up just  
13 put up something really quick, which they usually do, to  
14 contain a crowd.

15 Q Now, there's a one-way sign in the middle of  
16 Clip 7 at about the 14-second mark that appears in the  
17 middle of the screen about three-quarters of the way up.  
18 Do you see that?

19 A Yes.

20 Q Is that Wolcott Street that you referred to  
21 earlier? The one-way street?

22 A Yes. And at some point that side of the crime  
23 scene as well would have been extended beyond that, if it  
24 isn't already. This looks pretty close to me here, if  
25 you look over here at the cruisers. This is still very,



1 at that point, close.

2 [Video Played and Paused.]

3 BY MS. BAIRD:

4 Q This is Clip 8.

5 [Video Played and Paused.]

6 BY MS. BAIRD:

7 Q Clip 9.

8 [Video Played and Paused.]

9 BY MS. BAIRD:

10 Q Where are the five to six individuals located  
11 that are portrayed in the 7-second mark of Clip 9?

12 A On the north side of the tape by the store.

13 Q And do you recall talking to any of those  
14 gentlemen?

15 A No. In the clip you can see Officer Barone has  
16 his notepad out. And another procedural tactic I didn't  
17 explain earlier is one of the things you want to do when  
18 you're arriving onto a homicide scene or shooting scene,  
19 many witnesses are still fresh on the scene. So one of  
20 the reasons -- one of the many reasons you start out at  
21 the very beginning small like that, you don't want to  
22 push everyone back. You don't want to say -- like back  
23 in the days, like, everybody said, "Get back. Get back.  
24 Get out of here. Leave." You want to get to those  
25 people as soon as you can and try to say, "Hey, did you

1 see anything?" "What did you see?" "Did you see what  
2 happened?" Get it while it's still fresh and they're  
3 still at the scene, which is exactly what Officer Barone  
4 is doing. And then obviously after he talks to them and  
5 the other reasons I explained, the crime scene's opened  
6 up to a larger area.

7 Q And to your knowledge, were there any Hartford  
8 police officers or any law enforcement who responded to  
9 the scene recording these potential witnesses to identify  
10 them later?

11 A I don't believe so.

12 Q So it's fair to say if they didn't give their  
13 name to Officer Barone, then he wouldn't have known how to  
14 find them later on?

15 MS. HARRIS: Objection. This calls for  
16 speculation.

17 A Usually how it works is when people see a bright  
18 camera light on at the potential witness, they  
19 immediately shut down and don't say a word. They want to  
20 leave the area.

21 BY MS. BAIRD:

22 Q And when you're referring to the bright light,  
23 are you referring to Mr. Peruta's camera and light?

24 A I don't see a bright light right there.

25 Q Okay.

1 [Video Played and Paused.]

2 BY MS. BAIRD:

3 Q And there are some other individuals, in Clip 10  
4 at the 7-second mark, that have joined the people that we  
5 viewed in Clip 9. Again, do you know who any of them are?

6 A No, but obviously the crowd is starting to get a  
7 little larger and starting to gather with more people.

8 [Video Played and Paused.]

9 BY MS. BAIRD:

10 Q This is Clip 11 at the 6-second mark. Do you  
11 see yourself in Clip 11?

12 A Yes.

13 Q And are you the gentleman in the white shirt and  
14 blue jeans standing next to the north side of Park Street,  
15 near the blue car?

16 A Yes.

17 Q And is that Lieutenant Sigersmith in front of  
18 the blue car?

19 A Yes.

20 Q And then there's a gentleman in a blue shirt and  
21 dark pants near the victim, in civilian clothes. Is that  
22 the -- it's a State Police officer you referred to  
23 earlier?

24 A Yes. Sergeant Case.

25 Q Sergeant Case. And then to the right of

1 Sergeant Case, at the 6-second mark in Clip 11, there  
2 appears to be a bright light emanating forward. Do you  
3 know what that bright light is?

4 A If you can go back slightly and play the video,  
5 I'll be able to tell you.

6 [Video Played and Paused.]

7 BY MS. BAIRD:

8 Q I'll play the whole Clip 11.

9 [Video Played and Paused.]

10 BY MS. BAIRD:

11 Q Did that help in identifying what that bright  
12 light was?

13 A Appears to be a detective with a flashlight.

14 Q And do you know who that detective is?

15 A Looks like Detective Corbione [phonetic], but  
16 I'm not a hundred percent sure.

17 Q So we're at the 8-second mark in Clip 11, and  
18 the gentleman I'm referring to is to the right of Sergeant  
19 Case as you look forward in the video, and he appears to  
20 have tan pants on. And did you observe him at the scene  
21 shining that flashlight?

22 A No.

23 Q Do you know what he was shining it at?

24 A No.

25 [Video Played and Paused.]

1 BY MS. BAIRD:

2 Q And do you know what you're looking at at the  
3 8-second mark of Clip 11?

4 A Not exactly, no.

5 Q And in the forefront of Clip 11 at the 8-second  
6 mark, there is a uniformed officer. Appears to be holding  
7 up his left arm and he has a black watch. Do you know who  
8 that is?

9 A No.

10 Q Between the EMS officer and Sergeant Case in the  
11 background, there's someone leaning over with a green  
12 shirt. Do you know who that is?

13 A No.

14 Q Do you know if that person is located inside the  
15 crime scene or outside?

16 A Tough to tell. I don't know.

17 Q Okay. Where did you park when you arrived?

18 A On the east side. Near the Wolcott Street side.

19 Q Isn't the Wolcott Street on the west side? I  
20 don't want to confuse things.

21 A East side. This is east --

22 Q Oh, yes. You're right. Yes, you are. Yes, you  
23 are.

24 [Video Played and Paused.]

25

1 BY MS. BAIRD:

2 Q Okay. This is Clip 12 at the 3-second mark. Do  
3 you know what you're pointing at?

4 A The people gathered behind the crowd -- behind  
5 the crime scene tape. The crowd that was forming there.

6 Q Were you saying anything?

7 A If I was, I don't recall what I was saying.

8 [Video Played and Paused.]

9 BY MS. BAIRD:

10 Q And do you know what those two uniformed  
11 officers are doing in Clip 12 at the 8-second mark?

12 A Looks like possibly pointing at shell casings or  
13 some type of evidence maybe?

14 Q Okay. Do you know if they were reacting to  
15 anything you did or said?

16 A Right there, no.

17 [Video Played and Paused.]

18 BY MS. BAIRD:

19 Q Do you know if any shell casings were found in  
20 the vicinity of where the two officers in Clip 12, at the  
21 10-second mark, were pointing?

22 A This many years later I can't really recall  
23 exactly where. There might have been some over there  
24 also. There was in excess of 10 shell casings, I  
25 believe.

1 Q And who were the two officers in Clip 12, at the  
2 10-second mark, who began to look down at the ground?

3 A I can't tell who they are.

4 [Video Played and Paused.]

5 BY MS. BAIRD:

6 Q Okay at -- keep going.

7 [Video Played and Paused.]

8 BY MS. BAIRD:

9 Q Are you able to tell who the two officers are  
10 now, in Clip 12 at the 7-second mark?

11 A This might be -- I don't know. I --

12 BY MS. BAIRD:

13 Q Okay.

14 MS. HARRIS: Don't guess. If you know, say  
15 so.

16 A Yeah, I don't know.

17 MS. HARRIS: But if you don't know, don't  
18 guess.

19 A I don't know who it is. Hard to tell.

20 [Video Played and Paused.]

21 BY MS. BAIRD:

22 Q In Clip 12 at the 8-second mark, to the right of  
23 you and, as you look directly at the screen, to the left  
24 of you, who is that officer?

25 A I don't know.

1 Q And then at the end of Clip 12 there is going to  
2 be a bright light facing the camera, and my question will  
3 be if you know where that bright light came from. So hold  
4 on.

5 [Video Played and Paused.]

6 BY MS. BAIRD:

7 Q Do you know who that is approaching with that  
8 bright light?

9 A No.

10 [Video Played and Paused.]

11 BY MS. BAIRD:

12 Q It appears, am I correct, that you are pointing  
13 at something in the west direction in Clip 12? Is that  
14 correct?

15 A Appears that way, yes.

16 Q And what were you pointing at?

17 A The large crowd of people starting to gather  
18 over there.

19 Q Okay. And what was your purpose in pointing at  
20 the large crowd of people?

21 A They were getting ready to extend that area of  
22 the crime scene, like I explained earlier.

23 Q And we had gone over a number of reasons for  
24 expanding the crime scene. Which one or more of those  
25 reasons impacted your decision at that point in Clip 12 to



1 begin pointing in the direction of the west for the  
2 purpose of expanding the crime scene?

3 A At that point it's really tough to say. I'm not  
4 sure at what point the other officers determined that  
5 somebody was inside that barbershop. It's tough to say  
6 at what time somebody put out information about the  
7 people running. It's tough to say accurately.

8 Q This is Clip 13.

9 [Video Played and Paused.]

10 BY MS. BAIRD:

11 Q This is Clip 13 at the 2-second mark. Is that  
12 you in the center of the clip?

13 A Yes.

14 Q And you're pointing in the westerly direction  
15 with your right hand?

16 A Yes.

17 Q And what are you doing at that moment?

18 A Telling them to push the people back. Appears  
19 at that point one person is giving the officers a hard  
20 time.

21 Q And what direction were you trying to push them  
22 back to?

23 A West.

24 Q Up Park Street.

25 A West on Park Street.

1 [Video Played and Paused.]

2 BY MS. BAIRD:

3 Q Okay. And in that video Clip 13 at the 5-second  
4 mark, do you know who the officer whose face is  
5 prominently displayed on the left side of the scene is?

6 A Officer Marfella.

7 Q And at the front of the car that's parked on  
8 Park Street facing in a westerly direction, there is a  
9 gentleman with white pants and a blue top. Is that  
10 Lieutenant Sigersmith?

11 A I don't know -- oh. Yes.

12 [Video Played and Paused.]

13 BY MS. BAIRD:

14 Q This is Clip 14.

15 [Video Played and Paused.]

16 BY MS. BAIRD:

17 Q Okay. This is Clip 14 at the 3-second mark.  
18 Again, is that you in the clip in the center with the  
19 white shirt on?

20 A Yes.

21 Q And are you directing the two officers to move  
22 the tape at that point?

23 A Yes.

24 Q And this is the one occasion that you had  
25 testified that you were involved in the expansion of the

1 crime scene?

