



General Assembly

January Session, 2019

**Committee Bill No. 6723**

LCO No. 6611



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

**AN ACT CONCERNING REFORM OF PAROLE RELEASE AND  
REVOCAION PRACTICES AND THE MEMBERSHIP OF THE BOARD  
OF PARDONS AND PAROLES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 54-124a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2019*):

3 (a) (1) There shall be a Board of Pardons and Paroles within the  
4 Department of Correction, for administrative purposes only. On and  
5 after July 1, [2015] 2020, the board shall consist of [ten] twelve full-time  
6 and up to five part-time members appointed by the Governor with the  
7 advice and consent of both houses of the General Assembly. The term  
8 of any part-time member serving on the board on June 30, 2015, shall  
9 expire on said date. On or after July 1, 2015, the Governor may appoint  
10 up to five persons to serve as part-time members. In the appointment  
11 of the members, the Governor shall specify if the member is being  
12 appointed as full-time or part-time. In the appointment of the  
13 members, the Governor shall comply with the provisions of section 4-  
14 9b. The Governor shall appoint a chairperson from among the  
15 membership. The members of the board shall be qualified by

16 education, experience or training in the administration of community  
17 corrections, parole or pardons, criminal justice, criminology, the  
18 evaluation or supervision of offenders or the provision of mental  
19 health services to offenders. On and after July 1, 2020, at least one full-  
20 time member of the board shall be a person who was formerly  
21 incarcerated and who previously had a hearing before a panel of the  
22 board and at least one full-time member of the board shall be a victim  
23 of a crime. Each appointment of a member of the board submitted by  
24 the Governor to the General Assembly, except as provided in  
25 subdivision (2) of this subsection, shall be referred, without debate, to  
26 the joint standing committee of the General Assembly having  
27 cognizance of matters relating to the judiciary which shall report on  
28 each appointment not later than thirty legislative days after the date of  
29 reference.

30 (2) If, not later than September 1, 2015, the Governor appoints a  
31 part-time member and such member was previously a member whose  
32 term expired June 30, 2015, such appointment shall take effect  
33 immediately without confirmation by the General Assembly.

34 (b) The term of each member of the board shall be coterminous with  
35 the term of the Governor or until a successor is chosen, whichever is  
36 later. Any vacancy in the membership of the board shall be filled for  
37 the unexpired portion of the term by the Governor.

38 (c) Ten of the members, and on and after July 1, 2020, twelve of the  
39 members of the board shall devote full time to the performance of their  
40 duties under this section and shall be compensated therefor in such  
41 amount as the Commissioner of Administrative Services determines,  
42 subject to the provisions of section 4-40. The other members of the  
43 board shall receive one hundred ten dollars for each day spent in the  
44 performance of their duties and shall be reimbursed for necessary  
45 expenses incurred in the performance of such duties. The chairperson  
46 or, in the chairperson's absence or inability to act, a member  
47 designated by the chairperson to serve temporarily as chairperson,

48 shall be present at all meetings of the board and participate in all  
49 decisions.

50 (d) The chairperson shall be the executive and administrative head  
51 of said board and shall have the authority and responsibility for (1)  
52 overseeing all administrative affairs of the board, (2) assigning  
53 members to panels, (3) establishing procedural rules for members to  
54 follow when conducting hearings, reviewing recommendations made  
55 by employees of the board and making decisions, (4) adopting policies  
56 in all areas of pardons and paroles including, but not limited to,  
57 granting pardons, commutations of punishments or releases,  
58 conditioned or absolute, in the case of any person convicted of any  
59 offense against the state and commutations from the penalty of death,  
60 risk-based structured decision making and release criteria, (5)  
61 consulting with the Department of Correction on shared issues  
62 including, but not limited to, prison overcrowding, (6) consulting with  
63 the Judicial Branch on shared issues of community supervision, and (7)  
64 signing and issuing subpoenas to compel the attendance and  
65 testimony of witnesses at parole proceedings. Any such subpoena shall  
66 be enforceable to the same extent as subpoenas issued pursuant to  
67 section 52-143.

68 (e) Each parole release panel shall be composed of two members  
69 and the chairperson or a full-time member designated by the  
70 chairperson to serve temporarily as chairperson. On and after January  
71 1, 2016, not less than three members shall be present at each parole  
72 hearing. Each pardons panel shall be composed of three members, one  
73 of whom may be the chairperson, except that for hearings on  
74 commutations from the penalty of death, one member of the panel  
75 shall be the chairperson.

76 (f) The Board of Pardons and Paroles shall have independent  
77 decision-making authority to (1) grant or deny parole in accordance  
78 with sections 54-125, 54-125a, 54-125e and 54-125g, (2) establish  
79 conditions of parole or special parole supervision in accordance with

80 section 54-126, (3) rescind or revoke parole or special parole in  
81 accordance with sections 54-127 and 54-128, (4) grant commutations of  
82 punishment or releases, conditioned or absolute, in the case of any  
83 person convicted of any offense against the state and commutations  
84 from the penalty of death in accordance with section 54-130a.

85 (g) The Department of Correction shall be responsible for the  
86 supervision of any person transferred to the jurisdiction of the Board  
87 of Pardons and Paroles during such person's period of parole or  
88 special parole.

