

STATE OF CONNECTICUT DEPARTMENT OF ADMINISTRATIVE SERVICES STATE MARSHAL COMMISSION
450 Columbus Blvd., Suite 1403, Hartford, CT 06103 Tel. 860-713-5372 Fax. (860) 622-2938 Meeting Was
Conducted Remotely Using Microsoft Teams

MINUTES

STATE MARSHAL COMMISSION MEETING,

May 23, 2024

Commissioner Thomas A. Esposito, Chair, called the meeting to order at 5:37 p.m. Commissioner Esposito advised all participants that the proceedings were being recorded. Commissioner Esposito confirmed all members in attendance and verified that a minimum 5 voting member quorum was present.

Members present and participating remotely: Thomas Esposito, Chair; Michael Desmond; the Honorable Leo Diana; Shirley Skyers-Thomas, Vice-Chair; Alfredo Olivier, John Vamos, Bryan Cafferelli; Salvatore Vitrano; Ex-officio (non-voting) Members State Marshal Thomas Burke and State Marshal Lisa Stevenson. Commission Staff present: Director of Operations, Anthony Valenti (non-voting), Investigator Chris Morris (non-voting) and Staff Attorney Claudia Maxwell(non-voting). Members Absent: None

Topics:

1. Minutes of the March 21, 2024, Regular Meeting: Commissioner Diana made a motion to accept the minutes of the March 21, 2024, regular State Marshal Commission meeting. Seconded by Commissioner Olivier. The motion passed unanimously.

2. Administrative Updates: Director of Operations Valenti reported that he is finalizing details regarding retirement identification cards for retired marshals with the Information Technology Department. He expects that this will be able to be presented at the June meeting. Next, he reported that the Commission staff had the first meeting with State Marshal Advisory Board members on May 9, 2024, to address updates to the State Marshal Manual, and to discuss details regarding possible new marshal class for next year. Attorney Maxwell will spearhead this group. Last, he discussed signing a new MOA with the Connecticut Criminal Justice Information System regarding the portal that allows state marshals to get information when they are serving papers. Previously the cost was \$8920 to the State Marshal Commission. The new MOA increases the cost to \$12,503.

3. Executive Session to discuss personnel matters. Commissioner Vitrano made a motion that members enter executive session to discuss personnel matters. Commissioner Diana seconded the motion. Commissioner Esposito invited the Commission staff present to join the executive session. Returned from executive session approximately 6:32 p.m.

4. Probable Cause:

Commissioner Esposito asked if a motion was being made for a finding of no probable cause in **Pirri v. Bradley, File No. 24-04**. A motion was made by Commissioner Vitrano which was seconded by Commissioner Vamos. Commissioner Esposito asked if there was any discussion. There was none. The motion passed unanimously.

Commissioner Esposito asked if a motion was being made to make a finding of probable cause in, **Mason v. Verrico File No. 24-05**. A motion was made by Commissioner Vamos which was seconded by Commissioner Vitrano. Commissioner Esposito asked if there was any discussion. There was no discussion. The motion passed unanimously.

5. Proposed Dispositions:

Commission Esposito stated the proposed settlement in ***In Re Morrissey File No. 23-06*** was a five-day suspension for violating State Marshal Commission Regulation §6-38b-6(1). He asked if there was a motion to approve the disposition. The motion was made by Commissioner Vitrano and seconded by Commissioner Diana. Commissioner Esposito asked if there was any discussion. There was no discussion. The motion passed unanimously.

Commission Esposito stated the proposed settlement in ***In Re Criscuolo File No. 23-14*** was a five-day suspension for violating State Marshal Commission Regulation §6-38b-6(1). He asked if there was a motion to approve the disposition. The motion was made by Commissioner Vitrano and seconded by Commissioner Diana. Commissioner Esposito asked if there was any discussion. There was no discussion. The motion passed unanimously.

Commission Esposito stated the proposed settlement in ***In Re DeAngelis File No. 23-15*** was a five-day suspension for violating State Marshal Commission Regulation §6-38b-6(1). He asked if there was a motion to approve the disposition. The motion was made by Commissioner Vitrano and seconded by Commissioner Vamos. Commissioner Esposito asked if there was any discussion. There was no discussion. The motion passed unanimously.

Commission Esposito stated the proposed settlement in ***In Re Nikola File No. 23-17*** was a five-day suspension for violating State Marshal Commission Regulation §6-38b-6(1). He asked if there was a motion to approve the disposition. The motion was made by Commissioner Vitrano and seconded by Commissioner Vamos. Commissioner Esposito asked if there was any discussion. There was no discussion. The motion passed unanimously.

Commissioner Esposito stated that he believed that State Marshal Niziankiewicz had requested to make a statement to the Commission and was being offered that opportunity at this time. State Marshal Niziankiewicz stated he has been a state marshal for 13 years, served on the Advisory Board, and was previously an Ex-Officio. He stated he has three dedicated employees, and four children. He stated that the Commission suspending him for three months has been difficult both on his employees and family. The Commission has precluded him for earning income on services that were undertaken prior to his suspension. He has always treated everyone with respect and professionalism. He has always behaved honestly, ethically, and with the utmost professionalism as a state marshal. He has never had someone else serve papers for him and then signed the return as if I had performed the service as another state marshal had done. The complaint that handled that matter was fraud in the actual performance of duties as a state marshal and that state marshal only received a letter of reprimand. The Commission intends to revoke his appointment for actions which were not taken with any malice and have no bearing on the statutory duties imposed on marshals. He has only had one complaint from anyone other than this Commission in his 13 years of service. He has never had his honesty called into question by an attorney or judge. In 2020 he was confused and had a question about the E-License platform about residence and elector status. He knew of at least four marshals who lived outside their county and still

