

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

JUNE SHEW, et al.	:	No. 3:13-CV-0739 (AVC)
<i>Plaintiffs,</i>	:	
	:	
v.	:	
	:	
DANNEL P. MALLOY, et al.	:	
<i>Defendants.</i>	:	OCTOBER 11, 2013

DEFENDANTS' EXHIBIT LIST

- Exhibit 1 - Public Act 13-3
- Exhibit 2 - Public Act 13-220
- Exhibit 3 - Public Act 93-306
- Exhibit 4 - Public Act 01-130
- Exhibit 5 - Excerpts from Senate Debates on Public Act 13-3
- Exhibit 6 - Excerpts from Senate Debates on Public Act 93-360
- Exhibit 7 - Governor's Sandy Hook Advisory Commissioner Interim Report
- Exhibit 8 - Governor's Legislative Proposals
- Exhibit 9 - Federal ban (1994)
- Exhibit 10 - Delehanty Affidavit
- Exhibit 11 - Delehanty Affidavit – Photos of gun engravings
- Exhibit 12 - Delehanty Affidavit – Picture of tubular magazine
- Exhibit 13 - Delehanty Affidavit – Excerpts from Gun Digest
- Exhibit 14 - Mattson Affidavit
- Exhibit 15 – DESPP Form DPS-3-C

Exhibit 16 - Cooke Affidavit

Exhibit 17 - ATF Study (July 1989)

Exhibit 18 - ATF Profile (April 1994)

Exhibit 19 - ATF Study (April 1998)

Exhibit 20 - ATF Study (January 2011)

Exhibit 21 - H.R. Rep. 103-489 (1994)

Exhibit 22 - Excerpts from LCAV Comparative Evaluation

Exhibit 23 - Rovella Affidavit

Exhibit 24 - Hartford Gun Seizure Data

Exhibit 25 - Hartford 2012 End of Year Statistics

Exhibit 26 - Koper Affidavit

Exhibit 27 - Koper Curriculum Vitae

Exhibit 28 - *Impact Evaluation of the Public Safety and Recreational Firearms Use Protection Act of 1994: Final Report*. The Urban Institute, March 13, 1997 (“Koper 1997”)

Exhibit 29 - *Updated Assessment of the Federal Assault Weapons Ban: Impacts on Gun Markets and Gun Violence, 1994-2003*, Christopher S. Koper, July 2004 (“Koper 2004”)

Exhibit 30 - *America’s Experience with the Federal Assault Weapons Ban, 1994-2004, Key Findings and Implications*, Christopher S. Koper (chapter in *Reducing Gun Violence in America: Informing Policy with Evidence and Analysis*) (“Koper 2013”)

Exhibit 31 - Washington Post Study (January 13, 2011)

Exhibit 32 - Washington Post Study (January 23, 2011)

Exhibit 33 - Mello Affidavit

Exhibit 34 - Sweeney Affidavit

Exhibit 35 - Connecticut Gun Crime Tracing Data

Exhibit 36 - CDC 2005-2010 Homicide Firearm Deaths Rates per 100,000

Exhibit 37 - CDC 2010 Gun Violence and Death Statistics (LCPGV Summary) and CDC 2010 Homicide Firearm Deaths Rates per 100,000

Exhibit 38 - American Academy of Pediatrics Article with Household Gun Ownership data by State (Sept. 8 2005)

Exhibit 39 - Brady Center "Mass produced mayhem" (2008)

Exhibit 40 - VPC "Officer Down"

Exhibit 41 - VPC "Assault Pistols" (2013)

Exhibit 42 - Brady Center "On Target" (2004)

Exhibit 43 - VPC "On Target" (2004)

Exhibit 44 - Mother Jones Article (February 2013)

Exhibit 45 - Mother Jones Charts of Mass Shootings and Weapons Used

Exhibit 46 - Mother Jones Article (January 30, 2013)

Exhibit 47 - VPC Chart of Mass Shootings (as of July 2013)

Exhibit 48 - Mayors Against Illegal Guns Study (2013)

Exhibit 49 - Media reports about interrupted mass shootings

Exhibit 50 - Media reports about shooting of Newington Police Officer, and the mass shootings at the Hartford Beer Distributors & Connecticut Lottery

Exhibit 51 - Connecticut State Police Press Release (March 28, 2013)

Exhibit 52 - VPC "Militarization" (2011)

