

State of Connecticut
Regulation of
Board of Pardons and Paroles
Concerning
Expedited Pardons Review

The Regulations of Connecticut State Agencies are amended by adding sections 54-124a(j)(2)-1a to 54-124a(j)(2)-7a, inclusive, as follows:

(NEW) Sec. 54-124a(j)(2)-1a. Definitions.

As used in sections 54-124a(j)(2)-1a to 54-124a(j)(2)-7a, inclusive, of the Regulations of Connecticut State Agencies:

- (1) “Applicant” means a person convicted of an offense who completes an application for pardon consideration by the Board of Pardons and Paroles;
- (2) “Board” means the Board of Pardons and Paroles or a panel thereof;
- (3) “Chairperson” means the Chairperson of the Board of Pardons and Paroles;
- (4) “Expedited pardon” means a pardon application that will be reviewed by a panel of the Board of Pardons and Paroles and which may be granted without a hearing to a person convicted of an offense other than a violent offense, defined in subsection (8) of this section, after the consideration of written materials submitted to the Board of Pardons and Paroles in accordance with sections 54-124a(j)(2)-1a to 54-124a(j)(2)-7a, inclusive, of the Regulations of Connecticut State Agencies;
- (5) “Incarceration” means the period of time an individual is confined in a correctional institution, under Department of Correction supervision, or under parole supervision;
- (6) “Pardon” means the conditional or absolute release from the legal penalties resulting from the conviction of an offense;
- (7) “Victim” means “victim of crime” or “crime victim” as provided in section 1-1k of the Connecticut General Statutes; and
- (8) “Violent offense” means offense or any offenses for which (1) an individual has served a sentence of imprisonment that contains one or more elements that involve the use, attempted use or the threatened use of physical force against another person, or (2) for which an individual’s eligibility for parole release is subject to the provisions of subsection (b) of section 54-125a of the general statutes, or (3) who was convicted of a violation of section 53a-55, 53a-55a, 53a-56, 53a-56a, 53a-56b, 53a-57, 53a-58, 53a-59, 53-59a, 53a-59b, 53a-60, 53a-60a, 53a-60b, 53a-60c, 53a-64aa, 53a-64bb, 53a-70, 53a-70b, 53a-72b, 53a-92, 53a-92a, 53a-94, 53a-94a, 53a-95, 53a-100aa, 53a-101, 53a-102, 53a-102a, 53a-103a, 53a-111, 53a-112, 53a-134, 53a-135, 53a-136, 53a-167c, 53a-179b, 53a-179c, 53a-181c or 53a-321 of the general statutes, or (4) for any other offense for which inmates are required to serve 85% of their sentences pursuant to any policy that may be established by Board of Pardons and Paroles, or (5) who is otherwise prohibited from being granted parole for any reason.

(NEW) Sec. 54-124a(j)(2)-2a. Review of applications received.

An employee of the Board shall review each application received for pardon consideration, and identify applications eligible for an expedited pardon that meet the criteria described in section 54-124(j)(2)-6a of the Regulations of Connecticut State Agencies. Applicants who were convicted of violent offenses as defined in subsection (8) of section 54-124(j)(2)-1a of the Regulations of State

Agencies shall not be eligible for an expedited pardon.

(NEW) Sec. 54-124a(j)(2)-3a. Attempt to identify and notify victim of an offense.

After applicants who are eligible for an expedited pardon have been identified pursuant to section 54-124a(j)(2)-2a of the Regulations of Connecticut State Agencies, the Office of Victim Services, victim advocates assigned to the Board and/or the Department of Correction's Victim Service Unit shall attempt to identify and notify any victim of the offense that is the subject of a pardon application deemed eligible for an expedited pardon.

(NEW) Sec. 54-124a(j)(2)-4a. Notification to Board by victim to be heard personally.

Pursuant to section 54-228 of the Connecticut General Statutes, if a victim requests the opportunity to be heard personally prior to the Board taking final action on the application, the application shall be ineligible for an expedited pardon and the application shall be scheduled for a full pardon hearing. The Board shall notify the applicant and the victim of the hearing date.

(NEW) Sec. 54-124a(j)(2)-5a. Board review of expedited pardon applications.

A panel consisting of three members of the Board shall meet to review all applications for expedited pardons that have been identified pursuant to section 54-124a(j)(2)-2a of the Regulations of Connecticut State Agencies. For an application for an expedited pardon to be approved, at least two of the three members of the panel shall be required to vote for such approval.

(NEW) Sec. 54-124a(j)(2)-6a. Grant of expedited pardon without hearing.

(a) The Board may grant an expedited pardon to an applicant without a hearing, provided that:

(1) The offense is not a violent offense, as defined in subsection (8) of section 54-124a(j)(2)-1a of the Regulations of State Agencies;

(2) It has been at least five (5) years from the date of conviction for a felony and at least three (3) years from the date of conviction for a misdemeanor, pursuant to section 54-130a of the Connecticut General Statutes;

(3) The applicant's service of any sentence has been completed, including but not limited to any period of imprisonment, probation, parole, court-ordered fines, program(s) and community service, if applicable;

(4) The applicant has not been convicted of any other offense other than the offenses included in the application; and

(5) The applicant has no pending criminal charges or open criminal cases in Connecticut or any other jurisdiction.

(b) Notwithstanding subdivisions (1) to (5), inclusive, of this section, in no instance shall an expedited pardon be granted if there is a victim who has objected as a result of notification through the Office of Victim Services or the Victim Service Unit of the Department of Correction, pursuant to section 54-124a(j)(2)-(3) above, or pursuant to section 54-228 of the Connecticut General Statutes.

(NEW) Sec. 54-124a(j)(2)-7a. Discretion of Board regarding expedited pardons.

The Board shall have the discretion to require an application eligible for an expedited pardon to receive a full hearing. In determining whether an application shall be scheduled for a full hearing, the Board may consider the underlying act or acts constituting the offense or any offense for which the applicant has served a sentence of imprisonment or any other relevant information that demonstrates a tendency toward the use, attempted use or threatened use of physical force against another person. Information may include, but not be limited to, presentence reports, criminal records check, sentencing dockets, Criminal Justice Information System information, police reports, out of state

criminal records, parole and probation reports, victim(s) statement, witness statements, and the applicant's prior incarceration history.