

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: 70 F/T & 6 P/T (allocated) – 60 F/T and 1 P/T (filled as of 6/30/20)

Recurring Operating Expenses: 6,567,994

Organizational structure: Pardons Division; Parole Hearings Division (including the Interstate Compact Unit); Legal and Legislative Division; Planning, Research and Development Division; and a Victims Services Unit (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 Responsibility

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 Section(s) 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 Section(s) 54-127 and 54-128; and (4) grant commutations of punishment or releases, conditioned, provisional, or absolute, in the case of any person convicted of any offense against the state.

The statutory make-up of the Board consists of fifteen (15) members, ten (10) of whom, including the Chairperson, "shall" be appointed to serve full-time and five (5) of whom "may" be appointed to serve part-time. The Governor is responsible for appointing all members of the Board with the advice and consent of both houses of the General Assembly. The Governor also 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. In Fiscal Year 2020/2021 there were nine (9) Full-Time members and three (3) Part-Time members.

Public Service

In Fiscal Year 2020/2021, the Board of Pardons and Paroles reviewed a total of 3,949 cases related to the parole process, and 1,647 applications for pardon consideration. Panels of the Board conducted 2,782 hearings for the purposes of granting, denying, rescinding, revoking parole or discharging someone from parole or special parole, and 1,311 reviews resulting in the granting or denying of various types of pardons.

The Board was faced with several challenges during the Fiscal Year 2020/2021. The pandemic being the major challenge resulted in the closure of courthouses across the state for several months. These court closures directly affected pardons hearings which were scheduled to be held in these courthouses. Given this challenge, the Board developed a plan for a virtual platform for all parole hearings as well as pardons hearings due to the global pandemic and emergency declaration from

the Governor. The Board was also faced with several retirements of seasoned staff, requests for other forms of release due to the pandemic, and the departure of two Board members.

Pardons Division

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 commutation (clemency). The Pardons Division maintains a database 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.

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 being 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 rests 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.

In 2020/2021, the Pardons Division received a total of 1,647 applications, which constituted a 10% decrease in applications received from the previous fiscal year. Of those received, approximately 1,106 were deemed eligible for review (an 8% decrease from the previous fiscal year) and 1,240 were granted either a Certificate of Employability or a Full/Absolute Pardon. Although there was an overall decrease in applications received for FY 2020/2021, the cases continued from FY 2019/2020 resulted in an increase in cases being reviewed and granted when compared to the number of applications received during the current FY. Also, of the 1,240 cases granted, 625 were through the expedited pardons process. A total of 25 applicants were granted a Certificate of Employability. The overall pardons grant rate during this period increased to 95%.

Parole Hearings Division

The Board may grant 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. The Board provides 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. The Board also determines if an offender should serve 50% or 85% of their sentence before becoming eligible for parole. Parole Officers assigned correctional facilities are available to answer questions from Department of Correction (DOC) personnel and the offender regarding all aspects of the parole process.

Parole Officers initiate case summaries for all eligible offenders and gather statutorily-mandated documentation. Parole Officers interview 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 these cases to a panel of the Board at a parole hearing 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 (DOC) Parole and Community Services Division (PCS) develop case management, treatment, and supervision plans.

Parole Officers designated to act as Hearing Examiners for the Board's Revocation Process conduct fact-finding hearings to determine whether a violation of parole 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. The Hearing Examiner later presents a summary of their findings and recommendations to a panel of the Board. The panel makes the final decision regarding the revocation or rescission of parole and imposes a disposition as it deems appropriate.

In Fiscal Year 2020/2021, The Board conducted parole related hearings for 2,292 offenders (an 8% increase compared to the previous fiscal year.) All hearings were conducted via video conference. The Board also conducted 490 revocation and rescission reviews and/or hearings (a 21% decrease from the previous fiscal year.) In accordance with 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," the Board conducted 16 hearings for eligible offenders with 11 cases approved for parole and five (5) cases denied parole. Additionally, the Board conducted 741 Early Parole Discharge Reviews and approved 532 parolees for an Early Parole Discharge.

