



**AN ACT CONCERNING COMPASSIONATE OR MEDICAL PAROLE
AND CREDITS AWARDED FOR RELEASE DURING AN EMERGENCY
DECLARATION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsections (e) and (f) of section 54-124a of the general
2 statutes are repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2023*):

4 (e) (1) Each parole release panel, including any such panel for the
5 purpose of compassionate parole release or medical parole release,
6 shall be composed of three members, one of whom shall be the
7 chairperson or a full-time member designated by the chairperson to
8 serve temporarily as chairperson.

9 (2) Each pardons panel shall be composed of three members, one of
10 whom may be the chairperson, except that for hearings on
11 commutations from the penalty of death, one member of the panel
12 shall be the chairperson.

13 (3) Each panel that discharges persons on parole from the custody of
14 the Commissioner of Correction or that terminates the period of
15 special parole for persons shall be composed of three members, one of
16 whom shall be the chairperson or a full-time member designated by
17 the chairperson to serve temporarily as chairperson.

18 (f) The Board of Pardons and Paroles shall have independent
19 decision-making authority to (1) grant or deny parole in accordance
20 with sections 54-125, 54-125a, 54-125e and 54-125g, medical parole in
21 accordance with the provisions of sections 54-131a to 54-131g,
22 inclusive, as amended by this act, or compassionate parole in
23 accordance with the provisions of section 54-131k, as amended by this
24 act, (2) establish conditions of parole, medical parole, compassionate
25 parole or special parole supervision in accordance with section 54-126,
26 (3) rescind or revoke parole or special parole in accordance with
27 sections 54-127, as amended by this act, and 54-128, as amended by this
28 act, (4) grant commutations of punishment or releases, conditioned or
29 absolute, in the case of any person convicted of any offense against the
30 state and commutations from the penalty of death in accordance with
31 section 54-130a, (5) discharge any person on parole, medical parole or
32 compassionate parole or inmate eligible for parole from the custody of
33 the Commissioner of Correction pursuant to section 54-129, as
34 amended by this act, and (6) terminate special parole in accordance
35 with section 54-129, as amended by this act.

36 Sec. 2. Section 54-127 of the general statutes is repealed and the
37 following is substituted in lieu thereof (*Effective October 1, 2023*):

38 The request of the Commissioner of Correction or any officer of the
39 Department of Correction so designated by the commissioner, or of the
40 Board of Pardons and Paroles or its chairman shall be sufficient
41 warrant to authorize any officer of the Department of Correction or
42 any officer authorized by law to serve criminal process within this
43 state, to return any convict or inmate on parole, medical parole or
44 compassionate parole into actual custody; and any such officer, police
45 officer, constable or state marshal shall arrest and hold any parolee or
46 inmate when so requested, without any written warrant.

47 Sec. 3. Section 54-127a of the general statutes is repealed and the
48 following is substituted in lieu thereof (*Effective October 1, 2023*):

49 All parole revocation and rescission hearings shall be conducted by

50 an employee of the Board of Pardons and Paroles. The parole of a
51 person who has been allowed to go on parole in accordance with
52 subsection (a) of section 54-125a, [or] section 54-125g, sections 54-131a
53 to 54-131g, inclusive, as amended by this act, or section 54-131k, as
54 amended by this act, or who has been sentenced to a period of special
55 parole in accordance with subdivision (9) of subsection (b) of section
56 53a-28, shall be revoked or rescinded if, after such hearing, the
57 employee recommends such revocation or rescission and such
58 recommendation is approved by at least two members of a panel of the
59 board.

60 Sec. 4. Subsection (a) of section 54-128 of the general statutes is
61 repealed and the following is substituted in lieu thereof (*Effective*
62 *October 1, 2023*):

63 (a) Any paroled inmate, including an inmate allowed to go on
64 parole pursuant to sections 54-131a to 54-131g, inclusive, as amended
65 by this act, or section 54-131k, as amended by this act, who has been
66 returned to any institution of the Department of Correction for
67 violation of such inmate's parole may be retained in a correctional
68 institution for a period equal to the unexpired portion of the term of
69 such inmate's sentence at the date of the request or order for such
70 inmate's return less any commutation or diminution of such inmate's
71 sentence earned, except that the Board of Pardons and Paroles may, in
72 its discretion, determine that such inmate shall forfeit any or all of such
73 earned time, or may be again paroled by said board.

