
Parole Condition Setting in Connecticut

A REPORT IN A SERIES ON ALIGNING SUPERVISION
CONDITIONS WITH RISK AND NEEDS



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Introduction

This report is one in a series of reports for the Aligning Supervision Conditions with Risk and Needs (ASCRN) project. The goal of the project is to reduce probation and parole revocations and reorient community supervision toward promoting success by changing the way probation and parole conditions are imposed. Conditions are requirements that a person on probation or parole must adhere to while serving a period of community supervision. For people on parole, this occurs after the person has served time in prison and is released into the community for a post-prison period of supervision. For people on probation, this period of supervision occurs in the community in lieu of incarceration. The hypothesis for this project was that if probation and parole conditions targeted individuals' criminogenic needs and were based upon risk level, individuals on supervision would be more successful.¹ However, to move to this form of condition setting, we first needed to understand how conditions were being determined and what role, if any, risk and needs assessments played in the condition-setting process. To learn about the parole condition-setting process in Connecticut, we conducted a policy review of relevant statutes, administrative rules, and policies, and completed a series of interviews with relevant stakeholders who we presumed would have a hand in recommending or imposing supervision conditions. This report sets forth our findings on the condition-setting process utilized by the Connecticut Board of Pardons and Paroles (BOPP).

¹ See Christopher T. Lowenkamp, Edward J. Latessa, and A.M. Holsinger, *The Risk Principle in Action: What Have We Learned From 13,676 Offenders and 97 Correctional Programs?*, 52(1) *Crime & Delinquency* 77-93 (2006) (suggesting that supervision conditions should be aligned with a person's risk and needs).

Connecticut Legal Framework

Connecticut is an indeterminate sentencing state, which means that at the time of conviction, the court imposes a maximum sentence, but the parole board makes the determination as to when the person can be released from prison.² In Connecticut, anyone who is not statutorily excluded from eligibility³ and who is imprisoned for a definite sentence or total effective sentence of more than two years may be considered for parole.⁴ A “definite sentence” simply refers to the maximum sentence imposed by the court.⁵ “Total effective sentence” refers to the total maximum time to be served after adding together the sentences imposed for multiple convictions, taking into account whether the sentences are to be served consecutively (one after the other) or concurrently (at the same time).⁶

The Board of Pardons and Parole (BOPP) is responsible for deciding when a person will be released on parole, which is defined as the “conditional release of an individual from confinement . . . prior to expiration of the maximum term or terms of imprisonment” or “the court-ordered period of community supervision following expiration of the maximum term or terms of imprisonment.”⁷ The BOPP comprises ten full-time and up to five part-time members.⁸ These individuals are appointed by the Governor and can serve for as long as the appointing Governor remains in office.⁹ The BOPP has independent decision-making authority over whether to grant or deny parole of individuals who are incarcerated, what conditions of parole should be placed upon individuals who are granted parole, and whether and when to rescind or revoke parole.¹⁰ The Parole Board works in panels of three members.¹¹ When empaneled for any type of parole hearing, members make decisions based on a majority vote.¹²

In deciding whether a person may be released on parole, the BOPP must determine if “there is a reasonable probability that such inmate will live and remain at liberty without violating the law, and . . . [that] such release is not incompatible with the welfare of society.”¹³ To frame their decision making process, BOPP members use the Structured Parole Decision Making (SPDM) framework, which allows BOPP members to systematically consider

2 Conn. Gen. Stat. § 53a-35a (2022); Conn. Gen. Stat. § 53a-36 (2022); Conn. Gen. Stat. §§ 54-125 to -125a.

3 Conn. Gen. Stat. § 54-125a(b)(1) (2022) (indicating that no person convicted of capital felony, murder with special circumstances, felony murder, arson murder, murder, or aggravated sexual assault in the first degree shall be eligible for parole under subsection (a) of § 54-125a).

4 Conn. Gen. Stat. § 54-125a(a) (2022).

5 Conn. Gen. Stat. § 53a-35a (2022).

6 See e.g., *State v. Lombardo*, 563 A.2d 1030, 1031 (Conn. Ct. App. 1989) (“[T]he court sentenced the defendant to a term of seven years . . . on [one] count; seven years . . . on [the second] count; and three years . . . on [the third] count, all three sentences to be served consecutively for a total effective sentences of seventeen years”); *State v. Raucci*, 575 A.2d 234, 235 (Conn. Ct. App. 1990) (“The defendant was originally convicted on four counts In November, 1983, the court imposed the sentence as follows On [two of] the convictions . . . the court imposed concurrent sentences of not less than ten nor more than twenty years. One [the two other] convictions . . . the court sentences the defendant to not less than two and one-half nor more than five years, to run consecutively, both as to each other and as to the first two sentences. The total effective sentence, therefore, was not less than fifteen nor more than thirty years.”)

7 Regs. Conn. Agencies § 54-124a-12(a)(6) (2022).

8 Conn. Gen. Stat. § 54-124a(a)(1) (2022).

9 Conn. Gen. Stat. § 54-124a(a)(1) and (b) (2022).

10 Conn. Gen. Stat. § 54-124a(f) (2022).

11 Conn. Gen. Stat. § 54-124a(e)(2022).

12 Conn. Gen. Stat. § 54-124a(p) (2022).

13 Conn. Gen. Stat. § 54-125a(a) (2022).

risk and need factors across seven domains—criminal/parole history; institutional/community behavior; disinhibitors; responsivity; offender change; release plan; and case-specific factors.¹⁴

There are three parole approval processes: traditional parole, parole without a hearing, and special parole.

Traditional Parole: Individuals who are imprisoned for a definite sentence or total effective sentence of more than two years are eligible to be considered for traditional parole.¹⁵ Of this population, individuals incarcerated for non-violent offenses may receive parole after having served one-half of their sentence,¹⁶ while individuals incarcerated for violent offenses must serve at least eighty-five percent of their definite sentence.¹⁷ Each BOPP panel assesses an applicant’s suitability for parole based on their ability to live independently without violating any laws and in a way that is compatible with societal welfare.¹⁸

In addition to a suitability assessment, the BOPP and the particular panel for each case may impose conditions with which an applicant is required to comply in order to receive Board approval.¹⁹ These conditions are intended to help parolees adhere to “acceptable standards of conduct and to assist them in addressing treatment needs,” thus allowing the BOPP to achieve its objective of “managing risk, while maximizing the potential for parolees to live productive, crime-free lives.”²⁰ There appear to be no parole conditions that are required by statute or administrative law. The BOPP has developed a list of potential conditions, which includes both standard conditions that apply to every person released on parole, and special conditions that apply only as needed. The standard conditions include:

- Reporting to one’s assigned Parole Officer as directed;
- Participating in programs as determined by one’s Parole Officer;
- Living in a residence approved by one’s Parole Officer;
- Maintaining either employment or community service opportunities;
- Obeying all laws and fulfilling all legal obligations;
- Not using or possessing controlled substances or weapons;
- Not leaving the state without prior written permission of one’s Parole Officer;
- Not associating with street gangs or criminal organizations;
- Submitting to searches at any time; and
- Complying with the suitability elements that are laid out in § 54-125a (i.e., remaining at liberty without violating the law and not infringing upon the welfare of society).²¹

14 See Summary of the Structured Parole Decision Making Framework (SPDMF), available at <https://portal.ct.gov/-/media/BOPP/Research-and-Development/2018-Summary-of-SPDMF.pdf>.

15 Conn. Gen. Stat. § 54-125a(a) (2022). The parole process outlined in Conn. Gen. Stat. § 54-125a controls parole for individuals who have been incarcerated on or since October 1, 1990. Conn. Gen. Stat. § 54-125a (2022). Conn. Gen. Stat. § 54-125 addresses parole for individuals who are serving indeterminate sentences—“Any person confined for an indeterminate sentence, after having been in confinement under such sentence for not less than the minimum term . . . may be allowed to go at large on parole in the discretion of the Board of Pardons and Paroles . . .”—and remains in use for individuals who were sentenced prior to October 1, 1990. Conn. Gen. Stat. § 54-125 (2022).

16 Conn. Gen. Stat. § 54-125a(a) (2022).

17 Conn. Gen. Stat. § 54-125a(b) (2022).

18 Conn. Gen. Stat. § 54-125a(d)–(e) (2022).

19 Conn. Gen. Stat. § 54-126 (2022) (authorizing BOPP to “establish such rules and regulations as it deems necessary, upon which such convict may go upon parole”); Conn. Gen. Stat. § 54-124a(f) (2022) (authorizing BOPP to “establish conditions of parole or special parole supervision in accordance with section 54-126”).

20 See Parole FAQs, What is a Parole Agreement?, available at https://portal.ct.gov/BOPP/BOPP_front-_pages/Common-Elements/V4-Template/Parole-FAQs.

21 BOPP Parole Conditions (12.2020), on file with author. These conditions were likely developed during technical assistance workshops facilitated by the National Parole Resource Center. See National Parole Resource Center, *Vignettes from the National Parole Resource Center Learning Sites* at 1-3 (June 2012), available at <https://archive.cepp.com/wp-content/uploads/2019/03/NPRC-Vignettes.pdf>.

The list of special conditions is wide-ranging and includes requirements such as: participation in substance abuse and/or behavioral health treatment programs; no contact orders with, for example, co-defendants or victims; electronic monitoring and/or GPS tracking; participation in BOPP-appointment programming; adherence to certain medical treatment; limitations on motor vehicle operation; transfer to another state or Immigration and Naturalization Service; and payment of fines.²²

Parole without a Hearing: Individuals who are imprisoned for a non-violent crime for which there is no known victim, and who are not otherwise prohibited from parole, may be eligible for parole without a hearing.²³ A member of the board or a qualified board employee is responsible for evaluating whether parole should be granted.²⁴ To complete their evaluation, the reviewer is expected to use risk-based structured decision making and release criteria adopted by the board, as well as the inmate's offender accountability plan.²⁵ If parole is recommended, the chairperson reviews the evaluation, presents the recommendation and all pertinent information to the parole release panel, and the panel votes on whether to grant parole.²⁶ Receiving parole without a hearing does not subject the parolee to any unique or additional conditions when compared to traditional parole.²⁷

Special Parole: Special parole is imposed by the court but is overseen and managed by the BOPP, with supervision support provided by the Department of Corrections.²⁸ The court, considering risk to public safety, may choose to impose special parole as part of an individual's sentence based on "the nature and circumstances of the offense, the defendant's prior criminal record and the defendant's history of performance on probation or parole."²⁹ The period of special parole, which can be imposed for between one and ten years,³⁰ begins either at the expiration of one's maximum term or whenever they are released on parole by the BOPP.³¹ When the court imposes special parole, they may recommend that an individual comply with any of the conditions enumerated in Conn. Gen. Stat. § 53a-30(a), which is a list of supervision conditions that are more typically applied to probation.³² These court-imposed conditions are in addition to any parole conditions placed on the individual by the BOPP.³³ Although the court orders special parole, the BOPP has authority to discharge a person from special parole if it finds the person "will lead an orderly life."³⁴

Parole supervision is provided by the Department of Corrections (DOC).³⁵ In the event of a violation, the BOPP has a hearing process during which the individual in alleged violation is able to present information about the alleged violation.³⁶ If the violation is proven, the BOPP may reinstate parole with or without modification of the individual's conditions or revoke parole.³⁷

²² *Id.*

²³ Conn. Gen. Stat. § 54-125i(a) and (c) (2022).

