

STATE OF CONNECTICUT
DEPARTMENT OF ADMINISTRATIVE SERVICES
STATE MARSHAL COMMISSION
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Meeting Was Conducted Remotely Using Microsoft Teams

DRAFT MINUTES
STATE MARSHAL COMMISSION MEETING
February 24, 2022

Commissioner Skyers-Thomas, Vice Chairperson, called the meeting to order at 4:38 p.m. Staff Attorney Sousa advised the participants that the proceedings were being recorded.

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

Members present and participating remotely: Vice-Chairperson Shirley Skyers-Thomas; Bryan Cafferelli; Michael Desmond (via telephone); Mildred Torres-Ferguson; John Vamos; Salvatore Vitrano; Ex-officio (non-voting) Members State Marshal Thomas Burke and State Marshal Lisa Stevenson; Staff Director Douglas Moore (non-voting); Staff Attorney Thomas J. Sousa, Jr. (non-voting); and Special Investigator Anthony Valenti (non-voting).

Members Absent: Hon. Susan Connors.

Topics:

1. Minutes of the January 27, 2022 Regular Meeting: Commissioner Torres-Ferguson made a motion to accept the minutes of the January 27, 2021 regular meeting. Seconded by Commissioner Cafferelli, all commissioners voted in favor, and the motion passed.

2. New Marshal Class/Appointment Process: Staff Director Moore updated the meeting's attendees on the ongoing application and selection process. The exam was reviewed by the ex-officios before it went live on February first. The exam test window will be closing at midnight on February twenty-eighth. To date eighty of 141 applicants have taken the exam. Of those eighty, 24 have passed which equates to a 30% passing rate. We've had applicants from every county pass, with the exception of Windham County from which there are no applicants.

Staff Director Moore reported that the commission has received complaints alleging some applicants were allowed to use scrap paper for calculations, while others were not. We have the ability to go to PSI and check their video recordings to see if the reports are accurate.

Ex-officio Burke asked if examinees were allowed to use a calculator. Staff Director Moore responded that all examinees had access to a calculator on the test center computer.

Commissioner Torres-Ferguson asked if there was a reason why an examinee would need the use of scrap paper. Staff Director Moore stated the permission to jot down notes and write out calculations would be an advantage.

While the commission's intent was to allow applicants the use of a calculator, and scrap paper but the final instructions from the testing company did not allow writing materials. At this point the complaints are considered hearsay until the actual test site videos can be reviewed.

If an investigation verifies there was a problem, the commission will have to determine a way to fairly correct the situation.

Commissioner Vamos asked how many questions were there that writing materials would have been helpful for. Staff Attorney Sousa shared a test outline on his screen, which showed that 14 of the 95 examination questions dealt with arithmetic computations and mathematical problems related to monetary transactions.

Commissioner Vitrano stated that once the commission receives the specific name of any applicant who supposedly was allowed to use paper, then the commission can further investigate with the testing company.

The testing company's position at this time is that none of the examinees were allowed the use of writing materials.

The commission staff will reach out to the testing company tomorrow, and respond to complaints that are received.

Staff Director Moore then discussed the DAS auditors' findings that recommend the commission adopt some form of formal applicant ranking and selection criteria. The staff has submitted several draft proposals to the commissioners for review and consideration. If the commission were to adopt such a document, it could always be updated whenever needed. There followed a lengthy discussion regarding specific language, background check standards and the interview process.

The staff will present a finalized version of the proposed applicant ranking and selection criteria document to be placed on the agenda for a vote at the next meeting.

3. Judge Albis Letter: Staff Attorney Sousa was asked to report on the recent letters between Judge Albis and Acting Chairperson Skyers-Thomas regarding the timely return of service for restraining orders. In response to Judge Albis' letter, the commission staff distributed Administrative Bulletin 22-02 to the State Marshals. In her letter, Chairperson Skyers-Thomas has requested that the judicial branch provide specific email addresses, fax number, and name(s) of responsible clerks at the courthouses where restraining orders are processed.

4. Retirements/Resignations/Inactive/Deaths:

Commissioner Vitrano made a motion to approve Litchfield County State Marshal Mark Raimo's request to retire effective March 31, 2022. Commissioner Desmond seconded the motion, which passed unanimously. State Marshal Raimo will be offered the opportunity to purchase his regular badge, or receive a retired badge at no expense to him.

5. Complaints:

Commissioner Torres-Ferguson made a motion that the commission adopt a finding of no probable cause in complaint number 20-27. Seconded by Commissioner Vamos, the motion passed unanimously.

Commissioner Vamos made a motion that the commission adopt a finding of probable cause in complaints number 21-22, and 22-01. Seconded by Commissioner Torres-Ferguson, the motion passed unanimously.

6. Administrative Updates –

Staff Attorney Sousa updated the commissioners on the October 2022 firearms range qualification firing plan.

During 2023 all capias and firearms marshals are due for the three-year mandatory use of force training events (i.e. – emergency medical, less than lethal, civil liability, defensive tactics, etc.).

An upcoming judiciary committee public meeting is scheduled at the legislature for the raised bill containing updating statutory marshal fees, and extending privacy protections to state marshals. Ex-officio State Marshal Stevenson will send the commissioners an email describing the advisory board's position regarding the proposed bill.

The Commission, after a motion by Commissioner Torres-Ferguson, seconded by Commissioner Vamos, unanimously voted to adjourn the meeting.

Commissioner Skyers-Thomas had to leave the meeting early, so the meeting was adjourned by Commissioner Vitrano.