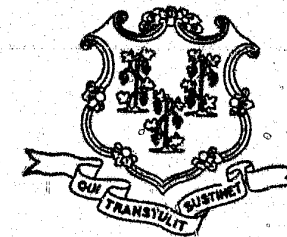


CE sent
11-23-81

STATE OF CONNECTICUT

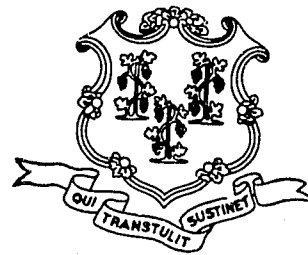
BOARD OF PAROLE



78961

STATEMENT OF
ORGANIZATION AND PROCEDURES

STATE OF CONNECTICUT
BOARD OF PAROLE



WILLIAM A. O'NEILL
GOVERNOR

RICHARD J. REDDINGTON
CHAIRMAN

340 CAPITOL AVENUE, ROOM 326 • HARTFORD, CONNECTICUT 06106
TELEPHONE (203) 566-4229

NCJRS

JUN 8 1981

ACQUISITION

INTRODUCTION

This document describes the organization and procedures of the Connecticut Board of Parole. A statement of organization and procedures was initially adopted by the Connecticut Board of Parole on January 5, 1970 and, subsequently, revised on December 3, 1970, January 28, 1971, December 3, 1973, and September 1, 1978. This sixth edition document includes all revisions since 1973, including legislation revisions enacted by the 1978 and 1979 sessions of the Connecticut General Assembly.

The objective of the Connecticut Board of Parole in publishing this document is to present as accurately as possible the procedures utilized by the Board and its panels including the determination of parole eligibility, the granting or denying of parole, the establishment of conditions and provisions of parole, the revoking of parole, and the granting of discharge from parole.

Although this statement sets forth the Connecticut Board of Parole's current approach, the members of the Board believe that flexibility, not rigidity, is the touchstone of a responsible and responsive parole system. Accordingly, the Connecticut Board of Parole reserves the right to revise its procedures at any time and will attempt to circulate such revisions.

U.S. Department of Justice
National Institute of Justice

78961

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by

Connecticut Board of Parole

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

I

ORGANIZATION AND RESPONSIBILITIES OF THE BOARD OF PAROLE

The Connecticut Board of Parole (hereafter referred to as the "Board") is an autonomous agency, although, by Statute, its administrative services are provided by the Department of Correction. The Board consists of eleven members, including a Chairman, all of whom are required to be qualified by training and experience for the parole decision process. The Chairman and members are appointed by the Governor, with the advice and consent of either house of the General Assembly, for terms coterminous with the governor or until a successor is chosen, whichever is later. The Chairman is required to give full time to the performance of his duties while the other members of the Board serve on a part-time basis.

The Chairman is the executive and administrative head of the Board. He is authorized to assign members to panels composed of three members each including the Chairman for each correctional institution. These panels are the paroling authority for the institutions to which they are assigned and not less than two members are required to be present at each hearing. The Chairman may appoint any member as temporary chairman in his absence.

The responsibilities of each of the Board's panels include conducting parole and parole revocation hearings; granting or denying parole; establishing any special provision of parole; declaring parolees to be in violation of parole; revoking paroles; reparing parole violators; and granting discharge from parole.

CONTENTS	PAGE
I. Organization and Responsibilities of the Board of Parole.....	1
II. Responsibilities of the Chairman.....	3
III. Eligibility for Parole Consideration.....	5
IV. The Parole Decision Process.....	7
V. Conditions of Parole.....	12
VI. Sample Parole Agreement.....	13
VII. Violation of Parole and Return of Parole Violators.....	15
VIII. Revocation of Parole.....	16
IX. Discharge from Parole.....	20
X. Revocation or Modification of Decisions; Rehearings.....	21
XI. Amendment of Statement of Organization and Procedures.....	22

APPENDIX

General Statutes of Connecticut - Parole

Section 54-124a.	Board of Parole
Section 54-124b.	Services Provided Board by Commissioner of Correction
Section 54-125.	Paroling Authority
Section 54-126.	Authority to Establish Rules and Regulations
Section 54-127.	Authority to Rearrest
Section 54-128.	Violation and Revocation of Parole
Section 54-129.	Discharge from Parole
Sections 54-133 and 54-138a.	Interstate Parole Compact

Meetings of the full Board are held at the call of the Chairman, or upon the request of five members. The responsibilities of the full Board include establishing policies and procedures; establishing the standard conditions of parole; conducting the agency's business; disseminating information to the public concerning the parole decision process; and proposing legislation which the Board considers important to an improved parole process.

