

1 PUBLIC SERVICE & TRUST COMMISSION : SUPERIOR COURT
2
3 HEARING : JUDICIAL DISTRICT
4
5 : AT BRIDGEPORT
6
7 : DECEMBER 6, 2007
8

9 A P P E A R A N C E S:

10
11 The Honorable Alexandra D. DiPentima
12 Chair
13
14 Magistrate Sandra Sosnoff Baird
15 Family Support Magistrate
16
17 The Honorable Patrick L. Carroll, III
18 Superior Court Judge
19
20 Attorney Melissa A. Farley
21 Division of External Affairs
22
23 Justice Joette Katz
24 Supreme Court Justice
25
26 The Honorable Douglas C. Mintz
27 Superior Court Judge
28
29 Attorney Joseph R. Mirrione
30 Connecticut Trial Lawyers Association
31
32 The Honorable William B. Rush
33 Superior Court Judge
34
35 Attorney Michael T. Ryan
36 Connecticut Defense Lawyers Association
37
38 The Honorable Dan Shaban
39 Superior Court Judge
40
41 Mr. Thomas A. Siconolfi
42 Administrative Services Division
43
44 Attorney Frederick S. Ury
45 Attorney At Law
46
47 ALSO APPEARING:
48 Jeraldo Rojas, Spanish Interpreter
49

50 Recorded and Transcribed By:
51 P' Shaunda D. Gibbs-Hopkins, Court Monitor

1 JUDGE DIPENTIMA: Thank you all for taking the
2 time out of your busy schedules to attend this public
3 hearing of the Public Service and Trust Commission.

4 Before I go any farther, I'm going to ask the
5 two interpreters that are here; that is the sign
6 interpreter and the Spanish speaking interpreter, to
7 find out if there's anyone in the audience who will
8 require their services, and I'll ask you to let them
9 know. If I -- I'll ask both interpreters to stay for
10 about a half an hour, even if there is no one here,
11 just to make sure we cover everyone. Thank you both.

12 By way of background, Chief Justice Chase T.
13 Rogers established the Commission to create a
14 strategic plan to assist the judicial branch in its
15 mission to resolve matters in a fair, timely,
16 efficient and open manner. The plan will be based on
17 an examination of our State Judicial System on such
18 issues as the physical and logistic accessibility of
19 our courts, the fairness of treatment in all matters
20 and as to all people, and the efficiency and
21 competence in judicial branch job performance. Such
22 an examination would be incomplete without comments
23 form the public.

24 This public hearing -- we had one on Monday in
25 Hartford. This public hearing is one way for us
26 to -- to collect input from the public regarding our
27 courts. We are also conducting a survey of 500

1 individuals who are -- have recently used the court
2 system. Finally, we are conducting and have
3 conducted approximately 80 focus groups of
4 individuals who work within it or regularly use it.

5 If you wish to speak and have not yet signed up,
6 please do so at the sign up sheet which is located
7 right outside of this door to my right. If you have
8 made copies of your remarks, please provide them to
9 Melissa Farley, who is right there; and if you would
10 do that now, rather than waiting until you approach
11 the podium, we would appreciate that. We will be
12 limiting our speakers to 5 minutes of testimony so
13 that all interested persons will have the opportunity
14 to speak, and to permit time for discussion among the
15 Commission members. I'm going to ask each of our
16 speakers tonight to address comments to their
17 recommendations for our strategic plan. If something
18 is working, we certainly would like to know. If
19 something needs improvement, we would also like to
20 know about that. As I am sure you are aware, talking
21 about particular cases is not within this
22 Commission's purview.

23 Before we get started with our first speaker, I
24 would, again, like to thank you all for coming out
25 tonight to express your concerns, tell us your
26 observations and share your suggestions.

27 The first speaker we have signed up this evening

1 is Andrea Wilson.

2 MS. WILSON: Good evening.

3 My name is Andrea Wilson and I live in Bethel,
4 Connecticut. I would like to first thank you for
5 this opportunity to speak to you tonight. It is, in
6 fact, so important to me to be able to testify here
7 this evening that I actually used my vacation time so
8 that I could be here and address you in my position
9 as a citizen of this state.

10 I want you to know that when I was -- when I
11 informed my friends, family and co-workers of my
12 decision to speak here tonight, they all wished me
13 well, and then almost every single one of them added,
14 they doubted it would do any good. So from their
15 responses, it appears your goal of achieving an open,
16 accessible, transparent and accountable court system
17 is indeed a great undertaking.

18 Although I am known to be outspoken, I actually
19 found myself over-thinking the words I wanted to say
20 to you this evening to the point of almost not
21 writing this. You see, as much as I have told others
22 over the years to stand up for their rights and to
23 not be afraid, fear is exactly what I have
24 experienced over the past 24 hours; fear of some of
25 you on this Committee. While I believe the idea of
26 asking people what they think about this system is a
27 good idea, I do not believe that some of you on the

1 committee aren't the people who should have the
2 responsibility of hearing this as we attempt to
3 communicate the issues we have with the branch. In
4 other words, I do not see how it is possible for you
5 to both be a part of the problem as well as the
6 solution.

7 I contend that it is not possible to have the
8 fox watch over the henhouse, and I am not talking
9 about the Judges. I am addressing those of you on the
10 Committee who are in judicial management. While
11 there are statements made that you want us to come to
12 you and bring you our issues -- bring our issues to
13 you, when we do so as either employees of the branch
14 or members of the public, as soon as you hang up the
15 phone or exit the office, you have already started to
16 plan your damage control. These actions do not ever
17 act to create trust. Rumor, in fact, has it that in
18 this very building there have been several serious
19 issues regarding people who have been given
20 supervisor responsibilities, yet who have abused
21 others and continue to do so. And further, has --
22 and further rumor has it that some of you on this
23 Committee are the people who are responsible for
24 rewarding these horrible actions. If this is indeed
25 true, then in doing so you have acted to create an
26 environment of real fear in those who want to speak
27 up, but fear retaliation.

