

Act Number	Session	Bill Number	Total Number of Committee Pages	Total Number of House Pages	Total Number of Senate Pages
PA 71-62		6028	3	1	1
<u>Committee Pages:</u> <ul style="list-style-type: none"> Judiciary 256-258 				<u>House Pages:</u> <ul style="list-style-type: none"> 1011(consent) 	<u>Senate Pages:</u> <ul style="list-style-type: none"> 924

H-110

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

**VOL. 14
PART 3
974-1450**

Thursday, March 25, 1971 7.

EFH

RONALD A. SARASIN:

Mr. Speaker, I move for suspension of the rules for consideration of the Consent Calendar.

MR. SPEAKER:

Question is on suspension for consideration, immediate consideration of the items single-starred in the Consent Calendar. Is there objection. Hearing none, the rules are suspended.

RONALD A. SARASIN;

Mr. Speaker, I move the following items on the Consent Calendar or the action of the Joint Committees be adopted: Calendar No. 162, substitute for H.B. No. 5588, an Act concerning State owned or leased buildings or structures within historic districts, File No. 133. Calendar No. 168, substitute for H.B. No. 6225, an Act concerning distribution of revised statutes, supplements and special acts, File No. 129. Calendar No. 172, H.B. No. 6028, an Act concerning authority to rearrest a paroled convict, File No. 134. I move the adoption of these Bills.

MR. SPEAKER:

Before putting the question, is there objection to any of these matters be considered under Rule 48 - 17. Hearing none, all those in favor of the motion will indicate by saying "aye". Opposed. Bills are passed.

RONALD A. SARASIN:

Mr. Speaker, pursuant to Rule 48, I move the following items be placed on the Consent Calendar-on the tope of Page 3, Calendar No. 163, H.B. NO. 5675, an Act concerning the sale of

S-77

**CONNECTICUT
GENERAL ASSEMBLY**

SENATE

PROCEEDINGS

1971

VOL. 14

PART 2

474-956

April 6, 1971

Page 111

SENATOR JACKSON:

Mr. President, this will amend Section 52-146a to allow testimony of psychiatrists and conservators at proceedings providing the patient has been warned prior to such communications that they are not confidential.

THE CHAIR:

Any other remarks? Question is on the acceptance of the committee's favorable report and passage of the bill. All those in favor indicate by saying "aye". Opposed, "nay". The ayes have it. The bill is passed.

THE CLERK:

CAL. NO. 154, FILE NO. 134. Favorable report of the joint standing committee on Judiciary on House Bill 6028. An Act Concerning Authority to Re-Arrest a Paroled Convict.

SENATOR JACKSON:

Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill.

THE CHAIR:

Any remarks?

SENATOR JACKSON:

This amends section 54-127 to allow the Chairman of the Board of Parole to give him the authority to re-arrest a parole convict.

THE CHAIR:

Any further remarks? Question is on passage of the bill. All those in favor signify by saying, "aye". Opposed? The ayes have it. The bill is passed.

THE CLERK:

CAL. NO. 160 FILE NO. 178. ~~Favorable report of the joint standing committee~~

**JOINT
STANDING
COMMITTEE
HEARINGS**

JUDICIARY

**PART 1
1-392**

**1971
INDEX**

43

BC

TUESDAY

JUDICIARY COMMITTEE FEBRUARY 23, 1971

We neglected to ask the General Assembly to revise 126 and 129 at the same time which have left the authority first of all, to establish special provisions of parole to the full board and secondly, to discharge from parole to the full board. And at the suggestion of our Assistant Attorney General, we are asking this Legislation which was written by the Board, that these Sections be revised to give the authority to the panel because the panel has the complete rolling authority anyway and we need this if we are to carry out the original Statute.

I want to call your attention to the fact that the revision of Section 129 54129 gives the board the authority to discharge from parole as well as discharge from sentence. The Board has always had authority to discharge from parole and we believe we also have discharge to parole from sentence and this has been true for the last forty years in this State under the individual Parole Boards as well as this General Parole Board.

However, we learn from a ruling of our Assistant Attorney General last August, that we did not have authority under the present Statute to discharge to a new sentence except in the Cheshire and Niantic Institutions. For some reason or other, the name of the Summers and Osborn Institutions had been omitted from the Section. Consequently, you will find that in Section 129, which I am alluding to the Section not only changes the authority from the Board to the panel, but also grants that authority to discharge. This is nothing that has been done for years without anything - criticism, any difficulty in this statement. For some reason or another, it was left out of the Statutes.

