

N23N-CR23-0250215-S : SUPERIOR COURT
N23N-CR23-0250216-S
N23N-CR23-0250217-S

STATE OF CONNECTICUT : JUDICIAL DISTRICT OF NEW HAVEN

v. : AT NEW HAVEN, CONNECTICUT

PAUL BOYNE : JULY 2, 2025

TRANSCRIPT OF PROCEEDINGS

BEFORE THE HONORABLE PETER L. BROWN, JUDGE

A P P E A R A N C E S :

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Representing the Defendant:

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1 COURT MONITOR: We're on the record, your Honor.

2 THE COURT: Thank you. Matter of State of
3 Connecticut versus Paul Boyne.

4 Counsel put your names on the record, start with
5 the State.

6 ATTY. DOYLE: Good morning, your Honor. John
7 Doyle for the State of Connecticut.

8 THE COURT: Thank you.

9 ATTY. BUSSERT: Good morning, your Honor. Todd
10 Bussert and Attorney Kelly Billings on behalf of Mr.
11 Boyne, who is also present remotely.

12 THE COURT: Yes. Thank you. Good morning,
13 counsel. And good-- good morning again, Mr. Boyne.

14 All right. So we had an off the record status
15 conference on May 27th of this year, in attendance at
16 that time were Attorneys Doyle, Borrelli, Billings
17 and Bussert. There were a few things that were
18 discussed at that time, so I'm going to kind of recap
19 that and just see where we're at.

20 The defense indicated that there was still some
21 discovery missing and that it was the defense's
22 intent to send a second discovery request to the
23 State, the State indicated that they would respond
24 ASAP to that. So, to that issue, Attorney Bussert.

25 ATTY. BUSSERT: Thank you, your Honor. So I
26 guess taking up that issue first, our understanding,
27 and leave to Attorney Doyle to correct me if I'm

1 wrong, was that Attorney Borrelli had represented, at
2 least with respect to the prior disclosures that were
3 made, specifically to prior counsel to ensure that we
4 had received everything, it would be a matter as
5 simple as sending everything to me in an evidence.com
6 link. So we had anticipated that that would be done.
7 We hadn't received anything, so we did send a written
8 discovery request that included the request for that
9 material, again which has previously been disclosed
10 we understand.

11 And also, and I think I had noted with the
12 Court, there was the issue of, I think, and again,
13 Attorney Doyle can correct me if I'm wrong, there
14 were Blu-ray discs disclosed that we did receive that
15 we're unable to access, including with the assistance
16 of our IT department. We understand those two, I
17 believe, to be in sum and substance the contents of
18 the-- the materials that were seized or searched from
19 the electronic devices taken from Mr. Boyle-- Mr.
20 Boyne's residence. So I think essentially that they
21 were fairly limited in scope in-- in terms of the
22 search, like very discreet time periods, and so I
23 think there were-- they're essentially files related
24 to each of those targeted searches. We just simply
25 can't access the materials, so we were hoping that we
26 could actually make use of.

27 And then beyond that, there-- there is a more

1 specific discovery request. Our-- Our letter in
2 total as four pages long that touched upon a number
3 of issues, many of which-- or-- or at least several
4 of which, I should say, bear on some of the pretrial
5 motions that we've been contemplating and discussed
6 with your Honor and-- and-- and the State at the last
7 status conference.

8 THE COURT: All right. Attorney Doyle.

9 ATTY. DOYLE: So Mr. Borrelli-- I don't know
10 whether all those items are up to evidence.com or
11 whether they've been shared or not, but Mr. Borrelli
12 was endeavoring on getting-- re-getting. You know,
13 to the extent that we agree I think some of it was
14 turned over and whether previous counsel or current
15 counsel were unable to open these items, Mr. Borrelli
16 was endeavoring to get all those items put up onto
17 evidence.com.

18 So I-- I don't have the status of that
19 currently, but as-- as Mr.-- as-- as Attorney Bussert
20 pointed out I think that that's somewhat limited
21 scope. I don't think that's a voluminous amount of
22 material. Mr. Borrell will be back in town on Friday
23 and I'll be able to check with him about the status
24 of that, and I ensure the Court we'll get to that as--
25 - as soon as possible.

26 I did get request-- a-- a-- a letter dated June
27 20th from Attorney Bussert in regarding some re--

1 beyond that electronic files versus evidence.com,
2 some additional requests. Some of them are, I would
3 say, newer items and some of them are-- There--
4 There's a variety of things that have requested by
5 Attorney Bussert in this letter. I went over it with
6 counsel and I went over it with Attorney Borrelli in
7 my office. We're endeavoring to get a few things, but
8 I think it might-- I-- I don't know how the Court
9 wants to address this. There are some things in
10 here, Attorney Bussert, we're endeavoring to get for
11 you that are pretty straightforward. There are other
12 things in here that I would respond that I don't--
13 either that I don't think that they're particularly--
14 I don't think they're appropriate discovery requests
15 of the State or, in the alternative, they are things
16 that I don't believe that I can get or that I have
17 any legal right or authority to go get.

18 And what I would note for the Court-- And I
19 don't know if the Court has a copy of this. I doubt
20 it, I think this was a letter just sent by Attorney
21 Bussert to myself. But I would couch or term a
22 couple of these things as being things that I don't
23 believe, and I've discussed this with several other
24 prosecutors and the Chief State's Attorney's Office,
25 several appellate lawyers and several other State's
26 Attorneys, that there's request in this document from
27 Attorney Bussert that the State obtain documents and

1 emails that are in the purview of legislator or the
2 Judicial Branch and I don't believe I have any
3 authority to get those documents from those
4 particular agencies. I have-- I think statutes would
5 be clear, I have somewhat of an ability to direct the
6 State Police, the Department of Corrections, those
7 agencies, but I think that items that may be in the
8 possession of other-- of the Connecticut Legislature
9 or the Connecticut Judicial Branch I don't believe I
10 have any authority to demand or request those items.

11 I will preface that with, Attorney Bussert,
12 there are in here some points where you ask about
13 communications made from the Judicial Branch, or a
14 Judge, or perhaps the Chief Court Administrator past--
15 - in the past, to the Division of Criminal Justice, I
16 believe that I can those because we would have been--
17 our-- my agency would have been on the receiving end
18 of those emails. But emails that may or may not have
19 gone back and forth between legislatures and Judges
20 and the Judicial Branch I don't think I have any
21 authority to be able to get that.

22 I think that would also include-- It's noted in
23 here that counsel is seeking, and we did go back and
24 look at this, there is a-- a reference to some 90
25 page report that the Judicial Marshal Service based
26 on complaints about Mr. Boyne and others were-- it
27 looks like they may have prepared some 95 page

1 report, it might be referenced in a police report or
2 an email. I do not have that report, and I did
3 endeavor with the Judicial Branch and the Judicial
4 Marshals to confirm the existence of that, of which
5 as of yesterday they're getting back to me. But they
6 did indicate that there is a report, but that they
7 would be taking-- they would be objecting to
8 providing that to me or providing that to defense
9 counsel, and I don't have any authority to order the
10 Judicial Branch to do something such as that.

11 So I-- I-- whether some guidance from the Court,
12 or we need to brief or research this, I just wanted
13 to note that for the record.

14 But, Attorney Bussert, as of yesterday I do have
15 an email where our inspector-- I would just say one,
16 two, the third bullet point where you reference some
17 Connecticut State Police Reports, and it's entitled
18 very-- a myriad of investigations into Mr. Boyne in
19 the past, I believe we have all those incident
20 reports and they're being prepared as part of
21 discovery packet to be sent to you either today or
22 tomorrow.

23 So I-- Other than that I-- that's my-- that's my
24 report on it.

25 So I think we're-- we're at a little bit of a--
26 a strange situation here is I think the Court
27 directed us to come back today with counsel

1 indicating what kind of motions they were gonna file,
2 or ones that were previously adopted in the case and
3 whether they were going refile additional ones, but
4 to hear Attorney-- if I understand what Attorney
5 Bussert indicated this morning is before can do that
6 he's going to need these items and some of these I
7 don't think that I have the authority to get. I-- I--
8 - To be honest, I don't even know the mechanism for
9 getting these things. I don't know it's something
10 that the Court would have to weigh in and have some
11 legal argument on it. I-- You know, I-- To be
12 honest, I don't-- I-- I've-- I've never been in a
13 situation of-- of a request made to get
14 communications between two other branches of
15 government, you know. I don't-- So that's --

16 THE COURT: Um-Hm. Okay.

17 ATTY. DOYLE: So that's where I'm at. But,
18 again, --

19 THE COURT: Thank you.

20 ATTY. DOYLE: And then additionally I would also
21 just-- I would also just respond is last year, I
22 think as part of a discovery packet, I did request to
23 receive any emails that Mr. Boyne himself had emailed
24 any representative of the Division of Criminal
25 Justice from an email that we believe is-- is Mr.
26 Boyne's, and we did provide that to prior counsel I
27 think at some point about a year ago. I am remaking

1 that request, because just over the I think-- just
2 over the last six months, at least myself personally,
3 I've rec-- received a voluminous amount of emails
4 from Mr. Boyne, and so I'm going to provide-- I'm
5 going to get all that to provide to counsel.

6 And then also I do have-- The Attorney General's
7 Office has forwarded at different times some emails
8 that they've received by an individual purported to
9 be Mr. Boyne. I-- Again, them being a separate
10 agency not under the purview of Judicial Branch or
11 the Legislative Branch I do believe that I'm going to
12 make that request and they will share those items
13 with me, but I'm limited in what I can ask the
14 legislature for the Judicial Branch.

15 Lastly, the Chief of the Judicial Marshal
16 Services did indicate that they are reviewing the
17 report that they have regarding Mr. Boyne and-- and
18 some others, and they indicate that there is a large
19 amount of private, biographical and other information
20 in there about judicial employees that even if they
21 were going to share or if there was a court order to
22 share it would be-- I've been told it would be
23 heavily redacted.

24 So I think that's-- I think all that I-- I
25 needed to put on the record with the Court.

26 THE COURT: Okay. Attorney Bussert, yes, you
27 were going to say.

1 ATTY. BUSSERT: If I could, your Honor. I-- I
2 guess maybe there's a little bit of confusion.
3 Maybe-- Maybe the State misunderstood my request.
4 And, again, and I think I was clear, I've been clear
5 about this for at least a couple of court appearances
6 now. I would not suppose in any instance that
7 Attorney Doyle or State's Attorney's Office has the
8 ability or the obligation to reach out into the
9 legislature and obtain their communications, and
10 accordingly that's not what we requested. Again, I--
11 I thought I made-- have made clear for quite some
12 time, in-- on fact when Attorney O'Malley was in the
13 case, and-- and I'll-- and I'll read it here, your
14 Honor, which I think is consistent with our
15 representations. As we know, each of the operative
16 statutes under which Mr. Boyne stands charged were
17 amended effective October first of '21, and I cite
18 the Public Acts-- relevant Public Acts, and I say we
19 request production of all written communication, and--
20 - and this is I think, again, the operative language,
21 that the Chief State's Attorney's Office, any indiv--
22 any individual State's Attorney's Office, and/or any
23 state law enforcement agency, including by their
24 respective members and agents had with the
25 legislature otherwise concerning those amendments and
26 associated legislative efforts.