1 I'm not here this evening as a branch employee.
2 I am not here as Vice-President of AFSCME, Local 749.
3 I have taken this time this evening to speak to you
4 as a mother of a homicide victim, as a friend to some
5 of the employees who have suffered for speaking up,
6 and who very honestly feel abused by some of you on
7 this Committee. I am here because I am a human being
8 who has great respect and reverence for the justice
9 system as it was intended to be. I am here a as a
10 citizen who respects and agrees with the vision of
11 our Chief Justice and wants to see our system truly
12 representing the words on our seal. I know that
13 truth, equity and justice are not easily obtained,
14 and even harder to keep in tact. But I do believe
15 having open, public hearings is one very large step
16 in exhibiting our actions to try and to live up to
17 our -- to our seal.

18 Allow me to close with what one person had to
19 say to me about this Committee, when after they told
20 me how they wished me well, but doubted the Committee
21 would do any good. They told me how hard it is to
22 get a job in the branch. The person in frustration
23 stated how they attempted for years and years to get
24 a job in the branch, and in spite of some who really
25 tried to help them, for years there was always a must
26 hire on the list; that person was ahead of them,
27 always ahead of them. I would contend that the one

1 and only way in order to make this Committee truly
2 meet the goal of creating more public service and
3 trust, is to stop this practice of having a must
4 hire, and to stop rewarding those who abuse others.
5 All the person I mentioned before wanted to know was,
6 why can't you just get a job because you are
7 qualified for it.

8 Finally, the branch has privatized some
9 positions. In the case of some of the workers in
10 Stamford a couple of years ago, their employer at the
11 time was underpaying them by 2 dollars an hour. And
12 when the State made the employer pay the workers the
13 correct amount, each employee received notice that
14 they would not -- that they would get the raise but
15 no longer get medical insurance, vacation days, and
16 sick time. How can we continue to be -- how can we
17 continue to know what is going on in these cases
18 mentioned here and merely look away. And how can we
19 know that we have people coming to our buildings and
20 having cocaine dropping out of their pockets, and
21 compromising our Judges.

22 Thank you.

23 JUDGE DIPENTIMA: Thank you, Ms. Wilson.

24 Our second speaker is -- is it -- is it Patty
25 Pace; is that correct?

26 MS. PACE: Ladies and gentlemen, good evening.

27 Tonight I would like to discuss an extremely

1 important topic pertaining to the Judicial Department
2 as it relates to the public. However, before I
3 address that very serious matter, there are a few
4 suggestions I would like to make in an effort for
5 Judicial to better serve the public.

6 Just recently I found an individual's folder
7 containing very personal information, including her
8 social security number, the deed to her home, and
9 other personal information in a public bathroom.
10 There was no place for her to retrieve these items.
11 Fortunately, I did find her phone number inside and
12 called her. However, there have been many instances
13 where items were left in the courthouse and just
14 disappeared because there was no central location for
15 them to retrieve such items. My suggestion is for a
16 lost and found box to be placed in each courthouse.

17 It is my suggestion that art be exhibited in the
18 courthouses. Perhaps a program for victims,
19 children, cancer patients, et cetera can be created,
20 whereby they can display their artwork in our
21 courthouses. This should be an inexpensive and
22 beneficial way to create a harmonious environment for
23 both employees and the public.

24 I believe that this new judgeless voir dire
25 procedure, which is currently underway, is extremely
26 detrimental to our system. It is my belief that it
27 is necessary for the jury panels to hear from a

1 figure of authority how the system could not function
2 without each individual's willing participation; that
3 should they find themselves one day in need of a
4 jury, that they would want willing, fair, and
5 impartial individuals to sit on their very cases;
6 that it is a great life experience to serve as a
7 juror, and it is also their civic duty. Many
8 attorneys have also voiced this concern to me.

9 I believe that a locked suggestion, slash,
10 complaint box should be placed in each courthouse and
11 that someone be appointed to review and address these
12 suggestions and concerns.

13 It is my suggestion that with -- it is my
14 suggestion that the Judicial Department is in dire
15 need of an internal affairs department, which brings
16 me to the very serious and important matter for which
17 I have come tonight.

18 There are serious unethical practices taking
19 place within the ranks of upper management in our
20 Judicial Department. These issues involve
21 corruption, abuse of authority, gross waste of funds,
22 threatening, harassment, and intimidation. To say it
23 is mere mismanagement is a gross understatement.

24 These individuals in upper management who have
25 been appointing their friends to high level upper
26 management positions, even going as far as to create
27 positions which never existed before. They are

1 motivated by greed and not by an intention to create
2 a better judicial system. There have been instances
3 of paying their friends for time they have not even
4 worked. There have been instances of destroying
5 computer hard drives in order to protect themselves
6 from information that was stored upon these drives.
7 There have been instances of removing documents from
8 offices and replacing these documents with favorable
9 information to cover themselves.

10 Individuals in our office have actually been
11 threatened by a Judge; that if we did not acquiesce
12 to their appointment of this individual, that we
13 would lose our jobs. A special favor was repaid to
14 this very Judge who sat on the panel for this
15 appointment in that his friend has now been given a
16 position in our department. Other friends have
17 recently been given -- given positions in our
18 department as well. Individuals in upper management
19 have placed their friends into positions of
20 authority; individuals who were never -- who have
21 never attempted to accommodate the public in any way
22 whatsoever. One such individual would not even
23 answer the telephone in an effort to assist the
24 office. That individual, for years, did absolutely
25 nothing to assist the department within which they
26 now supervise.

27 At every turn, that individual complained about

1 her assignment and continually threatened the
2 individuals with whom she worked. Her motivation to
3 remove our past supervisor was driven by her greed to
4 hold that position and possess control over those
5 very individuals who, in the past, she did threaten.

6 Many members of my department had to hire
7 attorneys to protect themselves due to the threats
8 made by these individuals in upper management. The
9 individuals in upper management hired outside counsel
10 to protect themselves from what they had done. An
11 extraordinary amount of money was spent for this
12 outside representation; taxpayer's money, just to
13 protect these members of -- just to protect these
14 members of upper management for actions they had
15 taken in order to appoint their friends to top level
16 positions.

