

In The Matter Of:

*Caniglia vs
Strom, et al*

*Edward A. Caniglia
June 29, 2018*



Min-U-Script® with Word Index

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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?

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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

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1 MR. LYONS: While he's reading, can we
2 take a short break?

3 MS. MURPHY: Oh, yes.

4 (Recess from 11:35 a.m. to 11:41 a.m.)

5 Q. During this break, did you have the opportunity to
6 review --

7 A. Yes.

8 Q. -- all the Incident Report? All right. Is there
9 anything in the Incident Report that you believe to
10 be false?

11 A. There is nothing, per se, false in the report.
12 It just leaves things out.

13 Q. And what particular information are you referring to
14 when you say information is left out?

15 A. My conversation with the Cranston Police, my
16 wife's conversations with the Cranston Police.

17 Q. And with respect to your conversations with the
18 Cranston Police, are you referring to the
19 conversations you had previously described to me?
20 Before I introduced this Incident Report to you, you
21 mentioned a conversation with an officer with a white
22 shirt, is that correct?

23 A. No. I had the conversation --

24 Q. Oh.

25 A. -- with Officer Mastrati.

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1 Q. Officer Mastrati. Okay. And --

2 A. But he was advised by the officer in the white
3 shirt.

4 Q. And upon reviewing this document, does it refresh
5 your recollection as to the identity of the
6 individual you described as having a white shirt?

7 A. Name-wise, no.

8 Q. Okay.

9 A. I believe from the description here, it would be
10 Officer Smith.

11 Q. And just to be clear, --

12 A. Or Russell, Officer Russell.

13 Q. Officer Russell?

14 A. (No further response)

15 Q. And aside from recalling conversations with Officer
16 Mastrati, does this Incident Report, the narrative,
17 refresh your recollection as to having or the
18 identity of any other individual officers that you
19 had conversations with?

20 A. No.

21 Q. And reviewing this document, just to confirm,
22 did you have conversations with anyone besides
23 Officer Mastrati?

24 A. The officer in the white shirt.

25 Q. Okay. So you had conversations with two officers on

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1 scene?

2 A. Yes, I spoke with two of them.

3 Q. And aside from -- and we went through the content of
4 those communications, and you kind of described them
5 to me generally. Looking at this report, does it
6 refresh your recollection as to more details about
7 the conversation you had with Officer Mastrati?

8 A. Pre or post their arrival at my home?

9 Q. Well, why don't we start with pre. Are you referring
10 to a telephone conversation with an officer when
11 you're saying pre?

12 A. Pre was the phone call --

13 Q. Yes.

14 A. -- on my wife's phone. And he wanted -- he asked
15 if he could come by the house. He did not ask me to
16 come outside.

17 Q. He did not ask you to come outside?

18 A. He did not ask me to come outside. I was outside
19 coincidental --

20 Q. Okay.

21 A. -- to their arrival.

22 Q. And then is that your recollection as to every --
23 all the details you recall regarding the pre-arrival
24 phone call?

25 A. Yes.

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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.

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1 Q. During the time that you recall the police being
2 present on August 21st, 2015 when they responded to
3 the call, do you recall having any contact with
4 Kim Caniglia?

5 A. She walked up to the house. I walked over to
6 her. I said, "What did you do?" And she said
7 nothing. She just turned around and walked back to
8 her car.

9 Q. And when you said she said nothing, are you
10 indicating that she was silent or she said the word
11 "nothing"?

12 A. She said -- she was silent.

13 Q. Okay. Between the time of that conversation and
14 going into rescue to go to the hospital, did you have
15 any other contact --

16 A. None.

17 Q. -- with Kim Caniglia then?

18 A. (No further response)

19 Q. I would like to direct your attention to the bottom
20 of this paragraph, bottom of this narrative on page 1
21 of the narrative. And I'm just going to read this
22 out loud, and I'm going to ask you if you believe --
23 if you agree with this statement. I asked Edward
24 what happened the night before, and he stated to me
25 that they got into an argument over a coffee mug. He

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1 stated that he is going through a divorce and is just
2 sick of the arguments, and at the time he took out
3 his handgun and the magazine in the other hand, which
4 was unloaded at the time. And he asked Kim to just
5 end his life because he couldn't take it any more.
6 Edward then stated that she stated that she was going
7 to call 911, and that's when he placed the firearm
8 down on the counter and he left for one hour.

9 A. No. He stated -- I have never used the word
10 "divorce" and my wife at any time. We have never
11 said the word "divorce" to each other during our
12 entire marriage.

13 Q. And when you stated we never stated divorce, is it
14 conversations that you had between you and your wife?

15 A. Yes. I've never said "divorce" to the officer.
16 I never said "divorce" to my wife. I've said
17 "divorce" to no one.

18 Q. Okay. And I just want to go into a little bit more
19 detail. When you said -- when it says "he took out
20 his handgun," where was your handgun at the time?

21 A. Under the bed.

22 Q. Under the bed. Did you go to the bed and go under
23 the bed and then go to the counter and place it on
24 the counter?

25 A. Never went to the counter. It was on the dining

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1 room table.

2 Q. Oh, dining room table?

3 A. Which is one step from the bedroom.

4 Q. Okay.

5 A. The magazine was never with the pistol.

6 Q. Is it fair to the say, though, that you had to go
7 to --

8 A. I never asked her --

9 Q. Oh, sorry. I ask that I have the opportunity, if
10 your --

11 MR. LYONS: He didn't finish his answer.

12 MS. MURPHY: Yes, exactly. I just wanted
13 to let you know.

14 MR. LYONS: Okay.

15 Q. If you want to continue your answer, just let me
16 know.

17 A. I never asked her to end my life as it says.
18 I said, "Just shoot me." The quote was, quote, "Just
19 shoot me," end quote.

20 Q. All right. Now I want to go to page 2 of the
21 Incident Report. And it indicates, you know,
22 a category that says Other Properties.

23 MR. LYONS: She means this one, this
24 page.

25 MS. MURPHY: Okay. I apologize. Didn't

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1 MR. LYONS: I think he said where she
2 always hides things.

3 Q. Where she always hides things?

4 A. Yes.

5 MS. MURPHY: Okay. Let me just take a
6 moment just to look over this real quick to see if
7 I have any additional.

8 MR. LYONS: I have a couple of questions.

9 MS. MURPHY: Okay.

10 MR. LYONS: So why don't you let me ask
11 my questions.

12 MS. MURPHY: Okay. Sounds good.

13 MR. LYONS: And then you can figure out
14 if you have any more.

15 EXAMINATION BY MR. LYONS

16 Q. Mr. Caniglia, when you brought the gun out from under
17 the bed, you said you did not bring the magazine?

18 A. Correct.

19 Q. Was the gun loaded at all?

20 A. No.

21 Q. Okay. The police Incident Report, the narrative says
22 that you said you were getting a divorce. Just to be
23 clear, did you ever tell the police --

24 A. No.

25 Q. -- that you were going through a divorce?

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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,