

Connecticut Board of Pardons and Paroles



At a Glance

ERIKA TINDILL Esq., Chair

John DeFeo, Executive Director

Established - October 1, 2004

Statutory authority – Conn. Gen. Statutes Sec. 54-124a, 54-131k

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

Number of employees - 85

Organizational structure - Chairperson, Executive Director and Parole Managers Who Oversee the Pardons Unit, Parole Hearings Division, Planning, Research, and Development Unit, and Interstate Compact Unit. The Board of Pardons and Paroles is an autonomous agency, which is connected to the Department of Correction for administrative purposes only (see Conn. Gen. Statutes Sec. 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 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. It is accountable to other state and municipal agencies - particularly those in the field of criminal justice and law enforcement - and to the general public for responsible decisions regarding the management of offenders.

Per Conn. Gen. Statutes Sec. 54-124a:

The Board of Pardons and Paroles has the independent decision-making authority to (1) grant or deny parole, (2) establish conditions of parole or special parole supervision, (3) rescind or revoke parole or special parole, and (4) grant commutations of punishment or releases, conditioned or absolute, in the case of any person convicted of any offense against the state and commutations from the penalty of death. The Members of the Board are appointed exclusively to either pardon panels or parole release panels. The Chairperson may serve on both pardons panels and parole release panels.

The Board shall consist of twenty members, six of whom, including the Chairperson, shall be full-time. The Governor shall appoint all members of the board with the advice and consent of both houses of the General Assembly. The five full-time members plus seven part-time members shall serve exclusively on parole release panels, seven of the part-time members shall serve exclusively on pardons panels and the Chairperson may serve on both parole release and pardons panels. The Governor shall specify the member being appointed as Chairperson, the full-time and part-time members being appointed to serve on parole release panels and the members being appointed to serve on pardons panels. The members of the Board shall 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 shall 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.

Administrative review of parole cases was eliminated by Public Act 08-01.

Public Service

In 2011/2012, the Board of Pardons and Paroles conducted 6,146 case reviews for the purposes of granting, parole, or revocation or rescission of parole. Approximately 850 pardons applications were received by the Board of Pardons and Paroles in 2011/2012.

Victim Services Unit

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.

Pardons Unit

In 2011/2012, the Pardons Unit reviewed and processed 780 cases, 380 of which were granted either a Provisional, Full or Conditional pardon. The pardons grant rate increased to 49% from 47% in the previous year.

The Pardons Unit receives and reviews petitions for all forms of clemency, whether absolute or conditional, from both current and former offenders, as well as applications for sentence commutation. The Pardons Unit 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 Unit review all applications and prepare and distribute dockets, as well as conduct investigations on each application, which include criminal record queries and interviews with witnesses and victims.

The pardons process in Connecticut helps to remove barriers to employment for various applicants who are successful in obtaining a pardon by the Pardons Board. The Board may grant a provisional pardon or a full pardon to an ex-offender. A provisional pardon specifically addresses the removal of barriers to employment but does not erase a person's criminal record. A full pardon, if granted, completely erases a person's criminal record. All types of pardons may be issued with various conditions attached as specified by the Pardons Board. Being granted a pardon may increase chances for employment for the individual since the stigma of having a criminal record is removed - in the case of a full pardon - and mitigated in the case of a provisional pardon. 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 exceptional in the nation. 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 full pardons can lawfully say that they have never been convicted in Connecticut for a crime nor arrested for any conviction that has been pardoned. This contributes to Connecticut's economy since those pardoned are more likely to be law-abiding, gainfully employed, to pay taxes, and to purchase goods and services.

Parole Hearings Unit

The Board may release an inmate on 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.” Conn. Gen. Statutes Secs. 54-125 and 54-125a. Any offender serving a total effective sentence of more than two years (with the exception of certain statutory and policy exclusions) is eligible for parole. Although there is no right to parole release, the Board must conduct a hearing when the inmate has served 75 % of their period of incarceration if they are designated as a nonviolent offender; at 85% if they are designated as a violent offender.

