

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
September 22, 2022

Commissioner Skyers-Thomas, Vice Chairperson, called the meeting to order at 4:35 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; Michael Desmond (via telephone); Hon. Leo Diana; Mildred Torres-Ferguson; John Vamos; Salvatore Vitrano; Ex-officio (non-voting) Member State Marshal Thomas Burke and Ex-officio (non-voting) Member State Marshal Lisa Stevenson.

Commission Staff present: Staff Director Douglas Moore (non-voting); Staff Attorney Thomas J. Sousa, Jr. (non-voting); and Special Investigator Anthony Valenti (non-voting).

Members Absent: none.

Topics:

Vice-Chairperson Commissioner Skyers-Thomas introduced welcomed the Hon. Leo Diana to the commission, and welcomed him to his first meeting. Judge Diana was appointed to replace the Hon. Susan Connors.

1. Minutes of the June 23, 2022 Regular Meeting:

Commissioner Vamos made a motion to accept the minutes of the June 23, 2022 regular meeting. Seconded by Commissioner Torres-Ferguson, the motion passed unanimously.

2. Proposed 2023 Meeting Dates/Schedule:

Staff Director Moore reviewed a list of proposed 2023 regular meeting dates for the State Marshal Commission. Following a general discussion, Commissioner Vitrano made a motion that the State Marshal Commission adopt those proposed 2023 meeting dates. Seconded by Commissioner Torres-Ferguson, the motion passed unanimously. Now that the 2023 meeting dates have been approved, they will be posted on the state agency public meeting calendar and on the State Marshal Commission website.

Commissioner Skyers-Thomas stated that a new agenda item #10 – Marshal Manual will be added to this evening's agenda.

3. Annual Pistol Range Qualification Firing:

Staff Attorney Sousa and Special Investigator Valenti provided an update on the upcoming range firing which is scheduled on October 8 and 15, 2022. Staff Investigator Valenti maintains a current POSTC firearms instructor certification and was requested asked to perform as range cadre on October 15, 2023 by the police academy staff.

4. New Marshal Class/Appointment Process:

Staff Director Moore reported on the training status of the new marshal class. The 21 candidates have completed their 40 hours of academic classroom instruction and are about half-way through their 80 hours of field training. Their appointment and swearing ceremony is scheduled for October 18, 2022 at the Legislative Office Building with a reception to follow in the State Armory Officers Club. The commission office staff is loading the new marshals onto the eLicense system and accomplishing other administrative tasks in preparation for transitioning the new marshals to active status.

Commissioner Torres-Ferguson inquired if this meeting was posted on the commission website. Staff Director Moore stated that it should have been, but it was posted on the state agency public meeting calendar which is the official record of meetings for FOIA purposes.

Commissioner Vamos asked if the new class reflected all of the individuals who were interviewed, and if any candidates had dropped out of the process. Staff Attorney Sousa provided a detailed breakdown of the number of applicants interviewed, withdrawals, and scheduled for the training class.

In response to a question from Commissioner Vitrano, Staff Director Moore described the appointment ceremony invitation plan for guests and dignitaries.

5. Retirements/Resignations/Inactive/Deaths:

There were no known state marshal retirements, resignations, deaths, or inactive transfer requests to report this month.

6. Complaints:

Commissioner Cafferelli made a motion to find no probable cause in the matter of complaint cases 22-11 and 22-15; seconded by Commissioner Vitrano, the motion passed unanimously.

Commissioner Cafferelli made a motion to find probable cause and move forward to oversight committee hearings in complaint file cases: 22-17 and 22-22; seconded by Commissioner Vitrano, the motion passed unanimously.

7. Administrative Updates:

Staff Attorney Sousa proposed to begin scheduling Oversight Committee hearings the week following the October 18, 2022 appointment ceremony. A lengthy discussion followed concerning the general complaint process, hearing procedures, existing complaint backlog, and proposed solutions. The commissioners provided dates they are available to sit on Oversight

Committee hearings in the upcoming weeks. State Marshal Burke suggested the ex-officios could be available to assist with the backlog and expressed a concern that some hearings were conducted and are still pending a commission vote on proposed final decisions. State Marshal Stevenson agreed that the ex-officios are available to help and expressed frustration with the length of time it has taken to resolve some of the outstanding complaints. Commissioner Cafferelli stated it would be helpful for the commission to receive periodic reports on the specific number of pending complaints. Staff Director Moore stated it would be helpful if the commission were able to adopt policies and procedures where the commission and respondent state marshals could enter into consent agreements leading to simplified expeditious resolution of complaints. Commissioner Skyers-Thomas advised the meeting that the discussion has now progressed into the next agenda item (Complaint Backlog).

Staff Attorney Sousa provided an update on the status of compliance with the upcoming statutory October first annual state marshal fee payment deadline; progress on the 2022 State Marshal Manual 2022 update; DMV address confidentiality and self-service user portal upgrades; and Use of Force policy.

Discussion took place regarding the efficacy of scheduling one or more special meetings to address the State Marshal Manual, complaint backlog, etc. Commissioner Vitrano stated his opinion that the commission should afford great deference to any recommendation from the commission staff and marshals who worked on the manual update that the proposed changes be adopted. Commissioner Vitrano then suggested the proposed Use of Force Policy be sent to the Attorney General's office for review prior to being adopted by the commission. Staff Attorney Sousa stated he will send the proposed Use of Force Policy to the Attorney General's office immediately following this meeting, and the Marshal Manual changes should be placed on hold until a response is received from the Attorney General.

8. Complaint Backlog:

This topic was previously addressed as described above.

9. CO-17 Lack of Payment from Judicial:

Ex-Officio State Marshal Stevenson addressed the meeting regarding the severe backlog of unpaid state marshal CO-17 billing invoices and the financial impact it continues to have on individual state marshals. State Marshal Burke added that he has heard two from New London County state marshals who each have several thousand dollars in unpaid state invoices that go back to 2019 and 2020 respectively. He asks that the commissioners place this topic as a priority at the top of the list. Marshal Stevenson would like to see another roundtable with the Judicial Branch to address this topic. Commissioners Skyers-Thomas, Cafferelli, and Vamos will reach out to a Judicial Branch liaison and attempt to find some resolution to this ongoing problem. Staff Director Moore suggested a more effective way to address the problem might be through the legislature.

10. State Marshal Manual:

This topic was previously addressed as described above.

Vice-Chairperson Skyers-Thomas stated there was no other business to discuss.

A motion to adjourn was made by Commissioner Torres-Ferguson. Seconded by Commissioner Cafferelli, the motion passed unanimously.

The meeting was adjourned at 6:26 p.m.