

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

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*
M. PETER KUCK, ET AL., *
Plaintiffs, *
* CASE NO. 3:07-CV-1390-VLB
V *
* FEBRUARY 16, 2012
JOHN A. DANAHER, III, ET AL., *
Defendants. *
*
* * * * *

DEPOSITION OF SUSAN MAZZOCOLI

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 Thursday, February 16, 2012, at 10:05 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

189 Old Forge Road

West Hartland, Connecticut 06091

pat7995@charter.net Phone/Fax (860)379-7955

1 APPEARANCES

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For the Plaintiffs:

LAW OFFICES OF RACHEL M. BAIRD
379 Prospect Street
Torrington, Connecticut 06790-5238
BY: RACHEL M. BAIRD, ESQ.
(860)626-9991

For Defendant State of Connecticut:

OFFICE OF THE ATTORNEY GENERAL
55 Elm Street P.O. Box 120
Hartford, Connecticut 06106
BY: ROBERT D. SNOOK, ESQ.
(860)808-5020

Also Present:

M. Peter Kuck

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 SUSAN MAZZOCOLI,
2 Of Office of Governmental Accountability, 20
3 Trinity Street, Hartford, Connecticut 06106, having
4 first been duly sworn, was examined and testified
5 as follows:

6
7 (Plaintiff Exhibit 83 - 90 marked for
8 identification.)

9
10 DIRECT EXAMINATION

11
12 BY MS. BAIRD:

13 Q Ms. Mazzoccoli, you've been asked to come to
14 testify in a deposition today in a matter of Kuck versus
15 Danaher, a case that's pending in federal court. Are you
16 aware of the case Kuck versus Danaher that's pending in
17 federal court?

18 A Yes.

19 Q And you were once a defendant in that case. Do
20 you recall that?

21 A Yes.

22 Q But you recognize now that you're not a defendant
23 in that case any longer?

24 A Yes.

25 Q And that you've been called here to testify as

1 what we call a nonparty witness. You're a witness to
2 certain things that may or may not have happened, but
3 you're not a party to this case.

4 A Yes.

5 Q If there is anything that I ask you today that
6 you want me to clarify that I'm not clear about, please
7 ask me. If you need a break, ask me. And even though you
8 know what I'm going to ask you, which you probably will
9 most of the time because you're very familiar with what
10 we're going to be talking about, wait for me to finish the
11 question --

12 A Okay.

13 Q -- and then answer. That way the court reporter
14 can get it down clearly.

15 What else? And when you answer, be sure and
16 answer out loud with a "yes" or "no"; no head nods or
17 shakes or anything like that. Okay?

18 A Yes.

19 Q Okay. So we'll start out with some background
20 information as we usually do in these kinds of
21 depositions.

22 What is your position that you hold now with the
23 State of Connecticut?

24 A My title is management analyst 1/confidential.

25 Q What division of state government do you work in?

1 A The Board of Firearms Permit Examiners which is
2 now part of the Office of Governmental Accountability.

3 Q And when did the board become part of the Office
4 of Governmental Accountability.

5 A July 2011. July 1.

6 Q Prior to July 1st, 2011, what was different about
7 the board and what division of government it was a part
8 of?

9 A I don't understand what you mean by "different."

10 Q Well, what changed on July 1st, 2011 for the
11 board? What had it been under prior to that?

12 A Well, basically the same services that I used to
13 receive as part of the SMART team, or Small Agency
14 Resource Team, which was part of the Department of
15 Administrative Services. They provided us human resources
16 and business functions like accounts payable, et cetera;
17 and so now instead of DAS, which I'm kind of halfway
18 between both until they get up and running, I'm part of
19 the Office of the Executive Administrator that's going to
20 take over those functions.

21 Q So it sounds like prior to July 1st, 2011, your
22 job was under the Department of Administrative Services.

23 A No.

24 Q No.

25 A No. They -- when I first started, we had a

1 memorandum of understanding. So we would pay them for
2 those services.

3 Q Well, let me cut you off. When did you first
4 start as the executive director of the board?

5 A Well, I wasn't the executive director. But I
6 started December 17th, 1998.

7 Q Okay. So on December 17th, 1998, your employment
8 became related to the Board of Firearms Permit Examiners.
9 Correct?

10 A Yes.

11 Q And what was the exact position that you held
12 when you first became associated with the board?

13 A I was called a customer service program
14 developer.

15 Q Where did you report? Where was the physical
16 location that you worked out of when you started back in
17 1998?

18 A Well, okay. That was at -- oh, jeez. The
19 airport. Not Brainard.

20 MR. SNOOK: Rentschler?

21 A No. Not -- what's the one in Hartford? Is that
22 Brainard? No.

23 MR. SNOOK: Brainard.

24 A Brainard. It was right next to there. It's
25 the -- the trash-to-energy plant was on one side and the

1 airport was on the other, but I can't remember the name of
2 the street for some reason.

3 BY MS. BAIRD:

4 Q And the location of Brainard Airport --

5 MR. KUCK: Maxim Road?

6 THE WITNESS: Yes.

7 MS. BAIRD: We can't do that. We just
8 can't because it's too hard for the court
9 reporter.

10 BY MS. BAIRD:

11 Q Where you worked out of at Brainard Airport, was
12 that the Board of Firearms Permit Examiners office?

13 A Yes.

14 Q And you were the customer service program
15 examiner?

16 A Developer. Right.

17 Q What job duties did you have?

18 A Exactly what I have now.

19 Q Okay. And who else worked at that physical
20 location for the board at Brainard Airport?

21 A There was a woman who worked there by the name of
22 S'Jean Cohen, and she was part-time.

23 Q What was her title; do you know?

24 A I don't remember.

25 Q And the position that you have now is called

1 executive director. Correct?

2 A No.

3 Q What's your position now?

4 A Management analyst.

5 Q That's right.

6 A 1/confidential.

7 Q Were you ever called executive director of the
8 board?

9 A No.

10 Q Did anyone hold the job management analyst
11 1/confidential when you became employed related to the
12 board back in 1998?

13 A No.

14 Q How long did you remain in that job title of
15 customer service program developer for the board?

16 A It was almost two years because it was supposed
17 to just be a two-year position. And so then I got the
18 title of leadership apprentice, and I agreed not to take a
19 raise for three years and they trained me. And then I
20 became a management analyst 1/confidential.

21 Q So your job title was leadership apprentice from
22 approximately 1998 to 2000?

23 A That sounds about right.

24 Q Okay. Well, wait a second. How long were you a
25 customer service program developer?

1 A Two years.

2 Q Okay. So you were customer service program
3 developer from approximately 1998 to 2000?

4 A Yes.

5 Q And then a leadership apprentice from about 2000
6 to 2002?

7 A I believe so. I'd have to look at my files.

8 Q Okay. And when did this three-year training
9 program run from? From what time to what date?

10 A Well, that was during the time that you're called
11 a leadership apprentice.

12 Q What did that training involve?

13 A Well, they said that we had to actually develop
14 my own curriculum and they wanted management skill type
15 courses taken, and that's about it. So I have a list of
16 them, but I couldn't tell you right now.

17 Q And when you say they told me I had to develop --

18 A That was the deputy commissioner at DAS who said,
19 okay, we'll take her into the -- into the program of
20 leadership apprentice.

21 Q And what kind of job duties or position was the
22 leadership apprentice program designed to train you for,
23 prepare you for?

24 A A full-time position. I wanted to become a
25 permanent employee, so that was a way to do that.

1 Q And at some point you did become a permanent
2 employee?

3 A Yes.

4 Q In what year?

5 A I think it was when I got into the leadership
6 apprentice program.

7 Q So you became a permanent employee in around
8 2000?

9 A Yeah.

10 Q Okay. Were you training in this program
11 specifically to serve the Board of Firearms Permit
12 Examiners?

13 A No. It was just -- it was a way for the state to
14 train managers at that time, and basically you were on
15 your own.

16 Q Did you --

17 A They used to have a managers' program.

18 Q Did you have job duties related to the Board of
19 Firearms Permit Examiners while you were in the leadership
20 apprentice program?

21 A Oh, yeah. Of course. Yeah.

22 Q So when would you do specific training related to
23 the leadership apprentice program?

24 A Some of it was on my own time and some of it was
25 on state time. If I saw that there were courses being

1 offered to state employees, I would go for it.

2 Q Where would some of these courses be offered at?

3 A There's a technical school up in Manchester,
4 mostly computer training. And then DAS would have
5 programs.

6 Q Was there a certain number of hours you needed to
7 complete to finish up the leadership apprentice program?

8 A No. They just said, you know, it's about three
9 years you had to agree not to take a raise during that
10 time, and you came up with your own curriculum and then
11 you would report to the chairman of the -- of my board,
12 and basically that was it.

13 MR. SNOOK: Could we go off the record for
14 one second?

15 (Brief discussion held off the record.)

16 MR. SNOOK: Back on the record.

17 BY MS. BAIRD:

18 Q So during this entire period while you were a
19 customer service program developer and then in the
20 leadership apprentice program, you were performing
21 functions for the Board of Firearms Permit Examiners.
22 Correct?

23 A Yes.

24 Q And during that period of time you've already
25 mentioned that there was a part-time worker named S'Jean

1 Cohen?

2 A When I started.

3 Q And it sounds like at some point she was no
4 longer with the board?

5 A She left. She wanted my position.

6 Q Did anybody come on board then to take her place?

7 A Not right away.

8 Q So it was you and you alone --

9 A Right.

10 Q -- serving the board?

11 A Yes.

12 Q For that time period.

13 A Yes.

14 Q When you were finished with the leadership
15 apprentice program, at that point was there some sort of
16 indication that you had successfully completed it?

17 A I don't remember.

18 Q Did something happen to let you know that that
19 phase of your employment was over, your association in
20 this leadership program?

21 A I got a bigger paycheck.

22 Q Okay. And because that three-year period where
23 you couldn't receive a raise was over. Right?

24 A Right.

25 Q And when you received that bigger paycheck, did

1 your title change?

2 A Yeah. Then I became the management analyst
3 1/confidential.

4 Q Which you have remained from that time until the
5 present time.

6 A Correct.

7 Q But it sounds as if your association under the
8 Department of Administrative Services may have changed
9 during that period of time; from the time you became
10 management analyst 1/confidential to today.

11 A No. No.

12 Q Oh, okay.

13 A They still provided the same services. So, no.
14 It was still the same.

15 Q So what changed about your job when you came
16 under the Office of Governmental Accountability?

17 A Nothing. I'm still a management analyst 1. I
18 still perform the same functions that I always have.

19 Q Do you report to different supervisors or --

20 A No.

21 Q -- directors?

22 A No.

23 Q Okay. When you first came on board to work for
24 the board back in 1998, tell me a little bit about what
25 your duties were at that time.

1 A Well, I was to prepare the cases for the
2 hearings. Most of it in the beginning were a lot of phone
3 calls because cases that were already in existence, they
4 wanted to know about the process, and I would educate them
5 about the process.

6 I also found out rather quickly that I was a
7 Jill of all trades because I also had to do everything
8 else that anybody else who was the head of an agency
9 would do, like the digest of administrative reports. I
10 had to know about records retention. So all those side
11 positions that normally when you're a larger agency you
12 give to other people, I did. But that's -- didn't really
13 directly affect the board other than it was a requirement
14 from the state.

15 Q And the things you've just described that you did
16 when you first became employed in that position associated
17 with the board, how have those job functions changed, if
18 they have changed?

19 A They haven't. I found out -- although this week
20 I found out that the Office of Executive Administrator
21 provided their -- I want to call them their accounting or
22 financial people to provide me with a summary of my
23 budgets for the last three years, which was nice; I didn't
24 have to do that. But I don't know if it's something
25 they're going to still continue to provide. But they did.

1 Q Since the training that you received in the
2 leadership apprentice program and your completion of that
3 training, has the state offered you any training related
4 to your duties with the board?

5 A No. I always -- if I see that there's a program
6 that I'm interested in, I'll take it. Usually one-day
7 programs.

8 Q Do you recall the various chairmen who have
9 served on the board since 1998?

10 A Okay. Now you're testing me. Yes, but -- yes.

11 Q Okay. Have there been only a few or have there
12 been too many to remember?

13 A I think it's five.

14 Q And who is the present chairman?

15 A Oh. That's Joe Corradino.

16 Q And who served before him?

17 A Chris Adams.

18 Q And can you go back before him?

19 A Yeah. Oh, God. Oh, I can't believe I forgot his
20 name. He was there the longest, too. I'm sorry. I can't
21 remember his name.

22 Q Okay.

23 MR. SNOOK: (Indicating.)

24 A Yes. Dukes. Yes. Sorry.

25

1 BY MS. BAIRD:

2 Q And do you remember any prior to Mr. Dukes?

3 A Yeah. Okay. Let me see if I can remember now.

4 We had O'Connor; he was the first one. He was Rowland's
5 intern down in D.C., and he was also deputy commissioner
6 at DMV. And then after that, oh, I'm trying to remember
7 the name of the family. Very well-connected family from
8 New Britain, their son. Oh, I can't -- and then we had --
9 I'm sorry. I can't. I wish I had looked at it.

10 Q No. That's okay. It's only what you can
11 remember. So it sounds to me like --

12 A I'm not good with names.

13 Q You can recall Mr. Corradino, Attorney Corradino?

14 A Oh, of course. Yes.

15 Q Mr. Adams and Mr. Dukes.

16 A Phil Dukes. Yeah.

17 Q And there may have been a couple before that --

18 A Yeah.

19 Q -- who were preceded by Mr. O'Connor?

20 A Who came -- yeah, came after Mr. O'Connor.

21 Mr. O'Connor was the first one.

22 Q Okay. Has the board, to your knowledge, had --
23 well, how many members does the board have?

24 A Seven.

25 Q To your knowledge, since 1998 has it always been

1 seven?

2 A Yes.

3 Q And during that time do you know how many
4 secretaries have served on the board?

5 A Yes.

6 Q How many?

7 A Let's see. There's Peter and the chief. So two.

8 Q Okay. When you became associated with the board
9 back in 1998, was Mr. Kuck on the board already?

10 A Yeah. One month he beat me by.

11 Q Okay. He was on the board. Was he also the
12 secretary --

13 A Yes.

14 Q -- at that time?

15 A Yes.

16 Q At the beginning -- and I'm going to do this with
17 most of the questions, kind of work our way through from
18 1998 to the present to see how your job and communications
19 with different entities such as DPS, the secretary, and
20 the chairman have changed.

21 So I'm going to start back in 1998. What kind
22 of communications did you have with Mr. O'Connor with
23 regard to the performance of your duties? And when I say
24 "what kind," how often? Did you consider him your
25 supervisor? And what input did he have into your job?

1 A He was part of the interview process. Although
2 he didn't interview me, he told DAS they were going to
3 hire me. And then the first day that I went to the
4 office, he brought me to the office and introduced me to
5 S'Jean, and then we went to the parking lot and he said,
6 "I want you to fire her." And then from that point on,
7 just we would have meetings, regular once-a-month meetings
8 and he was the chairman at those meetings. He was not
9 hands-on at all.

10 Q And what kind of contact did you have, while
11 Mr. O'Connor was chairman, with Mr. Kuck in his capacity
12 as secretary?

13 A Not a lot.

14 Q How did you go about determining the agenda for
15 the board meetings?

16 A Gee. Not sure. When I first started, we'd have
17 like three to five cases and I think it was -- because of
18 the database, it was whoever was next on the database.
19 And so at that time that's what -- the order we would go
20 in.

21 Q How did you know how many cases to schedule for
22 each upcoming hearing?

23 A I believe I asked the board members at that time.
24 You know, that first year, the way I trained myself
25 because there was no one there to train me because S'Jean

1 wouldn't talk with me, was any time anyone called me I
2 would say, "what do I do for you and what do you do for
3 me?" I also would speak with the police at the Department
4 of Public Safety, and the board members. So that was it.

5 Q At that time, do you recall what unit or division
6 at the State Police you would communicate with most
7 frequently?

8 A Oh, yes. Special Licensing and Firearms Unit.

9 Q And that's remained the same to this day?

10 A Oh, yeah.

11 Q Who was the supervisor in the Firearms Unit at
12 the beginning, back in 1998 when you started?

13 A I don't remember the supervisor. It was --
14 Tomaselli (phonetic) was the detective's name, and she was
15 on her own at that point.

16 Q Was she a trooper?

17 A No. I believe -- yeah, she was a detective.

18 Q Oh, okay. Detective.

19 A Yes. State Police.

20 Q And Detective Tomaselli, was she the State Police
21 person that you would speak to most often in --

22 A Oh, yes.

23 Q -- related to your job duties with the board?

24 A Yes.

25 Q And am I correct that at that time DPS was in

1 Middletown?

2 A Yes. And I was there, too, believe it or not. I
3 had a desk at both Maxim Road and at the Department of
4 Public Safety. There really wasn't room for me at Maxim;
5 S'Jean would not give up the desk, so I had sort of a desk
6 and I would, you know, do my work there. But then I would
7 also go down to the Department of Public Safety where
8 there was a computer that was working and a desk, and then
9 eventually they moved me there. I was there for about
10 three months.

11 The reason they gave us the space was Chairman
12 O'Connor called the colonel then, he was the head of the
13 administration there, and said we need a space for Susan.
14 He said okay, if she helps my secretary answer the phones
15 we'll give her the desk. So I did both. I helped Mary
16 Ellen and answered phones, and I conducted the board's
17 business at the reception desk they had there.

18 Then after that, I got a phone call from OPM one
19 day and they said, where are you? And I said Country
20 Club Road, they said not anymore. Because they saw that
21 as a conflict. And that was my budget analyst. So I
22 said okay, and they moved me over to 165 Capitol and I
23 was there for maybe a month or so and they moved me up to
24 a different floor because they were renovating. And then
25 finally, 13 months after I started, they moved me over to

1 505 Hudson.

2 Q Where you remained until --

3 A Ever since.

4 Q -- quite recently.

5 A Right. Ever since. Now, it was a little bit
6 different then. But yeah. I didn't have an office. I
7 was in the basement.

8 Q When you went to 505 Hudson, did Ms. Cohen join
9 you there?

10 A No. She was gone by then.

11 Q And all this occurred while Mr. O'Connor was
12 still the chairman of the board?

13 A Yes.

14 Q What conversations did you have with Detective
15 Tomaselli back when she was the primary person at the
16 Firearms Unit that you spoke with about your board duties?
17 What kind of conversations did you have with her about
18 setting the agenda for each meeting?

19 A Well, she wasn't involved with the agenda, so we
20 didn't talk about that.

21 Q Okay. Did you at any point let Detective
22 Tomaselli know what cases were going to be on the agenda?

23 A Oh, yeah.

24 Q And when would you let her know that?

25 A Trying to remember then how much notice we gave.

1 But we would send them a letter, a hearing notice letter,
2 and it would go to the commissioner at that time,
3 attention to her. And so, you know, she would call me
4 back and say, okay, I'm going to fax you up our
5 questionnaires. And so that's basically -- yeah.

6 Q And how would you characterize your working
7 relationship with Detective Tomaselli?

8 A Very good.

9 Q Okay. And how long was she in the unit from 1998
10 forward?

11 A I don't remember.

12 Q Do you remember at some point being in contact
13 with someone else in the Firearms Unit because --

14 A Yes.

15 Q -- Detective Tomaselli was no longer there?

16 A Yeah.

17 Q And who would that have been?

18 A I know there was Detective Karanda. There was a
19 Detective Musial and Detective Mattson, and now Detective
20 Imbimbo. I'm trying to remember if there was anybody else
21 in between. I think -- oh, there was a part-timer; he was
22 the one that did my background check. He was a retiree
23 hired trooper and he worked with Tomaselli, but I don't
24 remember his name.

25 Q Is the name Michael Beal familiar to you?

1 A Yes. That's it. Thank you.

2 Q And --

3 A This is kind of neat. We're going back through
4 old memories here. Okay.

5 Q And what communications did you have with
6 Mr. Beal related to your board duties?

7 A Exactly the same as Tomaselli. He was just --
8 you know, like Karanda was to Mattson, he was to
9 Tomaselli.

10 Q Okay.

11 A Yeah.

12 Q At some point Mr. O'Connor was no longer the
13 chairman, and I think the next chairman after that that
14 you remembered was Mr. Dukes. How long was Mr. Dukes
15 chairman of the board?

16 A I believe he was there for four years. Maybe
17 longer.

18 Q What kinds of interactions did you have with
19 Mr. Dukes while he was chairman with regard to setting the
20 agenda for the next meeting?

21 A Well, he was more on hand, more professional.
22 And he increased the number of cases that we were hearing.
23 At that point he wanted between 10 and 12 cases. He --
24 you know, if I -- that's about it. I mean, you know,
25 he -- he was working full-time at the time, so I tried not

1 to call him except for business, you know, if an agenda --
2 if there was an issue like was he going to make it,
3 because we needed him to be there. That kind of thing.

4 Q When Mr. Dukes was chairman, do you recall who
5 the individuals in the Firearms Unit were that you were
6 working with? Or not working with, but communicating with
7 about the board?

8 A I think at that time Detective Karanda and
9 Mattson had come aboard.

10 Q What conversations or what kinds of issues were
11 within your duties to discuss with Detective Karanda or
12 Detective Mattson?

13 A Just to request their information. To follow up
14 with the hearing notices.

15 Q And during the time when Mr. Dukes was chairman,
16 what communications did you have with Mr. Kuck about
17 planning upcoming agendas for board meetings?

18 A Well, we've always been concerned about our
19 backlog, so probably about that.

20 Q Okay. When you say "always been concerned," when
21 you came to the board in 1998, was there a concern then
22 about a backlog?

23 A No.

24 Q Do you know when a concern started about the
25 backlog at the board?

1 A I don't exactly remember, but I believe it was
2 Peter who brought it up. Yeah.

3 Q Okay. Do you know who the chairman was when
4 Peter first brought up the backlog?

5 A I think it was Mr. Dukes.

6 Q What do you recall about those initial
7 conversations -- well, did you have conversations with
8 Mr. Kuck about the backlog?

9 A Yes.

10 Q What do you recall about the initial
11 conversations that you had with him?

12 A I don't remember.

13 Q Okay. When he said "backlog," did you know what
14 he meant?

15 A I do now, but I don't remember if I -- I mean you
16 could assume what it is, but I'm not sure.

17 Q Well, had anybody else ever expressed a concern,
18 before Mr. Kuck, about a backlog at the board?

19 A No.

20 Q Had you ever looked at the number of cases that
21 were pending and were to be heard before the board at some
22 point and said, "Wow, that's a lot" or --

23 A Oh, yeah.

24 Q -- "that's a little" or --

25 A Oh, yeah.

1 Q Okay. What did you base your observation on that
2 it was a lot?

3 A The reaction from the people who were calling me.

4 Q Okay. Because generally speaking, you do --
5 well, let me ask you this. Do you have a guideline that
6 you've relied on to tell you what number of cases is
7 acceptable to be pending and what number of cases isn't
8 acceptable to be pending?

9 A No.

10 Q I mean there's no -- and has anybody ever told
11 you, Ms. Mazzocoli, in your position, there should be no
12 more than this number of cases pending at any given time?

13 A Auditors.

14 Q Okay. We'll get to that. Has anybody ever told
15 you in your position, individuals should not have to wait
16 any longer than this for a hearing?

17 A No.

18 Q And to this day nobody's ever told you that.
19 Correct?

20 A No.

21 Q When Mr. Kuck would talk to you in these initial
22 conversations about the backlog, did you have an
23 impression of what it was expected you were supposed to
24 do?

25 A No.

1 Q Did Mr. Kuck tell you you were supposed to do
2 anything with regard to the backlog?

3 A Not me, but he wanted -- he had some ideas.

4 Q And he expressed those ideas to you?

5 A Yes.

6 Q What ideas did he have?

7 A Well, he wanted to review files.

8 Q Okay.

9 A And -- much like what the chief is doing now.

10 Q Okay. And this went back to when Mr. Dukes was
11 chairman?

12 A It might have been at the end of Dukes and Adams,
13 in between there. It was in '07 is when most of the
14 conversations started about it, and the reason why I
15 remember that was -- no, it was before that. It had to be
16 before that, yeah. So yeah. Maybe 2005? I'm not real
17 sure.

18 Q Okay. Sure. We're just doing a general outline
19 and there are some documents we'll go through that may
20 refresh your memory a little bit.

21 A Yes. That would be helpful. Thank you.

22 Q So just let me get a general impression of where
23 things are and we'll go from there.

24 A Okay.

25 Q When the backlog issue was brought up to you in

1 those initial conversations with Mr. Kuck, were you able
2 to change what you did every day in terms of setting the
3 agenda and scheduling cases?

4 A Well, yeah; I think that's when Phil Dukes
5 decided that, yeah, we're going to have to hear more
6 cases.

7 Q Okay. And you implemented that by scheduling
8 more cases --

9 A Yes.

10 Q -- on the agenda?

11 A Yes.

12 Q And did you discuss with Detective Mattson or
13 Detective Karanda, who it sounds like were in the Firearms
14 Unit at about that time, this issue of the backlog?

15 A Oh, well, they didn't like the idea that we were
16 increasing it.

17 Q And how do you know that?

18 A Because they told me so.

19 Q Okay. And did they tell you why they didn't like
20 the idea?

21 A They would say that this is just a small portion
22 of what our job description is, that we dedicate, they
23 would say, maybe two days a month to that -- because we
24 were meeting once a month then -- and that by increasing
25 it, that would take time away from their other job duties.