17 Appointments of numerous directors and program
18 managers have been made in certain departments in
19 which there was no need for such positions; positions
20 created for their friends. These -- these corrupt
21 individuals are milking the system dry to the tune of
22 several hundreds of thousands of dollars annually.
23 In the many years that they have held these upper
24 management positions, they have run the Judicial
25 Branch into the ground, both monetarily and
26 spiritually. These individuals are accountable to no
27 one. There is no system of checks and balances as

1 far as their actions are concerned. They feel they
2 are untouchable, and as of yet, they have been
3 untouchable.

4 More directors or program managers is not what
5 we need to do the job which could be performed by one
6 individual. Our courtrooms lack marshals, reporters,
7 clerks, case workers; just to name a few. One such
8 individual actually told us that we were peons and
9 that we were worthless, and that soon we would be
10 replaced by recording equipment. That individual
11 probably never set foot in a courtroom.

12 The Judicial System functions solely on those
13 employees who have been told that they were useless.
14 It is the clerks, the marshals, the reporters, case
15 flow, DCF workers, probation, secretaries, et cetera,
16 who make this system work.

17 JUDGE DIPENTIMA: Miss -- Ms. Pace, your five
18 minutes is up. I'm going to ask you just to
19 conclude. We do have your written remarks, so we
20 will be reviewing them, but if you want to make a
21 concluding statement.

22 MS. PACE: No one has come to us to ask for our
23 input -- sorry, let me just go back.

24 The Judicial Department cannot effectively serve
25 the public unless it deals with these very serious
26 issues first. If employees who -- if you have
27 employees who are satisfied and believe that they

1 will be treated fairly and with respect, they will
2 better serve the public. If the employees of this
3 state have no trust and confidence in our Judicial
4 System, how can one expect the public to trust and
5 have confidence in our Judicial Branch.

6 No one has come to us for our input, but be that
7 as it may, in order to fulfill our job
8 responsibilities, we need confident, honest, fair
9 individuals in positions of authority; people that we
10 can trust and rely on to get the job done; to run the
11 departments effectively for the benefit of our
12 citizens; individuals that are not motivated by
13 greed.

14 If this Commission is sincere in ensuring that
15 it addresses the concerns of these employees in
16 fulfilling their job's responsibilities, then this
17 Commission will address these very serious issues
18 that pertain to this corruption by upper management
19 individuals, because that is the best way to serve
20 the public and to gain their trust.

21 Thank you for your time.

22 JUDGE DIPENTIMA: The next -- the next person to
23 speak is Rosario -- would you pronounce that name for
24 me; Rosario --

25 MS. JAIME: Jaime.

26 JUDGE DIPENTIMA: -- Jaime.

27 MR. ROJAS: Rosario Jaime.

1 JUDGE DIPENTIMA: Good -- good evening.

2 MS. JAIME: Good evening.

3 My name is Rosario Jaime, I am residing in
4 Stamford, Connecticut.

5 Members of the panel, I would like to thank you
6 on behalf of the public and myself for allowing us
7 this opportunity to express our concerns of our
8 judicial system.

9 My reason for being here is due to the
10 conviction of and incarceration of my fiancé. In
11 2005 he lost his trial in Stamford Superior Court to
12 charges of sexual assault in first degree. He was
13 sentences [sic] to 15 years of incarceration. My
14 fiancé was a man with no prior criminal convictions.
15 He was a productive member of his community, and had
16 a good education. His professional career was in the
17 private equity, slash, investment banking field where
18 he held an upper management position.

19 Our concern centers on the Judge's conduct
20 during his trial. He did not allow the jury to hear
21 full testimony from some of the defense's witnesses.
22 And the majority of these defense's motions were
23 denied; about 95 percent of them. It became evident
24 throughout the trial that the prosecution was being
25 given the upper hand. In my humble opinion and with
26 all due respect to all the panel, this was an act of
27 great injustice and a gross display of judicial bias

1 and misconduct. The Judge's selections of the
2 evidence he choose -- he chose to review was
3 unbalanced and unfair, and when he ended by reminding
4 the jury that his opinion of the evidence should
5 ultimately carry no weight, he only add hypocrisy to
6 bias.

7 I fully understand the severity of these
8 charges, especially during a time when these horrible
9 types of crimes are actually being committed.

10 MR. ROJAS: It is precisely for this reason why
11 I believe this type of cases [sic] should be
12 scrutinized diligently, because as we know the
13 consequences to a true victim are devastating as are
14 for the falsely accused. Perhaps a solution could be
15 to set up a panel which reviews the decisions made by
16 the Judges. We believe there is too much power given
17 to a single person in the courtroom.

18 Unfortunately, time is constricted so this is
19 all I have for now. Once again I think the panel for
20 this opportunity.

21 Thank you.

22 MS. JAIME: Thank you.

23 JUDGE DIPENTIMA: Thank you, very much.

24 All right, the next speaker is
25 Dr. Samuel Rieger.

26 MR. RIEGER: Good evening.

27 JUDGE DIPENTIMA: Good evening.

1 MR. RIEGER: My name is Dr. Samuel Rieger, I
2 reside in Waterbury. I'm currently President of the
3 Melanie Ilene Rieger Memorial Foundation, and
4 Chairman of the Conference Committee. This year will
5 be the 12th annual Conference, held -- will be held on
6 April 23rd and 24th at the Department of Correction
7 Maloney Training Center in Cheshire. I have enclosed
8 copies, if you people have not seen this, of the
9 Sanctions Newsletter, which was prepared by the Court
10 Support Services Division after the last conference.

11 Our story goes back to 1994; our beautiful
12 daughter, Melanie, was 19 years old, a college
13 student majoring in social work and psychology,
14 wanting to help people. She was brutally murdered in
15 our house; strangled to death by her boyfriend on
16 May 24, 1994. We had the trial, he was convicted;
17 sentenced to 60 years. At that time good time
18 existed so that he is eligible for good time which
19 would reduce his sentence by about one third. Good
20 time no longer exists, thank God.

