

# Connecticut Board of Pardons and Paroles



## At a Glance

CARLETON J. GILES, *Chairperson*

Richard Sparaco, *Executive Director*

***Established:*** 1883 (Pardons) and 1957 (Parole); merged in 2004

***Statutory authority:*** Conn. Gen. Statutes Section(s) 54-124a, and 54-131k

***Central office:*** 55 West Main Street, Suite 520, Waterbury, CT 06702

***Number of employees:*** 76 F/T & 6 P/T (a llocated) - (1 P/T vacancy as of 6/30/16)

***Recurring Operating Expenses:*** 6,423,794 (adjusted 2017)

***Organizational structure:*** Pardons Division; Parole Hearings Division (including the Interstate Compact Unit); Planning, Research and Development Division; and Victim Services (Victim Advocates mandated by statute and funded by the Office of Victim Services).

**The Board of Pardons and Paroles is an autonomous agency which is attached to the Department of Correction for “Administrative Purposes Only” (see: Conn. General Statutes Section 4-38f).**

## Mission

***The mission of the Board of Pardons and Paroles is to facilitate the successful reintegration of suitable offenders into the community.***

## Vision

1. Reduced recidivism
2. More investment in crime prevention (redirect / refocus resources)
3. Reduced victimization
4. Less violent, safer communities
5. An increased capacity to measure all of the above (performance measures)

## **Values**

We believe:

- That public safety is best achieved if criminal justice policy takes both punishment and rehabilitation into account;
- In victims' rights;
- That everyone deserves to be treated with dignity and respect;
- In the potential for positive change;
- In the utilization of evidence-based practices in our decision making;
- In maximizing resources; and
- That community safety is achieved through multi-agency collaboration

## **Statutory Authority**

The Board of Pardons and Paroles plays a critical role in the State's criminal justice system. Under the Connecticut General Statutes, the Board has the independent decision-making authority to (1) grant or deny parole in accordance with 54-125, 54-125a, 54-125e and 54-125g, (2) establish conditions of parole or special parole supervision in accordance with section 54-126, (3) rescind or revoke parole or special parole in accordance with sections 54-127 and 54-128, (4) grant commutations of punishment or releases, conditioned, provisional, or absolute, in the case of any person convicted of any offense against the state and commutations from the penalty of death in accordance with section 54-130a and 53-130e.

In Fiscal year 2016/2017, the statutory make-up of the Board included fifteen (15) members, ten (10) of whom, including the Chairperson, are full-time. The Governor is responsible for appointing all members of the Board with the advice and consent of both houses of the General Assembly. Appointments for Fiscal year 2016/2017 consist of Ten (10) full-time members, plus four (4) part-time members, who now serve on both pardon and parole release panels; and the Chairperson. The Governor specifies the member being appointed as Chairperson as well as the full-time and part-time members. The members of the Board must be qualified by education, experience or training in the administration of community corrections, parole or pardons, criminal justice, criminology, the evaluation or supervision of offenders or the provision of mental health services to offenders. No panel of the Board of Pardons and Paroles can hold a hearing to determine the suitability for parole release of any person unless the Chairperson of the Board has made reasonable efforts to determine the existence of and obtain all information deemed pertinent to the panel's decision and has certified that all such pertinent information determined to exist has been obtained or is unavailable. (**CGS Sec. 54-124a**). In Fiscal year 2016/2017, the Board enhanced its organizational structure by adding two crucial staff positions to assist in its mission and vision. In December of 2016, the Board added a Legislative and Administrative Advisor 2 who will act as the Boards' attorney as well as legislative liaison. In April of 2017, the Board added a Deputy Director to assist in the day to day oversight of staff and day to day agency operations.

## **Public Service**

In 2016/2017, the Board of Pardons and Paroles reviewed a total of 4528 cases for parole consideration and 2122 applications for pardon consideration. Panels of the Board conducted 3377

hearings for the purposes of granting, rescinding or revoking parole and conducted 996 reviews resulting in the granting or denying of various types of pardons.

