

STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



OFFICE OF ADJUDICATIONS

IN THE MATTER OF

: *LICENSE SUSPENSION*
DEP INCIDENT NO. 08-3635

TERRENCE TANCREDI

: *SEPTEMBER 30, 2009*
*OCTOBER 28, 2009**

FINAL DECISION

A hearing was held on September 29, 2009 regarding the suspension of Mr. Terrence Tancredi's hunting privileges in accordance with General Statutes § 26-62 as a result of his involvement in a hunting related shooting that caused personal injury on May 22, 2008 in Salem. The parties in attendance included Mr. Tancredi, representing himself and Sgt. Chris Dwyer, representing the Department of Environmental Protection (DEP) and its Environmental Conservation Police. Based on the evidence in the record, I find as follows.

Findings of Fact

1. On May 22, 2008, Terence Tancredi fired his shotgun while hunting and shot Bradley Keltunic of Norwich. Mr. Tancredi fired his shotgun carelessly and before properly identifying his target, accidentally causing Mr. Keltunic's injury. At the time Mr. Tancredi ~~Carrier~~ discharged his weapon, he was hunting turkey at the Zemko Pond Wildlife Management Area in Salem. Mr. Keltunic was also hunting turkey at the time of the incident and had entered the area where Mr. Tancredi was positioned after Mr. Tancredi had been there for approximately three hours. Mr. Tancredi ~~Carrier~~ discharged his weapon at a distance 124 feet away from the victim. The area that he was shooting towards was approximately 15 percent visible from his location. Mr. Tancredi thought he was shooting at a tom turkey when he discharged his weapon. (Ex. DEP-1; test. 9/29/09, T. Tancredi).¹

¹ The testimony and proceedings in this matter were recorded. No written transcript has been prepared. The audio recording of this hearing is on file with the Office of Adjudications and is the official record of this proceeding.

*The decision was re-released to correct obvious typographical errors noted in Finding of Fact No. 1 and in the first paragraph of the conclusions of law.

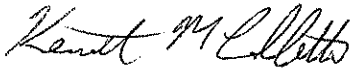
2. Mr. Tancredi was visibly remorseful for his error and understood that Mr. Keltunic could have suffered more significant injury. He has not hunted since the incident occurred. As a result of criminal sanctions, Mr. Tancredi's hunting privileges are already suspended for two years. Mr. Tancredi has already completed the basic firearms hunter safety course as required by the court and understood that he would need to take a remedial hunter education course as required by statute before his privileges can be restored.

Conclusions of Law

The Commissioner enjoys broad discretion in deciding whether to suspend someone's license or privilege to hunt under §26-62. Mr. Tancredi acknowledged that he had made a mistake and accepted responsibility for that mistake.² Based on the evidence presented and in accordance with DEP's recommendation, I will suspend Mr. Tancredi's ~~Carrier's~~ privilege to hunt in Connecticut for three years to run concurrently with the two-year license suspension that resulted from the criminal action.

The investigative report of the Environmental Conservation Police indicates that Mr. Tancredi acted carelessly in failing to adequately identify his target before discharging his weapon. Although he did not intentionally cause Mr. Keltunic's injury, the accident was certainly preventable. Therefore, Mr. Tancredi's privilege to hunt is suspended until May 26, 2012. Even after the time for the suspension expires, Mr. Tancredi's privileges cannot be reinstated until he completes a remedial hunter education course as articulated in General Statutes § 26-31.

Entered as the final decision and order of the Commissioner of the Department of Environmental Protection.



Kenneth M. Collette, Hearing Officer

² Mr. Tancredi's candor and sincerity were noteworthy and helpful during the proceeding.

PARTY LIST

In the matter of Terrence Tancredi
(Suspension of Hunting License)
DEP Incident No. 08-3635

PARTY

Terrence Tancredi
15 Witch Meadow Road
Salem, CT 06420

REPRESENTED BY

Self

Department of Environmental Protection
ENCON Police
79 Elm Street
Hartford, CT 06106

Sgt. Chris Dwyer