

06-63705

© INITIAL ○ FVOR ○ SUPPLEMENTAL ○ VAR  
NEW HAVEN DEPARTMENT OF POLICE SERVICE

1 PAGE OF 2 COMPLAINT NO. 06-63705

## CASE INCIDENT REPORT

CROSS REFERENCE CN(S)

OCCURRENCE DATE(S) ON OR BETWEEN		REPORT DATE	INCIDENT DESCRIPTION		INCIDENT CODE
11-9-2006		11/9/2006	Poss of Narcotics - General		1801
DAY OF WEEK	TIME	DAY OF WEEK	TIME	INCIDENT ADDRESS OR INTERSECTION	APT # DIST#
Thu	1900:00	Thu	20:17	65-67 TRUMAN ST (SEARCH WARRANT)	1ST FL 3

<input type="checkbox"/> 1 - Hospital <input type="checkbox"/> 2 - DCF <input type="checkbox"/> 3 - Adult Protective Service <input type="checkbox"/> 4 - Yale CDCP <input type="checkbox"/> 5 - City Elderly Services <input type="checkbox"/> 6 - CT Mental Health <input type="checkbox"/> 7 - LCI	<input type="checkbox"/> 8 - ISU <input type="checkbox"/> 9 - B of I <input type="checkbox"/> 10 - Arson <input type="checkbox"/> 11 - Sex & Bias <input checked="" type="checkbox"/> 12 - Narcotics <input type="checkbox"/> 13 - Dom. Violence <input type="checkbox"/> 14 - Robbery/Burglary	<input type="checkbox"/> 15 - Family Services <input type="checkbox"/> 16 - Public Housing <input type="checkbox"/> 17 - Neighborhood Serv. <input type="checkbox"/> 18 - Animal Shelter <input type="checkbox"/> 19 - Community Mediation <input type="checkbox"/> 20 - Board of Education <input type="checkbox"/> 21 - Parole	<input type="checkbox"/> 22 - Victim Services <input type="checkbox"/> 23 - Int. Values & Ethics <input type="checkbox"/> 24 - Adult Probation <input type="checkbox"/> 25 - Juv. Probation <input checked="" type="checkbox"/> 26 - GA 6 <input type="checkbox"/> 27 - Tot: <input type="checkbox"/> 28 - Other:	<input type="checkbox"/> Photos <input type="checkbox"/> Prints <input type="checkbox"/> Statements Taken <input checked="" type="checkbox"/> Evidence Collectec <input type="checkbox"/> Other Processing
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OFFENSE

UCR	ATT COMPL	SUSPECTED OF USING	BIAS	LOC	PREM ENTER	FORCE USED	CRIMINAL ACTIVITY	WEAPON FORCE	FAM VIOL	GANG
35A Drug/Narcotic Violation	C	D	88	20			D	70	N	N

BURGLARY

METHOD OF ENTRY <input type="checkbox"/> 1 - UNLOCKED <input type="checkbox"/> 4 - GLASS BROKEN <input type="checkbox"/> 2 - KEY USED <input type="checkbox"/> 5 - DOOR DEFEATED <input type="checkbox"/> 3 - LOCK DEFEATED <input type="checkbox"/> 6 - OTHER		PREMISES ALARMED <input type="checkbox"/> ALARM ACTIVATED <input type="checkbox"/> ALARM DEFEATED <input type="checkbox"/>	NEIGHBORHOOD CANVAS <input type="checkbox"/> SUSPECT VEHICLE DESC. <input type="checkbox"/>
POINT OF ENTRY		POINT OF EXIT	

VICTIMS / BUSINESSES

PERSON TYPE Victim	VICTIM NUMBER 1 OF 1	VICTIM TYPE G	UNIVERSITY AFFILIATION	HOSPITAL	OFFENSE CONNECTED TO VICTIM							
NAME (LAST, FIRST, MI) NEW HAVEN		CITY OF NEW HAVEN	STREET ADDRESS 235 CHURCH ST	APT New Haven	CITY CT							
EMPLOYER, OCCUPATION, OR SCHOOL ADDRESS	PHONE HOME	PHONE WORK	SEX	RACE	HT	WT	HAIR	ETHN	EYES	RES	DOB	AGE
VICTIM INJURIES 1 2 3 4 5		ASSAULT 1 2	JUST HOM	VICTIMS RELATIONSHIP TO OFFENDER OFND 01 OFND 02 OFND 03 OFND 04 OFND 05 OFND 06 OFND 07 OFND 08 OFND 09 OFND 10								

SOLVABILITY FACTORS <input type="checkbox"/> 1 - SUSPECT IDENTIFIED <input type="checkbox"/> 4 - UNIQUE M.O. <input type="checkbox"/> 2 - WITNESS TO CRIME <input type="checkbox"/> 5 - VICTIM CAN ID OFFENDER <input type="checkbox"/> 3 - PROPERTY TRACABLE <input type="checkbox"/> 6 - SUSPECT VEHICLE ID		LIGHT CONDITIONS <input type="checkbox"/> 1 - STREET LTS <input type="checkbox"/> 6 - DAWN <input type="checkbox"/> 2 - SUNLIT <input type="checkbox"/> 7 - OTHER <input type="checkbox"/> 3 - DARK <input type="checkbox"/> 8 - UNKNOWN <input type="checkbox"/> 4 - MOONLIT <input type="checkbox"/> 5 - DUSK		WEATHER 1 - Clear					
ARREST 1 - YES (18 OR OVER)		EXCEPTIONAL CLEARED N		EXCEPTIONAL CLEARED DATE		DIVISION		CAR NUMBER	

PRINT NAME - OFFICER / DA Deborah A. Silva	ARREST OR ID # 779	DATE 11/9/06	PRINT SUPERVISORS NAME AND RANK [Signature]	ADD OFF <input type="checkbox"/>
THIS REPORT SIGNED UNDER THE PENALTIES OF STATE LAW FOR MAKING A FALSE STATEMENT [Signature]			SUBSCRIBED AND SWORN TO BEFORE ME (SIGN & DATE) [Signature] 11/9/06	NOTARY 1-24 ADD PERS <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>

Exhibit 1

○ INITIAL ○ FVOR ○ SUPPLEMENTAL ○ VAR  
NEW HAVEN DEPARTMENT OF POLICE SERVICE  
CASE INCIDENT REPORT (NARRATIVE)

Page 1 of 3

COMPLAINT NO  
06-63705

LOCATION OF INVESTIGATION: 65-67 TRUMAN STREET FIRST FLOOR APARTMENT

DETECTIVES AT SCENE: J.SILVA, T.WILSON, K.BELL, J.KASPERZYK AND LT.WHITE  
OFFICERS: MERCED, APONTE, TYSON, HEALY, ORTIZ, LT. STREETO AND STATEWIDE  
NARCOTICS

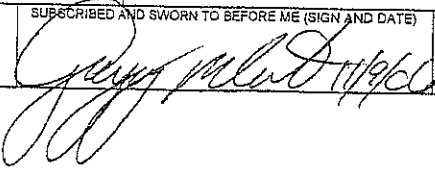
DATE AND TIME: 11-09-06 1900 HOURS

THE UNDERSIGNED (A MEMBER OF THE NEW HAVEN POLICE DEPARTMENT'S  
NARCOTIC ENFORCEMENT UNIT) AND DETECTIVE WILSON CONDUCTED AN  
INVESTIGATION INTO THE ILLICIT SALES OF NARCOTICS AT 65-67 TRUMAN STREET  
FIRST FLOOR APARTMENT NEW HAVEN, CT. THIS INVESTIGATION LED TO THE  
SECURING OF A SEARCH AND SEIZURE WARRANT FOR THE AFOREMENTIONED  
LOCATION, SIGNED ON 11-09-06 BY THE HONORABLE JUDGE BROWN.

ON 11-09-06 THE ABOVE LISTED DETECTIVES AND OFFICERS EXECUTED SAID SEARCH  
AND SEIZURE WARRANT AT 65-67 TRUMAN STREET FIRST FLOOR APARTMENT NEW  
HAVEN CT. THE ENTRY TEAM CONSISTED OF DETECTIVES KASPERZYK, BELL,  
MEMBERS OF STATEWIDE NARCOTICS AND MYSELF. THE REAR OF THE APARTMENT  
WAS COVERED BY OFFICERS TYSON, HEALY, LT. STREETO AND LT. WHITE. THE  
ABOVE NAMED DETECTIVES REACHED THE FRONT LEFT OUTER DOOR OF 65-67  
TRUMAN STREET FIRST FLOOR APARTMENT. AT THIS TIME I KNOCKED AND  
ANNOUNCED "POLICE WITH A SEARCH WARRANT". AFTER A BRIEF PAUSE THE FRONT  
LEFT OUTER DOOR OF 65-67 TRUMAN STREET FIRST FLOOR APARTMENT WAS  
LOCKED/SECURED AND OPENED VIA BATTERING RAM. THE ABOVE LISTED  
DETECTIVES ENTERED THE APARTMENT. ONCE IN THE COMMON HALLWAY WE  
CONTINUED THRU THE OPEN DOOR OF THE FIRST FLOOR APARTMENT. WE CLEARED  
THE LIVING ROOM AREA AND PROCEEDED TO THE KITCHEN AREA. IN THE KITCHEN  
AREA I OBSERVED A BLACK MALE WALKING OUT OF THE BACK BEDROOM. THIS  
SUBJECT WAS LATER IDENTIFIED AS NORVAL FALCONER. FALCONER WAS SECURED  
WITHOUT INCIDENT. THE TARGET LOCATION WAS SECURED AND A SYSTEMATIC  
SEARCH WAS CONDUCTED.

