

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 5:00 p.m.~~

Meeting Was Conducted Remotely Using Microsoft Teams

DRAFT MINUTES  
STATE MARSHAL COMMISSION MEETING  
September 24, 2020

Commissioner Harrell, Vice-Chairperson, called the meeting to order at 5:03 p.m.

Vice-Chairperson Commissioner Harrell confirmed all members and persons in attendance, and verified that a minimum 5 voting member quorum was present.

Members present/participating: Chairperson Wayne R. Keeney; Vice-Chairperson Shirley Harrell; Hon. Susan Connors; Bryan Cafferelli; Michael Desmond; John Vamos; Ex-officio (non-voting) Member State Marshals Thomas Burke and Lisa Stevenson; Staff Director Doug Moore; Staff Attorney Thomas J. Sousa, Jr.; and Administrative Assistant Gina Samples.

Members Absent: Commissioner Mildred Torres-Ferguson.

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

**Topics:**

**1. Introduction of Chairperson Wayne R. Keeney**

Vice Chairperson/Commissioner Harrell introduced and welcomed our new Chairperson, Commissioner/ Attorney Wayne R. Keeney. Commissioner Keeney was appointed, by Governor Lamont, to a term of office that runs from August 28, 2020 through June 30, 2022. Commissioner Keeney brings a wealth of experience to the commission, having served as a NYPD officer, detective, investigator, prosecutor, criminal defense attorney, special public defender, trial attorney, family support magistrate, and Chairman of the state Judicial Review Council. Commissioner Keeney has already reached out to the other commissioners and members.

Commissioner Keeney stated he is open to suggestions and welcomes critique. Chairperson Keeney then took over the meeting from Vice-Chairperson Harrell, and continued with the agenda items.

*Note: With the filling of the Chairperson's seat, there remains one vacant commissioner position, that unfilled appointment being the seat allocated to the speaker of the house. Per C.G.S. § 6-38b requirements, the remaining vacant commissioner position must be filled by someone who is not a member of any state bar.*

**2. Minutes: August 27, 2020 Regular Meeting:**

The Commission, after a motion by Commissioner Cafferelli, seconded by Vice-Chairperson/ Commissioner Harrell, unanimously voted to adopt the minutes from the August 27, 2020 regular

meeting.

### **3. State Marshal Access to DMV Records:**

Staff Attorney Sousa reported on the status of the DMV Self-Service User Portal. Yesterday, as of 12:13 p.m., a total of 98 different state marshals had logged in to the system. Of those 98 marshals, 83 had run a search query, and an average of about 12 marshals use the system per day. Staff Attorney Sousa reviewed search terminology, specific billing process, and planned upgrades (versions 1.5 and 2.0).

Ex-officio State Marshal Stevenson stated that the marshals are getting used to the system, and have learned that less is generally better when it comes to entering search terms.

### **4. eLicense Initiative & Annual Fee Update**

Staff Attorney Sousa updated the group on the eLicense initiative. The system is now live and to date 60 state marshals have completed the annual renewal in eLicense and paid their annual fee.

Yesterday clarification was received from the bond issuer (People's United Insurance Agency, a subsidiary of People's United Bank) that the state/DAS pays the premium to bond each state marshal in the amount of \$100,000.00 and said bond covers all C.G.S. § 6-39 requirements – general duties of a state marshal plus collection of tax warrants for the state or any municipality. We then were able to remove the bond-related questions from the eLicense annual renewal module. Those questions caused confusion and stress amongst many marshals during the renewals.

The commission discussed requests from the ex-officios and advisory board to provide some form of relief to state marshals concerning the annual fee, in recognition of the impact that COVID has had on some state marshal's businesses and income. Following a lengthy discussion of this topic, Commissioner Harrell made a motion that the State Marshal Commission extend a grace period making the annual fee due and payable no later than December 31<sup>st</sup>, 2020 – however on or before October 1, 2020 marshals still must complete as much of the renewal process as possible in eLicense; seconded by Judge Connors, the motion passed on a 6-0 vote.

Several state marshals have mailed paper annual fee checks and proof of liability insurance to the commission. The intent behind adopting eLicense was to reduce paperwork. The advisory board and ex-officios asked that state marshals be allowed to pay their annual fee using a credit card, and that capability was built into the system; alternatively marshals can pay via "draft check" – by entering a bank routing number and the account number, which permits an electronic fund transfer debit directly out of their chosen account. The annual renewal is not complete until the state receives payment, thus handling paper checks will delay the completion of a renewal. Following further discussion of the topic, Judge Connors made a motion that the State Marshal Commission adopt the policy to not accept paper checks, and limit the method for annual fee payments to credit card or bank draft through the eLicense system; seconded by Commissioner Harrell, the motion passed on a 6-0 vote.

