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JUDICIARY COMMITTEE
PUBLIC HEARING

February 10, 2020
10:00 a.m.

CHAIRPERSON: Representative Steve
Stafstrom

SENATORS: Winfield, Kissel,
Bergstein, Bizzarro,
Bradley, Champagne,
Haskell, Sampson

REPRESENTATIVES: Rebimbas, Blumenthal,
Carpino, Concepcion,
Conley, Dillon, Fox,
Godfrey, Harding, Hill,
Horn, Labriola, McGorty,
Miller, O'Dea, O'Neill,
Palm, Porter, Riley,
Smith, Walker.

SENATOR WINFIELD (10TH): I would like to welcome everybody back for another session. Representative Stafstrom may or may not be joining us. I would like to ask the ranking member if he has any comments before we get started.

UNKNOWN: I do not.

SENATOR WINFIELD (10TH): He does not, so we are going to move. Well, we should do the obligatory announcement before we get started. Representative Blumenthal.

REP. BLUMENTHAL (147TH): Morning everyone. In the interest of safety, I would ask you to note the location of and access to the exits in this hearing room. The two doors to which you entered the room are the emergency exits and marked with exit signs. In the event of an emergency, please walk quickly to

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the nearest exit. After exiting the room, go to your right and proceed to the main stairs or follow the exit signs to one of the fire stairs. Please quickly exit the building and follow any instructions from Capitol Police. Do not delay and do not return unless and until you are advised that it is safe to do so. In the event of a lockdown announcement, please remain in the hearing room and stay away from the exit doors until an all clear announcement is heard.

SENATOR WINFIELD (10TH): Thank you. We will now find ourselves under the agenda on Roman Numeral III, which is concepts to raise. Under that item, there are 37 concepts. I would like to, if possible, raise them all together. I would like to make a motion that we raise them all together and have a voice vote. Thank you there is a motion and a second. Is there any discussion. Senator Kissel.

SENATOR KISSEL (7TH): Thank you very much. As I am sure our members are aware because this is at the first year of the two-year cycle but the second. By voting to raise these for public hearing, in no way, means that you support them going forward or that you even agree with the proposal but it simply allows the committee to schedule hearings, so we can hear both sides of these issues. Thank you, Mr. Chair.

SENATOR WINFIELD (10TH): Thank you. Are there any other comments? All in favor, opposed, abstained. Aye, the vote on this will remain open until 10:30. The committee has no other business except that the next committee meeting, that is not today, will be February 14, and it will be in Room 2E, which is

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here, at 10:00 a.m. We will stand in recess until we come back for the public hearing that is scheduled after this. Thank you.

SENATOR WINFIELD (10TH): I would like to call the Judiciary Committee back to order, and we will now close the committee meeting and begin the public hearing. The public hearing is on nominations for review. I suppose since we are starting a new meeting, we should probably read the instructions again, and I will do it so Representative Blumenthal does not have to. [Laughing] In the interest of safety, I would ask you note the location of and access to the exits in this hearing room. The two doors through what you entered the room are the emergency exits and are marked with exit signs. In the event of an emergency, please walk quickly to the nearest exit. After exiting the room, go to your right and proceed to the main stairs or follow the exit signs to one of the fire stairs. Please quickly exit the building and following any instructions from the Capital Police.

Do not delay and do not return unless and until you are advised that it is safe to do so. In the event of a lockdown announcement, please remain in the hearing room, and stay away from the exit doors until an all clear announcement is heard. And that would put us at Roman I on the agenda for this public hearing, which is nominations for review to be a judge on the Superior Court and number one is the Honorable John F. Blawie of Greenwich, and I would ask you to stand, if possible, and raise your right hand. If you raise your right hand, which you have done. Do you swear or affirm, as the case may be that the information you will provide to this

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committee will be the truth, the whole truth and nothing but the truth, so help you God or under penalty of perjury?

THE HONORABLE JOHN F. BLAWIE: I do.

SENATOR WINFIELD (10TH): Thank you. You may make a statement. Can you turn your microphone on, hit the button in front of you? Thank you.

THE HONORABLE JOHN F. BLAWIE: It is truly an honor and a privilege to be here today to appear before you in connection with my application to serve another term as a Superior Court Judge. I also wish to express my sincere gratitude to Governor Lamont and his staff for their confidence in submitting my nomination for reappointment. I have served on the bench since 2004. I am now starting my 16TH year as a judge. Over the past eight years since my last reappointment, I served two years in the Danbury Judicial District followed by two years in the Part A Criminal trial bench in Bridgeport, and since 2005, I have been sitting in the Criminal Division of the Stamford Norwalk Judicial District but I also serve as the Assistant Administrative Judge. I have handled a variety of assignments in both the GA and Part A including pretrials, evidentiary hearings, arraignments, jury trials, and this past term I have also successfully litigated and mediated a couple of cases on the Complex Litigation docket and avoided a trial, as I previously served on the Complex Litigation docket for three years in an earlier assignment in Stamford. I am presently a member of the Criminal Jury Instructions Committee, which as you know is responsible for the review and revision of any existing pattern jury instructions. We also

draft new instructions for the benefit of the trial bench, as you amend statutes or as the Appellate of Supreme Court modifies interpretations of existing law. In 2015, 2016, I served as a one judge investigatory Grand Juror, and in 2018, I was honored to be asked to sit on the appeal of three cases on the Appellate Court and in 2019, I was further honored to be asked by Chief Justice Robinson to hear the appeal of a case on the Supreme Court. I also completed my service on the Public Service and Trust Commission Committee on judicial information and privacy, which was the committee that examined the remote electronic access to court records and e-filing with a view toward balancing the needs of public access to court records but minimizing the risk of identity theft for those citizens who use the court system. So I am very grateful to have had the opportunity to serve the past 16 years as a judge and I would welcome the chance to continue in that capacity for another eight years and I would welcome any questions that any members of the committee might have.

SENATOR WINFIELD (10TH): Thank you for your statement.

REP. O'DEA (125TH): Thank you Mr. Chairman. Good morning Your Honor.

THE HONORABLE JOHN F. BLAWIE: Good morning.

REP. O'DEA (125TH): I just wanted to mention for members of the public, I had the honor of trying a case many years ago before I was. [Inaudible 0:24:20.5] to see that it was not on one of your top ten lists of cases but it was a complex lit matter

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[Inaudible 0:24:29.6] Your Honor, I think that evidentiary issue should probably rule against me more than with me but I thought you were fair and one of the finest jurist that we have in the system. So, I have heard nothing but good things from everybody I have reached out to. I do not do any criminal work, so I have not seen you in action in criminal setting but I can state without hesitation that if every Judge acted like you did in their demeanor and the way they handle themselves, we would be in a much better place. So, thank you for your service and good luck going forward. Thank you, Mr. Chairman.

THE HONORABLE JOHN F. BLAWIE: Thank you Representative O'Dea. Thank you.

SENATOR WINFIELD (10TH): Thank you. Other's comments, questions. If not, Representative Miller. Good morning.

REP. MILLER (145TH): Thank you for appearing before us today. I did have a question #21, we asked since your last appointment, has a complaint been filed against you and you said yes.

THE HONORABLE JOHN F. BLAWIE: Yes.

REP. MILLER (145TH): And if we asked the question asked about the substance of the complaint, and I do not really see the substance of the three complaints that were filed against you.

THE HONORABLE JOHN F. BLAWIE: By Saima Qamar.

REP. MILLER (145TH): Right, so there is Mark Hyman,

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Tyrese Fuller, and Qamar.

THE HONORABLE JOHN F. BLAWIE: Yes.

REP. MILLER (145TH): Qamar, I think, I am pretty clear on but not the other two.

THE HONORABLE JOHN F. BLAWIE: Mr. Fuller was restored to competency and tried to represent himself and I denied his right to represent himself because I had serious reservations about his capacity to effectively do so, and so I denied his motion to represent himself but Mr. Hyman, that occurred shortly after the tragedy I Sandy Hook and he had made a verbal threat to commit acts of violence along the lines of Sandy Hook at the Danbury Court Hospital. So, all three of these defendants were reviewed by judicial review and found to be either without merit or time bard.

REP. MILLER (145TH): And so, the first one, I am sorry I do not understand what was the complaint filed against you.

THE HONORABLE JOHN F. BLAWIE: Mr. Hyman.

REP. MILLER (145TH): Yes Mr. Hyman.

THE HONORABLE JOHN F. BLAWIE: Yes, I believe I held him in contempt for statements related to acts of, he definitely used the phrase Sandy Hook, and that rubbed everyone wrong in the Danbury Court House, understandably so soon after the tragedy. So, I did not take it to mean anything benign.

REP. MILLER (145TH): [Laughing] No, I just, it is

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just that the question was not answered, what was the substance of the complaint and so, I just needed clarification, so thank you Your Honor.

THE HONORABLE JOHN F. BLAWIE: All right.

SENATOR WINFIELD (10TH): Thank you. Other comments or questions. Senator Bradley.

SENATOR BRADLEY (23RD): Just briefly, Judge Blawie nice to see you, good morning. Having the honor of being in front of you with frequency in Stamford, I just want to echo to this committee that you have been a person who has been extremely fair and openminded in hearing the things that happened and the positions of different people from both the state perspective and the defense perspective, so I just want to let this committee know that it is much appreciated to see somebody who goes through that process with an extreme intellectual capacity and fairness above all things. So, thank you very much.

THE HONORABLE JOHN F. BLAWIE: Thank you.

SENATOR BRADLEY (23RD): For your service to this great state.

THE HONORABLE JOHN F. BLAWIE: Thank you.

SENATOR WINFIELD (10TH): Other comments or questions. Senator Bergstein.

SENATOR BERGSTEIN (36TH): Good morning Your Honor.

THE HONORABLE JOHN F. BLAWIE: Good morning.

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SENATOR BERGSTEIN (36TH): As a fellow resident of Greenwich, I just want to thank you for your service.

THE HONORABLE JOHN F. BLAWIE: Thank you very much.

SENATOR WINFIELD (10TH): Thank you. Others. Seeing none. Thank you very much.

THE HONORABLE JOHN F. BLAWIE: Thank you Senator.

SENATOR WINFIELD (10TH): Before the next judge takes, you may step away from your desk. Before the next judge takes the seat, I just want to say something I should have said at the beginning. There is a tendency amongst different groups to wear shirts advocating for whatever bill or position they have. We would ask not that you do not enter the room but that when you testify, you do not wear the shirt so that it is clear what the position or bill is, and if you do not form a block right behind the camera, that would be appreciated. You are free to be in the room but that would be appreciated. We have got a policy that is longstanding that we are not always great about advocating, making sure that you know, and it can become an issue. Thank you. I would say that the next person on our list is the Honorable Patrick L. Carroll III, of Seymour, and when you are ready. If you raise your right hand. Do you swear or affirm as the case may be that the information you will provide to this committee will be the truth, the whole truth and nothing but the truth so help you God or under penalty of perjury?

THE HONORABLE PATRICK L. CARROLL III: I do.

SENATOR WINFIELD (10TH): Ok, you may make your statement.

THE HONORABLE PATRICK L. CARROLL III: Thank you Senator. Good morning Senator Winfield, Representative Blumenthal, Representative Rebimbas, Senator Bergstein, Senator Kissel. It is an honor for me to be here this morning. I would like to extend my thanks and appreciation to Governor Lamont for renominating me for my fourth eight-year term as a judge of the Superior Court. Since I last appeared before you on my renomination eight years ago, I have served in the Chief Court Administrator's office for seven years as the Chief Court Administration and for one year as the deputy. Serving as the Chief Court Administrator, it has been a great honor and a great challenge but I welcome the challenge, and I have enjoyed getting to know and getting to work closely with so many members of this committee in discharging my responsibilities. I am hopeful that you will see fit to approve my renomination and allow me to continue my work in the Chief Court Administrator's office, and I would be happy to answer any questions that you might have.

SENATOR WINFIELD (10TH): Thank you. Aye, questions, comments from members of the committee, Representative O'Dea.

REP. O'DEA (125TH): Good morning Your Honor.

THE HONORABLE PATRICK CARROLL III: Good morning Representative O'Dea.

REP. O'DEA (125TH): In your role, you have to evaluate or keep track of the other members of the

judiciary, as I understand it. Correct?

THE HONORABLE PATRICK CARROLL III: Yes.

REP. O'DEA (125TH): And part of that role is to evaluate when somebody might need some, some judges might need some re-education or assistance in various different issues. Is that correct?

THE HONORABLE PATRICK CARROLL III: Yes, that is correct.

REP. O'DEA (125TH): We used to have a question when I was on judicial selection I would ask, are you willing to serve anywhere in the state that you needed, and if somebody said no, they were not allowed through judicial selection. I believe that is still one of the questions that is asked. Are you having any problems with judges not going where you need them?

THE HONORABLE PATRICK CARROLL III: No, really, we are not, as matter of fact, I have never gotten a complaint from a judge about an assignment that the judge has received. Now that is not to say that the judge may not complain about an assignment that the judge has received but I have never received a complaint and I think it is important. We have, I do not have to tell you, we have a lot of judges who are appointed who seem to be clustered in same geographic area, so that is a challenge for us but I think that those judges know once they accept the appointment, they are subject to being assigned anywhere in the state. We have particular needs in the geographic outreaches in the state, in Danbury for instance, we have only one resident judge,

Torrington is a challenge. The quiet corner up in the northeast part of the state is a challenge and we have a challenge down in New London as well. We used to have a challenge in assigning judges to Stamford but in the last four or five years a number of Stamford area judges have been assigned, so we have been able to fill that assignment without any difficulty, but the short answer is no, nobody complains today about that.

REP. O'DEA (125TH): And other than, obviously additional funding for resources for clerks, because I do know in Stamford we have got a problem with staff and court reporters because we will have a judge assigned for the first half hour or 45 minutes in a courtroom and then another judge will come in because we cannot have two different courts running at the same time because of staffing issues. I presume that you are aware of that and how are we addressing that.

THE HONORABLE PATRICK CARROLL III: Well we address it by my continued pleas for adequate funding for support staff for our judges. We seem to have met our needs with respect to court monitors. We have a much greater need in filling our temporary assistant clerk roles. When I graduated from law school, those were highly competitive jobs. Today it is a real challenge for us to get law student who are interested in serving as temporary assistant clerks. As a matter of fact, one of our administrative judges suggested that we dispense with the requirement that a temporary assistant clerk be a law school graduate, and that is something we are taking a look at because much of the function of attack is not law related but in large measures

administrative. So, that is a challenge we continue to meet.

REP. O'DEA (125TH): That is the first I am hearing of this. I apologize.

THE HONORABLE PATRICK CARROLL III: As a matter of fact, it was Judge [audible 0:32:17.9] who made that suggestion.

REP. O'DEA (125TH): Really.

THE HONORABLE PATRICK CARROLL III: Because he is so aware of the challenge that we have in Stamford.

REP. O'DEA (125TH): What do techs make now? Do you know?

THE HONORABLE PATRICK CARROLL III: I think it is \$125 a day.

REP. O'DEA (125TH): And it probably has not changed in a while, that might be the problem.

THE HONORABLE PATRICK CARROLL III: It has not changed in some time.

REP. O'DEA (125TH): I will say for whatever it is worth, I will speak with Judge Genuario but we used to, when I was at my other firm, we would hire intentionally when I was on the Recruitment Committee, we would look for techs.

THE HONORABLE PATRICK CARROLL III: Right.

REP. O'DEA (125TH): Because you learned as much as

what to do, as what not to do. So that surprises me, but I would prefer the techs be actual law grads, but I will certainly talk to Judge Genuario on that. The other issue, and you did reach out to me. We had a conversation about court reporters. We had a; I had a case where the court reporters were unable to do live note. The systems in place in Stamford at the time, a court reporter could not, you could not plug into the system and get live note and for those on the committee who do not know what live note is, basically you are getting a transcript, live transcript of what is being said in the courtroom and so you can quote it and utilize it instantaneously, and it is very helpful, it is very expensive but it is very helpful. Now as you may recall, the problem in our case it went on for a number of months. We were not allowed to use it. Initially Judge Genuario said we could use the transcripts from the private court reporter we had hired to come in who was certified but we were not allowed to use those transcripts for any, as exhibits or argument.