1 Q Okay. Were you expected to take this information
2 that Detective Mattson and Detective Karanda told you
3 about, the issues that might arise if there were more
4 hearings scheduled, and relay them back to the board?

5 A I wasn't expected to. I would mention it to the
6 chairperson.

7 Q Were you put in the position of being told things
8 by the board and also being told things --

9 A Oh, yeah.

10 Q -- by Detective Karanda and Detective Mattson?

11 A Yes.

12 Q Okay. And did you see yourself as somewhat in
13 the middle of the board and --

14 A I was trying to make everybody happy.

15 Q -- the Firearms Unit?

16 What specifically did you need to do to ensure
17 that there were more cases that were going to be heard
18 each month by the board?

19 A Just making sure I reviewed the files and sent
20 out the hearing notices, and that we actually had at that
21 time I think ten cases ready to go.

22 Q Since 1998, has it been consistent that the board
23 has held one hearing a month? Or one meeting a month?

24 A Up until I think it's two or three years ago.
25 Yes.

1 Q Had the board ever met less than one time a
2 month, in your experience?

3 A Yeah. If our chairman could not attend -- I
4 don't think we ever had a position where we didn't have a
5 quorum. We came close to it a couple of times. But if
6 our chairman couldn't attend, then yes, you wouldn't
7 have -- you would have to cancel that hearing. Because we
8 needed him in the room. It happened a lot with O'Connor.

9 Q And at some point Mr. Dukes was no longer the
10 chairman and Mr. Adams took his place?

11 A Right.

12 Q When Mr. Adams came on board, did he come on
13 board directly as the chairman?

14 A No. He was a member.

15 Q Okay. So Mr. Adams was a member during a time
16 when Mr. Dukes was the chairman?

17 A Correct.

18 Q For what reason, do you know, that Mr. Dukes left
19 the board?

20 A He got hired by the Governor, Governor Rell; and
21 he got special permission to continue with the board.
22 Because anybody who works for the Governor is not supposed
23 to work with a board or commission, but they needed time
24 to find a new chairperson and, luckily, they ended up
25 finding a new chairperson. Yeah.

1 Q And how would you characterize, if you can
2 characterize the relationship that Mr. Dukes and Mr. Kuck
3 had in terms of a working relationship?

4 A Well, Peter doesn't hold back when he wants to
5 say something, so he wouldn't hesitate if he felt he
6 wanted to be heard; and sometimes Phil would not want to
7 hear it. But for the most part everybody got along. It
8 wasn't like continuous or anything.

9 Q And while Mr. Dukes was the chairman, what duties
10 in terms of his position of being secretary did Mr. Kuck
11 perform?

12 A Not a lot. He -- hmm. Got to think about that.
13 You know, it was just the title, actually.

14 Q What duties did the chairman perform while
15 Mr. Dukes was in the chairman position?

16 A Just basically the same thing that all of our
17 other board members. I mean they were present at the
18 hearings. I don't think Mr. Dukes ever walked into my
19 actual office. Mr. Kuck did, but I don't think Phil Dukes
20 ever stepped into my office. And Chris Adams I think
21 stepped in one time in the whole entire time. Joe
22 Corradino still hasn't been.

23 Q When Mr. Adams became a member of the board, did
24 you know him at that time?

25 A I knew the name only because I had worked at the

1 State Capitol at one point. Not while he was there. But
2 because I kept contacts with people there that I had
3 gotten to know, you know, I said, oh, who is this, you
4 know? And they filled me in.

5 Q Okay. Before Mr. Adams became chairman, did you
6 have occasion to talk with him about board duties or
7 about, you know, your board function?

8 A No.

9 Q Did Mr. Adams approach you before he became
10 chairman to discuss what exactly you did for the board and
11 the operation of your office?

12 A No.

13 Q When Mr. Adams became chairman, did your contact
14 with him change in terms of being more frequent or
15 being -- discussing more board matters?

16 A He was more frequent than the past chairmen, but
17 about the same as Phil Dukes. So that I -- I wish I could
18 remember that other chairman in between, what his name is.
19 But they were -- you know, I saw them at the meetings.
20 But yeah, he -- he wasn't super involved until Peter
21 brought up the issues of the backlog.

22 Q Okay. Now, I was going to get to that because
23 you had testified that some of the issues of the backlog
24 had been brought up by Peter while Mr. Dukes was chairman.
25 Correct?

1 A Yes.

2 Q Did Mr. Kuck consistently bring up or constantly
3 bring up issues of the backlog while Mr. Dukes was
4 chairman?

5 A I don't remember.

6 Q Do you recall when the issue of the backlog
7 became more prominent in terms of what the board was
8 addressing or talking about?

9 A I think it's because of our auditor reports
10 and -- and Phil Dukes was addressing that issue. I
11 remember one meeting him screaming at the auditor. But
12 more once Chairman Adams was there.

13 Q How often did the auditors come?

14 A Once every two years. I believe there was one
15 point, though, where they were there together -- one year
16 following the other.

17 Q Okay. I'm just going to pull out an exhibit that
18 we already have, which is an auditing report. That way
19 you'll have it in front of you in case you need to look at
20 it to refer to it or anything like that.

21 A Okay. Sure.

22 Q Let me tell you what exhibit number that is.
23 It's Exhibit 20 and then 82.

24 How would you find out when, in fact, there was
25 going to be an audit?

1 A They would call me.

2 Q And I'm handing you Exhibit 20.

3 A Yeah. They would send a letter and then they
4 would call, they would follow-up with a phone call.

5 Q Were you the primary contact person at the board
6 with regard to them?

7 A Yes.

8 Q Gathering information for the audit?

9 A Yes.

10 Q Did they ever give you any written request or
11 written guidelines for information you were to give them
12 or how you were to participate with them in the audit,
13 cooperate?

14 A Yeah. They would put in a request for what cases
15 that they wanted to review, the years. And yeah, that's
16 basically -- yeah. They would just let me know in
17 advance, you know, that they would like to have those
18 files ready and I would get them ready for them.

19 Q Do you know how they would know what files to
20 request?

21 A Probably from looking at previous audits. I'm
22 thinking that I might have said something to them about
23 this is what we do, explained to them who the board is
24 because a lot of people didn't know who we were.
25 Legislators. Yeah.

1 Q The files that they requested, were those files
2 appellant files?

3 A Yes.

4 Q Would they ask you questions about the contents
5 of the files?

6 A Actually, they would ask for them randomly. They
7 would come in and say, okay, we want -- you know, I'd give
8 them the numbers for certain years, and then they would
9 give me a list of the cases that they wanted me to pull
10 out. And then they would be in the other room which is
11 open, I could see them; but they would sit at the table,
12 at the conference table and just start looking through the
13 files. And then sometimes they would have questions for
14 me, like what a certain document was. And other times
15 nothing at all, you know, just wrote notes on their own.

16 Q Well, as a result of these audits, were any
17 issues brought to your attention about the findings in
18 particular files that resulted in you taking any
19 corrective actions or doing things differently?

20 A Not the files themselves, but how I might have
21 missed recording it on my database. Like I might have
22 said it went towards the "issuing authority" column and it
23 was supposed to be in the "appellant" column on my
24 database. Or maybe I just hadn't gotten around to adding
25 that information. So it was mostly about how I recorded

1 what the results were.

2 Q Did the auditors ever address with you directly
3 issues that they saw at the board, such as the backlog?

4 A Yes.

5 Q And when the auditors discussed this with you
6 directly, was it mainly to ask you questions about it or
7 to give you guidance?

8 A Oh, no; they would just ask questions.

9 Q When do you recall the first audit being
10 conducted where the auditors asked you questions about the
11 backlog?

12 A I don't remember.

13 Q Okay. Do you remember those questions being
14 always present while you've been associated with the
15 board?

16 A No.

17 Q At some point the auditors looked at the records
18 at the board and brought up the issue of the backlog, but
19 you don't remember specifically what year.

20 A No.

21 Q What would you do, for example, with Exhibit 20
22 which I think is an auditors' report for the year ending
23 June 30th of 2004? Would an audit report like this be
24 distributed to you?

25 A Yes.

1 Q And what would you then do with an auditors'
2 report such as this? How would that affect your job?

3 A Well, I would share it with the board, and the
4 board decided. I didn't have any decision-making on that.

5 Q Okay. So it was your duty to provide information
6 to the auditors and then distribute the report to the
7 board?

8 A Yes.

9 Q And in looking at Exhibit 82 which I'll hand to
10 you, is that an audit that was just received recently?

11 A Yes.

12 Q And you distributed that to the board. Right?

13 A Yeah, I -- I thought I had, and then recently one
14 of our -- I believe I had, but then one of our board
15 members, our newest board member wanted a copy of it so I
16 just brought one for everybody, made sense, in case he had
17 a question and they wanted to review it and talk with him
18 about it. But then he never -- he just wanted to read it.

19 Q In looking at the last page of Exhibit 82,
20 Page 11, it has three individuals named there with their
21 signatures. Do you recall any one of those individuals or
22 maybe more than one actually talking with you about this
23 audit?

24 A Oh, yeah. Michael Adelson.

25 Q Okay. Would you characterize him as the primary

1 person that was on the front line of conducting the audit?

2 A He was the only one.

3 Q Okay. Did he come to your office physically --

4 A Oh, yeah.

5 Q -- each time? How many times?

6 A I don't know how many, but they liked it that
7 they weren't there for months on end like other agencies.
8 But yeah, they would come in, they would review files,
9 they would go back to their place and then they might send
10 me a question or something. But usually it would take a
11 day for them just to come in and then report back. But it
12 was a series of weeks that you would be waiting because
13 they were not just doing my agency, but they were doing
14 other agencies all at the same time. And they also went
15 to DAS.

16 Q Had Mr. Adelson conducted any previous audits at
17 the board?

18 A I think he had. I think he came to me twice.

19 Q I just wanted to direct your attention again to
20 Exhibit 82 at Page 5.

21 A Okay.

22 Q At the top of Page 5 it has a recommendation and
23 it talks about, and I'll quote: The board should continue
24 its efforts to reduce the hearing backlog to a minimum of
25 three months or less.

1 Do you see that?

2 A Oh, yeah.

3 Q Did that time frame of three months or less come
4 up in any of your discussions with Mr. Adelson while he
5 was performing the audit?

6 A Oh, yeah. Definitely.

7 Q Prior to Mr. Adelson performing the audit that
8 resulted in Exhibit 82 in front of you, had you in
9 previous audits discussed a particular time frame that the
10 backlog should be reduced to?

11 A I don't remember a specific time frame.

12 Q Do you know where that three months mentioned on
13 Page 5 of the audit came from?

14 A From the auditor.

15 Q Okay. When the auditor mentioned three months to
16 you, do you know, did he provide any explanation of how he
17 arrived at that three-month period?

18 A I don't remember him saying anything.

19 Q Did you have a response to that in terms of
20 whether that was doable or not?

21 A Yeah, I definitely did. I said that we would
22 always try our best, that we would make every effort; in
23 fact, I just testified yesterday to exactly that comment.
24 I said that to the legislature. I said our goal this year
25 is to reduce our backlog to three months, as requested by

1 the auditor. And how we're going to do that I'm still not
2 sure, other than meeting more often or hearing more cases
3 every time we meet. But we seem to be making progress.

4 Q Are you aware of any rule or regulation that
5 requires an attorney to be present at each board meeting
6 to serve as chairman?

7 A I'm going to say I think it -- I believe it's in
8 the statute.

9 Q Okay. How many attorneys are on the board right
10 now?

11 A Well, we have one active, Corradino, and then
12 Mr. Greer is a retired attorney.

13 Q Okay. Do you know if Mr. Greer can serve as
14 chairman?

15 A No.

16 Q How does it affect the board if Mr. Corradino,
17 the sole attorney on the board, can't be present for a
18 hearing, for a meeting?

19 A It has a direct impact. We had to change
20 recently two of our hearing dates, so it costs a little
21 bit more money when that happens because we've sent out
22 hearing notices and now you have to re-send them; it takes
23 time, you have to call people and let them know because
24 you're not certain whether, you know, they're going to
25 pick up that second certified letter.

1 So, yeah, it can have -- it's more of an impact
2 on the work -- the office work versus the board. The
3 board just switches days. However, you know, when you do
4 switch days, too, that you're asking the board members
5 "is this going to work for you."

6 Q Right.

7 A Because you have to have a quorum.

8 MS. BAIRD: Can you hand Exhibit 9 over to
9 Ms. Mazzoccoli?

10 MR. SNOOK: Are you going to come back to
11 this exhibit?

12 MS. BAIRD: Do you want to ask some
13 questions?

14 MR. SNOOK: I just want to ask some
15 questions.

16 MS. BAIRD: Go ahead.

17 MR. SNOOK: If I may direct your attention
18 to Page 4, under the subsection "Cause."
19 According to this audit report, what is the
20 current delay or period or backlog period?

21 THE WITNESS: 10.5 months.

22 MR. SNOOK: Is that true as of this date?

23 THE WITNESS: No. We're at -- well, at the
24 end of this year, 2011, we were at eight months.
25 Presently we are at seven-and-a-half months.

1 MR. SNOOK: Thank you.

2 THE WITNESS: But that can change. Daily.

3 BY MS. BAIRD:

4 Q I'm handing you Exhibit 9. Do you recognize that
5 letter?

6 A Oh, yeah.

7 Q Okay. Well, how do you recognize it? You've
8 seen it before?

9 A Yeah. Because it -- this was an issue regarding
10 the backlog, and that Peter wanted this to be addressed
11 between the board and the Department of Public Safety.

12 Q Okay.

13 A He pushed for this.

14 Q And there was a letter that preceded it.
15 Correct?

16 A Oh, yeah. Because we put in the request.

17 Q Let me try to find that letter for you.
18 Exhibit 21. Do you recognize Exhibit 21?

19 A Yes.

20 Q Did you have any part in drafting Exhibit 21?

21 A No.

22 Q And were you aware that Chairman Adams intended
23 to send a letter to Commissioner Danaher?

24 A Oh, yes.

25 Q Do you know how it came to be that Chairman Adams

1 wrote this letter to Commissioner Danaher?

2 A Peter asked for it.

3 Q Did Peter discuss writing such a letter to
4 Commissioner Danaher with you?

5 A Yes.

6 Q Did those discussions occur by phone or in
7 person?

8 A Both.

9 Q Okay. When they occurred in person, would it be
10 at board meetings?

11 A Yes.

12 Q How long, if you know, was Peter requesting that
13 such a letter be written to Commissioner Danaher?

14 A Oh, probably a couple of months.

15 Q What kinds of things would Mr. Kuck discuss with
16 you as his reason for wanting such a letter to go to the
17 commissioner?

18 A Well, the backlog. He wanted that addressed. I
19 remember him also being concerned about cases that were on
20 our schedule, but got resolved prior to the hearing.

21 Q Since 1998 when you started working with the
22 board, how long had that situation been occurring where
23 cases were on the agenda to be heard, but were resolved
24 prior to hearing?

25 A The whole entire time.

1 Q And the cases that were resolved prior to
2 hearing, were those cases that actually appeared on the
3 agenda that you would distribute?

4 A No. They do not.

5 Q Would those cases be cases that were somehow
6 noticed to the State Police that were going to be put on
7 the agenda?

8 A Oh, yeah. Definitely.

9 Q We'll get more into that, but let's go back to
10 this May 14th, 2007 letter. Exhibit 21 comes out of the
11 address 505 Hudson Street, Hartford, Connecticut; that's
12 the letterhead. Would you have been the one that prepared
13 this and sent it out?

14 A Yeah. I'm going to take an educated guess that
15 this was composed by the chairman and he sent it to me to
16 put on letterhead, and then I sent it.

17 Q And looking at Plaintiffs' Exhibit 21, the first
18 paragraph where it talks about a hearing date 14 months
19 out and the backlog at 304 cases, did you provide that
20 information to Chairman Adams?

21 A Yes.

22 Q Did he ask you for it?

23 A Yes.

24 Q And in looking at the third paragraph on
25 Exhibit 21, it talks about a strategy. The paragraph

1 begins with "One strategy"?

2 A Okay.

3 Q Did Chairman Adams discuss that part of the
4 letter with you, the third paragraph, where he would be
5 talking to Commissioner Danaher about a strategy?

6 A (Reviewing.) I don't remember him discussing
7 that with me.

8 Q Okay. Is that a strategy that you were aware of
9 prior to reading that third paragraph in Exhibit 21 today;
10 that the Firearms Unit would be provided more advance
11 notice of the hearing docket so that they could clear out
12 the uncontested matters and focus on the cases that would
13 require more work on their part?

14 A Okay. Could you say the first part of that
15 question again?

16 Q Yes. The strategy that Chairman Adams is
17 suggesting in the third paragraph, I'm asking if you're
18 familiar with that strategy or recommendation. Is that
19 something that --

20 A Oh, yeah. I'm familiar with it. I'm reminded of
21 it when I'm reading it, yes.

22 Q Okay. So what I'd like to ask you is as the
23 person who is most knowledgeable about, you know, the
24 operations of the board office here today, what your
25 impression of what that means is. What does that mean, to

1 provide the unit more advanced notice of our hearing
2 docket?

3 A Well, before we had the Web site, I would send
4 them a list of appellants and their dates of birth to
5 them, saying these were cases that were going to be heard.
6 And hopefully they would be able to start researching
7 those and be ready.

8 Q When you would send them those list of
9 appellants' names, would the appellants' names that you
10 sent them just be appellants whom were being considered
11 for hearing at the next meeting?

12 A No. No.

13 Q How did you determine how many appellants' names
14 to send over to the Firearms Unit?

15 A I don't remember. I know that it was more
16 than -- we would try to give them advance notice. Yeah.
17 But I don't remember exactly who determined how many.

18 Q Just going back to paragraph three again on
19 Plaintiffs' 21, it talks about: Presently, we provide
20 about one-month advance notice of hearings.

21 In May 2007, was that the situation, that the
22 Firearms Unit would get about one-month advance notice of
23 hearings?

24 A Yeah, that sounds about right.

25 Q And then the final sentence in paragraph three

1 says: We are considering setting our calendar 90 days in
2 advance to provide the unit more lead time.

3 What would that mean if the board did, in fact,
4 set their calendar 90 days in advance?

5 A It just meant that I provided them with more
6 names. We used to have -- I would set up the database so
7 that you had a column for the date of the hearing, and
8 then you would have the first, last name, middle name,
9 then you would have date of birth. There would be a
10 column for notes, and then there would be a column if it
11 was a denial, you would have the town. Still to this day
12 that's what I do. And so if I had to go out three months,
13 I would count out the 10, 10, 10; so they would get 30
14 names or maybe more, a few more, you know, depending.

15 Q Currently as we sit here, how far out are the
16 names set under specific hearing dates? How far out are
17 you scheduled?

18 A To August. I just finished August yesterday.

19 Q So it's February now, so that's about five months
20 out. Correct?

21 A Yeah.

22 Q So five months out is even longer than the 90
23 days' advance that Chairman Adams was talking about in
24 Plaintiffs' Exhibit 21.

25 A Oh, yeah, because we now have a Web site. And so

1 any changes that I make to my database, at least once a
2 week I update the Web site.

3 Q And the Firearms Unit gets its information off
4 the Web site or --

5 A Yes.

6 Q -- do you send over those specific files to them?

7 A No. They get the information off the Web site.
8 I don't publish the date of birth, so if they see like --
9 for instance, Detective Mattson called me about George
10 Smith this week, and she says could you give me George
11 Smith's date of birth. And so I provided that for her.

12 Q Is there any reason why the schedule goes five
13 months out instead of eight months out?

14 A You mean because we were on like an
15 eight-month -- that is -- I look at what I have on my desk
16 that are letters that have -- that I've stamped in that
17 I've received, and there are some with questionnaires that
18 I separate from the ones that don't have questionnaires.
19 There may be the initial appeal and then there are the
20 ones with the questionnaires, the second step. And I
21 assign them a case number, but I haven't had time to
22 review them or add them to my database. But when it comes
23 to -- if anybody asked me what the backlog is, I feel that
24 I should include those, so I'll give them those names -- I
25 mean that number. Including those names with that number.

1 Q So if someone has filled out a questionnaire, in
2 all likelihood they've been scheduled for a hearing and
3 they appear on the Web site?

4 A They are not quite on the Web site yet, okay?
5 There's people who are on the Web site, and then there's
6 people who haven't made it to the Web site because I
7 haven't had time to add them. But if somebody asked me to
8 give them a number, like what's our backlog today, I will
9 definitely include those files because they've completed
10 the questionnaire and they're "ready to go" is what we
11 call it.

12 Now, have I reviewed all of those? There might
13 be a few that if I looked at it I'd see, okay, they were
14 barred. It used to be that if I knew someone was barred,
15 I would write them a letter. It was a letter that was
16 composed by the board that would say you're barred, and
17 so -- and I'd give them the number for the Board of
18 Pardons in the letter. Now, Chief Knapp wants even if
19 they are barred, to be included because it may be an
20 identity issue. And so now I review them, but I'm not
21 reviewing them the same way that I used to.

22 Q If you could pull Exhibit 23 and Exhibit 90.

23 When you came to the board, were you provided
24 any information about any rules or regulations or
25 policies that you were to follow in your job?

1 A No.

2 Q Okay. Were you provided any information about
3 rules, regulations or policies that board members were to
4 follow in their job?

5 A No.

6 Q I'm going to hand you what's been identified as
7 Plaintiffs' Exhibit 90 in this case. It's actually in a
8 plastic packet. I'll open it for you, though; you don't
9 have to do it. I'll ask you to look at it and then I'm
10 going to ask you if you recognize it?

11 A I do.

12 Q Okay. What do you recognize it as?

13 A It's the regulations.

14 Q Okay. Are these regulations that -- the copy of
15 the regulations that you have in front of you, is that
16 similar to a copy of regulations you've seen before?

17 A Yes. I actually had them on my desk, in a
18 folder. I had like a -- you know, you have a folder
19 divider, and I always put that out front because I was
20 told, don't remember who, that if anybody came by the
21 office and wanted to see those, you had to have them
22 ready. And so I was too busy to read through them, but I
23 had them there.

24 Q When you came to the office in 1998, was
25 Exhibit 90 already there?

1 A Yeah.

2 Q And was it already displayed in the folder you
3 just described on the desk?

4 A It was in that folder, yes.

5 Q Is it fair to say that's where it remained?

6 A Oh, yeah.

7 Q And then when you moved to 505 Hudson, did it go
8 with you, Exhibit 90?

9 A Oh, yeah.

10 Q And that went to another folder on another desk?

11 A Same folder, different desk.

12 Q Okay. And in looking at Exhibit 90, there are
13 regulations in there, 29-32b-1 through 29-32b-5. Correct?

14 A Yes.

15 Q Then there's actually another page on the back of
16 it. Do you know what that is? A certification page.

17 A Yeah. That was signed by the person who I
18 believe was, yeah, chairman when Mr. Carr was the
19 secretary. Before I came.

20 Q Okay. Do you agree with me that at least in
21 Exhibit 90 there are six pages, with the seventh being
22 that certification?

23 A Yeah.

24 Q Okay. Had you ever noticed on that last page of
25 Exhibit 90 up in the upper right-hand side where it says

1 "6 of 6 pages"?

2 A I don't -- not really.

3 Q Okay. Well, did you have any reason to believe
4 that there were more pages that should have been included
5 within Exhibit 90?

6 A No.

7 Q And do you remember any more than the six pages
8 plus the certification being included in Exhibit 90?

9 A No.

10 Q And other than the regulations that are in
11 Exhibit 90, were there any other rules or procedures or
12 policies that were located at the board office that --

13 A No.

14 Q -- you kept on display for others to see?

15 A No.

16 Q Or that you followed?

17 A No.

18 Q Did there come a time when you met an individual
19 by the name of Edward Peruta?

20 A Yes.

21 Q And when did that happen?

22 A Well, actually, I had met him before he ever had
23 anything to do with the Board of Firearms.

24 Q Oh, okay. So is it fair to say that about 2007
25 you met him in your capacity --

1 A Yes.

2 Q -- with the board? Correct?

3 A Correct.

4 Q And prior to that you had met him already?

5 A Yeah. Because he -- my former husband was mayor
6 in Newington -- he was a very, very active person in
7 politics -- not politics. I know he hates the word, but
8 he was a gadfly. And I'm sorry, but that was what we
9 called our person and they were held in great esteem; not
10 by Mr. Peruta, but by Myra Cohen, who was Newington's;
11 she's called the tenth councilor. We have nine
12 councilors. She liked that title better, but that was the
13 word that was used.

14 Mr. Peruta, though, took it to a new level and
15 had a TV show on Local Access, and at that time Newington
16 people were able to view it, and that's when I saw him
17 for the first time. And then one time he came to a
18 council meeting and I met him, but it was a very brief,
19 "Hi, how are you. I saw you on TV" kind of thing.