Due to the pandemic, the Board also saw an increase in requests for both Medical and Compassionate Parole. Unfortunately, most of the requests did not meet the statutory eligibility criteria. Based on the 26 cases that met the criteria, the Board granted a total of 19 compassionate releases (a 74% increase from the previous fiscal year) and a total of three (3) medical releases (a 57% decrease from the previous fiscal year).

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 states for supervision, as well as to other state, federal, and immigration detainees. In 2020/2021, the unit processed a total of 92 transfer requests, accepted 55 cases from other jurisdictions and approved 80 cases for transfer to other jurisdictions.

Legal and Legislative Division

The Legal & Legislative Division serves as the agency's legal counsel, legislative liaison, and liaison to the Office of the Attorney General on all legal matters affecting the agency. The Division advises the Chairperson, Executive Director, and other Board employees on matters ranging from policy, human resources issues, and agency compliance to federal and state constitutional questions.

In Fiscal Year 2020/2021, the Division oversaw 27 federal and state lawsuits, drafted and provided implementation assistance for two (2) new agency policies, revised and updated three (3) existing agency policies, drafted, submitted, and adopted one (1) new regulation, and developed and provided training for Board Members, Hearing Examiners, and new employees. As agency ethics liaison, the Division arranged for employee ethics training, assisted with required financial filings, and provided advice regarding agency and state ethics rules.

Planning, Research and Development Division

The Planning, Research and Development Division (PRD) is responsible for providing internal and external statistical information, 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 to 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. The PRD also assists the agency with the use of the State-wide Collaborative Offender Risk Evaluations System (SCORES) and the Board's evidenced-based decision-making process referred to as "Structured Decision-Making" (SDMF).

In Fiscal Year 2020/2021, the Planning, Research and Development Division consisted of a Supervising Staff Psychologist, Associate Research Analyst, and Research Analyst, all operating under the direction of the Executive Director. Unfortunately, due to the pandemic, the Division had to suspend the internship program with Quinnipiac University, the University of New Haven, Central Connecticut State University and Naugatuck Valley Community College. In recent years, the internship program had grown in size and popularity among students and advisors. We hope to resume the program in the next fiscal year.

Victim Services

Victim Services at the Board consists of two (2) Victim Advocates from the Office of Victim Services (OVS) who are available to assist crime victims who choose to participate in the decision-making processes of the Board. The positions were mandated by P.A. 08-01 and are funded by the Office of Victim Services.

Improvements/Achievements

Pardons Division

In Fiscal Year 2019/2020, the Board implemented a new internal case management system known as “ePardons” for the processing of pardon applications. In Fiscal Year 2020/2021, the Board continued to support online access for the submission of pardon applications by the public, an endeavor that created a more efficient paperless case management system. The Board also continued to provide assistance to those who required help with portal instructions through our online video tutorials and dedicated staff who troubleshoot any issues the public may encounter. At the beginning of the pandemic, the Board received an influx of applications both in paper and through our new electronic portal. This coupled with the closure of the courts, resulted in a backlog of approximately 600 applications and led to an increased wait time for a pardon hearing of almost ten (10) months. In July of 2020, the Board instituted a virtual platform for all pardons hearings and reviews, thus eliminating the need to travel to courthouses around the state. This new format allows petitioners to appear virtually utilizing ZOOM meetings that are then broadcast to the public via YouTube. After implementing this virtual platform for all pardons hearings, the wait time from application to hearing was reduced to approximately five (5) months by the end of the fiscal year.

In late 2019, the Board stopped accepting applications for commutations while the agency focused on the creation and implementation of the ePardons system. Unfortunately, due to the pandemic, the Board had to focus its entire operation on shifting all hearings to a virtual environment and placed the commutation review on hold. In Fiscal Year 2020/2021, the Board resumed review of the commutation process. This review resulted in the broadening of the eligibility criteria for commutations and creation a new application process. On June 1st, 2021, the Board resumed accepting applications for commutations.

