

Description	Case number 3994-10-13Cr State of Vermont v. Anthony Scalini 32 Cherry Street, Suite 200 Chittenden, VT 05401 Courtroom 1		
Date	10/6/2013	Location	Courtroom 1
Time	Speaker	Note	
3:31:40 PM	Channel 1	Defense - Pauline Jefferson, Esq. Defense - Pauline Jefferson, Esq. Williston, Vermont	
3:31:40 PM	Channel 2	The Witness	
3:31:40 PM	Channel 3	Prosecution - Emerson McHenry, Esq. Attorney for the State Williston, Vermont	
3:31:40 PM	Channel 4	The Court - Judge Alison Flowers, Superior Court Judge	
3:31:43 PM	On the Record		
3:31:48 PM	The Court	Good afternoon	
3:31:50 PM		Case No. 3994-10-13Cr State of Vermont v. Anthony Scalini	
3:32:09 PM	Ms. Jefferson	ask that client's hands be unshackled	
3:32:26 PM	The Court	any reason to believe security risk	
3:32:32 PM	The Bailiff	no	
3:32:37 PM	The Court	All right	
3:32:37 PM	The Bailiff	not long enough to know	
3:32:40 PM	The Court	Okay	
3:32:44 PM		during in your custody	
3:32:47 PM	The Bailiff	no	
3:32:49 PM	The Court	I ask that he be uncuffed	
3:32:50 PM	The Bailiff	Both hands	
3:32:55 PM	The Court	His writing hand	
3:32:57 PM	Ms. Jefferson	Fine	
3:33:03 PM	The Court	Understood	
3:33:08 PM	Mr. McHenry	Yes	
3:33:10 PM		state would call Lieutenant Heller	
3:33:13 PM	The Court	swears in the witness	
3:33:19 PM	DIRECT EXAMINATION		

3:33:29 PM	Mr. McHenry	State your name
3:33:33 PM	The Witness	Margaret Heller; H-E-L-L-E-R
3:33:34 PM	Q	How employed
3:33:40 PM	A	City of Williston PO
3:33:40 PM	Q	How long
3:33:44 PM	A	30 years
3:33:44 PM	Q	Certified by
3:33:46 PM	A	I am
3:33:49 PM	Q	Okay
3:33:51 PM		direct your attention to
3:34:00 PM	A	Yes
3:34:02 PM	Q	What was your shift
3:34:06 PM	A	I come around 4:00
3:34:10 PM	Q	What is your title
3:34:11 PM	A	Officer in charge
3:34:17 PM	Q	What do duties entail
3:34:20 PM	A	Responsible for all law enforcement
3:34:28 PM	Q	some point during your shift
3:34:34 PM	A	Yes
3:34:37 PM	Q	Any other officer
3:34:42 PM		correct me if I'm wrong
3:34:45 PM	A	Corporal Dundee (Confirmed), yes
3:34:47 PM	Q	Approached by
3:34:47 PM	A	I was
3:34:49 PM	Q	anybody with
3:34:49 PM	A	Not at that time
3:34:53 PM	Q	Where did he approach you
3:34:54 PM	A	I was eating dinner at
3:35:00 PM		In the main part of the building
3:35:03 PM	Q	Why did Dundee approach you
3:35:08 PM	A	Asked to speak to me privately
3:35:10 PM		Walked across the hall
3:35:14 PM		it's the identification area
3:35:19 PM	Q	Anybody else
3:35:22 PM	A	Scalini was already there
3:35:24 PM	Q	Who is Officer Scalini
3:35:27 PM	A	An officer with Williston about a year

