

Exhibit I

October 3, 2006

Donald Cornell

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

CHARLES MAUTI

VS.

LAUREN MATARESE, ET AL.

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:
:
:

C.A. NO.: 06-61T

DEPOSITION OF DONALD CORNELL, a Witness in the
above-entitled cause, taken on behalf of the Plaintiff, before
Barbara Warner, Notary Public in and for the State of Rhode Island,
at the offices of Noel & Gyorgy, 50 South Main Street, Providence,
RI, on October 3, 2006 at 10:00 A.M.

PRESENT:

FOR THE PLAINTIFF.....

NOEL & GYORGY, LLP

BY: JOHN R. GYORGY, ESQUIRE

FOR THE DEFENDANT.....

OLENN & PENZA, LLP

BY: MICHAEL COLUCCI, ESQUIRE

ALLIED COURT REPORTERS
115 PHENIX AVENUE
CRANSTON, RI 02920
401-946-5500

October 3, 2006

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1 license checks and stuff for that. He
2 would gain access through that.

3 Q. The captain is the prosecution officer,
4 does she have occasion to use it for those
5 purposes?

6 A. Nine times out of ten she would call
7 and ask for the information to be printed
8 up, and she would come down and get it or
9 we would put that in her mailbox.

10 Q. On occasion, that one time out of ten she
11 may run that herself?

12 A. She may.

13 Q. Sergeant Lacey is in charge of RITT?

14 A. Yes.

15 Q. Do any of the lieutenants have occasion to
16 use the terminals in dispatch?

17 A. Again, they have the authority. Do
18 they do it on a daily basis, routinely, no,
19 they do not.

20 MR. GYORGY: I think that is
21 all I have. Before we go off the record, I
22 have marked as Exhibit 2 the deposition
23 notice for the individual who conducted the
24 May 9 RILETS checks. And I just want to
25 confirm on the record if we can that the

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1 Town does not know who it was and that is
2 why you have given me the opportunity to
3 depose both Mr. Cornell and Karen Greber.

4 MR. COLUCCI: That's right.

5 MR. GYORGY: Off the record.

6 (CLOSED AT 11:40 A.M.)
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Exhibit J

September 12, 2006

Mark Wright

Page 1

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

CHARLES MAUTI

VS.

LAUREN MATARESE, ET AL.

:
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:
:
:

C.A. NO.: 06-61T

DEPOSITION OF MARK WRIGHT, a Witness in the
above-entitled cause, taken on behalf of the Plaintiff, before
Barbara Warner, Notary Public in and for the State of Rhode Island,
at the offices of Noel & Gyorgy, LLP, 50 South Main Street,
Providence, RI, on September 12, 2006 at 1:10 P.M.

PRESENT:

FOR THE PLAINTIFF.....

NOEL & GYORGY, LLP
BY: JOHN P. GYORGY, ESQUIRE

FOR THE DEFENDANT.....

OLENN & PENZA, LLP
BY: MICHAEL COLUCCI, ESQUIRE

ALLIED COURT REPORTERS
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401-946-5500

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MARK WRIGHT

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EXAMINATION BY MR. GYORGY.....

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2. RILETS.....

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September 12, 2006

Mark Wright

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1 Q. When did you become a lieutenant?

2 A. Two years ago August.

3 Q. Are you currently the terminal agency
4 coordinator for the Westerly Police
5 Department?

6 A. Yes.

7 Q. Can you tell me what that means, just tell
8 me what it means, terminal agency
9 coordinator?

10 A. Monthly the State Police send us down
11 audits in which I have to check information
12 and make sure it is accurate.

13 Q. Did you say audits?

14 A. Yes.

15 Q. Are these audits of the use of the RILET
16 system by the Westerly Police Department?

17 A. Audits of the information we have put
18 into the system.

19 Q. What categories of information you put into
20 the RILET system, am I correct?

21 A. Yes.

22 Q. What information do you put into the RILET
23 system?

24 A. Stolen articles, wanted persons.

25 Q. Anything else?

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Mark Wright

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1 A. I would assume.

2 Q. Do you have any recollection of the State
3 Police having come down and instructing
4 members of the department on restrictions,
5 on the use of the NCIC system?

