

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

\* \* \* \* \*  
\*  
M. PETER KUCK, ET AL., \*  
Plaintiffs, \*  
\* CASE NO. 3:07-CV-1390-VLB  
V \*  
\* MARCH 13, 2012  
JOHN A. DANAHER, III, ET AL., \*  
Defendants. \*  
\*  
\* \* \* \* \*

DEPOSITION OF JAMES CETRAN

Taken on behalf of the Plaintiffs in the above-entitled cause, before Patricia Tyszka, Registered Merit Reporter, License No. 46, Notary Public, in and for the State of Connecticut, on Tuesday, March 13, 2012, at 10:51 a.m., at the Office of the Attorney General, 55 Elm Street, Hartford, Connecticut, pursuant to the Rules of Civil Procedure.

TYSZKA COURT REPORTING SERVICES

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1 APPEARANCES

2  
3 For the Plaintiffs:

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8 (860)626-9991

9  
10 For Defendant State of Connecticut:

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14 BY: ROBERT D. SNOOK, ESQ.  
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16  
17 Also Present:

18 M. Peter Kuck  
19 Joseph Gasser, Legal Intern with Attorney Baird  
20  
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STIPULATIONS

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IT IS STIPULATED by counsel that formalities as to the proof of the authority of the Notary Public and sufficiency of Notice are waived.

IT IS STIPULATED and agreed between counsel that all objections, except as to form, are reserved to the time of trial.

IT IS FURTHER STIPULATED and agreed that the deposition may be signed before a Notary Public.

1 JAMES CETRAN,

2 Of Wethersfield Police Department, 250 Silas  
3 Deane Highway, Wethersfield, Connecticut 06109,  
4 having first been duly sworn, was examined and  
5 testified as follows:

6  
7 DIRECT EXAMINATION

8  
9 BY MS. BAIRD:

10 Q Chief Cetran, my name is Attorney Rachel Baird  
11 and I subpoenaed you to testify here today because I  
12 represent Mr. Kuck, who is seated to my left in the yellow  
13 shirt, and I represent Mr. James Goldberg in a case  
14 against the former Commissioner of Public Safety Danaher  
15 and a number of other state employees.

16 Have you ever been through the deposition  
17 process before?

18 A Yes.

19 Q So you're familiar with some ground rules where  
20 if you don't understand a question just ask me to clarify  
21 it. Will you do that?

22 A Of course.

23 Q And if you need to take a break, just ask and  
24 we'll take a break.

25 When you answer, answer out loud because the

1 court reporter to my right is taking down what we say for  
2 the record.

3 A Okay.

4 Q And if you have any questions, feel free to ask.

5 A I will.

6 Q Now, you know you're not a party in this case.

7 Right?

8 A Yes.

9 Q You're not being sued?

10 A Right.

11 Q You don't have an attorney here with you?

12 A No.

13 Q But you feel okay about that?

14 A Yes.

15 Q Okay. Are you familiar or do you know James

16 Goldberg who is a plaintiff in this action?

17 A Yes.

18 Q How long have you known Mr. Goldberg?

19 A All his life.

20 Q And when you say "all his life," what is he, in  
21 his early thirties now?

22 A Yes.

23 Q And do you know him as a resident of  
24 Wethersfield?

25 A Yes.

1 Q What position do you hold with the Town of  
2 Wethersfield currently?

3 A I'm the chief of police.

4 Q And how long have you been the chief of police?

5 A Nine years.

6 Q Were you a member of the department prior to  
7 that --

8 A Yes.

9 Q -- being chief? How long?

10 A Well, altogether right now it's 38 years, so it  
11 would have been 29 years before then.

12 Q So it's fair to say your entire law enforcement  
13 career has been with the Wethersfield Police Department?

14 A My entire adult life, yes.

15 Q And how did you come to know James Goldberg?

16 A I knew his father very well because he was a  
17 former police sergeant with the Wethersfield Police  
18 Department. We worked together.

19 Q What's his father's name?

20 A His father's name is Jack Goldberg.

21 Q And at the time when James Goldberg was born, did  
22 you know Jack Goldberg, his father?

23 A Yes. Very well.

24 Q And what kind of contact have you had with  
25 Mr. Goldberg throughout his life? How frequent or

1 infrequent?

2 A James Goldberg or Jack?

3 Q James Goldberg.

4 A James. Well, it was relatively infrequent, but I  
5 did see all of his sons -- he had three sons -- you know,  
6 pretty much on a regular basis, but I wouldn't say  
7 particularly frequent. But I was always taken by the good  
8 nature of all his sons. Very respectful. Very -- very  
9 nice kids.

10 Q Sometime in 2007, did it come to your attention  
11 that James Goldberg had been arrested?

12 A Yes.

13 Q How did that come to your attention?

14 A Gee, I don't remember exactly how it came to my  
15 attention. Oh, I know how. The father called me and told  
16 me that his son had been arrested in Glastonbury, and he  
17 asked me if I could find out the particulars of what  
18 transpired; what the arrest was all about. So I called a  
19 Glastonbury captain at the time, who is now chief, as a  
20 matter of fact, to ask him to let me know what happened.  
21 Because I was surprised at that, too.

22 Q Who was the name of the captain that you  
23 contacted who is now chief?

24 A David Caron.

25 He didn't call me back. I talked to him prior

1 to him getting to work, on his cell phone. He was going  
2 to call me back when he found out what happened. He  
3 didn't call me back. And that's the first red flag for  
4 me because that's unusual.

5 Q Had you spoken to Captain Caron before in a  
6 professional capacity?

7 A Oh, we were very close for many, many years.

8 Q And what was this red flag that that --

9 A He didn't call me back, so I knew something was  
10 wrong. So I called him and he told me that -- basically  
11 what transpired, but was very short, relatively curt; and  
12 that was the second red flag. So I -- we ended the call  
13 and I really hadn't spoken to him about that again.

14 Q Did it come to your attention in some manner how  
15 the case was resolved when it went to court, when  
16 Mr. Goldberg's case went to court?

17 A Yes. I mean, I heard that the judge dismissed  
18 the case outright at the time of arraignment.

19 Q What was the next involvement that you had with  
20 Mr. Goldberg, Mr. James Goldberg, related to your role as  
21 the Wethersfield Police Department chief?

22 A I would say it was probably about maybe six or  
23 seven months later I got a new application for a pistol  
24 permit, temporary state pistol permit.

25 Q And you received that application from whom?



1           A       James Goldberg.

2           Q       Did you know whether prior to receiving that  
3 application for a temporary state permit Mr. Goldberg had  
4 held a state permit?

5           A       Yeah. I had issued one prior to that.

6           Q       Were you involved directly in the original  
7 issuance of Mr. Goldberg's temporary state permit, the  
8 first one?

9           A       Yeah; all of them. The chief of police is the  
10 direct issuer for all temporary state permits. I have to  
11 do them all.

12          Q       And when Mr. Goldberg came to apply for the first  
13 time for his temporary state permit with the Wethersfield  
14 Police Department, what process did you use as the issuing  
15 authority to determine whether, first of all, he had any  
16 disqualifiers and, second of all, whether he was suitable  
17 to hold a state permit?

18          A       One of the detectives assigned to the detective  
19 division, that's a good portion of his job is just to do  
20 with pistol permit applicants. And what he does is he  
21 does all the investigation in regards to the suitability  
22 of an individual to obtain a state pistol permit. And  
23 when I -- I don't even see it until at the end or the  
24 conclusion of all the investigation, including the  
25 fingerprints and everything else that comes back. When

1 that package is put onto my desk whether to sign it or  
2 not, everything is there. And if I have any questions,  
3 then I ask the detective to reinvestigate it or check  
4 something else out. Or if I'm a little leery of  
5 something, then he'll, you know, finish the job that I  
6 asked him to do.

7 Q Approximately how many applications for temporary  
8 state permits does the Wethersfield Police Department  
9 receive every year?

10 A An awful lot.

11 Q An awful lot?

12 A You know, I don't know the exact number, but I  
13 swear that they come in with -- they have a pile of  
14 sometimes 12, 13 that I have to go through; and it seems  
15 to be at least, you know, every three or four weeks that I  
16 get that pile. So I mean there's a lot of pistol permit  
17 applicants that are coming through. I don't know if  
18 somebody knows something I don't know, but there's a lot  
19 of people out there with guns.

