

# STATE MARSHAL COMMISSION SUMMARY SUSPENSION POLICY

Pursuant to State Marshal Commission Regulations Section 6-38b-8(a), an emergency suspension of the appointment of a state marshal by the State Marshal Commission can take place and shall be in accordance with the process contained in section 4-182(c) of the Connecticut General Statutes, (Uniform Administrative Procedures Act).

Under Conn. Gen. Stat. Sec. 4-182(c), if the State Marshal Commission finds that public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a state marshal's appointment may be ordered pending proceedings for revocation or other action. These proceedings shall be promptly instituted and determined.

To implement this power, the State Marshal Commission can act through the Chairperson, or if not available, the Vice Chairperson, or any other Commissioner, or the full Commission, if circumstances so warrant. The assistance of the Administrative Office of the State Marshal Commission, or other resources deemed necessary, shall be available to implement the issuance of the order, and any further proceedings. Once issued, the order will be sent by certified mail, regular mail, and if possible by facsimile, and e-mail, to the state marshal with an effective date of the order of the summary suspension.

Within seven (7) days of the effective date of the summary suspension order an evidentiary hearing on the status of the summary suspension will be afforded the state marshal by at least one of the Marshal Commission members, who can act as hearing officers. The hearing officer can rule on the record, or within 48 hours of the evidentiary hearing, whether the summary suspension order should be ended, remain in place, or on whether any other actions are deemed appropriate. Any order of the hearing officer will be noticed as noted above.

If the summary suspension order is ended then the matter can be reviewed in the complaint process of the Commission in due course. If the summary suspension remains in effect, the State Marshal Commission will expedite the complaint process of the underlying matter for a prompt determination.