SENATOR BERGSTEIN (36TH): Okay. Good morning everyone and welcome to the public hearing of the Judiciary Committee. We are going to start with Representative Blumenthal reading the safety instructions.

REP. BLUMENTHAL (147TH): Thank you, Madam Vice-Chair. I'm well practiced at this point. So please make -- excuse me, in the interest of safety, I would like you to note the location of and access to the exits in this hearing room. The two doors to which you entered the room, are the emergency exits and are marked with exit signs. In an emergency, the door behind the legislators can also be used. In the event of an emergency, please walk quickly to the nearest exit. After exiting the room, proceed to the main stairs or follow the exit signs to one of the fire stairs. Please, quickly exit the building and follow any instructions from the Capitol police. Do not delay and do not return unless, and until, you are advised it is safe to do so. In the event of a lockdown announcement, please remain in the hearing room, stay away from the exit doors, and seek concealment behind desks and chairs until an all clear announcement is heard.

SENATOR BERGSTEIN (36TH): Thank you, Representative Blumenthal. Okay. We have one item on the agenda
today, which is the Resolution Confirming the Nomination of Carleton Giles of Middletown as the Chairperson of the Board of Pardons and Paroles. I'd like to invite Mr. Giles up to the desk to testify.

And before Mr. Giles -- before you testify, could you please raise your right hand, and -- do you swear or affirm, as the case may be, that the information you will provide to this Committee will be the truth, the whole truth, and nothing but the truth, so help you God or under penalty of perjury?

CARLETON GILES: I do.

SENATOR BERGSTEIN (36TH): Thank you.

CARLETON GILES: Good morning, Senator Bergstein, Representative Blumenthal, Representative Palm, Chairman Winfield, in absentia Stafstrom, Kissel, and Representative Rebimbas, and to all of the distinguished members of the Joint Committee on Judiciary. Good morning.

Thank you for the opportunity to be heard today and my deepest gratitude to Governor Ned Lamont for re-nominating me to serve as Chairperson of the Board of Pardons and Paroles. I'm honored to be joined today by my wife, Stephanie, parishioners from the church that I serve, several wonderful friends, co-workers and associates from the Department of Correction, including Commissioner Cook and two Deputy Commissioners, all with whom I've formed an outstanding collegial relationship during my tenure, members of our own management team and executive team and colleagues from Board of Pardons and Paroles with whom I'm proud to team up with every day.
Since September, 2013, I've had the opportunity to partner with fellow board members on the Board of Pardons and Paroles. Since May, 2014, I've served as Chairperson along with Executive Director, Richard Sparaco, who joins me today and with professionals who serve as parole managers, parole officers, top notch administrative staff, as well as victim advocates from Judicial Branch assigned to our agency to ensure the mission of the Board to facilitate the successful reintegration of suitable offenders into the community.

I'm honored to be included in this vital and important work as part of the criminal justice system, and to collaborate with professionals in the Department of Correction, Judicial Court Support Services, Reentry Round Table teams, this distinguished body, and so many others.

As you know I joined state service after a long career with the Norwalk Police Department, having served there in many capacities, investigating crimes involving our state's most vulnerable citizens, it's children; serving as a public information officer, and many other duties. In addition, I've been active in civic affairs, having served the city of Milford on its Human Services Board as a Commissioner, and more than a dozen years on the City's Police Commission, including my tenure as Chairman, as well as my involvement as a leader in the church, currently serving in Middletown and in Milford.

During my time as Chairman of the Board of Pardons and Paroles, we have made many achievements. For the sake of time, I will mention such a few. Members of our staff were certified by the National
Institute of Corrections to become national trainers in the structured decision-making model, which we use to access offenders’ evidence-based decision-making framework for parole. Since then, they have been instrumental in other states in teaching and implementing the process.

In 2015, as you are well aware, the State of Connecticut passed and made effective -- effective October 1st, Public Act 1584, AN ACT CONCERNING LENGTHY SENTENCES FOR CRIMES COMMITTED BY A CHILD OR YOUTH AND SENTENCING OF A CHILD OR YOUTH CONVICTED OF CERTAIN FELONY OFFENSES. As a result, the Board of Pardons and Paroles identified approximately 212 offenders who were eligible for 1584 or juvenile reconsideration hearings. This process is well underway and we are experiencing positive outcomes.

