



General Assembly

Amendment

January Session, 2023

LCO No. 8492



Offered by:

REP. STAFSTROM, 129th Dist.

SEN. WINFIELD, 10th Dist.

REP. FISHBEIN, 90th Dist.

To: Subst. House Bill No. 6738

File No. 534

Cal. No. 329

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

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subsections (e) and (f) of section 54-124a of the general
4 statutes are repealed and the following is substituted in lieu thereof
5 (*Effective from passage*):

6 (e) (1) Each parole release panel shall be composed of three members,
7 one of whom shall be the chairperson or a full-time member designated
8 by the chairperson to 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 shall
12 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 special
15 parole for persons shall be composed of three members, one of whom
16 shall be the chairperson or a full-time member designated by the
17 chairperson to serve temporarily as chairperson.

18 (4) Each commutations panel shall be composed of three members,
19 one of whom may be the chairperson of the board who shall designate
20 one member of the panel as chairperson.

21 (f) The Board of Pardons and Paroles shall have independent
22 decision-making authority to (1) grant or deny parole in accordance
23 with sections 54-125, 54-125a, 54-125e and 54-125g, (2) establish
24 conditions of parole or special parole supervision in accordance with
25 section 54-126, (3) rescind or revoke parole or special parole in
26 accordance with sections 54-127, as amended by this act, and 54-128, as
27 amended by this act, (4) grant commutations of punishment or releases,
28 conditioned or absolute, in the case of any person convicted of any
29 offense against the state [and commutations from the penalty of death
30 in accordance with section 54-130a] pursuant to the provisions of section
31 11 of this act, (5) discharge any person on parole or inmate eligible for
32 parole from the custody of the Commissioner of Correction pursuant to
33 section 54-129, as amended by this act, and (6) terminate special parole
34 in accordance with section 54-129, as amended by this act.

35 Sec. 2. Subsections (e) and (f) of section 54-124a of the general statutes,
36 as amended by section 1 of this act, are repealed and the following is
37 substituted in lieu thereof (*Effective October 1, 2023*):

38 (e) (1) Each parole release panel, including any such panel for the
39 purpose of compassionate parole release or medical parole release, shall
40 be composed of three members, one of whom shall be the chairperson
41 or a full-time member designated by the chairperson to serve
42 temporarily as chairperson.

43 (2) Each pardons panel shall be composed of three members, one of
44 whom may be the chairperson.

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

50 (4) Each commutations panel shall be composed of three members,
51 one of whom may be the chairperson of the board who shall designate
52 one member of the panel as chairperson.

53 (f) The Board of Pardons and Paroles shall have independent
54 decision-making authority to (1) grant or deny parole in accordance
55 with sections 54-125, 54-125a, 54-125e and 54-125g, medical parole in
56 accordance with the provisions of sections 54-131a to 54-131g, inclusive,
57 as amended by this act, or compassionate parole in accordance with the
58 provisions of section 54-131k, as amended by this act, (2) establish
59 conditions of parole, medical parole, compassionate parole or special
60 parole supervision in accordance with section 54-126, (3) rescind or
61 revoke parole or special parole in accordance with sections 54-127, as
62 amended by this act, and 54-128, as amended by this act, (4) grant
63 commutations of punishment or releases, conditioned or absolute, in the
64 case of any person convicted of any offense against the state pursuant
65 to the provisions of section 11 of this act, (5) discharge any person on
66 parole, medical parole or compassionate parole or inmate eligible for
67 parole from the custody of the Commissioner of Correction pursuant to
68 section 54-129, as amended by this act, and (6) terminate special parole
69 in accordance with section 54-129, as amended by this act.

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

72 The request of the Commissioner of Correction or any officer of the
73 Department of Correction so designated by the commissioner, or of the
74 Board of Pardons and Paroles or its chairman shall be sufficient warrant
75 to authorize any officer of the Department of Correction or any officer
76 authorized by law to serve criminal process within this state, to return

77 any convict or inmate on parole, medical parole or compassionate
78 parole into actual custody; and any such officer, police officer, constable
79 or state marshal shall arrest and hold any parolee or inmate when so
80 requested, without any written warrant.