Exhibit 53 - Testimony of Brian J. Siebel, Brady Center to Prevent Gun Violence (Oct. 1, 2008)

Exhibit 54 - Excerpts from United States Army M16/M4 Training Manual

Exhibit 55 - VPC "Justifiable Homicide" Study (2013)

Exhibit 56 - *Benjamin v. Bailey*, Docket No. CV 93-0063723 (Conn. Super. 1994)

Exhibit 57 - NRA Story Corner Study

Exhibit 58 - Allen Declaration

Exhibit 59 - Zimring Declaration

Exhibit 60 - The Gun Debate's New Mythical Number: How Many Defensive Uses Per Year? Philip J. Cook; Jens Ludwig; David Hemenway, *Journal of Policy Analysis and Management*, Vol. 16, No. 3, Special Issue: The New Public Management in New Zealand and beyond. (Summer, 1997)

Exhibit 61 - Prepared Testimony by Laurence H. Tribe, Carl M. Loeb University Professor and Professor of Constitutional Law, Harvard Law School, *Proposals to Reduce Gun Violence: Protecting Our Communities While Respecting the Second Amendment*, Senate Judiciary Committee Subcommittee on the Constitution, Civil Rights and Human Rights. February 12, 2003

Exhibit 62 - Excerpts from *Extreme Killing: Understanding Serial and Mass Murder*, James Alan Fox, Jack Levin (2d ed. 2012)

Exhibit 63 - Eugene Volokh, *Implementing the Right to Keep and Bear Arms for Self-Defense: An Analytical Framework and a Research Agenda*, 56 UCLA L. Rev. 1443 (2009)

Exhibit 64 - Gun Ownership Article (NY Times Mar 2013)

Exhibit 65 - Gun Ownership data (GSS 2010)

Exhibit 66 – Excerpts from TRO Bench Ruling in *Tardy v. O'Malley*, Docket No. CCB-13-2841 (D.Md. Oct. 1, 2013)

Exhibit 67 - Siegel Study (2013)

Exhibit 68 - Mother Jones "More Mass Shootings" (Sept. 26, 2012)

Exhibit 69 - Media Reports Re: High Profile Incidents of Criminal Use of Assault Weapons and LCMs

Respectfully Submitted,

DEFENDANTS
DANNEL P. MALLOY, et al.

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CERTIFICATION

I hereby certify that on October 11, 2013, a copy of the foregoing Defendants' Exhibit List was filed electronically. Notice of this filing will be sent by electronic mail to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Maura Murphy Osborne
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Report Details Police Killer's Abusive Relationship

Investigators Release 500-page Document Of Probe Into Death Of Newington Officer

June 11, 2005 | By MARYELLEN FILLO, Courant Staff Writer

NEWINGTON — When Mary Fletcher confronted Bruce Carrier yet again about his excessive drinking last year, her volatile live-in boyfriend responded the way he usually did when they argued: He hit her.

But this time he choked her until she was unconscious. And when she regained consciousness, he dragged her by the hair to a bedroom and tried to force her to put on a pair of handcuffs. When she refused, he hit her again. He placed one of her hands in the handcuffs, grabbed her by the hair and dragged her to the basement, where he handcuffed her to a column.

"What am I gonna do with you?" he asked, sitting in front of her on an overturned bucket.

Carrier left Fletcher there, handcuffed and suffering from a concussion, the rest of the night.

According to a 500-page state police report, that was one of a series of frightening incidents between the couple that finally prompted Fletcher, who never reported the incidents to local police, to take steps in late December 2004 to get Carrier removed from her Mountain View Drive home.

But it wasn't soon enough. Eight days after she had begun gathering the paperwork to apply for a restraining order against Carrier, he killed Newington Master Police Officer Peter Lavery after firing off a burst from an automatic weapon.

The report, released this week, is a detailed account of the investigation into the shooting and string of events on Dec. 30 and 31, 2004, that began with a domestic complaint when Fletcher's worried daughter, Ryan, called police, and ended with Lavery's killing and Carrier's apparent suicide.

Based on testimony from neighbors, and friends, the report also paints a grim picture of an abusive relationship between a controlling Carrier and a dependent and increasingly terrified Mary Fletcher.

At least six of Fletcher's neighbors who were interviewed as part of the report told police they regularly heard the two arguing. Several said they were afraid of Carrier, 45, calling him "scary," "an alcoholic" and "unstable," and fearful of the rifles he had in the backyard.