THE FOLLOWING LIST REFLECTS THE EVIDENCE SEIZED FROM THE TARGET  
LOCATION OF 65-67 TRUMAN STREET FIRST FLOOR APARTMENT. \_\_\_\_\_

ITEM #1 (1) SANDWICH BAG CONTAINING A WHITE POWDER LIKE SUBSTANCE  
(SUSPECTED COCAINE) WITH AN APPROXIMATE WEIGHT OF 7.4 GRAMS. THE  
SUSPECTED COCAINE HAS AN APPROXIMATE STREET RESALE VALUE OF \$560.00. THIS  
ITEM WAS FOUND BY DETECTIVE KASPERZYK ON TOP OF THE DRESSER IN THE  
BEDROOM THAT FALCONER WAS COMING OUT OF.

PRINT NAME- OFFICER /DA DETECTIVE JOSE R. SILVA	ARREST OR ID # 779	DATE 11-09-06	PRINT SUPERVISORS NAME AND RANK
THIS REPORT SIGNED UNDER PENALTY OF STATE LAW FOR MAKING A FALSE STATEMENT		SUBSCRIBED AND SWORN TO BEFORE ME (SIGN AND DATE) 	NOTARY 1-24 <input type="checkbox"/> ADD NARRATIVE <input checked="" type="checkbox"/> Yes/No

○ INITIAL ○ FVOR ○ SUPPLEMENTAL ○ VAR  
NEW HAVEN DEPARTMENT OF POLICE SERVICE  
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ITEM #2 (19) WHITE ROCK LIKE SUBSTANCES EACH INDIVIDUALLY WRAPPED UP IN A PIECE OF PLASTIC AND TIED IN A KNOT. (SUSPECTED CRACK COCAINE). EACH INDIVIDUAL WHITE ROCK LIKE SUBSTANCE HAS A STREET RESALE VALUE OF \$20.00. THE TOTAL STREET RESALE VALUE IS \$380.00. THIS ITEM WAS FOUND BY DETECTIVE KASPERZYK ON TOP OF THE DRESSER IN THE BEDROOM THAT FALCONER WAS COMING OUT OF.

ITEM #3 (1) CLEAR PLASTIC ZIPLOCK BAG CONTAINING (40) SMALL RED TINTED ZIPLOCK BAGGIES. EACH RED ZIPLOCK BAGGIE CONTAINED A GREEN PLANT LIKE LEAFY SUBSTANCE (SUSPECTED MARIJUANA). EACH INDIVIDUAL RED TINTED ZIPLOCK BAGGIE HAS A STREET RESALE VALUE OF \$10.00. THE TOTAL STREET RESALE VALUE IS \$400.00. THIS ITEM WAS FOUND BY DETECTIVE KASPERZYK ON TOP OF THE DRESSER IN THE BEDROOM THAT FALCONER WAS COMING OUT OF.

ITEM #4 \$127.00 IN CASH. THIS ITEM WAS FOUND BY DETECTIVE KASPERZYK ON TOP OF THE DRESSER IN THE BEDROOM THAT FALCONER WAS COMING OUT OF.

ALL OF THE ABOVE ITEMS SEIZED WERE FOUND BY DETECTIVE KASPERZYK ON TOP OF THE DRESSER IN THE BEDROOM THAT FALCONER WAS COMING OUT OF. ALSO FOUND NEXT TO THE ABOVE ITEMS SEIZED WAS FALCONER'S IDENTIFICATION CARD.

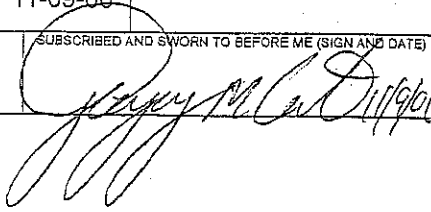
A PORTION OF THE WHITE ROCK LIKE SUBSTANCE WAS TESTED BY DETECTIVE WILSON, (CERTIFIED NARCOTIC TESTER) USING NARK SIRCHIE #13 CRACK COCAINE TESTER. THE TEST PRODUCED A POSITIVE REACTION FOR THE PRESENCE OF CRACK COCAINE. THESE TESTS HAVE BEEN UTILIZED IN THE PAST ON NUMEROUS OCCASIONS AND HAVE HAD RESULTS PROVEN TO ACCURATE AND RELIABLE.

A PORTION OF THE GREEN PLANT LIKE LEAFY SUBSTANCE WAS TESTED BY DETECTIVE WILSON, (CERTIFIED NARCOTIC TESTER) USING NARK SIRCHIE #8 MARIJUANA TESTER. THE TEST PRODUCED A POSITIVE REACTION FOR THE PRESENCE OF MARIJUANA. THESE TESTS HAVE BEEN UTILIZED IN THE PAST ON NUMEROUS OCCASIONS AND HAVE HAD RESULTS PROVEN TO ACCURATE AND RELIABLE.

DETECTIVE WILSON ENTERED THE ABOVE EVIDENCE SEIZED INTO ONE UNION AVE PROPERTY ROOM.

A COPY OF PAGE 5 OF THE SEARCH WARRANT WAS LEFT INSIDE THE RESIDENCE.

FALCONER WAS ARRESTED AND CHARGED WITH POSSESSION OF A CONTROLLED SUBSTANCE, POSSESSION OF A CONTROLLED SUBSTANCE WITHIN 1500 FEET OF A SCHOOL, POSSESSION OF A CONTROLLED SUBSTANCE WITH THE INTENT TO SELL, POSSESSION OF A CONTROLLED SUBSTANCE WITH THE INTENT TO SELL 1500 FEET OF A SCHOOL, POSSESSION OF A NARCOTIC SUBSTANCE, POSSESSION OF A NARCOTIC

PRINT NAME- OFFICER/DA DETECTIVE JOSE R. SILVA	ARREST OR ID # 779	DATE 11-09-06	PRINT SUPERVISORS NAME AND RANK
THIS REPORT SIGNED UNDER PENALTY OF STATE LAW FOR MAKING A FALSE STATEMENT		SUBSCRIBED AND SWORN TO BEFORE ME (SIGN AND DATE) 	NOTARY 1-24 <input type="checkbox"/>
		ADD NARRATIVE Yes/No Yes	

