

State of Connecticut
Department of Administrative Services
State Marshal Commission
das.ct.gov/statemarshal

W. Martyn Philpot, Jr. Esq.
Chairperson

Robert Giuditta
Interim Administrative Manager

Minutes
STATE MARSHAL COMMISSION SPECIAL MEETING
October 7, 2015

Members present: Chairperson W. Martyn Philpot, Jr., Esq., Michael Cronin, Esq., Vincent Mauro, Jr. (participating by telephone conference call), Sarah Fryxell, Esq., Robert P. LaTorraca, and Mildred Torres-Ferguson. Also present were Ex-Officios Thomas Burke and Lisa Stevenson (non-voting members), Interim Administrative Manager Robert Giuditta, Staff Attorney Jennifer Y. Montgomery and Paralegal Specialist Laura M. DiMeola. Hon. Elizabeth A. Bozzuto and Joel I. Rudikoff, Esq. were not present.

Also present for public session were the following state marshals: H. Mark DeAngelis, John Barbieri, and Gregory Woodruff.

Chairperson W. Martyn Philpot, Jr., Esq. called the meeting to order at 4:36 p.m.

First Business:

1. Minutes

The Commission, after a motion by Michael Cronin, Esq., seconded by Sarah Fryxell, Esq., voted 6-0 to adopt the minutes from the August 27, 2015 meeting.

Old Business:

2. Capias Vehicle Request – Update

Interim Administrative Manager, Robert Giuditta, indicated that he was advised by Fleet and DAS Administration that, at this time due to budget cut backs, the vehicle request would not be approved. Chairperson W. Martyn Philpot, Jr., Esq. expressed that Mr. Giuditta should be commended on his efforts to obtain the vehicle for the marshals, but indicated that the Commission understands the realities of the State budget.

New Business:

3. State Marshal Appointment Process – Update

Robert Giuditta first addressed the issue of the Advisory Board's request regarding Richard Grimaldi's training. He indicated that, at this time, there we might consider a submission to the Office of State Ethics for further interpretation as to whether or not the proposed suggestion could be entertained. He stated that the Department of Administrative Services currently has no funds for additional training; however, there may be further examination of whether or not marshals may be able to pay for Mr. Grimaldi's training. He indicated that there may be several other obstacles with regard to this issue.

W. Martyn Philpot, Jr., Esq. then addressed the mentorship training item on the agenda. Mr. Giuditta indicated that the Personal Service Agreements (PSAs) were not yet ready. He indicated that changes were still being made, either through the Attorney General's Office or DAS Administration; however, he expressed that it was the Commission Office's hope that, in the next week or so, the PSAs would be ready to go out the marshals. Ex-Officio Lisa Stevenson inquired as to whether or not they would get a copy of the PSAs before they are mailed. He said he was not sure. Marshal Stevenson indicated that there were concerns regarding liability, so she wanted to make sure the language they had previously drafted concerning the same was included in the PSAs. Mr. Giuditta indicated that the PSAs were handled by the Attorney General's Office and DAS Administration and that they were mailed to the marshal trainers directly by the Business Office.

Michael Cronin, Esq. indicated there was a hearing concerning an instance where a state marshal deputized someone to serve process and he asked about an interpretation as to where the liability would be in that instance. Staff Attorney Jennifer Montgomery indicated that these were two separate questions, but that this would be a good question to pose to the Attorney General's Office. She suggested that the Commission table that issue for future consideration.

4. Advisory Board Request – DMV Access

Robert Giuditta indicated that the marshal request for individual access to the DMV was directed to DAS Administration, but that he was told it would not be moving forward at this time. A discussion then ensued in which Marshal H. Mark DeAngelis and Ex-Officios Lisa Stevenson and Thomas Burke informed the Commission that there had been a meeting with DAS Commissioner Melody Currey when she was Commissioner of the Department of Motor Vehicles, in which the state marshals agreed to have their annual fee increased from \$250 to \$750, with part of the agreement being that, once the new technology went into effect at the Department of Motor Vehicles, the marshals would receive individual access to the system. W. Martyn Philpot, Jr., Esq. inquired as to whether or not there was ever a time when the state marshals utilized the State Police, and Marshal Stevenson replied that there was but that it became too burdensome so it is now only used after hours and on weekends. Marshal Burke stressed the importance of the marshals having the most updated information in order to make proper service, and Marshal Stevenson referred to a case attached to their request. Robert Giuditta clarified that the case in the article appeared to reference a Florida registration and the marshals would not have access to out of state information on the DMV system. Marshal Stevenson confirmed that the case did involve a Florida registration.

At this point in the meeting, Vincent Mauro, Jr., left the meeting briefly and requested to be called back when the Commission was ready to enter executive session.

The discussion about DMV access continued briefly with Marshal Burke again stressing the importance of the marshals having the last known address to effectuate proper service. W. Martyn Philpot, Jr., Esq. indicated that the Commission would seek clarification regarding the previous agreement between the marshals and the Commissioner. Marshal Burke went on to describe some of the history of the matter. W. Martyn Philpot, Jr., Esq. indicated that the Commission would explore the issue further.