THE HONORABLE PATRICK CARROLL III: Because they were official.

REP. O'DEA (125TH): They were not "official", and I know you have been working on this issue with the court reporters and I certainly want to support the court reporters, but they are not able to live note. So has there been any since, I think it was a year and a half ago where you and I had this conversation maybe too? Are we any closer to having live note available in our courthouses and/or utilizing if we have to pay a private court reporting services, then we can utilize those transcripts that cost us

thousands and thousands of dollars to utilize?

THE HONORABLE PATRICK CARROLL III: I would say because of the cost, the live note of the court system is extremely expensive. We could look at the option of perhaps equipping each courthouse with one such court monitor, but we do not have the funding for that, as it has been tight. I will note, however, that the technology is changing rapidly. We had a demo from the Courtroom 21 Program from the National Center State Courts and speech recognition software has evolved so much so now that it is becoming more and more capable and able to discern speaker's identifies from the dictation of each speaker and generate an instantaneous printed transcript. So, we continue to monitor that. We are hopeful that will evolve. All of our courtrooms in the state have just been upgraded to the latest version of FDR. It has some enhancements for the court monitors, it makes it easier for them to track notes and prepare transcripts but we are aware of the challenge, particularly in the case that you had Representative O'Dea and we try to struggle and meet that challenge on a daily basis.

REP. O'DEA (125TH): My last question and thank you Mr. Chair for allowing me a little leeway. Other than obtaining more funding, do you have a top 3 goals for the branch this coming year that you are looking at improving or changing or addressing.

THE HONORABLE PATRICK CARROLL III: We have one, one is making sure that we have support staff to make sure that our judges can get on the bench every day and do their job for the people of the State of Connecticut. Another priority for me is the

security of our courthouses. We had a very disturbing incident in Bridgeport two weeks ago today. It has highlighted a problem that I testified before the Appropriations Committee before regarding funding for our security needs. When I see Representative Walker tomorrow, I will be raising that issue again with her. I need to be certain that when people come to our courts, they may do so safely without fear for the type of incident that took place in Bridgeport, and if you are asking for a wish list, the wish list would be at some point that some consideration be given to the state of our physical facilities, our courts, in large measure are old, they are no ADA compliant in many respects. We are in the middle of an audit from the Department of Justice with respect to physical components of our buildings, and we are likely going to have to enter into some type of a consent agreement with a time line on how we are going to make some of the older buildings more ADA compliant. Our buildings range in age from 1763 down at the old New London courthouse to our brand-new Torrington courthouse and there is a lot of deficiencies in some of those courts that are in between on the age spectrum.

REP. O'DEA (125TH): Thank you. I would just note for the record too for the public's information, the Bridgeport Marshals had complained to me a couple years ago about not having bulletproof vests, and so I was working with New Canaan and some other communities trying to get some donated but I know that the branch got them new vests.

THE HONORABLE PATRICK CARROLL III: That is correct.

REP. O'DEA (125TH): And so that was much appreciated by the Marshals because they do walk people out when there are concerns at night.

SENATOR WINFIELD (10TH): We want our Marshals to be safe and we want everyone to be safe. It is a shame that is the measure that we had to take but it is a reality we come from.

SENATOR SAMPSON (16TH): Thank you very much. Thank you, Mr. Chair.

SENATOR WINFIELD (10TH): Thank you Senator Sampson, followed by Representative Walker.

SENATOR SAMPSON (16TH): Thank you very much Mr. Chairman. Thank you for being here this morning Your Honor and congratulations on your re-appointment.

THE HONORABLE PATRICK CARROLL III: Thank you Senator.

SENATOR SAMPSON (16TH): I got a newspaper article in front of me from November 11 of this past year from the Hartford Courant and just reading through it, it raised some concerns with me. I just thought I would bring up a couple of those concerns, so I can get your perspective and your comments on them through the Chairman, of course. I understand you are the Chief Court Administrator now, so you do not actually sit on the bench.

THE HONORABLE PATRICK CARROLL III: Correct.

SENATOR SAMPSON (16TH): Is the role of the Chief

Court Administrator to set policy for who enters and leaves the courtroom security. You mentioned public safety a few times in your previous comments. Would not that be accurate?

THE HONORABLE PATRICK CARROLL III: With respect to entering a courthouse, our state constitution sets that policy. It says our courthouses shall be opened, and they are open. They are opened to everyone and with respect to courtrooms, entry into those courtrooms is also opened unless the judge presiding over the proceeding in that courtroom has some reason to exclude somebody. It does not happen rarely unless somebody, I mean it happens rarely unless somebody is creating a disturbance.

SENATOR SAMPSON (16TH): Right. So I do not know if you even know about this newspaper article or not but just for the sake of the people listening and the rest of the committee members, there is a situation where a man who had overstayed his visa and was charged with a domestic dispute, misdemeanor assault, threatening in breach of peace was in the courtroom, and ICE agents found this out and went there to detain this person, and a couple of things happened in the process. The first one is that once they entered the building, someone announced their presence giving anyone whose citizenship documentation was questionable a chance to flee according to the Hartford Courant article. First question is that a policy of any courtroom in the State of Connecticut and who would set such a policy that ICE agents would be announced.

THE HONORABLE PATRICK CARROLL III: That is absolute not the policy of the Judicial Branches of the State

of Connecticut. The policy of the Judicial Branch is to comply with the Federal and State law. We have solid restrictions that are imposed upon us, both at the State level and the Federal level. The incident you are making reference to is an incident that took place in our Derby courthouse. The Marshal who engaged in that conduct and other conduct is in the midst of a disciplinary proceeding right now, so I cannot say much about the particulars of that case but in response to your question as to whether that is the policy to announce, no that is not the policy.

SENATOR WINFIELD (10TH): Senator Sampson one second. Judge if you could speak more directly into the microphone, I think it would help everybody here. Proceed.

SENATOR SAMPSON (16TH): Thank you very much Your Honor and thank you Mr. Chairman.

THE HONORABLE PATRICK CARROLL III: Thank you Senator.

SENATOR SAMPSON (16TH): That makes me feel a lot better. I had a concern that is something that we were adopting as policy, that you know there would be some sort of announcement.

THE HONORABLE PATRICK CARROLL III: Our policy, just so you know Senator, I can get you a copy of the policies. We train our Marshals regularly on it. We have updates and refresher courses on it regularly, but our policies are open for review. I would be happy to provide you a copy.

SENATOR SAMPSON (16TH): The issue with the Marshals is kind of a separate issue and certainly obviously nothing that reflects upon you, and again, I no means want to be accusatory in anyway, I just really want to get to the bottom of what happened in this incident. The story goes on to say that this man who was wanted by ICE fled down the hallway and took up residence in the Public Defender's Office and so there was more or less a standoff in the hallway between the courthouse officials and ICE but the story says that you asked the ICE agents to leave. It says the state's Chief Court Administrator, Judge Patrick Carroll called ICE and asked that the agents be ordered to leave the courthouse, ICE refused. So, I am just curious what made you make that decision, was it, you say in the story that it is public safety. I do not know that your authority extends to covering Federal officials and I have some concern about what happened. I would like to hear your perspective.

THE HONORABLE PATRICK CARROLL III: It may come as a surprise to you Senator but the account in the press was incorrect. [Laughing] I made no such call.

SENATOR SAMPSON (16TH): That has never happened.

THE HONORABLE PATRICK CARROLL III: That is right. I made no such call. I did have our Director of Marshal Services who has a relationship with ICE to contact the regional office of ICE and say that we were concerned that it was creating a dangerous situation. At one point, I believe there were five ICE agents in the building and there were about 12 protestors in the building and, as you correctly depicted, it was a standoff and it was lasting for

an extended period of time, and my concern was for the people who work in the building and for the people who were in the building for lawful court business, and I knew that the standoff was going to last, it was not going to be an easy resolution and I did ask our Director of Marshal Services to contact the regional ICE office to determine whether for public safety purposes they would consider using their enforcement powers outside of the courthouse instead of inside of the courthouse. As it turns out, they did not, they stayed. I had contact with the State Police and the Governor's office and others during the standoff and they asked me how I was going handle out the balance of the day, and I said we are going to handle as we handle our court business in court every day. Our courts remain open until 5 o'clock and at 5 o'clock we will close, and we expect that everyone will leave. As it turns out, that is exactly what happened at 5 o'clock this gentleman with his public defender left the building and for whatever reason, ICE elected not to take him into custody when he left the building.

SENATOR SAMPSON (16TH): Thank you very much. I really appreciate hearing your perspective of what happened.

THE HONORABLE PATRICK CARROLL III: Sure.

SENATOR SAMPSON (16TH): I can certainly understand the public safety concern with that many passionate people trapped in a building together under difficult circumstances and thank you for your indulgence in answering my questions. Thank you, Mr. Chairman.

SENATOR WINFIELD (10TH): Thank you. Representative Porter.

REP. PORTER (94TH): Thank you Mr. Chair and good morning.

THE HONORABLE PATRICK CARROLL III: Good morning Representative Porter.

REP. PORTER (94TH): Judge Carroll, just one question. I am wondering if you can tell me, are there any judges that are currently for, lack of a better term, kind of hanging in limbo when it comes to reappointment. Are they up for reappointment and have not been before this committee?

THE HONORABLE PATRICK CARROLL III: I believe everyone that is up for reappointment this session, have their hearing scheduled for today and Friday. I am not aware of anybody who might fall into the category that you are talking about.

REP. PORTER (94TH): Okay, thank you for that answer, and thank you Mr. Chair.

SENATOR WINFIELD (10TH): Thank you. Representative Miller.

REP. MILLER (145TH): Thank you Mr. Chair. Good morning Judge Carroll.

THE HONORABLE PATRICK CARROLL III: Good morning Representative Miller.

REP. MILLER (145TH): Congratulations on your re-nomination. I just want to say thank you, thank you

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for always making yourself available when I have issues. As a legislator, I found it frustrating when there were issues with the judicial system and I had nowhere to go, and you, I have talked to you about an issue and you were able to broker a meeting with me and so on in the courts and I have had issues where I can call you and you will address those issues. So, I really appreciate it because it makes life easier for me when representing my constituents, so thank you for the work that you do. I recently had an issue with courts and the gallery that I told you that individuals in the gallery could not hear what was the proceeding set where occurring in the courts, and you readily got back to me as bond chair with a number in how we could rectify that, and those are the kind of things that you have done and I appreciated that. When there is an issue you readily tried to address them. So, I really appreciate the work that you do and good luck on your re-nomination.

THE HONORABLE PATRICK CARROLL III: Thank you Representative Miller. You said it makes it easier for you, I can assure you it makes it easier for the judicial branch as well to have that type of open exchange of ideas and thoughts.

SENATOR WINFIELD (10TH): Thank you. Representative Smith.

REP. SMITH (108TH): Good morning Mr. Chairman. Nice to see everyone. Good Judge.

THE HONORABLE PATRICK CARROLL III: Good morning Representative Smith. First thank you for all your service, your great service over the years. It

reminds me of my younger days, so it gives me a good feeling to see you, that back in the courthouse of Danbury when I was young and a little nervous going in back and seeing you in Chambers and trying to do the best I could for the morality of the client but you were firm and fair and treated us all with respect, so I thank you for that.

REP. SMITH (108TH): Thank you.

THE HONORABLE PATRICK CARROLL III: Thank you for your service as the Chief Court Administrator. I know you have come before us here in this committee and while we serve in the house and advocating on behalf of the branch. I think you have done a great job in that regard. I wish we could get you more money. I know there, I am a fiscal conservative, but I always advocate on behalf of the Judicial Branch and hopefully we can get you some funds to continue the good work that you are doing. Representative O'Dea mentioned some of the questions that I was going to ask. I guess the only question is a follow up to that is a few years ago or maybe it was last year it all blurs to me when the legislature appointed. I believe it was 30 judges at that time.

THE HONORABLE PATRICK CARROLL III: 31.

REP. SMITH (108TH): Thirty-one judges and there was some concern whether we actually needed 31 judges for an appointment. I am just wondering how that all played out. I mean, do we have too many judges, is 31 enough. I know we had issues with personality describe. Tell me about the actual bench.

THE HONORABLE PATRICK CARROLL III: Well, it is a

difficult question because the appointment of judges is not a matter of which the Judicial Branch has any input or control, so my committee to you is that regardless of the number of judges we have, we will make sure that they are busy every day and if we do not have enough, we will make sure that we deploy the work in such a way that it does not result in a burden to many individual judges serving in different districts. It has worked out. We have placed though judges in courthouses throughout the state. At the time those judges were appointed, we also received an infusion of funding to increase the ranks of our temporary system clerks and monitors, so that made it easy for us. I did not want a situation where judges would be in the chambers, not able to go into court for one and support staff. We are able to do that now, we have conscientious administrative judges and presiding judges who dole out the work in a way to make certain the judges are busy every day and have the staff that they need to do the work every day. So, it has worked out fine and it will always work out fine whether we get new judges or do not get new judges, we will find a way to get the work done.

REP. SMITH (108TH): Well that is why you are successful in what you do judge, because you make it work. I appreciate that. The E-services program has seemed to work very smoothly. Are you aware of any changes that are coming forth? I know you talked about Courtroom 21 and so forth. What do you see in the future with all this new technology?

THE HONORABLE PATRICK CARROLL III: We are very proud of the E-services that we offer in the State of Connecticut. When I attend national meetings, I

see that we are lightyears ahead of the other states with respect to implementation of these services in our courts. We started on the civil side. We have moved into family E-filing. We are trying to leverage our E-technology to the extent that we can. All of the services that we provide, it is important to note are homegrown services. We do not rely on outside vendors that have ongoing licensing and upgrading requirements we develop, and we maintain our own systems. We are in the process now of piloting in the courtroom processing of continuances and certain other minor matters in the criminal courts. I hope that we are going to be able to expand that so we can move to an online booking system, so police officers do not have to take their paperwork from police departments and run them to court every morning. That is a grossly inefficient waste of time and services and we are making a lot of progress on that. We have also implemented a very successful E-infraction program where individuals who have motor vehicle infractions rather than coming to court to confess them, they contest them online, and our initial evaluations have demonstrated that people who make use of that service generally obtain better dispositions than they would have if they appeared personally in a court to argue their cases. We are expanding that to small claims matters as well and its success that we have on small claims matters, I am hoping, we will be able to morph into higher jurisdiction matters where a larger amount is in controversy. I think that we see these changes taking place in society. The courts cannot lag. We have to change with society. We have to recognize that people seek to do things on-line and to the extent the courts can offer that service to people as well. I think

it is a win, win for everybody. It cost less money and it is far more efficient.

REP. SMITH (108TH): Thank you again Judge for your service and your time and congratulations. Thank you, Mr. Chairman.

SENATOR WINFIELD (10TH): Thank you. Senator Bergstein.

SENATOR BERGSTEIN (36TH): Thank you Mr. Chair. Good morning Your Honor.

THE HONORABLE PATRICK CARROLL III: Good morning Senator.

SENATOR BERGSTEIN (36TH): I have a question about domestic violence, and I understand that there was a dedicated domestic violence court within the Stamford courthouse until fairly recently, maybe until a year or two ago, and that it worked well by all accounts from judges and lawyers and litigants who have told me that it did work very well and it was efficient. And because resources were concentrated in that one day of the court, of the week, and the judges or maybe just the judge, the dedicated judge, had a special skillset for identifying domestic violence, which is not always apparent, that it did work well and it was disbanded, and I wonder if you could explain how and why that decision was made. Thank you.

THE HONORABLE PATRICK CARROLL III: I am unaware that decision was made Senator. We have dedicated domestic violence dockets in every single courthouse in the state. So, to the extent that you are

telling me that there is no longer domestic violence docket in Stamford, that is a complete surprise, and I do not think it is accurate. I think that we have a domestic violence docket in Stamford, as we do in every single court. There may have been dedicated domestic violence States Attorneys who were assigned to the docket and the States Attorney's office may have rotated out the States Attorney and the same may be true with the Public Defender but the docket, which we control is a stand alone domestic violence docket scheduled at a separate time on a separate day, on which only domestic violence matters are heard.