81 Sec. 4. Section 54-127a of the general statutes is repealed and the
82 following is substituted in lieu thereof (*Effective October 1, 2023*):

83 All parole revocation and rescission hearings shall be conducted by
84 an employee of the Board of Pardons and Paroles. The parole of a person
85 who has been allowed to go on parole in accordance with subsection (a)
86 of section 54-125a, [or] section 54-125g, sections 54-131a to 54-131g,
87 inclusive, as amended by this act, or section 54-131k, as amended by this
88 act, or who has been sentenced to a period of special parole in
89 accordance with subdivision (9) of subsection (b) of section 53a-28, shall
90 be revoked or rescinded if, after such hearing, the employee
91 recommends such revocation or rescission and such recommendation is
92 approved by at least two members of a panel of the board.

93 Sec. 5. Subsection (a) of section 54-128 of the general statutes is
94 repealed and the following is substituted in lieu thereof (*Effective October*
95 *1, 2023*):

96 (a) Any paroled inmate, including an inmate allowed to go on parole
97 pursuant to sections 54-131a to 54-131g, inclusive, as amended by this
98 act, or section 54-131k, as amended by this act, who has been returned
99 to any institution of the Department of Correction for violation of such
100 inmate's parole may be retained in a correctional institution for a period
101 equal to the unexpired portion of the term of such inmate's sentence at
102 the date of the request or order for such inmate's return less any
103 commutation or diminution of such inmate's sentence earned, except
104 that the Board of Pardons and Paroles may, in its discretion, determine
105 that such inmate shall forfeit any or all of such earned time, or may be
106 again paroled by said board.

107 Sec. 6. Subsection (a) of section 54-129 of the general statutes is
108 repealed and the following is substituted in lieu thereof (*Effective October*

109 1, 2023):

110 (a) If it appears to the appropriate panel of the Board of Pardons and
111 Paroles that any person on parole, medical parole or compassionate
112 parole or inmate eligible for parole, medical parole or compassionate
113 parole or any person serving a period of special parole will lead an
114 orderly life, the panel, by a unanimous vote, may (1) declare such person
115 on parole, medical parole or compassionate parole or inmate discharged
116 from the custody of the Commissioner of Correction, or (2) at any time
117 during such person's period of special parole, terminate such period,
118 without a court order, before such person completes such period.

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

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

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

127 [The] A panel of the Board of Pardons and Paroles may release on
128 medical parole any inmate serving any sentence of imprisonment,
129 except an inmate convicted of a capital felony under the provisions of
130 section 53a-54b in effect prior to April 25, 2012, or murder with special
131 circumstances under the provisions of section 53a-54b in effect on or
132 after April 25, 2012, who has been diagnosed pursuant to section 54-131c
133 as suffering from a terminal condition, disease or syndrome, and is so
134 debilitated or incapacitated by such condition, disease or syndrome as
135 to be physically incapable of presenting a danger to society.
136 Notwithstanding any provision of the general statutes to the contrary,
137 the Board of Pardons and Paroles may release such inmate at any time
138 during the term of such inmate's sentence.

139 Sec. 9. Section 54-131k of the general statutes is repealed and the

140 following is substituted in lieu thereof (*Effective October 1, 2023*):

141 (a) The Board of Pardons and Paroles may grant a compassionate
142 parole release to any inmate serving any sentence of imprisonment,
143 except an inmate convicted of a capital felony under the provisions of
144 section 53a-54b in effect prior to April 25, 2012, or murder with special
145 circumstances under the provisions of section 53a-54b in effect on or
146 after April 25, 2012, if [it] the panel finds that such inmate (1) is so
147 physically or mentally debilitated, incapacitated or infirm as a result of
148 advanced age or as a result of a condition, disease or syndrome that is
149 not terminal as to [be physically incapable of presenting a] present a
150 significantly reduced risk of danger to society, and (2) (A) has served
151 not less than one-half of such inmate's definite or aggregate sentence, or
152 (B) has served not less than one-half of such inmate's remaining definite
153 or aggregate sentence after commutation of the original sentence by the
154 Board of Pardons and Paroles.

