

State of Connecticut
Department of Administrative Services
State Marshal Commission
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W. Martyn Philpot, Jr. Esq.
Chairperson

Robert Giuditta
Statewide Workers' Compensation
Program Director

Minutes
STATE MARSHAL COMMISSION MEETING
January 28, 2016

Members present: Chairperson W. Martyn Philpot, Jr., Esq., Vice Chairperson Michael Cronin, Esq. (participating by telephone conference call), and Commissioners Honorable Elizabeth A. Bozzuto (participating by telephone conference call), Mildred Torres-Ferguson (participating by telephone conference call), Michael Desmond, and Tracy L. Dayton, Esq. Also present were ex-officio members State Marshal Lisa Stevenson and State Marshal Thomas Burke (non-voting members), Staff Attorney Jennifer Y. Montgomery, and Paralegal Specialist Laura M. DiMeola. Sarah Fryxell, Esq., Robert P. LaTorraca, and Statewide Workers' Compensation Program Director Robert Giuditta were not present.

Also present for public session were State Marshals H. Mark DeAngelis, Joseph Heap, Julianne Ingham, Kevin C. McCrewell, Sr., Frank Sandillo, and Gregory Woodruff. Joshua Scollins, Esq., Executive Assistant/Staff Counsel to the Office of the Commissioner of the Department of Administrative Services, was also present.

Chairperson W. Martyn Philpot, Jr., Esq. called the meeting to order at 4:44 p.m.

Chairperson W. Martyn Philpot, Jr. Esq. indicated that the Commission would like to entertain a motion to add an item to the agenda to welcome a new Commissioner, Tracy L. Dayton, Esq. and asked for a vote regarding the same. The Commission, after a motion by Michael Desmond, seconded by Mildred Torres-Ferguson, voted 5-0 to add this item to the agenda. Commissioner Tracy L. Dayton, Esq. abstained from the vote.

Staff Attorney Jennifer Y. Montgomery welcomed Commissioner Dayton and asked her to provide an introduction. Ms. Dayton indicated that she is the Executive Assistant U.S. Attorney for the District of Connecticut and that, in this capacity, she prosecutes violent crimes. She went on to inform the Commission that she has been a federal prosecutor for almost 15 years. Prior to that, she was a state prosecutor in Los Angeles, a district attorney in Los Angeles, and a federal prosecutor in New York. She expressed her excitement at being a part of the Commission. Attorney Montgomery indicated that the Commission is glad to have Commissioner Dayton on board and issued her a warm welcome on the record.

First Business

1. Minutes

Chairperson W. Martyn Philpot, Jr., Esq. indicated that the minutes from October 22, 2015 were tabled from the last meeting due to the fact that Vice Chairperson Michael Cronin, Esq. had chaired the October 22, 2015 meeting and was not present at the December 17, 2015 meeting to approve and sign the same. Vice Chairperson Cronin indicated that he was now present and would approve the minutes. Chairperson Philpot, Jr., then inquired whether this was appropriate as Vice Chairperson Cronin was participating remotely; Attorney Montgomery indicated that Vice Chairperson Cronin could sign the following morning and Vice Chairperson Cronin agreed to the same. The Commission, after a motion by Mildred Torres-Ferguson, seconded by Michael Desmond, voted 5-0 to adopt the minutes from the October 22, 2015 Commission meeting. Attorney Montgomery procedurally explained to Tracy L. Dayton, Esq. that she could abstain from approving the minutes since she was not present at the meeting. Attorney Dayton abstained from the vote, as she was not present at the October 22, 2015 meeting.

Chairperson W. Martyn Philpot, Jr., Esq. asked for a motion to approve the minutes from the December 17, 2015 meeting. The Commission, after a motion by Michael Desmond, seconded by Vice Chairperson Michael Cronin, Esq., voted 5-0 to adopt the minutes from the December 17, 2015 meeting. Tracy L. Dayton, Esq. abstained from the vote, as she was not present at the December 17, 2015 meeting. Mildred Ferguson-Torres then asked if the Reprimand that was entered on one of the files was reflected in the minutes. Attorney Montgomery indicated that it was in the minutes, and Paralegal Specialist Laura DiMeola indicated that it was reflected on page 2. Vice Chairperson Michael Cronin, Esq. advised Ms. Torres-Ferguson about the Oversight Committee's proposed decision in that particular matter, specifically that it recommended dismissal due to the fact that the Respondent did not activate his lights. She confirmed her understanding and thanked Vice Chairperson Cronin for the explanation.