6 A. No.

7 Q. Are you aware that there are restrictions
8 on the use of the NCIC system?

9 A. Yes.

10 Q. How are you aware of those restrictions?

11 A. I can't say how I am aware, I just know
12 there are restrictions.

13 Q. What are they, to your knowledge?

14 A. It has to be for law enforcement
15 purposes.

16 Q. Anything else?

17 A. Not for personal use or personal gain.

18 Q. Anything else?

19 A. No.

20 Q. Do you know what the sanctions are for
21 misuse?

22 A. No.

23 Q. Do you know whether they are civil or
24 criminal?

25 A. No.

September 12, 2006

Mark Wright

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1 would be something the State Police would
2 document to us.

3 Q. Are you familiar with the, let me ask you
4 more questions. Are you saying the
5 department is not responsible for
6 monitoring the use of the system, that the
7 State Police would notify the department if
8 there was any misuse?

9 A. I can't do a blanket statement. If
10 someone had knowledge of someone misusing
11 it in our department, obviously we would
12 act on that with the State Police.

13 Q. What would you do?

14 A. We would report that to the State
15 Police and let them know this occurred and
16 what is the next step.

17 Q. Are you familiar with the circumstances of
18 Mr. Mauti's arrest?

19 A. Through the arrest, yes.

20 Q. When you say through the arrest, what do
21 you mean?

22 A. Through what occurred that morning.

23 Q. Were you present --

24 A. No.

25 Q. How are you aware of what occurred that

September 12, 2006

Mark Wright

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1 morning?

2 A. Through conversations in the station.

3 Q. With whom?

4 A. Just general that Mauti was arrested.

5 Q. Do you know Mr. Mauti?

6 A. I know him.

7 Q. How?

8 A. Through town. It is a small town. You
9 know people. I don't know him in a
10 personal way.

11 Q. I understand it is a small town.

12 A. That is all. I never had dinner with
13 him or drinks or anything like that. I
14 just know him.

15 Q. Were you aware of the problem he had with
16 the town with a storm drain in the side
17 yard, did you see any of those articles in
18 the Sun?

19 A. Yes, through the Sun.

20 Q. So you don't remember any specific
21 conversations with people you can identify
22 around the time of Mr. Mauti's arrest about
23 the circumstances of his arrest?

24 A. Other than he was driving down the road
25 and he was stopped by the Captain.

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Mark Wright

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1 Q. Do you know why he was arrested?

2 A. Because a license check was performed
3 and it came back that he did not have a
4 Rhode Island license.

5 Q. Do you know he was arrested for not having
6 a Rhode Island license even though he had
7 an active Arizona license?

8 A. Yes.

9 Q. Did you have discussions with anyone at the
10 department about whether that is an
11 arrestable offense?

12 A. I am sure I did.

13 Q. Do you remember who?

14 A. I think the Chief.

15 Q. Who initiated that conversation?

16 A. I don't know.

17 Q. Was anyone else present besides you and the
18 Chief?

19 A. I don't recall.

20 Q. What did the Chief say about it?

21 A. I don't recall. I gave my opinion on
22 it.

23 Q. What was your opinion?

24 A. That I had never seen anybody arrested
25 for that before.

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Mark Wright

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1 Q. Did you say anything about that violation
2 being a Traffic Tribunal offense?

3 A. That is how I have always handled them
4 when I was in patrol.

5 Q. How long were you on patrol?

6 A. Nine years, approximately.

7 Q. I may have asked the question wrong, but
8 were you a patrolman for nine years?

9 A. Yes.

10 Q. Then you were promoted to corporal?

11 A. Actually, corporal is still patrol. I
12 was a patrol for five or six or seven years
13 and then corporal, and then I went into
14 detectives and spent my career there.

15 Q. You spent nine years on the road?

16 A. Yes.

17 Q. From 1988?

18 A. '87.

19 Q. From 1987 to 1996?

20 A. Thereabouts.

21 Q. Did you tell the Chief that you had always
22 treated it as a traffic Tribunal offense?

23 A. Yes.

24 Q. Do you remember what the chief said in
25 response?

September 12, 2006

Mark Wright

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1 A. No. Not to I point where I could say,
2 no.

3 Q. Do you remember specifically what he said?
4 Do you remember whether he expressed
5 agreement or disagreement with your
6 opinion?

