



Senate

General Assembly

File No. 458

February Session, 2002

Senate Bill No. 587

Senate, April 11, 2002

The Committee on Judiciary reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING SPECIAL PAROLE.

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

1 Section 1. Section 54-125e of the general statutes, as amended by
2 section 21 of public act 01-84, is repealed and the following is
3 substituted in lieu thereof (*Effective October 1, 2002*):

4 (a) Any person convicted of [a crime] one or more crimes committed
5 on or after October 1, 1998, who received a definite sentence or
6 aggregate sentence of more than two years followed by a period of
7 special parole shall, at the expiration of the maximum term or terms of
8 imprisonment imposed by the court, be transferred from the custody
9 of the Commissioner of Correction to the jurisdiction of the [chairman]
10 chairperson of the Board of Parole or, if such person has previously
11 been released on parole pursuant to subsection (a) of section 54-125a,
12 as amended, or section 54-131a, remain under the jurisdiction of said
13 [chairman] chairperson until the expiration of the period of special
14 parole imposed by the court.

15 (b) Any person sentenced to a period of special parole shall be
16 subject to such rules and conditions as may be established by the
17 Board of Parole or its [chairman] chairperson pursuant to section
18 54-126.

19 (c) The period of special parole shall be not less than one year nor
20 more than ten years for any single crime, except that such period may
21 be for more than ten years for a person convicted of a violation of
22 subdivision (2) of section 53-21 of the general statutes in effect prior to
23 October 1, 2000, subdivision (2) of subsection (a) of section 53-21,
24 section 53a-70, 53a-70a, 53a-70b, 53a-71, 53a-72a or 53a-72b or
25 sentenced as a persistent dangerous felony offender pursuant to
26 subsection (h) of section 53a-40 or as a persistent serious felony
27 offender pursuant to subsection (j) of section 53a-40.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>

JUD *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Fund-Type	Agency Affected	Current FY \$	FY 03 \$	FY 04 \$
GF - Cost	Parole, Bd. of	-	Potential	Potential
GF - Savings	Correction, Dept.	-	Potential	Potential

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill provides that special parole¹ may be given to a person convicted of more than one offense when the aggregate is more than 2 years. Under current law, only individuals with a single sentence greater than 2 years are eligible for special parole. The Board of Parole currently supervises approximately 2,000 parolees in the state.

While the increase in the number of individuals that would be placed on special parole as a result of this proposal is unknown at this time, it is estimated that the number of eligible offenders could increase by 25% or 300. If 20% or 60 of these offenders were placed on special parole, there would be potential savings to the Department of Correction of \$1.5 million per year.² To the extent that the number of special parolees increases significantly, additional resources may be necessary for community supervision.³

¹ Since the institution of special parole, there have been 84 participants. There are currently 66 individuals on special parole.

² The sentencing judge has discretion as to the length of time an offender is on special parole.

³ The salary for an entry-level parole officer is \$41,000 and the average caseload is between 50 and 60 parolees.

OLR Bill Analysis

SB 587

AN ACT CONCERNING SPECIAL PAROLE**SUMMARY:**

Under current law, courts may impose a sentence that includes special parole if the offender is convicted of a crime and given a prison term of at least two years.

The bill specifies that special parole may be given to a person convicted of more than one offense when the aggregate prison sentence is more than two years for two or more crimes. It also specifies that in the case of an aggregate sentence, the period of parole may be from one to 10 years for any single crime.

EFFECTIVE DATE: Upon passage

BACKGROUND***Special Parole***

The law allows courts to sentence defendants to a term of imprisonment followed by a period of special parole. The sentence imposed must be for more than two years. Special parole requires post-release supervision by the Board of Parole and allows the individual to be returned to prison for a parole violation.

Special parole may be imposed for one to 10 years. But someone who has been convicted of a felony sexual assault offense or sentenced as a persistent dangerous felony offender or persistent serious felony offender may be sentenced to 10 to 35 years of special parole. The combination of the term of imprisonment imposed and the term of special parole cannot exceed the maximum prison sentence that could have been imposed for the offense.

An individual given a definite sentence of more than two years followed by a term of special parole is transferred to the jurisdiction of the chairman of the Board of Parole at the end of the maximum term or

terms of imprisonment imposed by the court. If the individual has already been released on parole, he remains under the chairman's jurisdiction. The Board of Parole or its chairman can set rules and conditions for special parole.

An individual returned to the custody of the correction commissioner for violating parole may be confined for a period equal to the unexpired portion of the special parole.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Report
Yea 40 Nay 0