155 (b) (1) During a major disaster or an emergency declaration by the
156 President of the United States covering any part of the state, or an
157 emergency declaration issued by the Governor, that shall include, but
158 need not be limited to, those declarations issued concerning any disease
159 epidemic, public health emergency or natural disaster, a panel of the
160 Board of Pardons and Paroles may grant a compassionate parole release
161 to any inmate serving any sentence of imprisonment, except an inmate
162 convicted of a capital felony under the provisions of section 53a-54b in
163 effect prior to April 25, 2012, or murder with special circumstances
164 under the provisions of section 53a-54b in effect on or after April 25,
165 2012, at any time during the term of such inmate's sentence, if the panel
166 finds (A) circumstances exist which pose a higher risk of harm to such
167 inmate should such inmate remain confined, and (B) such inmate
168 presents a reduced risk of presenting any danger to society.

169 (2) Any person granted a compassionate parole release pursuant to
170 this subsection shall, upon expiration or termination of the major
171 disaster or emergency declaration, be ordered to appear before the
172 Board of Pardons and Paroles or any special panel thereof appointed

173 pursuant to this section not later than twenty days after such expiration
174 or termination for a hearing as to whether such compassionate parole
175 release shall be revoked, continued or modified. The Board of Pardons
176 and Paroles or any special panel thereof shall revoke a compassionate
177 parole release if the board or panel finds (A) the risk of harm to such
178 person should such person be confined is no longer higher than prior to
179 the major disaster or emergency declaration, and (B) returning such
180 person to confinement is in the best interest of public safety.

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

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

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

193 (f) Not later than October 1, 2024, and annually thereafter, the Board
194 of Pardons and Paroles shall report, in accordance with the provisions
195 of section 11-4a, to the joint standing committee of the General
196 Assembly having cognizance of matters relating to the judiciary (1) the
197 number of persons granted compassionate parole release in the prior
198 year, (2) the number of such persons released who have been arrested
199 in the prior year, (3) the number of such persons released who have been
200 ordered reconfined based upon violations of the terms or conditions of
201 compassionate parole release in the prior year, and (4) the number of
202 such persons released who have been sentenced to confinement
203 pursuant to a separate and unrelated offense.

204 Sec. 10. (NEW) (*Effective October 1, 2023*) (a) The Commissioner of

205 Correction may grant public health emergency release credits in
206 accordance with subsection (b) of this section to any inmate who is
207 serving a sentence of imprisonment whose scheduled release date is
208 within one year of the issuance of a declaration described in subsection
209 (b) of this section, except to an inmate who is sentenced for a violation
210 of section 53a-54a, 53a-54b, 53a-54c, 53a-54d, 53a-55, 53a-55a, 53a-70a,
211 53a-70c or 53a-100aa of the general statutes, or who is a persistent
212 dangerous felony offender or persistent dangerous sexual offender
213 pursuant to section 53a-40 of the general statutes.

214 (b) Notwithstanding any provision of the general statutes, during a
215 major disaster or an emergency declaration by the President of the
216 United States covering any part of the state, or an emergency declaration
217 issued by the Governor, that shall include, but need not be limited to,
218 those declarations issued concerning any disease epidemic, public
219 health emergency or natural disaster, the commissioner may award
220 public health emergency release credits to any inmate described in
221 subsection (a) of this section who is serving a sentence of imprisonment
222 during the time period covered by such major disaster or declaration
223 toward a reduction of such inmate's term of imprisonment, in an
224 amount equal to one hundred twenty-two days per month for each
225 month such inmate is imprisoned during the period covered by such
226 declaration, the amount of which shall be reduced pro rata for any
227 month that did not fall entirely during the period covered by such
228 declaration. The commissioner shall not award more than two hundred
229 forty-four days' worth of credits to any such inmate during the time
230 period covered by any such declaration.

231 (c) Any credit awarded under this section may only be awarded
232 during the period of time that the inmate is sentenced to a term of
233 imprisonment and committed to the custody of the commissioner and
234 may not be transferred or applied to a subsequent term of
235 imprisonment. In no event shall any credit awarded under this section
236 be applied so as to reduce a mandatory minimum term of imprisonment
237 such inmate is required to serve by statute.

