

Testimony of John Kelly
CHIEF UNION STEWARD LOCAL 1565 (parole) - AFCME COUNCIL 4
Judiciary Committee Public Hearing
March 13, 2006

**IN SUPPORT OF HB 5784
ACT CONCERNING THE BOARD OF PARDONS AND PAROLES**

Good Afternoon. First, I would like to thank Chairman Lawlor, Chairman McDonald, and the members of the judiciary committee for the opportunity to address you today. My name is John Kelly. With me is Mr. Rick Anderson, we are both CT Parole Officers and together have over 40 years of state service in the supervision of convicted felons. We will speak on behalf of AFSCME Council 4 Local 1565, CT Parole Officers. We are here to speak in support of HB 5784, AN ACT CONCERNING THE BOARD OF PARDONS AND PAROLES.

In July of 2003, The Board of Pardons and Paroles was merged with the Department of Correction. Over the past 2 ½ yrs, a significant number of issues have caused enough concern with lawmakers, as well as Union members, that the Legislative Program Review & Investigations Committee was asked to conduct a review of the Department of Corrections' management of the Board of Pardons and Paroles. These findings were made available December 13, 2005. This report recommends that the Board of Pardons and Paroles be a completely separate entity from the Department of Correction.

Just one week ago, a second independent report, was presented to this committee by the Council of State Governments. This report states similar findings to Program Review. In addition, the CSG report found Parole Technical Violations have actually increased from 2003 to 2005 and that this merge has encountered numerous difficulties. These high violation rates are exacerbating the prison over-crowding problem and have diminished public safety by increasing recidivism and victimization rates.

Before the merger of 2003:

- The Board of Pardons and Paroles was a **nationally recognized model** of how to effectively and efficiently implement community supervision.
- The Board of Pardons and Paroles provided increased public safety by utilizing its strong ties and open communications with state and local law enforcement.
- Emphasis on caseload size per Parole Officer allowed for a more thorough and involved community supervision and reintegration plan.
- The Board of Pardons and Paroles had a high level of accountability, was fiscally responsible year after year, and consistently met the goals of our Mission Statement.

Since the merger in 2003, the DOC has mismanaged the following:

- As indicated by the report of Program Review, in fiscal year '05, the DOC misappropriated funds.
- To date, the DOC has not developed nor implemented a specialized training plan for Parole Officers.
- DOC has placed on Parole Officers a cumbersome amount of administrative tasks impeding on the quality of community supervision.
- DOC routinely has not provided necessary equipment to Parole Officers.
- Parole Officers have been discouraged from utilizing their close working relationships with state and local law enforcement.
- According to both the Program Review and Council of State Governments reports, confidence and morale among staff is very low.

HB 5784 Section 3 currently states, except persons released pursuant to section 18-100c. In order to realize an effective and efficient reintegration program, this language must be amended. We believe that the Department of Correction should not be in charge of community supervision. The problems that currently exist within the DOC in administrating community supervision for the Board of Pardons and Paroles will not get better with time, they will only get worse. The Dept. of Correction model is simply number vision and not supervision. This is the same direction DOC took back in the 1980's, Supervised Home Release era.

In order for the state of Connecticut to once again be nationally recognized for our Pardons and Paroles system, we must go back to the system that allowed us to achieve this prestigious mark. The Board of Pardons and Paroles, as a complete and separate entity, should have oversight of community supervision for sentences 1 year and over. It is our hope that you will take the necessary steps to ensure that this Bill is amended in an effort to put forward the best efficient, effective, and fiscally responsible public safety concerned, Board of Pardons and Parole Department.

At this time, I will be happy to answer any questions that you may have.

governing parole eligibility and the overall community supervision of inmates discharging from prison to facilitate implementation of the offender re-entry strategy.

Option 1:

A new Department of Pardons and Paroles (DPP) should be created as an autonomous state agency, separate from the Department of Correction, effective July 1, 2006. Statutory authority and responsibility for all discretionary parole and pardon decisions and community supervision of parolees and all inmates released early from prison by the Department of Correction should be consolidated within the new department.

Parole eligibility laws should be amended to give the Board of Pardons and Paroles discretionary release authority over all convicted inmates sentenced to one year or more. The Department of Correction should then be authorized to grant discretionary early release from prison to convicted inmates sentenced to less than one year.