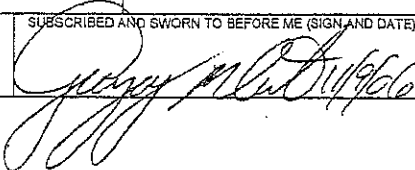
☐ INITIAL ☐ FVOR ☐ SUPPLEMENTAL ☐ VAR  
NEW HAVEN DEPARTMENT OF POLICE SERVICE  
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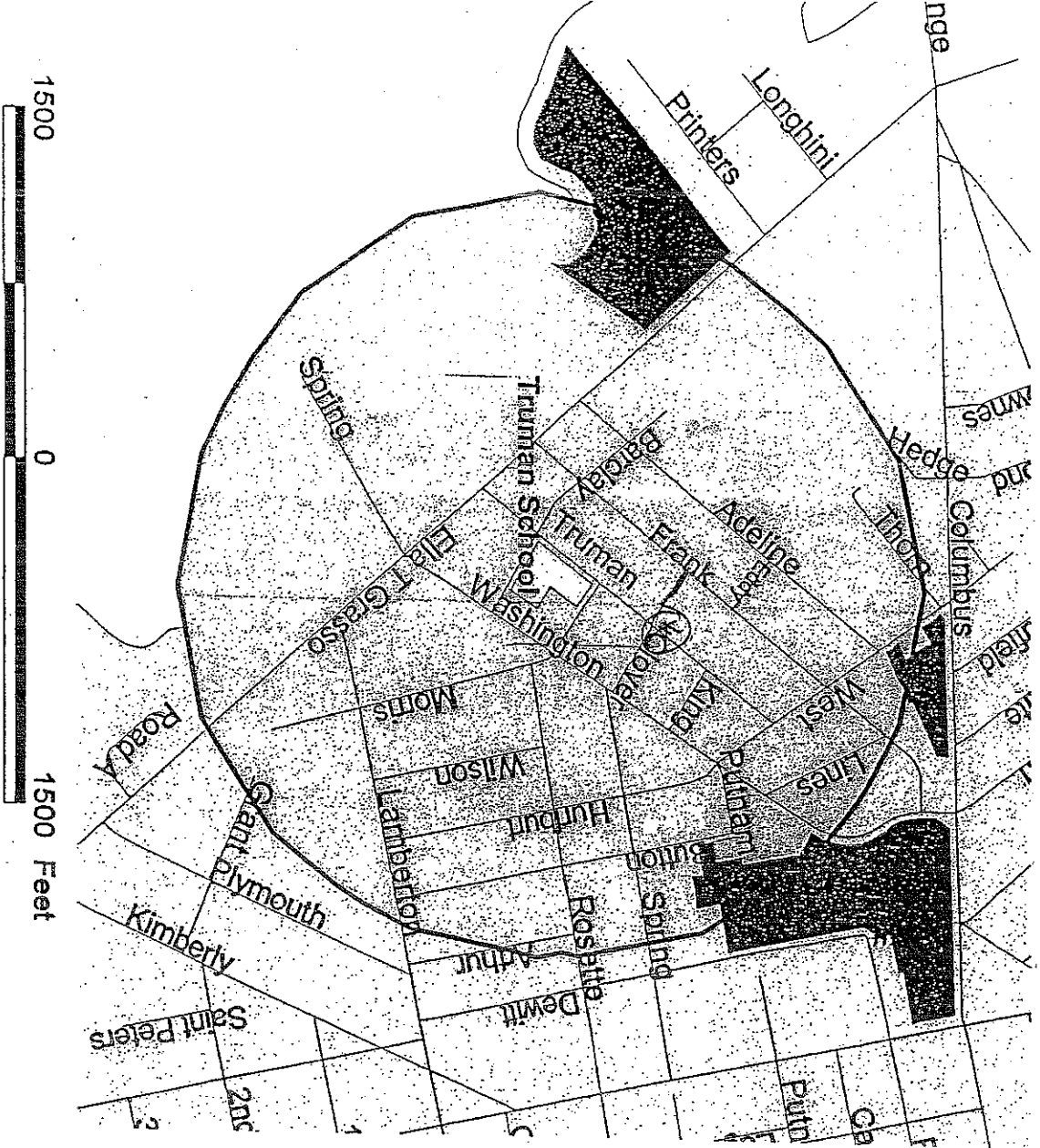
SUBSTANCE WITHIN 1500 FEET OF A SCHOOL, POSSESSION OF A NARCOTIC  
SUBSTANCE WITH INTENT TO SELL AND POSSESSION OF A NARCOTIC SUBSTANCE  
WITH THE INTENT TO SELL 1500 FEET OF A SCHOOL (THAT SCHOOL BEING TRUMAN  
SCHOOL WHICH IS LOCATED AT 114 TRUMAN STREET WITHIN THE 1500 FEET  
BOUNDARIES OF THE ARREST SITE). SEE MAP ATTACHED.



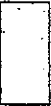

FALCONER WAS TRANSPORTED VIA PRISONER CONVEYANCE TO ONE UNION AVE  
DETENTION CENTER.

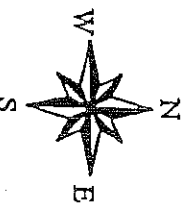
PRINT NAME - OFFICER / DA DETECTIVE JOSE R. SILVA	ARREST OR ID # 779	DATE 11-09-06	PRINT SUPERVISORS NAME AND RANK		
THIS REPORT SIGNED UNDER PENALTY OF STATE LAW FOR MAKING A FALSE STATEMENT		SUBSCRIBED AND SWORN TO BEFORE ME (SIGN AND DATE) 		NOTARY 1-24 <input type="checkbox"/>	ADD NARRATIVE Yes/No <input checked="" type="checkbox"/>

# Truman School

## 114 Truman St - District 3



-  Schools
-  Streets
-  1500 ft buffer
-  City\_boundary



11906  
 06.63705  
 65.67 Truman St 1st floor  
 [Signature]

INVENTORY OF PROPERTY SEIZED  
WITHOUT A SEARCH WARRANT

JD-CR-18 Rev. 5-03 C.G.S. §§ 21a-282, 26-85, 26-90,  
54-36a,g,h, 46b-121 and 53-275c.

PART A

COURT DOCKET NO.

PART B

COURT DOCKET NO.

CR

JUVENILE

COURT DOCKET NO.

☐ FOR P.D. USE ONLY  
☐ WARRANT APPLIED FOR  
☒ TO COURT

INSTRUCTIONS

1. Do not use this form if a search warrant is used.
2. Original must be filed with the Clerk of Court.
3. In the case of an arrest or referral, file with a uniform arrest report or Juvenile Summons/Complaint.
4. Last copy for Police Department use.

☒ To Court  
☐ Destroy - No Value  
☐ Case Pending  
☐ Return to Owner  
☐ Prisoner's  
☐ Juvenile

POLICE CASE/RECEIPT NO.  
06-63705

TO THE SUPERIOR COURT AT (Address of court)

☐ JUVENILE

☒ G.A. No.

23 121 Elm Street New Haven, CT

UNIFORM ARREST REPORT/JUV. SUMMONS NO.

COURT APPEARANCE DATE

ARREST/REFERRAL

POLICE CASE/RECEIPT NO.

COMPANION CASE NO.

☒ MADE

☐ PENDING

06-63705

NAME, ADDRESS AND TEL. NO. OF DEFENDANT(S)/SUBJECT(S)

NAME, ADDRESS AND TEL. NO. OF COMPLAINANT(S)/OWNER(S)

1. NORVAL FALCONER DOB 5/26/79  
60 STAR ST 3rd FL NEW HAVEN Conn

1. DET. SILVA NHPD

2. ~~TV~~

2. DET. WILSON NHPD

3. ~~TV~~

3.

TYPE OF INCIDENT

Narcotic Investigation

TOWN OF SEIZURE

New Haven

DATE OF SEIZURE

11/9/06

TYPE OF PROPERTY

☐ STOLEN

☒ EVIDENCE

☐ LOST/FOUND

☐ INVESTIGATION

The following property was seized, in connection with a criminal/delinquency case: (Describe type, color, serial number, etc.)

PROPERTY SEIZED

1. (1) Clear Plastic Ziplock Bag containing (40) small Red tint Ziplock
2. Bags each containing Brown/Green Plant like substance of suspected
3. Marijuana. Approx Weight 23.8 GRAMS
- 4.
5. (19) White Rock like substance each wrapped in a piece of clear
6. plastic and tied in a knot. Approx Weight 7.1 GRAMS. All the
7. White Rock like substance are contained in a clear Plastic Ziplock Bag.
- 8.
9. (1) Sand Wick Bag containing White Powder substance of suspected
10. Powder Cocaine Approx Weight 7.4 GRAMS
- 11.
- 12.

PART A INVENTORY NO.

PART B INVENTORY NO.

JUVENILE INVENTORY NO.

If cash money was seized, enter total amount here ➤

TOTAL AMOUNT OF CASH

\$

SIGNED (Police Officer)

Wilson

(Title)

Det

DATE

11/9/06

DEPARTMENT

New Haven

PROPERTY ROOM USE ONLY

EVIDENCE PHOTOGRAPHED

☐ NO

☐ YES

DATE

REMARKS

DATE OUT

REASON

BY

DATE RETURNED

INVENTORY OF PROPERTY SEIZED  
WITHOUT A SEARCH WARRANT

JD-CR-18 Rev. 5-03 C.G.S. §§ 21a-262, 26-85, 26-90,  
54-36a, g.h. 46b-121 and 53-279c.

PART A

COURT DOCKET NO.

PART B

COURT DOCKET NO.

CR

JUVENILE

COURT DOCKET NO.

☐ FOR P.D. USE ONLY  
☐ WARRANT APPLIED FOR  
☐ TO COURT

☒ To Court  
☐ Destroy - No Value  
☐ Case Pending  
☐ Return to Owner  
☐ Prisoner's  
☐ Juvenile

POLICE CASE/RECEIPT NO.

INSTRUCTIONS

1. Do not use this form if a search warrant is used.
2. Original must be filed with the Clerk of Court.
3. In the case of an arrest or referral, file with a uniform arrest report or Juvenile Summons/Complaint.
4. Last copy for Police Department use.

TO THE SUPERIOR COURT AT (Address of court)

☐ JUVENILE  
☐ MATTERS

G.A. No. 23

121 Elm Street New Haven CT

UNIFORM ARREST REPORT/JUV. SUMMONS NO.

COURT APPEARANCE DATE

ARREST/REFERRAL

POLICE CASE/RECEIPT NO.

COMPANION CASE NO.

☒ MADE

☐ PENDING

06-63705

NAME, ADDRESS AND TEL. NO. OF DEFENDANT(S)/SUBJECT(S)

NAME, ADDRESS AND TEL. NO. OF COMPLAINANT(S)/OWNER(S)

1. Norval Falconer (526-79)  
60 Starr St. 3rd Fl New Haven CT

1. Det. Silva

2. /

2. Det. Wilson

3. /

3. /

TYPE OF INCIDENT

Narcotic Investigation

TOWN OF SEIZURE

New Haven

DATE OF SEIZURE

11-9-06

TYPE OF PROPERTY

☐ STOLEN

☒ EVIDENCE

☐ LOST/FOUND

☐ INVESTIGATION

The following property was seized, in connection with a criminal/delinquency case: (Describe type, color, serial number, etc.)