The Board is responsible for the parole decision process and the terms and conditions of parole. The Connecticut General Statutes assign the responsibility for parole services and supervision to the Commissioner of Correction. Parole supervision and services under the terms, conditions, and provisions stipulated by the Board and its panels are provided by the staff of the Division of Parole of the Department of Correction under the direct administration of the Deputy Commissioner for Community Services.

II

RESPONSIBILITIES OF THE CHAIRMAN

The Chairman of the Board is the executive and administrative head of the Board. His responsibilities include the following:

1. Preside at meetings of the Board and its panels and, when necessary, to appoint another member as Acting Chairman. Assign members of the Board to panels consisting of three members each, including the Chairman, for each correctional institution; to arrange for a member of another panel to substitute for any member who cannot be present at a meeting.
2. Schedule parole hearings for each correctional institution.
3. Plan and prepare budget for the administration and operation of the Board.
4. Assist the Board in the formulation, development, and implementation of parole procedures and policies.
5. Plan and arrange for the preparation, collection, and compilation of all information which members of the Board require for parole and revocation decisions.
6. Assist the Board and its panels in establishing the rules and regulations to be enforced by the Division of Parole in the supervision of all parolees and prepare necessary forms and keep records important to the decisions of the Board.
7. Insure that all decisions and orders of the Board and its panels are executed.
8. Represent Board with assistance of the Attorney General's Office in legal matters that affect the Board.
9. Conduct conferences with attorneys, relatives, and other interested persons who wish to be heard concerning the parole or parole revocation of any inmate.

III

4

10. Train new Parole Board members and to keep the Board members informed as to current parole practices and procedures and provide the members with publications pertinent to their responsibilities.
11. Recruit, direct, train, and supervise all employees of the Board and initiate any commendatory or disciplinary action.
12. Prepare an Annual Report for the Board and to compile and disseminate statistics and other information related to the policies, procedures, and actions of the Board.
13. Assist the Board in suggesting and preparing revisions in parole legislation and to represent the Board in submitting and commenting upon proposed legislation.
14. Develop and maintain communication and cooperation with the Division of Parole and other units of the Department of Correction as well as other public and private agencies interested in the parole process.
15. Participate on a joint Department of Correction and Parole Board Committee reviewing all community release applications as well as a Committee reviewing applications for an in-house, full-time Department of Correction Addiction Treatment Program.
16. Review all recommendations made by the Commissioner of Correction for early parole hearings for persons serving indefinite sentences at Connecticut Correctional Institution, Niantic, and Connecticut Correctional Institution, Cheshire.

The Chairman may be assisted in carrying out any of these responsibilities by his administrative assistant excepting those duties expressly assigned to the Chairman by the General Statutes. The Chairman's assistant shall be the secretary to the Board and its panels. The Board's hearing coordinator shall serve as secretary to the hearing panels when required by the hearing schedules.

ELIGIBILITY FOR PAROLE CONSIDERATION

In accordance with the Connecticut General Statutes, the Board has established the following procedures for parole consideration eligibility at the four correctional institutions:

- A. Inmates in the Correctional Institutions at Somers, Enfield, Cheshire, Niantic and the Correctional Centers, who are serving sentences with minimum and maximum terms are eligible for parole consideration upon expiration of their minimum sentences less any "good time" earned, and pre-sentence "jail time" credit.
- B. Inmates in the Correctional Institution, Cheshire, serving indefinite sentences, are eligible for parole consideration upon completion of nine months of a two-year sentence; twelve months of a three-year sentence; fourteen months of a four-year sentence; and fifteen months of a five-year sentence. The Commissioner of Correction may, however, recommend that an inmate be considered for parole prior to the above schedule.
- C. Inmates in the Correctional Institution, Niantic, serving indefinite sentences, are eligible for parole consideration as follows:
 1. Any inmate serving a first sentence at the Institution is eligible for parole consideration upon completion of six months of a sentence not exceeding three years and

nine months of a sentence exceeding three years, but not exceeding five years. If an indefinite sentence exceeds five years, the Board's panel for the Institution will review the case no later than two months following admission to the Institution and will establish parole consideration eligibility.

2. Any inmate who has served a previous sentence at the Institution is eligible for parole consideration at the completion of nine months of her sentence, excepting in any case where the indefinite sentence exceeds five years, the Board's panel for the Institution will establish eligibility according to the procedure in No. 1 above.
 3. The Commissioner of Correction may, however, recommend that an inmate serving an indefinite sentence be considered for parole at a time prior to the above schedule.
- D. The Board authorizes its panels to deviate from the above schedules in extraordinary cases where the interests of justice so require and such action is consistent with the Connecticut General Statutes.
- E. The above procedures refer only to eligibility for parole consideration and do not confer a right to be paroled at the time stated.
- F. In accordance with the Connecticut General Statutes inmates serving definite sentences at the correctional centers (formerly known as "jails") are ineligible for parole consideration.