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 the correctional facilities are available to answer questions from Department of Correction (DOC) personnel and inmates regarding all aspects of the parole process.

Parole officers interview all applicants 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 initiate parole summaries for all eligible offenders, identify violent offenders for 85% designation, and gather all statutorily-mandated documentation. During fiscal year 2011/2012, the agency reviewed approximately 950 cases that were presented to the Board for designation as violent offenders.

Parole hearings were conducted for 2,370 offenders during 2011/2012. These hearings were conducted by panels of the Board via video conference and live at various correctional facilities.

The certification process adopted in 2008 remains in effect and has dramatically increased the amount of information available to Board members at parole hearings. Inmates who have been granted parole and who violate their parole conditions face revocation of their parole. Rescission of parole can be based on conduct or new adverse information obtained after the inmate is granted parole and prior to their release to the community. All such inmates are afforded due process.

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. The parole officer develops a recommendation based on their finding of the conduct or new information and presents their findings and recommendation(s) to a panel of at least two Parole Board members. The panel makes a final decision regarding revocation or rescission of parole and imposes disposition as it deems appropriate. In 2011/2012, parole officers conducted 1,198 revocation and rescission hearings.

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 inmates to be paroled to other state, federal and immigration detainers.

Improvements/Achievements 2011-12

Pardons Unit

During 2011/2012, the demand for pardons applications continued unabated. In June of 2012, the Board began utilizing a new pardon application form that is more straightforward and easier for applicants.

The Board also introduced a new provisional pardon certificate of employability which does not list the recipients' convictions. The new certificate has been issued for all provisional pardons granted from January 2012. The change to the certificate formatting was a response to feedback that listing the convictions on the certificate harmed applicants when seeking employment. All convicted persons must still disclose their convictions, if asked, to any prospective employer.

Pardons Unit staff reduced the overall time for processing all applications by two months. The Board will continue to streamline and improve the application process.

The Pardons Application Tracking System has allowed Pardons Unit staff to more efficiently process and store information in ways previously not available. The agency continues to make changes to the database as new ideas and methods are developed. The unit is able to process applications more efficiently, while managing much larger amounts of information as it relates to petitioners' applications.

Parole Hearings Unit

Offender Risk Assessment

In order to make sound parole release decisions, the Board works in partnership with other criminal justice agencies to implement current, evidence-based offender risk assessment tools. The Statewide Collaborative Offender Risk Evaluation System (SCORES) is a joint effort of the Department of Correction (DOC), Board of Pardons and Paroles (BoPP), and the Court Support Services Division (CSSD) of the Judicial Branch to collectively utilize the most predictive method of determining:

- 1) how to best manage offenders a correctional facility,
- 2) how to decide the likelihood an inmate will reoffend, whether they are suitable for parole release, and what treatment/programming/resources they need to keep them out of trouble, and
- 3) how to best supervise them in the community.

SCORES is a collection of comprehensive risk assessment tools that take into account an offender's static and dynamic criminogenic factors in order to predict the offender's likelihood to commit another crime. Static factors are things over which one has no control or cannot change - past criminal history, for example. Dynamic factors are things over which one has control, such as level of education. The assessment tools measure both risk and need at various points – when an offender enters jail or prison, after serving a period of incarceration and participating in treatment or programming, prior to release into the community, and after a period of supervision in the community. The SCORES is adapted from the Ohio Risk Assessment System (ORAS) which is being used successfully in other states. The system is supported by the University of Cincinnati's Center for Criminal Justice Research, is user-friendly, fully automated, non-proprietary, and slightly more predictive than other risk assessment tools. Specifically, SCORES is more attractive than other tools because it is a complete system that provides a common definition of risk across settings (facility, halfway house, community, etc.) and is designed to measure change in an offender over time. The new system significantly expands the Board's ability to conduct research and measure outcomes.

The Board's goal is to focus on higher risk offenders in all its release decisions (discretionary parole, revocation, rescission, etc.) in order to efficiently allocate resources to reduce recidivism.