Parole Hearings Division

In Fiscal Year 2020/2021, the Board continued to hold hearings for all eligible offenders six (6) months in advance of projected parole eligibility dates. The Board also secured a federal grant to expand virtual parole hearings to enable Board staff to conduct both Pardon and Parole hearings uninterrupted with the same capacity as before the pandemic. With the purchase and implementation of new equipment, the Board accomplished the following:

- Identified and implemented a safe and secure, remote way of communication between the Board and the DOC for live hearings with inmates that are live-streamed to the general public without limitations;
- Digitized the Board’s daily processes and provided remote access to all staff for social distancing;
- Streamed virtual and live hearings between the Board, the DOC, the Judicial Branch, and the general public, using compatible and standardized equipment during the pandemic that could also be used by the DOC for other functions;
- Enabled Board staff and members’ remote access to participate in live hearings through telework or other off-site locations; and
- Increased public visibility and transparency with live-streamed and interactive hearings that allow the general public, attorneys, and victim advocates to take active part in hearings without

traveling to the Board or the correctional facility. These virtual connections now reach further to the public audience than current in-person visits and eliminated the cost of travel.

Lastly, due to the pandemic, the Chairman used his statutory authority to approve non-violent offenders who have already been granted parole release to the community in advance of their “voted to parole” date. Under his executive order, the Chairman authorized approximately 330 offenders to be released to the community up to six (6) months in advance of their Board-granted date.

Interstate Compact Unit

The Unit continued to oversee all the duties of Compact, which include requests/responses, progress reports, case closure notices, early termination reports, and any correspondence between states. The Unit continued to successfully collaborate with the Parole and Community Services Division of the Department of Correction regarding supervision of all Compact offenders paroled to Connecticut.

Legal and Legislative Division

In Fiscal Year 2020/2021, the Division continued to provide substantial internal legal support to the Board, providing legal expertise in areas such as the law of pardons and paroles, constitutional law, labor and employment law, contracts, administrative law, privacy law, and legislation. The Division also provided legislative support leading up to and during the 2021 regular legislative session. The Division monitored and analyzed legislation during the virtual session; served as an informational and technical resource to legislators and their constituents; and drafted proposed legislation, testimony, and amendments.

Planning, Research and Development Division

In Fiscal Year 2020/2021, the unit continued supporting the implementation of the ePardons system. The unit assisted in the implementation of the public portal for ePardons, as well as the data entry, management, and triaging of applications and workflow to assist the Pardons unit.

The Division continued to collect data on SCORES and the SDMF, which are administered by Parole Officers and Board Members, respectively, and are utilized in the parole decision-making process. The Division also continued to assist the Criminal Justice community by tracking and analyzing the parole and special parole population by working to develop new reporting tools and methods that help explain outcomes. Given the limitations of the systems currently in place, constant research and development into better methods and systems continue to be a priority. These efforts will allow the Division to successfully and efficiently gather all data necessary to assist the Board in policies and process for the future.

Information Reported as Required by State Statute

The Governor appoints all members of the Board of Pardons and Paroles. 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 serve on both parole release panels and pardon release panels. The make-up of the Board for Fiscal Year 2020/2021 was as follows:

- **The Chairperson, Carleton Giles** of Middletown (appointed as full-time board member September 2013, appointed as Chairperson 05/13/14, reappointed as Chairperson 4/15/19), serves as the Board's executive and administrative head.
- **Full-Time Parole Board Members:** Rufaro Berry of Naugatuck (appointed 10/17/14); Joy Chance of Bloomfield (appointed 10/17/14); Stephen Dargan of West Haven (appointed 06/21/17); Michael Pohl of Manchester (appointed 5/8/19); Carmen Sierra of New Britain (appointed 02/19/16); Kelcy Steele of New Haven (appointed 7/6/2020 and resigned 02/11/2021); Nancy Turner of Groton (appointed 06/21/17); Jennifer Zaccagnini of Oakville (appointed Part-Time Board Member 05/27/2008 & Full-Time Board Member 05/13/14). *As of 06/30/21 there were two (2) vacant Full-Time Board member positions.*
- **Part-Time Parole Board Members:** Yolanda Castillo of Manchester (appointed 10/27/2020 and resigned 5/10/2021) Kelly Smayda of Ellington (appointed 11/07/08); and Deborah Smith-Palmieri of Guilford (appointed 6/25/20). *As of 6/30/2021 there were three (3) vacant Part-Time Board Member Positions.*