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

240 Sec. 11. (NEW) (*Effective from passage*) (a) The Board of Pardons and
241 Paroles, established pursuant to section 54-124a of the general statutes,
242 as amended by this act, may, upon application and by majority decision
243 of a commutations panel of the board, commute any sentence of an
244 incarcerated person pursuant to the provisions of this section.

245 (b) No applicant is eligible for consideration for commutation unless
246 the applicant is an incarcerated person at the time of application and
247 will remain an incarcerated person throughout the entire review of the
248 application. The board shall not commute the sentence of any person
249 who:

250 (1) Is serving a sentence of life imprisonment, as defined in section
251 53a-35b of the general statutes;

252 (2) Is serving a total effective sentence that in the aggregate term or
253 terms of imprisonment is ten years or less;

254 (3) Has served less than ten years of the total effective sentence for
255 which such person is applying for commutation;

256 (4) Has had a charge nolleed during the thirteen months prior to
257 submitting the application or during the period of review of such
258 application;

259 (5) Has had an application for commutation denied by a panel of the
260 board during the five years prior to submitting the application or during
261 the period of review of such application;

262 (6) Has had commutation revoked during the five years prior to
263 submitting the application or during the period of review of such
264 application;

265 (7) Has unresolved court fees or fines at the time of application;

266 (8) Has pending criminal charges or cases against such person in this
267 or another state or a territory of the United States or under federal
268 jurisdiction; or

269 (9) Has a valid outstanding warrant issued for the arrest of such
270 person by an officer of this or another state or a territory of the United
271 States or under federal jurisdiction.

272 (c) In carrying out the provisions of this section, the board shall:

273 (1) Receive, review and process applications of each incarcerated
274 person seeking to have such person's sentence commuted;

275 (2) Ensure that no applicant's case is referred to a commutations panel
276 for the purposes of commuting a sentence prior to verification by an
277 employee of the board that an applicant is eligible pursuant to
278 subsection (b) of this section;

279 (3) Ensure that applications are reviewed in a timely manner; and

280 (4) Process revocations pursuant to subsection (j) of this section.

281 (d) Any person seeking a commutation of a sentence may apply to
282 Board of Pardons and Paroles on a form and in such manner as the board
283 prescribes. Such applicant shall, under penalties of perjury, complete
284 the application in its entirety and attest to its accuracy. The applicant
285 shall include with any such application (1) all available police reports
286 relevant to the applicant's conviction or convictions for which the
287 applicant is seeking a commutation of a sentence or sentences, (2) an
288 affirmation that such applicant is not a person described in any
289 provision of subdivisions (1) to (9), inclusive, of subsection (b) of this
290 section, and (3) any other information or authorization for the board to
291 obtain information relevant to a conviction or convictions for any such
292 sentence for which a commutation is sought as the board may require.

293 (e) The board shall review each application for any person eligible for
294 a commutation and verify that the application is in compliance with the
295 requirements of this section. As part of such verification process, the

296 board shall (1) ensure that the applicant is eligible pursuant to
297 subsection (b) of this section, (2) ensure that the application is complete
298 pursuant to subsection (d) of this section, (3) conduct background
299 investigations as the board deems appropriate, (4) obtain and compile
300 information as a commutations panel may request for the panel's review
301 pursuant to subsection (f) or (g) of this section, (5) document any action
302 or disposition relevant to the application, (6) prepare and include with
303 each application a written summary of the application and information
304 obtained through background investigations conducted pursuant to
305 subdivision (3) of this subsection, and (7) verify all relevant information
306 is included in the application and that the applicant is eligible for a
307 sentence commutation pursuant to the provisions of this section. The
308 board shall refer each verified application to a commutations panel of
309 the board for consideration and transmit such application to the Office
310 of the Chief State's Attorney.

311 (f) (1) A commutations panel in receipt of any application referred
312 pursuant to subsection (e) of this section shall schedule an
313 administrative review of eligibility by such panel and ensure that each
314 application is reviewed by such panel in a timely manner.