²⁴ Conn. Gen. Stat. § 54-125i(b) (2022).

²⁵ Conn. Gen. Stat. § 54-125i(b) (2022). Offender Accountability Plan refers to an instrument that each individual eligible for parole is required to submit upon being admitted to prison. It outlines the Parole staff's expectations and explains the basis on which the BOPP will make release decisions in the future. The plan may be modified prior to a decision on release and compliance with the Plan is tracked during one's incarceration. State of Connecticut, Board of Pardons and Parole, *Parole: An Informational Brochure* at 3 (Version 4.19), available at https://portal.ct.gov/-/media/BOPP/Parole/PAROLE---A-Guide-for-Newly-Sentenced-Inmates_April_2019.pdf.

²⁶ Conn. Gen. Stat. § 54-125i(c) (2022).

²⁷ Conn. Gen. Stat. § 54-125i (2022).

²⁸ Conn. Gen. Stat. § 54-125e (2022).

²⁹ Conn. Gen. Stat. § 54-125e(b)(1) (2022).

³⁰ Conn. Gen. Stat. § 54-125e(c) (2022).

³¹ Conn. Gen. Stat. § 54-125e(a) (2022).

³² Conn. Gen. Stat. § 53a-30(a) (2022). While this statute refers to conditions of probation and conditional discharge, it may also be applied to parole conditions: "If sentencing a person to a period of special parole, the court may recommend that such person comply with any or all of the requirements of subsection (a) of section 53a-30." Conn. Gen. Stat. § 54-125e(b)(1) (2022).

³³ Conn. Gen. Stat. § 54-125e(b)(2) (2022).

³⁴ Conn. Gen. Stat. § 54-129 (2022). BOPP must also notify the victim of its intent to consider terminating special parole, and the victim has the right to submit a statement regarding that decision. Conn. Gen. Stat. § 54-129a (2022).

³⁵ Conn. Gen. Stat. § 54-124a(g) (2022).

³⁶ Regs. Conn. Agencies § 54-124a(j)(1)-5(d) (2022).

³⁷ Conn. Gen. Stat. § 54-124a(f) (2022); Conn. Gen. Stat. § 54-126 (2022); Conn. Gen. Stat. § 54-125e(e) (2022).

System Orientation

To better understand the context within which conditions are set in each jurisdiction, we conducted twenty-seven interviews, including fifteen parole board members and staff and twelve parole officers. The parole staff included institutional parole officers or sometimes referred to hearing officers, a supervisor, and a psychologist.

We asked three questions aimed at system orientation: 1) what is the purpose of parole; 2) what are your expectations for what will happen during parole; and 3) what is the purpose of parole conditions? As explained in the following sections, most interviewees thought the purpose of parole was reintegration with the aim of ensuring public or community safety. When asked about what victims and the community expects to happen on parole, interviewees said victims do not want the individual to get out of prison and that both victims and community expect people to be strictly monitored. But most also said these expectations might vary based on the victim or community member. Reintegration, creating access to resources, and safeguarding for community safety were all cited as the purpose of the parole conditions.

Purpose of Parole

Reintegration was a re-occurring word used by the parole board members when asked to define the purpose of parole. Parole officers similarly saw reintegration as the purpose of being on parole. Reintegration meant interviewees saw the role of parole as aiding or assisting the formerly incarcerated back into the community. It meant connecting formerly incarcerated individuals with services that included substance abuse or other forms of treatment, linking them to employment services, and as one parole officer explained, “making sure they have resources that they need and to make sure that they abide by conditions which are also focused on enhancing community safety.”

Reintegration for some interviewees was about giving individuals on parole support, a second chance, and ensuring that individuals released became “productive citizens.” But for most parole board members, staff, and parole officers, reintegration was a means to achieve the ultimate goal of parole: community safety.

A parole officer summarized all these points by stating,

I think the general purpose of parole is to reintegrate the individual back into society, make sure that they comply with all the conditions and assist them in making better choices out here in the community, which will then prevent them from returning to prison, any kind of recidivism, relapse, and that sort of thing. – Parole Officer

In contrast, a few interviewees were unclear what the *current* purpose of parole was. One parole officer believed that the purpose of parole had changed over the years. This individual said that once, “The number one [goal] was safety of the community. The second goal was rehabilitating the offender, giving them the tools to live in the community, and prevent him from getting in trouble in the future.” This parole officer thought these goals or purposes had been abandoned because “the parole system got politicized and monetized.” From this one officer’s perspective, everyone just successfully completes parole, and few individuals are held accountable for following conditions. Leaving this interviewee to surmise, “I don’t know what our purpose is right now.” However, it should be noted this was a minority viewpoint. Most interviewees reported the purpose as reintegration with the aim of ensuring public or community safety.

Expectations for What Would Happen on Parole

Participants were asked about their expectations for individuals on parole. For almost all of the parole officers interviewed, their expectations were for the individuals to follow all conditions and “do what they’re supposed to do.” Most of the responses centered around the expectations to follow conditions and be compliant as demonstrated by this response from a parole officer, “Expectation? Probably that people just do what they’re supposed to do or are compliant with their conditions of parole.” A couple of officers expanded on the expectations to follow conditions by specifically stating what they wanted individuals to do.

That they follow their parole officer’s instructions in regards to reporting to their parole officer, follow all their program rules and regulations where if they are attending any type of groups or mandated to attend any groups. Also, to not commit any other crimes. Also just becoming a law-abiding citizen, obtaining full-time employment, or going back to school and getting an education. – Parole Officer

Another officer who gave a similar response also noted that each individual’s experience on parole will ultimately be driven by the choices they make.

My expectations are always that they are compliant with their conditions and are doing the right thing. Again, being a parole officer, you’re not on them twenty-four hours a day. We do have our phones on, we work, but you have to give them the freedom to do things on their own. You try to give them avenues to be successful, but they are adults. At the end of the day, they are the ones making the decisions. I guess my expectations are for them to come out and find employment. If they have some kind of substance abuse history, they are referred for treatment. – Parole Officer

Most parole officers expected individuals on parole to be compliant and follow conditions. However, two officers’ expectations were more expansive in that following conditions was about helping individuals reintegrate back into the community.

The parolee themselves should be taking steps to reintegrate themselves into society. Any help they need, we should give them programs, groups, or anything like that. At the same time, we should be monitoring their compliance, and if they’re not compliant with their conditions, addressing that with misconducts, or whatever, up until to the point where it’s beyond control and they come back and are remanded to custody. – Parole Officer

Similarly, another officer said that their expectation was for the individuals on parole to have “goals and accomplish them.”

One parole officer said they do not have expectations for their clients, and seemed to perceive that they had no role in individuals’ successes or failures.

I mean, I don’t have any expectations, right? I kind of learned a long time ago that their successes are their successes, and their failures are their failures. – Parole Officer

However, they also went on to say, “With that being said, they do have standard conditions that they need to follow. The expectation is that they follow those conditions.” So, in the end they had an expectation similar to the other officers of “following conditions.”

One parole board staff member had an expectation that individuals follow the conditions set forth by the parole board and parole officers monitor this compliance.

My expectations when they are out into the community? To follow the recommendations by the board, if the board stipulates them to attend anger management programming in the community, our expectations are for them to follow through with the board members' recommendations. The parole officer in the community who has the case, it's their responsibility to make sure that they are abiding by those recommendations by the board. – Parole Board Staff

Parole board members had multiple expectations for what would happen on parole. Some parole board members simply expected individuals to “obey all rules” or “follow certain conditions.”

I honestly believe that the parolees should be held at a high standard so that they obey all the rules and regulations of parole because parole is a privilege. – Parole Board Member

Those who expected individuals to follow conditions while on parole also perceived that conditions were tools to help them reintegrate and succeed.

They are required to follow certain conditions, so get a job and be a law-abiding citizen. I don't know. Just take care of themselves, take care of the family, stay away from criminal activity, and live normally like you and I do. They have to stop the cycle somehow, but I think that that's the hardest part because a lot of people that are released just go back to where they came from and they don't have a lot of support. – Parole Board Member

In contrast, while some saw conditions as providing the necessary structure for reintegration, other expected individuals on parole to receive services and support to help them reintegrate into the community.

My expectations are that the offenders leave prison, and they have the necessary support such as housing, programming for things like substance abuse, domestic violence, mental, health etc., employment assistance, so the necessary support for them to go out there and succeed. We don't want them to come back to prison, so we want to offer them as much wraparound servicing as possible. – Parole Board Member

Interviewees were also asked what they thought victims and community expected from parole. The interviewees had overall similar responses for these two groups. Specifically, interviewees expected victims to not want the individual to get out of prison, to be supervised and given services, or that expectations might vary based on the victim.

Several parole officers and one parole board member had a belief that victims did not want the individual to be released from prison. For others they believed that victims wanted them to receive services and to be monitored closely once they were released into the community. One parole board member said,

I think victims expect the offender to be supervised and afforded programming so that there are no future victims, to avoid future crimes by the offender. I also think that the victims hope that the offenders are under strict guidelines and, I believe, almost under some form of continued incarceration in the community. – Parole Board Member

One parole board member also said victims wanted individuals to be monitored but they also felt victims wanted their voices heard in the process. They said,

[Victims] hope to have their voices heard, their concerns understood and appreciated with respect to their safety, and the accountability of the offender. Hopefully close supervision to prevent recidivism. In cases where there is a prohibition of contact with the victim, whether it's through a protective order or through a condition of their parole, that that would be monitored as well. – Parole Board Member

Many interviewees, especially the parole board members and staff, felt it was difficult to answer what victims expected because it “depended upon the victim.” One parole board staff member summarized this point by stating,

I would say it's very difficult to talk about victims as though they were all in agreement. We have victims who hope that the offender in their case stays in prison and never comes out again, and there are victims who hope that the offenders have sort of learned their lesson. That they will reenter society and not create any more victims, and so I think it's... my experience is that it's with both of those.
– Parole Board Staff Member

Responses for what the community expects from supervision were similar to the viewpoints of what victims wanted. Several interviewees said it depended on the community member. One parole board staff member said, “I think it's really difficult to classify all community members in the same way.” Another parole board staff member said,

Community depends on what community members you're asking. Are you asking community members who are in support of the individual's release and who are family members? They have one perspective, and then there's the general community, members of the community who are not related, who have nothing to do with that person. – Parole Board Staff

Others felt that community members wanted individuals monitored and to make sure that they were following their conditions in the community. A parole officer said the community was concerned about, “public safety. It's making sure that the people that are out in the community aren't causing further harm to the community.”

However, many interviewees also stated that neither victims nor the community really understand what the parole board does or what parole officers do. This was voiced, unprompted, by several of the interviewees. One parole board member said of victims,

Victims play an important component, but what I'd point out, I find is that sometimes the victims... although in our state we have offered some victim services... sometimes, whether it goes to trial or not in the court, that the victims do not understand completely the process. – Parole Board Member

There was also a belief that the community does not understand the parole process either. One parole board member said,

I'm not really sure that the community understands parole as anything different than probation...I'm not sure that the public understands other than monitoring and accountability and preventing an offender from committing crimes in the future. – Parole Board Member

A different parole board member said,

I think, [the community] still does not completely understand or comprehend the difference, even between probation and parole. We've tried to put as much information as possible out there, but I think everybody has different expectations of what parole is. Some people think that as soon as a person uses drugs once, that they should be taken out of the community. Others feel that they should be treated, and they should never be violated unless they commit a new crime. – Parole Board Member

Thus, there was also a belief that victims and community wanted different things based on their level of understanding of the system and purpose of parole. This viewpoint is reflected in the following statement from a parole board member,

I don't believe that the victims that come to the board necessarily understand the process. I think that expectations have to do with the amount of information that they have. If a victim understands that the person was sentenced and that something has happened between the time that that person was incarcerated, and now when they are in front of the board, they have the ability to reflect on "Are they doing anything to rehabilitate themselves?" – Parole Board Member

Purpose of Parole Conditions

When asked about the purpose of parole conditions, many of the interviewees echoed sentiments similar to their responses on the purpose of parole. Reintegration, creating access to resources, and safeguarding community safety were all cited as the purpose of parole conditions. The quotes below highlight these purposes.

