

# ***Exhibit “11”***

***Deposition Transcript of  
Sergeant Brandon Barth***

***July 19, 2018***

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND

EDWARD A. CANIGLIA,

vs.

C.A. No. 15-525

ROBERT F. STROM  
as the Finance Director of  
THE CITY OF CRANSTON, et al.,

DEPOSITION OF SERGEANT BRANDON BARTH,  
a witness in the above-entitled cause, taken on  
behalf of the Plaintiff, before Devin J. Baccari,  
CSR, at the Law Office of Strauss, Factor, Laing &  
Lyons, One Davol Square, Suite 305, Providence,  
Rhode Island, on July 19, 2018, scheduled at 10:00  
a.m.

PRESENT:

FOR THE PLAINTIFF:

STRAUSS, FACTOR, LAING & LYONS  
BY: THOMAS W. LYONS, ESQUIRE  
RHIANNON S. HUFFMAN, ESQUIRE

FOR THE DEFENDANTS:

DESISTO LAW LLC  
BY: PATRICK K. CUNNINGHAM, ESQUIRE

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1 Cranston General Order 320.70.

2 A. Okay.

3 Q. And if you could look at Page 2 and small Roman  
4 Numeral iv?

5 A. Yes.

6 Q. In questioning from Mr. Lyons, I believe you said  
7 that Number 6 applied in this instance; is that  
8 correct?

9 A. Yes.

10 Q. Number 6 reads, "Transport for involuntary  
11 emergency psychiatric evaluation if the person's  
12 behavior meets the criteria for this action"; is  
13 that correct?

14 A. Correct.

15 Q. Isn't it true, however, that Mr. Caniglia  
16 consented to going to get the medical evaluation?

17 MR. LYONS: Objection.

18 A. As I said, that there was trepidation with Mr.  
19 Caniglia about going to the hospital, and we try  
20 to refrain as much as we can about physically  
21 putting our hands on somebody. So ultimately  
22 once we had enough of a conversation with him, he  
23 willfully walked to the rescue and got onto it.

24 Q. (By Mr. Cunningham) Okay. So it wasn't  
25 involuntary?

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1 MR. LYONS: Objection.

2 A. No.

3 MR. CUNNINGHAM: I don't have anything  
4 further.

5 MR. LYONS: Actually, I'm going to  
6 follow-up after all.

7 EXAMINATION BY MR. LYONS

8 Q. My understanding is when you said that Mr.  
9 Caniglia was agitated it was because the police  
10 had gotten involved; is that correct?

11 A. I'd only dealt with him up until the point  
12 that I got there, so his -- he was agitated. I  
13 assumed it was because the police were there.  
14 And, again, I don't know what his mental status  
15 was, only from Mrs. Caniglia had told us from  
16 what happened the night before, if he was  
17 agitated before we got there.

18 Q. Do you know if Officer Mastrati had spoken to Mr.  
19 Caniglia on the phone before you went to the  
20 house?

21 A. I don't recall if he did.

22 Q. Okay. Did Officer Mastrati tell you that at any  
23 time that he spoke to Mr. Caniglia before he went  
24 to the house Mr. Caniglia was calm?

25 A. I don't recall.