20 Q Okay. What was the contact that Mr. Peruta had
21 with you back in 2007 in your capacity with the board?

22 A Well, he was concerned about a friend of his son
23 who had had his permit revoked. A Mr. Goldberg.

24 Q Okay. Did Mr. Peruta make any requests for
25 information from you?

1 A Oh, yeah.

2 Q And were part of those requests any data from
3 computers?

4 A Yes.

5 Q And did he receive any information as a result of
6 his request?

7 A Oh, yes.

8 Q How did you go about providing him that
9 information?

10 A I printed it out.

11 Q Okay.

12 A And sometimes on a CD.

13 Q Did this provision of information in response to
14 his request occur more than one occasion?

15 A Yes.

16 Q Do you know approximately how many occasions?

17 A A lot. Sorry.

18 Q Well, did there come a time during 2007 when you
19 became aware that Mr. Peruta and Mr. Kuck knew each other?

20 A Yes.

21 Q And how did you become aware of that?

22 A I'm not sure.

23 Q Did you ever see Mr. Kuck and Mr. Peruta
24 together?

25 A They came to my office one time together, I

1 think.

2 Q Okay. One time?

3 A Yeah.

4 Q When they came to your office, did they tell you
5 what the reason was why they came to your office?

6 A I don't remember.

7 Q Did you talk to them when they came to your
8 office?

9 A Yeah.

10 Q And what was said during the conversation that
11 you had with them?

12 A I don't remember exactly. I'm just going to
13 assume that it was about Mr. Goldberg.

14 Q Okay. Did you ever engage in any discussions
15 with Mr. Peruta about the backlog?

16 A Yeah.

17 Q Okay. And did he request information about that?

18 A Yes.

19 MS. BAIRD: Exhibit 22 is the notebook
20 there, the black notebook. Mr. Snook, I just
21 wanted to point out for you that Exhibit 22 --
22 do you have your copy of Exhibit 22?

23 MR. SNOOK: I think I do.

24 (Brief discussion held off the record.)

25 MS. BAIRD: Are we back on the record?

1 The reason why I asked if you had your copy
2 is because with Exhibit 22 what I did was
3 because I had the original exhibit, I went
4 through and numbered the pages in the bottom
5 right-hand corner.

6 MR. SNOOK: Okay.

7 MS. BAIRD: Just to make it more
8 convenient. But you can match up your pages
9 with my pages to just double-check if it's
10 exactly the same. But other than the numbered
11 pages in the bottom right --

12 MR. SNOOK: Okay.

13 MS. BAIRD: I thought it might just make it
14 easier to go through.

15 MR. SNOOK: Sure.

16 BY MS. BAIRD:

17 Q If I could direct your attention to Exhibit 22 at
18 Page 2. If you need time to read an e-mail chain in its
19 entirety to be able to answer my questions, don't hesitate
20 to ask.

21 MR. SNOOK: Go ahead and read. I'll be
22 right back.

23 THE WITNESS: I'll read it.

24 (ATTORNEY SNOOK LEFT THE PROCEEDINGS.)

25 A Are we starting just on Page 2, though? That's

1 it?

2 BY MS. BAIRD:

3 Q Yes.

4 A (Reviewing.) Okay.

5 (Attorney Snook rejoined proceedings.)

6 BY MS. BAIRD:

7 Q On Page 2 of Exhibit 22, the e-mail dated
8 May 30th, 2006, 3:51 p.m., from you to Mr. Adams. Would
9 you describe what you mean in that paragraph when you say,
10 "We started with 20 cases to review and presently have 12
11 cases scheduled," what you mean by 20 cases to review and
12 12 cases being scheduled?

13 A It's something that I still do today. I schedule
14 20 people -- 18 to 20 people. Some of the cases are a
15 little bit heavy in the content, so sometimes those months
16 have 18. Okay? And always turns out it doesn't work
17 anyways. And then what happens is as I have submitted
18 that information to the Department of Public Safety, they
19 will then say -- they'll call me up and say, "oh, we
20 already reissued them their permit." Or "that one isn't
21 going to be part of the" -- "has withdrawn their appeal."
22 Those I have to follow-up with, call the appellant. You
23 start out with 20, and then you end up with 8 being
24 resolved if you ended up with 12.

25 Q And when you end up with 12 after the eight have

1 been resolved, do you then add eight more cases to the
2 agenda to get back up to 20?

3 A Well, we sometimes can and sometimes can't,
4 depending on how that information -- how soon that
5 information gets to me. Because I have to have enough
6 time to notify -- at that point the state was representing
7 all the cases. They no longer represent all the cases.
8 So I would have to have time to notify them, okay, that we
9 would be adding more people, so that they would have
10 enough time to get their witnesses. And also, I would
11 have to have time for the appellant to be notified. So if
12 there wasn't enough time, then you didn't add people; but
13 if there was, then you added people.

14 Q Have there been occasions when there was enough
15 time to add people?

16 A Yeah.

17 Q And what differed about those occasions where
18 there was time to add people and the occasions when there
19 wasn't time to add people?

20 A How busy I was at the office.

21 Q Did it have any relationship to how busy the
22 detectives at the Firearms Unit were?

23 A No. They would complain.

24 Q And what would they complain about?

25 A Well, because there was more work involved.

1 Q Okay. Directing your attention to Page 5. Just
2 going over again what I think you've already testified
3 about, but would you testify what you meant in that e-mail
4 at Page 5: DPS just took care of eight names on our list
5 of 40?

6 A Those are the eight cases they resolved prior to
7 the hearing.

8 Q So does that mean there were 32 cases left for
9 the hearing?

10 A No.

11 Q Okay. What does that mean?

12 A That means I had sent them a list of names
13 probably going out three months, or 90 names or whatever,
14 and they would review them and notify me of the ones that
15 they had resolved.

16 Q Are you familiar with a process where it's been
17 called in previous depositions taken in this case "20/40"?
18 Some months 20 cases were sent to the Firearms Unit and
19 then the next month 40 cases would be sent, and the next
20 month 20?

21 A You know, that does kind of ring a bell, but I
22 think that was at the request of Department of Public
23 Safety.

24 Q Would that request have come directly to you?

25 A I believe they might have asked the chairman and

1 then -- you know, and then I would be told either by the
2 chairman or by the Department of Public Safety.

3 Q At some point did you communicate with then
4 Lieutenant Fox about board issues and scheduling issues?

5 A No. Because he was the attorney.

6 Q Okay. Well, tell me about any communications or
7 what your policy was with regard to communicating with
8 attorneys who represented the State Police at the board
9 hearings.

10 A Well, there wasn't any policy. They would -- we
11 were -- they would come maybe the day before the hearing
12 to Department of Public Safety. And the only reason I
13 know that is because the detectives would tell me that.
14 And so they would review the cases. But I didn't really
15 speak with the attorneys.

16 Q Prior to Mr. Adams becoming chairman, did you
17 have communications with Mr. Dukes or any of the other
18 previous chairmen, named and unnamed, Mr. O'Connor being
19 one of them, about cases that had been resolved prior to
20 hearing?

21 A Once -- you mean once Chairman Adams was the
22 chairman?

23 Q Yes. Well, we were looking at an e-mail on
24 Page 5, Exhibit 22, where you're reporting to Mr. Adams
25 that, you know, DPS had just taken care of eight names on

1 our list of 40. Did you provide information to Mr. Dukes
2 like that to keep him up to date on what DPS was doing?

3 A He would ask once in a while.

4 Q So this was a process that had been going on
5 prior to Mr. Adams becoming chairman.

6 A Yeah.

7 Q Page 7. How did you learn that -- well, it says
8 in this e-mail. But what conversation did you have with
9 Mr. Kuck about his visit to Senator Guglielmo?

10 A I think it was a phone conversation where he told
11 me. I've got to read this, though.

12 (Reviewing.) So yeah. From Peter.

13 Q Had you ever known Senator Guglielmo to be
14 involved in or concerned about what was going on at the
15 board?

16 A Only because I'm interested in politics, that I
17 knew pretty much where the senator stood as far as NRA
18 issues. But that was just -- I never really applied that
19 information or used that information with my work. But
20 I -- when I heard that he spoke with Senator Guglielmo, I
21 figured that was his senator and so he went to his senator
22 to let him know that he had an issue.

23 Q Did you have conversations with the senator about
24 issues that Mr. Kuck had brought up?

25 A I believe I spoke with his office, but I don't

1 remember if I spoke with him. I might have one time.

2 Yeah. I remember, yeah. He did call one time.

3 Q Did he ask you questions about the backlog?

4 A I don't remember.

5 Q Did you have any conversations with Detective
6 Mattson about Senator Guglielmo's interest in the board
7 and the backlog?

8 A I might have.

9 Q And did Detective Mattson indicate to you that
10 she was required to make a report about questions that
11 Senator Guglielmo had?

12 A I don't remember that.

13 Q Okay. Do you remember anything about the
14 conversations with Detective Mattson about this contact by
15 Senator Guglielmo?

16 A I'm not positive I had a conversation with her,
17 but it sounds like something that we might have talked
18 about.

19 Q And the same question with regard to Detective
20 Karanda. Did he approach you or discuss with you any
21 contact that Mr. Kuck had had with Senator Guglielmo?

22 A No.

23 Q In terms of Detective Mattson and Detective
24 Karanda, was there one or the other that you had more
25 contact with related to your board duties?

1 A Well, to tell you the truth, it's whoever picks
2 up the phone. It's very difficult to get through, so --
3 it's kind of like winning the Lottery, to tell you the
4 truth.

5 Q How would you send over information about
6 upcoming agendas? Would they be faxed or e-mail --

7 A Faxed. And then at some point I would e-mail.
8 Detective Mattson is not a fan of e-mail. She just
9 recently started using e-mail. So I always make sure that
10 I attach the other detective's name to the e-mail just in
11 case, if I feel that I need to get them immediately. For
12 instance, if I tried to get through the 8285 number and
13 then I tried the direct line for Detective Imbimbo, for
14 instance now, if I get the voice mail of both, I will
15 e-mail both of them. I'm not aiming it particularly at
16 Detective Mattson, but since they both can resolve my
17 issue or my question, then I will address it to both. If
18 Detective Mattson leaves me a message and I can't reach
19 her, then I also send it to both.

20 Q Do you know why Detective Karanda left the
21 Firearms Unit?

22 A I just know rumors.

23 Q Did you ever discuss with Detective Mattson
24 Detective Karanda leaving the Firearms Unit?

25 A No.

1 Q Did you ever discuss with anyone in the State
2 Police why Detective Karanda left the Firearms Unit?

3 A No.

4 Q Okay. These rumors that you're talking about,
5 you would hear them at board meetings?

6 A No. It was -- well, you know what? Now I'm
7 thinking about it, the rumor would have come from another
8 staffer at the Department of Public Safety, and I don't
9 know why I would be talking with anybody else. Maybe
10 because the others didn't pick up the phone or -- but I
11 remember that I was told that they were really good
12 friends at the beginning and then they got to a point
13 where they argued, and then they didn't speak to each
14 other at all, and then Detective Karanda asked for a
15 transfer.

16 Q Did you ever witness any indication of that
17 deterioration of the relationship you just described?

18 A No.

19 Q Who would come to board meetings from the
20 Firearms Unit on a routine matter? In a routine --

21 A Both Detective Mattson, Detective Karanda would
22 come. They would come in and out sometimes. It always
23 seemed like one of them would be there, though. And then,
24 of course, the attorney who was representing the
25 commissioner.

1 Q And do you know what effect, if any, Senator
2 Guglielmo's contact with you or the board had on the
3 backlog?

4 A I don't think it had an impact.

5 Q Do you know how long he remained in contact with
6 the board and interested in what was going on there in
7 terms of the backlog?

8 A Just -- I don't know, maybe a follow-up call.
9 But -- I'm not sure of that. I'm just assuming what I
10 would do when I was in that position, because that's what
11 I did.

12 Q What?

13 A I worked as the aide for three state senators
14 when I worked at the Capitol.

15 Q Oh. And that was prior to 1998?

16 A Oh, yeah. Yeah.

17 Q Okay.

18 A In the '80s.

19 Q Oh, okay.

20 A Yeah. So, you know, if someone -- if you called
21 someone for a senator and there was an issue, then they --
22 you would discuss that issue, report back to your senator
23 and then you always had a follow-up call.

24 From reading this, it looks like there might
25 have been a follow-up call. Because I spoke with the

1 staff, it's saying? Yeah. I left a voice mail message
2 with the senator's aide. Yeah. "Aide" is a new title
3 now. We were called secretaries then.

4 Q Do you recall any specific action that you or the
5 board took in response to these contacts with Senator
6 Guglielmo?

7 A I'm sure I notified the chairman.

8 Q Going on to Page 8, there is a March 22nd, 2007
9 e-mail at the bottom. We're still on Exhibit 22. It
10 appears that it's an e-mail from Chris Adams to Mr. Kuck.
11 Is this an e-mail that you would have seen?

12 A I want to read it because it's not addressed to
13 me, so --

14 Q But then if you could read the e-mail above it.

15 A Yeah.

16 (Reviewing.) The first paragraph, yes. The
17 second paragraph, no.

18 Q Okay. On Page 8, if you go directly above that
19 e-mail from Mr. Adams to you, dated March 22nd, 2007, at
20 8:58 a.m., it appears that -- did Mr. Adams send that
21 e-mail to you that he had sent to Peter Kuck for your
22 comment?

23 A Yeah.

24 Q Okay.

25 A That's what he's saying. "Let me know what you

1 think."

2 Q Did Mr. Adams confer with you on a regular basis
3 about your thoughts and opinions about various board
4 matters?

5 A About the backlog and about Peter's request, yes.

6 Q Okay. Going back to Mr. Adams' e-mail to
7 Mr. Kuck at the bottom of Page 8, Mr. Adams refers to the
8 backlog trending down over time. Was that the case in
9 2007, that the backlog was trending down?

10 A I don't think so.

11 Q When Mr. Adams talks about being out of session,
12 "that will have to suffice until we're out of session," do
13 you know what he meant by that?

14 A Oh, yeah.

15 Q What did he mean?

16 A Well, because he worked for the House of
17 Representatives Republican Caucus and he was their
18 attorney, session is when the legislature is in -- that's
19 when they are there at the Capitol and actually going
20 through the process. There's -- it's a full-time job, and
21 they are actually very active when they're not in session.
22 However, session is when proposed bills are brought to
23 committee, bills will be considered by the chairpeople
24 whether to pursue them or not. The committee votes on
25 them, then they go to either the House or the Senate, or

1 maybe another committee. And then they vote and -- when
2 they're in session -- I mean I should say when they are in
3 the House or in the circle.

4 Q Right.

5 A So yeah.

6 MR. SNOOK: If I can interrupt?

7 MS. BAIRD: We can go off the record.

8 (A recess was taken at 11:40 a.m.)

9 (The proceedings resumed at 11:55 a.m.)

10 BY MS. BAIRD:

11 Q Back to Page 8 of Exhibit 22. It references in
12 Mr. Adams' e-mail to Mr. Kuck at the bottom of Page 8 that
13 a new commissioner has either just come in or will be
14 coming in. Was that Commissioner Danaher?

15 A Yes.

16 Q Prior to Commissioner Danaher -- we'll talk about
17 the commissioners that preceded him at DPS. Did you have
18 any dialogue with DPS commissioners while you were working
19 for the board?

20 A No. I would -- well, I can't say that. Not
21 directly with the commissioner. Every once in a while I
22 would speak with the secretary, and that was just being
23 able to locate people and also set up a meeting that we
24 eventually had with that commissioner.

25 Q And which commissioner meeting are you talking

1 about?

2 A The meeting where we met to discuss the backlog.

3 Q And that would have been Commissioner Danaher?

4 A Yeah. Yeah. So I spoke with his secretary.

5 Q And that was Colleen?

6 A Yes.

7 Q Do you know her last name?

8 A No.

9 Q Did you meet with any other commissioners other
10 than Commissioner Danaher?

11 A Actually, Henry Lee. When I first went to the --
12 to be located there that short time, he came up to
13 introduce himself to me and he had two troopers dressed as
14 elves. They were handing out Christmas gifts which were
15 this little light bulb thing that lasts forever; and
16 really did. Then there were days where you could bring
17 your children to work, and he always loved that. And it
18 happened to be during the time I was there, so that was
19 nice; I got to meet him, and my son got his picture taken
20 with Henry Lee. And that's about it.

21 Q This meeting that you had with Commissioner
22 Danaher, when did that occur?

23 A I'm assuming somewhere between that May letter.
24 Maybe -- I'm trying to remember if it was before or after.
25 I think it was after? I'm not sure exactly.

1 Q And the May letter that you're talking about
2 is --

3 A The letter that we were looking at before, where
4 we asked for some help and then they responded.

5 Q Exhibit 21, the May --

6 A Yeah.

7 Q -- 14, 2007 letter?

8 A Yeah.

9 Q And who attended that meeting with the
10 commissioner that you were also present at?

11 A It was the commissioner. I think it was Fox; it
12 was definitely another person was there. And then myself
13 and the chairman. And I kind of pushed myself into that
14 meeting.

15 Q And that would have been Chairman Adams?

16 A Right.

17 Q How did the meeting go about getting arranged and
18 then how did you become part of the meeting?

19 A Well, the chairman told me that he was going to
20 meet with the commissioner, so I called Colleen. And then
21 the reason why I wanted to be involved was I felt I would
22 have the information to help with the whole idea of how we
23 worked, how the backlog worked and how the -- you know,
24 how we scheduled people. And also, I had a pet peeve.
25 The applications at the Department of Public Safety for

1 pistol permits always asked two questions that annoyed the
2 heck out of me. One was, "Have you ever been arrested?"
3 And then, "Have you ever been convicted?" There were way
4 too many people, I thought, my personal opinion, that were
5 denied because they wrote "yes" -- "no" to both those
6 questions; and they would be denied by the locals because
7 they actually were arrested, but then in the end they
8 weren't convicted. So they would have to say -- according
9 to the local police, they would have to say, yes, I was
10 arrested and what it was for and the date, and then when
11 they would get the second question, they would say it was
12 dismissed -- if it was dismissed -- or nolle, depending
13 on when they submitted the application.

14 I felt that that was a way to deny people who
15 didn't need to be denied, and I felt that that was
16 creating some of our backlog. And that was the one time
17 that I kind of pushed myself even into the conversation
18 once I was there, because I wasn't really included in the
19 conversation, but I kind of pushed the issue. It took
20 about a year, but I had an effect. They changed the
21 application.

22 Q Was that issue discussed at the meeting with --

23 A Yes.

24 Q -- Commissioner Danaher?

25 A Yes, it was. He said he would look into it. I

1 felt that there needed to be an explanation. I felt that
2 there needed to be a change to that because if you no
3 longer had a record, why should the fact that you were
4 arrested in the past have any effect on you? All of them
5 told me -- my attorney told me I -- once I was -- you
6 know, it was dismissed, I'd never even have to tell
7 anyone.

8 Q Did Chairman Adams take a position at the meeting
9 with regard to this issue that you had with that question
10 on the questionnaire?

11 A He agreed. Yeah.

12 Q Okay. And what was discussed in terms of the
13 backlog at this meeting with Commissioner Danaher?

14 A Just the fact that we were asking for them to
15 review more cases, and they were basically telling us that
16 they just didn't have the money or the manpower. And so I
17 don't really think at that time that the issue was
18 addressed. It was later, but not right away. You didn't
19 see an immediate -- any good results from that meeting.

20 Q We're going to pull out Exhibit 9 again, and that
21 is the September 14th, 2007 letter from Commissioner
22 Danaher back to Mr. Adams. But don't put your notebook
23 away.

24 A Oh. Okay.

25 Q Between May 14th, 2007 and September 14th, 2007

1 when Commissioner Danaher wrote this letter at Exhibit 9,
2 did Mr. Kuck ask you for the status of Commissioner
3 Danaher's response to Mr. Adams?

4 A Oh, I'm sure he did.

5 Q Was he concerned about the fact that there hadn't
6 been any written response to the May 14th --

7 A Yeah.

8 Q -- 2007 letter?

9 A Yes.

10 Q How did he express that?

11 A Every time we met he'd say where's the written
12 response?

13 Q And to your knowledge -- well, I'll put it this
14 way. Did you make Mr. Kuck aware that you had met with
15 Commissioner Danaher?

16 A I think so.

17 Q Okay. And --

18 A Yeah. We actually put it in the minutes that we
19 had all met together.

20 Q Okay. So somewhere in the 2007 minutes there
21 would be a reference to a meeting that was held with
22 Commissioner Danaher?

23 A Yes.

24 Q What section of the minutes would that go in?

25 A Probably under "other business."

1 Q Okay. Were you aware that Mr. Kuck was
2 interested in meeting with Commissioner Danaher?

3 A Yes.

4 Q Did you take any part in attempting to set up a
5 meeting between Mr. Kuck and Commissioner Danaher?

6 A Yeah; he asked me to. I called Colleen, and then
7 they responded to me saying that they were canceling the
8 meeting because Mr. Kuck wasn't the chairperson.

9 Q So there actually had been a meeting scheduled at
10 some point --

11 A Yeah.

12 Q -- between Commissioner Danaher and Mr. Kuck?

13 A Yes.

14 Q What was your response to Colleen with regard to
15 that reasoning that Mr. Kuck wasn't the chairman?

16 A I probably said okay. I know that I spoke with
17 the chairman about it.

18 Q Okay. What did Mr. Adams say?

19 A He was annoyed half at Peter and half at me
20 because I hadn't mentioned anything to him about it. But
21 I had mentioned it to him.

22 Q What was he annoyed at?

23 A Well, because I think he wanted to know -- I
24 think -- just the fact that the commissioner canceled the
25 meeting; you know, that he wasn't informed that there

1 would be a meeting. And that -- that's about it.

2 Q Was Mr. Adams annoyed that Mr. Kuck was trying to
3 meet with the commissioner?

4 A Yes.

5 Q Okay. Was it your impression that Mr. Adams was
6 annoyed that Mr. Kuck was inserting himself into the
7 issue?

8 A Yes.

9 Q And that Mr. Kuck had no right to be involved in
10 the issue?

11 A Yes.

12 Q Did you take a position with Mr. Adams on that or
13 did you see Mr. Adams as somewhat of your -- did you view
14 Mr. Adams as somewhat of your boss?

15 A Well, yeah. I did. I always thought the
16 chairman was the boss. And, yeah, I would say that --
17 because Peter -- and it's not just Peter, but it was the
18 combination of Mr. Peruta asking for a lot of information
19 and Peter asking for even more -- well, not more, but
20 adding to that, the stress level was very high. And Peter
21 was an easier target than Mr. Peruta. So, of course, I
22 was upset. I figured that if I told the chairman about
23 Peter, that he could do something about it. I knew he
24 couldn't do anything about Mr. Peruta. What I was doing
25 basically, embarrassing, was trying to lighten my load

1 because I wasn't getting the job done at that time in the
2 way that I wanted to get it done.

3 Q Did Mr. Adams discuss with you whether he agreed
4 or not with Mr. Kuck that the backlog was a problem?

5 A We -- maybe in e-mails. I'm not sure. But I
6 don't remember him talking with Mr. Kuck.

7 Q No. Did Mr. Adams discuss with you whether
8 Mr. Adams thought the backlog was even a problem?

9 A When the auditors -- yeah.

10 Q Did Mr. Adams view the backlog as a problem?

11 A Not really. Not -- I mean he saw that it was a
12 problem -- it was a problem because Peter was making it
13 part of his problem. And I don't think the fact that it
14 was 16 months really was too much of an issue because when
15 he came in, that's what it was. Does that make sense?

16 Q Mm-hmm. What authority do you know of that the
17 auditors have to impose their recommendations on the
18 board? For example, when the auditors say the board
19 should decrease the backlog to 90 days or three months --

20 A They have no authority.

21 Q What happens if that doesn't happen?

22 A Nothing. We get audited again and they bring it
23 up as another recommendation.

24 Q Other than Mr. Kuck, was there any other member
25 on the Board of Firearms that pushed the issue of the

1 backlog in 2007?

2 A Not that I know of. I mean when Mr. Kuck would
3 bring it up as part of the discussion, they might have
4 participated? I can't see them not participating. But I
5 don't remember anybody standing out in my mind that was
6 concerned.

7 Q Did Mr. Adams ever come to you and say that there
8 was any other member of the board that was making the
9 backlog a concern, other than Mr. Kuck?

10 A No. Not that I remember.

11 Q Page 11 of Exhibit 22, the notebook.

12 A (Reviewing.) Okay.

13 Q Did you have a concern back in March of 2007
14 about Mr. Kuck talking to Mr. Dukes about board matters?

15 A Yes.

16 Q What was that concern?

17 A Well, only because when -- the way it all
18 happened that he got hired by the Governor, and he wasn't
19 supposed to be directly involved with any of the boards or
20 commissions. I don't know if that's a rule or a law or a
21 regulation, but he told me that. So I didn't feel that we
22 could do that.

23 Q Okay. Did you involve Mr. Adams in this issue of
24 the propriety of Mr. Kuck talking to Mr. Dukes --

25 A Yeah.

1 Q -- about board issues? And what was Mr. Adams'
2 directive to you, if any, about that situation?

3 A I don't remember.

4 Q Okay. Did Mr. Adams take a position whether you
5 should stay out of it or you should stay involved in it,
6 or whether Mr. Kuck should talk to Mr. Dukes or --

7 A I told him that I didn't want to bother
8 Mr. Dukes, but I wanted him to handle it if he did get
9 involved.

10 Q Did that remain an issue over a substantial
11 period of time?

12 A Not really.

13 Q And do you know whether Mr. Kuck and Mr. Dukes
14 actually ever did speak?

15 A Not that I know of.

16 Q And what exactly was your role in it? You were
17 asked to arrange a conversation between the two?

18 A Between Mr. Dukes and Mr. --

19 Q Yes.

20 A No. No.

21 Q How did you get involved or how did you even know
22 that Mr. Kuck was trying to talk to Mr. Dukes?

23 A I don't -- I don't remember.

24 Q Page 13. At the top, the April 10th, 2007
25 e-mail. I'm going to ask you to read it and then, you

1 know, based on your position at the board I'm going to ask
2 you to explain what the numbers --

3 A Okay.

4 (Reviewing.) Okay.