In addition to Public Act 152, the Board created a pardon information pamphlet and developed a pardon eligibility notice that became available to members of the public in January of 2016. The eligibility notice is now provided to all individuals upon sentencing, release from the Department of Correction, and completion of parole, probation, or conditional discharge.

In addition, the Parole and Community Services Division, whose Director is here supporting us this morning, and the Board sought technical assistance from National Parole Resource Centers, Richard Stroker, to develop a revised graduated sanctions matrix and implement plan to reduce technical violations and revocations.

For the past four years, I represent Connecticut on the Association of Paroling Authorities International, where I serve on the Professional
Development Committee ensuring the quality program at our annual training conference, the last held just two weeks ago in Baltimore.

Connecticut stands at the forefront around the nation when it comes to pardons and paroles. During my tenure as Chairman, our agency has hosted parole officials and parole board members from around the world for educational and training visits, so they could see and learn from our process here in the great constitution state. The Minister of Justice from the Republic of South Africa, our neighboring state of Rhode Island, California, South Carolina, and the home of our newly minted Correction Commissioner Cook, Utah.

Finally, I am very proud of the fact that during my tenure as Chairman, our agency has processed and granted more pardons than any time in the history of the state. And we are greatly anticipating a kickoff of our e-pardon system this summer, allowing prisoners to file for pardon online.

Ladies and gentlemen, I look forward to a continued career in state service, serving then citizens of our great state with the integrity and work ethic that I have demonstrated for nearly four decades. Thank you for this opportunity. I'll be glad to answer any questions you may have.

SENATOR BERGSTEIN (36TH): Thank you, Mr. Giles, for your testimony. Are there any questions or comments from the Committee? Representative, Mr. Blumenthal.

REP. BLUMENTHAL (147TH): Thank you, Madam Vice-Chair. Good morning, Chairman Giles.

CARELTON GILES: Good morning, sir.
REP. BLUMENTHAL (147TH): Thanks for being here with us. I have a couple quick questions. The first is kind of a broad one. What, during your next term of service, would you like to accomplish that you feel you haven't been able to accomplish thus far?

CARLETON GILES: We want to, Representative, dig more down into these pardons. There has been, of course, a lot of conversation about that. So, we'll look into that more. We're streamlining the process, if possible more and making sure that people have the access that they believe they -- they need to get that done.

REP. BLUMENTHAL (147TH): Thank you, Mr. Chairman. And one more question, one of the features of the Bill on the ratio of criminal records that we pass out of Committee, was that after a certain period of time there would be essentially a burden shifting in terms of what the burden of proof would be, whether it was on the individual seeking a pardon versus the -- the Board. And I was wondering if you saw anything that would prevent the Board from executing such a system where, after a certain point, the burden to deny a pardon would shift to the Board versus the burden being on the person to prove that they were eligible for a pardon?

CARLETON GILES: To the extent that that legislation speaks to what we do, we're looking forward, Representative Blumenthal, to working with this Committee and others to make sure that it's done in a way that is not burdensome or cumbersome to anybody involved. So, we look forward to shaping that and helping having input with that.

REP. BLUMENTHAL (147TH): Thank you, Mr. Chairman. Thank you, Madam Vice-Chair.
SENATOR BERGSTEIN (36TH): Thank you, Representative Blumenthal. Other questions, comments? Yes, Representative Palm.

REP. PALM (36TH): Thank you, Madam Vice-Chair.

Good morning, sir.

CARLETON GILES: Good morning.

REP. PALM (36TH): As we grapple here in the legislature with whether or not to legalize recreational marijuana, a lot of us have been talking about ways to ensure that people incarcerated for minor infractions and non-violent crimes concerning the selling of weed would somehow have some restorative justice piece, can you talk a little bit about your opinion about that please? I realize that some of these may not raise to the level that you deal with but -- thank you.

CARLETON GILES: And the truth is, right -- we're -- we're looking forward to working with Court Support Services, that's going to be our Judicial Branch really lift if -- if that occurs. So, we look forward to working with them whatever we can do to partner with them in making that happen in a -- a seamless way as possible.