The purpose of the conditions and the goals of the conditions is to help people reintegrate back into the community and become law-abiding citizens who are able to function in a way that doesn't include criminogenic behavior and create continuation of victimization of the communities to which they're returning. – Parole Officer

I think the board really wants public safety...They want to make sure that the hot spots for some of these parolees are identified and then we work on those spots. A lot of times those conditions are put in place for their safety, but mostly for the public's safety. – Parole Officer

I think the purpose is... because one thing that we try to ensure is that when the inmate is released back into the community that they will have some success. Sometimes you have to put these stipulations on them in order to kind of direct and guide their actions and behaviors. – Parole Board Member

A guide or a "road map" was mentioned a couple of times to the question on the purpose of parole conditions. A parole officer said that the purpose of conditions "is to give the field parole officer a framework of what the board of parole feels that the person needs to do or accomplish while they are on parole." Similarly, a parole board staff member said, "parole conditions provide the basis or guidance for what the parole officers should be doing or focusing on or looking at." This individual also said that the conditions are essentially a contract that can then be used to violate when individuals breach this agreement. Finally, one parole officer said that the purpose of parole conditions was "probably to make it easier for us to do our job." They continued by saying "when something is stipulated by the board that's kind of them highlighting what they want to see the offenders do when they come out. Anything else...it's kind of hard for us to enforce that's not stipulated by the board."

Setting Parole Conditions

Every individual on parole in Connecticut is given standard conditions. We examined the number and type of standard conditions. Additionally, individuals on parole may be ordered to have special conditions. In the interviews, we sought to understand how additional conditions were added by parole members, including what sources of information they used to determine if additional conditions were needed. In the interviews, we asked how interviewees saw the standard conditions versus the additional conditions. From the perspectives of the interviews, we wanted to explore whether they saw different purposes for the standard conditions versus additional conditions. Finally, we sought to understand the process for how conditions were added or removed and specifically what discretion parole officers had to modify conditions.

Condition-Setting Process

There are six standard conditions that are assigned to all individuals granted parole (see Appendix A). Some of these six conditions contain several directives, so in total, there are fourteen standard conditions. In the interviews, it was reported that these could not be modified and were assigned to everyone. These standard conditions apply to everyone on parole regardless of their offense or individual risks and needs.

The parole board has the discretion to add additional conditions based on the offense or risk/needs specific to the individual. The special or additional conditions [often used interchangeably in the interviews] are imposed on a case-by-case basis, and not everyone gets additional conditions. One parole board member said, “there are times where...I don’t see that there’s any additional conditions necessary so they will just abide by the standard list.” A different parole board member said, “many just have standard conditions.” A third parole board member estimated that about 10% of individuals get no additional conditions. They provided an example of why an individual may not get additional conditions by stating, “say, a first-time drug dealer who doesn’t use drugs, doesn’t have any mental health concerns, and has no criminal history. There really is not much more I could ask them to do.”

The parole board has the sole responsibility for adding the additional conditions. Board staff and parole officers have no role in this process.

Important Information for Setting Conditions

To determine if additional conditions are needed, parole board members could consult a variety of information. In the interviews, parole board members were asked what they perceived to be the most important information to help them set [additional] conditions. Some interviewees had difficulty identifying what was important to them. One parole board member said, “I am not sure that I would make the distinction of which is most important.” But this member said they read the file and the “impact that the crimes have had on the victim.” Other parole board members also said they looked at the entire file. One parole member said the file includes a variety of information, including police reports, court transcripts, probation records, pre-sentence investigations, juvenile and youthful records, institutional records, including disciplinary records, mental health and substance abuse evaluations, program records, and previous parole records. In addition to the file, a couple of parole board members said they used a structured decision-making worksheet which included risk assessment scores. This structured decision-making worksheet is called the Decision Information Summary (DIS). A parole staff board member explained the DIS.

The parole officer compiles that information based off of the interview with the offenders, running the rap sheet, the programming. We also make contact with the families...In addition, we try to find out if there's some type of employment that the offender will be going to once they are released. All that information is compiled into our...parole package...it's presented to the board and the board then reviews and comes up with the best solution for the offender. – Parole Board Staff Member

This DIS is used to aid in the release decision as well as for setting additional conditions if release is granted.

When asked about the most important information for setting conditions, one parole member's response was "in our areas, we have a three-member panel, so different people might have different opinions...But I think that we just look at the overall picture with all the information that's provided to us."

While there was little consensus about what specific piece of information was most important to parole board members, there did seem to be a common theme of taking a "historical look at the offender." Important to this historical look was reviewing the individual's criminal history.

Interview participants were also asked how important the current offense was in setting additional conditions. There were mixed responses from parole board members and staff. For a few of the members it was an important factor, with one saying, "The current offense is probably the most important factor." Parole board staff perceived that the seriousness of the offense mattered a great deal, with more consideration being given to more serious offenses and less consideration being given to less serious offense.

It really depends. Whether it be like a sales charge, which [is] pretty minor, or a robbery first, or a manslaughter charge, it just really depends. – Parole Board Staff Member

However, not everyone felt that the current offense was that important and balanced the offense with the individual's behavior in prison.

It depends upon the board. But to me, I believe that everyone is entitled to a second chance. I think that the time served is recompense for the original offense. What I look at is what have they done while incarcerated to prove that they are suitable. It weighs, but it's 50-50. If your institutional behavior and your programming, if all of that is there, I kind of weigh on that. – Parole Board Member

These responses highlight that there was no consensus on the importance of the current offense in setting additional conditions (or in making the release decision).

Standard vs. Special Conditions

As mentioned above, standard conditions apply to everyone. They are general requirements such as remaining law abiding, travel restrictions, notifications of changes, search requirements, and a general directive to follow their parole officers. A member of the parole board staff summarized standard conditions by saying,

Every inmate who is released is expected to follow those standard conditions. They are not specific to an offense history. They are not specific to an individual's needs or to their ability follow through. They are conditions that allow an individual to transition to the community while still being under the supervision of the wider criminal justice system. – Parole Board Staff Member

A different parole board member explained special conditions,

[A] special [condition] is more customized and applies to the inmate and their situation. That's the difference because we don't want to give a standard condition of no alcohol when the inmate has not had any alcohol abuse. It's more customized. – Parole Board Member

Parole board members understood that additional conditions were for those who needed extra “stipulations,” additional help, or were ordered because of a specific criminal conviction. As one parole board member described special conditions as,

More customized and applies to the inmates and their situation. That's the difference because we don't want to give standard condition of “no alcohol” when the inmate has not had any alcohol abuse. It's more customized, you get the special [conditions]. – Parole Board Member

There was some disagreement on whether additional conditions were applied in most cases or not. One parole board member said, “many just have standard conditions” meaning that for many individuals they do not receive additional conditions. However, a parole board staff member said when asked if special conditions get assigned frequently, they said, “They do pretty much on like every single person.” A different parole board staff member felt many do not get additional conditions but that this “goes in waves.” They went on to explain this wave,

I find that when we do a lot of updated training, you'll see that there's a lot less additional conditions, and they kind of sway back to putting more additional conditions. – Parole Board Staff Member

Finally, on this point, a couple of parole board members agreed that with individuals convicted of sex offenses, they almost always received additional conditions. One interviewee said special conditions were given “99% of the time” for these individuals.

Most Important Conditions

The parole officers interviewed had somewhat similar responses to what they thought were the most important conditions. The most important conditions for the parole officers included the release direction and the requirement to obey all laws, which are listed as the first two conditions on the standard conditions form. However, each contains several requirements. The release direction essentially states that the individual on parole will report to their parole officer and must follow the directives given. It also states that they agree to participate in programming determined by the officer and will reside in an approved location. The second condition—obey all laws—includes following the law but it also requires staying current with child support and alimony payments as well as notifying their parole officer of any arrests within forty-eight hours. Parole board staff members interviewed also felt the release direction was the most important condition. There were a couple of parole officers who did not identify any one condition as important but rather said they were “all important.”

Other conditions identified by at least one parole officer as the most important were: having no contact with victims, “the search condition” (number five, which requires submitting to a search of “person, possessions, vehicle, residence, business, or other area under my control”), and the treatment condition. Conditions around treatment and having no contact with victims are considered additional conditions and thus, not ordered for everyone.

For the parole board members who were interviewed, there was little agreement on the most important conditions. Two board members thought the “no contact with victims” condition was important. Refraining from alcohol was listed as the most important condition by one board member whereas for another member being able to order individuals to a halfway house was seen as important. However, this same individual also said, “Honestly speaking, I really don't think that there is any one particular condition that helps with success over any other.” A different parole board member was hesitant to say what condition was most important because from their perspective, “it really does depend on the offender.”

Modifying Conditions

If parole officers would like to add or eliminate conditions, this needs to go back to the board. Officers can add stipulations, but these are not considered formal conditions. Only the parole board has the authority to modify conditions. A parole board member explained the parole board members have “to put a request in for the board to take action on it, to add or remove conditions.” Thus, it was a formal process in order for conditions to be added or removed by parole officers. This was also the process for both standard and special conditions. There was consensus among the parole officers that to add or remove a condition, it would need parole board approval and ultimately this decision lies solely with the board. One parole officer said, “we can request for stipulations or conditions to be changed or modified. However, it’s ultimately their [the board] decision.”

Officers did not have ability to add programming either. As one officer said they would need to get a board member’s approval to add “domestic violence programming, sex offender programming, and anger management” if these programs were not previously ordered. This same parole officer interviewed did not see having to go back to the board as a problem because they felt “usually...nine out of the ten conditions are set appropriately.” However, another parole officer said it was hard to get the board to add conditions because of the time it takes from the board. They said,

It’s hard [to modify or change conditions] once they’re in the community. I have tried to have some added and you kind of flag the board for it. They just kind of sit on it. It may not happen. – Parole Board Member

This same officer said they would never have conditions formally removed but said officers are given some discretion if the condition may not be needed. The officer shared how this discretion would be used,

As far as getting stips [conditions] taken off, we never have them removed, but every once in a while, they’ll say like no contact with the victim without your parole officer’s permission....no operation of motor vehicle without your parole officer’s permission. Those are things that in our own discretion we kind of allow them to do. We wouldn’t necessarily go and modify their parole agreement. We just kind of grant them the permission to have contact with their victim or drive a motor vehicle if we think it’s in their best interest. – Parole Officer

Some officers reported that board officers went note on the conditions “without parole officers’ permission.” This added sentence gave officers greater discretion and ability to supervise the condition how they saw fit.

To formally request a modification, the officer had to complete what one interviewee called a “Board Action Request.” A parole board member described the process to modify conditions in this way,

So they send us a request to us and that filters down through. A parole manager or a supervisor will either accept or deny the request, and then it comes to us a what’s called a case review, and we don’t see the offender again. But we make the decision in a hearing, a three-person panel as well, after reviewing the request. – Parole Board Member

So, the process for adding conditions is quite extensive and can take time for a parole officer to hear the final outcome.