IV

THE PAROLE DECISION PROCESSA. PAROLE PANELS

Three-member panels are assigned to the correctional institutions and are the paroling authority for the institutions to which they are assigned. When any panel member must be absent, the Chairman may assign a substitute from another panel. Not less than two members must be present at a parole hearing.

B. NOTICE OF HEARINGS

Parole hearings normally are held for all inmates on announced dates thirty to eighty days prior to the date of parole eligibility with the exception that at the Correctional Institution, Niantic, parole hearings for inmates serving indefinite sentences are held during the month in which they become eligible for parole consideration. Each inmate is notified of the date of his hearing at least thirty days prior thereto. Notification of hearing dates may be by written notices from the Chairman; by notices in institutional inmate publications; or by counselors, institutional parole officers (if the institution staff includes such a position), or other institutional, Division of Parole, or Parole Board staff members.

The Board and its panels do not release parole hearing lists to news media. The Board considers this policy to be important to satisfactory community adjustment of inmates released on parole.

C. ATTENDANCE AT PAROLE HEARINGS

Inmates eligible for parole consideration are required to be present at parole hearings unless (1) illness prevents their attendance; (2) they are in punitive segregation; (3) they are confined at a state hospital or

receiving treatment at a non-correctional institution hospital; (4) they have been transferred to an institution outside the State of Connecticut; or (5) they waive a hearing. The Board discourages the waiving of hearings, however, and prefers that all inmates available should be present when their hearings occur.

Attendance at parole hearings is restricted to the members of the Board, the recording secretary, the inmate, and in institutions where they are available, the inmate's institutional counselor. At the discretion of the Board's panels, persons with a substantial interest in the administration of criminal justice, and who do not have an interest in a particular case to be considered by the panel, may attend in an observational capacity only. Hearings are not open to the general public since the Board desires to insure the informality of the hearing and to provide each inmate and the Board an opportunity for free discussion of the inmate's case.

Although attorneys, relatives, and other interested persons are not permitted to appear at hearings, they may submit to the Board written information pertinent to any case. In addition, such persons are invited to confer with the Chairman or his assistant at the Board's office prior to the parole hearing in which they are interested. The Chairman then provides each member of the hearing panel with a written memorandum concerning the information received at all such conferences. Although the members of the Board prefer that such conferences be held with the Chairman or his assistant, such conferences may also be held with other members of the panel.

D. PROCEDURE AT PAROLE HEARINGS

The inmate is given an opportunity to make a statement to the panel and to present letters and other documentary information to the panel. Members of the panel may ask questions of the inmate. (See Section F.)

E. STANDARDS FOR GRANTING PAROLE

The Connecticut General Statutes provide the Board with the authority to release an inmate on parole if it appears that "there is a reasonable probability that such inmate will live and remain at liberty without violating the law and such release is not incompatible with the welfare of society." The Statutes do not provide that upon reaching the date of eligibility the prisoner is granted parole at that time. The panels, therefore, use their discretion as to if and when in the interest of the prisoner himself and of society an inmate should be paroled.

Parole is not granted merely as a reward for good conduct or efficient performance of duties. There are many factors involved in the decision of the Board as to the "reasonable probability" that an inmate will not violate the law and that his release is compatible with the welfare of society. Most inmates, but not all, are afforded at least one parole prior to the expiration of their sentences.

Among the factors considered by the Board's panels in the parole decision process are:

1. The nature and circumstances of the inmate's offense and his current attitude toward it.
2. The inmate's prior criminal record and his parole adjustment if he has been paroled previously.

3. The inmate's attitude toward family members, the victim, and authority in general.
4. The inmate's institutional adjustment, including his participation and progress in the areas of the institutional program important to his self-improvement.
5. The inmate's employment history, his occupational skills, and his employment stability.
6. The inmate's physical, mental and emotional health.
7. The inmate's insight into the causes of his past criminal conduct.
8. The inmate's efforts to find solutions to his personal problems such as addiction to narcotics, excessive use of alcohol, the need of academic and vocational education, etc., and his use of the available resources related to such problems in the institutional program.
9. The adequacy of the inmate's parole plan. The latter includes the environment to which the inmate plans to return, the character of those with whom he plans to be associated, and the adequacy of his residence and employment program.

