



General Assembly

January Session, 2023

Raised Bill No. 6636

LCO No. 3392



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

***AN ACT CONCERNING THE PROTECTION OF CRIME VICTIMS WHEN
STANDING CRIMINAL PROTECTIVE ORDERS ARE IN EFFECT.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 54-130a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2023*):

3 (a) Jurisdiction over the granting of, and the authority to grant,
4 commutations of punishment or releases, conditioned or absolute, in the
5 case of any person convicted of any offense against the state and
6 commutations from the penalty of death shall be vested in the Board of
7 Pardons and Paroles.

8 (b) The board shall have authority to grant pardons, conditioned,
9 provisional or absolute, or certificates of rehabilitation for any offense
10 against the state at any time after the imposition and before or after the
11 service of any sentence.

12 (c) The board may accept an application for a pardon three years after
13 an applicant's conviction of a misdemeanor or violation and five years
14 after an applicant's conviction of a felony, except that the board, upon a

15 finding of extraordinary circumstances, may accept an application for a
16 pardon prior to such dates.

17 (d) The board may not accept an application for a pardon if the
18 applicant's conviction for which the pardon is sought resulted in the
19 issuance of a standing criminal protective order that is in effect at the
20 time of the application for a pardon. The board shall provide written
21 notification to the applicant of the process and procedures that permit
22 an individual to request that a standing criminal order be vacated.

23 [(d)] (e) Whenever the board grants an absolute pardon to any
24 person, the board shall cause notification of such pardon to be made in
25 writing to the clerk of the court in which such person was convicted, or
26 the Office of the Chief Court Administrator if such person was convicted
27 in the Court of Common Pleas, the Circuit Court, a municipal court, or
28 a trial justice court.

29 [(e)] (f) Whenever the board grants a provisional pardon or a
30 certificate of rehabilitation to any person, the board shall cause
31 notification of such provisional pardon or certificate of rehabilitation to
32 be made in writing to the clerk of the court in which such person was
33 convicted. The granting of a provisional pardon or a certificate of
34 rehabilitation does not entitle such person to erasure of the record of the
35 conviction of the offense or relieve such person from disclosing the
36 existence of such conviction as may be required.

37 [(f)] (g) In the case of any person convicted of a violation for which a
38 sentence to a term of imprisonment may be imposed, the board shall
39 have authority to grant a pardon, conditioned, provisional or absolute,
40 or a certificate of rehabilitation in the same manner as in the case of any
41 person convicted of an offense against the state.

42 [(g)] (h) The board shall not deny any application for a pardon, unless
43 the board provides a statement in writing to the applicant of the factors
44 considered when determining whether the applicant qualified for the
45 pardon and an explanation as to which factors were not satisfied.

This act shall take effect as follows and shall amend the following sections:		
---	--	--

Section 1	<i>July 1, 2023</i>	54-130a
-----------	---------------------	---------

Statement of Purpose:

To ensure that the Board of Pardons and Paroles is not issuing pardons in matters involving crime victims who are protected by standing criminal protective orders.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]