2 A I believe so. Well, eventually it was  
3 determined to push it back even further, almost to Broad  
4 Street, but I'm not sure.

5 Q But you weren't involved in that. Or were you?

6 A I don't believe I was. I can't say at this  
7 time.

8 [Video Played and Paused.]

9 BY MS. BAIRD:

10 Q Do you know who said, "Sir, you got to go that  
11 way, otherwise you're going to be arrested"?

12 A Sounds like Officer Barone.

13 Q Okay. And had you indicated that -- to Officer  
14 Barone, that whoever "sir" is, that if he didn't go that  
15 way then he was going to be arrested?

16 A Not at that point, no.

17 Q Had you recognized Mr. Peruta, at this point in  
18 Clip 14 at the 3-second mark, where you were standing at  
19 that crime scene tape extending across Park Street?

20 A I believe so.

21 Q When did you first recognize him?

22 A At some point right around here.

23 Q This is Clip 15.

24 [Video Played and Paused.]

25

1 BY MS. BAIRD:

2 Q And is that you in Clip 15 at the 2-second mark?

3 A Yes.

4 Q And who is the officer approaching you with --  
5 that we can only see the back of that officer, on the left  
6 side, as we're looking towards the video, of the fire  
7 hydrant?

8 A At this particular frame I can't say.

9 [Video Played and Paused.]

10 BY MS. BAIRD:

11 Q At the 7-second mark of Clip 15, do you know who  
12 the officer is that you're talking to?

13 A I believe Officer Barone.

14 Q And do you know what you're discussing with  
15 Officer Barone?

16 A I'll telling him we have to push them down Park  
17 Street westbound because Hungerford Street had become  
18 part of the crime scene, is what I believe I'm saying.

19 [Video Played and Paused.]

20 BY MS. BAIRD:

21 Q Okay. And do you know whoever Officer Barone  
22 was talking to, what line was being encroached upon?

23 A The crime scene tape line.

24 Q That one that was going from the northwest  
25 corner of Hungerford -- excuse me -- from the northwest

1 corner of Park and Hungerford Street across to the south  
2 side of Park Street?

3 A No.

4 Q Okay. Let me play the tape again. This is  
5 Clip 15.

6 [Video Played and Paused.]

7 BY MS. BAIRD:

8 Q Can you tell where Officer Barone is located, in  
9 Clip 15 at the 21-second mark, where he indicates to  
10 someone where that person is encroaching on the line?

11 A I believe at that point he's on the corner of  
12 Park, on the west side of Hungerford.

13 Q And do you know what Officer Barone's  
14 referencing when he says "the line"? What the line was?

15 A I'd be speaking for him. I can tell you what I  
16 think.

17 MS. HARRIS: Don't guess.

18 BY MS. BAIRD:

19 Q Well, what did you observe?

20 A I think he's referring to the tape that goes  
21 from the corner of the -- west corner of Hungerford and  
22 Park, across Park Street to the other side of Park Street  
23 somewhere.

24 Q Well, in your training did you receive any  
25 information or policy or procedure, standard for how close

1 someone is allowed to get to crime scene tape?

2 A They can go right up to the crime scene tape.  
3 Just can't go underneath it.

4 Q Did you ever observe Mr. Peruta inside any crime  
5 scene that was erected at the September 12th, 2014,  
6 homicide scene?

7 A I didn't observe him, but at one point when one  
8 of the officers came up to me, I believe Barone had told  
9 me that several times he had gone under the crime scene  
10 tape across the street by the Diamante parking lot. That  
11 they were having a problem with him.

12 Q So you recall Officer Barone reporting to you  
13 that Mr. Peruta had gone underneath crime scene tape into  
14 the crime scene.

15 A I believe it was Barone. Barone or Shombok  
16 [phonetic]. One of the officers did, yes.

17 COURT REPORTER: Barone or who?

18 THE WITNESS: One of the officers. I  
19 can't -- but somebody had told me.

20 [Video Played and Paused.]

21 BY MS. BAIRD:

22 Q This is Clip 16.

23 [Video Played and Paused.]

24 BY MS. BAIRD:

25 Q Do you know who -- do you recognize the voice in

1 Clip 16 at 22 seconds, who says, "I've told the cameraman  
2 five times. The next time he goes to jail"?

3 A I think it was, "We've told the cameraman five  
4 times. Next time he goes to jail." That would be me.

5 Q And at that point, in Clip 16 at the 22-second  
6 mark, when you said, "We've told the cameraman five  
7 times," had you told -- had you personally told the  
8 cameraman five times?

9 A The officers had. That's why I said, "We've  
10 told him five times."

11 Q And when you arrived at that number, five times,  
12 what instances were you referring to?

13 A From what I observed with him dealing with  
14 Officer Barone and the officers that were trying to push  
15 him back, and then the information that was relayed to me  
16 that he went under the crime scene tape two to three  
17 times on the Diamante side.

18 Q Now, in looking at Exhibit 36, was there any  
19 crime scene tape that you know of erected from the  
20 southwest corner of Park and Hungerford moving in an  
21 easterly direction in front of the Diamante club?

22 A At that point I was never involved in the  
23 southwest crime scene area tape. But earlier, in one of  
24 the videos you played, you see Officer Barone and  
25 Sergeant Michel having some type of problem or

1 transaction with Ed, trying to get him out of some area  
2 and he resisted.

3 Q Okay. And did you observe that interaction or  
4 are you just referring to the video?

5 A I'm referring to the video at this point.

6 [Video Played and Paused.]

7 BY MS. BAIRD:

8 Q Do you know if there was any ever indication in  
9 a report or a crime scene log, or any other record of the  
10 Hartford Police Department, that Mr. Peruta had entered  
11 the crime scene at any point?

12 A No. But you hear an officer saying on tape  
13 there that I've already had this problem with him --  
14 which I think is another officer saying that -- he's  
15 encountered the problem also and they're trying to push  
16 him back.

17 Q Okay. And do you know if any of these officers  
18 made reports or discussed with you that they memorialized  
19 Mr. Peruta's alleged entry into the crime scene at some  
20 point?

21 A It would only be memorialized if he had been  
22 arrested. He never went in the very inner area to where  
23 the actual crime scene was. All those other layers of  
24 crime scene tape, if someone goes in and out of them  
25 they're not necessarily documented on this. But the two



1 inner ones, the most closest to the homicide victim, when  
2 somebody goes into that they're going to be documented.

3 So no.

4 Q So the Crime Scene Entry Log in this case would  
5 have applied to the area between the tape running north  
6 and south on Park that ended at the north -- oh, God -- at  
7 the northeast corner of Park and Hungerford over to the  
8 Wolcott Street tape.

9 A More likely than not, yes.

10 [Video Played and Paused.]

11 BY MS. BAIRD:

12 Q And what -- what was the time frame between  
13 placing the tape across Park Street between the northwest  
14 corner of Park and Hungerford and the south side of Park,  
15 and then moving it westward another block down?

16 A You'd have to go by the video. I'm not  
17 really -- I couldn't give you an exact time.

18 Q And do you know again what the reason was for  
19 the first expansion that went across Park from the  
20 northwest corner of Park and Hungerford to the south side  
21 of Park, and then the next one extending it another block  
22 down?

23 A Could have been one of the many reasons I said  
24 earlier: The possible suspect inside the store where  
25 they had to force entry; the possibility of the people

1 running north on Hungerford. It could have been any one  
2 of those things. It's tough to tell by this.

3 Q So the crime scene could have been extended  
4 westward on Park Street related to the report of somebody  
5 north on Hungerford Street from Park Street?

6 A Yeah, along with all the other reasons I  
7 explained earlier. Yes. And obviously -- but yeah, all  
8 those reasons I said. I think we had four at that point,  
9 yes.

10 [Video Played and Paused.]

11 BY MS. BAIRD:

12 Q And in -- do you agree that whoever is talking  
13 in Clip 16 referring to the "cameraman" is referring to Ed  
14 Peruta? Do you know of any other cameramen that were  
15 there?

16 A I don't know. Not on that side of the tape, no.

17 Q Okay. And in indicating that Mr. Peruta needed  
18 to move or back up, was there a concern for Mr. Peruta's  
19 safety?

20 A There's concern for everybody's safety at some  
21 point, yes.

22 Q Okay.

23 A Not just his.

24 Q Okay. But at least in the clips that we've  
25 listened to in Exhibit 34 -- well, I'll ask you. You were

1 at the scene. Do you know of anyone else at the scene  
2 that you, you know, continuously had to tell to back up?

3 A He was the only one that was resistant to  
4 backing up. Everyone else moved that I saw.

5 Q Okay. And you were ready to arrest him;  
6 correct?

7 A I said that -- I think -- I don't remember the  
8 exact words, but I said if he's -- basically if he's not  
9 complying, then arrest him.

10 Q Okay. And one of the -- and were you concerned  
11 about the integrity of the crime scene?

12 A Well, at that point I'm concerned with the  
13 lawful orders he's being given, along with everybody  
14 else, to move back. He's not following those. He's  
15 interfering with those orders. The last thing I want to  
16 do or any of us want to do is arrest a member of the  
17 media or arrest a cameraman. We're not trying to do  
18 that. We're trying to take control of the scene. We're  
19 trying to, you know, control everything I explained to  
20 you. And we're trying to push people back cooperatively.  
21 I don't think that's the time to have to resist or debate  
22 it. This is the time here, what we're doing now. He  
23 made his complaint and that's the time to do it.

24 Q So when --

25 MS. HARRIS: Can I just talk to him?

1 MS. BAIRD: Yes.

2

3 [Off record: 2:12 p.m. to 2:13 p.m.]

4

5 [Video Played and Paused.]

6 BY MS. BAIRD:

7 Q Did you observe when the crime scene was -- when  
8 the tape -- I'll say when the tape was moved from -- and  
9 this is Exhibit 36 again. When the tape was removed from  
10 crossing Hungerford from the northwest corner to the  
11 northeast corner of Hungerford and Park, and then another  
12 tape was put up -- either the same tape was put up or  
13 another tape was put up; it doesn't really matter -- a  
14 tape was put up extending from the northwest corner of  
15 Park and Hungerford to the south side of Park Street,  
16 whether at that point Mr. Peruta or anyone with a camera  
17 was still able to record or take photographs of the crime  
18 scene, including the dead body?

19 MS. HARRIS: Objection to form.

20 You can answer.

21 A The tape you're mentioning was up from, what I  
22 see, the very beginning.

23 BY MS. BAIRD:

24 Q The tape extending from the northwest corner of  
25 Park and Hungerford to the south side?

1           A     Yes.  And I believe the problem is is one of the  
2 officers or maybe an inexperienced officer put it to the  
3 pole and not to the fence indicated on the north side  
4 there.