315 (2) Upon completion of each such review, the commutations panel
316 shall, by a majority vote of the panel: (A) Deny the eligibility of
317 applicant; (B) recommend the application be scheduled for a suitability
318 hearing pursuant to subsection (g) of this section; or (C) continue the
319 application for good cause.

320 (3) The board shall inform, in writing, each applicant and the Office
321 of the Chief State's Attorney of any decision made pursuant to
322 subdivision (2) of this subsection. If the application is denied, the board
323 shall include a statement addressing the reasons such applicant is not
324 eligible for a sentence commutation.

325 (g) (1) The Board of Pardons and Paroles shall meet at least twice
326 annually to hear applications recommended for a suitability hearing
327 pursuant to subdivision (2) of subsection (f) of this section.

328 (2) At least ninety days prior to the scheduled date of any such
329 hearing, the board shall ensure that: (A) The Office of Victim Services is
330 informed of a hearing date for the purpose of notifying any victim of a
331 crime committed by the applicant for which the applicant is seeking a
332 sentence commutation pursuant to subsection (a) of section 54-230 of the
333 general statutes, as amended by this act; and (B) the Office of the Chief
334 State's Attorney is in receipt of a copy of the applicant's application and
335 all relevant documentation in possession of the board. The Office of the
336 Chief State's Attorney shall assign an assistant state's attorney or deputy
337 assistant state's attorney to attend each such hearing pursuant to this
338 section.

339 (3) The following persons may appear in person or using audio or
340 video connections before a commutations panel during a hearing
341 pursuant to this subsection:

342 (A) The applicant;

343 (B) The applicant's attorney;

344 (C) Any victim of a crime for which the board is considering a
345 commutation, or if a victim cannot be located, a representative of the
346 Office of the Victim Advocate;

347 (D) A state's attorney, assistant state's attorney or deputy assistant
348 state's attorney assigned to be present and participate in the hearing
349 by the Office of the Chief State's Attorney's Office pursuant to section
350 51-281 of the general statutes, as amended by this act; or

351 (E) Any other person authorized by the chairperson of the
352 commutations panel, provided such person can provide testimony
353 relevant to the application for commutation.

354 (4) An employee of the board shall administer oaths pursuant to
355 sections 1-22 and 1-25 of the general statutes.

356 (5) In formulating its decision, the commutations panel shall
357 consider the application and evidence and determine the suitability of

358 the applicant for a sentence commutation subject to the following:

359 (A) The seriousness and recency of the applicant's conviction or
360 convictions;

361 (B) The applicant's conduct while serving the sentence or
362 sentences;

363 (C) The impact of the applicant's conviction or convictions on
364 victims and the community;

365 (D) Whether, and the extent to which, the applicant has been
366 rehabilitated since sentencing;

367 (E) Whether, and the extent to which, a commutation will provide
368 a benefit to the applicant;

369 (F) Whether, and the extent to which, a commutation will provide
370 a benefit to society;

371 (G) The length of the applicant's sentence or sentences;

372 (H) Whether, and the extent to which, the length and form of the
373 applicant's sentence or sentences is consistent with contemporary
374 sentencing practices;

375 (I) Whether, and the extent to which, the applicant is suffering from
376 a terminal illness or has a severe and chronic disability that may be
377 substantially mitigated by a commutation;

378 (J) Whether, and the extent to which, continued service of the
379 applicant's sentence or sentences are in the interests of justice;

380 (K) Whether the applicant has also applied for or received a
381 sentence modification; and

382 (L) Any extraordinary circumstances that favor commutation of the
383 applicant's sentence or sentences.

384 (6) Upon completion of each such hearing, the commutations panel
385 shall by a majority vote of the panel: (A) Grant a commutation, (B) deny
386 the application; or (C) continue the application for good cause.

387 (7) The board shall inform, in writing, (A) each applicant, (B) any
388 victim of a crime committed by the applicant for which the applicant is
389 seeking a sentence commutation, or the Office of the Victim Advocate if
390 any such victim cannot be located, and (C) The Office of the Chief State's
391 Attorney of any decision made pursuant to subdivision (6) of this
392 subsection. The board shall include a statement addressing the weight
393 the commutations panel assigned to relevant information in the
394 record when evaluating the criteria pursuant to subdivision (5) of
395 this subsection and pertinent testimony considered by the panel
396 during the hearing in rendering a decision.

