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**SUPREME COURT**  
OF THE  
**STATE OF CONNECTICUT**

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JUDICIAL DISTRICT OF NEW BRITAIN

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**S.C. 20076**

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**AUSTIN HAUGHWOUT**

v.

**LAURA TORDENTI ET AL.**

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APPENDIX OF THE PLAINTIFF-APPELLANT

PART II

---

MARIO CERAME

C/O WOOLF LAW FIRM, LLC  
50 FOUNDERS PLAZA, SUITE 203  
EAST HARTFORD, CONNECTICUT 06108

W: 860.290.8690

C: 607.351.3820

F: 860.290.8697

TO BE ARGUED BY  
MARIO CERAME

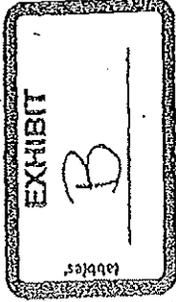
JURIS NUMBER: 433928

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CASE/INCIDENT REPORT

SUPPLEMENTARY

CFS NO 1500031242	DAY 5	INCIDENT DATE 09/17/2015 Thru 09/17/2015	TIME 13:31	DATE OF RPT 09/17/2015	TIME OF RPT 14:14	TYPE OF INCIDENT SUSPICIOUS CIRCUMSTANCES	INCIDENT CD 174	INVESTIGATING OFFICER Patrol Officer Magnano, Sebastian	BAOGE NO 39
DIVISION	DIVISION NO	REFERENCE DIVISION	REFERENCE DIVISION NO	CASE X-REFERENCE	UNIT ID 39	TYPYST MAGNANOS	DATE TYPED 09/17/2015	TIME TYPED 14:14	TOWN CD
STREET NAME AND TYPE STUDENT CTR NEW BRITAIN		APARTMENT NO/LOCATION		INTERSECTING STREET NAME AND TYPE		STATUS Active			

OFFENSE  
All Other Offenses

LOCAL X-REF CODE  
90Z

IBR CODE  
90Z

ATT/COMP  
Completed

OFFENSE DESCRIPTION  
College/University

STATUS CODE  
C=COMPLAINANT V=VICTIM A=ARRESTEE J=JUVENILE H=OTHER M=MISSING W=WITNESS O=OFFENDER D=DRIVER S=SUSPECT P=POLICE OFFICER T=TOT

STATUS  
NAME

SEX  
RACE

D.O.B.

TYPE

TELEPHONE

ADDRESS

OF STATE & NO.

Haughwout, Austin	M	W							
	M	W							

On September 17, 2015 at 13:30 hrs I met CCSU student [REDACTED] at Headquarters. [REDACTED] was reporting a suspicious incident while at the Student Center. [REDACTED] wrote in a voluntary written statement that on this date at 1:15 PM a CCSU student (Austin Haughwout) made verbal cues discussing the physical harm of another CCSU student [REDACTED] wrote that he heard Haughwout say that [REDACTED] would be first on his hit list. [REDACTED] wrote that today Haughwout showed digital photos of a bullet on his cell phone, and remarked that he had loose bullets at home and in his truck. [REDACTED] said that he did not know Haughwout personally, but the statements were made in his presence. [REDACTED] said that [REDACTED] cell # was [REDACTED]

[REDACTED] wrote that, Haughwout has never shown him any weapons on his person and he has a habit of making hand gestures in the shape of handguns as a common gesture.

THE UNDERSIGNED, AN INVESTIGATOR HAVING BEEN DULY SWORN, DEPOSES AND SAYS THAT I AM THE WRITER OF THE ATTACHED POLICE REPORT PERTAINING TO THIS INCIDENT NUMBER. THAT THE INFORMATION CONTAINED THEREIN WAS SECURED AS A RESULT OF (1) MY PERSONAL OBSERVATION AND KNOWLEDGE, OR (2) INFORMATION RELAYED TO ME BY OTHER MEMBERS OF MY POLICE DEPARTMENT OR OF ANOTHER POLICE DEPARTMENT, OR (3) INFORMATION SECURED BY MYSELF OR ANOTHER MEMBER OF A POLICE DEPARTMENT FROM THE PERSON OR PERSONS NAMED OR IDENTIFIED THEREIN, AS INDICATED IN THE ATTACHED REPORT. THAT THE REPORT IS AN ACCURATE STATEMENT OF THE INFORMATION SO RECEIVED BY ME.

INVESTIGATOR SIGNATURE:  
/s/ Sebastian Magnano

INVESTIGATOR I.D.#:  
39

SIGNED DATE:  
09/22/2015

SUPERVISOR SIGNATURE:  
/s/ Edward Dierdorf

SUPERVISOR I.D.#:  
03

SUPPLEMENTARY

CASE/INCIDENT REPORT

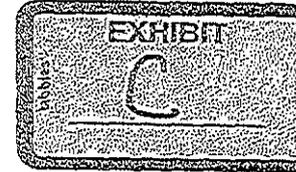
CFS NO 1500031242	DAY INCIDENT DATE 5 09/17/2015 Thru 09/17/2015	TIME 13:31	DATE OF RPT 09/17/2015	TIME OF RPT 14:14	TYPE OF INCIDENT SUSPICIOUS CIRCUMSTANCES	INCIDENT CD 174	INVESTIGATING OFFICER Patrol Officer Mignano, Sebastian	BADGE NO 39
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STREET NO	STREET NAME AND TYPE STUDENT Ctr NEW BRITAIN	APARTMENT NO/LOCATION	INTERSECTING STREET NAME AND TYPE			TOWN CD		

Statement attached

THE UNDERSIGNED, AN INVESTIGATOR HAVING BEEN DULY SWORN DEPOSES AND SAYS THAT: I AM THE WRITER OF THE ATTACHED POLICE REPORT PERTAINING TO THIS INCIDENT NUMBER. THAT THE INFORMATION CONTAINED THEREIN WAS SECURED AS A RESULT OF (1) MY PERSONAL OBSERVATION AND KNOWLEDGE; OR (2) INFORMATION RELAYED TO ME BY OTHER MEMBERS OF MY POLICE DEPARTMENT OR OF ANOTHER POLICE DEPARTMENT; OR (3) INFORMATION SECURED BY MYSELF OR ANOTHER MEMBER OF A POLICE DEPARTMENT FROM THE PERSON OR PERSONS NAMED OR IDENTIFIED THEREIN, AS INDICATED IN THE ATTACHED REPORT. THAT THE REPORT IS AN ACCURATE STATEMENT OF THE INFORMATION SO RECEIVED BY ME.

INVESTIGATOR SIGNATURE: POC Sebastian Mignano	INVESTIGATOR I.D.#: 39	SIGNED DATE: 09/22/2015	SUPERVISOR SIGNATURE: A.T. Edward Derocke	SUPERVISOR I.D.#: 03
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CCSU Police Department



CASE/INCIDENT REPORT

SUPPLEMENTARY

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CFS NO. 1500031242	DAY 5	INCIDENT DATE 09/17/2015 Thru 09/17/2015	TIME 73:31	DATE OF RPT 09/21/2015	TIME OF RPT 15:27	TYPE OF INCIDENT SUSPICIOUS CIRCUMSTANCES	INCIDENT CD 174	INVESTIGATING OFFICER Detective Samuda, Densil M.	BADGE NO 30
DIVISION		DIVISION NO	REFERENCE DIVISION	REFERENCE DIVISION NO	CASE X-REFERENCE	UNIT ID 39	TYPIST SAMUDADEM	DATE TYPED 09/21/2015	TIME TYPED 15:27
STREET NO	STREET NAME AND TYPE STUDENT Cntr NEW BRITAIN			APARTMENT NO/LOCATION	INTERSECTING STREET NAME AND TYPE		STATUS Closed	TOWN CD	

STATUS CODE C=COMPLAINANT V=VICTIM A=ARRESTEE J=JUVENILE H=OTHER M=MISSING W=WITNESS O=OFFENDER D=DRIVER S=SUSPECT P=POLICE OFFICER T=TOT

STATUS	NAME	SEX	RACE	D.O.B.	TYPE	TELEPHONE	ADDRESS	CITY	STATE	NO.
W H										
C										
O H	Haughwout, Austin									
H										

On 9/21/2015 at about 1:40 p.m. [redacted] came to CCSU Police headquarters at my request to talk to the undersigned and Lt. Dercole in regards to this complaint. [redacted] told us that he has known Austin Haughwout since last semester as he and Austin both hang around the same group of people that meet in the student center. [redacted] went on to tell us that during these meetings, Austin has continually jokingly said things like, "someone should shoot up this school" or "I should shoot up this school". [redacted] told us that Austin is always talking about guns and ammunition and greets everyone by pointing at them with his hand in the shape of a gun. [redacted] told us that on 9/17/2015 when they were in the student center, Austin pointed at him and told him [redacted] that he was his (Austin's) number one target. [redacted] stated that Austin went on to say jokingly that you [redacted] are number one on my list. [redacted] further stated that Austin brags constantly about his guns and ammunition, shows off pictures and boasts about wanting to bring a gun to school. [redacted] told us that the rest of the group dismisses what Austin says as a joke. [redacted] then wrote and signed a brief voluntary statement.

On 9/21/2015 at about 3 p.m. [redacted] came down to CCSU Police Headquarters at our request and met with the undersigned and Lt. Dercole in regards to this complaint. [redacted] was asked to explain his complaint to us in more detail. [redacted] told us that on 9/17/2015 he was in the student center with several friends including [redacted] when Austin came over and joined the group. [redacted] told us that Austin began to talk about his issues with the Police and how he likes to antagonize them. [redacted] told us that during the conversation, Austin jokingly told [redacted] that he

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INVESTIGATOR SIGNATURE: /DET. Densil M Samuda/	INVESTIGATOR I.D.#: 30	SIGNED DATE: 09/23/2015	SUPERVISOR SIGNATURE /LT. Edward Dercole/	SUPERVISOR I.D.#: 03

A2.170

## CASE/INCIDENT REPORT

SUPPLEMENTARY

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OFS NO 1500031242	DAY 5	INCIDENT DATE 09/17/2015 Thru 09/17/2015	TIME 13:31	DATE OF RPT 09/21/2015	TIME OF RPT 15:27	TYPE OF INCIDENT SUSPICIOUS CIRCUMSTANCES	INCIDENT CD 174	INVESTIGATING OFFICER Detective Samuda, Densil M.	BADGE NO 30
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would be the first hit and is number one on his list. [REDACTED] told us that this alarmed him so he later explained to [REDACTED] that he was going to report this to the Police if it was okay if he gave the Police his [REDACTED] contact information and [REDACTED] told him it was okay. [REDACTED] said that Austin is constantly talking about guns and says that he has ammunition in his truck and all throughout his house. [REDACTED] said that Austin told him that he would like to buy an armored car as a response to being harassed by the Police. [REDACTED] told us that while walking with his friend and fellow CCSU student [REDACTED] told [REDACTED] that he had some concerns after hearing Austin make a joking declaration that he was going to shoot up the place. [REDACTED] said that because of all of this, he has started avoiding Austin and leaves the student center when Austin arrives. [REDACTED] said that he is afraid for everyone's safety and that is why he contacted the Police.

On 9/22/2015 at about 9 a.m. the undersigned and Lt. Dercole met with [REDACTED] in his dorm room on the CCSU campus. [REDACTED] was asked if he ever heard Austin mention shooting up the school. [REDACTED] went on to tell us that one day last week while he was in the student center he observed that Austin was upset about something and nonchalantly stated something like "might as well shoot up the place". [REDACTED] told us that he only heard Austin say it on the one occasion because he [REDACTED] has not been hanging around the student center that much. [REDACTED] told us that he was concerned about the context of Austin's exclamation. [REDACTED] then wrote and signed a sworn voluntary statement attesting to what he had just told us.

On 9/22/2015 at about 1140 a.m. Austin Haughwout came down to CCSU Police Headquarters to talk to the undersigned and Lt. Dercole at our request. The undersigned and Lt. Dercole explained the complaints that we were investigating and asked Austin if at anytime in joking or being serious did he mention shooting up the school. Austin told us that he does talk about guns a lot but has never said anything about shooting up the school. Austin told us that he knows better than to mention anything like that. When Austin was asked as to why would someone make this

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INVESTIGATOR SIGNATURE: /DET. Densil M Samuda/	INVESTIGATOR I.D.#: 30	SIGNED DATE: 09/23/2015	SUPERVISOR SIGNATURE /LT. Edward Dercole/	SUPERVISOR I.D.#: 03

A2.171

CASE/INCIDENT REPORT

SUPPLEMENTARY

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CFS NO 1500031242	DAY 5	INCIDENT DATE 09/17/2015 Thru 09/17/2015	TIME 13:31	DATE OF RPT 09/21/2015	TIME OF RPT 15:27	TYPE OF INCIDENT SUSPICIOUS CIRCUMSTANCES	INCIDENT CD 174	INVESTIGATING OFFICER Detective Samuda, Densim.	BADGE NO 30
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STREET NO	STREET NAME AND TYPE STUDENT Cntr NEW BRITAIN	APARTMENT NO/LOCATION	INTERSECTING STREET NAME AND TYPE		STATUS Closed	TOWN CD			

complaint against him, Austin mentioned that it may have to do with his position on gun rights. Austin was unwilling to provide us with a sworn voluntary statement.

After the interview with Austin, the undersigned contacted [REDACTED] by phone and asked him why didn't he call the Police upon hearing Austin make his joking declarations of shooting up the school or telling him that he was he was his number one target. [REDACTED] told the undersigned that other people in the group told him to take it as a joke and to ignore Austin. The undersigned then contacted [REDACTED] by phone and asked him why he did not call the Police when he heard Austin mention shooting up the place and [REDACTED] told me that he didn't take it seriously but did mention it to his friend [REDACTED] because he was kind of concerned.

On 9/22/2015 at about 12:30 p.m. the undersigned spoke with Austin's father Brett Haughwout about this investigation. The undersigned explained to Mr. Haughwout the nature of the complaint that was made against his son Austin. Mr. Haughwout told me that Austin is very knowledgeable about many things and in being so can engage anyone in conversation about most subjects including guns. Mr. Haughwout told me that he does not believe that his son said the things that were reported to the CCSU Police because he and Austin have had talks in the past about saying the appropriate things during conversation.

On 9/22/2015 the undersigned went to GA15 New Britain Superior Court with an affidavit for Austin Haughwout charging him with 53a-62 Threatening. The warrant was denied by the Prosecutor who cited that the warrant lacked probable cause.

No further CCSU police action will be taken at this time.

THE UNDERSIGNED, AN INVESTIGATOR HAVING BEEN DULY SWORN DEPOSES AND SAYS THAT: I AM THE WRITER OF THE ATTACHED POLICE REPORT PERTAINING TO THIS INCIDENT NUMBER. THAT THE INFORMATION CONTAINED THEREIN WAS SECURED AS A RESULT OF (1) MY PERSONAL OBSERVATION AND KNOWLEDGE; OR (2) INFORMATION RELAYED TO ME BY OTHER MEMBERS OF MY POLICE DEPARTMENT OR OF ANOTHER POLICE DEPARTMENT; OR (3) INFORMATION SECURED BY MYSELF OR ANOTHER MEMBER OF A POLICE DEPARTMENT FROM THE PERSON OR PERSONS NAMED OR IDENTIFIED THEREIN, AS INDICATED IN THE ATTACHED REPORT. THAT THE REPORT IS AN ACCURATE STATEMENT OF THE INFORMATION SO RECEIVED BY ME.				
INVESTIGATOR SIGNATURE: /DET. Densim M Samuda/	INVESTIGATOR I.D.#: 30	SIGNED DATE: 09/23/2015	SUPERVISOR SIGNATURE /LT. Edward Dercote/	SUPERVISOR I.D.#: 03

A2-172

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In Re:

OFFICE OF STUDENT CONDUCT  
CENTRAL CONNECTICUT STATE UNIVERSITY  
-----

Conversation Between

SCOTT HAZAN

and

AUSTIN HAUGHWOUT

October 14, 2015 2:15 p.m.  
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(Transcription from Electronic Sound Recording.)

BRANDON HUSEBY REPORTING & VIDEO SERVICE  
249 Pearl Street  
Hartford, CT 06103  
860.549.1850

1 MR. HAZAN: Good afternoon. Today's date is  
2 Wednesday, October 14. The time is 2:15 p.m. My name  
3 is Scott Hazen. I will be serving as the hearing  
4 officer. My role is to implement the University  
5 procedures for conducting a student conduct hearing.

6 Please note that today's hearing is being  
7 recorded. This recording represents the sole official  
8 verbatim record of the student conduct hearing and is  
9 property of Central Connecticut State University.

10 At this time, I will ask all present to  
11 introduce themselves, beginning with the hearing body.

12 MR. DUKES: Just one question. This is not  
13 a University's laptop; right? This is your laptop?  
14 You using it for --

15 MR. A. HAUGHWOUT: I have ideas on it. Fact  
16 check.

17 MR. DUKES: Oh, got you.

18 MR. HAZAN: Thanks. Okay.

19 At this time I'll ask all present to  
20 introduce themselves beginning with the hearing body.

21 As stated before, my name is Scott Hazan,  
22 director of student activities and leadership  
23 development.

24 MS. BANTLEY: Kathy Bantley, criminology and  
25 criminal justice faculty member, chair.

1 MS. SIMPSON: Tiffany Moffo Simpson and  
2 assistant director for student center services.

3 MR. HAZAN: Would the respondent introduce  
4 himself?

5 MR. A. HAUGHWOUT: Austin Haughwout.

6 MR. HAZAN: And would the respondent's --  
7 are you acting as an advisor?

8 MR. B. HAUGHWOUT: Yes.

9 MR. HAZAN: Would the respondent's advisor  
10 please introduce himself?

11 MR. B. HAUGHWOUT: Brett Haughwout, Austin's  
12 father.

13 MR. HAZAN: Would the University  
14 representative please introduce himself?

15 MR. DUKES: Yes. Christopher Dukes,  
16 director, office of student conduct.

17 MR. HAZAN: And there are no other  
18 individuals here for witnesses at this time?

19 MR. DUKES: No.

20 MR. HAZAN: Okay. So just for the advisor,  
21 I'm just going to read this statement.

22 "The role of an advisor in this hearing is  
23 limited. The process is not a courtroom proceeding,  
24 but rather part of an institution's program, which are  
25 designed to provide a good living, learning

1 environment for all members of the academic community.  
2 And advisor may not question witnesses or make  
3 statements before the hearing body. The only  
4 appropriate role for an advisor is to provide advice  
5 to the student who has requested his or her presence  
6 in the matter in which does not disturb the  
7 proceedings of the student conduct hearing. If any  
8 advisor fails to act in accordance with the procedures  
9 of the student conduct hearing, he or she will be  
10 barred from the proceedings.

11 The respondent and University representative  
12 who are present in the hearing are not required to  
13 testify, answer questions, or make any statements  
14 regarding the complaint or the allegations set forth  
15 in the complaint. Refusal to do so shall not be  
16 considered by the hearing body as anything more than  
17 the individual's electing to exercise his or her right  
18 not to make statements."

19 I would like to remind everybody  
20 participating in this student conduct hearing that  
21 falsification, distortion, or misrepresentation of the  
22 facts, which are brought before the hearing body is a  
23 violation of the CSU student code of conduct. Any  
24 student who abuses the disciplinary system in such a  
25 way will face disciplinary charges for the violation.

1                   Witnesses other than the respondent or the  
2                   University representative present in the hearing only  
3                   while offering their information. There are no  
4                   witnesses here, so we're going to proceed, unless  
5                   there are any questions at this time.

6                   Are there any questions?

7                   MR. DUKES: No questions.

8                   MR. HAZAN: No questions.

9                   The respondent and the University  
10                  representative may challenge any member of the hearing  
11                  body for bias if you believe that he or she cannot be  
12                  fair in this hearing.

13                  Does the respondent Austin Haughwout -- is  
14                  that how you pronounce it?

15                  MR. A. HAUGHWOUT: Haughwout.

16                  MR. HAZAN: Haughwout. I'll sorry.  
17                  Haughwout, wish to challenge any member of the hearing  
18                  body for bias?

19                  MR. A. HAUGHWOUT: No.

20                  MR. HAZAN: Does the University  
21                  representative, Christopher Dukes, wish to challenge  
22                  any member of the hearing body for bias?

23                  MR. DUKES: No. sir.

24                  MR. HAZAN: The hearing body is considering  
25                  charges, which have been brought against Austin

1 Haughwout, the respondent, by Christopher Dukes, the  
2 University representative, the complainant, the  
3 University representative in today's conduct hearing.

4 As noticed -- as noted in the notice of  
5 charge letter sent to the respondent by the Office of  
6 Student Conduct on --

7 MR. DUKES: May I pass these all around,  
8 please?

9 MR. HAZAN: -- on October 9, 2015. The  
10 respondent has been charged with the following  
11 violations of the CSU prohibited conduct:

12 4, physical assault, intimidation,  
13 threatening behavior; 10, harassment; 11 disorderly  
14 conduct; and 13, offensive or disorderly conduct.  
15 Okay.

16 Would the respondent please respond to the  
17 charges, which I have just read indicating whether you  
18 accept the responsibility for violating the provisions  
19 of the prohibited conduct? Please state responsible  
20 or not responsible. And what I'll do is I'm going to  
21 go through each one, and if you can state for each --  
22 each -- each charge if you are responsible or not  
23 responsible.

24 So 4, physical assault, intimidation, or  
25 threatening behavior.

1 MR. A. HAUGHWOUT: Not responsible.

2 MR. DUKES: I think we want to make sure also  
3 that --

4 MR. HAZAN: And if you could just make sure  
5 -- if you can put the mic in front of you so we can  
6 hear clearly and for the recording, please also.

7 MR. A. HAUGHWOUT: Not responsible.

8 MR. HAZAN: 10, harassment.

9 MR. A. HAUGHWOUT: Not responsible.

10 MR. HAZAN: 11, disorderly conduct.

11 MR. A. HAUGHWOUT: Not responsible.

12 MR. HAZAN: And 13, offensive or disorderly  
13 conduct.

14 MR. A. HAUGHWOUT: Not responsible.

15 MR. HAZAN: We're just going to take a --  
16 well, we'll -- at this time, we will begin the portion  
17 of the hearing, which information is presented for  
18 considering -- consideration in determining if the  
19 respondent has violated the CSU Code of Conduct.

20 The University representative and the  
21 respondent will be provided the opportunity to share  
22 introductory remarks, which should not exceed five  
23 minutes. You are not required to do so.

24 Are there any questions before we proceed  
25 with the introductory remarks?

1 MR. DUKES: No questions.

2 MR. HAZAN: Would the University  
3 representative like to make an introductory remark?

4 MR. DUKES: Yes.

5 The Office of Student Conduct had received  
6 information from the CCSU Police Department on October  
7 1st of 2015. It was information related to a  
8 complaint that came in from several students within  
9 the CCSU community. That complaint came in on  
10 September 17th. My understanding was there was a  
11 follow-up with those individuals on September 21st or  
12 perhaps another day at that point in time. And the  
13 police department had executed their investigation,  
14 and once that was complete, the information was  
15 forwarded on to the Office of Student Conduct. The  
16 University held a meeting to review that report.  
17 Student affairs made the decision to impose an interim  
18 suspension, which you will note is a temporary  
19 precaution that is used on behalf of the University.  
20 That is not a sanction, and is held in place until  
21 such time that it can be resolved, whether it be by  
22 more information coming in that would warrant changing  
23 that status or as a result of a student conduct  
24 hearing. During that process, the Office of Student  
25 Conduct initiated a prehearing investigation where I

1 met with all the parties related to this incident that  
2 were known to me. So the first person that I spoke  
3 with concerning that was the student/respondent and  
4 then followed up with speaking with other witnesses to  
5 discuss the allegations that were brought forward.

6 After a complete review of -- of the  
7 information of the respondent, just the behavior,  
8 looking at the behavior that was alleged to have taken  
9 place, I recognize that those allegations do represent  
10 what we term as leakage. You know, you'll hear me  
11 talk about leakage on -- throughout times. There's  
12 various examples of what leakage would be. So hearing  
13 the information, trying to vet through -- actually, I  
14 can also state that I interviewed one other individual  
15 who was made known to me by the student/respondent who  
16 may have some influence or involved in it, so I had to  
17 explore that avenue also.

18 At the conclusion of the prehearing  
19 investigation, I had to determine that should this  
20 leakage be determined to be true, that it would  
21 constitute the violations that we are here to review  
22 today, and therefore asking that the hearing body  
23 grant a thorough review of this information that  
24 you're going to hear from all parties today and then  
25 render its best decision. So that's my con -- that's

1 my -- that concludes my introductory. Thank you.

2 MR. HAZAN: Would the respondent like to  
3 make an introductory remark?

4 MR. A. HAUGHWOUT: Yes.

5 MR. HAZAN: Go ahead.

6 MR. A. HAUGHWOUT: The accusations against  
7 me are entirely false. There's no merit to them and  
8 false statements I've dealt with prior. In my car I  
9 currently have multiple cameras due to false  
10 statements made by other parties. Record every second  
11 of my drive. If it's necessary to prove my innocence  
12 for actions on campus, I will wear a body camera for  
13 every second I am on campus.

14 MR. HAZAN: Is that all, sir?

15 MR. A. HAUGHWOUT: Yes.

16 MR. HAZAN: Okay.

17 At this time, the hearing body will hear the  
18 -- from the University representative.

19 Does the University representative wish to  
20 provide any information to the hearing body?

21 MR. DUKES: Yes, I would. If you recall  
22 Exhibit B or A is always the letter that was provided  
23 for notice that was introduced. So in B is the  
24 redacted copy of the initial report that came in. I  
25 will point out as I'm showing to both people, it will

1 read page 1 of 2. 2 is on the back. I've done that  
2 with all of our copies, again trying to help tuition  
3 down and so forth. I don't want to waste paper so I  
4 used a multiple copies that I possibly can. So I'm  
5 going to pass out B for everyone's review.

6 MR. HAZAN: Do you want us to read first or  
7 you want to explain first?

8 MR. DUKES: No, you can read. That's fine.

9 The mislead in any way that there's  
10 conversation that's not being picked up on here. So  
11 the question during pause was Exhibit B, it does read  
12 that there is a statement attached. That is an  
13 internal statement for the lieutenants -- my  
14 understanding, when they review reports, I do not get  
15 access to the sworn written statements that the  
16 students provide unless those students provide  
17 authorization or so forth. It all depends on whether  
18 those students wish to remain anonymous or -- or  
19 whatever. So there -- there's no additional  
20 attachment that I have privilege to related to Exhibit  
21 B. All right.

22 So if I may continue, I'm going to present  
23 Exhibit C, which is a follow-up report to -- to B, and  
24 there are copies for everyone, too. Sorry. There you  
25 are.

1 MR. HAZAN: Okay. So, Mr. Dukes, do you  
2 have more to present at this time?

3 MR. DUKES: Yes, I do. So of the first  
4 interview that I conducted was via phone with Austin  
5 where I outlined the terms of -- again, I know if he  
6 already heard from the police department what these  
7 allegations were and he had this information from  
8 them. I went through it for my sake of getting it --  
9 because I didn't have a chance to question him as the  
10 police did. And questioned specifically on these  
11 behaviors, so the first question that I got into was  
12 regarding had he ever referred to having a hit list or  
13 anyone being his number one target. His response --  
14 or was [REDACTED] on that. His response through  
15 all those was no, that he did not ever refer to having  
16 such a list or ever refer to someone as being the  
17 number one target.

18 I proceeded to ask him did he ever show  
19 digital pictures of bullets to anyone, and he says  
20 lots of people that he has.

21 I asked did he ever have a discussion about  
22 ammo in his car, and he said yes, but also provided me  
23 an explanation of what that is. He'll probably say  
24 it, but I just want to be thorough about saying what  
25 responses were to me that he had reason for concern of

1 being targeted by a specific police department. He  
2 may have been concerned that ammo, which he legally  
3 able to have may be discovered and create a problem  
4 for him, so therefore, that would have been some of  
5 the conversation that he had. And he can elaborate  
6 more on that, but I just want to share in terms of  
7 summarizing what his response was to me.