The Commission, after a motion by Michael Cronin, Esq., seconded by Sarah Fryxell, Esq., voted 5-0 to enter executive session. Vincent Mauro, Jr. was called and participated telephonically. The individuals present included those listed above, with the exception of the following state marshals: H. Mark DeAngelis, John Barbieri, and Gregory Woodruff.

The Commission, after a motion by Michael Cronin, Esq., seconded by Sarah Fyxell, Esq., voted 6-0 to return to the public record. No votes were taken in executive session. H. Mark DeAngelis, John Barbieri, and Gregory Woodruff reentered the meeting

5. Proposed Decisions

The Commission, after a motion by Michael Cronin, Esq., seconded by Mildred Torres-Ferguson, voted 6-0 to dismiss the following files and accept the Proposed Final Decision:

File No.	Name
13-72	Kiernan-Manning/LaBranche
13-79	Kiernan-Manning/LaBranche

The Commission, after a motion by Michael Cronin, Esq., seconded by Sarah Fryxell, Esq., voted 6-0 to issue a reprimand on the following file and accept the Proposed Final Decision:

File No.	Name
14-23	Bolden/Marinan

The Commission, after a motion by W. Martyn Philpot, Jr., Esq., seconded by Mildred Torres-Ferguson, voted 6-0 to decline to accept a supplemental submission by the Complainant in File No. 14-23 Bolden/Marinan, as it contained documents and information not contained in the Administrative Record.

The Commission, after a motion by Michael Cronin, Esq., seconded by Mildred Torres-Ferguson, voted 6-0 to revoke the appointment of State Marshal Daniel Wall due to his failure to provide proof of personal liability insurance and to accept the Proposed Final Decision on the following file:

File No.	Name
15-50	In Re Daniel Wall

6. Complaints

The Commission, after a motion by Michael Cronin, Esq., seconded by Sarah Fryxell, Esq., voted 6-0 to dismiss the following files:

File No.	Name
14-40	Barry/Allen
14-41	Williams/Soucie
14-42	Sosa/Kaz
14-43	Coppola/Rice

7. Resignation

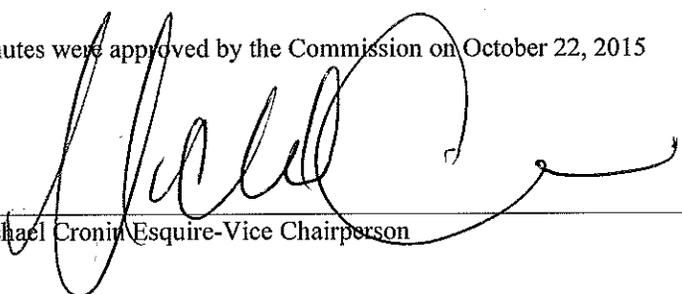
The Commission, after a motion by Michael Cronin, Esq., seconded by Sarah Fryxell, Esq., voted 6-0 to accept the resignations of State Marshal Louis Aresco and issue a retirement badge to him.

W. Martyn Philpot, Jr., Esq. then asked if there was additional business to be considered by the Commission. Ex-Officio Lisa Stevenson brought up the issue of Robert Giuditta's upcoming meeting with the clerks at the Judicial Branch. She asked if she and Marshal Burke, as ex-officios, could be present for that meeting. Robert Giuditta indicated that he told the Judicial Branch representatives that he was bringing two marshals, H. Mark DeAngelis and John Barbieri; however, he also stressed that there would be other meetings in the future. Marshal Stevenson indicated that one of those two marshals was not an Advisory Board member. There was a broader discussion involving Marshal Stevenson, Marshal Burke, Mr. Giuditta, W. Martyn Philpot, Jr., Esq. and Mildred Torres-Ferguson regarding the role of the ex-officios under the statute. Marshal Stevenson indicated that it was past practice to include the ex-officios in meetings. As for this particular meeting, Chairperson Philpot inquired whether or not Mr. Giuditta could expand the meeting representatives to include the ex-officios. Mr. Giuditta indicated that he did not intend to leave anyone out but did not want to overpower the meeting. He indicated that there would be subsequent meetings. Marshal Burke expressed dissatisfaction that he and Marshal Stevenson had been excluded from two meetings with the Judicial Branch. Mr. Giuditta clarified that he had not yet had any

meetings with Judicial. Mildred Torres-Ferguson then inquired to the role of the ex-officios and asked if there was a reason they would not be included due to their role. W. Martyn Philpot, Jr., Esq. stated that the Commission wants to include the liaisons whenever possible. He expressed the Commission's respect for Mr. Giuditta and indicated that they were leaving it in his discretion as to how he would like to represent the State Marshal Commission; however, he indicated he would like the ex-officios included to the extent possible in future endeavors. Ex-Officios Lisa Stevenson and Thomas Burke went on to discuss the experience of the ex-officios, their roles, and how they can be an asset at any such meeting.

The Commission, after a motion by Michael Cronin, Esq., seconded by Mildred Torres-Ferguson, voted 6-0 to adjourn the meeting at 5:30 p.m.

Minutes were approved by the Commission on October 22, 2015



Michael Cronin Esquire-Vice Chairperson