20 Q Has that changed? Increased, decreased --

21 A Increased.

22 Q -- since 2007?

23 A I'd say the year was around 2008 when it really  
24 started to increase. But I don't know if that had  
25 anything to do with the election of President Obama or if

1 it's just the economy? I really don't know what change  
2 there is, but there has been a definite increase since  
3 2007, 2008.

4 Q And is Detective Michael Connolly the detective  
5 who has a large portion of his job devoted to  
6 investigating or looking --

7 A He did at that time, yes.

8 Q -- into applications?

9 A Yes.

10 Q Is he still with the department?

11 A Yes, but he's been promoted since then.

12 Q Who has taken over that job?

13 A I have an Anthony DeMonte who is a detective  
14 that's doing it now.

15 Q When did -- is it Detective DeMonte?

16 A Yes.

17 Q When did he take over?

18 A He took over I would say about a year ago.

19 Q Okay. So is it fair to say that Detective  
20 Connolly is the detective who performed or looked into all  
21 the applications for temporary state permits that  
22 Mr. Goldberg filed?

23 A 2007, 2008 that was his position, yes.

24 Q I want to show you an exhibit that's been marked  
25 as Exhibit 4. You may already have it in front of you.

1           A     Yes, I see it.

2           Q     This is a two-page exhibit.  Is that a document  
3     that in its format is familiar to you?

4           A     Yes.

5           Q     Is it similar to reports that you received from  
6     Detective Connolly about his review of applications for  
7     temporary state permits?

8           A     Yes.

9           Q     Anything unusual about Exhibit 4 that caught your  
10    eye that you needed to look into more?

11          A     Actually, I think this is the result of my  
12    request to him to reinvestigate the new application of  
13    James Goldberg.

14          Q     Okay.

15          A     Because I knew that the State Police had revoked  
16    his permit, the one -- the original one I had issued.  
17    See, in the State of Connecticut the chiefs of police  
18    issue a temporary state permit that's good for 90 days.  
19    What the applicant does is now takes that temporary pistol  
20    permit and goes to the State Police and gets a regular  
21    permit, state permit that's usually good for five years.

22                 So I mean technically a person could come and  
23    get a temporary one every 90 days, which would be kind of  
24    crazy, or take the 90-day temporary one and get the  
25    regular state permit which would be good for five years.

1 I mean basically they're both the same thing, just the  
2 time limits are different.

3 Q Now, in Exhibit 4, this is a two-page report that  
4 you received from Detective Connolly.

5 A Right.

6 Q Did you get a report like this when Mr. Goldberg  
7 filed for his original temporary state permit, the first  
8 one he received?

9 A No; probably not as in-depth as this because the  
10 first one was a regular straightforward application in  
11 which there were no red flags or anything that would cause  
12 me attention. I actually knew the applicant, I knew him  
13 since he was born. But what normally happens is that I  
14 get a memo from the detective that handles pistol permits  
15 basically telling me that everything is pretty good, that  
16 there's no red flags in this one, there's no indication  
17 that the individual is unsuitable in any way, shape or  
18 form. Or I get a report that says there are some red  
19 flags. There's something that we need to look at; do you  
20 want me to continue or do you want me to just -- are you  
21 going to reject it based on what I have right now?

22 These are the kind of forms or reports that I  
23 get back and forth particularly about pistol permit  
24 applicants. I mean you figure -- let's just give that  
25 example of maybe 12 per month. There are going to be,

1 obviously, red flags for certain individuals. Some red  
2 flags cause me to determine that the person would be  
3 unsuitable. Some red flags I have to basically ignore  
4 because I know that the pistol permit review board would  
5 let that -- or order me to issue a permit anyways. Some  
6 people I would like not to issue to, but I know it's a  
7 losing battle, so I do issue to.

8 Q So is it fair to say that prior to the arrest in  
9 2007 that you became aware of -- Mr. Goldberg's arrest in  
10 2007 you became aware of, that an investigation had been  
11 conducted by the Wethersfield Police Department of his  
12 temporary state permit? A temporary state permit at  
13 issue.

14 A Yes.

15 Q Okay. And then Mr. Goldberg came back to you in  
16 2008, sometime in 2008, applying for another temporary  
17 state permit; is that correct?

18 A Yes.

19 Q And at that time what did you know, if anything,  
20 about the status of his state permit that had been issued  
21 subsequent to the first temporary state permit?

22 A I knew that it had been revoked.

23 Q How did you know that?

24 A Good question.

25 Q Well, first, would he have marked it on his

1 application?

2 A Yes. Right. That would -- I believe I knew it  
3 before then because I knew the father and I knew some of  
4 the family, what was going on with the family and I had  
5 been asked other questions. But obviously the check box  
6 on the back of the application form that says have you --  
7 you know, "has it been revoked in any jurisdiction" was  
8 checked off.

9 Q When the application came in, would it have gone  
10 to Detective Connolly directly or to you --

11 A Oh, directly --

12 Q -- from Mr. Goldberg?

13 A It would go directly to the detective handling  
14 the investigations.

15 Q And did Detective Connolly come talk to you about  
16 it prior to conducting the investigation or did he just  
17 conduct the investigation of Mr. Goldberg?

18 A No; he actually came to me with that one. I mean  
19 that's a big red flag. And it's actually one that we  
20 hadn't really dealt with before.

21 Q And what was the red flag that you're referring  
22 to about that?

23 A The check box that says that they -- his pistol  
24 permit had been revoked by the state.

25 Q Okay. Now, you've certainly gotten applications

1 before where an individual's permit had been revoked by  
2 the state. Correct?

3 A Yeah. That's true.

4 Q And there's nothing about that that disqualifies  
5 someone from --

6 A Well, I wasn't --

7 Q -- applying?

8 A I wasn't really sure of that.

9 Q Okay.

10 A You know, I don't know if there is a time limit  
11 or whatever. I mean I know of one individual whose pistol  
12 permit had been revoked like 20 years before and yet he  
13 got a pistol permit in another jurisdiction with no  
14 problem.

15 So I really didn't know how that worked. If  
16 that box is checked off, is there a time limit on it? Is  
17 there some other specifications that I need? And I  
18 wanted to do what was correct by law or by rule, so I  
19 actually called the Firearms Unit at the State Police and  
20 asked them that question: What does that check box mean?

21 Q You personally called the Firearms Unit?

22 A I personally called. Yeah.

23 Q Who did you get through to?

24 A I believe it was Detective Karanda, Thomas  
25 Karanda, spelled with a K. And I spoke to him and I asked



1 him that question: What does that box mean? Does that  
2 mean I cannot issue a temporary state permit if that box  
3 is checked? And his response was, no, it doesn't mean  
4 that. I says, there is no statute that says I can't;  
5 there's no rule that says I can't; there was no policy  
6 that says I can't. Then I'm saying to myself, well, then  
7 what is this box for? What does that mean? And he really  
8 didn't have an answer for that.

9 So again, I'm still a little unsure. It didn't  
10 make sense to me as to what this whole process is all  
11 about. I don't want to issue a temporary permit that  
12 goes against the rules; I take this responsibility very  
13 seriously and I don't want to put guns into people's  
14 hands that shouldn't -- or don't deserve to have them in  
15 their hands.

16 So I took it one step further and I actually  
17 spoke to I think it was Alaric Fox, who was a lieutenant  
18 in charge of the Firearms Unit who I know was also an  
19 attorney. I've been to several of his training classes  
20 and he's very knowledgeable. So I called him and asked  
21 him that specific question and actually got the exact  
22 same answer.

23 Q What was the exact same answer?

24 A There's no statute, there's no rule, and there's  
25 no policy against issuing a state temporary permit while

1 the state permit was revoked.

2 Q Well, let me ask you this. Going back to the  
3 conversation with Detective Karanda, did you talk to him  
4 about the specific circumstance in Mr. James Goldberg's  
5 case where not only was it revoked, but he had an appeal  
6 pending before the board on that revocation? Did that  
7 come up in your discussion with Detective Karanda?

8 A Yes.

9 Q And what was discussed about that?

10 A Well, again I didn't know how that worked. I  
11 didn't understand the process. If he's got -- first of  
12 all, it did seem to me to be an exorbitant amount of time  
13 that he had to wait for this hearing for 22 months.

