

Edward A. Caniglia - June 29, 2018

40

1 with something on his belt. And I said, "What's that  
2 with the yellow tape?" And he told me it was a face  
3 for the Taser. That was the only conversation we  
4 had.

5 Q. Okay. And while you were speaking with the police  
6 officers, do you recall if the Cranston fire rescue  
7 were there?

8 A. No. They did not arrive until the very end of  
9 our conversation.

10 Q. And the very end of your conversation still took  
11 place, is it -- did the conversation all take place  
12 in the back porch of your house?

13 A. Yes.

14 Q. Aside from the officers, before the rescue arrived,  
15 was anyone else present at your residence?

16 A. No.

17 Q. When the Cranston fire rescue arrived, and  
18 I understand it was at the end of the conversations  
19 with the officers, do you recall what happened next?

20 A. At that point I had -- we had decided the  
21 parameters of how the incident would be resolved. So  
22 I walked over to the rescue squad.

23 Q. And when you walked over to the rescue squad, do you  
24 recall what happened next?

25 A. Yes. One of the officers asked me if I was

Edward A. Caniglia - June 29, 2018

41

1 armed. And I said, "No." He said, "Well, do you  
2 have a pocket knife or anything?" And I said, "Yes."  
3 And I gave him my pocket knife.

4 Q. Do you recall having -- do you recall the  
5 conversations you had with the Cranston fire rescue?

6 A. There were none.

7 Q. There were none?

8 A. (No further response)

9 Q. I'd like to present you, which I'm handing to you as  
10 Defendants' Exhibit C. This is described as the  
11 Cranston Fire Department rescue.

12 MS. MURPHY: Would you like the page?

13 MR. LYONS: Are you going to mark the  
14 whole thing?

15 MS. MURPHY: I'm just going to mark this  
16 if that's -- unless you want me to.

17 MR. LYONS: Oh, oh. It's first page.

18 MS. MURPHY: It's the bill.

19 MR. LYONS: It's a bill.

20 MS. MURPHY: Yes.

21 MR. LYONS: We don't need that.

22 MS. MURPHY: This is the Cranston Fire  
23 Department report for August 25th -- 21st, 2015  
24 regarding Edward Caniglia.

25 Exhibit C (Photostatic copy of Cranston

Edward A. Caniglia - June 29, 2018

42

1 Fire Department Run Report No. 2015009704 dated  
2 8/21/2015 - 1 page was marked for identification on  
3 behalf of the Defendants)  
4 Q. What I'm presenting to you is Defendants' Exhibit C.  
5 This is Cranston Fire Department report for  
6 August 21st, 2015. I'd like to give you the  
7 opportunity to review that.

8 MR. LYONS: Okay. Read it.

9 THE DEPONENT: Okay.

10 MR. LYONS: As I mentioned before we  
11 started, Mr. Caniglia forgot his reading glasses  
12 today. So he cannot read the fine, what I'll call  
13 the relatively fine print in this report. Actually,  
14 you know what? Why don't you try my glasses and see  
15 if that helps.

16 (Brief interruption)

17 THE DEPONENT: No.

18 MR. LYONS: No. Okay.

19 MS. MURPHY: Can we go off the record  
20 real quick?

21 MR. LYONS: Yes.

22 (Discussion off the record)

23 MR. LYONS: She's going to read it to you  
24 out loud, assuming I agree she's read it correctly.

25 MS. MURPHY: And I'll have you also --

Edward A. Caniglia - June 29, 2018

43

1 MR. LYONS: Yes.

2 MS. MURPHY: -- follow along to make  
3 sure, if you believe anything that I read was  
4 misread.

5 MR. LYONS: Okay.

6 Q. So what I represent to you is Cranston Fire  
7 Department's report for August 21st, 2015, which was  
8 earlier asked questions regarding the Cranston Fire  
9 rescue arriving to your residence in regards to the  
10 incident subject to this matter, the reason why we're  
11 here today. And in this record there is a History  
12 section. And it checks off high blood pressure. Did  
13 you communicate to the rescue regarding your history  
14 regarding high blood pressure?