### ***Pardons Division***

In 2016/2017, the Pardons Division received a total of 2122 applications which constituted a 29% increase in applications received in previous fiscal year. Of those received, approximately 1202 were deemed eligible for review (a 15% decrease from the previous fiscal year) and 598 of these were granted either a Certificate of Employability, Full/Absolute pardon. The overall pardons grant rate was 60% (a 2% increase compared to previous fiscal year.)

The Pardons Division receives and reviews petitions for all forms of pardons, whether absolute or provisional, from both current and former offenders, as well as applications for sentence commutations (clemency). The Pardons Division maintains a case file on all individuals who have applied for a pardon and acts as a liaison to the public for information inquiries and correspondence. Officers assigned to the Pardons Division review all applications and prepare and distribute dockets, as well as conduct investigations on each application, which include criminal records queries and interviews with witnesses and victims. Additionally, officers assigned to the Pardons Division complete courtesy investigations for the State of New York, visiting and interviewing applicants who now reside in Connecticut and are applying for relief in New York. A written investigation, proof of residency, employment and other relevant information are submitted to the requestor.

The pardons process in Connecticut can help remove barriers to employment for various applicants. The Board may grant a Certificate of Employability (provisional) or an Absolute Pardon to an ex-offender. A Certificate of Employability specifically addresses the removal of barriers to employment, but it does not erase a person's criminal record. An Absolute Pardon, if granted, completely erases an individual's criminal record. Pardons may be issued with various conditions before granted. Being granted a pardon may increase chances of employment for the individual since the stigma of having a criminal record is either removed in the case of an Absolute Pardon, or mitigated in the case of a Certificate of Employability. Securing a pardon also increases a person's ability to further their education, especially in cases where felony convictions are pardoned. In such cases, persons applying for student loans are able to indicate on the loan application document that they have never been convicted of a felony or crime in Connecticut.

Connecticut's pardons process is unique in that the granting authority lays with a Board, not the Governor. Persons who have completed their sentences (including parole and probation,) and have shown themselves to be rehabilitated, have the opportunity to be a part of the community without the stigma of a criminal record. Persons granted Absolute Pardons can lawfully say that they have never been convicted of, nor arrested for a crime in Connecticut.

### ***Parole Hearings Division***

In 2016/2017 The Board conducted parole release hearings for 2539 offenders (a 2% increase compared to the previous fiscal year). The majority of these hearings were conducted via video conference while some were conducted in person at a correctional facility. The Board also

conducted 838 revocation and rescission reviews and/or hearings (an 8% decrease from the previous fiscal year).

The Board may grant an offender parole if it appears “that there is a reasonable probability that the inmate will live and remain at liberty without violating the law, and that such release is not incompatible with the welfare of society.” (C.G.S. Secs. 54-125 and 54-125a.) Any offender serving a total effective sentence of more than two (2) years (with the exception of certain statutory and policy exclusions) is eligible for parole. Although there is no right to parole release, the Board generally conducts hearings for eligible offenders six (6) months prior to statutory eligibility. Parole Officers provide general information to newly-sentenced, parole-eligible offenders about the laws and policies regarding parole release, calculation of time, general conditions of release, supervision practices, revocation and rescission policies and panel hearings. Parole Officers assigned to correctional facilities are available to answer questions from Department of Correction (DOC) personnel and offender regarding all aspects of the parole process.

Parole Officers initiate case summaries for all eligible offenders, identify violent offenders for 85% designation and gather all statutorily-mandated documentation. Parole Officers interview all applicants, conduct risk assessments, and complete comprehensive summaries that provide Board members with information regarding an applicant’s criminal, social and correctional history, as well as details of their current offense(s). Parole Officers present cases to a panel of the Board to determine suitability for parole release. If the offender is paroled, the summaries form the basis upon which Parole Officers from the Department of Correction’s Parole and Community Services Division (DOC-PCS) develop case management, treatment and supervision plans.

Parole Officers designated to act as Hearing Examiners conduct fact-finding hearings to determine whether a violation occurred or whether the nature of the new information is such that it would affect the suitability decision of a parole panel. During a bifurcated hearing process, the Parole Officer develops a recommendation based on their finding of the conduct or new information and reviews with a panel of at least two (2) Parole Board members who are present during the hearing. The panel makes the final decision regarding the revocation or rescission of parole and imposes disposition as it deems appropriate.