14 Q How did you know he would have to wait for 22  
15 months?

16 A Well, that's what I was told, was that the  
17 hearing was scheduled for May of 2009, when the permit was  
18 revoked sometime at the end of June of 2007. So it was a  
19 22-month delay, if I remember correctly at the time.  
20 Maybe my math is wrong, but it was somewhere almost two  
21 years before he was going to be able to get at least a  
22 hearing as to whether or not he gets his permit back. To  
23 me it sounded like a no-brainer, especially since I also  
24 had knowledge that the judge had ordered his permit to be  
25 re-sent to him or given back to him. But there was some

1 question about the order; whether it was to Glastonbury or  
2 whether it was to the state.

3           Again, I really -- I'm not -- I don't want to  
4 get too personally involved. I mean, I do have a sense  
5 of what's fair and what's right, and it seemed to me that  
6 Mr. Goldberg was being not treated correctly. But I  
7 really didn't want to get too much involved because, one,  
8 we have a very good relationship with the State Police  
9 that I don't want to rock, especially with the Firearms  
10 Unit because we deal with them on a regular basis. But,  
11 you know, unfortunately for me, I knew the kid personally  
12 and I knew he was a good kid.

13           Q     Other than what you've already told us about the  
14 conversation with Trooper Karanda, is there anything else  
15 you remember about that conversation before we move on and  
16 talk more about your conversation with Lieutenant Fox?

17           A     I don't remember anything particular other than  
18 what the questions I asked. I was particularly interested  
19 in the check box in the back.

20           Q     Did Detective Karanda give you his opinion about  
21 whether you should issue a temporary state permit to  
22 Mr. Goldberg?

23           A     I don't remember him specifically saying that,  
24 but I do remember Lieutenant Fox specifically saying that.

25           Q     Okay. But back to Detective Karanda. Was there

1 any conclusion at the end of the conversation with him  
2 about what you would be doing that you communicated to  
3 him?

4 A Again, I don't remember saying that to Detective  
5 Karanda. I do remember saying -- or having that  
6 conversation with Lieutenant Fox.

7 Q Did your conversation with Detective Karanda end  
8 with you being referred by him to Lieutenant Fox or with  
9 you having --

10 A No.

11 Q -- in your mind that you would go on and call  
12 somebody else?

13 A Right. That was in my mind.

14 Q Why did you feel the need to call somebody else?

15 A I wanted to verify the information. I wanted to  
16 make sure it was correct. I didn't know Karanda as well  
17 as I knew Fox, and plus I knew Fox was an attorney. So I  
18 figured I got the answers from Karanda, but I wanted to  
19 make sure that what I was doing was absolutely correct.  
20 So I was going to talk to Fox.

21 Q How long after the conversation with Detective  
22 Karanda did you have a conversation with Lieutenant Fox?

23 A I don't know the specifics. It wasn't too long  
24 after I talked to Karanda that I talked to Fox. I'm not  
25 sure if it was the same day or even the same week, but it

1 was relatively soon after I talked to Karanda.

2 Q Did Lieutenant Fox know who you were?

3 A Yes.

4 Q Did Lieutenant Fox indicate that he knew about  
5 your conversation with Detective Karanda?

6 A Gee, I don't remember that specific -- but he  
7 knew about the case, he knew --

8 Q He did.

9 A Yes.

10 Q Okay. How do you know he knew about the case?

11 A Well, he talked about it with -- you could tell  
12 he had knowledge of it. I mean when we started getting  
13 down to the specifics and I asked him about the -- you  
14 know, box, the revoke box that was checked on that  
15 application, basically my question was to him: Barring  
16 that check box, there is nothing different on this  
17 application than an application that I had already  
18 approved back before May of 2007. So if I'm going to  
19 reject this application, what would be my specific reason  
20 for doing that if, in fact, that check box doesn't mean  
21 anything? And his answer was basically, nothing. But he  
22 suggested I didn't -- that I don't reissue the state  
23 permit.

24 Q In what words or manner did he suggest that you  
25 not reissue the state permit?

1           A     Again, you know, it's four years ago. I think  
2     what he said to me was "I wouldn't issue" -- in my  
3     position as chief of police, he said that he would not  
4     issue a new temporary state permit because it was under  
5     review by the permits review board and it had been revoked  
6     by the State Police.

7           Q     Did you discuss with Lieutenant Fox whether the  
8     Firearms Unit was considering reinstating Mr. Goldberg's  
9     permit since his case had been dismissed?

10          A     It probably was in the conversation there. I do  
11     know we had a conversation for a while and that would have  
12     been one of the questions I would have asked, because I  
13     was trying to get a feel for what was going on. What's  
14     the problem? If the case was dismissed and we can't even  
15     refer to the case, then what is the holdup on the return  
16     of the permit? That would alleviate the problem that I  
17     had, because if he got his original State Police permit  
18     back, then there was no need -- or the temporary one would  
19     be moot.

20                 So, yeah, I asked those kind of -- I don't  
21     remember the specific questions, but we did -- that was  
22     part of our conversation, is what is the problem here?  
23     Why is this not being issued? It came down, to me -- and  
24     again, this is strictly my impression -- was that there  
25     was some type of resentment towards the fact that they

1 were questioning about the permit from the very  
2 beginning. Again, that's strictly an impression on my  
3 part just because it didn't make sense to me. There was  
4 no reason for what had transpired to get to this point.

5 Q Well, when you called Detective Karanda up to  
6 discuss James Goldberg, did Detective Karanda have to --  
7 you know, did he say let me go get on the computer and  
8 look at the case or pull the file, or was he ready to talk  
9 to you about it when you called?

10 A Yes.

11 Q Did he seem familiar with the case?

12 A Absolutely.

13 Q And Lieutenant Fox when you called him up, did he  
14 say, oh, James Goldberg? Let me look that up on the  
15 computer and pull the file so I can review it and talk to  
16 you about it?

17 A No.

18 Q He seemed familiar with the case?

19 A Yes.

20 Q After your discussion with Lieutenant Karanda --  
21 well, let me ask you this. Did you have any other  
22 discussions other than those with Detective Karanda or  
23 Lieutenant Fox?

24 A I don't remember any other discussions.

25 Q Any communication in writing about Mr. James

1 Goldberg?

2 A No. I don't remember any writing.

3 Q Did Lieutenant Fox indicate to you at any time  
4 that Chief Sweeney of the Glastonbury Police Department  
5 had requested the revocation, so they were going to abide  
6 by Chief Sweeney's wishes?

7 A I don't remember that specific statement being  
8 made, but I did know that Glastonbury had arrested James  
9 Goldberg and they felt very strongly that the arrest was  
10 appropriate and they were -- and I'm not -- I don't want  
11 to say upset about the fact that it was dismissed, but  
12 thought there was -- a miscarriage of justice was being  
13 done. Not my personal opinion. But yeah, I believe that  
14 they thought that that was a good arrest.

15 Q And when you say your personal opinion, do you  
16 mean your opinion as the chief of police of the  
17 Wethersfield Police Department or --

18 A Actually both.

19 Q Okay.

20 A Both. As the chief of police and as a person who  
21 knows James Goldberg. So I mean I'm kind of in a unique  
22 position. It's not like a regular case where I didn't  
23 even know the individual or something like that. But I  
24 did know him. I watched him grow up. I didn't see him  
25 every day, but I saw him enough to know what his character



1 was like. And this definitely was not, in my opinion, in  
2 his character to cause some kind of a problem like this.

3 Q What did you do next, if anything, to follow up  
4 on your questions about the 2008 temporary state permit  
5 after you talked to Lieutenant Fox? Did you talk to  
6 anyone else?

7 A Yes.

8 Q And who did you talk to?

9 A I actually talked to the commissioner.

10 Q And who was the commissioner at the time?

11 A John Danaher.

12 Q Did you know John Danaher?

13 A We knew each other. I wouldn't say we were -- I  
14 mean not like we were friends or anything like that, it  
15 was just we had met on several -- had been to several  
16 meetings together. In fact, I think we even ran in one of  
17 the law enforcement Torch Runs together. But I knew him  
18 and he knew me, and I felt comfortable enough to be able  
19 to talk to him or give him a call about something that I  
20 thought was a problem.