Parole and community supervision responsibility for all inmates released on parole or any DOC early release program (e.g., transitional supervision, halfway house, re-entry furlough, any other early release program that may be established by the correction department) should be transferred from DOC to the Department of Pardons and Paroles. DPP shall administer, contract for, oversee, and determine the effectiveness of all community-based residential and nonresidential parole and early release supervision, treatment, training, re-entry assistance, and other services programs.

The BPP chairperson, appointed by the governor, should be the executive and administrative head of the new department. An executive director shall assist the chairperson in the performance of his or her duties and oversee the daily operations of the department and board.

All parole and community supervision staff and necessary administrative, business, and support staff should be transferred from DOC to DPP. The correction department and DPP, in consultation with the Division of Criminal Justice Policy and Planning, shall develop and implement a transition plan.

Based on information gathered during the program review committee monitoring project, enacting Option 1 to transfer parole supervision from DOC to the Board of Paroles and Pardons could be accomplished in a timely manner and without much disruption to the supervision of parolees and inmates under other community supervision programs. Much of the "old" parole supervision structure and policies are officially and unofficially still in effect.

In addition, most of the parole board administration and the parole and community supervision staff was trained and worked under the "old" system. Given that staff morale is low, most parole staff have not vested in the "new" structure.

In comparison, the transfer of parole supervision from DOC to the Board of Parole in 1994 did not result in the difficulties or cost increases that have occurred during the recent transfer of supervision responsibility back to DOC.

In Support of a New Department of Pardons and Paroles

H.B. 5784 – An Act Concerning the Board of Pardons and Paroles

The Department of Correction (DOC) wanted control of parole supervision in order to have a more efficient and seamless transition for offenders from correction institutions into the community. The actual experience of DOC control of parole supervision has led to something quite different.

- **DOC control of parole supervision has led to less efficiency and a more difficult transition of offenders to the community.**
- **DOC has shifted focus away from parole officers spending time in the community to spending more time in the office, in order to respond to an ever increasing number of administrative tasks. The focus of the tasks is more on quickly releasing the offenders than on their successful re-integration into the community.**
- **The DOC has failed to encourage and at times has actually discouraged the close working relationships many parole officers have developed with local police departments. This has further diminished the parole officer's ability to know what is going on with parolees in the community. This makes it more difficult to detect problems parolees are having and intervening before those problems turn into the commission of new crimes.**
- **The DOC orchestrated retreat of parole officers from the community has led to higher criminal violation rates by parolees. This has not gone unnoticed by municipal leaders. In a January 14, 2006 article in the Manchester Journal Inquirer, the mayor of Hartford announced his intention to "call on the State to provide better supervision for those on parole or probation."**
- **The DOC inattention to the real needs of parole and community supervision has led to increased administrative costs, increased technical violation rates and increased criminal violations by parolees**

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A recent edition of the CT DOC newsletter P.R.I.D.E noted that the number of persons on parole in Connecticut over the past three years increased 16 percent. Although accurate, that statement does not tell the whole story.

- **Calendar year 2003 was the last year that the Board of Parole had control of parole field supervision. During 2003 the number of persons on parole increased over 14 percent. During the same year the incarcerated offender count declined 4.2 percent.**
- **On July 1, 2004 the DOC took over control of parole field supervision. In 2004 the parole population increased 6 percent and the incarcerated offender count declined 1.8 percent.**
- **In 2005, the first full year that the DOC had control of parole field supervision, the number of persons on parole increased only 3 percent and actually decreased between April and December of 2005. The incarcerated offender count declined less than 1 percent.**
- **The diminished parole numbers in 2005 occurred in spite of the fact that there was a 25 percent increase in the number of persons released to parole in 2005 compared to 2004. This is the largest increase in the number of persons released to parole in over ten years.**
- **The primary cause of the diminishing parole numbers is the increasing rate of parole violations, particularly criminal violations, since the DOC has taken over control of parole field supervision.**
- **The DOC has always placed great emphasis on releasing people in order to reduce crowding. The DOC does not emphasize the traditional parole supervision model that requires a high level of direct contact with parolees to identify misbehaviors and technical violations before they rise to the level of new criminal activity. A reduction in or failure to provide direct supervision and contact with parolees is often identified as a significant predictor of persons arrested for new crimes. *LPRIC Report, December 13, 2005, pg.41.* The rate of parolee criminal violations has increased nearly 11 percent since the DOC took over parole field supervision.**
- **Increased criminal violations mean increased recidivism, more victims of crime and more persons returned to prison, accompanied by the higher costs associated with a larger incarcerated population.**