8 I had asked a question regarding making hand  
9 gestures at all. Does he make hand gestures in the  
10 form of a gun to where he would point at someone under  
11 any circumstances. He did state, no, he does not do  
12 that.

13 I asked what was his relationship with [REDACTED]  
14 [REDACTED] specifically as that was a person who was  
15 named. He shared with me that this is a person who he  
16 has conversations with. They pretty much sit in the  
17 student center area. I asked when was the last time  
18 he had a conversation with him. He has stated  
19 yesterday, which would imply the day before that  
20 Thursday, October 1st.

21 I'd asked him could he tell me any reason  
22 why anyone would make up these allegations and  
23 stories, and he did state, no. And he said, however,  
24 he believed that someone by the name of [REDACTED]  
25 is trying to get him kicked out of school.

1                   So the rest of my interviews that I have  
2 with other witnesses, I explored the route of what  
3 their relationships were with [REDACTED] just to see if  
4 somehow there is some validity to that -- that claim,  
5 and I did explore that. I cannot find any connection  
6 between [REDACTED] except for that -- the name is [REDACTED]  
7 [REDACTED] so that couldn't find any connection between him  
8 and others except for he is one of the individuals who  
9 -- who frequently sits out there in that area. It's a  
10 student center so anyone who's been at the student  
11 center, you'll see a lot of students who are commuters  
12 will sit in the lounge areas, throughout the lobby,  
13 and various places, which is encouraged. So he's just  
14 one of those people. Sometimes there's -- I mean,  
15 folks make it part of their routine that people will  
16 go there all the time.

17                   So then my next interview was held on  
18 Tuesday, which I believe was the 6th of October. Let  
19 me just verify that date. Yes, Tuesday, the 6th, I  
20 met with two of the witnesses and gathered some  
21 information from them regarding what their experiences  
22 was with this. Now, given again, I didn't have the  
23 written sworn statements for the police department.

24                   I asked the first person talked to me about

25 [REDACTED] It was [REDACTED] Do you know who [REDACTED] is?

1 And again, they verified that is just another person  
2 who sits around in the particular area. They also  
3 acknowledge -- I asked about statements that they made  
4 that are in Exhibit B and Exhibit C. I cautioned them  
5 again to let them know that if you're making false  
6 statements, that you will be held accountable by the  
7 student code of conduct. This individual assured me  
8 that his statements were true and that they did hear  
9 Austin in this case or the respondent in this case  
10 refer to [REDACTED] as being number one on his  
11 list. And -- or number one target. And I asked him  
12 how did you feel about that. They said, well, they  
13 felt alarmed about it. [REDACTED] wasn't as serious about  
14 it at first, but they thought based on their  
15 experiences, their training, their knowledge, and  
16 education, that this was probably or inappropriate  
17 behavior, and they thought something should be done  
18 about it. And I believe that they are the subject of  
19 Exhibit B, the first person who would have gone down  
20 because they were concerned of that comment.

21 I asked about any other gestures or anything  
22 else that they would see or that they are aware of,  
23 other behavior. They said they have witnesses when  
24 people come up, people who were known to Austin who  
25 are possibly considered friends or associate, that he

1 is -- a customary greeting for him to point. They  
2 described the point at them in and just do this.

3 I asked any other particular behavior that  
4 you, you personally -- personally observed, not that  
5 others have told you. And they would say that they  
6 would watch, often sometimes look at people as they're  
7 walking through the lobby of the student center or so  
8 and point at them, and shoot, and make sound effects.  
9 But these people don't see him. They don't talk to  
10 him. These are just people who are walking by. So  
11 that's what he explained to me in that particular  
12 interview.

13 I'd asked has Austin ever done anything to  
14 you personally? Do you all have class together? This  
15 person indicated no, I have graduate classes so we  
16 don't associate. The only association we have is when  
17 we're down in a student center and because of the  
18 things that he's been said, the frequency that -- they  
19 specify that Austin is the only individual who brings  
20 up the conversation of guns. No one else talks about  
21 it. They all talk about all kinds of other issues,  
22 but Austin is the only one who raises the subject of  
23 guns and continues to talk about it frequently to the  
24 point where him and other individuals no longer  
25 frequent the student center. Or if they are there

1 already and Austin shows up, they leave. So they  
2 changed their customary affairs given the fact that  
3 they don't want to be present during the time when  
4 these conversations are happening.

5 So I moved on to the next witness. The next  
6 witness provided me information regarding -- of the  
7 information and I went by the same thing as I did with  
8 Austin, same thing as I did with the first witness, go  
9 through the behavior. What is the behavior that you  
10 have observed, and they will give me a rundown on the  
11 behaviors that they have seen.

12 One of the behaviors that is not in this  
13 report, but they shared with me was that Austin would  
14 -- made a statement at one point in time, how many  
15 rounds he would need in his pistol to shoot people.  
16 He corroborated seeing gestures at different points in  
17 times throughout -- as a customary greeting. He also  
18 talked about on multiple occasions he would see Austin  
19 aiming at people as they walked by and -- and at  
20 first, he demonstrated it. I said anything else about  
21 it because he did not use sound effects. So I said  
22 anything else about him? He said -- he actually  
23 demonstrated for me what he would see. And I said,  
24 oh, you added sound effects, are you adding that? Is  
25 that something that really happens? He said, no, no,

1 this is exactly what I see. I said, okay.

2 And I asked -- say again?

3 MR. A. HAUGHWOUT: These are two separate --

4 MR. DUKES: These are two separate students  
5 now.

6 So then I asked has Austin ever made any  
7 threats towards you. He said absolutely not. He's  
8 never made any threats towards me whatsoever, but I am  
9 concerned about this behavior that I'm seeing. So  
10 that was the second witness.

11 MS. BANTLEY: Can I ask about because you  
12 said you had -- there were two witnesses on that  
13 particular day?

14 MR. DUKES: Yes.

15 MS. BANTLEY: Okay. And are those two  
16 witnesses the people that are contained --

17 MR. DUKES: Correct.

18 MS. BANTLEY: -- or two separate? Not two -

19 -

20 MR. DUKES: They're with --

21 MS. BANTLEY: We have mentioned to the  
22 court, so it's not additional --

23 MR. DUKES: Correct. Not additional. I'm  
24 still working with the people who were in here.  
25 There's only one individual, which I mentioned ██████████

1 [REDACTED] who was not at the police department, who I  
2 interviewed after -- because I wanted to see whether  
3 or not he was trying to pull people together to gang  
4 people up, to make false statements about Austin. So  
5 I had to go through that route to try to determine  
6 that, if that was the case.

7 So I'll start there with that -- that  
8 conversation with [REDACTED] which took place -- that  
9 meeting with [REDACTED] took place -- all right -- on the  
10 6th of October. And it was very brief. I needed to  
11 know one, does he know who Austin is, and he said yes.  
12 What's your relationship with Austin? He's a person  
13 who sits down in the student center or so forth. What  
14 are your thoughts about Austin? Do you have any  
15 feelings either way for him? He said, no, I don't  
16 have any feelings either way for him. Is he someone  
17 you like, dislike, or so. I need you to understand  
18 what would be his motivation, if any, to -- to steer  
19 people the wrong way. I asked when's the last time he  
20 had a conversation with Austin or heard anything from  
21 Austin. He said that it was Thursday, the 1st, and I  
22 said, was there anything interesting about that. He  
23 said, well, I have to tell you I was taken back by a  
24 comment he made about the Oregon shooting. He said  
25 that -- that Austin had come up to him, showed --

1 showed everyone who was sitting there from the phone,  
2 so there are other people also, and there are other  
3 people who corroborate the same statement, is that  
4 Austin had made the statement that Oregon beat us. So  
5 I asked and what do you think he meant by that? So  
6 let me go back for a second because there's another  
7 individual who also witnessed that same thing. So  
8 what I have is people witnessing the same behavior,  
9 but they have different takeaways from it.

10 So one person felt that he thought it was  
11 the body count, meaning that the body count beats  
12 Sandy Hook. That what it was described.

13 The other individual thought that, well,  
14 they beat us to being the next campus to have a  
15 shooting. Mind you, Austin never made that statement.  
16 Basically, it was just showing that Connecticut beat  
17 us is the state -- no, Oregon beat us is the statement  
18 as alleged to have been made. No other statements to  
19 -- to follow up with that.

20 And that really concluded my meeting -- and  
21 I had no other than ■ did not tell me that he  
22 witnessed the hand gestures. He is the only one who  
23 didn't witness the hand gestures. He had heard  
24 comments about other things that people say, but he  
25 did not -- he could not directly say he saw hand

1 gestures at any point in time, whether it be for a  
2 greeting or aiming at other folks. No reference to  
3 shooting up the school. It was the other three  
4 students and I'll go on to the last one who is maybe,  
5 which is [REDACTED] who was able to inform me as  
6 far back as the testing of the security system, the  
7 campus alert system, that happened last spring. He  
8 stated that that was the first time he thought he  
9 heard something that was really a surprise. He said,  
10 he -- he said that Austin had made the statement,  
11 someone should really shoot up the school for real so  
12 that it's not a drill. He said he held on to that  
13 statement. He didn't think much about it. He did  
14 disclose to me -- he did give me permission to share  
15 this, that he's a person who deals with anxiety and he  
16 wanted to be sure that he wasn't making a big deal out  
17 of it so he just took it was joke because other people  
18 said it was probably just a joke, leave it alone. He  
19 did hear directly that he was the number one target.  
20 He was told directly. According to him, Austin told  
21 me directly, I was his number one target. He also  
22 corroborates seeing hand gestures as a greeting,  
23 pointing the gun -- hand, that is. He also made the  
24 statements as you see in Exhibits B and C regarding  
25 the other behaviors and he corroborate the statements

1 that he saw there also.

2 So that is basically all the interviews that  
3 I have. It pretty much folks did back up -- I did not  
4 find that -- I tried to determine were people coached.  
5 Did people come up with their own things. I found no  
6 reason to discredit the statements that -- that were  
7 made towards me in these interviews.

8 MS. BANTLEY: I do have a question about the  
9 Ed Cory interview just for clarification. Would the  
10 whole alleged comment of Oregon beat us, I believe you  
11 said that other students were able to corroborate that  
12 to your statement, but then had different takes on it.  
13 Did you get that personal corroboration through the  
14 students? Did you speak to other students --

15 MR. DUKES: Yes.

16 MS. BANTLEY: -- who said exactly -- and how  
17 many other students did you speak to that stated that?

18 MR. DUKES: [REDACTED] as well as -- oh, so [REDACTED]  
19 [REDACTED] and [REDACTED]

20 MS. BANTLEY: Okay. To -- no additional --

21 MR. DUKES: No additional outside of this -

22 -

23 MS. BANTLEY: --people than --

24 MR. DUKES: The only --

25 MS. BANTLEY: Okay.

1                   MR. DUKES: The only people that I can  
2 provide information for are those folks who I  
3 interviewed.

4                   MS. BANTLEY: Okay. And I want to make sure  
5 --

6                   MR. DUKES: Right. So that -- really the  
7 only information I shared includes any student who I  
8 would have spoken.

9                   MS. BANTLEY: Okay. So those are the  
10 students you spoke to --

11                   MR. DUKES: Correct.

12                   MS. BANTLEY: So no additional. Thank you.

13                   MR. DUKES: Thank you.

14                   MR. HAZAN: Do you have any knowledge about  
15 timeframe? So as far as -- like how long has -- has  
16 this, you know, behavior been going on?

17                   MR. DUKES: As early as --

18                   MR. HAZAN: According to the witnesses.

19                   MR. DUKES: As early as -- as midspring.  
20 As early as April when we did the last testing. It  
21 was the testing of the -- the system. Prior to that,  
22 I mean, that was the first comment about the  
23 allegation of shooting up the school was made at that  
24 point in time. Hand gestures and things like that  
25 were going on before, but no one gave me a definitive

1 time when the first time they saw a hand gesture  
2 greeting. No one can give me that time, but they were  
3 able to tell me the first time they heard about  
4 shooting up the school or wanting to bring a gun to  
5 the school.

6 MR. HAZAN: How long has Austin been a  
7 student here?

8 MR. C. HAUGHWOUT: I think last year.

9 MR. DUKES: Yeah.

10 MR. C. HAUGHWOUT: Beginning of last year.

11 MR. DUKES: Right. Fall of '14? Right.  
12 Fall of '14.

13 And I believe the police asked all of them  
14 as well and -- and I followed up the same thing. Why  
15 if you heard this information, why didn't you do  
16 anything about it beforehand? The common response  
17 that I have from folks was that one, either we thought  
18 it was a joke. We wrote it off as a joke. Another  
19 student, this is [REDACTED] who has stated that I  
20 didn't know. I thought it was my, you know,  
21 (inaudible). I just didn't want to make a deal for if  
22 nothing happened. But folks did become more alarmed  
23 as the frequency of it continued to the point where  
24 people changed their behaviors where they no long sat  
25 at the student center or they would leave because they

1 almost knew which way the conversation was going. It  
2 was a way that they weren't comfortable with. So I  
3 made the, I think the connection that I think is not  
4 stretching would be if the conversation was always  
5 about sex and you didn't want to talk about sex all  
6 the time, you should be free from not having a  
7 conversation about sex. However, it is a public area  
8 and people can talk about sex, but if folks are  
9 changing their behaviors about it, then it becomes an  
10 issue. But the problem is you got to know about it.  
11 Problem is we didn't know about all this until  
12 approximately two weeks ago. So --

13 MR. HAZAN: And so there's [REDACTED] and [REDACTED]  
14 are the two students who you've interviewed.

15 MR. DUKES: [REDACTED] and there is  
16 another student who is -- who wanted their name to be  
17 anonymous.

18 MR. HAZAN: And so there's three students  
19 that have identified the hand gestures?

20 MR. DUKES: There are three students who  
21 identify the hand gesture. Three students who have  
22 heard the comment of shooting up the school. Three  
23 students who -- hold on. Let me get my notebook --  
24 about [REDACTED] being the number one target. Only two  
25 students heard the comment about or confirmed for me

1 that they heard the comment about Oregon beat us.

2 MR. HAZAN: And can you explain -- you  
3 explained I think the [REDACTED] one, but as far as the  
4 past relationship to the current relationship of those  
5 three people that you interviewed with Austin, can you  
6 explain like did they describe to you like, you know,  
7 are they friends with him? Were they friends with  
8 him? Or --

9 MR. DUKES: Friends with who?

10 MR. HAZAN: With Austin.

11 MR. DUKES: They are associates. They all  
12 gather in the same place. That's -- that's really all  
13 -- no one goes out to dinner together. No one goes  
14 over to each other's house. They're not classmates.  
15 It's just a place where people congregate. People  
16 where they feel comfortable, and so that's -- that's  
17 all. No one has, you know, no one's on committees  
18 together or so.

19 MR. HAZAN: Do they play -- so I know  
20 frequently, you know, like --

21 MR. DUKES: Play any games?

22 MR. HAZAN: Play any games together?

23 MR. DUKES: To my knowledge, no.

24 MR. HAZAN: Okay.

25 MR. DUKES: To my knowledge either the

1 people are there studying or so forth. That's what I  
2 gather. I have never -- I didn't ask any questions  
3 about games.

4 MR. HAZAN: Okay.

5 MR. DUKES: What I just know that the same  
6 individuals frequent the same place and they have been  
7 doing so for quite some time.

8 MS. SIMPSON: I was clear and now I'm  
9 confused. So you've interviewed [REDACTED] right?

10 MR. DUKES: Yup.

11 MS. SIMPSON: [REDACTED]

12 MR. DUKES: Yup.

13 MS. SIMPSON: And [REDACTED]

14 MR. DUKES: Right.

15 MS. SIMPSON: But then is there another --

16 MR. DUKES: There is another individual.

17 MS. SIMPSON: Okay.

18 MR. DUKES: Who was there. That individual  
19 did not give me the permission to release his name.  
20 However, his name is in the police report that was  
21 subject to the FOIA request that Mr. Haughwout has.  
22 But I don't have permission to release that person's  
23 name.

24 MS. SIMPSON: Right. Okay.

25 MR. DUKES: For the FERPA.

1 MS. SIMPSON: So there's four students.

2 MR. DUKES: Correct.

3 MS. BANTLEY: Okay. And just in again based  
4 on what you're allowed to do for FERPA, looking at  
5 Exhibit C. We have a redacted name on the back page.

6 MR. DUKES: Correct.

7 MS. BANTLEY: Is that the person --

8 MR. DUKES: Yes.

9 MS. BANTLEY: Thank you.

10 MR. DUKES: Yup. So with the person named  
11 there, that's the only person's name who I did not  
12 have permission to use.

13 MS. BANTLEY: Okay. But that's -- when  
14 you're giving us this information, you're also  
15 including what that particular person said to you.

16 MR. DUKES: Correct.

17 MS. BANTLEY: Because anything that I have  
18 information on, I got to ask Austin first and then I  
19 got to ask everybody else what it did. So Austin was  
20 the first person who because I don't have to talk to  
21 anybody else. If Austin tells me, yeah, I said this.  
22 Yes, I was joking, but I said this, then who else do I  
23 need to talk to pretty much. Unless I want to get  
24 perspective of then do you really believe there's  
25 just, blah, blah, blah. Not see what folks believe

1 also, but everyone has the right to their own  
2 interpretation. So one of these comments, one of  
3 these things in isolation might not be an issue, but  
4 when they're put all together, it's something that I'm  
5 not able to ignore. So that's why I have to ask  
6 Austin the question in terms of did you ever do this  
7 stuff. I can't just take the word of others. I have  
8 to give him a chance to be able to tell me otherwise.  
9 So he was able to provide me his information.  
10 However, talking to other people who I cannot rule  
11 out, cannot discredit, or so forth, the weight rested  
12 with those statements. Here they are, you know, able  
13 to share their own perspectives, all on the same page.  
14 I can't ignore the fact that four individuals have --  
15 have witnessed information and make a call not to at  
16 least bring it forward.

17 MS. BANTLEY: Thank you.

18 MS. SIMPSON: Thank you.

19 MR. HAZAN: Do you have anything further at  
20 this point?

21 MR. DUKES: No, I do not.

22 MR. HAZAN: All right. At this time, is  
23 there any further question --

24 MR. DUKES: I'm sorry. I do have one  
25 thing. I was supposed to say -- so we did have a

1 witness who was going to be here. That witness was  
2 confused about this process and what it was like, and  
3 the witness did, like I say, because of part interview  
4 before that -- the witness did not want to be here as  
5 they were fear for their safety and so therefore they  
6 stated they did not want to be a part of this process  
7 and have left the scene.

8 I have -- I can say the other witnesses  
9 involved were invited. They all received the same  
10 message inviting them for this particular hearing, and  
11 I have not heard back from them.

12 MR. HAZAN: At this time, we'll have an  
13 opportunity for anybody from the hearing body or for  
14 Austin to ask any questions based on the information  
15 that has been presented, and then we will move to  
16 going to Austin being able to present the information  
17 that he would like.

18 So at this point, does anybody have any  
19 questions for Mr. Dukes? No questions? Everybody's  
20 good?

21 VOICE: Yes, thank you.

22 MR. HAZAN: Okay. So the respondent does  
23 not have any questions for the University  
24 representative? Austin, no questions?

25 MR. A. HAUGHWOUT: No.

1 MR. HAZAN: Okay. And the response was no;  
2 is that correct?

3 MR. A. HAUGHWOUT: Correct.

4 MR. HAZAN: At this time, the hearing body  
5 will hear from the respondent. The respondent is not  
6 required to testify, answer questions, or make any  
7 statements regarding the complaint or the allegations  
8 set forth in this complaint. Refusal to do so shall  
9 not be considered by -- by the hearing body to  
10 constitute evidence of responsibility.

11 Now, does the respondent wish to provide any  
12 information to the hearing body?

13 MR. A. HAUGHWOUT: Yes.

14 Well, so regarding the pictures of bullets,  
15 was my -- the car that I typically drive is a 2012  
16 Volvo full electric, and I had to take a different car  
17 for the day, and being that the campus rule for, you  
18 know, firearms and ammunition is that you can't have  
19 it flat out unless you get special approval from the  
20 crown-- the president of the Association of Schools  
21 and only then can you be -- and even then only faculty  
22 are able to have anything. Students aren't allowed to  
23 under any circumstances. The -- it came up in that  
24 when I drove the other vehicle, I had to make sure to  
25 -- before I left the house, search my entire vehicle

1 to make sure that I don't have any knives or any  
2 bullet and in, you know, clearing out the entire  
3 vehicle I had found one miscellaneous bullet that was  
4 sitting in the vehicle. I made sure to take that out  
5 and leave it at my house where I was, you know,  
6 allowed to leave it because I can't have it on campus.

7 And regarding the hand gestures, I had told  
8 -- I had to leave it at the house to be in compliance  
9 with the school's rules being against having any  
10 firearms or any ammunition.

11 MR. HAZAN: So I'm just going to ask you if  
12 you could just -- because the advisors really not, you  
13 know, supposed to speak. If you have something, if  
14 you'd like to whisper or -- or write it down, you  
15 know, we would appreciate that.

16 MR. A. HAUGHWOUT: And regarding the hand  
17 gestures, I had not told them flat out that I don't do  
18 it. I've told them that I have on a few occasions  
19 done it to someone who has done it in reply to me or  
20 has initiated it with me because I'm always talking  
21 about guns so they did that towards me once and now I  
22 return it to that same person.

23 And regarding the comment about the Oregon  
24 shooting, I hadn't said that they won or anything like  
25 that. My comment was essentially, now the Oregon

1 shooting's going to be the one discussed in the media  
2 because it was a larger shooting than Newtown. And I  
3 never made any mention of this school being the next  
4 one or that they beat us in any way, shape, or form.

5 And the spring emergency alert thing from  
6 last year, during it, I had not said that I should  
7 shoot up the school. I had not said anything to that  
8 effect. What I had said is imagine if there was an  
9 actual emergency where they needed to do it or have  
10 used it for real at this time because, you know, it's  
11 already being used. So if you had to use it for some  
12 reason, not suggesting that there would be any reason,  
13 but if you had to use it for some reason, how would  
14 you go about communicating the emergency.

15 And so, well, with the next one, you know, I  
16 face lies with, you know, my daily life, so. This  
17 was, you know, you all want to read this, but --

18 MR. HAZAN: You can take your time and, you  
19 know, if you --

20 MR. A. HAUGHWOUT: I encourage you all to  
21 read, you know, the first couple sentences --

22 MS. SIMPSON: Before giving that to us to  
23 read, can you tell us the gist of it? The point that  
24 you want us to pick up since there are copies and  
25 we'll be passing it around and I want to give you the

1 service due. Yeah, please.

2 MR. A. HAUGHWOUT: So basically, you know,  
3 this is a sworn testimony by a police officer in my  
4 town. And this is completely and totally refuted by a  
5 camera that I had running because he didn't know I had  
6 the camera. So he didn't think that, you know, any  
7 lies that he wrote would be documented in any way to  
8 show that it didn't happen. So his statement here is  
9 that "Prior to even getting a word out of my mouth,  
10 the operator began to scream and demand if I suspected  
11 him of a crime. The operator yelled over my voice  
12 repeating the following: Do you suspect me of a  
13 crime? Do you suspect me of an infraction?"

14 MS. SIMPSON: And may I ask you this  
15 question? Did this document, this statement have  
16 anything to do with CCSU and any of the allegations  
17 based on what's going on here on campus? Did this  
18 have anything to do with that --

19 MR. A. HAUGHWOUT: It has nothing --

20 MS. SIMPSON: -- specific.

21 MR. A. HAUGHWOUT: -- directly to do with  
22 it, but it does have to do with the fact that there's  
23 something about me that requires that everything I do  
24 is documented on camera because unless I documented  
25 it, there will be false accusations made against me.

1 And, you know, the same personal action that I took  
2 regarding previous false statements by the officers  
3 is, and I'll have a camera in my car that records  
4 everything that I do. I'm willing to make the same  
5 action for being on the Central. I'm perfectly  
6 willing to have a camera on me to prove exactly what I  
7 said, exactly what I do, and beyond any shadow of a  
8 doubt every day of my life, exactly what happens, just  
9 the same as every drive I do, even if it's half a mile  
10 down the road, I have the camera on to document  
11 exactly what I do, exactly where I go, and exactly  
12 what is happening while I'm driving.

13 So the affidavit may --

14 MS. SIMPSON: Thank you.

15 MR. DUKES: May I ask a question --

16 MR. HAZAN: Sure.

17 MR. DUKES: -- if possible? I think it's  
18 piggyback off of, what his comment was regarding. I'm  
19 trying to understand the relevance of people who have  
20 lied or have falsely made accusations in other  
21 setting, how that's applicable to these individuals  
22 lying? Is there any direct information to refute the  
23 statements that these individuals made against him  
24 versus be -- I'm wondering the relevance of it. I  
25 mean, I can see people lying -- people have lied to me

1 personally, doesn't mean that these people are lying.  
2 And that's what my question is.

3 MS. BANTLEY: Sure.

4 MS. SIMPSON: Sure.

5 MS. BANTLEY: And I was wondering if he was  
6 going to get to that through another exhibits or what  
7 else we can say, instead of skipping -- what he's  
8 trying to --

9 MR. HAZAN: I mean, we can, you know, we can  
10 acknowledge that what you're stating, I mean, you  
11 know, I'm assuming, that, you know, this is the --  
12 from the -- from the police department; right. And  
13 the video that you're going to show us is going to  
14 refute what that says.

15 MR. A. HAUGHWOUT: Yeah.

16 MR. HAZAN: Is that correct?

17 MR. A. HAUGHWOUT: Okay.

18 MR. HAZAN: So let's assume that -- that  
19 that's, you know, we'll assume --

20 MS. BANTLEY: That that's true.

21 MR. HAZAN: Does it have any relevance on  
22 this case?

23 MR. A. HAUGHWOUT: Well, it has it relevance  
24 on twofold for this case. First thing is there's  
25 something about me or something about what I say,

1 possibly, you know, I'm sure you're all well aware of  
2 the flying gun that I had created at my house over the  
3 summer. You all know of that?

4 MR. HAZAN: Like when you -- so, just so  
5 you're aware of, when we do these, do these cases, we  
6 are not permitted any --

7 MS. BANTLEY: Any information.

8 MR. HAZAN: -- information about anything.  
9 We didn't even know who you -- what your name was  
10 until we walked in the room here. So -- so I don't  
11 know, I mean, I do know the story. I did not know,  
12 you know --

13 MR. A. HAUGHWOUT: So you just said --

14 (Simultaneous speakers.)

15 MS. BANTLEY: No idea what you're talking  
16 about.

17 MR. A. HAUGHWOUT: Well, I had mounted a  
18 handgun onto a small RC aircraft and I had flown it,  
19 you know, in the woods so that there's no way for it  
20 to fly away. It was also strung with fishing line to  
21 my hand, so again, there was no way for it to fly  
22 away. But, you know, after that, lots of people, you  
23 know, wanted something done. I mean, one example of  
24 people wanting something done is -- here's something I  
25 got just this morning is from Alfred Gates. He

1 recommended to Karl Lovitt or Provex -- Provost of  
2 Central for me to be expelled based solely on I had  
3 created that, not any action that I did with it, but  
4 just, you know, something about, you know, my  
5 creation, he didn't like it, so he wanted me kicked  
6 out. If you would all like to read that, feel free.

7 MR. DUKES: But if I may counter that is --  
8 is because I would be responsible for bringing those  
9 charges up. Austin has not been charged with -- with  
10 that particular case. That case is not even up for a  
11 review. We -- we took precautionary action as he's  
12 aware of regarding this particular incident. We  
13 reviewed it, we got information, we gave him  
14 opportunity to provide this information. The  
15 information changed our stance on it, and we removed  
16 our precautions because we believed that that  
17 particular incident in itself did not violate the code  
18 of conduct.

19 MS. SIMPSON: Okay.

20 MR. DUKES: As well as also I can, so is  
21 that the knowledge that Austin provided to me when we  
22 spoke, when was it, back in March or April regarding  
23 this particular interest of his, the only thing that  
24 Austin was instructed to do is not to bring that on  
25 campus because I know he can legally do other things.