21 Q When you called him, did you go through his  
22 assistant or did you call him directly?

23 A Yeah; I would have gone through -- I mean I  
24 didn't have a personal, private number for him. I would  
25 have gone through his secretary, whatever it was to -- in

1 fact, I think he called me -- you know, I let her leave a  
2 message and he called me back.

3 Q And when he called you back, did he know what you  
4 had been calling about?

5 A No.

6 Q What did you tell him?

7 A Well, I mean, what had happened was I did reissue  
8 that second state permit, temporary permit and -- again,  
9 it's a long time ago. I believe the sequence of events is  
10 that I did issue the second permit, the state permit.  
11 Then I spoke to -- then I found out that James Goldberg  
12 was contacted by the permit unit, the State Police permit  
13 unit and told that that was now revoked. So that got me a  
14 little put out. I mean, that bent my nose a little bit  
15 because who is -- my question is: Who is the State Police  
16 unit to revoke a state temporary permit that I issued,  
17 without any -- you know, almost like without any due  
18 process here. You know, I mean that's my authority. They  
19 can revoke the state permit, but can they revoke the  
20 temporary permit that I issued?

21 That was really basically my question to  
22 Commissioner Danaher was -- this bothered me. There's  
23 something wrong here, and perhaps he should look into  
24 this before other chiefs started calling him. Because I  
25 could see this being -- and I actually wrote a letter to

1 the president of the CPC -- chiefs of police association  
2 of Connecticut that was my concern. I mean this -- to  
3 me, this seemed like that permits unit went beyond their  
4 authority.

5 Q When you said that, I'm assuming that's what you  
6 said to --

7 A Yes.

8 Q -- Commissioner Danaher or, you know, a summary  
9 of what you said to Commissioner Danaher. Did he know  
10 what you were talking about?

11 A No. No, he did not. He did not know about -- I  
12 don't think he personally knew about the Goldberg case at  
13 all. And that was basically my request to him, was look  
14 into this. I'm asking you as the head of your agency from  
15 the head of my agency, look into this. Because I'm not --  
16 again, I'm not sure about the protocol, I'm not sure  
17 exactly what transpired. To me, this seems unfair to  
18 James Goldberg. Does not seem just. And I questioned  
19 whether or not the Firearms Unit can summarily reject a  
20 chief of police's issuance of a temporary state permit.  
21 Based on what? Suitability? Is that the only issue here?  
22 Because other than that there was no change from the  
23 original which was issued.

24 Q Okay. Let's go through a few documents just to  
25 get the time line more in place that you've been talking

1 about.

2 A Okay.

3 Q Let's start with Exhibit 32. And Mr. Gasser will  
4 hand that to you. I have my copy here.

5 Exhibit 32 is a three-page document.

6 A Yes.

7 Q Is that, to your knowledge, the application for a  
8 temporary state permit that Mr. Goldberg submitted in  
9 2008?

10 A Yes.

11 Q And is this application the application that  
12 Mr. Goldberg submitted when his permit was under  
13 revocation status?

14 A Yes.

15 Q Okay. If I could direct your attention to Page 3  
16 of Exhibit 32, there's a section on there that asked  
17 permit history. Right?

18 A Yes.

19 Q Okay. And he indicates in there that he has had  
20 his permit revoked. Correct?

21 A Yes.

22 Q And that's what led you to make those phone calls  
23 to Detective Karanda, Detective --

24 A Yes.

25 Q -- excuse me -- Lieutenant Fox.

1           A     Right.

2           Q     Now, on that application, Page 3 of Exhibit 32,  
3     the second page of the application it asks if Mr. Goldberg  
4     had ever been arrested. Right?

5           A     Yes.

6           Q     And he answered yes.

7           A     Yes.

8           Q     Do you know what happened to that arrest or what  
9     was the resolution of that arrest?

10          A     I believe they're referring to the arrest that  
11     took place in Glastonbury, which I already knew had been  
12     dismissed by a judge.

13          Q     Okay. And if Mr. Goldberg had answered no, he'd  
14     never been arrested, would that have been truthful?

15          A     You know, there's always that question. And I  
16     can understand the consternation of most citizens in that;  
17     mine's there, too. I mean, I think they can legally say  
18     that they've never been arrested if they were, in fact,  
19     arrested and the case was dismissed and therefore erased.  
20     I think that would be a legal point. I would not hold  
21     that against anybody in regards to a State Police pistol  
22     permit. But in this case he did say yes, and he said "see  
23     attached documents"; and in this particular case because I  
24     had personal knowledge of what had transpired, it was  
25     really not an issue.

1 Q What effect did it have on your consideration of  
2 his temporary state permit in early 2008 that his case had  
3 been dismissed?

4 A It really had no effect. In my opinion, it was  
5 exactly the same -- except for that one box it was exactly  
6 the same permit that I -- application that I had seen  
7 before in 2007, and approved and issued a temporary state  
8 permit. So this is no different, other than that one  
9 check box.

10 Q Well, how did it affect your consideration in  
11 early 2007 and your consideration in early 2008, the  
12 intervening arrest that occurred in July -- in June of  
13 2007? How did that arrest affect your second  
14 consideration?

15 A It's a non-entity. It doesn't exist.

16 Q And why is that?

17 A It was erased. Technically speaking, there is no  
18 case. And I knew that. I mean a judge's dismissal erases  
19 the case at that particular point in time. A nolle or  
20 some other type of adjudication may be different. A  
21 nolle, usually it takes -- it takes 13 months before a  
22 case would be erased, dismissed and erased. In this case,  
23 a dismissal from a judge, it's automatic and immediate, as  
24 far as I know. And so it meant nothing to me.

25 The fact that he checked off "yes," I knew that

1 that's what he was referring to because I had approved a  
2 document from 2007 that said "no." We already had his  
3 fingerprints. We already had run a records check on him.  
4 He had no prior arrests. So the only arrest that he  
5 could be referring to was the Glastonbury one, and that's  
6 when -- when I got this application, after I spoke to  
7 Karanda, Lieutenant Fox, then I had the detective go back  
8 and reinvestigate this, make sure that that is the arrest  
9 that he's referring to, that there were no other arrests  
10 that could have taken place between June of 2007 and when  
11 I received this in January of 2008. And he did. There  
12 were no other arrests. The only arrest he could have  
13 been referring to was the arrest in Glastonbury which had  
14 already been dismissed by a judge. Therefore, erased.  
15 So it's a non-entity. It doesn't mean anything.

16 Q Exhibit 33. Is that the temporary state permit  
17 that was issued to Mr. Goldberg in relation to Exhibit 32,  
18 his application?

19 A Yes. The date is -- would make it that way  
20 because it's February of 2008. And I got the application  
21 in January of 2008. So the timing is correct.

22 Q Okay. So back to Plaintiffs' Exhibit 4, that  
23 follow-up investigation that Detective Connolly -- that  
24 follow-up investigation was conducted about three or four  
25 days prior to reissuance of the temporary state permit.

1           A       Exactly.  Yes.

2           Q       And were you satisfied with Detective Connolly's  
3 follow-up report in Exhibit 4?

4           A       Yes.

5           Q       Exhibit 5.  Let me ask you if you've ever seen  
6 that two-page document, because you're not the person it  
7 was sent to or the person who wrote it.

8           A       Yes.  I saw this.  I'm aware of this.  To be  
9 honest with you, I don't remember how -- because it did  
10 not come to me.  I must -- maybe I got it from the  
11 Goldbergs or whatever.  Probably.  I just don't remember  
12 specifically what it was.  And it was -- I did not receive  
13 a copy from the State Police.

14          Q       I was going to ask you, did the State Police  
15 provide any information to you that they had intended to  
16 revoke Mr. Goldberg's temporary state permit that you had  
17 issued on February 4th?

18          A       None.  No.  No correspondence whatsoever did I  
19 receive.  If it wasn't -- again, I think it was the  
20 Goldbergs.  If it wasn't for the Goldbergs I would have  
21 not had any knowledge of this at all.  And this is what  
22 caused me to call the commissioner.

23          Q       Okay.  So this letter is dated February 20th,  
24 2008, and sometime after that you called Commissioner  
25 Danaher?



1           A       Yes.  I don't remember the specific date, but  
2       this is -- this is what generated my concern.