SENATOR BERGSTEIN (36TH): In the criminal court.

THE HONORABLE PATRICK CARROLL III: Yes.

SENATOR BERGSTEIN (36TH): But in the family court.

THE HONORABLE PATRICK CARROLL III: Oh, in the family court, there is no dedicated domestic violence docket in the family courts, these are all in the criminal courts.

SENATOR BERGSTEIN (36TH): Right. Okay. It was my understanding; I will go back and ask my sources if there is a dedicated family court domestic violence day in Stamford court.

THE HONORABLE PATRICK CARROLL III: There may be a day where temporary restraining order hearings are scheduled, but there is, no where in the state is there a family court, civil court domestic violence docket, dedicated docket.

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SENATOR BERGSTEIN (36TH): So, Judge Collin was not the, did not surprise the domestic violence.

THE HONORABLE PATRICK CARROLL III: Judge Collin when he sat criminal, on the criminal side, he handled the domestic violence docket.

SENATOR BERGSTEIN (36TH): In a dedicated criminal docket.

THE HONORABLE PATRICK CARROLL III: That is correct.

SENATOR BERGSTEIN (36TH): Which, did that interface at all with proceedings in family court?

THE HONORABLE PATRICK CARROLL III: I supposed that depends on what you mean, did its interface. I mean there are separate dockets, separate matters, separate standards of proof of criminal matters and civil matters. If you are asking was there an exchange of information, I am sure there is always an exchange of information between those dockets.

SENATOR BERGSTEIN (36TH): Okay. Thank you.

SENATOR WINFIELD (10TH): Thank you. Senator Bradley.

SENATOR BRADLEY (23RD): Judge echo the remarks of my colleagues here, you have done an outstanding job going above and beyond what is required of you.

I know Bridgeport a year ago, there was a fight that broke out in our courthouse at GA2. You were there the very next day making sure that there was a sense of security placed back in. A few weeks ago,

unfortunately, we had that shooting episode that happened in Bridgeport again. I had spoken to the Marshals. I kind of bounce around from courthouse to courthouse, as you might know, in this great state and the Marshals continue to echo your desire to be armed, and they have said to me that by being armed it would be a deterrent in people doing raise and attacks that they did just 2 weeks ago. But a lot of the possible criminal elements feel that they can do something like that and get away with it because the guys and gals who are there protecting us do not have an arm, a firearm, to be able to respond to a threat of that level. How do you feel about arming Marshals in general or arming some Marshals so that there can be some degree of deterrent in people acting in that capacity?

THE HONORABLE PATRICK CARROLL III: It is not a new issue Senator, as you well know, and it is something that I have considered the 24 years that I have been a judge and the 13 years that I have been in the Chief Court Administrator's office, but if you take the incident that took place in Bridgeport two weeks ago today and asked yourself in a dispassionate way, would the situation have been better if a Marshal was armed that day. When emotions are high, when you do not know what is going on, when split second decisions have to be made, would it have helped if a Marshal came out and was brandishing a gun.

SENATOR BRADLEY (23RD): In the State of Connecticut, I think we have had something like seven law enforcement shootings in the last year. I do not want to see that number increase by the fact that the Judicial Marshal has discharged the weapon.

THE HONORABLE PATRICK CARROLL III: So, if you get past that point and asked yourself, is in fact a gun what creates a deterrent effect. Then you have to ask yourself, what is the best way to accomplish that deterrent effect that the presence of an armed officer. Is it by arming our Judicial Marshals at great cost to the Judicial Branch in the State of Connecticut buying weapons, upgrading weapons, training, maintaining, post-certification for Judicial Marshals to carry guns? People said what you just need one in each courthouse. Well that is not true because people take vacations, people go out on Workers Comp, people need sick time. So, you would need a large number of armed Judicial Marshals. That would make the Judicial Branch, we have done the math, it would make us the 4TH largest armed police force in the State of Connecticut. I am not a police chief; I do not want to be a police chief. I think that is a function that the court system should not engage in. We have a highly trained professional core of Judicial Marshals. When I was starting out practicing law, most of the Judicial Marshals looked like me. They were old, they were overweight, they were incapable of providing any meaningful security in our courts. Today virtually every Judicial Marshal we have has a college degree. They go through training at the only nationally accredited Judicial Marshal Academy in the country. They are trained in de-escalation techniques. They use the most valuable and potent weapon they have, their common sense and their minds when dealing with situations like this. You mentioned the fight that took place in the Bridgeport courthouse last year. We had a small number of relatively new Marshals who were able to separate the combatants, de-escalate the situation

and bring calm in a relatively short period of time. The incident two weeks ago, our Marshals very capably rendered first aid to the shooting victims inside the courthouse. They also were able to lockdown all of our courtrooms very quickly. They went to each office in the courthouse to maintain calm among our staff, to tell them how to protect themselves and take cover. They did a great job. I was there within an hour of the shooting and spoke to them. I spoke to our staff. I mentioned the fact that a couple long serving staff members there told me that our Marshals did a great job. When I said that virtually everyone of our employees nodded their head in approval. So, it is a complex issue. I understand that our Marshals may be clamoring for armed Marshals but there are just as many who speak to me saying that they do not think that is a good idea. Our Chief Justice does not think it is a good idea, and at this point, I do not think it is a good idea. I think there are better ways we can provide that security, and you might ask how we would do that. What I am going to be asking the Appropriations Committee for tomorrow is funding to provide either municipal or state police officer and cruiser in front of each courthouse throughout the state. It has got a hefty price tag, about 5.3 million dollars but that is still less than it would cost us to arm, train and maintain an armed Marshal course in the Judicial Branch. So, I would ask that everybody take a dispassionate look at it and determine what is the most efficient way to accomplish the goal that we want to accomplish.

SENATOR BRADLEY (23RD): If I may, Mr. Chair ask another question. Man, I thank you for those remarks and I obviously will consider that as we

look at what possible legislation we can implement.

The other concern I have is the condition of courthouses, specifically the Bridgeport courthouse, and I admire the house that PT Barnum built. It is a beautiful courthouse, but it is obviously not safe. As you know, a lot of the people who exit the courtroom, exit behind the Marshals. So, if somebody wanted to attack a Marshal, they are in a very vulnerable position exiting, as they got people exit that courtroom. It is a courthouse, which is often too hot or too cold, and I think it speaks volumes of what the State of Connecticut is. As you know, most of the people in the State of Connecticut will not come to the Yellow B building or to our State Capital but a lot of people will go in and outside of our courtrooms, so I think there should be something to be done with funding. I know that is not 100% in your ballpark, but I just want to get your sentiments on it and what you think can be done. I see Litchfield has a beautiful courthouse and Bridgeport is such, I think one of the busiest as the courthouse is in really disarray. I just want to get your sentiments on that.

THE HONORABLE PATRICK CARROLL III: When you say the Bridgeport courthouse, I would say the Bridgeport courthouses because it is both the Golden Hill Street court and the Main Street court, as they are well beyond their used by date in my mind. I recognize that there is a limited pool of funds that are available for courts, but as you point out, people may not come here but they come to our courts every day. We screen millions of people through our metal detectors every year. I think that when you look at services provided by the State of

Connecticut, we are the highest impact in terms of the number of people who come to our courts every day in terms of jurors, lawyers, staff, members of the public, and I think we have an obligation to provide quality buildings but it is a challenge, and the same claim may be made for outdated schools throughout the state. I would encourage any effort to at least study the possibility of new courts in Bridgeport and New Haven. I think that is where the greatest needs can be identified but I think we have to do something. Last year, I asked for a supplemented budget request after we completed our legislatively mandated courthouse security survey and highlighted the very issues that you are talking about. I asked for funding to harden the entrances at all of our buildings. I asked for the ability to remotely lockdown the buildings and those all carry a price tag but when you throw down the scale, the cost versus the protection that will result from that investment, I think it is well worth it.

SENATOR BRADLEY (23RD): Mr. Chair, I just have two more questions. I do not want to delay everybody. We do not have the Chief Administrator here every day. If I may, I have two other questions that I want to ask you. One that is near and dear to my heart that I see with a lot of frequency, that is the issues of bond. I see the disparity that exists with the amount that judges might place on a particular bond or reveal on a defendant, and I know that there is rules in terms of revisiting those things, and I know that, I believe the procedure is that whatever judge set the bond or the bail at, they have to revisit it themselves and see whether or not it is appropriate. I do not know if we can go about changing that, because as I travel

throughout the state in different courtrooms, I see some crimes and some defendants being set pretty nominal bonds, and others which are astronomical in terms of what I look at, the crimes that they committed and their past history of committing of similar grievances and/or the flight risk. So, can you speak on how we could possibly better review that so that there is, I think a degree more of equity in how to set those bail amounts.

THE HONORABLE PATRICK CARROLL III: Well I think that the legislature has been working hard on this issue for the last several sessions. The Judicial Branch has been a rock-solid partner on all of these efforts. Judge Devlin chairs our sentence admission where most of the bond reform legislative proposals or many of the bond reform legislative proposals came from. We also have a very active core of available commissioners through our court support services division. We have validated risk assessment tools that are used at the time of arrest to assist the judge in setting bails, and I can also say that I have a high level of confidence in the ability of our judges to weigh each case at the time that bond is being set. I frequently said that no offense and no offender are identical. There are nuisances and twists to every single case that have an impact both at the time of setting a bail and at the time of imposing a sentence. I think that what we can do, what we should continue to do is examine the study with data and wherein fact we find discrepancies they can be highlighted to us and we can work with the individuals who work in those courthouses. By enlarge, I think if you look at that data, I think that you will find we have done a good job of normalizing those things throughout the

state and you, the legislature, have done a great job in enacting the laws that you have enacted in the last session with respect to Bill Reform and potentially the addressing these cash bail all together. It is certainly something that warrants discussion and I think we have done a good job of candidly and honestly looking at it.

SENATOR BRADLEY (23RD): My last question. In regard to this issue with ICE agents being in our courtrooms, I know that has been a significant problem and I have seen quite a few of them both in the Bridgeport court and New Haven court and the Stamford court, and I am interested in seeing what exactly the policy is with that, and I would just like to respectfully say that we should look at our history here in this great country. I bleed red, white and blue. I am a son of a soldier. I have a brother who is an officer in the Army. I have another brother who serves in the Marine Corp. I believe in law and order in our country and the right way of doing things but when we put federal officers in our courtrooms, we go back to the days of what we have seen in this country, where we empower criminal elements to become the people who had administered law and order. Thinks like La Cosa Nostra or things like the Irish Mobs of old. These elements become the new source of where communities go to get refuge, to resolve problems, and I would hate to see that with a new batch of immigrants that we repeat our same history of having criminal elements now be the person who become the police officers in the courtrooms because they feel scared to go to police departments and inside of our courtrooms. So I just, whatever our policy is, I am interested in seeing it but I think that we have to

have a smart way of allowing or enforcing our laws, and I do not see DEA agents waiting in our courtrooms or FBI agents waiting in our courtrooms or CIA agents waiting in our courtrooms. I do not see why we should Federal agents, ICE agents waiting inside of our courtrooms. If they need to apprehend a criminal, they know how and where and how to kind of go about those things. But having them inside of our courtroom, I think, becomes a huge deterrent of people using our judicial system to resolve grievances and to resolve problems that I would hate see other elements empowered because people do not go to the police and do not go to the courtroom.

THE HONORABLE PATRICK CARROLL III: The position of Connecticut's Judicial Branch has been clear on this throughout. When Chief Justice Robinson was in office, she sent a letter to the Attorney General, the Director of Homeland Security asking that no ICE enforcement action be taken in our courthouses. We got a response; it was in the negative. In fact, ICE enforcement was going to continue to take place in our courthouses. When Chief Justice Robinson came into office, he did the same thing. He wrote to Attorney General Barr again requesting that no ICE enforcement activity take place in or around our courthouses, and the response has been the same. Our constitution does not allow us to bar people from entering the courthouse, anybody. So, if in fact that is something that can be addressed at this level, I would certainly encourage that but as it is now, we must operate within the confines of the law and that is what we do. We have a very well-defined Trust Act, which resulted in a modification of our policy. Our policy is in compliance with that. What we do is comply with the law and we train our

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people to make sure that they do comply with the law.

SENATOR BRADLEY (23RD): Okay, Thank you Senator.

SENATOR WINFIELD (10TH): Thank. Senator Bizzarro.

SENATOR BIZZARRO (6TH): Thank you Mr. Chairman. Good morning Your Honor. I want to thank you for your service to our state.

THE HONORABLE PATRICK CARROLL III: Thank you Senator.

SENATOR BIZZARRO (6TH): I want to congratulate you on being nominated again, and I want to wish you well in the future. I also want to thank you very much for your candor this morning, and for your very informative responses to our questions. I had on them to be immensely helpful to me. So, I want to thank you for that. Through you Mr. Chairman, I just want to ask a couple questions about policy. I do want to follow up on the questions that my colleague to my left was asking about with respect to this issue about ICE. As you know Your Honor, we, the legislature, expanded the Trust Act. I think you may have just mentioned that. I had trouble hearing the last part of your testimony, but we expanded the protections afforded under the Trust Act last year. I am wondering did you in your capacity as Chief Administrator have an opportunity to promulgate any sort of official policy position with respect to that change in the legislation.

THE HONORABLE PATRICK CARROLL III: We did. We made certain that all of our existing policies complied

with the new provisions of the Trust Act and they do. Largely how it impacted us was the extent to which our Judicial Marshals could cooperate with ICE and provide information to ICE, so you made it clear in the Trust Act what we could and what we could not do and our policies mirror that now.

SENATOR BIZZARRO (6TH): Thank you Your Honor, and then with respect to training, I do not know. I was hoping you might be able to just enlighten me on this. What exactly happens when new judges are confirmed and sworn in. I know that there is a rotation typically but what exactly can you, enlighten us a little bit about the training that is undertaken and then also is there a continuing training for existing jurists.

THE HONORABLE PATRICK CARROLL III: Yes, we have a very, very comprehensive pre-bench orientation program once the judge is approved by the legislature. It is a three-week program. Comprehensive covers virtually every aspect of what we do, administrative matters and functions on the bench fully four days of our pre-bench orientation program is devoted to domestic violence training, domestic violence matters in our criminal courts comprise of very large proportion of the cases. We also have a robust mentoring program where brand new judges are assigned an experienced mentor to guide the new judge through the process. Your mentor stays with you throughout your career and I know that has led to many fine relationships between judges. We also have what is called the Connecticut Judges Institute. It is a two-day comprehensive training program, which all judges are required to attend each June. We then have divisional seminars

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on a regular basis. When you are assigned either a family, civil, criminal or juvenile assignment, the Chief Administrative Judge for that subject matter area conducts a full day training program for the judges in that area as well. That takes place in the autumn after the new terms commences after Labor Day, and we also have a full day mandatory training programs for judges on matters that we believe are of significant importance to our judges, and that primarily over the last five years has been in the area of domestic violence. We are a national leader in the training that we offer to our judges on domestic violence matters. We bring in outside experts, national experts. We require that all judges, not just judges sitting in family or criminal, but all judges participate in that training. So effective has our training on domestic violence been over the years, the national organizations that hold themselves out as domestic violence training experts frequently look to us and ask for our curricula to utilize when they conduct trainings themselves in other locations. They ask us for our validated risk assessment tools that we use in assessing domestic violence cases. So, I put our training on domestic violence against any other training component anywhere in the country, and I think that the people who are not as subjective as I am in making that determination can objectively look at what we do and they would agree with me.

SENATOR BIZZARRO (6TH): Thank you Your Honor. It pleases me very much to hear all of that information. Again, I thank you for that. Through you Mr. Chairman, Judge is there a peer review process and, if not, have you ever given consideration to having one in place for jurist to

be able to review one another.