F. THE PANEL'S DECISION

Following the panel's discussion with the inmate, he is temporarily excused and after careful deliberation and evaluation of all the information obtained from the inmate and the records pertaining to him a decision is made by majority vote of the panel. The panel may decide to parole, deny parole, or continue the inmate's case for further investigation. If parole is granted, the panel will also set the date of release which may be the

parole eligibility date or, in appropriate cases, some later date. The inmate is then recalled and is informed of the decision. If the decision is to deny parole, or to continue the case pending further investigation, the inmate is informed of the reasons for the denial or the continuance and the date when he will next be eligible for a parole hearing. Whenever possible, the panel will also suggest to the inmate and/or the institutional treatment staff any action it believes may accelerate the inmate's rehabilitation and possible parole. The rehearing date is established for each inmate individually as a result of the panel's judgment of the factors involved in his case.

Since the Board votes parole thirty to eighty days prior to parole eligibility, it requires all who have been voted parole to continue in those programs in which they are involved (unless they have been transferred to a different Institution) and to continue to earn a satisfactory work, conduct, and institutional adjustment record. Failure to do this may result in a revision of the release date or the rescinding of the previous parole action.

The panel may parole inmates to programs in Connecticut, to other states under terms of the Interstate Parole Compact, or to warrants. In addition, medical paroles may be granted to inmates who have completed their minimum terms, if any, upon the recommendation of the medical staff, to facilitate medical treatment at non-correctional institutional hospitals. Unless otherwise specified all parolees granted medical paroles for this purpose are to be returned immediately to the correctional institution upon being discharged from the hospital.

CONDITIONS OF PAROLE

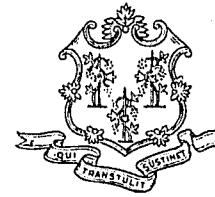
The Connecticut General Statutes authorize the Board to establish the terms, rules, and conditions of parole. The Board requires a candidate for parole to agree to these conditions and to sign a Parole Agreement prior to release.

In addition to the standard conditions, the Board's panels may establish individual conditions which they deem necessary to the satisfactory adjustment of the parolee in the community.

A prisoner on parole has been granted the privilege of serving a portion of his sentence outside the correctional institution. While on parole, the parolee remains in the legal custody and control of the Board and may be retaken and returned to the custody of the Commissioner of Correction upon any violation of the law or upon any violation of his Parole Agreement.

The Parole Agreement form, including the conditions of parole, must be signed by the Chairman or the Secretary of the Board, by the parolee, and by a witness, prior to releasing the parolee from the Institution.

(A copy of the Parole Agreement form is inserted following this page.)



STATE OF CONNECTICUT
BOARD OF PAROLE

PAROLE AGREEMENT

You have been granted a parole by the Board of Parole. It will be effective on the date indicated or as soon thereafter as your parole program is approved by the Division of Parole.

Parole gives you the opportunity to serve the remainder of your sentence outside of the institution. The Board of Parole may grant you a certificate of early discharge from your sentence at the recommendation of your parole officer after you have shown satisfactory progress while you are on parole. Until that time, or until the maximum expiration date of your sentence, you will remain in the legal custody of the Board of Parole and under the supervision of the Division of Parole of the Department of Correction.

A parole officer will be assigned to work with you and help you to adjust to life in the community. The parole officer will attempt to help you and will be available for counseling should any problems arise. You are urged to talk over any difficulties with the parole officer. The parole officer will also submit reports on your progress to the Commissioner of Correction, and, if requested, to the Board of Parole.

It is also the parole officer's duty to make sure that you abide by the conditions of parole found on the other side of this page. Those conditions have been carefully designed as guidelines for acceptable behaviour while you are on parole. If you should violate any of those conditions of parole, the officer has the authority from the Chairman of the Board of Parole and the Commissioner of Correction to return you to custody so that your parole status may be reviewed by the Board of Parole. By signing your name to the other side of this page you indicate your consent to abide by the standard and individual conditions of your parole listed there, as well as your awareness that failure to abide by those conditions will constitute a violation of parole and may result in your return to custody.

It is the hope of the Board of Parole in granting you this parole that you will accept it and its conditions as an opportunity to prove to yourself and to others that you are capable of living as a responsible, law-abiding citizen of society and of your community.