3           Q       And what was the result, if you know, that was  
4       expressed during the conversation with Commissioner  
5       Danaher about what you would or wouldn't be doing in  
6       follow-up on your concerns?

7           A       There was -- that wasn't the type of conversation  
8       we had.  I was really pretty much alerting -- I wasn't  
9       looking for an answer from him.  I was voicing my  
10       displeasure at what transpired.  My suggestion to him was  
11       to look into the Firearms Unit; that I believed they went  
12       beyond their authority in his name.  I was pretty much  
13       looking for him -- almost like a -- like I said, the head  
14       of one agency to the head of another agency:  You got to  
15       look at this.  There's something wrong here.  There are  
16       all kinds of red flags going on here that just don't seem  
17       right to me.  And as, you know, obviously the head of a  
18       much smaller agency, but still the head of an agency, you  
19       got to look into this.  That was pretty much my  
20       conversation.  I wasn't looking for him to come back and  
21       say to me, well, I've decided to do this or I've decided  
22       to do that, or whatever.  I'm just giving him a heads-up  
23       as a peer, there's a problem here.  It needs to be fixed.

24          Q       Did you ever speak to Commissioner Danaher about  
25       the Goldberg case again?

1           A     You know, I don't -- I don't remember. But we  
2 had been at -- we were at meetings after that point  
3 together. I don't -- I don't remember specifically  
4 talking to him about the Goldberg case, but it's possible.

5                     It's the same even with Chief Sweeney. It  
6 wasn't -- I still -- I consider Tom Sweeney a friend of  
7 mine. We've known each other for a long time. This is  
8 one subject that we really didn't speak too much about  
9 because we were both on opposite sides. I felt he was  
10 wrong and he felt I was wrong. But we still remained  
11 friends and actually, you know, did things together.

12           Q     Are you familiar in Connecticut with a question  
13 whether an individual who holds a valid state permit may  
14 lawfully openly carry a pistol or revolver while in  
15 possession of that valid state permit? And not on  
16 premises where the owner prohibits firearms.

17           A     I can honestly say I learned something from the  
18 Goldberg case.

19           Q     Okay.

20           A     I had been a police officer for over 30 years  
21 when the Goldberg case came up, and I truly believe that  
22 we had a concealed weapons law in the State of  
23 Connecticut; that that permit referred to the fact that  
24 your weapon had to be concealed.

25           Q     So back in 2007 --

1 A Yes.

2 Q -- sometime in 2007 you were of the opinion that  
3 in Connecticut it was a concealed-carry permit?

4 A That's what I had been taught. I had been taught  
5 from day one, from the time I was in the academy until  
6 2007, that we had a concealed weapons permit, law, in the  
7 state; and the fact that you have a permit it's -- you can  
8 carry a weapon, but it must be concealed. And I can't  
9 tell you how many citizens I've said that to through the  
10 years because I thought that that was the law.

11 (Telephone interruption.)

12 THE WITNESS: I'm sorry, I've got to --

13 MS. BAIRD: Feel free.

14 A Just what you said. Anyways.

15 BY MS. BAIRD:

16 Q What was it in 2007 that impacted this impression  
17 you had had prior to that that --

18 A Actually, my conversation with Thomas Karanda. I  
19 asked him that specifically. I said, I was always taught  
20 that it's a concealed weapons permit, and is that -- now  
21 I'm being told that it's not, that it's not illegal to  
22 openly carry a weapon in that state. Is that true?

23 Q Well, did this discussion take place at the same  
24 time as the phone call you've already testified about?

25 A You know, I believe so. I'm not sure.

1 Q Okay.

2 A I would guess that that's probably the correct  
3 time because this is what we were discussing.

4 Q Well, what led you to bring this up with  
5 Detective Karanda, this issue?

6 A Well, I had heard -- and again, I'm not even sure  
7 where -- that, in fact, it was not illegal to openly carry  
8 a weapon in this state. I was kind of taken aback by that  
9 because of the fact that I had always thought it was.

10 Again, it's like a lot of statutes. You know,  
11 when you're coming up through the academy and getting --  
12 and there are misconceptions of what the law is and what  
13 it isn't. No one, at least in -- I mean, you sit there  
14 and try to read that stuff, it's like reading stereo  
15 instructions, you know? How far do you want to go? As a  
16 cop operating out there on the street you pretty much go  
17 by what you're taught. You get book learning in the  
18 academy and everything else like that, but most of it is  
19 on-the-job training. And I had always been told by  
20 senior officers, field training officers that it's a  
21 concealed-weapons permit and no one's supposed to openly  
22 carry. In fact, that is -- even as a detective, if  
23 you're going to -- if it's hot out and you take your  
24 jacket off, you've got to make sure your badge is showing  
25 because it's illegal to carry a weapon without -- you

1 know, that exposed.

2           So when I heard this, I was taken aback because  
3 I had gone 30-years-plus believing that to be the case.  
4 So when I asked Karanda that question, I said does the  
5 statute say that it has to be concealed? His response to  
6 me took me aback: No. Basically no. But, you know,  
7 then you got to talk about breach of peace and causing  
8 annoyance and alarm. What does the statute say; that's  
9 all I want to know. Does the statute say that you cannot  
10 carry a weapon exposed in the State of Connecticut? And  
11 his response was, no, it doesn't say that. So then my  
12 statement to him was, why don't we know this? Why is  
13 this -- is this a secret that's kept? In fact, that's  
14 when he told me that they've gone to the leg -- State  
15 Police have gone to the legislature to try to get that  
16 law changed to where it is a concealed-weapons permit. I  
17 said, I never knew that. I always thought it was. And I  
18 think most of the police officers in the state believed  
19 that, too. I know my agency did. I asked -- I go to  
20 chiefs' meetings now. Can you carry a weapon exposed? I  
21 mean since then. And almost every single time I've  
22 gotten the same answer: Of course not. You can't carry  
23 a weapon exposed. I said, uh-oh. There's another one  
24 just as dumb as me.

25           Q       And even now, in 2012, you still find that at

1 chiefs' meetings that --

2 A Yes.

3 Q -- the opinion is that you cannot --

4 A Let me tell you. I have 65 -- anyways, every  
5 single sworn officer on my department knows that you can  
6 carry a weapon exposed in the State of Connecticut.  
7 Because I don't want to be exposed to that type of  
8 liability exposure. There are people who are actually  
9 going out there almost like baiting police, doing this.  
10 In fact, it happened in Newington. Person was in Stop &  
11 Shop carrying an exposed weapon. And fortunately for  
12 Newington, one officer knew the law and the other one  
13 didn't; and it was the one that knew the law who handled  
14 the case. But I can see that as extremely potential bad  
15 for police departments.

16 Q Have you published any memorandum or directive to  
17 officers in your department with regard to --

18 A When I --

19 Q -- open carry?

20 A Excuse me. I'm sorry. I didn't mean to talk  
21 over. I know. I should know better.

22 Anyways. Yes. Soon as I found this out I could  
23 see the potential for liability in this kind of scenario,  
24 so I had the training unit get like a model policy in  
25 regards to this or got somebody else -- I think it was

1 Torrington, the chief there had written -- or deputy  
2 chief had written a policy specifically addressing that  
3 issue. We stole it from him and had it reissued for us  
4 to everybody on the department so all my personnel knew.  
5 Every chiefs' meeting I went to, especially guys that I  
6 know, that I'm close with, I make sure they're aware of  
7 it and that they should pay attention to this and make  
8 sure that their personnel are aware of it. Because I  
9 could see this -- you know, people doing this on purpose  
10 just to sue you.

11 Q Exhibit 6. Do you have that in front of you yet?

12 (Brief discussion held off the record.)

13 A Yes, I know what this document is. This is a  
14 letter that I had written to the president of the chiefs  
15 of police association at the time, Kevin Hale, regarding  
16 my consternation as to the fact that this -- the Firearms  
17 Unit rejected my issuance of the temporary permit to James  
18 Goldberg the second time in February of 2008.

19 BY MS. BAIRD:

20 Q Okay. Directing your attention to Page 2 of  
21 Plaintiffs' Exhibit 6, in the first full paragraph about a  
22 third of the way down or two-thirds of the way down, you  
23 talk about your conversation with Lieutenant Fox?

24 A Yes. Yes.

25 Q And in the last line you write: He answered that

1 there was nothing more than the Glastonbury arrest, an  
2 arrest that was dismissed by a Superior Court judge.