THE HONORABLE PATRICK CARROLL III: To the extent that we have a peer review process, I would say that it is informal but nonetheless very effective. We have presiding judges and administrative judges in each district that monitor the judges who are assigned to their district and when there are problems, they are not shy about reaching out to that judge and offering assistance to that judge in his or her performance, and I think that has worked very well over the years, and I think quite honestly our mentoring program does that as well. We also have a robust judicial performance evaluation program where judges are evaluated by the lawyers who appear before them, and in the circumstance where a problem is disclosed, either Judge Bozzuto or I sit down with the judge and say hey look that it has been a red flag here with respect to comportment or your management skills or your legal ability, what can we do to improve that, and we usually work with the judge to set up a program where we can address those and we hope that at the time their next evaluation comes in, we see a marked improvement.

SENATOR BIZZARRO (6TH): Thank you very much, and last question through you Mr. Chairman. Your Honor, you were talking a little bit about coming into this new technological age with all of the advancement in E-filing etc. Has there been any consideration given to overhauling the short calendar system, I am just curious, you know on the civil side? I know that I have colleagues that come into the state and they are sort of taken back by the arcane way that we do things here.

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THE HONORABLE PATRICK CARROLL III: Perfect way of describing it, arcane, and the answer is yes. There has been a lot of thought given to changing the way we do it. We believe that the individual calendaring system would go a long way toward modify the arcane calendar system by having one judge assigned to one case. Having that judge schedule hearings in a way that is convenient for the parties and their attorneys. I think that we have made some progress, but I think there is more that can be done. To this question we have on a regular basis, on the family side, Judge Bozzuto has been working hard on a system that will eventually eliminate short calendar, and we hopefully will have more to report on that before the years is over. But we think about these things all the time. We cannot stagnate. We cannot continue to do things the way they were done 100 years ago. We had a speaker at one of our training programs a while ago who suggested that if you took a surgeon from Abraham Lincoln's time and dropped them into a surgical suite today, that lawyer would look around and not know what any of the equipment was or what it was all about, but if you took a lawyer from Abraham Lincoln's time and put him in today's courtroom, the lawyer would pretty much be able to get by.

SENATOR BIZZARRO (6TH): That is an excellent, excellent anecdote and a great way to conclude my questioning. Thank you very much Your Honor. Thank you, Mr. Chairman.

SENATOR WINFIELD (10TH): Thank you Senator. Representative O'Neill.

REP. O'NEILL (69TH): Thank you. Good to see you again Your Honor.

THE HONORABLE PATRICK CARROLL III: Good to see you again Representative O'Neill.

REP. O'NEILL (69TH): As you may or may not know, I am not going to be running for re-election, so this is going to be my last opportunity to speak with you under these kind of circumstances, at a confirmation hearing, and I did have a couple of questions but I do want to thank you for all of the courtesies you extended me when I was ranking member of this committee in the past as well as during the other times that I have been a member of this committee, and also your service to the people of the State of Connecticut and what have been very difficult times. I distinctly remember when I was ranking member for Appropriations having conversations about the financial condition of the state and how it impacted the court system and the risks and so forth that we were at. I want to pick up a little bit about the conversation you just had with respect to the short calendar. It was not 100 years ago but I recognize that there have been actually substantial improvements that have been made since when I first started practicing law and basically short calendar consisted of the lawyers in a jurisdiction being called into the courthouse every Monday and hanging around for what seemed all day of just to say could you mark that off Your Honor kind of comments. I mean, really nothing was going to happen because nobody was really ready, but everybody was required to show up in court to spend a large chunk of time there. So, I do hope that you are able to continue to expedite things like this and maybe be able to

use telephonic conferences and we have Skype. I mean my 7-year-old grandson is able to Skype me, so I think maybe at some point we should be able to use that kind of technology to handle things so that we do not have people having to traipse back and forth across the State of Connecticut just to have a few words exchanged in a courtroom. So, I am hoping that you are able to accomplish that and maybe save money both for the court system as well as for litigants that have to deal with it.

I am wondering if there is something or anything that we could do legislatively or perhaps even constitutionally that you think would help improve the system that we have both of perhaps of selecting judges or of confirming judges or of dealing with the system of how one gets to be in the position that you are in. I know we have the Judicial Selection Commission and that was a big innovation but that was around the time, not too long after I started practicing law, and that goes back to the mid-1980s, I think, when that came into existence. So I am just wondering is there anything that you think that in looking at how this process works, you would think might be something, not necessarily for us to do but at least to look at as a possibility to improve the system.

THE HONORABLE PATRICK CARROLL III: Well, first Representative O'Neill let me turn around what you said about your extending thanks to me personally. I think on behalf of every judge in the State of Connecticut and all the employees of the Judicial Branch, we would like to extend our gratitude to you as well for your incredible service over the years. You have always been a sound supporter of the

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Judicial Branch. You have always gone out of your way to find out what we do in the Judicial Branch and as evidenced by the questions just asked, what we might be able to do to improve upon it.

With specific reference to your question about the way the judges are selected and appointed, we hold a reappointment seminar for judges who are up for reappointment every fall, and we tell them that once every eight years you have to sit up here and take questions from members of the General Assembly. It is not too great a burden nor should any judge feel imposition in any way by having to respond to the legitimate questions that are opposed to them regarding their service as judges. So, there are no reforms that come to my mind with respect to the merit selection process of judges in the State of Connecticut. We have a Commission that has been a model for some other states. It is a multi-chaired level, at which judicial candidates are evaluated. There are ample opportunities for public input along the way. We have this public hearing and I think it is an open, transparent way to have judges evaluated at first by the Commission and then by all of you and then by your colleagues in the full House and the full Senate. I think it is a good system, I think it works. I think in those very rare incidents where judge did warrant reappointment, things happened either by way of withdraw or resignation or failure of a Governor to go forward with the nomination. It works. I have never seen a situation where it has not worked, so I have no recommendations on that.

With respect to the Judicial System as a whole, I think any efforts to leverage technology to make it

more convenient for people to access justice and access the courts, I think that those should be pursued. I think that enabling legislation that has already been inactive by the General Assembly gives the Chief Court Administrator to put latitude on certain of those areas and I have exercised that latitude when and where possible to leverage economies and efficiencies, and I think that in large part that has worked. I think Connecticut Bar Association is undertaking a new initiative right now to look at the practice of law in the State of Connecticut. Judge Bozzuto is going to be co-chairing that effort, and there may be recommendations to come out as a result of that effort, and I am hopeful that the court will be able to implement those. But it is a transformative time and the court has to change with the times, and I am trying to do my best to make sure that we do that.

REP. O'NEILL (69TH): Thank you.

REP. BLUMENTHAL (147TH): Are there any further questions?

REP. REBIMBAS (70TH): Thank you Mr. Vice Chair and good morning Your Honor.

THE HONORABLE PATRICK CARROLL III: Good morning Representative Rebimbas.

REP. REBIMBAS (70TH): Congratulations on your reappointment and certainly I just wanted to take this opportunity to echo a lot of the statements that were already stated here. I think you do truly have one of the toughest jobs within the Judicial Branch. I think we got a little taste of it just

based on the topics of questions that you responded to, and I think certainly your demonstration of those responses shows that you are very thoughtful and certainly an expert and very knowledgeable on the issues. So it is a great resource that we have as to maintaining you in this position and certainly your interest in continuing no matter what the challenges are, and I certainly just also wanted to mention that the certainly the open courts is very important upholding the constitution and as you can imagine for every one position one individual takes, there is somebody on the other side as well, and I do understand that a lot of these habits that were raised and you responded to are certainly proposals that have come before this committee previously. I am certain that they are coming again before this committee, and I have no doubt that whether it is the constitution or any law of the State of Connecticut you are certainly upholding it and training your staff appropriately in that regard. But again, truthfully, one of the toughest jobs you have got and certainly dealing with the legislature is not an easy component of that but I certainly want to say that you have also made yourself always available even often time when we are not in session and that is a great asset to have as well and you are certainly known and make yourself known, which is another thing that we certainly appreciate, that it is not just an individual behind closed doors making all the decisions in that regard. So, I just wanted to extend that in a congratulations to you and look forward to continuing to work with you.

THE HONORABLE PATRICK CARROLL III: Thank you Representative Rebimbas. It means a lot to me.

REP. REBIMBAS (70TH): Thank you Mr. Vice Chair.

REP. BLUMENTHAL (147TH): Thank you Representative Rebimbas. Are there any further questions from the committee? Seeing none. Thank you, Your Honor, for being here today and for your services to this state.

THE HONORABLE PATRICK CARROLL III: Thank you Representative Blumenthal.

REP. BLUMENTHAL (147TH): Next we have The Honorable Anna M. Ficeto of Wolcott. Ficeto, I am sorry, and your Honor you are already ahead of us. Do you swear or affirm as the case may be that the information you will provide to this committee will be the truth, the whole truth and nothing but the truth so help you God or under penalty of perjury?

THE HONORABLE ANNA M. FICETO: I do.

REP. BLUMENTHAL (147TH): You can make your statement.

THE HONORABLE ANNA M. FICETO: Good morning Representative Kissel, Representative Blumenthal and Representative Rebimbas and members of the Judiciary Committee. My name is Anna Ficeto and it is my pleasure and privilege to appear before you today. I want to thank Governor Lamont for nominating me to a second term as a judge of the Superior Court. I was appointed to the bench in February of 2012. My first assignment was the Hartford GA where I serviced for slightly over one year. I was then assigned to Hartford Family from April of 2013 through August of 2016. In April of 2016, I was

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transferred to the Waterbury Judicial District where I was and continued to be the presiding judge for family matters. I was assigned to the position of Administrative Judge for the district in September of 2019. I also serve as an alternate member of the Judicial Review Commission and I am a member of the Branches Executive Committee. It has been my honor to serve in the capacity of a Superior Court Judge for the last eight years, and I would be most grateful to this committee and to the General Assembly for approval of my nomination. Thank you and I am happy to answer any questions you may have.

REP. BLUMENTHAL (147TH): Thank you Your Honor. Are there any questions or comments from the committee? Representative O'Dea.

REP. O'DEA (125TH): Thank you Mr. Chairman. Good morning Your Honor.

THE HONORABLE ANNA M. FICETO: Good morning.

REP. O'DEA (125TH): I just want to thank you for your service. My only question really relates to your time as Chief Legal Counsel to the Governor. My understand and we had spoken years ago on some judicial nominees back when you had that role. My understanding when you had that role, then Governor Rell sought input from the Majority on the selection process of nominating judges, isn't that true?

THE HONORABLE ANNA M. FICETO: The majority and from legislators?

REP. O'DEA (125TH): Yes.

THE HONORABLE ANNA M. FICETO: Occasionally she did, yes. She would ask for possible suggestions in terms of appointments, yes.

REP. O'DEA (125TH): That is my understanding, and I am hopeful that at some point time soon, we can get back to that input from both sides of the isle on the Judicial Selection Process but I just want to thank you for your service, years of service, public service both before being on the bench and now currently on the bench. Thank you.

THE HONORABLE ANNA M. FICETO: Thank you.

REP. BLUMENTHAL (147TH): Thank you Representative O'Dea. Further questions or comments from the committee. Representative Rebimbas.

REP. REBIMBAS (70TH): Thank you Mr. Vice Chairman. Good morning attorney, my apologies Your Honor. I just wanted to take an opportunity. I have actually first hand had the ability and honor to appear before you in the Waterbury Court, and I am actually going to steal the words of another attorney who actually submitted her comments reflecting characterization of the way you handle yourself in court, and it says genuinely cares about the work she is doing and also it goes on to say well-researched and well-reasoned. Certainly, that has been my observation and many of the other colleagues that appear before you in Waterbury. I think that you certainly move the docket but you do it in a way that each and every person, whether represented or not, has an opportunity to be heard before you, and I think that is an example of a jurist that we need, and you know certainly we appreciate the work that

you have provided and look forward to seeing you all the way through your reappointment. So, congratulations on your reappointment and thank you for your service.

THE HONORABLE ANNA M. FICETO: Thank you Representative.

REP. BLUMENTHAL (147TH): Thank you Representative Rebimbas. Are there further questions or comments from the committee? Seeing none. Thank you, Your Honor, for being here and for your service to the state.

THE HONORABLE ANNA M. FICETO: Thank you.

REP. BLUMENTHAL (147TH): Next up is The Honorable Donna Nelson Heller of Riverside, and Your Honor if you would raise your right hand, stand and raise your right hand please. Do you swear or affirm as the case may be that the information you will provide to this committee will be the truth, the whole truth and nothing but the truth so help you God or under penalty of perjury?

THE HONORABLE DONNA NELSON HELLER: I do.

REP. BLUMENTHAL (147TH): Thank you. You may be seated and if you have a statement you may make it.

THE HONORABLE DONNA NELSON HELLER: Thank you and good morning Vice Chair Blumenthal, ranking members Kissel and Rebimbas. I am honored to appear, and members of the Judiciary Committee. I am honored to appear before you today and I sincerely appreciate your considering my nomination. I also want to

thank Governor Lamont for nominating me for reappointment to a second term as a Superior Court Judge. I was appointed to the bench by Governor Malloy in February 2012. My first assignment was in GA2 in Bridgeport. I was responsible for the motor vehicle, domestic violence and youthful offender dockets. Later that year I became the presiding judge for the Stamford and Danbury Juvenile Courts. I was assigned to the Stamford, Norwalk Judicial District in September 2013 and I have been in Stamford since that time. I was first assigned to the Family Division. In the fall of 2014, I took on a civil [inaudible 1:32:54] docket in addition to my family case load. I was assigned exclusively to the Civil Division at the end of 2014. In September 2016 I returned to the Family Division and I became the presiding judge for family matters in Stamford in April 2018. In addition to my family assignment, I have been a member of the Rules Committee of the Superior Court since July 2017. I am also part of the task force working with the National Center for State Courts on reforming our family court process. Our goal is to reduce the time that the parties spend in court, reduce the consult between them and reduce the overall costs. It has been a privilege to serve as a Superior Court Judge for the last eight years. I would be most grateful if this committee and the General Assembly approved my reappointment so that I could continue to serve the people of the State of Connecticut. Thank you for your consideration. I will be happy to answer any questions.

REP. BLUMENTHAL (147TH): Thank you. Are there comments or questions from any members of the committee? Seeing none. Thank you very much for

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your job.

THE HONORABLE DONNA NELSON HELLER: Thank you.

REP. BLUMENTHAL (147TH): Next we will hear from The Honorable Frank A. Iannotti of North Haven. Thank you, Your Honor. If you could raise your right hand. Do you swear or affirm as the case may be that the information you will provide to this committee will be the truth, the whole truth and nothing but the truth so help you God or under penalty of perjury?

THE HONORABLE FRANK A. IANNOTTI: I do.

REP. BLUMENTHAL (147TH): Thank you.

THE HONORABLE FRANK A. IANNOTTI: Thank you.

REP. BLUMENTHAL (147TH): You may proceed with a statement.

THE HONORABLE FRANK A. IANNOTTI: Good morning Senator Winfield, Vice Chair Blumenthal, Senator Kissel, Representative Rebimbas, members of the Judiciary Committee. My name is Frank Iannotti. It is an honor and a privilege to appear before this committee for the fourth time for my reappointment. I want to thank Governor Lamont for re-nominating me as a superior court judge. I would also like to thank and express my appreciation to each member of the committee who are considering my nomination. I was appointed to the bench on March 8, 1996. My current assignment is the Waterbury Judicial District as a presiding criminal judge. In addition, since my last appointment, I have been assigned the Presiding Criminal Judge in GA2

Bridgeport. Prior to that assignment, I was presiding Criminal Judge for six years in the Ansonia-Milford Judicial District. Five of those years as the Administrative Judge as well. It has been an honor and a privilege to serve the people of the State of Connecticut these past 24 years. Each day I have given my best effort to treat everyone fairly and with respect. I just wish someone could tell where the last quarter century has gone. I would be happy to take any of your questions.

REP. BLUMENTHAL (147TH): Thank you for that statement. Senator Bradley.

SENATOR BRADLEY (23RD): And I do not want to be troit when I say this but Judge you sir are the stuff of the reasons why monuments are built. I have never seen a judge deliberate the way you do and really look for justice. It has really been a pleasure to be in your chambers. I do not know if you can illuminate to myself, to this committee when we are in your chambers and we are deliberating about those things that affect human lives. What exactly is your guidepost, what do you use when you measure, as you look to see whether someone has made a mistake or is actually a criminal? What is your guidepost of what you measure for doing things like that?

