

Testimony of Steven R. Strom  
Former Assistant Attorney General (now retired)  
In Support of Hilary Carpenter

I was an assistant attorney general for more than 37 years in the Public Safety section of the Office of the Attorney General, representing, among other agencies and employees, the Department of Correction (DOC), the Commissioner of Correction, and all employees and officials of the DOC. I am extremely familiar with the role of an Ombuds and in the course of my duties had many interactions with the late James Bookwalter who was for many years the Connecticut Correctional Ombudsman, prior to the elimination of that position by the legislature.

In the spirit of Jim Bookwalter, I provide this testimony to offer some insight into the role of an Ombuds and why I strongly oppose both the possible selections of either Barbara Fair or Attorney Ken Kraveske. I strongly support Hilary Carpenter because she can meet each and every aspect and goal of a correctional Ombuds, without the obvious conflicts of interest that the selection of both Barbara Fair and Ken Kraveske present, as I will explain further below.

An Ombuds is an independent and impartial official who acts as a mediator or representative, typically appointed by a government or organization, to investigate and address complaints or disputes raised by individuals against that government or organization. The role of an Ombuds is to ensure fairness, transparency, and accountability in the functioning of the entity they oversee. Here are some key aspects of the role and job of an Ombuds:

1. **Conflict Resolution:** Ombudsmen play a crucial role in resolving conflicts and disputes between individuals and the institution they represent. They act as intermediaries to facilitate communication and find mutually agreeable solutions.
2. **Fairness and Impartiality:** Ombudsmen are expected to be impartial and fair in their investigations and resolutions. They do not take sides but work to ensure that due process is followed and that individuals are treated justly.
3. **Investigation of Complaints:** Ombudsmen investigate complaints raised by individuals against the government, public agencies, or private organizations. This may involve conducting inquiries, gathering information, and assessing whether proper procedures were followed.
4. **Advocacy for Accountability:** Ombudsmen advocate for accountability within the institution they oversee. They may recommend changes to policies or procedures to prevent future issues and promote transparency.
5. **Educational Role:** Ombudsmen often educate individuals about their rights and responsibilities, as well as the policies and procedures of the organization. This helps prevent misunderstandings and promotes a better understanding of how the system works.

6. **Confidentiality:** Ombudsmen typically maintain confidentiality in their dealings with complainants. This allows individuals to freely share their concerns without fear of reprisal.
7. **Reports and Recommendations:** Ombudsmen may compile reports based on their investigations and make recommendations for corrective actions. While they usually do not have the power to enforce these recommendations, their findings can have significant influence.
8. **Independence:** One of the critical features of an Ombuds' role is independence. They operate separately from the regular administrative structure to ensure an unbiased and objective approach to problem-solving.

In summary, some of the most critical factors in selecting an Ombuds is to find a person who can resolve disputes and complaints, can be fair and impartial, to not take sides, to maintain confidentiality, and to be independent. Neither Barbara Fair nor Attorney Krayeske can plausibly claim that they are impartial, nor are they problem solvers, but rather advocates for one side – the incarcerated population – and they have demonstrated a lack of confidentiality, a past history of using the media to publicize their distinctly one-sided point of view, and they lack independent judgment. Instead, they are partial advocates for the incarcerated people in the DOC, lack the fundamental attributes required here and fail to meet the most basic criteria for being an Ombuds.

By way of example, to demonstrate conclusively the obvious conflicts and bias that Ms. Fair and Attorney Krayeske exemplify, one need not look far afield. According to the Connecticut Mirror, Ms. Fair “is a member of Stop Solitary CT – a group dedicated to ending the use of solitary confinement in jails, detention centers and prisons across Connecticut. She explained that for much of her life, her advocacy was volunteerism, but now she receives a stipend from the organization to help support her.”<sup>1</sup> The Hartford Courant recently described Ms. Fair as a Connecticut woman who has, for decades, “been fighting for the people behind bars.”<sup>2</sup>

By definition, such a person cannot be, as required for an Ombuds, “impartial and fair” and she clearly takes sides, whereas an Ombuds cannot take sides, but rather must remain independent.<sup>3</sup>

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<sup>1</sup> “Barbara Fair, criminal justice activist, mom” by Madeline Papcun, (June 14, 2023) <https://ctmirror.org/2023/06/14/barbara-fair-criminal-justice-activist-mom/> (visited January 7, 2024)

<sup>2</sup> “A CT woman fights for prisoners’ rights. She will never back down and people know that.” By Ed Stannard (Sept. 18, 2023) <https://www.courant.com/2023/09/18/a-ct-woman-fights-for-prisoners-rights-she-will-never-back-down-and-people-know-that/> (visited January 7, 2024)

<sup>3</sup> This testimony statement uses the term “Correction Ombuds” or “Ombuds” which is the specific term chosen by the legislature in the text of Conn. Gen. Stat. § 18-81jj.

Similarly, Attorney Krayeske has dedicated a substantial amount of time in his law practice advocating on behalf of prisoners suing officials and employees of the DOC. According to the public Pacer docket sheet information of the federal court, Attorney Krayeske is counsel of record in fourteen different federal lawsuits naming officials and employees of the DOC as defendants. It is impossible for such an obvious conflict of interest to be resolved, even if Attorney Krayeske were to withdraw from all of these various pending matters. He has been outspoken in his public statements to the media as to his personal opinions regarding the DOC, and he has made comments such as: “It is torture, plain and simple, which occurs behind those walls.”<sup>4</sup> Such statements do not represent the ideals of an Ombuds who must not be a person who takes sides in a controversy, but rather is expected to be impartial and fair, to investigate, and to make recommendations based on evidence and facts, not predetermined opinions and bias.

On the other hand, Hilary Carpenter is an experienced senior assistant public defender, and as such, she has represented many individuals in criminal matters. In that role, she evaluates cases based on evidence, and depending on the strength of the evidence and the facts of the case, makes judgment decisions recommending legal strategies and options for her clients. She does not prejudge any particular case, but rather on a case-by-case basis determines the facts, evaluates strengths and weaknesses, and makes recommendations, for example, whether to argue for dismissal, or to take a plea, or to take a case to trial. This critical role, which may result in a person going to prison or remaining free, requires all of the attributes necessary for a Correction Ombuds – independence, investigative skills, evaluating evidence in a fair and impartial way, and based on her investigation, she will be well qualified to make recommendations for corrective actions.

For all the foregoing reasons, the person best suited to become the Correction Ombuds is Hilary Carpenter.

Respectfully submitted,

Steven R. Strom

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[srstrom@albertus.edu](mailto:srstrom@albertus.edu) <sup>5</sup>

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<sup>4</sup> <https://www.corrections1.com/correctional-healthcare/articles/conn-legislature-looks-to-establish-oversight-for-prison-healthcare-8De1b1OfiMd1Vgyi/> (visited Jan. 7, 2024)

<sup>5</sup> I am presently an adjunct professor in the Criminal Justice Department, Masters program at Albertus Magnus College, teaching among other courses, the History of Correction, Probation, Parole and Community Corrections, Criminology, and the Future of Corrections in America.