At least one neighbor said Fletcher, 46, had privately shared her growing fear of Carrier, who was characterized as a "control freak" and "an extremist."

In one interview with police, Fletcher said that she had been trying to get him to move out but that he had threatened to mess up the house or burn it down if she dared try. In the weeks before Lavery's death, Fletcher had asked her daughter to call daily "to make sure [Fletcher] was alive."

The couple met in the mid-1990s and began dating in 1998 or 1999. Initially, the relationship seemed like a good one and the two moved in together in New Britain. However, Carrier's weapons and assault arrest in 1999 and subsequent employment problems triggered a deepening depression and increased drinking.

Carrier was arrested in 1999 after he sprayed Mace in the face of Ryan Fletcher -- a teenager at the time -- and Mary Fletcher after Mary hid one of his handguns because she didn't want them in her apartment.

When police responded to that domestic complaint, they found numerous rifles, handguns, a Tec-9 semiautomatic assault weapon with a silencer, boxes containing hundreds of bullets, explosive fireworks and 56 ammunition-feeding magazines. As

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a result of his conviction on weapons, assault and reckless endangerment charges, Carrier was forced to resign from his state Department of Correction job.

Index by Keyword | Index by Date | Terms of Service | Privacy Policy | About Us | The couple split up because of Carrier's drinking out" Fletcher told investigators, but soon reunited. Carrier moved in a month after Fletcher moved to Newington in 2000. She told police that at the time, "the relationship was great, as long as Carrier wasn't drinking."

Carrier, who was now working a variety of carpentry, construction and other odd jobs, was arrested again on charges of motor vehicle and probation violations that resulted in jail stints in 2002 and 2003.

Fletcher told authorities that the two would have arguments that would become physical. In 2003, Fletcher tried charging Carrier \$600 for rent in hopes the high payment would prompt him to move out. He paid the money and told Fletcher he would never leave.

Fletcher and family members told police that Carrier made Fletcher totally dependent on him. Carrier "created an environment in which Fletcher needed to ask him for assistance in performing the most menial of tasks," the report said.

As an example, Carrier would lock up all of his tool chests in the basement, so if she needed a screwdriver, she was forced to ask him for one, allowing him to dictate the situation and determine if he would help her or not.

Friends said Fletcher would sometimes exacerbate arguments. In one case, she teased Carrier about losing his driver's license after he was arrested in 2004 on a charge of driving while intoxicated.

Carrier's cousin, Alan, said Fletcher told him she was afraid of Carrier. Yet another acquaintance characterized Fletcher as a "narcissistic-type person" who would agitate Carrier.

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Hartford Distributors Killer Talked Of Shooting Co-Workers Night Before Rampage

May 12, 2011 | By JESSE LEAVENWORTH, DAVE ALTIMARI and DAVID OWENS, jleavenworth@courant.com, The Hartford Courant

MANCHESTER — On the night of Aug. 2, 2010, Omar Thornton showed his uncle a Ruger 9mm handgun with two magazines that each held 17 rounds.

Consumed by a belief that his co-workers at Hartford Distributors were racist, and facing an ominous meeting the next day with company managers who caught him stealing, Thornton told Wilbert Holliday "something to the effect of — 'that's 34 bullets ... those guys at work' — before trailing off and changing the topic," according to Holliday's statement to police.

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The next morning, Thornton arrived at the Chapel Road beer distributorship wearing a black ROCKY t-shirt, black shorts and a fingerless black glove on his right hand. Inside the red lunch pail that he carried was the gun he had showed his uncle the night before, a second 9mm pistol, a spare clip and two boxes of Remington ammunition.

In three minutes on that bright summer morning, Thornton executed eight men, shooting them all from behind and laughing at one point as he chased down a wounded victim.

New details about the gun enthusiast and troubled "momma's boy" emerged Thursday as Manchester police released the massive file of their investigation into the worst workplace mass murder in state history.

The documents show that Hartford Distributors Inc. was not the overtly racist place that Thornton claimed in his last recorded words before shooting and killing himself as police closed in. But the investigation does show that Thornton, who was black, convinced himself that he was a target of his mostly white co-workers.

Mark Bellavista, a co-worker, told police that "Omar would jokingly ask me if I knew any good white men," according to a summary of the investigation. "I would tell Omar to look around — there is a lot of good white men around here. Omar would then say you got to kill them before they go bad."