21 He has been incarcerated since the time of the
22 crime. He is currently incarcerated at Northern
23 Correctional Institution, which is the supermax for,
24 the third time. He's been there for over a year and
25 a half. Usually it takes about nine months to get
26 through the program and then to go back to a level
27 four prison. He's had at least five or six appeals,

1 and this is what I would like to limit my comments to
2 in order to save time tonight.

3 A habeas appeal was heard about two and a half
4 years ago. There were two witnesses; his original
5 attorney and himself at which time he said that he
6 believed -- he didn't understand why he has to serve
7 60 years for killing his girlfriend. That was the
8 first time he actually admitted that he had done the
9 crime. That was presented by a special public
10 defender, by the way, which is costing the tax payers
11 extra money 'cause they're not on the state payroll.

12 I guess the -- that attorney filed a petition
13 for an appeal to the Appellate Court -- again, I'm
14 not an attorney so I'm not fluent in these matters.
15 The Judge at the time denied that. And that same
16 attorney filed a petition anyway and did not follow
17 through with the paperwork. So the petition
18 eventually was denied and the newest petition was
19 heard up in Rockville on October 29th. This was after
20 we were up in Rockville in August. The prosecutor
21 did not show up, the special public defender --
22 another special public defender from Massachusetts,
23 again, paid additionally by the State of Connecticut,
24 was totally rude to us. I actually went up to him
25 after the case was continued; I handed him a copy of
26 this, and I said to him, I just want to let you know
27 what Melanie was all about and what we've been doing

1 since her death. And he rudely said to me, I don't
2 want to see this and he threw it at a different
3 prosecutor who was standing there and said, here you
4 find out all about them. And I think something
5 should definitely be -- about people like that.

6 But in any case, the appeal was heard
7 October 29th; inmate number 230602 came in the
8 courtroom blowing kisses to the few family members
9 that were there; acted as a big shot as if
10 everybody's here for him, and he's out of -- out of
11 jail for a day and able to spend some time with his
12 family. It's very difficult for my wife, Wanda, and
13 I to experience this. It brings us back to the day
14 Melanie was murdered. Here's a person that's been
15 violent; that's why he's up in Northern, but yet the
16 state risks people's lives by having to transport him
17 from Northern for these hearings, and also store him
18 in the courthouse.

19 At the end of this particular hearing, and
20 again, the special public defender was totally rude
21 even to the Judge in the case, which really amazed
22 us. As -- as the inmate was leaving, he turned to my
23 wife and gave her a -- a leer that she'll never
24 forget and mumbled something which we didn't hear.
25 And since that time she's been having nightmares
26 seeing this person with his hands around Melanie's
27 throat as he did when he killed her.

1 So I'm here to -- to mention about these
2 frivolous appeals. It's 13 and a half years since
3 the crime, there is absolutely no new evidence.
4 There will never be any new evidence. If they have
5 40 more appeals nothing is ever gonna change. Why
6 should we have to be called back into court -- and we
7 go to court to make sure that things are done
8 correctly, because as a member of Survivors of
9 Homicide -- and I was President of that group for six
10 years, we have seen too many things happen in
11 courtrooms. So we have to be there.

12 So what I'm asking you is to give us some relief
13 from the criminal court system. We continually be
14 abused by the system itself just like we were abused
15 by the crime. So I would suggest limiting the
16 appeals to a certain number and also limiting the
17 appeals to a certain amount of years. So perhaps
18 five years you have your appeals, if there's no new
19 evidence, no more appeals. It would save the tax
20 payers money, and the staff and the courtrooms could
21 be used to expedite justice for everybody else.

22 Thank you very much.

23 JUDGE DIPENTIMA: Thank you, doctor.

24 Our next speaker is Joanne Linarte.

25 MS. LINARTE: Hello, committee members.

26 I spoke on Monday and I am not gonna rehash any
27 of that. This is kind of new. I am also -- since

1 all of this has happened and I'm so much more aware
2 of false allegations. I am -- I'm actually in -- on
3 the internet there is FAST; False Allegation Solution
4 Team. It's directed by Elaine Leiman (phonetic) out
5 of Pennsylvania, and there's -- so I know that this
6 is widespread; this is nationwide. And I -- we even
7 have people from England on this.

8 And so I'm gonna say, America is no longer based
9 on truth and justice. Today is a game that lawyers
10 and prosecutors, and Judges play with our -- other
11 people's lives. They start off with a trail of
12 continuances and delays that can drag out
13 indefinitely. This is why the laymen -- this is what
14 laymen's refer to as job security. And because they
15 make it so that we cannot get by without their
16 services, we are subjected to high legal fees that
17 are way out of our league.

18 Although I provided our lawyer with a long list
19 of witnesses, suggested motives, of the accusers,
20 concrete pictures and documents as proof that no
21 crime was committed, he had no intention of using any
22 of it. I found out too late that that was not how
23 the game is played. I soon learned that most of the
24 cases being dealt without behind the courtroom in the
25 Judges' chambers, and we were unaware of the goings
26 on there. The problem with this is that since you do
27 not know what is being said, used, done or -- it is

1 harder to realize what they are not saying, doing,
2 using and doing. And you are lead to believe that
3 all is being done as it should be to bring forth the
4 truth.

5 In essence it is our constitutional right to
6 present a defense, and this practice denies one's
7 rights for a defense. What you aren't aware of is
8 the politics that goes on. After the tragic and
9 conceivable conclusion which resulted in my innocent
10 son being lead off to prison for a crime he did not
11 commit, I became -- began my crusade to find out what
12 the real reason behind it. What I discovered was
13 that once a prosecutor takes on a case, he has to
14 win. A prosecutor's career path is to be a Judge.
15 If a -- a prosecutor loses just one case, he would be
16 considered to have bad -- made bad judgment in taking
17 the case in the first place. This would cause him to
18 lose the opportunity to direct his future as he
19 intended in the honorable role of a Judge.