2. State Marshal Appointment Process – Update

Attorney Montgomery read a written statement into the record by Statewide Workers' Compensation Program Director Robert Giuditta addressed to Chairperson W. Martyn Philpot, the SMC Board Members and the Ex-Officio Members, asking to excuse him from not being able to attend the meeting due to a prior commitment. The statement provided an update regarding the appointment process. Mr. Giuditta indicated that Chairperson Philpot swore in 33 new state marshals. He thanked DAS Commissioners Currey and Fatone, the State Marshal Commission Board Members, the Ex-Officio Members, the State Marshal Commission Advisory Board, the State Marshal Union, Attorney Owen Eagan, and the interview teams consisting of Vinnie Mauro, Vice Chairperson Michael Cronin, Esq., Sarah Fryxell, Esq., Mildred Torres-Ferguson, and Chairperson W. Martyn Philpot, Jr., Esq. He noted special thanks to the State Marshal Commission office staff consisting of Attorney Jennifer Montgomery, Paralegal Specialist Laura DiMeola and Secretary II Pamela Perrin. Attorney Montgomery then commended Chairperson W. Martyn Philpot, Jr., Esq. for his speech at the ceremony and indicated that several of the newly appointed state marshals had advised that they enjoyed the ceremony.

3. Oversight Committees/Hearing Officers

Attorney Montgomery spoke regarding a proposal for two new Oversight Committee panels. She indicated that, due to the departure of Commissioners Vincent Mauro, Jr. and Joel I.

Rudikoff, Esq., as well as the need to move forward with more hearing dates to eliminate the current hearing backlog, two new Oversight Committee panels were being proposed, one consisting of Vice Chairperson Michael Cronin, Esq. and Commissioner Michael Desmond and the second consisting of Commissioners Sarah Fryxell, Esq. and Tracy L. Dayton, Esq. She recommended that the Commission adopt the proposal. Chairperson W. Martyn Philpot, Jr., Esq. called for a motion to accept the two new panels. The Commission, after a motion by Honorable Elizabeth A. Bozzuto, seconded by Mildred Torres-Ferguson, voted 3-0 to accept two new Oversight Committee panels. Vice Chairperson Michael Cronin, Esq., and Commissioners Tracy L. Dayton, Esq. and Michael Desmond abstained from the vote.

The Commission, after a motion by Tracy L. Dayton, Esq., seconded by Michael Desmond, voted 6-0 to enter executive session. The individuals present included those listed above, with the exception of Joshua Scollins, Esq. and State Marshals State Marshals H. Mark DeAngelis, Joseph Heap, Julianne Ingham, Kevin C. McCrewell, Sr., Frank Sandillo, and Gregory Woodruff.

The Commission, after a motion by Michael Desmond, seconded by Tracy L. Dayton, Esq. voted 6-0 to return to the public record. No votes were taken in executive session.

State Marshal Kevin C. McCrewell, Sr. re-entered the room for public session.

New Business:

Hon. Elizabeth A. Bozzuto was inadvertently disconnected from the conference call during executive session. She did not participate in the remainder of the meeting.

4. Complaints

The Commission, after a motion by Mildred Torres-Ferguson, seconded by Michael Desmond, voted 5-0 to administratively close the following files:

File No.	Name
10-28	Wilson, M./Kaz
10-29	Wilson, S./Kaz
10-30	Jackson/Kaz
14-24	Reeves/Mulligan

The Commission, after a motion by Tracy L. Dayton, Esq., seconded by Mildred Torres-Ferguson, voted 5-0 to dismiss the following files:

File No.	Name
14-56	Pflugbeil/LaBranche
14-62	Lanci/DeLucia, R.
14-63	Johnson/DiNardi

The Commission, after a motion by Tracy L. Dayton, Esq., seconded by Michael Desmond, voted 5-0 to stay the following file pending resolution of the underlying criminal matter that is the subject of the complaint at issue:

File No.	Name
15-88	In Re Poeti 165 Capitol Avenue, Room 279 Hartford, Connecticut 06106 Tel. (860) 713-5372 Fax. (860) 713-7458

The Commission, after a motion by Tracy L. Dayton, Esq., seconded by Michael Desmond, voted 5-0 to adjourn the meeting at 5:27 p.m.

Minutes were approved by the Commission on February 25, 2016.



W. Martyn Philpot, Jr., Esquire-Chairperson