The only substantial sign of any racism at the beer distributorship, a sign that Thornton might have seen, was graffiti in a bathroom stall of President Barack Obama with a noose around his neck, police said. When company managers learned of the graffiti, it was quickly removed.

At a press conference Thursday at Manchester police headquarters, Police Chief Marc Montminy said the investigation showed that Thornton had a poor work ethic and did not understand the union work rules that governed Teamsters at Hartford Distributors.

"Omar did not seem to understand the concept of seniority," Montminy said. "Everyone is done based on the union contract. He was the junior driver. Omar saw that as racism. Others in the building believed it was a contractual obligation."

Christopher Roos, principal officer of the Teamsters' local that represents Hartford Distributors employees, said it was important for the family members of those who died to have confirmed what they knew all along — that their loved ones were not racist.

"This was an individual who had issues since he was a child," Roos said of Thornton. "He couldn't face that he got caught stealing. It was just a cowardly act."

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Thornton emerges from the investigation as irresponsible and incompetent. The high school dropout had been fired five times before starting at Hartford Distributors in 2008. Managers of those companies portrayed Thornton as a baby who was constantly on the phone with his mother and relied on her to fight his battles. He also was a thief, according to a Canterbury trucking company that fired Thornton for pocketing \$245 that he was supposed to use to fuel a truck, according to the investigation.

At Hartford Distributors, Thornton's work ethic remained poor. His nickname was "Slowmar." A black co-worker, Patrick Stephens, told police, "I would describe Omar as being a lazy guy, who you would see falling asleep while working."

But it was Thornton's thievery, not laziness or incompetence, that led to the slaughter. Hartford Distributors managers suspected that the 34-year-old, who made \$48,000 in 2009 and was on track to make double that in 2010 after moving from a warehouse position to a driving job, was stealing beer off his truck. The company wanted to fire Thornton, but union officials told the company that it didn't have the proof. So the company hired a private investigator to tail Thornton and get proof.

Thornton was called into work early on Aug. 3. Company managers confronted Thornton with video showing him loading kegs and cases of beer into the trunk of an Enfield couple's car. Company Vice President Steve Hollander told police that Thornton sat calmly during the meeting with "a very angelic, innocent look on his face."

Thornton said nothing other than to comment on the high quality of the video. He conferred briefly with his union representative, Bryan Cirigliano, then signed a one-line letter of resignation. The company agreed not to say he was fired and was not going to contest an unemployment claim.

Thornton then began to carry out his vendetta.

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March 7, 1998: Worker Kills 4 Bosses, Self At Lottery Site

March 07, 1998 | By JOHN SPRINGER, The Hartford Courant

NEWINGTON — A silent and seething employee went on a bloody rampage at Connecticut Lottery Corp. headquarters Friday, killing four senior lottery officials before committing suicide as police closed in.

Lottery President Otho Brown, 54, and former New Britain Mayor Linda A. Blogoslawski Mlynarczyk, 38, were among the victims of what is believed to be the state's deadliest workplace slaughter.

Also killed were Frederick Rubelmann III of Southington, 40, vice president of lottery operations and administration; and Michael Logan, 33, of Colchester, the agency's information systems director.

The killer used a handgun and a knife. Police identified him as Matthew E. Beck, 35, a state lottery accountant involved in a seven-month dispute with the agency over job duties and pay.

Co-workers said Beck, dressed in jeans and a polo shirt, appeared tormented by something when he showed up for work Friday morning at Connecticut Lottery headquarters at 85 Alumni Road. He sat at his desk refusing to speak to co-workers or to remove his tan leather jacket.

Finally, he stood up from his chair and walked past at least a dozen offices toward the administration suite. It was there, police and eyewitnesses said, that Beck began his killing spree.

"It all happened in only a matter of minutes," said state Public Safety Commissioner John Connelly.

Amid the hysterical screams of co-workers who ran in blind terror at the sound of gunfire, witnesses said, Beck showed no emotion as he systematically sought out and killed superiors who had been involved in a union grievance he filed last year.

Police said Logan was the first to die, stabbed in the chest and stomach with a military-style knife. Officials were uncertain Friday whether he was also shot.

Beck then shot and killed Mlynarczyk, the lottery's chief financial officer, with a semiautomatic handgun for which he had a permit.