20 In this case there were pertinent evidence that
21 was suppressed by the Judge, and false testimony
22 brought in by the -- and presented as fact by the
23 prosecutor because the real evidence didn't support
24 his case. As I said, the Judge did not allow the
25 evidence that would have proven that the allegations
26 were false. The claims of sexual assault were not
27 supported by medical evidence. When the Judge makes

1 a ruling, he -- we -- you have to accept it, even
2 when you know that the whole truth is being withheld
3 from the jury. You hope and pray that they have
4 enough wisdom and common sense to see through the
5 lies that they are fed by the prosecution. All the
6 while you are constantly frustrated because you
7 realize they need all the facts to come to the right
8 conclusion. How can they do that when they only have
9 half the story; how can they be fair when the
10 courtroom is full of misplaced belief and sympathy
11 for the victims. The victim's advocates are allowed
12 to come to court at -- dressed in maroon shirts in
13 support of the so called victims. But when one of the
14 victim's advocates went to Attorney Mickey Sherman
15 and told him that she didn't believe the girls at
16 first -- she believed the girls at first, but after
17 sitting in on the trial she didn't think he did it.
18 We knew her name was Kathy, and when we called the
19 victim's advocates to get a statement from her, she
20 never returned our phone call.

21 Another thing I learned from all of this is that
22 the victims are doubly protected by the law based on
23 their allegations alone. I also was told that the
24 nurses and the police stick together under the blue
25 code of justice and the white wall of silence. We
26 were unaware that we were -- we started out with
27 three strikes against us.

1 DCF funds should not be based on size of their
2 intakes. This results in the need for them to create
3 cases for federal funding. The police needs to
4 investigate. They need to be trained in false
5 allegation and how to spot them. They need to be
6 trained on the characteristics of antisocial
7 behaviors and what makes someone make a false
8 allegation against someone else.

9 In my case the accusers filed eight, you know,
10 since he was sentenced and convicted; filed eight
11 lawsuits against me and my day care insurance for
12 600,000 dollars; they knew I had a million dollar
13 liability policy. Jane Doe, Jessica Doe and Mother
14 Doe versus Joan Linarte in Stamford, resulted in a
15 declatory judgment case in New Britain; Allstate
16 versus Linarte, when the -- the Judge ruled in favor
17 of Allstate, their lawyers appealed that decision and
18 are currently preparing their brief. Now, Allstate
19 wants to make a settlement just to get rid of the
20 case so they will be getting their money.

21 Tamper-free videotaping interrogations will
22 prevent coercion, corruption and abuse. Type-written
23 statements of -- type-written statement of confession
24 should not be allowed, as it is -- is not the exact
25 words of the defendant.

26 So-called victims versus defendants; I was -- I
27 was sequestered from the courtroom because there was

1 a slight chance that I might testify. But the two
2 officers and the DCF worker were allowed to discuss
3 the case in the conference room outside the courtroom
4 before giving their testimonies. Attorney Mickey
5 Sherman discovered a cheat sheet that the woman from
6 DCF was trying to conceal under her thigh. It had
7 the time that they wanted her to say that she arrived
8 there, so that it agreed with their story. That was
9 allowed. The -- the Judge asked that that be
10 stricken from the record.

11 The defense needs to be -- oh, the victim's --
12 the victim's side --

13 I -- I hear that.

14 JUDGE DIPENTIMA: If you want to wrap up,
15 Ms. Linarte.

16 MS. LINARTE: All right.

17 JUDGE DIPENTIMA: We do have your full statement
18 here.

19 MS. LINARTE: There -- one of the reasons, there
20 was a lot of things that -- that started where the --
21 they didn't want the medical in, is because there's a
22 whole list of other reasons why we needed it in
23 there. And I -- you can go on and read that. But
24 the -- the thing that I really wanna say here -- and
25 my son is innocent. And he has -- if you look on the
26 November, December docket for the Appellate Court,
27 his name is number one, and yet he was not even given

1 a date yet; I'm still waiting on the date to be set.

2 And the -- all -- everything's in there. The
3 only thing that has happened in this case is the
4 Judge delayed the case a whole year because he
5 wouldn't answer the Memorandum of Decision. It had
6 to go to a -- a Motion to Compel, to a Motion to
7 Articulate, and he still never answered. And the
8 whole thing is because the state has nothing so
9 they -- they are prolonging this because they know my
10 son is innocent, as well as my -- my -- I was also --
11 because I own the daycare, I -- it came out that I
12 was of risk of injury to child.

13 So I cannot see my son and this is almost going
14 to be four years. And he's innocent, I'm innocent
15 and this has been a tragedy that someone should do
16 something about.

17 Thank you.

18 JUDGE DIPENTIMA: The next speaker is Steven G.
19 Erickson.

20 MR. ERICKSON: My name is Steven, with a v,
21 middle initial g, Erickson is E-r-i-c-k-s-o-n.

22 I posted the previous hearing on You Tube, and
23 I'm posting stories on You Tube and on my blogs. The
24 Connecticut State Police had a DUI 100 club where
25 there was false arrests to make numbers. And false
26 arrests lead to false convictions. And if you're in
27 prison, I mean, you lose your family, your job, your

1 house; everything over lies. And if it's found out
2 in the newspapers or through investigation that
3 police officers or others acted inappropriately,
4 there should be an automatic system in place where
5 cases are reviewed. And if it was a false arrest,
6 you know, they -- there should be compensation and
7 records should be cleaned up.

8 If the judicial system and police were effective
9 and efficient, they'd have less power and less would
10 be needed. When I owned rental properties in
11 Stafford Springs, Connecticut, I suggested ways of
12 helping kids not get involved with drugs and how to
13 make them go right. But that doesn't give the
14 judicial system the money needed; the federal tax
15 dollars are paid to the judicial branch and the
16 police for arrests, processing, restraining orders,
17 and confining people. So if federal tax dollars is
18 75 dollars per inmate per day, it's like each
19 inmate's a credit card; so put as many in prison as
20 possible.