1           So the issue is he's not facing anything. So some  
2           letter from -- I don't even know who that is, who  
3           wrote the letter. Whoever wrote the letter, they have  
4           no bearing on this process.

5                     MR. HAZAN: So the letter, I mean, just to  
6           hear -- so, you know, those things we would never know  
7           unless you brought them --

8                     MS. SIMPSON: To our attention.

9                     MR. HAZAN: -- to our attention, so I  
10          understand what you're, you know, what you're saying.  
11          You feel that you're being -- and I don't want to  
12          speak for you, but, you know, you've been targeted and  
13          you feel that this is another incident. All we're  
14          focusing on, though, is this particular incident.

15                    So like I said, the -- the aircraft, you  
16          know, thing, the letter, all of that stuff, we would  
17          have no knowledge of unless you brought it -- brought  
18          it forward. --

19                    MS. BANTLEY: And it doesn't --

20                    MR. HAZAN: And it's not relevant. You  
21          know, we wouldn't even take any of it into  
22          consideration because like Mr. Dukes said, there's  
23          nothing that -- you haven't broken any rules in the  
24          (inaudible) or any -- any laws that we know of that,  
25          you know, or any CCSU, you know, codes of conduct that

1 are in relation to -- to that. So, you know, that's  
2 not even up for consideration when we discuss this.

3 MR. A. HAUGHWOUT: The purpose with bringing  
4 it up is that there's something about me or who I am  
5 that makes people lie. You know, even the officer's  
6 sworn testimony lie about my actions, what I do, and  
7 what I say. And the purpose of bringing that up is  
8 that, you know, this has happened before and, you  
9 know, if it's -- if there's any chance of it happening  
10 again, you know, I'll do the same thing I do with my  
11 car. I'll wear a camera because there's something  
12 about me that makes people lie about my actions. And  
13 being that happens over and over, I will be gladly  
14 willing to wear the camera to prove exactly what I do.

15 MS. BANTLEY: And that is something you  
16 certainly can do in the future, but getting -- we  
17 really need to get back to kind of what happened in  
18 this particular case. And I -- I think we all kind of  
19 understand your perspective and your concern about  
20 what other people are saying about you.

21 Do you have anything more specific and other  
22 than you saying, you know, this is going to happen and  
23 that is a statement we will accept, that this is going  
24 to happen, similar to this writing thing and the video  
25 that you have in this particular situation that shows

1 the potential that they are making up information. Do  
2 you have anything else other than your statement? And  
3 your statement's valid.

4 MR. A. HAUGHWOUT: No, I'm not supposed to.

5 MR. HAZAN: You can't -- I mean, if you want  
6 to whisper to him and he can restate the, you know,  
7 what, you know, that's -- that's acceptable, but  
8 you're -- you certainly comment.

9 MR. A. HAUGHWOUT: Well, what he's bringing  
10 up, you know, I could document lie after lie after lie  
11 by other parties against me, and you know, also, this  
12 is another case that you might not know about, but so  
13 two years ago I had been assaulted for flying a quad  
14 copter around at a public park. And the person  
15 assaulted me for flying because, you know, the police  
16 said there's nothing illegal about it. They called  
17 the police and they said it's nothing illegal. So  
18 then she assaulted me. And then I called the police  
19 to reported the assault, and when the police came, she  
20 told them, you know, he assaulted me, you know.  
21 That's her claim, but I had a video that documented  
22 the exact opposite of that. So, you know, it's not  
23 just the cops. It's not that specific cop. It's  
24 something about me, who I am, or what I do that makes  
25 people lie about me trying to get me in trouble for

1 actions that I never took.

2 MR. HAZAN: And I understand what you're  
3 saying and, you know, your statements are certainly  
4 valid. You know, what we're trying to focus on is --  
5 is these particular -- this particular incident. So -  
6 - and so, you know, you certainly have the right to  
7 present any information that you'd like, and what  
8 we're focusing on here is the incidents that, you  
9 know, Mr. Dukes has brought to our attention as far  
10 as, you know, the sanctions that we're listening to  
11 today and the information that we're talking about  
12 specific to those -- to those sanctions.

13 I understand what you're trying to do as far  
14 as, you know, a history of saying that, you know, this  
15 seems to be repeatedly, you know, happening to you  
16 that people are trying to lie or get you in trouble  
17 and that kind of stuff, so I certainly understand  
18 that.

19 MS. SIMPSON: I do have a direct question in  
20 regard to something you stated earlier when you opened  
21 and you were talking about the changing of the  
22 vehicles and the bullets of the vehicles. And it was  
23 in regard to the pictures of the bullets. You never  
24 stated whether or not you had a picture of the bullet  
25 taken and that you were showing that you just talked

1 about, how you removed the bullet from the vehicle.  
2 Did you have any pictures or did you show any pictures  
3 of any bullets at any time?

4 MR. A. HAUGHWOUT: I did have, you know, a  
5 picture of the bullet because, you know, in the  
6 morning before coming to school, I cleared out  
7 everything in the truck and I had taken the bullet out  
8 and, you know, I took a picture of it because it's  
9 kind of comical in that, you know, gun control  
10 legislation is basically, you know, I mean, in this,  
11 you know, this specific case, if you can't have that  
12 bullet because even though, you know, you don't have a  
13 gun, you don't have anything to fire it, you don't  
14 have anything like that, you can be expelled for  
15 having that one bullet. So, you know, you know, I'm  
16 very political, you know. That was kind of the point  
17 of agreeing to share this, so, I was -- worked on the  
18 campaign, but, you know, part of, you know, the thing  
19 here was that, you know, politically, it doesn't  
20 really make much sense and it's kind of comical in  
21 that, you know, our rule is so overstanding of, you  
22 know, you can't have that bullet even though you have  
23 absolutely no malintention with it and even have no  
24 way for it to be a dangerous item. But you have to  
25 make sure that, you know, you go through great length

1 to make sure you don't break any rules or any laws,  
2 and, you know, protect yourself in that way.

3 MS. SIMPSON: Thank you.

4 MR. HAZAN: Do you have any further  
5 information that you'd like to share?

6 MR. A. HAUGHWOUT: Well, that video that,  
7 you know, I had taken that just proves that, you know.  
8 If you don't want to watch it, then.

9 MR. HAZAN: I mean, you know, I will -- I  
10 will assume -- and if this is okay, you know, I don't  
11 have the video, you know, so I can only -- we can --  
12 you know, you told us what's in the report, I can't  
13 really make an assumption, you know, that it's -- that  
14 you're telling -- that -- that it's fact, you know. I  
15 just don't think it has any relevance for this case.  
16 So in the -- in the fact that the video is not  
17 relevant, you know, I really don't need to see it.

18 MR. DUKES: Okay.

19 MS. SIMPSON: I agree with that.

20 MS. BANTLEY: I agreed.

21 MR. A. HAUGHWOUT: You know, the purpose for  
22 trying to bring that is in that, you know, the full  
23 understanding of this incident and incidents like it  
24 within my life can only really be understood with  
25 understanding the bigger picture of, you know, what's

1 going on.

2 MR. HAZAN: So -- so I'll state it like this  
3 and then I think we can move on. Is that you could --  
4 you could have had, you know, no prior incidents like  
5 this or many prior incidents like this. If no charges  
6 have ever been brought on by the CCSU, you know, by  
7 the CSC Code of Conduct, it's not relevant, you know.  
8 So it doesn't matter. So whether you've had, you  
9 know, you know, this could have never happened to you  
10 or it could have happened to you several times, and  
11 you know, if -- if you're sitting here without -- we  
12 wouldn't know prior history, we wouldn't know any of  
13 that. So all we would know is what's being presented  
14 currently in this case. So all the prior stuff we  
15 wouldn't even take into consideration because we  
16 wouldn't know about it. So it's -- it's -- we're only  
17 solely basing this -- this case is solely based on the  
18 information of this -- for this case because, you  
19 know, we -- you know, there's incidents where people  
20 have never done anything in their lives and then they  
21 do one thing and they could be brought up on charges  
22 for that one thing and they could go back and say,  
23 well, I've been a perfect angel my whole entire life,  
24 you know, but that's not relevant if they -- if -- if  
25 if they're being, you know, it's just -- we're talking

1 about this one -- one incident. So we're just talking  
2 about these incidents that we're talking about here.  
3 If that makes sense.

4 MR. A. HAUGHWOUT: And, you know, the  
5 purpose for this, you know, you're saying they've been  
6 a perfect angel their whole life, never had anything.

7 MR. HAZAN: Uh-huh.

8 MR. A. HAUGHWOUT: Well, the purpose for  
9 bringing that up is that, you know, there have been  
10 false accusations made against me, and you know, my  
11 response to that is, well, you know, some of the time  
12 then these false accusations are made against me, I  
13 have the camera proving exactly what did happen. And  
14 it's exactly opposite of what was accused against me.  
15 And, you know, if, you know, I need to wear a camera  
16 any time I'm on campus, then I'll wear a camera, just,  
17 you know, to prove my actions. Prove what I do and  
18 prove what I say.

19 MR. HAZAN: So what I can tell you, you  
20 know, you're talking about wearing a camera on campus.  
21 I can almost assure you that that is not going to be a  
22 resolution here today. So whether -- whatever the --  
23 whatever the resolution is, whether you're found  
24 responsible or not responsible, the actions -- the  
25 University is not going to ask of you or require you

1 to wear a camera or submit any other, you know, videos  
2 of your camera to the University. It's just not --  
3 that's not going to --

4 MR. A. HAUGHWOUT: I know what it being a  
5 University requirement, but, you know, if the personal  
6 thing, you know, to show, okay, so now let's just say,  
7 you know, I'm wearing a camera for another week and  
8 then these same people make the same false acc --  
9 false accusation again. Well, I can bring up the  
10 video and be like, okay, let's watch this entire day's  
11 footage of none of that ever happened.

12 MR. HAZAN: I understand what you're saying.  
13 Does anybody have -- do you have further  
14 information before we ask any questions?

15 MR. A. HAUGHWOUT: No, but I mean, but, you  
16 know, what thing right here is just right here is, you  
17 know, I'd be willing to have weekly meetings with  
18 Dukes and/or Sanutta\* to, you know, evaluate me or  
19 have any kind of, you know, analyze, you know, what's  
20 going on or show them the videos if they want to watch  
21 them or anything like that.

22 MS. SIMPSON: I have no further questions.

23 MS. BANTLEY: No further questions.

24 MR. HAZAN: Chris, do you have any further  
25 questions? I -- I have some questions.

1 MR. DUKES: I do have questions. I'll  
2 wait.

3 MR. HAZAN: Okay. Can you des -- can you  
4 describe for me the -- the people that are mentioned  
5 in this police report, and there's the two that are  
6 names that have not been redacted are [REDACTED] and  
7 [REDACTED] is that correct? Okay. Can you tell me  
8 what your relationship is with them?

9 MR. A. HAUGHWOUT: I don't know who [REDACTED]  
10 [REDACTED] is, but I do know that [REDACTED] is just, you  
11 know, someone that sits in the student center and I've  
12 talked with him multiple times about, you know, gun  
13 laws and politics of guns and, you know, that kind of  
14 stuff. You know, just discussing the law behind guns.  
15 Never, you know, making any threats or any remarks  
16 that would be in any way, you know, threatening.

17 MR. HAZAN: And do you know -- have you ever  
18 had -- do you -- so you don't know who the other  
19 gentleman's [REDACTED]

20 MR. A. HAUGHWOUT: No.

21 MR. HAZAN: Okay. And [REDACTED] we've had  
22 conversations with, would you say lots of  
23 conversations with? You know, two or three  
24 conversations with? How many conversations have you  
25 had with him since the fall of approximately of 2014?

1 Is it hundreds? Is it two or three?

2 MR. A. HAUGHWOUT: It was like two or three  
3 per week.

4 MR. HAZAN: Two or three per week.

5 MR. A. HAUGHWOUT: Yeah.

6 MR. HAZAN: Okay. So you regularly speak to  
7 him then?

8 MR. A. HAUGHWOUT: Yes.

9 MR. HAZAN: Would you consider him a friend?

10 MR. A. HAUGHWOUT: Somewhat, yeah.

11 MR. HAZAN: Okay. Would -- do you -- do you  
12 have any reason to believe why -- what -- what was  
13 your -- do you -- do you have any reason to believe  
14 that [REDACTED] would lie?

15 MR. A. HAUGHWOUT: Aside from, you know,  
16 being that I constantly am able to debate politics  
17 with him, that means that, you know, there's a  
18 difference between our views of both gun control, as  
19 well as, you know, other aspects of, you know, if  
20 you're debating welfare or health insurance or any of  
21 the other, you know, political topics out there, you  
22 know. I'm always able to debate him on something, so,  
23 you know, there's a -- a difference in our viewpoints,  
24 so it's very possible that, you know, he -- he's doing  
25 this because he doesn't like my personal viewpoint on

1           whether it be gun control or another topic such as  
2           healthcare or welfare or any other topic that can be  
3           brought up.

4                   MR. HAZAN: How would you describe these  
5           conversations? Would you just -- how would you  
6           describe them?

7                   MR. A. HAUGHWOUT: Just, you know, people  
8           talking to each other, just friendly, and you know.  
9           I'm more political than most people, so I'm frequently  
10          bringing politics, you know. And it's not always gun  
11          control. It's frequent in gun control because, you  
12          know, that's one of my hobbies, but, you know, I've  
13          also debated him on every other topic and it's not  
14          always even politics, you know. I've talked with him  
15          about, you know, the electric car that I drive. I  
16          talk to him about boats. I talk to him about how I  
17          went hand gliding, and, because, you know, that was  
18          something that happened in my life. It was an  
19          interesting, fun thing to do for the day.

20                   MR. HAZAN: Sure. So at no point would you  
21          describe the relationship as, you know, adversarial?  
22          I mean, so maybe adversarial's not the right word, but  
23          would you describe it as -- at no point before, you  
24          know, some of this stuff came out, would you -- would  
25          say that you weren't -- that it was good political

1 banter?

2 MR. A. HAUGHWOUT: Yeah.

3 MR. HAZAN: So do you know why then Ryan  
4 would decide after having good political banter with  
5 you for over a year, decide to change his -- his mind  
6 and -- and go to the police and go to Dukes to tell  
7 these what you're saying, you know, what to tell  
8 these, you know, stories that we're reading and that  
9 Mr. Dukes has presented to us?

10 MR. A. HAUGHWOUT: Well, you know, I --

11 MR. HAZAN: Was there a moment that maybe  
12 you can think of that he would have not --

13 MR. A. HAUGHWOUT: I mean, I, you know, only  
14 got this report, you know, just now, you know, in its  
15 entirety.

16 MR. HAZAN: Okay.

17 MR. A. HAUGHWOUT: But, so as much as I  
18 understand this report, it wasn't him who went to the  
19 police. It was his friend, [REDACTED] that went to  
20 the police. And then they, you know, talked to him  
21 about something.

22 MR. HAZAN: So would -- but -- but you don't  
23 know of any like one incident where you can state  
24 that, you know, [REDACTED] was -- you had some type of  
25 conversation that went bad and you were no longer

1 talking, you know, socially and -- can you isolate a  
2 time when the conversation stopped with him where you  
3 noticed that he wasn't around anymore?

4 MR. A. HAUGHWOUT: No.

5 MR. HAZAN: So when -- when was the last  
6 time you had a -- one of these conversations with  
7 Ryan?

8 MR. A. HAUGHWOUT: I -- either the Wednesday  
9 or Thursday before I got ex -- interim suspension.

10 MR. HAZAN: And -- and that was in October?  
11 So that was just a couple of days ago? Octo -- I'm  
12 sorry. Mr. --

13 MR. DUKES: That's okay. It was October  
14 1st according to what Austin has shared with. But I  
15 know it was October 1st because that was the date of  
16 the Oregon shooting, and that's when the statements  
17 for -- alleged to have been exchanged at that point in  
18 time regarding the Oregon shooting.

19 MR. HAZAN: So I just want to clarify. So  
20 you made a statement that [REDACTED] now when he sees Austin  
21 in the student center, he leaves?

22 MR. DUKES: I did not. I have said that --

23 MR. HAZAN: Okay. So that was [REDACTED]

24 MR. DUKES: Yes.

25 MR. HAZAN: Okay. So --

1 MR. DUKES: And I'm -- I was led to believe  
2 others as well.

3 MR. HAZAN: Okay. But [REDACTED] -- we didn't  
4 hear that specifically from [REDACTED]

5 MR. DUKES: No. [REDACTED] -- right, we did not  
6 hear that from [REDACTED]

7 MR. HAZAN: Okay. So that was [REDACTED]  
8 And so you don't know [REDACTED] so you wouldn't --

9 MR. A. HAUGHWOUT: I don't know [REDACTED]

10 MR. HAZAN: Okay. So then are you somewhat  
11 confused as to why [REDACTED] would make these statements?

12 MR. A. HAUGHWOUT: Yeah, I mean, the only  
13 thing that, you know, I could possibly imagine it  
14 being related to is something about, you know, him and  
15 [REDACTED] you know, getting together to make this  
16 statement. And, you know, being that it was [REDACTED]  
17 who went to the police, I feel like it has something  
18 to do with, you know, [REDACTED] either has a personal  
19 vendetta against me or political vendetta or something  
20 like that. He made the report and then he realized,  
21 you know, that he's going to need someone to  
22 corroborate it, so he talked to as he described it in  
23 the -- as was described in the report, his friend to  
24 ask for, you know, someone else to corroborate his  
25 report.

1 MR. HAZAN: Mr. Dukes, do you have any  
2 questions?

3 MR. DUKES: Uhm --

4 MR. HAZAN: So the way this is going to  
5 work, just so you understand it is as the hearing  
6 body, we can ask you questions directly. If you have  
7 questions for Mr. Dukes or Mr. Dukes has questions for  
8 -- for you, they're going to come through me and I  
9 will restate them and ask them to you so there's not a  
10 back and forth.

11 MR. DUKES: And if I may reiterate, there  
12 have been times before -- we've had, the three of us  
13 have had a conversation together. So I just want to  
14 point out it's because of that formality, which is why  
15 I can't like direct my attention towards -- not being  
16 bitter, I can't. I have to direct -- you see all I  
17 always sit this this way and direct, it's because of,  
18 trying not to create the adversarial process for  
19 cross-examining and so forth. So this is all of our -  
20 - this is the first time that we've been in the  
21 setting where's there's been other people in the room.  
22 We couldn't just talk with each other.

23 So one question I have is has there ever  
24 been any true accusations made against Austin?

25 MR. HAZAN: Have there ever been any true

1           accusations made against you, Austin?

2                   MR. A. HAUGHWOUT: Well, if you can say, you  
3 know, shown people pictures of the bullets, I mean,  
4 that would be something that's truthful in that, you  
5 know, I did show them pictures of the bullets because,  
6 you know, I had to make sure I didn't have any in the  
7 car before on campus.

8                   MR. DUKES: So -- so in regards to -- in  
9 regards to our first meeting ever, when Austin and I  
10 first met, the allegations that were made that brought  
11 us together for the first time last spring, were those  
12 true or false allegations?

13                   MR. HAZAN: In regards to the first meeting  
14 ever you had with Mr. Dukes, the allegations that were  
15 brought forth in that meeting, were those true  
16 allegations or false?

17                   MR. A. HAUGHWOUT: That was the -- was that  
18 the incident, the people from Eastern Connecticut?

19                   MR. DUKES: I can't (inaudible).

20                   MR. A. HAUGHWOUT: Oh, was that the -- I'm  
21 sorry. Was that the incident out of Eastern  
22 Connecticut?

23                   MR. DUKES: This was the incident where he  
24 was alleged to have inappropriate conversations with  
25 minors over the internet.

1 MR. HAZAN: This was the allegation of  
2 having inappropriate conversations with minors on the  
3 internet.

4 MR. A. HAUGHWOUT: Well, they weren't  
5 inappropriate. But, yes, I did have conversations.

6 MR. DUKES: The accusation -- the  
7 accusations were that communications were made with --  
8 was the accusation of Austin contacting, for example,  
9 a little girl of the age of 11, was that accusation  
10 true -- on the internet -- was that accusation true or  
11 false?

12 MR. HAZAN: Was the accusation of you making  
13 contact with an 11-year-old girl true or false?

14 MR. A. HAUGHWOUT: I didn't know her age. I  
15 didn't ask anything inappropriate, knowing her age.

16 MR. DUKES: The question is was it true or a  
17 false accusation that the contact was made.

18 MR. HAZAN: Was it true or false that the  
19 contact was made?

20 MR. A. HAUGHWOUT: Contact was made not  
21 knowing their age, not knowing who they were, not  
22 knowing any information about them. And no  
23 inappropriate statements were made.

24 MR. DUKES: The accusation that a girl who  
25 could not legally have sex with him, was that

1 accusation that he made that contact true or false?

2 MR. HAZAN: The accusation of a -- can you  
3 restate that?

4 MR. DUKES: Yeah, I'm sorry, it was a  
5 horrible question.

6 MR. HAZAN: That's all right.

7 MR. DUKES: Basically, I'll tell you where  
8 I'm going. It is that we met because of accusations  
9 that were made and it's just to say that not all  
10 accusations -- I'm trying to just confirm, and Austin  
11 can confirm this for us, that not all accusations that  
12 are made have been false.

13 MR. HAZAN: Right. So --

14 MR. DUKES: Because we did have two -- so  
15 did he ever tell a young girl via the internet that  
16 because of her age they could not have sex, but they  
17 could snuggle.

18 MR. HAZAN: Did you ever tell a girl, a  
19 young girl through the use of the internet that you  
20 could not have sex, but that you could snuggle?

21 MR. A. HAUGHWOUT: I believe so. Again, but  
22 not unlawful action. It's not something that would be  
23 a violation of the code of conduct. Full compliance  
24 with --

25 MR. DUKES: The point was that it's an

1 accusation and it was a truthful accusation so that my  
2 question was was that a truthful accusation that that  
3 contact was made?

4 MR. HAZAN: Do you want me to restate that?

5 MR. DUKES: Sure.

6 MR. HAZAN: So that was a truthful  
7 accusation that the contact was made?

8 MR. A. HAUGHWOUT: Yeah.

9 MR. DUKES: That is -- that concludes my  
10 questions.

11 MS. SIMPSON: Can I come in further  
12 questions based on what he said -- asked?

13 MR. HAZAN: Does anybody have any further  
14 questions?

15 MR. A. HAUGHWOUT: I have. I'd actually  
16 like to ask Mr. Dukes --

17 MR. HAZAN: Sure. Just state the -- state  
18 it through me and I will restate it.

19 MR. A. HAUGHWOUT: In prior meetings with  
20 you, have you -- had you ever said something to the  
21 effect of I've never seen any -- any hostility in you  
22 towards the Clinton police despite what you've been  
23 through?

24 MR. HAZAN: Have you --

25 MR. A. HAUGHWOUT: Toward Lovitt.

1 MR. HAZAN: So you're asking Mr. Dukes if he  
2 stated that you have -- has he -- have you ever --  
3 you've never seen any hostility towards the Clinton  
4 police? Is that what you're stating?

5 MR. A. HAUGHWOUT: He had some -- said  
6 something to the effect of I've never seen any  
7 hostility in you towards --

8 MR. HAZAN: So you've never seen any  
9 hostility towards the -- by the -- for the Clinton  
10 police?

11 MR. DUKES: So if I understand -- I  
12 understand it correctly, I -- I can say --

13 MR. A. HAUGHWOUT: You stated --

14 MR. DUKES: I can say I have never -- I have  
15 never -- I have no knowledge or ever witnessed Austin  
16 being aggressive or hostile towards the Clinton Police  
17 Department.

18 MR. A. HAUGHWOUT: And in prior discussions,  
19 Mr. Dukes, have we ever --

20 MR. HAZAN: No, the question to me.

21 MR. A. HAUGHWOUT: Okay. But have we ever  
22 discussed gun control or politics about guns or the  
23 lawful use of firearms?

24 MR. HAZAN: Have you ever discussed with  
25 Austin gun control, firearms, or the lawful use of

1 firearms?

2 MR. DUKES: Yes, we have had those  
3 discussions.

4 MR. HAZAN: Question?

5 MS. SIMPSON: I have a question for Mr.  
6 Dukes.

7 MR. HAZAN: Oh, sure.

8 MS. SIMPSON: Okay. In response to the last  
9 question in regard to conversations about gun control,  
10 firearms, et cetera. Did those conversations happen  
11 pre or post this -- this complaint? Or during the  
12 interview process for this complaint or prior to?

13 MR. DUKES: Prior to.

14 MR. HAZAN: Do you have a question?

15 MR. DUKES: I do. Has Austin ever  
16 demonstrated aggression towards me?

17 MR. HAZAN: Has Austin ever -- have you ever  
18 demonstrated aggression towards Mr. Dukes?

19 MR. A. HAUGHWOUT: No.

20 MR. DUKES: Has Austin ever referred to me  
21 as a fucking asshole?

22 MR. HAZAN: Has Austin -- have you ever  
23 referred to Mr. Dukes as a fucking asshole?

24 MR. A. HAUGHWOUT: Probably. During the  
25 first incident upon which, you know, I was not

1 receiving any replies to emails. I had been suspended  
2 without notice. All my clothes and everything was in  
3 my dorm. I had access to none of that. I was stuck  
4 at my house with -- no, cell phone too is in my dorm.  
5 My clothes are in my dorm. My bedding was in my dorm.  
6 My toothbrush was in my dorm. Everything that I had  
7 that's necessary for, you know, standard living is in  
8 my dorm.

9 MS. SIMPSON: So is your answer yes or  
10 probably?

11 MR. A. HAUGHWOUT: Probably. I -- I do --

12 MS. SIMPSON: Do you not have a memory of  
13 making this statement?

14 MR. A. HAUGHWOUT: I believe that I would  
15 have said something to that effect. I can't be sure  
16 of the exact words.

17 MS. SIMPSON: Thank you.

18 MR. HAZAN: And was this in person or was  
19 this --

20 MR. A. HAUGHWOUT: Email.

21 MR. HAZAN: In email.

22 Do you have another question?

23 MR. DUKES: No. That's -- that's not quite  
24 correct.

25 MS. SIMPSON: Do you have a memory of the

1 event, Mr. Dukes? If you explain -- please explain  
2 what your memory is.

3 MR. DUKES: I do. My memory was the -- the  
4 first time we met was because we were to have an  
5 administrative conference related to the accusations  
6 about behavior over the internet. The University  
7 imposed interim suspension. As customary, it is  
8 either myself or Armand Hernandez\* would meet with the  
9 individual to determine if the interim suspension is  
10 still warranted. As a part of that process, Austin  
11 and I had to meet. Our first meeting lasted less than  
12 ten minutes as I thought it was necessary to have  
13 Austin come back at another point in time because  
14 Austin was visibly upset, audibly upset,  
15 argumentative. I explained my stance with students is  
16 and he -- I'm almost certain he knows this is my  
17 practice now because I do practice what I preach, is I  
18 don't argue with students. I don't. If a student  
19 wants to argue with me, it's not going to happen.  
20 They're going to come or meet where we can have civil  
21 conversation. So I can state for the record that all  
22 of our conversations after -- well, after our meeting  
23 have been civil. (Inaudible) But my problem was I  
24 was a stranger. He did not know me, and our first  
25 meeting, I also understand because I was educated

1 later on to as to some of the things that he has been  
2 subjected to. I can understand why he might have  
3 thought a certain way, however, it did not make it  
4 more appropriate. And that was my -- my issue. So I  
5 had to ask for him out of the office to another time  
6 where he felt he could cool off and then come back and  
7 have a meeting. That's the first time in 13 years I  
8 had to do that.