15 A. Yes, I may have.

16 Q. You may have?

17 A. Do not remember.

18 Q. Okay.

19 A. But if they know that, probably I did.

20 Q. Okay. And then I'm going to read to you, it is a  
21 section that's below History. It's in the middle of  
22 this report to the left. And I'm going to read you  
23 what information is contained there. Male PT --  
24 and I'll represent to you PT stands for patient --  
25 at home, police on scene, dispute with wife, arguing,



Edward A. Caniglia - June 29, 2018

44

1 PT -- patient -- at a gun and told his wife to shoot  
2 him, police recovered gun, PT -- meaning patient --  
3 stated he was not looking to hurt himself. This  
4 happened last night. Wife called today. Wife  
5 leaving him, stated for her to shoot him again. PT  
6 -- indicating patient -- calm, did not deny  
7 altercation, psych  
8 eval. I'm going to focus on the last sentence that  
9 I've read. It says: Patient calm, did not deny  
10 altercation, psych eval.

11 Today as I read this out loud, does it  
12 refresh your recollection as to the statement that  
13 I just read, did not deny altercation? Do you recall  
14 having any kind of conversation with the rescue?

15 A. I had no conversation with the fire rescue  
16 people, other than he spoke to one of the officers.  
17 He got into the back of the wagon. I was sitting on  
18 the rescue cart. He said, "How are you feeling?"  
19 I said, "Fine." He said, "Okay. We're going to go  
20 to Kent County Hospital." I said, "Fine." And that  
21 was it.

22 Q. Okay.

23 A. He said -- he may have said, "Do you have any  
24 obvious health problems?" And I said, "Just high  
25 blood pressure," or something like that.

Edward A. Caniglia - June 29, 2018

45

1 Q. Okay. So you had some type of conversation, but you  
2 today --

3 A. He asked me nothing about the incident or --

4 Q. And but when you were informed that you were going to  
5 the hospital, you said, "Fine," did you say anything  
6 else relating to that, aside --

7 A. No.

8 Q. -- from saying, "Fine"?

9 A. No.

10 Q. Okay.

11 A. I believe -- I believe I said something along the  
12 lines, "I had a fight with my wife." One of the  
13 gentlemen from up front said, "Haven't we all been  
14 there?" And that was the end of our conversation  
15 until we got to Kent County Hospital, where they  
16 directed me. They said, "See that door over there?  
17 That's where you're going." So I said, "Thanks for  
18 the ride." And I went into the door at the hospital,  
19 and they drove away.

20 Q. And then when you went to the hospital, do you recall  
21 what happened next? Do you recall -- just to help  
22 you, do you recall seeing a doctor?

23 A. I walked in. One of the RNs said, "Are you the  
24 gentleman that's here for the evaluation?" I said,  
25 "Yes." She said, "Have a seat."

Edward A. Caniglia - June 29, 2018

47

1 Edward A. Caniglia - 26 pages was marked for  
2 identification on behalf of the Defendants)

3 Q. What I'm handing over to you is Defendants'  
4 Exhibit D. These are hospital records from  
5 Kent Hospital for August 21st, 2015. These documents  
6 were produced to defendants through your attorney.  
7 Are these the documents that you reviewed before  
8 today that you just -- you had mentioned earlier  
9 reviewing hospital records. Are these the hospital  
10 records?

11 A. These are the hospital records --

12 Q. Okay.

13 A. -- that I reviewed on my own when I went and got  
14 them to bring to the Cranston Police Department to  
15 retrieve my firearms. I have not really gone over  
16 them page by page with my attorney.

17 Q. What I'd like to do is just direct you to particular  
18 parts of these records. And I'll point to them and  
19 give you the opportunity to review them, just so  
20 you'll have the opportunity to read them and see if  
21 the information there, you believe that there's any  
22 inaccuracies. So I'd actually like to focus you on  
23 the first page. It says BH Disposition. And please  
24 let me know if you have any difficulty reading this  
25 text. Fortunately, it's not as small as that --

Edward A. Caniglia - June 29, 2018

48

1 A. No.

2 Q. -- emergency, fire rescue report. And I'm going to  
3 read this aloud to you. And it's the second  
4 paragraph. It says, "Upon assessment, Patient pacing  
5 in room was fully cooperative with Writer." Do you  
6 recall being assessed by a medical professional on  
7 August 21st, 2015?

