



General Assembly

February Session, 2000

**Amendment**

LCO No. 3583

Offered by:

REP. TULISANO, 29<sup>th</sup> Dist.

To: Subst. House Bill No. 5832      File No. 227      Cal. No. 215  
(As Amended)

**"An Act Concerning Reforming The Sheriff System."**

1      Strike sections 1 to 3, inclusive, and substitute the following in lieu  
2      thereof and renumber the remaining sections accordingly:

3      "Section 1. (NEW) (a) There is established the Council of High  
4      Sheriffs composed of the eight elected sheriffs. The members of the  
5      council shall select one of the members to serve as chairperson of the  
6      council. All decisions of the council shall be by majority vote of the  
7      total membership of the council and shall be binding on all the sheriffs.

8      (b) The Council of High Sheriffs:

9      (1) Shall be responsible for establishing and maintaining uniform  
10     state-wide administrative and operational policies for the sheriffs'  
11     system;

12     (2) Shall cooperate with the Department of Administrative Services  
13     and other state agencies on behalf of the sheriffs' system;

14     (3) Shall establish performance standards and evaluation criteria for

15 state marshals and judicial marshals;

16 (4) Shall establish and administer a training program for state  
17 marshals and judicial marshals;

18 (5) Shall establish operating procedures for the prisoner  
19 transportation and courthouse security system and direct its activities,  
20 as is required for efficient coordination among the high sheriffs;

21 (6) Shall receive appropriations for the sheriff's system and for the  
22 operation of the prisoner transportation and courthouse security  
23 system and allocate such appropriations among the high sheriffs, as  
24 required;

25 (7) May receive and expend, pursuant to the purposes of chapter 78  
26 of the general statutes, moneys in the form of gifts, bequests, state  
27 appropriations, state or private grants or federal grants;

28 (8) Shall maintain complete records of all prisoner movements  
29 undertaken by the sheriffs;

30 (9) Shall, in consultation with representatives of judicial marshals,  
31 establish state-wide standards for employee relations; and

32 (10) Shall submit to the Governor, annually, as provided in section  
33 4-60 of the general statutes, a report containing a statement of the  
34 activities of the council during the preceding year.

35 Sec. 2. (NEW) The Council of High Sheriffs shall appoint a  
36 consultant to review the operations of the sheriff's system in all  
37 counties and to develop consistent operational policies for adoption by  
38 the council. Such consultant may also review the organizational  
39 structure of the sheriff's system and make recommendations to the  
40 council concerning any organizational changes deemed appropriate.

41 (b) Operational policies to be reviewed by the consultant shall  
42 include but not be limited to, policies concerning:

- 43 (1) Transportation;
- 44 (2) Prisoner holding areas;
- 45 (3) Restraint policies;
- 46 (4) Use of force;
- 47 (5) Standardized incident reporting criteria;
- 48 (6) Metal detector procedures;
- 49 (7) Courtroom decorum;
- 50 (8) Appropriate staffing and compensation;
- 51 (9) Inmate property handling.

52 (c) Any changes in operational policies for the sheriff's system shall  
53 be adopted by majority vote of the Council of High Sheriffs and shall  
54 be binding on all the sheriffs.

55 Sec. 3. (NEW) (a) The Department of Administrative Services shall  
56 establish qualifications for persons who seek appointment to the  
57 position of judicial marshal which shall include, at a minimum, that  
58 such person: (1) Is twenty-one years of age or older, (2) is a United  
59 States citizen or lawfully residing in the United States, (3) is a resident  
60 of Connecticut, (4) holds a valid Connecticut motor vehicle operator's  
61 license, (5) has obtained a high school diploma or its equivalent, (6) has  
62 successfully passed a written examination developed and  
63 administered by the Department of Administrative Services, (7) has  
64 satisfactorily passed a psychological and agility test developed and  
65 administered by the Department of Administrative Services, and (8)  
66 has satisfactorily passed a physical examination including a drug test.

67 (b) Any person seeking to be appointed a judicial marshal may  
68 make written application to the Department of Administrative Services  
69 in such form as said department shall prescribe.

70 (c) The Department of Administrative Services shall receive and  
71 process all applications for the position of judicial marshal and  
72 determine the qualifications of each applicant.

73 (d) The Department of Administrative Services shall compile a list  
74 of qualified applicants and provide such list to the Council of High  
75 Sheriffs for purposes of the appointment of judicial marshals pursuant  
76 to section 6-43 of the general statutes, as amended by this act.

77 Sec. 4. Section 6-43 of the general statutes is repealed and the  
78 following is substituted in lieu thereof:

79 (a) [In case of riot or civil commotion or reasonable apprehension  
80 thereof, or when he deems it necessary for the prevention or  
81 investigation of crime, or when] When needed for attendance at court,  
82 the sheriff of any county may appoint [special deputy sheriffs] judicial  
83 marshals from the list of qualified applicants compiled by the  
84 Department of Administrative services pursuant to section 3 of this act  
85 in such numbers as [he] the sheriff deems necessary.