9 So then later on that day I believe we  
10 attempted to have the same conversation. I had an  
11 opportunity to speak with his father in between that  
12 time, and we had agreed that we would have a phone  
13 conversation. It would be Austin and I in person and  
14 his dad would be over speakerphone so that way  
15 everyone's getting in the same amount of information.  
16 I have verbal consent to be able to have this  
17 conversation -- verbal consent from Austin to be able  
18 to share this dialog with his dad over the phone. And  
19 as we began to have our conversation, I noticed that  
20 Austin was holding a device that I thought was  
21 recording me. I expressed to him I did not consent to  
22 have myself recorded and he began to argue that his  
23 right to do so. He was not aware of the school code  
24 of conduct, so I understand that and gave that  
25 latitude. I explained how that he could not and I did

1 not give my consent to do so. His father -- father  
2 intervened and stated put it away. And as he's  
3 putting it away he said, "fucking asshole." And I  
4 asked are you talking to me or are you talking to your  
5 father? And he looked at me and pointed at me and he  
6 said -- and I said it's time to go again and I  
7 escorted him out and explained to his father what  
8 happened, that I had to escort him out of the office  
9 again. So my concern for that is again, I'm still a  
10 stranger. However, my rank and while my  
11 responsibility is still known, and that act of  
12 aggression is something I had not seen. I've seen  
13 maybe two other people, similar, though, I have never  
14 had that type of interaction happen before. So I  
15 understand why.

16 We set up an appointment I want to say maybe  
17 for the following day if not two days afterwards, so I  
18 believe it was definitely within the next 48 hours.  
19 We had a meeting. We came in. It was a very  
20 civilized conversation. We spoke for definitely over  
21 an hour I want to say, and all of my conversations  
22 since then I think were -- I think civil. I would say  
23 civil. I haven't had any problems, but the level of  
24 aggression that was presented at that point in time  
25 has not been presented and, yeah, I -- I think -- I

1 mean, every -- all the conversations were -- were not  
2 as abnormal as that particular conversation was. So I  
3 can't ignore that. I put it away, dealt with it. I  
4 de-escalated the situation when it first happened. So  
5 I think whereas because you have to understand my  
6 perspective. I've seen all types of things so if I  
7 can say -- and I did -- the only reason why I brought  
8 it up is because it was presented that there's been no  
9 acts of aggression towards anybody, so well, that's  
10 not quite necessarily true because that was an act of  
11 aggression. It's the most significant act of  
12 aggression that has ever happened in the office of  
13 student conduct even when it was called the judicial -  
14 - justice affairs since I've been in my seat for 13  
15 years; however, it was isolated.

16 Moving on to we did have to review these  
17 conversa -- these issues that happened, this  
18 accusation. I employed my discretion that having an  
19 educational conversation would resolve this particular  
20 issue. Austin was not charged. That was because of  
21 also my discretion. I know he wasn't charged by the  
22 State Police was reviewing the matter as well too, but  
23 I also exercised my discretion, and I don't believe it  
24 was going to happen again. It was something that I  
25 believe that -- I was left to believe that -- I lost

1 my train of thought turning that off.

2 MS. SIMPSON: I think within your discretion

3 --

4 MR. DUKES: It was an issue regarding --  
5 right. It was definitely within my discretion  
6 regarding that because, again, it was not -- had there  
7 been an arrest, had there been all this -- it would  
8 have been more to do. I -- I don't think it was  
9 necessary, but it was certainly something. Austin's  
10 dad and I had a brief conversation more recently  
11 regarding, you know, my thoughts of whether Austin is  
12 capable of making these comments. My reply was I  
13 certainly would hope not because I know Austin knows  
14 better. I know he knows better. However, I don't  
15 know if he felt open as friends that maybe he can talk  
16 to these folks in a certain way. That I don't know  
17 with certainty. But I do know that Austin would make  
18 because I said those comments that were made, those  
19 individuals over the internet I did deem to be  
20 inappropriate; however, not to the degree that it  
21 warranted any sanctioning, that it wouldn't happen  
22 again. It's not isolated, but those are all comments  
23 that I know that in hindsight or before Austin would  
24 probably not make those comments again, but he did.  
25 So I can't undo what has happened, but I -- I have,

1 you know, the vow of confidence that it wasn't going  
2 to happen again, which is why he was able to, you  
3 know, retain his status as a student without  
4 restriction.

5 MR. HAZAN: Go ahead. Do you have any  
6 questions or?

7 MR. A. HAUGHWOUT: I think this argument  
8 that as you've described it was there --

9 MR. HAZAN: Just direct everything through  
10 me.

11 MR. A. HAUGHWOUT: But was there any  
12 shouting during this argument as you describe it?

13 MR. HAZAN: Was there any shouting in this  
14 argument as you've described it?

15 MR. DUKES: Yes.

16 MR. A. HAUGHWOUT: Was there physical threat  
17 of violence against you or any other party at this?

18 MR. HAZAN: Was there any physical threat of  
19 violence from you or any other -- towards you or any  
20 other party?

21 MR. DUKES: No.

22 MR. A. HAUGHWOUT: Do you have any display  
23 of any physical threats of -- threats or actions of  
24 physical violence against any person?

25 MR. HAZAN: Do you have any -- what was

1 that? Any?

2 MR. A. HAUGHWOUT: Threats or actions of  
3 violence.

4 MR. HAZAN: Does he know of any or do you  
5 know of -- do you know of any threats of violence or -  
6 -

7 MR. DUKES: Well, that's what we're here to  
8 review today.

9 MR. HAZAN: Aside from today's?

10 MR. DUKES: Aside from all the information  
11 shared today, the only allegation, which we're not  
12 reviewing at this point in time, is outside of this  
13 system. There's allegations made, but that's not  
14 something that --

15 MR. HAZAN: We're reviewing.

16 MR. DUKES: -- that we're reviewing today.

17 MR. A. HAUGHWOUT: And also, you know,  
18 something I didn't bring up with the topics I was  
19 bringing up earlier, but do you remember -- didn't  
20 remember to bring it up, is, you know, in the incident  
21 report provided by the police, they, you know, I know  
22 that, you know, the judicial system is completely  
23 separate from the school system and that each is free  
24 to make their own determination, but they had said  
25 that -- the prosecutor denied the warrant citing that

1 the warrant lacked probably cause. Lacking that, you  
2 know, there is sufficient evidence here to bring a  
3 charge. So I know it's, you know, separate from the  
4 school and each can -- are free to make their own  
5 determination, but, you know, it goes to show that,  
6 you know, someone else who does this, you know, for a  
7 living, you know, all over the area, I don't know what  
8 this specific area is, but everything that the New  
9 Britain court covers, they said that there's a lacking  
10 of enough evidence to bring charges.

11 MR. DUKES: Charges for criminal  
12 violations. We're not here reviewing criminal  
13 violations today.

14 MR. A. HAUGHWOUT: The lack -- the  
15 allegation of a criminal action, which is identical to  
16 the -- nearly identical to the allegations of the  
17 school.

18 MR. HAZAN: All right. I just want to make  
19 it clear, though, we are -- this is not a criminal  
20 proceedings. They're not criminal charges. This is,  
21 you know, we're reviewing violations -- potential  
22 violations of the student code of conduct. So, you  
23 know, it is very -- very different.

24 Do you have questions?

25 MS. SIMPSON: I do for Mr. Dukes on a

1 question -- the question, Mr. Haughwout just asked.  
2 Do you want to stop for a second because opened the  
3 door by accident with the question in regard to other  
4 threats. You said you were aware of other threats or  
5 allegations of threats made against him that might not  
6 have involved this institution. His question was  
7 pretty broad in asking that and what was it limited to  
8 this institution? So let me repeat the question. Are  
9 you aware of any other threats -- allegations of  
10 threats made by Mr. Haughwout in terms of physical  
11 bodily hard?

12 MR. DUKES: I am aware of allegations;  
13 however, I -- I chose -- I understand that the box was  
14 open elsewhere, but I intentionally chose not to bring  
15 that forward because I believe that those allegations  
16 in my mind, in my interpretation of those allegations  
17 did not have merit on what we are to review today.  
18 But -- so to answer the question, yes, I am aware of  
19 other allegations.

20 MR. A. HAUGHWOUT: Were these allegations of  
21 violence or other actions?

22 MR. HAZAN: Were these allegations of  
23 violence of other actions?

24 MR. DUKES: I would have to go back just to  
25 look, but I -- from when I last looked, there was an

1 allegation -- and again, I don't want to be specific.  
2 Actually, I don't recall exactly what the allegation  
3 is, but I have every reason to believe that that  
4 allegation was related to physical violence.

5 MS. SIMPSON: But you're not --

6 MR. A. HAUGHWOUT: And --

7 MR. DUKES: I can't -- I didn't want to --  
8 because it's not the focus of this investigation.  
9 That's why -- and I didn't prefer to do it. I don't  
10 want to misspeak and present something that was not --

11 MS. SIMPSON: I thought your memory is at  
12 the moment.

13 MR. DUKES: Yeah, it is. But I -- well,  
14 because I did not want to present something that I  
15 thought could be potentially prejudiced or lead the --  
16 that's why I didn't bring it. Because again, for me  
17 it had no merit based upon this case. But I know --

18 MR. A. HAUGHWOUT: Is this an allegation  
19 regarding school? An action done on school property  
20 or is this outside world?

21 MR. DUKES: I think it --

22 MR. HAZAN: Is this allegation -- I was  
23 going to restate it.

24 MR. DUKES: I believe right -- well, go  
25 ahead, yes.

1 MR. HAZAN: Is this allegations that are  
2 related to the school or outside of the school?

3 MR. DUKES: I do believe I answered that  
4 before. I was stating that this had nothing related  
5 to members of the CCSU community. I'll put it that  
6 way.

7 MR. A. HAUGHWOUT: Having seen the videos  
8 that, you know, I've show to Mr. Dukes, as well as the  
9 police reports, have you witnessed or observed any  
10 sort of lie, police lie in their report?

11 MR. HAZAN: So having seen the police report  
12 -- I'm assuming you're referring to the police report,  
13 not our police report here? You're referring to this  
14 -- that's the police report from the State of  
15 Connecticut Superior Court?

16 MS. BANTLEY: Middletown.

17 MR. HAZAN: Middletown.

18 Have you -- did you witness through the  
19 video the police -- what was the statement that you  
20 said?

21 MR. A. HAUGHWOUT: Any false statements or  
22 lies.

23 MR. HAZAN: Any false statements or lies?

24 MR. DUKES: I'm under the impression as the  
25 hearing body has already ruled, they will not take

1 that information that -- I wouldn't be able to provide  
2 that information as it's related to the same exhibit  
3 that was presented in video.

4 MR. HAZAN: Okay. We're going to move  
5 forward if that's okay?

6 Are there any --

7 MR. DUKES: I mean, I think it's been  
8 concurred -- I mean, the other individuals who have  
9 been introduced as liars in the past. I'm most  
10 positive the hearing body had already concluded or  
11 said that they would accept understanding that lies  
12 are being -- happen elsewhere. Things weren't --

13 MR. HAZAN: Right.

14 MR. DUKES: -- but did not see the  
15 relevance regarding how those lies would be  
16 beneficial, therefore no need to see that. But --

17 MR. HAZAN: Go ahead.

18 MS. SIMPSON: Yeah, that -- that would be a  
19 correct assessment of what was discussed earlier on.  
20 And the reason why we didn't see the videos again is  
21 we're accepting your statement as true in regards that  
22 for the purposes of this hearing only, and for your  
23 agreement saying that people have in your opinion made  
24 up stuff in the past about you. So we're accepting  
25 that as true so there was no need to actually watch

1 the video. If -- If I'm --

2 MS. BANTLEY: No, absolutely you're correct.

3 MR. HAZAN: And that does not indicate --

4 I'll also add to that I guess that that does not

5 indicate -- have any indication on how we would look

6 at this current situation. So that, you know, those

7 past -- you know, we're assuming -- we're -- we're

8 saying that what you're saying may be true, but that

9 does not necessarily have an impact on -- on currently

10 what we're dealing with.

11 Are there any other further information?

12 We're still at the point where you are able to provide

13 information or have any other further -- any

14 questions?

15 MR. A. HAUGHWOUT: No.

16 MR. HAZAN: Does anybody else have any

17 further questions?

18 MR. DUKES: No questions.

19 MS. SIMPSON: No questions.

20 MS. BANTLEY: No questions.

21 MR. HAZAN: Okay. So then there are no

22 witnesses here so at this point this is the last

23 opportunity for any final questions of anybody.

24 MR. DUKES: No final questions.

25 MR. HAZAN: Any final questions, Austin?

1 MR. A. HAUGHWOUT: No.

2 MR. HAZAN: No final questions from the  
3 hearing body?

4 MS. SIMPSON: No.

5 MR. HAZAN: Okay. At this time, the  
6 University representative and the respondent will  
7 provide -- will be provided an opportunity to make a  
8 concluding remark. You are not required to do so.

9 Are there any questions before we proceed?

10 MR. DUKES: No questions.

11 MR. HAZAN: No questions?

12 MS. SIMPSON: No questions.

13 MS. BANTLEY: No questions.

14 MR. HAZAN: No questions, okay.

15 Would the University representative like to  
16 make a concluding remark?

17 MR. DUKES: Yes. I'd like to state that  
18 regardless of whom the individual's named, so if this  
19 was a few years back this was Christopher Dukes, CCSU  
20 student and was one, alleged to have engaged in  
21 certain behavior, and two, a hearing body had reached  
22 a determination that the standard -- just to  
23 reiterate, we don't operate by a burden of proof.  
24 It's a standard of proof. So if the standard of proof  
25 is the preponderance of evidence that was presented at

1 a hearing would lead a hearing body to conclude that  
2 the accusations are confirmed -- excuse me -- and that  
3 such behavior created an intimidating environment  
4 within the CCSU community, specifically those  
5 individuals who frequent the student center, if you  
6 believe that the behavior demonstrates threatening  
7 behavior, whether that be making hand gestures in the  
8 form of a gun and making sound effects as people walk  
9 by; if you believe that this behavior interfered with  
10 the customary or usual affairs of individuals who  
11 frequent the student center as well, too; if you  
12 believe that it breached the peace of those  
13 individuals who are -- are a member of our community;  
14 if you believe that such behavior was alarming or it  
15 was reckless or creates a risk to any other folks,  
16 then I would ask that regardless of who the student  
17 is, remove the student from the situation. It's all  
18 about the behavior.

19 If you believe that this behavior did exist,  
20 then I would ask you to come back with a finding of  
21 responsible on the behaviors that you believe would  
22 have violated.

23 If you do not reach that standard, then --  
24 then again, I would ask that you find a finding of not  
25 responsible.

1           If, for whatever reason, you believe that  
2           the -- if in all of these elements or at least the  
3           threatening behavior ones and that this behavior is as  
4           severe as we thought, then the University would ask  
5           that you would render the appropriate level of  
6           sanctioning to remedy this situation and prohibit  
7           future risk to individuals.

8           If you believe that such a risk did occur,  
9           and I'm asking you to be open to all the information  
10          that you received. If you find that information that  
11          was presented is unsubstantiated, then you record it  
12          that way. But if you believe it is substantiated, you  
13          have no reason to discredit it, then again, I ask you  
14          for a finding of responsible and I'm going to ask you  
15          for the most appropriate sanction to resolve that.

16          If in -- if you believe that that is an  
17          expulsion, then that is what you put forth. If you  
18          believe it's something that can be educated or dealt  
19          with differently, then you would do whatever's within  
20          your -- your authority to impose.

21          And that concludes my concluding remarks.

22          MR. HAZAN: Okay. Would the respondent like  
23          to make a concluding remark, and again, you're not  
24          required to do so.

25          MR. A. HAUGHWOUT: I would like to.

1           The allegations against me are entirely  
2 false. There is no concrete evidence of any of this  
3 happening, whether it be recording, audio or video.  
4 And I would be happy to, you know, wear a body camera  
5 to prove what I do, although that's not the only  
6 requirement the school could impose.

7           Further, I've never been convicted of any  
8 type of offense whether it be, you know, a crime or  
9 even a ticket. And on top of that, there's something  
10 about me from the false accusations made by the  
11 police, the false accusation after I was his captive  
12 at the public park, and these false accusations that I  
13 make people either uncomfortable or just not like me.  
14 And they will make false accusations to do anything  
15 they can to cause false punishment against me.

16           MR. HAZAN: Does that conclude your remarks?

17           MR. A. HAUGHWOUT: Yes.

18           MR. HAZAN: I will now recess the hearing  
19 for appropriate deliberations and review by the  
20 hearing body. A written decision regarding the  
21 finding sanctions, if any, and the rights of appeal  
22 will be provided to you as soon as possible.

23           I must also alert you -- I must also alert  
24 you that if you are found responsible for any of the  
25 charges discussed in today's hearing, we will ask the

1 office of student conduct to provide a hearing -- to  
2 provide the hearing body with any previous  
3 disciplinary history you may have been involved in and  
4 review any impact statements for the purpose of  
5 determining an appropriate sanction, but only after  
6 determining -- termination of responsibility is  
7 reached. The time is 3:59.

8 MS. SIMPSON: Thank you.

9 MR. HAZAN: Thank you very much.

10 MS. BANTLEY: Thank you.

11 (End of recording.)  
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CERTIFICATE

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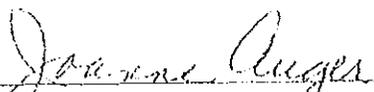
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I hereby certify that the foregoing 79 pages are a complete and accurate transcription to the best of my ability of the electronic sound recording of the Central Connecticut State University Student Conduct Hearing in re: AUSTIN HAUGHWOUT recorded on October 14, 2015.

  
Joanne Anger, Transcriber

Date: March 22, 2016

NO. HHB-CV16-6032526-S

AUSTIN HAUGHWOUT	:	SUPERIOR COURT
	:	
v.	:	JUDICIAL DISTRICT OF NEW BRITAIN
	:	
LAURA TORDENTI, et al.	:	MARCH 29 2016

AFFIDAVIT OF CHRISTOPHER DUKES

Christopher Dukes, being duly sworn, does hereby depose and say:

1. I am over the age of eighteen (18) and understand and appreciate the obligations of an oath.
2. I am the Director for the Office of Student Conduct at Central Connecticut State University ("CCSU") and have held this position for 12 years.
3. My duties include investigating and pursuing charges for violation of the CCSU Student Code of Conduct ("student code").
4. I investigated and brought forward to the three person impartial hearing body certain charges against Austin Haughwout. Ultimately the hearing body found Mr. Haughwout responsible for the charges and imposed the sanction of expulsion.
5. Attached as Attachment 1 to this affidavit is a copy of the Notice of Charges and Disciplinary Hearing provided to Mr. Haughwout, along with a cover email and letter. This notice was accompanied by a 33 page document containing the full student code.
6. Prior to this Notice going out, on October 2, 2015 I had a brief, but detailed telephone conversation with Mr. Haughwout in which I orally explained the basis for the investigation, described each of the alleged behaviors, including the approximate time, place, and manner by which he was alleged to have engaged in said behaviors and provided an opportunity for Mr. Haughwout to clarify, refute, or deny the allegations. At no point did Mr. Haughwout indicate he did not understand what the allegations were or the factual basis for the investigation.

NO: HHB-CV16-6032526-S : SUPERIOR COURT  
AUSTIN HAUGHWOUT : JUDICIAL DISTRICT  
 : OF NEW BRITAIN  
v. : AT NEW BRITAIN, CONNECTICUT  
LAURA TORDENTI : AUGUST 8, 2016

HEARING

BEFORE THE HONORABLE JOSEPH M. SHORTALL, JUDGE

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

Representing the Plaintiff:

ATTORNEY JON L. SCHOENHORN  
Jon L Schoenhorn & Associates LLC  
108 Oak Street  
Hartford, CT 06106

Representing the Defendant:

ATTORNEY RALPH E. URBAN  
Assistant Attorney General  
55 Elm Street  
P.O. Box 120  
Hartford, CT 06141

Recorded By:  
Kathleen Prairie

Transcribed By:  
Kathleen Prairie  
Court Recording Monitor  
20 Franklin Square  
New Britain, CT 06051

**A2.254**

1 THE COURT: This is docket number CV16-6032526,  
2 *Austin Haughwout v. Laura Tordenti* and others. Would  
3 counsel identify themselves for the record?

4 ATTY. SCHOENHORN: Jon Schoenhorn representing  
5 Austin Haughwout, my client who's seated to my left.  
6 I would also note that a recent law school graduate  
7 who had just taken the Bar Exam, but not yet admitted  
8 to the Bar, works in my office, Kathryn Mallach.

9 THE COURT: Good morning, Ms. Mallach.

10 MS. MALLACH: Good morning, Your Honor.

11 THE COURT: Good luck.

12 MS. MALLACH: Thank you.

13 THE COURT: And counsel?

14 ATTY. URBAN: Ralph Urban from the Attorney  
15 General's Office for the defendants. Seated to my  
16 right is Carolyn Magnan, counsel for the university.

17 THE COURT: Good morning, ma'am.

18 ATTY. MAGNAN: Good morning.

19 THE COURT: Good morning, Attorney Urban. And I  
20 should note for the record that early this morning I  
21 received an email from a representative of the  
22 Judicial Branch informing me that there had been a  
23 request by WFSB for a camera to be present during  
24 this hearing this morning. After consulting the  
25 Practice Book, I tentatively okayed that request,  
26 subject to my discussions with counsel to see whether  
27 counsel or any of the parties had any objection. **A2.255**

1 that, as I'm required to do under Practice Book 1-  
2 11b(c).

3 I informed the Judicial Branch representative  
4 that a person from WFSB should be here well in  
5 advance of 11:00 to set up so that the hearing  
6 wouldn't be delayed, however, I'll note for the  
7 record it's about eight minutes after eleven now and  
8 no one has appeared from WFSB, so I don't think  
9 counsel should take it personally that they may've  
10 had other more important or interesting matters to  
11 cover other than this hearing this morning, but  
12 apparently that request is not going to come to  
13 fruition.

14 I note also for the record that on Friday  
15 counsel for the plaintiff filed a motion in limine  
16 seeking to expand the scope of the hearing that the  
17 Court established for today, along with some exhibits  
18 and this morning the defendants filed an objection to  
19 that motion. We'll cross that bridge when we come to  
20 it.

21 This hearing was ordered by this Court on July  
22 the 11<sup>th</sup> in which I originally scheduled this for  
23 Wednesday, July 27<sup>th</sup> and I informed the parties and I  
24 wanted to hear evidence on the following three  
25 factual issues, one, the specific content of the,  
26 quote, brief, but detailed telephone conversation,  
27 end quote, between Christopher Dukes and the **A2.256**

1 plaintiff that is referred to in paragraph six of Mr.  
2 Dukes' affidavit which was submitted as an attachment  
3 to the State's memorandum, number 108.

4 Two, whether prior to the disciplinary hearing  
5 the plaintiff had retained copies of the police  
6 report submitted at that hearing and, if so, whether  
7 the names of the students identified in those reports  
8 were redacted from the copies he received, and I  
9 referred counsel to Mr. Dukes' affidavit and  
10 paragraph seven.

11 And, three, whether at the disciplinary hearing,  
12 the students who had contacted the police and/or been  
13 interviewed by Mr. Dukes were identified by name. I  
14 informed counsel that I would expect to hear the  
15 testimony of Mr. Dukes and the plaintiff on these  
16 issues and be furnished with any notes or memoranda  
17 or the contents -- of the contents of the phone  
18 conversation referred to in Mr. Dukes' affidavit that  
19 may have been made contemporaneous with that  
20 conversation. Subsequently, we changed the date of  
21 that hearing because of counsel's unavailability and  
22 in that order, setting the date -- setting today's  
23 date as the date for the hearing.

24 I reminded counsel of the limited scope of  
25 today's hearing. I also informed counsel that, in my  
26 opinion as to the second and third issues, that is to  
27 say whether or not Mr. Haughwout had copies of the

1 police reports prior to the hearing and whether they  
2 were redacted, and whether or not the individuals who  
3 had contacted the police who are referred to by name  
4 during the hearing, that I thought that counsel, I  
5 think in good faith and after consultation with their  
6 clients, should be able to stipulate to those rather  
7 simple factual issues.

8 So my next question to counsel is what  
9 stipulations have counsel arrived at regarding those  
10 two limited issues? Mr. Urban?

11 ATTY. URBAN: I think, I think, we have  
12 stipulated or we will stipulate to what is needed to  
13 resolve issues two and three. I shared with Mr.  
14 Schoenhorn the documentation that was provided to Mr.  
15 Haughwout before the hearing at his request pursuant  
16 to a FOI request. We looked at a large group of  
17 documents, selected a smaller subset to make -- get  
18 copies of. In that smaller subset were the police  
19 reports with personally identifiable information  
20 regarding the students who had reported the  
21 incidents, redacted.

22 THE COURT: Such as their names? Such as the --

23 ATTY. URBAN: Names and other personal --

24 THE COURT: Don't interrupt.

25 ATTY. SCHOENHORN: You're yelling.

26 ATTY. URBAN: Names and anything --

27 THE COURT: Let's get that straight right **A2.258**

1 beginning.

2 ATTY. URBAN: Sorry, Your Honor.

3 THE COURT: Go ahead.

4 ATTY. URBAN: Names and anything that would  
5 facilitate personal identification, nothing about the  
6 nature of the incidents was redacted.

7 THE COURT: Okay, but --

8 ATTY. URBAN: That included the arrest warrant  
9 affidavit, by the way.

10 THE COURT: I understand this, but in all those  
11 documents, and I want the record to be clear and I'm  
12 going to ask Mr. Schoenhorn whether he agrees, that  
13 any -- the names or any other personally identifying  
14 information was -- were redacted, is that correct?  
15 Yes?

16 ATTY. URBAN: Yes, they were redacted.

17 THE COURT: Okay.

18 ATTY. URBAN: The names and information that  
19 would allow you to identify the student by some --

20 THE COURT: Understood, okay.

21 ATTY. URBAN: But nothing about the incidents.

22 THE COURT: Understood, okay. Now what about  
23 the hearing?

24 ATTY. SCHOENHORN: Your Honor, before we move  
25 on, that is not our stipulation --

26 THE COURT: Okay.

27 ATTY. SCHOENHORN: -- and that's why I **A2-259**

1 wanted to --

2 THE COURT: What's your understanding? What had  
3 you agreed to?

4 ATTY. SCHOENHORN: I have the two documents, I  
5 thought that what we were stipulating to, that not  
6 only were the names redacted and any other personal  
7 information, but the nature of any conversations was  
8 also redacted. I thought we were going to agree the  
9 Court could see that, rather than representations  
10 about you could still figure something out, that part  
11 is not true and I have the two documents that were  
12 given to him fifteen minutes before the hearing, and  
13 that's the date, so I -- I wanted to be able to mark  
14 these as exhibits, I thought that's what we were  
15 stipulating to.

16 THE COURT: Mr. Urban?

17 ATTY. URBAN: Yes. I assume that that's the  
18 case. I mean, Your Honor has before you in  
19 connection with the objection to the preliminary  
20 injunction motion, all the exhibits that were  
21 admitted at the hearing and you can compare those to  
22 these documents, they're -- they're the same  
23 documents --

24 ATTY. SCHOENHORN: They're not the same  
25 documents.

26 ATTY. URBAN: The Court can make this analysis  
27 itself.

1 THE COURT: Can you possibly restrain yourself,  
2 Mr. Schoenhorn? You're going to have plenty of  
3 opportunity to be heard today. I asked him to  
4 respond to what you just said. Continue.

5 ATTY. URBAN: Thank you, Your Honor. So the  
6 Court will have before it the redacted versions that  
7 were provided pursuant to the FOI request and the  
8 Court has before it now the documents that were  
9 admitted at the disciplinary hearing which contain  
10 the same reports unredacted but for the last name of  
11 one of the student reporters.

12 THE COURT: Okay.

13 ATTY. URBAN: Mr. Dukes made a mistake and  
14 missed a first name, but the -- the name of the  
15 students were fully disclosed at -- at the hearing,  
16 but for that --

17 THE COURT: Well before you get to the hearing  
18 --

19 ATTY. URBAN: Yup.

20 THE COURT: -- okay -- do you agree that these  
21 documents that Mr. Schoenhorn is offering to the  
22 Court are fair and accurate representations of what  
23 Mr. Haughwout received from the university prior to  
24 the hearing, and we'll come back to just when he  
25 received them.

26 ATTY. URBAN: Yes, I believe they are, Your  
27 Honor.

**A2.261**

1 THE COURT: All right. Would you hand them to  
2 the clerk? Madam Clerk, I want you to mark these as  
3 Court's Exhibits 1 and 2 for purposes of this  
4 hearing.

