

**Proposed Substitute
Bill No. 459**

LCO No. 4192

**AN ACT CONCERNING THE COMMISSION FOR CORRECTIONAL
OVERSIGHT, THE USE OF ISOLATED CONFINEMENT, SECLUSION,
RESTRAINTS, STRIP SEARCHES, SOCIAL CONTACTS FOR
INCARCERATED PERSONS, TRANSPARENCY FOR CONDITIONS OF
INCARCERATION AND CORRECTIONAL OFFICER TRAINING.**

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

1 Section 1. Section 18-81jj of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 [(a) For the purposes of this section, "ombudsman services" includes
4 (1) the receipt of complaints by the ombudsman from persons eighteen
5 years of age or younger in the custody of the Commissioner of
6 Correction regarding decisions, actions, omissions, policies, procedures,
7 rules or regulations of the Department of Correction, (2) investigating
8 such complaints, rendering a decision on the merits of each complaint
9 and communicating the decision to the complainant, (3) recommending
10 to the commissioner a resolution of any complaint found to have merit,
11 (4) recommending policy revisions to the department, and (5)
12 publishing a quarterly report of all ombudsman services activities.

13 (b) The Commissioner of Correction shall hire a person to provide
14 ombudsman services and shall annually report the name of such person
15 to the joint standing committee of the General Assembly having

16 cognizance of matters relating to the Department of Correction in
17 accordance with the provisions of section 11-4a. In addition to the
18 executive assistant positions authorized under subdivision (10) of
19 section 5-198, the commissioner may hire an executive assistant to carry
20 out the duties of this section.

21 (c) Prior to any person eighteen years of age or younger in the custody
22 of the Commissioner of Correction obtaining ombudsman services, such
23 person shall have reasonably pursued a resolution of the complaint
24 through any existing internal grievance or appellate procedures of the
25 Department of Correction.

26 (d) All oral and written communications, and records relating to such
27 communications between a person eighteen years of age or younger in
28 the custody of the Commissioner of Correction and the ombudsman or
29 a member of the ombudsman's staff, including, but not limited to, the
30 identity of a complainant, the details of a complaint and the
31 investigative findings and conclusions of the ombudsman shall be
32 confidential and shall not be disclosed without the consent of the
33 person, except that the ombudsman may disclose without the consent
34 of the person (1) such communications or records as may be necessary
35 for the ombudsman to conduct an investigation and support any
36 recommendations the ombudsman may make, or (2) the formal
37 disposition of a person's complaint when requested in writing by a court
38 that is hearing such person's application for a writ of habeas corpus that
39 was filed subsequent to an adverse finding by the ombudsman on such
40 person's complaint.

41 (e) Notwithstanding the provisions of subsection (d) of this section,
42 whenever in the course of providing ombudsman services, the
43 ombudsman or a member of the ombudsman's staff becomes aware of
44 the commission or planned commission of a criminal act or a threat to
45 the health and safety of any person or the security of a correctional
46 facility, the ombudsman shall notify the Commissioner of Correction or
47 a facility administrator of such act or threat and the nature and target of
48 the act or threat.

49 (f) If the Commissioner of Correction has a reasonable belief that a
50 person eighteen years of age or younger in the custody of the
51 commissioner has made or provided to the ombudsman an oral or
52 written communication concerning a safety or security threat within the
53 Department of Correction or directed against an employee of the
54 department, the ombudsman shall provide to the commissioner all oral
55 or written communications relevant to such threat.]

56 (a) There is established the Correction Advisory Committee that shall
57 consist of nine members. Such members shall be appointed as follows:

58 (1) One who is directly impacted, appointed by the Senate
59 chairperson of the joint standing committee of the General Assembly
60 having cognizance of matters relating to the Department of Correction;

61 (2) One who has expertise in law, specifically the rights of
62 incarcerated persons, appointed by the House chairperson of the joint
63 standing committee of the General Assembly having cognizance of
64 matters relating to the Department of Correction;

65 (3) One who has a demonstrated interest in advancing the rights and
66 welfare of incarcerated persons, appointed by the president pro tempore
67 of the Senate;

68 (4) One who has a demonstrated interest in advancing the rights and
69 welfare of incarcerated persons, appointed by the speaker of the House
70 of Representatives;

71 (5) One who has expertise in the provision of mental health care to
72 incarcerated persons or formerly incarcerated persons, appointed by the
73 minority leader of the Senate;

74 (6) One who has expertise in the provision of medical care to
75 incarcerated persons or formerly incarcerated persons, appointed by the
76 minority leader of the House of Representatives; and

77 (7) Three who are appointed by the Governor, one of whom has an
78 expertise in corrections and two of whom are directly impacted.