Perceptions about Parole Conditions

This section asked interviewees about their perceptions on the number and types of conditions, including if they thought any current standard conditions were unnecessary. Interviewees were also asked whether conditions helped individuals succeed in release or whether conditions served as a hindrance or barrier to success.

Number of Parole Conditions

The responses to the question whether there were too many, too few, or just the right amount of conditions varied amongst the interviewees. For the parole board members and staff, a slight majority of the responses were either that there were not “too many conditions” or that they were “just the right amount” of standard conditions. Only one board member thought there were too many. It was stated a few times that there used to be more standard conditions and the number has shrunk in recent years. However, one interviewee cautioned that the number of conditions may not have really shrunk because some of the conditions packed several requirements under them. They stated, “I think there’s a lot under release direction. Release direction has six subcategories...and obey all laws, which is a subcategory, includes drug use.” One parole officer said there are additional forms that the individual on parole must sign, and these additional forms elaborate on the requirements of the conditions. A parole officer said,

We have different forms and things. As long as they sign their condition... like they have the GPS agreement. That’s a whole separate form. It’s basically what it does is it takes the parole conditions that say “You must comply with electronic monitoring if you’re placed on it,” or whatever. Then we take that and we extrapolate on that, and we say, “Well, this is what you complying with GPS looks like.” Then we have like fifteen conditions on there that they then sign. It’s an expansion of the condition that breaks down further for what our expectations are. – Parole Officer

Another parole officer said there used to be fifteen conditions but also acknowledged the condensed conditions included several additional requirements.

I think there are too few in the fact that there used to be fifteen conditions and they brought it down to six. They kind of jumbled them together, so they get a little bit confusing. I think it’s better to have more. I don’t mean it in adding more things [but] taking those six that are there and spreading those out into ten or eleven separate things. – Parole Officer

This parole officer also believed that there were too few conditions. A handful of other officers believed that there were too few conditions. One parole officer who responded that there were too few conditions said, “I think there are too few...there used to be a bunch of other ones that, again, helped prevent things from going bad. It also helped in sort of formulating the case a little bit better.” No parole officers interviewed said there were too many conditions.

Yet on the other hand there were some officers that thought the current standard conditions were the right amount or “basic stuff” that individuals on parole should be doing already. To illustrate this point, one parole officer said,

I currently think that the conditions that are there are exactly what...things that we everyday people who aren't involved in the criminal justice system have to do. I can't carry weapons without a permit. I'm not supposed to be affiliating with gang members. It's basic stuff. – Parole Officer

There were a small number of parole board members, staff, and officers who said the number of conditions depended on the individual. For example, for one individual the standard conditions might be too many but for another individual they might be too few. One parole board member said, there is “no ideal number. It just depends upon what's needed for that particular inmate.”

A few parole officers referred to the additional conditions as stipulations. One parole officer said about stipulations and additional conditions, “I think we do them [the terms] interchangeably but they are not necessarily interchangeable.” Adding to this, stipulations were sometimes used as graduated sanctions.

Parole officers had discretion to add stipulations. In the general conditions, it states that the individual will agree to participate in programming as determined by their parole officer. Additionally, if individuals on parole are not following the conditions, the officers can work with the individual. This could include adding more requirements for them to complete. From the interviews, it was stated that individuals could not be violated and revoked if they did not follow stipulations because these are not formal additional conditions. Additional conditions can only be issued by the parole board members and not by parole officers. Yet, stipulations do become part of the individual's case plan. Because there is a condition that orders individuals to complete programming as assigned by their parole officer, a violation (and revocation) could follow if the individual on parole does not comply with programming.

Unnecessary Conditions

Parole board members did not report any conditions as being unnecessary or outdated. Among the parole officers and parole board staff, there were two conditions repeatedly mentioned—the statutory release condition and not having contact or interacting with anyone gang affiliated. The statutory release condition appeared to be confusing and not understood by those who said it was an unnecessary or outdated condition. Others felt it was too vague. According to one officer the statutory release criteria condition “basically means if you can't be violated under any other condition and you are a danger, your release is incompatible with the welfare of society, then you can be violated on that condition.” A parole board staff member said this was a “catchall” condition and “it's never used in violations. It's under vary rare situations that they could violate someone under those.” Whereas another parole officer agreed it was unnecessary but also agreed it was not used much anymore and further said, “I have never violated anybody on that.”

Similarly, those who said the gang affiliation condition was unnecessary explained that it was a hard to prove these types of violations. One parole officer said, “gang affiliation is extremely hard to prove. I don't ever remember it actually sticking in a parole violation.” A parole board staff member echoed this view by saying,

I don't think recently anybody gets violated under gang affiliation unless there is some hard, solid evidence...so just a fact of associating with somebody from a gang used to be enough to get them violated but not anymore but we still have that standard condition. – Parole Board Staff

Conditions as Barriers or Helpful

Almost all the interviewees did not feel like any of the conditions served as a barrier to individuals on parole. When asked if any conditions were barriers to successfully completing parole, many simply said “no.” But some expanded on their responses to this question. One parole officer expanded slightly by stating, “I don’t think any of them are necessarily barriers. I think they’re all there for a reason.” A parole board member said the conditions were not barriers but a means to hold individuals accountable. For another parole board staff member, they felt it depended on the program whether the condition was a barrier or not. They said, “it depends on what programs people are being referred to. Are they evidence-based programs?” Whereas another parole officer felt parole in and of itself (not the conditions) was a barrier. “I just think being on parole in general is a barrier to them to them doing anything because they feel like ...the hardest part of being on supervision is actually being on supervision and knowing someone is watching over your shoulder.” A parole board member also said conditions can be a barrier “when you overload somebody. When you don’t recognize somebody’s limitations and you don’t tailor stipulations to their capacity.” Finally, a parole officer said, “I don’t think they’re barriers. I think ultimately parole officers will work with the offenders to do whatever they need to.”

Several of the interviewees also agreed that the conditions were there to help individuals reintegrate and succeed while on parole. One parole officer thought the additional conditions were helpful because they were specific to the needs of the individual.

I think the additional conditions, the ones that are stipulated based on assessments and on history; I think those are most helpful because it goes hand in hand with treatment...Now you have support through either mental health treatment, sex offender treatment, or substance abuse treatment. I think that those are good outlets. I think the additional conditions are important. – Parole Officer

A parole board member thought conditions were helpful because they reduced risks for the individual, but they also reduce public safety risks. Finally on this topic, a parole board staff member summed up the helpfulness by saying, “If I didn’t think they were helpful, I probably wouldn’t bother recommending those.”

Risk Assessment

Interviewees were asked how they used risk assessments to inform their decision-making, specifically around setting release conditions. We also asked about their perceptions of the risk assessments, including if they found them to be helpful or not. Finally, interviewees were asked if they received training on risk assessments.

Use of Risk and Needs Assessment

The parole board uses the Statewide Collaborative Offender Risk Evaluation System (SCORES). According to the [Connecticut Parole Board Webpage](#), SCORES “is a series of risk assessment tools which can be used as standalone assessments or integrated into a continuum of assessments that assists in sharing information across settings.” Also, according to the website, as well as corroborated in some of the interviews, the SCORES Risk Assessment was modeled from the Ohio Risk Assessment System (ORAS) Risk Assessment. Under the SCORES there are also two sub-reentry assessments. It was explained in the interviews that SCORES is only used on the male inmates whereas the Women’s Risk Needs Assessment (WRNA) was used for female inmates.

The SCORES and WRNA were the primary assessments used, but the board and parole officers also have access to several supplemental and specialized risk assessments, such as, the Criminal Sentiments Scale (CTS) and the Treatment Programs Assessment Instrument (TPAI) (used to determine programming needs and what programming has been completed). They also used specialized assessments for individuals with substance abuse, mental health conditions, individuals convicted of sex offenses and domestic violence.

Interviewees, including the board members, parole staff and parole officers were asked how they used the risk assessment to inform their decision making. No one exclusively relied on risk assessments to make determinations on who to release, on how to set conditions or for case planning purposes. Rather interviewees reviewed the scores from the risk assessment as part of all the other information (i.e., criminal history, police reports, etc.) they had access to. When asked if they used risk assessments to help set conditions, one parole board member said,

I really don’t use it to set the conditions. I use it to determine suitability. If there’s a lot of aggravating factors or risk factors that go into releasing the individual, then to me he’s not a suitable candidate. The risk is too high...Our number one priority is to make sure that we release those individuals, again, that are suitable to be released out into the [community]... and without their causing any additional harm to society, so that’s our goal, so...I don’t use it to set conditions. I use it to determine suitability. – Parole Board Member

As this quote elucidates, parole board members primarily consulted the risk assessments to decide if someone was “suitable for release” but not so much to identify additional conditions for releases. Sometimes a parole board member would say risk does factor into setting additional conditions. However, the convicted offense as a measure of risk seemed to matter more than the actual risk assessment score. One parole board member illustrated this point, “they have assault 3s and threatening, and maybe there was strangulation involved in their offense, that would lead to behavior management for domestic violence in the community.” Given the individual’s conviction history, the parole board member would add domestic violence programming as an additional condition. From this example, we can see the conviction offense is what drives the programming. Similar, another parole board member said,

For example, if someone has several gun charges and he shot someone, injured someone, or he assaulted someone, and it's an assault—first or second or third—and he has had more than one of those charges, then there is a high likelihood of that person doing it unless during their incarceration they have taken certain programs, and if they express during the hearing maybe certain things were going on with them and they have corrected it by participating in the program. You ask a series of questions to see where the inmate is at and then that helps to determine whether the person is going to be out again. – Parole Board Member

These responses largely show that the conviction offense drives more of their decision than the actual risk assessments. One parole board member said that based on the convicted offense, they often knew what the additional conditions were going to be before the parole hearing even occurred.

Overall, parole board members used a variety of information to inform their decisions. A parole board staff member said,

I think that they're looking at so many factors, and I don't think there's any one risk score that would push an individual one way or another. I think they really... they're very comprehensive in how they look at cases and how they interview the individual. – Parole Board Staff Member

The risk assessments did help board members in other areas. For one it helped guide their focus.

The assessment tools that we have are important because they focus our attention. Then as you go through, it's like looking at aggravating or mitigating factors to get from the risk assessment to what has happened to lower this risk? Because that's what programming does, right? That's really desperately where I am. That's the important piece. Have you completed programming that reduces your risk in the community? – Parole Board Member

The parole board also generally used the risk assessments in combination with the Structure Decision-Making Framework to help guide their release decisions. This framework was decisional instrument and was described by a parole board staff member as the following:

It's grounded in the risk assessment tool. In the structured decision-making, the first piece of that is grounded in risk assessment, so the board looks at the risk, what is the individual's overall risk level and is that risk level identified through different assessments as well? It usually defaults to the one which yields the highest risk level and then looks at several different criminogenic domains, criminal and parole history, institutional adjustment, evidence of offender change, etc. – Parole Board Staff Member

Parole officers agreed that they did not use the risk assessments to establish conditions or what parole officers refer to as in their cases as stipulations. Risk assessments by parole officers were used to determine supervision levels. One parole officer said, "I don't think we use many of the assessments to make recommendations for stipulations. We use a lot of the assessments to supervise them on the levels mostly."

