

Law Offices of Rachel M. Baird

100 Pearl Street, 14th Floor
Hartford CT 06103-4500
Tel: 860.249.7238/Fax: 860.626.9992

Torrington Office

379 Prospect Street
Torrington CT 06790-5238
Tel: 860.626.9991/Fax: 860.626.9992
Toll free: 866.279.6402

Rachel M. Baird, Attorney
Web: RachelBairdLaw.com

July 18, 2008

By certified, first-class mail #

Robert Duffy, Lt. Col., Commander
Professional Standards Section
Connecticut Department of Public Safety
1111 Country Club Rd
Middletown CT 06457-2389

Re: Citizen Complaint, Conduct of Internal Affairs Unit Case No. C07-407 Investigation

Dear Lt. Col. Duffy:

I represent M. Peter Kuck (“Mr. Kuck”) and file the above-referenced complaint against the Internal Affairs Unit (IAU) of the Connecticut State Department of Public Safety (DPS) and Lt. J. Paul Kenefick (“Lt. Kenefick”) regarding the conduct of the investigation of IAU Case No. C07-407.

This letter assumes that you have access to IAU Case No. C07-407 records.¹

The instant complaint filed by Mr. Kuck is made against the IAU and Lt. Kenefick regarding Lt. Kenefick’s failure to investigate the issues brought to his attention in my letter dated June 16, 2008, in particular, but not limited to, the report by Detective Thomas Karanda (“Det. Karanda”) that Mr. Kuck exploded in his seat. Lt. Kenefick’s June 20, 2008, response, as detailed in my letter to him dated June 26, 2008, seemingly dismisses my inquiry with the simple statement that the results of the investigation remain as stated in his letter to me dated March 19, 2008. Lt. Kenefick fails to state why, when brought to his attention, a discrepancy in statements between an objective observer and the focus of the investigation, would not merit clarification. This is similar to the conduct alleged against Lt. Kenefick in the matter of Orr v. Wisner, et al. before the Honorable Janet C. Hall in which it is claimed, at paragraph thirty-five (35) of the complaint, that Resident State Trooper Scott Wisner provided a false statement to Lt. Kenefick in

¹ My file in this matter includes: (1) Complaint by M. Peter Kuck filed by Rachel M. Baird with Lt. Col. Duffy, dated August 17, 2007; (2) Letter from Rachel M. Baird to Com. Danaher and Lt. Col. Duffy, dated March 18, 2008 with request for Case C07-407 records; (3) Letter from Lt. Kenefick to Rachel M. Baird, dated March 19, 2008 (post-marked March 25, 2008); (4) Letter from Rachel M. Baird to Lt. Kenefick dated April 24, 2008; (5) Letter from DPS Attorney Janeiro to Rachel M. Baird with thirty-eight pages of Case No. C07-407 records, dated April 28, 2008; (6) Letter from Rachel M. Baird to Lt. Kenefick, dated June 16, 2008; (7) Letter from Lt. Kenefick to Rachel M. Baird, dated June 20, 2008; and (8) Letter from Rachel M. Baird to Lt. Kenefick with transcript of April 25, 2008, voicemail from Lt. Kenefick, dated June 26, 2008.

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the course of an Internal Affairs Unit investigation and, at paragraph thirty-seven (37) of the complaint, that Lt. Kenefick concluded the investigation upon false findings.

In his voice mail message left at my office on April 25, 2008, Lt. Kenefick voices his concern about my letter to him dated April 24, 2008, and says that it was “disturbing.” Lt. Kenefick’s objectivity about the complaint against Det. Karanda may have been impacted by his feelings about my letter and this may have affected his ability to objectively consider the points raised in my June 16, 2008, letter to him about the inadequacy of the investigation. Regardless, the point of Mr. Kuck’s instant complaint against Lt. Kenefick is to ensure that Case No. 07-407 is reassigned, thoroughly reviewed, and investigated and that Lt. Kenefick’s conduct of the original investigation and his response to Mr. Kuck’s inquiries through counsel are investigated.

The complaint in IAU Case No. 07-407 was filed on August 17, 2007. I inquired about the status of the investigation on March 18, 2008, and the results of the investigation were forwarded to me by letter dated March 19, 2008 (post-marked March 25, 2008). Between November, 2007, and March 25, 2008, I was not contacted about the case. Please inform me when you expect the investigations requested in this letter to be complete and if it will be necessary for me to periodically forward letters requesting the status of the investigations.

In closing, Mr. Kuck is aware that Det. Karanda has posted an email to a website, www.opencarry.org, in which Det. Karanda purports to speak on behalf of the Board of Firearms Permit Examiners (BFPE). A copy of the email is attached for your reference. As Mr. Kuck is a member of the BFPE, never authorized Det. Karanda to speak on his behalf, and finds it harmful to his reputation that Det. Karanda purports to speak on the BFPE’s behalf when Mr. Kuck is a member of the BFPE, Mr. Kuck demands that DPS compel Det. Karanda, when he speaks on behalf of the BFPE in the future, to specifically state that he is not speaking on behalf of BFPE member M. Peter Kuck.

Sincerely,

Rachel M. Baird, Attorney

Enclosure

c: M. Jodi Rell, Governor, State of Connecticut
Office of the Governor
State Capitol
210 Capitol Ave
Hartford CT 06106-1562

John A. Danaher, III, Commissioner
Connecticut State Department of Public Safety
1111 Country Club Rd
Middletown CT 06457-2389