

State of Connecticut  
Department of Administrative Services  
State Marshal Commission  
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Hope C. Seeley, Esquire  
Chairperson

Douglas Rinaldi  
Administrative Manager

Draft  
Minutes  
STATE MARSHAL COMMISSION MEETING  
November 28, 2012

Members present ; Hope C. Seeley, Esq., Chairperson; Michael Cronin, Esq., Vice-Chairperson; Sarah Holbrook, Esq., Vincent Mauro, Jr.; Joel I. Rudikoff, Esq. and Joseph Ubaldi. Also present were Ex-Officios Marshal Lisa Stevenson and Marshal Thomas Burke (non-voting members) and Administrative Manager Douglas Rinaldi and Staff Attorney Elizabeth Collins (not voting). Not present was Erron Smith. One position on the Commission is vacant. Commissioner Ubaldi was not able to stay for the entire meeting and did not participate in New Business, Sections 5, 6, 7 and 8 and 13.

Chairperson Hope C. Seeley, Esq. called the meeting to order at 5:37 p.m.

First Business

1. Introduction of new Chairperson, Hope C. Seeley, Esq.

The Commission welcomed the new Chairperson, Hope C. Seeley, Esq., and introduced themselves to her. Administrative Director Douglas Rinaldi noted the distinguished career of the new Chairperson and indicated that he and his office looked forward to working with her.

2. Minutes: The September 6, 2012 meeting minutes were adopted, by a unanimous vote of 6-0, after a motion by Vincent Mauro, Jr., seconded by Joel I. Rudikoff, Esq.

3. Minutes: May 30, 2012, May 25, 2011 and December 1, 2010.

After a motion by Vice-Chairperson Michael Cronin, Esq., seconded by Vincent Mauro, Jr. the Commission voted unanimously, 6-0, to authorize the current Chairperson to sign the previously adopted minutes of May 30, 2012 and December 1, 2010. The motion and vote also adopted the May 25, 2011 minutes of the Commission and authorized the current Chairperson to sign the minutes.

4. Schedule of State Marshal Commission Meetings for 2013.

The Commission, after a motion by Joseph Ubaldi, seconded by Sarah Holbrook, Esq., by a unanimous vote of 6-0, scheduled the monthly meeting of the Commission for 2013 on the third Wednesday of each month.

Old Business:

1. Appointment Update/Swearing In

The Commission was informed of the successful swearing in ceremony for the new state marshals which was held on September 20, 2012. It was noted that the event included family and friends of the new appointees and celebratory proceedings.

2. Equipment

The issue of whether or not state marshals will be able to carry tasers in particular was tabled .

New Business:

1. Use of Force Policy:

The Commission, after a motion by Vincent Mauro, Jr., seconded by Vice-Chairperson Michael

Cronin, voted unanimously, 6-0, to adopt changes to the Use of Force Policy to remove the need for the Commission to be a named insured on the state marshals' liability policies, and to clarify certain language in light of an Attorney General's Opinion.

2. Auditors of Public Accounts

SMC Audit 7-1-09 to 30-11

The Commission was updated on the ongoing audit of DAS/State Marshal Commission.

3. Auditor of Public Accounts/client fund accounts

It was reported to the Commission that a meeting occurred with the Auditors of Public Accounts to review the audit procedures of the state marshals' client fund accounts. The Commission will be kept apprised of ongoing discussions to improve the system.

4. Department of Children and Families/process fees

The Commission discussed the correspondence received from the Department of Children and Families regarding its proposal for state marshal fees involved in certain types of service of process. The Commission considered the proposal and determined it would not adopt the proposal itself, but rather authorized a meeting with the Department to discuss the situation.

5. Attorney General Opinion/Sheriff/Bailiffs-capias

The Commission was provided the Attorney General's Opinion, which sets forth the parameters of the power of sheriffs and bailiffs in the area of capias warrants. Also presented was supplemental information from the Judicial Branch on how the Branch determines the assignment of capias warrants in this area.

6. Restraining Order Round Table-New Haven

It was reported to the Commission that Administrative Manager Douglas Rinaldi and Staff Attorney went to a round table discussion in New Haven for the Commission, at the invitation of the Honorable Bernadette Conway. Various individuals who have an interest in restraining order work, including a number of New Haven state marshals, were present to discuss the current system and potential improvements to the system. The Commission was informed that an addition meeting is scheduled in January 2013 and that the Commission will be apprised of future activity.

7. Business cards/office supplies/advertising/seals

The Commission tabled the matter to a future meeting for further review.

8. Fee Waiver/Fees statutory, set sum issue

The Commission tabled the matter to a future meeting for further review.