Further a different parole officer explained the policy for how risk assessment scores are used to place individuals on supervision levels,

If they score 0 to 14, they have to be on minimum supervision. If they're 15 or scored 15 to I forgot what number, it's medium supervision. Then if it's 22 or something to higher, it's maximum supervision. – Parole Officer

Some parole officers shared an example of how they used the risk assessment and the supervision levels in their case plans.

That assessment determines their frequency [of contact with the officer] and it's at the discretion [of the officer]. I had a woman come out and I felt like I didn't really know her. She was pretty closed off in the assessment. She scored out at a medium. I wanted to see her a little more, so I put her in that category where I would see her every two weeks. I wanted to get to know her because she had a pretty serious drug history and I felt like I needed to keep an eye on her. – Parole Officer

A different parole officer also shared,

They'll [parole officers] identify their top three criminogenic needs and then what programs they are referring them to, to address those criminogenic needs. Then based upon their raw number score, we'll assign them a level of supervision that is appropriate: high, moderate, or low risk. – Parole Officer

Parole officers were allowed to override supervision levels and consequently override the risk assessment score. One officer provided an example of when they might override a supervision level,

I guess the way he [the client] answers the questions in the SRT [SCORE Re-entry Instrument] and the way his history is, he always presents as a low. But everyone here knows he is like a weekly guy, so I do a professional override. Based on prior history, this offender will not be supervised at minimum level, will be supervised every 2 weeks at maximum. Do you know what I'm saying? But that's rare. – Parole Officer

Perception of Risk Assessment Tools or Process

There were some concerns voiced by a couple of parole officers that the risk assessment could be used to shift or manipulate supervision levels. One parole officer said, “of course, you're going to want to have a guy at medium or minimum, so you're going to make them come out that way. The numbers are skewed.” A different officer reported, “I think we should have a lot more mediums and maximums than what we do. I think that's done by design.” In this officer's explanation, “done by design” meant that some officers are manipulating scores so the individuals come out at a lower level (and hence require fewer supervision requirements and contacts). However, only a couple of parole officers interviewed felt this way.

There were split opinions on the usefulness of the risk assessment. Some parole officers liked the assessment and found it useful for case planning. These individuals reported no concerns with the assessment(s). Another group of interviewees liked the assessments overall but had some concerns with them (it was not always clear which tool was being specifically referenced in their responses). One parole officer said, “I think it's a great tool, but I don't think it works for every offender.” Another parole officers said,

I don't really find many concerns with the Static or the SOTIPS [instruments for individuals convicted of sex offenses]. The SCORES assessment, just I feel like sometimes the only thing it lacks on is like the substance abuse piece of it. I think it doesn't ask enough questions about substance abuse history. – Parole Officer

Another officer felt more questions to assess substance abuse as well as mental health were needed. They said, “I wish there were more [questions] about their mental health and I wish there was more about their substance use in that assessment.” Finally, one individual expressed confusion over the tool, saying “the wording for some of the questions is a little more confusing in reference to the guide we are supposed to use to ask the questions.” This individual also thought the scoring on the SCORES assessment was less “intuitive” than other risk assessments.

There were a handful of parole officers who did not use the risk assessments and never “looked at them” because they had major concerns with them, or they did not find them useful. A parole officer summarized that risk assessments for many parole officers were “not their favorite thing to do and it's like mandated.” One officer said, “We

do it because we are forced to do it and I never look at it again until a year later when I have to do the CST.” This individual shared that they do not use it because they have issues with how the risk assessment is scored and does not find it realistic. They provided an example for these concerns,

But when you have a gun guy who only has gun charges, he doesn't drink, he doesn't do drugs, and he has his people doing all his business for him—because he is up here and he has got all these guys—he is going to score an 8 and he is going to be a minimum, when really, he is out there shooting people or planning to shoot people. I personally have a huge problem with the SRT because I don't think it's realistic.
– Parole Officer

Another parole officer when asked if they used the risk assessments said, “Not really. I mean, the substance use aspect of our assessment is a joke.” They expanded on why they do not use it by saying, “you have someone who has one beer a week with dinner on Sunday with their family and they are a high risk for substance abuse.”

Yet, in some examples there seemed to be confusion on how risk assessments work. Officers appeared to not trust the scoring and outcomes because they did not understand the research behind assessments. For instance, one officer who felt risk assessments were a “waste of time” said “if you have somebody who is...a 30-year heroin addiction who is a low risk. It doesn't make sense at all.”

It was unclear how much training parole officers received on risk assessment (because they were often not asked). However, in the interviews with the parole board, they reported that board members received “a lot” of training on risk assessments. They were trained annually, and all board members had just completed the yearly training by Zoom at the time of the interviews. One parole board staff member described these trainings,

We went through a[n] extensive training on structured decision making and so that feeds into those two assessments. Every board member has had training on that. It's pretty much a science that everyone is given as a foundation. – Parole Officer

Handling Violations

A violation in Connecticut occurs when an individual on supervision does not follow their conditions (i.e., technical violation) or is alleged to have committed a new criminal offense. A revocation hearing is conducted to determine the outcome of the violation. The hearing examiner, who is a parole officer, conducts these hearings and makes a recommendation on the outcome of the violation. The parole board either accepts or modifies the recommendation.

A parole board member describes this process,

They are actually parole officers. They hear the parole violations, and they have an attorney that's present to help them if that's what they'd like. They hear the offense. They make a recommendation in terms of a sanction and any additional stipulations that may be required. Once they do that, it's the board's responsibility to review and adopt or change the hearing examiner's recommendations. – Parole Board Member

A parole board staff member described the process similarly but also added individuals on parole do not need to be present at these hearings.

The outcome of the hearing could be that the individual on parole is re-incarcerated for a period of time, for the remainder of their sentence, or for a period of time beyond the end of their sentence (one year beyond for technical violations or two years for a new offense). According to the interviews, this outcome of incarceration is called a sanction. Another option is that the individual could be reinstated back to parole.

If parole officers do not want to bring a formal violation forward, they can use a “time out” for the individual on parole who is not complying with their conditions. This program was referred to as TOP in the interviews. According to a parole board member, “TOP is an acronym for timeout, the timeout program... that's in one of the prisons and they [parole officers] can send them [clients] there for... I think it's a 30-day... yeah, a 30-day stay without our approval.” Further a parole officer explained this program as,

A timeout program is when you send people there for drug use or for behavior. It's a way in which we can put someone inside like for 60 days and it's like a timeout. 'Hey, listen, you're not getting it. We're going to put you here for you to think about your actions for 45 to 60 days.' Then, 'Oh, you get it now. We are going to release you.' It bears no negative impact on their supervision because it will never show as a violation. It'll show as a timeout. – Parole Officer

Both parole board members and parole officers were asked what types of violations they see most often with individuals on parole. The responses were chiefly new criminal charges or absconding. Some interviewees defined what absconding could mean. Interviewees said it could include “leaving the halfway house,” not providing an updated address, “going to another state” or the PO “couldn't find them in the field or their whereabouts are unknown.”

Interviewees were asked when revocations were appropriate. Most agreed that when there were new criminal offenses or when the individual was “convicted of a similar crime [or] the same crime.” One interviewee also identified an arrest for a felony offense as an appropriate reason to revoke supervision. In the parole officer interviews there was belief among many that even a new arrest or conviction would not result in revocation. One officer said, “we have guys that break laws repeatedly and don't go back to jail until like the 10th, 12th, or 14th time they get arrested for something, if it's a low-level crime.”

Another officer said it had to be a serious criminal offense in order to be revoked. One parole officer said,

Even if he is a criminal, he has got to be a real criminal. This guy engages maybe in a high-speed pursuit, has no driver's license, misuse of plates, no registration, no insurance. That guy is not going back to jail. That guy is staying with us. – Parole Officer

Revocation was also identified as appropriate if the violation was serious enough that it endangered public safety. Seriousness of the violation was also considered by some when the individual on parole was blatantly not following the conditions. A parole board staff member said, "I mean, it's just hard because they just don't comply with the rules." Another staff member said when they are not following conditions, "then they have to go back to prison." For a small number of interviewees, it was challenging to say when revocation was appropriate because for them it was different for each individual on parole. A parole staff expanded upon this point,

I think, again, it's a case-by-case depending on what the situation is. But we see a lot of inmates that are out there that relapse. There are programs in the community, the inpatient programs that we used to use... but they go in and then they relapse again. – Parole Board Staff Member

Thus, this interviewee believed that revocation may be warranted because they tried community resources and yet the individual continued to relapse.

Another parole board staff member said,

My philosophy is revocation is appropriate when that person can no longer be managed in the community...the person can't be managed and is a threat to the community, let me add that as well, so can't be managed and has become a threat of committing a [crime]...and again, all indication is that the risk level has increased. – Parole Board Staff Member

In part, these quotes suggest that revocation may be appropriate when community services have not worked. Others explicitly stated in the interviews that revocation is suitable "when the field officer has exhausted all avenues," which meant parole officers had employed all available community resources. From the interviews, using community alternatives was the primary course of action to address technical violations. As described above, parole officers give stipulations for violations of a technical nature. Hence, most of the interviewees agreed that seeking a violation for technical violations was rare. One parole officer said, "now, a technical violation is like a unicorn with a rainbow tail." Technical violations happen but parole officers commonly do not seek a formal violation or revocation for many of them.

However, some interviewees said that certain types of technical violations warranted a violation. These included when an individual contacted a victim or when the individual on parole was explicitly told not to have contact with someone and they made contact. This relates to the previous point on the seriousness of the violation; for some interviewees even though these are considered technical violations, they felt they were serious enough violations, that warranted a revocation. Violations of GPS monitoring was another technical violation that a few individuals believed was appropriate for revocation.

Violations for technical violations were considered infrequent largely because there was an expectation by the parole board and parole supervisors that parole officers try all interventions in the community before filing a revocation. One parole officer said they bring technical violations forward for revocations when, "we've exhausted all the other options and that's what they [the parole board] want to see us do." Consequently, a couple of interviewees said that revocation "is kind of a last resort type of thing."