3 Do you see that?

4 A Yes.

5 Q Do you recall if Lieutenant Fox said anything  
6 about the fact that an appeal was pending before the board  
7 on the revocation; that that somehow prevented  
8 Mr. Goldberg from reapplying and gaining a temporary state  
9 permit?

10 A I'm not really sure if that was the statement,  
11 but that wasn't what -- I'm looking for a specific reason.  
12 If I'm going to reject this, what would be the specific  
13 reason to reject it. The fact that it was before the  
14 board didn't mean much to me because, I mean, it was a  
15 two-year length of time before that came up.

16 My questions or my concerns were more immediate,  
17 and I'm looking at -- like I had said before, at an  
18 application, basically the same application that I had  
19 looked at and approved before. What I was looking for  
20 from him was if I was going to reject it, what would be  
21 my specific reason for rejecting it? The fact that it  
22 was before the board didn't mean anything to me. The  
23 fact that he checked off that box did, and I wanted to  
24 know what specific reason. If there's a law, a rule or a  
25 policy that you cannot get a temporary state permit while



1 your regular permit is revoked, then I needed to have  
2 that document in my hand to point to it for my specific  
3 rejection of the second application.

4 Well, there is no rule, there is no policy,  
5 therefore -- no documentation, and therefore I'm looking  
6 at the same application. And there was really no reason  
7 not to issue the permit, other than some reference to  
8 suitability that I couldn't see. That's it.

9 Q Page 3 of your letter, Plaintiffs' Exhibit 6, the  
10 paragraph talks about on February 20th, 2008, the young  
11 man received a certified letter from the Firearms Unit.  
12 And you indicate in that letter -- do you have Page 3?

13 A Yes. Well, I have Page 3 --

14 Q You indicate in that letter that he had not  
15 approached the unit to obtain a regular state permit --

16 A Yeah.

17 Q -- and we had not even sent the state copy in  
18 yet.

19 Do you know how the Firearms Unit became aware  
20 that you had issued the temporary state permit?

21 A I assume from my conversations with Karanda, Fox  
22 that they knew I was issuing.

23 Q In your time as the chief and prior to that on  
24 the Wethersfield Police Department, do you know of any  
25 occasion where the State Police revoked a temporary state

1 permit while it was still in the temporary state permit  
2 phase?

3 A No. Never. In fact, that's part of what I was  
4 trying to explain to you as my -- what I was concerned  
5 about. When I -- and that's the reason why I called the  
6 commissioner, because this assailed my sense of fairness  
7 and justice. It didn't seem right to me. Everything that  
8 happened didn't seem right to me. And again, I know I'm  
9 probably -- I don't want to say prejudiced, but I --  
10 because I knew who we were talking -- I knew James  
11 Goldberg. This seemed -- the whole process just seemed  
12 unfair to me.

13 Q Do you recall any newspaper articles about the  
14 James Goldberg matter, his arrest in 2007 and the  
15 revocation of his state permit?

16 A No, I don't remember specifically a newspaper  
17 article. I'm sure there were.

18 Q Do you recall Mr. Goldberg's case being discussed  
19 at any chiefs' meetings or gathering attention at any  
20 seminars or classes you went to?

21 A I think later on it was definitely brought up at  
22 a chiefs' meeting about the fact that it's not illegal to  
23 carry an exposed weapon in the State of Connecticut if you  
24 have a valid permit. I don't remember anything specific  
25 about talking to -- you mean about the little nuances of

1 the case itself?

2 Q No. Just about the case gathering attention in  
3 the media or otherwise.

4 A Yes. There could have been conversations. I  
5 don't remember specifically any.

6 Q Was there any indication to you from the State  
7 Police in your conversations with Detective Karanda,  
8 Lieutenant Fox, Commissioner Danaher or anybody else that  
9 the Goldberg case was being focused on more than perhaps  
10 other revocations?

11 A Yes.

12 Q And why was that?

13 A You know, I really don't know a specific reason,  
14 but I'll have -- I believe that something caused the unit  
15 itself, the individuals who work in the unit to pay  
16 particular attention to the Goldberg case. I think that  
17 if I had seen other cases, that if it was brought to their  
18 attention by another chief of police that this person  
19 probably deserves to get their permit back sooner than the  
20 review board process, the person would have gotten their  
21 permit back sooner. It was that kind of relationship, a  
22 good relationship between the Firearms Unit and most of  
23 the chiefs of police in the state.

24 There was no give in this scenario. I mean, I  
25 could tell that right from the very beginning that they

1 kind of -- I don't know how else to say it other than  
2 they dug their heels in and they were going to fight this  
3 tooth and nail all the way down to the end. That's kind  
4 of the reason why I really didn't want to get personally  
5 involved, even though I felt personally involved because  
6 I knew James Goldberg. I was kind of really between a  
7 rock and a hard place here. I could tell that there was  
8 no reasoning or getting my -- how do I put this? You  
9 know, if I asked them for a favor kind of thing. I never  
10 did because I already knew the answer.

11 Q As chief of police, have you ever contacted the  
12 Firearms Unit to specifically request a revocation?

13 A No. Not off the top of my head. We had  
14 always -- again, I learned something in this process which  
15 is very valuable. We had always revoked on our own. In  
16 other words, if we had a situation where a person had a  
17 pistol permit and was drunk and was carrying a weapon, we  
18 would seize the weapon and the permit. Actually, what  
19 basically Glastonbury had done with James Goldberg. It  
20 wasn't until later I found out that we didn't have the  
21 authority to revoke a state permit; that we had to request  
22 a state pistol permit review -- pistol unit. I always get  
23 that unit mixed up. Anyways --

24 Q Firearms Unit.

25 A Firearms Unit. Thank you. Anyways, the Firearms

1 Unit, I didn't know that that's what the proper course of  
2 action would be; to not seize the permit and to put in a  
3 request to the Firearms Unit to actually seize the permit.  
4 Prior to that, we always seized.

5 Q So how has the policy changed at the Wethersfield  
6 Police Department in terms of your opinion now that you  
7 cannot seize a permit, you have to request that the  
8 Firearms Unit --

9 A That's what we do. We don't seize permits  
10 anymore. We may seize the gun, but we don't seize the  
11 permit. I mean, it's kind of a crazy scenario because  
12 with the permit the person could go out and buy a gun the  
13 next day. You know, if there was some specific reason for  
14 whatever reason that we took the gun from the  
15 individual -- just a perfect example would be somebody was  
16 drunk and carrying a gun and we think would be, could be  
17 somewhat irresponsible in that action, we can't seize the  
18 permit. We can seize the weapon.

19 Wait a minute. I'm not sure about that one.  
20 Maybe I shouldn't use that as an example. I could use --

21 Q Well, on what authority are you resting that you  
22 can no longer seize the permit? What has caused you to  
23 change your opinion about that?

24 A The law. I believe.

25 Q Okay. Good enough.

1           A     Yeah.

2           Q     Exhibit 7.  You had mentioned previously that  
3     Detective Karanda told you that the state had been  
4     attempting to amend the law to require concealed carry.  
5     Is that the first you'd ever heard of that?

6           A     Yeah.

7           Q     And did Detective Karanda tell you whether those  
8     efforts had been successful to amend the law to require  
9     concealed carry?

10          A     He said that they had not been successful.

11          Q     Did he give you his opinion or impression of why  
12     they hadn't been successful?

13          A     Gee, I don't remember that specifically, what his  
14     opinion was at the time.  He thought that that was -- I  
15     mean I got the impression, and I felt the same thing, that  
16     perhaps it was a bad thing; it should be concealed-weapons  
17     law in the State of Connecticut.  But there wasn't any.  
18     Therefore, we had to live with the law the way it was  
19     written.

20          Q     Okay.  If I could direct your attention to Page 2  
21     of Plaintiffs' Exhibit 7.  Towards the bottom of the last  
22     paragraph it says "section 8 of the bill."

23          A     Yes.

24          Q     It states:  Section 8 of the bill provides  
25     clarification and removes any ambiguity in the statutes

1 regarding the carrying of pistols.