397 (h) (1) In the case of any commutation granted pursuant to subsection
398 (g) of this section and prior to issuing a Certificate of Commutation, the
399 board shall notify the following persons, agencies or entities that such
400 commutation has been granted: (A) The Department of Correction, (B)
401 the State Police Bureau of Identification, (C) the Office of Victim
402 Services of the Judicial Branch for the purpose of notifying any
403 known victim, (D) the Court Support Services Division of the Judicial
404 Branch, and (E) any other individual, agency or entity specified by
405 the chairperson of the board.

406 (2) If a commutation is granted, the board shall issue a Certificate of
407 Commutation, signed by the chairperson of the board and under seal of
408 the board, to the applicant and the facility of the Department of
409 Correction in which such applicant is serving such applicant's sentence.
410 Each such certificate shall include the: (A) Name of the person receiving
411 the sentence commutation; (B) sentence or sentences or any portion of
412 such sentence or sentences commuted; and (C) specifics of the
413 commutation, including, but not limited to, the effective date of any
414 such sentence that is commuted, as described in subsection (i) of this
415 section.

416 (i) A commutation issued pursuant to subsection (g) of this section
417 shall take effect on the fifteenth business day after a commutations panel
418 grants such commutation, unless the board suspends or revokes such
419 commutation pursuant to subsection (j) of this section.

420 (j) (1) The board may, pursuant to the provisions of this subsection,
421 suspend or revoke a sentence commutation granted pursuant to
422 subsection (g) of this section at any time before the recipient of the
423 sentence commutation is released from a correctional facility pursuant
424 to the commutation panel's decision. If the board suspends or revokes a
425 sentence commutation, the board shall immediately notify the
426 Commissioner of Correction of any suspension or revocation
427 pursuant to this subsection. The Commissioner of Correction shall
428 retain custody of any applicant whose sentence commutation is
429 under suspension or revoked. In the case of a suspension, the
430 commissioner shall retain custody of the applicant until a
431 determination is made whether to revoke or lift the suspension of the
432 sentence commutation.

433 (2) The board may only suspend a sentence commutation under the
434 following circumstances:

435 (A) The applicant, since the date of submission of the application
436 for the commutation, was (i) arrested, or there is a valid outstanding
437 warrant for arrest by an officer of this or another state or a territory of
438 the United States or under federal jurisdiction, or (ii) convicted or
439 charged with the commission of a crime in this or another state or a
440 territory of the United States or under federal jurisdiction;

441 (B) The application upon which the commutation was granted
442 contains material information that is false or misleading;

443 (C) The applicant, since the date of submission of the application
444 for the commutation, is the subject of an unresolved investigation of
445 a suspected disciplinary offense or has been found to have
446 committed a disciplinary offense by the Department of Correction;
447 or

448 (D) Other significant new information or circumstances exist that
449 were not previously considered by the commutations panel when
450 considering the applicant's application for the commutation.

451 (3) If the chairperson of the board determines that an applicant for
452 whom a sentence has been commuted is an applicant described in
453 subparagraph (A) of subdivision (2) of this subsection, the board
454 shall automatically revoke a commutation without a hearing,
455 meeting or action of a commutations panel.

456 (4) (A) In the case of any other suspended commutation not
457 subject to automatic revocation pursuant to subdivision (3) of this
458 section, a commutations panel shall, not later than thirty calendar
459 days after a suspension pursuant to subdivision (2) of this
460 subsection, conduct an administrative revocation review of such
461 suspension. Except as otherwise provided by the chairperson of the
462 board, only the commutations panel that granted the applicant's
463 commutation subject to such revocation review may revoke such
464 commutation.

465 (B) (i) Upon completion of such review, the commutations panel shall
466 by a majority vote of the panel: (I) Approve the revocation; (II)
467 disapprove the revocation and overturn the suspension of the
468 commutation; or (III) schedule a hearing to determine whether to revoke
469 such commutation.