5           Q     So that individuals coming from the -- coming  
6 from west to east down Park Street could go around the  
7 tape extending from the south of Park to the northwest  
8 corner of Park, and cross Hungerford to stand in front of  
9 the store and look around.

10          A     Your northwest kind of got me a little bit  
11 confused here.

12          Q     Okay.

13          A     But what I'm saying is the tape that went from  
14 the north to the south of Park Street to the west corner  
15 of Hungerford Street, I'm pretty sure it only extended to  
16 the light pole on the corner and not to the fence.  So  
17 people didn't have to go under the tape, they could have  
18 kind of gone around to where the pole was, from what I  
19 remember.

20          Q     Okay.  So somebody walking down the sidewalk on  
21 the north side of Park Street in an easterly direction  
22 could have just kept walking.  Even though there was tape  
23 there across the street, it didn't extend all the way  
24 over, so they could have kept walking down the sidewalk  
25 between the tape and whatever structure was on the other

1 side of the sidewalk.

2 A At which point they would have had to go north  
3 on Hungerford Street, which obviously became part of the  
4 crime scene also because of the people running and the  
5 evidence found.

6 Q Okay. Now, you agree in some of the clips for a  
7 period of time we saw individuals standing on the  
8 northeast corner of Park and Hungerford looking over the  
9 crime scene tape in a southerly direction talking to  
10 Officer Barone; correct?

11 A Yes.

12 Q And you saw those people there; right?

13 A Yes.

14 Q As well. Would that have been before any  
15 indication came in that there was something going on north  
16 on Hungerford Street?

17 A Yes.

18 Q Okay.

19 [Video Played and Paused.]

20 BY MS. BAIRD:

21 Q Now, again that's you we hear in Clip 16 at  
22 about the 20-second mark; correct?

23 A One of the voices, yes.

24 Q Okay. And you sound -- you sound like there's  
25 some emotion attached to your voice; correct?

1 MS. HARRIS: Objection.

2 You can answer.

3 A No emotion, no.

4 BY MS. BAIRD:

5 Q Okay. Was your voice raised a little bit from  
6 normal?

7 A Yes, because he wasn't complying with orders to  
8 move.

9 Q Okay. And that concerned you because he was  
10 being placed in danger by what was going on north on  
11 Hungerford Street?

12 MS. HARRIS: Objection.

13 You can answer.

14 A Concerned me because an officer has told him  
15 numerous, numerous times, which the video almost  
16 indicates, and he's refusing to cooperate.

17 BY MS. BAIRD:

18 Q Okay. Well, but the reason for expanding the  
19 crime scene was because of this danger of what was going  
20 on north on Hungerford Street up from Park Street; right?

21 MS. HARRIS: I object. He's testified and  
22 the record will state why he's moved the tape.  
23 I object to the characterization.

24 You can answer.

25 A I don't really understand what you're trying to

1 get at, to be honest with you.

2 BY MS. BAIRD:

3 Q Well, you were concerned that Mr. Peruta wasn't  
4 complying with a lawful order; correct?

5 A Correct.

6 Q Okay. And the reason for that order in the  
7 first place was for public safety reasons?

8 MS. HARRIS: Again, objection. He's stated  
9 why.

10 A One of the many reasons that I've already  
11 stated.

12 BY MS. BAIRD:

13 Q Okay. And we're going back again to the, I  
14 think, four reasons that we talked about near the  
15 beginning of the deposition?

16 A Yes.

17 Q Okay.

18 [Video Played and Paused.]

19 BY MS. BAIRD:

20 Q This is Clip 17.

21 [Video Played and Paused.]

22 BY MS. BAIRD:

23 Q Do you know, in Clip 17 at the 4-second mark,  
24 who says, "You're not going to film a dead body"?

25 A Me.



1           Q     And were you in the vicinity of Mr. Peruta when  
2 you said that?

3           A     I believe so. I don't know how close, but --

4           Q     Were you addressing that comment to Mr. Peruta?

5           A     Addressing what -- my comment to him? Yes.

6           Q     Yes.

7                     [Video Played and Paused.]

8 BY MS. BAIRD:

9           Q     Clip 17 is a long video. I'm just going to go  
10 all the way through it so you can watch the whole thing.  
11 It's about 8 minutes -- well, 4 minutes -- and then I'm  
12 going to go back to it.

13                     [Video Played and Paused.]

14 BY MS. BAIRD:

15           Q     I am going to stop it. Were you present when  
16 Mr. Peruta was saying any of the things that we can hear  
17 on this video?

18           A     No.

19                     [Video Played and Paused.]

20 BY MS. BAIRD:

21           Q     I'm going to see if we actually need to see 17.  
22 We seemed to hit a snag there.

23                     This is Clip 18.

24                     [Video Played and Paused.]

25

1 BY MS. BAIRD:

2 Q Are you able to tell, looking at Clip 18 at 8  
3 seconds in, where the crime scene tape that's in the  
4 forefront of Clip 18 is located?

5 A I wouldn't know with the zoom on this camera.  
6 I -- no, I don't know.

7 Q Okay. There is a one-way street sign on the  
8 right side of Clip 18 at 8 seconds in. Do you recognize  
9 that one-way sign?

10 A I can't with this particular picture, no.

11 Q Okay.

12 [Video Played and Paused.]

13 BY MS. BAIRD:

14 Q Do you recognize either of those officers at the  
15 2-second mark of Clip 19?

16 A No.

17 Q Okay. And do you know who they're talking to on  
18 the bicycle?

19 A No.

20 Q Did you see that man on the bicycle while you  
21 were there?

22 A Not that I recall, no.

23 [Video Played and Paused.]

24 BY MS. BAIRD:

25 Q Were you at the scene on Park Street on 9/12/14

1 when any members of the media, other than Mr. Peruta,  
2 showed up?

3 A Yes.

4 Q And who showed up?

5 A Many media outlets.

6 Q Okay. And do you know if the victim was still  
7 on Park Street at the time when other media showed up?

8 A Yes.

9 [Video Played and Paused.]

10 BY MS. BAIRD:

11 Q Can you tell from Exhibit 19 [verbatim] at 7  
12 seconds in, what view of the crime scene that is? Whether  
13 it's from the west or the east or the north or the south  
14 direction?

15 A No.

16 [Video Played and Paused.]

17 BY MS. BAIRD:

18 Q And do you recognize the officer in Clip 19, at  
19 the 7-second mark, who has his left hand on the tape?

20 A No.

21 Q I'm just going to go back to 17 real quick and  
22 see if I can go into it again.

23 [Video Played and Paused.]

24 BY MS. BAIRD:

25 Q And were you present to hear any of that

1 commentary that we're hearing on Clip 17?

2 A No.

3 Q Okay. Well, that concludes the 19 clips.

4 MS. BAIRD: How long a break do you want to  
5 take? It doesn't matter to me.

6

7 [Off record: 2:27 A.M. to 2:54 p.m.]

8

9 MS. BAIRD: Back on the record.

10 BY MS. BAIRD:

11 Q Did it come to your attention at any point that  
12 Mr. Peruta had filed an Internal Affairs complaint about  
13 his presence and contact with police officers at the  
14 November 12th, 2014, crime scene [verbatim]?

15 A Yes.

16 Q And how did it come to your attention?

17 A I was advised he made a complaint.

18 Q And who advised you?

19 A I don't remember. I think it came maybe through  
20 I.A.D. -- internal Affairs.

21 Q Were you interviewed regarding that complaint?

22 A Yes. There might have been some transition time  
23 where -- between Lance and O.B. who was doing it, but  
24 yes.

25 Q And when you say "Lance," that's Lieutenant

1 Sigersmith?

2 A Yes.

3 Q And so you're unsure whether it was Lieutenant  
4 Sigersmith or Lieutenant O'Brien that interviewed you  
5 or --

6 A O.B. -- O'Brien interviewed me.

7 Q On how many occasions about the Internal Affairs  
8 complaint filed by Mr. Peruta?

9 A I only recall one.

10 Q Was anyone else present?

11 A No.

12 Q Did you view any of the video clips at that  
13 interview with Lieutenant O'Brien?

14 A No.

15 Q Had you already viewed the one video clip when  
16 you had that interview with him?

17 A I don't recall if it was before or after.

18 Q Did you make any written statement to Lieutenant  
19 O'Brien regarding the complaint made by Mr. Peruta?

20 A No.

21 Q Was the interview recorded; do you know?

22 A No.

23 Q Other than the interview with Lieutenant  
24 O'Brien, did you provide other information responsive to  
25 Mr. Peruta's complaint to anyone?

1           A     I don't believe so.

2           Q     Okay.  Were there any other proceedings or  
3 interviews or discussions that you had related to  
4 Mr. Peruta's complaint with anyone employed by the  
5 Hartford Police Department?

6           A     No.

7           Q     After your interview with Lieutenant O'Brien  
8 about the complaint made by Mr. Peruta, what did you next  
9 hear about the status of Mr. Peruta's complaint, if  
10 anything?

11          A     That O'Brien was writing it up and sending it up  
12 the chain.

13          Q     When did your interview with Lieutenant O'Brien  
14 take place?

15          A     I don't recall the date.

16          Q     Okay.  I'm going to provide you Exhibit 22  
17 that's already been marked as an exhibit.  Have you seen  
18 Exhibit 22 prior to today?

19          A     Yes.

20          Q     Okay.  Did you see Exhibit 22 while you were  
21 still employed with the Hartford Police Department?

22          A     No.

23          Q     Did you see Exhibit 22 related to your --  
24 related to this case?

25          A     Yes.

1 Q Okay. Did you find out at some point what the  
2 resolution or findings were of Mr. Peruta's complaint?

3 A Yes.

4 Q And how did you find that out?

5 A I believe it was either not sustained or -- I  
6 don't remember exactly what it was.

7 Q And how did you find that out?

8 A Through I.A.D.

9 Q Who told you?

10 A They notify usually by a letter.

11 Q And was the letter addressed to you?

12 A I don't remember.

13 Q Do you know what claims or charges Mr. Peruta  
14 made against you in that Internal Affairs complaint  
15 related to the 9/12/2014 homicide scene?