21 Let's get to the history of the judicial branch.
22 You know, we were talking about ethics. Chief
23 Judges -- Judge Speziale questioned the state police
24 on their investigations through his two made for TV
25 movies about how corrupt Connecticut Judicial System
26 was and the state police. The state police
27 threatened the Chief Justice, and he retired, rather

1 than -- and the system wasn't straightened out.

2 Chief Justice William J. Sullivan; he just
3 violated the constitution. I think he should have
4 been arrested. He talked to Mini Gonzalez (phonetic)
5 during a judiciary committee meeting in Hartford; he
6 talked about prostitutes, and he, you know, he's
7 trying to curry favor with the legislatures saying
8 that, oh, I, you know, I'd be a prostitute too. I
9 was just amazed that he would talk to a, you know,
10 it -- it just seems racial and improper that he --
11 that he said that.

12 Judges -- let's -- let's compare them to
13 doctors. If a doctor sawed your leg off with a rusty
14 saw or, you know, took your wrong leg off, it could
15 be civilly liable, criminally liable. Judges are not
16 liable for basically doing anything. They can thumb
17 their noses, they can do whatever they want. The --
18 the judicial system will not improve until Judges can
19 be arrested for wrong doing; crimes committed.

20 If you go back how many Judges have been
21 disciplined for anything; very few. In the private
22 sector, I mean, that -- there are people that do
23 things wrong. Judges should be reviewed on whether
24 they have sociopathic tendencies. There should be
25 public impact statements when somebody is to be
26 sentenced. If this person is put away, this will
27 affect the society this way, the individual this way,

1 and the family this way. And so the three impact
2 statements would maybe change how sentences are
3 handed down.

4 A U.S. Marine coming home; Stephen Merzen
5 (phonetic), with a p-h, he saw police officers
6 assaulting somebody; lodged a police misconduct
7 complaint. He was stabbed 13 times, and when he woke
8 up in the hospital alive, much with his surprise, he
9 was arrested. The individual, David J. Taylor
10 (phonetic), a felon on probation, stabbed three
11 people almost killing Stephen Merzen. He wasn't even
12 violated on probation by a Judge. And there's case
13 after case where people are just absolutely nailed
14 for nothing. So what I'm saying is there's collusion
15 between the police and the judiciary to retaliate
16 against people that try to fix the system either by
17 going to legislatures or by going to the newspapers,
18 which I went.

19 I went to both trying to help my fellow man,
20 and I went to prison, I lost 500,000 dollars worth of
21 property, I can't get a job; I've been homeless.
22 They -- the judicial system in -- in Connecticut has
23 absolutely ruined my life. Crimes were committed by
24 police committing perjury; Connecticut State
25 Troopers, and the Judge, Judge Jonathan Kaplan. And
26 you can't get anybody to investigate police or
27 Judges. They just shred them -- police investigate

1 police, Judges investigate a police, I mean, Judges.
2 So if -- if investigations are shredded, tax payers
3 can save the state money by shredding their own
4 complaints 'cause that's what they -- basically --
5 how -- how things work.

6 JUDGE DIPENTIMA: Mr. Erickson, thank you.

7 MR. ERICKSON: Thank you.

8 JUDGE DIPENTIMA: Your time's up.

9 Mr. Palmieri, is that Cesilio?

10 MR. PALMEIRI: All right, in 1984 my brother was
11 murdered by a guy named Thomas Marra. He went to
12 prison in 1990; he's doing two life sentences, he's
13 doing 180 years.

14 The purpose of this letter is to the best of my
15 ability, to express how I feel regarding this
16 situation. I do not agree with myself or any of my
17 family members being here and having anything to do
18 with Thomas Marra; what and who he was. Who he has
19 taken from us will never be replaced.

20 I completely disagree in giving a DNA sample
21 because he committed this horrible crime against my
22 brother. Although hurt and pain of my brother's
23 death is always there, this has brought my -- brought
24 extremely hurtful memories to my family and myself.
25 Detectives and specialists retrieved more than enough
26 evidence to convict Mr. Marra. Adding to that is a
27 sworn testimony in which all the evidence coincides

1 with not to mention, this was -- is a eyewitness
2 case.

3 I cannot understand nor believe that this has
4 ever come to this today. The Palmieri family hopes
5 and prays that this does not go any further. We
6 believe in the judicial system always has the best
7 interest in victims and their families.

8 I would like to thank you for giving me the
9 opportunity to speak and once again express my
10 family -- myself as best I could. I love my brother
11 dearly. Please let him rest in peace. My family and
12 I have no doubt in Thomas Marra's guilt.

13 Thank you.

14 JUDGE DIPENTIMA: Is it Eisenman?

15 MR. EISENMAN: If I could just be brief.

16 Mr. Palmieri is not the only victim in -- in --
17 and a little background Mr. Palmieri is talking
18 about; is Mr. Marra has filed a petition for Write of
19 Habeas Corpus in Rockville. As part of that his
20 attorney has filed a request for a court order to
21 have him and or his brother submit DNA samples for
22 DNA testing against the evidence that was in the
23 trial. Mr. Marra has had four prior habeases, and I
24 understand his claim is actual innocence, and
25 there's -- really you can't stop that. But
26 Mr. Palmieri is not the only victim.

27 Primarily as a prosecutor, I do habeas corpus

1 defense work; I defend our convictions against
2 various claims. I have approximately a hundred of
3 them pending right now. The problem with the habeas
4 system the way it works right now is it imposes an
5 onerous condition on -- on the victims, on witnesses
6 and actually in one case it almost imposed it on
7 jurors. I have a case pending right now where a
8 defendant inmate was convicted of a sexual assault;
9 he's making a claim that the victim informed her
10 cousin that the wrong man had been convicted; that's
11 the basis of his petition. We've done some
12 investigation; we've spoken with the victim. She's
13 never told anyone that. She's adamant that the right
14 person was convicted, and yet she may be dragged from
15 this area all the way up to Rockville to be a witness
16 in a habeas matter.

