
OLR Bill Analysis

HB 7133

AN ACT CONCERNING PAROLE ELIGIBILITY.

SUMMARY

This bill extends to any offenders who committed their crimes between the ages of 18 and 21 an alternate parole eligibility rule that currently applies to those who (1) committed their offenses when under age 18 or (2) committed their offenses prior to October 1, 2005, when under age 21.

This alternative eligibility rule makes someone sentenced to (1) 10 to 50 years in prison eligible for parole after serving the greater of 12 years or 60% of his or her sentence or (2) more than 50 years in prison eligible for parole after serving 30 years. The alternative rule applies if it makes someone eligible for parole sooner than he or she would be otherwise, including someone who would otherwise be ineligible for parole.

As under existing law, under the bill, the Board of Pardons and Paroles (see BACKGROUND) must apply the above parole eligibility rule only with respect to the sentence for a crime or crimes committed while the person was under age 21. Any portion of a sentence that is based on a crime or crimes committed while the person was age 21 or older must be subject to the applicable parole eligibility, suitability, and release rules.

Existing eligibility rules and requirements on parole hearing and release decisions apply to inmates who are now parole-eligible under the bill.

EFFECTIVE DATE: October 1, 2025

Required Hearing

When an offender becomes parole-eligible, under both existing law and the bill, the Board of Pardons and Paroles must (1) hold a parole

suitability hearing and (2) at least 12 months before the hearing, notify the Chief Public Defender's Office, appropriate state's attorney, Department of Correction's (DOC's) Victim Services Unit, Office of the Victim Advocate, and Judicial Branch's Office of Victim Services. The Chief Public Defender's Office must provide counsel for an indigent inmate.

At the hearing, the law, unchanged by the bill, requires the board to allow (1) the inmate to make a statement, (2) the inmate's counsel and state's attorney to submit reports and documents, and (3) any victim of the crime to make a statement as with other parole hearings.

As part of the required hearing process, the board may also request (1) testimony from mental health professionals and relevant witnesses and (2) reports from DOC or others. The board must use validated risk and needs assessment tools and risk-based structured decision making and release criteria.

Release Decisions

The board may release the inmate on parole after a hearing if specified conditions are met, such as when it appears from all available information, including DOC reports, that (1) there is a reasonable probability the offender will not violate the law again and (2) the benefits of release to the offender and society substantially outweigh the benefits from continued confinement. This applies for offenders who are eligible under existing law, as well as those who are now eligible under the bill's provisions.

The law specifies that the board must consider whether an offender applied for or received a sentence modification when considering whether the person demonstrates rehabilitation. This requirement applies to release decisions for offenders eligible under existing law and those the bill makes eligible.

After a hearing, as for offenders who are eligible under existing law, for offenders the bill makes eligible, the board (1) must articulate reasons for its decision on the record and (2) at its discretion, may

reassess the person's suitability for a hearing at least two years after a denial. By law, the board's decisions under these provisions are not appealable.

BACKGROUND

Board of Pardons and Paroles

The Board of Pardons and Paroles is a board within DOC with independent decision-making authority to, among other things, (1) grant or deny parole, (2) establish parole conditions, (3) rescind or revoke parole or special parole, (4) grant commutations, (5) discharge any parolee or inmate eligible for parole from DOC custody, and (6) terminate special parole (CGS § 54-124a(f)).

Any decision of the board or a panel of the board must be made by a majority of the members present (CGS § 54-124a(p)). The board chairperson and the executive director must employ one psychologist with expertise in risk assessment and recidivism of criminal offenders to assist the board in parole release decisions (CGS § 54-124a(m)).

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 29 Nay 12 (04/08/2025)