5 Q Could you tell me what it means in that e-mail
6 when it says "we resolved 47 cases since the morning of
7 the last hearing"?

8 A That I had heard from the Department of Public
9 Safety and that they had done it.

10 Q Okay. Was there anything about that number that
11 struck you as unusual, 47?

12 A Well, yeah. That was --

13 Q Why was that unusual?

14 A Because that was an awful lot of cases to get
15 resolved all at once.

16 Q When you were notified that 47 cases were
17 resolved, were you given the case number and names of the
18 cases?

19 A Yes.

20 Q And was it indicated anywhere on the agenda those
21 47 cases that were resolved for the next month?

22 A I'm not sure.

23 Q Okay.

24 A Yeah.

25 Q Did you know anything about those 47 cases that

1 were resolved?

2 A Like what the results were? No.

3 Q Okay. Was there a policy or procedure where it
4 was reported to you and then to the board how the cases
5 were resolved or just that they were resolved?

6 A Just that they were resolved.

7 Q And then in the second sentence of that same
8 e-mail it talks about resolving 13 cases were ready to go.

9 A Yeah, that was the wrong terminology.

10 Q Well, can you explain what that second sentence
11 means?

12 A That meant that I had 13 cases scheduled that
13 weren't going to be resolved and were ready for hearing.
14 I probably started out with between April and May having
15 40 cases and then -- you know, 20 for each, and that with
16 April we ended up with 13, and 12 for May.

17 Q Then in the third paragraph it talks about the
18 remaining cases, 22 were resolved. Correct?

19 A Yes.

20 Q So the 47 cases that it refers to in the top line
21 of the e-mail, those are cases that were not scheduled for
22 hearing, but that were just reported resolved?

23 A They might have been part of it. I remember at
24 one point we sent a very long list of names for them to
25 review. I'm not sure at this point whether it was

1 Detective Mattson or the attorneys that stepped in. At
2 one point it was Doug Hall -- Sergeant -- I'm sorry --
3 yeah, Sergeant Doug Hall and Trooper Hatfield who took a
4 long review of the cases. So I'm assuming that might have
5 been around the same time. I'm not certain with the time
6 line. But they eventually did do that. But that sounds
7 about that time.

8 Q Did --

9 A So that's 22 cases might have been -- for
10 instance, if I sent the list down to them, the active
11 files or ready to go were still October -- I mean April
12 and May. And so they might have said, okay, this one's
13 gotten resolved, this one's gotten resolved, this one's
14 gotten resolved; and so I just took them out of those
15 months. And then the remaining 47 minus 22 came from the
16 rest of the list.

17 Q Did the Firearms Unit ever notify you that cases
18 had been resolved of cases where you hadn't sent them the
19 name or the file from the board?

20 A No.

21 Q For example, let me go through the process. Do
22 you receive notices of appeal from individuals who have
23 been revoked or denied?

24 A Oh, yeah.

25 Q What do you do with that notice? Who do you give

1 it to?

2 A I take it and I add it into a file. I add it
3 into a database and I respond. By letter.

4 Q Do you notify the Firearms Unit in any way of the
5 appeal when it comes in?

6 A No. I did at one point when I had an assistant.
7 We used to send a letter to the Department of Public
8 Safety I think almost immediately at the same time we were
9 responding to the appellant and -- because I had help to
10 do that. It's actually in our policies and procedures
11 that we're supposed to. But we didn't have policies and
12 procedures then.

13 Q This assistant, what was her name?

14 A We had Jackie Hudson. And later on, Donna
15 Matusick (phonetic).

16 Q When did Ms. Matusick leave the board office?

17 A I'm thinking three or four years ago?

18 Q And is that when the office stopped sending
19 notification to the Firearms Unit about the appeal?

20 A Yeah, pretty much. I tried to keep it up for a
21 while and then I just -- it didn't work. And also, to
22 tell you the truth, they didn't seem to really care.
23 Until the cases came up on the schedule, that's when they
24 wanted to see a copy of the appellant questionnaire, and
25 so -- but prior to, not -- they were really not that

1 interested.

2 Q Had it been your experience when you were
3 providing the Firearms Unit with the notices of appeal
4 that were received by the board, that there was no action
5 taken by the Firearms Unit in terms of --

6 A Yeah.

7 Q -- sending notice to you that there was a
8 reinstatement or action taken?

9 A No. I didn't hear from them then. Once that
10 case came up on the schedule and we were like three weeks
11 out, then I would hear. Three weeks prior to the hearing
12 date.

13 Q Now from your testimony it appears that although
14 notice doesn't go to the Firearms Unit when you receive it
15 right away, it pretty quickly goes up on the Internet
16 for --

17 A Oh, yeah.

18 Q -- a scheduled hearing.

19 A Well, once they send the questionnaire. I have a
20 drawer full of files, maybe 70, because I'm figuring I got
21 one full one and one half-one, yeah. So 70, 80 files
22 where people have appealed and they haven't forwarded me
23 their questionnaire. So their names are not on the
24 database.

25 Q And in those cases the Firearms Unit would have

1 really no way of knowing that those individuals had filed
2 an initial appeal?

3 A Oh, yeah. No, they wouldn't. They wouldn't.
4 The appellant often, when they call, think I'm the State
5 Police, and I have to explain that I'm not. And so I
6 mention to them that, yeah, eventually they'll be part of
7 the process.

8 Q Okay. Page 17 of Exhibit 22.

9 A (Reviewing.) Okay.

10 Q I'm going to focus on the first two paragraphs
11 and not on the second two.

12 A Okay.

13 Q From the first paragraph, it appears that there
14 were certain discussions that would go on between you and
15 one of the detectives in the Firearms Unit in planning how
16 many cases would be resolved or on the agenda. Am I
17 correct with that?

18 A Oh, yeah.

19 Q Okay. And what is the background of the
20 discussion that led you to write this e-mail to Mr. Adams
21 about these three cases?

22 A That was me trying to make everyone happy.

23 Q Okay. In that paragraph, what does that show --
24 and I'll use your term -- you know, being in the mill or
25 trying to make everybody happy?

1 A By doing that, I was deceiving people.

2 Q Okay. Well --

3 A I was -- the thing is, when we would have 20
4 cases and it would get narrowed down even below the 12
5 cases that -- before Mr. Adams was -- I'm forgetting his
6 name again.

7 MR. SNOOK: Dukes.

8 A Dukes. Thank you. He kind of established the 10
9 to 12 cases. Mr. Adams continued with that. So if it
10 went below the 10, and there were times that Peter would
11 say why do we only have six, or why do we only have seven?
12 So I was trying to make it look like we had 12 or 10.

13 BY MS. BAIRD:

14 Q From the time when Mr. Adams came on the board,
15 did he take that active interest in making sure that there
16 were 10 or 12 cases on for each board meeting?

17 A Not directly. I mean if I complained about, gee,
18 you know, we're handling these cases, they're getting
19 resolved. What's the issue? Why do I feel the pressure
20 to send things out last minute, not sure if I'm going to
21 meet the deadline and all that. I might complain to him
22 about it and he would say, you know, just do the best you
23 can.

24 Q Do you know if there was any relationship between
25 Mr. Kuck bringing up the backlog issue in April of 2007

1 and the concern that there weren't enough cases to be
2 heard scheduled for a meeting?

3 A Yes.

4 Q What was the relationship between that?

5 A Well, he wanted more.

6 Q Who did?

7 A Mr. Kuck.

8 Q And did Mr. Adams discuss with you that he knew
9 Peter Kuck wanted more cases on and heard?

10 A Yes.

11 Q Did Mr. Adams pressure you at all to make sure
12 that there were cases scheduled to be heard so that
13 Mr. Kuck wouldn't be upset?

14 A I wouldn't say "pressured." I felt the pressure
15 on my own. He was concerned and he didn't want to upset
16 Peter more, but I wouldn't say he pressured me. That was
17 more on my own shoulders.

18 Q What did Detective Mattson say to you when you
19 broached her about adding three cases that you are
20 discussing in that April 1, 2007 e-mail?

21 A She said no.

22 Q Had that ever been done before where three cases
23 were added?

24 A No. This was a dumb idea I had.

25 Q And the three cases that were to be added, were

1 they cases that were actually going to be scheduled for
2 hearing?

3 A They had been. They had been part of the
4 original 20, but then they got resolved.

5 Q Okay.

6 A Some of them would happen the day before and some
7 of them would happen like within that three weeks prior.

8 Q Okay. And had you discussed with Chairman Adams
9 this idea that you had to fill out the agenda for the
10 next --

11 A Yeah.

12 Q -- board meeting?

13 A By e-mail, yeah.

14 Q Had you discussed it with him prior to
15 approaching Detective Mattson?

16 A Yes.

17 Q And had he told you, no, don't do that?

18 A No.

19 Q Did he understand what you were talking about
20 doing?

21 A I believe he did.

22 MR. SNOOK: Before we go on, may I --

23 MS. BAIRD: Sure.

24 MR. SNOOK: Those three cases that we're
25 talking about here, they were on the docket of

1 the board, were they not?

2 THE WITNESS: Oh, yes.

3 MR. SNOOK: They had case numbers?

4 THE WITNESS: Yes.

5 MR. SNOOK: They were scheduled for
6 hearing?

7 THE WITNESS: Yes.

8 MR. SNOOK: And they were resolved by the
9 SLFU?

10 THE WITNESS: Yes.

11 MR. SNOOK: And once resolved they were off
12 your docket.

13 THE WITNESS: Yes.

14 MR. SNOOK: So by listing them as cases
15 that, in fact, had, in fact, in some capacity
16 been dealt with, that was not exactly -- that's
17 not making up cases that didn't exist.

18 THE WITNESS: No.

19 MR. SNOOK: But it was not the normal
20 procedure.

21 THE WITNESS: Right.

22 MR. SNOOK: You normally listed those cases
23 the board heard and resolved.

24 THE WITNESS: Yes.

25 MR. SNOOK: But you did this primarily in

1 an attempt to pacify or to keep people, in your
2 terms, happy?

3 THE WITNESS: Yes.

4 MR. SNOOK: Okay. And there were no
5 adverse financial consequences to any of the
6 appellants?

7 THE WITNESS: No.

8 MR. SNOOK: Adverse consequences to the
9 state?

10 THE WITNESS: No.

11 MR. SNOOK: Thank you.

12 BY MS. BAIRD:

13 Q Well, if you look at the April 11th, 2007 e-mail
14 on Page 17, are you able to tell from that date of
15 April 11th, 2007, exactly what board meeting was being
16 discussed in terms of filling out the agenda? Would that
17 have been the May meeting?

18 A No. I think it was probably April. Because it's
19 April 11th, the Wednesday, it could have been the very
20 next day.

21 Q Okay. So there wouldn't have been time to send
22 out questionnaires to appellants because --

23 A No.

24 Q -- it was too close to the meeting time?

25 A Right.

1 MR. SNOOK: If I may direct the deponent to
2 the previous page?

3 MS. BAIRD: Yes.

4 MR. SNOOK: The e-mail from you to
5 Christopher Adams. The first sentence.

6 THE WITNESS: Yeah.

7 MR. SNOOK: Does that indicate that we may
8 be discussing the meeting of April, I presume,
9 12th?

10 THE WITNESS: The first sentence? What
11 sentence are you looking at?

12 MR. SNOOK: The first sentence that says,
13 "Our agenda for Thursday is at six cases."

14 THE WITNESS: Oh, yeah.

15 MR. SNOOK: And which Thursday are you
16 probably talking about?

17 THE WITNESS: Probably April 12th.

18 BY MS. BAIRD:

19 Q And going back to the next page, 17, when you
20 spoke with Detective Mattson and it appears you say you
21 just spoke with her -- and this is an April 11th, 2007
22 e-mail -- was that the first you had learned that these
23 individuals, these three cases had been issued the permits
24 the previous week?

25 A No, that's not the -- I had been informed that

1 they had been.

2 Q Okay.

3 A Yeah.

4 Q So do you know when you were informed that the
5 appellants had been issued permits and the matters
6 wouldn't be going forward to hearing?

7 A No. I don't know exactly. It would be between
8 hearings when you're preparing them.

9 Q Okay. Was there any policy or guideline that was
10 set in place where after you notified the Firearms Unit of
11 cases that were scheduled for hearing, they had a certain
12 amount of time to tell you that those cases would not be
13 going forward because the individuals had been reinstated
14 or the cases were otherwise resolved?

15 A Not at that time, no.

16 Q So the Firearms Unit could wait until the day
17 right before the hearing --

18 A Oh, yeah.

19 Q -- to tell you?

20 A The day of.

21 Q And if they did that, then there was no way to
22 schedule other matters in on that time.

23 A Right.

24 Q And you said "at that time." Has that changed?
25 Is there a guideline now for the Firearms Unit to notify

1 the board of cases that will not be going forward?

2 A No, there isn't a policy. They still can, you
3 know, tell me the day before. But I have asked them, you
4 know, just to -- I'm always looking for a way to save
5 money, and so if I don't have to send a hearing notice out
6 to that person, I'd like to know. Also, you know, I need
7 time to turn around to send it to someone else.

8 So I have asked, but sometimes it just doesn't
9 work out that way. The person has maybe a nolle and the
10 police don't call that person, that person is told that
11 when their nolle is complete to call the police and then
12 they discuss it and then they issue.

13 Q On Page 18, what was that e-mail in response to?

14 A (Reviewing.)

15 Q Did Mr. Adams ask you for that statute?

16 A I don't remember. I don't remember. This
17 doesn't bring back any memory at all, this one.

18 Q Okay. I'm on Page 19. Again we're looking at
19 that April 11th, 2007 e-mail that we already discussed
20 about the three cases. Is that a response from Chairman
21 Adams at the top?

22 A Yeah.

23 Q Do you know what he meant by "the drama"?

24 A Because I referred to it in my e-mail.

25 Q Oh, okay. In the April 11th one?

1 A Right.

2 Q The drama?

3 A Mm-hmm. I write, "Sorry for all the drama"?

4 Q Oh, at the bottom. Okay? What were you
5 referring to as "the drama"?

6 A Well, the fact that -- you know, the issue that
7 Peter wanted to see the backlog resolved; that's the
8 general. And that, you know, I wanted to make sure that
9 we were making every effort to get the full amount of
10 cases heard. And then also, the issue of Peter with the
11 renewal of his permit. So there was a lot going on. So I
12 was informing him of those issues, trying to handle it,
13 make everybody happy, and so I wrote, "sorry for all the
14 drama." Meaning me.

15 Q On Page 20 of the Exhibit 22 --

16 MR. SNOOK: May I just ask her a question?

17 MS. BAIRD: Yes.

18 MR. SNOOK: This is only for my education.

19 I'm not an expert in the firearms permit laws.

20 I notice in paragraph three, near the end it

21 says, "If Peter lets his permit lapse it isn't a
22 denial or a revocation."

23 THE WITNESS: True.

24 MR. SNOOK: And the same word is used in

25 the next paragraph: "His permit will lapse." A

1 previous deponent -- I'm a little confused. If
2 I have a permit -- I don't, but if I do have a
3 permit and I simply don't renew, I understand
4 that lapses.

5 THE WITNESS: Yes.

6 MR. SNOOK: But if I'm applying -- but if
7 I'm appealing that, isn't that a denial,
8 ultimately, or is that a lapse?

9 THE WITNESS: Okay. If you're appealing
10 and your -- basically the --

11 MR. SNOOK: Help me out.

12 THE WITNESS: When you are appealing, and
13 say in the middle of waiting for your appeal,
14 like you're seven months in and you have eight
15 months to wait, your renewal date comes up. My
16 answer to the appellant if they're concerned
17 about it is to say don't worry about that
18 because if the board votes in your favor, the
19 police will be obligated to issue you a permit
20 and that's when the renewal will start.

21 So, you know, when you're in the middle of
22 an appeal -- but in this case Peter wasn't
23 appealing. Not that I know of, anyway. He
24 wasn't appealing, he was just trying to renew
25 his permit.

1 MR. SNOOK: So that's why you use the term
2 "lapse" as opposed to --

3 THE WITNESS: Lapse. Right.

4 MR. SNOOK: Okay.

5 THE WITNESS: Because if he didn't -- you
6 have -- from what I remember, you had like --
7 they would send you a letter saying that it's
8 time to renew, and I think it was like 60 days
9 that they would give you; like a grace period
10 was even added on to that, maybe? And that
11 after a certain amount of time if you didn't get
12 everything done that you need to get done, it
13 would lapse.

14 MR. SNOOK: Okay. Thank you. That's
15 helpful.

16 We're on Page 20?

17 MS. BAIRD: Yes.

18 BY MS. BAIRD:

19 Q Looking at Page 20, this is an April 13th, 2007
20 e-mail. Had this issue of bylaws been brought up by
21 Mr. Adams with you previous to this e-mail, April 13th?

22 A I don't know. He wasn't the first one to address
23 bylaws.

24 Q Okay. So what was the history of questions from
25 board members about bylaws?

1 A The whole conversation with Mr. Peruta and then
2 Peter also being concerned about the backlog, and then,
3 you know, how do we -- do we have guidelines. That kind
4 of thing.

5 Q When you were first made aware of this question
6 about whether there were bylaws or guidelines, from
7 whomever, did you take any action to look into whether
8 such bylaws existed?

9 A I knew they didn't.

10 Q Okay. Were you aware that regulations existed?

11 A Yes.

12 Q When you were asked about bylaws, did you
13 indicate that there were regulations?

14 A I don't remember.

15 Q Okay. It's kind of tough because you're saying
16 prior to this e-mail from Mr. Adams dated April 13, this
17 issue had been brought up to you by Mr. Kuck and
18 Mr. Peruta at the same time or separately?

19 A I don't remember, but I would say separate.

20 Q And did they ask specifically for bylaws?

21 A No. It was more focused on regulations at that
22 point.

23 Q Okay. Were you able to tell them that there were
24 regulations?

25 A Yes.

1 Q Okay. Did they see the copy of the regulations
2 in your office?

3 A I don't know if they ever asked to actually see
4 it, but they might have asked by e-mail and I sent a copy.
5 I'm not sure. I don't remember exactly.

6 Q And --

7 A I'd have to be reminded by actually looking at an
8 e-mail.

9 Q Yes. And this issue that Mr. Adams brought up on
10 April 13th about the bylaws, did you have any verbal
11 conversations with him that leads you to know why he was
12 asking about bylaws? Do you know what brought this up in
13 his mind, why he was looking for bylaws?

14 A I don't remember exactly.

15 Q Okay.

16 MR. SNOOK: Before you leave this page, may
17 I ask a question?

18 MS. BAIRD: Oh, yes.

19 MR. SNOOK: The second paragraph of your --
20 oh, on Page 20?

21 THE WITNESS: What does it say at the top?

22 MR. SNOOK: 21. Okay. I thought we
23 were --

24 THE WITNESS: That's all right. I thought
25 we were on 20.

1 MS. BAIRD: We were on 20, yes.

2 MR. SNOOK: Oh, I'm sorry. I don't have
3 that. This is a different one.

4 MS. BAIRD: Oh. See, that's why I told you
5 to get yours, just in case.

6 THE WITNESS: Oh, that's it. That's 20.

7 MR. SNOOK: Then what's the next page? I
8 do not have that page.

9 MS. BAIRD: Oh.

10 MR. SNOOK: Keep going. There we go.

11 MS. BAIRD: Let's make sure you get an
12 exact copy of that one.

13 MR. SNOOK: So this is your 22. There is a
14 reference to an additional description?

15 THE WITNESS: Wait a minute.

16 MR. SNOOK: Why don't you read the second
17 paragraph.

18 THE WITNESS: That's different than my 22.
19 That's not 22. Here it is. 24.

20 MR. SNOOK: In fact, why don't you read
21 that. Just the second paragraph. I'm just
22 trying to figure it out.

23 THE WITNESS: Second paragraph?

24 MR. SNOOK: Of the main text.

25 THE WITNESS: Okay.

1 MS. BAIRD: And this is Page 22.

2 MR. SNOOK: Twenty-four.

3 MS. BAIRD: Well, no. We had -- oh. I
4 see. Okay. 24.

5 THE WITNESS: This is from me to Chris.
6 Okay.

7 MR. SNOOK: Now, looking at Exhibit I think
8 it's 90, is this what we're talking about?

9 THE WITNESS: Well, that -- depending if
10 that goes to 15.

11 MR. SNOOK: Mine does not.

12 THE WITNESS: No. No. Then it's a
13 different version of the regulations. That's 1
14 through 5.

15 MR. SNOOK: Okay. I'm a little confused.
16 Were there subsequent editions to the
17 regulations?

18 MS. BAIRD: No.

19 THE WITNESS: It was just a longer
20 description was attached to one of them and not
21 to another.

22 MR. SNOOK: Okay.

23 THE WITNESS: So one of them had the full 1
24 through 15, and that one that we first saw that
25 we were looking at was only 1 through 5.

1 MR. SNOOK: Where can one get the 1 through
2 15?

3 THE WITNESS: From the Secretary of State.

4 MR. SNOOK: So the board doesn't actually
5 have it?

6 THE WITNESS: Actually they did, but I
7 didn't take the time to look for it.

8 MR. SNOOK: But it does have one.

9 THE WITNESS: Yeah, it does. Yeah.

10 MS. BAIRD: Okay. So let's get back to
11 this then.

12 MR. SNOOK: Okay.

13 BY MS. BAIRD:

14 Q Mr. Kuck, did he come to your office looking for
15 regulations? Or did he ask you for regulations?

16 A I don't remember exactly, but it sounds about
17 right.

18 Q Well, was there a reason you became so concerned
19 about looking for regulations or bylaws?

20 A Yeah; because it was Mr. Peruta who said that I
21 should be more familiar with the regulations because
22 regulations state that the secretary is the one that is in
23 charge of reviewing cases and setting the agenda, and that
24 that was described in the regulations. And up until then
25 I was unaware of that. I mean I had read them briefly,

1 but I didn't -- nothing really stuck because I wasn't
2 truly interested in that until it became an issue when
3 Mr. Kuck wanted to review.

4 Q And when Mr. Kuck wanted to review the
5 regulations, did you look for them in your office to
6 provide them to him?

7 A Oh, I knew where they were, so I might have.

8 Q And when you say you knew where they were, are we
9 talking about what we previously talked about as
10 Exhibit 90?

11 A Actually, they were all in that same file, from
12 the oldest to the newest. There were several versions of
13 it. And so I -- you know, Mr. Peruta sent me the full
14 through 15, and up until that point I didn't even realize
15 we had it already, but we did. But then he sent me that
16 document.

17 Q Okay. And up until that point you didn't realize
18 you had it already. What then made you realize you had it
19 already?

20 A Because I had to take a better look at it.

21 Q And where was it?

22 A It was on my desk, right up front where I was
23 supposed to leave it, where I moved it -- every time I
24 moved it, it was right there in the same spot on my desk.

25 Q Okay. So if I could have Exhibit 90.

1 When you looked on your desk, was it Exhibit 90
2 you found or something else?

3 A (Reviewing.) No; it was more to it. I mean this
4 was there, but then there was one with more of a
5 description as to the rest of the regulations. So. Yeah.

6 Q Okay. So it's your testimony that in addition to
7 Exhibit 90, there was another set of regulations that had
8 more regulations in it?

9 A Well, it was this continued, I believe. It was
10 in a -- yeah, it was more in a -- multiple pages instead
11 of being on single pages for each regulation. It was
12 listed, you know, 1 through 15 and so, you know, you had
13 maybe 1 through 5 set on the first page and, you know, 6
14 through 10 on the next. Like that.

15 Q And are you saying in any way that Exhibit 90 is
16 not complete? That there were more documents to
17 Exhibit 90 than there are now?

18 A Yes.

19 Q Oh. So do you know where those other documents
20 are?

21 A Well, they're probably on my desk right now. I
22 believe that there was more to it, yeah. I'd have to --
23 I'd have to look to be absolutely certain. But yeah.

24 Q I just want to get this straight. So it's your
25 testimony that the seven pages in Exhibit 90 have been

1 separated from other pages that made the regulations
2 complete?

3 A No. It was just a -- this was together, stapled,
4 and then there was this version with attachments, and then
5 there was separate attachments. So in other words, the
6 page where you had multiple regulations, that was stapled
7 together. And then this was stapled separately, and then
8 there was even one -- from what I remember, one copy where
9 they were all together. Does that make sense?

10 Q Okay. Well, let's look at Page 24 that you were
11 already looking at. In the second paragraph of that
12 e-mail dated April 23rd, 2007, it states, "I understand
13 that Donna e-mailed you about the regulations." Do you
14 know what Donna e-mailed Mr. Adams about the regulations?

15 A Yeah. It looks like she sent the separate
16 section that was detached from the first one, because this
17 says 29-32b-5 through 15. So that was probably the one
18 that you had the multiple regulations listed on the same
19 page -- or several pages. But it wasn't each on a
20 separate page like that one has, where you have secretary
21 one page, office duties another page. This was like they
22 were all listed all together.