17 So there's a problem, I think, with the venue of
18 all of the habeases being in Rockville. The
19 witnesses for the cases are all here local. And to
20 force them all to take the hour and a half ride or so
21 to go up to Rockville really is kind of putting a
22 burden on victims and on witnesses. I've had victims
23 and their families dragged up there.

24 Another thing is that that perfect example is
25 this case with Mr. Marra; that's a -- a murder that
26 occurred back in 1984, and yet it's still going on.
27 Now, I understand it's an actual innocence claim, but

1 most of these habeases are for ineffective assistance
2 of counsel. And we have -- attorneys are dead; they
3 can't even defend themselves. We need to have a
4 statute of limitations on habeas, you know, we need
5 to think about changing the venue for habeas to the
6 court where the conviction occurred; where all the
7 witnesses are.

8 Thank you.

9 JUDGE DIPENTIMA: The next speaker is
10 Bill Mulready.

11 Good evening.

12 MR. MULREADY: Good evening.

13 I spoke Monday. First off does the -- to
14 continue -- I'd like to -- I'm providing you, I
15 believe, with a lot of excellent material that I
16 would not ordinarily be providing anyone else in the
17 branch at this stage of -- of stuff. And if your
18 first days of -- of judgeship was after May of '95 in
19 Litchfield, I may have seen you introduced to the
20 court. I think it was you; it might not have been,
21 but I do tell everyone I meet in this type of
22 conversation that my witness of your proceedings, and
23 not just in my case -- cases; you've always bent over
24 backwards for fairness for everybody -- everything.
25 And as such -- I'm not trying to pat you on the back
26 here, except for I -- I appreciate being able to tell
27 you that. But I -- I've put a lot of belief into you

1 and this Committee. And when you look up the word,
2 Judge, in the dictionary, your picture should be
3 there, or at least it should have been. I don't know
4 if you're still that person or not. The sad truth is
5 I can't say that about everyone else that I've come
6 across. There's a couple of individuals that have
7 been -- that have high marks.

8 I support what I heard Monday. Just briefly; no
9 win or take all in a family -- family relations
10 stuff. First time I heard that. I support that a
11 thousand percent, especially those who are Judges
12 taking everything through lies and fabrications, such
13 as in my case -- no, it wasn't you, it was another
14 Judge, Walter M. Pickett -- 31 lies.

15 Monday I asked for some of my Americans With
16 Disabilities Act Protections and their branch
17 administrative responsibilities. Been a couple of
18 days; has anybody been able to find any of that?

19 JUDGE DIPENTIMA: You provided us with material
20 Monday and we've got more today.

21 MR. MULREADY: Okay.

22 Well, it took me five months to receive an
23 audience with Lee Julian (phonetic) a couple years
24 back. That employment poster I mentioned is out on
25 the bulletin board out here and it's got a wrong
26 address. And I don't know that people coming up here
27 are looking for a job and they may or may not be able

1 to read. And I'm not -- not picking on people, I
2 mean, some -- a blind person can't read. So you're
3 not effectively communicating to people.

4 I took a one hour drive to Massachusetts a
5 couple years ago just on a random date. Springfield
6 had the -- had three courts in a block, which is -- I
7 was surprised, but that's -- that's not the purpose
8 of what I'm talking about. Twenty minutes in a
9 randomly picked court house and I was in the ADA
10 coordinator's office, it happens to be two in every
11 courthouse; on that block there were six ADA
12 coordinators. It's not by law it's just they found
13 that to work. So the first six pages that I gave you
14 is just some of the stuff that was provided to me and
15 that, you know, I -- I wasn't in the court more than
16 an hour, and they gave me a -- they gave me a
17 notebook size -- I asked for policies and procedures,
18 she looked at my funny and she brought out a notebook
19 that was about three or four inches thick.

20 By the way, they've been sued, not in
21 Springfield, but Bristol County Courthouse is under
22 ADA and they had a settlement agreement through the
23 United States Department of Justice, and -- and an
24 attorney was more physical access was ideally he had
25 everything that I was trying to provide to you.

26 The next eight pages are from the U.S.
27 Department of Justice. It's just a few of -- they

1 have a tool kit; points out that you're in violation
2 of federal law. Its purpose in my giving you that,
3 plus that fact that it -- there's a checklist
4 available.

5 The last page; Child's brain -- that was in
6 Monday's paper, Waterbury paper. I find it
7 interesting because I'm not -- it's -- I've got a lot
8 of information over the course of these years here,
9 but if you look at not just what you're doing to the
10 defendant or -- or plaintiff, but the -- the
11 extended -- the family and what the -- what the
12 children that get isolated and separated from their
13 people.

14 I do wish you all a Happy Holiday, a Happy
15 Chanukah, Merry Christmas. Thank you for this
16 opportunity, and I do want my babies back, and you're
17 in violation. I did not receive equal protection and
18 due process, which is clearly stated in these papers.

19 JUDGE DIPENTIMA: Thank you, Mr. Mulready.

20 MR. MULREADY: Thank you.

21 JUDGE DIPENTIMA: Chris Kennedy is the next
22 speaker.

23 MR. KENNEDY: Hi, good evening.

24 JUDGE DIPENTIMA: Good evening.

25 MR. KENNEDY: My name's Chris Kennedy. I run
26 the Connecticut Civil Rights Council. April will
27 mark my seventh year of my involvement with the court

1 system. My life has been completely wrapped up, if
2 not ruined, by the court cases I have gone through.

3 I guess it -- to sum it up, there's three
4 issues. One, is there's far too much corruption in
5 the courthouse; the second is that you know about it,
6 and the third is that you're not doing anything about
7 it. And, I guess, the first speaker echoed the
8 thoughts of the people I've talked to; that they
9 don't believe anything will be done about it. I
10 talked to 25 people today at Rockville Court and I
11 told them about the hearing and I talked to them
12 about their experience with the court. They all
13 agree that the court system is far too corrupt. They
14 understand that there's a public hearing, but they
15 also believe that nothing's gonna be done about it.