'arolee No. Release on or after

CONDITIONS OF PAROLE

- 1. Upon my release I will report to my parole officer as directed and follow the parole officer's instructions.
- 2. I will report to my parole officer in person and in writing whenever and wherever the parole officer directs.
- 3. I agree that the parole officer has the right to visit my residence or place of employment at any reasonable time.
- 4. I will maintain such gainful employment or other activity as approved by my parole officer.
- 5. I will notify my parole officer within 48 hours of any changes in my place of residence, in my place of employment, or of any change in my marital status.
- 6. I will notify my parole officer within 48 hours if at any time I am arrested for any offense.
- 7. I will not at any time have firearms, ammunition, or any other weapon in my possession or under my control.
- 8. I will not leave the State of Connecticut without prior permission of my parole officer.
- 9. I will obey all laws, and to the best of my ability fulfill all my legal obligations.
- 10. I will not at any time use, or have in my possession or control, any illegal drug or narcotic.
- 1. Your release on parole is based upon the conclusion of the Parole Panel that there is a reasonable probability that you will live and remain at liberty without violating the law and that your release is not incompatible with the welfare of society. In the event that you engage in conduct in the future which renders this conclusion no longer valid, then your parole will be revoked or modified accordingly.
- 2. I also agree to abide by the following INDIVIDUAL CONDITIONS:

VII

VIOLATION OF PAROLE AND RETURN OF PAROLE VIOLATORS

If the Commissioner of Correction, any officer of the Department of Correction designated by the Commissioner, or the Chairman of the Board has probable cause to believe a parolee has violated a condition of his parole, he shall order the parolee to be retaken and to be returned to the custody of the Commissioner of Correction. Such order shall be sufficient warrant to authorize any officer of the Department of Correction, any parole officer or any officer authorized by law to serve criminal process within the State of Connecticut to return the parolee to the custody of the Commissioner of Correction. Parole officers, constables, and sheriffs shall arrest and hold any parolee when so requested with or without a warrant.

Signed

/itness Date

or the Board of Parole
(Chairman Secretary)

REVOCATION OF PAROLE

Any parolee held in custody as an alleged parole violator as a result of a preliminary hearing conducted by a hearing officer of the Division of Parole as required by Morrissey vs. Brewer 92 S. Ct. 2593 (1972), 408 U.S. 471, 33L. Ed. 2D 484 and Gagnon vs. Scarpelli 93 S. Ct. 1756 (1973) or having waived such a hearing; or having received a new sentence or sentences not exceeding one year; or having received a suspended sentence or sentences; or of any combination thereof, shall be entitled to a revocation hearing before a panel of the Board and shall be given written notice of the date, time, and place of the revocation hearing, of the charges against him, and the source of the evidence supporting such charges. He shall also be advised of his right:

- (a) To request permission to be represented at the revocation hearing by counsel to be engaged by him, or to have the Board appoint counsel to represent him at such hearing, such request to be decided under the principles for appointment of counsel as set forth in Gagnon vs. Scarpelli 93 S. Ct. 1756 (1973);
- (b) To appear and speak at the hearing and to present witnesses and documentary evidence in his behalf; and
- (c) To confront and question witnesses giving evidence against him unless the panel finds good cause for disallowing such confrontation.

Any parolee who does not wish to appear before the Board concerning his violation will be provided with a form which he shall sign waiving

his hearing before a panel of the Board, in which case the panel will make its decision in his absence.

Those parolees returned to correctional institutions as a result of convictions for new criminal offenses with sentences exceeding one year or of which the minimum terms extend beyond the maximum terms of the original sentence will not be granted a hearing before a panel of the Board. Any parolee denied a revocation hearing due to the above policy may appeal to the Chairman of the Board. The Board authorizes the Chairman to decide if the appeal should be referred to the appropriate panel for a revocation hearing.

Revocation hearings are conducted in accord with the requirements of Morrissey vs. Brewer and Gagnon vs. Scarpelli and shall be held within approximately sixty days of a parolee's return to custody, the date of the preliminary hearing, or the date of sentence for a new criminal offense. It is the responsibility of the parolee to contact his attorney and witnesses and to insure that they are present on the date and at the time stated for the revocation hearing. Although the Board of Parole does not have subpoena power, witnesses may be subpoenaed to parole revocation and rescission hearings by the Attorney General. The panel may consider documentary evidence as well as the testimony given at the revocation and preliminary hearings. Revocation hearings will be informal in nature in keeping with recent court decisions.

The hearing proceedings shall be recorded with the exception of that part of the hearing wherein the Board's panel, in executive session, discusses the case and makes its decision.

By majority vote, the Board's panel may order

1. That the parolee may be continued in parole status. This decision may include
 - (a) A reprimand or warning to the parolee;
 - (b) Instructions to the Division of Parole for closer supervision;
 - (c) Additional or changed conditions in the Parole Agreement.
2. That the parole be revoked and the parolee be recommitted to the Commissioner of Correction for a period of time equal to the unexpired portion of his maximum sentence at the date of his violation, as determined by the panel, less any time earned in diminution of sentence. The decision may include forfeiture of good time previously earned.
3. That parole be revoked but that the parolee be reparaoled on a stated date or considered for reparole on a date set by the panel. The latter shall not exceed eighteen months after revocation. A decision to reparole may include any of the provisions listed under paragraph 1. above.