The Commission, after a motion by Joel I. Rudikoff, Esq., seconded by Vincent Mauro, Jr., voted unanimously, 6-0, to go into Executive session to discuss personnel issues listed below. The individuals present included those listed above. The Commission voted unanimously 6-0, after a motion by Vincent Mauro, Jr., seconded by Joel I. Rudikoff, Esq. to return to the public record. No votes were taken in executive session.

9. Appointment Review:

The Commission, after a motion by Vincent Mauro, Jr., seconded by Joel I. Rudikoff, Esq., voted unanimously, 6-0, to approve the appointment of the below name individual as a state marshal in Litchfield County, subject to verification of his insurance policy, the annual fee and other paperwork that may need to be completed.

Name	County
Joseph Parrillo	Litchfield

10. Oversight Committee/Proposed Final Decisions

The Commission, after a motion by Vincent Mauro, Jr., seconded by Joseph Ubaldi, unanimously voted, 6-0, to adopt the Oversight Committee's proposed findings of fact and law as its final decisions, as noted, in the below listed files

File No.	Name	Disposition
12-01	Scribner/Nikola N.E.	Dismissal
12-11	McNeil/Sullivan, Gregory	Dismissal

The Commission, after a motion by Vice-Chairperson Michael Cronin, seconded by Vincent Mauro, Jr., voted unanimously, 6-0, to adopt the Oversight Committee's proposed findings of fact and law, in the below noted file but with modifications to the reasoning and recommendations for the disposition. The Committee concluded that while it would impose the recommended suspension, it would not support that finding on any personal stresses the Respondent was having with the suspension. Rather the Commission considered that the Respondent had been issued a substantial suspension in an earlier file and that the violations in this matter happened in the first days of that suspension, but that the remainder of the suspension was served without incident. While the Commission concluded that the offense was very serious and precedential value for future cases of this sanction will not be strong, it agreed to impose the 30 days in light of the file as a whole. The sanction imposed by the Commission is a **30 day** suspension. The effective date of the suspension is January 14, 2013, or an earlier date by agreement.

File No.	Name	Disposition
12-06	In Re Brian Hobart	30 day suspension

11. Complaints

The Commission, after a motion by Joel I. Rudikoff, Esq., seconded by Sarah Holbrook, Esq., voted unanimously 6-0, to dismiss the below noted files:

File No.	Name
12-16	In Re Charles Valentino/sheriff capias
12-36	Jenkins/Woods, Stephen
12-38	Clark/Messina
12-39	Sarlo/Esposito
12-41	Smyth/Ostop
12-42	Ward/McNicholas
12-43	Ravalese/Cronin
12-44	Remillard/Pascale
12-46	Nixon/Orr
12-49	Dutton/Allen
12-50	Townsend aka Abdulleh/Zaniewski
12-54	Palmer/Rice
12-58	Adams/Mehlhorn
12-59	Castell/Randall
12-60	Crowley/Wall, Daniel
12-61	Rivera/Ostop
12-63	Chiz/Davis
12-64	In Re Quinn
12-65	Remson/Mehlhorn

The Commission, after a motion by Vincent Mauro, Jr., seconded by Joseph Ubaldi, voted unanimously 6-0, to find probable cause in the below noted files and assign them to an Oversight Committee for a hearing.

File No.	Name
12-37	Gagnon/Page
12-47	In Re Charles Valentino/capias execution
12-48	O'Brien/Butler
12-53	Garcia/Delsin
12-55	Bender/Carragher
12-56	Williams/Carragher
12-57	Schneider/Weinberg

12. Firearm Request

After a motion by Joel I. Rudikoff, Esq., seconded by Vincent Mauro, Jr., the Commission voted unanimously, 6-0, to grant Marshal Bryk's request to carry a firearm, but only after all requirements on training are certified to the Commission and a formal letter of permission is issued.

Name	County
Holly Bryk	New Haven

12. Resignations

The Commission, after a motion by Vincent Mauro, Jr., seconded by Vice-Chairperson, Michael Cronin, Esq., voted unanimously, 6-0, to accept the resignations of the following state marshals, and to grant them a retirement badge and identification card upon return of their current badge and identification, with the effective dates of the resignation as noted.

Name	County	Effective Date
Lawrence Cafero	F	November 30, 2012
Robert M. Hardiman	NH	September 30, 2012
Kenneth R. Marino	M	October 24, 2012
Raymond Klick	M	October 24, 2012
Albenie Gagnon	H	October 24, 2012
Richard Andriola	NL	December 15, 2012

13. Civil Processing companies

After a motion by Vice-Chairperson Michael Cronin, seconded by Vincent Mauro, Jr., the Commission unanimously voted, 5-0, to add the above topic for discussion to the agenda.

After a motion by Vincent Mauro, Jr., seconded by Joel I. Rudikoff, Esq., the Commission voted unanimously 5-0 to adjourn the meeting at 6:40 p.m.