

*Regulations of Connecticut State Agencies*

TITLE 54. Criminal Procedure

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*Agency*

**Board of Pardons and Paroles**

*Subject*

**Expedited Pardons Review**

*Inclusive Sections*

**§§ 54-124a(j)(2)-1—54-124a(j)(2)-8**

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**Expedited Pardons Review**

**Administrative Pardons Process**

**Sec. 54-124a(j)(2)-1. Definitions (Repealed)**

Repealed July 7, 2016.

(Adopted effective October 6, 2008; Repealed July 7, 2016)

**Sec. 54-124a(j)(2)-2. Review of applications received (Repealed)**

Repealed July 7, 2016.

(Adopted effective October 6, 2008; Repealed July 7, 2016)

**Sec. 54-124a(j)(2)-3. Board review of application prior to scheduled pardons hearing (Repealed)**

Repealed July 7, 2016.

(Adopted effective October 6, 2008; Repealed July 7, 2016)

**Sec. 54-124a(j)(2)-4. Provisions of pardons granted without a hearing (Repealed)**

Repealed July 7, 2016.

(Adopted effective October 6, 2008; Repealed July 7, 2016)

**Sec. 54-124a(j)(2)-5. Discretion of board — placement of application on docket (Repealed)**

Repealed July 7, 2016.

(Adopted effective October 6, 2008; Repealed July 7, 2016)

**Sec. 54-124a(j)(2)-6. Notice to state's attorney that prosecuted the crime (Repealed)**

Repealed July 7, 2016.

(Adopted effective October 6, 2008; Repealed July 7, 2016)

**Sec. 54-124a(j)(2)-7. Attempt to identify and notify victim of crime (Repealed)**

Repealed July 7, 2016.

(Adopted effective October 6, 2008; Repealed July 7, 2016)

**Sec. 54-124a(j)(2)-8. Notification to board by victim to be heard personally (Repealed)**

Repealed July 7, 2016.

(Adopted effective October 6, 2008; Repealed July 7, 2016)

**Expedited Pardons Review**

**Sec. 54-124a(j)(2)-1a. Definitions.**

As used in this section and sections 54-124a(j)(2)-2a to 54-124a(j)(2)-7a, inclusive, of the Regulations of Connecticut State Agencies:

(1) “Applicant” means a person convicted of an offense who completes an application for pardon consideration by the Board of Pardons and Paroles;

(2) “Board” means the Board of Pardons and Paroles;

(3) “Chairperson” means the Chairperson of the Board of Pardons and Paroles;

(4) “Expedited pardon” means a pardon application identified by an employee of the Board as meeting the criteria described in section 54-124a(j)(2)-6a of the Regulations of Connecticut State Agencies that will be reviewed by a panel of the Board of Pardons and Paroles and which may be granted without a hearing to a person convicted of an offense other than a violent offense, after the consideration of the application submitted to the Board of Pardons and Paroles in accordance with sections 54-124a(j)(2)-2a to 54-124a(j)(2)-7a, inclusive, of the Regulations of Connecticut State Agencies;

(5) “Incarceration” means the period of time an individual is confined in a correctional institution, under Department of Correction supervision, or under parole supervision;

(6) “Pardon” means the conditional or absolute release from the legal penalties resulting from the conviction of an offense;

(7) “Victim” means “victim of crime” or “crime victim” as provided in section 1-1k of the Connecticut General Statutes; and

(8) “Violent offense” means any offense (A) for which an individual is convicted and which causes such individual’s eligibility for parole release to be subject to the provisions of section 54-125a(b) of the Connecticut General Statutes, (B) that results in a conviction for a violation of section 53a-55, 53a-55a, 53a-56, 53a-56a, 53a-56b, 53a-57, 53a-58, 53a-59, 53a-59a, 53a-59b, 53a-60, 53a-60a, 53a-60b, 53a-60c, 53a-64aa, 53a-64bb, 53a-70, 53a-70b, 53a-72b, 53a-92, 53a-92a, 53a-94, 53a-94a, 53a-95, 53a-100aa, 53a-101, 53a-102, 53a-102a, 53a-103a, 53a-111, 53a-112, 53a-134, 53a-135, 53a-136, 53a-167c, 53a-179b, 53a-179c, 53a-181c or 53a-321 of the Connecticut General Statutes, (C) for which an individual is convicted and which causes such individual to serve at least eighty-five per cent of such individual’s sentence pursuant to a policy established by the Board, or (D) for which an individual is convicted and is otherwise prohibited from being granted parole.