PROPERTY SEIZED

1. (3) Twenty Dollar Bills
2. (2) Ten Dollar Bills
3. (8) Five Dollar Bills
4. (7) One Dollar Bills
5. /
6. /
7. /
8. /
9. /
10. /
11. /
12. /

PART A INVENTORY NO.

PART B INVENTORY NO.

If cash money was seized, enter total amount here

TOTAL AMOUNT OF CASH

\$ 127.00

SIGNED (Police Officer)

(Title)

Detective

DATE

11-09-06

DEPARTMENT

New Haven

PROPERTY ROOM USE ONLY

EVIDENCE PHOTOGRAPHED

DATE

REMARKS

☐ NO

☐ YES

DATE OUT

REASON

BY

DATE RETURNED

JUVENILE INVENTORY NO.

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

-----x

TOMASA PIZARRO AND  
JORGE PIZARRO,

:

Plaintiffs, :

-versus-

: No. 3:06CV00450 (VLB)

JUSTEN KASPERZYK, WILLIAM  
WHITE, PAUL BICKI, MARK  
CALAFIORE, DAVID K.  
RUNLETT, PAUL GUGLIELMO,

:

Defendants. :

-----x

Deposition of JUSTEN KASPERZYK, taken  
pursuant to Federal Rules of Civil Procedure, at the  
Corporation Counsel's Office, 4th Floor, 165 Church  
Street, New Haven, Connecticut, before Jacqueline  
McCauley, RPR/CSR, a Notary Public in and for the  
State of Connecticut, on June 16, 2008, at 10:07 a.m.

**EXHIBIT 2**

SANDERS, GALE & RUSSELL  
(203) 624-4157



1 J U S T E N K A S P E R Z Y K,  
2 271 Chestnut Hill Road, Killingworth, Connecticut,  
3 called as a witness, having been first duly  
4 sworn by Jacqueline M. McCauley, a Notary  
5 Public in and for the State of Connecticut,  
6 was examined and testified as follows:

7  
8 (Plaintiff's Exhibits 1 through 10,  
9 marked for identification.)

10 MS. POLAN: Usual stipulations  
11 ^ accept ^ except read and sign.

12 MR. DEL SOLE: Yeah, we'll read and  
13 sign.

14 DIRECT EXAMINATION

15 BY MS. POLAN:

16 Q. Good morning, Mr. Kasperzyk. My name is  
17 Diane Polan. We just met before the deposition began,  
18 correct?

19 A. Correct.

20 Q. You're here to have your deposition taken  
21 in a case entitled Pizarro versus Kasperzyk, Et. Al.  
22 You're aware of that, are you not?

23 A. Correct.

24 Q. That's why you're here?

25 A. Correct.

1 few. I think there was like 12 to 15 detectives in  
2 it.

3 Q. And these two sergeants were in charge?

4 A. Yes.

5 Q. And did the leadership, for lack of a  
6 better word, did that change in the narcotics unit at  
7 sometime after you joined it?

8 A. Yes. Three to four months into it  
9 Lieutenant White was reassigned to run everything.

10 Q. And who is -- who reassigned him?

11 A. I believe the mayor and the chief.

12 Q. When you say the mayor and the chief,  
13 what's that belief based on?

14 A. They put him there.

15 Q. What's the reason you say the mayor put  
16 him there as opposed to someone else?

17 A. Just because we heard they were not happy  
18 with the drug dealing going on in the city, and they  
19 wanted more enforcement, and he was considered the  
20 best we had. He ran the DEA and everything over  
21 there, Lieutenant White.

22 Q. Let me ask you this. Sergeant Collier and  
23 Sergeant Esposito, did they assign you to different  
24 tasks? Is that how it worked? They would give you  
25 assignments?

1 was the new plan for the City.

2 Q. And did you, as a police officer, hear  
3 about that?

4 A. Word of mouth through the department,  
5 other bosses.

6 Q. So basically you heard that the mayor and  
7 the chief wanted him, meaning Billy White --

8 A. Yeah.

9 Q. -- to come back to the City and run  
10 narcotics?

11 A. Everything; the task forces, too. They  
12 all had to report to him. He reported to the chief  
13 and the mayor.

14 Q. When you say all the task forces, what do  
15 you mean?

16 A. There's State Police Task Force, FBI Task  
17 Force. There's the Auto Theft Task Force. There's  
18 the what's called statewide -- there's two statewide  
19 units, statewide narcotics and statewide gangs, which  
20 they assign officers to as well; and also they created  
21 a street interdiction unit, which were comprised of  
22 officers they pulled up from patrol for 6 to 12  
23 months, just hit the street corners.

24 Q. What I want to try to just get clear you  
25 said they wanted him, meaning Mr. White, to come back

1 and "run all the task forces"?

2 A. Yes.

3 Q. And this was about the same time you were  
4 becoming a detective? Was it later?

5 A. It was right after, a couple months after.

6 Q. So it was within a few months? Your best  
7 recollection it was within a few months of, sort of  
8 spring/summer of '03?

9 A. Yes.

10 Q. And you said they created the street  
11 interdiction unit. Was that created when Mr. White  
12 was running these task forces, before, after?

13 A. I believe before. They really put an  
14 emphasis on it, a little before.

15 Q. The way you knew all the things you're  
16 telling me about is through word of mouth through the  
17 department?

18 A. You saw it. You saw firsthand.

19 Q. You said they wanted him to come back to  
20 the City and you said "run everything"?

21 A. Uh-huh.

22 Q. When you said come back to the City, was  
23 Mr. White actually working for someone other than the  
24 City at this time when you first became a detective?

25 MS. DORMAN: Objection to the form.

1 Q. Go ahead.

2 A. They had an off-site location with the DEA  
3 so you never really saw those guys. They had to  
4 report to the department.

5 Q. So as I understand it, when you first  
6 became a detective, White was somewhere else running  
7 some DEA task force/intelligence unit?

8 A. Correct.

9 Q. And there were New Haven officers working  
10 for him, correct?

11 A. Correct.

12 Q. But it was at an off-site location?

13 A. Yes.

14 Q. And your understanding was the mayor and  
15 the police chief wanted him to come back to "run  
16 everything"?

17 A. Correct.

18 MR. WOLAK: Objection to the form.

19 Q. And your understanding was that included  
20 all the task forces?

21 A. Uh-huh.

22 Q. And also they wanted him to run the  
23 narcotics unit?

24 A. Correct.

25 MR. WOLAK: Object to the form.

1 summer of '03, a few months after you became a  
2 detective, correct?

3 A. Yes.

4 Q. Did anything change in terms of the  
5 day-to-day operation when he took over?

6 A. I didn't know how it ran before, because I  
7 was a new detective in the unit.

8 Q. You said there were a couple months when  
9 these two were in charge, Collier and Esposito.

10 A. Right.

11 Q. Did anything change from when they were in  
12 charge to when White took over?

13 A. No, not really. We still did the same  
14 stuff, search warrants, drug arrests.

15 Q. Did you receive -- strike that. What was  
16 your understanding of whom Mr. White's supervisor was?

17 A. The Chief of Police.

18 Q. Was that Chief Ortiz?

19 A. Yes.

20 Q. Was your understanding the mayor had any  
21 supervisory role with respect to Mr. White?

22 MR. WOLAK: Objection as to form.

23 A. I know that the chief, the mayor and he  
24 would have meetings. That was it.

25 Q. Were they having meetings about narcotics

1 enforcement or --

2 A. Oh yes, yes.

3 Q. And how did you know they were having  
4 meetings about narcotics enforcement?

5 A. He have to go to the meeting. He would  
6 tell me he was going to the meeting with the chief and  
7 the mayor.

8 Q. Who was that? Billy?

9 A. Yes, Lieutenant White.

10 Q. How often did he tell you he was going to  
11 meetings with the chief and mayor?

12 A. He met with the chief every day and the  
13 mayor. I don't know.

14 Q. Can you approximate how often he told you  
15 he was going to a meeting with the chief and the  
16 mayor?

17 A. A lot of times he would tell us that this  
18 came from the mayor's office, from the words of the  
19 chief. Get it done. I know probably once a month  
20 they probably have a meeting with the mayor and the  
21 chief.

22 Q. And you recollect times he would say,  
23 "This came from the mayor. Get it done"?

24 A. And the chief? All the time.

25 Q. What would this be referring to?

1           A.   A house hit over here, drug activity in  
2   certain area, more weapons arrests. You know, we had  
3   constant pressure from the chief's office.

4           Q.   When you say a house hit over there, can  
5   you --

6           A.   A search warrant. The chief constantly  
7   gets complaints of drug dealing going on and  
8   shootings, and the area is violent. Take care of it.  
9   Clean it up. Make a buy out of the house, and do a  
10   search warrant or make an arrest outside.

11          Q.   So your understanding, when you were in  
12   the narcotics unit, was that the mayor and the chief  
13   were both identifying areas of the City, sometimes  
14   specific houses where they wanted you to make arrests?

15                   MR. WOLAK: Objection as to form.

16                   MR. DEL SOLE: Objection as to form.

17          A.   Yes.

18          Q.   And at that time, and I am now talking  
19   about the whole time from 2003 to 2007, do you  
20   remember any specific locations where you got  
21   direction from the mayor that you were to either hit  
22   this house or arrest somebody in this particular  
23   location?