3:35:33 PM		just hired on
3:35:36 PM	Q	What discussed
3:35:38 PM	A	initial conversation
3:35:43 PM		keep confidential
3:35:46 PM		Then he said
3:35:51 PM		Just said that he and Scalini had had an affair
3:36:00 PM		threatening phone call
3:36:06 PM		now I know
3:36:09 PM	Q	Dundee elaborate about message
3:36:13 PM	A	He did
3:36:17 PM		I could tell he was agitated
3:36:20 PM	Ms. Jefferson	Objection
3:36:25 PM		Hearsay nature of testimony
3:36:30 PM	Mr. McHenry	I'll go on
3:36:32 PM	The Court	Okay
3:36:34 PM	Q	As a result of what
3:36:38 PM		Dundee said
3:36:41 PM	A	I spoke to Officer Scalini
3:36:48 PM		I took a moment
3:36:54 PM		I left the room
3:36:58 PM		made a couple of phone calls
3:36:59 PM	Q	Stop you there
3:37:03 PM		Who did you call
3:37:06 PM	A	I called my boss
3:37:07 PM		Mike Scherer (Confirmed)
3:37:09 PM	Q	Why
3:37:09 PM	A	It's his show
3:37:14 PM		be addressed with him
3:37:16 PM	Q	a situation like this
3:37:22 PM		how define
3:37:22 PM	A	Two of his officers involved
3:37:28 PM		backstep here a bit
3:37:36 PM		Scalini has a two-year-old daughter
3:37:47 PM		He needed to know
3:37:52 PM		It's his show
3:37:54 PM	Q	Who else did you call
3:37:59 PM	A	This was occurring in Essex

3:38:04 PM		Acting Chief Bradley Laffredo (Confirmed)
3:38:12 PM		Come up with a strategy
3:38:15 PM	Q	What was the strategy
3:38:19 PM	A	Took 10 minutes
3:38:24 PM		Talked about
3:38:27 PM		I felt I was pretty good at
3:38:34 PM		get Anthony on the phone
3:38:39 PM	Q	What were you trying to
3:38:45 PM	A	Well
3:38:48 PM		I have to backtrack a little bit
3:38:53 PM		one text aware of
3:38:58 PM		said something to Officer Scalini
3:39:06 PM		Hope Gigi chokes on my blood
3:39:11 PM		Adds another level
3:39:20 PM		First determine
3:39:24 PM		Going to talk to us
3:39:32 PM	Q	What overriding concern
3:39:36 PM	A	Baby in the house
3:39:38 PM		with this man
3:39:42 PM	Q	What steps to prepare
3:39:47 PM	A	Well
3:39:53 PM		weren't internal preparations
3:39:58 PM	Q	Some point plan change
3:40:04 PM	A	Leaving the house and coming here
3:40:11 PM	Q	Is it fair to say
3:40:17 PM		en route to WPD
3:40:20 PM	A	Correct
3:40:20 PM	Q	Learning that information
3:40:25 PM		What did you do
3:40:29 PM	A	I spoke to Officer Scalini
3:40:29 PM		Usually brings the baby
3:40:35 PM		Not sure of the timeframe
3:40:42 PM		I didn't see anybody there
3:40:46 PM		Walking back on the south
3:40:51 PM	Q	I want to stop you
3:40:56 PM		Prior to walking outside
3:40:58 PM	A	Yes

3:40:58 PM	Q	Who did you inquire
3:41:03 PM	A	Officer Scalini
3:41:07 PM	Q	What did you ask her
3:41:08 PM	A	I asked her if he had any
3:41:13 PM		lots of weapons in the house
3:41:18 PM	Q	Then you went outside
3:41:22 PM	A	Yes
3:41:24 PM	Q	And who were you looking
3:41:25 PM	A	Looking for a cab
3:41:30 PM		I knew it was a Fenway (Comfirmed)
3:41:43 PM	Q	Did you see a Fenway cab
3:41:48 PM	A	I did
3:41:48 PM	Q	Tell us what happened
3:41:53 PM	A	It didn't pull into the yard
3:41:59 PM		Saw from a distance
3:42:06 PM		Anthony getting out
3:42:11 PM		took the baby
3:42:15 PM		walked into the
3:42:18 PM	Q	What happened next
3:42:22 PM	A	As he rounded the corner
3:42:22 PM		I walked up
3:42:25 PM		hollered out
3:42:26 PM		it's Margaret
3:42:28 PM		I'm coming to see you
3:42:32 PM	Q	had you sent Anthony a text
3:42:35 PM	A	I did
3:42:38 PM	Q	how did you obtain
3:42:39 PM	A	From Officer Scalini
3:42:44 PM	Q	Content of text
3:42:50 PM	A	I introduced myself
3:42:57 PM		I said I was a Lieutenant
3:43:04 PM		I said I think I can help
3:43:08 PM	Q	What trying to help with
3:43:11 PM	A	Trying to appease the
3:43:14 PM		make it so
3:43:17 PM		if he is angry
3:43:22 PM		my point was

