



CITY OF HARTFORD

OFFICE OF THE TOWN AND CITY CLERK

550 MAIN STREET

HARTFORD, CONNECTICUT 06103

JOHN V. BAZZANO
TOWN & CITY CLERK
REGISTRAR OF VITAL STATISTICS

March 27, 2015

Honorable Pedro E. Segarra, Mayor

Dear Mayor Segarra:

Please find attached the following resolutions that were passed at a SPECIAL meeting of the Court of Common Council on March 26, 2015. I have duly certified these documents and respectfully send it to you for your review.

Kelly Bilodeau, CCTC
Assistant Town Clerk

RESOLUTIONS

Approve	<i>Spec. Res. # 1</i>
Veto	
Date	<i>3/28/2015</i>

Pedro E. Segarra, Mayor

ORDINANCES

Approve	
Veto	
Date	

15 MAR 27 AM 11:28

RECEIVED
CITY OF HARTFORD
MAYOR'S OFFICE

Court of Common Council



CITY OF HARTFORD
550 MAIN STREET
HARTFORD, CONNECTICUT 06103

Shawn T. Wooden, Council President
Alexander Aponte, Majority Leader
Joel Cruz, Jr., Minority Leader

John V. Bazzano, Town and City Clerk

Kyle K. Anderson, Councilman
Raúl De Jesús, Jr., Councilman
Larry Deutsch, Councilman
Cynthia R. Jennings, Councilwoman
Kenneth H. Kennedy, Jr., Councilman
David MacDonald, Councilman

March 27, 2015

This is to certify that at a SPECIAL meeting of the Court of Common Council, March 26, 2015 the following RESOLUTION was passed.

RESOLVED, BY THE CITY OF HARTFORD COURT OF COMMON COUNCIL, That the following are adopted as the Rules and Procedures for the removal trial against Olga Vazquez, Urania Petit, and Sheila Hall:

RULES AND PROCEDURES FOR REMOVAL

RULE 1 — Definitions.

In these Rules and Procedures, unless the context clearly requires a different meaning:

“Articles of Removal” include one or more articles of removal, which set forth the charges upon which the Registrars will be tried.

“Council” shall mean the City of Hartford Court of Common Council.

“Court Reporter” shall mean the duly qualified court reporter, who shall be responsible for stenographically recording the proceedings and for marking and receiving exhibits into the record of Removal Proceedings.

“Registrars” means one or more of the Hartford Registrars of Voters, including the Democratic Registrar of Voters, Olga Vazquez, the Working Families Registrar, Urania Petit, and the Republican Registrar, Sheila Hall.

“Removal Proceedings” and “Trial” shall mean the removal trial against the Registrars and all hearings and motions in furtherance thereof.

“Removal Rules” or “Rules” means one or more of these Rules and Procedures for the Removal Proceedings.

“Presiding Officer” shall mean the President of the Council, Shawn Wooden, or the Presiding Officer Pro-Tem of the Council, Alexander Aponte, in the absence or recusal of the President, or a member of the Council designated by a majority vote in the absence of both the President and the Presiding Officer Pro-Tem.

RULE 2 — Articles of Removal.

The Articles of Removal presented to the Council by Prosecuting Counsel, having been preferred by the Council by majority vote, shall serve as the charges for purposes of these Removal Proceedings.

RULE 3 — Prosecuting Counsel.

The Prosecuting Counsel shall be Ross H. Garber of Shipman & Goodwin LLP. Prosecuting Counsel will be assisted by Michael G. Chase of Shipman & Goodwin LLP in prosecuting the Articles of Removal, and such staff as the Prosecuting Counsel may designate.

RULE 4 — Issuance of orders.

The Presiding Officer has the power (i) to make and issue all orders, mandates, writs, and other papers or documents authorized by these Rules and (ii) to make and enforce any other regulations and orders relating to the removal trial proceedings that the Council authorizes.

RULE 5 — Form of proceedings.

Unless specifically addressed in these Rules, the Presiding Officer shall have the authority to direct the form of the Removal Proceedings and the physical layout of the Court of Common Council chamber during such Proceedings.