27 Again, my understanding, just like our-- our

1 agency, is that the State's Attorney's Office both
2 has a reprehensive and is fairly active during each
3 legislative session and meets with various members of
4 the legislature with respect to pending bills. And
5 our obvious concern here, and-- and I've been fairly,
6 I hope, transparent about this, is that given what
7 appear to be longstanding concerns about Mr. Boyne in
8 particular, that the amendments that were enacted in
9 October of '21 had were-- were at least in part
10 motiv-- excuse me, motivated by efforts to
11 essentially bring Mr. Boyne to justice. And so
12 that's-- that's what the request is. I'm not looking
13 for-- I mean, Obviously, if there was an exchange
14 between somebody with-- with the State's Attorney's
15 office or law enforcement or what have you and a
16 member of the legislature well, that would I think
17 fall within that purview, it would be in the ambient
18 of-- of material that the State's Attorney's Office
19 possesses. But I-- I wouldn't expect that somehow
20 the State has an obligation to get additional
21 materials that are exclusive to the legislature and
22 that's not what's requested.

23 So, again, respectfully I-- I think that think
24 that Attorney Doyle's description of what's sought is
25 in accurate and that was it sought is fully within
26 the purview of things that his office. And, in
27 particular, and I think Attorney Doyle, correct me if

1 I'm wrong, was at the Chief State's Attorney's Office
2 during the relevant amendment cycle and-- and so, you
3 know, one of the things related to all this that we
4 don't have is in June of-- of 2020 then Chief Attor--
5 State's Attorney Richard Colangelo submitted a
6 complaint to the Connecticut State Police which seems
7 to have kind of kicked off this most recent round of
8 investigation, interest in Mr. Boyne that ultimately
9 led to the instance charges. We don't even have a
10 copy of that complaint, so that's one of the things
11 we requested.

12 Now with respect-- And, your Honor, if you
13 want me to stop and you want to take up any of these,
14 you know, I don't have to go --

15 THE COURT: Yeah, I do. So I --

16 ATTY. BUSSERT: Okay.

17 THE COURT: -- I just want to crystallize this
18 for myself.

19 ATTY. BUSSERT: Yep.

20 THE COURT: So are we talking about any
21 documents at all in the possession of the Chief
22 State's Attorney's Office, the State Police, any law
23 enforcement agency in the State of Connecticut that
24 mentions Mr. Boyne, and-- and is that-- is that what
25 you're-- is that what you're seeking or-- or is that
26 way too broad?

27 ATTY. BUSSERT: Yeah. Not with respect to this,

1 your Honor. Again, this is really focused on that
2 legislative cycle that resulted in those amendments
3 to the statutes. And, again, --

4 THE COURT: Give me the date-- Give me the dates
5 specific we're talking about now.

6 ATTY. BUSSERT: Well, --

7 THE COURT: Between-- Yeah. What are we talking
8 about?

9 ATTY. BUSSERT: Yeah. So-- So the-- the
10 amendments at issue here and-- and-- and the counts
11 with which Mr. Boyne stands charged, those were
12 enacted in October of 2021, October 1st. So
13 experience suggest that-- And-- And, again, I-- I'd
14 have to pull up and-- and-- and-- and be accurate,
15 but the public laws at issue, that would have been
16 during that amendment cycle, and those public laws
17 both start with '21, so I'm guessing during that
18 legislative session. You know, experience would
19 suggest that, you know, just like our office probably
20 weighed in on various amendments to crim-- proposed
21 amendments to criminal statutes, but the Chief
22 State's Attorney's Office did as well. And so we're
23 looking for those communications between essentially
24 the State's Attorney's Office, slash, the Chief
25 State's Attorney's Office and the legislature
26 concerning those amendments. Because, again, our--
27 our sense and our belief is that those were, if-- if-

1 - if not-- well, were influenced, at a minimum, by
2 their interest in prosecuting Mr. Boyne and-- and
3 realizing that up to that point the statutes didn't
4 cover the conduct at issue, and-- and so they sought
5 to expand the scope of potential liability in order
6 to pursue Mr. Boyne, and so we're looking for those
7 communications.

8 Again, and-- and so I'm assuming, but I don't
9 know, that that would've all been really focused
10 during the 2021 legislative cycle, so probably, you
11 know, from January to October of that year. I-- I
12 don't know if there'd be anything that preceded that.
13 Maybe if we received anything it would suggest prior
14 communications, we could follow up on it. But, you
15 know, experience suggests it's a very busy time, like
16 in the spring, leading up kind of until the end of
17 May as they go through the legislative process. So--
18 And I know-- don't know as I'm sitting here today if
19 there was a special session, like in-- in August or
20 anything like that I don't-- I-- I don't know, but--
21 but-- but, you know, focused on those amendments.

22 THE COURT: And, again, you're not requesting--
23 And whether they have the legal authority to do it in
24 the first place is a whole nother issue, but you're
25 not asking the State-- you're not asking the--
26 Attorney Doyle's office to reach out to the
27 legislature or to reach out to the Judicial Branch,

1 you're asking them to look at their own records, I
2 take it, and-- and then law enforcement broadly
3 stated --

4 ATTY. BUSSERT: Yeah.

5 THE COURT: -- the State Police and any local
6 law enforcement, and time period would be probably
7 the beginning of 2021, but the focus is any
8 discussions with regard to amendments to legislation.
9 Is-- Is-- Am I getting this correctly?

10 ATTY. BUSSERT: As to the operative statutes at
11 issue here, your Honor. I mean, I'm sure they took
12 up a whole host of-- of, you know, bills and the like
13 that looked to amend statutes that would have touched
14 upon, you know, their work or ours, or what have you,
15 things that are criminal justice related, we're not
16 looking for all of that other kind of extraneous
17 stuff, we're looking at these particular statutes
18 with which-- with which Mr. Boyne currently stands
19 charged. And --

20 THE COURT: And just --

21 ATTY. BUSSERT: And --

22 THE COURT: And would you just cite for me the
23 specific statute or statutes. I mean, obviously I
24 know-- I don't have the file in front of me at the
25 moment, so what statute at issue are we talking about
26 here?

27 ATTY. BUSSERT: All right. And I apologize,

1 your Honor, I'm going to have to-- let me pull up-- I
2 think, and, Attorney Doyle, correct me if I'm wrong,
3 but I think each of the long form information is
4 identical with respect-- you know, different
5 complainants, but-- but the same charges, you know,
6 one as to each count.

7 Counts one through four, your Honor, concern
8 Connecticut General Statutes 53a-181c and 53a-181d,
9 and --

10 THE COURT: Yep.

11 ATTY. BUSSERT: -- as to each of those there's
12 different subsections, but that's the --

13 THE COURT: Um-Hm.

14 ATTY. BUSSERT: -- the General Statutes. And
15 then Counts five and six concern 53a-181f.

16 And, as I cite here in-- in the discovery
17 request, I believe the applicable Public Acts that--
18 that resulted in the relevant amendments were Public
19 Acts 21-56 and Public Act 21-102.

20 THE COURT: You have 21-56 and 21?

21 ATTY. BUSSERT: Dash 102.

22 THE COURT: 102.

23 ATTY. BUSSERT: Yeah.

24 THE COURT: Okay.

25 ATTY. BUSSERT: And, again, I-- I tried to be
26 fairly clear about it. And, ag-- again, you know,
27 when I mentioned this I think the first time Attorney

1 Borrelli seemed to kind of-- you know, his interest
2 seemed to be peaked, he kind of understood the import
3 of what we were saying, or what I was saying. But--
4 But I've been consistent, so the idea-- Again, I just
5 read it, the idea that somehow we're asking Attorney
6 Doyle to reach out to the legislature and demand they
7 produce things, there's no basis for that, or-- or
8 the judiciary.

9 Now there are other issues with respect to some
10 of the judicial, you know, internally but we'll talk--
11 that-- that's not with respect to this request.
12 With this request we were just looking essentially
13 the-- the legislative policy aspect of the Chief
14 State's Attorney's Office, slash, State's Attorney's,
15 slash, law enforcement to the extent they're
16 involved, and I don't know.

17 Like, you know-- Like, I-- I know recently, and
18 this is a completely unrelated example, but in this
19 most recent legislative session there was a bill that
20 concerned some use of some technology, that there was
21 a proposed pilot program with three police
22 departments and the Chief State's Attorney's Office
23 was advocating for it, the wasn't taken up. In that
24 instance obviously you have the Chief State's
25 Attorney's Office obvious-- I would assume advocating
26 with various members of the legislature, and perhaps
27 individuals whom-- in those departments who would

1 have conferred. But that's a obviously fairly
2 discreet thing. Here, to the extent law enforcement
3 was involved with respect to these amendments, I
4 would guess but I don't know that it would probably
5 have been largely the Connecticut State Police but I--
6 - I just-- I don't have a point of reference for
7 that.

8 THE COURT: Understood.

9 ATTY. BUSSERT: Moreso interested --

10 THE COURT: Yep.

11 ATTY. BUSSERT: -- in-- in the State's Chief
12 Attorney's Office and-- and the relevant, you know.
13 And because, again, like we do the same thing, I
14 think they pull people, maybe from a particular
15 office who have specialty in that particular subject
16 matter and ask them to come to the legislature to
17 testify or-- or to work on an issue --

18 THE COURT: Okay.

19 ATTY. BUSSERT: -- and they-- they have I think
20 primary-- a primary point person or point people who
21 just are constantly at the legislature during the
22 legislative session.

23 THE COURT: And reference has already been made
24 to a letter, I think between yourself and Attorney
25 Doyle where you specify these requests. So you're
26 aware, --

27 ATTY. BUSSERT: Yes.

1 THE COURT: -- Attorney Doyle, of the specifics
2 that -- Attorney Bussert is-- is-- is seeking, and
3 he's now clarified that the State is-- the State's
4 Attorney's Office is not being asked to reach out to
5 the legislature, not being asked to reach out to the
6 Judicial Branch and, as far as I'm concerned, that
7 includes the Judicial Marshals, they're a part of the
8 Judicial Branch. So the request is that any
9 documents that make reference to Mr. Boyne, if I'm
10 hearing you rightly, that are concerning these
11 statutory-- these proposed amendments, and I guess
12 that goes back to the beginning of October of 2021,
13 that's my understanding of the-- the scope of the
14 request.

15 ATTY. BUSSERT: Well, just-- just to be clear,
16 your --

17 THE COURT: Yep. Go ahead.

18 ATTY. BUSSERT: Yeah, just to be clear, --

19 THE COURT: Yep.

20 ATTY. BUSSERT: -- the documents wouldn't
21 necessarily have to concern Mr. Boyne, like expressly
22 reference him, right, it-- they would just be con--
23 concerning these amendments to these statutes. And
24 the reason I-- I say that for clarification is this,
25 and-- and-- and I just want to avoid a situation
26 where-- So, as an example, former Justice Katz in
27 2022 wrote an op-ed for the Connecticut Law Tribune,

1 right, and-- and she spoke about particular types of
2 online behavior, and I think a reasonable
3 interpretation of that op-ed is that she's speaking
4 about Mr. Boyne 'cause he had obv-- you know, we have
5 lots of discovery that he had written blog posts, or
6 the-- the claim was there were blog posts on this
7 Family Court Circus blog that they attribute to Mr.
8 Boyne --

9 THE COURT: Well hold on, counsel.

10 ATTY. BUSSERT: -- but that --

11 THE COURT: You-- Hold on.

12 ATTY. BUSSERT: -- but-- but they don't --

13 THE COURT: Hold on. Hold on.

14 ATTY. BUSSERT: -- she doesn't name him.

15 THE COURT: Hold on. Hold on, --

16 ATTY. BUSSERT: I apologize.

17 THE COURT: -- Attorney Bussert. Just give me -

18 -

19 ATTY. BUSSERT: Yep.

20 THE COURT: -- a second. Did you just say that
21 it was presumed or assumed that she was referring to
22 Mr. Boyne when she wrote that piece?