16 A I don't remember what the original letter  
17 stated.

18 Q If I could show you Exhibit 20. Oh, that's not  
19 the right one.

20 MS. HARRIS: I think 31, I think?

21 BY MS. BAIRD:

22 Q Show you Exhibit 31. I'll just ask you to tell  
23 me if you've seen that document before, after you've had a  
24 chance to review it.

25 A Yeah, I don't remember if I saw this at the time

1 or not.

2 Q Okay. And did you see that Exhibit 31 while you  
3 were still employed with the police department?

4 A I don't know.

5 Q Did you have knowledge of what Mr. Peruta's  
6 complaint against you was related to the 9/12/14 incident?

7 A Yeah, it was regarding him filming.

8 Q And how did you get that knowledge?

9 A From the notification from I.A.D.

10 Q But that -- and was that a letter or verbal?

11 A I believe it was in the letter.

12 Q In Exhibit 22, which is the memo with a date of  
13 March 26th, 2015, on it, there is an indication in  
14 paragraph four on the first page that Lieutenant O'Brien  
15 spoke with you on March 24th, 2015, about Mr. Peruta's  
16 complaint.

17 Do you have any independent knowledge that that  
18 date is correct, March 24th, 2015?

19 A No.

20 Q Do you recall there being a number of months,  
21 six or seven months, between the 9/12/14 Park Street  
22 homicide and your interview with Lieutenant O'Brien about  
23 Mr. Peruta's complaint?

24 A I don't know when his complaint was received by  
25 the department, but I do know it was months after the



1 incident that I was interviewed.

2 Q And when did you first become aware through that  
3 letter that you received from I.A.D. that Mr. Peruta had  
4 filed a complaint?

5 A I couldn't give you a date.

6 Q Do you know if it was near or at the time of  
7 your interview with Lieutenant O'Brien?

8 A I don't recall.

9 Q How long did the interview with Lieutenant  
10 O'Brien take?

11 A I don't completely recall exactly how long. It  
12 wasn't very long.

13 Q And in paragraph four of Exhibit 22, in the  
14 third sentence -- in the third and fourth sentence where  
15 the writer indicates that he asked Sergeant Spell if he  
16 was familiar with Mr. Peruta from previous contacts, and  
17 Sergeant Spell stated that he was not, is that accurate?

18 A That's inaccurate.

19 Q But you didn't have a chance to review  
20 Exhibit 22, am I correct, before it was finalized and sent  
21 from Lieutenant O'Brien to Deputy Chief Foley?

22 A Not that I recall.

23 Q Okay. Nobody came to you and said is this  
24 accurate, everything that's in it?

25 A I don't recall.

1           Q     Okay.  On page four of -- page three of  
2 Exhibit 22, the memorandum, the basically third paragraph  
3 or second paragraph from the top where it states that  
4 "Sergeant Spell regularly works under Lieutenant O'Brien's  
5 direct supervision," is that referring to the Shooting  
6 Task Force?

7           A     It would be, yes.

8           Q     Okay.  And then it says that during that period  
9 of time Lieutenant O'Brien has received no complaints  
10 regarding Sergeant Spell's conduct or performance.

11                     Were any I.A. complaints filed against you  
12 between July 2011 and your retirement, other than  
13 Mr. Peruta's complaint about the 9/12/2014 incident?

14                     MS. HARRIS:  Just answer -- read back the  
15 question.  Don't worry about the document, just  
16 answer the question that she's asking.

17           A     Yeah.  Can I hear it again?

18  
19                     [Last question read back by reporter.]

20  
21                     MS. HARRIS:  I'm going to object to form.

22                     But you can answer.

23           A     I can't answer because he wasn't my --

24 BY MS. BAIRD:

25           Q     I'll get to that.  Okay.  I'll specify that

1 then.

2 Lieutenant Sigersmith was your supervisor in the  
3 Shooting Task Force for a period of time; right?

4 A Yes.

5 Q And then Lieutenant O'Brien took Lieutenant  
6 Sigersmith's place when Lieutenant Sigersmith retired;  
7 right?

8 A Yes.

9 Q And so is Exhibit 22 accurate in that during the  
10 time period that Lieutenant O'Brien supervised you in the  
11 Shooting Task Force, there were no complaints filed  
12 against you with Internal Affairs?

13 MS. HARRIS: Objection to the  
14 characterization.

15 But you can answer.

16 A I can't speak for what O'Brien received or  
17 didn't receive, so I don't know.

18 BY MS. BAIRD:

19 Q Okay. Were any complaints filed against you  
20 with Internal Affairs while you were in the Shooting Task  
21 Force between July of 2011 and August 2016?

22 A Possibly, yes.

23 Q Do you know how many Internal Affairs complaints  
24 were filed against you during your service with the  
25 Hartford Police Department that were sustained?

1           A     One.

2

3                           [Plaintiff Exhibit 40: Marked for ID.]

4

5           MS. HARRIS: Are these different?

6           MS. BAIRD: They are.

7           MS. HARRIS: Okay.

8           MS. BAIRD: The next one will be 41.

9

10                           [Plaintiff Exhibit 41: Marked for ID.]

11

12 BY MS. BAIRD:

13           Q     If I could direct your attention to Exhibit 40,  
14 the last page of Exhibit 40. Is this an Internal Affairs  
15 complaint, in packet Exhibit 40, that was filed against  
16 you while you were employed with the Hartford Police  
17 Department?

18           A     Yes.

19           Q     And on the last page of Exhibit 40 where it  
20 states under Article 5.08, "sustained," did that finding  
21 of sustained -- was that -- was that ever reversed or  
22 overturned, or did that still stand as of your retirement  
23 in August 2016?

24           A     I believe it stayed the same, but I'm not sure.

25           Q     And then if I could direct your attention to

1 Exhibit 41. Here you go.

2 I'll just ask you to look at page two of  
3 Exhibit 41. Do you recall the incident underlying this  
4 Internal Affairs complaint No. 07-050?

5 A Yes. This would be something that was off duty,  
6 so I --

7 MS. HARRIS: Just --

8 A Yes.

9 BY MS. BAIRD:

10 Q Okay. And in looking at paragraph -- excuse  
11 me -- the last page of Citizen -- of the Exhibit 41, did  
12 that finding of "conduct unbecoming an employee" -- of  
13 sustaining of that finding of -- or sustaining the  
14 complaint of "conduct unbecoming an employee" change at  
15 any point in time or was that the status when you retired  
16 in August 2016?

17 A Status when I retired.

18 Q And do you recall if with regard to the Citizen  
19 Complaint No. -- Internal Affairs Department No. 07-050,  
20 there was a videotape of any part or portion relevant to  
21 the complaint made in that case?

22 A Yes.

23 Q And did you have an opportunity to read the  
24 17 -- excuse me -- 16-page memorandum from Sergeant -- is  
25 it Dryfe? -- to Lieutenant Ciesinski about the -- about

1 the sergeant's findings with regard to I.A. complaint  
2 07-050?

3 A At some point, yes.

4 Q And on page 15 of the memorandum, which is the  
5 next to last page of Exhibit 41, if I could direct your  
6 attention to the last paragraph that begins with "the  
7 video-tape." Just let me know if you found it.

8 A Yes.

9 Q Did you have an opportunity to address during  
10 the investigation whether the videotape supported or  
11 didn't support your contention about your interview with  
12 the complainant in this matter?

13 A Possibly.

14 Q And do you concur with the finding by the  
15 Internal Affairs investigator in case No. 07-050 that the  
16 videotape didn't support your position or recall of the  
17 events?

18 MS. HARRIS: Objection to form.

19 You can answer.

20 A Of the entire event, no.

21 BY MS. BAIRD:

22 Q In your opinion, was the videotape related to  
23 Internal Affairs No. 07-050 relevant to the finding of the  
24 investigator that the charge of "conduct unbecoming an  
25 employee" was sustained?

1 A I can't speak for the investigator.

2 Q Okay. During the incident in question, did you  
3 know -- and I'm talking about Internal Affairs case  
4 07-050 -- that the incident was being videotaped?

5 A At what point?

6 Q At any point.

7 A No.

8 Q When did you find that out?

9 A After the fact.

10 Q Okay. So let me see. Were you present at a  
11 scene on Kelsey Street on August 7th of 2015, where a  
12 civilian by the name of Matthew Russo was -- was the  
13 subject of a phone call or a complaint made by a family  
14 member?

15 A Yes.

16 Q And at that time you were still a member of the  
17 Shooting Task Force; correct?

18 A Yes.

19 Q You were not yet -- well, were you in charge --  
20 were you the sergeant in charge of the Shooting Task  
21 Force?

22 A I would have been, yes.

23 Q And at that time you were working under  
24 Lieutenant O'Brien? Or no? I know, that's a tough one.  
25 Okay. Either Lieutenant Sigersmith or Lieutenant O'Brien;

1 right?

2 A Yes.

3 Q Okay. What was the reason for your response to  
4 38 Kelsey Street on August 7th, 2015?

5 A Because some of my officers were responding.

6 Q Were you on duty at the time?

7 A Yes.

8 Q And when you arrived at the scene, had there  
9 been any crime scene tape erected? That you observed.

10 A Yes.

11 Q And where was the crime scene tape erected that  
12 you observed when you initially arrived at the scene?

13 A I don't recall exactly. It was somewhere around  
14 the house area.

15 Q Do you recall how long you spent at the scene?

16 A Well, until probably about when my guys would  
17 have cleared. Exact amount of time? No, not -- maybe 30  
18 minutes, give or take.

19 Q Now, there was -- do you agree there was no use  
20 of firearms or shots fired related to the response to 38  
21 Kelsey Street on August 7, 2015?

22 A Not that I was aware of.

23 Q When you responded, was there a chance that  
24 there had been a use of firearms or shots fired?

25 A No.



1           Q     And again, you responded because some of the  
2 members that you supervised on the Shooting Task Force had  
3 responded.

4           A     That, and because officers were basically  
5 yelling for help. They were involved in a fight with  
6 somebody and needed help. In that particular situation,  
7 as many officers as possible would respond.

8           Q     And approximately how many officers did you  
9 observe responding to that scene?

10          A     I'd have to guess. I don't know.

11          Q     Did you fill out any reports or draft any  
12 narratives related to your response to the scene?

13          A     No.

14          Q     And what did you do when you arrived?

15          A     Stayed outside the crime scene and basically  
16 told my guys if they need anything let me know.

17          Q     Did you ever enter the house?

18          A     I don't believe so.

19          Q     Did you assist any injured officers at the  
20 scene?

21          A     No.

22          Q     And did you arrive by car?

23          A     Yes.

24          Q     Was it unmarked?

25          A     Yes.

1 Q Did anybody come with you?

2 A Yes.

3 Q Who?

4 A Another State Police sergeant, Chuck Burns.

5 Q Were you familiar with that area around 38  
6 Kelsey Street?

7 A As far as?

8 Q Having been assigned to, you know, patrol it or  
9 in any of your public service assignments?

10 A It's a Hartford street, so I'm familiar with it.

11

12 [Mr. Peruta joined proceedings.]