RULE 6 — Power to administer oaths; subpoenas for witnesses or documents; penalty for violation

(a) For the purpose of conducting the Removal Proceedings, the Court Reporter and any member of the Council shall have power to administer oaths.

(b) The Council may compel the attendance of witnesses and require the production of books and papers.

(c) Any person who refuses or fails to obey the subpoena of the Council as provided for herein shall be subject to such remedies and penalties as the law allows.

RULE 7 — Rules of evidence governing the trial.

(a) Evidence may be admitted if it is relevant, material, and not redundant. Neither the Federal Rules of Evidence nor the Connecticut Code of Evidence apply to these Removal Proceedings or any motion or hearing in furtherance thereof.

(b) The Prosecuting Counsel or any Registrar or her counsel may object to the admission or exclusion of evidence. Any objection shall be addressed to the Presiding Officer, who shall be advised as to all legal issues by the Legal Advisor to the Council.

(c) The Presiding Officer may rule on an objection and his ruling shall stand. The Presiding Officer, at his sole discretion, may submit the objection to the full Court of Common Council, which shall rule on the objection in the first instance by a majority vote.

(d) The vote of the Council under subsection (c) of this rule shall be by record roll call vote.

RULE 8 — Notice of Charges and Time and Place of Hearing

(a) A Notice of Charges and Time and Place of Hearing shall have issued to each of Olga Vazquez, Urania Petit, and Sheila Hall. The notice shall have attached the Articles of Removal and notified each of the registrars of the time and place of the trial upon these Removal Proceedings.

(b) The Notice shall have been served at least two (2) weeks before the date fixed for the commencement of the Removal Proceedings. Service shall have been made by delivery of a copy to each of the Registrars personally or at their abode or to their counsel.

RULE 9 — Commencement of removal proceedings.

(a) On April 7, 2015 at 4:00 p.m., unless otherwise directed by the Presiding Officer, the full Court of Common Council shall convene a special meeting for the purpose of the Removal Proceedings of Olga Vazquez, Urania Petit, and Sheila Hall in the Council Chambers.

(b) The Court Reporter shall then administer the oath to the members of the Council.

(c) The oath to be administered shall be as follows: "I solemnly swear (or affirm) that in all things pertaining to these removal proceedings on the charges in the Articles of Removal, now pending, I will do justice according to law."

RULE 10 — Subpoena of witnesses; requests to admit additional evidence.

(a) Requests for subpoenas for witnesses may be made by the Prosecuting Counsel or by the Registrars or their counsel in the form of a written motion submitted to the Presiding Officer. The motion must incorporate a showing that the subpoena is reasonably required to obtain relevant information that is not cumulative or redundant.

(1) A motion for a subpoena for witness testimony must contain the name of the witness, a description of the subject matter of the testimony, an explanation of why the testimony is relevant, material, and not cumulative or redundant, and must indicate when the party seeks to have the witness testify before the Council, as well as the anticipated length of any direct examination of such witness.

(2) A motion for a subpoena requiring the production of documents by any witness must specify the documents or other materials to be produced and the material or relevant facts to be proved by them.

(3) The Presiding Officer shall rule on all motions made under subsection (a) or may, at his discretion, submit such motions to the Council for its consideration.

(4) If a motion to subpoena a witness to testify before the Council made under subsection (a) is granted, and such witness is properly served with a subpoena by a Marshal of the State of Connecticut, then the witness shall appear and testify in the manner provided in Removal Rule 17.

(5) If a motion made under subsection (a) is granted to issue a subpoena duces tecum and the moving party seeks the admission of any produced documents or other materials as evidence, then the moving party must submit a request pursuant to subsection (b) of this Removal Rule.

(b) Requests for the admission of any testimony or documentary evidence must be made by Prosecuting Counsel or by the Registrars or their counsel in the form of a motion submitted to the Presiding Officer no later than one week prior to the commencement of the trial day on which that witness is expected to testify or the evidence will be proffered. The Presiding Officer may modify this deadline at his sole discretion.