8 A. By a medical professional, you mean an M.D.?

9 Q. A medical professional, a doctor or a nurse.

10 A. It was neither doctor nor nurse.

11 Q. Okay.

12 A. A social worker.

13 Q. A social worker. Okay. And so, you recall meeting  
14 with a social worker?

15 A. (Deponent nods head in the affirmative)

16 Q. Okay. And do you recall having conversations with  
17 the social worker regarding the reason why you were  
18 there?

19 A. Yes.

20 Q. Okay. And I'd like to direct your attention to the  
21 second sentence. It says: "Patient right away  
22 expressed eagerness to discharge home. States that  
23 Dr. Graves told him he could go home. Patient  
24 reported that he felt at a loss that his wife called  
25 the Police. He explained that he had an



Edward A. Caniglia - June 29, 2018

49

1 insignificant argument with her last night over a  
2 coffee mug. Wife left for the night and returned  
3 this morning. States that he placed the gun on the  
4 table, and had removed the magazine prior to this.  
5 Admitted that he made the statement but denied  
6 feeling suicidal or homicidal before, during, or  
7 after this incident." Do you believe that  
8 information's accurate?

9 A. Except for the part she opened our conversation  
10 with, "Are you the man who beat his wife?" Those  
11 were the first words out of his mouth.

12 Q. Whose mouth?

13 A. The social worker's.

14 Q. And this was regards to your visit on August 21st, --

15 A. Yes.

16 Q. -- 2015?

17 A. Yes.

18 Q. Okay. Now, and that, you said that was at the start  
19 of the conversation?

20 A. That is how she started the conversation with me.

21 Q. Now, I'd like to just focus on one particular  
22 statement that is included in here. "Patient  
23 reported that he felt at a loss that his wife called  
24 the Police." Do you recall reporting that to the  
25 social worker?

Edward A. Caniglia - June 29, 2018

50

1 A. Yes.

2 Q. And what did you mean when you said you felt at a  
3 loss that your wife called the police?

4 A. 'Cause it wasn't that big an incident.

5 Q. Now, I'd like to direct your attention to -- and  
6 there aren't page numbers in here, so I'd like you to  
7 look at the top left corner. These are Bates stamps,  
8 which Bates stamps are documentation that are helpful  
9 for attorneys to identify particular pages or  
10 particular parts of the document. It says C00012.

11 A. Yes.

12 Q. So I'd like to direct your attention to the bottom  
13 paragraph, the category or the subject line says  
14 Basic Information. And specifically what I'm looking  
15 at is Additional Information. I want you to have the  
16 opportunity just to review that paragraph before  
17 I ask you a question.

18 A. Arrivals -- "Arrival mode" --

19 MR. LYONS: Yes. No, no, no, no.

20 MS. MURPHY: Oh.

21 MR. LYONS: I'm just pointing out to you.  
22 She just wants you to read the part --

23 THE DEPONENT: Okay.

24 MR. LYONS: -- that says Additional  
25 Information. Think what he's pointing to is the

Edward A. Caniglia - June 29, 2018

55

1 along. It says in the second paragraph of Bates  
2 stamped C00029, second paragraph, last three  
3 sentences: States that he made an appointment with  
4 his PCP for a full workup. States that he is  
5 financially well off, having made a lot of money as a  
6 general contractor. Blaming of his wife for changing  
7 since her mother died a year ago.

8 Do you believe that when it says states  
9 that he is financially well off, is that statements  
10 that you're making?

11 MR. LYONS: Objection.

12 A. Yes.

13 Q. Okay. And do you recall making that statement to an  
14 employee of Kent Hospital?

15 A. I may have.

16 Q. Okay. Do you believe that this is an accurate --  
17 this is accurate, that at the time you were  
18 financially well off?