7 A. I can't say for sure. I would assume,
8 but I don't want to assume.

9 Q. But you don't remember him expressing
10 either one?

11 A. It was conversation that the memory of
12 it was gone within five minutes because it
13 did not affect me one way or the other.

14 Q. Do you remember when that conversation
15 occurred?

16 A. No.

17 Q. Was it soon after the arrest?

18 A. I don't remember.

19 Q. Was it closer in time to last May than the
20 present?

21 A. Yes.

22 Q. Did you have discussions with anyone other
23 than the Chief?

24 A. Not that I can recall.

25 Q. Do you know whether the topic of

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Mark Wright

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1 Mr. Mauti's arrest was discussed by others
2 in the department, whether you participated
3 in the discussions or not?

4 A. I am sure it was. I don't put myself
5 in a situation where subordinates are
6 talking about a superior. I either leave
7 the room or I don't put myself in that
8 situation.

9 Q. What you know of Mr. Mauti's arrest is what
10 you learned from the discussions you had
11 with other people in the department; is
12 that correct?

13 A. Well, that and the paper.

14 Q. What paperwork did you see?

15 A. Westerly Sun.

16 Q. What do you remember of the Westerly Sun's
17 coverage?

18 A. That he was arrested for operating
19 without a license and subsequent stories
20 after that were in it. It said other
21 things regarding him suing the town for
22 false arrest and that type of stuff or
23 whatever.

24 Q. Let me ask you a question. You said to the
25 Chief that you had not treated the offense

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Mark Wright

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1 Mr. Mauti was arrested for as a criminal
2 offense, but instead treated it as a
3 Traffic Tribunal offense; is that correct?

4 A. Yes.

5 Q. Did you, or do you, because you are still a
6 police officer you may have occasion to
7 conduct traffic stops, draw a distinction
8 in terms of driving with no license and
9 driving with an active out-of-state
10 license?

11 A. Yes.

12 Q. What is the distinction that you draw?

13 MR. COLUCCI: Objection. You
14 can answer.

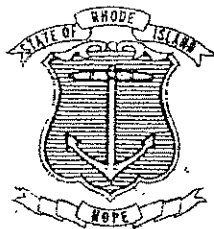
15 A. The distinction would be driving
16 without a license. There is the summons
17 for driving with an out-of-state license if
18 you can prove they have been in the state
19 for longer than 30 days that is summons not
20 an arrest.

21 Q. In one case there is no license and in the
22 other case there is the wrong license, is
23 that an accurate description?

24 A. Yes, just not a Rhode Island license,
25 yes.

Exhibit K

State of Rhode Island
Rhode Island State Police



This is to certify that

LAUREN MATARESE

has successfully completed a course of instruction in

INTRODUCTION TO RILETS / NCIC POLICY & PROCEDURES

Witness my hand and seal this 23RD day of MAY, 1989 A. D.,

Walter Stone

Colonel

Superintendent

Rhode Island State Police

CERTIFICATE OF ACHIEVEMENT

certify to all that

Sgt. Lauren Matarrese


*has successfully completed instruction of the NCIC Policies, Procedures
and Guidelines as set forth by the Federal Bureau of Investigation and the
Rhode Island State Police.*

Westerly

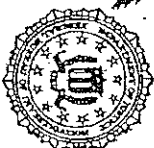
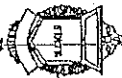
Department

September 1996

Date


Rhode Island State Police
Control/Terminal Officer

NCIC

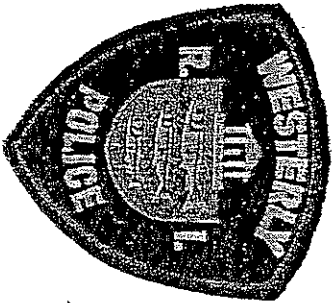


CERTIFICATE OF ACHIEVEMENT

This certifies that
SERGEANT LAUREN MATARESE

of the
Westerly Police Department

has successfully completed re-certification of the NCIC Policies, Procedures
and Guidelines as set forth by the Federal Bureau of Investigation
and the Rhode Island State Police



