

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.

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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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