According to the interviews, technical violations had not always been handled this way. Interviewees reported that a couple of years ago it was not uncommon for revocations to be sought for technical violations. There were life events (i.e., COVID-19) as well as policy changes that influenced how revocations for technical violations were handled. According to some, before the pandemic there were more revocations for technical violations, with some saying it was an even split between revocations for technical violations and new crimes. But since COVID the number of technical violations as well as the number of technical violations being brought to the parole had dropped. One parole board staff said parole officers decreased face-to-face reporting and stopped doing home visits during the pandemic which resulted in fewer technical violations. However, not everyone agreed this change was COVID-related. Another parole board staff member said,

I think some people attribute it to the pandemic and not being so hands-on with the offender, but I just think that in general the field officers realize giving the offender a rightful chance to make things right. I do think that in general the consensus in the field is that they're going to work with people until it reaches the point where it's either a risk to them, public safety, or just has gone too far where now it's time to intervene and violate that person. – Parole Board Staff Member

Yet another reason for this change was attributed to “revamping” of the violations process. One parole board member explained this revamp,

Before this process, the revamping happened, we would see people who were coming back for using drugs, they had a dirty urine, or they didn't report to their parole officer like they were supposed to, or they absconded. They couldn't find them in the field or their whereabouts are unknown. We would see those type of things. – Parole Board Member

However, now the parole board members wanted and supported parole officers working with the client in the community and providing interventions in the community rather bringing them forward to the board for a sanction. A parole board staff member said,

I think there was more technical violations than there are now. I think the field has gotten the picture or become more current with the process of working with the offender. – Parole Board Staff Member

They went on to say how parole officers provide services in the community,

It's more like the interventions are being done more frequently in the field. After somebody's first dirty urine, they may go to outpatient. Second, maybe it's outpatient plus some type of counseling. Third, now it's inpatient, so we see them working with those technical violators more abundantly than they were in the past. – Parole Board Staff Member

A parole board member said,

The field has gotten better at applying... they can apply their own sanction without bringing it back to the board, so for instance, they can put them on electronic monitoring, or they can send them to additional programming. – Parole Board Member

Another parole board member encouraged parole officers to work with clients,

We want them to work with the offenders because they have a more intimate knowledge of these folks, having been to their homes, in theory, to do home visits, and checking in weekly, or whatever, the schedule of checking in. I am in favor of supervision, working with these folks in some way, some graduated sanctions and stuff. The truth is that is what we tell offenders when we have them in a parole hearing. We tell them, 'Your parole officer is there to help you. We want you to be successful,' and that's what we mean. – Parole Board Member

For the parole board they viewed this as benefit to resolve technical violations with programming and interventions in the community. But for some parole officers, frustration was expressed with not being able to bring technical violations to the board and for the board's unwillingness to revoke for technical violations. A parole officer said,

They very much wanted us not to technically violate. We would just basically wait for these guys to get arrested because they did not want us to violate on cutting off a bracelet, staying out late, using drugs. – Parole Officer

One parole officer said they do not bring curfew violations to the board because they do not feel that it would hold "any weight" with the board. This individual shared,

Have I ever violated anybody on just pure curfew? No. Because it's not going to hold weight at the board. I don't ever misconduct anybody for anything that I don't think is going to hold any weight at the board. – Parole Officer

For this officer, they considered how the board would react before deciding if they would bring a violation to the board. Many of the parole officers interviewed believed that it was hard to bring a violation forward to the board and could not be done simply because the individual on supervision had one violation. A parole officer described,

The reality is in Connecticut is you need a lot more than that. But that's what we do. You can't just violate and based on the first time they don't show up. – Parole Officer

So, officers were working with individuals over and over again, but some believed at some point violations were needed for technical violations. One parole officer said,

We don't barely do technical violations—I'm being honest—nowadays. It's another reason why a lot of parole officers are not really [happy]... because, like I said, I know we get paid a lot of money to work with them, but then sometimes there is enough is enough. – Parole Officer

Some parole officers also reported it was difficult because of the level needed to support the violation. One officer said, "we have to prove that we're sending them back in for a good reason." This individual went on to say that they had to have probable cause that individual committed a violation, that they violated several conditions or was a seriousness enough violation to warrant a sanction. Some parole officers thought the parole board's threshold of evidence for proving a violation was too high. An officer illuminated this point,

Nowadays the Board of Parole is acting like it's beyond a reasonable doubt, but this is not. A lot of times I go back and forth with when I go to these parole hearings and normally, I say to the attorney, 'Listen, I'm not trying to prove that this is beyond a reasonable doubt. This is his parole condition and he got arrested.' – Parole Officer

There were some inconsistencies among the parole board staff and parole officers on the level of evidence needed for violations. One parole staff member felt the burden of proof was low but went on to outline what they are looking for in violations,

The burden of proof is very low for these type of hearings, so we're looking through the evidence to see, "Can we establish that probable cause?" If we do, then we also have to determine if that violation is serious enough to warrant further incarceration, so we're looking at, "What happened? Was it violent?" Things like this, "Is there a history?" If we do determine it is serious, then we move that case to the next process, which is the revocation hearing, and a lot of times for those hearings we'll have dispositions from court.

– Parole Board Staff Member

This same interviewee also discussed the importance of documentation by the parole officer and their client. This documentation was needed to support probable cause. When things were not documented it was considered a process failure as explained below,

The officer didn't include a signed copy of the conditions. The officer didn't serve that person notice within the three business days. The officer forgot to include a piece of evidence that we would need to support that probable cause. It would basically be because of a process failure. – Parole Board Staff Member

Part of the frustration among parole officers may be because before they could bring a violation to the board, they had to get approval from their supervisor. One officer said,

It [a violation] all has to be approved by your supervisor. You go to your supervisor and the supervisor is like, "Well, that's not enough. Keep working with him." Then you do it. But that's a technical violation. You would use those to accompany other things and together it would make a good violation. – Parole Officer

So, by the time officers bring a violation to the parole board, officers feel that they have tried or utilized all community resources. This led some parole officers to fret that some individuals on parole did not take compliance with supervision conditions seriously because the clients knew they would not be violated. A parole officer said,

I believe sometimes the offenders begin to understand that...the majority of them know that they're not going to go back for little things. I think it actually hurts them in the long run because they are not worried about it. – Parole Officer

They went on to say, "I think the pendulum has swung so far that we're not really able to hold them accountable when they're doing things that are safety issues for themselves or the community." This concern was echoed by a couple of other parole officers as well as at least one parole board member.

As mentioned previously, documentation was important to proving the violation. Documentation also served as another challenge that made violations difficult to revoke, as reported by parole officers. For example, several parole officers agreed that they could order additional programming under the condition they called the "release direction condition" (see appendix A for the exact language). Yet, when it came to violating individuals for not going to programming, it was difficult if there was not proper documentation. One officer clarified this point,

The release direction is all on my word. It's my word, my case notes, and myself testifying saying I did this. That's not good enough, even though it's hearsay and it's permissible as evidence. Unlike the court who would take a probation officer's sworn testimony and their case notes as evidence that this occurred, the Board of Parole does not accept that, which is interesting and frustrating to a lot of officers. – Parole Officer

A different parole officer said even with documentation it was difficult for the board to agree to revoke individuals. They shared,

This is going back to the frustration of not being able to do your job. Because I will have a beautiful case for a technical violation. "I have given you plenty of progressive disciplines. I wrote you many misconducts. I get documentation from a program. Over and over again, you've refused to go. You refused to attend. You left early." You know what I mean? "You're not keeping a GPS curfew." Because they are not doing just one behavior. They're doing a couple. – Parole Officer

But this officer thought with this case that the board would not support a revocation and would encourage them to continue working with the client. For a few officers they were frustrated when they tried everything in the community and did not think there was anything more they could do. In these instances, officers believe incarceration was needed. One parole officer expressed their frustration,

I don't think incarceration is the key. I don't think it's going to change people. However, I think there should be more treatment inside so when guys come out, they are maybe...more prepared. I don't think the answer is always just let everybody out because that's where the treatment is. – Parole Officer

This officer continued further by saying, "at that point, I think revocation is necessary because you've had the chances and you've had the opportunities to do it, and you've victimized more people, and you've put people in society at risk."

A final point of frustration for some parole officers was that they needed a warrant in place before they could incarcerate someone even for violations that they felt could pose public safety risks. Before placing individuals in jail, a warrant had to be in place. An officer shared an example of this point for an individual on parole who was wanted in connection to a shooting. The officer said,

Well, we can't do anything until their warrant comes out. But what about statutory release criteria and the PV [parole violation]? He is exhibiting kind of risky behavior on the community. They don't have the warrant yet. They're working on it, but we have all this information that he shot someone. – Parole Officer

There were some differences in expectations voiced by the parole board members interviewed compared to parole officers interviewed around supervision and how violations should be handled. Several parole officers thought parole board members were "too liberal in what they considered to be imminent threat and POs are more strict." There was a common viewpoint among officers that the members of the parole board let people out, that the parole officer did not agree should be out. Parole officers also tended to believe that the parole board was slow to revoke when individuals on parole violated conditions. One parole officer when asked if expectations were different between parole board members and parole officers said,

I think that the parole board wants to keep everybody out of jail, and they are just too terrified to deal with the public and all opinions, and all that stuff, as opposed to us who work on the outside want to actually hold people accountable. – Parole Officer

This officer went on to say,

It's almost like we're fighting with the board because they just want to release everyone and no one can get violated, but then they come out on parole and they do things they're not supposed to do, and we have to deal with it. – Parole Officer

For parole officers, this tension in parole release and when to revoke, between the parole board and parole officers was more common in the responses than it was not. Yet, one parole board staff member agreed there were differences between the two entities but felt that was to be expected. They said, "we're two different agencies and we're directed by two different administrators. Right there, there's that room for variation in terms of the expectations."

The parole board interviews showed a greater belief that they were on “the same page” with the DOC and parole officers. This phrase “on the same page” was used a couple of times by difference parole board interviewees. Yet, while this same page was acknowledged, some members mentioned there may at times be differences in view-points with the nature of the work.

I think we do work hand in hand, and we do interact with the field at times to ensure that we're on the same page, so certainly we're familiar with each other, and we do make compromises, but I'm sure there is a difference of opinion when it comes to supervision in the community. – Parole Board Member

This individual noted differences in supervision and other parole board members interviewed agreed. For example, a parole board member believed that there were not many differences between the parole board and parole officers except when it came to supervision. They said,

There's not a big difference, but I am not sure that... because we're not the ones out there in the field enforcing it, I think there's a slight difference there as to what we expect, based on our decisions and looking at the file versus the actual supervision out there and how their sanctions are handed down. – Parole Board Member

So, while parole board members' initial responses were that there was no difference, differences were noted as they expanded on their responses. The differences were similar to those identified by parole officers, relating to supervision. For parole officers, there seemed to be ideologies that the parole board was more “liberal” in their decision making, including who gets released and not being quick to violate individuals. Whereas the parole officers were seen as “stricter” - wanting more violations and for them to happen sooner.

Successful Completion

Interviewees were asked what individuals on parole needed in order to be successful. The responses were primarily around three categories – tangible resources; family and community support; and individual mindset.

With tangible resources, interviewees frequently reported that individuals on supervision needed housing, education, and employment. They needed employment to make a living, but one parole officer also felt employment was important because it decreased idle time. This officer believed that if individuals on supervision were not working or attending school, it increased risks for violations.

If they are not involved in any of that type of stuff, a lot of my guys have idle time and they end up using drugs, selling drugs, or getting into trouble. However, my guys who get good jobs... [are more successful].
– Parole Officer

With employment, one parole board member also said they need to have job skills and access to vocational training. In regard to housing, it was having options but also having housing that was stable and affordable. A couple of interviewees mentioned individuals on supervision needed access to substance abuse programming, including having a sponsor from Alcoholics Anonymous (AA) or Narcotics Anonymous (NA). Finally, related to tangible resources, a couple of parole officers said individuals on parole needed money and money management training. One parole officer said that having the money would help them to be able to get an identification card which was identified as an important tangible need for this parole officer. For many interviewees, having these direct resources would help individuals be successful on supervision.

Across the interviews, community and family support was also repeatedly mentioned as a need in order to be successful on parole. One parole board member said, “family, relationship, stable, social, connections, I think, are also valuable.” Another parole board member said, “I think they need family support. I think that's part of it. They need community support, they need to have options, and they need employment.” For this interviewee and others, the community support was about having resources available in the community. Another parole officer said, “I think they need support and community agencies that can support them.” For many, community support was also about having community members who were supportive of individuals on supervision.

I would say community support. That would be my #1... Knowing that you have someone out in the community that believes in you, and that will help you, when you fall down, get back up and get back on track, and kind of keep you motivated. I think that that is a key component of success. – Parole Officer

As the quote above said community support can keep the individual motivated. This leads to the third category of need that was considered important for success by the interview participants—the mindset of the individual on supervision. Motivation to change was identified as an important need.