19 A. I was -- she asked me -- now I remember this.  
20 She asked me a series of generic psychological  
21 questions about what we were fighting about and what  
22 things we fought about. And she said medical, you  
23 know, things like children, medical issues, money,  
24 you know, other things that people have marital  
25 arguments about. And I did say at one -- I probably

Edward A. Caniglia - June 29, 2018

56

1 did say, "Was it about money?" And I said, "No. I'm  
2 financially comfortable."

3 Q. Okay. And so, so these statements were in response  
4 to questions that she asked you? And so --

5 A. Yeah. That was she was asking me like a set of  
6 generic questions about things we fought about or --

7 Q. Now, I'd like to -- I know I'm going through some  
8 particular pages of these records. I just have one  
9 last page that I want to direct or two last pages  
10 that I want to direct your attention to. Bates stamp  
11 17, C00017.

12 A. 117?

13 Q. Yes. Ah, 0017.

14 A. Okay.

15 Q. And where the title says Patient Visit Summary.

16 A. Visit Summary.

17 Q. Correct. And I want to direct your attention where  
18 it says: Patient Education Materials: Diagnosis,  
19 depression and hypertension. And with respect to the  
20 diagnosis depression, do you recall giving any  
21 information to any of the -- when you visited  
22 Kent Hospital regards to any history of depression?

23 A. No.

24 Q. No. Do you have any personal knowledge as to why  
25 the diagnosis says depression?



Edward A. Caniglia - June 29, 2018

57

1 A. I believe they asked me -- I believe they asked  
2 -- they spoke with my wife in the waiting room. And  
3 she said, "Has he been upset about anything lately?"  
4 And she said that -- she said my father had passed  
5 away and a friend of mine had committed suicide.  
6 She said I'm -- thinks I was depressed. She said,  
7 "I think he's depressed about that. "

8 Q. And I'd like to direct your attention to Bates  
9 stamp 19. It says: Discharge Diagnosis:  
10 Depression, hypertension, Established, Out of  
11 Control. With depression, do you know, do you have  
12 any personal knowledge as to why the information in  
13 the discharge diagnosis says depression?

14 A. No.

15 Q. Okay. Do you have -- are you -- at the time did you  
16 experience any depression, on August 21st, 2015?

17 A. No.

18 Q. And you mentioned that the information you believe to  
19 be the source of this is through your wife?

20 A. Normal sadness.

21 Q. Okay. Did you have any follow-up visits with any  
22 doctors after your visit at Kent Hospital?

23 A. Yeah. I did see my own physician.

24 Q. Your own physician? Okay.

25 A. But not -- not because of this. I ignored this.

Edward A. Caniglia - June 29, 2018

66

1 Q. Okay.

2 A. That's about it.

3 Q. Now I'd like to move forward to conversations on  
4 scene. And you indicated to me that there's more  
5 details as to the conversations with the officers on  
6 scene. Can you explain to me what those details are?

7 A. The officers stated to me that how they handle  
8 these situations was that if I submitted to a psych  
9 evaluation that morning at Kent County Hospital, my  
10 firearms would not be removed from the house.

11 Q. And when you said officers, who are the particular  
12 officers?

13 A. Mastrati and the gentleman in the white shirt.  
14 The two younger officers said nothing during these  
15 entire conversations.

16 Q. And you earlier described when we had this  
17 conversation earlier in the deposition about your  
18 conversations with the officers on scene when they  
19 arrived, you mentioned that Kim Caniglia was not on  
20 scene at that time; is that fair to say?

21 A. She was not at the scene. She was not at the  
22 house.

23 Q. She was not at the house?

24 A. She was across the street in her car on a side  
25 street.

Edward A. Caniglia - June 29, 2018

83

1 A. No.

2 Q. The Incident Report on the second page of the  
3 narrative says, quote: I asked Edward to get checked  
4 out by rescue and to talk to someone at the hospital  
5 which he willingly agreed to. Do you see that?

