

Testimony in Support of HB 6057

An Act Concerning the Protection of State Marshals Civil Liability.

My name is Lisa H. Stevenson, I am a CT State Marshal – I am also a member of the State Marshals Advisory Board and have been elected by my peers to sit as an ex-officio member of the State Marshals Commission. I am here today testify on behalf of all the Connecticut State Marshals in support of HB 6057

As you may be aware - when the change to a State Marshal system occurred in 2000 – there were many statutes that were not addressed – As appointed officials “Deputy Sheriffs” were covered for liability in the performance of their duties. In the current system as independent contractors, state marshals lost that protection. When we lost this coverage many marshals would not put their personal assets at risk to arrest deadbeat parents

This is at least the fourth time a bill to provide simple indemnity to those acting as agents for the state has been presented for the consideration of the legislature

The Judicial Department’s Support Enforcement Division issues civil arrest warrants called Capias and they continue to increase in number. The Judicial Department has recently increased the payment received by a marshal for each arrest warrant and these are performed in “sweeps” using state vehicles with little likelihood of personal financial loss to a marshal.

There are four cars statewide for the use of marshals - but the true fact of the matter is that when you borrow a car you may have to drive 50 miles to pick it up and you can ONLY do state issued capias work – basically tying a marshals hands when we have a state car.

Putting the liability issue put to rest would mean more state marshals working with Support Enforcement in executing these warrants.

Warrants executed by state marshals are a revenue generator for the state. These warrants are executed by a specially trained and qualified Capias Unit. From September to February this unit which consists of about 25 volunteer state marshals have worked together doing sweeps across the state. The average of all that work lead to over 500 arrests with recovery of approximately \$1,500.00 per executed warrant or a total of \$750,000. The cost was about \$250 per arrest or \$120,000. which means a net of \$500,000. was returned to the custodial parents or the State. If marshals were not reluctant to use their personal vehicles this number would most likely increase dramatically.

In as much as the state is self-insured for this exposure with little risk of loss the only perceived opposition is from those who would benefit from bringing actions against state marshals on behalf of those arrested. Private insurance to cover this exposure is not readily available in the insurance marketplace.

The state marshals of Connecticut urge the committee to approve this legislation in order to help the children of this State.