

STATE OF CONNECTICUT
DEPARTMENT OF ADMINISTRATIVE SERVICES
STATE MARSHAL COMMISSION
450 Columbus Blvd., Suite 1403, Hartford, CT 06103
Tel. 860-713-5372 Fax. (860) 622-2938
Meeting is in North Plaza Meeting Room J at 4:30 p.m.

MINUTES
STATE MARSHAL COMMISSION SPECIAL MEETING
August 15, 2019

Members present: Chairperson W. Martyn Philpot, Jr., Esq., Michael Desmond (via teleconference call), John Vamos (via teleconference call), Shirley Harrell, Esq., Bryan Cafferelli, Esq., and Honorable Susan Connors. Also present were Staff Attorney Jennifer Y. Montgomery, Staff Director Doug Moore, and ex-officio member (non-voting) Thomas Burke. Mildred Torres-Ferguson was not present.

Chairperson W. Martyn Philpot, Jr., Esq. called the meeting to order at 4:37 p.m.

As an initial matter, Chairperson W. Martyn Philpot, Jr., Esq. noted that he would like to make a few amendments to the agenda. He proposed adding Keith Niziankiewicz as Section c under Agenda Item 2 - acknowledging departing Commissioners. He also raised that several marshals had indicated to him that they were concerned that, in discussing the proposed Audit Policy Addendum, certain names were named on the public record that should not have been at the July meeting. He acknowledged this concern and proposed, in order for the Commission to have a full and frank discussion regarding the addendum and, to the extent that names are mentioned, they will not appear in the minutes, that Agenda Item 4 be moved to the Executive Session. He noted that the term Co-Chairperson under Agenda Item 3 should read Vice-Chairperson. Finally, he proposed adding two agenda items onto the public portion of the meeting for Staff Director Doug Moore as now Agenda Item 4:

State Marshal Commission Office Staffing
State Marshal Access to DMV records

The numbering would continue with the Proposed Addendum to the Audit Policy being Agenda Item 5 and so forth.

The Commission, after a motion by Honorable Susan Connors, seconded by John Vamos, voted 6-0 to adopt Chairperson Philpot's proposed amendments to the agenda.

Chairperson W. Martyn Philpot, Jr., Esq. took a moment of person privilege and welcomed ex-officio member Thomas Burke back to the Commission.

First Business

1. Minutes: July 25, 2019 meeting

The Commission, after a motion by Honorable Susan Connors, seconded by John Vamos, voted 6-0 to adopt the minutes from the July 25, 2019 meeting.

New Business

2. Acknowledgement Departing Commissioners

- a. Honorable Lisa K. Morgan
- b. Ex-Officio State Marshal Julianne Ingham
- c. Keith Niziankiewicz

Chairperson W. Martyn Philpot, Jr., Esq. read the resolution for Honorable Lisa K. Morgan into the record. He noted that there were two additional resolutions for Ex-Officios State Marshal Julianne Ingham and Keith Niziankiewicz that were also issued pursuant to the Commission's policy.

3. Election State Marshal Commission Vice-Chairperson

Chairperson W. Martyn Philpot, Jr., Esq. noted that, since Michael Cronin left the Commission there had not been a Vice-Chairperson and noted his belief it would be a good idea to have a Vice-Chairperson for those instances where he was unable to attend a meeting. Honorable Susan Connors noted her belief that it would be prudent to have one. Chairperson Philpot nominated Commissioner Shirley Harrell, Esq. as Vice Chairperson. He noted that she had shown great dedication and attendance at the meetings, she had sacrificed in terms of the hearings and she had contributed in a phenomenal way to the quality of the Commission's work. Commissioner John Vamos seconded the nomination. The Commission voted 6-0 to elect Shirley Harrell, Esq. as Vice-Chairperson of the Commission.

