Bill No.: HB-6723
Title: AN ACT CONCERNING REFORM OF PAROLE RELEASE AND REVOCATION PRACTICES AND THE MEMBERSHIP OF THE BOARD OF PARDONS AND PAROLES.
Vote Date: 4/9/2019
Vote Action: Joint Favorable
PH Date: 4/3/2019
File No.: 777

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SPONSORS OF BILL:
Judiciary Committee

REASONS FOR BILL:
The bill increases the transparency of the work of the Board of Pardons and Paroles and diversifying the composition of the Board.

RESPONSE FROM ADMINISTRATION/AGENCY:

Board of Pardons and Paroles, Carleton J. Giles, Chairperson:
The Board is supportive of the policy goals underlying this legislation however, we have some concerns regarding the bill as proposed.

Lines 3-7 increase the total number of full-time board members from the existing ten to twelve. This language would require an appropriation of additional funds which are not supported by current workloads for these positions. In 2015, the General Assembly added four new full-time board member positions and appropriated additional funds to support these positions in order to address increasing caseloads and allow the Board to implement new legislation. The Board is confident that the 2015 restructuring added a sufficient number of full-time board member positions to fulfill our statutory mission.

Lines 19-23 require the governor to appoint a person “…who was formerly incarcerated and who previously had a hearing before a panel of the board…” as a full-time board member. While we applaud the proponents’ efforts to ensure that this perspective is represented, we are concerned that this requirement will create a conflict possibly resulting in noncompliance
with federal security requirements for access to crucial Federal Bureau of Investigation ("FBI") Criminal Justice Information Services ("CJIS") Division systems and information.

Board members must be authorized to access and review information obtained from these systems to perform their statutory duties. If an individual were to be appointed who does not satisfy the federal personnel security requirements it could jeopardize the Board’s and the State’s access to FBI CJIS systems and information. Although the scope of this proposed language would include anyone who was formerly incarcerated who previously appeared before a panel of the Board, the field of nominees who might satisfy the personnel security requirements would likely be limited exclusively to those individuals who have received an absolute pardon. This in turn would raise additional logistical and legal concerns regarding the privacy and confidentiality of pardon recipient information.

Lines 158-164 contain data reporting requirements similar to those proposed by Senate Bill 880, which we fully support. As mentioned in the testimony of the Board submitted in support of that bill, these requirements codify the Board’s commitment to transparency and evidence-based practices. As an agency we have continued to develop our ability to report and analyze data and are committed to further development in this area.

It should be noted that the language in lines 165-168 would require the Board to collect, analyze, and provide information which we do not currently have the capability to collect or analyze independently. The Board would need to work with other agencies to accurately collect this information.

**NATURE AND SOURCES OF SUPPORT:**

**ACLU of Connecticut, David McGuire, Executive Director:**

As an organization that believes government transparency and accountability are imperative to a democracy and that fights for fair and equal justice for everyone in the criminal justice system, the ACLU-CT supports efforts to increase access to data about the work of the Board of Pardons and Paroles and to include justice-impacted people and victims of such bodies in the criminal justice system. We therefore support House Bill 6723, which would require the Board of Pardons and Paroles to publish statistics regarding its decisions and add a formerly incarcerated person and a crime victim to the board.

We strongly urge the committee to support House Bill 6723 to increase transparency around the Board of Pardons and Paroles and to improve upon the composition of the board.

**NATURE AND SOURCES OF OPPOSITION:**

None expressed.

Reported by: Michael Holler

Date: 5/9/2019