13

14 BY MS. BAIRD:

15 Q Had you ever worked patrol in that area?

16 A Yes.

17 Q And what area of the city is it in?

18 A South End.

19 Q Did you know Matthew Russo?

20 A No.

21 Q Did you know his family?

22 A No.

23 Q Did you meet Matthew Russo or his family that  
24 night?

25 A No.

1 Q And by "his family" I'm talking about his mother  
2 and his father.

3 A No.

4 Q Did you talk to any witnesses at the scene?

5 A No.

6 Q Did you collect any evidence?

7 A No.

8 Q Did you see any evidence?

9 A No.

10 Q Did you move around the scene?

11 A No.

12 Q Did you station yourself at a particular  
13 location of the scene?

14 A Yes.

15 Q And where was that?

16 A On the north side of the crime scene tape.

17 Q And is this the crime scene tape that you  
18 observed when you initially arrived or was this crime  
19 scene tape that was put up later?

20 A Don't recall.

21 Q Were you supervising anybody at the scene?

22 A Yes.

23 Q Who were you supervising?

24 A The only one I can remember is maybe  
25 Cournoyer -- oh. Cournoyer, Medina, and Colon.

1 Q Had you worked with -- is Medina an officer?

2 A I'm not sure at the time if he was an officer or  
3 a detective.

4 Q Okay. Had you worked with Medina previously, or  
5 previous to August 7, 2015?

6 A Yes.

7 Q Directly, in the same unit or assignment?

8 A Same unit.

9 Q Okay. And what unit was that?

10 A Shooting Task Force.

11 Q And how long had Sergeant Medina been on the  
12 Shooting Task Force at that period of time on August 7th,  
13 2015?

14 A He wasn't a sergeant, and I'm not sure.

15 Q Oh, did I say "sergeant"?

16 A Yes.

17 Q I meant officer. Okay.

18 Well, he wasn't on it at the beginning of July  
19 2011; right?

20 A Yeah. Like I said, many people rotated through,  
21 and their exact starting times and ending times I  
22 couldn't give you that.

23 Q Was Officer Medina still on the Shooting Task  
24 Force when you retired in August 2016?

25 A He's currently deployed on a military mission.

1 So technically I would say yes.

2 Q Anyone other than Cournoyer, Medina, and Colon  
3 that you were supervising that evening -- or that time?

4 A Possibly, but I just can't off the top of my  
5 head right now recall.

6 Q And what things were they doing that you were  
7 supervising them in?

8 A I can't speak for each one of them what they  
9 were doing.

10 Q Did you have any involvement with the 38 Kelsey  
11 Street incident after August 7th, 2015?

12 A No.

13 Q Okay. Did anybody come to interview you about  
14 the incident at 38 Kelsey Street?

15 A No.

16 Q And you've already testified you made no written  
17 statement?

18 A No.

19 Q And you had contact with Mr. Peruta that night;  
20 right?

21 A Yes.

22 Q And you knew who he was from at least the Park  
23 Street incident in 2014?

24 A I knew Mr. Peruta from the gun buyback, as I  
25 originally stated.

1 Q Okay. Had you had any contact with Mr. Peruta  
2 between the 9/12/2014 Park Street incident and you again  
3 saw him on August 7th, 2015?

4 A No direct contact, I don't believe, but I have  
5 seen him.

6 Q Where had you seen him?

7 A Other crime scenes.

8 Q What other crime scenes had you seen him at?

9 A The only ones I can remember off the top of my  
10 head is Greenfield and Garden. And another incident up  
11 off of Blue Hills somewhere; car chase with an accident  
12 or something possibly.

13 Q And that car chase, the Blue Hills car chase --  
14 Blue Hills Avenue; right?

15 A I think so, yes.

16 Q Did you see Mr. Peruta's car?

17 A No.

18 Q Do you know who a Detective Maldonado is?

19 A There's a few Maldanados.

20 Q I think it's Roberto.

21 MR. PERUTA: Roberto. Traffic.

22 MS. HARRIS: Don't --

23 BY MS. BAIRD:

24 Q No?

25 A No.

1 Q Okay. Do you have any knowledge of -- well, in  
2 the Blue Hills car chase incident, did you observe  
3 Mr. Peruta outside his car?

4 A Yes. Across the street from the car.

5 Q Okay. And so that would have been at the  
6 conclusion of the car chase?

7 A Yes.

8 Q Okay. And do you have any knowledge of  
9 Mr. Peruta receiving a ticket for his car at the scene  
10 where you saw him at the termination of the Blue Hills car  
11 chase?

12 A One of the officers may have mentioned that they  
13 gave a ticket, yes. I just don't remember specifically  
14 which officer it was.

15 Q Okay. And what did the officer say?

16 A I don't really recall.

17 Q Based on what the officer told you, did you know  
18 that it was Mr. Peruta's car that had been ticketed?

19 A At that point, yes.

20 Q Do you know if any other cars had been ticketed  
21 in the area?

22 A I don't know.

23 Q Do you know why Mr. Peruta's car was ticketed?

24 A I don't know what the reason was, no.

25 Q Well, when whoever told you that Mr. Peruta's

1 car was ticketed, did that person know the name of the  
2 owner of the car?

3 A I don't know.

4 Q So how did you know that person was talking  
5 about Mr. Peruta's car? Did he say Mr. Peruta's name?

6 A They could have been familiar with him. A lot  
7 of people are familiar with Mr. Peruta. I'm not the only  
8 one.

9 MS. BAIRD: Take a break for just a minute.  
10 I'll be back in a second. I just want to get a  
11 piece of paper that I want to use as an exhibit  
12 that I didn't know I wanted to use as an exhibit  
13 until just now.

14

15 [Off record: 3:26 p.m. to 3:28 p.m.]

16

17 MS. BAIRD: This is an exhibit.

18

19 [Plaintiff Exhibit 42: Marked for ID.]

20

21 BY MS. BAIRD:

22 Q In looking at Exhibit 42, are you able to tell  
23 from anything on the exhibit who issued the ticket?

24 A No.

25 Q Have you ever given a parking violation ticket



1 while you've been employed as a member of the Hartford  
2 Police Department?

3 A Yes.

4 Q And what is the process for that?

5 A You just write a parking ticket and put it on  
6 the car.

7 Q Okay. And do you keep a copy?

8 A No -- oh, yes. You do, yes.

9 Q Well, is it the kind of form where you write on  
10 the top of it and it impresses on other copies below it?

11 A Yes.

12 Q And are they still -- when you retired, were  
13 they still using that kind of ticket?

14 A That and E-tickets, yes.

15 Q Now, the kind of ticket where you write on the  
16 top of it and it impresses the writing on copies below it,  
17 how many copies are included on that kind of ticket?

18 A One.

19 Q And are they different colors?

20 A No.

21 Q Is the top copy white?

22 A The top copy is white, bottom copy is the  
23 envelope.

24 Q And the top copy that's white goes on the  
25 person's car?

1 A Yes.

2 Q And then what happens to the envelope?

3 A Goes on the car. The top portion the officer  
4 turns in to the police station.

5 Q Okay. So the envelope is the part that goes on  
6 the car?

7 A Yes.

8 Q And then the top part is turned in to the police  
9 station?

10 A Yes.

11 Q And is there any particular unit or supervisor  
12 or person at the police station that receives that top  
13 part of the parking ticket?

14 A Eventually I believe it goes to the Traffic  
15 Division.

16 Q And when you left the Hartford Police  
17 Department, who was in charge of the Traffic Division?

18 A The lieutenant would have been Rob Allan.

19 Q And had he been in charge of the Traffic  
20 Division for a while?

21 A I'm not sure how long.

22 Q I'm going to show some Kelsey Street clips  
23 now -- not all of them. And I believe that my notes  
24 indicating which clips I want to take I probably left  
25 back -- let me make sure and see if I can find them

1 because we're not going to look at all of them.

2 MS. BAIRD: Okay. Ed --

3 MR. PERUTA: Want me to do it?

4 MS. BAIRD: No. I'm going to do them.

5 MR. PERUTA: Switch gears.

6 BY MS. BAIRD:

7 Q Mr. Spell, have you ever seen any clips from  
8 Kelsey Street?

9 A Yes.

10 Q And I'm asking about have you ever viewed the  
11 clips from Kelsey Street, on an occasion other than with  
12 your attorney, related to this case?

13 A Just the one video that I've seen.

14 Q And did you view that -- when did you view that?

15 A At some time --

16 MS. HARRIS: She's not privy to anything  
17 that you and I have discussed. So anything  
18 outside of that that --

19 BY MS. BAIRD:

20 Q Yes.

21 A I don't know. Sometime after the incident.

22 Q Okay. After August 7th, 2015.

23 A Yes.

24 Q And that's a separate occasion from when you  
25 viewed one clip from the Park Street incident.

1 A Yes.

2 Q And how did you come to know that there was a  
3 clip from the Kelsey Street incident that you could view?

4 A Once again the same situation. Someone sent it  
5 to me.

6

7 [Off record: 3:32 p.m. to 3:33 p.m.]

8

9 BY MS. BAIRD:

10 Q And again, these clips are taken from  
11 Exhibit 34.

12 MS. HARRIS: You don't have to show me,  
13 Rachel. I trust you to not mess with the  
14 exhibits.

15 BY MS. BAIRD:

16 Q This is Clip 6 from Exhibit 34 related to the  
17 Kelsey Street incident.

18 [Video Played and Paused.]

19 BY MS. BAIRD:

20 Q Do you recognize that house in Clip 6?

21 A Yeah, looks like 38 Kelsey.

22 Q This is Clip 7.

23 [Video Played and Paused.]

24 BY MS. BAIRD:

25 Q What is the yellow piece of tape that extends

1 from the porch handle, in Clip 7, regarding the Kelsey  
2 Street incident? Is that crime scene tape?

3 A Yes.

4 Q And when you arrived at that location, was that  
5 piece of crime scene tape already erected?

6 A I don't know.

7 Q Okay. You had testified that when you arrived  
8 there was crime scene tape erected; right?

9 A Yes.

10 Q But you don't know if that was what was there  
11 when you arrived.

12 A Correct.

13 Q Did you see, at any point while you were at 38  
14 Kelsey Street, crime scene tape in the location as  
15 depicted on Clip 7?