5 (The exhibits are marked by the clerk.)

6 THE COURT: I've been furnished with two  
7 documents, what's been marked as Court's Exhibit 1  
8 without objection is a case incident report from the  
9 Central Connecticut Police Department. It consists  
10 of three pages and that portion where the complainant  
11 has listed the -- any identifying information,  
12 including that person's name, has been redacted as  
13 has it in the body of the report.

14 Also redacted in the body of the report are the  
15 specific, at least some of the specific, statements  
16 with the witnesses alleged to have made to the police  
17 officer. For example, the first sentence reads, on  
18 9/21/2015 at about 1:40 PM redacted came to CCSU  
19 police headquarters at my request to talk to the  
20 undersigned and Lieutenant Dercole in regards to this  
21 complaint. The name is redacted told us that and  
22 then what the gentleman told the police officers is  
23 redacted until it gets to the point where it says,  
24 went on to tell us that during these meetings Austin  
25 has continually, jokingly said things like, quote,  
26 someone should shoot up this school, end quote, or I  
27 should shoot up this school, quote, end quote **A2.262**

1           There's another portion further on where at  
2           least a portion of what the complainant says is  
3           redacted, along with his identifying information. It  
4           continues onto the second page where there's some  
5           other expressions of the complainant which are  
6           redacted as well.

7           Court's Exhibit 2 is an arrest warrant  
8           application which consists of five pages. The  
9           affiant is Detective Densil Samuda of the Central  
10          Connecticut Police Department. In that document, all  
11          the identifying information of the individuals who  
12          are referred to is redacted. There are some other  
13          portions of what the individuals told Detective  
14          Samuda that also are redacted.

15          So if I understand it correctly then it's --  
16          it's agreed and stipulated to by the parties that  
17          these two documents are the two documents that were  
18          provided to Mr. Haughwout as a response to a Freedom  
19          of Information Act request he made to the university,  
20          is that correct?

21          ATTY. URBAN: Not completely, if I may, Your  
22          Honor, he reviewed a large volume of documents, he  
23          selected a subset, this is but two documents of that  
24          subset.

25          THE COURT: Okay. Are there other documents of  
26          that subset or is this --bee

27          ATTY. URBAN: Yes, there are. Yes, there are.

1 THE COURT: Tell me about those. Well, let me  
2 just ask you a specific question, do they contain any  
3 identifying information concerning the -- the  
4 complainants in this case?

5 ATTY. URBAN: If I may have a moment just to be  
6 sure for Your Honor.

7 (Attorney Urban takes a moment.)

8 ATTY. URBAN: There appears to be one brief  
9 email exchange that he selected for copying. So  
10 there was an email from a redacted student to a woman  
11 in academic affairs.

12 THE COURT: So that's another document that the  
13 university provided Mr. Haughwout?

14 ATTY. URBAN: Yes.

15 THE COURT: Is that correct?

16 ATTY. URBAN: Correct.

17 THE COURT: Have you seen that document, Mr.  
18 Schoenhorn?

19 ATTY. SCHOENHORN: May I just review what he's  
20 referring to?

21 THE COURT: Yes.

22 ATTY. SCHOENHORN: I was sent a digital version.  
23 This is not a document pertaining to this incident.

24 THE COURT: Oh okay.

25 ATTY. SCHOENHORN: This is a document from July  
26 of 2015.

27 THE COURT: All right, it's not really **A2-264**

1 to --

2 ATTY. SCHOENHORN: No.

3 THE COURT: -- what we have. Okay. So it  
4 sounds like the two documents I have which are  
5 Exhibit 1 -- Exhibits 1 and 2 are the two that are  
6 relevant to question number two that I had posed to  
7 counsel. And is it agreed, Mr. Urban, as Mr.  
8 Schoenhorn has said that these documents were  
9 provided to Mr. Haughwout on the date of the hearing  
10 conducted by the university, approximately fifteen  
11 minutes before the hearing?

12 ATTY. URBAN: Something in that neighborhood,  
13 yes. He came in, Ms. Mangan was away on vacation, he  
14 came in to pick them up the day of the hearing.

15 THE COURT: Understood. All right, so the  
16 record should reflect that as well. Now, with regard  
17 to the hearing itself, I asked counsel to -- the  
18 third issue is whether at that hearing the students  
19 who had contacted the police and/or been interviewed  
20 by Mr. Dukes were identified by name and I asked that  
21 because I read the transcript of the hearing and I  
22 noticed -- it seemed to me as I read the hearing --  
23 read the transcript -- that the students were  
24 identified by name and, in fact, in one instance as  
25 careful as the person who did the redacting way,  
26 there was one student's name that was unredacted, but  
27 is there a stipulation regarding that as to whether

1 the students were identified by name at the hearing,  
2 Mr. Schoenhorn?

3 ATTY. SCHOENHORN: I believe there is, although  
4 it's -- there's an unclear from an email I received  
5 from Mr. Urban, the two names that were identified --  
6 after these documents were provided to Mr. Haughwout  
7 during the hearing which commenced at 2:15, so my  
8 client believes it was around 2:30 to 2:45 by the  
9 time these documents were handed out, that the names  
10 -- it starts on page, I think, either 11 or 12 of the  
11 transcript, that names were mentioned of Ryan  
12 Robinson and Nicholas Duff.

13 The third name that was mentioned, a Mr. Ed Cory  
14 was a name that my client had provided saying well,  
15 maybe he knows something about this, maybe he is  
16 somebody who you should talk to, but Mr. Dukes stated  
17 at that hearing he was not someone who had any  
18 information or knowledge about this incident, so --

19 ATTY. URBAN: Your Honor, before we proceed  
20 further, I have a concern about FERPA in this  
21 courtroom, so I --

22 THE COURT: About what, sir?

23 ATTY. URBAN: Concern about the federal law in  
24 this courtroom. We're disclosing the full names of  
25 personally -- of students in the courtroom. Right  
26 now until the Court orders that it's appropriate for  
27 us to do so, that's a violation of the -- **A2.266**

1 THE COURT: All right. You and all counsel  
2 should assume that that -- that that is the case,  
3 that I do order that --

4 ATTY. URBAN: I apologize for interrupting.

5 THE COURT: -- it is permissible --

6 ATTY. SCHOENHORN: And I do apologize --

7 THE COURT: -- for counsel to mention the names  
8 of these students. The two names you mentioned, Mr.  
9 Schoenhorn, were Ryan Robinson and what was the other  
10 one? You said there were --

11 ATTY. SCHOENHORN: I'll just say a Nicholas --  
12 and I'll just say -- if I used his whole name, the  
13 Court hasn't resolved it yet -- I'll say Nicholas D.  
14 for purposes of the record.

15 THE COURT: What do I need to do to resolve it?  
16 I want to resolve it.

17 ATTY. SCHOENHORN: Right. Well, I don't believe  
18 FERPA applies to a court hearing where my client was  
19 present. Whether this person was a student or not is  
20 not -- these aren't student records.

21 THE COURT: Well whether it applies or it  
22 doesn't, it's a court order that counsel may in the  
23 course of this hearing refer to the students by name.

24 ATTY. SCHOENHORN: Oh. So Nicholas Duff is the  
25 person whose name was mentioned during the hearing,  
26 whose name appears in Exhibits B and C, so that's the  
27 first time these names are brought up is due **A2.267**

1 hearing.

2 THE COURT: Right, and then throughout the rest  
3 of the hearing, and I'll just give you an example,  
4 I'm looking at page 73 of your filing, actually, Mr.  
5 Urban, it's not page 73 of the hearing because,  
6 firstly, it didn't go on quite that long, but, let's  
7 see, what page of the hearing is it? Page 48 of the  
8 actual hearing transcript, there's -- there's  
9 colloquy by a Mr. Hazen, who I guess was one of the  
10 members of the panel, and he, it seems to me as he's  
11 talking, he says, okay, can you -- can you describe  
12 for me the people that are mentioned in this police  
13 report, and there's the two that are the names that  
14 have not been redacted are blank and blank, is that  
15 correct.

16 Now, they're redacted in the transcript,  
17 pursuant to an order I entered previously in response  
18 to your motion to seal, but am I right in  
19 understanding that they were not -- they were  
20 mentioned by name at the hearing by -- by Mr. Hazen  
21 and then there were -- these appear throughout the  
22 transcript. Am I right in understanding that the  
23 students, Mr. Robinson, Mr. Duff and others, were  
24 identified by name at the hearing?

25 ATTY. SCHOENHORN: Yes.

26 ATTY. URBAN: Yes, and I sent to Mr. Schoenhorn  
27 a list of every page in the transcript -- **A2.268**

1 believe the students were mentioned by name and  
2 discussed.

3 THE COURT: Okay. Its agreed to and stipulated  
4 by the parties that at the hearing in this matter the  
5 students who are alleged to have complained about Mr.  
6 Haughwout's statements and conduct were mentioned and  
7 identified by name in the course of that hearing, is  
8 that the stipulation?

9 ATTY. SCHOENHORN: The one person who complained  
10 was named, there's another individual name was  
11 mentioned but he was not a complainant.

12 THE COURT: That's Mr. Duff?

13 ATTY. SCHOENHORN: Yes.

14 THE COURT: Yes? Okay.

15 ATTY. URBAN: So --

16 THE COURT: Well let me ask you, maybe I'm not  
17 being clear enough, Mr. Dukes goes on at quite some  
18 length reciting for the panel the results of his  
19 interviews with the -- these -- four individuals.

20 ATTY. URBAN: Correct.

21 THE COURT: It seemed to me from looking at that  
22 and from reading the rest of the transcript that as  
23 he did so he mentioned them by name, am I correct  
24 about that?

25 ATTY. URBAN: That's correct, except for the  
26 fourth student whose first name is Maxwell. He did  
27 not mention that name, but the police report

1 were admitted into evidence at the hearing had all  
2 the names except Mr. Maxwell's last name. So there  
3 were those three students, Ryan Robinson, Nicholas  
4 Duff, Edward Cory who was identified actually by Mr.  
5 Haughwout as someone that Mr. Dukes should speak to,  
6 and Maxwell blank, whose name Mr. Dukes did not have  
7 permission to release and Mr. Dukes erred in not  
8 redacting his first name in those police reports.

9 THE COURT: Okay. All right, gentleman, thank  
10 you. I'm prepared to hear testimony on the first  
11 issue which I identified and that is what, quoting  
12 from my order, the specific content of the brief, but  
13 detailed phone conversation, quote, unquote, between  
14 Mr. Dukes and Mr. Haughwout that's referred to in  
15 paragraph six of Mr. Dukes' affidavit which had been  
16 submitted as an attachment to the State's memorandum  
17 in opposition. Do you have Mr. Dukes available to  
18 testify?

19 ATTY. URBAN: I do, Your Honor.

20 THE COURT: Okay. Do you want to call him?

21 ATTY. URBAN: Yes. Mr. Dukes, would you please  
22 come forward?

23 THE COURT: Mr. Dukes, just come all the way --

24 MR. DUKES: Yes, sir?

25 THE COURT: Just come all the way around to the  
26 back of this witness box, sir.

27 MR. DUKES: Yes, sir.

**A2.270**

1 THE COURT: Pull that door toward you. Step up  
2 in the box, sir, remain standing, give your attention  
3 to the clerk, she's going to put you under oath.

4 (The clerk duly swears in the witness.)  
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**A2.271**

1 C H R I S T O P H E R D U K E S ,

2 of 1615 Stanley Street, New Britain, Connecticut, having  
3 been duly sworn, testified as follows:

4 THE COURT: Good morning, Mr. Dukes, please have  
5 a seat.

6 MR. DUKES: Good morning. Thank you.

7 THE COURT: Go ahead, sir.

8 ATTY. URBAN: Thank you, Your Honor.

9 DIRECT EXAMINATION BY ATTY. URBAN:

10 Q Mr. Dukes, could you tell the Court what you do for a  
11 living?

12 A Yes. Your Honor, I am -- I serve the Director for  
13 the Office of Student Conduct at Central Connecticut State  
14 University.

15 Q And could you tell the Court how long you've worked  
16 in that office?

17 A In that office as the director for the last thirteen  
18 years.

19 Q And in connection with the disciplinary process that  
20 ultimately resulted in Mr. Haughwout's expulsion; did you  
21 have a conversation with Mr. Haughwout prior to the hearing  
22 before the disciplinary panel?

23 A Yes, sir, on October 2<sup>nd</sup> of 2015 at approximately 2  
24 PM. I did have a phone call; it was scheduled between our  
25 parties. The purpose and nature of that phone call was  
26 twofold, one, to -- it was a requirement under our interim  
27 suspension procedures to give a student an opportunity to

1 provide information which would ultimately be assessed for  
2 the determination of whether or not to maintain the interim  
3 suspension, relieve it and rescind it, and that was the  
4 first part. The second part was to conduct an interview in  
5 relation to the allegations that was made. So in our  
6 process we will conduct pre-hearing investigation and have  
7 interviews with parties named in that process.

8 Q And was this the first interview that you conducted  
9 in connection with this investigation?

10 A This was the first interview.

11 Q And could you please describe for the Court in  
12 detail, what occurred in that conversation?

13 A Sure. The conversation was brief.

14 THE COURT: How brief?

15 MR. DUKES: I would say, I don't believe it  
16 exceeded ten minutes, very brief conversation. There  
17 was not a lot of time spent on explaining the  
18 process. It was my understanding -- knowledge that  
19 it was not a new process for Mr. Haughwout, so  
20 basically we were able to get into the -- the details  
21 of the allegations.

22 I went through each of the allegations that I  
23 were -- was able to pull out of the police reports  
24 that were provided to me, there were two, and I  
25 believe those copies are what you have. I had an  
26 opportunity to ask Mr. Haughwout directly whether or  
27 not he had engaged in these specific behaviors. **A2.273**

1           were outlined within that police report. Would you  
2           like me to go into --

3 BY ATTY. URBAN:

4       Q    Could you describe to the Court some of the behaviors  
5   that have been reported?

6       A    Sure. Some of the behaviors that were reported and  
7   outlined was the allegation of perhaps shooting up the  
8   school, as well as, naming one individual as being number  
9   one on his list, as well as, upon seeing people as they  
10   approached in a greeting format using a hand gesture in a  
11   format of a -- of a pistol, making sound effects as if he  
12   was shooting and another was as individuals were walking by  
13   within the student center, as these individuals walked past  
14   unknowingly they were being aimed at and shooting sounds  
15   were being made towards those individuals as they went by.  
16   So those allegations are what I reviewed with him.

17       It was my recollection that Mr. Haughwout had indicated  
18   with a -- a no response, or never. So the questions were  
19   specifically, had you ever engaged in this type of behavior,  
20   going one by one, and it was my recollection that his  
21   responses were no.

22       Q    Was there any incident discussed with respect to a  
23   community college shooting?

24       A    To my recollection, no, not at that point in time.

25       Q    Okay.

26       A    As far as the community college situation, I don't  
27   believe I received that information at that time, I

1 I received it later on during an interview of another  
2 witness.

3 Q Okay. So just to clarify, did you identify the place  
4 and or time of these alleged incidents?

5 A I left it broad to ask, at any time did this take  
6 place. When I got more narrow was, anytime throughout the  
7 spring semester or fall semester, and as well as, that the  
8 behaviors were all alleged to have taken place in the  
9 student center, so the student center was the location.  
10 It's my knowledge that students who are commuters often will  
11 congregate in specific areas and lounges. Some have a  
12 familiar place they like to attend and they were --  
13 regularly sit there and so it's my understanding that the  
14 individuals who were witnesses that we did identify the  
15 student center as a location.

16 Q And just for clarity, when you say spring semester  
17 and fall semester you mean what years?

18 A Thank you. I mean the -- the spring of 2015 and the  
19 fall of 2015.

20 Q So this was the very beginning of the fall semester  
21 of 2015?

22 A This was the very beginning.

23 Q And did you identify to Mr. Haughwout the names of  
24 the individuals who had reported these events?

25 A I did not.

26 Q And why did you not give him those names?

27 A At that point in time --

**A2.275**

1           ATTY. SCHOENHORN: I'm gonna object as  
2 irrelevant, why.

3           THE COURT: Does it make any difference why?

4           ATTY. URBAN: He's constrained by the  
5 requirements of the code --

6           THE COURT: Sure.

7           ATTY. URBAN: -- and FERPA.

8           THE COURT: Yeah. I mean, I understand that,  
9 but I agree with Mr. Schoenhorn. For my purposes,  
10 all I need to know is, we're talking about the  
11 content of Mr. Dukes' conversation and the content  
12 was that you didn't identify names for what you  
13 considered good and sufficient reasons?

14           MR. DUKES: Yes, sir.

15           THE COURT: Okay.

16           MR. DUKES: I did not.

17           THE COURT: Next question.

18 BY ATTY. URBAN:

19       Q    And did Mr. Haughwout ask you names? Did he ask to  
20 -- for you to identify the names?

21       A    No, he did not.

22       Q    In fact, do you recall Mr. Haughwout asking you any  
23 questions during this telephone conversation?

24       A    No, he did not.

25       Q    Now did you ultimately get permission to use the  
26 student's names at the disciplinary hearing itself?

27       A    Yes, I did. During the course of my interview

1 typically will ask individuals who were coming forth as  
2 witnesses would they likely participate in a subsequent  
3 hearing, should there be one, as well as, would I be allowed  
4 to use their information, and I did receive consent.

5 Q Okay. And did you ultimately ask those students to  
6 attend the disciplinary hearing?

7 A I did.

8 Q And did they attend?

9 A Only one appeared at the very beginning. I did not  
10 receive responses from the other students who were invited.

11 Q And what happened to the one who appeared?

12 A The one who appeared elected not to participate once  
13 he had determined that he would ultimately be in the same  
14 room as Mr. Haughwout.

15 Q By the way, how did the name Ed Cory come to your  
16 attention?

17 A Near the end of my phone conversation with Mr.  
18 Haughwout on the 2<sup>nd</sup> of October, 2015, I had asked did he  
19 know of anyone who would make these accusations, was he  
20 aware of anyone, as we did not discuss who the names were,  
21 he had disclosed to me that he believed that a person by the  
22 name of Ed or Corey was a individual known to him who he  
23 suspected was trying to get him kicked out of school. I  
24 have knowledge -- that's -- that's --

25 Q Did you follow up on that?

26 A I did follow up on that.

27 Q And what was the date of the disciplinary hearing? **A2-277**

1 just so we're clear?

2 A October 14<sup>th</sup> --

3 Q And the date --

4 A -- of 2015, sorry.

5 Q I'm sorry, 2015. The day before the disciplinary  
6 hearing, did you get emails from Austin or his father  
7 requesting further information?

8 A To my recollection I had not seen them, but I do know  
9 that those emails did appear in my inbox.

10 Q And why didn't you see them?

11 A I was away from the computer pretty much the entire  
12 day except for the hearing prep that I was working on. I  
13 was not on email that day. I had other hearings that were  
14 in the process of being scheduled, as well as, other  
15 investigations.

16 Q And was your office fully staffed that day?

17 A It was not fully staffed.

18 Q Even if you had seen the emails before the hearing,  
19 again, would you have provided the names?

20 ATTY. SCHOENHORN: Objection, speculation.

21 THE COURT: Sustained.

22 BY ATTY. URBAN:

23 Q Had you had previous dealings with Austin and his  
24 father?

25 A Yes, sir.

26 Q And had you always been able to get back to them  
27 within 24 to 48 hours?

**A2.278**

1 A No.

2 Q Can a student request a postponement of his  
3 disciplinary hearing?

4 A Yes, they may.

5 Q And who decides on such a request?

6 A If the request comes prior to the hearing starting it  
7 would be subject to my decision as the Vice President  
8 Designate, however, the Vice President would likely be  
9 informed first, just to make sure that I'm making a decision  
10 that she would be in support of.

11 Q And what if the request for a continuance or  
12 postponement came after the panel had been empaneled?

13 ATTY. SCHOENHORN: I'm gonna object to the  
14 speculation and irrelevance of this in the absence of  
15 any evidence that either Mr. Haughwout was told he  
16 had the right to postponement or that a request came.

17 ATTY. URBAN: I claim it, Your Honor. Not only  
18 is the student code in the catalogue and handbook, he  
19 received a copy of the student code when the  
20 disciplinary charges were issued. I claim it and I  
21 think it's highly relevant to the issues before Your  
22 Honor.

23 THE COURT: I think it's relevant, I don't think  
24 you've laid enough -- you asked Mr. Dukes -- in words  
25 or substance, what if the -- what if the requests  
26 came during the hearing and that question was  
27 objected to. I think there's not sufficient **A2.279**

1 foundation for him to answer that at this point. I  
2 understand from your argument where you're going, I  
3 think --

4 ATTY. URBAN: Well let me --

5 THE COURT: -- but I don't think there's been --  
6 you've laid sufficient -- so I'm going to sustain the  
7 objection as to the form of the question.

8 BY ATTY. URBAN:

9 Q Mr. Dukes --

10 A Yes, sir?

11 Q -- if a request for a continuance or postponement is  
12 made after the hearing panel has been empaneled did you make  
13 that decision?

14 A I do not.

15 Q Do you know who does?

16 A Yes, sir.

17 Q Who does?

18 A The hearing board makes it collectively.

19 Q Have you yourself granted requests for continuances?

20 A Yes, I have.

21 Q And have you seen disciplinary panels grant requests  
22 for continuances?

23 A Yes, I have.

24 Q Did you take contemporaneous notes or write a memo  
25 about your phone conversation with Mr. Haughwout -- Austin  
26 Haughwout?

27 A I did not.

1 Q And why not?

2 A The phone call was very brief. It was basically  
3 going through each of the allegations and his responses were  
4 not lengthy at all. His responses were no.

5 Q Did you learn any information that you considered  
6 noteworthy that you had to keep track of?

7 A No, other than Ed or Cory, which led me to believe I  
8 only knew one person that that name matched up with so I  
9 knew I had to have an interview with him at least to explore  
10 this possibility that he was attempting to do something  
11 harmful to Mr. Haughwout.

12 ATTY. SCHOENHORN: I'm gonna object to that  
13 being stricken, that was not responsive to the  
14 question.

15 THE COURT: Sustained, it's stricken. Will not  
16 be considered.

17 BY ATTY. URBAN:

18 Q The only thing you learned was the name of Ed Cory  
19 and you followed up on that, is that what you're saying?

20 A No. What I'm saying, the only thing I learned was  
21 what his responses were to the allegations after being told  
22 what they were and --

23 Q No, I mean in your phone conversation with Austin?

24 A Yes.

25 ATTY. URBAN: I have nothing further at the  
26 present time.

27 THE COURT: Cross exam?

**A2.281**

1           ATTY. SCHOENHORN: Yes.

2 CROSS EXAMINATION BY ATTY. SCHOENHORN:

3           Q    Mr. Dukes, my name is Jon Schoenhorn, I represent Mr.  
4 Haughwout in this case. The first official notification  
5 that Mr. Haughwout that he got that he was subject to  
6 disciplinary proceedings for this case was -- was a letter  
7 sent on October 1<sup>st</sup>, correct?

8           A    I'm not aware of the -- the dates of letters sent.  
9 I'm not sure letter you're referring to, counsel.

10           ATTY. SCHOENHORN: May I approach, Your Honor?

11           THE COURT: You may.

12 BY ATTY. SCHOENHORN:

13           Q    Showing you a document --

14           ATTY. URBAN: Your Honor, that's not the correct  
15 letter.

16           THE COURT: I beg your pardon?

17           ATTY. URBAN: I haven't seen -- first of all,  
18 you haven't shown it --

19           THE COURT: That's why he's showing it to you,  
20 Mr. Urban.

21           ATTY. SCHOENHORN: That's why I showed -- or I  
22 gave [Indiscernible] a copy.

23           ATTY. URBAN: This is not regarding the  
24 disciplinary charges; this is regarding the interim  
25 suspension.

26           ATTY. SCHOENHORN: It's --

27           THE COURT: I guess that's something **A2.282**

1 can correct Mr. Schoenhorn --

2 ATTY. URBAN: Okay. Very well. Is that my  
3 copy?

4 THE COURT: -- on, if it's -- if this is not a  
5 --

6 ATTY. SCHOENHORN: Yeah, you can have a copy.

7 THE COURT: If this letter doesn't refresh his  
8 recollection or I'm not sure why you're offering it,  
9 but I assume that's why you're offering it.

10 BY ATTY. SCHOENHORN:

11 Q My question is the first time that Mr. Haughwout  
12 would learn that he was the subject of an investigation for  
13 disciplinary purposes in this incident was October 1, 2015,  
14 pursuant to a letter that was sent to him, correct?

15 THE COURT: And I think the witness said he  
16 doesn't know the date.

17 ATTY. SCHOENHORN: Okay.

18 BY ATTY. SCHOENHORN:

19 Q And I'm showing you this document. In fact, you were  
20 cc'ed on this document, correct?

21 A I am cc'ed on this document; I'll answer to -- to  
22 that part of the question. This letter is an interim  
23 suspension letter which provides the student notice that  
24 they're being placed on interim suspension letter. That is  
25 not a letter that would serve as a notice of charges.

26 Q But that wasn't my question.

27 A Okay, I'm --

**A2.283**

1 Q Is this the first time that he learned that he was  
2 subject to an investigation for this matter that led to  
3 charges. Is this how he would've found out is through this  
4 letter, correct?

5 A That's not our notice of charges letter.

6 THE COURT: But what he's asking you, Mr. Dukes,  
7 is whether is this letter, whatever it's called  
8 technically, is this the first notice that Mr. Dukes  
9 would've received -- or Mr. Haughwout would've  
10 received that he was under investigation for some  
11 conduct at the school? Is this the first notice he  
12 would've received or would there have been something  
13 before this?

14 MR. DUKES: Nothing before it to let them know  
15 that there was a situation at hand.

16 BY ATTY. SCHOENHORN:

17 Q Wasn't he specifically informed in this letter that  
18 he is under investigation for your alleged behavior within  
19 the community, isn't that what this letter is telling him?

20 A May I refer to that letter again, sir?

21 Q Yes.

22 A Just 'cause I -- I did not send this letter, it's not  
23 my letter.

24 Q No, it's --

25 A Sorry.

26 Q Do you know who Ramon Hernandez is?

27 A Yes, sir.

1 Q He's your supervisor, correct?

2 A That is incorrect.

3 Q He's the Vice President?

4 A He is not. He's the Associate Dean for Student  
5 Affairs.

6 Q All right. And are you within the purview of Dean  
7 Hernandez's chain of command?

8 A No, sir, I'm not. I report directly to the Vice  
9 President for Student Affairs.

10 Q All right. Well, why don't you tell us, were you  
11 cc'ed on this letter?

12 A Yes, sir, I answered that. Just let me refer to this  
13 so I can be sure that I'm correct in -- in answering what  
14 you've asked.

15 THE COURT: Take your time, sir.

16 BY ATTY. SCHOENHORN:

17 A And again, counsel --

18 Q The question is have you reviewed this?

19 A Yes, sir.

20 Q Let's go back to my previous question. Is this how  
21 Mr. Haughwout would be notified that he's the subject of an  
22 investigation into behavior or conduct on campus that led to  
23 your participation in this proceeding?

24 A And my response is no because there's no reference to  
25 an investigation whatsoever in this letter.

26 THE COURT: Okay, that's the answer. Next  
27 question.

**A2.285**

1 BY ATTY. SCHOENHORN:

2 Q All right. So you never saw this letter even though  
3 it's cc'ed to you and has a signature on it?

4 A I have seen that letter in the past, yes, sir.

5 Q Did you see it on or about October 1<sup>st</sup> when it was  
6 issued?

7 A On or about, yes.

8 Q And was this letter sent to Mr. Haughwout?

9 A To my understanding, yes.

10 Q And according to your procedures when he was subject  
11 to this investigation he was immediately ordered to leave  
12 campus, couldn't be on campus anymore, correct?

