

State of Connecticut
Department of Administrative Services
State Marshal Commission

Peter J. Martin, Esq.
Chairperson

Stephen Dygus
Administrative Manager

Minutes
STATE MARSHAL COMMISSION MEETING
June 22, 2011

Members present: Peter J. Martin, Esq. Chairperson; William W. Cote, Esq., Vice Chairperson; Vincent Mauro, Jr. Joseph Ubaldi, (who left before the close of business as noted) and Joel Rudikoff, Esq.; Also present were Ex-Officios Lisa Stevenson and Thomas Burke (non-voting members) and Administrative Manager Stephen Dygus and Staff Attorney Elizabeth Collins (not voting). Not present were Michael Cronin, Esq., Hon. William T. Cremins and Erron Smith.

Agenda Items/First Business

The vote to approve the May 25, 2011 minutes was postponed until the next meeting of the Commission due to missing items in the draft minutes.

Commissioner Joel I. Rudikoff, Esq. was recently appointed to the State Marshal Commission. He was introduced by Chairperson Peter J. Martin, then he spoke about his background. Commissioner Rudikoff, Esq. was welcomed to the Commission by the other members.

New Business

1. State Marshal Appointment/Exam Status. The Commission, with Joseph Ubaldi absent, was brought up to date on the recent state marshal exam. Administrative Manager Stephen Dygus informed the Commission that 314 individuals took the exam, 186 passed and 128 did not. The Commission determined that the next step in the process is to have the State Marshal Advisory Board report back to the Commission on their understanding of the needs in each county. As part of that the Commission requested information on how many marshals do their state marshal work as their primary source of income.

2. DMV/Access-State Marshal Commission. The Commission, with Joseph Ubaldi absent, was informed that there have been ongoing discussions regarding the need for state marshals to have access to DMV information during the course of their work. Currently the plan is to have the Administrative Office of the State Marshal Commission assist in access during daytime hours, with some access afterhours through the Department of Public Safety. The program will begin soon.

3. Use of Force Policy/Firearms. The Commission considered the comments of Marshal David Hubbs, who, on behalf of the Safety Committee of the State Marshals Advisory Board, had worked with the Administrative Office of the State Marshal Commission to review and revise firearm policy. After a discussion and questions by Commission members of each other and of state marshals present, the Commission determined that action was needed. The Commission, after a motion by Joseph Ubaldi, seconded by William W. Cote, Esq. voted unanimously, 5-0, to adopt changes to the Use of Force Policy regarding the training requirements and the general use of firearms by state marshals.

4. DSS/Judicial Marshals/Capias Status. The Commission, with Joseph Ubaldi absent, was informed of the new statutory enactment that will allow Judicial Marshals to execute civil capias warrants in the courthouse commencing October 1, 2011. The Commission was also apprised of discussion between the Administrative Office of the State Marshal Commission and DSS/SES regarding improving the distribution and handling of child support capias matters. A survey of state marshals on the capias unit will be circulated to collect information in the area.

The Commission, after a motion by Joseph Ubaldi, seconded by William W. Cote, Esq. voted unanimously, 5-0 to go into Executive session to discuss personnel issues listed below. The individuals present included those listed above. The Commission voted unanimously 5-0, after a motion by Vincent Mauro, Jr. , seconded by William W. Cote, Esq. to return to the public record.

165 Capitol Avenue, Room 483
Hartford, Connecticut 06106
Tel. (860) 713-5372 Fax. 713-5377

Old Business

1. The Committee, after a motion by Vincent Mauro, Jr., seconded by Joseph Ubaldi, voted unanimously, 5-0, to dismiss the below noted files:

File No.	Name
10-62	In Re Kenneth Capaldo
11-08	In Re Antinerella

New Business

5. Oversight Committee

The Committee, after a motion by Vincent Mauro, Jr., seconded by Joseph Ubaldi, voted unanimously, 5-0, to adopt the proposed final decision of the Oversight Committee as the final decision of the state marshal commission, as noted below:

File No.	Name
10-63	In Re Zaniewski 14 day suspension, effective August 8, 2011 or sooner by agreement.

The Committee, after a motion by Vincent Mauro, Jr., seconded by Joseph Ubaldi, voted unanimously 5-0 to table the below noted file:

File No.	Name
10-63	Walter/Andriola

6. New Complaints

The Commission, after a motion by Joel Rudikoff, Esq., seconded by Vincent Mauro, Jr., voted unanimously 5-0 to find probable cause in the below noted file and refer the matter to the Oversight Committee for a hearing on the matter.