16 A I don't remember that piece there, no.

17 Q And I'm going to replay the clip again, and  
18 there's officers in it and I'll ask you if you recognize  
19 them.

20 [Video Played and Paused.]

21 BY MS. BAIRD:

22 Q Do you recognize that officer at 2 seconds in on  
23 Clip 7?

24 A Possibly Agostino, but I'm not sure.

25 [Video Played and Paused.]

1 BY MS. BAIRD:

2 Q In looking at Clip 7, which captures somewhat  
3 the front entryway through the glass-covered door, does it  
4 allow you to recall whether you were in the house or not?

5 A No, I don't believe I was in the house.

6 Q Were you questioned at all related to an  
7 investigation performed by the Waterbury State's Attorney  
8 into the death of Matthew Russo?

9 A No.

10 [Video Played and Paused.]

11 BY MS. BAIRD:

12 Q Do you know who the officer was portrayed at the  
13 beginning of Clip 8, with the crime scene tape in his  
14 hands?

15 A Looks like Agostino, but not sure.

16 Q And were you there when this crime scene tape in  
17 Clip 8 was put up?

18 A No.

19 Q When you arrived, was there crime scene tape in  
20 the location in front of 38 Kelsey Street, on the street  
21 side of the tree, already erected?

22 A I'm not sure.

23 [Video Played and Paused.]

24 BY MS. BAIRD:

25 Q Are you able to identify -- you can't identify

1 the officer coming out the door; right? It's too dark?

2 A It's too dark, yes.

3 Q Were you involved at all in making  
4 determinations about what encompassed the crime scene at  
5 38 Kelsey Street?

6 A No.

7 Q Do you know who was?

8 A There were several uniformed sergeants on scene,  
9 so it would have been one of them.

10 [Video Played and Paused.]

11 BY MS. BAIRD:

12 Q Were you there -- this is Clip 9. Were you  
13 there when this -- apparently an ambulance appeared on the  
14 scene, to the left side of Clip 9 at 2 seconds in?

15 A I think up here on the north side still.

16 Q You were still on the north side?

17 A Yes.

18 Q And were you able to view what was going on at  
19 38 Kelsey Street?

20 A No.

21 Q Were you at a cross street?

22 A I was -- well, no, not exactly. I was just a  
23 little bit maybe seven or eight houses north of this.

24 Q And what was the reason for your location there?

25 A I was just standing by just to make sure my guys

1 were all set, they had ample help there -- ample help and  
2 ample supervisors.

3 Q So you were in contact with them by radio?

4 A No. I just heard them arriving on scene and saw  
5 all the officers down there.

6 Q Can you identify any of the officers in Clip 9?

7 A Not really. Maybe a sergeant here, it's -- I  
8 forget his name. Patrol sergeant.

9 Q Do you know what? It's so much of a better view  
10 on this computer, I think we're going to go back to using  
11 this one. It really is.

12 MR. PERUTA: (Indicating.)

13 MS. BAIRD: No? Okay.

14 BY MS. BAIRD:

15 Q This is Clip 10.

16 [Video Played and Paused.]

17 BY MS. BAIRD:

18 Q Are you in Clip 10 at 2 seconds in?

19 A Yes.

20 Q And is that you, the second from the right?

21 A Yes.

22 Q And you're dressed in a -- you're not in  
23 uniform, you're in a dark blue short-sleeved shirt and  
24 jeans; correct?

25 A Yes.



1 Q And who are you talking to?

2 A Maybe Chuck Burns. Kind of blurry to tell.

3 Q And am I correct that you're standing next to  
4 crime scene tape? Right?

5 A Yeah, I believe I'm on the outside of the crime  
6 scene tape.

7 Q Okay. And was that crime scene tape that's  
8 portrayed in Clip 10 already in place when you arrived?

9 A When I arrived, that's what I remember, that  
10 crime scene tape there. Yes.

11 Q And did you arrive coming down the street  
12 towards that crime scene tape from that direction?

13 A Yes. I mean it may not exactly be this one, but  
14 there was something here, I'm pretty sure.

15 Q When you say "may not be this one," you mean it  
16 may not be this tape?

17 A I don't know how many -- I don't know if this  
18 guy's putting it up, but I just remember there was tape  
19 somewhere. I don't know if there's tape further down.  
20 I'm not really sure. It's tough to tell. Looks like it  
21 might have been pulled across. That might be the one.

22 MR. PERUTA: Continue to -- hit "play."

23 BY MS. BAIRD:

24 Q Okay. This is Clip 10.

25 [Video Played and Paused.]

1 BY MS. BAIRD:

2 Q Is this the location where you stationed  
3 yourself to the north side of 38 Kelsey Street?

4 A Yes.

5 Q And did you have any involvement in determining  
6 that the tape portrayed in Clip 10 that goes, I guess,  
7 east to west across Kelsey Street would be put in place?

8 A I've got to hear that again.

9 Q Oh. Did you have any involvement in determining  
10 where that crime scene tape would be placed that's  
11 portrayed at 11 seconds in in Clip 10?

12 A I don't believe so. The patrol sergeants were  
13 managing that scene.

14 [Video Played and Paused.]

15 BY MS. BAIRD:

16 Q So in Clip 11 again, did you observe, yourself,  
17 the crime scene tape that was put in front of the house at  
18 any point while you were there?

19 A I don't recall that specific tape right there,  
20 no.

21 Q Okay. And, you know, based on your training and  
22 experience, looking at the crime scene tape in Clip 11, on  
23 which side is the crime scene?

24 MS. HARRIS: Objection. Do you have --  
25 he's not here to be your expert.

1 BY MS. BAIRD:

2 Q Do you have any --

3 MS. HARRIS: Do you have personal  
4 knowledge? Go ahead and answer her question.  
5 I'm sorry.

6 A No, I don't.

7 BY MS. BAIRD:

8 Q Okay. You weren't there and you can't tell; is  
9 that -- I mean you didn't observe that yourself.

10 A Correct. I'm down here.

11 Q Okay.

12 [Video Played and Paused.]

13 BY MS. BAIRD:

14 Q Do you recognize that gentleman with the  
15 baseball hat on in Clip 12 at 13 seconds in?

16 A Yes.

17 Q And who is that?

18 A Officer Colon.

19 Q Let me go back here and just ask you something.

20 [Video Played and Paused.]

21 BY MS. BAIRD:

22 Q Do you recognize that voice -- and I'll play it  
23 again -- that says "left or right"?

24 A I believe it's Colon.

25 Q Let me play it again.

1 [Video Played and Paused.]

2 BY MS. BAIRD:

3 Q This is Clip 11.

4 [Video Played and Paused.]

5 BY MS. BAIRD:

6 Q Again, do you recognize that -- do you recognize  
7 the voice?

8 A "Left or right" is Officer Colon.

9 Q This is Clip 12.

10 [Video Played and Paused.]

11 BY MS. BAIRD:

12 Q Do you know -- do you recognize that voice  
13 that's talking about "we don't know where the fire  
14 apparatus is going to set up"?

15 A Officer, Detective Medina, whichever one it  
16 would have been at the time.

17 Q This is Clip 13.

18 [Video Played and Paused.]

19 BY MS. BAIRD:

20 Q Do you recognize that voice in Clip 13 that  
21 says, "please do"?

22 A Ed Peruta.

23 Q And at what point did you become aware that  
24 Mr. Peruta was at 38 Kelsey Street?

25 A I saw his car at some point parked on the north

1 side of where that crime scene tape was.

2 Q And the north side is the direction you came in  
3 from; right?

4 A Yes.

5 Q Did you park near him?

6 A Maybe four or five cars down on the opposite  
7 side of the street.

8 Q Did you -- were you able to, from your location  
9 north of 38 Kelsey Street, see Mr. Peruta down more  
10 towards the crime -- well, 38 Kelsey Street?

11 A No. I wasn't trying to look for him.

12 Q Did you radio to any officers with regard to  
13 questioning if they had seen Mr. Peruta or if he was down  
14 in that area?

15 A I don't believe so, no.

16 Q Were you concerned that Mr. Peruta was there?

17 A No.

18 Q Well, I mean hadn't you seen Mr. Peruta on  
19 September 12th, 2014, and been concerned about him not  
20 listening to orders at that time?

21 A Yes.

22 Q Did you have any concern on August 7th, 2015,  
23 that he wouldn't listen to orders at that time?

24 A I was advised by the -- either Chief Rovella or  
25 Chief Foley just to have no contact with him, so I just

1 stayed out of the way and stayed away from him.

2 Q And when did Chief Rovella or Deputy Chief Foley  
3 advise you of that?

4 A Sometime after the Park Street incident.

5 Q And was it both Chief Rovella and Deputy Chief  
6 Foley that advised you of that?

7 A I don't remember.

8 Q Okay.

9 A One or both. But they just said don't bother  
10 him and stay away from him.

11 Q Okay. And why did -- did they say anything  
12 else? The reasons for telling you that?

13 A Because he had an active complaint.

14 Q This is Clip 14.

15 [Video Played and Paused.]

16 BY MS. BAIRD:

17 Q In Clip 14, who is that officer speaking?

18 A Medina.

19 Q And you were supervising him that night; right?

20 A I was, yes.

21 Q And do you know if he had approached you to  
22 discuss Mr. Peruta prior to this conversation he had with  
23 Mr. Peruta?

24 A Yes, he came down and -- yes.

25 Q Okay. And before Officer Medina came down to

1 discuss with you Mr. Peruta, had anybody else approached  
2 you about Mr. Peruta? Any other officers approached you  
3 about Mr. Peruta?

4 A No.

5 Q So is it fair to say Officer Medina approaching  
6 you was your first indication that somebody had a concern  
7 about Mr. Peruta?

8 A Yes.

9 Q And what did you tell Officer Medina? If  
10 anything.

11 A Well, he said to me they're having -- I don't  
12 remember if he said having a problem with Mr. Peruta or  
13 having a problem with the cameraman inside the crime  
14 scene and refusing to move. And alls I said to him,  
15 "Warn him. If he refuses to move, arrest him."

16 Q Did Officer Medina convey to you whether there  
17 were any other civilians inside the crime scene?

18 A He did not convey that to me.

19 Q Okay. Did he convey to you that there were any  
20 issues with trying to move other civilians out of the  
21 crime scene?