do. Many residents of Connecticut have multiple residences. He has maintained a room in East Hartford with his personal belongings. He could stay there anytime although he had not stayed there in a long time. He does not believe he was doing anything contrary to the Connecticut General Statutes. He believed he complied with the prior settlement agreement by becoming an elector in Hartford County. He has ties to East Hartford as his daughter and grandchildren reside in East Hartford and he owns several properties and businesses in East Hartford. If he knew he would have stayed a few nights a week in East Hartford and he is still willing to do that. The Commission has no authority to decide whether he is an elector or not in East Hartford as shown by its commencement of a complaint with the SEC but proceeded with its own determination of its own accord. This has not only affected his family but his three employees who are no longer working. He thanked his clients who have been supportive of him through this process. He believes the reasoning set forth in the decision does not fit the draconian punishment that has been proposed. He requested that the Commission consider his history and record.

Commissioner Esposito stated that the proposed disposition in ***In Re Niziankiewicz File No. 24-02*** was revocation of appointment of State Marshal Niziankiewicz for violating State Marshal Commission Regulations §§ 6-38b-6(1), 6-38b-6(2), 6-38b-6(20), 6-38b-1(1), 6-38b-8(b)(2) and 6-38-8(c). The motion was made by Commissioner Vitrano and seconded by Commissioner Vamos. Commissioner Esposito asked if there was any discussion. Commissioner Vitrano asked if there was an opportunity to challenge the decision of this Commission in Superior Court. Chairman Esposito responded that there was an opportunity to contest the decision if it meets the proper requirements. There was no further discussion. The vote was taken on the motion which passed unanimously.

6. Retirements:

Commissioner Esposito asked if there was a motion to approve the retirement and issue a retirement badge to Fairfield County State Marshal Michael Cupertino. A motion was made by Commissioner Vamos which was seconded by Commissioner Diana. Commissioner Esposito asked if there was any discussion. There was no discussion. The motion passed unanimously.

Commissioner Esposito asked if there was a motion to approve the retirement and issue a retirement badge to Hartford County State Marshal Richard Palladino. A motion was made by Commissioner Vitrano which was seconded by Commissioner Diana. Commissioner Esposito asked if there was any discussion. There was no discussion. The motion passed unanimously.

Commissioner Esposito stated that State Marshal Commission would like to thank State Marshal Cupertino and State Marshal Palladino for their years of service to the state of Connecticut and wish them well in their retirement.

7. Request for reconsideration of a retirement badge for State Marshal Charles Fisher:

Retired State Marshal Charles Fisher who retired in July 2023 was requesting reconsiderations as a retirement badge had been previously denied. Commissioner Esposito asked if there was a motion for reconsideration. A motion was made by Commissioner Diana which was seconded by Commissioner Skyers-Thomas. Commissioner Esposito asked if there was any discussion. There was no discussion. The motion passed unanimously. Commissioner Esposito asked if there was a motion to grant retired State Marshal Charles Fisher a retirement badge. A motion was made by Commissioner Diana which was

seconded by Commissioner Vamos. Commissioner Esposito asked if there was any discussion. There was no discussion. The motion passed unanimously.

8. Removing the State Marshal Manual from the State Marshal Commission Website:

Ex-Officio Stevenson stated that the request to remove the manual from the website came from the Advisory Board as they did not think other manuals were accessible on municipality and state police websites. She stated that Staff Attorney Maxwell did research on it and can speak to it. Staff Attorney Maxwell stated that Special Investigator Morris did the research being discussed. Commissioner Esposito asked if research was being done as there had been a comparison to law enforcement agencies not having their manuals available to the public for review. Special Investigator Morris indicated there was a statement at the meeting that the speaker did know of any law enforcement agencies that post their policy manuals on the internet. He stated he did a quick check, and it revealed most of the police agencies he checked had their manuals on the internet. He stated that he stopped after looking at 20 police agencies. He stated that he believed there has been a push to be more transparent. Ex-Officio Stevenson stated that the request through the Advisory Board and the committee that is doing the new handbook. They did not understand why the manual was available to the public when other agencies do not have it up. But it appears based on the research it is available. Commissioner Vamos asked if this was a motion to take the manual off the State Marshal Commission website. Ex-Officio Stevenson replied that it was a request from the Advisory Board and the Handbook Committee, so she was asked to bring it to the Commission. Commissioner Vamos asked what the harm of having the manual on the website. Ex-Officio Stevenson replied that the Advisory Board wants people to have to make a FOIA request versus having it assessable to the public. Commissioner Diana stated that did not make sense to him as he feels the more transparent the better, so he is not in support of this proposal. Commissioner Esposito agreed with Commissioner Diana and asked if any Commission members would be putting forth a motion to remove the manual from the State Marshal Commission website. Ex-Officio Stevenson stated the Advisory Board just wanted the question researched and she did not believe you need a motion as manual is already on the website. Commissioner Esposito stated he understood that but was asking based on the discussion whether there was a Commission member who wants to make a motion to remove the manual from the State Marshal Commission website. No motion was made.

Commissioner Esposito asked if there was a motion to adjourn. A motion was made by Commissioner Diana and seconded by Commissioner Vamos. Commissioner Esposito asked if there was any discussion. There was no discussion. The motion passed unanimously.

Meeting adjourned.

