

Referred to Committee on

Introduced by:

**AN ACT CONCERNING STANDARDS FOR MEDICAL PAROLE  
RELEASE BY THE BOARD OF PARDONS AND PAROLES.**

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

1 Section 1. Section 54-131a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2023*):

3 (a) The Board of Pardons and Paroles or a special panel appointed  
4 under section 54-131f may determine, in accordance with sections 54-  
5 131a to 54-131g, inclusive, when and under what conditions an inmate  
6 serving any sentence of imprisonment may be released on medical  
7 parole.

8 (b) The board or special panel may review, establish conditions for,  
9 rescind or revoke any parole release granted under (1) sections 54-131a  
10 to 54-131g, inclusive, as amended by this act, or (2) section 54-131k,  
11 revision of 1958, revised to 2023.

12 Sec. 2. Section 54-131b of the general statutes is repealed and the  
13 following is substituted in lieu thereof (*Effective October 1, 2023*):

14 (a) The Board of Pardons and Paroles or a special panel may release  
15 on medical parole any inmate serving any sentence of imprisonment,  
16 except an inmate convicted of a capital felony under the provisions of  
17 section 53a-54b in effect prior to April 25, 2012, or murder with special  
18 circumstances under the provisions of section 53a-54b in effect on or

19 after April 25, 2012, who: [has been diagnosed pursuant to section 54-  
20 131c as suffering]

21 (1) Suffers from a terminal condition, disease or syndrome, diagnosed  
22 pursuant to section 54-131c, and is so debilitated or incapacitated by  
23 such condition, disease or syndrome as to be physically incapable of  
24 presenting a danger to society; or

25 (2) Suffers from a condition, disease or syndrome that is not terminal,  
26 diagnosed pursuant to section 54-131c, and is so physically or mentally  
27 debilitated, incapacitated or infirm as a result of advanced age or as a  
28 result of the condition, disease or syndrome as to present a significantly  
29 reduced risk of danger to society.

30 (b) Prior to making a decision under subdivision (2) of subsection (a)  
31 of this section, the board or special panel shall consider:

32 (1) The nature and circumstances of the crime;

33 (2) The inmate's criminal history;

34 (3) The record of the inmate's conduct while incarcerated;

35 (4) The inmate's prognosis and level of incapacitation;

36 (5) The inmate's release plan, including provision for health care; and

37 (6) Any written statement of a victim the board has received under  
38 subsection (c) of this section.

39 (c) (1) Prior to consideration of medical parole release by the board or  
40 special panel under subdivision (2) of subsection (a) of this section, the  
41 Office of Victim Services, within the Judicial Department, shall notify  
42 each victim of the crime for which the inmate is serving who is  
43 registered with the Office of Victim Services within the Judicial  
44 Department or registered with the Victim Services Unit within the  
45 Department of Correction, of the intent of the board or special panel to  
46 consider such parole release.

47 (2) A victim may submit a statement to the board or special panel  
48 concerning whether medical parole release should be granted.

49 (3) For the purposes of this section, "victim" means a victim, as  
50 defined in section 54-126a.

51 (d) Notwithstanding any provision of the general statutes to the  
52 contrary, the Board of Pardons and Paroles may release such inmate at  
53 any time during the term of such inmate's sentence.

54 Sec. 3. Section 54-131c of the general statutes is repealed and the  
55 following is substituted in lieu thereof (*Effective October 1, 2023*):

56 (a) A diagnosis that an inmate [is suffering] suffers from a terminal  
57 condition, disease or syndrome or a condition, disease or syndrome that  
58 is not terminal shall be made by a physician licensed under chapter 370.  
59 [and]

60 (b) The diagnosis shall include, but need not be limited to:

61 (1) [a] A description of [such terminal] the condition, disease or  
62 syndrome, and shall indicate whether it is a terminal condition, disease  
63 or syndrome;

64 (2) [a] A prognosis concerning the likelihood of recovery from such  
65 condition, disease or syndrome; and

66 (3) [a] A description of the inmate's physical incapacity.

67 (c) A diagnosis made by a physician other than one employed by the  
68 Department of Correction or a hospital or medical facility used by the  
69 Department of Correction for medical treatment of inmates may be  
70 reviewed by a physician appointed by the Commissioner of Correction  
71 or reviewed by the medical director of the Department of Correction.

72 (d) For the purposes of [this section] sections 54-131a to 54-131g,  
73 inclusive, as amended by this act, "terminal condition, disease or  
74 syndrome" includes, but is not limited to, any prognosis by a licensed

75 physician that the inmate has six months or less to live.

76 ~~Sec. 4. Section 54-131k of the general statutes is repealed and the~~  
77 ~~following is substituted in lieu thereof (Effective October 1, 2023):~~

78 ~~(a) [The] Subject to subsection (c) of this section, the Board of Pardons~~  
79 ~~and Paroles or a panel of the board may grant a compassionate parole~~  
80 ~~release to any inmate serving any sentence of imprisonment, except an~~  
81 ~~inmate convicted of a capital felony under the provisions of section 53a-~~  
82 ~~54b in effect prior to April 25, 2012, or murder with special~~  
83 ~~circumstances under the provisions of section 53a-54b in effect on or~~  
84 ~~after April 25, 2012, if [it] the board or panel finds that such inmate (1)~~  
85 ~~is so physically or mentally debilitated, incapacitated or infirm as a~~  
86 ~~result of advanced age or as a result of a condition, disease or syndrome~~  
87 ~~that is not terminal as to be physically incapable of presenting a danger~~  
88 ~~to society, and (2) (A) has served not less than one half of such inmate's~~  
89 ~~definite or aggregate sentence, or (B) has served not less than one half~~  
90 ~~of such inmate's remaining definite or aggregate sentence after~~  
91 ~~commutation of the original sentence by the Board of Pardons and~~  
92 ~~Paroles or panel thereof.~~

93 ~~(b) Any person granted a compassionate parole release pursuant to~~  
94 ~~this section shall (1) be released subject to such terms and conditions as~~  
95 ~~may be established by the Board of Pardons and Paroles, and [shall] (2)~~  
96 ~~be supervised by the Department of Correction.~~

97 ~~(c) The board or panel may not grant parole release under this section~~  
98 ~~on or after October 1, 2023, but may review, establish conditions for,~~  
99 ~~rescind or revoke any parole release granted under this section prior to~~  
100 ~~October 1, 2023.~~

101 ~~(d) The provisions of this section shall not affect an inmate's eligibility~~  
102 ~~for any other form of parole or release provided by law, including, but~~  
103 ~~not limited to, release on medical parole under sections 54-131a to 54-~~  
104 ~~131g, inclusive, as amended by this act.~~

105 Sec. 4. Section 18-84 of the general statutes is repealed and the

106 following is substituted in lieu thereof (*Effective October 1, 2023*):

107 The terms "inmate" and "prisoner", as used in this title and sections  
108 54-125 to [54-129] 54-131g, inclusive, [and 54-131,] as amended by this  
109 act, include any person in the custody of the Commissioner of  
110 Correction or confined in any institution or facility of the Department of  
111 Correction until released from such custody or control, including any  
112 person on parole.

113 Sec. 5. Section 54-131k of the general statutes is repealed. (*Effective*  
114 *October 1, 2023*)

115 ***Statement of Purpose:***

116 To modify standards used by the Board of Pardons and Paroles to  
117 determine inmate eligibility for medical parole.

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