The H.R. #6028 which revises Section 54 127

H.R. #6028 - AN ACT CONCERNING AUTHORITY TO REARREST A PAROLED CONVICT.

This Section provides the Commissioner of Correction - anyone designated in his Department and the Board of Parole that the authority to issue warrants for rearrest of a parole violator. The great difficulty here, is the Board of Parole has by its action, early in its career, given the Chairman the authority to sign the warrants and each of them rather than the Board - again because it is impossible to get all the Board together. Eventually, the Board has to confirm the Chairman's action because there is a hearing always before a parole is revoked. But the issuing of a warrant in order to return a parolee at the

44

8C

TUESDAY

JUDICIARY COMMITTEE

FEBRUARY 23, 1971

present time, the Board has to completely vote his authority on each case and this is an impossibility. The Board suggests and asks this Committee to report favorable this Bill which would act the Chairman's name along with the Commissioner of Corrections, the Board of Parole and the Chairman of the Board of Parole. I call your attention to the fact that Board of Parole is not within this Department of Corrections, it is an atonalist body and consequently, the Chairman of that board does need this authority.

Representative Carrozzella, I notice the end of today's list of Hearings, you say you have noted any Bills that have to do these various areas, now there is another Bill which I do not even have a number for because it has not been read in yet.

Rep. Carrozzella: Please feel free to give your attention
....yes

Mr. Gates: There is a Bill which, at the request of the Board of Parole, has been filed by Representative Green which would revise Section 54-1.4a as follows. It will come, I am certain before this Committee. This is a Bill which provides for a Board of Parole which provides for a Board of Parole which consists of eight part time members and a full time sheriff. This State drastically needs a full time Board of Parole. We average from 3,000 to 3,500 hearings a year. This is going to increase and some new Statutes come into effect and some court rulings will undoubtedly change our procedure. We believe we have one of the best procedures in the United States but undoubtedly these procedures are going to change.

We know that it is impossible for us to have a full time Board of Parole at this time and so we are suggesting to This Committee, that a Bill be reported out favorably which would provide the Governor with the authority to assign temporary members of the Board of Parole when it is necessary for a member of the Board, other than the Chairman, to be absent for an extended period of time due to illness, professional duties, business duties, etc. This is particularly important to us in that upon a number of occasions after we have announced hearing dates and we are required to carry out legal obligations, it was impossible to me to get a full panel or even two members which are required for a Hearing.

45
BC

TUESDAY

JUDICIARY COMMITTEE

FEBRUARY 23, 1971

If, for instance, it can hapoen just next month when the general assembly - perhaps next week, will confirm the nomination of three new members of the Board of Parole and at that very minute, three members of the Board of Parole go off and if it should happen next Wednesday, on Thursday, all three members of my Board who are assigned for the Hearing next Thursday, are members who are being replaced by the three new members, so I have no one to sit on that day. Now, if the Governor is given the authority to appoint, on a temporary basis, temporary members who may sit for other members when it is necessary for a member - due to illness or other duties, to be absent for any extended period of time, we will guard ourselves against the dangers of not being able to legeally carry our responsibilities.

We had a situation last summer where one member was gone four months and I had no one to take his place. And I ask you to accept for me, the recommendation of nine members of the Board that these Bills - H.B. #6028 and H.B. #6026 and whatever the number of the Bill is, on a temporary members, be reported favorable.

Rep. Carrozzella: Thank you very much, Mr. Gates. May I see you for one minute over there after I call the next speaker. Mr. (I cannot pronounce the name) P-S-O-K-A-L-I-N to be followed by Mr. Smith.

Mr. Tsokalas: Leo Tsokalas.....an Act concerning vido and audio taped of Judicial and Administrative proceedings.

H.H. #5479 - AN ACT CONCERNING VIDEO AND AUDIO TAPES OF JUDICIAL AND ADMINISTRATIVE PROCEEDINGS.

I had asked him to file on this Bill because of the events arising out of my hearing with the Unemployment Commissioner. In 1964 and also two subsequent Superior Court Hearings.

I am very much concerned with my inability to present evidence in Court which I have shown at this Unemployment Commission Hearing. I had specified errors in emotions that I had filed for re-hearing in November 1966. Connecticut Practice Book Revision of 1963, Section 435 of the rules of the Superior Court states the functions of the Court. Such speels are heard by the Court upon the certified copy of the record filed by the Commission. The Court does not retry the facts nor hear evidence. It Considers no evidence other than that certified to it by the Commissioner, etc.