24                   MR. WOLAK: Objection as to form.

25          A.   It never really came from the mayor



1    itself.   It came from the chief.

2               Q.   Do you remember specific either addresses  
3   or streets?

4               A.   I couldn't tell you; there's hundreds.

5               Q.   But you would get instructions to go to  
6   specific locations?

7               A.   Sometimes we were working on a job, and  
8   Lieutenant White would say, "Drop what you're doing.  
9   This is from the chief.  He wants it done."

10              Q.   And this is from the chief would mean  
11   what?

12              A.   Get your ass, that thing, down within a  
13   next couple days.

14              Q.   Get that thing done would mean what?

15              A.   Make an arrest.  Clean up the  
16   neighborhood.

17              Q.   Prior to the time you became a detective  
18   did you get any kind of annual or any kind of periodic  
19   evaluations of your work as a police officer?

20              A.   I received numerous awards.

21              Q.   That's not my question.

22              A.   I don't know.

23              Q.   Evaluations.

24              A.   I don't know.

25              Q.   Do you know what a job evaluation is?

1 A. You're supposed to. They don't do it.

2 Q. When you became a police officer, was it  
3 your understanding you would get either annual or some  
4 type of regular evaluations?

5 MR. WOLAK: Objection as to form.

6 A. Yes.

7 Q. How did you learn that when you became a  
8 police officer?

9 A. There is a form for it, a supervisor form  
10 on how you're doing. They are never done, though.

11 Q. Let's just go back. When you first became  
12 a police officer, did you receive anything in writing,  
13 any kind of handbook or anything from the union or  
14 anything that led you to believe that you were going  
15 to get either annual or any other kind of evaluations  
16 from a supervisor? How did you know this?

17 A. I don't know if it was in the general  
18 orders or not, which is a big -- basically it's our  
19 bible on how the department is run. It could be in  
20 there, but I know that there's forms for disciplinary  
21 as well as good work, I want to say "at a boys" and  
22 then performance.

23 Q. There are performance evaluation forms?

24 A. Yes. I know if a person gets in trouble,  
25 then they have to write a performance for the next six

1 months or a year after that point on how they're  
2 doing.

3 Q. Let's not talk about people in trouble.  
4 Let's just talk about when you were a regular police  
5 officer. Do you remember ever having a regular  
6 performance evaluation done by any kind of supervisor?

7 A. Never.

8 MR. WOLAK: Objection as to form.

9 Q. When you were on the statewide task force,  
10 do you remember ever being subject to any kind of  
11 performance evaluation?

12 A. They always had them in the state police.

13 Q. When you were in the state police, you got  
14 them?

15 A. Uh-huh.

16 Q. When you were assigned to that task force,  
17 you did get evaluated?

18 A. Correct.

19 Q. Who did your evals?

20 A. Rick Stevens.

21 Q. How many times do you think you got  
22 evaluated by Rick Stevens?

23 A. I think they had to do one either once a  
24 month or once every six months.

25 Q. Would you be given copies of those?

1 A. I never saw any.

2 Q. Were you asked to sign them?

3 A. I might have been, to tell you the truth.

4 Q. When you went back to New Haven from the  
5 task force, did you ever get any kind of performance  
6 evaluation after that?

7 A. No, not that I know of. They could have  
8 done it behind my back, and put it in my file, but I  
9 never saw it.

10 Q. As far as you know, you were never  
11 evaluated?

12 A. No.

13 Q. Apart from that very short period of time,  
14 where those -- Collier and Esposito, is that their  
15 names?

16 A. Uh-huh.

17 Q. Were the supervisors -- Billy White was  
18 your supervisor the rest of the time you were a  
19 detective in narcotics, correct?

20 A. And sometimes James Kelly, Sergeant Kelly.

21 Q. What role did he play?

22 A. He ran the interdiction unit of the  
23 officers plus sometimes he was there covering for  
24 Lieutenant White or he would be with us. They would  
25 be out together. So if he's a boss in our unit, we

1 still got to follow the chain of command.

2 Q. He would cover for White or work with him?

3 A. Yes.

4 Q. What was his first name?

5 A. James Kelly.

6 Q. Is he still there or he retired?

7 A. He's retired.

8 Q. Was he above White or parallel or where  
9 was he in the chain of command?

10 A. He was a sergeant below.

11 Q. But he was above you?

12 A. Yes.

13 Q. Did he ever evaluate you?

14 A. I don't think so.

15 MR. WOLAK: Objection as to form.

16 MS. POLAN: Do you know if anybody  
17 in the unit ever got any kind of performance  
18 evaluation?

19 MR. WOLAK: Objection as to form.

20 A. I never seen anything.

21 Q. Do you know if White ever got evaluated by  
22 any superior?

23 MR. WOLAK: Objection as to form.

24 A. I don't know.

25 Q. Now, let me ask you some questions about

1 lawyer Ethan Levin-Epstein?

2 A. Yes.

3 Q. Is there anything in that section, which  
4 is about five, six paragraphs, that's inaccurate?

5 A. No.

6 Q. So those are all things that -- that's an  
7 accurate summary of what you told the FBI, correct?

8 A. Yes.

9 Q. And everything you told them on March 16,  
10 2007 was true?

11 A. Yes.

12 Q. And, for example, you told them that you  
13 moved the drugs to "tighten up" the case, and put them  
14 in a more incriminating area?

15 A. Yes.

16 Q. And you also told them that you moved  
17 drugs once in a while to strengthen a case, White's  
18 philosophy was in cases where you do not get the guy  
19 with the "goods," you have to put it on them?

20 MR. DEL SOLE: Objection to form.

21 Q. You also told that to the FBI, correct?

22 A. Correct.

23 Q. How did you learn Lieutenant White's  
24 philosophy about narcotics enforcement?

25 MS. DORMAN: Objection as to form.

1 A. How did you learn --

2 Q. How did you learn his philosophy?

3 A. He just told you.

4 Q. Can you tell me what other things you  
5 learned from him about narcotics enforcement?

6 MS. DORMAN: Objection as to form.

7 A. No. Just basically that.

8 Q. Well, would this particular statement that  
9 White's -- this is from your 302. White's philosophy  
10 was in cases where you do not get the guy with the  
11 goods, you have to put it on them. Are those things  
12 he -- is that something he specifically told you?

13 MS. DORMAN: Objection to form.

14 A. Yeah. You write a good report, and, you  
15 know -- he had that philosophy, but, you know ...

16 Q. What I'm trying to find out is how you  
17 learned it from him. Was it a written policy he gave  
18 you?

19 A. No.

20 Q. It was based on conversations, correct?

21 A. Yes.

22 Q. And is it fair to say that in your mind  
23 the greater goal of ridding the streets of drug  
24 dealers justified some illegal actions?

25 MR. WOLAK: Objection as to form.

MR. DEL SOLE: Objection as to form.

Q. Is that fair?

A. I guess in this case, yes.

Q. Now, in fact, you wrote a letter to Judge Nevis in connection with your sentencing in a criminal case, didn't you?

A. Yes.

Q. That's Plaintiff's 4. I'm giving you a copy of your letter. With respect to the Truman Street Search, you believed the people who were selling narcotics out of Truman Street were a threat to the neighborhood, didn't you?

A. Yes.

Q. And that they were operating a 24-hour-a-day narcotics operation, correct?

A. Yes.

Q. And that you also told Judge Nevis that the drug dealers know the drug laws, and they use the language of the laws to help from being prosecuted, correct?

A. Correct.

Q. And in particular, you told Judge Nevis that the drug dealers put their drugs in a common area so they avoid prosecution, correct?

A. Correct.



1 Q. And you also told Judge Nevis that you  
2 didn't move the drugs from the outside. You just  
3 moved them from the basement to the bedroom.

4 A. Correct.

5 Q. What was important to you -- why is that  
6 distinction important in your mind that you didn't  
7 move the drugs from the outside of the house, but just  
8 from the basement to the bedroom?

9 MR. DEL SOLE: Objection as form.

10 MR. WOLAK: Objection as to form.

11 A. My opinion is because I didn't bring the  
12 drugs from my house. They were there. They were  
13 selling those drugs and they used a system, and moved  
14 it to keep away from getting prosecuted. They know  
15 the laws, how to get away from it, and that's that.

16 Q. That made you angry, doesn't it?

17 A. It doesn't make me angry. It makes me  
18 frustrated. It makes me sad that the good people out  
19 there have to live like that. They get taken over,  
20 their neighborhoods, by these people.

21 Q. You thought by moving the drugs in the  
22 basement, which you knew to be illegal, correct? You  
23 knew it was illegal for you, as a police officer, to  
24 move the drugs from the location where they were found  
25 to another location in order to make an arrest. You

1 knew that, didn't you?

2 MR. WOLAK: Objection as to form.

3 A. I knew it was illegal.

4 Q. And you thought that that illegality was  
5 justified because of the ability of the drug dealers  
6 to avoid prosecution, correct?

7 MR. WOLAK: Objection as to form.

8 MR. DEL SOLE: Objection to form.

9 A. I was really worried about the tenants  
10 upstairs getting killed by these people if someone  
11 didn't go to jail.