2 Is there in your opinion, ambiguity in the  
3 statutes currently about carrying of pistols?

4 A No. I mean, the only ambiguity is the fact that  
5 if you -- it's just the breach of peace law the way its  
6 written in regards to causing annoyance or alarm. I  
7 can -- if somebody is walking around and waving a handgun,  
8 even if they have a pistol permit, in the middle of a  
9 crowded store or movie theater or something like that, I  
10 would consider that a breach of peace. However, what  
11 James Goldberg did that day in the Chili's restaurant in  
12 Glastonbury I would never consider a breach of peace. You  
13 need intent to commit a breach of peace. Goldberg didn't  
14 intend to do anything that day other than to pick up some  
15 food to eat. Again, my opinion. So there's no ambiguity,  
16 on my part. Either it's a concealed-weapons law or it's  
17 not.

18 Q Do you know Michael Beal?

19 A Name sounds familiar.

20 Q As associated with the Firearms Unit at one  
21 point?

22 A Yes. I mean, the name sounds familiar to me. I  
23 don't know specifically why.

24 Q Okay.

25 A If he was from the Firearms Unit, then I might

1 have had some reason to talk to him.

2 Q Well, during the course of your career with the  
3 Wethersfield Police Department, have you noticed  
4 variations in your contacts with the Firearms Unit in  
5 terms of, you know, their cooperativeness or their  
6 opinions or viewpoints or --

7 A No. My exposure to them was relatively limited.  
8 I mean when I was a detective, I had much more contact  
9 with them because of the position that I was in. When I  
10 became a patrol sergeant, I would have very little. Even  
11 as a lieutenant in charge of a division. When I was in  
12 charge of the detective division, I probably had more  
13 contact with them because that's the unit that usually  
14 does the investigations in regards to pistol permits and  
15 things of a firearm nature. Even as the chief of police I  
16 have relatively limited. The only reason why I got  
17 involved in this is because of my personal involvement  
18 with James Goldberg. Normally I wouldn't be talking to  
19 the Firearms Unit. That's what the detectives do.

20 Q Right.

21 A I would direct somebody else to do that. But  
22 because of my personal connection to this case, I did it.  
23 Hands-on kind of guy, you know; I want to know what I want  
24 to know first-hand.

25 Q Exhibit 24. I'll let you look at it, then ask



1 you if you've ever seen it before.

2 A I've seen this before, yes.

3 Q Okay. This is a police report from  
4 Mr. Goldberg's arrest back in 2007. Correct?

5 A Yes.

6 Q And did you have opportunity to read this report  
7 at any point in time?

8 A Yes.

9 Q In reading this report as a veteran law  
10 enforcement officer, did you notice whether there were any  
11 statements taken from individuals at Chili's?

12 A Yes.

13 Q And were there? In reviewing this report.

14 A Not by Glastonbury at the time of the arrest, but  
15 by the State Police approximately a year later.

16 Q Okay. And at the time, did you have an opinion  
17 about whether statements would have been useful in  
18 Mr. Goldberg's case?

19 A I'm in that box again, huh? I don't normally  
20 like to second-guess another police officer, I really  
21 don't. I've done this a long time and you never know the  
22 little nuances that occur in any particular situation.  
23 Again, this case is definitely out of the ordinary.

24 Reading the report, basically knowing what  
25 transpired, having personal knowledge of the individual

1 that was arrested, I came to the conclusion that this was  
2 a -- my opinion -- a bad arrest. This is not an arrest I  
3 would have made, personally. And again, that puts me in  
4 a bad position because I am now second-guessing another  
5 police officer, another police department in regards to  
6 this. But I mean a lot of red flags come up. Why was --  
7 I mean in a normal situation in a normal investigation of  
8 this nature, statements would have been taken by officers  
9 at the scene from the people who made the complaint, to  
10 prove that there was an annoyance or alarm occurred to  
11 verify the fact that it was a breach of peace. Because  
12 it's not against the law to openly carry a concealed --  
13 openly carry a weapon, then what law was broken? What  
14 would you arrest someone for? The only charge that could  
15 be made would be the breach of peace, so you need to show  
16 annoyance and alarm. Well, no statements were taken.

17 That's definitely not proper police work or --  
18 and I know Glastonbury is a very good police department.  
19 They would have done proper police procedure and taken  
20 statements from the victims and the witnesses. If there  
21 were victims. None were taken.

22 Q And you know when individuals are arrested in  
23 Wethersfield and -- how is it -- if you don't seize their  
24 permits and send them to the Firearms Unit, how is it, if  
25 you know, that the Firearms Unit becomes aware of the

1       arrest and the potential review for suitability or  
2       disqualifier?

3           A       Well, we would send them a copy of the report.

4           Q       Okay.

5           A       The arrest report.

6           Q       Okay.  And when you send them a copy of the  
7       report, do you expect that they're going to review it and  
8       make a determination for revocation?

9           A       I would hope so.  Otherwise, it would be a  
10       colossal waste of time.

11          Q       When you send the report, do you specifically say  
12       we want revocation?

13          A       No; I don't think it would be worded in that  
14       strong terms.  I would say we recommend revocation of the  
15       state permit because of the fact of so-and-so and  
16       so-and-so.  It would be a cover letter, probably written  
17       by maybe the commander of the detective division, but  
18       under my authority, as to why we're sending this report  
19       and why we're doing what we're doing.

20          Q       You had mentioned that at some point in time then  
21       that statements were taken --

22          A       Yes.  I did see statements.

23          Q       -- regarding the incident.  Do you know how it is  
24       that those statements came to be?  Were you involved in  
25       taking those statements?  I'll ask that first.

1 A No.

2 Q And let me provide this to you. They're Exhibits  
3 39, 40, 41, and 42, it looks like.

4 A I have seen them --

5 Q Actually not -- yes.

6 A Actually --

7 Q Have you ever seen any of these four statements  
8 previously?

9 A Yes.

10 Q Okay. And how did you come to review these  
11 statements?

12 A I don't remember exactly how we got these  
13 statements, but this is -- I believe the detective I asked  
14 to reinvestigate the second application obtained these  
15 statements probably -- I don't know where he got them  
16 from, to be honest with you. They had to come from the  
17 State Police because they're the ones who took them. I  
18 just don't know specifically how he got them or why he got  
19 them, but I was appreciative of the fact that he did get  
20 them because these statements confirmed the opinion I had  
21 come to in regards to it being not a good arrest. I don't  
22 see any annoyance or alarm coming out of these statements.

23 Q Do you know if Mr. Goldberg made another  
24 application to the Wethersfield Police Department for a  
25 temporary state permit in addition to the original one in

1 2007, the one in February 2008?

2 A I couldn't get away from this thing. They keep  
3 drawing me back.

4 Yes. I got a third one. However, I believe the  
5 third application became moot because the state decided  
6 to give him back his original permit prior to the  
7 scheduled hearing date with the pistol permit review  
8 board.

9 Q Okay. This would be Exhibit 43 then.

10 A You said 43?

11 Q Yes.

12 A I have 42 here, I don't have 43. Oh, thanks.

13 Is the application in this package, too?

14 Q No. If I could just direct your attention to the  
15 first page of Exhibit 43. I know there's a lot of  
16 documents attached, but I just gave it to you for the  
17 first page.

18 Do you recall seeing a letter that is the first  
19 page of Exhibit 43, reinstating Mr. Goldberg's permit?

20 A No. I specifically -- I don't remember, but I do  
21 know that I was told either by this letter or by this form  
22 or by someone showing it to me, that James Goldberg's  
23 pistol permit, state permit was given back to him. And  
24 really, that took me out of the fray.

25 Q Okay. And you never had to make a decision on

1 that third application for a state permit. Correct?

2 A No, I don't believe so. I think that -- like I  
3 said, that made that application moot because they gave  
4 him back his original permit.

5 Q Any other conversations since the reinstatement  
6 of Mr. Goldberg's permit in 2008 with members of the  
7 Firearms Unit about Mr. Goldberg?

8 A Me personally? No.

9 Q You personally.

10 A No.

11 Q Any contact with Commissioner Danaher since the  
12 conversation you've already talked about with regard to  
13 Mr. Goldberg?