23 Q Okay. And then there's a third sentence in the
24 second paragraph that says, "their copy has additional
25 description of 29-32b-5 through 29-32b-15."

1 A Right.

2 Q What do you mean, "additional description"?

3 A Well, I'm not sure if I knew at that point that I
4 had that already, but --

5 Q Okay.

6 A -- they did. They definitely did.

7 Q Okay. Who is "they"?

8 A Regulations Review.

9 Q Okay. So on April 23rd, 2007, is it your
10 testimony that you were not aware of 29-32b-5 through
11 29-32b-15?

12 A Did the first one end at 5? I think it was 1
13 through 5? Yeah. So I was unaware of 6 through 15.

14 Q Okay. But in the April 23rd, 2007 e-mail, the
15 third paragraph you indicate to Mr. Adams, "I'm going to
16 send you the latest regulations." Were those regulations
17 that you had either received or found in the office?

18 A Yes.

19 Q Okay. And those included all of them through 15.
20 Correct?

21 A Yes.

22 Q Got it. Thank you for explaining that.

23 Did you notify Mr. Kuck that you had either
24 located all of the regulations or received all the
25 regulations?

1 A From reading this or just by memory?

2 Q By memory.

3 A No. I don't remember.

4 Q Okay.

5 MR. SNOOK: "No," you didn't or "no," you
6 don't remember?

7 THE WITNESS: No, I don't remember. Sorry.

8 BY MS. BAIRD:

9 Q Okay. And then remaining on Page 24 and going
10 upwards to an e-mail from Mr. Adams back to you, dated
11 April 23rd, 2007, was Mr. Adams aware that there were
12 regulations for the board at the board's office?

13 A I don't believe he was.

14 Q Okay. And he had asked you about bylaws,
15 correct? And were you able to respond whether there were
16 bylaws?

17 A I might have.

18 Q And at the bottom of that April 23rd, 2007 e-mail
19 from Mr. Adams to you, he says: Do rules ring any bells?
20 If not, perhaps he means regulations, especially since he
21 specifically recalled a provision that no longer gives the
22 secretary any authority other than secretarial duties.

23 Did you discuss with Mr. Adams what he meant by
24 the secretary not having any authority other than
25 secretarial duties?

1 A Yeah.

2 Q And what was that discussion?

3 A Well, because Peter had read it and felt that he
4 had more duties than what Chairman Adams thought he had.

5 Q And what duties did Chairman Adams believe the
6 secretary of the board had?

7 A I don't know what he thought. I just know that
8 he didn't think that Peter should be able to come in and
9 review cases.

10 Q What did Mr. Adams tell you about allowing Peter
11 to come into the office and review cases?

12 A That he didn't think that he needed to.

13 Q Did Mr. Adams come to the office and review
14 cases?

15 A No.

16 Q Did Mr. Adams tell you to prevent Mr. Kuck from
17 reviewing cases?

18 A No.

19 Q Did Mr. Kuck try to review cases?

20 A I believe once, but not positive.

21 Q And what happened on that occasion?

22 A I probably complained to Chris.

23 Q And do you know if Mr. Kuck was actually able to
24 review the cases on that one occasion?

25 A I don't remember. Sorry.

1 Q Okay. Page 25. It continues on with that e-mail
2 from you to Mr. Adams dated April 23rd. I don't know if
3 you had a chance to read the rest of that or not.

4 A I actually didn't.

5 Q Okay.

6 A (Reviewing.) Okay.

7 Q On page -- it's my Page 25.

8 MR. SNOOK: Officially 25 now.

9 BY MS. BAIRD:

10 Q The last paragraph of the completion of the
11 April 23rd, 2007 e-mail. Do you recall observing Mr. Kuck
12 leaving your office with an incomplete set of regulations?

13 A I don't remember, no.

14 Q Okay. Is that what that paragraph means to you
15 when you read it, that --

16 A Yeah.

17 Q Okay. Do you have any reason to doubt that --

18 A No.

19 Q -- you wrote that incorrectly? I mean do you
20 have any reason to doubt that that didn't happen?

21 A No, I don't have any reason to doubt that.

22 Q Do you know why he would have left with an
23 incomplete set of regulations?

24 A No.

25 Q Okay.

1 A Other than I didn't give him the right one.

2 Q Okay. Was there an effort made to not let
3 Mr. Kuck know about the rest of the regulations --

4 A No.

5 Q -- having to do with the secretary's duties?

6 A No.

7 Q On that date and time you had the complete set,
8 though. Correct?

9 A Yeah.

10 Q Was it an issue of there just being a controversy
11 with Mr. Kuck and not wanting to provide him with what he
12 asked for?

13 A I don't remember. I can't see myself doing that,
14 but at the same time --

15 Q That was a pretty upsetting time at the board,
16 was it not?

17 A Yeah. Yeah, and I don't think I would purposely
18 not give it to him. But I probably didn't take the time
19 to give him a complete set or even look for a complete
20 set.

21 Q Did you come to the opinion at some point in
22 2007, that Mr. Kuck was trying to get you fired from your
23 job?

24 A No.

25 Q Did you ever express that Mr. Kuck or his

1 attorney had approached the AG's office to try to get you
2 fired?

3 A No. I remember him saying to be careful at one
4 point. But I don't remember if it was in this part of the
5 process.

6 Q Okay.

7 MR. SNOOK: If I may?

8 At the point that this e-mail was written,
9 apparently Mr. Kuck had already left with the
10 incomplete regs.

11 THE WITNESS: Yeah.

12 MR. SNOOK: Did you know that those were,
13 in fact, incomplete when you handed them to him
14 or did you find that out subsequently?

15 THE WITNESS: I don't know.

16 BY MS. BAIRD:

17 Q Well, let me just direct your attention to Page
18 29. It should have at the lower part of the page on
19 Monday, April 16th, 2007, e-mail from Donna to Mr. Adams.

20 A Okay.

21 Q Okay. It appears to me, and I'll ask you if I'm
22 correct, that the last paragraph of that page indicates
23 that at that time you had the regulations for the board
24 and that those had been forwarded from Donna to Mr. Adams?

25 A Let me read.

1 (Reviewing.) No. I just happened to notice
2 where it said the phone call to cover myself from what
3 I'm not sure.

4 Okay.

5 Q I was just asking you to look at that last
6 paragraph on Page 29 where Donna, Ms. Matusick, indicates
7 that you had asked her to look up the regulations. She
8 had found them. And I know your counsel had asked a
9 question whether on April 23rd, on Page 24, you had
10 already had the regulations or not. But does that refresh
11 your memory with regard to whether you already had the
12 regulations on April 23rd?

13 A Oh, I know I had them all along. I had them
14 there.

15 Q But whether you knew it on April 23rd; that's
16 what I'm asking.

17 A Oh. If I --

18 Q If you knew that the complete set of regulations
19 included 1 through 15?

20 A I might have. I'm not positive, to tell you the
21 truth. I know that they were always there.

22 Q Well, let me ask you this.

23 A It was something I didn't have to deal with.

24 Q Let me ask you this because I want to focus you.
25 On Page 29, the April 16th, 2007 e-mail. Correct?

1 A Yeah.

2 Q At the last line it says, "Susan asked me to look
3 up the regulations for the board and I have found them."
4 Do you know whether Donna found the complete set of
5 regulations on April 16th, or whether she just found the
6 incomplete set?

7 A I don't know.

8 Q Okay. So it's possible that the regulations that
9 Ms. Matusick e-mailed to Mr. Adams was an incomplete set?

10 A Yeah. Possibly.

11 Q And so in your e-mail at Page 24, of April 23rd,
12 2007 --

13 A Okay.

14 Q -- when you indicate to Mr. Adams that Donna
15 e-mailed you the regulations, in paragraph two, and that
16 they are regulations through No. 15, do you recall
17 Mr. Adams ever getting back to you and saying, wait a
18 second, I only got 1 through 5 from Donna the other day
19 and I need the other ones?

20 A No, I don't recall that.

21 Q Was there any discussion after the regulations
22 had been located and distributed in full, about a
23 reassessment of what the secretary's duties were at the
24 board?

25 A Was there a discussion amongst the board members?

1 Q With Mr. Adams. You and Mr. Adams. Did
2 Mr. Adams ever say to you, jeez, I didn't know the
3 secretary had so many duties?

4 A No. Not really. I mean, he just kind of had his
5 mind set about what the secretary did and what he didn't
6 do.

7 Q Okay. Do you recall his mind-set changing over
8 the course of his chairmanship at all?

9 A I don't remember.

10 Q Okay.

11 MS. BAIRD: It's 1:03?

12 MR. SNOOK: May I ask a couple questions?

13 MS. BAIRD: Yes.

14 MR. SNOOK: I am, in fact, thoroughly
15 confused.

16 I understand the regulations grant the
17 secretary significant authority; am I correct?

18 THE WITNESS: Yes.

19 MR. SNOOK: And the current secretary is,
20 in fact, using that authority, from what I
21 gathered from the previous deposition. Was that
22 issue resolved during Chairman Adams'
23 chairmanship or was it with a subsequent
24 chairman?

25 THE WITNESS: It was with a subsequent

1 chairman.

2 MS. BAIRD: We're going to go on for a
3 while longer, so do you want to take a half-hour
4 lunch?

5 MR. SNOOK: Okay.

6 (A lunch recess was taken at 1:04 p.m.)

7 (The proceedings resumed at 1:42 p.m.)

8 MS. BAIRD: Back on the record.

9 BY MS. BAIRD:

10 Q Page 32 of Exhibit 22.

11 A (Reviewing.) Okay.

12 Q At the bottom of the e-mail dated April 24th,
13 2007, 8:43 a.m., from you to Mr. Adams, you seem to
14 apologize by saying, "I'm sorry for bothering you with
15 this during session."

16 A Right.

17 Q Why did you feel like you were bothering
18 Mr. Adams?

19 A Because it was session, and having worked during
20 session I know how busy you are. I mean, you could be
21 there until 3:00 a.m. in the morning sometimes. So you're
22 always constantly -- from the minute you get there until
23 you leave, you're busy.

24 Q And did he communicate with you on certain
25 occasions that he was very busy with session?

1 A No. I just knew that he was in session.

2 Q Then going upwards to the top of Page 32, the
3 April 24th, 2007 e-mail from Mr. Adams to you, it says:
4 You're not the one bothering me during session. Peter is.
5 He's either clueless about my schedule right now, so
6 self-centered he's unaware, or explicitly attempting to
7 manipulate the fact that I'm in session.

8 Do you know what he meant by Peter being
9 clueless about his schedule?

10 A Yeah. He's saying that Peter doesn't know I'm in
11 session.

12 Q Okay. Do you know if Mr. Kuck did know whether
13 Mr. Adams was in session?

14 A I don't think so, unless he's aware of when
15 session starts and ends. I know he is now, but I don't
16 know about then.

17 Q Were there any policies or guidelines at the
18 board at that time with regard to Mr. Adams having reduced
19 duties while the session was in session, the --

20 A No.

21 Q -- General Assembly was in session?

22 A No.

23 Q Do you know what Mr. Adams meant when he said
24 that Peter may be taking this opportunity to push his
25 agenda? Do you know what Mr. Adams believed Peter's

1 agenda was?

2 A Well, it was at that time when Peter was trying
3 to get the board to pay attention to the backlog, and so
4 I'm assuming he meant that. But I don't know for sure.

5 Q Page 37. I'm going to be directing your
6 attention to the e-mail dated April 25th, 2007, 3:48 p.m.,
7 on Page 37. From you to Mr. Adams.

8 A (Reviewing.) Okay.

9 Q What was your role in your employment for the
10 board in the nomination and appointment of board members?

11 A Well, when you get a new governor, they normally
12 in the past had just said, okay, everybody's renominated.
13 It wasn't like a -- you didn't have to reapply, or I
14 should say ask for the appointment. But then at this
15 point they decided -- or I should say Governor Rell I
16 believe wanted everybody to resubmit an application, and
17 there was a really cumbersome questionnaire, I think, of
18 some sort. And this chief wasn't Chief Knapp, that was
19 Chief Karangekis.

20 Q Okay.

21 A At that time he was starting to show signs of
22 Alzheimer's and everybody was kind of like trying to
23 decide what we were going to do about it, and I think this
24 was his way out, to, you know, just resign and say, you
25 know -- without making it a public issue.

1 Q And did he, in fact, not complete an application?

2 A Yeah. Now, I don't remember if he stayed or not.
3 I know when Chief Knapp replaced him he had been observing
4 the chief at the request of the Police Chiefs Association
5 because they were concerned. And so he had come to a
6 couple of meetings, but I don't know if it was at that
7 time that he replaced him. But I don't -- I know he never
8 submitted anything.

9 Q And you mentioned in that e-mail as well that
10 Peter hasn't sent his application in as well. You're
11 referring to Peter Kuck there?

12 A Yeah; but he wouldn't have sent it to me, he
13 would have sent it to Maryann Boord or to the Governor's
14 office.

15 Q Okay. And you had spoken to Maryann Boord --

16 A Yeah.

17 Q -- about these applications?

18 A Mm-hmm.

19 Q Was that a yes?

20 A She called me. Yes, I'm sorry. She called me.

21 Q Had you talked to Maryann Boord previously, prior
22 to 2007, about board members and appointments and
23 nominations?

24 A No. We knew each other from taking computer
25 classes when I was going through that management training.

1 We happened to be at the -- desk by desk and, you know,
2 you're always looking for someone to go to lunch with and
3 stuff, so that's how we got to know each other. And then
4 all of a sudden, you know, I get a call from her and I'm
5 like, oh, where are you? Where are you working? That
6 kind of thing.

7 Q And that was back in 2000, 2002 when you would
8 have been --

9 A Yeah.

10 Q -- engaged in these management classes?

11 A Yeah.

12 Q And you hadn't kept in contact with her
13 between --

14 A No.

15 Q -- 2002 and 2007?

16 A No.

17 Q Was it Ms. Boord that called you initially about
18 the appointments?

19 A Yes. Well, I don't -- now that I think about it,
20 I'm not certain because it could have been that one of the
21 board members said why do we have to do this? I know I
22 really wasn't all that happy about it. But I'm not
23 sure -- it appears to me that she told me that they were
24 looking for the chief's application and Peter's
25 application.

1 Q But around that time you reestablished
2 communication with Ms. Boord after a period of time not
3 being in contact with her?

4 A Right.

5 Q And did you have any idea that she was working in
6 the Governor's office on the Boards and Commissions?

7 A I don't remember if I remembered that or not.

8 Q Okay. Skipping then to Page 39. In the e-mail
9 from Mr. Adams to you dated April 25th, 2007, 4:36 p.m.,
10 it's about the third e-mail down on the page, was there a
11 reason why you and Mr. Adams were discussing when Peter
12 Kuck became the secretary or when he became a member of
13 the board?

14 A Yeah.

15 Q And what was that reason?

16 A Well, he was -- and I at that time was hoping
17 that he would be replaced by someone else from Ye
18 Connecticut Gun Guild, the group that nominates Peter to
19 the board. Or to the Governor.

20 Q When did it become apparent to you that Mr. Adams
21 was looking to some replacement of Peter Kuck on the
22 board?

23 A Actually, I initiated it.

24 Q When did that happen?

25 A Right about that time when it was time for a new

1 governor and people were being asked to submit
2 applications or new letters requesting appointment.

3 Q And did you talk to Mr. Adams about this?

4 A Oh, yes.

5 Q And what was it that made you initiate a
6 discussion or a dialogue about replacing Mr. Kuck on the
7 board?

8 A I don't know.

9 Q Okay. Did Detective Mattson ever talk to you
10 about replacing Mr. Kuck on the board?

11 A Well, I don't remember, but I -- I don't
12 remember.

13 Q Okay. How about Detective Karanda, did he
14 discuss with you replacing Mr. Kuck on the board?

15 A I don't remember that.

16 Q On Page 41 of Exhibit 22, I just want to direct
17 your attention to the two e-mails in there, particularly
18 the April 27th, 2007.

19 MR. SNOOK: Was this the rough draft?

20 MS. BAIRD: Yes.

21 A I don't have 41.

22 BY MS. BAIRD:

23 Q You don't have 41?

24 A No.

25 Q I think it's in there somewhere. Because I put

1 them in order.

2 A Okay. What am I looking at?

3 Q The e-mail dated April 27, 2007, 8:12 a.m., from
4 you to Mr. Adams. And I'm going to ask who drafted this
5 rough draft and where it came from.

6 A Okay.

7 (Reviewing.) I didn't write this.

8 Q Does it appear that it's a copy of something
9 pasted into your e-mail to Mr. Adams? It's not an
10 attachment to an e-mail, correct?

11 A No. No, and it keeps going, huh? Okay. I
12 don't -- I mean I haven't finished reading this, but I
13 know I didn't write it. So it probably was sent to me by
14 Chris who wrote it.

15 Q Do you want to finish reading it before I ask
16 more questions?

17 A Sure.

18 Q Okay.

19 A I'm thinking because he doesn't have the
20 letterhead why it would be sent.

21 (Reviewing.) You know, can I take that back?
22 This looks like a Joe Corradino letter.

23 Q Okay. Did you have discussions with
24 Mr. Corradino about drafting a letter such as appears in
25 that e-mail from you to Mr. Adams?

1 A No. Not that I remember. Other than maybe him
2 sending it to me and wanting a letterhead.

3 Q Okay. On the top of Page 41 it has an e-mail
4 from Mr. Adams to you, dated April 30th, 2007, indicating
5 that, "it looks like a good start and we'll get together
6 on it." Did he mean that he was going to get together
7 with you on it? And did you get together with him on it?

8 A I didn't get together with him on this, no. I
9 don't know what he meant.

10 Q Do you know if this letter that's on Page 41 ever
11 went out to anybody?

12 A I -- if they sent it to me as a rough draft to
13 put on letterhead, I probably would have given it to
14 Mr. Corradino at the next meeting. So I don't know if I
15 was asked to mail it. I don't remember. I mean, if they
16 asked me to, I would mail it. Otherwise I would just
17 bring it to him with the letterhead.

18 Q Okay.

19 MR. SNOOK: Before we leave, could I go to
20 Page 42.

21 MS. BAIRD: Yes.

22 MR. SNOOK: Second paragraph down, about
23 Mr. Kuck being dissatisfied with the backlog.
24 Near the end of the first -- the Guild. The
25 issue is no one should wait longer than three

1 months. Is that where the 90 days come from?

2 THE WITNESS: It's Ye Connecticut Gun
3 Guild.

4 MR. SNOOK: That was their position? I
5 never heard of it before.

6 THE WITNESS: Yeah; I don't know what
7 they --

8 MR. SNOOK: Okay. You have no knowledge of
9 that.

10 THE WITNESS: Well, I know of the Guild,
11 but I don't know if they decided that three
12 months was long enough.

13 BY MS. BAIRD:

14 Q Page 45.

15 A Okay.

16 Q In that e-mail on Page 45, May 4th, 2007, it
17 talks about Mr. Kuck indicating that he wants copies of
18 the regulations sent to the members. Were you asking
19 Mr. Adams if you should go ahead and do that?

20 A No.

21 Q Okay. So you were just informing Mr. Adams that
22 Mr. Kuck wanted that?

23 A Yes.

24 Q Did you, in fact, go ahead and do that?

25 A Yes.

1 Q And then there's another statement in that
2 e-mail, "Have you had time to review the letter to Maryann
3 Boord." Do you know if that letter that's referenced on
4 Page 45 is the same draft letter that appears on 41 and
5 42?

6 A I can't say for certain.

7 Q Okay. So the draft letter that appears on 41 and
8 42 you can't say for certain who, in fact, that letter was
9 supposed to go to?

10 A Oh. Who it was supposed to go to?

11 Q Right. I don't know if you -- you're missing 41?

12 A Oh, yeah. Well, it says "review the letter to
13 Maryann Boord," so I think it's supposed to go to Maryann
14 Boord.

15 Q Well, there could be another letter that the
16 e-mail is referring to --

17 A Yeah.

18 Q -- to go to Maryann Boord?

19 A Yeah, it could be. It could be.

20 Q But do you recall Pages 41 and 42, who that
21 letter Mr. Corradino intended to go to?

22 A I don't know. Yeah.

23 MR. SNOOK: May I?

24 On 41, other than Maryann Boord, who else
25 would be concerned with the reappointment of

1 anybody to the board? Was there anyone else in
2 the process besides Maryann Boord; do you
3 recall?

4 THE WITNESS: The Governor. Yeah. So if
5 you were to -- normally if you send anything to
6 the Governor's staff, you send it to the
7 Governor and they send it to their staff.

8 BY MS. BAIRD:

9 Q On Page 46 I wanted to ask you a question about
10 that e-mail at the top, May 8, 2007, and this issue of the
11 preparation of a transcript.

12 A Does anybody know what "WRT" is?

13 MR. SNOOK: "With respect to."

14 THE WITNESS: Oh. Thank you.

15 A (Reviewing.) Okay.

16 BY MS. BAIRD:

17 Q Was there an issue around that time in May 2007
18 of Mr. Kuck requesting the preparation of a transcript of
19 one of the hearings?

20 A Yes.

21 Q Had transcripts been requested previously of
22 hearings and, if so, for what reason?

23 A When somebody appeals to Superior Court, the AG's
24 office would want a transcript.

25 Q Had any secretary requested a transcript -- well,

1 Mr. Kuck was the secretary during that entire time since
2 you'd been there. Had Mr. Kuck requested a transcript --

3 A No.

4 Q -- prior to that transcript?

5 A No.

6 Q And do you know what that transcript regarded
7 that he requested a copy of?

8 A It was a case that had been heard, but I don't
9 remember what case.

10 Q Does the same Erisoty --

11 A Yes.

12 Q -- refresh your recollection?

13 A Yeah.

14 Q And did Detective Mattson discuss the Erisoty
15 case with you?

16 A I don't remember.

17 Q Did Detective Mattson ever mention to you that
18 Mr. Kuck had approached Commander Masek to discuss the
19 Erisoty case?

20 A No. I -- well, I don't know.

21 Q Was there a reason why you asked Mr. Adams about
22 Mr. Kuck's request that a transcript be prepared?

23 A Well, I was -- that I was asking him if it could
24 be?

25 Q Well, was there a reason why you discussed with

1 Mr. Adams the request that Mr. Kuck had made for a
2 transcript preparation?

3 A Yeah. I was leaning on him for support, which I
4 shouldn't have done; but at the same time, you know, my
5 job was to count pennies at that point, so, you know, the
6 fact that I would be spending money on something that the
7 board didn't ask for or an appellant's attorney didn't ask
8 for. So I was calling him to ask about that.

9 Q And had you reviewed the regulations with regard
10 to the secretary's authority to request a transcript?

11 A You know, I didn't remember that.

12 Q Well, did Mr. Adams mention the authority of the
13 secretary to request a transcript to you?

14 A No. But now that we're talking about it, I think
15 Peter told me about it at that time.

16 Q Did the transcript end up getting prepared?

17 A No.

18 Q And do you know whose ultimate decision that was
19 that the transcript not be prepared as requested by
20 Mr. Kuck?

21 A In the end it would be me, but I probably had
22 support from Chris.

23 Q Okay. In other words, if Mr. Adams had told you
24 to prepare the transcript, you would have?

25 A Yeah. I would be upset, but yeah.

1 MR. SNOOK: If I could?

2 MS. BAIRD: Yes.

3 MR. SNOOK: What's your budget?

4 THE WITNESS: Okay. I'm not exactly sure
5 what it was at that point, but this year I'm
6 getting \$8,700 for other expenses for the year.

7 MR. SNOOK: Which would include things like
8 transcripts --

9 THE WITNESS: Oh, yeah.

10 MR. SNOOK: -- pencils or whatever --

11 THE WITNESS: Yeah. We just recently had
12 that Mr. Kibbe case. That was a lot of money
13 for that transcript.

14 MR. SNOOK: So hold it. If the AG's office
15 calls you for a transcript, you pay for it?

16 THE WITNESS: Yes.

17 MR. SNOOK: And appellants don't.

18 THE WITNESS: Appellants don't. We pay for
19 it.

20 MR. SNOOK: You pay for it.

21 THE WITNESS: Yeah. I know. I've been
22 arguing that for a while now.

23 MR. SNOOK: Have you ever had cause for
24 concern as you approach the fiscal year-end of
25 June that you won't have enough money to cover

1 expenses?

2 THE WITNESS: I always have a concern, and
3 it's not just at the end of the year because I
4 never know when something will come up that is
5 ordered by the AG's office. So I -- last year I
6 had a thousand dollars left at the end of the
7 year. It killed me, because if you don't spend
8 the money you don't get it the next year. And I
9 hate that whole thing about government.
10 However, I have to save money just in case a
11 transcript is requested by the AG's office;
12 otherwise we'll be in default.

13 MR. SNOOK: Okay.

14 THE WITNESS: Or it doesn't get done. They
15 also don't double-side pages. Judges don't.

16 BY MS. BAIRD:

17 Q On to Page 51. The e-mail at the bottom of
18 Page 51 from May 8th 2007, there is a letter that's
19 referenced in there. And I'll give you a chance to read
20 that e-mail and then ask you if you know what letter
21 that's referring to.