3:43:25 PM	Q	Condition of baby
3:43:27 PM	A	Asleep
3:43:33 PM	Q	recognize the vehicle
3:43:37 PM	A	Yes
3:43:39 PM	Q	whose vehicle
3:43:42 PM	A	I had asked
3:43:45 PM		what kind of car
3:43:48 PM		she said they only have the one
3:43:54 PM		she had it
3:43:56 PM		it was
3:44:02 PM		I've seen her come to work
3:44:05 PM	Q	After putting baby
3:44:09 PM	A	He said, I have a gun
3:44:15 PM	Q	Stop you
3:44:19 PM		How far away
3:44:22 PM	A	I'm not sure the type
3:44:28 PM		I was a full length of the truck
3:44:32 PM	Q	Did you observe holding
3:44:37 PM	A	He had a satchel
3:44:42 PM	Q	Did you know what was in that
3:44:48 PM	A	No
3:44:51 PM	Q	What was in your mind
3:44:57 PM	A	I'm going to secure the weapon
3:45:06 PM		and the baby is fine
3:45:10 PM	Q	take you through that
3:45:14 PM		agree that in terms of that goal
3:45:19 PM		once baby in the truck
3:45:21 PM	A	No
3:45:22 PM	Q	tell me how you were going to
3:45:29 PM	A	Once we established
3:45:35 PM		I said
3:45:38 PM		something like
3:45:42 PM		And I said, put your hands
3:45:51 PM		front waistband
3:45:58 PM		between Mr. Scalini and
3:46:00 PM	Q	Concerned Mr. Scalini do something
3:46:06 PM	A	I didn't know

3:46:09 PM		I didn't know him
3:46:13 PM		Probably angry
3:46:16 PM	Q	Describe the gun
3:46:17 PM	A	It's a Glock (Confirmed)
3:46:19 PM	Q	What's a Glock
3:46:19 PM	A	It's a .40 caliber
3:46:25 PM		you know
3:46:26 PM	Q	Was it loaded
3:46:30 PM	A	Yes
3:46:31 PM	Q	What did you do
3:46:35 PM	A	put it in my waistband
3:46:44 PM		Officer Chris Bean (Confirmed)
3:46:45 PM		motioned for him to come over
3:46:50 PM	Q	Going to stop you
3:46:56 PM		What in your mind
3:47:00 PM	A	I have no idea
3:47:05 PM		mental attitude
3:47:08 PM	Q	Solid physically
3:47:09 PM	A	Yeah
3:47:09 PM	Q	Mentally?
3:47:09 PM	A	Physically
3:47:15 PM		And I know he is
3:47:18 PM		former police officer
3:47:26 PM		his level of anxiety is
3:47:30 PM		but I want to make sure nothing
3:47:37 PM	Q	You asked Officer to come over
3:47:44 PM	A	I think I said
3:47:49 PM		mind standing here with
3:47:56 PM		I was trying to keep it
3:48:00 PM		calm
3:48:03 PM	Q	And you take the baby out of the truck and
3:48:06 PM	A	Right
3:48:08 PM	Q	Who do you bring the baby to
3:48:10 PM	A	Officer Scalini
3:48:12 PM	Q	What do next
3:48:16 PM	A	I had asked Mr. Scalini
3:48:22 PM		He didn't have any others