(1) A motion seeking the admission of witness testimony must contain the name of the witness, a description of the subject matter of the testimony, and an explanation of why the testimony is relevant, material, and not redundant.

(2) A motion seeking the admission of documents or other materials must describe and produce the proffered evidence and must explain why the documents or other materials are relevant, material, and not redundant.

(3) The Presiding Officer shall rule on all motions made under subsection (b) or may, at his sole discretion, submit such motions to the Council for its decision. If a motion is granted with respect to the admission of witness testimony, then the Council shall proceed to hear the testimony in the manner set forth in Removal Rule 17. If a motion is granted with respect to the admission of documents or other materials, then the documents or other materials shall be deemed admitted as evidence in the Removal Proceedings before the Council.

(c) A party submitting a motion under this Rule must, simultaneously with filing the motion and supporting documents with the Presiding Officer, serve a copy on all other parties. The non-moving parties may object to a request made under this Rule by filing objections in writing with the Presiding Officer and by serving a copy on the moving party. A non-moving party has 24 hours from the time of that party's receipt of service of the request to file an objection, unless directed otherwise by the Presiding Officer.

RULE 11 — Opening statements; order of proceedings; closing arguments.

(a) No opening statements shall be permitted.

(b) Proceedings shall proceed as follows: The Prosecuting Counsel shall present the case for removal. The Registrars or their counsel shall then be provided the opportunity to present evidence relevant to the Articles of Removal as provided by these Rules. Prosecuting Counsel shall have an opportunity to present any rebuttal.

(c) Closing arguments shall follow the presentation of all evidence to the Council during the Removal Proceedings. Prosecuting Counsel shall have 30 minutes to present a closing argument. Each Registrar or their counsel shall have 15 minutes to present a closing argument. Prosecuting Counsel shall then have an additional 10 minutes to present any rebuttal argument. On motion of either party before closing argument, the time for closing argument may be extended by the Presiding Officer at his sole discretion.

RULE 12 — Council Rules; applicability.

The Council Rules, unless otherwise provided for by law, govern the Council while it sits for the purpose of trying the Removal Proceedings. If any Council Rule conflicts with these Removal Rules, then these Removal Rules control.

RULE 13 — Time of trial.

The hour of the day at which the Council shall sit upon the trial of these Removal Proceedings is 4:00 p.m. on April 7, 2015, unless otherwise directed by the Presiding Officer. When that hour arrives, the Presiding Officer shall direct that the Council convene to sit as a removal tribunal, and the business of the trial shall proceed day-to-day until completed and shall be presided over by the Presiding Officer. While the Council is sitting as a removal tribunal, no other business than business related to the removal trial is in order.

RULE 14 — Court Reporter as temporary custodian of all removal records.

The Court Reporter shall record the removal trial proceedings steno graphically and shall prepare a final verbatim transcript of proceedings to serve as the trial record and be filed with the Town and City Clerk. During the Removal Proceedings, the Court Reporter shall provide for receipt and secure maintenance of all subpoenas, documents, records, books, papers, pleadings, motions, and exhibits presented to or received by the Council in removal trial proceedings. Upon completion of the Removal Proceedings, the Court Reporter shall provide all records to the Town and City Clerk to be certified as the official record of proceedings and for permanent maintenance and public availability thereof.

RULE 15 — Counsel for parties.

Prosecuting Counsel and his or her staff and counsel for the Registrars and his or her staff shall be admitted to appear and be heard upon these Removal Proceedings so long as such attorneys are members of the bar of the State of Connecticut. Each of the Registrars shall have the right to be represented by counsel at the hearing.

RULE 16 — Presentation of questions, motions, and other matters; votes on motions, requests, and other matters.

(a) All motions, objections, requests, or other matters pertaining to procedure, to the Articles of Removal, or to the Removal Proceedings, including questions with respect to the admissibility of evidence, made orally or in writing by Prosecuting Counsel or the Registrars or their counsel, shall be addressed to the Presiding Officer. If made orally and the Presiding Officer so requests, any such petition shall be reduced to writing and submitted to the Court Reporter.