470 (ii) The commutations panel shall permit the applicant, the
471 applicant's attorney, and a state's attorney, assistant state's attorney or
472 deputy assistant state's attorney assigned by the Office of the Chief
473 State's Attorney's Office pursuant to section 51-281 of the general
474 statutes, as amended by this act, and any other person authorized by
475 the chairperson of the commutations panel, provided such person
476 can provide testimony relevant to the application for commutation
477 to be present and participate in the hearing, which shall be conducted
478 in the same manner as provided in subsection (g) of this section.

479 (C) The board shall inform, in writing, (i) the applicant subject to the

480 request for revocation, (ii) any victim of a crime committed by the
481 applicant for which the applicant was granted a sentence commutation,
482 (iii) the Department of Correction, (iv) the State Police Bureau of
483 Identification, (v) the Office of Victim Services of the Judicial Branch,
484 (vi) the Court Support Services Division of the Judicial Branch, and
485 (vii) the Office of the Division of Criminal Justice, of any
486 determination made by the board or commutations panel concerning
487 suspension or revocation pursuant to this subsection, which shall
488 include the decision of the board or panel, any reason for the decision
489 and the weight the board or panel assigned to relevant information
490 in the record when rendering its decision.

491 (k) The board may amend a commutation or Certificate of
492 Commutation to correct a technical error or address an omission. The
493 board shall notify the recipient of the commutation and the
494 Department of Correction, the State Police Bureau of Identification,
495 the Office of Victim Services of the Judicial Branch, the Court Support
496 Services Division of the Judicial Branch and any other individual,
497 agency or entity specified by the chairperson of the board of any such
498 amendment and issue an amended certificate to the recipient of the
499 commutation and the facility of the Department of Correction in which
500 such applicant is serving such applicant's sentence or from which the
501 applicant was released.

502 (l) The board shall electronically record all proceedings of any
503 administrative review, hearing or meeting conducted by a
504 commutations panel of the board or the board pursuant to this section
505 and make such records available to the public on an Internet web site
506 operated by the board no later than five days following the creation of
507 such records.

508 Sec. 12. Subsection (a) of section 54-230 of the general statutes is
509 repealed and the following is substituted in lieu thereof (*Effective*
510 *from passage*):

511 (a) [Upon] (1) Except as provided in subdivision (2) of this section,

512 upon receipt of notice from an inmate pursuant to section 54-227, the
513 Office of Victim Services shall notify by mail all persons who have
514 requested to be notified pursuant to subsection (a) of section 54-228 and
515 section 54-229 whenever such inmate makes application for release or
516 sentence reduction or review. Such notice shall be in writing and notify
517 each person of the nature of the release or sentence reduction or review
518 being applied for, the address and telephone number of the board or
519 agency to which the application by the inmate was made, and the date
520 and place of the hearing or session, if any, scheduled on the application.

521 (2) In the case of an inmate seeking commutation of a sentence
522 pursuant to section 11 of this act, the Office of Victim Services shall send
523 notice pursuant to subdivision (1) of this section only if the inmate
524 seeking commutation is granted a hearing. Any such notification shall
525 be sent as soon as practicable, but no less than thirty days prior to any
526 such hearing.

527 Sec. 13. Subsection (a) of section 54-230a of the general statutes is
528 repealed and the following is substituted in lieu thereof (*Effective from*
529 *passage*):

530 (a) [Upon] (1) Except as provided in subdivision (2) of this subsection,
531 upon receipt of notice from an inmate pursuant to section 54-227, the
532 Victim Services Unit within the Department of Correction shall notify
533 by mail all persons who have requested to be notified pursuant to
534 subsection (a) of section 54-228 and section 54-229 whenever such
535 inmate makes application for release or sentence reduction or review.
536 Such notice shall be in writing and notify each person of the nature of
537 the release or sentence reduction or review being applied for, the
538 address and telephone number of the board or agency to which the
539 application by the inmate was made, and the date and place of the
540 hearing or session, if any, scheduled on the application.