Lt. Stephen N. Baker
Director Of Training - Westerly Police Department

John R. Moretta
Terminal Agency Coordinator - Westerly Police Department

July 14, 1999

Exhibit L

September 29, 2006

Sean Lacey

Page 1

UNITED STATES District Court
FOR THE DISTRICT OF RHODE ISLAND

CHARLES MAUTII :
 :
VS. : C.A. NO.: 06-61T
 :
LAUREN MATARESE, ET AL. :

DEPOSITION OF SEAN LACEY, a Witness in the
above-entitled cause, taken on behalf of the Plaintiff, before
Barbara Warner, Notary Public in and for the State of Rhode Island,
at the offices of Noel & Gyorgy, 50 South Main Street, Providence,
RI, on September 29, 2006 at 10:00 A.M.

PRESENT:

FOR THE PLAINTIFF..... NOEL & GYORGY, LLP
BY: JOHN R. GYORGY, ESQUIRE

FOR THE DEFENDANT..... OLENN & PENZA, LLP
BY: MICHAEL COLUCCI, ESQUIRE

ALLIED COURT REPORTERS
115 PHENIX AVENUE
CRANSTON, RI 02920
401-946-5500

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WITNESS

SEAN LACEY

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Sean Lacey

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1 anyone else?

2 A. There are two sergeants assigned to
3 first shift, my being one of them. I am
4 the senior sergeant. I am on a 5/2
5 schedule. I am the only sergeant on a 5/2
6 schedule, the reason for that is I handle
7 prosecution for the court.

8 Q. Do you assist Captain Matarese?

9 A. No. I handle prosecution for the
10 Traffic Tribunal and I handle prosecution
11 for the Municipal Court. She handles
12 prosecution for the District Court.

13 Q. The other sergeants work four days on and
14 three days off?

15 A. 4/2. Their days off rotate and I am on
16 a fixed schedule.

17 Q. When did you start doing the Traffic
18 Tribunal prosecutions?

19 A. 2003.

20 Q. What does that entail, what are your
21 responsibilities in terms of being the
22 sergeant in charge of RITT proceedings?

23 A. I am responsible for, we have a day we
24 are assigned for court. I am responsible
25 for all arraignments, any plea agreements

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Sean Lacey

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1 reached on that level. I am responsible
2 for the motor vehicle violations that are
3 issued to the police department. I am
4 responsible to assign the officers if they
5 are, in fact, scheduled to go to trial for
6 a ticket or refusal hearing. That is the
7 Traffic Tribunal. As far as the municipal
8 side, I am responsible for the prosecution
9 for all municipal cases that go to
10 court, some of the which can be criminal
11 cases, any violation of any town ordinance.
12 The same thing in the arraigning. I will
13 do the arraignment. If it is going to
14 trial, I will schedule the officer to go to
15 trial. Westerly has a concurrent traffic
16 system, in other words, half of the tickets
17 go to Municipal Court if it is a concurrent
18 charge. Some violations have to go to
19 RITT. You have no choice. That is all an
20 issue. The town gets more funds if we send
21 them to Municipal Court than if we send
22 them to Traffic Tribunal.

23 Q. What offenses are included in the
24 concurrent, where the Municipal Court and
25 Traffic Court have concurrent jurisdiction?

September 29, 2006

Sean Lacey

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1 knowledge of it.

2 Q. When you say a license issue, do you know
3 what the specific offense was that he was
4 charged with?

5 A. Yes.

6 Q. What was it?

7 A. He was charged with 31-10-1, which is
8 operating without a license.

9 Q. A 31-10-1 is applicable in a situation
10 where the driver has no license, either
11 Rhode Island or out of state?

12 MR. COLUCCI: Objection. You
13 can answer.

14 A. No, it is not.

15 Q. What is your understanding of what 31-10-1
16 does apply to?

17 A. My understanding is 31-10-1 is no
18 longer used. It now falls under 31-11-18,
19 which is a suspension statute.

20 Q. When you say it is no longer used, what do
21 you mean by that, that the department does
22 not use it, that it has been repealed or
23 what?

24 A. I am not sure. I couldn't tell you
25 exactly why it is not being used. Some

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Sean Lacey

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1 time ago all licensing issues fell under
2 31-11-18 to no license whether suspended,
3 cancelled, revoked, it is actually a
4 District Court offense, which is you go to
5 District Court. 31-10-1 would go to Rhode
6 Island Traffic Tribunal. It had to go to
7 the Traffic Tribunal.