86 (b) The initial appointment of a judicial marshal shall be for a  
87 probationary period of six months. During such probationary period a  
88 judicial marshal shall serve at the pleasure of the sheriff and may be  
89 dismissed by the sheriff without cause. If the judicial marshal  
90 successfully completes the probationary period, including successfully  
91 completing a recruit training program of two hundred hours and a  
92 field training program of one hundred twenty hours, and receiving a  
93 satisfactory evaluation, the appointment shall become final.

94 (c) [Special deputy sheriffs] Judicial marshals shall be sworn to the  
95 faithful performance of their duties and, having been so sworn, shall  
96 have all the powers of the sheriff as provided by law, [, except as to  
97 service of civil process; and such] Such [special deputies] judicial  
98 marshals shall [continue to] hold their office [as long as the term of  
99 office of the sheriff appointing them, unless sooner] until removed for  
100 just cause after due notice and hearing.

101       (d) From July 1, 1997, to June 30, 1999, special deputy sheriffs shall  
102 be subject to the provisions of chapter 68, except that said special  
103 deputies shall not be allowed to petition the State Labor Board to form  
104 a bargaining unit prior to July 1, 1999. On and after July 1, 1999, special  
105 deputy sheriffs and, on and after the effective date of this act, judicial  
106 marshals, shall be subject to the provisions of chapters 66 to 68,  
107 inclusive.

108       Sec. 5. Section 6-37 of the general statutes is repealed and the  
109 following is substituted in lieu thereof:

110       (a) Each sheriff may appoint deputies to act under [him] such  
111 sheriff, who shall be known as state marshals and shall have the [same  
112 powers as such sheriff] power to serve civil process, and each such  
113 deputy shall be responsible for [his] such deputy's neglect,  
114 wrongdoing, malfeasance, misfeasance and default in the execution of  
115 the service of process. Each sheriff shall appoint one of such deputies  
116 to be a chief deputy, who shall, in the absence, illness or disability of  
117 the sheriff or by [his] the sheriff's direction, exercise all the powers and  
118 perform all the duties of the sheriff prescribed by statute; and, in the  
119 event of the death, resignation or removal of the sheriff, shall exercise  
120 such powers and perform such duties until the vacancy in the office of  
121 sheriff has been filled.

122       (b) No person shall be appointed a state marshal unless such person  
123 meets the standards and qualifications established by the Council of  
124 High Sheriffs which shall include, at a minimum, that such person: (1)  
125 Is twenty-one years of age or older, (2) is a United States citizen or  
126 lawfully residing in the United States, (3) is a resident of Connecticut,  
127 (4) holds a valid Connecticut motor vehicle operator's license, (5) has  
128 obtained a high school diploma or its equivalent, (6) has successfully  
129 passed a written examination developed and administered by the  
130 Department of Administrative Services, and (7) has satisfactorily  
131 passed a physical examination including a drug test.

132       Sec. 6. Section 6-45 of the general statutes is repealed and the

133 following is substituted in lieu thereof:

134 (a) Appointments of [deputy sheriffs] state marshals shall be in  
135 writing, under the hand of the sheriff, and recorded in the records of  
136 the superior court in the county for which they are appointed.

137 (b) The initial appointment of a state marshal shall be for a  
138 probationary period of six months. During such probationary period a  
139 state marshal shall serve at the pleasure of the sheriff and may be  
140 dismissed by the sheriff without cause. If the state marshal successfully  
141 completes the probationary period, including successfully completing  
142 a training program and receiving a satisfactory evaluation, the  
143 appointment shall become final.

144 (c) Such [deputy sheriffs shall continue to hold office as long as]  
145 state marshals shall serve for a term concurrent with the term of office  
146 of the sheriff appointing them, unless sooner removed for just cause  
147 after due notice and hearing, and may be reappointed by such sheriff  
148 upon reelection of such sheriff to a successive term.

149 Sec. 7. (NEW) No state marshal shall knowingly bill for, or receive  
150 fees for, work that such state marshal did not actually perform.

151 Sec. 8. (NEW) (a) No sheriff may directly or indirectly coerce,  
152 attempt to coerce, command or advise a state marshal to pay, lend or  
153 contribute anything of value to a party, committee, organization,  
154 agency or person for political purposes.

155 (b) Any person contributing to the political campaign of a sheriff  
156 shall not be eligible for appointment as a state marshal for a period of  
157 two years after such contribution.

158 Sec. 9. (NEW) The Council of High Sheriffs shall periodically review  
159 and audit the records and accounts of the state marshals. Upon the  
160 death or disability of a state marshal, the council shall appoint a  
161 qualified individual to oversee and audit the records and accounts of  
162 such state marshal and render an accounting to the council."

163       Strike sections 8, 10, 83, 121, 122, 130 to 132, inclusive, 139 to 146,  
164 inclusive, 149 and 150 in their entirety and substitute the following in  
165 lieu thereof and renumber the intervening and remaining sections  
166 accordingly:

167       "Sec. 141. Sections 6-31, 6-32a, 6-32b and 6-44 of the general statutes  
168 are repealed.

169       Sec. 142. This act shall take effect from its passage."