14 A No.

15 Q Now, do you know an individual by the name of  
16 T. William Knapp?

17 A Yes.

18 Q How long have you known him?

19 A Pretty much all my adult life. Ever since I  
20 became a police officer in Wethersfield.

21 Q And he was associated with the Wethersfield  
22 Police Department, right?

23 A Yes.

24 Q And when did he retire as chief?

25 A 1989.

1 Q Do you know how long he served as chief?

2 A As chief? Fifteen years.

3 Q And you were on the department, obviously, while  
4 he was chief. Right?

5 A Yes.

6 Q And do you know that he holds a position now with  
7 the Board of Firearms Permit Examiners?

8 A Yes.

9 Q And he's a resident of Wethersfield.

10 A Yes.

11 Q Sometime, I don't know, sometime back probably in  
12 2006, 2007, did it come to your attention that issue had  
13 arisen between -- or involving Chief Knapp and the  
14 Firearms Unit with regard to the transfer of some  
15 firearms?

16 A Yeah. That was -- I think that's the Dougie  
17 Morgan one? Yes.

18 Q How did that come to your attention?

19 A Jeez, how did it come to my attention? I think  
20 we got a call from the Firearms Unit in regards to  
21 transfer of weapons. Dougie Morgan was a Wethersfield  
22 resident who was going through a divorce or having some  
23 type of domestic issue. He was to turn over his weapons  
24 to -- either turn them in to the State Police or the  
25 Wethersfield police, or turn them over to someone who had

1 a valid permit. Again, this is going back on memory. And  
2 I believe he turned all the weapons over to former Chief  
3 Knapp. One of the weapons didn't belong to him anymore,  
4 so there was some confusion in there, you know? It was  
5 something that either he had given the gun to somebody  
6 else or transferred the gun to somebody else or the gun  
7 was given -- I don't remember. I do know there was one of  
8 the weapons wasn't registered in Dougie Morgan's name, and  
9 this came to be some type of problem.

10 The Firearms Unit contacted I believe the  
11 detective that was handling the pistol permits, and he  
12 came to me saying that the State Police were concerned  
13 about Chief Knapp having a weapon that didn't belong to  
14 Dougie Morgan. It's confusing, and I'm not sure I'm even  
15 relaying this exactly the way it transpired; but I  
16 remember saying to -- and they came to Wethersfield. The  
17 two Detectives, Karanda and Mattson, a female, came to  
18 Wethersfield. The only thing that sticks out in my mind  
19 is I said to them, Jesus, don't go after Chief Knapp.  
20 He's the only chief I can talk to, you know? I need a  
21 question answered, I got to talk to Chief Knapp; you  
22 know, about chief stuff. That was the -- that's the  
23 thing that sticks out in my mind the most. But it was  
24 resolved. Everything went back to normal after that and  
25 they didn't arrest Chief Knapp, and he went home and that



1 was the end of it. And I haven't really thought much  
2 about it since then.

3 Q So Detective Mattson and Detective Karanda --

4 A Yes.

5 Q -- showed up at the Wethersfield Police  
6 Department personally.

7 A Yes.

8 Q And was there someone under you that was involved  
9 more directly with this incident?

10 A Yeah.

11 Q Who was that?

12 A It would have been Connolly, Michael Connolly, I  
13 believe. The detective that was handling it. Yes.

14 Q Did you see Chief Knapp on that same day when  
15 Detective Mattson and Detective Karanda came to the police  
16 department?

17 A If he was in the building I would have went over  
18 to see him, yes. I don't remember specifically. But he  
19 was my chief for 15 years. I like the guy and I respect  
20 him, and I would have come over to say hello to him. Yes.

21 Q Anything else you remember about that incident?

22 A No. Again, I kind of tried to make light of the  
23 situation. I knew it seemed to be relatively serious and  
24 it seemed to work. Alls I know is everything was  
25 resolved, the issues were taken care of, everybody went

1 home and nobody got arrested.

2 MS. BAIRD: Okay. I don't have any more  
3 questions.

4 MR. SNOOK: I've got like two, then we'll  
5 get you out of here.

6

7 CROSS-EXAMINATION

8

9 BY MR. SNOOK:

10 Q First of all, am I correct you wrote a letter  
11 to -- I believe you mentioned Kevin Hale, on  
12 February 26th, '08?

13 A Yes.

14 Q Do you recall getting a written response?

15 A No. I got called -- there was no written  
16 response, per se. What happened was they called me to a  
17 board of directors meeting for the CPCA -- that's the  
18 chiefs of police association for Connecticut -- and asked  
19 in front of the board of directors, which is all chiefs  
20 and former chiefs, specifically about this particular  
21 case.

22 I stated my case, and I have to be honest with  
23 you, no one ever got back to me or said anything to me  
24 or -- I was concerned for other chiefs of being in the  
25 same position. But it never was resolved. I was never

1 notified that they did anything or would do anything  
2 about it. I stated my case. It's up to them now for  
3 anything else. And --

4 Q Is it your testimony today that there still could  
5 be potential problems in the State of Connecticut with  
6 local chiefs of police or local law enforcement for making  
7 them aware of --

8 A Yes.

9 Q Would it be helpful to get some circular or  
10 information to the -- what's the name of the organization?  
11 The Chiefs --

12 A Connecticut Police Chiefs Association. CPCA.  
13 Yeah, I think so. I think the way they took  
14 it -- again, personal opinion; no one ever told me this.  
15 I think whatever discussions took place -- I am now on  
16 the board of directors, to be honest with you. But at  
17 the time I wasn't. I think what the conversation was:  
18 Don't rock -- you know, rock the boat, don't -- let  
19 sleeping dogs lie, or something like that. I think. I  
20 don't know. Because to my knowledge, nothing occurred  
21 out of this. To this day I still think that the Firearms  
22 Unit went beyond their authority. But it's never been  
23 addressed, no. And it could very easily happen again.

24 Q When you say Firearms Unit went beyond their  
25 authority with respect to --

1           A     To rejecting a --

2           Q     Oh. The second. At issue.

3                     Okay. You said you've been a police officer for  
4 approximately 38 years?

5           A     Yes.

6           Q     During these 38 years have you ever seen police  
7 officers disagree as to whether probable cause exists for  
8 an arrest?

9           A     Every day.

10          Q     I understand you testified that you, and I  
11 believe Chief Sweeney apparently disagree as to the  
12 validity of the original arrest of Mr. Goldberg?

13          A     Yes.

14          Q     Have you seen police chiefs disagree on issues  
15 involving probable cause or arrest?

16          A     Really isn't usually a conversation between  
17 chiefs of police. But I'm sure there are chiefs that have  
18 disagreed about everything else, including that.

19                     MR. SNOOK: Thank you. That's it for me.

20                     MS. BAIRD: Couple follow-up.

21

22                                     REDIRECT EXAMINATION

23

24 BY MS. BAIRD:

25          Q     In your 38-year experience in law enforcement,

1 have you encountered the opinion that when the law is  
2 unclear it gives police officers more discretion to  
3 basically do what they want?

4 A You know, I wouldn't put it that way. I think if  
5 the law was unclear, that it generates confusion and  
6 causes problems and mistakes. I don't think discretion  
7 falls into that because, to me, discretion is the law is  
8 clear and you have the discretion to either make the  
9 arrest or not make the arrest. When the law is unclear,  
10 that's not discretion, that's confusion.

11 Q Okay. And do you characterize the law as unclear  
12 in Connecticut whether an individual otherwise permitted  
13 to do so can openly carry?

14 A I don't think it's unclear, no. I think it's  
15 clear. There is no law that says that you have to conceal  
16 a weapon. I think that's clear. I don't think it's  
17 ambiguous. I hope I answered your question okay. I  
18 mean --

19 Q No. And the answer is okay.

20 A Yeah. I'm just -- what I'm saying is that, to  
21 me, that doesn't seem ambiguous. Either it is or it  
22 isn't. And in this case there's no law that says you have  
23 to conceal a weapon.

24 MS. BAIRD: Okay.

25 MR. SNOOK: Good. You're done.

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(Whereupon, the witness was excused and the proceedings were concluded at 12:06 p.m.)

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SIGNATURE PAGE

I, JAMES CETRAN, have read the foregoing transcript of the testimony given at the deposition held on MARCH 13, 2012, and it is true and accurate to the best of my knowledge as originally transcribed or with the changes as noted on the attached Errata Sheet.

\_\_\_\_\_  
JAMES CETRAN

STATE OF CONNECTICUT  
COUNTY OF \_\_\_\_\_

Sworn and subscribed to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_





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