

Connecticut's Special Parole System

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Issue

Summary of Connecticut's Special Parole System. (This report updates OLR Report [2018-R-0038](#).)

Summary

“Special parole” is part of the sentence that a judge can impose, under certain circumstances, when someone is convicted of a crime (with specified exceptions). The judge can require a period of special parole under Department of Correction (DOC) supervision after an offender completes his or her maximum prison sentence ([CGS § 54-125e\(a\)](#)).

Generally, the special parole must be between 1 and 10 years. However, the court can impose a period of more than 10 years on offenders:

1. convicted of (a) risk of injury to a minor, when it involves a minor under age 16 and contact with intimate parts; (b) 1st, 2nd, or 3rd degree sexual assault; (c) 1st degree aggravated sexual assault; (d) 3rd degree sexual assault with a firearm; or (e) sexual assault in a spousal or cohabiting relationship (as of October 1, 2019, this is no longer a separate crime; see [PA 19-189](#)); or

Parole

Parole is a decision by the Board of Pardons and Paroles (BOPP) to release an inmate from prison prior to the completion of his or her maximum prison sentence. The offender then serves part of his or her sentence under parole supervision.

BOPP

BOPP is a board within DOC with independent decision-making authority to, among other things, rescind, revoke, or terminate special parole ([CGS § 54-124a](#)).

OLR Report [2023-R-0161](#) describes the board's structure.

2. sentenced as a (a) persistent dangerous felony offender or (b) persistent serious felony offender ([CGS § 54-125e\(c\)](#)).

A 2018 law eliminated special parole as a sentencing option for convictions for offenses related to dependency producing drugs ([PA 18-63](#), § 1, codified at [CGS § 53a-28\(b\)](#)).

When sentencing a person, the court may not impose a period of special parole unless it determines that it is necessary to ensure public safety based on the nature and circumstances of the offense and the defendant's criminal record and probation or parole performance history ([CGS § 54-125e\(b\)\(1\)](#)).

If the court sentences someone to special parole, it can recommend that the person comply with any or all the requirements that the court can impose as conditions of probation or conditional discharge (such as required employment or vocational training, restitution, community service, or residing in a residential community center or halfway house). BOPP can require the person to comply with the recommended requirements and can impose other rules and conditions ([CGS § 54-125e\(b\)\(2\)](#)).

Violation

If a parole officer believes someone has violated the conditions of special parole, the law requires the Board of Pardons and Paroles to hold a hearing with the parolee without unnecessary delay. The parolee must be (1) informed at the hearing of the alleged violation and (2) advised by the board employee conducting the hearing of the parolee's due process rights ([CGS § 54-125e\(d\)](#)).

If a violation is established, the board can:

1. continue the period of special parole,
2. modify or enlarge the conditions of special parole, or
3. revoke the sentence of special parole ([CGS § 54-125e\(e\)](#)).

Revocation

A person's special parole can be revoked only if, after the hearing, the board employee recommends revocation and at least two members of a board panel approve the recommendation ([CGS § 54-127a](#)).

The legal use or possession of cannabis cannot be grounds to revoke special parole unless the

person's special parole conditions (1) include a finding that cannabis use would pose a danger to the person or the public, with individualized reasons supporting that finding, and (2) require the person not to use cannabis ([CGS § 54-125k](#)).

If the board revokes the special parole, the board chairperson can issue an order to commit the parolee to prison for any period up to the amount of the unexpired portion of the special parole sentence. If special parole is revoked, the board can, at any time during the unexpired portion of special parole, allow the parolee to be released again on special parole without a court order ([CGS § 54-125e\(f\) & \(g\)](#)).

A person returned to prison for violating special parole can be kept in prison for a period equal to the unexpired portion of the special parole sentence. But the total term of incarceration and special parole combined cannot exceed the maximum prison sentence authorized for the offense the person was convicted of ([CGS § 54-128\(c\)](#)).

Discharge and Termination

The law allows the appropriate BOPP panel, by a unanimous vote, to discharge a parolee from DOC custody and terminate a period of special parole, without a court order, before the person completes it. The BOPP panel may do so if it believes the person will lead an orderly life ([CGS § 54-129\(a\)](#)). (A 2019 law established a panel and process for terminating a period of special parole that is separate and distinct from the regular review process ([PA 19-84](#)).)

When an inmate has been discharged from DOC custody or a person's period of special parole has been terminated, the BOPP chairperson must issue a certificate that says so, with the board's seal ([CGS § 54-129\(b\)](#)).

Victim Notification

By law, the Judicial Branch's Office of Victim Services (OVS) must notify certain crime victims who are registered with OVS that BOPP intends to consider ending a person's special parole period. If the victim is registered with DOC's Victim Services Unit (VSU), VSU is required to notify the victim ([CGS § 54-129a](#)).

Victims are allowed to submit a statement to the board about whether the special parole should end. "Victims" include the crime victim, his or her legal representative, or a deceased victim's designee or immediate family member ([CGS § 54-129a](#)).

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