

**Judiciary Committee Public Hearing  
March 12, 2007**

**Testimony for Robert Farr, Chairman, Board of Pardons and Paroles**

**S.B. No. 170 - AN ACT CONCERNING PARDONS;  
S.B. No. 1029 - AN ACT CONCERNING PARDON APPLICATIONS; &  
S.B. No. 1030 - AN ACT PROVIDING TECHNICAL ASSISTANCE TO  
PERSONS SEEKING PARDONS.**

Good Afternoon Senator McDonald, Representative Lawlor, and members of the Judiciary Committee. I am here today as the Chairman of the Board of Pardons and Paroles to speak on Senate Bills 170 (An Act Concerning Pardons), 1029 (An Act Concerning Pardon Applications), and 1030 (An Act Providing Technical Assistance to Persons Seeking Pardons).

First, in regard to S.B. 170, An Act Concerning Pardons, I am concerned about what specific barriers are intended for relief. The bill proposes to add a new subsection under 54-130a that authorizes the Board to grant a pardon, conditioned provisional or absolute, to any person convicted of a "violation" for which a sentence to a term of imprisonment may be imposed. Currently, the language under Sec. (b) of 54-130a authorizes the same for "offenses" against the state. I am unclear as to what classification of offenders this would benefit and what additional authority this would give the Board? An Offense is defined under 53a-24 as *"any crime or violation which constitutes a breach of any law of this state or any other state, federal law or local law or ordinance of a political subdivision of this state, for which a sentence to a term of imprisonment or to a fine, or both, may be imposed, except one that defines a motor vehicle violation or is deemed to be an infraction. The term "crime" comprises felonies and misdemeanors. Every offense which is not a "crime" is a "violation". Conviction of a violation shall not give rise to any disability or legal disadvantage based on conviction of a criminal offense."* A violation is defined under 53a-27 as *"an offense, for which the only sentence authorized is a fine, is a violation unless expressly designated an infraction."* Is the intent relief specifically for motor vehicle infractions which are generally not noted on arrest records?

Second, in regard to S.B.1029, An Act Concerning Pardon applications, it is my understanding that intent of this bill is to clarify the discretion of the Board. I have no formal objection to the bill but my agency can and will meet the intentions of this proposed bill administratively without the need for added legislation. We are in the process of changing our current policy to allow offenders convicted of misdemeanor crimes to submit pardon applications after 3 years where an alternative program may have been available, but was not offered.

Lastly, in regard to S.B. 1030, An Act Providing technical Assistance to Person Seeking Pardons, I am concerned about the requirement under this proposed bill that will mandate the Board to contract for a program provided by a group or organization outside of our agency for the purpose of providing technical assistance for the pardon process. Where I understand the problems that existed within the administration of the pardons process as well as the barriers that existed in the application process prior to October of 2004, I must apprise you of the changes that have occurred since.

The current pardons unit provides technical assistance upon the request of applicants. In addition to staff support that is available every business day, the application itself is being revised, is currently available on-line. We are currently working on additional improvements to make it more user friendly. The pardons Unit has provided technical assistance through their attendance at community workshops and will continue to offer and expand technical assistance as requested in any community forum setting. The unit has also worked with the Department of Labor, Veterans Home, CT Legal Aid as well as various Universities and Non-Profit agencies in providing outreach services and educating the public on the pardons process. We are also currently working on policy to address the aspect of provisional pardons and re-submitting regulations for the Administrative Pardons Process. The Board will continue to provide technical assistance to the extent that our budget allows.

Last year, the legislature required the Board to establish a provisional pardons program yet failed to provide any funding. The Governor's proposed budget does provide for three new positions which will allow the Board to properly establish this program. If the legislature feels that it wants to fund an outside group to provide technical assistance, we would urge you to at least provide that the contract be with OPM and not with our agency since we do not have a specific business office to administer such a contract.

Thank you for this opportunity to testify and voice my concerns and support for the pardons process. I will gladly answer any questions that you may have.

Sincerely,

*Robert Farr*

Robert Farr, Chairman

RF/rts