"We heard, 'pop, pop, pop.' I just thought something dropped. People started yelling to get out of the building," said Marion Tercyak, a state lottery accountant who worked in the same suite of offices with Beck. "Security and Olt [Brown] were yelling for people to keep running, to run into the woods."

After Logan and Mlynarczyk were killed, chaos broke out among some of the more than 100 state workers assigned to lottery headquarters. Unsure of what was happening, employees flooded out of the building and tried to find cover behind cars, trees and bushes. Beck shot Rubelmann inside the building as he tried to direct workers to safety, police and witnesses said.

Outside in the parking lot, Brown was screaming for workers to run into the woods behind the building. From about 50 yards away, workers watched helplessly as Beck chased Brown into an overflow parking lot that was empty of cars.

Barbara Doody, who is also an accountant, said she thought Brown was trying to lead Beck away from the frightened employees.

Brown stumbled and fell to the gravel lot, enabling Beck to catch up to him. Witnesses said Brown pleaded for his life as Beck stared down at him dispassionately.

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was screaming, "Matthew don't! Matthew don't!" Doody said. "Then Otho puts his arm up in the air. That's when Beck walks right up to him and pulls the trigger. There was no expression on Matthew's face. Nothing."

As police arrived moments later and drew their weapons, Beck put his pistol to his head and pulled the trigger. Beck was airlifted to Hartford Hospital, where he was pronounced dead shortly after arrival.

At an afternoon news conference that attracted more than 100 print and broadcast reporters and photographers to Newington Town Hall, Connelly, the state public safety commissioner, said that Beck suffered from job-related stress and he returned to work Feb. 25 after a four-month medical leave. The leave of absence appeared to be directly related to an unresolved grievance Beck filed in August in which he complained he was forced to perform duties not in his job description, Connelly said.

Beck was performing a computer-related job in Logan's division but was still being paid as an accountant, a position that generally is paid about \$2 an hour less than the computer job, according to state records. Beck earned \$45,400 a year.

Connelly said state police believe that their investigation will show that Beck was deeply resentful about the way his grievance was handled and the way he perceived he was being treated. The victims did not appear to be targeted randomly and were all involved in the grievance process.

Gov. John G. Rowland raced to the scene after aides interrupted a morning meeting to tell him about the shooting. Rowland, who appointed Brown and Mlynarczyk, ordered state flags lowered until sundown Monday. Friday's lottery drawings were postponed.

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Danbury State's Attorney Releases Information on Sandy Hook Shooting



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Deputy Commissioner
Division of State Police

FOR IMMEDIATE RELEASE
March 28, 2013

DANBURY STATE'S ATTORNEY RELEASES ADDITIONAL INFORMATION ON DECEMBER 14, 2012, INCIDENT AT SANDY HOOK ELEMENTARY SCHOOL

Stephen J. Sedensky III, State's Attorney for the Judicial District of Danbury, today released the following statement concerning the December 14, 2012, tragedy at the Sandy Hook Elementary School in Newtown, Connecticut:

On the morning of December 14, 2012, Adam Lanza, the shooter, age 20, of 36 Yogananda St., Newtown, shot his mother, Nancy Lanza, age 52, in her bed with a .22 caliber rifle. There was no indication of a struggle.

Later the shooter went to Sandy Hook Elementary school where he shot his way into the building and killed 20 children and 6 adults with a Bushmaster .223 caliber model XM15 rifle. The Bushmaster was loaded with a 30-round capacity magazine. Fourteen rounds were in the magazine when the Bushmaster was recovered by police. There was one round in the chamber.

The shooter took his own life with a single shot from a Glock 10 mm handgun. He also had a loaded 9mm Sig Sauer P226 handgun on his person. Recovered from the person of the shooter, in addition to more ammunition for the handguns, were three, 30-round magazines for the Bushmaster, each containing 30 rounds. Located in the area of the shootings were six additional 30-round magazines containing 0, 0, 0, 10, 11, and 13 live rounds respectively. One-hundred-and-fifty-four spent .223 casings were recovered from the scene.

It is currently estimated that the time from when the shooter shot his way into the school until he took his own life was less than five minutes.

The police found a loaded 12-gauge shotgun in the passenger compartment of the car the shooter drove to the school. The shotgun was moved by police from the passenger compartment of the car to the trunk for safekeeping.