22 MR. SNOOK: I have some problems here.

23 First of all, some of these pages -- what is the
24 top, the first few words?

25 THE WITNESS: "I just spoke."

1 MR. SNOOK: I do not have that. I have two
2 copies of what seems to be another set. Oh, I
3 misspoke. Here it is.

4 MS. BAIRD: If you go far enough sometimes
5 you'll get to it.

6 MR. SNOOK: That's 51, you said?

7 A (Reviewing.) Oh. I was commenting that I had
8 asked in the e-mail what "WRT" means.

9 Oh, okay. Now I know. All right.

10 BY MS. BAIRD:

11 Q Okay. On Page 51, the last e-mail, Tuesday, May
12 8, 2007, from Mr. Adams to you. It talks about: Did he
13 and Attorney Corradino write and complete the letter to
14 DPS addressing the backlog and renewal process.

15 This is dated May 8th. Do you know what letter
16 was in the process of being written to DPS at that time?

17 A Yeah. Peter and Joe Corradino were supposed to
18 meet together and compose a letter on behalf of the board
19 to write to the commissioner about the backlog.

20 Q And was such a letter written and sent to the
21 commissioner?

22 A I don't believe it was.

23 Q Okay.

24 A It was a letter, but not from Joe Corradino, I
25 don't believe.

1 Q Okay. I believe you're talking about Exhibit 21
2 that we already looked at earlier?

3 A Oh, yeah. Yeah.

4 Q I just want to make sure that you are.

5 (Handing.) Do you know if that was the letter
6 referred to at Page 51 as the letter that Mr. Kuck and
7 Mr. Corradino were working on to go to DPS?

8 A This was the letter that they were supposed to be
9 working on together. I don't know if they did. But in
10 looking at this again, this looks like a Joe Corradino
11 letter. But I'm just guessing, so I'm not certain.

12 Q Okay.

13 A Could have been a combination of their ideas.

14 Q And on Page 51, in the e-mail above that one, May
15 8, 2007, at 3:41 p.m., from you and Mr. Adams, you
16 indicate that you haven't received the letter yet as of
17 that date.

18 A Right.

19 Q And on the e-mail on the top of Page 51, May 8,
20 2007, 4:11 p.m., does that refresh your memory of
21 Mr. Corradino's involvement in writing that letter?

22 A Yes.

23 Q Okay. How did that process work? How did
24 Mr. Adams and Mr. Corradino and the board collaborate on
25 that letter?

1 A I don't know.

2 Q Okay. But from your e-mail does it appear that
3 Mr. Corradino wrote the letter?

4 A Yeah.

5 Q And does it appear Mr. Adams signed it?

6 A Yes.

7 Q And does it appear that there was at least an
8 intention to bring it to the board for the members to
9 review it?

10 A I don't know about that, but -- yeah. Yeah; have
11 it ready to bring it to the meeting to the members. Yes.
12 For review.

13 Q All right. Page 92, at the top. It's June 15th,
14 2007: Sure you can refer reporters to me.

15 MR. SNOOK: Yes. This is 92?

16 A Okay.

17 BY MS. BAIRD:

18 Q Do you recall back in June of 2007 that there was
19 an interest by news reporters in the board functioning?

20 A Yes.

21 Q Were the reporters contacting your office?

22 A I did receive a call, yeah.

23 Q But just one call?

24 A Yeah, I think so. I don't remember. I'm sorry.

25 Q Was there a particular subject matter the

1 reporter was interested in in contacting the board?

2 A I don't know if it was -- there were a couple of
3 articles that I remember being in the paper, and one was
4 about Mr. Goldberg and one was about another appellant,
5 something to do with a taxi driver. But I don't know
6 what -- with the timing of this what that was about, if
7 they had been calling about that. I'm looking at this C,
8 that it's about the backlog, though.

9 Q Had Mr. Adams periodically requested from you
10 information about the backlog?

11 A Yes.

12 Q And had you responded to him by e-mail?

13 A Yeah.

14 Q And so in looking at the June 15th, 2007 e-mail
15 that Mr. Adams sent at 11:04 a.m., can you point to
16 anything specific as a reason why he was asking about the
17 backlog at that time?

18 A Well, it says: Anything else you can think of
19 that a reporter may ask about.

20 Q Okay. Were you being asked, did you receive any
21 questions at your office about the backlog?

22 A I might have. I wish I could remember what they
23 asked.

24 Q Okay. In looking further on Page 92 at that
25 e-mail that we're still on, June 15th, 2007 that Mr. Adams

1 sent you at 11:04 a.m., the last paragraph it says, "Peter
2 clearly continues to be Peter." Do you know what
3 Mr. Adams meant by that?

4 A Yeah.

5 Q What did he mean?

6 A He didn't like him.

7 Q Had Mr. Adams ever specifically told you that he
8 didn't like Mr. Kuck?

9 A Oh, yes.

10 Q And had he said why he didn't like Mr. Kuck?

11 A Well, Mr. Kuck was pushing for things that -- and
12 asking questions during hearings that irritated him.

13 Q Going further with that last paragraph in that
14 e-mail on Page 92 we've already been looking at, it says,
15 "I suspect the only reason he was in a hurry was to try to
16 make me look bad." In your observing board hearings, did
17 you observe Mr. Kuck engage in behavior that you believe
18 was an intentional nature to show Mr. Adams looking bad?

19 A No.

20 Q And in that third sentence in the last paragraph,
21 Mr. Adams states, "He fails to realize that his antics
22 only reflect poorly on him." Do you know what antics
23 Mr. Adams was referring to?

24 A Well, he would refer to when Peter would ask
25 appellants personal questions or give them an idea on how

1 he's going to vote before he actually voted. Or some of
2 the -- asking for that letter on the backlog. So, you
3 know, pushing the issue.

4 Q The last sentence of that e-mail, June 15, 2007,
5 on Page 92, I quote: A reminder of what the role of
6 secretary includes might be in order and it ain't much.

7 At that time, on June 15th, 2007, were you of
8 the opinion that the role of the secretary wasn't much?

9 A I don't think I knew enough about it.

10 Q Do you agree that at that time you had provided
11 Mr. Adams with the full set of regulations from your
12 office?

13 A Yes.

14 Q On Page 93 there's an e-mail from you to
15 Mr. Adams. I'll give you a chance to look at it. Dated
16 June 15th, 2007.

17 A (Reviewing.) Okay.

18 Q What were the discussions going on around that
19 time between you and the detectives in the Firearms Unit
20 about Mr. Kuck's position on the board and his involvement
21 with -- or his discussions with Captain Masek?

22 A Well, I knew that Detective Karanda and Peter had
23 had a fight during a break at one of our meetings; and it
24 got loud and both of them thought they were right and the
25 other one was wrong. And it was during the break, and I

1 just happened to be trying to catch up with my notes and
2 it was the two of them. And it was about a gun show, I
3 think.

4 Q Do you have any independent knowledge that
5 Mr. Kuck had spoken to Captain Masek about --

6 A No.

7 Q -- firing the detectives?

8 A No.

9 Q Do you have any knowledge that that didn't
10 happen?

11 A No.

12 Q Okay. Where did you get the information that
13 this had occurred?

14 A Probably from Detective Karanda.

15 Q On Page 94 there's an e-mail, June 15, 2007,
16 which at the bottom may refresh your recollection about
17 the various chairmen.

18 A Gaffney. How could I forget that name. Okay.
19 Yeah. Yes.

20 Q So it appears that Attorney Philip Dukes started
21 as the chairman in May of 2000, from that e-mail.

22 A Yeah. Mr. Gaffney couldn't wait to get out. He
23 did it as a favor to John Rowland because of his politics,
24 contributions, all that. Sorry.

25 MR. SNOOK: No comment.

1 A I could give you plenty more that's not put in
2 the papers.

3 BY MS. BAIRD:

4 Q On Page 94 there's a pretty long e-mail from you
5 to Mr. Adams, dated June 15, 2007. Was that your response
6 to his request for information about the backlog?

7 A Yeah.

8 MR. SNOOK: Before we leave this page,
9 paragraph No. 2, the first meeting with Mattson
10 and Karanda. Is this where the whole 40/20
11 thing came from?

12 THE WITNESS: Probably, yeah. Yeah.

13 MR. SNOOK: And at that point apparently
14 the backlog was even slowly being reduced?

15 THE WITNESS: Yes.

16 MR. SNOOK: All right.

17 BY MS. BAIRD:

18 Q Page 98. It begins with, "No, there's no need to
19 call DPS." At the bottom of Page 98, the June 25th, 2007
20 e-mail, is that a reflection of that e-mail to Mr. Adams
21 of Mr. Kuck's questioning of when DPS would respond to the
22 May 14th letter?

23 A Yes.

24 Q Do you know if at that time when that June 25th,
25 2007 e-mail was sent, on Page 98, whether you and

1 Mr. Adams, and Lieutenant Fox I think you said, had
2 already met with Commissioner Danaher about the backlog?

3 A Yes, we had.

4 Q Okay.

5 MR. SNOOK: I'm sorry?

6 THE WITNESS: Yes.

7 BY MS. BAIRD:

8 Q Was it your impression from that meeting with
9 Commissioner Danaher, Mr. Adams, and Lieutenant Fox that a
10 letter would be forthcoming at some point from the
11 commissioner's office responsive to the May 14th letter?
12 Was that discussed?

13 A No.

14 Q Okay.

15 A No.

16 Q Have you had enough time look at Page 98 before I
17 ask any more questions?

18 A (Reviewing.) Okay.

19 Q The e-mail Monday, June 25th, 2007, from
20 Mr. Adams to you, sent at 10:52 a.m., when Mr. Adams says
21 that Peter needs to take a Valium. Did that arise from
22 any knowledge that Mr. Kuck does take Valium?

23 A No.

24 Q Okay. And do you know what Mr. Adams meant by
25 that?

1 A To calm down.

2 Q Were you in agreement with Mr. Adams that Peter
3 needed to calm down?

4 A Yeah.

5 Q Okay. And what did Mr. Kuck need to calm down
6 about in the opinion of you and Mr. Adams?

7 A Well, he was anxious to get a response from the
8 Department of Public Safety and they weren't sending a
9 response.

10 Q And what did Mr. Kuck say, if anything, about the
11 fact that Mr. Adams and you had had an opportunity to meet
12 with Commissioner Danaher, but he hadn't been included?

13 A I don't remember him having a comment.

14 Q Okay. Do you remember you telling him that that
15 meeting had occurred?

16 A I -- I might have, but I don't remember. We did
17 report back to the board.

18 Q Okay. And you had testified to that earlier.

19 A Yeah.

20 Q Was he told in advance of the meeting that the
21 meeting with Commissioner Danaher, you, and Mr. Adams
22 would be taking place so that he could have the option of
23 attending?

24 A I'm trying to think. If we had told anybody it
25 would be the board, but I don't think a specific date was

1 given to anybody.

2 Q Did it surprise you that Mr. Kuck didn't express
3 any interest in going to that meeting with Commissioner
4 Danaher?

5 A Looking at it, I would be. Yeah.

6 Q I mean, given his interest in a response to the
7 May 14th letter --

8 A Yeah.

9 Q -- did --

10 A I was more concentrating on me getting into the
11 meeting, to tell you the truth.

12 Q The e-mail on Page 98, dated June 25th, 2007 from
13 you to Mr. Adams, you had asked Mr. Adams if you should go
14 ahead and call DPS to follow up on the letter?

15 A Yes.

16 Q Did you go ahead and do that?

17 A I --

18 Q You may want to look at the e-mail above that.

19 A Yeah, I'm looking at it. It says there is no
20 need to call. But I think I actually did call. I
21 remember calling.

22 Q Okay. And what did they say back in June about
23 the progress of the response?

24 A I just gave a message to Colleen.

25 Q And in that top e-mail, June 25th, 2007, at the

1 last line Mr. Adams states, "he needs to be reminded that
2 all he gets to do is keep track of minutes." Was it the
3 secretary of the board's job to keep track of minutes?

4 A Not that I know of. I mean, that's something I
5 did.

6 Q Had you always done that?

7 A Yes.

8 Q Who does that now?

9 A Me.

10 Q Who is the current secretary?

11 A Mr. -- Chief Knapp.

12 Q And he's been secretary, what, for about four or
13 five years now? Something like that?

14 A I don't know. I think so.

15 Q Okay. And during that time while Chief Knapp has
16 been secretary, has anybody ever told him that all he gets
17 to do is keep track of minutes?

18 A Oh, no.

19 MR. SNOOK: You're welcome to try.

20 BY MS. BAIRD:

21 Q Has anybody ever told him when he asked a
22 question that the fact that he wants to know is
23 irrelevant?

24 A No.

25 Q Then at Page 100, and it begins with, "Hi,

1 Chris."

2 A (Reviewing.) Okay.

3 Q I just wanted to point this e-mail out because it
4 appears that in July of 2007, Mr. Kuck was still asking
5 for a response from the commissioner. Correct?

6 A Yes.

7 Q And so this went on for months and months where
8 Mr. Kuck was looking for a response?

9 A Yes.

10 Q I'm looking at Page 101 now, the e-mail dated
11 July 6, 2007. At the bottom of that e-mail it talks about
12 contacting Maryann Boord to let her know about latest
13 developments.

14 Did you keep Maryann Boord up-to-date on
15 particular developments in the board?

16 A Let me read this.

17 Q Sure.

18 A (Reviewing.) Okay.

19 Q Page 101, the July 6th, 2007 e-mail, the last
20 paragraph. It mentions, "Should I let Maryann Boord know
21 about the latest development?" Was there a process or a
22 regular reporting to Maryann Boord about what was going on
23 with Mr. Kuck at the board?

24 A No.

25 Q Were there periodic reports to her about

1 Mr. Kuck?

2 A No.

3 Q Was Maryann Boord in agreement in trying to see
4 that Peter Kuck would not be renominated to the board and
5 replaced by somebody else?

6 A No.

7 Q Was she in disagreement?

8 A No.

9 Q Okay. Page 103.

10 A (Reviewing.) Okay.

11 Q At the bottom of Page 103 there's an e-mail from
12 you to Mr. Adams, July 9th, 2007, 8:54 a.m. And the
13 subject matter says "good news"?

14 A Yeah.

15 Q What was the nature of that good news?

16 A Well, that we would have a quorum for the
17 meeting.

18 Q Okay. And then Mr. Adams responds to you on
19 July 9th, 2007, at 8:57 a.m., and he says he was hoping
20 for some other type of good news.

21 Did you have a verbal discussion with him to
22 determine what the other type of good news he was hoping
23 for was?

24 A No. But I knew.

25 Q And what was it?

1 A That Peter wasn't going to be reappointed.

2 Q Okay. And when he says, "Were you able to talk
3 to Maryann Boord about the appointments," what would you
4 have been talking to her about?

5 A Well, now that I'm reading this about receiving
6 the forms, it probably would have been me calling her or
7 at the, you know, other board members' request, or her
8 calling me saying why I haven't received them. So it
9 wasn't just Mr. Kuck, but it was also the other members.

10 Q Did you ever see a letter sent from Ms. Boord to
11 Ye Connecticut Gun Guild requesting three names for
12 nomination?

13 A I knew it was sent. I don't remember if I saw
14 it.

15 Q And would Ye Connecticut Gun Guild have contacted
16 you for any reason or they just would have contacted the
17 Governor's office in response?

18 A Governor's.

19 MR. SNOOK: If I direct your attention to
20 the next page?

21 THE WITNESS: No; I've got 41 all of a
22 sudden.

23 MR. SNOOK: Oh, we found 41.

24 THE WITNESS: And then it hops to 122.

25 MR. SNOOK: That's probably the one. Maybe

1 not?

2 THE WITNESS: No. It goes from 103 to 122.
3 Let me put 41 back. What page are we looking
4 at?

5 MR. SNOOK: I'm trying to see if --

6 THE WITNESS: That's right. I went from
7 103 to 122. Oh, here's some. Here's 108.

8 MR. SNOOK: Why don't you put those back.

9 THE WITNESS: Yeah. I'm not seeing 104.

10 MS. BAIRD: I don't know what that is.
11 I'll keep looking, but --

12 THE WITNESS: Okay. I'm missing 104, but
13 let me see. I might have it. I'm missing 110,
14 104.

15 MR. SNOOK: It's not important. I was just
16 wondering if --

17 THE WITNESS: Okay.

18 MR. SNOOK: That's my 103 and my 104.

19 MS. BAIRD: Yes. That is 103. And that I
20 guess, I don't know where that came from. You
21 have more documents --

22 MR. SNOOK: My 105 is your 104.

23 MS. BAIRD: Oh. Well, look. I go from 103
24 to 72; that's the problem.

25 THE WITNESS: I recognize this. This is

1 overtime, staying late trying to get it out the
2 door so we can get home. I've done that.

3 MR. KUCK: Like the meeting that went to
4 5:00 o'clock the next morning.

5 THE WITNESS: Never again. Never mind that
6 one we had when the Governor closed down the
7 whole state, Governor Rell; and we all actually
8 went to that meeting because DPS was open 24
9 hours. Oh, that was such a scary ride home. I
10 was the only one on the road.

11 Okay. That's the same one we were just
12 looking at.

13 MR. SNOOK: It appears to have one
14 additional.

15 THE WITNESS: Oh, okay.

16 MR. SNOOK: Oh, no. It's 103.

17 Does that indicate to you that the contact
18 from Maryann Boord was related to getting the
19 addresses --

20 THE WITNESS: Yes.

21 MR. SNOOK: Receiving the addresses of the
22 nominees?

23 THE WITNESS: Of the numbers.

24 MR. SNOOK: That's enough.

25 Now, where are we?

1 MS. BAIRD: Page 74.

2 MR. SNOOK: Could you get the date and
3 time?

4 MS. BAIRD: Yes. May 14th, 2007. And it
5 begins with "Chris, the last time."

6 MR. SNOOK: Yes. Got it.

7 A (Reviewing.)

8 BY MS. BAIRD:

9 Q There's a mention in that e-mail on Page 74 about
10 a formal letter from the board regarding our concerns.
11 What do you recall about any proposed letter from the
12 board to the Governor's office regarding concerns of the
13 board?

14 A There wasn't one.

15 Q Okay. What was the proposal -- what were the
16 issues that had raised concerns such that there was a
17 discussion about a letter from the board to the Governor's
18 office?

19 A I don't really think that the board ever
20 discussed writing a letter to the Governor. I think the
21 Governor's office maybe wanted a letter. Yeah. "Do they
22 still want a formal letter from the board regarding our
23 concerns."

24 Wait. Okay. So it's not the board members that
25 they're talking about here, they're just talking about a

1 letter coming from my office or the board. The
2 Governor's office sending a letter -- they wanted to send
3 it. They didn't want a formal letter from the board
4 regarding our concerns.

5 So somewhere along the way someone had said
6 something about a formal letter, but didn't look like it
7 happened.

8 Q Okay. Do you know why there was a discussion
9 about the Governor's office having concerns? Did the
10 Governor's office have concerns?

11 A No.

12 Q Okay. Did they believe that the board had
13 concerns?

14 A Yes.

15 Q And what did the Governor's office believe the
16 board's concerns were?

17 A Well, not the board as a whole. But myself and
18 Chris and the fact that Peter might be reappointed.

19 Q Okay. And the Governor's office was looking for
20 some sort of letter stating exactly what the concerns
21 were?

22 A Looks like it.

23 Q And did you choose not to write that letter?

24 A I wouldn't have written that letter.

25 Q To your knowledge, Mr. Adams didn't write the

1 letter?

2 A No. To my knowledge.

3 Q Right.

4 Page 76. It's a May 16, 2007. "I will ask" at
5 the top.

6 A Okay. I'm going to read from here.

7 (Reviewing.) Oh, yeah. Mr. Erisoty. I
8 remember that. He's a nice guy.

9 MR. SNOOK: Can we go off the record one
10 second?

11 (Brief discussion held off the record.)

12 BY MS. BAIRD:

13 Q Okay. So on Page 76, in the second e-mail on
14 that page from Mr. Adams to you, May 16th, 2007, at
15 1:05 p.m., Mr. Adams expressed surprise to you about
16 Mr. Kuck and Mr. Carr meeting with Captain Masek? Do you
17 recall that?

18 A Yes.

19 Q Was Mr. Adams upset that Mr. Kuck and Mr. Carr
20 met with Captain Masek?

21 A Yes.

22 Q Why? Do you know? Did he say why?

23 A No.

24 Q Did you have any conversations with Captain Masek
25 in your capacity working for the board?

1 A No. I knew him because when -- remember I told
2 you back the first year they had me sitting at the
3 reception desk? Captain Masek worked in that office.

4 Q Okay.

5 A So I got to know him a little bit.

6 Q On Page 77, I wanted to ask you about that
7 e-mail. It begins with "okay, understood" at the top of
8 Page 77. I wanted to ask you about that e-mail where
9 Mr. Adams asked you if the wait time has actually
10 increased, and then your response to that.

11 A Oh. (Reviewing.) Okay.

12 Q Would you explain your reasoning in your e-mail
13 May 16, 2007 to Mr. Adams about the wait time for appeals
14 actually having increased?

15 A Yes. These 30-day letters were -- what we used
16 to do where if we hadn't heard from the appellant as far
17 as the questionnaire, we would write them another letter
18 saying you have 30 days to send in a questionnaire,
19 otherwise we're going to close your case, and it would
20 become dormant at that point. So we had time to send out
21 quite a few at that moment, probably because I had Donna
22 then; and because they responded with their
23 questionnaires, now they went from the roster to the
24 roster ready to go, which is where you count the backlog.

25 Q Is that the process that's used now?

1 A Oh, yeah.

2 Q On Page 85 it begins with "ask him," from
3 Mr. Adams to you. At any point did you take offense to
4 the tone of Mr. Adams' e-mails with regard to Mr. Kuck?

5 A Not personally.

6 Q Okay. With previous chairmen of the board or
7 other members of the board that you'd communicated with
8 during your long tenure at the board, had there been such
9 a tone taken by one board member to another?

10 A No.

11 Q What, if anything, had you heard Mr. Kuck say
12 about Mr. Adams of a personal nature, not related to
13 business?

14 A I don't remember anything.

15 Q Okay. On Page 86 where it begins "sigh, will he
16 ever behave," an e-mail from Mr. Adams to you.

17 A Okay.

18 Q It says "it's not Mr. Kuck's role or place."
19 What was Mr. Adams referring to; if you know?

20 A Oh. His place to help the appellant,
21 Mr. Erisoty.

22 Q Did Captain Masek ever call your office and
23 indicate that he had been approached by Mr. Kuck and
24 Mr. Carr and that wasn't appropriate?

25 A No.

1 Q Did Detective Karanda or Detective Mattson
2 approach you and tell you this happened and it wasn't
3 appropriate?

4 MR. SNOOK: Perhaps --

5 A I guess so. I don't remember that, but it says
6 "Detective Mattson wanted you to know." Yeah.

7 BY MS. BAIRD:

8 Q Did Detective Mattson express any opinions about
9 Mr. Kuck as a board member?

10 A Oh, yes.

11 Q And what were those?

12 A She did not like him.

13 Q And do you know why? What she expressed as her
14 reason for not liking him?

15 A Because he would ask questions of the Department
16 of Public Safety about the backlog, about the process; and
17 she just didn't want to be part of that. She also had
18 expressed to me one time that -- okay, it was a --
19 Mr. Kuck said one day -- somebody had sworn, you know, in
20 their testimony, and Mr. Kuck said, you know, "We have a
21 lady in the room," meaning me, meaning -- or he says, no,
22 "Our secretary's in the room." "We have a lady in the
23 room" or "our secretary's in the room"; something like
24 that. And Detective Mattson was there and she felt
25 offended that -- you know. But they were already not

1 getting along. So it was just one more little thing.

2 Q Page 71.

3 A (Reviewing.) Okay.

4 Q On Page 71, that second paragraph of the e-mail
5 that you write to Mr. Adams. Ms. Mazzocoli, is it fair
6 to say that you were at least at this time in May of 2007,
7 questioning of Mr. Kuck's behavior or irritated by
8 Mr. Kuck's behavior because you believed he was
9 overstepping his bounds?

10 A Detective Mattson was irritated with Peter and
11 Peter was asking more questions, and once again I was in
12 the middle. She would complain about him, and I would be
13 upset because now there was another reason for somebody to
14 use me as a sounding board. And then what really -- where
15 you're saying "at least three local officers are very
16 angry with the remark made by Peter," that's kind of what
17 started the conversation from Detective Mattson to me
18 following that hearing.

19 So, yeah, I wasn't happy because it -- it
20 wasn't -- it was Peter, it was just an accumulation,
21 let's just say. I didn't have an issue with what he was
22 bringing up which was a report from New York about -- it
23 was like an audit of our State Police; had something to
24 do with D.U.I. that we would -- seemed to be focusing in
25 on and how you measure that. And so somehow there was a

1 case that day that had to do with that and he
2 questioned -- he brought up that report. And obviously
3 that hit a nerve with a lot of the police officers
4 because they didn't like the results of that New York
5 audit.

6 Q What was Mr. Adams' reaction as chairman when
7 this was brought up at that particular board meeting that
8 some police officers took offense at?

9 A I don't think he really had a reaction.

10 Q Okay.

11 MR. SNOOK: If I can interrupt?

12 Who was in charge of that meeting?

13 THE WITNESS: Yeah; I don't know. Looks
14 like Attorney Corradino was.

15 BY MS. BAIRD:

16 Q Okay.

17 A Yeah.

18 Q And you reported the hearing, the events of the
19 hearing to Mr. Adams in --

20 A Yes.

21 Q -- this e-mail. Correct?

22 A Yeah.

23 Q Okay. And did Mr. Adams give you any guidance
24 with regard to dealing with Detective Mattson or the
25 police officers, these individuals that you felt like were

1 coming to you and using you as a sounding board?