REP. PALM (36TH): Another question I had concerns communication, and forgive me I -- perhaps I should know the answer to this, but in the case that someone commits a crime while out on parole, is there any accountability to the victim of that crime?

The reason I ask is we -- my family suffered a home invasion while we were asleep, we had people come through our house who were out on parole. They did significant damage to our home and property. And
the local police at that time we were not helpful in giving us any answer about who these people were or what could -- we could expect. And I, in truth did not call, did not think at the time to call the Board of Pardon and Parole. But I did learn, subsequently, that this guy was out on parole. Is there a mechanism for letting people know the status of that criminal activity, what happens to that person?

CARLETON GILES: Well, pursuant to Article 29 and all of our policy and procedures, victims are included in all our processes. And there's a notification system, of course, that is done in conjunction with Department of Correction, registration, and so forth. So, from our perspective at the Board, victims are included in each of the processes.

REP. PALM (36TH): So, by processes, you mean if the person gets rearrested?

CARLETON GILES: That's right.

REP. PALM (36TH): We --

CARLETON GILES: If a person comes back to us and has a -- has a hearing -- revocation -- in this case would be revocation hearing. Then victim notification would be triggered in that way of a former.

REP. PALM (36TH): And -- and is that a longstanding practice?

CARLETON GILES: It is. We -- we did some work on it I believe in 2015, but we have a good partnership with the DOC registration system, Savon, as well as Judicial Branch.
REP. PALM (36TH): Okay. Well, this incident that I'm referring to was before 2015. And there was no communication of any kind, locally, statewide. It -- it was just we were sort of floundering as to what --

CARLETON GILES: Yeah.

REP. PALM (36TH): -- who was this person and what was going to become of him, and were we in danger for further. And so, I -- I was just hoping that perhaps there's -- when you say including victims in the processes, does that include actual direct communication with that person?

CARLETON GILES: Well, the system, of course, is getting better, Representative Palm, you know we're working on this -- the Seavus Project, which is the communication sharing information network, so it's getting better. But when someone is on our process, victims are part of that process.

REP. PALM (36TH): Okay. Well, I'm glad to hear that, because that -- I felt like that was a big missing piece, and I really couldn't get an answer from any --

CARLETON GILES: In --

REP. PALM (36TH): -- any local factors.

CARLETON GILES: In fact, we working on some more of that. I just had a meeting with the Speaker, he's formed another victim's group to -- to look at some of these things, how victims are notified, and just what you're describing.

REP. PALM (36TH): Great. Thank you very much.
SENATOR BERGSTEIN (36TH): Thank you, Representative Palm. Are there -- yes, Representative Miller.

REP. MILLER (145TH): Thank you, Madam Chair. Good morning. How are you --

CARLETON GILES: Good morning, Representative.

REP. MILLER (145TH): -- this morning. I have a question, can you explain what a rejection letter is, please?

CARLETON GILES: Yeah. So, in the crimes process, there are certain requirements that we ask petitioners to fulfill in the packet of information if they're seeking pardon. Sometimes, petitioners will fill that out without doing part of what we need. We will send a letter, saying please, correct these errors and return the application. So, it's a letter of rejection, not a letter of denial, which is very different. They haven't been heard if they get a letter of rejection. A rejection is only something's the matter with the application, not so dissimilar if you go to motor vehicle and they send you back or you go for a mortgage and they said we need something else.

REP. MILLER (145TH): So, if I may, Madam Chair, so, does the letter initially state that your application has been rejected?

CARLETON GILES: The letter states you need to do this. It explains explicitly what the petitioner needs to do.

REP. MILLER (145TH): Right. But what -- do you know offhand what the first sentence is?

CARLETON GILES: I -- I do not, no.
REP. MILLER (145TH): Yeah. So, you know, I've heard in -- in individuals lobbying for SB 691, one individual said that my application was rejected. And I've heard individual -- individuals say that my application was rejected.

CARLETON GILES: Yeah.

REP. MILLER (145TH): And so, I know it may be just a matter of semantics that -- semantics, in that maybe you should phrase the letter differently to say that if your application is incomplete --

CARLETON GILES: Yeah. Right.