79 (b) For purposes of subsection (a) of this section, "directly impacted"
80 means (1) a person who was previously incarcerated within a facility
81 operated by the department and is no longer under probation or any
82 supervision by the department, or (2) a family member of a person
83 described in subdivision (1) of this subsection or of a person who is in
84 the custody of the Commissioner of Correction.

85 (c) All initial and vacancy appointments, which shall be filled by the
86 appointing authority having the power to make the original
87 appointment, to the task force shall be as follows:

88 (1) Not later than thirty days after the effective date of this section or
89 after any vacancy, each appointing authority or any such authority
90 filling a vacancy shall submit a letter designating such authority's
91 appointment or appointments to the joint standing committee of the
92 General Assembly having cognizance of matters relating to the
93 Department of Correction. Such joint standing committee shall post
94 such letters on its Internet web site. The Senate and House chairpersons
95 of such joint standing committee shall schedule a public hearing of such
96 proposed appointments to be conducted not later than forty days after
97 the effective date of this section, or ten days after the submission of a
98 letter in the case of a vacancy.

99 (2) After such hearing, each appointing authority shall confirm or
100 withdraw such authority's appointment or appointments. Any
101 appointing authority who withdraws an appointment shall, not later
102 than ten days after such withdrawal, submit a new letter to such joint
103 standing committee of the General Assembly designating a different
104 appointment or appointments, which shall initiate the hearing and
105 approval or withdrawal process pursuant to subdivision (1) of this
106 subsection for such appointment or appointments.

107 (d) The chairpersons of the Correction Advisory Committee shall be
108 the members appointed pursuant to subdivisions (1) and (2) of
109 subsection (a) of this section. Such chairpersons shall schedule the first
110 meeting of said committee, which shall be held not later than sixty days
111 after the effective date of this section.

112 (e) Each committee member shall serve four-year terms, except that
113 each initial term shall run for four years from February 1, 2023. Each
114 committee member may serve up to two terms. In the event of a vacancy
115 appointment, the vacancy appointment member shall serve the
116 remainder of the original member's four-year term and may be
117 reappointed for up to two more terms.

118 (f) Each member shall serve without compensation but shall, within
119 available appropriations, be reimbursed for necessary expenses that
120 they may incur through service on the Correction Advisory Committee.

121 (g) Each member shall, not later than ten days after the first meeting
122 of the Correction Advisory Committee in which such member
123 participates, take an oath of office to diligently and honestly administer
124 the affairs of said committee. The oath shall be administered by a
125 chairperson of said committee.

126 (h) A majority of the members appointed to the Correction Advisory
127 Committee shall constitute a quorum, which shall be necessary for the
128 committee to conduct business. A majority vote of the members present
129 shall be required for action of the committee.

130 (i) The state of Connecticut shall protect and hold harmless any
131 committee member from financial loss and expense, including legal fees
132 and costs, if any, arising out of any claim, demand or suit for damages
133 resulting from acts or omissions committed in the discharge of his or her
134 official duties pursuant to this section which may constitute negligence
135 but which acts are not wanton, malicious or grossly negligent as
136 determined by a court of competent jurisdiction.

137 (j) The Correction Advisory Committee shall perform the following
138 functions:

139 (1) Submit a list of candidates for Correction Ombuds for the
140 Governor's consideration, pursuant to subsection (k) of this section;

141 (2) Review the actions of the Correction Ombuds pursuant to section
142 2 of this act;

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143 (3) Meet not less than quarterly to bring matters to the Correction
144 Ombuds' attention and to consult on the Correction Ombuds' services,
145 findings and recommendations; and

146 (4) Convene semiannual public hearings to discuss the Correction
147 Ombuds' services, findings and recommendations.

148 (k) Not later than eighty days after the effective date of this section or
149 not later than sixty days after any vacancy in the position of Correction
150 Ombuds, the Correction Advisory Committee shall solicit applications
151 for such position and meet to consider and interview the most qualified
152 candidates who are residents of this state for such position. Said
153 committee shall select not fewer than three and not more than five of the
154 most outstanding candidates, publish the names of such selected
155 candidates on said committee's Internet web site and hold a public
156 hearing allowing testimony from members of the public concerning the
157 selected candidates. Said committee shall submit to the Governor a list
158 of selected candidates. Such list shall rank the candidates in the order of
159 committee preference.