12 Q. You didn't have any information that the  
13 individual who had been secured in the building had  
14 posed a threat to the neighborhood, did you?

15 MR. DEL SOLE: Objection as to form.

16 Q. That particular person you didn't know,  
17 did you?

18 A. From my training and experience I don't  
19 know. The narcotics dealers, they carry guns and are  
20 in gangs, and they use violence as a force of a  
21 method.

22 Q. You didn't even know if that individual  
23 was a narcotics dealer, did you?

24 A. He was in the bedroom sitting in a chair  
25 in a window where they were selling drugs out of where

1 money was next to. I believe he was selling  
2 narcotics.

3 Q. You didn't have any information about him,  
4 did you?

5 MR. DEL SOLE: Objection as to form.

6 MR. WOLAK: Objection as to form.

7 A. We had one of four males in the house  
8 selling narcotics.

9 Q. And he didn't have a weapon, did he?

10 MR. WOLAK: Objection as to form.

11 Q. He was checked for weapons, wasn't he?

12 A. Nothing was found in the house.

13 Q. But he didn't have any weapon on his  
14 person, did he?

15 A. No.

16 Q. There were no weapons in the apartment,  
17 were there?

18 A. None were found.

19 MR. WOLAK: Just a question at this  
20 point. When did this incident happen?

21 Q. This happened in November of 2006, didn't  
22 it?

23 A. Yes.

24 MR. WOLAK: At this point, Attorney  
25 Polan, you are doing discovery for what case?

1 MS. POLAN: I am doing a deposition  
2 of an individual about his credibility, Mike.

3 MR. WOLAK: I want to know what the  
4 purpose of this is about.

5 MS. POLAN: It's about his  
6 credibility. That's what it's about. Now, you also  
7 gave some information to the FBI about something that  
8 they described as a roving drug lab. Do you remember  
9 that?

10 MR. DEL SOLE: What are you  
11 referring to?

12 MS. POLAN: The same exhibit,  
13 Plaintiff's Exhibit 5. Do you remember that  
14 information you gave?

15 MR. DEL SOLE: Can you refer us to a  
16 particular page?

17 Q. Yeah, page 6. It's right after the Truman  
18 Street information. First of all, is that roving drug  
19 lab, those three words in quotes, is that a term you  
20 used for the FBI or is that just --

21 A. The FBI uses it.

22 Q. Now, you told the FBI, during that  
23 session, that there were occasions on which you and  
24 other officers from the Narcotics Enforcement Unit  
25 would pull over a car, get the keys to the person's

1 house, and go into the person's house without a  
2 warrant and seize drugs, and then bring them back to  
3 the car. That's the essence of what you told them,  
4 correct?

5 A. No. I said on this one the man had a  
6 bunch of drugs in the car. We went back to the place  
7 where he came out of, and they were dispatching  
8 material there and a sale, and some money we put back  
9 in the car, but the drugs were found in the car.

10 Q. With respect to the entry into the man's  
11 house with the car keys at the time, you did that did.  
12 You believe that was lawful?

13 MR. WOLAK: Objection as to form.

14 A. No.

15 Q. So you knew that was unlawful to take the  
16 person's car keys, and go into a house to look for  
17 evidence, correct?

18 A. Say that again?

19 Q. You knew it was unlawful to take a  
20 person's car keys, go into the house and search for  
21 evidence, correct?

22 A. Correct.

23 Q. And why did you do it?

24 A. Just to, I guess, save time on doing the  
25 search warrant, and it was getting the small stuff

1 that was in the house, because the majority of the  
2 narcotics were inside the car, so we just did that.

3 Q. Now, you told the FBI that Lieutenant  
4 White made the decision to put the "stuff" from the  
5 house in the car. Do you see that?

6 A. Yes.

7 Q. Were you following his instructions --  
8 strike that. Did he also tell you to go to the house  
9 with the car keys or did you make that decision on  
10 your own?

11 MS. DORMAN: Objection as to form.

12 MR. DEL SOLE: Objection as to form.

13 A. He told us.

14 Q. And how many times did you engage in that  
15 type of activity?

16 A. Only a couple.

17 Q. Now, you also say at the bottom of that  
18 first paragraph after the last sentence, "Kasperzyk  
19 and White did not have a conversation about what to do  
20 with the 'stuff' from the house, because Kasperzyk  
21 knew what to do with it." You see that sentence?

22 A. Uh-huh.

23 Q. Is that referring to taking the evidence  
24 that had been found in the house, and putting it into  
25 the car?

1 MR. DEL SOLE: Objection as to form.

2 MS. DORMAN: Objection as to form.

3 Q. Is that what that refers to?

4 A. Correct.

5 Q. And how is it you knew what to do with it  
6 without him telling you?

7 MS. DORMAN: Objection as to form.

8 A. He told me prior.

9 Q. Do you remember when that incident  
10 occurred that was on Lombard Street?

11 A. I couldn't really give him a date and  
12 time. It was about -- I said two years ago on the  
13 thing, but I had no specific date.

14 Q. Now, let me go back to Exhibit 6. There's  
15 more conversation between you and the FBI agents on  
16 March 22. On the first page under the heading illegal  
17 search warrants it says, "There were a couple of times  
18 where Kasperzyk arrested someone following a car stop,  
19 took the person's keys, and went to the person's  
20 house, and conducted a warrantless search. Typically  
21 Kasperzyk and Lieutenant William White went to the  
22 house and conducted the search. White pressured  
23 officers of the Narcotics Enforcement Unit to do these  
24 types of stops and searches." You see that?

25 A. Uh-huh.

1 Q. Are those -- is that all information that  
2 you provided to the FBI?

3 A. Correct.

4 Q. Is it accurate?

5 A. Pretty much.

6 Q. How did White pressure you to do these  
7 types of stops and searches?

8 MS. DORMAN: Objection as to form.

9 A. He told officers they should do it.

10 Q. Well, what did you feel would happen to  
11 you if you didn't do it?

12 MS. DORMAN: Objection as to form.

13 A. Probably get bounced out of the unit.

14 Q. What made you think you'd get bounced out  
15 of the unit if you didn't engage in this illegal  
16 activity?

17 MS. DORMAN: Objection to form.

18 MR. DEL SOLE: Objection to form.

19 A. I don't know. He's your lieutenant. I  
20 don't know.

21 Q. At any time between the time Lieutenant  
22 White took over the narcotics unit and the date of  
23 your arrest in March of 2007 did you ever speak to  
24 anyone who you believed was his superior about any  
25 activities within the unit that you believed were



1 unlawful?

2 MS. DORMAN: Objection as to form.

3 A. Did I speak to anybody?

4 Q. Uh-huh.

5 A. No.

6 Q. Did you ever make a complaint to anyone or  
7 your superior about any of the activities Lieutenant  
8 White either asked you or pressured you to engage in?

9 MS. DORMAN: Objection as to form.

10 A. I don't believe so.

11 Q. And, in fact, did you have any problem  
12 with any of the activities that he either asked you or  
13 pressured you to engage in that were unlawful?

14 MR. DEL SOLE: Objection as form.

15 MS. DORMAN: Objection as to form.

16 A. Yeah, I had a problem, but I still did it.

17 Q. What problem did you have with it?

18 A. Just you get tired of people getting away  
19 with crimes and -- I don't know. I just get disgusted  
20 with how people have to live, and you see children  
21 hurt, shot over this freak'n drugs, and it gets to you  
22 after awhile.

23 Q. So you didn't have a problem with anything  
24 Lieutenant White was asking you to do. You had a  
25 problem with what was going on on the street?

1 MS. DORMAN: Objection as to form.

2 MR. DEL SOLE: Objection as to form.

3 Q. Is that what you're telling me?

4 A. Yeah.

5 Q. So whatever things -- whatever activities  
6 that were unlawful that you engaged in while in  
7 narcotics enforcement, while you were a member of the  
8 narcotics unit, you didn't have any problem with any  
9 of those activities because of your concern about what  
10 the drug dealers were doing to the neighborhood; is  
11 that fair statement?

12 MR. DEL SOLE: Objection to form.

13 A. I just wish there was an easier way to do  
14 it. I wish we had more -- we don't have the means to  
15 catch these people. We don't have wiretaps. We don't  
16 have the money to spend, so our hands are tied. I  
17 guess, no, I didn't have a problem.

18 Q. And was it your belief, during the period  
19 of time you were working with Lieutenant White, the  
20 summer of '03 to the time you were arrested, that the  
21 -- strike that. With respect to the activities that  
22 you yourself believed to be illegal that you engaged  
23 in from time to time, was it your belief that  
24 Lieutenant White's superiors knew what was going on in  
25 the narcotics unit or not?

1 MR. WOLAK: Objection as to form.

2 MS. DORMAN: Objection as to form.

3 MR. DEL SOLE: Objection as to form.

4 A. I believe so.

5 Q. You do, okay. And just tell me why do you  
6 believe they knew?

7 MR. DEL SOLE: Objection to form.

8 MR. WOLAK: Same objection.

9 A. I believe so, because I was told to make  
10 arrests at all costs, and that we won't get an  
11 overtime if we didn't make arrests; that if we worked  
12 eight hours a shift, and didn't come back with a body,  
13 the chief wasn't going to pay you. He put tremendous  
14 pressure on us to make these arrests, and White only  
15 dealt with the chief.