(Effective August 2, 2016)

**Sec. 54-124a(j)(2)-2a. Review of applications received.**

An employee of the Board shall review each application received for pardon consideration, and identify applications eligible for an expedited pardon that meet the criteria described in section 54-124a(j)(2)-6a of the Regulations of Connecticut State Agencies. Applicants who were convicted of violent offenses shall not be eligible for an

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expedited pardon.

(Effective August 2, 2016)

**Sec. 54-124a(j)(2)-3a. Attempt to identify and notify victim of an offense.**

After applicants who are eligible for an expedited pardon have been identified pursuant to section 54-124a(j)(2)-2a of the Regulations of Connecticut State Agencies, the Office of Victim Services within the Judicial Department or Victim Services Unit within the Department of Correction shall attempt to identify and notify any victim of the offense that is the subject of a pardon application deemed eligible for an expedited pardon.

(Effective August 2, 2016)

**Sec. 54-124a(j)(2)-4a. Notification to Board by victim to be heard personally.**

Pursuant to section 54-228 of the Connecticut General Statutes, if a victim requests the opportunity to be heard personally prior to the Board taking final action on the application, the application shall be ineligible for an expedited pardon and the application shall be scheduled for a full pardon hearing. The Board shall notify the applicant and the victim of the hearing date.

(Effective August 2, 2016)

**Sec. 54-124a(j)(2)-5a. Board review of expedited pardon applications.**

A panel consisting of three members of the Board shall meet to review each application for an expedited pardon that has been identified pursuant to section 54-124a(j)(2)-2a of the Regulations of Connecticut State Agencies. For an application for an expedited pardon to be approved, at least two of the three members of the panel shall be required to vote for such approval. Should an application fail to receive the two votes required for approval, the pardon application may be denied or scheduled for a full pardon hearing.

(Effective August 2, 2016)

**Sec. 54-124a(j)(2)-6a. Grant of expedited pardon without hearing.**

The Board may grant an expedited pardon to an applicant without a hearing, provided that:

- (1) The offense is not a violent offense;
- (2) It has been at least five years from the date of conviction for a felony and at least three years from the date of conviction for a misdemeanor, pursuant to section 54-130a of the Connecticut General Statutes;
- (3) The applicant's service of any sentence has been completed, including but not limited to any period of imprisonment, probation or parole, payment of court-ordered fines and completion of any court-ordered program or community service, as applicable;
- (4) The applicant has not been convicted of any other offense other than the offenses included in the application; and
- (5) The applicant has no pending criminal charges or open criminal cases in Connecticut

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§54-124a(j)(2)-7a

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or any other jurisdiction.

(Effective August 2, 2016)

**Sec. 54-124a(j)(2)-7a. Discretion of Board regarding expedited pardons.**

The Board shall have the discretion to require an application eligible for an expedited pardon to receive a full hearing. In determining whether an application shall be scheduled for a full hearing, the Board may consider the underlying act or acts constituting the offense or any offense for which the applicant has served a sentence of imprisonment or any other relevant information that demonstrates a tendency toward the use, attempted use or threatened use of physical force against another person.

Information may include, but not be limited to, presentence reports, criminal records check, sentencing dockets, Criminal Justice Information System information, police reports, out of state criminal records, parole and probation reports, victim statements, witness statements, and the applicant's prior incarceration history.

(Effective August 2, 2016)