They need just the desire to do it [change]. That's not really something we can give them. If they just don't have that desire to change, it's tough. I think that they need that personal motivation and that's something that's hard to provide to somebody. We can kind of give them the tools, but at the end of the day it's really up to them. I'd say that's the most important thing. – Parole Officer

A parole board staff member said that the individual on supervision had to have the mindset and maturity to change. They expanded by saying, “are they at a point in their life where they want to do something different, and

change and achieve their potential, and have life goals that they want to work on?" Related to this point, a parole officer said, "I can tell someone a thousand times, don't do drugs. Don't do drugs. Don't do drugs.' Until they don't want to do drugs, nothing matters."

Aside from tangible resources, family and community support, and a mindset to change, a couple of other needs were identified. Having a plan was mentioned by a couple of interviewees. The two different plans mentioned were having a release plan that would help individuals navigate their reentry. One parole board staff member said part of this plan was to "accurately identify needs." The second plan mentioned was a relapse prevention plan.

Finally, a couple of interviewees noted that the type of parole officer mattered, with some focusing on having someone who could be both stern and fair.

I think a large part of it is having a qualified officer who can play the law enforcement role and the social worker role, can be stern, and I don't want to say yell, but... [one that is firm but fair]. - Parole Officer

Others, including parole board staff members focused on the importance of parole officers to having "good relationships with them" [individuals on supervision].

Interviewees identified barriers to success as well. The most common response mentioned in several of the interviews was that many individuals on supervision return back to the communities where they came from or where they originally got into trouble. This was a recurring comment in the parole board staff interviews and for the parole officers. One parole officer said, "I think when a guy goes back into a community where he was arrested and he has connections to that community in a negative manner, I think those are the barriers."

I think the biggest [barrier] is just going back to where they came from. They have really great programs inside the facility and the inmates have very good intentions. A lot of them have really solid plans of what they are going to do when they're released, but unfortunately, they just go back to the same neighborhood that they were in before and just fall right back into the same way of life that they were living in. It's sad. It's unfortunate because they want better, but they just don't have the opportunity.
- Parole Board Staff Member

One interview said the city of Hartford was experiencing a lot of violence and many of the individuals were being returned to communities there. Related to returning to one's same environment, one officer said a barrier was when individuals returned to relationships who were part of the reason why the individual got into trouble in the first place or families who experienced intergenerational violence.

Related to the tangible resources that were identified as a need for success, the lack of these same things was identified as barriers to success. Not being able to find employment was mentioned repeatedly. Related to this was that stigma of being incarcerated that made obtaining employment and other resources more difficult.

One of the barriers is those who have been out of the community so long, being reintegrated. One, with the stigma over their head, and many times they're not able to find employment due to the fact that they do have a stain on their record. Basically, the reintegration is the biggest thing because it's not easy for someone that's been removed from the community for twenty years or so to just go back and just resume everything. - Parole Board Member

Another parole officer explained how the stigma of being incarcerated was a barrier.

Neither one of us know[s] what it's like to have a six-digit number after your name and how significantly that impacts not only your ability to be able to access resources, but how that significantly impacts your psyche. Forget mental health, your self-worth, and your value. - Parole Officer

The lack of housing both in terms of availability, affordability, and stable housing was also a barrier to success for individuals on supervision. One parole board staff member said, "Housing is a huge barrier, staying in stable, supportive housing. We've had some issues with the availability of programs." Another parole officer said, "no stable housing, no stable support, you're basically putting them right back in jail." Lack of substance abuse and mental health treatment was also seen as a barrier.

One parole board member said, "it could be a variety of things" that created or were barriers to success for individuals on parole. As such, in the interviews, a variety of barriers were identified once or twice. They included:

- Community philosophies that advocated for tougher criminal justice policies. As one parole board staff member said,

Connecticut's always been tough on crime, so some people just don't think that offenders should receive second and third and fourth and fifth chances... We all make mistakes, and some of us are fortunate enough to get away with some things and some of us are not, and to treat them as if they are less than, I think that that is definitely a barrier. Who wants to be treated that way?
– Parole Board Staff Member

- Individual's lack of trust in the system. This parole officer said,

Lack of trust in the system. People believing they are going to go back to jail for things that they are not going to go back to jail for. Lack of trust in the supervising officer on the offender's part. They don't think that that officer has their best interests in mind. – Parole Officer

- Relationships. A parole board member said,

Relationships for a lot of the young men and young women play a big role. They have relationships and they don't work out, and they don't handle them too well, so it gets them into trouble. Having some knowledge of what good relationships are like, I think, are also important. A lot of the domestic and the behavior management, the anger management and domestic violence, I think they sort of relate back to interpersonal relationships where they are lacking. – Parole Board Member

- Lastly, transportation and having to pay fees was mentioned as a barrier by a couple of parole officers.

The most common way that the interviewees said they would know if supervision was successful was by measures of recidivism. Common responses were things like, "you look at the percentage of people that have been let out and what the percentage of recidivism is for people that reoffend again."

I think that if we bring down the recidivism it shows that, 'Okay, parole and community services is working.' If we don't see the offender back in, and they're out in the community, they're working, they're going to school, they're doing all the positive things and they're not coming back to the institution, I would say that parole is working, that form of supervision is working for them. When we see minimal to no violations on the offender, I think at some point the offender starts to get it. – Parole Board Staff Member

As this quote illustrates, recidivism was often discussed by going back to prisons as well as through violations. But the quote also demonstrates that other aspects are important to measuring success, such as, if the individual is employed. Some interviewees said that having stable housing and employment would also be measures of success.

A couple of interviewees offer more comprehensive measures of success, as indicated in this quote from a parole board member.

How did they do? Did they get the support they needed? Do they need to engage in criminal behavior again? Or have they moved a little bit down the road, right? Because, obviously, some people aren't going to get it right away. Some people haven't suffered enough to get it right away. Our job is public safety and the public is safe, but it's also making sure that the offenders have the support they need to turn it around to stop doing what they need to do. – Parole Board Member

For one parole officer, measures of success looked different based on each individual on supervision. For them it was about “meeting clients where there are.”

I probably would measure it a little differently than the rest of parole would measure it. Like I said, always, my #1 factor, is meeting the offender where they are. Another parole officer might be like, ‘Oh, she is messing up. She is this. She is that.’ I might be like, wow, she is working. She seems like she is happy. She is telling me that this is the best she has done in a long time, and she has changed talk going on. She is working towards her goals, and she feels like she can make some of those goals, not all of them, but some of them. To me that's very successful. – Parole Officer

Regardless of how interviewees felt success should be measured, one common refrain was that they often did not hear or get feedback on measures of success. According to many of the parole board member and staff interviews, the only time they knew how an individual did was when they happened to see that the individual was re-incarcerated. The feeling among many members and staff was that they do not get aggregate reports on how individuals are doing—whether they are successful or not. One parole board member said,

We have not received any real substantive feedback in terms of whether or not what we're doing is effective. We don't know who's coming back and when because, again, we don't see everyone. – Parole Board Member

The only time the board hears success stories is when individuals on supervision tell them. One parole board member voiced,

We have several folks who have presented certain plans to us about what they are going to do when they get out. They actually go up and they do it. Then we hear from them where they tell us, ‘I told you I was going to do this and look where am at.’ But we don't get a lot of that because we don't get the opportunity as the board to follow up on it. Unless the offender is coming back to us and telling us what they're doing, we don't really see it. – Parole Board Member

Overall, there was a sentiment that the parole board members and staff would like more reports and presentations on how individuals are doing on supervision, including recidivism rates but also rates of success and success stories.

Conclusions

The purpose of this report was to explore the condition-setting process among the Connecticut Parole Board. Specifically, we explored through the interviews how conditions were set, what the purpose of conditions were, what type of conditions were frequently violated, and how condition violations were handled. We also explored among the interviewees what the goals of parole were. Most of the interviewees stated that the purpose was reintegration. From this perspective, parole was to help individuals transition from prison to the community. This assistance would decrease individuals' risk for recidivism and increase public safety. Thus, many interviewees held that the purpose of parole conditions were to aid in this reintegration process. Conditions were in place to link individuals to employment, treatment, as well as provide surveillance to ensure compliance with all other conditions.

All individuals placed on parole were given six standard conditions. These could not be modified and thus, applied to all individuals on supervision. Parole board members also had the authority to add additional conditions depending on the needs of the individual on supervision. A key part of the interviews was to explore how board members used risk assessment to determine additional conditions. Below is summary of the key findings.

1

Parole Board members consider but do not solely rely on risk assessment information when determining if they would add additional conditions for individuals granted release. Parole board members may look at the individual's risk assessment, but it does not drive their decision-making for setting additional conditions. The interviewees also noted it is just one of many pieces of information that are reviewed in this process. They also looked at police reports, criminal records, institutional records, the current offense, and much more. What board members considered important for deciding if additional conditions were needed and what those conditions would be, varied among the board members. For some criminal history was important, for others the current criminal offense or substance use, whereas for others it was the "totality of the individual's file." What mattered for setting additional conditions also may not have been the same across individuals; some officers said that what might matter for one individual may not matter for the next. This individuality is a chief benefit of risk assessments, yet they still were not utilized to a high degree by the parole board to set additional conditions. Some board members used the risk assessment in combination with the Structured Decision-Making Framework to determine "suitability for release."

2

A catchall condition requiring individuals to follow the directives of the parole officer, including programming requirements, can result in the total number of conditions being expanded without Parole Board approval or knowledge. In the standard conditions, there was a condition that interviewees regularly referred to as the "release condition." Under this condition was broad language about following the directives of the parole officer, including any programming requirements. Parole officers did not routinely use the risk assessments to set additional programming or stipulations. Parole officers liked this condition because it gave them latitude to stipulate additional orders as well as allowed officers the ability to order treatment and other such programming,

for which individuals could be held accountable and revoked. As a result, this catchall position permits additional requirements to be added without the specific approval or knowledge of the Parole Board.

3

Modifying conditions could only be completed by the parole board and this process was comprehensive and time-consuming. While the “catch all” condition helped parole officers to have some discretion, if parole officers wanted to formally add a specific condition, this needed the approval of the parole board. This process starts with the parole officers bringing it to their supervisor, the supervisor approving the request, and then the formal request goes to the board. There were concerns by some parole officers that the process took too long and, in some cases, they never heard back from the board if the request was granted.

4

Parole board members did not get feedback on how people on supervision were doing. Thus, they did not know if the conditions they were giving were effective for helping individuals on supervision. The only time parole boards members saw how individuals they released were doing was when they violated and were up for revocation. Board members rarely heard about the individuals who did not violate or recidivate. Recidivism is one measure of success, but some board members wanted a more comprehensive definition of success. Consequently, they wanted information on how individuals did beyond a measure of recidivism.