23 ATTY. BUSSERT: Yeah.

24 THE COURT: Well, that's not-- With-- With all
25 due respect I don't make assumption at all. I --

26 ATTY. BUSSERT: Okay.

27 THE COURT: I understand that's your position.

1 I understand that's your position.

2 ATTY. BUSSERT: Your Honor, --

3 THE COURT: Go ahead.

4 ATTY. BUSSERT: -- fair-- fair enough. And--
5 And I'm not trying to-- to litigate anything about
6 that op-ed or anything right now, I want to be clear.
7 But my point being that with respect to that op-ed,
8 right, it talks about conduct and behaviors online
9 that are consistent with what is alleged here and
10 consistent with what the State claims Mr. Boyne did
11 or what was posted on the Family Court Circus Blog.
12 So to the extent that with respect to this issue,
13 these amendments, that they're submitting things to
14 the legislature that just talk about this type of
15 conduct, right. I-- I-- I-- I don't know what-- I
16 don't know what it looks like, but they don't
17 necessarily just say we're going after Paul Boyne.
18 Now we may-- There may be an argument about that once
19 receive the material, the argument would be this is
20 focused on Paul Boyne and the State may come back, as
21 your Honor just said, and say, no, it's just
22 generally about this type of conduct we have a
23 concern. And, fair enough, that-- that's an issue
24 for a different day.

25 But I just want to be clear when your Honor said
26 those things have to reference Paul Boyne, that's not
27 our-- our request. We're asking for anything with

1 respect to those amendments during that legislative
2 cycle as to these particular statutes under which he
3 stands charged.

4 THE COURT: And let me just cut to the chase, so
5 would the point of this ultimately be possibly the
6 defense filing some sort of a-- a motion that we--
7 that's been sort of generally been talked about,
8 something regarding a Bill of Attainder or something,
9 is that what this is --

10 ATTY. BUSSERT: Yes.

11 THE COURT: -- possibly? I see. Okay. I-- I
12 just want to be clear about that so I understand.

13 ATTY. BUSSERT: And-- And I'm trying to be as
14 clear as possible. I'm not trying to hide the ball
15 or anything else, your Honor.

16 THE COURT: No, I know you're not. I know
17 you're not. I know you're not. Thank you.

18 ATTY. BUSSERT: Okay. Now Attorney Doyle also
19 referenced, and he said the second bullet point but I
20 think it may-- I mean the third, I think it may be
21 the second because the-- the third bullet point on
22 our list is the one about Attorney Colangelo's
23 complaint. But we requested materials related to
24 numerous Connecticut State Police invest-- we-- we
25 have all these numbers, and essentially as we read
26 the discovery materials, various members of the
27 Judiciary or different people made complaints about

1 Mr. Boyne or the Family Court Circus blog and they
2 were filed under different numbers. There-- There
3 was some kind of primary ones, I think there are two
4 that were like the principle ones that they
5 ultimately fell under, particularly when-- when
6 Trooper McCord got involved, and we have those
7 reports. And Attorney Doyle says, well, we're gonna
8 produce reports, I mean, again to the extent there
9 are other reports we haven't received, right, we-- we
10 want to receive them. We're not saying we didn't
11 receive reports, we did, that's why we know what all
12 these are.

13 What we asked for, right, were the complete
14 files because what we don't have, and it's
15 interesting because the State in its-- in its
16 production has stuff going back to 2013, your Honor,
17 maybe even before that. But there was a particular
18 investigation that was conducted in 2013 about some
19 of these blog posts or-- or-- or activities and-- and
20 concerns about Mr. Boyne and in that we-- we have
21 faxes, we have letters, we have all this kind of
22 communication that's beyond simply the-- the-- the
23 kind of bare face police report. And what we ask for
24 in this bullet point were those types of materials,
25 which is to say Connecticut State Police
26 correspondence including, but not limited to, letters
27 email and faxes, which are some-- in a few of the

1 reports, well probably more than a few, there are
2 references to these things, like a fax was sent, an
3 email was sent, we don't have those. And so that's
4 what we're asking for is these additional materials.

5 And I'll just also note for completeness we've
6 separately filed FOI requests with Connecticut State
7 Police to get this stuff. We're not relying
8 exclusively on state because, again, these types of
9 things when they come in and say we're just going to
10 give police reports, well, no, that's-- we want more
11 than that, we're entitled to more than that. And so
12 we want to be clear, we want the complete
13 investigative file as to each of these different
14 numbers. And there are one, two, three, four, five,
15 six, seven, eight, nine, 10, 11, 12, and-- and if we
16 go by the first two numbers appear to date from 2013
17 through 2023. So that-- that's what we're seeking as
18 to that.

19 And I-- I-- So I just want to avoid the back and
20 forth where if we come back and Attorney Doyle said
21 we're going to provide the reports, well, fine, if
22 you have-- there's ones you haven't produced already,
23 but we want more than that and we think we're
24 entitled to more than that.

25 THE COURT: Okay. So there's 12 files, --

26 ATTY. BUSSERT: Yes.

27 THE COURT: -- if I'm reading this right, and

1 you want the complete-- you want all copies of all 12
2 files, --

3 ATTY. BUSSERT: The complete investigative
4 file.

5 THE COURT: -- the complete files?

6 ATTY. BUSSERT: Yes, your Honor.

7 THE COURT: Complete investigative files.

8 ATTY. BUSSERT: Yeah. All the emails and all
9 the faxes, all that stuff.

10 THE COURT: Okay. So let's go back to where we
11 were previously. So does the State have a position
12 with regard to reaching out internally, as-- as was
13 discussed, with the Chief State's Attorney's Office,
14 including law enforcement, concerning any discussions
15 in regards to those amendments to Public Act 21-56,
16 21-102 and that made reference to that statutes that
17 form the counts that Mr. Boyne is charged with.
18 What's the State's position about reaching out
19 internally, as I say, to the rest of the State's--
20 Chief State's Attorney's Office, as well as law
21 enforcement? Do you want to be heard on that,
22 Attorney Doyle?

23 ATTY. DOYLE: Yes, your Honor. So, to-- to
24 clarify something that Attorney Bussert noted and
25 that he noted in-- will talk to that bullet point
26 there in regards to-- So there's two parts of it,
27 what he's requesting is written communications

1 between the Chief State's Attorney's or any State's
2 Attorney's Office, or any state law enforcement
3 agency by their agent-- by their respective members
4 or agents had with the legislature otherwise
5 concerning those amendments or legislative efforts.
6 So, as Attorney Bussert alluded to, and I-- I do not
7 know about the legislative history with this
8 particular statute, only thing I could indicate is
9 that I wasn't involved with it. I don't know what
10 influence Mr. Boyne or others may have had upon on
11 that. But the part I have to talk to the Chief
12 State's Attorney Office-- Chief-- Chief State's
13 Attorney's Office about and State's Attorney Griffin,
14 and I'm going to be up there in about an-- God
15 willing, in about two hours, I don't know about what
16 legal position we would take on comm --

17 I mean, it's one thing when we do-- As-- As
18 Attorney Bussert has-- has alluded to, and I've to do
19 it myself, we submit written testimony just like the
20 Chief Public Defender's Office maybe, we may have
21 discussions, we may not. I-- I can indicate publicly
22 I-- the legislature really does-- the legislature
23 doesn't really listen to the Decision of Criminal
24 Justice, I could tell you from personal experience,
25 as much as they might listen to other agencies or
26 parties. But I don't-- I-- I'd have to check with
27 them about whether there's any emails back and forth

1 about that.

2 I mean some of it may be discoverable under FOI
3 laws, as-- as he's indicated. I don't know how much
4 of it is personal correspondence, or I don't know how
5 much if it is related to these particular statutes,
6 so I will have to look into that.

7 And I note --

8 THE COURT: Okay.

9 ATTY. DOYLE: -- Mr. Bussert's point there
10 about-- And-- And I-- And I see what he's saying,
11 he's not exactly looking for references of Mr. Boyne,
12 he's looking to where these statutes came about, so I
13 have to talk to the Chief State's Attorney's Office
14 about that, okay. Because, you know, Obviously, you
15 know, there are FOI laws and things are public
16 records, okay, but to the extent that someone--
17 something's an email or documentation or something
18 that might fall under the gambit of, I don't know,
19 legal advice or something like that, I've got to
20 check with them, I just can't submit to that.

21 Now, as I've indicated, any emails from Mr.
22 Boyne or others, we'll obtain those.

23 I want to clarify what I stated or what Mr.
24 Bussert stated or whether-- whether confusion is on
25 his part or my part, or wherever it may be. This
26 bullet point as he's indicated is bullet number two,
27 requests about, you know, a whole bunch of State

1 Police case numbers, we are going to endeavor to get
2 those reports to the extent that he doesn't have
3 them, and any other doc --

4 THE COURT: Well-- Well, hold on. Attorney
5 Doyle. Attorney Doyle. So-- So now are we now
6 talking about these-- the complete investigative
7 files? Is that what we're talking about now, the --

8 ATTY. DOYLE: Yes, your Honor. That's what I
9 was getting into.

10 THE COURT: Okay. I'm sorry. Go right ahead.

11 ATTY. DOYLE: So it's not --

12 THE COURT: I wanted to make sure. Um-Hm.

13 ATTY. DOYLE: In all discovery that we said
14 anything if Mr. Bussert took it as just the reports,
15 or if I said just the reports, what I meant is we're
16 getting everything in regards to those particular
17 cases. I can't control whether there is an existing
18 fax or not, but if it's there and it's in the State
19 Police file we will get it and we will turn it over
20 just like we have done on-- on-- on everything else.

21 I'm also going to obtain, because I do believe,
22 and I've requested, and I just want Attorney Bussert
23 to recognize this is that-- or-- or to understand
24 this, I have requested if Attorney-- former Chief
25 State's Attorney Colangelo has-- if there's-- I'm
26 going-- we sent it out yesterday, but it will take IT
27 some time to locate it, if there's any email from the

1 former Chief Court Administrator to the former Chief
2 State's Attorney's relevant to Mr. Boyne. I have no
3 basis or knowledge for this, so I just want to be
4 clear in open court, I believe there were
5 communications. I believe were complaints made by,
6 let's just say, a variety of individuals, some
7 private individuals, some state officials or Federal
8 Officials, about Mr. Boyne, The Family Court Circus
9 and other-- other-- other individuals. So when we
10 see this submitted a complaint to the Chief State's
11 Attorney, I don't know what that entails, whether
12 it's formal complaint or if it's an email, but
13 whatever it is we will obtain that and then turn that
14 over, okay.

15 Because I think that's a communication
16 requesting a-- either-- And I don't know the
17 interaction that happened between the Connecticut
18 State Police and the Judicial Branch, that being
19 former Chief Justice-- Former Chief Court
20 Administrator Carroll and Chief State's Attorney
21 Colangelo, but if there's a communication about them
22 and about Mr. Boyne or Mr. Boyne or other activities,
23 we will get that. If there's a communication from
24 the-- from them to the State Police, that's fine. I
25 think that all three of those parties, so to speak,
26 were involved in this culminating this investigation.
27 If there's an email or communication about that or

1 something in written form I will get that.

