

# 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) – 63 F/T and 4 P/T (Filled)

***Recurring Operating Expenses:*** 6,415,288

***Organizational structure:*** Pardons Division; Parole Hearings Division (including the Interstate Compact Unit); Planning, Research and Development Division; and Victim 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 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; 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 2018/2019 there were nine (9) Full-Time members, plus three (3) Part-Time members.

## **Public Service**

In Fiscal Year 2018/2019, the Board of Pardons and Paroles reviewed a total of 3,286 cases for parole consideration and 1,877 applications for pardon consideration. Panels of the Board conducted 2,858 hearings for the purposes of granting, rescinding or revoking parole and conducted 951 reviews resulting in the granting or denying of various types of pardons. The Board also hired a Research Analyst to complement our Associate Research Analyst to better determine parole and pardon outcomes and assist with agency initiatives. Additionally, the Board hired a Paralegal Specialist to assist our Legislative and Administrative Advisor with all legislative and legal matters.

### ***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 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.

In 2018/2019, the Pardons Division received a total of 1,877 applications which constituted a 2% increase in applications received in the previous fiscal year. Of those received, approximately 1,046 were deemed eligible for review (a 17% increase from the previous fiscal year) and 760 of these were granted either a Certificate of Employability or Full/Absolute pardon. Of the 760 cases granted, 383 were through the expedited pardons process. A total of 73 applicants were granted a Certificate of Employability. The overall pardons grant rate during this period increased to 80%.

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

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. 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 to 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's Parole and Community Services Division (DOC-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 2018/2019, The Board conducted parole release hearings for 2,148 offenders (an 11% decrease 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 710 revocation and rescission reviews and/or hearings (no percentage change 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 22 hearings for eligible offenders with 18 cases approved for parole and four (4) cases denied parole.

### **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 2018/2019, the unit processed a total of 373 transfer requests, accepted 162 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 2018/2019, the Planning, Research and Development Division consisted of a Supervising Staff Psychologist, Associate Research Analyst and a newly added Research Analyst, all operating under the direction of a Director/Executive Director. The Division also participated in an internship program with University of New Haven and Central Connecticut State University and hosted one (1) intern from each of these institutions. The division continued 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**

Victim Services at the Board consists of two 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 2018/2019, the Board continued to process all applications in "real time." The timeframe from receipt of a complete application to erasure of records was approximately six (6) months.

In October of 2018, the Division began working with a contracted vendor for the design and implementation of a new case management system called "ePardons". The first phase of this new system went live agency wide in July of 2019. The second phase of this system, which will have an on-line pardon portal that will be available to the public, is expected to go live in September of 2019. The end result will be a more efficient system paperless case management system (all paper applications will be phased out by January 1, 2020.)

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

In Fiscal Year 2018/2019, the Board continued to hold hearings for all eligible offenders six months in advance of projected parole eligibility dates. The Board also continued with its pilots of reviewing female offenders released to Halfway Houses for parole; reviewing non-violent male and female offenders for transfer parole; and conducting competency evaluations for the purpose of providing legal counsel to parole violators.

The Board continued to work with Yale Law School regarding 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. A report on the process was released by Yale in September 2017, and in November of 2017, the Board implemented a new procedure for revocation and rescission hearings.

### ***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 2018/2019, there was almost 100% compliance rate with the Compact.

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

In Fiscal Year 2018/2019, the unit took on a critical role in the implementation of the electronic Pardons system (ePardon). The Board entered into a contract with a state approved vendor to develop a case management system that will allow electronic processing of all applications for an Absolute Pardon, Certificate of Employability, and Commutation. The new ePardon system will have the capability to accept and process applications via the internet, using electronic forms and upload capability of documents necessary for these applications. This initiative is in line with those set forth by Governor Lamont to have a seamless e-government system that is easy to access and use by the public.

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 will help understand outcomes. Given 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 this unit 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 are appointed and serve on both parole release panels and pardon release panels. The make-up of the Board for Fiscal Year 2018/2019 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 chief executive and administrative head;

**Full-Time Parole Board Members:** Ms. Rufaro Berry of Naugatuck (appointed 10/17/14); Ms. Patricia Camp of Bloomfield (appointed Part-Time Board Member 10/17/14 & Full-Time Board Member 02/19/16); Ms. Joy Chance of Bloomfield (appointed 10/17/14); Mr. Stephen Dargan of West Haven (appointed 06/21/17); Mr. Christopher Lyddy of New Haven (appointed 02/19/16 – resigned 2/14/19); Mr. Michael

Pohl of Manchester (appointed 5/8/19), Ms. Jennifer Zaccagnini of Oakville (appointed Part-Time Board Member 05/27/2008 & Full-Time Board Member 05/13/14); Ms. Carmen Sierra of New Britain (appointed 02/19/16); Ms. Nancy Turner of Groton (appointed 06/21/17.) *As of 06/30/19 there was one (1) vacant Full-Time Board member position;*

**Part-Time Parole Board Members:** Mr. Terry Borjeson of Newington (appointed 10/07/14); Ms. Pamela Richards of Ivoryton (appointed 05/27/08); and Ms. Kelly Smayda of Ellington (appointed 11/07/08.) *As of 06/30/19, there were two (2) vacant Part-Time Parole Board member positions.*