89 (h) The chairperson, or the chairperson's designee, and two  
90 members of the board shall conduct all parole release hearings, and  
91 shall approve or deny all (1) parole revocations and parole rescissions  
92 recommended by an employee of the board pursuant to section 54-  
93 127a, and (2) recommendations for parole pursuant to section 54-125i.  
94 No panel of the Board of Pardons and Paroles shall hold a hearing to  
95 determine the suitability for parole release of any person unless the  
96 chairperson of the board has made reasonable efforts to determine the  
97 existence of and obtain all information deemed pertinent to the panel's  
98 decision and has certified that all such pertinent information  
99 determined to exist has been obtained or is unavailable.

100 (i) The chairperson of the board shall appoint an executive director.  
101 The executive director shall oversee the administration of the agency  
102 and, at the discretion of the chairperson, shall: (1) Direct and supervise  
103 all administrative affairs of the board, (2) prepare the budget and  
104 annual operation plan, (3) assign staff to administrative reviews, (4)  
105 organize pardons and parole release hearing calendars, (5) implement  
106 a uniform case filing and processing system, and (6) create programs  
107 for staff and board member development, training and education.

108 (j) The chairperson, in consultation with the executive director, shall  
109 adopt regulations, in accordance with chapter 54, concerning:

110 (1) Parole revocation and rescission hearings that include

111 implementing due process requirements;

112 (2) An expedited pardons review that allows an applicant convicted  
113 of a crime to be granted a pardon with respect to such crime without a  
114 hearing, unless a victim of such crime requests such a hearing, if such  
115 applicant was convicted of a nonviolent crime;

116 (3) Requiring board members to issue written statements containing  
117 the reasons for rejecting any application for a pardon.

118 (k) The Board of Pardons and Paroles shall hold a pardons hearing  
119 at least once every three months and shall hold such hearings in  
120 various geographical areas of the state. The board shall not hold a  
121 pardons hearing within or on the grounds of a correctional facility  
122 except when solely for the benefit of applicants who are incarcerated at  
123 the time of such hearing.

124 (l) The chairperson and executive director shall establish:

125 (1) In consultation with the Department of Correction, a parole  
126 orientation program for all parole-eligible inmates upon their transfer  
127 to the custody of the Commissioner of Correction that will provide  
128 general information on the laws and policies regarding parole release,  
129 calculation of time-served standards, general conditions of release,  
130 supervision practices, revocation and rescission policies, and  
131 procedures for administrative review and panel hearings, and any  
132 other information that the board deems relevant for preparing inmates  
133 for parole;

134 (2) An incremental sanctions system for parole violations including,  
135 but not limited to, reincarceration based on the type, severity and  
136 frequency of the violation and specific periods of incarceration for  
137 certain types of violations; and

138 (3) A formal training program for members of the board and parole  
139 officers that shall include, but not be limited to, an overview of the  
140 criminal justice system, the parole system including factors to be

141 considered in granting parole, victim rights and services, reentry  
142 strategies, risk assessment, case management and mental health issues.  
143 Each member shall complete such training annually.

144 (m) The board shall employ at least one psychologist with expertise  
145 in risk assessment and recidivism of criminal offenders who shall be  
146 under the supervision of the chairperson and assist the board in its  
147 parole release decisions.

148 (n) In the event of the temporary inability of any member other than  
149 the chairperson to perform his or her duties, the Governor, at the  
150 request of the board, may appoint a qualified person to serve as a  
151 temporary member during such period of inability.

152 (o) The chairperson of the Board of Pardons and Paroles shall: (1)  
153 Adopt an annual budget and plan of operation, (2) adopt such rules as  
154 deemed necessary for the internal affairs of the board, and (3) submit  
155 an annual report to the Governor and General Assembly.

156 (p) Any decision of the board or a panel of the board shall be made  
157 by a majority of those members present.

158 (q) The chairperson of the Board of Pardons and Paroles shall  
159 quarterly publish on the Internet web site operated by the board  
160 statistics derived from decisions made pursuant to subsection (f) of  
161 this section during the previous quarter. Such statistics shall be  
162 disaggregated based on the following: (1) Race and gender; (2) length  
163 of sanctions for criminal versus technical violations; and (3) parole  
164 denial, or parole or special parole rescission or revocation outcomes.

165 (r) The board shall (1) track, analyze and publish data on the costs  
166 associated with the rescission or revocation of a person's parole or  
167 special parole, including jobs and housing lost by persons who have  
168 their parole or special parole rescinded or revoked, (2) implement  
169 evidence-informed strategies to reduce incarceration for persons who  
170 have their parole or special parole rescinded or revoked, and (3) limit

171 rescission or revocation of a person's parole or special parole due to  
172 violations attributed to such person's alcohol or drug-dependency or  
173 mental health condition.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2019	54-124a

**Statement of Purpose:**

To require greater transparency concerning decisions made by the Board of Pardons and Paroles and to provide that a formerly incarcerated person and a crime victim be members of the board.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: REP. WALKER, 93rd Dist.; SEN. WINFIELD, 10th Dist.  
REP. MCGEE, 5th Dist.; REP. ROSARIO, 128th Dist.  
REP. SANTIAGO E., 130th Dist.; REP. PORTER, 94th Dist.  
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