2 A He would just listen. He was my sounding board.
3 Detective Mattson would complain to me and get angry
4 because of Peter, and then I would call Chris and be angry
5 because they were putting me in the middle of everything.

6 Q Did Mr. Adams give you the impression that he was
7 standing behind Peter Kuck and what actions he was taking
8 and --

9 A No.

10 Q -- his conduct?

11 A No.

12 Q Did Mr. Adams give you the impression that he was
13 basically in agreement with Detective Mattson and her
14 complaints?

15 A Not really. It was more between him and Peter.
16 When Detective Mattson complained, it was between her and
17 Peter. I don't think Chris and Detective Mattson
18 especially were close. She would irritate Chairman Adams
19 sometimes, too. Because she irritated me, so that would
20 irritate him. Does that make sense?

21 MR. KUCK: Continue. I'll be right back.

22 (Mr. Kuck left the proceedings.)

23 BY MS. BAIRD:

24 Q That e-mail --

25 A We were a mess.

1 Q -- on Page 71 talks about a call from Maryann
2 Boord at home and a discussion with her. Again, how often
3 did you talk to Maryann Boord?

4 A Not that often. I don't know why she would call
5 me from home -- oh, maybe because I had left a message and
6 she listened to messages.

7 Q Well, it says "I received a call from Maryann
8 Boord at home."

9 A Yeah, so -- oh, no, no. She was at home, not me.
10 "I received a call from Maryann Boord at home and spoke
11 with her this morning." So she didn't call me at my
12 house. She was at her house.

13 Q Okay.

14 A Yeah.

15 Q And do you know why you would have told her
16 about --

17 A Yeah.

18 Q -- some of Mr. Kuck's conduct?

19 A Yeah. Because the officers were -- I mean they
20 were really upset. You know, the groans and then
21 everybody went out in the hallway and making all these
22 remarks and -- you know. And so it was tense, very tense.
23 And so I was adding that to the list of reasons why Peter
24 should not be reappointed. And that was me, not Chris
25 Adams.

1 Q Page 106. This was the letter.

2 MR. SNOOK: Oh.

3 (Mr. Kuck rejoined proceedings.)

4 BY MS. BAIRD:

5 Q We're at Page 106. The July 11th, 2007 e-mail
6 from you to Mr. Adams talks about a letter that was sent
7 after Ms. Boord told you that they were sending a letter
8 to Ye Connecticut Gun Guild. Do you know what that letter
9 was that's referenced in that e-mail?

10 A Yeah. They were asking for the three
11 recommendations.

12 Q Okay. So at some point the board -- or not the
13 board, but you and your office did get a copy of that
14 letter that was sent to Ye Connecticut Gun Guild?
15 Ms. Boord copied you on it?

16 A I guess so. That's what it looks like. I don't
17 remember, but --.

18 Q But you didn't participate in drafting that
19 letter?

20 A No. No.

21 Q Now, I want to ask you about the July 9th, 2007
22 e-mail from you to Ms. Boord on Page 106. In the third
23 paragraph you indicate that the detectives stated Mr. Kuck
24 let his permit lapse due to his refusal to provide proper
25 ID, and therefore is unable to appeal.

1 Who told you that?

2 A The detectives.

3 Q Okay. And that would be Detective Karanda and
4 Detective Mattson?

5 A Detective Mattson.

6 Q Okay. At that time you had already received an
7 appeal from Mr. Kuck. Correct?

8 A I don't remember.

9 Q Okay. But at some point you did receive an
10 appeal from --

11 A Oh, yeah.

12 Q -- Mr. Kuck.

13 A Yeah.

14 Q And on Page 107 in that first e-mail about
15 Maryann Boord, it talks about her leaving. Do you
16 remember her leaving the Office of the Governor?

17 A Let me read this.

18 Q Sure.

19 A (Reviewing.) Okay.

20 Q When did you first become aware that Maryann
21 Boord was leaving her position with the Governor's office?

22 A Probably right around that time, that date.

23 Q Okay. And in that e-mail, July 17th, 2007, it
24 talks about, "I wish Maryann wasn't leaving. Barb doesn't
25 think anything will be done about Peter now that Maryann

1 is leaving."

2 By "Barb," does that mean Detective Mattson?

3 A Yes.

4 Q What exactly did Detective Mattson say to you to
5 make you think that her thought was nothing would happen
6 to Peter now that Maryann was leaving?

7 A Because she told me when I told her Maryann was
8 leaving.

9 Q What?

10 A She told me that she didn't think anything would
11 happen because -- when I told her that Maryann Boord was
12 leaving the Commission.

13 Q Okay. Did you see yourself as supporting
14 Detective Mattson and her supporting you in your effort
15 to -- you know, that Peter would be replaced on the board?

16 A He might have perceived it that way. I didn't.
17 I mean, because to tell you the truth, she could be as
18 irritating as Peter was. You know, she doesn't hold back,
19 she's gruff; but at the same time she can be extremely
20 professional. But when she's angry, she gets angry.

21 So I wouldn't exactly say we were working
22 together. They had their issues and I had mine,
23 meaning -- "they" meaning her and Detective Karanda.
24 Yeah.

25 Q Did you feel supported by Mr. Adams in your

1 desire to have Mr. Kuck replaced --

2 A Oh, yeah.

3 Q -- on the board?

4 A Yes.

5 Q Did Detective Mattson ever make any comment to
6 you about her opinion whether civilians or nonlaw
7 enforcement individuals should have firearms or not?

8 A No.

9 Q Did Detective Mattson ever discuss with you any
10 conversations she had had with Chief Knapp before he
11 became a member of the board, about him engaging in a
12 transfer of firearms?

13 A No.

14 Q Okay. Both those things that I just mentioned to
15 you, are they unfamiliar to you?

16 A Yeah.

17 Q I'd like to go back to Page 107, that e-mail
18 July 17th, 2007, at the top. What do you know about
19 Detective Mattson and Karanda attempting to make an
20 appointment with Ms. Boord?

21 A She -- I'm sorry. Maryann Boord told me that.
22 They did not tell me that. I was surprised. And like I
23 said, Maryann Boord told me about it.

24 Q What did she tell you?

25 A That -- there, that Detective Mattson and Karanda

1 tried to make an appointment with her and she told them
2 no.

3 Q Did she tell you if they called her or came to
4 her office, how they made this attempt to get an
5 appointment?

6 A I think they -- from what I remember, I believe
7 they were in the area. I don't know why they were there,
8 but I think they actually -- I don't know if they called
9 ahead, I have no idea if they called ahead; but I was
10 under the impression that they went to the Capitol and
11 tried to meet with her.

12 Q Did Mr. Adams have any response to you about your
13 information that Detective Mattson and Karanda had tried
14 to meet with Ms. Boord?

15 A I don't remember.

16 Q Page 121.

17 MR. SNOOK: Date and time?

18 MS. BAIRD: It's August 23rd, 2007.

19 "Colleen."

20 BY MS. BAIRD:

21 Q Did Colleen from the commissioner's office call
22 you to cancel Mr. Kuck's meeting with Commissioner
23 Danaher?

24 A Yes.

25 Q Did she call you because you had been the one to

1 set it up?

2 A Probably. She knew my number.

3 Q And did Colleen have a reason why the meeting
4 with Commissioner Danaher was cancelled?

5 A She didn't say.

6 Q Did you ask?

7 A I didn't ask, but I kind of knew why.

8 Q What did you kind of know?

9 A Well, I -- because he went there without
10 checking -- they found out -- and I don't know how I found
11 this out at that time or not, but I somewhere along the
12 way found out that the commissioner when he realized that
13 Peter wasn't there at the request of the board, that he
14 decided to cancel.

15 Q Okay. And Mr. Adams had been there at the
16 request of the board during the meeting with Commissioner
17 Danaher?

18 A Yeah.

19 Q Now, what does that mean a request of the board?

20 A vote or --

21 A Well, no. Just that representing the board's
22 views. In other words, the commissioner I guess was under
23 the impression that Peter was going there to speak on
24 behalf of the board members. And when he found out that
25 he wasn't, then he canceled it.

1 Q Okay. And --

2 A Now, that -- I'm just saying that's what I --

3 Q Yes.

4 A I don't remember anybody specifically telling me
5 that. I just remember that.

6 Q Okay. When Mr. Adams went to speak with the
7 commissioner, do you recall if there was any verification
8 by the commissioner that Mr. Adams was speaking on behalf
9 of the board?

10 A I don't remember a verification, no.

11 MR. SNOOK: Excuse me. Before we go
12 further?

13 MS. BAIRD: Sure.

14 MR. SNOOK: What you just testified to
15 regarding the alleged reasons for Commissioner
16 Danaher's actions is based upon your personal
17 knowledge?

18 THE WITNESS: No. I didn't talk with the
19 commissioner.

20 MR. SNOOK: It was based on comments from
21 other people that you believe you heard?

22 THE WITNESS: Yeah. And if I --

23 MR. SNOOK: Characterize them as rumors?

24 THE WITNESS: Yeah. Definitely.

25

1 BY MS. BAIRD:

2 Q Page 127. What was going on at that time that
3 security was notified not to let Mr. Peruta or Mr. Kuck
4 into the office?

5 A I don't remember what issue. I just know that I
6 didn't want to be alone in the office with them.

7 Q Do you know why they wanted to get into the
8 office?

9 A Oh, I'm sure it was to look at some of the files
10 or maybe to request information. You know, Mr. -- I can't
11 see them coming by just to have lunch or anything.

12 Q And did security have to take measures to prevent
13 Mr. Peruta or Mr. Kuck from getting in the office?

14 A No.

15 Q Did Mr. Peruta and Mr. Kuck actually come to the
16 physical location of the office?

17 A I don't know.

18 Q Had they said they were coming and that's why you
19 notified security?

20 A I mean, that would make sense, but I'm not sure.
21 I don't remember very much about that.

22 Q Okay.

23 A I don't even know why I would say that, because
24 there's nothing they could do about it.

25 Q Okay. Page 128. That's a September 6th, 2007

1 e-mail at the bottom. I'll address that after you've had
2 a chance to review it.

3 A (Reviewing.) Okay.

4 Q The e-mail at the bottom, September 6, 2007, at
5 10:12 a.m. Did you receive any direction from Mr. Adams
6 with regard to allowing Mr. Kuck access to the board's
7 files around that time in September 2007?

8 A I believe that he wouldn't have wanted him to,
9 but I can't say specifically that he told me that.

10 Q Did Mr. Adams tell you to allow Mr. Kuck to have
11 access to the board files?

12 A I don't remember that.

13 Q Well, if Mr. Adams had told you to allow Mr. Kuck
14 access to the files, would you have?

15 A Oh, yeah.

16 Q On Page 128, the e-mail at the top, September 7,
17 2007, at 11:14. I'm on Page 128 still. The e-mail at the
18 top. It says in the next to the last sentence, "he then
19 told me that he would be more active as the secretary."

20 Do you recall Mr. Kuck telling you that he would
21 be more active as the secretary?

22 A Yes.

23 Q Do you know what he meant by that?

24 A More involved with the actual scheduling of
25 cases, the reviewing of cases. And also, the

1 legislative -- legislature during budget season. We
2 always had problems with the budget, so it almost -- I'm
3 looking here. I don't know if I know this because I knew
4 it afterwards, but Mr. Kuck goes to the Capitol to defend
5 the board and to get money and to make sure that they
6 don't cut us or eliminate us. So I'm not sure if that's
7 what that meant or what I was trying to say.

8 Q At some point was there an issue of your job with
9 the board being eliminated?

10 A Oh, yes.

11 Q And has that occurred on more than one occasion?

12 A Yeah.

13 Q But there was --

14 A Four or five times now.

15 Q Oh, okay. So is it a regular thing that occurs
16 every year?

17 A Yes. And every year I'm scared to death, yeah.
18 Yeah.

19 Q Do you know for what purpose -- did Mr. Kuck tell
20 you for what purpose he wanted to be more involved in the
21 actual scheduling and reviewing of cases as secretary?

22 A Because of the backlog, I'm assuming. I don't
23 remember if he said that to me.

24 Q Was there some point in September or maybe August
25 of 2007, when it began to be discussed that rather than

1 being able to replace Peter on the board, he would be
2 replaced by someone else as secretary?

3 A "Someone else's secretary"?

4 Q Yes. Somebody else would replace Mr. Kuck as
5 secretary on the board.

6 A Oh. In August of 2007?

7 Q Or September of 2007. I mean, I'll direct your
8 attention to Page 130.

9 A Oh, yes. Yes. Yes. Now I remember. Sure.

10 Q Go ahead and look at Page 130.

11 A Okay. (Reviewing.) Okay.

12 Q From that September 11th, 2007 e-mail at Page
13 130, it appears that you're bringing up the issue of
14 Mr. Kuck and his position as secretary as a result of
15 Mr. Peruta asking questions. Is that the case?

16 A Yes.

17 Q And prior to Mr. Peruta asking questions about
18 Mr. Kuck and the status of his position as secretary, had
19 anybody else brought that issue up to you; that, you know,
20 let's replace Peter Kuck as secretary?

21 A No.

22 Q And did you receive -- and again you can go to
23 Page 131 -- a response from Mr. Adams about this issue of
24 Mr. Kuck and his position?

25 A Let me look at that.

1 (Reviewing.) Okay. What were you asking now?

2 I'm sorry.

3 Q The question was when you brought this issue up
4 that Mr. Peruta had brought up to you of concerns about
5 Peter Kuck being removed as secretary, what was Mr. Adams'
6 response to you?

7 A He was surprised.

8 Q Okay. And did Mr. Adams indicate that there were
9 no plans to replace Mr. Kuck as secretary?

10 A Yes.

11 Q Do you know if Mr. Kuck was replaced as
12 secretary?

13 A Yes.

14 Q By whom?

15 A Mr. Corradino.

16 Q Do you know when that occurred?

17 A I know it was in September.

18 Q And did it surprise you when Mr. Corradino
19 replaced Mr. Kuck as secretary?

20 A Oh, yeah.

21 Q You weren't expecting it.

22 A No.

23 Q Did Mr. Adams express surprise to you that
24 Mr. Kuck was replaced as secretary?

25 A Well, here he did.

1 Q Right. But after it actually happened?

2 A No. We didn't talk about it.

3 Q What changed, if anything, after Mr. Corradino
4 became secretary and replaced Mr. Kuck in terms of
5 scheduling hearings or file review?

6 A Nothing.

7 Q Nothing. Okay. Did Mr. Corradino take an active
8 role in communicating with you about decreasing the
9 backlog?

10 A No.

11 Q Did Mr. Adams take an active role after
12 Mr. Corradino became secretary, in trying to decrease the
13 backlog or doing something about the backlog?

14 A I don't remember anything -- I'd have to look at
15 an e-mail or something. I don't remember.

16 Q Okay. Did you remain concerned about the backlog
17 when Mr. Corradino became secretary?

18 A I was. I was always concerned.

19 Q And then Mr. Corradino was replaced as secretary
20 by Chief Knapp. Correct?

21 A Yes.

22 Q What changed, if anything, with regard to
23 scheduling and the duties of the secretary when Chief
24 Knapp took over from Mr. Corradino?

25 A Well, it changed dramatically because Mr. Knapp

1 used to be the executive director of the academy,
2 P.O.S.T., and so he was used to being executive director.
3 And I think he saw that as -- you know, being a secretary
4 similar to that. He understood my concerns about the
5 budget. He wanted to take care of the backlog and he --
6 he definitely has been more hands-on.

7 Q And when Chief Knapp became secretary, am I
8 correct that Mr. Corradino became chairman?

9 A I believe it was after that, but not too long
10 after that.

11 Q Okay. And during the time when Chief Knapp has
12 been secretary and Mr. Corradino has been chairman, has
13 Mr. Corradino interfered with Chief Knapp's access to any
14 of the records in your office?

15 A No.

16 Q Has Mr. Corradino sent you e-mails that would
17 lead you to believe that you did not have to do what Chief
18 Knapp said?

19 A No.

20 Q Has Mr. Corradino treated Chief Knapp with
21 respect?

22 A Yes.

23 Q In both e-mails and in person?

24 A Yes.

25 Q What was the first meeting that you had with

1 Chief Knapp -- and I'm assuming there was a first meeting
2 -- to discuss what your relationship with him as secretary
3 would be in terms of getting the board's work done?

4 A I don't remember.

5 Q Well, did a discussion occur?

6 A I don't think he actually came to the office. It
7 might have been a phone conversation. I don't remember
8 the specific time, or when or what it was about, to tell
9 you the truth. He just was there.

10 Q Well, of all the members on the board who are on
11 the board now, which member do you work most closely with
12 on the board?

13 A Oh, Mr. Knapp.

14 Q Describe for me how that relationship developed
15 where you two work together on board matters.

16 A Well, he reached out to say that, you know, he
17 was going to be more hands-on. He was concerned about
18 some of the issues that the Police Chiefs Association had
19 concerns about, too. But for the most part he was
20 interested in reducing the backlog and wanted to do what
21 he could to get that done.

22 Q Since Chief Knapp has become the secretary, what
23 actual processes or guidelines has he implemented for you
24 with regard to providing information to him or providing
25 information to the Firearms Unit to get cases scheduled

1 and on the agenda?

2 A Well, there isn't really a policy. They had a
3 subcommittee and they looked at policies and procedures,
4 so he kind of took a leadership role there. And then as
5 far as setting the agenda, he always wanted to see a copy
6 of it before I put it on the Web. And usually it was
7 just, you know, if I put an R where it was supposed to be
8 a D, meaning revocation or denial, he changed it so that
9 we were including cases that got resolved. That was his
10 thing.

11 Q So cases that were resolved would appear on the
12 agenda in a certain section?

13 A Oh, yeah. Yeah. He added that in. He wanted a
14 better accounting of the backlog. He wanted more
15 statistics, more detailed statistics. Up until then our
16 statistics were kind of a mess. You know, I would just
17 look at the whole and have to scroll through my database
18 and sort it and things; but we actually started keeping
19 track of them meeting by meeting. At first month by
20 month, and then when we changed -- when we went to meeting
21 by meeting, he says, oh, just let me know at the beginning
22 of the month. And then he decided that the board should
23 also see that, and so we came up with a report.

24 Q Have the number of meetings increased?

25 A Yes.

1 Q How so?

2 A Well, the board actually voted on it. It was
3 brought up, I don't remember who, but I think it was Chief
4 Knapp who brought it up. They wanted to add more meetings
5 because of the backlog and they wanted to add more cases
6 per meeting. So they voted on adding quarterly, and that
7 was Joe stating that; that they were going to add
8 meetings, and he said what months that they would add. I
9 think Chief Knapp would have liked to have had two
10 meetings every month, and this was a compromise. Because
11 Joe wasn't going to be able to attend all those meetings.

12 So that's -- the board voted on it as a whole.
13 Everybody agreed, everybody thought it was a good idea.
14 There were other members who wanted us to start earlier,
15 but that wouldn't work with some of our board members
16 because they had full-time jobs as state workers, too.
17 So it worked out, you know, that we started to see a
18 decrease in the backlog because of it.

19 Q Has Chief Knapp ever asked you to send certain
20 files to the Firearms Unit for them to review and
21 determine if any of them could be resolved?

22 A Yeah, it was -- he had sat down and had a meeting
23 with Sergeant Hall. I don't know how that happened, but
24 he and Sergeant Hall and -- well, as a result of that,
25 Sergeant Hall and Trooper Hatfield started reviewing

1 larger numbers of cases; and they would actually call
2 police chiefs and say, you know, "this isn't right" or "do
3 you really feel like you have a strong case here?" And
4 they were getting, as a result, some of the chiefs to
5 withdraw the denials. So that helped with the backlog,
6 too.

7 However, I think Trooper Hatfield expressed to
8 me -- Doug Hall never did, but Trooper Hatfield found it
9 quite frustrating that some of the chiefs just weren't
10 open to any discussion at all. And it was after that,
11 you know, once they did all the hard work and they
12 reduced the backlog, all of a sudden the commissioner
13 said, okay, we have nothing to do with the locals anymore
14 and we're not going to represent them anymore.

15 That made a big difference in the time I had to
16 spend, because now I was the one contacting the locals
17 versus Detective Mattson. And they were -- the board
18 reviewed the state law regarding who had to notify the
19 appellants as to what their information was going to be
20 shared with the board. In other words, it used to be
21 that I would tell Detective Mattson these are the cases
22 that are going to be scheduled. She would call all the
23 local towns and say send me your documentation about what
24 you want to provide to the board as the reasons why. And
25 then she would send it to me and I would send it to the

1 appellant. Now it was me writing -- well, actually there
2 was a letter composed by Sergeant Hall and Chief Knapp,
3 they worked together on it, where it instructed the chief
4 that we now had a new way of operating and here's a
5 questionnaire and this is for you to complete, and make
6 sure that you get it to the appellant at least 10 days
7 prior to the hearing. And the law is if you get it nine
8 days, then they lose. So that happened as a result, too.

9 Q And Sergeant Hall is no longer with the Firearms
10 Unit.

11 A No. No.

12 Q And Trooper Hatfield is no longer working in the
13 Firearms Unit either. Correct?

14 A No. No. He works in the commissioner's office.

15 Q Do you know who replaced Sergeant Hall and
16 Trooper Hatfield in the duties they were doing?

17 A Well, actually nobody replaced Trooper Hatfield,
18 and then it was Sergeant Krauss that replaced Sergeant
19 Hall.

20 Q Okay. Is there still a collaborative or is there
21 still a working relationship between Sergeant Krauss --

22 A Yes.

23 Q -- and Chief Knapp?

24 A Yes.

25 Q As you've described that there was with Sergeant

1 Hall?

2 A Yes.

3 Q Was Lieutenant Fox in the Firearms Unit as more
4 than a -- or just as an attorney?

5 A He would just be an attorney that would show up.

6 Q Are you familiar with any review of files that
7 was performed by Lieutenant Fox? Firearms Unit files?

8 A No.

9 Q Let's get the final exhibits out: 88, 89, 87.
10 Do you recognize --

11 A Yes.

12 Q -- this document that's identified as Plaintiffs'
13 Exhibit 87?

14 A Yes.

15 Q There is handwriting on the document and there is
16 typing on the document. Did you put any of the
17 handwriting on the document?

18 A Yes. That was mine.

19 Q Okay. Is there any handwriting on the document
20 that's not yours?

21 A No.

22 Q And then who typed the words in the document?

23 A I did.

24 Q Is this page alone or were there more pages
25 attached to it as a continuation?

1 A No; this was alone. I typed it up about an hour
2 before we had to leave. I was frustrated and decided to
3 bring to the board my frustration. Chris Adams knew that
4 I wanted to bring that, and we were almost at the very end
5 of the meeting when it looked like they had done all the
6 decisions; deliberations and decisions. And Chris was
7 going to end the meeting, and Donna leaned over to me and
8 said, "Susan, he's not going to say anything. You got to
9 say something." And I'm like, "No. Chris wants to say
10 it." And she's like, "No, you've got to say something."
11 And then I did.

12 Q At this meeting was the public there?

13 A Well, not at that part because we had -- it used
14 to be that we would do deliberations at the end of the
15 meeting rather than after each hearing. And most of the
16 public would leave by then because it was late.

17 Q Has it changed now?

18 A Oh, yeah.

19 Q How is it done now?

20 A Oh, well, we have the hearing and then they go
21 right into deliberations once the closing statements have
22 been made. Works out really well.

23 Q And so at this particular meeting -- do you
24 remember when this meeting was? Where this --

25 A I think this was in -- for some reason I want to

1 say September, but I don't know.

2 Q Of what year?

3 A Oh. I don't remember. Sorry.

4 Q Do you know if Mr. Kuck was still the secretary
5 of the board?

6 A Yes.

7 Q Do you know if Mr. Adams was still the chairman?

8 A Yes.

9 Q And describe for me again, this was -- this
10 portion of the meeting took place after deliberations had
11 already occurred?

12 A Yes.

13 Q And was Mr. Kuck present?

14 A Oh, yes.

15 Q Were there things discussed at this portion of
16 the meeting other than the issues that appear on
17 Exhibit 87?

18 A Not that I brought up, no.

19 Q Right. But that other people brought up.

20 A Not that I remember.

21 Q And do you know if that portion of the meeting
22 was specifically to discuss the issues that are in
23 Exhibit 87?

24 A Well, nobody knew it was going to be part of the
25 meeting. I had thought that Chris was going to make it

1 part of the meeting, and when he started to end the
2 meeting I was ready to just go home. And I don't think I
3 would have probably gone through with it if Donna hadn't
4 said, "Susan, you got to speak up for yourself" and she
5 pushed me to go ahead with it.

6 Q What had Mr. Adams said to you that made you
7 think that he would bring up these issues on Exhibit 87?

8 A Because I told him that it was accumulating.
9 There wasn't just -- there were complaints from Special
10 Licensing and Firearms about Mr. Kuck; there were more and
11 more requests from Mr. Peruta about, you know,
12 Mr. Goldberg's case; there was -- you know, here it's
13 saying Guglielmo calls the office. I mean, it was just an
14 accumulation of things that had happened that I was at an
15 ultimate high resentment level. I was stressed and I was
16 resenting even being there. I felt like I was tired of
17 not just Mr. Kuck, but I was tired of everyone and,
18 instead, aimed it at Mr. Kuck.