Revocation of parole may be ordered if the panel finds that:

1. The parolee has failed without satisfactory reason to comply with a condition of parole, and/or
2. The violation of the condition of parole involves
 - (a) commission of another crime; or
 - (b) conduct indicating substantial risk that the parolee will commit another crime; or
 - (c) conduct indicating that the parolee is unwilling to comply with the conditions of parole.

Following the panel's decision, the parolee shall be immediately recalled and informed of the decision. Where revocation of parole shall be ordered, the parolee shall be informed orally of the reasons for the revocation. The decision, the reasons for the decision, and a summary of the evidence relied upon shall be recorded in the minutes of the hearing. The minutes of the hearings are public records and, therefore, are available to authorized persons. Finally, the parolee shall be informed as to if and when he shall again become eligible for parole consideration.

DISCHARGE FROM PAROLE

As authorized by the Connecticut General Statutes, if it appears that a parolee or a person eligible for parole, has evidenced that he will "lead an orderly life," and that parole supervision is not necessary to the welfare of the parolee or of society, the appropriate Board panel by unanimous vote of all the members present at any regular meeting may discharge the parolee from parole. When a parolee is discharged the Board shall deliver to him a written certificate of discharge under the seal of the Board and signed by the Chairman of the Board and the Commissioner of Correction.

Although a parolee may be granted a discharge from parole at any time, the Board's panels usually require at least one year on parole and normally consider a parolee for discharge only after the successful completion on parole of one-half of his maximum parole term. In addition, the Board normally does not consider for discharge a parolee under a life sentence unless he has successfully served a seven-year period under parole supervision. Habitual offenders are normally considered for discharge only following successful completion of a five-year period of parole supervision.

REVOCATION OR MODIFICATION OF DECISIONS; REHEARINGS

A panel of the Board may rescind or modify a decision for any reason it may judge to be valid. This action is generally taken only when circumstances have changed since the date of the decision. Rehearings are rarely granted and then only when the appropriate panel decides good cause has been shown for a rehearing.

AMENDMENT OF STATEMENT OF ORGANIZATION AND PROCEDURES

The Board may amend or revise this statement of organization and procedures at any time.

GENERAL STATUTES OF CONNECTICUT

PAROLE

SECTIONS 54-124a to 54-129; 54-133; 54-138a

BOARD OF PAROLE

Section 54-124a. Board of Parole. There shall be a board of parole which shall be an autonomous body and within the department of correction for administrative purposes only. Said board of parole shall consist of eleven members, including a chairman, all of whom shall be qualified by training and experience for the consideration of matters before them and who shall be appointed by the governor with the advice and consent of either house of the general assembly. Appointment of members to replace those whose terms expire shall be for terms of four years. The chairman shall devote his entire time to the performance of his duties hereunder and shall be compensated therefor in such amount as the commissioner of administrative services determines, subject to the provisions of Section 4-40. The other members of said board shall receive seventy-five dollars for each day spent in the performance of their duties and shall be reimbursed for necessary expenses incurred in the performance of such duties. The chairman, or in his absence or inability to act a member designated by him to serve temporarily as chairman, shall be present at all meetings of said board and participate in all decisions thereof. Said chairman shall be the executive and administrative head of said board and shall have the authority and responsibility for assigning members to panels, each to be composed of two members and the chairman or a member designated to serve temporarily as chairman, for each correctional institution. Such panels shall be the paroling authority for the institutions to which they are assigned and not less than two members shall be present at each parole hearing. In the event of the temporary inability of any member other than the chairman to perform his or her duties, the governor, at the request of the board, may appoint a qualified person to serve as a temporary member during such period of inability. (1969 Rev., P.A. 537; 1971 Rev., P.A. 230; 1972 Rev., P.A. 23; 1974 Rev., P.A. 338; 1977 Rev., P.A. 614; 1979 Rev., P.A. 560)

SERVICES PROVIDED BOARD BY COMMISSIONER OF CORRECTION

Section 54-124b. Commissioner to provide services to board. The commissioner of correction shall furnish all necessary clerical, administrative and fiscal services to the board of parole and shall carry out field services, parolee supervision and other duties requisite to the proper administration of the parole process; provided the superintendent of The Connecticut State Farm for Women shall be responsible for the direction and control of the parole of women from said institution and the State Prison for Women, including women paroled under the interstate compact for parole and probation supervision. (1967, P.A. 152, S. 50.)