2 I don't know-- And-- I don't-- I-- I'll stop at
3 that if the Court wants to ask me particular about
4 any of his other requests. I don't want to jump
5 around at this point.

6 THE COURT: Attorney Bussert, go ahead.

7 ATTY. BUSSERT: Okay. So and-- and again, your--
8 - your Honor, and I appreciate we're-- we're taking
9 this up now because, you know, the-- the-- the sooner
10 we can kind of work through all these discovery
11 issues and get them heard I think the better, and to
12 the extent we can avoid litigation in terms of a
13 Motion to Compel or what have you, I appreciate the
14 State like bringing, you know, everyone's intentions,
15 position is to some of these things, rather than
16 waiting and producing some and then, you know, that
17 back and forth at a later point.

18 But Attorney Doyle referenced our request for a
19 report, and I would just note that what it is, it
20 says that there's a report entitled the Paul A. Boyne
21 Comprehensive Report, and it appeared to have been
22 printed on September 2nd, 2020. Now when Attorney
23 Doyle says we don't have that and we can't get that
24 and what have you, well, the reason we know about it
25 is it's not as if, you know, I have some kind of--
26 you know, I'm not Carnac, but it-- we have pages one
27 to 13 and those were produced through the State. So

1 when the State says we don't have it, well they--
2 they obviously have something because they have at
3 least pages one to 13 and they turned those over. So
4 this notion that somehow they-- they can't or-- or--
5 or aren't able to get access to it, well they did, at
6 least those 13 pages, and our presumption is, and we
7 don't know, that they have the full report.

8 THE COURT: So --

9 ATTY. BUSSERT: And --

10 THE COURT: Hold-- Just a second. There's a
11 report called the Paul A. Boyne Comprehensive Report?

12 ATTY. BUSSERT: Yes.

13 THE COURT: And who's the pur-- Who does it
14 appear to be the author of this report?

15 ATTY. BUSSERT: I-- I don't have it in front of
16 me, your Honor. And I-- I-- So I-- It may have come--
17 - As Attorney Doyle said, maybe came from-- from the
18 marshals, or what have you. I have to go back and
19 look, so I apologize for that. But, again, we have -
20 -

21 ATTY. DOYLE: I can address that, your Honor.

22 ATTY. BUSSERT: Yeah. But we have pages one --

23 THE COURT: Please.

24 ATTY. BUSSERT: -- to 13.

25 THE COURT: Yeah.

26 ATTY. BUSSERT: And-- And just, you know, to--
27 to kind of maybe anticipate some of Attorney Doyle's

1 response, but also just the kind of comments
2 generally in terms of what the State can and cannot
3 get, and we're in this kind of unusual situation.
4 And-- And I think I've flagged this for the Court
5 previously, but the number and-- and nature of the
6 agencies with whom Connecticut State Police
7 coordinated and interacted with in terms of
8 investigating Mr. Boyne and the Family Cir-- Court
9 Circus blog, the Family-- whatever, the Family Court
10 Circus blog, it-- it's fairly unique here, right,
11 which is to say there is discovery materials that
12 have been produced, right, that say as early as June
13 of 2016. And it may have been before I don't know,
14 right. Because, again, we're being produced all this
15 stuff, some of which is coming from the director of--
16 or, you know, from the Marshal's Office or from
17 Superior court operations, so the State's receiving
18 this stuff that-- that precedes, but as early as June
19 of '16-- 2016 they were coordinating with Connecticut
20 State Police, right. So there's almost like there's
21 this quasi task force like focused on this blog,
22 slash, Mr. Boyne and they're working collaboratively.
23 And so, again, I'm assuming why some-- the
24 Connecticut State Police received some of these
25 materials, again part of this coordination. And we
26 know that beginning in June of 2020, so four years
27 later, the Connecticut Court Special Operations Unit

1 began to monitor the blog and forward, and-- and this
2 is a quote, any blogs that cause distress or fear to
3 their personnel, to the Connecticut State Police. So
4 one of the things we requested in there were copies
5 of all those blogs that were forwarded, right, so
6 that means the State Police had them because they
7 were sent to them. And-- And I don't know that
8 specifically we had every single one that was sent.
9 We have some, but-- but in various reports, not like
10 the actual transmission. Like it's not like, oh,
11 this was sent on this date, and this was sent on this
12 date, it's unclear.

13 THE COURT: Okay.

14 ATTY. BUSSERT: But-- But-- So in-- in-- in the
15 same way, and Attorney Doyle said this, and-- and
16 part of this was new to me, he said just a moment ago
17 we had complaints by Federal Officials. I-- I don't
18 know what that is.

19 I know that from the discovery we've received
20 that they worked in tandem with Federal Officials.
21 There's evidence that Judicial was working with
22 Federal Officials to investigate. The-- The first
23 search that was conducted of-- of Mr. Boyne's
24 family's residence in Virginia was by Special agent--
25 Federal-- FBI Special Agent Li-- Lisa Tutty, right,
26 but then at some point there's these communications,
27 and once Connecticut State Police and Trooper McCord

1 kind of came to the floor and kind of led the
2 investigation. Because, again, for whatever reason,
3 the Federal Government chose not to pursue any
4 charges against Mr. Boyne, but then Trooper McCord
5 comes in but she was working in tandem with Federal
6 Officials to get various, like, warrants, and, like,
7 get computer information and going through the
8 Federal Courts to exercise like tho-- those-- using
9 Federal Authority to get material that was used as
10 part of this investigation.

11 So when say there's this ad hoc task force that
12 was designed, I don't know if it was given a name, I-
13 - there's no reference ot that, but they're clearly
14 working, all these multiple agencies are working in
15 conjunction with one another.

16 And then we even have, and-- and I'll just alert
17 Attorney Doyle, I'll send him a letter later today,
18 and-- and Mr. Boyne brought this to my attention.
19 And I apologize for not including this in-- in our
20 prior letter, but I don't think we've received, and--
21 and I think I mentioned this, your Honor, with
22 respect to the suppression issue. They worked very
23 closely, Trooper McCord and Attorney Doyle, with
24 Virginia State Police to effectuate the search of Mr.
25 Boyne's house with respect to the-- the-- the devices
26 that were ultimately searched here. That-- That was
27 done-- That search was done via a-- a-- a warrant

1 application and everything in Virginia, but based on
2 an affidavit that Trooper McCord provided we don't
3 have those reports of that search by the Virginia
4 State Police. We don't have their-- their reports,
5 so we're going to request those also because that was
6 clearly in concert, they were working very closely
7 together.

8 So we've got FBI, Virginia State Police,
9 Connecticut State Police, there-- there's a couple
10 reports, like, Danbury Police and what have you, we--
11 we have those over time, and then we've got, you
12 know, interactions with both the Court Special
13 Operations Unit and the Marshals. And I-- I don't
14 know the dynamics in terms of those relationships, I--
15 - I apologize. I'm just ignorant if those are the
16 same things or-- internally, but-- but references to
17 both, and all of these agencies kind of working in
18 concert to develop information and-- and investigate
19 in various ways Mr. Boyne and the blog.

20 And so when-- when Attorney Doyle kind of wants
21 to wash his hands and say, well, we can't get this,
22 well respectfully, no, and if-- if we need to
23 litigate this we'd ask for the opportunity. We'd ask
24 for the opp-- you know, for the State to-- to-- to
25 stake out its position and we'd be able to file
26 something with, you know, any authority we can
27 provide that would support our request. But if

1 that's going to be, you know, their position, we--
2 we'd want to be heard fully on that.

3 THE COURT: All right. Thank you, Attorney
4 Bussert.

5 So this the-- the-- the question I have right
6 now, can someone tell me who is the author of the
7 Paul A. Boyne Comprehensive Report from September of
8 2020? Does anybody know who wrote that report?

9 ATTY. DOYLE: I do, your Honor. I'd be happy to
10 answer that if you like.

11 The Connecticut Judicial Branch Judicial
12 Marshal Services authorized that-- authored that
13 report.

14 THE COURT: Okay.

15 ATTY. DOYLE: I-- I need to respond to some of
16 the claims and the hyperbole and-- and the claims of
17 my washing my hands of-- of things.

18 I have a serious responsibility, I take that
19 very seriously, so we can keep using different hyper-
20 - hyperbole to request on what I'm following through
21 with, what I'm following through with. So I-- I--
22 What I want to indicate is I'm insulted by that.
23 I've been a prosecutor for 27 years; I take this
24 responsibility very seriously.

25 What my concern here is this, is that in
26 arguments before the Court here is we're-- we're
27 taking facts in different time periods and then

1 putting into different references, so I need to make
2 some things very clear from the record from the
3 Court.

4 I was assigned to this matter when I was in the
5 Chief State's Attorney's Office in 2022, --

6 ATTY. BUSSERT: Jack, --

7 ATTY. DOYLE: Other than what Mr. --

8 ATTY. BUSSERT: Jack, --

9 ATTY. DOYLE: -- what Mr. Boyne has --

10 ATTY. BUSSERT: One second. You-- You froze up
11 on me when you said like take exception, like the
12 last 30 seconds I didn't hear anything you said. So
13 I apologize. Like my whole screen just froze and I
14 just started again. So I-- I apologize for asking if
15 you could please repeat just so we're on the same
16 page.

17 ATTY. DOYLE: What I indicated is I took
18 exception to your claim that the State wants to just
19 wants wash its hands of this situation, that was my--
20 that was my statement.

21 Ironically, that's the part you didn't hear.

22 ATTY. BUSSERT: No, I heard that, it was the
23 part that --

24 ATTY. DOYLE: I'm endeavoring --

25 ATTY. BUSSERT: -- immediately followed.

26 ATTY. DOYLE: -- your Honor, to comply with this
27 discovery request, some of which I think is

1 overbroad, some of which I believe, unless the Court
2 tells me otherwise, I will comply with any requests
3 from the Court that are reasonable or that I can
4 comply with. I will look through all these things
5 here. Mr. Borrelli and I met for four hours the
6 other day endeavoring to locate some of these things.

7 Mr.-- We'll just assume for a moment that--
8 Just assume for the purpose of argument that Mr.
9 Boyne has been the author of this blog, and whether
10 or not that occurs that would be something that would
11 have to be addressed at trial or in other pleadings,
12 but from 2013 on there's been a concern by the
13 Judicial Branch, to start off, of this blog. This
14 has been a reference legislative hearings, it's been
15 a reference of news articles, it's been a reference
16 of numerous investigations.

17 So taking one-- step by step here, any reports
18 that the Connecticut State-- State Police has in
19 their custody in regards to this, and, yes, that will
20 include any files, blogs, audio, videos, anything
21 else that would normally be will complied of in
22 discovery the State will obtain and get. Even if,
23 if, if we think that it is not relevant to this
24 matter we will still get it from the Connecticut
25 State Police.