Appendix A

Connecticut Parole Conditions

STANDARD CONDITIONS

1. **RELEASE DIRECTIONS.** Upon release, I will report to my assigned Parole Officer as directed and follow the Parole Officer's instructions. I will be assigned to one of several levels of community supervision and agree to participate in programs as determined by my Parole Officer. I will live in a residence approved by my Parole Officer and will seek, obtain and maintain employment throughout my parole term, or perform community service.
2. **OBEDIENCE TO LAWS.** I will obey all laws and, to the best of my ability, fulfill all of my legal obligations, including payment of all applicable child support and alimony orders. I will notify my Parole Officer within 48 hours of my arrest for any offense. I will not use, or have in my possession or control, any illegal drug, narcotic or drug paraphernalia; firearms, ammunition or any other weapon.
3. **TRAVEL.** I will not leave the State of Connecticut without the prior written permission of my Parole Officer. I agree to abide by my signed conditions waiver of extradition as set out in my parole application.
4. **GANG AFFILIATION.** I will not associate or affiliate with any street gang, criminal organization or with any individual members thereof.
5. **SEARCH.** I will submit to a search of my person, possessions, vehicle, residence, business or other area under my control at any time, announced or unannounced, with or without cause, by parole or its agent to verify my compliance with the conditions of my parole.
6. **STATUTORY RELEASE CRITERIA.** My release on parole is based upon the premise that there is a reasonable probability that I will live and remain at liberty without violating the law and that my release is not incompatible with the welfare of society. In the event that I engage in conduct in the future which renders this premise no longer valid, then my parole will be revoked or modified accordingly.
7. **ADDITIONAL CONDITIONS.** I must also abide by the following individual conditions:

ADDITIONAL CONDITIONS

Alcoholic Beverage Consumption
Behavioral Management Program
Mental Health Evaluation
Mental Health Treatment
Halfway House Placement
Ins Detainer
Medical Parole
MOA
Operation Of A Motor Vehicle
Other Additional Condition(s)
Paroled To Another State Or Jurisdiction
Paroled To Your Detainer
Payment Of Your Fine
Problem Sexual Behavior
Residential Program
Residential Program Inpatient
Strict No Drive
Contact Co Defendant
Contingent Completion Program

Contact With Victims
Contingent Participation Program
Electronic Monitoring
First Sign
General Contact
GPS

Alcoholic Beverage Consumption

THROUGHOUT YOUR PERIOD ON PAROLE, YOU ARE PROHIBITED FROM THE CONSUMPTION OF ALCOHOLIC BEVERAGES. YOU WILL BE REQUIRED TO SUBMIT TO RANDOM TOXICOLOGY SCREENING TO MONITOR COMPLIANCE.

Behavioral Management Program

YOU WILL PARTICIPATE IN A BEHAVIORAL MANAGEMENT PROGRAM FOR _____. YOU MUST FOLLOW THE INSTRUCTIONS OF PROGRAM STAFF AS TO YOUR COURSE OF TREATMENT AND MAY NOT MAKE ANY CHANGES WITHOUT THE EXPRESS PERMISSION OF THE PROGRAM STAFF OR YOUR PAROLE OFFICER.

Contact Co Defendant

THROUGHOUT YOUR PERIOD ON PAROLE, YOU ARE TO HAVE NO CONTACT WITH _____, THE CODEFENDANT(S) OF YOUR OFFENSE.

Contact With Victims

THROUGHOUT YOUR PERIOD OF PAROLE, YOU ARE TO HAVE NO CONTACT WITH _____, THE VICTIM(S) OF YOUR OFFENSE.

Contingent Completion Program

YOUR PAROLE IS CONTINGENT UPON YOUR SUCCESSFUL COMPLETION OF THE _____ PROGRAM.

Contingent Participation Program

YOUR PAROLE IS CONTINGENT UPON YOUR CONTINUED SUCCESSFUL PARTICIPATION IN THE _____ PROGRAM.

Electronic Monitoring

YOU WILL PARTICIPATE IN ELECTRONIC MONITORING.

First Sign

YOU SHALL BE SUBJECT TO A HIGHER LEVEL OF SUPERVISION OR OTHER APPROPRIATE INTERVENTION, UP TO AND INCLUDING INCARCERATION, AT THE FIRST SIGN OF ALCOHOL USE, ILLEGAL DRUG USE, OR CONTACT WITH _____ (VICTIM, CO-DEFENDANT, OTHER SPECIFIC PERSON).

General Contact

THROUGHOUT YOUR PERIOD ON PAROLE, YOU ARE TO HAVE NO CONTACT WITH _____.

GPS

YOU WILL PARTICIPATE IN THE G. P. S. (GLOBAL POSITIONING SATELLITE) PROGRAM, THE LENGTH OF TIME TO BE DETERMINED BY YOUR PAROLE OFFICER.

Halfway House Placement

IN THE EVENT I AM PLACED IN A HALFWAY HOUSE, I AGREE TO GO DIRECTLY TO AND RESIDE IN THE FACILITY DESIGNATED BY THE PAROLE AND COMMUNITY SERVICES DIVISION UNTIL RELEASED BY THE PAROLE AND COMMUNITY SERVICES DIVISION. I WILL ABIDE BY THE WRITTEN RULES OF THE FACILITY. I WILL NOT LEAVE THE PHYSICAL CONFINES OF THE FACILITY OR THE PROPERTY THEREOF, EXCEPT FOR TRAVELING TO AND FROM WORK, OR AS AUTHORIZED BY FACILITY OR PAROLE AND COMMUNITY SERVICES DIVISION RULES. DURING MY STAY, I WILL PAY FEES TO THE FACILITY AS REQUIRED. I WILL NOT OPERATE ANY MOTOR VEHICLE THAT I HAVE USE OF WITHOUT PERMISSION FROM THE FACILITY OR THE PAROLE AND COMMUNITY SERVICES DIVISION. I UNDERSTAND THAT I AM NOT ALLOWED TO CONSUME OR POSSESS ALCOHOL IN THE FACILITY. THIS CONDITION EXPIRES SIX MONTHS AFTER PLACEMENT IN A HALFWAY HOUSE.

Ins Detainer

YOU ARE PAROLED TO YOUR IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) DETAINER. IF SUBSEQUENT TO BEING RELEASED TO ICE YOU DO NOT FULLY COOPERATE WITH ALL EFFORTS TO EFFECTUATE YOUR DEPORTATION YOU WILL BE RETURNED TO THE CUSTODY OF THE STATE TO FINISH YOUR SENTENCE. IF YOU ARE DEPORTED FROM THE UNITED STATES YOU ARE NOT TO RETURN. IN THE EVENT THAT THIS DETAINER IS NOT EFFECTED OR IF YOU ARE RELEASED FROM ICE AUTHORITIES PRIOR TO THE EXPIRATION OF YOUR CONNECTICUT TERM, THEN YOU MAY BE RELEASED TO A FULL PAROLE PROGRAM IN THE STATE OF CONNECTICUT.

Medical Parole

YOU HAVE BEEN GRANTED A MEDICAL PAROLE IN ACCORDANCE WITH SECTION 54-131A - 54-131G INCLUSIVE. YOU SHALL NOT BE RELEASED TO MEDICAL PAROLE UNTIL AN ACCEPTABLE PLAN IS DEVELOPED BY YOUR ASSIGNED PAROLE OFFICER AND THE MEDICAL SERVICES DIVISION OF THE DEPARTMENT OF CORRECTION. YOU MAY BE REQUIRED TO UNDERGO PERIODIC DIAGNOSIS TO ENSURE THAT YOUR MEDICAL CONDITION REMAINS CONSISTENT WITH THE MEDICAL PAROLE CRITERIA. IF, AFTER SUCH DIAGNOSIS, YOU NO LONGER MEET THE CRITERIA FOR MEDICAL PAROLE, YOU MAY BE RETURNED TO CUSTODY OF THE DEPARTMENT OF CORRECTION.

Mental Health Evaluation

YOU WILL PARTICIPATE IN A MENTAL HEALTH EVALUATION AND TREATMENT AS DEEMED NECESSARY.

Mental Health Treatment

YOU WILL PARTICIPATE IN A MENTAL HEALTH TREATMENT PROGRAM FOR _____, INCLUDING MONITORING FOR MEDICATION COMPLIANCE OR WITH DMHAS SUPPORT.

MOA

YOUR PAROLE IS CONTINGENT UPON THE GRANTING OF TRANSITIONAL SUPERVISION PER MEMORANDUM OF AGREEMENT NUMBER 2007GC-87.

Operation Of A Motor Vehicle

YOU ARE PROHIBITED FROM THE OPERATION OF A MOTOR VEHICLE WITHOUT THE EXPRESS PERMISSION OF YOUR PAROLE OFFICER.

Other Additional Condition(s)

OTHER ADDITIONAL CONDITION SET BY THE BOARD. PUT DESCRIPTION OF OTHER ADDITIONAL CONDITIONS HERE.

Paroled To Another State Or Jurisdiction

YOU ARE PAROLED TO A PAROLE PROGRAM IN THE STATE OF _____, UNDER THE TERMS OF THE INTERSTATE COMPACT FOR ADULT OFFENDER SUPERVISION. IF NOT ACCEPTED FOR SUPERVISION BY _____ AUTHORITIES, THEN YOU MAY BE RELEASED TO A FULL PAROLE PROGRAM IN THE STATE OF CONNECTICUT.

Paroled To Your Detainer

YOU ARE PAROLED TO YOUR _____ DETAINER (____-YEAR CONCURRENT/CONSECUTIVE SENTENCE, VOP WARRANT). IN THE EVENT THAT THIS DETAINER IS NOT EFFECTED OR YOU ARE RELEASED FROM THIS DETAINER PRIOR TO THE EXPIRATION OF YOUR CONNECTICUT SENTENCE, THEN YOU WILL BE RELEASED TO A FULL PAROLE PROGRAM IN THE STATE OF CONNECTICUT.

Payment Of Your Fine

YOUR PAROLE IS CONTINGENT UPON YOUR PAYMENT OF A \$_____ FINE.

Problem Sexual Behavior

YOU WILL PARTICIPATE IN A BEHAVIORAL MANAGEMENT PROGRAM FOR PROBLEM SEXUAL BEHAVIOR. YOU MUST FOLLOW THE INSTRUCTIONS OF PROGRAM STAFF AS TO YOUR COURSE OF TREATMENT AND MAY NOT MAKE ANY CHANGES WITHOUT THE EXPRESS PERMISSION OF THE PROGRAM STAFF OR YOUR PAROLE OFFICER. YOU MUST ABIDE BY ANY CASE SPECIFIC CONDITIONS IMPOSED BY VIRTUE OF YOUR SUPERVISION UNDER THE DEPARTMENT OF CORRECTION PAROLE & COMMUNITY SERVICES SPECIAL MANAGEMENT UNIT.

Residential Program

YOU ARE REQUIRED TO SUCCESSFULLY PARTICIPATE IN A RESIDENTIAL WORK RELEASE PROGRAM. YOU MUST FOLLOW THE INSTRUCTIONS OF THE PROGRAM STAFF AS TO YOUR COURSE OF TREATMENT AND MAY NOT MAKE ANY CHANGES WITHOUT THE EXPRESS PERMISSION OF THE PROGRAM STAFF AND YOUR PAROLE OFFICER.

Residential Program Inpatient

YOU ARE REQUIRED TO SUCCESSFULLY PARTICIPATE IN A RESIDENTIAL PROGRAM FOR THE PURPOSE OF INPATIENT TREATMENT. YOU MUST FOLLOW THE INSTRUCTIONS OF THE PROGRAM STAFF AS TO YOUR COURSE OF TREATMENT AND MAY NOT MAKE ANY CHANGES WITHOUT THE EXPRESS PERMISSION OF THE PROGRAM STAFF AND YOUR PAROLE OFFICER.

Other State:

Detainer Information:



ROBINA INSTITUTE
OF CRIMINAL LAW AND CRIMINAL JUSTICE

The Robina Institute of Criminal Law and Criminal Justice is a research institute within the University of Minnesota Law School. We perform interdisciplinary research, bringing legal and social science research together with policy analysis and practice to develop policy-focused solutions to issues within the field of criminal justice.