

State of Connecticut
Department of Administrative Services
State Marshal Commission

Peter J. Martin, Esq.
Chairperson

Douglas Rinaldi
Administrative Manager

STATE MARSHAL COMMISSION SPECIAL MEETING
December 14, 2011

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

First Business:

1. Minutes: The October 28, 2011 meeting minutes were adopted by the Commission, by an unanimous vote of 7-0, after a motion by Vincent Mauro, Jr., seconded by Michael Cronin, Esq.

Old Business:

1. DMV/Update

Administrative Manager Douglas Rinaldi reported on the progress he has had with the DMV regarding the program to allow state marshals access to DMV records for service of process. He summarized for the Commission some of the logistical problems and procedure protocol issues in areas such as real time response, confidentiality and personnel. He noted that he continues to work hard to resolve the issues as soon as possible.

2. Wage Executions/Counties

The Commission engaged in a discussion regarding the county/out of county powers of state marshals regarding wage executions, as well as bank and property executions. The issue led to comments by Marshal Julianne Ingham; Ex-Officios Marshal Thomas Burke and Marshal Lisa Stevenson and others. The Commission members were apprised of various legal options and concluded that the Commission wished to have legal counsel from the Attorney General's Office work with the Commission to review the issues.

3. 2012 State Marshal Commission meeting dates

After some discussion, including the problem of conflicts for several members of the Commission with an April 2012 meeting, the Commission voted unanimously, 7-0, to adopt the monthly meeting dates as presented, except for the change that no meeting will be scheduled for April 2012. If one is needed a special meeting can be considered.

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New Business:

1. Legislative Review

a) Service upon Inmates: The Commission was informed by ex-Officio Lisa Stevenson that one of the biggest issues with service and the inmates is actually trying to serve correction officials who are sued by inmates in their personal capacity. It was discussed that Corrections is not receptive to the state marshals coming into the facilities to serve employees for the personal capacity law suits. The marshals then have problem of using a confidential home address of correction officials on a return, if they even have a home address. There was a suggestion that the Commission might approach the Attorney General's office to see if they would be willing to accept service in such matters, since the cases often include a claim against the employee in their official capacity, which is service the Attorney General currently accepts. The Commission agreed that it would review such an option with the Attorney General.

b) Medical Coverage

The Commission briefly discussed the issue of medical coverage for state marshals who retire. The issue, however, would need additional review as to scope and form before any legislation could be contemplated.

c) Wage Executions: The Commission considered this topic under Old Business section 2.

Prior to going into executive session the Commission considered the following complaint files on the public record at the request of the Respondents.

File No. 11-55 DeMartino/Valentino. The Commission, after a motion by Vincent Mauro, Jr., seconded by Hon. William Cremins, voted unanimously, 7-0, to dismiss the complaint.

File No. 11-58 Mangano/Nikola. The Commission, after a motion by Joel Rudikoff, Esq., seconded by Michael Cronin, Esq., voted unanimously, 7-0, to dismiss the complaint.

The Commission also heard oral argument from Marshal Richard Krueger's counsel, Attorney Daniel Skuret on File No. 09-49 In Re Richard Krueger.

The Commission, after a motion by Vincent Mauro, Jr., seconded by Michael Cronin, Esq, voted unanimously 7-0, to go into Executive session to discuss personnel issues listed below. The individuals present included those listed above. The Commission voted unanimously, 7-0, after a motion by Honorable William Cremins, seconded by Michael Cronin, Esq, to return to the public record. There were no votes taken in executive session.

2. Oversight Committee/ Proposed Final Decisions

In the following file the Commission unanimously voted, 7-0, after a motion by Hon. William Cremins, seconded by Michael Cronin, Esq., to adopt the Oversight's proposed findings of fact and law as its final decision and entered a 30 days suspension in the matter, effective January 30, 2012, or earlier by agreement.

File No. 09-49 In Re Krueger

In the following file the Commission voted, 6-0, after a motion by Vincent Mauro, seconded by Susan Holbrook, Esq. to adopt the Oversight's proposed findings of fact and law as its final decision and entered a 150 days suspension in the matter, effective January 30, 2012, or earlier by agreement. Hon. William T. Cremins recused himself.

File No. 10-66 Hernandez/Hobart

In the following file the Commission unanimously voted, 7-0, after a motion by Hon. William Cremins, seconded by Vincent Mauro, Jr., to adopt the Oversight's proposed findings of fact and law as its final decision and entered a Reprimand in the matter.

File No. 11-22 Ragozzino/Esposito

3. Firearm Request

Marshal Harry Ackley, Sr.

The Commission reviewed material relevant to Marshal Ackley, Sr.'s request to carry a firearm while doing capias warrants and during the course of his official duties as a state marshal. It was determined that the material was satisfactory. Since all elements were in order, the Commission voted 6-1, after a motion by Hon. William Cremins seconded by Erron Smith, to grant Marshal Ackley Sr.'s request to carry a firearm. Michael Cronin, Esq. voted against granting the request.

4. Vincent Messina/Collections

The Commission reviewed the papers regarding Municipal Revenue Recover Services, LLC, which included anonymously submitted assertions on the matter and comments by Marshal Messina. The Commission appreciated Marshal Messina's explanation of the situation and was satisfied with his reply. The matter was closed with no formal inquiry or complaint warranted or needed.

5. New Complaints

The Commission, after a motion by Michael Cronin, Esq., seconded by Vincent Mauro, Jr., voted unanimously, 7-0, to dismiss the following matters.

File Nos.

11-42 Barbieri/Albrecht
11-43 Watson/Ragonese
11-46 Salinas/Allen
11-47 In Re Foldy-business
11-49 Wilson/Guerrette

The Commission, after a motion by Hon. William Cremins., seconded by Vincent Mauro, Jr., voted unanimously, 7-0, to find probable cause in the below noted files and refer the matters to the Oversight Committee for a hearing.

File Nos.

11-52 In Re LaBranche-client fund account
11-53 In Re Casserino-client fund account

The Commission, after a motion by Michael Cronin, Esq., seconded by Vincent Mauro, Jr., voted unanimously, 7-0, to table the following matters.

11-41 Rampino/Foldy
11-50 Bowers/Glassman

6. Audits.

The Commission was satisfied with the audit report reviews and, after a motion by Hon. William Cremins, seconded by Vincent Mauro, Jr., voted unanimously, 7-0, to close the following audit files.

File No		County
09-10	Lisa Stevenson	Hartford

11-11	Edward DiLieto	New Haven
11-15	Andrew Esposito	New Haven
11-17	Anthony LaRosa	Hartford

The Commission voted unanimously 7-0, after a motion by Joel Rudikoff, Esq. , seconded by Michael Cronin, Esq., to commence a complaint file regarding the following file for further review of the matter.

File No.

11-14	Ronald Kadar	Fairfield
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After a motion by Hon. William Cremins, seconded by Vincent Mauro, Jr., the Commission voted unanimously 7-0, to adjourn the meeting.