File No.	Name
10-81	Hilton/Aresco

The Commission, after a motion by Vincent Mauro, Jr., seconded by Joseph Ubaldi, voted unanimously, 5-0, to dismiss the below noted file:

File No.	Name
11-24	Illies/Sullivan, James E.

7. Resignation/Retirement

The Commission, after a motion by Vincent Mauro, Jr., seconded by William W. Cote, Esq., voted unanimously, 5-0, to accept the retirement/resignation to end the appointment of the below noted state marshal:

Name	County	Effective
Edward Homa	New Haven	June 30, 2011

8. Audits

The Committee, after a motion by Joseph Ubaldi, seconded by Erron Smith, voted unanimously, 5-0, to find the responses to the audit report in the following matter satisfactory.

File No.	Name
06-10	Edward Homa

9. Added Business/Civil Lawsuits and state marshals

After a motion by Joel Rudikoff, Esq., seconded by Vincent Mauro, Jr. to add Civil Lawsuits to the agenda, the Commission voted unanimously, 4-0, with Joseph Ubaldi absent, to add the issue to the agenda. Thereafter a discussion ensued where the Commission was apprised of the growing number of civil lawsuits involving a claimed sovereign citizen collection of individuals filing lawsuits against many public officials, including state marshals. The Commission was also informed that the Attorney General's Office has been informed of the situation. The matter will be monitored.

The Commission voted unanimously, 5-0, to adjourn, after a motion by Vincent Mauro, Jr. seconded by Joel Rudikoff, Esq.

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Minutes were approved by the Commission on August 24, 2011.

Peter J. Martin, Esquire-Chairperson

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State of Connecticut

Department of Administrative Services
State Marshal Commission

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Draft
Minutes

STATE MARSHAL COMMISSION SPECIAL MEETING
September 13, 2011

Members present: Peter J. Martin, Esq. Chairperson; Hon. William T. Cremins; Erron Smith; Joel Rudikoff, Esq., and Sarah Holbrook, Esq. Also present were Ex-Officios Lisa Stevenson and Thomas Burke (non-voting members) and Administrative Manager Stephen Dygus and Staff Attorney Elizabeth Collins (not voting). Not present were Michael Cronin, Esq., Joseph Ubaldi and Vincent Mauro, Jr.

Agenda Items

1. The June 22, 2011 minutes were adopted, by an unanimous vote of 5-0, after a motion by Joel Rudikoff, Esq., seconded by Erron Smith.

2. New Commission member Attorney Sarah Holbrook.

The appointment of new Commission member Sarah Holbrook, Esq., was announced. She is replacing former Commissioner William W. Cote, Esq.

Old Business

1. Personnel Issues in DAS. It was reported to the Commission that the union contract voting process had an effect on the administrative office, but that the situation has stabilized.

In new developments, Administrative Manager Stephen Dygus announced his retirement from his position effective October 1, 2011. The Commissions took note of Manager Dygus' distinguished 33 year career with the state and thanked him for his service to the State Marshal Commission. The Commission wished him well in his new endeavors.

Douglas P. Rinaldi, current director of the State of Connecticut Workers' Compensation Program and other programs, was introduced to the Commission as the new DAS Administrative Manager to replace Stephen Dygus. He was welcomed by the Commission.

2. Department of Motor Vehicle call-in program.

The Commission was updated on the DMV call in program, which is still on hold, but remains a priority.

3. Ansonia/Milford Superior Court Restraining Order call in request.

It was reported to the Commission that its request of the Judicial Branch to institute a call-in program on restraining orders in the Ansonia/Milford Superior Court has been granted. The program joins others in a larger pilot program that is already in place in some other courthouses. The effective date is September 19, 2011.

4. Crisis Protocol

Marshal David Hubbs, of the Marshals Safety Committee requested that this matter be tabled.

The Commission, after a motion by Erron Smith, seconded by Hon. William T. Cremins, voted unanimously 5-0, to table the matter to a later meeting.