Staff Attorney Sousa reported an issue which arose this afternoon regarding a marshal who has self-reported that while being appointed in one county, the marshal has been actually residing in and an elector/voting in a different county. The marshal called Attorney Sousa today to report the situation, and Attorney Sousa advised the marshal to submit a written statement. Any other specific details should probably not be discussed outside of executive session. Since the executive session that had been scheduled for earlier today was already cancelled, Commissioner Keeney stated this matter should be scheduled for executive session review as soon as possible. Judge Connors made a motion that the Commission schedule an executive session for 1:00-2:00 p.m. on Monday, October 5, 2020 to address this issue, and that the marshal be temporarily suspended/advised to refrain from further service of process until the matter is addressed; seconded by Commissioner Harrell, the motion passed unanimously.

## **5. POSTC Training for Capias Unit & Armed Marshals:**

The commissioners, ex-officios, advisory board chairperson, and commission staff have been invited to tour the Connecticut Police Academy from 9:00 a.m. - 1:00 p.m. on Tuesday, October 27, 2020. The only commissioner who will be unable to attend is Judge Connors.

Staff Attorney Sousa updated the Commission on the annual firearms range qualification results, and the recently completed triennial medical and use of force training. The only unfinished triennial Capias Unit and firearms training requirement for 2020 is the Civil Liability instructional block, which will be completed online. Yesterday the Capias Unit and firearms marshals received their log-on credentials, and some marshals have already begun the training. Once all training requirements are completed, the Commission will be asked to vote on firearms authorizations, hopefully during the October regular meeting. Capias Unit assignments do not require a commission vote. Firearms marshals must be approved by a commission vote, and provided an annual written authorization to carry.

Staff Attorney Sousa stated he would like to see the commission develop additional in-service training, or continuing educational opportunities for all state marshals, utilizing both the cost-effective on-line format and police academy classroom resources.

## **6. 2017 State Marshal Manual Revision**

Staff Attorney Sousa informed the commissioners that the 2017 State Marshal Manual is in need of a major revision. Some sections of the manual are no longer valid, while other sections require major updating. The Advisory Board should have input during the manual update process. It is expected that this process should take about six months, and a reasonable completion date would be sometime during the spring of 2021. Staff Attorney Sousa sees completion of this task as a prerequisite which must be finished prior to scheduling a new state marshal training class. Ex-officio Marshal Stevenson stated the advisory board will address this topic at its October meeting, and several state marshals have already volunteered to participate in the process.

## **7. New Marshal Class – Fall of 2021**

Staff Attorney Sousa stated his goal of running a new class for state marshals sometime during the fall of 2021. Once the State Marshal Manual has been updated, work can proceed on recruiting, the selection process, and designing an updated training course syllabus. The Connecticut Police Academy has tentatively offered classroom space, for the initial academic block.

## **8. Proposed Meeting Dates for 2021**

The proposed regular meeting dates for 2021 were reviewed. Staff Director Moore commented that, due to the legislative session calendar, historically the commission does not meet in April of even numbered years, and May of odd-numbered years.

The Commission, after a motion by Commissioner Cafferelli, and seconded by Commissioner Vamos, voted 6-0 to approve the proposed State Marshal Commission regular meeting dates for 2021.

## **9. Retirement/Resignations**

A motion was made by Commissioner Cafferelli to approve the retirement of, and issue a retired badge to New Haven State Marshal John J. Murray effective October 1, 2020, contingent upon the naming of a designated successor marshal; Seconded by Commissioner Vamos, the motion passed unanimously.

## **10. Death of State Marshal**

Staff Attorney Sousa reported on the recent death of Tolland County State Marshal John Audette. The commission will be requesting the routine audit per established protocol.

### **Closing Business**

Attorney Sousa recognized Gina Samples and the significant contributions she has made to the State Marshal Commission.

Ex-officio State Marshal Burke inquired about the possibility of returning to in-person meetings. Staff Director Moore reported that a Phase III proclamation was issued today by the governor, which effective October 8, 2020, allows an increase in the amount of people who can attend indoor meetings. However existing DAS restrictions on building access still prohibit public access.

Ex-officio State Marshal Burke raised the issue of the backlog of complaint cases. Commissioner Keeney stated that he is very concerned about resolving the complaint case backlog sooner, rather than later. Staff Attorney Sousa reported he has been tasked by Commissioner Keeney with producing a detailed list of all outstanding complaint cases, so they can be prioritized for resolution. Compilation of the list is ongoing.

Staff Attorney Sousa reported on the development of a quarterly activity reporting sheet that is being developed. Commissioner Keeney stated he would like the marshals to submit these sheets as a way of allowing the commission to capture data which quantifies the contributions that our marshals make to the court systems and the state.

The Commission, after a motion by Commissioner/Judge Connors, and seconded by Commissioner Cafferelli; voted 6-0 to adjourn the meeting.

The meeting was adjourned by Commissioner Keeney at 6:29 p.m.