26 And I'm saying that because I want to go back to
27 the re-correcting me on whether I said reports or

1 whether I said faxes and just put that to bed. I
2 cannot obtain a report from the Connecticut Judicial
3 Branch Judicial Marshal Services that is referenced
4 in this report. I know that somewhere in the history
5 here, either Mr. Boyne, or Attorney Bussert wants to
6 assert that there's some kind of multi-jurisdictional
7 investigative ad hoc task force into Mr. Boyne or--
8 or like others. All these agencies are going to
9 respond to situations that presented to them, but I
10 can assure you that there's been no task force into
11 Mr. Boyne or directed in regards to Mr. Boyne other
12 than my assignment to this case in 2022.

13 Mr. Boyne was arrested for conduct that occurred
14 post 2022. Attorney Bussert is absolutely correct in
15 this fact, changes in the laws came into effect that
16 then looking at conduct post 2022 as we've alleged,
17 it is the State's position that Mr. Boyne's conduct
18 after the point of '21, '22 violated Connecticut
19 Statutes, and that's where this investigation and
20 prosecution commenced.

21 The background into other things that Federal
22 Authorities may have done, or other police
23 departments may have done, that the Judicial Branch
24 may have done, or that the Virginia State Police may
25 have done, or that the FBI may have done, everything
26 I have I've provided to counsel. I think it's five
27 lawyers now.

1 I will also endeavor-- If he doesn't have the
2 reports on Virginia, I'll end up getting reports on
3 Virginia to the extent that they have them. I-- I
4 don't recall off the top of my head whether those
5 exist or not.

6 I also want to clarify one other thing. Mr.
7 Bussert is correct, there was an affidavit prepared
8 in the State of Connecticut by law enforcement
9 officials that was presented to Virginia State Police
10 and Virginia State Police adopted those facts to
11 search for evidence of crimes in Connecticut and in
12 Virginia. In Virginia they haven't opted to file any
13 additional charges against Mr. Boyne at this-- at
14 this time, and I don't believe that they will. I
15 don't want to leave that hanging out there, it's been
16 about three years.

17 We will endeavor to get most of on here of what
18 we can get, but there are some concerns about
19 legislative documents and Judicial Branch documents.
20 We may have to litigate some of these things. Some
21 of these things may require court orders. Some of
22 these things may lead to the Judicial Branch saying,
23 Doyle, we'll give it to you and we'll give it to
24 Attorney Bussert, and if they give it to me you'll
25 get it. some of it may be redacted. But there's
26 also additional agencies that are proclaiming that
27 they have some concerns about this behavior in this

1 documentation.

2 I don't-- I-- I know somewhere in here while we
3 were talking, at some point during argument-- or Mr.
4 Bussert's claims when we went from what the State
5 Police has to what the legislature has or what the
6 Judicial Branch has, I-- he jumped over into-- into
7 this attorney-- pardon me, as noted I think former
8 Justice Katz. I-- I don't have any documentation or
9 anything regarding Justice Katz, other than-- and I
10 will indicate I believe they have this, other than
11 the article of which is well-known to the public, and
12 an email-- or I think it's, pardon me, a voicemail
13 that allegedly Mr. Boyne, at least it's identified as
14 Mr. Boyne, left for former Justice Katz. It's
15 somewhere after Mr. Boyne was arrested and brought
16 back to Connecticut. So to the extent that we have
17 certain things we will get them.

18 We've been an open book with everything that we
19 have, but I cannot get what I don't have, and I can't
20 get things that are somehow couched in that of all
21 the matters that the State of Connecticut has to deal
22 with that somehow Mr. Boyne has been a primary focus
23 for us beyond everything else that we have.

24 So I want-- I think the Court knows, this matter
25 has been pending for almost two years, I want to get
26 to the point where I can get everything that they're
27 entitled to so that we could set down before your

1 Honor and start a jury trial on this matter, but some
2 of the things that are outlined that are in this
3 particular memo, and I don't think the Court has it--
4 the Court has it, are-- I'm just trying to come up
5 with a way to describe it, but I just think that it's
6 over-- overbroad.

7 I'll leave it at that at this point. I'll
8 answer any questions that the Court may have.

9 THE COURT: Well, I'm-- I'm ready to-- to issue
10 a ruling of sorts. But, Attorney Bussert, go ahead.

11 ATTY. BUSSERT: So if I could just respond
12 briefly, your Honor.

13 THE COURT: Yes.

14 ATTY. BUSSERT: I think Attorney Doyle and I are
15 both experienced, and-- and we've obviously had a lot
16 of dealings with one another over the years. Well,
17 not a lot, but we've had dealings. And-- And I want
18 to be clear; I respect the work that he does and his
19 office does. But I-- I think he and I both know, and
20 I think the Court probably knows as well from, you
21 know, from your time in-- on service on the bench,
22 your Honor, that when Attorney Doyle or any State's
23 Attorney says, well, I turned over everything I have,
24 fair enough, but experience suggests everything
25 Attorney Doyle has is not necessarily everything that
26 law enforcement has, and that's not through any fault
27 necessarily of-- of Attorney Doyle or any State's

1 Attorney. Experience suggests that law enforcement
2 is often derelict in producing the entirety of its
3 investigative file or does not recognize the import
4 of materials that it does possess. And I-- I-- I
5 feel fairly confident in saying that Attorney Doyle,
6 and probably pretty much every prosecutor, federal or
7 state, that I've dealt with, and I'm assuming Kell--
8 Attorney Billing has had the same experience but I
9 don't want to speak for her, have encountered the
10 situation that on the eve of trial that disclosures
11 are made of materials that have been existing for a
12 matter of years, right, and-- and I think that's
13 somehow kind of thought to be appropriate in the
14 process. I think our Supreme Court has increasingly
15 called that into question, and-- and fairly so
16 because that's not the practice in civil-- like in
17 the civil side of things when-- when people are
18 litigating.

19 And-- And so here-- And, again, I want to be--
20 be really clear about this as well, that 94 page
21 report, we have the first 13 pages because they were
22 produced. So when Attorney Doyle says I-- I don't
23 have it, I-- I'm not saying --

24 **(Whereupon Attorney Bussert's video feed froze.)**

25 THE COURT: And-- And now I think Attorney
26 Bussert is the one who's frozen, unfortunately.

27 ATTY, BILLINGS: Yeah, he's-- he's frozen.

1 ATTY. DOYLE: I-- I can't hear him either, your
2 Honor. I'm sorry.

3 THE COURT: No, the screen is frozen, he's
4 frozen.

5 ATTY. DOYLE: Michael, can you get up and take a
6 picture of that?

7 ATTY. BUSSERT: Am I here?

8 ATTY, BILLINGS: He's back. You're back.

9 THE COURT: You are here now.

10 ATTY. BUSSERT: All right.

11 ATTY. DOYLE: He's back.

12 THE COURT: You are now. Could you repeat the
13 last minute or so.

14 ATTY. BUSSERT: I heard you say I was frozen,
15 your Honor, and then I --

16 THE COURT: -- the last minute or so.

17 ATTY. BUSSERT: -- then I was frozen.

18 THE COURT: Right. Right. Right.

19 ATTY. BUSSERT: So, ag-- again, I think I was
20 speaking about that 94 page report. But, again, I--
21 I'm not saying that Attorney Doyle, slash, State's
22 Attorney's Office has more then was given to them by
23 the State Police and in-- in turn produced to us, my
24 question is does the State Police have more. And if
25 Attorney Doyle --

26 ATTY. DOYLE: I could answer that right now.

27 ATTY. BUSSERT: -- wants to check with --

1 ATTY. DOYLE: They do not. The State Police
2 does not-- I-- I don't want to-- I apologize for
3 interrupting.

4 I believe the Judicial Branch, the Marshals,
5 provided 14 pages of that report to the State Police,
6 okay. We had the State Police here the other day and
7 we inquired about it, they only have the 14 pages,
8 okay.

9 I want also to be very clear is I spoke to the
10 Director of the Judicial Marshal Services Monday
11 morning. They have a concern about turning over that
12 whole item to me knowing I would have to turn it over
13 to you. And which is, again, as discovery, and I
14 appreciate your comments, if had it, I would get it
15 for you.

16 There's certain things that-- You know, Attorney
17 Bussert, like you said, we've been practicing law for
18 a long time together, and with Attorney Billings, so
19 I-- I know what my obligations are. We-- And, you
20 know, whatever, we want to talk about what Supreme
21 Courts have said there, we have policies, which I'm
22 sure you're aware of and things we do and that we
23 endeavor. If I had it, I would give it. If I can
24 get it I will, and I will get it. But the Judicial
25 Branch I believe, your Honor, is going to be talking
26 to Judicial Branch lawyers and then they may need to
27 talk to the Attorney General's Office about what has

1 to be done with that.

2 And let's-- let's step forward, Attorney
3 Bussert, even if they give it to me and it's redacted
4 I'm quite sure at some point you're going to want it
5 redacted, okay. But I will also let you know that--
6 the history of this, okay, is, you know, I've
7 informed you that on a regular basis I get pleadings--
8 - or I get communications from Mr. Boyne, and
9 currently a variety of other state agencies, Judges,
10 and a variety of other people are getting those as
11 well, and every day I'm getting communications and
12 I'm endeavoring to get those to you as well. But at
13 the same time then is now then the Attorney General's
14 Office calls and says here-- here's a bunch of things
15 that we've received from Mr. Boyne, and to follow my
16 discovery practice, and-- and maybe that's the point
17 of this, now I gotta get those together and forward
18 you those as well, okay. So that-- that's causing a
19 lot of --

20 ATTY. BUSSERT: Added work.

21 ATTY. DOYLE: -- obstacles on behalf of the
22 Division of Criminal Justice, my agency, the Attorney
23 General's Office, and-- and the Judicial Branch.

24 So if I can get, your Honor, the Judicial
25 Branch, to redact and give this to me, I-- I will
26 make those requests, but as you-- you know, and I
27 think a lot of people misunderstood, but all of us

1 know here, I don't work for the Judicial Branch and I
2 can't direct-- direct the Judicial Branch to do
3 certain things. So if they give us that report
4 we'll-- we'll-- we will get it, okay, and--

5 ATTY. BUSSERT: And --

6 ATTY. DOYLE: -- and we will provide it. Sorry.

7 ATTY. BUSSERT: And just briefly, and we can--
8 maybe Attorney Doyle and I can talk about this
9 separately. I mean, obviously, if the full report is
10 available we'd like to have it, but if Attorney Doule
11 says, look, there-- there's these concerns, which
12 he's noted,-- Am I frozen again?

13 THE COURT: I can hear you. Go ahead.

14 ATTY. BUSSERT: Okay. Okay. -- then we can
15 talk about a protective order as to that piece of
16 evidence, right, and I would understand that and I--
17 I don't think that we'd necessarily object to that.
18 And if there's-- Once we review it and we say, hey,
19 you know, there's some material in there that we
20 think, you know, should be accessible to Mr. Boyne,
21 and then you know we can figure all that stuff out.
22 But I understand those concerns given the nature of
23 the case here and I'm not trying to-- to diminish
24 those. So, you know, again there's that preliminary
25 question.

26 And-- And, again, just two quick things.
27 Obviously, just in terms of discovery generally,

1 there's this kind of volume-- Well, three things.
2 Three things.

3 There's this volume of material in terms of the
4 communications that Attorney Doyle's resp-- re--
5 referenced, I don't know of any of that is going to
6 be offered by the State. I mean, this is stuff that
7 post-dates arrest, right, so I don't know of the
8 State's going to introduce that, but I appreciate
9 Attorney Doyle's diligence in saying these are your
10 client's, you know, purported statements, we're going
11 to give those to you, but we have to review all that,
12 so we still haven't received that.

