

**JUDICIARY COMMITTEE PUBLIC HEARING**  
**Criminal Justice Reform Proposals**

**November 27, 2007**

**Submitted by Robert Farr, Chairman - Board of Pardons Paroles**

Good afternoon Senator MacDonald, Representative Lawlor, Senator Kissel, Representative O'Neill, and members of the Judiciary Committee. I am submitting this response to the various legislative proposals before you today. I will limit my response to those bills that if implemented will have a direct impact on the Board of Pardons and Paroles.

Let me first begin with a point that I feel strongly about that is not proposed in any of the bills before you today. This deals with the Board's access to an offender's juvenile record. Although preliminary discussions with the Judicial Branch have led to the understanding that the Board of Pardons and Paroles may have limited access to these records, there is a lot ambiguity that exists within the current statutes. For example, it is not clear as to how we would know if a juvenile records exists, how we would be notified and how we would be able to access and obtain such information. In order to conduct a thorough assessment, and evaluate an offenders risk and needs, the juvenile record of an offender must be made available to the Department of Correction and the Board of Pardons and Paroles just as they are available to Officers within the Court Support Services Division. In most states, access to an offender's juvenile record is a key component in evaluating an offender's risk for re-offending, needs for programs and treatment and conditions of release and corresponding level of supervision for re-entry. I strongly recommend that this crucial component of access to juvenile records be added to any final legislation that is ultimately adopted.

Now, regarding the proposed bills, I believe that bills four (4), five (5), eight (8), nine (9), eleven (11) and twelve (12) will all have a direct impact on the Board of Pardons

and Paroles and the paroles. I have provided comments on each of the related sections of those bills.

**Proposal 4: An Act Concerning Home Invasion, Career Criminal, Community Supervision and Information Sharing Resources** (Sections 12, 17, 22, and 23 will have a direct impact on Parole).

Section 12. While I applaud the sponsors of Section 12 in their recognizing the need for improvement to the Criminal Justice Information Systems in Connecticut calling for a new and improved system to be called the Shield, I believe that such a system would have to be integrated with our current systems. I also believe that proposal is primarily a funding issue that is beyond the scope of my responsibility.

Section 17. The Board could can with this requirement for reporting back the feasibility of making information concerning persons released into the community on probation or parole available to the public on the internet. Additionally, I would also suggest that Parole absconders be included on the internet site to be established under Section 19 by Court Support Services and that site by expanded to include all outstanding warrants. It could be a list of Connecticut's most wanted and would assist all agencies in apprehending fugitives.

Section 22. The Board already employs two victim coordinators but they do not have direct access to the names and address of registered victims. The board sought a change in the law to allow this last session but the proposal died in the closing days of the session. The Board would ask the committee to consider readopting this proposal.

Section 23. The board is already seeking funding for two psychologists for the 2008 budget. These positions are extremely important for they will assist the Board in release decisions.

## **Proposal 7: An Act Concerning Criminal Sentencing and the Parole Process**

(Sections 11, 12, 13, and 16 will have a direct impact on Parole).

Section 11. The Board recognizes the need to increase it's members in order to review all of the increased amount of information that we are receiving, but point out that the Governors task force is already examining this issue and would urge the committee to wait for a report from the taskforce.

Section 12 would move the Board from its current location within the Department of Correction for administrative purposes to the Division of Public Safety for administrative purposes. This would incur great cost and would delay the Board's ability to make reforms in the way it processes cases.

Section 13 would prohibit the Board from conducting a hearing without having obtained copies of a police report, pre-sentence investigations and sentencing transcripts. I can assure the committee that presently the Board does not move forward without these reports being ordered. Sometimes police reports are not available, and pre-sentence investigations were not requested to be done by the Court Support Services Division. Parole hearings normally occur years after the offense occurred. Many police reports have been lost or destroyed. The Board needs the ability to move forward on cases where it has verified that certain reports are not available.

Section 16 would require offenders released on parole that have committed certain crimes to be placed on E.M.P (Electric Monitoring Program). The Board strongly supports the use of E.M.P and has greatly expanded its use, but there are limitations. For example, E.M.P cannot be used when an individual is in a halfway house because it requires dedicated phone lines. The Board needs the flexibility to decide when, for whom and for how long E.M.P should be utilized.

**Proposal 8: Act Strengthening Criminal Laws Concerning Persistent Offenders, Burglary, and The Justifiable Use of Deadly Force and Parole Release** (Section 13 through 15 will have a direct impact on Parole)

Section 13, 14 and 15 would require a new parole registry similar to Megan's list that would be maintained the Division of Public Safety. It is not necessary to have a separate list of parolee's addresses since his/her parole officer verifies the current address. If the parolee moves without the officers consent, then the parole can be violated. The Department of Correction and the Board maintains addresses on every parolee. I would rather recommend that we report back to the Judiciary Committee with a plan based on the feasibility of posting this information on the Department of Corrections Internet home page.

**Proposal 9: An Act Concerning the Board of Pardons and Paroles and Reentry Furloughs** (Sections 2 and 3 will have a direct impact on Parole).

Section 2 will require full time members be appointed to the Board of Pardons and Paroles. The Board recognizes the need to increase it's members in order to review all of the increased amount of information that we are receiving, but point out that the Governors task force is already examining this issue and would urge the committee to wait for a report from the taskforce.

Section 3 would prohibit the Board from conducting a hearing without having obtained copies of a police report, pre-sentence investigations and sentencing transcripts. I can insure the committee that presently the Board does not move forward without these reports being ordered. Sometimes police reports are not available, and pre-sentence investigations were not requested to be done by the Court Support Services Division. Parole hearings normally occur years after the offense occurred. Many police reports have been lost or destroyed. The Board needs the ability to move forward on cases where it has verified that certain reports are not available.

**Proposal 11: An Act Concerning Information Provided to the Board of Pardons and Paroles.**

This bill will require prosecutors to forward transcripts, pre-sentence investigation reports (PSI) and arrest reports to the Board. Since the tragedy in Cheshire much progress has been made in obtaining these reports. We expect by the beginning of the new year to be able to access PSI's and sentencing transcripts electronically and there will be no need for the prosecutors to forward the paper copy. While it may be sometime before we can obtain police reports electronically we would prefer that the prosecutors not be required by statute to supply such copies. At the current time we are receiving police reports from the prosecutors by mail and/or fax and are looking forward to the time where we can obtain these reports directly from the police departments in electronic format. Therefore, we would have to modify this proposed language when they become directly available from the police departments. I can assure the committee that presently the Board does not move forward without these reports being ordered. Sometimes police reports are not available, and pre-sentence investigations were not requested to be done by the Court Support Services Division. Parole hearings normally occur years after the offense occurred. Many police reports have been lost or destroyed. The Board needs the ability to move forward on cases where it has verified that certain reports are not available.

**Proposal 12: An Act Concerning the Release of a Person on Parole or Other Supervised Community Release (Sections 1 and 2 will have a direct impact on Parole).**

Section 1 prohibits the Board from conducting a hearing without having the required information as suggested in Proposal #11. Therefore, for the sake of brevity, I refer to the same reasoning that I raised in the aforementioned section.

Section 2 requires a psychiatric exam in every case. We have requested funding for two staff psychologists who will assist the Board and be able to properly assess who should receive an evaluation.

Thank you very much for allowing me to have input on these matters. As always, if you have any questions or require any additional information, please do not hesitate to contact my staff or me.

Sincerely,

***Robert Farr***

Robert Farr

Chairman, Board of Pardons and Paroles

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