THE HONORABLE FRANK A. IANNOTTI: Well what I have tried to do over the years is evaluate each case as an individual case, and within that evaluate each person as an individual. There are people that get arrested who are fine people, they are citizens, things happen. I try to determine which person that is. There are other people that simply have a tough time in life and for lack of a better expression,

sometimes cannot get out of their own way, I find a way to treat them fairly as well, and then there are people who actually do very bad things and you have to determine who that person is. It is really just figuring out where people are in their stations in life and try to figure out what is the right way, the fair way to treat them, the best result for them and for the people of the State of Connecticut. If I may, Mr. Chair.

SENATOR WINFIELD (10TH): Thank you. We can all only hope to have someone believe a monument to be built in our honor.

SENATOR BRADLEY (23RD): And I do not say that loosely. If anybody would ever have the honor and the pleasure of being in your chambers and seeing that, you deal with lives, human lives, and often times we miss that, the immense power that judges have and affecting everyday people. The majority of people like I have said earlier will not come to this building but will have some sort of impact in the courtroom via. Family, Civil or Criminal Court, so I really appreciate that you understand that, and you take that serious and it is noted.

In regard to bonds, I am sure you have seen, and you obviously have issued bonds. How do you go about measuring what is a fair, reasonable amount that someone should be placed on bond or not? What is your guidepost in terms of that issue?

THE HONORABLE FRANK A. IANNOTTI: Well obviously the first and foremost thing is a bond is to be set to ensure that someone is going to come back to court. That is the first and foremost. Next to that, you

look at what the allegation is and then next to the allegation you look at the history of the person. The history of the person, meaning their past criminal convictions. In particular, past criminal convictions for failing to appear in court, which obviously has to have an impact on that. After you make that evaluation, you analyze, you listen to your Bail Commissioner. You do not always follow the advice of your Bail Commissioner but you listen and take the input that your Bail Commissioner gives you about the history of that person and just try to set the fairest bond to each person to ensure they will come back to court but also to ensure the safety of any potential alleged victim or members of the public.

SENATOR BRADLEY (23RD): Do you find through your years and now being on the bench that at times bond is used as some sort of retaliatory or punishing role for defendants who appearing in court?

THE HONORABLE FRANK A. IANNOTTI: By whom Senator?

SENATOR BRADLEY (23RD): I guess in a general capacity, do you feel that bonds can at times be overhanded and used almost as a mechanism to punish someone as opposed to ensuring their return to court and weighing those equities that you just said.

THE HONORABLE FRANK A. IANNOTTI: I can only speak for myself, and speaking for myself, I would say that I never analyze or set a bond based on that. I have complete faith and confident in my colleagues as well and feel comfortable that we do not do that certainly as a whole.

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SENATOR BRADLEY (23RD): If I may quickly in regard to safety. I am sure you have heard, you where there I think in Bridgeport or serving at that time there and I am sure you have heard of the recent incidents. Do you feel as a member of the bench that there is a lack and you've served in Waterbury and other urban areas, do you feel there is a lack of security or safety? Do you feel at all that your safety is at risk?

THE HONORABLE FRANK A. IANNOTTI: No, I have never felt that my safety is at risk, and I would echo some of the comments of Judge Carroll. I really do have full faith in our Marshals. They are well trained. It is a far more youthful group now than it was then, and I also echo his comments with regard to Marshals not being armed. I think it would lead to more problems than solutions. Certainly, can there always be an uptick in what you can do to provide safety, of course there can. Especially in a place like GA2, which is an old antiquated building as you know. You are there every day. There are entrances and exits everywhere but we can only work within the system that we have. We do that. I think we do it reasonably well. Incidents that have occurred in Bridgeport the last two times, things are going to always happen. Nothing is always going to go as it should. I do not think that is preventable. I think we can continue to work as Judge Carroll said to tighten up and make it better, but you are never going to eliminate it. It is human nature; it is going to happen. As you know, my chambers in Bridgeport was really wide open. I am three or four steps away from being with the public and as you know, I do walk through the public and let them know the judge

is there everyday and speak to people sometime within the courthouse during the morning before the court starts. Never felt that I was in fear at any point in time. I never thought I should not do that. I never thought I should hesitate about doing that. I thought it was more important that the judge be out front. They know the judge is there, they know that the judge looks everybody as just a person there to take care of their business, and I think quite honestly doing that is very helpful and actually I think it settles any particular problems now because I think people have more confidence in you when they see that you are out there with them as well.

SENATOR BRADLEY (23RD): Last question if I may, Mr. Chair. In regard to jury selection, you have done trials as a private attorney, as a state attorney and you have obviously presided, and I am sure of many trials, and in my limited experience in doing trials, I often times see the reservations of defendants, specifically in criminal trials. Because they feel that they are not going to get a break in front of the jury, that they will not be a jury of their peers, a jury representative of their peers that are going to be assembled to hear the case. What can we do as a legislature, as a point of advice I guess, because that is our prerogative? Strike that, let me phrase it this way. Do you find it to be equitable if this legislator were to place a law that would mandate minority representation on juries?

THE HONORABLE FRANK A. IANNOTTI: That is an interesting question. Certainly, I do not disagree with you that there is a need and I would assume for

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any alleged person, accused person, whom is a person of color who is accused and would want another person of color. Mandating it, I think is a difficult process. I could not even go about thinking of how you could do that, as you know, having done cases as well. There are claims that defense lawyers can make when they feel the jury selection is not fair with regard to minority representation in particularly if the other side is knocking people off for what they believe to be no good reason. I think that system works, and I have seen and been part of claims like that being granted in seating a minority juror when those claims are made and when the correct corrections have been asked that would necessitate that.

I cannot think of a system or a way that we can just say every jury must have. The only other thing that I can think of is to expand where we draw jurors from and maybe if we could. As you know, so a lot of people who are selected for jurors they do not even show up sometimes and listen. As somebody who has been a part of the system in one way or another for 38 years, I really do not understand that because it is your system. It is everybody's system. You should want to be a part of it. You should want to understand it. If you come and you, I tell people. One of the first things I tell potential [inaudible 01:45:25] people, we know that you do not want to be here today. A lot of people do not want to be here today but if you just sit back for a moment, listen, you might learn something about how the system that protects you works and you might also learn something about yourself as a person, and I have had a number of people come to me afterwards and say you know what, I really did not

want serve, I listened to what you said, I served and you were right. I did learn something about the system. I do understand the system better. I do understand myself better. So, I think that draw is the biggest thing we can do. Get people who are asked to serve to actually come and want to participate.

SENATOR BRADLEY (23RD): Thank you, no further questions.

SENATOR WINFIELD (10TH): Thank you. Questions, comments from other members of the committee. Representative Blumenthal.

REP. BLUMENTHAL (147TH): Thank you Mr. Chair. I am over here, sorry Your Honor, in the middle. Thank you for being here with us today, and I have not had the opportunity to practice in front of you but I just wanted to say that the reviews and the products we've gotten from around the state about your service as a judge in our Superior Court have been really exceptional, and so I hope someday to have the opportunity to practice in front of you, and I just wanted to thank you for the excellent service that you provided the citizens of the state.

THE HONORABLE FRANK A. IANNOTTI: Thank you.

SENATOR WINFIELD (10TH): Thank you. Others. Representative Rebimbas.

REP. REBIMBAS (70TH): Thank you Mr. Chairman and good morning Your Honor.

THE HONORABLE FRANK A. IANNOTTI: Good morning.

REP. REBIMBAS (70TH): Your Honor just to echo what the Vice Chair just said, I also wanted to just take an opportunity to thank the Criminal Defense Lawyers Association for putting this together. We receive a compilation of a variety of different comments from attorneys and those attorneys sometimes compliments are very positive and sometimes they are honest regarding some negatives or needs improvement in that regard, and Your Honor as it was indicated earlier, I just wanted to share some of those comments with you and this is from different attorneys, the best of the best, among the best in the state. Judge Iannotti is a seasoned practical judge who most definitely should be reappointed. Clone him and put him in as many courthouses as we can get, please, and it goes on. So Your Honor, I wanted to take the time, I would like to share some of these comments because it is not just the individuals here who some of us are attorneys, some of us do appear before you, others do not, but we do hear from our colleagues, and I appreciate the attorneys who actually take the time to put their comments to paper, and it, you know, it says a lot for the jurist that come before us in that regard. So, again, thank you for your dedication to the bench and your continued dedication to each and every individual who appears before you.

THE HONORABLE FRANK A. IANNOTTI: Thank you.

REP. REBIMBAS (70TH): Thank you Mr. Chair.

SENATOR WINFIELD (10TH): Thank you Representative. Seeing no others, thank you very much for your testimony and your statement today.

THE HONORABLE FRANK A. IANNOTTI: Thank you Senator.

SENATOR WINFIELD (10TH): Next we will hear from The Honorable Sybil V. Richards of Orange. When you are ready, raise your right hand. Do you swear or affirm as the case may be that the information you will provide to this committee will be the truth, the whole truth and nothing but the truth so help you God or under penalty of perjury?

THE HONORABLE SYBIL V. RICHARDS: I swear.

SENATOR WINFIELD (10TH): Thank you and you may make a statement when you are ready.

THE HONORABLE SYBIL V. RICHARDS: Good day Senator Winfield, Representative Stafstrom, Senator Kissel, Representative Rebimbas and members of the Judiciary Committee. My name is Sybil Richards. It is an honor and privilege to be given the opportunity to appear before you today. I want to thank Governor Lamont for nominating me for reappointment for a second term as a Superior Court Judge. I also want to express my sincere appreciation to each member of this committee for considering my nomination. I was appointed as an interim judge in November of 2011 and later as a judge for an eight-year term of February of 2012. Since that time, I served in Bridgeport, Stamford and Milford and New Haven and those Judicial Districts and presiding over criminal matters in the GA2 for three months, civil matters in Bridgeport Civil for six months in 2012 and then was assigned to family matters in Stamford Family for the last three months for 2012 where I remain there until August of 2015. In September of 2015, I

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was assigned to Milford Family for one year. From September of 2016, I have been presiding over civil matters in New Haven Civil. I am humbled by the privilege and honor of serving the people of the State of Connecticut in this capacity for almost eight years and would be most grateful for this committee and the General Assembly for their approval of my nomination and reappointment as a Judge of the Superior Court. I thank you and I will be happy to answer any questions that you may have for me.

SENATOR WINFIELD (10TH): Thank you Judge Richards. Comments, questions from members of the committee. Senator Bradley.

SENATOR BRADLEY (23RD): Just quickly, Judge Richards we have never had the pleasure, but it is a pleasure to meet you and thank you for your service. I just quickly want to say that I am looking at your application and I note that you have been involved in Boards and Commissions during this last term, and I know that a lot of time being a judge, is like being a man or woman on an island. How do you feel continuing to be involved in the community and how would you encourage other members of the bench to do the same?

THE HONORABLE SYBIL V. RICHARDS: I think that all members of the bench should be involved to the extent that they can in community affairs whether it is serving as panel members like I have previously on different local boards whether it is those related to charitable organizations such as like Read Across America, whether it is related to religious boards that they may belong to such as I

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have. Anyway, that they can give back and serve. We are all very busy and it fairly difficult to try to set aside that time but any time that you can give back and try to extend some time to community service, I think it is helpful.

SENATOR WINFIELD (10TH): Thank you. Further questions, comments from members of the committee. Representative Rebimbas.

REP. REBIMBAS (70TH): Thank you Mr. Chairman. Good morning Your Honor.

THE HONORABLE SYBIL V. RICHARDS: Good morning.

REP. REBIMBAS (70TH): Your Honor I want to thank you for your application. I think it was very thoroughly completed. I do want to ask you regarding question 24, and it just talks about the number of times that maybe you have issued a late decision in a matter.

THE HONORABLE SYBIL V. RICHARDS: Yes.

REP. REBIMBAS (70TH): Obviously without looking into these cases specifically, I am not able to determine if this was several years ago or most recently but there were several occasions that occurred. Can you just maybe just let us know that what have you done within your office for yourself in order to try to avoid this from reoccurring.

THE HONORABLE SYBIL V. RICHARDS: So, I try to take measures to keep track using the branches system. There is a system, I am not going to use the name of it. I am not sure that it is a matter of public

record, but they have a software program and I try to make use of that in order to keep track of different deadlines, and it is a really good software program. There are occasions when things may fall through the cracks and unfortunately that may have happened from time-to-time. I try to be much more aware of it and take steps and measures to make sure that does not happen again. Fortunately, in the few occasions when that has occurred, they were minor matters. One dealt with compliance in terms of request to make sure that the other side complied with discovery issues, but nothing was earth shattering. However, I do not want to make sure that I convey to you that those were minimal but I do take a priority in making sure that I try to keep track of all of my matters, no matter whether they are important or what some would consider to be trivial or not important, and so I do try to use that software. I used to many years ago have my own paper list as a backup, it became too will the because we all have very heavy dockets and I am one of those.

REP. REBIMBAS (70TH): I appreciate your response. Thank you, Your Honor. Thank you, Mr. Chair.

SENATOR WINFIELD (10TH): Thank you. Questions, comments from other members of the committee. Seeing none. Thank you very much for joining us today.

THE HONORABLE SYBIL V. RICHARDS: Okay, thank you very much.

SENATOR WINFIELD (10TH): Next, we will hear from the Honorable Dan Shaban of Middlebury, and when you are ready raise your right hand. Do you swear or

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affirm as the case may be that the information you will provide to this committee will be the truth, the whole truth and nothing but the truth so help you God or under penalty of perjury?

THE HONORABLE DAN SHABAN: So, swear.

SENATOR WINFIELD (10TH): Thank you and you may make your statement when you are ready.

THE HONORABLE DAN SHABAN: Thank you. Good afternoon SENATOR Winfield and Representative Rebimbas. I would like to thank you and the members of the Judiciary Committee for giving me the opportunity to appear before you today. I would also like to thank Governor Lamont for his confidence in nominating me for a third term as a Judge of the Superior Court. It has been an honor and a privilege for me to serve the citizens of the State of Connecticut in my capacity as a judge. Following my appointment in 2004, I was assigned to the GA18 in Bantam where I handled both criminal and housing matters. Next, I was assigned to the New Britain Judicial District for a year where I heard civil matters. For the next three years I was assigned to the Danbury Judicial District where I heard various matters, and following that period of time I was the Assistant Administrative Judge in Litchfield Judicial District where I again heard various matters. My next assignment was to the Complex Litigation Docket where I sat for over three years and following that I served as the Administrative Judge for the Danbury Judicial District for a period of five years. During my time in Danbury, I also had the opportunity and privilege to sit and hear cases my designation on the

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Appellate Court. Upon completion of my duties in Danbury, I once again was assigned to the Litchfield Judicial District where I currently sit as the Assistant Administrative Judge handling all types of matters. During my tenure as a judge, I have served as a member of the Public Service and Trust Commission and the Cultural Competency Committee. Through the Judicial Branches Speakers Bureau, I have appeared before various civic organizations and schools. I have also regularly participated in State High School Mock File Program by acting as a judge, recruiting other judges to participate, organize and overseeing the use of the courthouse for the regional competitions, and I have served as a judge in the finals of the national competition. I found all of my assignments both challenging and rewarding in every way and it has been an absolute pleasure to work with such talented and dedicated colleagues. I would also be remiss if I did not acknowledge the wonderful clerks, staff and marshals that I have had the good fortune to be associated with and have provided such excellent support to me and the other judges in our effort to execute our duties. During my term, it has been my practice to treat both those who come before me and those who work with me with the same dignity and respect that has been kindly shown to me. It is my sincere hope that you will allow me the honor of serving the citizens of this state for another term as a Judge in the Superior Court. I thank you for your kind attention. I would be happy to answer any questions that you might have.

SENATOR WINFIELD (10TH): Thank you. Questions, comments from members of the committee.
Representative Smith.

REP. SMITH (108TH): Thank you Mr. Chairman and Judge welcome and nice to see you here as opposed to in the courtroom.