(b) The Presiding Officer shall have the power to decide all motions, requests, or other matters pertaining to procedure, to the Articles of Removal, or to the Removal Proceedings, made orally or in writing by Prosecuting Counsel or the Registrars or their counsel. In his sole discretion, the Presiding Officer may submit such issues to the full Council. Evidentiary objections shall be determined under Rule 7.

(c) Councilmembers shall direct to the Presiding Officer all oral or written motions, requests, or other matters pertaining to procedure, to the Articles of Removal, or to the Removal Proceedings. The Presiding Officer may then decide such motion, request, or other matter, or, in his sole discretion, order that such matter be put to a vote by the Council. The vote on the motion, request, or other matter shall be without debate.

RULE 17 — Witness examination and presentation of trial exhibits; questions by Councilmembers.

(a) Prosecuting Counsel and the Registrars or their counsel shall have the right to present witness testimony, to cross-examine witnesses, and to compel the attendance of witnesses by subpoena issued in the name of the Council as provided for by these Rules. The Registrars may also present testimony personally.

(b) Before any witness may give testimony, the Court Reporter shall administer to the witness the following oath: "I do solemnly swear (or affirm) that the testimony I am about to give in this matter is the truth, the whole truth, and nothing but the truth."

(c) Each witness shall be examined by one person on behalf of the party producing that witness and then cross-examined by one person on behalf of any other party. The Presiding Officer may, at his discretion, permit redirect examination and may, at his discretion, permit re-cross examination.

(d) After completion of questioning by Prosecuting Counsel and the Registrars or their counsel, any Councilmember desiring to question a witness shall be permitted to do so by reducing his or her question to writing and by submitting it to the Presiding Officer. Questions submitted shall be asked by the Presiding Officer at his discretion. If any objection to a Councilmember's question is raised by Prosecuting Counsel, the Registrars, their counsel, or a Councilmember, then the objection shall be ruled upon in the same manner as set forth in Removal Rule 7. There shall be no colloquy or debate by or among the Councilmembers on the question posed.

(e) Copies of all documents and other materials intended to be relied upon or entered into evidence and the name of any witness permitted to testify before the Council pursuant to Removal Rule 10 shall be submitted to the Court Reporter, and a copy shall also be provided to all counsel, no later than one week prior to the commencement of the trial day on which that witness is expected to testify or the evidence will be proffered, unless specified otherwise by Council Resolution or by motion under Removal Rule 16.

RULE 18 — Final verdict and judgment.

(a) After closing arguments, the Council sitting as a removal tribunal shall take a separate record vote on each article of removal against Olga Vazquez, Urania Petit, and Sheila Hall.

(b) The Presiding Officer shall state the question on each Article of Removal as follows: "Does the Council find there is sufficient evidence as to the _____ article of removal against _____ to remove her from the office of the Registrar of Voters for the City of Hartford?" Each Councilmember, as his or her name is called, shall answer "Yes" or "No". An article of removal

and the question put to the Council is not divisible for the purpose of voting thereon at any time during the trial.

(c) For each article of removal not sustained by the Council, a judgment of acquittal shall be pronounced by the Presiding Officer and entered upon the record as to that article.

(d) If seven members of the Council sustain any one or more articles of removal by record vote, then the Presiding Officer shall pronounce judgment of removal against the Registrar that is the subject of each sustained article of removal. The Presiding Officer shall also pronounce in the judgment that the Registrar is thereby removed from the office of the Registrar of Voters and shall enter the judgment upon the record.

(e) A motion to reconsider the vote by which any article of removal is sustained or rejected is never in order.

(f) Upon conclusion of all matters pertaining to the Removal Proceedings, the Presiding Officer shall adjourn the Council as a removal tribunal.

RULE 19 — Schedule.

The Presiding Officer may, at any time, or upon motion of Prosecuting Counsel or the Registrars or their counsel, adjourn the proceedings and set a time and day for the proceedings to resume.

RULE 20 — Amendments to and suspension of Rules.

These Rules may be suspended or amended by majority vote of the Council.

Attest:



Kelly Bilodeau, CCTC
Assistant Town Clerk