8 Q. But it was a Traffic Tribunal offense as
9 opposed to a District Court offense?

10 A. That's correct.

11 Q. 31-10-18, is that the other section you
12 mentioned?

13 A. 31-11-18, suspended, cancelled,
14 revoked.

15 Q. Does that apply to a situation where a
16 driver has a valid out-of-state license?

17 A. No, it does not.

18 MR. COLUCCI: Same objection.
19 You can answer.

20 Q. As the prosecuting officer for, is that the
21 right term, prosecution officer for RITT
22 and Municipal Court?

23 A. Yes.

24 Q. As the prosecuting officer, are you
25 required to have a knowledge of at least

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Sean Lacey

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1 A. Yes. He was working some security job
2 or police job with the Grand Ole Opry and
3 he was applying to go to some dispatching
4 job or a police job somewhere down there.
5 I don't recall exactly what it was.

6 Q. Do you know anybody else that may have been
7 in touch with him who would know where he
8 is now?

9 A. No. I imagine he has been in contact
10 with some of the people on third shift. I
11 am trying to think. Dave LaChapelle. I
12 have not heard anyone mention they have
13 talked to Mike.

14 Q. Can you think of anybody else who might
15 know besides Corporal LaChapelle?

16 A. No, other than the people that worked
17 with him on third shift. I don't know
18 anybody in particular that I can say this
19 guy knows.

20 Q. Did you ever discuss Mr. Mauti's arrest
21 with Captain Matarese?

22 A. I am sure at some point I did.

23 Q. Do you remember at what point?

24 A. I imagine when it was, I imagine around
25 the time he was arrested.

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Sean Lacey

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1 Q. What do you remember about that discussion?

2 A. I couldn't tell you how, but something
3 regarding the arrest came up and I
4 expressed my concerns. I said, I don't
5 think you charged him under the right
6 statute.

7 Q. Do you remember whether that conversation
8 occurred before or after Mr. Mauti's
9 District Court prosecution?

10 A. I don't know. I have no idea.

11 Q. What was her response?

12 A. She indicated she believed it was the
13 correct statute. I argued the fact that I
14 said no, it is not.

15 Q. How many times did you go back and forth?

16 A. I don't know. She is a tough person.
17 I don't know. Three or four, maybe.

18 Q. Was that discussion only about whether or
19 not it was the correct charge?

20 A. Yes.

21 Q. Did you ever discuss with her -- first of
22 all, did you ever hear anyone suggest that
23 Mr. Mauti's arrest was done as a favor to
24 chief Scuncio in Hopkinton?

25 A. Yes, I had.

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Sean Lacey

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1 Q. Where did you hear that, or from whom?

2 A. I couldn't begin to tell you. It is
3 general gossip around the station during
4 all of these conversations.

5 Q. Did you ever ask Captain Matarese about
6 that?

7 A. I don't think I did. She may have told
8 me that she did not do it as a favor for
9 Mr. Scuncio.

10 Q. Does she know Chief Scuncio?

11 A. Absolutely, yes.

12 Q. Has she worked with him?

13 A. He was on State Police for 25 years.
14 He has been in Hopkinton for ten years. I
15 am sure she worked with him on different
16 things.

17 Q. When I asked if she knew him, you said,
18 absolutely, yes. Why did you say
19 absolutely yes?

20 A. I have been there nineteen years and I
21 know Jack Scuncio. I have been involved in
22 different things over the years. He knows
23 me and I know who he is. I know she talks
24 to him.

25 Q. When did she tell you that she did not

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Sean Lacey

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1 arrest Mr. Mauti as a result of a request
2 or a favor to Chief Scuncio?

3 A. I would guess around the time of the
4 arrest. I can't give you an exact time. I
5 don't know. During conversation at some
6 point around the time of the arrest.

7 Q. Do you know, you refer to it as gossip, do
8 you know how it got started?

9 A. No. It is worse than a social club
10 down there. I don't know how it got
11 started. I have no idea. It was general
12 knowledge or general talk that she was
13 allegedly doing Jack a favor by arresting
14 the guy.