16 Q. So you are talking about Chief Ortiz,  
17 right?

18 A. Yes, and everybody on this unit has  
19 tremendous pressure on them to make arrests.

20 Q. So do you know if Wuchek or Brett Runlett  
21 ever complained to the chief about what was going on  
22 in the unit and why they wanted out?

23 MS. DORMAN: Objection as to form.

24 A. I mean, you hear them talk about it, but I  
25 don't know if they actually did.

1 Q. And your unit was making a lot of arrests,  
2 weren't you, between the summer of '03 and the spring  
3 of '07?

4 MR. DEL SOLE: Objection to form.

5 A. We were the most active unit.

6 Q. And you were getting a lot of overtime,  
7 weren't you?

8 A. Yes.

9 Q. From your point of view or your perception  
10 at the time is that the chief didn't really care how  
11 you made the arrests as long as you made the arrests?

12 MR. WOLAK: Objection to form.

13 MS. DORMAN: Objection to form.

14 MR. DEL SOLE: Objection as to form.

15 A. Yes.

16 Q. Did White ever say that to you?

17 MR. WOLAK: Objection to form.

18 MS. DORMAN: Objection to form.

19 MR. DEL SOLE: Objection as to form.

20 A. Just said that the chief wants the arrest  
21 done now.

22 Q. Now, in this letter you wrote to Judge  
23 Nevis, you shared your frustrations about what drugs  
24 were doing to the community, didn't you?

25 A. Yes.

1 need to put in the search warrant to get a judge to  
2 sign it?

3 A. There was probable cause.

4 Q. When you put in the affidavit false  
5 information to get a search warrant, was that because  
6 you thought you didn't have enough to get probable  
7 cause without the false information?

8 MR. DEL SOLE: Objection to form.

9 A. I really don't -- I wasn't really sure on  
10 this one. I said maybe I might have once or twice,  
11 but I didn't really know. I couldn't give you an  
12 honest answer on that one.

13 Q. Well, first you said to the FBI probably,  
14 yes, according to the 302, correct?

15 A. Uh-huh.

16 Q. And then you said I do not know, correct?

17 A. Right.

18 Q. And then you said you only did it once or  
19 twice, and you didn't recall when you did it last,  
20 correct?

21 A. Yeah, but there was all this stuff during  
22 this questioning that I don't know what they asked me.

23 Q. I'm asking you is it correct you did it  
24 once or twice?

25 A. I could have. I don't know. I can't

1 remember positively.

2 Q. It also says two paragraphs down from that  
3 in the same exhibit, this report of the interview you  
4 had with the FBI on March 22, 2007, "White always  
5 pressured Kasperzyk to 'get a buy' and put it in the  
6 warrant."

7 MR. WOLAK: To get a what?

8 MS. POLAN: To get a buy.

9 MR. WOLAK: Oh, B-U-Y, okay.

10 Q. Uh-huh. Do you see that?

11 A. Uh-huh.

12 Q. And then it says, "Kasperzyk understood  
13 'get a buy' to mean get a buy from anyone anywhere,  
14 and put it in the affidavit in support of a search  
15 warrant for a particular house. Kasperzyk used  
16 informants' buys on two occasions in affidavits." You  
17 see that?

18 A. Uh-huh.

19 Q. Is that an accurate report of information  
20 you provided to the FBI during that interview?

21 MS. DORMAN: Objection as to form.

22 A. I believe so.

23 Q. So that's the substance of what you said  
24 to the FBI on that subject, correct?

25 A. About the other two up here? I don't

1 know.

2 Q. I'm talking to you about the paragraph I  
3 just read to you about what you did at Lieutenant  
4 White's direction.

5 A. Yes.

6 Q. So as I understand it, I want you to tell  
7 me if I'm wrong, if I misunderstand what you're  
8 telling me, is that Lieutenant White taught you or  
9 instructed you to report in an affidavit in support of  
10 a search warrant that you had gotten -- there had been  
11 drugs purchased by an informant at a particular  
12 location when in fact it was from a different  
13 location?

14 MR. WOLAK: Objection to form.

15 MS. DORMAN: Objection to form.

16 MR. DEL SOLE: Objection as to form.

17 Q. Do I understand it correctly is that what  
18 you were saying?

19 A. Yes.

20 MR. DEL SOLE: I'll object to that  
21 question, whether you understand it. I think you're  
22 mischaracterizing what you're reading from the  
23 document.

24 MS. POLAN: Okay. Mr. Kasperzyk,  
25 explain to us what that meant. Tell me, in your own

1 words, what that paragraph means.

2 MR. DEL SOLE: The paragraph that  
3 reads "White always pressured Kasperzyk to get a buy"?

4 MS. POLAN: Uh-huh, yep.

5 MR. DEL SOLE: Objection to form.

6 MS. DORMAN: Objection as to form.

7 Q. All right. You can go ahead, Mr.

8 Kasperzyk. What does that refer to?

9 A. What it says.

10 Q. No, no, that's not the answer. I want you  
11 to explain it.

12 A. That's the best I could. That's what I  
13 said, get a buy from an informant.

14 Q. What information did you put into a search  
15 warrant affidavit that was inaccurate?

16 MR. DEL SOLE: Any search warrant?

17 MS. POLAN: No. That's referenced  
18 in this paragraph.

19 MR. DEL SOLE: Objection to form.

20 MS. DORMAN: Objection as to form.

21 Q. Can you answer the question?

22 A. I guess when I get a buy, I did a search  
23 warrant for a house.

24 Q. Mr. Kasperzyk, if you continue to answer  
25 in this manner, we'll probably be here till 9 o'clock.



1 MR. DEL SOLE: No, we won't.

2 Q. I want you to answer my questions. What  
3 did you do that that paragraph is referring to? Tell  
4 me what you did.

5 A. I don't know. I didn't tell them what I  
6 did.

7 Q. You never told them any of this? They  
8 made it up?

9 A. I didn't know. I said it probably  
10 happened once or twice.

11 Q. Well, that's a different paragraph. Let's  
12 talk about what you did.

13 A. On two occasions --

14 MR. DEL SOLE: There is no question  
15 pending.

16 MS. POLAN: On two occasions you did  
17 what?

18 MR. DEL SOLE: Objection to form.

19 Q. What did you do on two occasions?

20 A. It says I got a buy.

21 Q. It wasn't true, was it, on the two  
22 occasions you prepared a search warrant affidavit that  
23 referred to an informant making a buy from a house  
24 when in fact the informant hadn't made a buy from that  
25 house, isn't that what this is saying?

1 MR. DEL SOLE: Objection to form.

2 MS. DORMAN: Objection to form.

3 Q. Just please answer my question.

4 A. Yeah, I guess that's what it's saying.

5 Q. Who taught you to do that?

6 MR. WOLAK: Objection to the form.

7 MS. DORMAN: Objection to the form.

8 MS. POLAN: Did you learn that at  
9 the police academy?

10 MR. DEL SOLE: Objection. There is  
11 a question pending. There's been no answer.

12 MS. POLAN: Fine. Let's go back to  
13 the question of who taught you to do that?

14 MR. WOLAK: Objection to form.

15 MS. DORMAN: Same objection.

16 A. White.

17 Q. Did you learn that at the police academy,  
18 that you could put false information into search  
19 warrant affidavits?

20 MR. WOLAK: Objection to form.

21 MS. DORMAN: Objection to form.

22 MR. DEL SOLE: Objection to form.

23 A. No.

24 Q. Did anyone, other than White, teach you to  
25 do that?

1 MR. WOLAK: Objection to form.

2 MS. DORMAN: Objection to the form.

3 A. No.

4 Q. Now, you also -- look at the next  
5 paragraph. On the same section of the same exhibit  
6 that report says that you had an argument with  
7 Lieutenant White about arresting somebody for  
8 possession of drug paraphernalia. Do you see that?

9 A. Yes.

10 Q. And it says in there that you reported  
11 that White always pressured the NEU to "lock" people  
12 up even if it was a "bullshit" arrest. Do you see  
13 that?

14 A. Uh-huh.

15 Q. Is that accurate?

16 MR. DEL SOLE: Objection as to form.

17 MR. WOLAK: Objection as to form.

18 MS. DORMAN: Objection to form.

19 Q. Is it accurate that White always pressured  
20 the NEU to lock people up even if it was a bullshit  
21 arrest?

22 A. Yes.

23 MS. DORMAN: Objection as to form.

24 Q. Do you remember any other incidents other  
25 than that one where Lieutenant White pressured you to

1 lock somebody up?

2 A. No.

3 Q. Now, in that same exhibit you indicated  
4 that you began gambling in 2005?

5 A. Yep.

6 Q. You said that -- I am on page 5 now. You  
7 told -- according to this report in this 302 you told  
8 the FBI that you estimated you stole money 15 or 16  
9 times.