22 A That was not conveyed.

23 [Video Played and Paused.]

24 BY MS. BAIRD:

25 Q Can you identify the gentleman in the vest and

1 the tan pants in the middle of Clip 14, has a baseball cap  
2 on?

3 A Looks like Colon.

4 Q And do you know who is to the right of him? It  
5 appears someone has on a sweatshirt that begins with  
6 P-O-L.

7 A Don't know.

8 [Video Played and Paused.]

9 BY MS. BAIRD:

10 Q Had you discussed with Officer Medina whether  
11 Mr. Peruta was trespassing?

12 A I don't remember exactly what his words were,  
13 but he said he was having a problem with him inside the  
14 crime scene. He might have said he's on private  
15 property. I don't remember exactly what he said.

16 Q Okay. And had you -- do you know of any  
17 complaint made by the owner of the property where  
18 Mr. Peruta was about Mr. Peruta being there?

19 A No.

20 Q Do you know if there was, you know, any posted  
21 sign of "no trespassing," "attention police officers" or  
22 any such indication?

23 A I was not there, so no.

24 Q Okay. And you didn't go to check afterwards?

25 A No. I stayed outside the crime scene.



1 Q Okay. And were you aware at any point that  
2 Officer Medina had told Mr. Peruta that he was  
3 trespassing?

4 A I believe he told me he was inside the crime  
5 scene taping -- crime scene area and was refusing to  
6 move. He might have said "on private property" or not, I  
7 don't -- I don't exactly recall. I just remember telling  
8 him if he's inside the crime scene, arrest him if he's  
9 refusing to move.

10 [Video Played and Paused.]

11 BY MS. BAIRD:

12 Q This is Clip 15.

13 [Video Played and Paused.]

14 BY MS. BAIRD:

15 Q Do you see your car that you arrived in parked  
16 anywhere in Clip 15 at 7 seconds in?

17 A It could be -- it could be the black SUV to the  
18 right over here.

19 Q Okay. I'll keep playing it and see if that  
20 makes it clear.

21 [Video Played and Paused.]

22 BY MS. BAIRD:

23 Q Yeah, that's pretty dark.

24 [Video Played and Paused.]

25

1 BY MS. BAIRD:

2 Q Did you recognize the car in Clip 15 on the  
3 left?

4 A Yes.

5 Q And how do you recognize that?

6 A The "media" sticker on the front windshield.

7 Q And who do you believe that car belongs to?

8 A I believe it's Ed Peruta's. I have to see the  
9 plate to be sure.

10 [Video Played and Paused.]

11 BY MS. BAIRD:

12 Q Did you see this fire truck in Clip 15 arrive?

13 A Yes.

14 Q And do you know of any delay that the fire truck  
15 had in arriving at the scene?

16 A There was no delay.

17 [Video Played and Paused.]

18 BY MS. BAIRD:

19 Q This is Clip 15 again at 2 seconds in. If I  
20 could direct your attention to the left -- upper left of  
21 the video, behind the fire truck. Do you know if that  
22 police cruiser at some point in time was blocking entry by  
23 motor vehicles to Kelsey Street?

24 A Yes, it looks like it was.

25 Q Do you know if it had to move when the fire

1 engine arrived?

2 A I'm not aware if they had to move it or not.

3 Q Well, do you know if the police cruiser in  
4 Clip 15, at 2 seconds in, was at some point blocking  
5 traffic from entering Kelsey Street?

6 MS. HARRIS: I'm just going to object to  
7 the form.

8 But you can answer.

9 A It would have been a patrol sergeant that placed  
10 the cruiser there, so I -- I don't know.

11 BY MS. BAIRD:

12 Q Well, did you observe -- did you observe the  
13 cruiser while you were stand --

14 A I don't remember when I pulled in if it was  
15 there or not. It may have been, I don't -- I remember  
16 being able to turn down the street without a problem.  
17 Whether he left enough room in the front for cars, I  
18 can't specifically say.

19 MS. HARRIS: What are you looking at? I  
20 don't even see a cruiser.

21 MS. BAIRD: Oh.

22 MS. HARRIS: This is why I'm saying object  
23 to form. I don't see that we've established a  
24 cruiser.

25 MS. BAIRD: Here you go. Right there.

1 MS. HARRIS: You can make that out? Well,  
2 Ed was there, so --

3 MR. PERUTA: Unit 22 was blocking the road.

4  
5 [Mr. Peruta left proceedings.]

6  
7 MS. HARRIS: I'm just not seeing -- that's  
8 why I'm objecting to form and I'm very confused.

9 Sorry. Go ahead. I see it now that -- now  
10 that you pointed it out I see what you're  
11 talking about.

12  
13 [Off record: 3:58 p.m. to 3:58 p.m.]

14  
15 BY MS. BAIRD:

16 Q This is Clip 16.

17 [Video Played and Paused.]

18 BY MS. BAIRD:

19 Q In Clip 16 at 8 seconds in, did you observe,  
20 yourself, any of this activity? The personnel entering  
21 the crime scene with the Stokes basket?

22 A I didn't leave my position from where I was.

23 Q Okay.

24 A Yes.

25 [Video Played and Paused.]

1 BY MS. BAIRD:

2 Q I'm just going to ask you on each clip. Did you  
3 observe this activity on Clip 17?

4 A No.

5 [Video Played and Paused.]

6 BY MS. BAIRD:

7 Q Did you know where the crime scene tape had been  
8 put up at 38 Kelsey Street while you were there? Were you  
9 keeping track of it?

10 A Only the side where I was.

11 Q And did you observe any issues with Mr. Peruta  
12 and the crime scene tape that you could observe?

13 A I didn't see Mr. Peruta at all.

14 [Video Played and Paused.]

15 BY MS. BAIRD:

16 Q Did you speak to Mr. Peruta at all in the  
17 vicinity of 38 Kelsey Street?

18 A He approached me and attempted to talk to me at  
19 the very end of the incident. It appeared that he was  
20 leaving maybe.

21 Q And did you have any response?

22 A Yes.

23 Q And what was your response?

24 A "I can't talk to you, Ed. There's a pending" --  
25 there's a pending complaint? Investigation? I'm not

1 sure of my exact words. But he approached me and said he  
2 wanted to talk to me. I said I couldn't speak to him.

3 Q This is Clip 18.

4 [Video Played and Paused.]

5 BY MS. BAIRD:

6 Q Now, do you know who this gentleman in the  
7 yellow/blue-striped shirt at 3 seconds in on Clip 18 is?

8 A No.

9 Q Do you know if he's a Hartford police officer?

10 A I have no idea.

11 Q Okay. And in Clip 18, a group of individuals  
12 standing in the middle, to the right of a police cruiser,  
13 do you know who they are?

14 A No.

15 Q Do they appear to be dressed in police uniforms?

16 A Could be if they were Narcotics guys. I don't  
17 even know where that is.

18 Q Okay.

19 [Video Played and Paused.]

20 BY MS. BAIRD:

21 Q This is Clip 19.

22 [Video Played and Paused.]

23 BY MS. BAIRD:

24 Q Did you observe any of the activity portrayed in  
25 Clip 19?

1 A No.

2 Q This is Clip 26.

3 [Video Played and Paused.]

4 BY MS. BAIRD:

5 Q In Clip 26 at 13 seconds in, there's an officer  
6 standing, as you look at the video, on the right side of  
7 the street lamp. He's looking in -- he doesn't have  
8 his -- his front side is turned towards us, the viewer.  
9 Do you know who that is?

10 A Yes.

11 Q Who is that?

12 A Officer Ramunday [phonetic]. I have no idea how  
13 to spell it. Ramundi.

14 Q And the officer, as we look at the Clip 26 at 13  
15 seconds in, who is to the left of Officer Ramunday as we  
16 look at the video, he has his back turned to us and he has  
17 a notebook in his back pocket and a blue shirt. Do you  
18 know who that is?

19 A It looks like Detective Ragion.

20 Q And then to Detective Ragion's left, as you look  
21 at the video, with the shirt on that says "police" on the  
22 back, do you know who that is?

23 A It looks like Medina.

24 Q And then in Clip 26 at 13 seconds in, as you  
25 look at the video, the officer on the far left of the

1 video, who is that; if you know?

2 A That's not an officer.

3 Q Okay. And you don't know who it is?

4 A Fire department.

5 Q And on the far right of Clip 26, 13 seconds in,  
6 the officer that has "police" on his back, you can see his  
7 left side, he has a baseball hat on and short-sleeved  
8 white shirt, do you know who that is?

9 A It appears to be Colon.

10 [Video Played and Paused.]

11 BY MS. BAIRD:

12 Q Okay. Twenty-seven.

13 [Video Played and Paused.]

14 BY MS. BAIRD:

15 Q And during the activities in Clip 27 at 19  
16 seconds in, did you remain north of 38 Kelsey Street at  
17 the location that you've already indicated you were near?

18 A Yes.

19 Q Okay. And did you see any of the activity in  
20 this video?

21 A No.

22 [Video Played and Paused.]

23 BY MS. BAIRD:

24 Q Did you receive any radio dispatches or  
25 communications by radio about what was going on right down



1 in front of 38 Kelsey Street?

2 A No.

3 Q And do you even know in that Clip 27, who, if  
4 anyone, was being brought out of the house?

5 A No.

6 Q This is Clip 28.

7 [Video Played and Paused.]

8 BY MS. BAIRD:

9 Q And again in Clip 28 at 19 seconds in, that  
10 officer that we spoke about previously who is in uniform,  
11 he's in the center of the video. You can see the top  
12 triangle on his right undershirt, and he has a hat on and  
13 he's facing to his right. That was Officer Colon;  
14 correct?

15 Do you need me to play it again?

16 A No, it's not.

17 Q Oh. Okay. Who is that; do you know?

18 A You're referring to the uniformed officer?

19 Q Yes.

20 A Ramundi.

21 Q That's right. Thank you.

22 And were you supervising Officer Ramundi --

23 A No.

24 Q -- that evening?

25 A No.

1 Q He was not part of the Shooting Task Force.

2 A No.

3 Q Do you know -- we're done with the clips.

4 Do you know if you were present at the time that  
5 Matthew Russo -- that you were present up in your  
6 location north of 38 Kelsey Street at the time that  
7 Matthew Russo was taken out of the house?

8 A I believe so.

9 Q And how do you know that?

10 A Because the fire truck came in. They were  
11 calling for, like, a heavy Stokes basket to help remove  
12 him.

13 Q Did you see the fire truck leave with -- did you  
14 see the fire -- the fire truck that you saw enter, did you  
15 see the fire truck leave?