6 A. Yes.

7 Q. Is that correct? Did you willingly agree to get  
8 checked out at the hospital?

9 A. I agreed to go to the hospital to prevent the  
10 confiscation of my weapons.

11 Q. Okay. Would you have agreed to go to the hospital if  
12 your weapons weren't going to be confiscated?

13 A. No.

14 (Discussion off the record)

15 Q. Did you incur any bills as a result of this incident?

16 A. Yes.

17 Q. What bills?

18 A. The rescue squad paid for that. I had to pay  
19 co-payment for the time spent at Kent County  
20 Hospital. That's it.

21 Q. Do you recall about how much those bills were?

22 A. About a thousand dollars or so.

23 Q. And then I know you can't read it, the Cranston --  
24 so I'll read it to you. The Cranston Fire Department  
25 report, the narrative, it says: Wife leaving him,

Edward A. Caniglia - June 29, 2018

84

1           referring to you. Did you ever tell anyone --

2           A. No, never.

3           Q. -- that your wife was leaving you?

4           A. No, never.

5           Q. Okay. And it said that when you -- it said: Stated  
6           for her to shoot him again. Did you ever tell your  
7           wife to shoot you again?

8           A. No.

9           Q. Okay. Just so we're clear, the only reason you  
10          agreed to talk to the rescue and to go to the  
11          Kent County Hospital was because the police said,  
12          otherwise, they would confiscate your firearms?

13          A. Yes.

14          Q. The officer who had the white shirt on, do you  
15          believe he was a sergeant?

16          A. All I know from friends of mine being officers  
17          and sergeants on the Cranston police force, that they  
18          -- at a certain rank they would start wearing a white  
19          shirt.

20          Q. Okay. Was it your understanding that the officer  
21          wearing the white shirt was the senior or highest  
22          ranking officer?

23          A. Yes.

24                           MR. LYONS: All right. Those are my  
25          questions.



Edward A. Caniglia - June 29, 2018

85

1 MS. MURPHY: I just have one follow-up  
2 question if that's okay.

3 MR. LYONS: Yes.

4 MS. MURPHY: Just one question.

5 MR. LYONS: Yes.

6 FURTHER EXAMINATION BY MS. MURPHY

7 Q. And it's referring to what's actually in front  
8 of you, your response to interrogatories. And  
9 I actually want to direct your attention to page 3  
10 and the last -- that we have three full paragraphs  
11 under Interrogatory Number 7 on the top of page 3.  
12 I want to direct your attention to the second full  
13 paragraph, and I want to direct you to the last two  
14 sentences. "They asked about my mental health."  
15 I said -- or the three last sentences. "They said  
16 they took what I did as a threat to commit suicide.  
17 They asked about my mental health. I said that was  
18 none of their business." With respect to the last  
19 sentence in which it says, "I said that was none of  
20 their business," what do you mean by that?

21 A. They're not medical professionals.

22 Q. And by saying that they were not medical  
23 professionals, what are you saying by saying that  
24 they're not medical professionals?

25 MR. LYONS: Objection.

Edward A. Caniglia - June 29, 2018

86

1           A. They should be making an evaluation based on  
2           legal behavior, a criminal behavior, obvious mental  
3           problems, not my -- their evaluation when they had on  
4           one hand called me normal and then asked me about my  
5           health or my mental condition.

6       Q. And when you say one hand called you normal, who are  
7           you referring to?

8           A. It was in like one of the other -- in their  
9           report. His behavior was normal. In their Incident  
10          Report it states: His behavior was normal.

11                   MR. LYONS: Is there a question?

12                   MS. MURPHY: Well, I've asked a question,  
13           and then you just followed up. I have no further  
14           questions --

15                   MR. LYONS: Oh okay.

16                   MS. MURPHY: -- at this time.

17                   MR. LYONS: Okay.

18                   THE COURT REPORTER: Could counsel place  
19           on the record what they'd like for copies.

20                   MS. MURPHY: I would like an electronic  
21           copy.

22                   MR. LYONS: Yes, please, same.

23                   (Discussion off the record)

24                   (Deposition concluded at 12:20 p.m.)  
25