3:48:29 PM		camera bag
3:48:35 PM		took baby to the station
3:48:35 PM	Q	Let me stop you
3:48:39 PM		Was this the same bag
3:48:44 PM	A	It was
3:48:47 PM	Q	brought bag inside
3:48:51 PM	A	was a potential of another weapon
3:49:00 PM		I forget what make it was
3:49:05 PM		was a camera
3:49:07 PM		several boxes of
3:49:12 PM		and 1/2 dozen
3:49:17 PM	Q	how many bullets does a
3:49:18 PM	A	I'm not sure what size
3:49:25 PM	Q	were all
3:49:28 PM		was all ammunition
3:49:33 PM	A	yes
3:49:35 PM		box of .223 rounds
3:49:40 PM	Q	What are those
3:49:42 PM	A	Another type
3:49:43 PM	Mr. McHenry	Like to mark photo as Plaintiff-1
3:49:49 PM	The Court	Any objection
3:49:51 PM	Ms. Jefferson	No
3:49:52 PM	The Court	Exhibit 1 admitted
3:49:53 PM	Mr. McHenry	When you saw that
3:49:58 PM		what did you think
3:50:00 PM	The Witness	I'm trying to think rapidly
3:50:07 PM		why did someone bring
3:50:09 PM	Ms. Jefferson	Object
3:50:09 PM		to the speculation
3:50:15 PM	The Court	Repeat the question
3:50:18 PM	Mr. McHenry	Saw the contents of the bag
3:50:19 PM	The Court	Sustained
3:50:24 PM	Mr. McHenry	no more questions
3:50:27 PM	The Court	Cross Ms. Jefferson
3:50:28 PM	CROSS- EXAMINATION	Ms. Jefferson - Just briefly
3:50:32 PM	Q	did you

3:50:35 PM		happened on the 24th of Sept
3:50:38 PM	A	Yes
3:50:38 PM	Q	early morning hours
3:50:44 PM		You didn't arrest Anthony
3:50:45 PM	A	No
3:50:47 PM	Q	He was cooperative with
3:50:48 PM	A	Yes
3:50:48 PM	Q	The 20 or
3:50:51 PM	A	Yes
3:50:53 PM	Q	And you had sent him a text
3:50:57 PM		want to talk
3:51:00 PM	A	Yes
3:51:01 PM	Q	And he took a cab
3:51:05 PM	A	Yes
3:51:06 PM	Q	talk to you
3:51:10 PM	A	Yes
3:51:11 PM	Q	He didn't say
3:51:14 PM	A	No
3:51:16 PM	Q	apparently her went to
3:51:22 PM		WPD
3:51:28 PM	A	I guess
3:51:31 PM	Q	And he took a cab
3:51:34 PM	A	Yes
3:51:36 PM	Q	When you first talked to him
3:51:42 PM	A	Yes
3:51:44 PM	Q	Didn't say he was there
3:51:50 PM		response to call
3:51:53 PM	A	Yes
3:51:56 PM	Q	volunteered
3:52:01 PM		didn't offer resistance
3:52:04 PM	A	NO
3:52:06 PM	Q	you told him to put his hands
3:52:13 PM		gun in belt
3:52:15 PM	A	Yes
3:52:17 PM	Q	cooperative with you
3:52:17 PM	A	Yes
3:52:20 PM	Q	just complying

3:52:23 PM	A	Yes
3:52:26 PM	Q	Nothing illegal having guns
3:52:31 PM	A	No
3:52:33 PM	Q	Tell you he had come there to
3:52:38 PM	A	He had not
3:52:43 PM	Q	Done a records check
3:52:46 PM	A	Have not
3:52:46 PM	Q	Didn't arrest him
3:52:50 PM	A	Correct
3:52:52 PM	Q	Indicated he
3:52:55 PM		first discovered affair he was angry
3:52:59 PM	A	Yes
3:53:01 PM	Q	Had some catharsis or whatever
3:53:05 PM	Mr. McHenry	Object
3:53:07 PM		to the term
3:53:13 PM		specify
3:53:15 PM	Ms. Jefferson	He's
3:53:15 PM	Mr. McHenry	Over what
3:53:17 PM	Ms. Jefferson	testified that he calmed down
3:53:28 PM	Mr. McHenry	suggesting over the affair
3:53:35 PM		over anger
3:53:36 PM	The Court	point of argument
3:53:41 PM		ask him questions
3:53:48 PM		make that point
3:53:51 PM	Ms. Jefferson	Okay
3:53:51 PM	The Court	I'll allow that
3:53:53 PM	Ms. Jefferson	anger directed towards you
3:54:05 PM	A	Anger at me
3:54:08 PM	Q	Correct
3:54:09 PM	A	No
3:54:10 PM	Q	At anyone?
3:54:10 PM	A	directed at someone
3:54:14 PM		no, nobody there he could
3:54:22 PM	Q	Say something to you
3:54:25 PM	A	yeah
3:54:26 PM	The Court	I'm sorry to interrupt
3:54:29 PM		take a 15 minute recess

[3:54:34 PM](#)

Off the record

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