The guns used in the shootings were apparently all purchased by the shooter's mother. There is currently no indication that the shooter attempted to purchase the guns and was denied. The gun locker at 36 Yogananda St. was open when the police arrived. It was unlocked and there was no indication that it had been broken into.

Under Connecticut General Statutes Section 51-276 the State's Attorney for the Judicial District of Danbury is in charge of the investigation. I asked the Connecticut State Police to conduct the criminal investigation. We are being assisted by numerous other state and federal agencies.

Five search warrants were obtained on December 14, 15, and 16, 2012, for the car the shooter drove and his home at 36 Yogananda St. I sought and obtained sealing orders for these five warrants and the returns. The orders were issued by the Honorable John F. Blawie for 90 days. The orders expired March 27, 2013.

Today those warrants and their returns are being released subject to redactions that I requested of the court yesterday. This is an ongoing and active criminal investigation which is most effectively done confidentially. Indeed the rules of Professional Responsibility as they apply to prosecutors require that I take steps to not make extra judicial statements that I know or reasonably should know will be disseminated by means of public communication and will have a substantial likelihood of materially prejudicing an adjudicative proceeding in the matter. The rule also applies to investigators working under my authority. As this criminal investigation is ongoing, active and no definitive conclusions have been reached by myself, the release of any information could potentially jeopardize a future prosecution if evidence were developed to support one. It is not unusual to develop a viable prosecution late in an investigation when one was not contemplated earlier.

The family and friends of the victims, the community and the general public have a right to expect that

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any decision to prosecute or not prosecute will be made only after all of the available evidence has been examined and considered and all leads suggested by the evidence have been adequately pursued. The Connecticut State Police, the Newtown Police Department and other state and federal law enforcement agencies are not only continuing to investigate, but are still in the process of compiling reports, statements from witnesses, and documenting, examining and testing physical and digital evidence that has been obtained. This process is very arduous and must be done carefully, accurately, and confidentially.

At the same time, the investigators and myself are aware of the work some members of the public, the Governor and the General Assembly are trying to do. It is with that work in mind and our obligations to the investigation that the above statement regarding some facts of the case are described and only limited redactions to the search warrants and returns were requested. Additionally, recognizing the importance of the work of the Governor and the General Assembly, the Division of Criminal Justice through the Office of the State's Attorney and the Office of the Chief State's Attorney communicated with representatives of the Governor and the legislature to hear concerns regarding facts of the incident within the context of the ongoing criminal investigation.

Recently, information purporting to relate to this investigation was published in the media attributed to a presentation at a law enforcement conference. To prevent such disclosure in the future, I have instructed that any and all such presentations involving evidence in the criminal investigation be ceased while the investigation is pending and my report is still outstanding.

In not seeking to continue the complete sealing of all the search warrants and in providing the information above, this State's Attorney, as well as the Connecticut State Police investigators, were mindful of the work our elected leaders are undertaking. After consultation with the investigators, it was decided that much of the information in the search warrants would not sought to be sealed and that the release of the above basic crime scene information would not jeopardize the active and continuing criminal investigation into this unprecedented tragedy.

The released search warrants were obtained on December 14, 15, 16, 2012, within a short time of the shootings. Subsequent investigation revealed that shootings took place in two of the classrooms, not three, and that the shooter was not wearing a bullet-proof vest, nor was he a teenager. Paragraph 5 of the December 16, 2012, warrant contains excess verbiage that was the result of incorporating information from prior search warrants. Finally, page numbers on returns do not necessarily follow the page listed before them as the returns are prepared after the warrant has been executed. The officer filling out the return may have used different equipment for the form which may result in discrepancies in the page numbering for the returns.

As mentioned, this is an active, ongoing investigation. No conclusions have been reached and no final determinations have been made. The estimation of completion in the summer remains. After the investigation is complete, I will prepare a report regarding the matter which will include an evaluation of the crimes committed and whether or not there will be any prosecutions as a result. Myself and the investigators ask that the investigative process be respected.

Our sympathy for this tragedy continues to go out to the victims' families, friends and the Newtown community. We continue to be grateful to those working with us on the investigation, the Newtown Police Department, the Office of the Chief Medical Examiner, the United States Attorney's Office, the Federal Bureau of Investigation, the United States Marshal's Service, the Bureau of Alcohol, Tobacco, Firearms and Explosives and all of the other local, state and federal agencies that have been working with the Connecticut State Police and the State's Attorney's Office involved in this investigation.

-end-

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