10 A. I thought I said 12 or 10.

11 Q. So that's inaccurate?

12 A. I believe so.

13 Q. So it should be 10 to 12 times?

14 A. Yeah.

15 Q. When you stole the money, where did you  
16 steal it from?

17 A. Drug scenes.

18 Q. So it was always from the scene where --  
19 strike that. What do you mean by drug scenes?

20 A. Abandoned money on drug scenes or drug  
21 arrests --

22 Q. Were some of those --

23 A. -- in a drug house or something.

24 Q. What about were some of those times you  
25 stole money during the execution of search and seizure

1 warrants?

2 A. Yes.

3 Q. And on those occasions what evidence  
4 collection procedures were followed on those occasions  
5 where you stole the money during the execution of a  
6 search and seizure warrant?

7 MR. WOLAK: Objection as to form.

8 A. There are no evidence procedures really.  
9 Just get the money, and get the names where you seized  
10 it, and you throw it in a bag or the duffle box that  
11 we had.

12 Q. Now, was that the way that -- when you  
13 were in the Narcotics Enforcement Unit, was that how  
14 -- what you just described, was that the evidence  
15 collection method used routinely while you were a  
16 narcotics detective?

17 MR. WOLAK: Objection as to form.

18 A. Yes.

19 Q. Were you aware that there were written  
20 procedures or general orders or something that  
21 governed how evidence was to be secured and collected  
22 during the execution of a search and seizure warrant?

23 A. Was I aware?

24 Q. Yeah, that there were actually written  
25 procedures or policies.

1 A. I'm sure there's one notice, general  
2 orders, but nothing's ever enforced.

3 Q. So that particular order at least was  
4 never enforced while you were in the narcotics unit?

5 MS. DORMAN: Objection to form.

6 MR. WOLAK: Objection as to form.

7 MS. POLAN: Did Lieutenant White  
8 ever spend any time with you and the other people in  
9 the Narcotics Enforcement Unit reviewing general  
10 orders of the police department that might relate to  
11 your duties?

12 MS. DORMAN: Objection as to form.

13 A. No.

14 Q. Did any other superior ever go over with  
15 you at any time written orders or policies with  
16 respect to the securing and collection of evidence  
17 during execution of search warrants?

18 MR. WOLAK: Objection as to form.

19 A. No.

20 Q. So it was pretty easy for you to just take  
21 money from these scenes, wasn't it?

22 MR. WOLAK: Objection as to form.

23 A. Yes.

24 Q. Did anyone else know you were taking money  
25 from these scenes?

1 Q. Because you really liked that job, didn't  
2 you?

3 A. Yeah.

4 Q. You felt like you were doing a lot of  
5 good, didn't you?

6 A. Yeah.

7 Q. Up to the time of your arrest in March of  
8 '07 from the day you started in the narcotics unit did  
9 anyone who was superior to you ever meet with you to  
10 discuss your satisfaction or dissatisfaction with the  
11 workings of the Narcotics Enforcement Unit?

12 MR. WOLAK: Objection as to form.

13 MS. DORMAN: Objection as to form.

14 A. Say that again?

15 Q. Could we have that reread?

16 (Whereupon, the question was read  
17 back.)

18 MS. DORMAN: Same objection.

19 MR. WOLAK: Same objection.

20 A. I don't believe so.

21 Q. I'm going to switch topics to the incident  
22 that brings us here. I'm going to show you what is  
23 Plaintiff's Exhibit 1, which is the amended complaint  
24 in this case, and just ask you if you are familiar  
25 with that document.

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

-----X

TOMASA PIZARRO AND  
JORGE PIZARRO,

:

Plaintiffs, :

-versus-

: No. 3:06CV00450 (MRK)

JUSTIN KASPERZYK,  
WILLIAM WHITE, PAUL BICKI,  
MARK CALAFIORE,  
DAVID K. RUNLETT,

:

Defendants. :

-----X

Deposition of WILLIAM WHITE, taken  
pursuant to Federal Rules of Civil Procedure, at the  
Office of the Corporation Counsel, 165 Church Street,  
New Haven, Connecticut, before Jacqueline McCauley,  
RPR/CSR, a Notary Public in and for the State of  
Connecticut, on May 13, 2008, at 11:19 a.m.



1 W I L L I A M W H I T E,  
2 200 Alston Avenue, New Haven, Connecticut,  
3 called as a witness, having been first duly  
4 sworn by Jacqueline M. McCauley, a Notary  
5 Public in and for the State of Connecticut,  
6 was examined and testified as follows:

7  
8 (Plaintiff's Exhibits 1 through 9,  
9 marked for identification.)

10 MS. POLAN: Usual stipulations.

11 MR. KARSTEN: We'll read and sign.

12 DIRECT EXAMINATION

13 BY MS. POLAN:

14 Q. Good morning, Mr. White. My name is Diane  
15 Polan. We just met before the deposition, correct?

16 A. Yes.

17 Q. I'm representing Jorge Pizarro in a  
18 lawsuit that was filed against you and several other  
19 New Haven police officers entitled Pizarro versus  
20 Kasperzyk, which is pending in the United States  
21 District Court. We're here to take your deposition in  
22 that case. Is that your understanding?

23 A. Yes.

24 Q. Mr. White, have you ever been deposed  
25 before?

1 you did as the head of narcotics?

2 MR. KARSTEN: Just object to the  
3 form. You can answer it if you understand the  
4 question.

5 A. Well, like I said, he was the head of the  
6 whole department, and I mean, we'd have a meeting  
7 every day just about every day in his office, and  
8 every day I would get, you know, assignments from him,  
9 his office, Bryan's office, whoever else gave us  
10 assignments. You know, neighborhood complaints  
11 really, that's what they were.

12 Q. Did you get evaluated as part of your job  
13 with the New Haven Police Department while you were  
14 head of narcotics?

15 A. I don't know.

16 Q. Was there any type of annual or other  
17 evaluation process in place?

18 A. I know there used to be evaluations years  
19 ago, but I don't know if there was an evaluation setup  
20 now.

21 Q. When is the last time you remember having  
22 a written evaluation of your --

23 A. Well --

24 Q. Let me finish -- of your performance as a  
25 police officer?

1           A.   A long, long time ago they used to  
2   evaluate you before you took a test.   You would get an  
3   evaluation.

4           Q.   Since you became a lieutenant, which you  
5   believe was somewhere in the mid '90s, correct?

6           A.   Yeah.

7           Q.   Did you ever have an annual or other  
8   performance evaluation that you were aware of?

9           A.   That they would like say here's your  
10   performance?   Not that I can remember.

11          Q.   Do you know if other people who headed,  
12   let's call them special units like narcotics  
13   enforcement, had evaluations during Chief Ortiz's  
14   tenure?

15          A.   I don't know that either.

16          Q.   But you didn't.   You were never evaluated  
17   during those four years?

18          A.   Not that I can remember.

19          Q.   Were you a member of a bargaining unit  
20   when you were in the police department union?

21          A.   Was I a union member?

22          Q.   Yes.

23          A.   Uh-huh.

24          Q.   Was your position a union position?

25          A.   Yes.

# **NEW HAVEN POLICE DEPARTMENT ASSESSMENT**

**FINAL REPORT**

**NOVEMBER , 2007**

**PREPARED BY  
THE POLICE EXECUTIVE RESEARCH FORUM**



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1120 Connecticut Avenue, NW, Suite 930  
Washington DC 20036  
202-466-7820

## **EXHIBIT 4**

- Supervisors overseeing narcotic teams should periodically rotate between teams to ensure personnel are operating in a manner consistent with department policy and procedure.

## **FINDINGS**

No strict policies and procedures have been routinely used in the department's narcotics enforcement. There was a systemic problem that allowed officers and supervisors to create their own policies and practices as to informants, their use, and documentation of confidential funds. When there were good role models, senior officers or supervisors, those systems worked, but when there was an absence of adequate mentoring, which appears to be the more recent case in New Haven, the system broke down.

G.O. 93.3 is the current operating policy. There is no assurance that this policy was followed by the former Narcotics Enforcement Unit, but it sets out direction for recording seizures and provision of receipts to the person from whom the seizure was made. The policy provides for the marking of exhibits and verification of amounts. This General Order is outdated in that it names specific officers and their responsibilities and these persons are no longer assigned to this role or have left the department. There is no provision for independent audits or inspections of seized narcotics or monies and none are carried out.

G.O. 93-3 also establishes Narcotics Enforcement Unit as the clearing house for all drug cases opened by the Department, directing that the Officer in charge of the Unit be notified in the event of any major seizure. A major seizure is defined as a quantity of drugs, monies or property that would indicate the arrestee is an upper level dealer or courier. The order also requires that, without exception, a field test for narcotics seized will be performed at the time of seizure for warrantless arrests or if a future arrest by warrant is likely.

The Order requires that seizures of narcotics, controlled substances or dangerous drugs be placed in an evidence envelope marked by the seizing officer. A supervisor or another officer will verify the count and insure the evidence is sealed. In practice, the supervisor is the Front Desk Sergeant at Police Headquarters. Narcotics evidence is entered into the narcotic evidence log at the Front Desk of Police Headquarters and placed in the safe in the Annex Property Room. Storage, security, laboratory testing and destruction then become the responsibility of Identification Unit.