541 (2) In the case of an inmate seeking commutation of a sentence
542 pursuant to section 11 of this act, the Victim Services Unit within the
543 Department of Correction shall send notice pursuant to subdivision (1)

544 of this section only if the inmate seeking commutation is granted a
545 hearing. Any such notification shall be sent as soon as practicable, but
546 no less than thirty days prior to any such hearing.

547 Sec. 14. Section 51-281 of the general statutes is repealed and the
548 following is substituted in lieu thereof (*Effective from passage*):

549 (a) The Chief State's Attorney and each deputy chief state's attorney,
550 state's attorney, assistant state's attorney and deputy assistant state's
551 attorney, including the deputy chief state's attorney acting as the
552 Inspector General and any state's attorney, assistant state's attorney or
553 deputy assistant state's attorney operating under the direction of the
554 Office of the Inspector General established under section 51-277e, shall
555 be qualified to act in any judicial district in the state and in connection
556 with any matter regardless of the judicial district where the offense took
557 place, and may be assigned to act in any judicial district at any time on
558 designation by the Chief State's Attorney or the Inspector General, as
559 applicable.

560 (b) The Chief State's Attorney shall assign a state's attorney, assistant
561 state's attorney or deputy assistant state's attorney who shall have the
562 right to be present and participate in each hearing pursuant to section
563 11 of this act.

564 Sec. 15. Subsection (a) of section 54-124a of the general statutes is
565 repealed and the following is substituted in lieu thereof (*Effective from*
566 *passage*):

567 (a) [(1)] There shall be a Board of Pardons and Paroles within the
568 Department of Correction, for administrative purposes only. On and
569 after July 1, 2015, the board shall consist of ten full-time and up to five
570 part-time members appointed by the Governor with the advice and
571 consent of both houses of the General Assembly. The term of any part-
572 time member serving on the board on June 30, 2015, shall expire on said
573 date. On or after July 1, 2015, the Governor may appoint up to five
574 persons to serve as part-time members. In the appointment of the
575 members, the Governor shall specify if the member is being appointed

576 as full-time or part-time. In the appointment of the members, the
 577 Governor shall comply with the provisions of section 4-9b. The
 578 Governor shall, with the advice and consent of both houses of the
 579 General Assembly, appoint a chairperson from among the membership.
 580 If the position of chairperson becomes vacant when the General
 581 Assembly is not in regular session, the longest-serving member of the
 582 board shall serve as the chairperson until a successor is appointed and
 583 qualified during the next regular session of the General Assembly. The
 584 members of the board shall be qualified by education, experience or
 585 training in the administration of community corrections, parole or
 586 pardons, criminal justice, criminology, the evaluation or supervision of
 587 offenders or the provision of mental health services to offenders. Each
 588 appointment of a member of the board submitted by the Governor to
 589 the General Assembly, except as provided in subdivision (2) of this
 590 subsection, shall be referred, without debate, to the joint standing
 591 committee of the General Assembly having cognizance of matters
 592 relating to the judiciary which shall report on each appointment not
 593 later than thirty legislative days after the date of reference.

594 [(2) If, not later than September 1, 2015, the Governor appoints a part-
 595 time member and such member was previously a member whose term
 596 expired June 30, 2015, such appointment shall take effect immediately
 597 without confirmation by the General Assembly.]"

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	54-124a(e) and (f)
Sec. 2	<i>October 1, 2023</i>	54-124a(e) and (f)
Sec. 3	<i>October 1, 2023</i>	54-127
Sec. 4	<i>October 1, 2023</i>	54-127a
Sec. 5	<i>October 1, 2023</i>	54-128(a)
Sec. 6	<i>October 1, 2023</i>	54-129(a)
Sec. 7	<i>October 1, 2023</i>	54-131a
Sec. 8	<i>October 1, 2023</i>	54-131b
Sec. 9	<i>October 1, 2023</i>	54-131k
Sec. 10	<i>October 1, 2023</i>	New section

Sec. 11	<i>from passage</i>	New section
Sec. 12	<i>from passage</i>	54-230(a)
Sec. 13	<i>from passage</i>	54-230a(a)
Sec. 14	<i>from passage</i>	51-281
Sec. 15	<i>from passage</i>	54-124a(a)