16 I think on Monday I brought up some of the
17 issues that I've experienced and just, I guess, as
18 far as suggestions go; family court is where my court
19 case initiated. Like I said, seven years ago I lost
20 my children. What I've noticed is that there's no
21 equality when it comes to the family court system;
22 there's an extreme bias against men. When you walk
23 into court, men are paychecks. You are held to
24 different standards than women are, your motions are
25 denied; a mother's motions are granted. Your
26 children are taken from you; the mother gets custody
27 and you pay support. There's contempt motions;

1 you're held in contempt of court, mother's not held
2 in contempt of court. I mean, that has been a
3 consistent, very consistent pattern at Rockville
4 Court from what I've witnessed. And as a -- running
5 the Connecticut Civil Rights Council, I talked to
6 thousands of fathers, literally thousands of fathers
7 who experience the same issue. I get about a hundred
8 emails a night.

9 This bias is -- is amazing. I've gotten
10 documents from Guglielmo, Senator Guglielmo, about
11 the bias in the courthouse, custody battles or these
12 custody issues. 95 percent go the mother; in favor
13 of the mother. And I say, how can that be possible,
14 is -- is Connecticut filled with that many
15 dysfunctional fathers that -- that none of them are
16 able to raise a child.

17 I know you can't get involved in individual
18 cases, but it brings up a -- an important point. I
19 have a judge, Judge Kaplan, who runs Rockville
20 Courthouse, and for the last four years he's been
21 targeting me specifically. If you're not -- I guess
22 the question is why is he getting involved in my
23 personal cases. I have transcripts here of him
24 calling state prosecutors, admitting to it on the
25 record; that I called the state prosecutor in Enfield
26 and I told them I don't think your case should be
27 nolled. His general, I guess, defense or -- or

1 attack for judicial complaints is he labels people as
2 unstable. And so that's what he's been claiming.
3 Taking documents out of Rockville court, going
4 through the case files, removing documents from the
5 courthouse and driving them down to Hartford to
6 submit them into an arrest warrant to have me
7 arrested, because I filed a complaint against him.
8 And he knowingly submitting these documents he knew
9 they were false; documents that included a mother by
10 accident or by computer error, they included a mother
11 and a restraining order. And he knew it and he
12 wouldn't fix it, and he took those documents down to
13 Hartford. I mean, I don't know, I mean, you're
14 driving on an interstate highway; I think that's a
15 federal offense, if you're calling state prosecutors
16 and you're breaking the law, and there's some
17 interstate wire fraud or something, I don't know.

18 But honestly, that Judge needs to be arrested;
19 there's no way around it. He needs to be arrested.
20 And I know Kevin Kane is on this Committee, and I
21 want to know when; when is he going to do something
22 about it. When is he going to stop the Judge. You
23 know, this is has been going on for four years, I
24 mean, following me around the courthouse, parking his
25 car in front of the driveway of the parking lot when
26 I go to drive out at night and he stops his car in
27 the middle of the road. And I file a complaint with

1 the state police and the next thing I know he's
2 making statements to the state police; he's alleging
3 that I tried to purchase -- applied for gun licenses
4 or was trying to buy firearms, and that now the
5 courthouses are on alert, and that all the attorneys
6 have been notified, and the -- and all the Judges
7 have been put on notice that there's a safety threat.
8 And so I went and talked to all the marshals and they
9 never heard of it. So I think if the courthouse was
10 really put on alert, they would be the first ones to
11 know about it, and this is just last week; I just got
12 the transcript last week from this.

13 And so you have a Judge actively pursuing me.
14 Why is he targeting me, why is he targeting my
15 family. I mean, is it not enough; he's had me
16 arrested three times. I mean, I -- I've watch him
17 pull my defense attorney out of a conference room so
18 he can meet with the state prosecutor. I say, when
19 is this gonna end or how is it gonna end. You know,
20 you have a Judge who's actively, physically pursuing
21 me; putting marshals next to me as I sit in the case
22 flow office, you know. And this -- this is -- I hate
23 to say it, but it's typical; it's typical.

24 If you file a complaint against a Judge, you run
25 the risk of being arrested. If you're an attorney,
26 you can be disbarred. If you're a father or a
27 mother, you could have your children taken away from

1 you; any way that you interface with the court system
2 they can retaliate against you. And the problem is
3 that the people know about it, I mean, you -- you
4 know. The -- I've written to every person in the
5 state, and you know about it. And I'm wondering when
6 something's gonna be done about it, or are you just
7 gonna wait for something to happen. What -- what --
8 what's he gonna do next, I guess, is the question.
9 And they will not transfer the case out of Rockville
10 court.

11 So if you've turned those around into
12 suggestions, general suggestions, you know, of what
13 Judges should not do, I guess that could be applied
14 to the entire judicial branch.

15 Thank you.

16 JUDGE DIPENTIMA: Thank you all very much,
17 again, for coming out this evening.

18 I want to thank all the Commission Members who
19 appeared tonight and who appeared on Monday to listen
20 your comments.

21 Just so those of you who are here tonight
22 understand; we've listened to your comments, we have
23 transcripts which will be reviewed, we have your
24 written materials which we will also review. This
25 Committee's work continues and I don't know when it's
26 going to end. But we certainly are considering
27 everything you've said seriously, and again,

1 appreciate very much the fact that you've -- you've
2 made an effort to be heard. And I certainly have --
3 have learned some things tonight.

4 Thank you and have a good evening.

5 (Whereupon this matter was concluded.)

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PUBLIC SERVICE & TRUST COMMISSION : SUPERIOR COURT
HEARING : JUDICIAL DISTRICT
: AT BRIDGEPORT
: DECEMBER 6, 2007

CERTIFICATION

I, P'Shaunda D. Gibbs-Hopkins, Court Monitor for the
Judicial District of Fairfield, at Bridgeport, Connecticut,
do hereby certify that the above and foregoing is a true and
accurate transcription of the voice recording of the
proceedings for the Public Service & Trust Commission
Hearing, on the 6th day of December 2007.

Dated this 12th day of December 2007.

P'Shaunda D. Gibbs-Hopkins,
Court Monitor