160 (l) Not later than thirty days after receiving the list submitted under
161 subsection (k) of this section, the Governor, with the approval of the
162 General Assembly, shall appoint a person qualified by training and
163 experience as the Correction Ombuds. If at any time any of the
164 candidates withdraw from consideration prior to confirmation by the
165 General Assembly, the designation shall be made from the remaining
166 candidates on the list submitted to the Governor. If, not later than thirty
167 days after receiving the list, the Governor fails to designate a candidate
168 from the list, the candidate ranked first shall receive the designation and
169 be referred to the General Assembly for confirmation. If the General
170 Assembly is not in session, the designated candidate shall serve as
171 acting Correction Ombuds and be entitled to the compensation,
172 privileges and powers of the Correction Ombuds until the General
173 Assembly meets to take action on said appointment.

174 (m) The person appointed as Correction Ombuds shall serve for an
175 initial term of two years and may serve until a successor is appointed

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176 and confirmed in accordance with this section. Such person may be
177 reappointed for succeeding terms.

178 (n) Upon any vacancy in the position of Correction Ombuds and until
179 such time as a candidate has been confirmed by the General Assembly
180 or, if the General Assembly is not in session, has been designated by the
181 Governor, the Associate Correction Ombuds, as designated by the
182 Correction Advisory Committee, shall serve as the acting Correction
183 Ombuds and be entitled to the compensation, privileges and powers of
184 the Correction Ombuds until the General Assembly meets to take action
185 on said appointment.

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186 Sec. 2. (NEW) (*Effective July 1, 2022*) (a) (1) There is, within the Office
187 of Governmental Accountability established under section 1-300 of the
188 general statutes, as amended by this act, the Office of the Correction
189 Ombuds for the provision of ombuds services.

190 (2) For purposes of this section, "ombuds services" includes:

191 (A) Evaluating the delivery of services to incarcerated persons by the
192 Department of Correction;

193 (B) Reviewing periodically the procedures established by the
194 department to carry out the provisions of title 18 of the general statutes
195 and evaluating whether such procedures conflict with the rights of
196 incarcerated persons;

197 (C) Receiving communications from persons in the custody of the
198 Commissioner of Correction regarding decisions, actions, omissions,
199 policies, procedures, rules or regulations of the department;

200 (D) Conducting site visits of correctional facilities administered by
201 the department;

202 (E) Reviewing the operation of correctional facilities and
203 nonemergency procedures employed at such facilities. Nonemergency
204 procedures include, but are not limited to, the department's use of force
205 procedures;

206 (F) Recommending procedure and policy revisions to the
207 department;

208 (G) Taking all possible actions, including, but not limited to,
209 conducting programs of public education, undertaking legislative
210 advocacy and making proposals for systemic reform and formal legal
211 action in order to secure and ensure the rights of persons in the custody
212 of the commissioner. The Correction Ombuds shall exhaust all other
213 means to reach a resolution before initiating litigation; and

214 (H) Publishing on an Internet web site operated by the Correction
215 Ombuds a semiannual summary of all ombuds services and activities
216 during the six-month period before such publication.

217 (b) Notwithstanding any provision of the general statutes, the
218 Correction Ombuds shall act independently of any department in the
219 performance of the office's duties.

220 (c) The Correction Ombuds may, within available funds, appoint
221 such staff as may be deemed necessary. The duties of the staff may
222 include the duties and powers of the Correction Ombuds if performed
223 under the direction of the Correction Ombuds.

224 (d) The General Assembly shall annually appropriate such sums as
225 necessary for the payment of the salaries of the staff and for the payment
226 of office expenses and other actual expenses incurred by the Correction
227 Ombuds in the performance of the Correction Ombuds' duties. Any
228 legal or court fees obtained by the state in actions brought by the
229 Correction Ombuds shall be deposited in the General Fund.

230 (e) In the course of investigations, the Correction Ombuds shall rely
231 on a variety of sources to corroborate matters raised by incarcerated
232 persons or others. Where such matters turn on validation of particular
233 incidents, the Correction Ombuds shall endeavor to rely on
234 communications from incarcerated persons who have reasonably
235 pursued a resolution of the complaint through any existing internal
236 grievance procedures of the Department of Correction. In all events, the

237 Correction Ombuds shall make good faith efforts to provide an
238 opportunity to the Commissioner of Correction to investigate and to
239 respond to such concerns prior to making such matters public.

