

Police: Custodian brought gun to work

Suspect says he carried weapon to courthouse for 8 months, police say



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A janitor at Vermont Superior Court in Burlington is facing a charge of bringing a loaded semiautomatic handgun into the courthouse, Burlington police said.

Sean McCarty, 40, of Monkton told investigators he initially brought the .45-caliber semiautomatic to the Edward J. Costello Courthouse on Cherry Street on a daily basis when he started the job about one year ago, Deputy Police Chief Andi Higbee said in a court affidavit.

But about four months ago a supervisor, Thomas Pendris, spotted the gun and told McCarty to stop, police said. They said McCarty indicated he would occasionally forget to leave the weapon in his vehicle and would bring the gun inside the courthouse in his cooler.

McCarty said he was in a hurry Friday and forgot to leave the handgun under the seat of his vehicle when his wife dropped him off and brought the weapon inside in his lunchbox, police said.

McCarty, who does not have a criminal record, pleaded not guilty to a misdemeanor charge of carrying a gun into a state courthouse without authorization,



McCarty

police said. Judge Brian Grearson released McCarty on conditions, including that he not enter Burlington's Edward J. Costello Courthouse or any other state building except when attending his court hearings or meeting with his public defender.

McCarty declined comment to the Burlington-Free Press as he and his wife, Kim, left the courthouse Friday afternoon. Police said McCarty stated he carried the gun for protection and did not have any issues with anybody in the building, "but just feels the need to have one," Higbee wrote in court papers.

If convicted, McCarty faces up to one year in prison and a \$500 fine.

Chittenden County State's Attorney T.J. Donovan said McCarty had been warned previously against bringing a gun into the courthouse and also lied when confronted Friday.

Donovan and court papers say one of McCarty's coworkers called a personal lawyer Friday and asked what to do about the firearm, because McCarty's supervisor failed to take proper action.

Mike Gosselin, the state employee who was concerned about the loaded gun, did not want to come to work because he

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feared for his safety, Cpl. Kevin Wilson wrote in an affidavit. Gosselin also had seen a gun in McCarty's desk about two weeks ago, Wilson wrote.

The general public is required to pass through screening, including metal detectors, at the Costello Courthouse, but state employees enter through doors with no security review.

Donovan said because there is a lot of anxiety and drama at the courthouse, there are restrictions limiting weapon possession to law enforcement.

McCarty will be on paid leave beginning Monday.

"He will be relieved from duty while we investigate the underlying allegations," said Steve Collier, general counsel for the Vermont Department of Human Resources.

Collier said that under the state employee contract, the only options for management are to allow McCarty to work, or to place him on paid leave.

Collier said he expects Human Re-

sources also will look into the claims that a supervisor did not take proper action.

Chittenden County Deputy Sheriff Stuart Ashley had McCarty detained in the maintenance office when Burlington police arrived at about 10:30 a.m. Friday in response to the report about the gun.

McCarty initially told city police he was in a hurry to get to work, and when his wife dropped him off, he forgot to take the gun out of his lunchbox, Cpl. Wilson wrote in court papers.

McCarty said he texted his wife, who works for the state in Williston, to come pick up the gun, police said. They said McCarty stated she arrived an hour later.

Higbee said he checked McCarty's cellphone and text messages but could find no communications between McCarty and his wife on Friday, court papers stated.

McCarty eventually admitted the gun was locked in his locker, and "the reason he was not honest earlier with me was because he did not want to lose his job," Higbee wrote.

Police reported that they checked his locker and found the .45-caliber pistol with a full magazine with one bullet in the chamber. Police found a second full magazine in the lunchbox, Wilson said.

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