



**STATE OF CONNECTICUT  
JUDICIAL BRANCH**

**EXTERNAL AFFAIRS DIVISION**

231 Capitol Avenue  
Hartford, Connecticut 06106  
(860) 757-2270 Fax (860) 757-2215

**Testimony of Stephen N. Ment  
Judiciary Committee Public Hearing  
February 23, 2007**

**House Bill 6057, An Act Concerning The Protection Of  
State Marshals From Civil Liability**

Good morning. Thank you for the opportunity to submit written testimony on behalf of the Judicial Branch in support of *House Bill 6057, An Act Concerning the Protection of State Marshals from Civil Liability*. This bill would provide immunity to state marshals from civil liability when personal injury or property damage occurs while transporting an arrestee taken into custody on a *capias mittimus*.

A *capias* is a civil arrest warrant used to bring a person physically into court to respond to a specific case or claim. In child support proceedings, a *capias* is ordered when a parent has failed to respond to a court summons to answer why he or she has not paid the child support due their children.

Currently, the only persons authorized by law to execute these *capias* orders are state marshals, four (4) special policemen employed by the Department of Social Services, and town constables. Of the more than 200 state marshals, only 27 are willing to serve these *capias mittimuses*; this has resulted in an astonishing backlog. Nearly 3700 outstanding orders have yet to be served, and the backlog is growing at a rate of nearly 900 per year.

The failure to serve the *capias* orders has had a devastating impact on Connecticut families; money needed for the well-being of women and children is not being collected.

Although the Judicial Branch has worked with the State Marshal Commission and state marshals to increase the number of marshals willing to serve these orders - including doubling the fee paid to marshals for the execution of a capias - the marshals have stated that more of them would be amenable to serving these orders if they were to receive protection from liability. This bill would provide this protection, while still holding marshals liable if their conduct is wanton, reckless, or malicious.

Increasing the collection of child support is critically important. As this bill has the potential of increasing the number of marshals willing to serve these orders, the Branch is supportive of it.

Thank you for the opportunity to submit written testimony.