240 (f) All oral and written communications, and records relating to such
241 communications between a person in the custody of the Commissioner
242 of Correction and the Correction Ombuds or a member of the Office of
243 the Correction Ombuds staff, including, but not limited to, the identity
244 of a complainant, the details of the communications and the Correction
245 Ombuds' findings shall be confidential and shall not be disclosed
246 without the consent of such person, except that the Correction Ombuds
247 may disclose without the consent of such person general findings or
248 policy recommendations based on such communications, provided no
249 individually identifiable information is disclosed. The Correction
250 Ombuds shall disclose sufficient information to the Commissioner of
251 Correction or designee as is necessary to respond to the Correction
252 Ombuds' inquiries or to carry out recommendations, but such
253 information may not be further disclosed outside of the Department of
254 Correction.

255 (g) Notwithstanding the provisions of subsection (f) of this section,
256 whenever in the course of carrying out the Correction Ombuds' duties,
257 the Correction Ombuds or a member of the Office of the Correction
258 Ombuds staff becomes aware of the commission or planned commission
259 of a criminal act or threat that the Correction Ombuds reasonably
260 believes is likely to result in death or substantial bodily harm, the
261 Correction Ombuds shall notify the Commissioner of Correction or an
262 administrator of any correctional facility housing the perpetrator or
263 potential perpetrator of such act or threat and the nature and target of
264 the act or threat.

265 (h) Notwithstanding any provision of the general statutes concerning
266 the confidentiality of records and information, the Correction Ombuds
267 shall have access to, including the right to inspect and copy, any records
268 necessary to carry out the responsibilities of the Correction Ombuds, as
269 provided in this section. The provisions of this subsection shall not be

270 construed to compel access to any record protected by the attorney-
271 client privilege or attorney-work product doctrine or any record related
272 to a pending internal investigation, external criminal investigation or
273 emergency procedures. For purposes of this subsection, emergency
274 procedures are procedures the department uses to manage control of
275 tools, keys and armories and concerning emergency plans, emergency
276 response units, facility security levels and standards and radio
277 communications.

278 (i) In the performance of the responsibilities provided for in this
279 section, the Correction Ombuds may communicate privately with any
280 person in the custody of the commissioner. Such communications shall
281 be confidential except as provided in subsections (e) and (f) of this
282 section.

283 (j) The Correction Ombuds may apply for and accept grants, gifts and
284 bequests of funds from other states, federal and interstate agencies, for
285 the purpose of carrying out the Correction Ombuds' responsibilities.
286 There is established within the General Fund a Correction Ombuds
287 account which shall be a separate nonlapsing account. Any funds
288 received under this subsection shall, upon deposit in the General Fund,
289 be credited to said account and may be used by the Correction Ombuds
290 in the performance of the Correction Ombuds' duties.

291 (k) The name, address and other personally identifiable information
292 of a person who makes a complaint to the Correction Ombuds,
293 information obtained or generated by the Office of the Correction
294 Ombuds in the course of an investigation and all confidential records
295 obtained by the Correction Ombuds or the office shall be confidential
296 and shall not be subject to disclosure under the Freedom of Information
297 Act or otherwise except as provided in subsections (e) and (f) of this
298 section.

299 (l) No state or municipal agency shall discharge, or in any manner
300 discriminate or retaliate against, any employee who in good faith makes
301 a complaint to the Correction Ombuds or cooperates with the Office of
302 the Correction Ombuds in an investigation.

303 (m) Not later than December 1, 2023, and annually thereafter, the
304 Correction Ombuds shall submit a report, in accordance with section 11-
305 4a of the general statutes, to the joint standing committee of the General
306 Assembly having cognizance of matters relating to the Department of
307 Correction regarding the conditions of confinement in the state's
308 correctional facilities and halfway houses. Such report shall detail the
309 Correction Ombuds' findings and recommendations.