### ***Interstate Compact Unit***

The Interstate Compact Unit works in conjunction with the Interstate Commission for Adult Offender Supervision (ICAOS), whose membership includes paroling authorities across the nation to guide the transfer of offenders in a manner that promotes effective supervision strategies consistent with public safety, offender accountability, and crime victims’ rights. It also provides for offenders to be paroled to other state, federal and immigration detainees. In 2016/2017, the unit processed a total of 287 transfer requests, accepted 148 cases from other jurisdictions and approved 178 cases for transfer to other jurisdictions.

### ***Planning, Research and Development Division***

The Planning, Research and Development Division (PRD) was established in December 2011 to assist the agency with the mandates of Section 37 of Public Act 08-01 and Conn. Gen. Statutes section 54-124a(d)(4) that require the use of a collaborative offender risk-assessment

strategy and risk-based decision-making. The PRD Division is also responsible for providing statistical information for the agency's internal purposes, such as employment of best practices and quality control. The Division collects, analyzes and assists in the external distribution of data, such as recidivism rates, to criminal justice stakeholders and the general public. The focus of the PRD Division is directed toward the maintenance of agency processes that consistently produce responsible pardons and evidence-based parole release decisions. In addition, measuring the effectiveness of the Board's policies and processes, the Division's mission is to assist in streamlining the agency's organizational structure to ensure maximum cost-effectiveness.

In 2016/2017, the PRD Division was staffed with a Staff Psychologist and an Associate Research Analyst, all operating under the direction of a Director/Executive Director. The Division also consisted of three (5) interns, two undergraduate students and one graduate student from Quinnipiac University, one from Central Connecticut State University, and one from Western Connecticut State University, who are assigned to assist the Associate Research Analyst. This unit continues to assist with agency initiatives including the risk assessment system and structured decision-making process, as well as the development and implementation of an upgraded automated case management system for the agency and the state criminal justice network.

#### ***Victim Services***

Mandated by Connecticut General Statute, two (2) Victim Advocates from the Office of Victim Services (OVS) are available to assist crime victims who choose to participate in the decision-making processes of the Board.

## **Improvements/Achievements**

#### ***Pardons Division***

In 2016/2017, the Board continued to implement efficiencies identified through the LEAN process initiated in the previous fiscal years. As a result all applications are processed in "real time." The entire process from receipt of complete application to erasure of records is down to approximately 5 months.

In accordance with Public Act 15-2, the Board was required to draft new regulations for an Expedited Pardon Review Process. The regulation was approved by the Regulation Review Committee on July 26, 2016. This new process now allows an applicant convicted of a crime to be granted a pardon with respect to such crime without a hearing, unless a victim of such crime requests such a hearing, if such applicant was convicted of a nonviolent crime. Expedited Pardon Reviews commenced in November of 2016. During the fiscal year, the Board reviewed approximately 243 cases in accordance with the regulation. The Board is currently working on revisions to its existing commutation policy

#### ***Parole Hearings Division***

The State of Connecticut passed and made effective October 1, 2015 Public Act 15-84 "An Act Concerning Lengthy Sentences for Crimes Committed by a Child or Youth and the Sentencing of a Child or Youth Convicted of Certain Felony Offenses." This act requires that any person convicted of one or more crimes committed while under the age of eighteen (18),

who is incarcerated on or after October 1, 2015, and who received a definite sentence or a total effective sentence of more than ten (10) years for such crime or crimes prior to, on or after October 1, 2015. The Board shall provide a hearing to inmates serving an eligible sentence as defined by P.A. 15-84 (f) (1) for crimes committed when they were under eighteen (18) years of age and shall give great weight to the diminished culpabilities of juveniles as compared to adults, the hallmark features of youth, and any subsequent growth and maturity that has been displayed when considering an offender for suitability.

On June 1, 2016, the first PA 15-84 Hearing was held at the Carl Robinson Correctional Institution in Enfield, CT. During the current fiscal year, the Board conducted 46 hearings with a 22 cases being approved for parole, 21 cases denied parole and 9 cases continued. The Board also received additional training in the areas of juvenile brain development and sexually offending behaviors.