REP. MILLER (145TH): -- because I think when you look at the individuals who -- who are your applicants and -- and see that were individuals who have been rejected by society in a way, and that to get this letter, and they see the word rejection, they may think of it as a denial -- a letter of denial. And so, I would suggest you look at that process.

CARLETON GILES: Okay.

REP. MILLER (145TH): And another question, I was helping a young lady complete an application online and her record was -- went back maybe 30 years. And so, the application asked details about the crime. And so she had to -- took us about two hours -- took us about two hours to go through it. But she had to recollect every single detail and so, and she had an extensive record, and in me helping her, I went to save the data, wiped out. The system does not save data. And so, I'm asking that that's something that you look at, as well, is that you be able to -- an individual be able to save a draft like we do --
CARLETON GILES: Uh-huh.

REP. MILLER (145TH): -- with the Ethics -- Ethics report, where we're able to save a draft of the information so that you can go back. Because there may be something that the person has to go back to, they may not remember, they may have to get additional information.

CARLETON GILES: Yeah. It's -- it's my understanding, Representative Miller, that that is -- is already the case. So, I don't know what happened with your case. I will check that again, but I have inquired about that and I -- it's my understanding that the fillable form is savable. But this summer, we're going to an e-pardons process, where we're going to do everything -- that part of the system online, so that won't be an issue. But I will check that again. And thank you for raising that with me today.

REP. MILLER (145TH): Thank you. And thank you very much.

CARLETON GILES: Thank you.

SENATOR BERGSTEIN (36TH): Are there other questions from the Committee? Okay. I have a question for you.

CARLETON GILES: Yes.

SENATOR BERGSTEIN (36TH): So, you -- you referenced that Connecticut is the forefront of pardons in both policy and additionally, you referenced something called the Structured Decision-Making Model, which you said is an evidence-based model. And I just wonder if you could explain more about that?
CARLETON GILES: That's a model, whereby we -- that we use when we are hearing offenders who are eligible for parole. And that's a -- a framework, a matrix that comes out of Carleton University in Canada, no connection.

And -- and we're very fortunate in our state, because we were really on the ground level and the researcher, Dr. Ralph Serin, who did this work, we know him and, you know, pick up the phone and call him. But this is a framework where we assess what the criminogenic needs of the offender are, how they've been responding to treatment, and what the release plan is, ability-controlled behavior, impulsivity, and all of those things that we use. So, it's not a gut assessment.

SENATOR BERGSTEN (36TH): Great. So, it's more scientific?

CARLETON GILES: More scientific.

SENATOR BERGSTEN (36TH): Wonderful. Okay. Do we have any other questions? Yes, Representative Miller.

REP. MILLER (145TH): Thank you, Madam Chair, for the second time. I just want to make a comment. I want to thank you and the Board. I have to admit, although there are rejections, that I have seen more individuals receiving pardon -- receive pardons in the last few years and -- and I guess in the last eight years. And the -- the process is a lot easier than it was -- it had been in the past. So, I want to thank you for that and that it -- it -- it has made a lot of people eligible --

CARLETON GILES: Yeah.
REP. MILLER (145TH): -- for the pardon and -- and so, I want to thank you. And I hope that you keep up the good work and continue to look at the process to see how you can streamline it --

CARLETON GILES: Indeed --

REP. MILLER (145TH): -- even further. Thank you.

CARLETON GILES: Thank you.

REP. MILLER (145TH): All right.

CARLETON GILES: Thank you so much.

SENATOR BERGSTEIN (36TH): Well thank you so much, Mr. Giles, for your service to the state --

CARLETON GILES: Thank you.

SENATOR BERGSTEIN (36TH): -- for your continued service and your testimony here today. And if there are no further questions? I think -- oh, and if there -- so we're done. [laughter]

CARLETON GILES: Thank you.

SENATOR BERGSTEIN (36TH): Thank you.

CARLETON GILES: Thank you, so much.

SENATOR BERGSTEIN (36TH): And if nobody has signed up from the public, but if anybody would like to speak, now is the time. Okay. Well, seeing no other speakers, we will adjourn this meeting. And then, if everyone could stay here, because we'll just roll right into our Committee meeting. Okay. Thank you so much.