15 Q. Did you ever talk to any of the officers in
16 Hopkinton about Mr. Mauti's arrest?

17 A. No, I have not.

18 Q. Do you talk with officers on the Hopkinton
19 force?

20 A. Very rarely.

21 Q. Do you know anybody on the Hopkinton force
22 other than in passing, are you friendly
23 with any of the officers over there?

24 A. Yes. I would not say friends hanging
25 out with them, but I know several of the

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Sean Lacey

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1 people on the department. If I pass them,
2 you say hello to them. You certainly
3 acknowledge them.

4 Q. I think you said you did not ask Captain
5 Matarese -- let me ask you this way. Am I
6 correct that you did not ask Captain
7 Matarese about whether Mr. Mauti's arrest
8 was done at the request of or as a favor to
9 Chief Scuncio; is that correct?

10 A. That's correct.

11 Q. But she said something to you about it?

12 A. Yes, she did.

13 Q. What was the occasion for her to mention
14 that subject to you without you raising it
15 in the first place?

16 A. Assuming probably because it was a
17 general gossip around the department, I
18 happen to be one of the people that would
19 tell her what I think about things and she
20 knows that. We had conversations prior
21 that I felt as though it was the wrong
22 charge he was charged with, he was not
23 charged appropriately. Maybe she felt she
24 had to come up to me and let me know that
25 did not happen. I assume she assumed that

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Sean Lacey

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1 I heard that, that that was the situation.

2 Q. Her comment was by way of her attempting to
3 squelch the rumor; is that accurate?

4 A. I would say yes.

5 Q. Did you ever talk to Chief Mello about it?

6 A. I don't recall. I would imagine I
7 probably did mention it to him or discussed
8 it at some point over the last year and a
9 half, that I felt as though it was charged
10 inappropriately.

11 Q. What was his response?

12 A. I don't believe I got a response.

13 Q. Did you tell him that in a face-to-face
14 discussion or in writing?

15 A. It would have been face to face. There
16 would not be anything in writing. It would
17 be face to face.

18 Q. Do you remember the occasion of that
19 discussion?

20 A. No. It was at the station. We were
21 both working, obviously.

22 Q. Did you ever talk to him about the
23 statements that people thought the arrest
24 was a result of a request from or a favor
25 to Chief Scuncio?

September 29, 2006

Sean Lacey

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1 A. No, I didn't discuss that with him.

2 Q. Do you know if he is aware of that issue?

3 A. I am sure he is aware of it.

4 Q. Did you know whether he ever talked to her
5 about it?

6 A. No, I don't know. I couldn't tell you
7 if he has ever discussed that with her.

8 Q. When you say he is aware of it, why do you
9 say he is aware of it?

10 MR. COLUCCI: Objection. You
11 can answer.

12 A. Because the general knowledge, is I am
13 sure somebody went up to him. There is not
14 much that happens around the place that
15 everybody does not hear about. I know
16 there are lieutenants that have heard it
17 and I am sure they went to him. I did not
18 discuss it with him, I just had general
19 knowledge. I assume he knows about it.

20 Q. I am just trying to find the basis for your
21 assumption. As I understand it, the basis
22 for your assumption is it was discussed
23 with frequency such that you would have had
24 to have your ears plugged not to hear it?

25 A. There are other members of the

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1 administration that have knowledge of the
2 supposed favor or whatever it was. I am
3 sure they went back to him.

4 Q. Who are you referring to when you say there
5 are others that have knowledge of it?

6 A. To be honest with you, I don't think
7 there's anybody on the police department
8 that does not have knowledge of it other
9 than new people hired since then. They
10 really have no knowledge of it.

11 Q. Do you know whether the department ever did
12 anything to find out whether it was true?

13 A. I have no idea. I don't know. As far
14 as an internal investigation goes?

15 Q. Yes, a formal or informal.

16 A. I don't know.

17 Q. Did you ever discuss that with Lieutenant
18 Toscano?

19 A. I am sure I have at some point.

20 Q. Do you remember what you said to him or
21 what he said to you about it?

22 A. I can't recall exactly, but I am sure
23 we discussed it at some point.

24 Q. Under what terms did you discuss it, in
25 terms of the charge?