

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.~~

Meeting Was Conducted Remotely Using Microsoft Teams

DRAFT MINUTES
STATE MARSHAL COMMISSION MEETING
July 22, 2020

Commissioner Harrell, Vice-Chair, called the meeting to order at 5:04 p.m.

Acting Chair Commissioner Harrell confirmed all members and persons in attendance, and verified that a 5 voting member quorum was present.

Members present/participating: Vice-Chair/Acting Chair Shirley Harrell;; Bryan Cafferelli; Michael Desmond; Mildred Torres-Ferguson; John Vamos; Ex-officio (non-voting) Member State Marshals Thomas Burke and Lisa Stevenson; Staff Director Doug Moore; Staff Attorney Thomas J. Sousa, Jr.

Members absent: Honorable Susan Connors.

Guests/Members of the public present/participating: none.

Topics:

1. Minutes: July 9, 2020 Special Meeting:

The Commission, after a motion by Commissioner Torres-Ferguson, seconded by Commissioner Vamos, voted 5-0 to adopt the minutes from the July 9, 2020 special meeting.

2. Judicial Branch Courthouse TRO No Show Complaints:

Staff Director Douglas Moore reported on recent communications from the Judicial Branch, which indicate the superior court clerks have been directed by judicial branch staff attorneys to not sign complaints against state marshals who fail to show up at courthouses for TRO duty. The Commission staff has discussed this topic internally and debated whether or not unsigned/anonymous complaints against state marshals should be accepted or acted on.

Staff Attorney Sousa stated the Commission's policy has always required a signed complaint before initiating any action. In the past, courthouse clerks have signed TRO no-show complaints and those cases moved forward. If the Commission were to accept unsigned or anonymous complaints from the Judicial Branch/courthouses, then the Commission would have to accept all unsigned or anonymous complaints from members of the public, and it would likely open the floodgates. A greater, more serious concern is that accepting anonymous complaints could violate a state marshal's due process rights, and deprive the marshal of any ability to face or cross-examine their accuser.

Staff Director Moore directed Staff Attorney Sousa to draft a letter to Judge Abrams, regarding the seriousness of this issue. Commissioner Harrell stated she is willing to work with Attorney Sousa on drafting the letter.

3. State Marshal Access to DMV Records:

Staff Attorney Sousa reported on the status of the DMV Self-Service User Portal for state marshals. User agreements are expected to be emailed out to state marshals tomorrow. The “soft opening” for an initial group of test users, that was scheduled for today, has been pushed back until Friday 07/24/2020. The “hard opening” for all remaining state marshals is scheduled to occur next Wednesday, 07/29/2020. Marshals will be allowed a period of time to test the system and become acquainted with it for no charge. Starting on September 1, 2020, marshals will be charged for each “successful” completed DMV records search. State marshals will be billed, on a quarterly basis, via email. The initial bill will be sent to marshals in early October, and cover September usage. The second bill will be sent to marshals in early January 2021, and cover October/November/December 2020 usage. Marshals will be able to pay by credit card.

Ex-officio member State Marshal Stevenson reported that a contract with CJIS has to be finalized before the soft opening can go forward.

4. eLicense Initiative

Staff Attorney Sousa updated the group on the eLicense initiative. Much progress has been made toward building the platform, and the goal is for the system to go live in time for the October 1, 2020 renewal cycle. Once the timeline is finalized and approved, an administrative Bulletin will be sent out to the state marshals informing them of the new renewal process. Marshals will be able to complete their renewal on line, and pay the annual fee via credit card or electronic fund transfer.

5. POSTC Training for Capias Unit & Armed Marshals:

Staff Attorney Sousa updated the Commission on the firearms range qualification results, and the recently completed medical training. Use of force training has been scheduled, and 4 marshals have to attend a medical training make-up date. Once all training requirements are completed, the Commission will be asked to vote on firearms authorizations, possibly as early as the August meeting.

6. Retirement/Resignations

No action was taken on this topic due to the fact that none of the projected retirement/resignation requests were completed in time for this meeting. The marshals in question had either failed to submit signed affidavits, or failed to turn in their badges.

7. Annual Liability Insurance Verification Update

Attorney Sousa reported that three state marshals had failed to submit annual proof of their professional liability insurance. Commission staff has tried to contact the three marshals. Telephonic and email messages were left for two of the marshals, who failed to respond. The third marshal’s voice mail was full. Ex-officio State Marshals Burke and Stevenson volunteered to assist Staff Attorney Sousa in contacting the marshals in question.

Closing Business

It was noted that an executive session was conducted immediately prior to this regular meeting, however due to the fact that none of the complaint cases were ready to move forward, there will be no need for a vote on the record.

Ex-officio State Marshal Burke voiced appreciation for the great job that Gina Samples has been doing in support of the Commission. Marshal Burke asked if there is any update on getting another staff position filled, to which Staff Director Moore stated there is no new information to report.

Marshal Burke then asked if there was any word on filling the two vacant Commissioner positions. Staff Director Moore stated he has emailed the governor's office, but not received a response. Staff Director Moore stated he will reach out again to the speaker's office.

The Commission, after a motion by Commissioner Torres-Ferguson, and seconded by Commissioner Vamos; voted 5-0 to adjourn the meeting.

The meeting was adjourned by Commissioner Harrell at 5:45 p.m.