74 Sec. 5. Subsection (a) of section 54-129 of the general statutes is
75 repealed and the following is substituted in lieu thereof (*Effective*
76 *October 1, 2023*):

77 (a) If it appears to the appropriate panel of the Board of Pardons
78 and Paroles that any person on parole, medical parole or
79 compassionate parole or inmate eligible for parole, medical parole or
80 compassionate parole or any person serving a period of special parole
81 will lead an orderly life, the panel, by a unanimous vote, may (1)

82 declare such person on parole, medical parole or compassionate parole
83 or inmate discharged from the custody of the Commissioner of
84 Correction, or (2) at any time during such person's period of special
85 parole, terminate such period, without a court order, before such
86 person completes such period.

87 Sec. 6. Section 54-131a of the general statutes is repealed and the
88 following is substituted in lieu thereof (*Effective October 1, 2023*):

89 [The] A panel of the Board of Pardons and Paroles may determine,
90 in accordance with sections 54-131a to 54-131g, inclusive, as amended
91 by this act, when and under what conditions an inmate serving any
92 sentence of imprisonment may be released on medical parole.

93 Sec. 7. Section 54-131b of the general statutes is repealed and the
94 following is substituted in lieu thereof (*Effective October 1, 2023*):

95 [The] A panel of the Board of Pardons and Paroles may release on
96 medical parole any inmate serving any sentence of imprisonment,
97 except an inmate convicted of a capital felony under the provisions of
98 section 53a-54b in effect prior to April 25, 2012, or murder with special
99 circumstances under the provisions of section 53a-54b in effect on or
100 after April 25, 2012, who has been diagnosed pursuant to section 54-
101 131c as suffering from a terminal condition, disease or syndrome, and
102 is so debilitated or incapacitated by such condition, disease or
103 syndrome as to be physically incapable of presenting a danger to
104 society. Notwithstanding any provision of the general statutes to the
105 contrary, the Board of Pardons and Paroles may release such inmate at
106 any time during the term of such inmate's sentence.

107 Sec. 8. Section 54-131k of the general statutes is repealed and the
108 following is substituted in lieu thereof (*Effective October 1, 2023*):

109 (a) The Board of Pardons and Paroles may grant a compassionate
110 parole release to any inmate serving any sentence of imprisonment,
111 except an inmate convicted of a capital felony under the provisions of
112 section 53a-54b in effect prior to April 25, 2012, or murder with special

113 circumstances under the provisions of section 53a-54b in effect on or
114 after April 25, 2012, if [it] the panel finds that such inmate (1) is so
115 physically or mentally debilitated, incapacitated or infirm as a result of
116 advanced age or as a result of a condition, disease or syndrome that is
117 not terminal as to [be physically incapable of presenting a] present a
118 significantly reduced risk of danger to society, and (2) (A) has served
119 not less than one-half of such inmate's definite or aggregate sentence,
120 or (B) has served not less than one-half of such inmate's remaining
121 definite or aggregate sentence after commutation of the original
122 sentence by the Board of Pardons and Paroles.

123 (b) (1) During a major disaster or an emergency declaration by the
124 President of the United States covering any part of the state, or an
125 emergency declaration issued by the Governor, that shall include, but
126 need not be limited to, those declarations issued concerning the
127 COVID-19 pandemic, any other disease epidemic or public health
128 emergency or a natural disaster, a panel of the Board of Pardons and
129 Paroles may grant a compassionate parole release to any inmate
130 -serving any sentence of imprisonment, except an inmate convicted of a
131 capital felony under the provisions of section 53a-54b in effect prior to
132 April 25, 2012, or murder with special circumstances under the
133 provisions of section 53a-54b in effect on or after April 25, 2012, at any
134 time during the term of such inmate's sentence, if the panel finds (A)
135 circumstances exist which pose a higher risk of harm to such inmate
136 should such inmate remain confined, and (B) such inmate presents a
137 reduced risk of presenting any danger to society.

138 (2) For purposes of this subsection, "COVID-19" means the
139 respiratory disease designated by the World Health Organization on
140 February 11, 2020, as coronavirus 2019, and any related mutation
141 thereof recognized by said organization as a communicable respiratory
142 disease.

143 (3) Any person granted a compassionate parole release pursuant to
144 this subsection shall, upon expiration or termination of the major
145 disaster or emergency declaration, be ordered to appear before the

146 Board of Pardons and Paroles or any special panel thereof appointed
147 pursuant to this section not later than twenty days after such
148 expiration or termination for a hearing as to whether such
149 compassionate parole release shall be revoked, continued or modified.
150 The Board of Pardons and Paroles or any special panel thereof shall
151 revoke a compassionate parole release if the board or panel finds (A)
152 the risk of harm to such person should such person be confined is no
153 longer higher than prior to the major disaster or emergency
154 declaration, and (B) returning such person to confinement is in the best
155 interest of public safety.