13 With respect to the Justice Katz thing we did
14 offer a caveat here, just to be clear, we said to the
15 extent the State intends to call her as a witness.
16 If they're not then I don't really know what the
17 relevance of that is per se. So we-- we're not
18 asking for anything unless they're intending to call
19 her as a witness. So I want to be clear about that,
20 we're not trying to overstep or anything else with
21 respect to that.

22 And then just kind of generally, and I know the
23 Court was kind of-- your Honor was gonna kind of--
24 the Court was going to kind of speak about kind of a--
25 - a ruling, or what have you. I would respectfully
26 submit that I don't know that it's necessary. Like
27 kind of where things stand right now, that maybe the

1 State responds to this request, we continue to have
2 maybe a brief engagement with the State about, like,
3 things they're taking a position on, and then we
4 could like frame that out and we can move to compel
5 and make our arguments and the State can respond and
6 we can do that. But I'm guessing that where we stand
7 now based on this discussion is it's going to be a
8 much more limited in scope discussion of what we may
9 claim we're-- we're entitled to. Because, based on
10 Attorney Doyle's representations, I'm-- I'm guessing,
11 you know, he says over-- overbroad, but I-- I think
12 we've taken up most of these things, so I'm-- I'm
13 anticipating that by and large based on the State's
14 representations they're going to produce most of the
15 stuff that we're seeking to the extent they have it
16 or can obtain them, and it falls within. And so to
17 the extent they're-- they're going to make a claim as
18 to particular things, fine, we can deal with that in
19 due course.

20 And-- And so we would ask respectfully if the
21 Court perhaps reserve any kind of official ruling on
22 this and just kind of let the parties work this out.
23 And, again, working together and collaboratively and
24 diligently and kind of, you know, get through these
25 things. Because, again, I-- I think Mr. Boyne, we
26 share the kind of collective interest to bring this
27 matter to trial as expeditiously as possible, but

1 realizing that, you know, a lot of these materials
2 bear on some of the legal claims-- the pretrial legal
3 claims that we wish to make and frame, and-- and I
4 was actually speaking to Attorney Billings yesterday
5 about some of these things.

6 What I really want to avoid, your Honor, and--
7 and I assume you do as well, is that somehow we draft
8 something and then get some piece of discovery and
9 say, well, hold on a second, your Honor, we want you
10 to consider this or we want you to reconsider this
11 because now we have this new piece of information,
12 it's like kind of piecemeal and-- and-- and kind of
13 post hoc, and-- and I don't think that's fair for
14 anybody. So I think we want as complete of a
15 disclosure or complete of a record-- discovery record
16 as possible so that we can appropriately frame our
17 issues and let the Court rule on those.

18 THE COURT: Okay. May-- Maybe I should have
19 ruling with a small R. So let me just clarify what I
20 meant that.

21 First of all, I do not have your discovery
22 request in front of me obviously, so, I mean, I
23 understand generally the particulars. I'm directing
24 the defense to file a copy of that --

25 ATTY. BUSSERT: Okay.

26 THE COURT: -- with the Court --

27 ATTY. BUSSERT: Not --

1 THE COURT: -- so that I --

2 ATTY. BUSSERT: Not an issue.

3 THE COURT: -- so that I can have that, number
4 one.

5 Number two, the State has indicated that there
6 were a few things the State needed to do. I
7 understand you need to talk to the Chief State's
8 Attorney on some of the matters that we've discussed
9 that are in relation to the request that's being made
10 by the defense, so please have that discussion.

11 I believe with regard to these complete
12 investigatory files there's some issues there as to
13 what the State believes they can turn over, maybe
14 there's some things they can't whatever, deal with
15 that, respond accordingly.

16 With respond-- With regard to this comprehensive
17 report, whatever the position is of-- of the-- the
18 Chief State's Attorney's Office on that you'll have
19 to let me know.

20 I'm-- My understanding-- And if I'm getting this
21 wrong, Attorney Doyle, say, Judge, no, you got this
22 wrong. My understanding is that you-- your office is
23 not in possession of the-- a copy of the entire
24 comprehensive report, but I may be wrong about that.
25 Can you correct me on that one?

26 ATTY. DOYLE: That is correct, your Honor. I
27 only have the 14 pages. And I haven't looked at them

1 in a while, I want to submit that.

2 THE COURT: Okay.

3 ATTY. DOYLE: But I just know, and Attorney
4 Borrelli's gone through it, the 14 page-- I believe
5 that there were 14 pages of that provided to the
6 Connecticut State Police for some level of context.
7 The only other thing that I-- And I don't have and
8 the Connecticut State Police don't have it.

9 THE COURT: Okay.

10 ATTY. DOYLE: It is created by Judicial Marshal
11 Service, which I think I'd have to-- you know, I-- we
12 all know is a Judicial Branch Agency. It's not like
13 in the Federal System where there-- the Federal U.S.
14 Marshals a separate law enforcement agency; the
15 Judicial Marshals are-- are a-- a creation of the
16 Judicial Branch.

17 And I did speak to-- I-- I want to be clear, I
18 didn't speak directly to the director, I spoke to one
19 of the supervisors who had spoken to the director a
20 couple minutes before because he was called to a
21 meeting, but their concern was is that they have a
22 variety of things in there that are personal and
23 confidential in nature, some may add-- deal with
24 other individuals, and I guess-- and-- and not-- I
25 don't guess, I know what their concern is, and I will
26 speak quite frankly, is that that is-- if that is
27 provided to me and that I have to provide it to

1 counsel, and then if it-- quite frankly, if gets to
2 Mr. Boyne it will end up on this website which is the
3 subject of what this is about. That is their
4 concern.

5 And-- And I-- And I'm-- I-- I apol-- I have to
6 say, that concern is legit. Because even as recently
7 as a few months ago, a draft of a document that I
8 provided to Attorney Bussert, okay, a draft where I
9 said we were making up for Court, and I said this is
10 a draft only and wrote draft on it and provided to
11 him, I could tell you that Mr. Boyne or-- well, at
12 least in Mr.-- some of these emails to Mr. Boyne he
13 has taken that document and-- and-- and at least in
14 regard to pleadings that the Attorney General's
15 Office has, who reviewed a transcript and then also
16 reviewed this, let's just say there is a very whole--
17 a serious inaccuracy or a misrepresentation, not by
18 Attorney Bussert or Attorney Billings or myself, but
19 by an individual purported to be Mr. Boyne about what
20 that document represents.

21 THE COURT: Okay.

22 ATTY. DOYLE: That now has --

23 THE COURT: So --

24 ATTY. DOYLE:-- the concerns of the Judicial
25 Branch Judicial Marshals.

26 THE COURT: I-- I understand. Okay. But
27 State's Attorney's Office doesn't have a full copy of

1 this, State Police do not have a full copy of this,
2 but you're indicating you're willing to reach out to
3 them to see, them meaning the Judicial Branch, --

4 ATTY. DOYLE: Yes.

5 THE COURT: -- to see-- and the Marshals in
6 particular, to see if they're willing to provide you
7 a full copy. I-- I just want to ask you if that's
8 where we're leaving it for now.

9 ATTY. DOYLE: Yeah. And-- And-- Yes, your
10 Honor.

11 And I want-- I-- I will indicate, too, is I
12 think I might need to talk to the Judicial Branch
13 lawyers --

14 THE COURT: Sure.

15 ATTY. DOYLE: -- and may need to come up with
16 something. Because I-- Again, when we come back to
17 my discovery responsibilities, not only just the law
18 and case law and our own internal policies, if I get
19 this, okay, it's-- it's a situation where then I'm in
20 the position with Attorney Bussert of-- of I don't--
21 I don't need to put the State-- the State Attorney's
22 Office in the position of deciding what should be
23 redacted or removed from that, if you know what I
24 mean. And --

25 THE COURT: Understood.

26 ATTY. DOYLE: And --

27 THE COURT: Yeah.

1 ATTY. DOYLE: And then-- Because then I don't
2 want to subject the State's Attorney's Office to a
3 claim that we are hiding or redacting something. And
4 I want to be clear, I'm not concerned of that claim
5 coming from Attorney Bussert or Attorney Billings,
6 I'm concerned about it coming from elsewhere.

7 So, to that extent, even if they're willing to
8 provide it, I may explore with Attorney Bussert the
9 possibility of exploring with the Judicial Branch
10 attorneys or the Marshal Service, of indicating
11 please redact what you need to redact before you
12 provide it to me, --

13 THE COURT: Okay.

14 ATTY. DOYLE: -- if that makes sense.

15 THE COURT: Yep. I got it. So can we do this,
16 going back to the top now, Attorney Bussert file with
17 the Court so I can see the nuts and bolts of the
18 discovery request.

19 ATTY. BUSSERT: Yes, your Honor.

20 THE COURT: State is gonna endeavor to respond
21 to that discovery request.

22 So can we set a date, maybe at the end of July,
23 to do something like this again so that I can see
24 exactly where were are at with regard to efforts to
25 comply with the discovery, and then if there is a
26 need for a Motion to Compel, if the defense believes,
27 for whatever reason, that such a motion's appropriate

1 we'll schedule that and deal with that. I mean, in
2 fairness, I've got to deal with these discovery
3 issues before Attorney Bussert and Attorney Billings
4 can properly craft whatever they intend on filing.
5 So I'm trying to give the State time to touch base
6 with all the-- the actors that you've indicated that
7 you need to, and I appreciate that as well. So would
8 the parties be at all available that last week in
9 July to do another remote like this?

10 ATTY. DOYLE: Your Honor, just speaking on
11 behalf of the State, right-- I can indicate right now
12 Attorney Borrelli and I are scheduled to start jury
13 selection in another matter and we're scheduled to
14 start right now on Tuesday, July 22nd, it is a-- a
15 murder case.

16 THE COURT: Um-Hm.

17 ATTY. DOYLE: We're expecting-- the schedule we
18 have with Judge Keegan right ow is we're expecting
19 jury selection to take the week of the 21st and the
20 28th, but I-- I-- if your Honor can endeavor-- I have
21 no problem meeting that last week in July at, say,
22 10:00 if your Honor could perhaps of Judge Keegan
23 that we perhaps start our jury selection an hour
24 late then Attorney Borrelli and I can be here, appear
25 either in person or virtually before your Honor and
26 then go there for 11. I-- I would just indicate
27 that. We're --

1 THE COURT: Well, --

2 ATTY. DOYLE: We're-- starting jury selection --

3 THE COURT: Um-Hm.

4 ATTY. DOYLE:-- the end of July but we're not --

5 THE COURT: Yes.

6 ATTY. DOYLE:-- starting evidence until Aug--
7 until later in August.

8 THE COURT: Well, she might not mind if we steal
9 you at 9:30, --

10 ATTY. DOYLE: That's fine with me.

11 THE COURT: -- and that way maybe I could-- I
12 could convince her if it bleeds over a little bit
13 into 10 she might be okay with that, but I-- I don't
14 want to start at 10. Can we-- Could we take-- could
15 we do one of those dates at 9:30, the 28, 29, 30, 31
16 or the 1st. I don't know what would work better for
17 anybody.

18 ATTY. DOYLE: I'll-- I'll defer-- As far as I
19 know, Attorney Borrelli and I will be here in New
20 Haven all those days, so I'll defer to defense
21 counsel what day of the week.