13 A That is correct.

14 Q And that's what this letter states, does it not?

15 A Correct.

16 ATTY. SCHOENHORN: I would offer it, Your Honor.

17 ATTY. URBAN: I have no objection, Your Honor.

18 THE COURT: It's been offered. No objection.

19 Madam Clerk, make that the Plaintiff's Exhibit 1.

20 THE CLERK: Thank you, Your Honor.

21 ATTY. SCHOENHORN: May I inquire, the other two  
22 exhibits are Court Exhibits?

23 THE COURT: Yes, they are.

24 ATTY. SCHOENHORN: Does the Court wish to look  
25 at this --

26 THE COURT: Yeah. But you can continue through  
27 with Mr. Dukes.

1                   ATTY. SCHOENHORN: Thank you.

2 BY ATTY. SCHOENHORN:

3       Q     The conversation that you said you had with Mr.  
4 Haughwout was on October 2, 2015, correct?

5       A     That is correct.

6       Q     So that would've been the day after this letter had  
7 been sent to him, correct?

8       A     Correct.

9       Q     So you were aware he was no longer on campus as of  
10 that telephone conversation of October 2<sup>nd</sup>, correct?

11      A     Yes, sir, that's correct.

12      Q     And you had, in fact, referred to Plaintiff's Exhibit  
13 1, the letter I showed you, prior to your conversation with  
14 Mr. Haughwout, right?

15      A     No, I did not.

16      Q     So how would you have gotten that letter, Exhibit 1?

17      A     The letter I would've received via email.

18      Q     And did you not check your email on October 1<sup>st</sup>?

19      A     No, I was aware that it was happening. I was  
20 informed that the -- that he was being placed on an interim  
21 suspension.

22      Q     And who informed you of that?

23      A     I'm not sure whom. It may've been Dr. Tordenti or  
24 Dean Hernandez, himself.

25      Q     How would you have then become involved in this  
26 matter to make the phone conversation with Mr. Haughwout?  
27 Would you have done that on your own initiative or

1 someone have asked you to do it?

2 A I would've been asked to do that or a student may  
3 approach me to call. So if a student receives the letter  
4 before I do, the letter gives the student instructions to  
5 contact me to schedule a meeting. I'm not sure if I was the  
6 one who initiated that meeting or Mr. Haughwout called me to  
7 schedule that meeting.

8 Q All right. One or the other did occur?

9 A One or the other did happen because we were scheduled  
10 the very next day.

11 Q All right. And do you agree that this letter does  
12 not specify any particular conduct on Mr. Haughwout's part  
13 that led to his immediate -- interim suspension, correct?

14 ATTY. URBAN: Objection, the document speaks for  
15 itself.

16 THE COURT: It does, sustained.

17 BY ATTY. SCHOENHORN:

18 Q When you spoke to Mr. Haughwout, did he have -- did  
19 he say to you that he had any further information about this  
20 -- these charges or this investigation other than what was  
21 in October -- in the October 1<sup>st</sup> communication from Mr.  
22 Hernandez?

23 A I'm sorry, sir, please refrain [sic] that for me.

24 Q When you spoke to him on October 2<sup>nd</sup>, let me ask a  
25 more preliminary question.

26 A Sorry.

27 Q Do you recall whether you telephoned his number **A2.288**

1 did you take a call from Mr. Haughwout that was the  
2 communication you just testified to?

3 A I telephoned a number that was provided for me.

4 Q All right. And did Mr. Haughwout answer that phone  
5 number?

6 A Yes, sir, he did.

7 Q He identified himself as Austin Haughwout?

8 A I recognized his voice.

9 Q Okay. Did you ask him if he had seen the letter from  
10 Dean Hernandez?

11 A I did not ask him that.

12 Q And you did not give him the name of any individual  
13 students that had been spoken to by the -- either you or the  
14 Central Connecticut State University Police Department  
15 regarding that matter, correct?

16 A I had not spoken with any students about this matter  
17 beforehand, nor did I identify the individuals who I knew  
18 had spoken to the police prior to that phone conversation.

19 Q You said you had the police reports on October 2,  
20 2015, was that correct?

21 A That is correct.

22 Q How did you get those reports?

23 A They were sent to me from the CCSU Police Department.

24 Q By email?

25 A I don't know for sure what method. I don't know if  
26 they were faxed to me or sent via email. I receive police  
27 reports via a number of ways.

**A2.289**

1 Q Was that prior to October 1, 2015?

2 A I don't know. It was definitely prior to October  
3 2<sup>nd</sup>, I think I can answer.

4 Q Okay. And were the copies that you were received in  
5 redacted format?

6 A No, sir, they were not.

7 Q You received the name of Ed or Ed Cory from Mr.  
8 Haughwout, correct?

9 A That is correct.

10 Q You did not specify a date or dates when any  
11 conversations that Mr. Haughwout had with others occurred,  
12 correct, in that phone conversation?

13 A In that phone conversation I did not reference a  
14 specific date.

15 Q And you asked him if he had ever made statements like  
16 the ones you just testified to, correct?

17 A Ever made during the Spring 2015, Fall 2016 in the  
18 student center amongst the individual students who frequent  
19 that area, yes sir.

20 Q I think you said '16, I think you meant '15.

21 A '15, yes, sir.

22 Q All right. And is there a specific reason why you  
23 didn't pinpoint a timeframe to help Mr. Haughwout focus on  
24 what these allegations might be?

25 ATTY. URBAN: Well, Mr. Schoenhorn objected to a  
26 question as to why the names were not given and the  
27 dates were not given --

1 THE COURT: Are you objecting to this question?

2 ATTY. URBAN: Now he asks why, so I have the  
3 same objection.

4 THE COURT: Is this an objection, Mr. Urban, or  
5 just a statement?

6 ATTY. URBAN: My objection is it's not relevant.  
7 The Court has said why he provided or didn't provide  
8 the information is not relevant.

9 THE COURT: Sounds like an irrelevance  
10 objection, Mr. Schoenhorn. Do you claim the  
11 question?

12 ATTY. SCHOENHORN: I do.

13 THE COURT: And why is it relevant?

14 ATTY. SCHOENHORN: Well, there must be a reason  
15 he didn't even want to give Mr. Haughwout a timeframe  
16 so that Mr. Haughwout could then respond accordingly  
17 to a specific allegation, it --

18 THE COURT: Doesn't the same principle apply  
19 that I sustained it, what difference does it make?  
20 All we -- we need to know is, as far as I'm  
21 concerned, this date that why he didn't seems to me  
22 irrelevant, the objections sustained.

23 ATTY. SCHOENHORN: All right. Very well, Your  
24 Honor.

25 BY ATTY. SCHOENHORN:

26 Q Did you tell Mr. Haughwout that you had talked to  
27 some students about him at that point?

**A2.291**

1 A No, I did not.

2 Q Had you, in fact, spoken to any students prior to  
3 your conversation regarding Mr. Haughwout in these -- this  
4 -- this investigation prior to the call to him?

5 A I believe I answered during direct from Mr. Urban  
6 that I -- Mr. Haughwout was the first student with whom I  
7 spoke to about this incident.

8 Q Okay. And as I understand your testimony or question  
9 was, had he ever engaged in this behavior that you were  
10 reciting to him, correct?

11 A During the timeframe that I had said.

12 Q Well, the spring semester started when --

13 A The spring semester would've started in January, near  
14 the end of January of 2015, and the fall semester prior to  
15 October 2, 2015, that was the span of -- of time that we  
16 were working with.

17 Q And when did this fall semester start?

18 A The fall semester would've started in maybe the end  
19 of August, first of September range.

20 Q And there was also a summer semester, isn't there?

21 A Correct, come all summer -- a summer break is what we  
22 call it, yes, sir, summer session.

23 Q But there are classes during that summer, aren't  
24 there?

25 A Yes, sir, there are.

26 Q And you were that Mr. Haughwout had taken summer  
27 courses during that summer, correct?

1 A Not at that point in time, I was not thinking about  
2 it.

3 Q Well, whether you were thinking about it, you were  
4 aware from looking at his -- whatever you were looking at --  
5 that he had taken a summer course.

6 A No, there was no need for me to know when Mr.  
7 Haughwout was taking summer courses or not.

8 Q And it's my understanding that Mr. Haughwout denied  
9 the specific things that you said that he said or did,  
10 correct? In your conversation with him he denied doing  
11 those things.

12 A Correct.

13 Q He denied saying those things?

14 A The only thing that he denied saying was that someone  
15 was -- be on his hit list, number one on his list, shooting  
16 up the school. The other ones were not spoken, those were  
17 hand gestures.

18 Q So the things you were accusing him of saying he  
19 denied saying that, yes or no?

20 A That is correct.

21 Q Didn't he ask you for some proof of these  
22 accusations?

23 A No.

24 Q And did you tell Mr. Haughwout at that time that he  
25 was the subject of an actual disciplinary proceeding during  
26 that call on October 2<sup>nd</sup>?

27 A Yes.

**A2.293**

1 Q So you told him you were already bringing charges  
2 against him at that time?

3 A No.

4 Q So --

5 A It was an interview, but that the interview could  
6 lead to disciplinary action and subsequent hearing.

7 Q My question was, was he told during that October 2<sup>nd</sup>  
8 telephone conversation that -- that he was now subject to  
9 disciplinary proceedings, yes or no?

10 A Was he told during the phone conversation --

11 Q Yes.

12 A Yeah.

13 ATTY. URBAN: Your Honor, any student is subject  
14 to disciplinary --

15 MR. DUKES: Yeah.

16 ATTY. URBAN: -- proceeding at any time, I  
17 object to the form of the question.

18 THE COURT: Overruled. Are you asking the  
19 witness whether he said what you asked him in so many  
20 words?

21 ATTY. SCHOENHORN: Yes.

22 THE COURT: Did you use words such as Mr.  
23 Schoenhorn --

24 MR. DUKES: I didn't use those exact words.

25 BY ATTY. SCHOENHORN:

26 Q All right, why don't you tell us the exact words you  
27 told him on October 2<sup>nd</sup> --

1 A Right.

2 Q -- about what this was leading to. Your question,  
3 what that was leading to.

4 A Right, and unfortunately I can't tell you exactly  
5 what I told him on that particular day, but I can tell you  
6 the -- the scope of what would've been said.

7 Q No. If you don't know the exact words -- you just  
8 told us you didn't use the exact words that I used, so  
9 therefore, did you use words to the effect of how I just  
10 described it to you a minute ago?

11 A Yes, I did use words to the effect, but not exactly  
12 the words as you had phrased them, sir.

13 Q All right. Did you inform Mr. Haughwout he could  
14 come back on campus to find witnesses on his behalf?

15 A No, I did not. He was informed that the interim  
16 suspension remained effective.

17 ATTY. SCHOENHORN: You answered my question.

18 THE COURT: Just answer the question.

19 MR. DUKES: Yes, sir, thank you.

20 BY ATTY. SCHOENHORN:

21 Q And, in fact, in none of the communications was he  
22 ever informed that he had the right to come find witnesses  
23 to -- for a defense to come on campus, correct?

24 A Correct.

25 Q And that's because as of October 1<sup>st</sup>, effective  
26 immediately on that date, he was ordered removed from campus  
27 subject to, perhaps, arrest if he came back, right?

1 A That is correct.

2 Q Now at some point after the -- the conversation with  
3 Mr. Austin Haughwout, you had a phone conversation with his  
4 father, Bret Haughwout, is that correct?

5 A I'm not sure of when I -- I've had, I would say, many  
6 phone conversations with his father, exactly when they took  
7 place --

8 Q Well, specifically, did you have a conversation with  
9 him on October 6, 2015 upon his inquiry about the nature of  
10 these charges?

11 A I may have, I don't recall.

12 Q Didn't Mr. Bret Haughwout then email you the next day  
13 complaining that he had no facts and his son had no basis to  
14 defend himself because he didn't know what the charges were?

15 THE COURT: Did you get such an email from Mr.  
16 Bret Haughwout?

17 MR. DUKES: I may have, but I don't have that  
18 before me. I do know I received a series, I  
19 shouldn't say series, a couple of emails from Mr.  
20 Haughwout at some point in time.

21 BY ATTY. SCHOENHORN:

22 Q All right. Well let's, I'm going to show you a  
23 document.

24 A Sure.

25 Q And I'm going to show a copy, if I may -- showing you  
26 a-- a document, and ask whether you --

27 A Thank you, sir.

1 Q -- recall receiving this document?

2 A I do recall seeing this correspondence, sir.

3 Q And that would've been on or about October 7, 2015?

4 A Yes, sir.

5 ATTY. SCHOENHORN: Offer it.

6 ATTY. URBAN: No objection, Your Honor.

7 THE COURT: Without objection, Plaintiff's 2.

8 ATTY. SCHOENHORN: Would the Court like to look  
9 at it or --

10 THE COURT: No.

11 BY ATTY. SCHOENHORN:

12 Q In this email, Mr. Bret Haughwout refers to a  
13 conversation that begins, yesterday when we were discussing  
14 this issue, does that help refresh your recollection? You  
15 had a conversation with Mr. Bret Haughwout on October 6,  
16 2015?

17 A Yes, sir, that does jog my recollection.

18 Q And Mr. Bret Haughwout refers to a conversation about  
19 a picture of a bullet, do you recall that conversation with  
20 Mr. Haughwout, that is, the father?

21 A I do recall the -- the subject of a picture with a  
22 bullet did come about.

23 Q Is that something that you had told Austin Haughwout  
24 about on October 2<sup>nd</sup>?

25 A A picture of a bullet?

26 Q Yes.

27 A I don't recall.

**A2.297**

1 Q Mr. Brett Haughwout also told you that he was  
2 considering suing you wasn't he -- didn't he?

3 A He must have if it's there, yes.

4 Q All right. Did you tell Mr. Bret Haughwout on either  
5 October 6<sup>th</sup> or anytime up until the hearing on October 14<sup>th</sup>  
6 who the people were who were making allegations, if anyone,  
7 against Austin?

8 A No, I never discussed the students involved with Mr.  
9 Haughwout, Mr. Bret Haughwout.

10 Q Did you tell Bret Haughwout any details of what the  
11 allegations were, whether it involved a bullet or the  
12 statements that you said he was making to other students or  
13 his finger gesture?

14 A I don't recall if I did or not.

15 Q Okay. Now you said that on October 13<sup>th</sup> you did not  
16 get a chance to look at your emails, is that correct?

17 A That was the best of my recollection, that I had not  
18 seen emails from the 13<sup>th</sup>.

19 Q Well, the first time that the formal charges were  
20 sent to Austin was on October 9<sup>th</sup>, correct?

21 A Correct.

22 Q I'm showing you what has been marked -- hasn't been  
23 marked yet -- just look at this document. Is this the  
24 letter that you sent to Austin followed by a document, which  
25 I'll take out of the sleeve, that's a two page document.  
26 Are these the two documents you indicate to him that stated  
27 what the charges were against him?

1 A Correct. This is one document in itself.

2 Q All right, let's mark them separately --

3 THE COURT: Well, they're in the file, aren't  
4 they? Why do you need to put them into evidence?  
5 Aren't they in the file? Aren't they attached to Mr.  
6 Urban's objection?

7 ATTY. URBAN: They are, Your Honor. Exhibit A,  
8 3, to Mr. Dukes' affidavit.

9 ATTY. SCHOENHORN: I just want to --

10 THE COURT: The Court can take notice --

11 ATTY. SCHOENHORN: (Indiscernible).

12 THE COURT: The Court can take notice of any  
13 documents in the file.

14 BY ATTY. SCHOENHORN:

15 Q So the charges were made on October 9<sup>th</sup>, correct?

16 A Correct.

17 Q And at the bottom of that notice, there's a brief  
18 description of facts that's --

19 THE COURT: I'm going to interrupt you, Mr.  
20 Schoenhorn.

21 ATTY. SCHOENHORN: Yup.

22 THE COURT: This hearing was as to the contents  
23 of the phone conversation between this witness and  
24 Mr. Haughwout. Now you're getting into the formal  
25 charging document, we'll call it, that's in the  
26 record, I've already -- we've already addressed it in  
27 your briefs, I don't think I need to hear for this

1 witness again anything about that document.

2 ATTY. SCHOENHORN: About that document. That's  
3 correct, Your Honor, but I have --

4 THE COURT: Or anything beyond the phone  
5 conversation with Mr. Austin Haughwout. I mean, Mr.  
6 Urban hasn't been -- objected, but I don't know what  
7 the relevance is of emails between him and Mr. Bret  
8 Haughwout.

9 ATTY. SCHOENHORN: Well, I think it goes to the  
10 issue of credibility of what, in fact, this witness  
11 is now testifying to, that he verbally told my  
12 client.

13 THE COURT: How does what he told Mr. Bret  
14 Haughwout go to his credibility?

15 ATTY. SCHOENHORN: That goes to my next two  
16 questions, Your Honor, if I may just have a little  
17 bit of leeway.

18 THE COURT: All right.

19 BY ATTY. SCHOENHORN:

20 Q Mr. Dukes, you received an email on October 13<sup>th</sup> from  
21 Bret, I'm sorry, from Austin Haughwout, that said that are  
22 you ever going to give me any of the or provide any evidence  
23 that you intend to use against me. Do you remember getting  
24 that email?

25 A I do remember that, the email is in my inbox, yes,  
26 sir.

27 Q And then do you recall also getting, the same day **A2.300**

1 another email, this time from Bret Haughwout saying it's not  
2 fair that we have no information to prepare for the hearing?  
3 Do you remember that email?

4 A I do remember that being in my inbox. Again, I  
5 stated that those -- those messages --

6 THE COURT: Sir, just answer the question.

7 MR. DUKES: Yes, sir.

8 THE COURT: You got it, yes?

9 MR. DUKES: Yes, sir.

10 THE COURT: Okay, next question.

11 BY ATTY. SCHOENHORN:

12 Q Now showing you the body of this email, do you recall  
13 getting that email, even if you didn't look at it 'til  
14 later?

15 ATTY. URBAN: Can I see what you're -- may I  
16 please see what you're showing the witness?

17 THE COURT: Show it to counsel.

18 ATTY. SCHOENHORN: Yes.

19 BY ATTY. SCHOENHORN:

20 Q Showing you this email. Do you recall getting that  
21 email where there's a notation of Jeopardy tone, do you see  
22 that at the top?

23 A Yes, sir, I do see that.

24 Q Do you recall getting that email?

25 A I recall seeing this in my inbox, yes, sir.

26 Q And when it says Jeopardy tone, did you actually get  
27 a musical tone that was the song from the show Jeopardy?

**A2.301**

1 A Yes, I'm a musician by training also, yes.

2 Q Okay. So the answer is yes.

3 A Yes.

4 Q And it was the theme where you're waiting for an  
5 answer -- you know the show, Jeopardy?

6 A Yes, sir, I do.

7 Q Okay. So you do remember that -- that email?

8 A I do remember seeing this email, yes.

9 Q You didn't respond to Austin Haughwout's email --  
10 that particular email, did you?

11 A Correct, as I did not receive it on that particular  
12 date.

13 Q Well you didn't respond the next day either, did you?

14 A The next day? No, I did not see that also.

15 ATTY. SCHOENHORN: Okay. I'm gonna mark this as  
16 a exhibit, please.

17 THE COURT: Any objection?

18 ATTY. URBAN: No objection, Your Honor.

19 THE COURT: Without objection it may be a full  
20 exhibit.

21 BY ATTY. SCHOENHORN:

22 Q In the second email do you recall receiving an email  
23 that's dated October 13<sup>th</sup> at 1:13 PM from Bret Haughwout?

24 ATTY. URBAN: It'd be useful to get copies for  
25 counsel.

26 ATTY. SCHOENHORN: I have copies but they were  
27 placed in my notebook so I have to locate the copies.

1 if I may.

2 THE COURT: This hearing is going to conclude at  
3 1:00, so counsel should be aware --

4 ATTY. SCHOENHORN: Yeah.

5 THE COURT: -- of that and of the limited scope  
6 of the hearing.

7 ATTY. SCHOENHORN: Yes, Your Honor, I'm aware of  
8 that.

9 THE COURT: I've tried to make that point to  
10 counsel, both in writing and orally.

11 ATTY. URBAN: So this is 4, if I may inquire  
12 through the Court?

13 THE COURT: I have no idea.

14 THE CLERK: This is 3, Your Honor.

15 THE COURT: 3.

16 ATTY. SCHOENHORN: This is 3.

17 THE CLERK: What's being presented now will be  
18 4.

19 ATTY. SCHOENHORN: Would be 4, correct.

20 ATTY. URBAN: So the Austin email is 3 and the  
21 Bret email is 4.

22 ATTY. SCHOENHORN: Right.

23 ATTY. URBAN: Thank you.

24 BY ATTY. SCHOENHORN:

25 Q Do you recall getting what will be marked as Exhibit  
26 4 from Bret Haughwout?

27 A Yes, this was in my inbox, sir.

**A2.303**

1 Q Okay.

2 THE COURT: What do you mean when you say this  
3 was in -- he's asking you whether you received it,  
4 your answers have been, yes, it was in my inbox, what  
5 does that mean?

6 MR. DUKES: So it's clearly that it went to my  
7 inbox, whether I received it -- I could've received  
8 it two days later, sir, where I --

9 THE COURT: You mean --

10 MR. DUKES: -- actually seen it and had an  
11 opportunity to --

12 THE COURT: Seen it and read it.

13 MR. DUNES: Correct.

14 THE COURT: So you're making a distinction  
15 between when Mr. Schoenhorn said that you received  
16 it, you're making a distinction between that and  
17 actually having seen it and read it, right?

18 MR. DUKES: Correct. I had not seen these  
19 emails, sir, prior to --

20 THE COURT: So that's your testimony --

21 MR. DUKES: Yes, sir.

22 THE COURT: -- you hadn't seen -- they were in  
23 your inbox, as you testified --

24 MR. DUKES: Correct.

25 THE COURT: -- but you hadn't seen them, hadn't  
26 read them, is that your testimony?

27 MR. DUKES: Correct. Yes, sir.

1 BY ATTY. SCHOENHORN:

2 Q So this one you did receive and you --

3 THE COURT: So there's an inbox?

4 BY ATTY. SCHOENHORN:

5 Q -- on October 13<sup>th</sup>, right?

6 A In my inbox, yes, sir.

7 Q Did you not check before you were about to engage in  
8 an expulsion or suspension hearing, that you want to see  
9 whether you received any documentation or questions from the  
10 student that you were about to seek to expel.

11 ATTY. URBAN: Asked and answered, Your Honor,  
12 he's indicated he was tied up and preparing for  
13 hearings.

14 THE COURT: Sustained. The objection is  
15 sustained.

16 ATTY. SCHOENHORN: All right, I'll mark this as  
17 Exhibit 4.

18 ATTY. URBAN: So which is this?

19 ATTY. SCHOENHORN: That's Bret. Bret.

20 THE COURT: 4 is the -- Mr. Haughwout's -- Mr.  
21 Bret Haughwout's email.

22 BY ATTY. SCHOENHORN:

23 Q Now you were involved in the -- this Freedom of  
24 Information material that were to be provided to Austin  
25 Haughwout on the day of the hearing, is that correct?

26 A Yes, that is correct.

27 Q You had consulted with other employees of the --

1 Central Connecticut State University about what documents  
2 Mr. Haughwout would receive prior to the start of the  
3 hearing?

4 A That is not correct, I would not collaborate with  
5 anyone outside of my office.

6 Q Well, there are redactions by -- the -- the Court has  
7 two documents that were redacted before they were given to  
8 Mr. Haughwout. Did you participate in the redaction  
9 process?

10 A I participated in gathering the records that I had in  
11 my possession and then provided them to our counsel's  
12 office.

13 Q Well, did you or did you know or not know what Mr.  
14 Haughwout was given prior to the start of the hearing on  
15 October 14<sup>th</sup>?

16 A I did not know.

17 Q Yet you --

18 A I only knew the documents that were within my  
19 control.

20 Q So would you explain then, if I just have a moment,  
21 you provided a sworn affidavit in this case to the Judge,  
22 didn't you, as part of a earlier motion in this case, did  
23 you not?

24 A Yes, sir, I did.

25 Q And specifically, did you not -- and you swore to  
26 that document as being true, right?

27 A Yes, sir.

**A2.306**

1 Q Now, the person who took your oath, that was a Ms.  
2 Chancey, correct?

3 A Yes, sir.

4 Q And she's the person who actually physically made  
5 photocopies of the redacted documents that were given to  
6 Austin Haughwout shortly before the start of the hearing,  
7 correct?

8 A That I do not know. That I do not know.

9 Q Well you don't know that she's provided documentation  
10 to your attorney, which were provided to me that said she's  
11 the one who did it?

12 ATTY. URBAN: Your Honor, I'm going to object on  
13 materiality and relevancy grounds.

14 THE COURT: Sustained. You're looking for  
15 paragraph seven in that affidavit are you, Mr.  
16 Schoenhorn?

17 ATTY. SCHOENHORN: That's where I'm -- I'm going  
18 with this, Your Honor. I just need a --

19 THE COURT: That affidavit is part of the Court  
20 file --

21 ATTY. SCHOENHORN: Yes.

22 THE COURT: -- doesn't need to be offered into  
23 evidence, I've read it.

24 ATTY. SCHOENHORN: Can I just have a moment?

25 THE COURT: Maybe I can shorten this up. So I  
26 believe that Mr. Schoenhorn is looking for paragraph  
27 seven of your affidavit that you signed and swore to

1 in which in describing how a particular student  
2 witness was scheduled to appear but left when he  
3 learned that Mr. Haughwout, this is quoting from your  
4 affidavit, he learned that Mr. Haughwout would be  
5 present, he left before the hearing began indicating  
6 that he feared for his safety. Notwithstanding that  
7 Mr. Haughwout had his name from the CCSU police  
8 report which Mr. Haughwout had received via a Freedom  
9 of Information Act request to the CCSU police. I  
10 believe that's what Mr. Schoenhorn's going to ask you  
11 about.

12 ATTY. SCHOENHORN: Yes.

13 THE COURT: What's your question?

14 BY ATTY. SCHOENHORN:

15 Q Mr. Dukes, that was a false statement in that  
16 affidavit, wasn't it?

17 A A false statement?

18 Q Yeah.

19 A What part of the statement?

20 Q The affidavit that you provided through your attorney  
21 to this judge stated that Mr. Haughwout had received the  
22 names of the individuals in a police report as part of his  
23 Freedom of Information request?

24 A That is what I was told that the names -- that  
25 person's name, that one specific person, that their name was  
26 already disclosed in police reports given to police  
27 department.

**A2.308**

1 Q Who told you that?

2 A Detective Densil Samuda.

3 ATTY. SCHOENHORN: Could I have Exhibits 1 and 2

4 -- Court Exhibits 1 and 2?

5 THE COURT: Here they are.

6 BY ATTY. SCHOENHORN:

7 Q Is this your affidavit to this Court saying that you  
8 were told by a third party that fact?

9 A No.

10 Q All right. So in looking at Court Exhibits 1 and 2  
11 you tell me where in those documents a name -- the name of a  
12 complainant, whether it was Nicholas Duff or anyone else,  
13 was disclosed to Austin Haughwout?

14 A To my knowledge they're not in this document. This  
15 is the first time that I'm seeing these redacted documents  
16 right now.

17 Q Yet you made a representation under oath to Judge  
18 Shortall that you knew nothing about is what you're telling  
19 us?

20 A No, what I'm telling you is is what was explained to  
21 me when that witness -- before that witness stepped away and  
22 left, which again's [Indiscernible] say away from the phone  
23 call, but that is what happened prior to that hearing  
24 starting, that witness was concerned, the witness wanted to  
25 leave.

26 Q Excuse me, I don't think that has anything to do with  
27 my question.

**A2.309**

1 THE COURT: That's not what he's asking you,  
2 sir. He's just asking you the basis for your  
3 statement in paragraph seven, and I think you've  
4 explained that you understood from Detective Samuda  
5 that the names were in the police reports?

6 MR. DUKES: That is correct.

7 THE COURT: Is that your testimony?

8 MR. DUKES: That is my testimony.

9 BY ATTY. SCHOENHORN:

10 Q But you made no reference to Detective Samuda in  
11 paragraph seven?

12 ATTY. URBAN: Your Honor, the affidavit speaks  
13 for itself.

14 THE COURT: It does, indeed.

15 ATTY. SCHOENHORN: All right.

16 THE COURT: Any more questions for this witness  
17 that relate to the phone conversation that he had  
18 with Mr. Haughwout?