19 Q Okay. In going over Exhibit 87, if I could
20 direct your attention down to the bottom where it says
21 Peruta/Kuck call AG's. Regulations. Lose job. Threat.

22 Do you recall what you meant when you wrote
23 that --

24 A Yeah, there was -- well, actually Mr. Peruta did
25 say at one point that I could lose my job. But Mr. Kuck

1 would say "protect yourself," and we weren't sure how to
2 take that. And so, you know, like I remember Donna
3 saying, "What do we have to protect ourselves against?"

4 I remember being upset with Donna around that
5 time, too, because she was upset with Mr. Peruta at that
6 time, and she was trying to get me to step up and do
7 something about it. And I didn't do anything about it.
8 So -- you know, but she kept pushing for me. And at one
9 point we actually called the police to come and we did a
10 -- we had to give a report to the police that Donna felt
11 threatened by an e-mail from Mr. Peruta. The police came
12 from Troop H which is -- and I had them on my Rolodex as
13 the people to call in case of emergency. So Donna wanted
14 to put in a police report and so we did.

15 Q Back to that handwriting at the bottom when it
16 says "Kuck call AG's." Was that a note for you to call
17 the AG's office or that Mr. Kuck had called the AG's
18 office? Do you recall what that meant?

19 A I think I was talking about them calling the AG's
20 office.

21 Q Who is "them"?

22 A Oh. Mr. Peruta and Mr. Kuck.

23 Q Exhibit 88. Then also I'll just give you 89 as
24 well. Do you agree that Exhibit 89 appears to be a
25 revision of 88? And I'll give you a chance to read both

1 of them.

2 A Okay. (Reviewing.) Yeah. I remember reading
3 that. Okay. That's weird.

4 Q What?

5 A Okay. Records from -- "I asked you if Mr. Kuck
6 retaliated against you because you complained to the
7 board, and you stated that the only form of retaliation
8 was him demanding confidential records from" -- and then
9 all of a sudden this is here.

10 Q I think what happened was the back side of the
11 first page of Exhibit 88 was copied from recycled paper,
12 and that has nothing to do with this exhibit.

13 A Okay. And then also, "you" is capitalized, so
14 I'm assuming that was the end of a sentence.

15 Q Right.

16 A All right. (Reviewing.) Okay. So okay.

17 Q No. 89. On Page 2 it states at the first full
18 paragraph, "I asked you if Mr. Kuck retaliated against you
19 because you complained to the board, and you stated that
20 the only form of retaliation was him demanding
21 confidential records from you."

22 If that statement is accurate and that is what
23 you, in fact, told Ms. Tolliver, what were the
24 confidential records that Mr. Kuck had demanded from you?

25 A That would have been the files. And turns out

1 they weren't confidential all along.

2 Q Okay.

3 A According to our newest chairman, anyways. Other
4 chairmen would have disagreed with him.

5 Q And when you say "other chairmen," Mr. Adams
6 would have disagreed with that statement?

7 A Yeah, and all the others. Joe is the first one
8 who ever said, no, it's everything -- once we get things
9 from the appellants, they've lost all confidentiality.

10 Up to that point -- as a matter of fact, there
11 was a lawsuit from Mr. Sherman, Attorney Sherman to get
12 access to our files. He had come in one day and wanted
13 to look at all the files and he was turned away and --
14 because people were calling and complaining that they
15 received phone calls from him about him possibly
16 representing him -- them. And then that went to court
17 and he lost his case.

18 So I was told from that point on -- and I think
19 it was Mr. Sherman who educated me on that -- that I
20 can't show files that are still being considered by the
21 board and haven't been resolved; but if it resolved
22 against the appellant, I could share those files because
23 they no longer had a pistol permit. But if it was in
24 favor of the appellant, then now this was confidential
25 information. Which, of course, makes no sense because it

1 went from being confidential to not confidential to
2 confidential again.

3 Q So you would receive appellants' information and
4 you believed that you had a duty not to disclose it to any
5 members of the board?

6 A Not to any members of the board, it was just --
7 it was -- if like Mr. Kuck -- I mean Mr. Sherman looking
8 at it. The board members would see all of this at our
9 hearing. So that wouldn't make any sense.

10 Q Okay. So let me then ask you, in Exhibit 89 on
11 Page 2 where it talks about Mr. Kuck was demanding
12 confidential records, well, he was a member of the board,
13 so --

14 A Right.

15 Q -- what exactly were the records that were
16 confidential that he couldn't have?

17 A The files. The files. The appellant files.
18 It's not making sense.

19 Q So was there a point in time, though, where you
20 believed that you couldn't disclose the files to members
21 of the board?

22 A Before they went to a hearing, yes.

23 Q Okay. And when they -- you define "hearing" as
24 the day of the hearing you felt you could disclose the
25 files --

1 A Yes.

2 Q -- to members of the board?

3 A Yes.

4 Q But not before the day of the hearing.

5 A At one point someone had brought up that they
6 wanted to possibly have them mailed to them. I don't
7 remember who. And the board decided, no, that wouldn't
8 happen. Also, that people wouldn't leave the meeting with
9 the files. And that was another issue that we had because
10 Mr. Kuck wanted to bring them back home, and I was told
11 that he couldn't do that. And I can't remember who told
12 me that, but I was told he couldn't do that.

13 Q And Mr. Adams was one of the chairmen that
14 supported that position that --

15 A He was the chairman, yeah. The other chairmen
16 would support that it was confidential. All along they
17 all said it was confidential; it was just that when
18 Mr. Kuck wanted to bring them home, it happened to be when
19 Mr. Adams was the chair.

20 Q On Page 1 of Exhibit 89 there's a reference under
21 the first bullet point on the first page Mr. Kuck
22 demanding that you provide him with a transcript regarding
23 a board hearing. And just prior to that, there is a
24 sentence that says: You also informed me that you
25 informed the board that Mr. Kuck engaged in inappropriate

1 and unprofessional conduct, including demanding that you
2 provide him with a transcript regarding a board hearing.

3 Do you agree that that was not inappropriate or
4 unprofessional to request --

5 A No.

6 Q Well, let me ask it this way. Was it
7 unprofessional and inappropriate for Mr. Kuck to request
8 that transcript?

9 A No.

10 Q Did Mr. Adams give you any indication that he
11 believed it was inappropriate and unprofessional for
12 Mr. Kuck to request a transcript?

13 A No. I think when I was correcting her letter I
14 should have noticed that part of it.

15 Q Okay.

16 A And because I was -- I was complaining about
17 unprofessional conduct relating to this, not to any of
18 these below here.

19 Q And when you said "to this," you had pointed to
20 Exhibit 87.

21 A Yeah. And that was, you know, going to the
22 police department directly, thinking -- other things that
23 I mention there.

24 Q Okay. Now, do you have 87 in front of you still?
25 No. I have it. There you go.

1 In August, there is a notation of, "Colleen
2 calls to cancel Peter's meeting with commissioner." Now,
3 that's not unprofessional or inappropriate conduct on
4 Peter's part, is it?

5 A No.

6 Q So everything on this document, Exhibit 87, isn't
7 a list of inappropriate or unprofessional conduct on
8 Mr. Kuck's part.

9 A Some of it.

10 Q Some of it. Okay.

11 A Right.

12 Q And then the note in August that's handwritten
13 after the sentence "Colleen calls to cancel Peter's
14 meeting with commissioner" says "after being told not to
15 call their office"?

16 A Right.

17 Q Had Peter been told not to call the
18 commissioner's office?

19 A Colleen had expressed that to me, yes.

20 Q Okay. So in the conversation where Colleen had
21 canceled Mr. Kuck's meeting with the commissioner, she had
22 said he shouldn't call the office after that?

23 A Right.

24 Q Did she give you a reason?

25 A No.

1 Q Did she say anything about Mr. Kuck threatening
2 anyone or --

3 A No.

4 Q -- acting inappropriate?

5 A No.

6 Q In July, on Exhibit 87, it says "tells me to call
7 DPS commissioner to send representative to meeting."

8 Do you know what that's referring to?

9 A Not specifically. I think -- oh. Oh, I know.
10 He wanted answers to the letter we had sent and they
11 weren't answering it, and so his suggestion was have them
12 send a representative to the meeting.

13 Q To the board meeting.

14 A Right.

15 Q And then there are three other things under July:
16 Questions if letter was written; asked to set up meeting
17 with commissioner; and hired attorney. Were any of those
18 things unprofessional or inappropriate?

19 A This was another case of me feeling put in the
20 middle.

21 Q Okay. And at that meeting where Exhibit 87 was
22 discussed, the board meeting where you thought Mr. Adams
23 would bring it up but then you decided to bring it up,
24 what exactly did you say at the meeting and how long did
25 your presentation last?

1 A Well, it didn't last long. I knew more about
2 what my notes meant then.

3 Q Right.

4 A I don't -- you know, I'm looking at this, going,
5 okay. But at that point I knew more about what the notes
6 meant and I went through them. I didn't share this with
7 anyone and I didn't hand it out to anyone, so I was just,
8 you know -- and as a matter of fact, when the meeting was
9 happening, because I had typed it up so quickly before I
10 left, I thought of things to add and that's why you see
11 the handwriting.

12 So this part here where it says "record though,"
13 that was because Mr. Kuck wanted it recorded and we were
14 in -- right after deliberations and I wouldn't record it.
15 And then here again he asked a second time. So I wrote
16 down that he had asked me to record it.

17 I felt -- my way of thinking was this is a
18 personnel matter. Little did I know anything about human
19 resources and how to handle that. And this was handled
20 wrong. I was not right in the way I handled this.

21 Q Well, I mean did you have any direction or any
22 guidance from Mr. Adams about how to handle it as you went
23 to your presentation?

24 A No. I had spoken to him about how I wanted to
25 bring it up to the board as an issue and he seemed to have

1 supported that. I was under the impression that he
2 supported me bringing up the issues, and then he seemed
3 to -- because he didn't go ahead with it and we had just
4 talked about it like maybe the day before, that's when
5 Donna started saying, "Susan." You know. I don't know
6 whether it was because he had forgotten or he had changed
7 his mind.

8 I remember after the meeting seeing Joe and --
9 Chairman Corradino sitting down with Peter and talking
10 with him, and I was like, "Whoa, what's going on?" And
11 then that was the end of it. And it was something I
12 think Joe Corradino got in his head that I felt sexually
13 harassed. And that wasn't it at all.

14 Q Right. And that's an issue that came up at an
15 F.O.I. hearing that was represented by your counsel, but
16 you made clear that that wasn't the case.

17 A Oh, yeah. Absolutely not.

18 Q And in this letter, No. 89, it's confirmed that
19 you made that clear --

20 A Yeah.

21 Q -- and you still make that clear.

22 A Oh, absolutely. Yeah. No; I have been sexually
23 harassed, though. I know what it is.

24 Q Right. I'm going to hand you Exhibit 23. Does
25 Exhibit 23 look familiar?

1 A Well, I'm looking at it. It's the regulations,
2 but I don't remember seeing this version of it.

3 Q If you could just look at the actual regulations
4 and tell me if it looks familiar, because it may be a
5 different format than you've seen.

6 A Yeah, it's definitely a different format.

7 Q If I could direct your attention to the
8 regulation 29-32b-2 that's entitled "Chairman."

9 A Mm-hmm.

10 Q It says that the chairman of the Board of
11 Firearms Permit Examiners serves as the presiding officer
12 at meetings of the board at which he is present.

13 In your experience, since Mr. Corradino has
14 become the chairman, has he, in fact, served as the
15 presiding officer at meetings of the board at which he is
16 present?

17 A Yes.

18 Q And he has fulfilled that duty?

19 A Yes.

20 Q If I could direct your attention to 29-32b-3, the
21 section of the regulations pertaining to secretary, which
22 states, "The Secretary of the Board of Firearms Permit
23 Examiners shall be responsible for all secretarial duties
24 defined in sections 29-32b-5 through 29-32b-15."

25 Have you had occasion to review the

1 responsibility of the secretary as set forth in those
2 statutes 5-15?

3 A I have now. Yes.

4 Q Regulations, I mean. I'm sorry.

5 A Yes.

6 Q Regulations. And when you say "now," do you mean
7 today or --

8 A Oh, no, no. Back when Mr. Peruta made us all
9 aware of it.

10 Q Okay. And if I could direct your attention,
11 skipping ahead then to 29-32b-7 where it says
12 "Acknowledgment." "After receipt of the appeal the
13 Secretary reserves the right to make a thorough inquiry of
14 the facts of the appeal."

15 Since Chief Knapp has become secretary, have you
16 done anything to limit his right to make a thorough
17 inquiry of the facts of appeals to come before the board?

18 A No.

19 Q Has Mr. Corradino as chairman done anything to
20 limit Chief Knapp's right to make a thorough inquiry of
21 the facts of the appeals that come before the board?

22 A No.

23 Q Now, it also says in that section that the
24 secretary "shall set a date for a hearing and give
25 reasonable notice of the time and place for the hearing."

1 Do you, in fact, do that?

2 A I and Chief Knapp -- well, what I do is I come up
3 with what I think are good dates after I've looked at
4 multiple of calendars; you know, the Jewish holidays,
5 the -- you know, I want to make sure that we're covered,
6 that we're not meeting on a date that we shouldn't be
7 meeting.

8 Then I send those to Chief Knapp and then he
9 looks at them, and then he calls Wethersfield because he
10 prefers that we spend at least half of our meetings in
11 Wethersfield. And so he will call his former secretary
12 who is still there, and say can we reserve this room.
13 Then in the meantime, I've sent a letter down to Joanne
14 who is the building inspectors commissioner's secretary,
15 and she is in charge of room 348 at the Department of
16 Emergency Services. And so between -- I notify Joanne
17 just to cover all the bases, just in case Wethersfield's
18 not available.

19 Then the chief calls me back once he's had his
20 time to speak with his secretary and says, okay, we won't
21 need DPS on these days. And then I send another e-mail
22 to Joanne and say, okay, we're not going to need these.
23 But sometimes Chief Knapp will say to me, well, tell them
24 we need it just in case; like the backup days. And so
25 together we come up with the schedule. I used to do it

1 all on my own and then he wanted to add Wethersfield, and
2 that's when he got more involved.

3 Q 29-32b-11 is also contained in Exhibit 23.

4 A Okay.

5 Q When it indicates, "The Board may postpone,
6 recess, or reschedule hearings at the discretion of the
7 Secretary," has Chief Knapp exercised that discretion to
8 postpone, recess or reschedule hearings during his time as
9 secretary?

10 A Well, just recently he rescheduled two of them
11 from Thursdays to Friday because Mr. Corradino was in the
12 middle of a murder case. As far as postponing, he has
13 never postponed. And recess? I don't think he's ever
14 done that.

15 Q Okay. Has he ever tried to postpone or recess a
16 hearing and been prevented from doing so, or limited --

17 A No.

18 Q -- that you know of?

19 A No. The only thing I can think of about recess
20 is if that meant like a continuance. But that's -- he
21 looks to the chairman for that.

22 Q Okay.

23 A We don't normally do continuances.

24 Q Okay. And those continuances are decided at the
25 actual board meetings.

1 A Yes. Exactly. He often has told the board "I
2 don't really have to consult with you on this schedule,
3 but I want everybody to be part of this decision," meaning
4 the schedule. Because he wants a quorum. He worries all
5 the time about if we have a quorum.

6 Q And when you say "he," you're referring to Chief
7 Knapp?

8 A Chief Knapp. Right.

9 MS. BAIRD: I think I'm done with my
10 questions. Well, we may not be completely done.

11

12

CROSS-EXAMINATION

13

14 BY MR. SNOOK:

15 Q First of all, thank you very much. It's been a
16 long, grueling day.

17 MS. BAIRD: It hasn't been that bad.

18 MR. SNOOK: Well.

19 THE WITNESS: He's tired from the
20 accumulation, I'm sure.

21 BY MR. SNOOK:

22 Q Just a couple of things. Do you have current
23 funding for any additional part-time or full-time
24 positions?

25 A No.

1 Q Would that be helpful in the efficiency of the
2 board?

3 A Yes.

4 Q Do you ever use volunteer help?

5 A My sister.

6 Q What does she do?

7 A She comes in once every two weeks, sometimes once
8 a month. She used to be a state worker. She was there 35
9 years -- I said 37 yesterday to the legislature; I
10 actually told this to the legislature -- and she retired
11 to take care of my mom, who was dying, and then took over
12 taking care of my dad. And she considers it a break from
13 that. It's a lot of work; failing health, et cetera.

14 So she came up one day just to visit and go to
15 lunch. And she was a secretary, too. And I said to her,
16 gee, could you help me with some of this? Instead of me
17 opening each file, I can read you the file and you just
18 enter into all the categories that say "yes, the
19 appellant won" or whatever. And she said, yeah, sure.
20 So then she liked it and she felt that she wanted to come
21 back more often, so whenever -- as a matter of fact, she
22 got disappointed when I canceled her recently because she
23 really looks forward to a day away and she considers that
24 like a vacation, coming -- being with me. I always take
25 her out to lunch and breakfast. So yes.

1 Q And her work is helpful?

2 A Extremely helpful.

3 Q Working --

4 A She's coming tomorrow and I guarantee you we're
5 going to go through files and get out at least -- what
6 takes me normally a week to get done we'll get done in a
7 day. Yeah.

8 Q You mentioned that you came on board in 1998 with
9 the board; is that correct?

10 A Yes.

11 Q Was there a backlog then?

12 A I remember S'Jean saying -- this is going to
13 sound funny -- that we had gone beyond 90 days and that
14 she was concerned. And so yes. But it wasn't anything
15 like now.

16 Q Thank you.

17 Do you recall when the backlog started to
18 decline significantly?

19 A Well, until we added more cases to the agenda, it
20 was always declining. It never got better. And then, you
21 know, it didn't seem to have as much of an impact as what
22 we wanted, so that's why the idea of meeting more often
23 came up.

24 Q Do you know roughly when?

25 A It was a couple of years ago. I don't remember

1 the exact year, but I think Chief Knapp had spoken with
2 Joe about meeting at least twice a month, and it was the
3 compromise to meet an extra four times a year and it would
4 be quarterly. And the board all voted in favor of that.

5 Q Going in a different direction, let's follow up
6 with this.

7 A Okay.

8 Q Am I correct in understanding that the
9 combination of additional meetings suggested by Chief
10 Knapp, and the additional hearings -- or cases per meeting
11 which I believe was also suggested by Chief Knapp has, in
12 fact, significantly reduced the backlog?

13 A Yes.

14 Q Are you aware of other efforts by other parties?

15 A Yes.

16 Q And some of those were successful and some were
17 not?

18 A Sergeant Hall and Trooper Hatfield when they were
19 sent a list of cases to review, they made a significant
20 impact on our backlog. I can't tell you exactly how much,
21 but we were all pleased with the results.

22 Q Was there an effort -- to your knowledge, if you
23 know -- at SLFU before Chief Knapp came on board, to purge
24 cases?

25 A No.

1 Q You mentioned a meeting with --

2 A Well, wait a minute. They did do that 20/40
3 thing. They did do that.

4 Q And that was suggested by SLFU.

5 A It was suggested by I believe the board. I'm not
6 sure if it was Chris himself or a combination of Peter and
7 other members; but then they -- they were going to --
8 actually, their suggestion was 20/40 because we were
9 asking for more than that. And then they said this would
10 be a good compromise.

11 Q Ultimately, though, it was the efforts of the
12 board that reduced the backlog?

13 A Yeah, I would say so.

14 Q SLFU. How would you characterize your working
15 relationship with Detective Mattson?

16 A It's a good one.

17 Q Would you consider it professional? Do you
18 consider your relationship professional with Detective
19 Mattson?

20 A There have been times when she would get angry
21 that it would make me feel uncomfortable. She was, I
22 would say, you know, maybe not equally, but close to, you
23 know, everyone else putting me in the middle of
24 everything. So those times I felt it was unprofessional,
25 but I did whatever she asked or whatever the chairman

1 asked because I wanted them off my back.

2 Q Understood. And I know some of these questions
3 may be a little uncomfortable because of the people in the
4 room. I'm asking these to the extent you're comfortable
5 answering.

6 Do you feel at times that your relationship with
7 the plaintiff was unprofessional?

8 A Yes.

9 Q Did you ever feel uncomfortable with the
10 plaintiff? In the sense of being bullied or put in the
11 middle.

12 A Oh, yes. Yes.

13 Q Did anyone at SLFU, to your recollection, ever
14 attempt to amend or affect the agenda of board hearings?

15 A Well, they have. What they do is usually say,
16 you know, we've got a couple of agreements so we want to
17 switch up and put them into the top of the agenda. Or
18 they will -- they weren't happy that we were going to
19 Wethersfield; I know that. And they actually made an
20 all-out effort after that attempt, to make sure that
21 Joanne kept that meeting room open for us. Because up to
22 that point I was always under the threat that even that
23 day of the hearing if the commissioner needed that
24 meeting, we were out. And I was told that. And so I was
25 always concerned about that. You know, I didn't want to

1 send appellants home. But as far as changing who was
2 going to be heard? No.

3 Q To your knowledge, did SLFU personnel ever
4 attempt to delay hearings or slow hearings down or
5 increase the backlog in any way?

6 A No.

7 Q The practice and procedure of setting the board
8 agenda and establishing the hearing process that you have
9 described today, you came about that process, developing
10 that process beginning in 1998 or shortly thereafter?

11 A Yes.

12 Q And that continued up through -- essentially to
13 the present --

14 A Yes.

15 Q -- with modification?

16 Was the plaintiff a part of the board in 1998?

17 A Yes.

18 Q Was he secretary in 1998?

19 A Yes.

20 Q And up and through, say, 2007, did he ever
21 complain to you about the agenda process?

22 A No.

23 Q Did he attempt to set the agenda himself?

24 A No.

25 Q To your knowledge, it wasn't until it was brought

1 to his attention by Mr. Peruta of his additional authority
2 under the regulations that he attempted to change the
3 process?

4 A Right.

5 Q And is it your testimony that to your knowledge,
6 Mr. Adams was surprised by that and resistant?

7 A Yes.

8 Q And that there was tensions between the two.

9 A Yes.

10 Q And to your knowledge, were there difficulties
11 between those two members of the board?

12 A Yes.

13 Q And did they affect the hearings of the board?

14 A There were times where, yeah -- I mean it didn't
15 change their decisions. They are all very fair and they
16 ask a lot of questions. They really pay close attention,
17 write notes. So I don't think that -- you know, that
18 Mr. Adams would vote against it because Mr. Kuck wanted
19 it. That never happened.

20 Q Would it affect the smooth functioning of the
21 board?

22 A It could, yeah. I mean the functioning in the
23 office, definitely. Yes.

24 Q Again I apologize. I'm jumping around, partially
25 because of my notes and the way the process works here.

1 The records that you were instructed not to
2 bring to the Plaintiffs' attention for the reason that
3 they were confidential, am I correct in understanding
4 that until fairly recently, that was the practice and
5 policy of the board to hold those records confidential?

6 A Yes. Until --

7 Q Until, apparently, my office said otherwise.

8 A Yeah, maybe. Yeah.

9 Q News to me.

10 A I should amend that. I don't know when -- you
11 said your decision; but I know that right from the
12 beginning Joe Corradino said nothing was confidential.

13 Q Oh.

14 A Yeah.

15 Q And that came from the then chairman?

16 A He was the chairman and he -- yeah. Yeah. I
17 mean if the issue came up what is confidential and what
18 isn't confidential -- as a matter of fact, Donna, before
19 Mr. Corradino came on board, felt that -- that she saw a
20 change where the people were getting access to the file
21 because now they would be confidential. And she was very
22 concerned about that and called F.O.I. She got a lawyer
23 to say, no, that should remain confidential. Which was
24 highly unusual, being the fact that they're F.O.I. saying
25 this. And then Joe I think followed up with another

1 request, and maybe it was you, I'm not sure who, but he
2 came up with a different lawyer's opinion who said, no, it
3 should be --

4 Q But when you were complaining about having to
5 release these files, it was your understanding and the
6 direction of --

7 A Yeah, that it was confidential. Yeah.

8 MR. SNOOK: I guess that's it for me.

9 MS. BAIRD: Let me just ask a couple of
10 follow-ups to your questions.

11

12

REDIRECT EXAMINATION

13

14 BY MS. BAIRD:

15 Q I believe you testified when I was asking you
16 questions, that you have never denied Chief Knapp access
17 to any of the files in your office?

18 A That's true.

19 Q You've known Chief Knapp for about five years
20 now. Right?

21 A Yes.

22 Q Can you anticipate what his reaction might be if
23 you did deny him access to the files in your office?

24 A He would not be happy.

25 Q Do you think he might engage in conduct that was,

1 you know, maybe a little disagreeable?

2 A Yes.

3 Q Okay. And again -- well, I'll end up with that.

4 That's fine. Enough said.

5 MR. SNOOK: That's enough.

6

7 (Whereupon, the witness was excused and the
8 proceedings were concluded at 4:13 p.m.)

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SIGNATURE PAGE

I, SUSAN MAZZOCCOLI, have read the foregoing transcript of the testimony given at the deposition held on FEBRUARY 16, 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.

SUSAN MAZZOCCOLI

STATE OF CONNECTICUT
COUNTY OF _____

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

NOTARY PUBLIC

My Commission Expires: _____

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