

Parole Revocation in Connecticut: Opportunities to Reduce Incarceration

Amendment of Parole Regulations	Action from BOPP	Action from BOPP in Consultation with the CT Bar	Action by DOC	Joint Action by BOPP & DOC	Increasing Transparency
State officials should revise the language of § 54-124a(j)(1)-12 to ensure that the regulatory language aligns properly with the <i>Gagnon</i> standard for the appointment of counsel.	BOPP hearing examiners should be affirmatively trained to exercise the full range of their discretionary release powers at preliminary hearings. (◇)	BOPP should seek opportunities to partner with the Connecticut Bar Association, the Connecticut Criminal Defense Lawyers Association, public defender offices, and law school clinics to provide legal representation to parolees in the revocation process. (◇)	Train DOC parole officers to ensure they are not advising or pressuring parolees to waive the right to request appointed counsel, or to waive a preliminary hearing.	BOPP and DOC employees should both be trained on the importance of BOPP exercising independent oversight over the parole revocation process.	To increase transparency, the Office of Policy Management (OPM) should work with BOPP to track monthly statistics on the appointment of counsel for preliminary hearings and final revocation hearings. OPM should include these statistics in its Monthly Indicator Reports, and BOPP should publish them on its website.
Connecticut should consider reducing the standard time-period between remand and the preliminary hearing. Connecticut regulations currently require that a preliminary hearing take place no later than 14 business days from remand, unless continued for good cause. (Δ)	Ensure that all relevant officials know and apply the relevant constitutional standards on the appointment of counsel in parole revocation cases.	BOPP should consider partnering with public defender offices, and law school clinics to design and publish training guides for parolees and for appointed and retained counsel. The guides for parolees should be published in multiple formats and languages to make them accessible. The guides should clearly communicate the standards, best practices, and procedures of the parole revocation process in Connecticut.	Consider a study of the Division of Parole and Community Services to examine unit policies and practices regarding supervision strategies and the use of graduated sanctions. Such a study could examine patterns of remand across parole units and parole officers.	The BOPP and DOC should jointly consider the possibility of BOPP conducting preliminary hearings in the community in appropriate cases. DOC would have to facilitate this practice by declining to issue Remand to Custody Orders in such cases. (◇)	OPM should work with BOPP and DOC to track and publish monthly statistics on (1) the number of remands by DOC; (2) the percentage of cases in which the BOPP held a preliminary hearing and the results of those hearings; and (3) the number of final revocation hearings and the results of those hearings. OPM should include these statistics in its Monthly Indicators Reports, and BOPP should publish them on its website.
Connecticut should consider reducing the standard time-period between remand and final revocation hearings. Connecticut parole regulations require that a revocation hearing take place	The BOPP should establish a streamlined process to appoint counsel early and quickly. BOPP should also consider moving to a system that provides for the default appointment of counsel in revocation proceedings			BOPP should work with DOC to encourage the use of graduated sanctions to keep parolees in the community. BOPP has the statutory authority to establish a graduated	

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no later than 60 business days from remand, unless continued for good cause. (Δ)	involving proceedings involving indigent parolees, particularly parolees who are incarcerated. If BOPP moves to a default system, counsel should be appointed shortly after remand to allow for representation at the preliminary hearing. Parolees should be permitted to opt out of a default appointment system on a case-by-case basis. (◇)			sanction system under C.G.S.A. § 54-124a(l)(2). (Δ)	
	BOPP should institute a process for lifting DOC parole holds for parolees with relatively minor pending criminal charges in appropriate cases. Developing standards on the release of DOC parole holds could reduce incarceration rates and help limit the pressure on parolees to plead guilty to disputed charges. (◇)			BOPP should review DOC parole holds in revocation proceedings that involve low-level criminal charges that would otherwise result in bail. (◇)	
	BOPP should develop procedures to thoroughly investigate potential disputes of fact prior to the final revocation hearing.			To increase BOPP's own research capacities, DOC should permit BOPP to extract data (including aggregated data) from the CaseNotes system so that BOPP can generate its own analytic reports.	
	BOPP should give parolees the opportunity to develop mitigation evidence and present this evidence at the final revocation hearing.				
	BOPP should train hearing examiners and Parole Board members on the due process standards underlying the final revocation hearing.				

(Δ) – Recommendations that could immediately result in State savings

(◇) – Recommendations involving up-front costs that could result in long-term savings