16 A I think I left prior to that, but I'm not sure.

17 Q Okay. This is Exhibit 30. Make sure we all  
18 have the same version. Yes.

19 MS. HARRIS: What's 30?

20 MS. BAIRD: It's this one.

21 BY MS. BAIRD:

22 Q If you could look through Exhibit 30 and tell me  
23 if you've seen any of it, all of it, or none of it.

24 A I haven't seen it.

25 Q Just let me know when you're ready.

1 A I'm ready.

2 Q Oh, okay. You haven't seen any of the pages in  
3 Exhibit 30; correct?

4 A I haven't, no.

5 Q Okay. Have you ever heard of a company called  
6 Integrated Security Services?

7 A No.

8 Q Have you ever had contact with any investigator  
9 looking into a complaint against you on behalf of the  
10 Civilian Review Board?

11 A No.

12 Q Were you aware that the Civilian Review Board  
13 has its own investigators -- civilian investigators?

14 A Yes.

15 Q And how were you aware of that?

16 A Just by knowledge of the Civilian Review Board.

17 Q Do you know the names of any investigators that  
18 have worked on behalf of the Civilian Review Board?

19 A No.

20 Q Do you know the names of any companies that have  
21 investigated for the Civilian Review Board?

22 A No.

23 Q Do you know Diane Ferraro?

24 A No.

25 Q Do you know Jacqueline Manning?

1 A No.

2 Q Did you give any direction at the 38 Kelsey  
3 Street scene regarding the placement of crime scene tape?

4 A I don't believe so, no.

5 Q Were you at a scene on June 4th, 2016, that  
6 resulted in your arrest?

7 MS. HARRIS: I object. There's a motion  
8 for protective order pending. I'm going to  
9 instruct him not to answer.

10 MS. BAIRD: Okay. I'm going to make a  
11 claim on record, as I have in the other  
12 depositions, and our claim is this: That this  
13 case involves a claim that Mr. Peruta was  
14 prevented from recording incidents of police  
15 activity, using a camera; that there is evidence  
16 that in one of only two I.A. complaints that  
17 were sustained against then Sergeant Spell, that  
18 one involved the use of recorded evidence; that  
19 at the June 4th, 2016, incident there is  
20 evidence at the beginning of the clips that  
21 somebody yelled "cameras, cameras, cameras" as  
22 if to warn the others; and that in the arrest  
23 warrant there are allegations that then Sergeant  
24 Spell looked at at least one camera -- dashcam  
25 camera to see if his conduct had been recorded

1 or not.

2 So it's relevant to this case, which  
3 involves an allegation that Sergeant Spell, for  
4 whatever reason, didn't want Mr. Peruta  
5 videotaping a crime scene; that it's  
6 corroborated by the concerns at the June 4th,  
7 2016, incident, and that's how it's relevant.

8 MS. HARRIS: And again I object. It's  
9 absolutely not relevant. None of those  
10 allegations are contained in this complaint, and  
11 for the many other reasons stated in the motion  
12 for protective order.

13 BY MS. BAIRD:

14 Q So this is Exhibit 27. Let me see if I can find  
15 the original one. It's the media policy.

16 Have you seen Exhibit 27 previously?

17 A Yes.

18 Q Is it one of the General Orders that's kept in  
19 the policy and procedure books or binders or records of  
20 the Hartford Police Department?

21 A Yes.

22 Q Do you know if while you were employed with the  
23 Hartford Police Department there was any subsequent media  
24 policy that rescinded the one effective 4/1/2001 in  
25 Plaintiff's Exhibit 27?

1           A     There's so many orders I can't remember them  
2     all, but I mean there may be.

3           Q     Well, when was the last time you had the  
4     occasion to review the media policy in Exhibit 27 with the  
5     Hartford Police Department?

6           A     I couldn't give you an exact date.

7           Q     Would it have occurred in the course of  
8     training?

9           A     It may have.

10          Q     Do you recall any specific training where the  
11     media policy of the Hartford Police Department was  
12     reviewed with you and other individuals who were being  
13     trained at the same time?

14          A     Specific, no; but I know that it has been  
15     throughout the course of our ongoing training.

16          Q     Okay. This is Exhibit 24. There you go. Have  
17     you seen Exhibit 24 previously?

18          A     I don't believe so, no.

19          Q     Okay. So is that a different letter than the  
20     notice that you received informing you of the resolution  
21     of the Internal Affairs complaint filed by Ed Peruta?

22          A     I just know this isn't, because it has Ed  
23     Peruta's name on it. It not what I would receive because  
24     it has Ed Peruta's name on it.

25          Q     Were you copied on it at all?

1 A No.

2 Q And as far as you know, it wasn't put in any of  
3 your personnel records or anything like that?

4 A I don't know.

5 Q And the letter -- did you receive written notice  
6 about the resolution? I wasn't clear.

7 A I don't know.

8 Q You don't know. But you know in some manner you  
9 were contacted and told that you were cleared or  
10 exonerated; correct?

11 A Yes.

12 Q Now, Exhibit 22, the memo, the City of Hartford  
13 interdepartmental memorandum.

14 A Yes.

15 Q Exhibit 22.

16 A Yes.

17 Q If page one of Exhibit 22 stating that on  
18 March 25th, 2015, Lieutenant O'Brien spoke with you is  
19 accurate, is it fair to say that you were interviewed by  
20 Lieutenant O'Brien before you saw Ed Peruta on August 7th,  
21 2015?

22 A I don't know.

23 Q Well, do you know if you were interviewed by  
24 Lieutenant O'Brien regarding I.A.D. case No. 14-100 prior  
25 to August 7th, 2015, when you saw Peruta at the 38 Kelsey

1 Street incident?

2 A You have to go by the dates here. This says  
3 March 24th. And what was the date of the Kelsey Street?

4 Q August 7th, 2015.

5 A So then I would have been interviewed prior to.

6 Q And do you know if you were informed of the  
7 results of the I.A.D. Case No. 14-100 before you saw  
8 Mr. Peruta on August 7th, 2015?

9 A Don't recall.

10 Q Well, on August 7th, 2015, when you didn't speak  
11 to Mr. Peruta, were you under the impression that the  
12 complaint he made against you was still pending?

13 A I didn't know, but Peruta had indicated to  
14 somebody that he was also filing a federal lawsuit. So I  
15 believe that's what was being referred to also.

16 Q Okay. So when you say you believe that's what  
17 was being referred to also, you're going back to when you  
18 recall either Chief Rovella or Deputy Chief Foley  
19 approaching you?

20 A Right.

21 Q Did anybody on the night of August 7th, 2015,  
22 indicate to you that a federal lawsuit might be being  
23 filed?

24 A Don't recall.

25 MS. BAIRD: Well, I think I'm going to --



1           if you could give me 10 minutes to review, I  
2           think I'm done. Okay?

3           MS. HARRIS: Sounds good.

4

5           [Off record: 4:21 p.m. to 4:28 p.m.]

6

7           MS. BAIRD: Back on the record.

8           My questions are concluded. Thank you very  
9           much.

10          THE WITNESS: Thank you.

11          MS. HARRIS: I just have a quick follow-up.

12

13                           CROSS-EXAMINATION

14

15 BY MS. HARRIS:

16           Q     In relation to the Park Street, Attorney Baird  
17           asked you a number of questions about shell casings and  
18           whether shell casing -- various issues about shell casings  
19           as evidence. Are there other items at the scene that  
20           qualify as evidence?

21           A     Yes.

22           Q     Yes. Okay. And would the body itself qualify  
23           as evidence?

24           A     Yes.

25           Q     Okay. Other items such as stray beer bottles or

1 cigarette butts, would those qualify?

2 A Yes.

3 Q Potentially, fingerprints on doors and those  
4 type of things as well?

5 A Yes.

6 Q Would just the scene itself, the visual layout  
7 and the -- whether there are bullet holes anywhere and the  
8 visual layout of the scene, would that qualify as  
9 evidence?

10 A Yes.

11 Q Okay. Where the scenes parked -- where the cars  
12 parked at the scene qualify as evidence?

13 A Yes.

14 MS. HARRIS: All right. I have no other  
15 questions.

16 MS. BAIRD: No other questions. Thanks.

17

18 [Deposition concluded: 4:29 p.m.]

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JURAT

I, SEAN SPELL, have read the foregoing transcript of the testimony given at my deposition on March 16, 2017, and it is true and accurate to the best of my knowledge and belief as originally transcribed and/or with the changes as noted on the attached Errata Sheet.

\_\_\_\_\_  
DATE SEAN SPELL

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Notary Public

My Commission Expires:\_\_\_\_\_

REPORTER: Patricia Tyszka  
CT Lic. #0046

ERRATA SHEET

I, SEAN SPELL, do hereby certify that the following corrections and additions are true and accurate to the best of my knowledge and belief:

CORRECTION	PAGE	LINE	REASON

DATE \_\_\_\_\_ SEAN SPELL \_\_\_\_\_

At \_\_\_\_\_ in said County of \_\_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_, 2017, personally appeared SEAN SPELL, and made oath to the truth of the foregoing corrections.

Before me, \_\_\_\_\_, Notary Public.

My Commission Expires: \_\_\_\_\_

REPORTER: Patricia Tyszka, CT Lic. #0046

1 STATE OF CONNECTICUT :  
2 COUNTY OF HARTFORD : Ss: WEST HARTLAND

3  
4 I, PATRICIA TYSZKA, a Registered Merit Reporter  
5 and Notary Public duly commissioned and qualified in and  
6 for the State of Connecticut, do hereby certify  
7 that pursuant to notice there came before me on March  
8 16, 2017, the following-named person to wit: SEAN SPELL,  
9 who was by me duly sworn to testify to the truth and  
10 nothing but the truth; that she was thereupon carefully  
11 examined upon her oath and her examination reduced to  
12 writing under my supervision; that this transcript is a  
13 true record of the testimony given by the witness.

14 I further certify that I am neither attorney nor  
15 counsel for nor related to nor employed by any of the  
16 parties to the action in which this deposition is taken;  
17 and further, I am not a relative or employee of any  
18 attorney or counsel employed by the parties hereto, or  
19 financially interested in this action.

20  
21  
22 \_\_\_\_\_  
23 Patricia Tyszka  
24 LSR, RMR and Notary Public  
25 CT Lic. #0046

\_\_\_\_\_  
DATE

My Commission Expires:  
May 31, 2020

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