THE HONORABLE DAN SHABAN: Thank you.

REP. SMITH (108TH): We have had the good pleasure of appearing before Your Honor on a number of different matters, criminal matters and civil matters and one thing for the committee I will note is that Judge Shaban has always handled his courtroom with diplomacy, with courtesy, with respect to everybody who appears before you Judge, and you know that is appreciated not only by the Bar but I am sure by the public as well. As you know, there is more and more people who represent themselves who appear in court and are naturally nervous and while you certainly would like to follow the rules and you should follow the rules, you make everybody feel comfortable and welcomed in your courtroom, so thank you for that. I guess the only thing I would say is in the number of years that I have appeared before you, I would ask you to consider that for those legislators who do appear before you that sometimes we get bogged down up here and I know you have, especially as Administrative Judge, trial dates and certain dates you would love to adhere to, we would love to adhere to them as well. Sometimes this part-time job gets in the way, and I just ask you to keep that in mind.

THE HONORABLE DAN SHABAN: And certainly, I would Mr. Smith, Representative Smith, and certainly I know that more than one practitioner who are also members of this committee are in the same position

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and certainly the court is not sitting there simply with blinders on. It certainly understands that people have different obligations of significance and certainly the court always tries to take that in account in scheduling the courts business.

REP. SMITH (108TH): I appreciate that Judge and congratulations and continued success.

THE HONORABLE DAN SHABAN: Thank you.

SENATOR WINFIELD (10TH): Representative Harding.

REP. HARDING: Thank you Mr. Chair, and I just want to echo Representative Smith's words. As a young attorney, I had the fortunately opportunity of being in front of you multiple times in Danbury and the level of decorum and respect and diplomacy that you hold the courtroom is very impressive, and as a young attorney you just made me feel comfortable in your courtroom, and that there is not a lot of judges I can say that about. I always felt comfortable. I knew that I would get treated with respect and I really learned a lot by the way that you held the courtroom and you taught me a lot in a way, and I cannot think of a better judge to be representing the State of Connecticut. So, congratulations and I look forward to your appointment again.

THE HONORABLE DAN SHABAN: Thank you for your kind words.

SENATOR WINFIELD (10TH): Thank you and are there other comments, questions from members of the committee. Seeing none. Thank you very much for

appearing before us today.

THE HONORABLE DAN SHABAN: Thank you Senator.

SENATOR WINFIELD (10TH): Next we will hear from The Honorable Kenneth L. Shluger of Waterford. Raise your right hand. Do you swear or affirm as the case may be that the information you will provide to this committee will be the truth, the whole truth and nothing but the truth so help you God or under penalty of perjury?

THE HONORABLE KENNETH L. SHLUGER: I do.

SENATOR WINFIELD (10TH): You may make your statement.

THE HONORABLE KENNETH L. SHLUGER: Thank you. Good afternoon Chairman Winfield, Senator Kissel, Representative Blumenthal and Representative Rebimbas and distinguished members of the panel. My name is Kenneth Shluger and I am honored to have been given the opportunity to appear before you today as you consider my reappointment. I want to thank Governor Lamont for nominating me. I have been a Judge of the Superior Court since 2004, although I have had the opportunity of hearing all types of cases. I have chosen Family Law as my primary focus and I am currently the Presiding Judge of Family in the Norwich, New London Judicial District. My commitment is to provide every person who comes before with a fair understandable and meaningful hearing and then to issue a well-reasoned decision resolving the issues at hand. I firmly believe that people who come to court need the sense of having been heard and to be treated with dignity

and respect at all times. In addition to my work on the bench, I remain active in my community and with the Organized Bar Associations. I currently co-chair the Hartford County Bar Bench Bar Committee and Chair the Connecticut Bar Associations Professionalism Committee for many years. These positions have given me the opportunity to encourage civility, ethics and professionalism in the practice of law. In fact, I have recently been chosen to receive the Connecticut Bar Association's 2020 Professionalism Award. I serve as a mentor to a Civics' Education Class in intercity New London and coach its mock trial team. Also, my wife and I serve as a host family to two cadets at the US Coast Guard Academy in New London. I am thankful for having the opportunity to have served as a Superior Court Judge, a responsibility which I take seriously each and every day and I would be most grateful to be considered for a third term. Thank you.

SENATOR WINFIELD (10TH): Thank you. Comments or questions from members of the Committee. Seeing none. Thank you very much for joining us today.

THE HONORABLE KENNETH L. SHLUGER: Apparently, I over prepared. Thank you, sir. [Laughing]

SENATOR WINFIELD (10TH): There is nothing wrong with that. Next, we will hear from The Honorable Hillary B. Strackbein of Guilford. When you are ready raise your right hand. Do you swear or affirm as the case may be that the information you will provide to this committee will be the truth, the whole truth and nothing but the truth so help you God or under penalty of perjury?

THE HONORABLE HILLARY B. STRACKBEIN: I do.

SENATOR WINFIELD (10TH): You may make your statement.

THE HONORABLE HILLARY B. STRACKBEIN: Thank you and good afternoon Senator Winfield and distinguished members of the Judiciary Committee. I am honored to be given the opportunity to appear before you today and I also want to thank Governor Lamont for nominating me for reappointment for a third term as a Superior Court Judge. I was appointed to the bench in November of 2003 and reappointed in 2012, and since my last reappointment I have been in New London County where I am currently the Administrative Judge and Presiding Judge for criminal matters. I am extremely lucky to be in New London County where the lawyers, staff and my colleagues are superlative and just a pleasure to work with. It is hard to believe 16 years has gone by. It has been a privilege and an honor for me everyday to have the opportunity to serve the people of the State of Connecticut as a Superior Court Judge. I strive to see everyone who appears before me with respect and fairness and I would be grateful to this committee and the General Assembly for your approval for my renomination for a third term and I would be happy to answer any questions.

SENATOR WINFIELD (10TH): Thank you. Are there comments, questions from members of the committee. If not, thank you very much for joining us today.

THE HONORABLE HILLARY B. STRACKBEIN: Thank you very much.

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SENATOR WINFIELD (10TH): Next we will hear from The Honorable Mark H. Taylor of West Hartford. When you are ready, raise your right hand. Do you swear or affirm as the case may be that the information you will provide this committee will be the truth, the whole truth and nothing but the truth so help you God or under penalty of perjury?

THE HONORABLE MARK H. TAYLOR: I do.

REP. STAFSTROM (129TH): When you are ready, you may make your statement.

THE HONORABLE MARK H. TAYLOR: Good afternoon Mr. Chairman and other members of the committee. I would like to thank you and the members of the committee for taking the time to hear my renomination by Governor Lamont. My thank as well to serve for a third term as a Judge of the Superior Court. I worked in the Criminal, Family, and Civil Divisions as a judge in Bridgeport, Bristol, Meriden, Middletown, Waterbury and now in Hartford. Since I was last before the committee in February of 2012, I have been assigned as the Presiding Judge of all civil matters in Waterbury and the Administrative Judge for the Waterbury Judicial District and now I serve as a Civil Trial Judge in my home court here in Hartford. It is truly a privilege to serve Connecticut and its citizens as a trial judge and I hope that I have earned and continue to deserve your trusts or begin for another eight years. If you have any questions, I will try to answer them as best I can.

REP. STAFSTROM (129TH): Thank you Judge Taylor. Questions from the committee. Senator Bradley.

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SENATOR BRADLEY (23RD): Thank you. Good morning
Your Honor.

THE HONORABLE MARK H. TAYLOR: Good morning.

SENATOR BRADLEY (23RD): I am noticing here on your
response to 21, I think it is the first application
I saw that you have never had a grievance or
complaint lodged against you. I am just wondering
you served in both family and criminal court, how
you have managed to do that. Maybe you can shed
some light.

THE HONORABLE MARK H. TAYLOR: I had one in 2004. I
think the question was related to the last term.

REP. STAFSTROM (129TH): Okay, so one.

THE HONORABLE MARK H. TAYLOR: Since that time, I
have only served on the civil side. Family was
before my assignment to civil, so I did not have any
during my family assignment either.

SENATOR BRADLEY (23RD): Okay, thank you.

REP. STAFSTROM (129TH): Thank you. Further
questions from the committee. Representative
Rebimbas.

REP. REBIMBAS (70TH): Thank you Mr. Chairman, and I
think it is good afternoon now but good afternoon
Your Honor. Congratulations on your renomination.
What a loss for Waterbury. Certainly I just wanted
again, you know, extend compliments that you are
certainly one of the individuals that are so well

highly respected, not only by your colleagues but the individuals who come before you, so I just wanted again to congratulate you on your reappointment, and it looks like you guys could have had a Waterbury reunion here at the LOV today. So, I am sure that is a nice thing too, to see familiar faces but again congratulations and look forward to seeing you through your reappointment.

THE HONORABLE MARK H. TAYLOR: Thank you very Representative Rebimbas.

REP. STAFSTROM (129TH): Further questions or comments from the committee. Seeing none. Thanks for being with us Judge.

THE HONORABLE MARK H. TAYLOR: Thank you very much.

REP. STAFSTROM (129TH): Next up will be The Honorable Theodore R. Tyma of Trumbull. Judge Tyma welcome.

THE HONORABLE THEODORE R. TYMA: Thank you.

REP. STAFSTROM (129TH): If you could raise your right hand. Do you swear or affirm as the case may be that the information you will provide to this committee will be the truth, the whole truth and nothing but the truth so help you God or under penalty of perjury?

THE HONORABLE THEODORE R. TYMA: I do.

REP. STAFSTROM (129TH): Great. You can now begin your opening statement.

THE HONORABLE THEODORE R. TYMA: Good morning Senator Winfield, Representative Stafstrom, Senator Kissel, Representative Rebimbas and Representative Blumenthal. My name is Theodore Tyma. It is my third time appearing before this committee. It is my honor and privilege to appear before you today and to serve the public as a Superior Court Judge for the past 16 years. I would like to thank Governor Lamont for nominating me for reappointment. Since I last appeared before the committee in 2012, I had been assigned to the Civil Division. During the 2009 to 2014 court term, I was the Administrative Judge for the Judicial District of Bridgeport and I was assigned to the Civil Docket in my duties. Since the court term beginning in September 2014, I have been assigned to the Judicial District of Ansonia, Milford. I sit in Derby. I am one of the two judges responsible for the administration of the Civil Docket. I am also the Assistant Administrative Judge for the District and the Presiding Judge for the Civil Division. At times I have covered the GA Criminal Court and Housing Docket in Derby. I would be most grateful for the opportunity to serve another term and welcome any questions you have concerning my application.

REP. STAFSTROM (129TH): Questions from the committee. Representative O'Dea.

REP. O'DEA (125TH): Thank you Mr. Chairman. Good afternoon Your Honor.

THE HONORABLE THEODORE R. TYMA: Good afternoon Representative O'Dea.

REP. O'DEA (125TH): Thank you for your service. Just to let the members of the committee know, although I have never tried a case with you, I have utilized your services in mediations and let other members know that Judge Tyma is well known as one of the best judges in settling cases. Frankly, making me pay too much money on cases where I am a defendant, but I do appreciate Your Honor's hard work and reputation, and thank you very much for your service.

THE HONORABLE THEODORE T. TYMA: I appreciate your comments very much.

REP. O'DEA (125TH): Thank you Mr. Chairman.

REP. STAFSTROM (129TH): Further questions or comments from the committee. Seeing none. Thank you Judge Tyma.

THE HONORABLE THEODORE T. TYMA: Thank you, I appreciate it.

REP. STAFSTROM (129TH): Next up will be The Honorable Elpedio Vitale of Madison. If you could raise your right hand. Do you swear or affirm as the case may be that the information provided to this committee will be the truth, the whole truth and nothing but the truth so help you God or under penalty of perjury?

THE HONORABLE ELPEDIO N. VITALE: I do.

REP. STAFSTROM (129TH): Go ahead and give your opening statement.

THE HONORABLE ELPEDIO N. VITALE: Good afternoon Chairman Winfield, Chairman Stafstrom, Senator Kissel, Representative Rebimbas and members of the Judiciary Committee. It is great honor to appear before you today. I would also like to thank Governor Lamont for nominating me to a third term as a Superior Court Judge. I was appointed to the bench in August of 2003. Since that time, I have served in New Haven, Hartford, New Britain, Middletown and Waterbury courts. My assignments have been challenging and rewarding. I have mainly been a Criminal Trial Judge for the past eight years. It has been an honor and genuine privilege to serve the citizens of the State of Connecticut as a Superior Court Judge these past 16 years. It is an important responsibility and I strive to ensure on a daily basis that each person who appears before me is treated fairly and with respect. I hope that you act favorably on my renomination. I will be happy to answer any questions you may have.

REP. STAFSTROM (129TH): Thank you Judge. Questions from the committee. Representative Miller.

REP. MILLER (145TH): Thank you and good afternoon Your Honor and congratulations on your renomination. I just had a quick question. Question #21, where we ask about complaints filed against you since your last nomination. Francis Anderson had filed two complaints. Can you tell us the difference between complaint #3 in December 5, 2016 and complaint #4 May 19, 2016?

THE HONORABLE ELPEDIO N. VITALE: Actually he filed four separate complaints Representative Miller, and that was a situation in which he was represented by

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counsel at trial and the grievances were filed by him after trial, more I think that there was one I think that was filed at the conclusion of evidence and before sentencing, which I brought up to counsel as they should have pursuant to the Cannons 1-22. He basically in each grievance was contesting certain rulings I made during the course of the trial, the outcome of the trial, the sentence that was imposed, they were repetitive is the best way to put it.

REP. MILLER (145TH): All right, thank you very much.

REP. STAFSTROM (129TH): Further questions from the committee. Seeing none. Thank you for being with Judge.

THE HONORABLE ELPEDIO N. VITALE: Thank you.

REP. STAFSTROM (129TH): We will move on. Next item on our agenda is nominations for the Workers Compensation Commission, Soline Oslena. Commissioner welcome back. If you could raise your right hand. Do you swear or affirm as the case may be that the information you provide to this committee will be the truth, the whole truth and nothing but the truth so help you God or under penalty of perjury?

SOLINE OSLENA: I do.

REP. STAFSTROM (129TH): Great. Thanks. You can give your opening statement.

SOLINE OSLENA: Good morning Senator Winfield,

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Senator Stafstrom, ranking member Kissel, ranking member Reimbias and members of the Judiciary Committee. My name is Soline Oslena of Oakdale. It is a great honor and privilege to be here today regarding my nomination as a Workers Compensation Commissioner. I am grateful to Governor Lamont for this nomination and his confidence in my ability to continue to serve the citizens of Connecticut as a Workers Compensation Commissioner. I am married to Leo Paul Pier-Lewis and we have three children. Our oldest daughter is Selina Morales. She is 21 years old and a United States Marine, currently stationed in North Carolina. Our son, Alex St. Lucent is 16 years old and a junior at the Montville High School and our youngest daughter, Leona Pier-Lewis is 8-years-old and a third grader in Oakdale Elementary. I am honored to have had the privilege to work as an interim Worker's Compensation Commissioner for the past four months. This experience has been very transformative for me. It has provided me with the opportunity to not only hone my legal skills but also to practice effective and respectful engagement with hearing participants. In this capacity, I conduct multiple hearings everyday on various issues including compensability, medical benefits, temporary total benefits, disfigurement and many more. My prior practice experience coupled with the experience of being a commissioner for the past four months has laid the foundation for my ability to continue to practice in that capacity for the next five years. My understanding of complexities of the law and of human nature has proven essential in holding effective hearing and coming to an appropriate resolution of matters before me. In addition to the tangible, analytical reasoning and writing skills necessary for the position of being a

commissioner, I also have the integrity, impartiality, patience and diplomacy that is required to continue on with this position. I have thoroughly enjoyed working as a commissioner for the past four months, and I would be honored with the privilege to continue in this capacity and be confirmed as a Workers Compensation Commissioner for the next five years. I humbly ask for your support and I thank you for your time. I am happy to answer any questions the committee may have of me.

REP. STAFSTROM (129TH): Questions from the committee. Senator Bradley followed by Representative Conley.