PAROLING AUTHORITY

Section 54-125. Parole. Any person confined in the Connecticut Correctional Institution, Somers, or the maximum security division of the Connecticut Correctional Institution, Niantic, for an indeterminate sentence, after having been in confinement under such sentence for not less than the minimum term, or, if sentenced for life, after having been in confinement under such sentence for not less than twenty-five years, less such time, not exceeding a total of five years, as may have been earned under the provisions of section 18-7, may be allowed to go at large on parole in the discretion of the panel of the board of parole for the institution in which the person is confined, if (1) it appears from all available information, including such reports from the commissioner of correction as such panel may require, that there is reasonable probability that such inmate will live and remain at liberty without violating the law and (2) such release is not incompatible with the welfare of society. Such parolee shall be allowed in the discretion of such panel to return to his home or to reside in a residential community center, or to go elsewhere, upon such terms and conditions, including personal reports from such paroled person, as such panel prescribes, and to remain, while on parole, in the legal custody and control of the board until the expiration of the maximum term or terms for which he was sentenced. Any parolee released on condition that he reside in a residential community center may be required to contribute to the cost incidental to such residence. Each order of parole shall fix the limits of the parolee's residence, which may be changed in the discretion of such panel. Within one week after the commitment of each person sentenced

during any criminal term of the superior court, the state's attorney of each county and the state's attorney at Waterbury shall send to the board of parole the record, if any, of each person sentenced to the Connecticut Correctional Institution, Somers, or committed to the custody of the commissioner of correction during such term. In the case of an inmate serving a sentence at the Connecticut Correctional Institution, Cheshire, or at the Connecticut Correctional Institution, Niantic, the board of parole shall establish, by rule, the date upon which said board shall notify the inmate that his eligibility for parole will be considered. At any time prior thereto the commissioner of correction may recommend that parole be granted and, under special and unusual circumstances, the commissioner may recommend that an inmate be discharged from the institution. (1969 Revision, P.A. 575; 1972 Revision, P.A. 25)

AUTHORITY TO ESTABLISH RULES AND REGULATIONS

Section 54-126. Rules and regulations concerning parole. Said board of parole may establish such rules and regulations as it deems necessary, upon which such convict may go upon parole, and the panel for the particular case may establish special provisions for the parole of a convict. The commissioner of correction shall enforce such rules, regulations, and provisions and retake and reimprison any convict upon parole, for any reason that such panel, or the commissioner with the approval of the panel, deems sufficient; and the commissioner may detain any convict or inmate pending approval by the panel of such retaking or reimprisonment. (1949 Rev. S. 8828; 1967, P.A. 152, S. 52; 1972 Rev., P.A. 25)

AUTHORITY TO REARREST

Section 54-127. Rearrest. The request of said commissioner, or any officer of the department of correction so designated by the commissioner, or said board of parole or its chairman shall be sufficient warrant to authorize any officer of the department of correction, or any officer authorized by law to serve criminal process within this state, to return any convict or inmate on parole into actual custody; and any such officer, police officer, constable or sheriff shall arrest and hold any parolee or inmate when so requested, without any written warrant, and, for the performance of such duty, the officer performing the same, except officers of said department, shall be paid by the state, through the department of correction, such reasonable compensation as is provided by law for similar services in other cases. (1969 Rev. P.A. 271. 1971 Rev. P.A. 62.)

VIOLATION AND REVOCATION OF PAROLE

Section 54-128. Violation of parole. (a) Any paroled convict or inmate who has been returned to the custody of the commissioner of correction or any institution of the department of correction for violation of his parole may be retained in the institution from which he was paroled for a period equal to the unexpired portion of the term of his sentence at the date of the request or order for his return less any commutation or diminution of his sentence earned except that the board of parole may, in its discretion, determine that he shall forfeit any or all of such earned time, or may be again paroled by said board. (b) Each parolee or inmate, subject to the provisions of section 18-7, shall be subject to loss of all or any portion of time earned. (1949 Rev., S. 8830; 1957, P.A. 461, S. 5; 1967, P.A. 152, S. 54.)

DISCHARGE FROM PAROLE

Section 54-129. Discharge of paroled prisoner. If it appears to the appropriate panel of the board of parole that any convict or inmate on parole or eligible for parole will lead an orderly life, said panel, by a unanimous vote of all the members present at any regular meeting thereof, may declare such convict or inmate discharged from the custody of the commissioner of correction and shall thereupon deliver to him a written certificate to that effect under the seal of the board of parole and signed by its chairman and the commissioner. (1949 Rev., S. 8831; 1957, P.A. 461, S. 6; 1967, P.A. 152, S. 55; 1972 Rev., P.A. 25)

INTERSTATE PAROLE COMPACT

Section 54-133. Interstate compact for parolee supervision.

