

STATE OF CONNECTICUT
DEPARTMENT OF ADMINISTRATIVE SERVICES
STATE MARSHAL COMMISSION
450 Columbus Blvd., Suite 1504, Hartford, CT 06103
Tel. 860-713-5372 Fax. (860) 622-2938
Meeting is in North Plaza Meeting Room J at 4:30 p.m.

MINUTES
STATE MARSHAL COMMISSION MEETING
September 27, 2018

Members present: Chairperson W. Martyn Philpot, Jr., Esq., Mildred Torres-Ferguson (via teleconference call), Michael Desmond, Honorable Lisa K. Morgan (via teleconference call), John Vamos (via teleconference call), and Shirley Harrell, Esq. Also present were Staff Director Douglas J. Moore and Staff Attorney Jennifer Y. Montgomery and ex-officio members (non-voting) Julianne Ingham and Keith Niziankiewicz. Vice-Chairperson Michael Cronin was not present.

State Marshal Lisa Stevenson was present for the public portion of the meeting.

Chairperson W. Martyn Philpot, Jr., Esq. called the meeting to order at 4:40 p.m.

Mildred Torres-Ferguson arrived at the meeting during the discussion of Agenda Item 4.

First Business

1. Minutes: July 26, 2018 meeting

The Commission, after a motion by John Vamos, seconded by Honorable Lisa K. Morgan, voted 5-0 to adopt the minutes from the July 26, 2018 meeting.

Old Business

2. Draft Resolution in Recognition of Departing Commissioners

Staff Attorney Jennifer Montgomery briefly introduced the item. At the Commission's request at the July 26, 2018 meeting, Attorney Montgomery prepared a draft resolution for the Commission to issue to former Commissioners who have departed the Commission in the last 4 years and those who may depart in the future to recognize their service to the Commission. The Commission, after a motion by Honorable Lisa K. Morgan, seconded by Michael Desmond, voted 5-0 to adopt the draft resolution honoring departing members of the Commission prepared by Attorney Montgomery.

3. Informal Opinion of the Office of the Attorney General

Staff Attorney Montgomery informed the Commission that it had received an informal opinion from the Attorney General's office regarding the Commission's inquiry last spring about the applicability of the unclaimed property laws to state marshals. She noted that the Attorney General's office had concluded that state marshals were subject to these laws and that she and Director Moore had scheduled a meeting with the State Treasurer's office to discuss the provision of guidance to state marshals on these laws.

New Business

4. Advisory Board

a. Review and Revise Capias Policy

State Marshal Lisa Stevenson, Chairperson of the State Marshal Advisory Board, raised that she would like the Commission's assistance with scheduling a meeting with the Judicial Branch to revise the policy for Capias Unit marshals bringing prisoners into the courthouses. She noted that the policy had not been revisited for several years. Attorney Montgomery noted that the relationship had been tense between Judicial Marshals and State Marshals in the past and advised that the office would attempt to reach out to the Judicial Branch on this issue.

b. Review and Revise Restraining Order Policy

State Marshal Stevenson also raised that the Advisory Board would like the Commission's assistance with scheduling a meeting with the Judicial Branch to revise the Restraining Order policy as the policy had not been revisited for several years and statutes had changed. She noted her belief that the statutes state that they should have access to a fax machine and a table at every courthouse. Attorney Montgomery inquired whether the Advisory Board had reached out to Johanna Greenfield about the issues. She noted that they had but they did not have equal access in every courthouse. Ex-Officio Ingham noted her belief that mandatory use of the Restraining Order Registry would help with service issues. Attorney Montgomery advised that use of the Restraining Order Registry is mandatory and advised that she would send an Administrative Bulletin restating this dictate. Ex-Officio Ingham raised the issue of constables serving restraining orders. Attorney Montgomery noted that this was not something within the Commission's control. Ex-Officio Attorney Montgomery advised that the office would reach out to the Judicial Branch on these issues.

c. Provision of State Vehicle for Capias Unit

Ex-Officio Keith Niziankiewicz raised that state marshals were previously allocated three state vehicles to execute capias warrants. He noted that the Department of Administrative Services was no longer providing a state car to the marshals that was previously utilized by the late State Marshal Albrecht. There is a group of Capias Unit marshals in Hartford and Tolland County who would like a state car for their use while executing capias warrants. He noted that the Manchester Police Department had agreed to allow the state marshals to house the state car there. Staff Director Douglas Moore noted that he had reviewed the records of the vehicle that was assigned to State Marshal Albrecht. He noted that it was used minimally the last six months and that this conflicts with state policy about state vehicles which states that they must be in use an average of 700 miles month. As a result he made the decision to recall State Marshal Albrecht's vehicle. He advised that DAS is cutting costs across the board. Director Moore noted his belief that DAS may be able to better allocate the two vehicles so that they could be used throughout the state. Ex-Officio Niziankiewicz noted his belief that a vehicle would be well used if placed in the Hartford area. Director Moore inquired whether they could take the car from Eastern CT and reassign it to a more central location so that it can be better used. State Marshal Stevenson noted that the state marshals had executed a higher volume of capias warrants than the state employees who execute them. Director Moore noted that he would raise this proposal with Commissioner Currey and let her decide how the vehicles would be allocated.