The Board and its partners were assisted by the National Parole Resource Center (NPRC) and the Center for Effective Public Policy (CEPP) to prepare for full implementation of the SCORES and to build strong infrastructure and sustainability into the system. A leadership summit (January 2012) and a collaboration workshop (July 2012) with participants from the Board, DOC, and CSSD initiated the implementation process. An oversight team and several workgroups (communication, training, policy, offender classification, information technology (IT), and quality assurance) with staff from each agency at all levels were formed and meet regularly to ensure a smooth transition to the new SCORES. Spring 2013 is the target date for full implementation of the SCORES for the Board.

Structured Decision-Making

In July 2012, the Board of Pardons and Paroles completed implementation of the Structured Parole Decision-Making (SPDM) framework, developed by Dr. Ralph Serin and Dr. Renee Gobeil of Carleton University and supported by the National Institute of Corrections (NIC). The SPDM framework facilitates systematic, guided review of factors that research shows is directly correlated to an offender's risk for committing another crime. Parole Board members and staff were trained on framework in 2001 and 2012; quality control and data coding is ongoing to ensure proper use and applicability to Connecticut's offender population.

Taken together, the Parole Board's use of the SCORES and SPDM framework will likely result in a decrease in recidivism by ensuring that the most suitable offenders are released after successfully completing the most appropriate treatment and programming with effective stipulations and supervision in the community.

Planning, Research and Development

The mandates of Section 37 of Public Act 08-01 and Conn. Gen. Statutes section 54-124a(d)(4), which require the use of a collaborative offender risk-assessment strategy and risk-based structured decision-making, necessitate a specialized unit to track and communicate the Board's progress. A new Planning, Research and Development unit (PRD) was established in December 2011 with an Acting Director. The PRD unit is responsible for providing statistical information for the agency's internal purposes, such as employment of best practices and quality control. The unit will also collect, analyze, and assist in the external distribution of data, such as recidivism rates, to criminal justice stakeholders and the general public. The PRD unit will focus on 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 unit will produce cost-savings and streamline the agency's organizational structure.

The Unit is currently staffed with parole officers on special assignment pending conversion of positions through attrition. These officers have maintained reduced case loads and have been assisting with new initiatives of the agency. One such initiative is the identification of low-risk, nonviolent offenders for transfer parole consideration pursuant to Conn. Gen. Statutes sec. 54-12h. To date, 384 cases to date have been screened by the unit. As of July 1, 2012, a total of 83 cases were approved for early parole hearings, 60 were granted parole, and 31 were approved by the Chairperson for transfer parole release.

Another project of the PRD unit was the establishment of criteria for review of cases in accordance with the Risk Reduction Earned Credit (RREC) program passed by the Connecticut General Assembly in its 2011 session. The program, which allows inmates to earn credit for participation in treatment and programming that reduces their risk for recommitting a crime once released, applied to parole eligibility. Based on the retroactive application of the credits, the Board reviewed a total of 214 cases of inmates who were voted to parole but not yet released. The Board modified the release dates of 131 offenders according to the granted RRECs.

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.

The Chairperson, Erika Tindill, of New Haven, 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:

Full-Time Parole Board Members: Mr. Eric Crawford (position vacant as of 4/1/12), Mr. Robert Murphy of Madison, Mr. John O'Connor of West Haven, Mr. David McCluskey of West Hartford, Ms. Foye Smith of Hartford.

Part-Time Parole Board Members: Mr. Remi Acosta of Waterbury, Mr. David May of East Hampton, Ms. Pamela Richards of Ivoryton, Ms. Kelly Smayda of Ellington, Ms. Julia Wasserman of Sandy Hook, Ms. Jennifer Zaccagnini of Watertown, and one vacant position.

Pardons Panel Members (all part-time positions): Joseph Elder of Hartford, Joseph Milardo of Middletown, Robert Smith of Southington, Russell Palmer of Berlin, Victoria Wills (position vacant as of 10/5/11), Kevin Long of Glastonbury (position vacant as of 6/28/12) and Nicholas Sabbetta of Burlington.