SENATOR BRADLEY (23RD): Good afternoon Commissioner. The Black and Puerto Rican caucus was made aware of a commissioner's decision that said that undocumented workers were not entitled to Workers Compensation benefits. This happened as recent as last year, and I believe the former commissioner brought it to our attention, Commissioner Vargas. What is your position on that as far as what the law reads on that and what is your take on an undocumented worker being able to have Workers Compensation offered to them if injured?

SOLINE OSLENA: My understanding is that there is provision in the Workers Compensation statute that allows for an undocumented worker to receive certain benefits and certain benefits are not available to them and what I do is simply apply the benefits that are available to documented workers.

SENATOR BRADLEY (23RD): Is that a line of

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questioning that is typical or normal for a commissioner to inquire into the status of a person or would that be not a relevant line of questioning to be asked in those type of proceedings.

SOLINE OSLENA: Usually the matter, whether or not a claimant is entitled to certain benefits, whether it be temporary total or temporary partial, their status is generally not a question that the commission would raise.

SENATOR BRADLEY (23RD): And lastly, it is probably a question directed to P. Carroll is we do not have, what we have had for the other judges, which is kind of the Connecticut Judicial background biographical information for the commissioner. I am not sure if that is left out for commissioners or if that was not offered to her, but I always find it interesting to see what commissioners and judges do outside of their role of profession. So maybe you can enlighten us and give us some background, if any in terms of what you do outside of your official roles or capacity. I think questioning is if you are involved in any boards or commissions or received any honors or awards during your past tenure.

SOLINE OSLENA: I am not involved directly in any committees or boards. I am very involved in my children activities, school activities so I take part in their after school. I get involved in sports activities. I am on the Booster. I am also on the Parent Teacher Conference Committee, the PTA. I am very much involved in church.

SENATOR BRADLEY (23RD): Thank you very much. Thank you for your service.

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SENATOR WINFIELD (10TH): Senator Bradley, the packages that are presented to you are put together by the committee. If there is something that is not in the packet that you need, you should make the committee aware, maybe we will endeavor to get that for you.

SENATOR BRADLEY (23RD): I am just noticing that in the back, this part is not on hers.

SENATOR WINFIELD (10TH): Noted. Representative Conley followed by Representative Miller.

REP. CONLEY (40TH): Thank you Mr. Chair. Commissioner Oslena, as you know you were a fellow attorney with me in Norwich County and now you are sitting on the commission. I just wanted to make the members of the committee aware that over the last few months since this interim appointment, Commissioner Oslena has risen to the occasion. Members who appear before her on all area of the bars have commented to me saying not only that she is fair but she is moving the docket along, which is always, as we know an issue to make sure our dockets move quickly and fairly through system and not only the attorneys but personal litigants have been speaking very highly of this commissioner and her work before them. So, I appreciate your hard work, your patience and listening to issues with a fair sense as well as a quick sense to resolve matters.

SOLINE OSLENA: Thank you for your kind words.

SENATOR WINFIELD (10TH): Thank you Representative. Representative Miller.

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REP. MILLER (145TH): Thank you and congratulations on your nomination. I just needed some clarification. Can you explain the process to me? I thought I heard you say that you have been a commissioner for the last four months on an interim basis.

SOLINE OSLENA: Yes, that is correct. I was appointed September of last year. I went to a two-week training process and I have been working since October 1. I have been handling my own docket, in which I preside over hearings.

REP. MILLER (145TH): So today is just to make it official?

SOLINE OSLENA: That is correct.

REP. MILLER (145TH): Okay. Yes, I am new to this as well, so I did not understand the process that you are hired as an interim until you come before the General Assembly to be approved. Thank you very much and again congratulations on your nomination.

SOLINE OSLENA: Thank you.

REP. STAFSTROM (129TH): Representative she actually appeared and had an interim confirmation as well. She was not just hired. Are there other questions or comments from members of the committee. Thank you very much for joining us today.

SOLINE OSLENA: Thank you.

REP. STAFSTROM (129TH): That is the end of the list

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of the Judges and Workers Compensation Commissioners. We are going to go into the public portion and the first person who is on the list is Ed Gavin from the Connecticut Criminal Defense Lawyers Association. Thank you, you may begin.

EDWARD GAVIN: Thank you. Good afternoon Chairman Winfield, Chairman Stafstrom, Senator Kissel, Representative Rebimbas, Representative Blumenthal, Representative O'Dea and Senator Bradley and distinguished members of the Judiciary. My name is Edward Gavin. I am the past president of the Connecticut Criminal Defense Lawyer's Association. We are an organization of 350 practicing criminal defense lawyers. For the past 10 years I have appeared before this distinguished committee and submitted commentaries from our members. I came up here last week and met with George and presented 55 copies for all of you. These are comments on the judges and the trial referees that are up for reappointment for your consideration and the good work that you all do here today. So, I am here on behalf of the organization and our current president, Vicky Hutchinson, and we thank you for the time and effort that you have put in here. We believe we are the only organization in the state that provides this input to you for these challenging decisions that you have. Just a few quick points. The gentleman that is sitting to my right, Judge Carroll, is someone that I know for a very long time and have not had a chance to say good morning to him today but the comments regarding Judge Carroll are nothing short of exceptional. He is without a doubt, in my opinion, the hardest working man in Connecticut. He works tirelessly. He is involved in our organization. When we have

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questions, he is always there to help whether it is a Saturday or Sunday and I just honestly think that he does an exceptional, exceptional job. There are a number of other judges that are here that you have heard from. Judge Blawie from Stamford is an outstanding jurist. Judge Iannotti, which you have seen our commentaries, one of the highest and most well-regarded criminal judge in the state. He is universally beloved and respected by prosecutors, staff and defense lawyers. Judge Strackbein is before you this morning. I did not get a chance to say hello to her either. She was one of the top prosecutors in Bridgeport Juvenile Court and is so fair and reasonable and practices up in New London. Judge Tyma is here, best of the best. Recognized statewide for his tremendous skill at analyzing difficult and complex civil cases. People flock to him because of his skills, just a tremendous jurist. There are a number of other judges that are up as trial referees, Judge Arnold in Bridgeport is a terrific judge, Ed Dolan is beloved. Michael Hartmere is a terrific judge. Two special ones, if I may, Judge Holden who sits in Bridgeport. I just tried a case with Judge Holden and Judge Kaplan both exceptional hardworking, highly respected individuals. I thank you for your time and here to answer any questions that the committee might have. Thank you.

SENATOR WINFIELD (10TH): Thank you, and I should say thank you again for providing that list and the work that goes into making that list to the committee. Are their comments or questions from members of the committee. Senator Bradley.

SENATOR BRADLEY (23RD): The tremendous work that

you do Attorney Gavin in the City of Bridgeport and the advocacy you do here to inform the legislature in terms of judge performance and the overall sentiments of how they have been doing as they officiate in their capacity as judges. I wanted to ask you a question. As you see here a lot of times family judges and criminal judges often times get grieved. Most of the times baseless. That happens, I think, also in private practice where attorneys who practice in criminal law or family law often time also get grieved. Much to my dismay, I do not often times see private attorneys becoming appointed and becoming judges. I think it is a unique perspective that is needed on the bench when someone has been on the other side of being a defense attorney or been a family attorney. How would your organization go about encouraging your members to seek judicial appointment and to go through the process? In light of the fact that they might have been grieved and often times frivolously.

EDWARD GAVIN: Well, it is a great question Senator Bradley. I think that we all are aware within the next couple of years, there is going to be a great departure of distinguished judges and we need a new crop of individuals to come in and apply. Sometimes criminal defense lawyers are last on the list. It seems that state employees, public defenders or prosecutors seem to have a leg up on us, but we are encouraging our members. We would like to see individuals in their 30's and 40's come in that have long distinguished careers ahead of them apply to become judges of the Superior Court, and as an organization we are encouraging that.

SENATOR BRADLEY (23RD): Thank you.

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SENATOR WINFIELD (10TH): Thank you Senator. Other comments or questions from members of the committee. Representative O'Dea.

REP. O'DEA (125TH): Thank you Mr. Chairman. Just briefly, thank you very much for your service. As I understand, you serve as a Chair of the committee looking at judicial reappointments.

EDWARD GAVIN: Yes sir.

REP. O'DEA (125TH): And you provide this information to Judicial Selection Commission as well, correct.

EDWARD GAVIN: Yes. We provided to Judicial Selection and we provided to the Judiciary Committee. We also provided to Judge Carroll's office in advance of the proceedings.

REP. O'DEA (125TH): It is very helpful and thank you very much for your service to the state. Thank you, Mr. Chairman.

EDWARD GAVIN: Thank you.

SENATOR WINFIELD (10TH): Thank you. Comments or questions from other members. Seeing none. Thank you once again for bringing this to us.

EDWARD GAVIN: Thank you Senator.

SENATOR WINFIELD (10TH): Next, we will hear from Damisha Moore. Good morning.

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DAMISHA MOORE: Good afternoon. Thank you for allowing me to speak today before you. I am here to speak of a life altering incident that happened to me that could have played out very differently had Judge Shaban taken more time to do his proper diligence before assigning my and husband, myself and husband's arrest warrant. Why the situation worked out legally for me, I know others in the community may not have the resources or means for trial and therefore will likely not be as fortunate if these practices continue. I am a lifelong Danbury resident and a prior businesswoman in the community. I was arrested along with my husband in June of 2016. I had the opportunity to stand trial for these charges in January of 2019. During my trial, Judge Shaban signed my arrest warrant and an arrest warrant that contained information illegally obtained by a leading Connecticut General Statute 36A-43. It is similar to the police entering your home without a warrant and going through your most personal things such as your underwear drawer, finding evidence as they claim and arresting you for it. During the trial this error was discovered. My attorney also found evidence that Judge Shaban had my cases moved to another jurisdiction based on his false belief that I had open cases in that jurisdiction, which I never did. The case was eventually moved back to Danbury as a change of venue was not discussed or approved by any of the other parties involved such as the state's attorney or my attorney. How is it possible for one person to make a unilateral and improper decision in my case without proof or support of his decision. I do not know but it happened, and it was wrong. I understand that we are all human and we make mistakes. However, when Judge Shaban was given the

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opportunity to explain his wrongdoing at my trial, he refused to testify. Therefore, I have to sit and wonder if a mistake was actually made, why has not Judge Shaban acknowledge the possible error. Maybe since Judge Shaban signs warrants all the time that are not legally efficient, he sees nothing wrong with his action. I do not know because Judge Shaban has never explained himself. Why some may think that this is just an unfortunate string of events, the impact the charges and the court wrongfully combing through my personal finances has resulted in feelings of sadness and anger but most importantly personal violation along with violation of my human and civil rights. As a judge, Judge Shaban is the last sign of defense when prosecutors overstep the law for personal reasons or plain laziness. Furthermore, he has a duty to treat all people fairly and administer the law equally, which he has failed to do when he executed the warrants from my husband's arrest and mine that contained illegally obtained information. This is wrong and we as the residents of the community cannot accept Judge Shaban or other judges rubberstamping their names on documents that will impact, and change others' lives forever. Some may ask, since I was not found guilty what is the big deal. The big deal is our judges must be held accountable for their actions because for everyone like me that can hire an attorney, there are two people that cannot, and improper warrants are used to arrest and sentence them to jail. If Judge Shaban's actions can alter my life, it can happen to anyone. Thank you for listening.

SENATOR WINFIELD (10TH): Thank you. Comments, questions from members. Senator Bradley.

SENATOR BRADLEY (23RD): Thank you ma'am for having the courage to come up here. I know that is not an easy thing and we appreciate your testimony and we do not take it lightly. Can you enlighten us, did you file a formal grievance on what happened on that occurrence and if so, what happened to the grievance?

DAMISHA MOORE: Yes, the Judiciary Board explained to me that it was timestamped, that it was not from the date that was discovered during my trial, which I think you guys should take notice to that. That it is not the date I discovered, it is from the date of the actual act and because of that it was time barred, which makes no sense to me because I did not discover it until the trial itself. So, all I got a letter is that it is time barred and no one will hear me, which leads me here today.

SENATOR BRADLEY (23RD): Thank you ma'am. I am unsure if this question goes to the co-chairs or to whom it should be directed to but is there anyway that we can get a copy of the grievance or the complaint that was lodged at the time, that is of note that we could acquire or something we can get.

DAMISHA MOORE: I have it.

REP. STAFSTROM (129TH): Senator, we can certainly ask for a copy of the grievance that was filed and the record decision but let me just ask a couple questions, if I can. So, it is your claim that you were, that evidence was illegally obtained and used for the purpose of establishing probable cause for a warrant to issue against you, correct.

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DAMISHA MOORE: Correct.

REP. STAFSTROM (129TH): Is it your contention that Judge Shaban knew that evidence was illegally obtained presumably by a local police department or some other law enforcement agency at the time the warrant was signed.

DAMISHA MOORE: If you clearly read the warrant, the detective states the day she got the information, which is prior to legally getting the warrant signed. I can give you a little background. She issued a warrant for my financial records, that they did not check the box to have my appearance waived. So they served the warrant on the bank, got the information and then a state's attorney found out the wrongdoing of the warrant and they went to the same judge and submitted another warrant for the same information that they had for three weeks, and he gave them another warrant and they did it correctly and I was arrested.

REP. STAFSTROM (129TH): Give me the timeline again, so there was a warrant issued. The warrant issued to the bank to retrieve certain financial information.

DAMISHA MOORE: Correct.

REP. STAFSTROM (129TH): And that was signed by Judge Shaban.

DAMISHA MOORE: That was signed by Judge Truglia. Judge Shaban is who signed my arrest warrant.

REP. STAFSTROM (129TH): Okay, so a different judge

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signed the first warrant.

DAMISHA MOORE: Correct. I do not believe it is by law they cannot do both. Correct.

REP. STAFSTROM (129TH): Okay. Further questions from the committee. Representative Miller.

REP. MILLER (145TH): Thank you Mr. Chair. So, and I guess I know you were speeding, you were trying to get everything in. So, I need a timeline because I am confused as to what your compliant is and the what happened to lead to your complaint.

DAMISHA MOORE: Okay, on March. Well, this information was not divulged to me until testimony under trial of the actual detective in January of 2019. So, when the actual warrant for my financial records were done, I went to the Clerk's office in the City of Danbury and the new warrant was in there. So, say the first warrant was signed March 1ST, the new warrant was signed March 28TH and the new warrant, in the body of the new warrant for my financial records, it said on March 28, 2016 that there was another warrant that was done incorrectly. That warrant never made it to trial or ever in the Clerk's office, so I went to the Danbury, I discussed it with the clerk and the clerk said every warrant is, by law, is required to be returned to the Clerk's office but it was never there. It miraculously disappeared. It never even made it to my trial. So, I went to the Police Department and filed a grievance against, well a complaint I should say, against the officer, which was sustained by the Danbury Police Department that they did it incorrectly. I have never seen the first warrant,

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so I do not know where is it or the dates because my attorney or myself went to trial and we never got it. So, from the body of the warrant on March 28TH I knew there was another warrant because the officer said we did the warrant wrong, we returned the information, they never looked at it. During my trial, because you know when someone gets an arrest warrant for you, they have to, the Police Department must have a computer system where they add things each day. You know where they update your file or whatever they are working on the case. So, on one of the papers when she submitted her supplemental report for the warrant for my arrest, it had the date of March 23RD and she describing what I am spending in my accounts but yet the correct warrant was not signed until March 28TH. So your issue is that they brought information to your trial before the actual warrant was, the official warrant, the second warrant was effective because the first warrant you said that it was done incorrectly and so they used all of that information under the first warrant.

DAMISHA MOORE: Obtained arrest warrant and then Judge Shaban, when it all came out moved my cases to Waterbury with the way that it is supposed to do by statute, so then the prosecutor signed a motion to have it moved back to Danbury, which it was and then my lawyer asked Judge Shaban to testify to this during the trial, why did you move these cases, did you move these cases because of this arrest warrant, because you are the one that signed the arrest warrant, and he refused to testify. He refused to testify to even say if there was an error. He refused to testify to tell us anything. He just pushed me to the side, pushed me under the rug and

by the Grace of God, I got found not guilty. I did a judicial review and then that led me here because I got no justice.