22 ATTY. BUSSERT: So I would just note for the
23 record, your Honor, that per our last appearance,
24 even though it was off the record, that we had
25 blocked off the 29th, 30th, 31st and 5th at your
26 Honor's instruction. So I'm available any of the
27 dates that week, but I'm definitely available those

1 days --

2 THE COURT: Okay.

3 ATTY. BUSSERT: -- because I made sure not to
4 create any conflicts. So whatever-- whatever is most
5 convenient.

6 And I'd maybe offer this the State if it makes
7 sense given, I'm assuming with Attorney Borrelli
8 coming back, I'm assuming he's taking some time away
9 this week and-- and getting ready for a murder trial,
10 that maybe later in the week is better relative to
11 whatever, you know, they need to do to produce and
12 everything if it's gonna-- you know, Attorney
13 Borrelli is going have to like turn attention to kind
14 of a discovery production if he's taking the lead on
15 that that, you know, the 31st or 1st might afford a
16 little bit more time so there's fewer issues.

17 ATTY. DOYLE: 31st is great with the State.

18 THE COURT: Okay. Attorney Billings, would 7-31
19 at 9:30, does that work for you too?

20 ATTY. BILLINGS: Yes, your Honor.

21 THE COURT: Mr. Boyne, does that work for you,
22 sir?

23 ATTY. BUSSERT: Mr. Boyne, you have to unmute.

24 THE COURT: You're on mute.

25 THE DEFENDANT: I take it that'll be remote.

26 THE COURT: Yes, it will.

27 THE DEFENDANT: That's fine.

1 THE COURT: Okay. All right. So we all know
2 what we're doing, we know what's gonna happen.
3 State-- Defense is going to file that discovery
4 request so can at least see that in writing. State
5 is going you endeavor and make best efforts to
6 respond to that. We'll come back on the 31st, and if
7 there's still some issue then if we can't work it out
8 then I assume the defense will file a Motion to
9 Compel and we'll-- we will go from there and we'll
10 get a date for that. We'll deal with that on the
11 31st.

12 Is that satisfactory to everyone at this time?

13 ATTY. BUSSERT: Yes, your Honor.

14 ATTY. BILLINGS: Yes, your Honor.

15 ATTY. DOYLE: Yes, your Honor.

16 THE COURT: Thank you. All right. There is one
17 other matter that I need to take up, and this is in
18 regards to some ADA requests, so let me go ahead and
19 address this now.

20 The Court notes three outstanding ADA requests
21 from Mr. Boyne; May 9th, 2025, June 9th, file stamped,
22 June 10th, 2025, and June 22nd, file stamped June 26th,
23 2025. Those requests are similar to previous
24 requests already acted upon by the Court,
25 specifically a request that the Court remove the
26 condition of the ankle bracelet and permit the
27 defendant to attend court proceedings remotely.

1 First of all, regarding the request to
2 participate remotely, the Court has indicated on
3 several occasions that this is a criminal case, when
4 the Court is addressing evidentiary matters,
5 addressing dispositive matters, or when jury
6 selection and evidence, we get to that point, begins
7 in this case the defendant's physical presence will
8 be required.

9 Regarding the request to remove the ankle
10 bracelet, I know the parties are aware that the Court
11 issued a ruling on May 30th, 2025. The Court's
12 ruling was consistent with Judicial Branch Policy.
13 The information that was requested by the Court in
14 that May 30th, '25 ruling is necessary for the Court
15 to fully evaluate the defendant's request for an
16 accommodation. Mr. Boyne's representations alone
17 are-- are an insufficient substitute for medical
18 documentation from a qualified, licensed professional
19 per Judicial Branch Policy. So in the absence of the
20 information, specifically in the absence of any
21 medical documentation from a qualified, licensed
22 professional, the Court's previous rulings stand.
23 Accordingly, the May 9th, the June 9th, and the June
24 22nd, 2025 requests are denied.

25 Said accommodations would result in a
26 fundamental alteration of the judicial process in
27 this case, which-- and specifically the Court's

1 ability to track the defendant's location at all
2 times. The Court also finds that there are no
3 alternatives-- there are no alternative
4 accommodations that are available.

5 And I will put this in writing as well on the
6 appropriate forms, but that is my ruling with regard
7 to those three outstanding ADA requests.

8 Okay. So we are coming back. Madam Clerk, --

9 ATTY. BUSSERT: Your Honor, --

10 THE COURT: Well, first of all, Madam Monitor,
11 if you could provide the Court as soon as possible
12 with a copy of the transcript of today's court
13 hearing I would appreciate that.

14 COURT MONITOR: Yes, your Honor.

15 THE COURT: And then the clerk will just need to
16 make sure that we get the link sent out to everyone
17 for July 31st at 9:30.

18 Attorney Bussert, yes, sir.

19 ATTY. BUSSERT: So just a couple of brief
20 matters, your Honor. And-- And I see that Mr. Boyne
21 has also raised his hand in-- in the Zoom, and-- and
22 I know the State and the Court have expressed
23 concerns about that. And I think per the May 8th
24 hearing I-- I'm a little bit uncertain in terms of
25 what I can and should say with respect to Mr. Boyne's
26 various accommodation requests and-- and-- and his
27 position as to what I should or shouldn't be saying,

1 or whether it's even properly before the Court.

2 The-- The one thing I guess that may I-- I
3 probably should say, and I think it's reflected in
4 the request, is I believe at various points, and that
5 Mr. Boyne's made this record, that having been deemed
6 a qualified person under the AB-- ADA that there's a
7 federal obligation that the Court have him evaluated,
8 that's not his obligation to go out and seek an
9 independent evaluation with him having been deemed
10 qualified, that the Court needs to determine based
11 on medical expert, which again refers him, that this
12 bracelet is appropriately placed on his ankle. So I
13 would just state that and-- and leave it at that,
14 and-- and hopefully I'm saying that correctly. And,
15 if I'm not, I'm-- I'm sure I may hear about it.

16 Separately, I-- I would just note for the record
17 that the understanding of Mr. Boyne's conditions of
18 release is that he is not prohibited in his movement.
19 He's obviously subject to the monitoring, but
20 obviously outside of the-- you know, the-- the-- the
21 exclusion in terms of, you know, with him-- with
22 whatever the-- the distance is of certain in--
23 identified individuals, you know, those restrictions,
24 he's otherwise free to-- to move freely as he deems
25 appropriate. And, in that regard, we would note that
26 we understand that Mr. Boyne is intending to relocate
27 to Illinois. That's the information that we have, so

1 just making --

2 THE COURT: Okay.

3 ATTY. BUSSERT: And-- And, obviously, Sentinel
4 will be able to track that and-- and what-- whatever
5 that may be.

6 And then thirdly, and-- and, again, this I think
7 just goes back to I think our-- our kind of
8 collective interest in kind of moving towards--
9 moving this matter towards trial. While I think
10 there are a number of-- of motions that we're-- we're
11 contemplating that require these discovery materials,
12 there's one in particular that I think we'd like to
13 probably tee up sooner, and-- and also one that I
14 think we discussed with the Court last time, we'd
15 like the State to-- to address, and that's the-- the
16 is the Bill of Particulars.

17 So, you know, I think there's-- The informations
18 as currently constituted, and-- and I'm referring to,
19 I believe, the one filed in April of '24, you know,
20 raised a-- raise a host of issue and concerns for us
21 and I-- and I think, you know, it-- it would
22 ultimately inform. Like let's say with respect-- You
23 know, one of the primary issues we have are what are
24 the statements at issue, right, in each of the counts
25 and-- and that would then obviously inform any First
26 Amendment claims that would kind of follow from that.
27 So it would be our intention, your Honor, to pursue

1 that Bill of Particulars timely and-- and get that
2 kind of before the Court so we could have a
3 determination and then go from there relative to kind
4 of additional claims that may follow.

5 And related to that, and I think in terms of
6 looking at a trial, and-- and we talked about this
7 last time, if the State is going to move to join the
8 cases or transfer the-- Again, there's this whole
9 issue of the file ending in 215, why it was brought
10 in New Haven and not in Groton or-- or in New London
11 because the conduct was all out there. You know, or
12 at least the complainant, I should say, both of in
13 terms of, I believe, residence and where he was
14 sitting at the time on-- on the bench was in that
15 part of the State. So I know we addressed that kind
16 of briefly last time, but-- but to the extent we
17 could-- the State wants to file something in that
18 regard and we can respond and at least have all those
19 issues resolved in timely fashion so we can
20 understand more fully as we move forward what the
21 structure of this is going to look like in terms of
22 are we moving forward as to-- to one file, multiple
23 files, what jurisdiction, whatever it may be. But--
24 But-- So I-- I don't think-- I think both of those
25 are independent of any outstanding discovery issues.

26 THE COURT: Okay. A couple of things. I'll--
27 I'll give you a chance, Attorney Doyle, to respond.

1 First of all, with regard to the statement you
2 made that it is the Court's obligation to have Mr.
3 Boyne evaluated, what are you citing to?

4 ATTY. BUSSERT: That-- That's my understanding
5 in terms of the claim in terms of what Federal Law
6 requires.

7 THE COURT: But is there anything-- Is there
8 anything in particular that-- I mean because what I--
9 what I cited to in my ruling in May is-- is based
10 specifically on Judicial Branch Policy, it's in --

11 ATTY. BUSSERT: I understand.

12 THE COURT: -- it's in black and white. But--
13 So if there's some Federal Statute or regulation or
14 something that you want to direct the Court to I will
15 look at that.

16 ATTY. BUSSERT: Okay.

17 THE COURT: So if you're not aware of it now,
18 that's fine. If you can let me know wat that is
19 I'll-- I'll certainly take a look at it.

20 ATTY. BUSSERT: Thank you

21 THE COURT: Okay. On the Bill of Particulars,
22 okay, so the defense has filed a new Bill of
23 Particulars on at this --

24 ATTY. BUSSERT: No. We're looking-- We're
25 looking to, your Honor.

26 THE COURT: Oh, you have not filed it yet.

27 ATTY. BUSSERT: No. No. That's what I'm

1 saying. That-- That was one of the issues. We had
2 talked, I think, last time about a July a July --

3 THE COURT: Yep.

4 ATTY. BUSSERT: -- 22nd date --

5 THE COURT: Yep.

6 ATTY. BUSSERT: -- for filing motions, --

7 THE COURT: Yep.

8 ATTY. BUSSERT: -- and while these other motions
9 I think we would as to-- to-- to kind of hold off on
10 relative to disclosures, that I don't think is
11 dependent on-- on any discovery issues, --

12 THE COURT: Okay.

13 ATTY. BUSSERT: -- so we'd be looking to file
14 it.

15 If we can maybe perhaps, your Honor, like look
16 beyond the 22nd and maybe even with the State's trial
17 that that would give us a little bit of leeway, maybe
18 by the end of July, simply because as I indicated
19 previously, I've been out two of the last three weeks
20 between --

21 THE COURT: I understand.

22 ATTY. BUSSERT: -- training and personal issues.

23 THE COURT: Yep.

24 ATTY. BUSSERT: I'm out next week for --

25 THE COURT: Yep.

26 ATTY. BUSSERT: -- to-- to conduct a training,
27 so.

1 THE COURT: So why-- why don't we do this, can--
2 can-- can we-- can-- on the 31st we're going to
3 circle back to all the discovery issues, right, we
4 already covered that.