[Deliberations proposed for executive session pursuant to Sections 1-200 and 1-225 of the Connecticut General Statutes to discuss the appointment, performance, evaluation, health or dismissal of a public officer]

The Commission, after a motion by Honorable Lisa K. Morgan, seconded by Michael Desmond, voted 6-0 to enter executive session.

The Commission, after a motion by Mildred Torres-Ferguson, seconded by Michael Desmond, voted 6-0 to return to the public record. No votes were taken in executive session.

5. State Marshal Client Fund Account February Filing Review
by Whittlesey, PC

The Commission, after a motion by Honorable Lisa K. Morgan, seconded by Michael Desmond, voted 6-0 to initiate In Re complaints against those marshals that did not submit reconciliations with their February 2018 client fund filing or who did not respond to the requests for information by Whittlesey, PC regarding the reconciliation.

6. Michael Brown Request to Move County of Appointment

The Commission, after a motion by Honorable Lisa K. Morgan, seconded by Michael Desmond, voted 6-0 to find a vacancy in New Haven County and permit State Marshal Michael Brown to fill that vacancy subject to the State Marshal Commission receiving proof of his elector status in New Haven County.

7. Complaints

The Commission, after a motion by John Vamos, seconded by Honorable Lisa K. Morgan, voted 6-0 to dismiss the following files:

File No.	Name
18-01	Jordan/Douglas, H.
18-02	Koellmer/Gyle
18-03	Rebaudo/Levine
18-05	Kershaw/Renz
18-06	Griffin/Rice
18-07	Pierre/Homelson
18-08	Gilliam/Romano
18-10	Lazzaro/Delli Carpini
18-11	Perry/LoGioco
18-12	Silvia/Doherty
18-13	Lowinger/Corbett
18-14	Furbush/Soucie
18-15	Bozelko/illingworth
18-25	Acevedo/Romano
18-17	Pierre/Kaz
18-19	Roseboro/Kaz

The Commission, after a motion by Honorable Lisa K. Morgan, seconded by Michael Desmond, voted 6-0 to find probable cause for a hearing in the following files:

File No.	Name
18-09	Sticca/Delli Carpini
18-18	Carter/Kobyluck-Burke
18-20	McNeill/Christiansen
18-22	Wright/Douglas, H.
18-23	In re Poeti
18-40	Conrad/Kemp

The Commission, after a motion by Michael Desmond, seconded by Shirley Harrell, Esq., voted 6-0 to administratively dismiss the following files due to the marshal retiring or passing away:

File No.	Name
15-24	McKeown/Kadar
18-24	Richardson/Allen
18-26	Martinez/Allen
18-33	Joyner/Allen

8. Withdrawal of Request for Reconsideration

The Commission, after a motion by John Vamos, seconded by Michael Desmond, voted 6-0 to accept the Respondent's request through counsel to withdraw his previously filed Request for Reconsideration in the following matter:

File No.	Name
16-51	Colbeth/Heap

9. Request for Inactive Status

The Commission, after a motion by Honorable Lisa K. Morgan, seconded by Michael Desmond, voted 6-0 to grant the requests for Inactive Status for the following marshals:

Name	County	Effective Date
Sean Cassidy	Middlesex	September 1, 2018
Edwin Olavarria	Fairfield	October 1, 2018
Joseph Purcell	Fairfield	September 27, 2018

10. Request for Resignation/Retirement

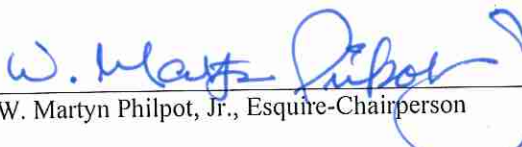
The Commission, after a motion by John Vamos, seconded by Mildred Torres-Ferguson, voted 6-0 to grant the request for resignation by retirement and grant a retirement badge for the following marshal with an effective date of September 27, 2018:

Name	County	Effective Date
John Griffin	Hartford	September 27, 2018

The Commission, after a motion by Michael Desmond, seconded by Honorable Lisa K. Morgan voted 6-0 to adjourn the meeting.

The meeting was adjourned at 6:07 p.m.

Minutes were approved by the Commission on November 29, 2018.


W. Martyn Philpot, Jr., Esquire-Chairperson