REP. MILLER (145TH): And what was your complaint with Judicial Review.

DAMISHA MOORE: My judicial review is the same thing as I am stating here that Judge Shaban signed an arrest warrant for my arrest, giving me a \$25,000 cash bond and with information that was obtained illegally. If you would have read the body of the warrant, you would see that she got the information prior to what she is stating. That is, I do not, the justice is not there because instead of skimming through the warrant, read every paragraph of what this officer or this prosecutor that you may be laying in bed with is giving you. That is all. It could be fixed.

REP. MILLER (145TH): If I may Mr. Chair.

REP. STAFSTROM (129TH): Please proceed.

REP. MILLER (145TH): Thank you. So, and I guess, so Judge Shaban signed the arrest warrant using the information from the first warrant. Is that what you are saying.

DAMISHA MOORE: He used the, I am not sure who told who the lie but I believe it was submitted to him, that he got the information from the second warrant, but if you read through it, you will see the second warrant was not signed until March 28TH. How did she know what I spent the money on, on March 23RD if you just read it, but of course, I am going to read it

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with a fine tooth comb because it is me? The judge obviously did not look to what they were signing because they make friends with all of these people in these courthouses, instead of them having to bear and having people present it to them correctly, all the prosecutors, everyone is friends.

REP. MILLER (145TH): So, the arrest warrant made reference to March 23RD and that is what you are saying before the second.

DAMISHA MOORE: The arrest warrant she explains what I spent the money on.

REP. MILLER (145TH): The money on.

DAMISHA MOORE: Correct.

REP. MILLER (145TH): All right, thank you.

DAMISHA MOORE: Thank you.

REP. MILLER (145TH): Thank you Mr. Chair.

REP. STAFSTROM (129TH): Thank you Representative Miller. Further questions from the committee. Senator Bizzarro.

SENATOR BIZZARRO (6TH): Thank you Mr. Chairman. Good afternoon ma'am. So, you were represented by counsel throughout the trial.

DAMISHA MOORE: Yes, I was.

SENATOR BIZZARRO (6TH): Okay, and can you tell us who that was.

DAMISHA MOORE: Norm Pattis.

SENATOR BIZZARRO (6TH): Okay and did Attorney Pattis file anything in relation to this issue on your behalf.

DAMISHA MOORE: No.

SENATOR BIZZARRO (6TH): Okay, and I am just trying to understand. So isn't it possible that the information was obtained through the warrant issued on the 28TH?

DAMISHA MOORE: No.

SENATOR BIZZARRO (6TH): Okay, why is that.

DAMISHA MOORE: It is not possible, because I have testimony from the officer, and I have the information that you obtain. There is no way sir, we cannot go back in time. You cannot describe what I spent on March 23RD if the correct warrant was not signed until March 28TH. Time only goes one way.

SENATOR BIZZARRO (6TH): Maybe I did not hear you but what was the scope of the warrant. I mean, did the warrant cover a period in time prior to March 28TH relative to that information.

DAMISHA MOORE: The warrant was at the time of 2009 to 2015 or 2016, I am not sure, but someone cannot describe what you spent on March 23, 2016 if they did not get the correct warrant until March 28, 2016.

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SENATOR BIZZARRO (6TH): Well they can, that is what I am having a problem understanding you. Thank you, thank you Chairman.

REP. STAFSTROM (129TH): I cannot have you guys shouting over each other. I need one person to ask a question, one person to state an answer.

SENATOR BIZZARRO (6TH): I apologize.

REP. STAFSTROM (129TH): Senator Bizzarro you have the floor.

SENATOR BIZZARRO (6TH): I thank you for your indulgence Mr. Chairman. Okay, I am sorry. I think that it is probably a little bit too complicated to go through in specificity right now. So, I do appreciate though that you took the time to come here today so that we can learn about these types of things. I personally would like to see more public input as part of this process here. So, I do thank you for taking time. I am sorry that you feel grieved and I am sorry that, you know, I just do not know that this is the right forum right now for us to address the specifics of your actions but I do appreciate your commentary regarding our consideration today, which is whether or not to vote to confirm a particular jurist. So, thank you for coming here today. Thank you.

DAMISHA MOORE: Thank you sir.

SENATOR BIZZARRO (6TH): Thank you Mr. Chairman.

REP. STAFSTROM (129TH): Thank you. Further questions or comments from the committee. Seeing

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none. Thank you, ma'am, I do appreciate you coming and spending time with us today. That concludes our signup list for today. Is there any member of the public who has not had a chance to testify, who would like to? Sir come on up please. Take a seat. State your name for the record.

HECTOR MORERA: Good afternoon. My name is Hector Morera. I am from Glastonbury, Connecticut. I am going to provide some brief comments on two judges, Judge Carroll and Judge Richards, if I have the time. If not, please feel free to grab me afterwards, I will gladly share with you. I think Judge Carroll said something about his Marshals are properly trained. You can go play back on CTN to your hearts content. I have a different experience. A few years ago, someone ask me to sit on, to watch the ADA Advisory Board Meeting to see what happens. So, as a favor, I went to several of them, and repeatedly at every, Judge Carroll chairs that committee or board. At numerous of them, they stated the Marshals are trained to spot disabilities. So, I took it for granted. I was in court one time and there was this man who is hunched over a walker grimacing during role call. So, I approached him and asked him are you okay, he says no he is in pain. I said did anybody ask you about accommodations to get for the fact that you are in pain, your in a walker, you have a disability. He said no.

So, I went to the Marshal and I asked him have you ever received any training on spotting disabilities. He said no but then he backtracked. He realized what he said. He was honest at first and then he realized he was nervous. I am not faulting the

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Marshal. I am just repeating what I saw, and so I said well there is a man in pain at role call with a walker and he should have been sent to the DRE. He said oh I helped him, I helped him. I helped him. I said I am sure you did help him get inside, but did you send him to the DRE? He said what is a DRE. I believe it stands for Designated Responsible Employee. It is a person who helps you write for accommodations and the Marshal said no he did not.

So when, I am not saying it some nefarious conspiracy plot against the public, but when Judge Carroll tells you that his personnel are properly trained, I would look into the details of that statement, if I were you, can inconsistencies and how things are applied in the court, like you pointed out Senator Bradley of I do not court watch the criminal court, family court is depressing enough, I would never want to court watch criminal cases. But you pointed out inconsistencies in criminal court. I see inconsistencies in family court. Okay, so that is Judge Carroll. Judge Richards. I do not know if any of you recall my testimony about Judge Presley four years ago. Overall, I liked her as a judge but when certain persons walk into the courtroom she defers to them, and I witnessed it with Judge Richards. I went to Stamford with someone and their case was postponed. So, I said okay, I might as well spend, be productive. So, I was on the elevator and I heard two lawyers, opposing counsel, complain about this one judge, and I spoke to them. They were nice enough to talk to me and they explained to me what their problem was with the judge.

So, I said okay, so I went and I sat for three hours

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watching Judge Richards. She screamed at everybody who came in the room. Now I understand why. She explained why she was screaming, so there was a rationale to her madness, but she was screaming at everybody who came into that room. There was a couple who were there for, self-represented couple who were there for contempt, I believe, and I guess they did not call out what order, the order number that was violated, so Judge Richards got mad and screamed at them, go find it. So, I pulled out my phone. I am not the clerk, okay. After watching her for three hours, a certain lawyer walked in the room, I am not going to say her name and Judge Richards went from being this tiger, screaming to everybody to being this, I am lost for words, I am sorry, very differential to this one lawyer who is not prepared, who is asking for a continuance and was late to the hearing, even though after three hours she screamed at everybody but this one lawyer, and this is Stamford and this happens a lot in Stamford. Okay, I am sorry Rep. Stafstrom. I will cut off. Any questions.

REP. STAFSTROM (129TH): Thank you Mr. Morera. Questions from the committee. Seeing none. I appreciate you taking from being [inaudible 02:48:24]. Is there any other member of the public who would like to speak, who has not had a chance to yet? Going once, going twice. Okay. We are going to declare this public hearing closed. We are going to convene our committee meeting and we are going to take a very, very brief recess. I do not believe we are going to caucus, so we should be back shortly. So, we will stand in recess for a few minutes.

REP. STAFSTROM (129TH): All right, I would like to

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reconvene the Judiciary Committee Meeting for February 10, 2020. Remarks from my Co-Chair, none. All right, we are moving on for nominations for review.

First up is the Honorable John Blawie of Greenwich. Do I have a motion? I have motion from Senator Winfield. I have a second from Representative Rebimbas. Is there discussion on this nominee? Seeing none. Madam Administrator please call the roll: Winfield - yes. Stafstrom - yes. Kissel - yes. Rebimbas - yes. Bergstein - yes. Blumenthal - yes. Bizzarro - yes. Bradley - yes. Carpino - yes. Champagne - yes. Concepcion - yes. Conley - yes. Currey. Dillon - yes. DiMasse. Dubitsky. Fishbein. Flexer. Fox - yes. Godfrey - yes. Harding - yes. Haskell - yes. Hill - yes. Horn - yes. Labriola - yes. Lesser. Luxenberg. McCrory. McGorty -yes. Miller - yes. O'Dea - yes. O'Neill - yes. Palm - yes. Porter - yes. Riley - yes. Sampson - yes. Smith - yes. Walker - yes. Young.

REP. STAFSTROM (129TH): We will hold the votes open until 4:30 today. Next up is. Pat Carroll be judge of the Superior Court. Is there a motion? I think I heard a motion from Representative O'Neill, a second from Representative Rebimbas. Is there discussion on this nominee? Is there discussion on this nominee? If not, is there any change in vote from the previous vote total? Any change in vote? Seeing none. Next up is The Honorable Anna Ficeto of Wolcott to be Judge of the Superior Court.

I have a motion from Senator Kissel, a second from Representative Rebimbas. Is there discussion on this nominee? Is there discussion on this nominee?

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Seeing none. Is there any change in vote? Is there any change in vote? Seeing none. We will move on to The Honorable Donna Heller of Riverside. Do I have a motion? I have a motion from Senator Kissel, a second from Senator Winfield. Is there any change in vote? Is there any change in vote? Seeing none.

We will move on to The Honorable Frank Iannotti of North Haven. Is there a nomination? I have a nomination from Senator Kissel, a second from Senator Winfield. Is there any discussion on this nominee? Any discussion? Seeing none. Is there any change in vote? Any change in vote? Seeing no change in vote, Madam Administrator.

Moving on to The Honorable Sybil Richards of Orange. I have a motion from Senator Winfield, a second from Senator Kissel. Is there discussion on this nominee? Is there discussion on this nominee? Seeing none. Is there any change in vote? Yes, I have a change in vote, Senator, I am sorry, Representative Miller would like to be recorded as a negative. Yes Representative. Any other change in vote? Any other change in vote? Seeing none.

We will move on to The Honorable Dan Shaban of Middlebury. Do I have a motion? I have motion from Senator Kissel, a second from Representative Rebimbas. Madam Administrator since we had a change in vote in the last one, why do not we call the role on this please.

MADAM ADMINISTRATOR: And again, that was a JF. Winfield - yes. Stafstrom - yes. Kissel - yes. Rebimbas - yes. Bergstein - yes. Blumenthal - yes. Bizzarro - yes. Bradley - abstained. Carpino -

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yes. Champagne - yes. Concepcion - yes. Conley - yes. Cummings - yes. Currey. Dillon - yes. DiMassa - yes. Dubitsky. Fishbein. Flexer. Fox - yes. Godfrey - yes. Harding - yes. Haskell - yes. Hill - yes. Horn - yes. Labriola - yes. Lesser. Luxenberg. McCrory. McGorty -yes. Miller - yes. O'Dea - yes. O'Neill - yes. Palm - abstained. Porter - yes. Riley - yes. Sampson - yes. Smith - yes. Walker - yes. .Young

REP. STAFSTROM (129TH): Moving on. Next nominee is The Honorable Kenneth Shluger of Waterford. Can I have a motion? I have motion from Senator Kissel, a second from Representative Rebimbas. Is there discussion on this nominee? Is there discussion on this nominee? Seeing none. Madam Administrator can you call the role for JF please.

MADAM ADMINISTRATOR: Winfield - yes. Stafstrom - yes. Kissel - yes. Rebimbas - yes. Bergstein - yes. Blumenthal - yes. Bizzarro - yes. Bradley - yes. Carpino - yes. Champagne - yes. Concepcion - yes. Conley - yes. Cummings. Currey. Dillon. DiMassa - yes. Dubitsky. Fishbein. Flexer. Fox - yes. Godfrey - yes. Harding - yes. Haskell - yes. Hill - yes. Horn - yes. Labriola - yes. Lesser. Luxenberg. McCrory. McGorty - yes. Miller - yes. O'Dea - yes. O'Neill - yes. Palm - yes. Porter - yes. Riley - yes. Sampson - yes. Smith - yes. Walker - yes. Young.

REP. STAFSTROM (129TH): Okay moving on. Nomination of The Honorable Hillary Strackbein of Guilford to be Judge of the Superior Court. JF, I have a motion from Senator Kissel, second from Representative Rebimbas. Is there discussion on this nominee? Is

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there discussion? Seeing none. Is there any change in vote from the previous nominee? Any change in vote? Seeing none. Madam Administrator no change in vote.

Next up is The Honorable Mark Taylor of West Hartford. I have a motion from Senator Kissel, a second from Representative Rebimbas. Is there discussion on this nominee? Is there discussion on this nominee? Seeing none. Is there any change in vote? Any change in vote? Madam Administrator no change in vote.

Moving on to The Honorable Theodore Tyma of Trumbull. I have a motion from Senator Kissel, a second from Representative Rebimbas for JF to the floor. Is there discussion on this nominee? Is there discussion on this nominee? Seeing no discussion. Is there any change in vote? Any change in vote? Seeing no change in vote, Madam Administrator will be recorded the same.

Moving on to The Honorable Elpedio Vitale of Madison. I have a motion from Senator Kissel, a second from Senator Winfield. Is there discussion on this nominee? Is there discussion on this nominee? Seeing none. Is there are change in vote? Any change in vote? Madam Administrator no change in vote.

Moving on to the next section of our agenda to be a Workers Compensation Commissioner, Commissioner Soline Oslena of Oakdale. Do I have a motion? I have a motion from Senator Kissel, a second from Senator Winfield. This is for JF. Is there discussion? Is there discussion? Madam

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Administrator since we are in a different category here, I think we need to call the role on this one.

MADAM ADMINISTRATOR: And that was for JF. Winfield - yes. Stafstrom - yes. Kissel - yes. Rebimbas - yes. Bergstein - yes. Blumenthal - yes. Bizzarro - yes. Bradley - yes. Carpino - yes. Champagne - yes. Concepcion - yes. Conley - yes. Cummings. Currey. Dillon. DiMassa - yes. Dubitsky. Fishbein. Flexer. Fox - yes. Godfrey. Harding. Haskell - yes. Hill - yes. Horn - yes. Labriola - yes. Lesser. Luxenberg. McCrory. McGorty - yes. Miller - yes. O'Dea - yes. O'Neill - yes. Palm - yes. Porter - yes. Riley - yes. Sampson - yes. Smith - yes. Walker - yes. Young.

REP. STAFSTROM (129TH): Before we announce our next meeting time, Senator Winfield.

SENATOR WINFIELD (10TH): I just wanted to remark. I know there was some concern by some of the members of the committee given that there was some testimony. I just wanted to say that it has happened in the past that we have had testimony that did not go to a certain degree and we have looked at the testimony later and it has had impact on choices we have made. We have moved those judges and anybody who is up for nomination forward because we did not have enough at that time to make a decision otherwise. I just think it is important for both the public and members of the committee. I would also say to members of the committee, that if you are sitting in the room you should either vote in the affirmative or the negative. If you happen to be out of the room, that is one thing, but you should be voting one way or the other if you are

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JUDICIARY COMMITTEE

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10:00 a.m.

sitting in the room, just as a reminder. Thank you,
Mr. Chair.

REP. STAFSTROM (129TH): Thank you. We will, at
this point recess and hold the meeting open until
4:30.