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5. Oversight Committee/Proposed Final Decision

The Commission considered the matter and reviewed the Complainants' brief and listed to oral argument. The Commission, after a motion by Joel Rudikoff, Esq., seconded by Hon. William T. Cremins, unanimously voted 5-0, to adopt the Oversight Committee's proposed findings of fact and law as its final decision, and dismissed the matter.

File No. 10-54 Walter/Andriola

New Business

1. Hartford Courant article/capias

An article from the Hartford Courant for Sunday August 7, 2011 was reviewed by the Commission. The article reflected the scope of work state marshals do when executing capias warrants from the court.

2. Wage Executions/Counties

Marshal Julianne Ingham spoke to the Commission about some of the inconsistencies regarding how wage executions are served by mail among the marshals of different counties. She was seeking clarification and uniformity. The Commission, after a motion by Erron Smith, seconded by Hon. William T. Cremins, voted unanimously 5-0, to table the matter to a later meeting so that the Commission can take some time to address the issue.

The Commission, after a motion by Joel Rudikoff, Esq., seconded by Erron Smith, voted unanimously 5-0, to go into Executive session to discuss personnel issues listed below. The individuals present included those listed above. The Commission voted unanimously 5-0, after a motion by Hon. William T. Cremins, seconded by Joel Rudikoff, Esq. to return to the public record.

3. Louis Aresco

After a motion by Joel Rudikoff, Esq., seconded by Hon. William T. Cremins, the Commission voted unanimously 5-0, to table the firearm request of Marshal Aresco and to write to the Attorney General's Office seeking a ruling on a previous request, with a modification.

Edward W. Jurgelas

The Commission reviewed a report submitted by Marshal Jurgelas in support of his request to carry a firearm. After a motion by Erron Smith, seconded by Hon. William T. Cremins, the Commission found Marshal Jurgelas's request to carry a firearm in order. He was granted permission to carry, once proof of insurance is in place.

4. New Complaints.

The Commission, after a motion by Joel Rudikoff, Esq., seconded by Hon. William T. Cremins, voted unanimously 5-0, to dismiss the below noted files:

11-12	Lebby/Smulski
11-16	Reillier-Keene/Woods, J. Stephen
11-27	Bonner/Barnes
11-30	Hicks/Carragher

The Commission, after a motion by Erron Smith, seconded by Joel Rudikoff, Esq., voted unanimously 5-0, to table the below noted files:

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11-25 Townsend/Barbieri
11-29 Mora/Valentino

The Commission, after a motion by Hon. William T. Cremins, seconded by Erron Smith, voted unanimously 5-0, to find probable cause in the below noted files and assign them to an Oversight Committee for a hearing:

File No.	Name
11-22	Ragozzino/Esposito
11-28	Pellegrino/Vingiano

5. Inactive Status

The Commission after a motion by Erron Smith, seconded by Joel Rudikoff, Esq., the Commission voted unanimously 5-0, to accepted Marshal Kenneth Calaldo's request to be placed on Inactive Status, retroactive to July 1, 2011, with a review in three months.

6. Audits

The Commission, after a motion by Hon. William T. Cremins, seconded by Joel Rudikoff, Esq., voted unanimously 5-0, to table the following matters to the next meeting of the Commission.

01-11	Michael Casserino	Middlesex
02-11	Julianne Ingham	Litchfield
03-11	Scott Kraimer	Hartford
04-11	Douglas Conant	Hartford
05-11	Robert McCarthy	Middlesex
09-11	John Murray	New Haven
16-10	Gerald Cappiello	New Haven

7. Resignations:

The Commission was apprised of the death of Marshal Phillips Terhune, Jr. As a result, the Commission, after a motion by Hon. William T. Cremins, seconded by Erron Smith, voted unanimously 5-0, to administratively close the below noted matter as moot.

Name	County
Phillips Terhune, Jr.	Fairfield

8. Additional Business (public record)

1. Overview-State Marshal Commission /Oversight Committee Complaint overview/financial statements overview

The Commission, after a prior written request from Mr. Morneau, to speak for 23 minutes, agreed to have Mr. Rick Morneau present an oral commentary to the Commission to compliment his July 27, 2011 written submission. Mr. Morneau reviewed his concerns about the disciplinary process of the Commission and other concerns including, but not limited to the areas of financial and fee issues involving state marshals and a need for suggested changes.

The Commission , after a motion by Hon. William T. Cremins, seconded by Joel Rudikoff, Esq. voted unanimously 5-0, to adjourn the meeting.