

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  
May 26, 2022

Commissioner Skyers-Thomas, Vice Chairperson, called the meeting to order at 4:31 p.m. Staff Attorney Sousa advised all 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; Hon. Susan Connors; Michael Desmond (via telephone); John Vamos; Salvatore Vitrano; Ex-officio (non-voting) Member State Marshal Thomas Burke; Staff Director Douglas Moore (non-voting); Staff Attorney Thomas J. Sousa, Jr. (non-voting); and Special Investigator Anthony Valenti (non-voting).

Members Absent: Mildred Torres-Ferguson; Ex-officio State Marshal Lisa Stevenson.

**Topics:**

**1. Minutes of the March 24, 2022 Regular Meeting:** Commissioner Vamos made a motion to accept the minutes of the March 24, 2022 regular meeting. Seconded by Commissioner Vitrano, the motion passed unanimously.

**2. New Marshal Class/Appointment Process:** Staff Director Moore reported that 48 applicants successfully passed the exam. Eight of those 48 applicants subsequently failed the background check. The eight background check failures were due to personal financial issues/bad credit (6 applicants); one applicant due to insufficient proof of high school diploma/GED; and one applicant due to prior history of misconduct as a state marshal which culminated in resignation in lieu of a pending badge revocation by the commission.

Commission staff submitted summaries of the eight background check failures to the Attorney General's office which vetted the write-ups. If the commission were to be challenged on any of the failed background checks, we should be in good standing.

Interviews of the remaining candidates will begin on the afternoon of June 2, 2022 and run through June 16, 2022. These will be in-person interviews conducted at 450 Columbus Boulevard. Commissioners are requested to participate if available. The staff is currently working on the interview questions and updating the marshal manual.

A projected class size of 24-26 candidates is scheduled from July 25-29, 2022 at the Connecticut Police Academy in Meriden. Staff Attorney Sousa and Inspector Valenti are working on the class training schedule.

Details regarding the 80 hours of field training and a formal appointment ceremony are still being coordinated. State marshals to serve as field training instructors and classroom instructors are being coordinated with the State Marshal Advisory Board.

A general discussion took place regarding the participation of commissioners at the interview sessions.

***(Out of Order) New Member of Commission Staff:*** Staff Director Moore introduced Dawn Guerra, the new DAS administrative assistant who will be providing support to the facility management division and State Marshal Commission.

**3. C.G.S. §52-583 Statute of Limitations:** Staff Attorney Sousa reported that the commission has recently received a number of complaints against state marshals based upon actions which are alleged to have taken place several years ago. Ten complaints against state marshals were received in the past two months that contain alleged acts or omissions dating back more than two years. Two of the ten complaints are based upon an ejection that occurred over 4 years ago.

State law contains a two-year Statute of Limitations (C.G.S. §52-583) that prohibits untimely civil actions being brought against state marshals. The commission's complaint policy contains no such similar provision. Thus, following a cursory jurisdictional review, all received complaints are being processed without regard to timeliness.

Staff Attorney Sousa requests the commission adopt a change to make the complaint policy more closely comport with the C.G.S. §52-583 civil statute of limitations. Specifically, the commission would not entertain any third-party complaint against a state marshal for acts or omissions which took place over two years prior to the commission's receiving such complaint. Procedurally, the staff attorney would then be able to administratively dismiss any such stale complaints.

The commission would retain the right to bring in-house "*In Re*" complaints against a state marshal without any time limit. The commission should retain this right because certain criminal charges have statutes of limitations that run much longer than two years, and there are potential scenarios where a state marshal may have concealed or falsely reported information to the commission.

Staff Attorney Sousa reported that he discussed the proposed complaint policy change with State Marshal Quinn, Chairperson of the State Marshal Advisory Board, and Marshal Quinn indicated the advisory board would have no objection to such a change.

If the commission were to adopt the change, it can be incorporated into the 2022 State Marshal Manual which is currently being updated.

Attorney Sousa sent a May 2, 2022 letter to the commissioners outlining this proposal. He also suggested the policy be effectuated immediately and applied to any pending or future complaints.

Commissioners Vitrano and Connors expressed support for the proposed change, but would not be in favor of applying it retroactively to any pending complaints.

Commissioner Vitrano moved that the commission change its complaint policy to not accept third-party complaints against a state marshal for an act or omission which occurred more

than two years prior to the commission's receipt of the complaint. Seconded by Commissioner Connors, a discussion then followed.

Commissioner Vitrano suggested that a draft of the proposed policy change be provided to the commissioners for review prior to a final vote.

Commissioner Cafferelli would also like to see a proposed draft, and would like to see clarifying language that illustrates how the proposed two-year period will be calculated.

Commissioner Vitrano then withdrew his motion.

Commissioner Cafferelli made a motion that the staff draft a proposed complaint policy change for the commissioner to review. Seconded by Commissioner Vamos, the motion passed.

#### **4. Retirements/Resignations/Inactive/Deaths:**

New Haven State Marshal DiLieto has requested to retire, and requested a retired badge.

Hartford County State Marshal Robert E. Carlson has submitted a request for transfer to inactive status.

Commissioner Vitrano made a motion to approve the above requests. Seconded by Commissioner Vamos, the motion was then discussed.

Ex-officio State Marshal Burke asked if there were any pending complaints against State Marshal DiLieto, to which Attorney Sousa responded there are two pending complaints. A general discussion then took place regarding state marshals who submit retirement requests when there are pending complaints against them, and whether the commission should award retirement badges to state marshals in those circumstances. The feasibility of bifurcating a retirement request vote from a vote to issue a retired badge was also discussed.

Commissioner Vitrano then withdrew his motion to approve the requests, and Commissioner Vamos withdrew the second.

Commissioner Cafferelli made a motion to approve Hartford County State Marshal Robert E. Carlson's request to transfer to inactive status effective May 26, 2022. Seconded by Commissioner Vamos, the motion passed unanimously.

Commissioner Cafferelli proposed the commission enter executive session for further discussion of State Marshal DiLieto's retirement request.

Acting Chairperson Commissioner Skyers-Thomas requested that in the interest of continuity the attendees complete the few remaining regular meeting agenda items prior to leaving the regular meeting for executive session.

#### **5. Complaints:**

No complaints were ready for action by the commission for tonight's meeting.

## **6. Administrative Updates:**

Staff Attorney Sousa summarized the recently passed state laws that increase state marshal fees effective October 1, 2022; and added state marshals (effective July 1, 2022) to the list of designated individuals whose home address can be exempted from disclosure under Freedom of Information Act request. Attorney Sousa is working with DMV staff to implement the address disclosure exemption procedure.

Staff Attorney Sousa requested input from the commissioners on the draft academic schedule for the new state marshal class that was sent out. He also asked any commissioners who may be available to address the class to let him know so they can be added to the schedule. There also will be a formal swearing in/oath of office ceremony for the new class, to occur around the last week of September or early in October.

**Executive Session:** Commissioner Vitrano made a motion to enter executive session to discuss the DiLieto retirement request. Seconded by Commissioner Vamos, the motion was unanimously approved.

At 5:56 p.m. the commissioners came out of executive session and rejoined the regular meeting. After concluding the executive session, Commissioners Vitrano and Cafferelli were unable to rejoin the regular meeting, so at 6:00 p.m. Acting Chairperson Commissioner Skyers-Thomas announced that the regular monthly meeting was officially ended due to the loss of quorum, and therefore no further business was conducted.