156 [(b)] (c) Any person granted a compassionate parole release
157 pursuant to this section shall be released subject to such terms and
158 conditions as may be established by the Board of Pardons and Paroles
159 and [shall be supervised by the Department of Correction] the rules
160 and regulations established pursuant to section 54-126.

161 (d) The chairperson of the Board of Pardons and Paroles may
162 appoint a special panel to implement the provisions of this section and
163 review and decide requests for compassionate parole under this
164 section on an emergency basis, and in all cases shall act in as
165 expeditious a manner as possible.

166 (e) The provisions of this section shall not affect an inmate's
167 eligibility for any other form of parole or release provided by law.

168 (f) Not later than October 1, 2024, and annually thereafter, the Board
169 of Pardons and Paroles shall report, in accordance with the provisions
170 of section 11-4a, to the joint standing committee of the General
171 Assembly having cognizance of matters relating to the judiciary (1) the
172 number of persons granted compassionate parole release in the prior
173 year, (2) the number of such persons released who have been arrested
174 in the prior year, (3) the number of such persons released who have
175 been ordered reconfined based upon violations of the terms or
176 conditions of compassionate parole release in the prior year, and (4)
177 the number of such persons released who have been sentenced to

178 confinement pursuant to a separate and unrelated offense.

179 Sec. 9. (NEW) (*Effective October 1, 2023*) (a) The Commissioner of
180 Correction shall grant public health emergency release credits in
181 accordance with subsection (b) of this section to any inmate who is
182 serving a sentence of imprisonment whose scheduled release date is
183 within one year of the issuance of a declaration described in subsection
184 (b) of this section, except to an inmate who is sentenced for a violation
185 of section 53a-54a, 53a-54b, 53a-54c, 53a-54d, 53a-55, 53a-55a, 53a-70a,
186 53a-70c or 53a-100aa of the general statutes, or who is a persistent
187 dangerous felony offender or persistent dangerous sexual offender
188 pursuant to section 53a-40 of the general statutes.

189 (b) (1) Notwithstanding any provision of the general statutes,
190 during a major disaster or an emergency declaration by the President
191 of the United States covering any part of the state, or an emergency
192 declaration issued by the Governor, that shall include, but need not be
193 limited to, those declarations issued concerning the COVID-19
194 pandemic, any other disease epidemic or public health emergency or a
195 natural disaster, the commissioner shall award public health
196 emergency release credits to any inmate described in subsection (a) of
197 this section who is serving a sentence of imprisonment during the time
198 period covered by such major disaster or declaration toward a
199 reduction of such inmate's term of imprisonment, in an amount equal
200 to one hundred twenty-two days per month for each month such
201 inmate is imprisoned during the period covered by such declaration,
202 the amount of which shall be reduced pro rata for any month that did
203 not fall entirely during the period covered by such declaration. The
204 commissioner shall not award more than two hundred forty-four days'
205 worth of credits to any such inmate during the time period covered by
206 any such declaration.

207 (2) For purposes of this subsection, "COVID-19" means the
208 respiratory disease designated by the World Health Organization on
209 February 11, 2020, as coronavirus 2019, and any related mutation
210 thereof recognized by said organization as a communicable respiratory

211 disease.

212 (c) Any credit awarded under this section may only be awarded
 213 during the period of time that the inmate is sentenced to a term of
 214 imprisonment and committed to the custody of the commissioner and
 215 may not be transferred or applied to a subsequent term of
 216 imprisonment. In no event shall any credit awarded under this section
 217 be applied so as to reduce a mandatory minimum term of
 218 imprisonment such inmate is required to serve by statute.

219 (d) The provisions of this section shall not affect an inmate's
 220 eligibility for any other form of parole or release provided by law.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2023	54-124a(e) and (f)
Sec. 2	October 1, 2023	54-127
Sec. 3	October 1, 2023	54-127a
Sec. 4	October 1, 2023	54-128(a)
Sec. 5	October 1, 2023	54-129(a)
Sec. 6	October 1, 2023	54-131a
Sec. 7	October 1, 2023	54-131b
Sec. 8	October 1, 2023	54-131k
Sec. 9	October 1, 2023	New section

Statement of Legislative Commissioners:

In Section 8(b)(3) "Board of Pardons of Paroles" was changed to "Board of Pardons and Paroles" for accuracy.

JUD *Joint Favorable Subst. -LCO*