In Fiscal year 2016/2017, the Board has continued to work with Yale Law School and the research and findings that were conducted by Samuel Jacobs Criminal Justice Clinic of the Jerome N. Frank Legal services Organization regarding the Parole Revocation process. Based on these findings, on March 1, 2016, the Revocation and Rescission Unit of the Board began providing preliminary hearings to all technical violations of discretionary and Special Parole regardless of whether the parolee had requested one at the time they were served notice. The Board established a new procedure for scheduling all preliminary hearings throughout the state as well as new procedures regarding the submission of parole violation reports and evidence relating to alleged parole violations. A final report is expected to be released by Yale in the next fiscal year.

#### ***Interstate Compact Unit***

Combined efforts between Parole and Community Services (PCS) and the Interstate Compact Unit continues to be effective, this is a result of the streamlined process that was achieved collaboratively between agencies. The unit oversees all the duties of all compact action requests/responses, progress reports, case closure notices, early termination reports and any correspondences between states. In Fiscal Year 2016/2017, there was a 100% compliance rate with the compact.

#### ***Planning, Research and Development Division***

The Planning, Research and Development Division continues to assist in facilitating all agency training for new and existing staff including Structured Decision-Making (SDM), SCORES workshops, and headed up all quality assurance for the agency. Members of the division also represented the Board in the ongoing CISS (Criminal Justice Information Sharing System) project and Department of Corrections Offender Management Information System replacement project. The division is currently in collaboration with Carleton University to conduct a follow-up study to assess the utility of the SDM framework in predicting paroling outcomes.

The Unit continues working with Ralph Serin and one (1) of his graduate students from the Criminal Justice Decision Making Research Lab, Department of Psychology, Carleton University; to evaluate the effectiveness of the SDMF based on the past three (3) years of data since our implementation of the SDMF. Currently Carleton University has all the data and is in the process of cleaning the data set and preparing it for analysis.

The Parole and Community Services Division (under DOC Commissioner) and Board (under Chairman) sought technical assistance from NPRC's Richard Stroker to develop a revised graduated sanctions matrix and implementation plan to reduce technical violations and revocations. The first meeting with the Department of Correction began in April of 2017 and kick off was scheduled for the next fiscal year.

### **Information Reported as Required by State Statute**

The Governor appoints members of the Board of Pardons and Paroles. Board members are chosen to reflect the racial diversity of the State. Members are appointed with the advice and consent of either house of the General Assembly, and their terms are coterminous with the appointing Governor or until a successor is chosen, whichever is later. All members are appointed and serve on both parole release panels and pardon release panels.

**The Chairperson, Carleton Giles** of Middletown, serves as the Board's chief executive and administrative head. In addition to the Chairperson, the Board of Pardons and Paroles is comprised of the following members: (appointed as Chairperson 5/13/14, appointed as full-time board member September 2013).

**Full-Time Parole Board Members:** Ms. Rufaro Berry of Naugatuck (appointed 10/17/14), Patricia Camp of Bloomfield (appointed 10/17/14 as a part-time board member & as a full-time board member 2/19/2016), Ms. Joy Chance of Bloomfield (appointed 10/17/14), Mr. Stephen Dargan of West Haven (appointed 6/21/17) Mr. Robert Murphy of Madison (*resigned 1/1/17*), Ms. Jennifer Zaccagnini of Woodbury (appointed 5/27/2008 as part-time board member & as full-time board member 5/13/14, Jeff Hoffman of Madison (appointed 2/19/2016), Christopher Lyddy of New Haven (appointed 2/19/2016) and Carmen Sierra of New Britain (appointed 2/19/2016), Ms. Nancy Turner of Groton (appointed 6/21/17).

**Part-Time Parole Board Members:** Mr. Terry Borjeson of Newington (appointed 10/07/14), Mr. David May of East Hampton (appointed 8/19/2008); Ms. Pamela Richards of Ivoryton (appointed 5/27/2008); and Ms. Kelly Smayda of Ellington (appointed 11/07/2008). *As of 6/30/16, there is (1) vacant part-time parole board member position.*