19 BY ATTY. SCHOENHORN:

20 Q You kept no notes whatsoever of that conversation,  
21 correct?

22 A Correct.

23 Q You didn't write on a copy of any police report or  
24 other document that you had in your hand on October 2<sup>nd</sup> to  
25 -- so that you could refer back to what exactly you had said  
26 to Mr. Haughwout on October 2<sup>nd</sup>, did you?

27 A I did not.

1 Q And did you ever tell Mr. Haughwout that if he needed  
2 more time to prepare he could simply ask you for more time  
3 and you would give it to him?

4 A I provided Mr. Haughwout with our student code of  
5 conduct and, in a letter, asking him should he have any  
6 questions, he is strongly encouraged to contact our office.

7 Q So your answer to my question is no, you did not,  
8 correct?

9 ATTY. URBAN: Object to the form of the  
10 question.

11 BY ATTY. SCHOENHORN:

12 A I believe that I did.

13 Q You believe that you told him --

14 THE COURT: In that matter, correct? It's not  
15 your testimony that you told him specifically if he  
16 wanted more time he could ask for it, right?

17 MR. DUKES: Correct.

18 THE COURT: You never told him that, that's what  
19 he's asking.

20 BY ATTY. SCHOENHORN:

21 Q And at no time did you tell him he could have more  
22 time if he asked, correct?

23 A I did not directly.

24 Q Did you tell him about a Professor Gates who was  
25 making accusations against him?

26 ATTY. URBAN: I'm gonna object, Your Honor. I  
27 don't think it's --

1 THE COURT: Grounds?

2 ATTY. URBAN: -- fair to say that Professor  
3 Gates was making accusations that were the basis for  
4 the disciplinary --

5 THE COURT: So you're objecting to the form of  
6 the question, is that what your objection is?

7 ATTY. URBAN: Yes, I mean --

8 THE COURT: Overruled. Did you tell him  
9 anything about Professor Gates?

10 MR. DUKES: Mr. Gates had nothing to do with my  
11 investigation.

12 THE COURT: Sir, just answer the question.

13 MR. DUKES: Sorry.

14 THE COURT: In the phone conversation, I'm  
15 trying to focus --

16 MR. DUKES: Yes, I know --

17 THE COURT: -- everybody's attention on today --

18 MR. DUKES: Thank you, sir.

19 THE COURT: -- because that's where my attention  
20 is focused --

21 MR. DUKES: Yes.

22 THE COURT: In that phone conversation, did you  
23 say anything to this gentleman here about some  
24 complaint from Professor Gates?

25 MR. DUKES: No, Your Honor, I did not.

26 THE COURT: That answers the question.

27 BY ATTY. SCHOENHORN:

**A2.312**

1 Q And you agree that the hearing started on October  
2 14<sup>th</sup> at 2:15PM, correct, on October 14<sup>th</sup>?

3 A Approximately, yes.

4 ATTY. SCHOENHORN: I have no further questions.

5 THE COURT: Any redirect?

6 ATTY. URBAN: One question, Your Honor.

7 REDIRECT EXAMINATION BY ATTY. URBAN:

8 Q Mr. Schoenhorn asked you questions about Mr.  
9 Haughwout's apparent inability to come on campus to  
10 interview witnesses. Does every CCSU student get a -- a  
11 university provided email account?

12 A Yes, they do.

13 Q And can students communicate with other students via  
14 email readily?

15 A Yes, they may.

16 ATTY. URBAN: No further questions, Your Honor.

17 RECROSS EXAMINATION BY ATTY. SCHOENHORN:

18 Q Did you give Mr. Austin Haughwout an email address  
19 for any of these people you were investigating so he could  
20 contact them?

21 A No, sir, I did not.

22 ATTY. SCHOENHORN: No further questions.

23 THE COURT: Mr. Dukes, let me just see if I have  
24 any questions for you.

25 MR. DUKES: Yes, sir.

26 THE COURT: Mr. Dukes, I'm going to ask you to,  
27 I believe, confirm what I think the stipulation was

1 among counsel, and my understanding about the  
2 hearing, okay?

3 MR. DUKES: Yes, sir.

4 THE COURT: There came a time in the hearing  
5 when you reviewed for the panel the results of your  
6 phone conversations, not only with Mr. Haughwout, but  
7 with these other four individuals, I think there  
8 were, whom you had contacted by phone, correct?

9 MR. DUKES: That's correct, sir.

10 THE COURT: And I'm looking at page fourteen of  
11 the transcript now in which you're addressing the  
12 panel and you say at line 24 of the transcript, I  
13 asked the first person talk to me about blank, it was  
14 blank. Do you know who blank is? I'm going to  
15 withdraw that question. I think this is why you're  
16 still talking to Mr. Haughwout. I want to come to  
17 the part where you're talking about some of the other  
18 -- let me back up here.

19 Let me go to page 18 where, again, you're  
20 addressing the panel and you say -- I think you're  
21 responding to a question from Ms. Bantley, a member  
22 of the panel, and you've -- in the responding -- in  
23 connection to that response you say, there's only one  
24 individual which I mentioned then in the transcript  
25 its redacted who was not at the police department who  
26 I interviewed after because I wanted to see whether  
27 or not he was trying to pull people together. **A2.314**

1 people up to make false statements about Austin. Now  
2 in the transcript that person's name is redacted. Am  
3 I correct in understanding that at the hearing you --  
4 you stated that person's name to the panel, is that  
5 correct?

6 MR. DUKES: That is probably correct, sir, yes.

7 THE COURT: What you do mean it's probably  
8 correct?

9 MR. DUKES: If it's --

10 THE COURT: It's redacted in the --

11 MR. DUKES: Yes.

12 THE COURT: -- transcript pursuant to an order I  
13 entered allowing Mr. Urban to do that. My question  
14 to you is, as you think back to that hearing, did you  
15 leave out the people's names or did you state them?

16 MR. DUKES: I stated them, sir.

17 THE COURT: You did, okay. That's my only  
18 question. Do you have any follow-up to that, sir?

19 ATTY. URBAN: No, Your Honor, other than I could  
20 -- I hope the Court has an unredacted version of the  
21 transcript.

22 THE COURT: I do not.

23 ATTY. URBAN: Well we can certainly supply you  
24 with that.

25 THE COURT: That might be helpful.

26 ATTY. URBAN: And I can give you a list of where  
27 the four names were specifically mentioned **A2.315**

1 transcript.

2 THE COURT: You said something earlier about  
3 giving Mr. Schoenhorn a list, is that what you're  
4 talking about?

5 ATTY. URBAN: Yes, I sent him an email on  
6 Thursday.

7 THE COURT: You don't need to give me all the  
8 email, the date and the time and the so forth --

9 ATTY. URBAN: I did.

10 THE COURT: Just answer my -- yeah, you did,  
11 okay? Okay. Thanks, Mr. Dukes, you can step down,  
12 sir.

13 MR. DUKES: Thank you, sir. Shall I remain  
14 present?

15 THE COURT: You should.

16 MR. DUKES: Thank you.

17 THE COURT: Yup.

18 (The witness exits the stand.)

19 THE COURT: Mr. Urban, do you have any other  
20 evidence on this subject?

21 ATTY. URBAN: No, Your Honor.

22 THE COURT: Mr. Schoenhorn?

23 ATTY. SCHOENHORN: I'm gonna call my client.

24 THE COURT: Mr. Haughwout.

25 (Mr. Haughwout approaches the stand.)

26 THE COURT: All the way around the back of the  
27 witness box, Mr. Haughwout. Pull the door to **A2:316**

1           you. Step up in the witness box. Step up in the  
2           witness box, sir, and give your attention to the  
3           clerk while she puts you under oath.

4                     (The clerk duly swears in the witness.)  
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**A2.317**

1 A U S T I N H A U G H W O U T,  
2 of 7 Egypt Lane, Clinton, Connecticut, having been duly  
3 sworn, testified as follows:

4 THE COURT: Good afternoon, Mr. Haughwout,  
5 please have a seat.

6 DIRECT EXAMINATION BY ATTY. SCHOENHORN:

7 Q Mr. Haughwout, where do you reside?

8 A With my family at 7 Egypt Lane in Clinton.

9 Q You heard Mr. Dukes testify about a -- a conversation  
10 that you had on -- on -- he says he had with you on October  
11 2, 2015. Do you recall having that conversation?

12 A Yes, I do.

13 Q And when was that in relation to your receiving  
14 Exhibit 1, which I don't know if Your Honor has Exhibit 1.

15 THE COURT: I do. It's dated October 1<sup>st</sup>.

16 BY ATTY. SCHOENHORN:

17 Q You received a -- a copy of Exhibit 1 signed by Dean  
18 Hernandez. Can you tell us when the conversation you had  
19 with Mr. Dukes was in relation to that letter.

20 A It was the day following receiving the letter.

21 Q All right. And when did you receive the notice of  
22 this letter?

23 A It was late into the night, probably around 8 or  
24 9:00, near the end of my last class for the day.

25 Q You had a night class at CCSU?

26 A Yes.

27 Q And when you got that notice, what did you **A2.318**

1 A I went to my car and left campus.

2 Q And why did you leave campus at that time?

3 A Because the letter stated I was prohibited from being  
4 on campus.

5 Q I can't hear you.

6 THE COURT: I couldn't hear you, sir.

7 BY ATTY. SCHOENHORN:

8 A The letter stated that I was prohibited from being on  
9 campus.

10 Q So you did what?

11 A I left campus.

12 Q And the next day, how did you communicate with Mr.  
13 Dukes?

14 A Mr. Dukes had called my cell phone.

15 Q And did you answer?

16 A Yes, I did.

17 Q And would you state for the Court what the nature of  
18 that conversation was that you had with Mr. Dukes?

19 A Mr. Dukes had asked if I had ever made any  
20 threatening comments or if I had threatened to shoot up the  
21 school and had also asked if I had anyone on a hit list or  
22 if there was any number one person to hit.

23 Q Did he specify a timeframe whatsoever as to when it  
24 was that you would've allegedly made those statements?

25 A No. He had asked if I had ever.

26 Q All right. And what did you say?

27 A I said I had not.

**A2.319**

1 Q And did you ask him anything?

2 A I had not.

3 Q Did he indicate to you why he was asking these  
4 questions?

5 A No, he did not.

6 Q Did you ask him anything about the letter you had  
7 received the previous day?

8 A No, I had not.

9 Q Did Mr. Dukes say anything to you about the next step  
10 or proceedings as to what was going to occur?

11 A No, he had not.

12 Q Now, let me ask you a question. Do you know who  
13 Nicholas Duff is?

14 A No, I do not.

15 Q Did you ever have a phone number of a Nicholas Duff?

16 A No, I did not.

17 Q Do you know who Ryan Robinson is?

18 A Yes, I do.

19 Q Did anyone during that either on October 1<sup>st</sup> or  
20 October 2<sup>nd</sup> ever even mention the name of Ryan Robinson to  
21 you?

22 A No.

23 Q Now, there's been some discussion about an individual  
24 named Ed Cory, you've heard that testimony?

25 A Yes, I have.

26 Q Could you explain to the Court how Mr. Cory's name  
27 came up in the information that was provided to Mr. Dukes?

**A2.320**

1       A    Being that I had not been provided with any names or  
2 any information about who these people are, I attempted to  
3 bring up Mr. Cory's name, trying to figure out who the  
4 accusers were.

5       Q    But in what context did you bring up Mr. Cory's name?

6       A    I had brought up Ed Cory's name and referenced that I  
7 knew that he was not pro-gun, he was more in favor of very  
8 strict gun laws and he was aware that I was in favor of  
9 firearms rights.

10      Q    And could you just explain what you mean by in favor  
11 of firearms rights to the Judge? Had you expressed that  
12 view of how you felt about it on campus?

13      A    Yes, I had.

14      Q    All right. So if you just explain what you meant --  
15 why you brought up Ed Cory's name in that context?

16      A    I had brought up Ed Cory's name because I was -- I  
17 was known on campus as advocating for firearms rights. I  
18 was also part of the libertarian club which every year would  
19 go out to a shooting range off campus and would be involved  
20 in political debate about firearms rights and I was aware  
21 that Ed Cory was very much anti-firearms rights.

22      Q    Did Mr. Dukes say anything to you back about Mr.  
23 Corey after you provided that name to him?

24      A    No, he had not.

25      Q    Did he give you the name of anyone at all who might  
26 give you a -- an inkling or an understanding of where that  
27 information had come from?

**A2.321**

1                   ATTY. URBAN:  Objection to the form of the  
2                   question.

3                   ATTY. SCHOENHORN:  I'll rephrase the question.

4  BY ATTY. SCHOENHORN:

5           Q    At any time during the conversation you had with Mr.  
6  Dukes on October 2<sup>nd</sup>, did he give you a -- a -- any -- any  
7  information that would lead you to be able to discern or  
8  figure out who the source of any information was?

9           A    No, I had not.

10          Q    When was the first time that you became aware that  
11  the --

12                   THE COURT:  So, Mr. Schoenhorn, just a minute.

13                   Sorry, go ahead.

14  BY ATTY. SCHOENHORN:

15          Q    When was the first time that you became aware that a  
16  Nicholas Duff had made any statement against you?

17          A    During the hearing.

18          Q    Was it after the hearing had started?

19          A    Yes, it was.

20          Q    And when was the first time that Mr. Dukes had  
21  mentioned Ryan Robinson's name during that hearing?

22          A    I --

23          Q    I'm sorry, let me rephrase the question.  When's the  
24  first time that you had heard Ryan Robinson's name mentioned  
25  in connection with the investigation that they were  
26  conducting against you?

27          A    During the hearing.

**A2.322**

1 Q Did anyone ever tell you specifically that if you  
2 needed more time for this case they would let you have that  
3 time?

4 A No, no one had.

5 Q Now, on October 14, 2014 [sic] prior to the hearing,  
6 where did you go?

7 A I had gone to the CCSU Police Department with my  
8 father where we were informed that the hearing was to be  
9 had.

10 ATTY. URBAN: I'm sorry, I can't hear that.

11 THE COURT: I'm sorry, the end -- where you were  
12 informed what?

13 ATTY. SCHOENHORN: Speak up. Use the  
14 microphone.

15 BY ATTY. SCHOENHORN:

16 A I had gone to the CCSU Police Department with my  
17 father where we had been informed that the hearing was  
18 supposed to take place.

19 Q All right. And when you got there were you sent  
20 someplace else?

21 A I was informed that the hearing was moved to  
22 Copernicus and that I would be able to obtain the files that  
23 I had requested through FOIA from Denise Chancey.

24 Q What's the name?

25 A Denise Chancey.

26 Q C-a-n-c-e -- C-h-a-n-c-e-y?

27 A Yes.

**A2.323**

1 Q Did you go to where Denise Chancey was?

2 A Yes, I had.

3 Q Was she in the same building as Copernicus Hall?

4 A No, she was not.

5 ATTY. URBAN: Your Honor, I object. This has  
6 all been stipulated to that the documents were  
7 provided at or shortly before the hearing. This is  
8 part of our stipulation, I don't know why this has to  
9 be the subject of detailed testimony and we have to  
10 march around campus.

11 THE COURT: Mr. Schoenhorn, it's a relevance  
12 objection. Why do I need to know he went to the  
13 police department first, then he went to Ms. Chancey  
14 and --

15 ATTY. SCHOENHORN: All right. I'll skip to the  
16 chase then.

17 BY ATTY. SCHOENHORN:

18 Q How much time after copies of documents were made for  
19 you did you have to go to the hearing before the hearing  
20 started?

21 A Less than ten minutes.

22 Q And did you have a chance to review everything before  
23 the hearing started?

24 A No, I had not.

25 Q At any point before the hearing started, did Mr.  
26 Dukes give you what has been marked as Exhibits B and C  
27 during the hearing, that is the less redacted versions of

1 those reports?

2 A No, he had not.

3 Q And how long had the hearing been going on before he  
4 made them -- he gave you a copy?

5 ATTY. URBAN: Your Honor, the best evidence of  
6 that is the transcript.

7 ATTY. SCHOENHORN: Well it doesn't have times.

8 THE COURT: I'll allow the question. I don't  
9 remember it specifically from the transcript  
10 indicating that, but I'll -- so I'll allow it.  
11 What's your testimony on that, sir?

12 BY ATTY. SCHOENHORN:

13 A I can't give an exact number, but I would estimate it  
14 to be about twenty minutes.

15 THE COURT: Twenty minutes into the hearing, is  
16 that what you're saying?

17 MR. HAUGHWOUT: Yes.

18 THE COURT: So let me just clarify, Mr.  
19 Schoenhorn. Is it your testimony, Mr. Haughwout,  
20 that about twenty minutes into the hearing, by your  
21 recollection, you were provided by Mr. Dukes with  
22 copies of the police reports that were introduced at  
23 the hearing? Is that your testimony?

24 MR. HAUGHWOUT: Yes.

25 BY ATTY. SCHOENHORN:

26 Q Was a break called at any time so you could review  
27 that?

1 A There was a very temporary break just so that  
2 everybody would be able to quickly skim over the content of  
3 it.

4 Q What is very temporary mean in numbers?

5 A Less than five minutes.

6 Q And did the hearing then recommence?

7 A Yes, it had.

8 Q Did you happen to have a phone number for a -- for  
9 Ryan Robinson at that time?

10 A I do not believe so.

11 Q Did you see anyone there who you later learned to be  
12 someone named Nicholas Duff?

13 A No, I had not.

14 ATTY. SCHOENHORN: Just very briefly if I may  
15 have a moment, Your Honor, just to review my notes?

16 THE COURT: Yup.

17 ATTY. SCHOENHORN: I just wanted to ask whether  
18 the Court -- is part of the record the -- his  
19 subsequent appeals though the school system and his  
20 --

21 THE COURT: Yes.

22 ATTY. SCHOENHORN: That's in the record?

23 THE COURT: Yeah, the letters from -- let me  
24 just be sure that I -- we're both talking about the  
25 same thing, but I think the answer is yes -- I think  
26 they're all part of the --

27 ATTY. SCHOENHORN: I just wanted to make **A2.326**

1 THE COURT: -- exhibits filed with the  
2 defendant's objection. There are --

3 ATTY. SCHOENHORN: I didn't know if his response  
4 to the -- to the findings is part of the record.

5 THE COURT: I believe it is, but let's make  
6 sure.

7 ATTY. URBAN: I'm sorry, what document are we  
8 referring to?

9 THE COURT: Mr. Haughwout's response to the  
10 findings of the hearing -- the findings of the  
11 hearing body are memorialized in a memorandum of  
12 decision, October 19, 2015, which is attached as an  
13 exhibit.

14 ATTY. URBAN: Your Honor --

15 THE COURT: The next document in the file is  
16 from Mr. Haughwout it's to Ms. Tordenti and -- and  
17 others.

18 ATTY. URBAN: It's Exhibit A5 to Mr. Dukes'  
19 affidavit.

20 ATTY. SCHOENHORN: It's a four page document, I  
21 just wanted to make sure that the --

22 THE COURT: Dear Dr. Tordenti, it begins and he  
23 goes -- it's quite the lengthy and detailed --

24 ATTY. SCHOENHORN: Yes.

25 THE COURT: -- document.

26 ATTY. SCHOENHORN: Okay.

27 THE COURT: Yes, that is in the file. **A2.327**

1 BY ATTY. SCHOENHORN:

2 Q My final couple of questions. Have you attempted to  
3 seek an alternative education at another university since  
4 your expulsion?

5 A Yes, I have.

6 ATTY. URBAN: Objection.

7 THE COURT: Grounds?

8 ATTY. URBAN: Outside the scope of the hearing.

9 THE COURT: Sustained.

10 ATTY. SCHOENHORN: No further questions.

11 THE COURT: Cross examine?

12 CROSS EXAMINATION BY ATTY. URBAN:

13 Q Mr. Haughwout, during the course of the hearing  
14 Edward Cory was discussed, correct?

15 A Yes.

16 Q And during the course of the hearing Ryan Robinson  
17 was discussed, correct?

18 A Yes.

19 Q And during the course of the hearing Nicholas Duff  
20 was discussed, correct?

21 A Yes.

22 Q And a someone named Maxwell whose last name was not  
23 discussed was discussed, correct?

24 A Yes.

25 Q And the police reports that were admitted into  
26 evidence in the disciplinary hearing, B and C, those had all  
27 those names that I just went through with you, correct?

**A2-328**

1 A Yes.

2 ATTY. URBAN: Nothing further, Your Honor.

3 THE COURT: Any redirect, sir, on those points?

4 ATTY. SCHOENHORN: Just one.

5 REDIRECT EXAMINATION BY ATTY. SCHOENHORN:

6 Q If you had the name of Ryan Robinson prior to the  
7 hearing would you have called him as a -- your witness?

8 ATTY. URBAN: Objection, speculation.

9 THE COURT: I'll allow it. You may answer, sir.

10 BY ATTY. SCHOENHORN:

11 A Yes, I would. Yes, I would have.

12 Q In fact, do you see Ryan Robinson in the courtroom  
13 today?

14 A Yes, I do.

15 Q Can you just point him out for the Court?

16 A He is sitting two rows behind Mr. Dukes.

17 THE COURT: The gentleman with the beard and  
18 glasses?

19 MR. HAUGHWOUT: Yes.

20 THE COURT: The record may so reflect.

21 ATTY. SCHOENHORN: I have no further questions.

22 THE COURT: Mr. Haughwout, I just have one  
23 question for you. When did you make the Freedom of  
24 Information Act request to which the university  
25 responded?

26 MR. HAUGHWOUT: I believe that is part of the  
27 record, but I think that was late in September.

1 probably around the 27<sup>th</sup>-28<sup>th</sup>.

2 THE COURT: So you made the Freedom of  
3 Information Act request before you were suspended?

4 MR. HAUGHWOUT: Yes, I had.

5 THE COURT: And why would you make a Freedom of  
6 Information Act request prior to having any notice  
7 that you were the subject of -- or the potential  
8 subject for disciplinary procedures?

9 MR. HAUGHWOUT: The police department had called  
10 me and informed me that they had received a complaint  
11 and asked me to come down and talk to them. They did  
12 not specify any information about the complaint, nor  
13 did they specify any names. I filed a Freedom of  
14 Information Act request one or two days after that  
15 hearing, as quickly as possible, trying to get the  
16 names and information about what accusations were  
17 being made.

18 THE COURT: And did you make that request in  
19 writing?

20 MR. HAUGHWOUT: Yes, via email.

21 THE COURT: Okay. To whom did you direct that  
22 email?

23 MR. HAUGHWOUT: That was directed to Denise  
24 Chancey.

25 THE COURT: Ms. Chancey. Any follow-up to my --  
26 my questions, Mr. Schoenhorn, first?

27 ATTY. SCHOENHORN: No, Your Honor.

1 THE COURT: Mr. Urban?

2 ATTY. URBAN: No, Your Honor.

3 THE COURT: Thank you, Mr. Haughwout. You can  
4 step down, sir.

5 MR. HAUGHWOUT: Thank you, sir.

6 (The witness exits the stand.)

7 THE COURT: And just before I go on with Mr.  
8 Schoenhorn, I just want to note that Mr. Urban, you  
9 -- you asked me whether I had an unredacted copy of  
10 the transcript, which I don't, I also -- the police  
11 reports that are in the -- in the file, Exhibits B  
12 and C, you just said that they were unredacted at the  
13 hearing. The ones that I have are redacted, the  
14 names -- and I supposed you did that again in  
15 response to my order allowing you to do that rather  
16 than sealing the file -- but you're representing, and  
17 I haven't heard Mr. Schoenhorn say anything to the  
18 contrary and I think Mr. Haughwout just confirmed it,  
19 you're telling me that the police reports that were  
20 introduced as Exhibits B & C at the hearing were  
21 unredacted, is that correct?

22 ATTY. URBAN: Except for the last name of --

23 THE COURT: Except for this gentleman, Maxwell.

24 ATTY. URBAN: -- Mr. -- Maxwell blank.

25 ATTY. SCHOENHORN: Your Honor, I think that more  
26 -- let me just -- could I just speak with Mr. --

27 THE COURT: Yeah. Yes.

**A2.331**

1           ATTY. URBAN: Well I stand corrected to the  
2 extent the addresses and telephone numbers were  
3 redacted, the names were as I described.

4           THE COURT: Understood. The names were present,  
5 but the other identifying information was not.

6           ATTY. URBAN: Yes. But there -- of course there  
7 was student email also.

8           THE COURT: Mr. Schoenhorn, additional evidence?

9           ATTY. SCHOENHORN: Yes, very briefly, Your  
10 Honor, and then I would ask the Court to make a  
11 ruling on brief testimony whether I can call Mr.  
12 Robinson to expand the -- the hearing to just cover  
13 what it is he said and what he had done because of  
14 Mr. Dukes -- it's not just that a report was given,  
15 Mr. Dukes' explicated or expounded on what he  
16 believed Mr. Robinson had said, so I just wanted that  
17 --

18           THE COURT: Well as I said, we'll cross that  
19 bridge when we come to it.

20           ATTY. SCHOENHORN: I'd like to call Bret  
21 Haughwout to the stand.

22           THE COURT: Mr. Haughwout, you know the drill by  
23 now.

24           (The witness assumes the stand. The clerk duly  
25 swears in the witness.)

26

27

**A2.332**

1 B R E T H A U G H W O U T,

2 of 7 Egypt Lane, Clinton, Connecticut, having been duly  
3 sworn, testified as follows:

4 THE COURT: Good afternoon, Mr. Haughwout,  
5 please have a seat.

6 DIRECT EXAMINATION BY ATTY. SCHOENHORN:

7 Q Mr. Haughwout, what's your relationship with Austin?

8 A I am his father.

9 Q Did you become aware on or about October 1, 2015 that  
10 he had received a notice of interim suspension?

11 A Yes.

12 Q And as a result of that, did you undertake any  
13 efforts to contact university officials about the  
14 circumstances?

15 A Yes, I did.

16 Q And can you tell the Court about that, please?

17 A I made two emails and approximately a dozen phone  
18 calls attempting to reach Christopher Dukes to discuss  
19 getting information regarding the nature of the allegations  
20 against Austin.

21 Q And did you at any point have a conversation with Mr.  
22 Dukes?

23 A Yes. On my very first attempt to reach Mr. Dukes, I  
24 reached him. We had a fourteen minute conversation in which  
25 we -- in which I was requesting information, you know,  
26 specifics regarding the allegations against him and I was  
27 given nothing to be able to go forward with.

**A2.333**

1 Q Well, you're jumping ahead. Let me ask you a  
2 question rather than anticipating my question. All right.

3 ATTY. URBAN: I'm going to object, beyond the  
4 scope of Your Honor's order for the purpose of this  
5 hearing.

6 THE COURT: Well I've heard already, without  
7 objection, testimony about some documents that have  
8 come in through Mr. Haughwout, so I'm going to allow  
9 limited questioning on this subject.

10 BY ATTY. SCHOENHORN:

11 Q Did at any time Mr. Dukes discuss with you the  
12 conversation he had had with your son on or about October 2,  
13 2015?

14 A Yes.

15 Q Did he at any point tell you he had given details of  
16 any sort to Austin about the nature of his investigation?

17 A No.

18 Q Did he give you any details about the nature of the  
19 investigation that led to his interim suspension?

20 A No.

21 Q Or what information he had that he was claiming  
22 resulted in proceedings that he was then conducting?

23 A No.

24 Q Now there was testimony about an email sent on  
25 October 7, 2015, this is in Exhibit 2. I'm gonna ask, did  
26 you, in fact, send that email to Mr. Dukes on or about the  
27 time and date stated?

**A2.334**

1 A Yes, I did.

2 Q Does it refer to a conversation you had the previous  
3 day?

4 A Yes, it does.

5 Q Why did you send that email?

6 ATTY. URBAN: Your Honor, I'm gonna object now,  
7 again. This is beyond the scope.

8 THE COURT: Sustained as to that why question.  
9 Again, there is a document in evidence which came in  
10 without any objection and I'll allow, again, some  
11 limited testimony as to the circumstances surrounding  
12 it or what led up to it, what happened as a result,  
13 but why is irrelevant.