5 ATTY. BUSSERT: Yep.

6 THE COURT: Please update the Court on where
7 you're at with being able to file the Motion for the
8 Bill of Particulars and the State can let the Court
9 know and let the defense know where the State is at
10 with regard to the-- the Motion for Joinder, because
11 I'm assuming that the State is still planning on
12 doing that. Attorney Doyle, am I right about that?

13 ATTY. DOYLE: I-- I apologize, your Honor.
14 Planning on doing what?

15 THE COURT: File-- File-- You-- You're--
16 You're-- You're seeking to join all of these matters
17 here in New Haven, yes, all the files?

18 ATTY. DOYLE: Yeah. So I-- I-- I-- I think-- I
19 thought I addressed this with Attorney Billings. I
20 know I addressed this with the previous counsel. So
21 there are two matters which obviously center in this
22 Judicial District, and there was one, I agree with
23 Attorney Bussert, that it was out in Groton. So I
24 don't know whether it's on the record, I'll have to
25 look at it, but I do have notes when I addressed this
26 with Attorneys-- the previous attorneys that I've
27 been-- I'm going to be handling Mr. Boyne's matters

1 whether they're here or they're in New London and in
2 the interest of Judicial Economy we kept them all
3 here. We also kept two other misdemeanor cases,
4 which your-- your Honor may recall the State took
5 action and your Honor dismissed them.

6 So there's three files, it's our intention--
7 Well, apparently, Attorney Bussert's position is that
8 we need to file a Motion to Join them when, with
9 previous counsel, I thought we had an understanding
10 that we were going to be trying them together. So
11 now apparently that there's new counsel he's
12 indicated-- I guess what I'm hearing is he's not
13 agreeing that they can be tried together, that we
14 would have to file a motion now to join them
15 together, okay. So I just wanted to --

16 THE COURT: So --

17 ATTY. DOYLE: -- correct that.

18 THE COURT: Okay. Well, all right. You're--
19 You're objecting, yes, Attorney Bussert?

20 ATTY. DOYLE: Yes.

21 THE COURT: Let's just be clear.

22 ATTY. BUSSERT: Your Honor, --

23 ATTY. DOYLE: I'm sorry. He's objecting. Yeah.

24 ATTY. BUSSERT: Your Honor, if there's a record
25 that prior counsel, like actually in the record
26 agreed to this, and-- and presumably would have done
27 that in consultation with Mr. Boyne then I'm happy to

1 take that up with Attorney Doyle. I'm unaware of
2 that. So absent-- Again, the very notion is when you
3 look at the arrest warrant return like lists Groton,
4 the case has always been brought in New Haven. So I--
5 - I don't even know --

6 THE COURT: But-- I'm sorry, Attorney --

7 ATTY. BUSSERT: -- procedurally --

8 THE COURT: Attorney-- Attorney Bussert, I-- I
9 don't want to interrupt --

10 ATTY. BUSSERT: Yeah, I know.

11 THE COURT: -- but here's the bottom line, you
12 and Attorney Billings are counsel now, I don't really
13 care what anybody else said before, right, --

14 ATTY. BUSSERT: Okay.

15 THE COURT: -- this is your client, your case.
16 So the issue-- And it's fine, if you object I'll
17 schedule it, I just need to know. So --

18 ATTY. BUSSERT: Yeah, if the State is seeking to
19 join them and-- and try all three cases together we'd
20 ask they file a motion and we have an opportunity to
21 respond.

22 THE COURT: Okay. There you go. All right.

23 Okay, Mr. Boyne, yes, sir. You've been very
24 patient, thank you. What do you want to say? You're
25 on mute, Mr. Boyne. Thank you.

26 MR. BOYNE: Okay. All right. I guess
27 regarding your Branch Policy ADA, just to clarify you

1 had a question of where the Court's obligation was to
2 evaluate the leg prior to installation. Well, wait a
3 minute. Hang on. Okay. Prior to installation of
4 this device on a handicap leg that's ADA Title II,
5 the burden falls to the State, a covered public
6 entity, which includes the courts.

7 It would also include the State contracting
8 people who contract with Sentinel, make Sentinel a
9 Title III covered entity under the ADA where their
10 procedures are basically noncompliant because they
11 don't make any inquiry as to the suitability of a leg
12 to accept the device, which is quite contrary to the
13 same contracts in the federal world for the same or
14 similar devices. So that is your burden. Your
15 orders of directing me to purchase, I guess, an
16 expert opinion for your policy was in violation of
17 Federal Law.

18 My doctors are not in the business of responding
19 to your requests, nor are they-- nor is there
20 overwriting healthcare system and their insurance
21 people provide that service. So you basically
22 ordered something that you didn't know the price of.
23 You ordered it to be done by people that you were
24 unaware could not provide that service and the burden
25 is to the State.

26 So I would like you to comply with ADA Title II,
27 to the Branch Policy, and you can direct the State to

1 research their obligation to do the evaluation. It
2 would be, quite honestly, pretty simple, you could go
3 to anybody you guys determine is suitable for the
4 evaluation and tell them the condition, they wouldn't
5 even need to examine my leg because there's plenty of
6 documentation throughout this country on the problems
7 with installing these things on legs.

8 Just as a side note, in the federal world
9 they're not even allowed to put it on a pregnant
10 woman's leg, and there's reason for that, so.

11 THE COURT: Okay.

12 THE DEFENDANT: Okay. The other problem --

13 THE COURT: All right. Thank you.

14 THE DEFENDANT: Whoa. Whoa. Whoa. I'm not
15 done.

16 THE COURT: Go-- Go --

17 THE DEFENDANT: No. No. Really, I'm not done.

18 THE COURT: Go ahead, Mr. Boyne.

19 THE DEFENDANT: The other problem --

20 THE COURT: But I --

21 THE DEFENDANT: The other --

22 THE COURT: I need to wrap this up, but go
23 ahead.

24 THE DEFENDANT: Yes, I-- I know. This is a
25 Federal Civil Rights matter, your Honor.

26 The contract with Sentinel is with the Executive
27 Branch and the-- the requirements of the contract you

1 have to meet the emergency re-- removal criteria of
2 the strap, which is set down, it's in a USDOJ
3 specification that's cited in the contract, and this
4 strap that you installed on my leg does not meet that
5 emergency removal criteria, so from a contract law
6 point of view this device is not allowed to be used
7 by the Court system by the terms and conditions of
8 the Executive Branch's contract. I have brought that
9 up to the lawyers and the Commissioner of
10 Administrative Services and the contact manager and
11 the vendor, who failed to respond, so they are
12 aware. I've also notified, what is it, Joe Delcampo,
13 the Judicial Legal Services Director and, I believe,
14 a Viv-- Viviana Livesay who is reported to be the ADA
15 guru within Legal Services, so they're all aware. I
16 think you should be aware.

17 And, let's see. And as far as your denial--
18 your previous denial of my video appearance was based
19 on my hearing impairment where you specifically
20 stated that I had to be in your courtroom so you
21 could determine if I could understand or hear what
22 you said, okay, that was a violation of the ADA. But
23 from what you said today, I can have video
24 appearances for any non-important hearings, so I take
25 it you're vacating the original order about being in
26 your courtroom because of my hearing deficiency.

27 THE COURT: No, I'm not.

1 THE DEFENDANT: Oh, so I have to be in your
2 courtroom because my ears don't work right?

3 THE COURT: I'm not revisiting my previous
4 rulings, Mr. Boyne.

5 THE DEFENDANT: Okay. Well, --

6 THE COURT: I've heard you; I am going to --

7 THE DEFENDANT: All right. Wait. Wait. I'm
8 not --

9 THE COURT: Mr. Boyne, --

10 THE DEFENDANT: -- I'm done.

11 THE COURT: -- no. No, --

12 THE DEFENDANT: Okay. Thank you. You're not --

13 THE COURT: -- Mr. Boyne, --

14 THE DEFENDANT: You're not vacating that.

15 THE COURT: Go ahead.

16 THE DEFENDANT: I will just tell you that that
17 was made as a complaint to the USDOJ and it was taken
18 up and it's in the process in the Civil Rights
19 Division because under the ADA Title II you can't say
20 that.

21 All right. You also said that I need to have
22 this on my leg so you can know where I am at all
23 times, I'm gonna ask for the explanation on that
24 under State v. Pan. I-- I just find that a Fourth
25 Amendment violation.

26 And then you denied the accommodation based on
27 fundamental alteration criteria, which under 28 CFR

1 35.164 that has to be published by your agency head,
2 okay. There is no publication from the Judicial
3 Branch complying with your fundamental denial
4 criteria. I have also let Joe and Viviana know about
5 that too, they don't respond.

6 So my remedy at this point would be to file a
7 66-6 motion with the Appellate Court, which I intend
8 to do. And, for the record, I find you are violating
9 my Civil Rights and I also have recourse in Federal
10 Court which, you know, that's down the road. So in
11 violation of the defendant's Civil Rights you can see
12 where this is going with regard to bias and prejudice
13 and impartiality of the Judicial Authority and
14 violation of cannon. Okay.

15 THE COURT: Yes, sir. Thank you very much. Mr.
16 Boyne. Thank you.

17 THE DEFENDANT: You have a good day.

18 THE COURT: You as well. All right. So next
19 court date is July 31st at 9:30, I think we're all
20 clear about the matters that we're going to take up.
21 Anything further today from counsel?

22 ATTY. BUSSERT: Your Honor, can we then mark off
23 the other July dates and the August 5th date and--
24 and more so, at least for the time being, mark off
25 those September dates?

26 THE COURT: Well, --

27 ATTY. BUSSERT: I don't want to get in trouble

1 at some other point.

2 THE COURT: What I'd like to do for the moment
3 is just leave the dates in place. I want to see
4 where we're at on July 31st, maybe we're going to be
5 making a lot more progress than I think, but we can
6 realistically assess the August date and September
7 date once we know what's happening on July 31st.

8 ATTY. BUSSERT: Okay.

9 THE COURT: Can we-- Can we do that?

10 ATTY. BUSSERT: Fair enough, your Honor. I just
11 wanted to just confirm.

12 ATTY. DOYLE: I would agree with that, your
13 Honor. Thank you.

14 THE COURT: Folks, thank you so much. I'll see
15 you on July 31st, 9:30.

16 ATTY. BUSSERT: Thank you, your Honor.

17 ATTY. DOYLE: Thank you, your Honor.

18 ATTY. BUSSERT: Have a good month. Thank you.

19 ATTY. DOYLE: Have a good day.

20 ATTY. BILLINGS: Thank you.

21 THE COURT: You too. We're adjourned.

22 **(The matter concluded.)**

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N23N-CR23-0250215-S : SUPERIOR COURT
N23N-CR23-0250216-S
N23N-CR23-0250217-S

STATE OF CONNECTICUT : JUDICIAL DISTRICT OF NEW HAVEN

v. : AT NEW HAVEN, CONNECTICUT

PAUL BOYNE : JULY 2, 2025

E L E C T R O N I C
C E R T I F I C A T I O N

I hereby certify the electronic version is a true and correct transcription of the audio recording of the above-referenced case, heard in Superior Court, Judicial District of New Haven, New Haven, Connecticut, before the Honorable Peter L. Brown, Judge, on the 2nd day of July, 2025.

Dated this 10th day of July, 2025 in New Haven,
Connecticut.



Janis Longobardi
Court Recording Monitor