(a) The governor is authorized and directed to execute a compact on behalf of the state of Connecticut with any of the United States legally joining therein in the form substantially as follows: A compact entered into by and among the contracting states, signatories hereto, with the consent of the congress of the United States of America, granted by an act entitled "An act granting the consent of Congress to any two or more states to enter into agreements or compacts for cooperative effort and mutual assistance in the prevention of crime and for other purposes." The contracting states solemnly agree: (1) That it shall be competent for the duly constituted judicial and administrative authorities of a state party to this compact (herein called "sending state"), to permit any person convicted of an offense within such state and placed on probation or released on parole to reside in any other state party to this compact (herein called "receiving state"), while on probation or parole, if (a) such person is in fact a resident of, or has his family residing within, and is able to obtain employment within, the receiving state; (b) though such person is not a resident of the receiving state and has no family residing therein, the receiving state consents to allow him to reside therein; provided, before such permission shall be granted, opportunity shall be granted to the receiving state to investigate the home and

prospective employment of such person; a resident of the receiving state, within the meaning of this section, being construed to be one who has been an actual inhabitant of such state continuously for more than one year prior to his coming to the sending state and who has not resided within the sending state more than six continuous months immediately preceding the commission of the offense for which he has been convicted; (2) that each receiving state shall assume the duties of visitation of and supervision over probationers or parolees of any sending state and in the exercise of such duties will be governed by the same standards that prevail for its own probationers and parolees; (3) that duly accredited officers of a sending state may, at all times, enter a receiving state and there apprehend and retake any person on probation or parole, and for that purpose no formalities shall be required other than establishing the authority of the officer and the identity of the person to be retaken; all legal requirements to obtain extradition of fugitives from justice are being expressly waived on the part of the states party hereto, as to such persons and the decision of the sending state to retake a person on probation or parole to be conclusive upon and not reviewable within the receiving state; provided, if, at the time when a state shall seek to retake a probationer or parolee, there shall be pending against him within the receiving state any criminal charge, or he shall be suspected of having committed within such state a criminal offense, he shall not be retaken without the consent of the receiving state until discharged from prosecution or from imprisonment for such offense; (4) that the duly accredited officers of the sending state shall be permitted to transport

prisoners being retaken through any and all states parties to this compact, without interference; (5) that the governor of each contracting state may designate an officer who, acting jointly with like officers of other contracting states, if and when appointed, shall promulgate such rules and regulations as may be deemed necessary to more effectively carry out the terms of this compact; (6) that this compact shall become operative immediately upon its execution by any state as between it and any other state or states so executing and, when executed, it shall have the full force and effect of law within such state the form of execution to be in accordance with the laws of the executing state; (7) that this compact shall continue in force and remain binding upon each executing state until renounced by it, that the duties and obligations hereunder of a renouncing state shall continue as to parolees or probationers residing therein at the time of withdrawal until they shall be retaken or finally discharged by the sending state and that renunciation of this compact shall be by the same authority which executed it, by the sending of six months' notice in writing of its intention to withdraw from the compact to each other state party hereto. Whenever the duly constituted judicial and administrative authorities in a sending state shall determine that incarceration of a probationer or reincarceration of a parolee is necessary or desirable, said officials may direct that the incarceration or reincarceration be in a prison or other correctional institution within the territory of the receiving state, such receiving state to act in that regard solely as agent for the sending state. (b) If any section, sentence, subdivision, or clause of this section is for any reason held

invalid or to be unconstitutional, such decision shall not affect the validity of the remaining portions of this section. (c) Sections 54-132 to 54-138, inclusive, may be cited as the Uniform Act for Out-of-State Parolee Supervision. (1949 Rev., S. 8841; 1951, S. 3345d.)

INTERSTATE PAROLE COMPACT

Section 54-138a. Retaking of parolee. If the parole officer having charge of a paroled prisoner received under the interstate compact authorized under section 54-133 has reasonable cause to believe that he has lapsed, or is probably about to lapse, into criminal ways or company, or has violated the conditions of his parole, such parole officer shall report such fact to the board or agency which is supervising such parolee in Connecticut, or to any officer designated by such board or agency, who thereupon shall issue a warrant for the retaking of such prisoner and for his temporary detention or return to a designated prison. Such warrant shall constitute sufficient authority to the law enforcement officer to whom it is issued and to the superintendent or other person in charge of a community correctional center, lockup, or other detention unit to whom it is exhibited to hold in temporary custody the prisoner retaken pursuant thereto. Detention of a parolee under this section shall not continue longer than seventy-two hours unless he has been returned to prison for violation of parole or charged with crime. (1963, P.A. 128)

END