4. Commission Office

State Marshal Commission Office Staffing

Staff Director Doug Moore noted that the Commission had been without a secretary since February and he had continued to try and get DAS approval to submit the Secretary 1 position to OPM. He noted that he had unfortunately not received that approval. He requested that the Commissioners either call the Governor's Office or OPM because he cannot presently get his request out of DAS. Attorney Montgomery noted that she was in the process of drafting a letter from the Chairperson to the Governor's office. Vice-Chairperson Shirley Harrell, Esq. inquired whether Director Moore had called the Governor's office and he indicated that he reported to a Deputy Commissioner and Commissioner and could not go outside his chain of command.

Director Moore also reported that Staff Attorney Montgomery had tendered her resignation to DAS and the State Marshal Commission. He noted that he was putting in a request to refill that position. He noted his belief that this was a big loss to the Commission. He further noted that he had heard the position request would go through to OPM. Chairperson W. Martyn Philpot, Jr., Esq. noted that, on behalf of the Commission, he wanted to articulate to Attorney Montgomery that she had been an integral part of everything that the Commission does. He further noted that her sage advice had been much appreciated, that she worked in a very professional and excellent way and, that he will miss the robust discussions that the Commission had engaged in during her tenure. He concluded by noting that she had done a phenomenal job and was to be commended.

Attorney Montgomery noted that she had requested to come back for the September meeting as she hoped to assist presenting the proposed final decision from the last Oversight Committee hearing.

DMV Access for State Marshals

Staff Director Doug Moore noted that in March DAS had terminated the MOU under which DAS was providing state marshals with direct access to DMV records. He further noted that he had been working with DMV and the Connecticut Criminal Justice Information System to provide marshals with direct access to DMV information via the internet. He explained that the program is in draft stage right now and

he is hopeful that they will have the program complete in September and rolled out the month after that. He noted that the DMV service had been extended and DAS was presently still providing access and would continue to provide access until the new program is up and running. Ex-officio Thomas Burke thanked Director Moore for his efforts in this area.

[Deliberations proposed for executive session pursuant to Sections 1-200 and 1-225 of the Connecticut General Statutes to discuss the appointment, performance, evaluation, health or dismissal of a public officer]

The Commission, after a motion by Shirley Harrell, Esq., seconded by John Vamos, voted 6-0 to enter executive session.

The Commission, after a motion by John Vamos, seconded by Shirley Harrell, Esq., voted 6-0 to return to the public record. No votes were taken in executive session.

4. Addendum Audit Policy – Next of Kin Requirement

The Commission tabled consideration of the Addendum to the Audit Policy to the next meeting.

5. Complaints

The Commission, after a motion by John Vamos, seconded by Honorable Susan Connors, voted 6-0 to find probable cause for a hearing in the following files:

File No.	Name
18-55	Singngam Waldon, Esq./Barnes
18-64	Barbieri, Jr./Reiff
18-72	Fabio Soto/McNicholas

6. Stay

The Commission, after a motion by John Vamos, seconded by Honorable Susan Connors, voted 6-0 to stay the following file pending resolution of the underlying criminal matter:

File No.	Name
19-44	In Re Zaniewski

7. Request for Inactive Status (VTR)

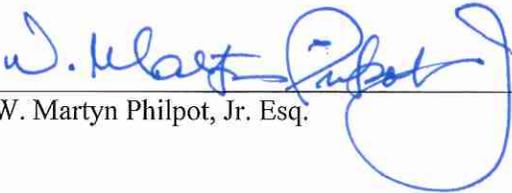
Jennifer Y. Montgomery, Esq.

The Commission, after a motion by John Vamos, seconded by Honorable Susan Connors, voted 6-0 to grant the following marshal's request for inactive status for a period of one year effective September 1, 2019.

Name	County
Harry Ackley, Sr.	Fairfield

The Commission, after a motion by John Vamos seconded by Bryan Cafferelli, Esq., voted 6-0 to adjourn the meeting.

The meeting was adjourned at 5:56 pm

Signature: 
W. Martyn Philpot, Jr. Esq.