14 ATTY. SCHOENHORN: All right, very well.

15 BY ATTY. SCHOENHORN:

16 Q Did you receive a response to that email at any time  
17 from Mr. Dukes?

18 A No.

19 Q Did you at any time prior to October 14, 2015 learn  
20 the details of the allegations against him through your own  
21 efforts?

22 A No.

23 Q Did you follow up with a -- an email to Mr. Dukes on  
24 October 13<sup>th</sup> which is marked as Exhibit 4?

25 A Yes, I did.

26 Q And up until the time that you had sent that letter,  
27 had you received any information regarding the allegations

1 or the names of person or persons who were the basis for any  
2 allegations?

3 A No. No information whatsoever.

4 Q When did you first learn the names Nicholas Duff?

5 A During the hearing.

6 Q When did you first learn the name Ryan Robinson?

7 A During the hearing.

8 Q And when did you first hear -- hear the first name  
9 Maxwell?

10 A During the hearing.

11 ATTY. SCHOENHORN: I have no further questions.

12 THE COURT: Any cross examination?

13 ATTY. URBAN: I don't think so. I have no  
14 questions, Your Honor.

15 THE COURT: Thank you, Mr. Haughwout, you can  
16 step down, sir.

17 (The witness exits the stand.)

18 THE COURT: Any other testimony or other  
19 evidence on the subject of this hearing?

20 ATTY. SCHOENHORN: Not except for the motion to  
21 (Indiscernible).

22 THE COURT: Right. Any rebuttal testimony from  
23 you, Mr. Urban?

24 ATTY. URBAN: No, Your Honor.

25 THE COURT: Mr. Urban, I'm going to take you up  
26 on the offer that you made earlier to provide the  
27 Court with an unredacted copy of the hearing

1 transcript and an unredacted copies of what came in  
2 as Exhibits B and C. When I say unredacted, I mean,  
3 unredacted to the extent that they were -- unredacted  
4 when they went to the -- to -- to Mr. Haughwout and  
5 to the panel. I understand from what you and Mr.  
6 Schoenhorn told me before the names were there but  
7 the other identifying information like address and  
8 phone numbers were not, so I don't want those to  
9 appear but I would like you to provide the Court --  
10 now that -- how does that -- that does raise this  
11 issue though, the issue that you raised additionally  
12 with your -- your motion to seal.

13 ATTY. SCHOENHORN: I'd like to be --

14 THE COURT: Now I am mindful of that -- that  
15 concern, that's why I gave you permission when you  
16 did file to -- to redact the names. Perhaps I really  
17 don't need -- based on the stipulations of counsel, I  
18 think I understand the -- the condition in which  
19 these Exhibits B and C were when they were presented  
20 to the panel and given to Mr. Haughwout and I  
21 understand from the stipulation from the testimony  
22 from Mr. Dukes that the names of the students, the  
23 three students, were -- who were stated at the  
24 hearing and the first name of one student was stated  
25 at the hearing so perhaps, rather than get into the  
26 whole issue of disclosing identities that may or may  
27 not raise a FERPA issue, it might be well to

1 leave the record the way it is based on your and Mr.  
2 Schoenhorn's stipulation to evidence that I've heard  
3 today.

4 ATTY. URBAN: I would also be pleased to provide  
5 the Court with, if it would be of assistance, the  
6 listing of the pages of transcript where the names  
7 are discussed.

8 THE COURT: And this, again, this is the list  
9 you provided to Mr. Schoenhorn, is that right?

10 ATTY. URBAN: Correct.

11 THE COURT: That would be useful.

12 ATTY. URBAN: I can give it to you right now,  
13 Your Honor.

14 THE COURT: Why don't we make it an exhibit,  
15 another Court's Exhibit, Exhibit 3 in this hearing.

16 ATTY. SCHOENHORN: I just want to make -- there  
17 were some other matters discussed, I just want to  
18 make sure that's not --

19 (Counsel takes a moment to discuss.)

20 ATTY. SCHOENHORN: Your Honor, just -- just for  
21 the record, the list of names -- the list of pages  
22 and the names from the transcript which may be  
23 helpful with the Court with the unredacted copy.  
24 I'll just state for the record, my research  
25 disclosing -- and the reason I don't want to just  
26 have him put in the whole email, I don't agree that  
27 FERPA applies to these police reports, I have the

1 specific subsections of the statute that say when  
2 there's a law enforcement agency that prepares  
3 reports they are not student records, but I don't  
4 want to get into that as to whether they should or  
5 should not have redacted since the purpose of this  
6 issue is -- of the hearing is -- he didn't have those  
7 names, so --

8 THE COURT: Right, that's very clear.

9 ATTY. URBAN: But Your Honor, if I may --

10 THE COURT: Yeah.

11 ATTY. URBAN: -- I do think that issue is  
12 relevant. I mean, I know -- the Court did not want  
13 to hear why, but there is a federal law here that --  
14 that controls the conduct of the university and its  
15 disciplinary process and that process, you know,  
16 provides that you can't disclose personally  
17 identifiable information even from police records,  
18 when those police records are in the hands of someone  
19 other than the police or are used for disciplinary  
20 purposes and I have that cite -- 34 CFR, Part 99.8,  
21 Subsection --

22 THE COURT: But there came a time when they were  
23 disclosed to Mr. Haughwout, right? There came a time  
24 in the hearing when these identities were disclosed.

25 ATTY. URBAN: Because Mr. Dukes had obtained  
26 oral permission by that time for them to be provided.  
27 Ms. Mangan did not know that Mr. Dukes had obtained

1           those oral permissions. It's also questionable  
2           whether an oral permission is sufficient under the  
3           regulations which it really is not.

4           THE COURT: What's the relevance, though, that  
5           you see in the application or not of this Federal  
6           Education Act?

7           ATTY. URBAN: Well, the -- the law provides that  
8           -- the student code -- all of the university has to  
9           comply with the Family and Educational Rights and  
10          Privacy Act, and that says you can't disclose  
11          personally identifiable student information without  
12          the consent of the student, him or herself, and it  
13          also provides in its definition of education records,  
14          that normally records of law enforcement agencies  
15          connected with higher education institutions are not  
16          holders of education records, but there's an  
17          exception that says when those records are held by  
18          someone -- when police records are held by someone  
19          other than the police department or are to be used as  
20          part of a disciplinary proceeding, they are education  
21          records.

22          THE COURT: Well here's what I'd like counsel to  
23          do on this subject. This is a subject about which I  
24          know virtually nothing and you -- you have this -- an  
25          opinion, Mr. Schoenhorn, of why the act didn't  
26          require them to redact the names in the police  
27          reports, at least, and you have a contrary opinion.

1 I'm going to ask both counsel to file brief memoranda  
2 of law as to the applicability or not of FERPA, the  
3 Federal Education Records Protection Act?

4 ATTY. URBAN: Federal Education Rights and  
5 Privacy Act.

6 THE COURT: Rights and Privacy Act. Yeah, why  
7 don't you each file, I'll give you however long you'd  
8 like to file a memorandum, let's say not exceeding  
9 six pages in length of the application or not, as you  
10 see it Mr. Schoenhorn, of the provisions of the  
11 Federal -- of this act -- plus any federal  
12 regulations that either one of you claim are relevant  
13 to the Court's understanding of the act.

14 ATTY. SCHOENHORN: If I may inquire, we're  
15 talking about the CCSU reports that were only  
16 provided and redacted, so I'm not asking about -- and  
17 I don't need to write anything about student  
18 transcripts or anything else --

19 THE COURT: No.

20 ATTY. SCHOENHORN: -- it's just these -- the  
21 Exhibits B and C --

22 THE COURT: Correct.

23 ATTY. SCHOENHORN: -- and the one -- Exhibits 1  
24 and 2 which were given to him in the form they were  
25 given to him?

26 THE COURT: Correct, yes, that's all, yeah.

27 Now, with regards to this motion that you filed, M

**A2.341**

1 Schoenhorn, the record should reflect that on Friday  
2 counsel filed a motion -- a motion in limine, so-  
3 called, to expand the scope of this hearing and  
4 attached to that motion was an offer of proof by  
5 counsel and an affidavit of a private investigator  
6 working for Attorney Schoenhorn about her contact  
7 with Mr. Robinson. And the record should also  
8 reflect that this morning Attorney Urban filed on  
9 behalf of the defendants and objection to this motion  
10 or at least what's being taken up today.

11 Based on the alleged untimeliness of it, leaving  
12 aside the issue of timing of the time available  
13 today, why should I take this up today, Mr. -- Mr.  
14 Schoenhorn? This affidavit of your investigator, Ms.  
15 Bainer says she had a conversation with Mr. Ryan on  
16 July 21<sup>st</sup>. She didn't file an affidavit about it  
17 until July the 26<sup>th</sup>. You didn't file this motion  
18 until August the 5<sup>th</sup>, last Friday, thereby giving the  
19 State no opportunity to respond until this morning.  
20 Why should I take this up today given these lapses of  
21 time. I mean, Ms. Bainer could've filed an affidavit  
22 sooner.

23 Upon receiving her affidavit even on the 26<sup>th</sup>  
24 you could've filed this motion in which you allege --  
25 you make some very serious, in fact, criminal  
26 allegations of witness tampering, you could've filed  
27 such a motion August the -- I mean, July th

1 July the 28<sup>th</sup>. Why should I take this matter up  
2 today?

3 ATTY. SCHOENHORN: I did not physically have the  
4 affidavit until this past week and for the Court's  
5 edification, I was in New York at a seminar, this was  
6 -- actually had to be filed by emailing me a copy of  
7 what I had written and then sending it back so that  
8 it could be filed. I want to indicate though, that  
9 in light of my conversation with Mr. Robinson, today,  
10 he's not able to identify any official at the  
11 university who made these statements. And, in fact,  
12 it may be one of the other people that's been  
13 mentioned during the course of the hearing, that is a  
14 -- one of the other students that told him that, so  
15 to the extent that that is now a clarification of  
16 what the investigator was told by Mr. Robinson and  
17 Mr. Robinson's mother, again, it is hearsay, but to  
18 the extent I -- it -- it got raised in that way, I  
19 wanted the Court to be aware of it before we had a  
20 hearing.

21 You'll note I did not cross examine Mr. Dukes  
22 about it, I didn't make it an issue for purposes of  
23 his credibility because I am not able to say that any  
24 of the defendants in this case are the persons that  
25 or among the persons who told him not to cooperate  
26 with our office after initially agreeing to it.

27 THE COURT: So if I --

**A2.343**

1           ATTY. SCHOENHORN: The second purpose though,  
2 Your Honor, would be to show since the issue is, you  
3 know, we've got this due process issue and then we  
4 got the First Amendment issue.

5           THE COURT: Yup.

6           ATTY. SCHOENHORN: And to that extent, hearing  
7 from the individual who is the actual person that the  
8 conversation was with might be of some aid to the  
9 Court in making its determination, that was the --

10          THE COURT: I just want to make sure I  
11 understand what you've just said.

12          ATTY. SCHOENHORN: Yes.

13          THE COURT: If I understood you correctly, what  
14 you learned in your conversation with Mr. Robinson  
15 today is that he can't identify anyone from the  
16 university who told him not to talk about Mr.  
17 Haughwout or Mr. Haughwout's alleged statements and  
18 actions, he may have received such counsel from  
19 another student whose name has been mentioned, is  
20 that what you said?

21          ATTY. SCHOENHORN: If I recall what he told me  
22 is that -- that the other student was told not to  
23 cooperate and spread the information to him from the  
24 university, that's -- that's my understanding of  
25 (Indiscernible).

26          THE COURT: Well this, I mean, then --

27          ATTY. URBAN: That adds an additional level of

1 hearsay, Your Honor.

2 THE COURT: Yes, it does. And it's hard to know  
3 how to explain, Mr. Schoenhorn -- I guess the first  
4 response is your motion in limine is denied.

5 ATTY. SCHOENHORN: All right.

6 THE COURT: The objection is sustained. In  
7 addition, sir, I have to tell you that -- I'm reading  
8 from your motion now -- this is a motion now filed in  
9 Court in which you accuse the defendants, without  
10 mentioning anyone by name, will misrepresent --  
11 misrepresentation -- I guess you're actually  
12 referring to Mr. Dukes -- the defendant's  
13 misrepresentations regarding the conversation with  
14 Mr. Ryan Robinson, then the plaintiff would've called  
15 Mr. Robinson as a witness in the expulsion hearing.

16 ATTY. SCHOENHORN: Correct.

17 THE COURT: The defendants, however,  
18 misrepresented the contents of the conversation with  
19 Mr. Robinson both within the police reports and at  
20 the expulsion hearing. And then you go on to say,  
21 that not only did they misrepresent the information,  
22 you say that during the pendency of the litigation in  
23 this matter, the defendants kept Mr. Robinson from  
24 speaking with the plaintiff's attorney. In light of  
25 these misrepresentations and the defendants' apparent  
26 witness tampering, the undersigned counsel seeks to  
27 present the testimonies. I mean, that's a crime.

1 accusation, Mr. Schoenhorn --

2 ATTY. SCHOENHORN: I --

3 THE COURT: -- and you're making that -- you  
4 never spoke to Mr. Robinson, right?

5 ATTY. SCHOENHORN: Before today, no.

6 THE COURT: Before today. And yet you're  
7 putting in a motion in court and an offer of proof  
8 signed by you as Exhibit A --

9 ATTY. SCHOENHORN: With an attached affidavit  
10 from my investigator --

11 THE COURT: Well, yes, but you -- you say in  
12 your offer of proof, in April 2016, there's nothing  
13 about April in your -- in your investigator's  
14 affidavit. In April Mr. Robinson stated to the  
15 plaintiff's investigator that he didn't believe the  
16 plaintiff was a threat to him or to the school and  
17 that he didn't feel threatened by the plaintiff.  
18 There's no affidavit supporting -- that's just your  
19 representation to the Court. And then you go on to  
20 say about the witness tampering again.

21 This conduct, paragraph four, on or about July  
22 21<sup>st</sup> Ryan Robinson advised the plaintiff's  
23 investigator he had been contacted by officials from  
24 Central. These officials told Mr. Robinson not to  
25 speak to anyone regarding the Austin Haughwout  
26 matter. This conduct appears to be witness tampering  
27 and intended to further the defendants'

**A2.346**

1 misrepresentation of a conversation between Mr.  
2 Robinson and the plaintiff.

3 I mean, Mr. Schoenhorn, for you to make that  
4 accusation based on no personal information, I think  
5 at that the very least is reckless conduct on your  
6 part, so the motion is denied. The objection is  
7 sustained; the Court won't consider this issue. I'll  
8 take the papers on the issues raised in the -- by my  
9 order and the -- and the testimony that was  
10 introduced today. Did you want to say something  
11 else?

12 ATTY. URBAN: Just two housekeeping matters. I  
13 will send the transcript, unredacted, to the Court.

14 THE COURT: No, I think I decided that --

15 ATTY. URBAN: Oh, you didn't, okay.

16 THE COURT: -- I don't need it --

17 ATTY. URBAN: And then I have this list of pages  
18 --

19 THE COURT: Maybe if you and the clerk can get  
20 together and --

21 ATTY. URBAN: I don't think it --

22 THE CLERK: Is that Court -- Court 3 --

23 THE COURT: Yeah, this is Court 3.

24 THE CLERK: -- that you had ordered?

25 THE COURT: Yeah.

26 THE CLERK: And, Your Honor, when are the briefs  
27 due?

**A2.347**

1 THE COURT: Oh, the briefs I said, yes, the  
2 short briefs on the application of FERPA --

3 ATTY. SCHOENHORN: Do you want two weeks?

4 THE COURT: Two weeks is fine.

5 ATTY. URBAN: Your Honor, if I could have a more  
6 time, I'm subject to a preliminary injunction in  
7 federal court with Judge Shea. Over the next several  
8 days I have to file five separate findings of fact --

9 THE COURT: Three weeks?

10 ATTY. URBAN: Three weeks?

11 THE COURT: Three weeks okay?

12 ATTY. URBAN: Thank you, Your Honor.

13 THE COURT: All right, gentleman. Madame Clerk,  
14 we'll be in recess until 2:00

15 THE CLERK: Thank you, Your Honor.,

16 (The matter concludes. Court is in recess.)

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NO: HHB-CV16-6032526-S : SUPERIOR COURT  
AUSTIN HAUGHWOUT : JUDICIAL DISTRICT  
OF NEW BRITAIN  
v. : AT NEW BRITAIN, CONNECTICUT  
LAURA TORDENTI : AUGUST 8, 2016

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

I hereby certify the foregoing pages are a true and correct transcription of the audio recording of the above-referenced case, heard in Superior Court, Judicial District of New Britain, Connecticut, before the Honorable Joseph M. Shortall, Judge, on the 8<sup>th</sup> day of August, 2016.

Dated this 18<sup>th</sup> day of January, 2017 in New Britain, Connecticut.



Kathleen Prairie  
Court Recording Monitor

NO: HHB-CV16-6032526-S : SUPERIOR COURT  
AUSTIN HAUGHWOUT : JUDICIAL DISTRICT  
 : OF NEW BRITAIN  
v. : AT NEW BRITAIN, CONNECTICUT  
LAURA TORDENTI, ET AL : OCTOBER 3, 2016

BEFORE THE HONORABLE JOSEPH M. SHORTALL, JUDGE TRIAL REFEREE

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

Representing the Plaintiff:

ATTORNEY JON SCHOENHORN  
108 Oak Street  
Hartford, Connecticut 06106

Representing the Defendant:

ATTORNEY RALPH URBAN  
55 Elm Street  
Hartford, Connecticut 06141

Recorded By:  
Sarah Grover

Transcribed By:  
Sarah Grover  
Court Recording Monitor  
20 Franklin Square  
New Britain, Connecticut 06051

**A2.350**

1 THE COURT: Please be seated, gentlemen.

2 ATTY. SCHOENHORN: Good afternoon, Your Honor.

3 ATTY. URBAN: Good afternoon.

4 THE COURT: Good afternoon. This is a matter  
5 that I had specially assigned for today for a status  
6 conference, *Haughwout v. Tordenti*; CV16-6032526.  
7 Would counsel identify themselves for the record?

8 ATTY. SCHOENHORN: Jon Schoenhorn for the  
9 Plaintiff.

10 ATTY. URBAN: Ralph Urban from the Attorney  
11 General's Office for the Defendants.

12 THE COURT: A -- a certificate of closed  
13 pleadings and claim for the trial list was filed on  
14 July 21 by -- by you, Mr. Schoenhorn, and I wanted to  
15 talk with you and Mr. Urban today to try and see if  
16 we could arrive at a trial date sometime between now  
17 and the end of the year. And I'm, obviously,  
18 retaining jurisdiction of this case.

19 ATTY. SCHOENHORN: Do you mind if I interrupt,  
20 Your Honor, because Mr. Urban and I just talked about  
21 this. We believe that the court heard everything  
22 that it would need to hear and we were proceeding  
23 under the assumption that we were waiting for a  
24 judgment since we -- I withdrew any monetary claims  
25 and originally, Your Honor'd asked whether I could  
26 combine the preliminary injunction motion with the  
27 trial.

1           At that time, I said I was not prepared to, but  
2           in light of the claims regarding monetary relief  
3           against the State, I withdrew those so we were  
4           prepared to -- unless the Court needed to hear  
5           additional evidence to allow the Court to --

6           THE COURT: I don't believe I need to hear  
7           additional evidence, I was -- this is one of the  
8           reasons I had the status conference for today because  
9           I was -- I was halfway expecting one or the other of  
10          you to file a motion for summary judgment on the  
11          grounds that there are not unresolved factual issues  
12          and that the matter is a matter of law and the issues  
13          of, you know, free speech and due process and the  
14          breach of contract, and no such motion having been  
15          filed, I thought, well, let me discuss with counsel  
16          what factual issues there are remaining to be tried,  
17          especially since you had filed the claim for the  
18          trial list.

19          So am I hearing you saying, Mr. Schoenhorn that  
20          you and Mr. Urban agree that there are no -- I mean,  
21          there are no -- there's no more evidence for the  
22          Court to hear on the factual issues between Mr.  
23          Haughwout and the Defendant, is that -- am I hearing  
24          that correctly?

25          ATTY. SCHOENHORN: Correct. And the problem  
26          with summary judgment was there was a dispute about  
27          what Mr. Haughwout had been told versus what he

1 they -- the school officials claimed he had been  
2 told, given notice of. We had a hearing on that --

3 THE COURT: Right.

4 ATTY. SCHOENHORN: -- Your Honor will recall,  
5 and that was an issue that the Court would need to  
6 resolve and that obviously -- my argument would've  
7 been that the First Amendment issue remains clear,  
8 but in light of the fact that we -- we produced  
9 documentation that he wasn't even told what it was  
10 that he said was blocked out, it did require an  
11 evidentiary ruling or a credibility determination by  
12 the Court. Therefore, I felt summary judgment would  
13 not have been beneficial because of that.

14 THE COURT: So do you agree, Mr. Urban that as  
15 far as --

16 ATTY. URBAN: Yes. My understanding is --

17 THE COURT: -- what evidence the Court needs to  
18 decide this case, I've heard it all?

19 ATTY. URBAN: I think so. I think that any  
20 claims for monetary relief are now out of the case.  
21 That's clear. So the claims for equitable relief is  
22 before the Court. I think you have -- I can't recall  
23 if there's an equitable claim on a contract count,  
24 I'm not sure that there is.

25 THE COURT: I don't think so.

26 ATTY. URBAN: So I think it's really an  
27 equitable claim on the -- on the due process counts.

1 and --

2 THE COURT: What do you mean by an equitable  
3 claim?

4 ATTY. URBAN: Well, I mean a claim for equitable  
5 relief for non-monetary --

6 THE COURT: Oh, injunctive or mandate --

7 ATTY. URBAN: Yeah, yes. Correct.

8 THE COURT: -- mandatory relief.

9 ATTY. URBAN: So it's just the injunctive relief  
10 that's before the Court and I think it's pretty well  
11 briefed and I think as I -- I do agree with attorney  
12 Schoenhorn, I don't think the -- I think the factual  
13 issues were laid out fairly well in the hearing that  
14 you held, so I --

15 THE COURT: Madam Clerk, would you make note  
16 that Mr. Schoenhorn and Mr. Urban actually agree on  
17 something here today. This is -- this I believe,  
18 gentlemen, this is a first in this case. I could be  
19 wrong.

20 ATTY. SCHOENHORN: There is one thing I do  
21 disagree --

22 THE COURT: Oh.

23 ATTY. SCHOENHORN: -- that I believe in my --

24 ATTY. URBAN: There you go.

25 ATTY. SCHOENHORN: -- memorandum, I do argue  
26 that in the breach of contract, specific performance  
27 is -- is a ruling that the Court can make and that is

1 equitable.

2 THE COURT: Okay.

3 ATTY. SCHOENHORN: So. But --

4 THE COURT: And then of course after the  
5 evidentiary hearing that we had where Mr. Haughwout  
6 testified and his father testified and the people  
7 from CCSU testified, you both filed memoranda on the  
8 relevance of the Federal Education Act, which I --  
9 which I have.

10 Then should I assume that the status of the case  
11 is that the record is closed as far as evidence is  
12 concerned, the parties believe that they have  
13 adequately briefed the legal issues and essentially,  
14 you're waiting for a decision from me?

15 ATTY. URBAN: I think that's true. I think the  
16 only one thing I'm -- would like to point out is I'm  
17 not sure -- it should be made clear to the Court in  
18 terms of this young man's record for applications to  
19 other schools that it's my understanding that a  
20 disciplinary expulsion does not appear on the  
21 permanent record whereas an academic expulsion does,  
22 and this was a disciplinary expulsion.

23 THE COURT: Okay.

24 ATTY. URBAN: I think I represented that in the  
25 papers --

26 THE COURT: I don't know anything about that.

27 ATTY. URBAN: -- but I don't know if --

1 THE COURT: I don't --

2 ATTY. SCHOENHORN: Yeah, and I don't know, it  
3 does -- I think the testimony in the affidavit was  
4 that he had to fill out a -- on his application, he  
5 would have to disclose any disciplinary expulsion and  
6 then have to explain why whether it appears on the  
7 transcript or not, he would be asked why he has --  
8 has he have been asked -- has he ever been suspended  
9 or expelled, I think that's in the record that he  
10 would have to state that on the -- in the record.  
11 That's the only --

12 THE COURT: In an application for admission to  
13 another school?

14 ATTY. SCHOENHORN: For another school, yes.

15 ATTY. URBAN: Yeah, my representation is only as  
16 to what appears on the CCSU transcripts.

17 THE COURT: All right.

18 ATTY. SCHOENHORN: And I don't know the -- I  
19 don't have any reason to dispute that. I don't know  
20 what it appears on.

21 THE COURT: Right. Okay. And -- and that  
22 doesn't appear to be a material fact. That appears  
23 that the material fact may be what, if anything, he  
24 has to disclose on an application about a  
25 disciplinary transcript.

26 All right, then I -- I'll take it the record is  
27 closed as far as evidence is concerned. Counsel both

1 consider all of the issues appropriately briefed.  
2 Then I'll do my very best to get a decision out  
3 before the end of the year because I'm going to be  
4 gone in January and February and I don't want this  
5 hanging fire while I'm gone.

6 So, all right. Well, this was certainly useful  
7 to me. It may -- it may have not been so useful to  
8 you, but at least it was useful to me as to  
9 understanding just what is the status of the case.

10 As I said, Mr. Schoenhorn, when you filed the  
11 claim for the trial list, and I thought well -- and I  
12 reread your complaint, I thought, well, maybe there  
13 are issues here. I didn't -- I didn't -- I agreed in  
14 my own mind with the position that you both  
15 articulated today, but I thought, well, maybe there's  
16 more to this than I realized.

17 So I will then undertake to -- to render a  
18 decision just as soon as I can. I'll take August the  
19 17<sup>th</sup>, which is the last -- which the date on which  
20 you filed your memorandum, Mr. Urban, on the  
21 applicability of the family and the educational  
22 rights and privacy act as my starting date, but even  
23 that would -- even though that would -- well, that  
24 would take me into December as far as 120 days is  
25 concerned, and I will endeavor to meet that deadline  
26 as best I can, and I think I -- I think I will be  
27 able to meet that.

1           ATTY. SCHOENHORN: Right. And just -- if Mr.  
2           Urban could just state for the record so that just  
3           for Your Honor's edification and mine depending on  
4           whichever way the Court rules, my client's future  
5           what he would do academically would depend on -- when  
6           -- could I just find out when the winter semester  
7           starts, so that even assuming the decision doesn't  
8           come out until December 17, he can make plans at  
9           another school. I just want to know whether -- when  
10          -- when Central's winter or spring semester actually  
11          begins.

12           THE COURT: Do you know that, Mr. --

13           ATTY. URBAN: I do not know that off the top of  
14          my head.

15           THE COURT: -- Urban.

16           ATTY. URBAN: No.

17           THE COURT: Okay. I'm sure there's probably in  
18          the college catalog --

19           ATTY. SCHOENHORN: It is.

20           THE COURT: -- what time the winter session --

21           ATTY. SCHOENHORN: Okay.

22           THE COURT: Okay. Gentlemen, then I won't keep  
23          you any longer. I'll proceed along those lines and  
24          get a decision out to you before the end of the year.  
25          All right?

26           ATTY. SCHOENHORN: Thank you.

27           ATTY. URBAN: Thank you.

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THE COURT: Thanks very much for coming in.  
ATTY. SCHOENHORN: Thank you.

NO: HHB-CV16-6032526-S : SUPERIOR COURT  
AUSTIN HAUGHWOUT : JUDICIAL DISTRICT  
 : OF NEW BRITAIN  
v. : AT NEW BRITAIN, CONNECTICUT  
LAURA TORDENTI, ET AL : OCTOBER 3, 2016

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

I hereby certify the foregoing pages are a true and correct transcription of the audio recording of the above-referenced case, heard in Superior Court, Judicial District of New Britain, New Britain, Connecticut, before the Honorable Joseph M. Shortall, Judge, on the 3<sup>rd</sup> day of October, 2016.

Dated this 27<sup>th</sup> day of January, 2017 in New Britain, Connecticut.

  
\_\_\_\_\_  
Sarah Grover  
Court Recording Monitor

**A2.360**