310 Sec. 3. Section 18-96b of the general statutes is repealed and the
311 following is substituted in lieu thereof (*Effective July 1, 2022*):

312 (a) As used in this section:

313 (1) "Administrative segregation status" means the Department of
314 Correction's practice of placing an [inmate] incarcerated person on
315 restrictive housing status following a determination that such [inmate]
316 incarcerated person can no longer be safely managed within the general
317 [inmate] population of the correctional facility; [and]

318 (2) "Commissioner" means the Commissioner of Correction;

319 (3) "De-escalation" means attempting to defuse a crisis without the
320 use of force;

321 (4) "Department" means the Department of Correction;

322 (5) "Grievance" means a formal complaint filed by any incarcerated
323 person with the internal grievance system or the department;

324 (6) "Incarcerated person" means a person confined and in the custody
325 and care of the commissioner, including persons in pretrial,
326 presentencing or post-conviction confinement;

327 (7) "Isolated confinement" means any form of confinement of an
328 incarcerated person within a cell, except during a facility-wide
329 emergency, lockdown or for the purpose of providing medical or mental
330 health treatment, with less than the following time out of cell;

331 (A) For all incarcerated persons, four hours per day, on and after July
332 1, 2022;

333 (B) For all incarcerated persons in the general population, four and a
334 half hours per day, on and after October 1, 2022; and

335 (C) For all incarcerated persons in general population, five hours per
336 day, on and after April 1, 2023;

337 (8) "Lockdown" means the enforced detainment of all incarcerated
338 persons within such persons' cells imposed upon an entire correctional
339 facility or part of such facility, other than for the purpose administrative
340 meetings;

341 (9) "Medical professional" means (A) a physician licensed under
342 chapter 370; (B) a physician assistant licensed under chapter 370; or (C)
343 an advanced practice registered nurse, registered nurse or practical
344 nurse licensed under chapter 378;

345 [(2)] (10) "Restrictive housing status" means [the designation] any
346 classification of an [inmate] incarcerated person by the Department of
347 Correction that [provides for] requires closely regulated management
348 and separation of such [inmate from other inmates] incarcerated person
349 from other incarcerated persons, including, but not limited to,
350 administrative segregation status, punitive segregation status, transfer
351 detention status, administrative detention status, security risk group
352 status, chronic discipline status, special needs status and protective
353 custody status;

354 (11) "Therapist" means any (A) physician licensed pursuant to
355 chapter 370 who specializes in psychiatry; (B) psychologist licensed
356 pursuant to chapter 383; (C) an advanced practice registered nurse
357 licensed pursuant to chapter 387; (D) clinical social worker or master
358 social worker licensed pursuant to chapter 383b; or (E) licensed
359 professional counselor licensed pursuant to chapter 383c; and

360 (12) "Use of force" means the use of physical force or deadly physical
361 force, as defined in section 53a-3, by a department employee to compel

362 compliance by an incarcerated person. Use of force includes, but is not
363 limited to, the use of restraints, chemical agents, canines or munitions
364 or forcible extraction from a cell, other than in response to a psychiatric
365 emergency.

366 [(b) The Department of Correction shall publish on its Internet web
367 site the formula for calculating an inmate's mental health score and a
368 description of any form and phase of housing employed at any of its
369 correctional facilities for inmates on restrictive housing status.]

370 (b) The department shall not hold any person under eighteen years
371 of age in isolated confinement.

372 (c) Any use of isolated confinement shall maintain the least restrictive
373 environment necessary for the safety of incarcerated persons, staff, and
374 the security of the facility.

375 (d) If holding an incarcerated person in isolated confinement, the
376 department shall:

377 (1) Not later than twenty-four hours after initiating the process of
378 holding such person in isolated confinement, ensure that a medical
379 professional conducts a physical examination and a therapist conducts
380 a mental health evaluation of such person;

381 (2) Ensure regular monitoring to ensure such person's safety and
382 well-being, including a daily check-in from a mental health therapist;

383 (3) Continue de-escalation efforts when applicable and appropriate
384 to the situation; and

385 (4) Provide to such person access to the following:

386 (A) Reading materials, paper, and a writing implement;

387 (B) Not less than three showers per week; and

388 (C) Not less than two hours out of cell per day, including at least one
389 hour for recreational purposes.

390 (e) Placement of an incarcerated person in isolated confinement shall
391 be subject to the following:

392 (1) The department may place a person in isolated confinement only
393 after consideration of less restrictive measures;

394 (2) No person may be placed in isolated confinement for longer than
395 necessary and no more than fifteen consecutive days or thirty total days
396 within any sixty-day period, after which period, such person shall be
397 released from isolated confinement; and

398 (3) No person may be placed in isolated confinement based on the
399 same incident that was previously used as the basis for such placement.

400 (f) No person may be held in isolated confinement for protective
401 custody, except that isolated confinement may be used while the
402 department is determining whether protective custody status is
403 appropriate. The department shall limit the time period for such
404 determination to not more than five business days.

405 (g) The department shall not impose a lockdown upon an entire
406 correctional facility or part of a correctional facility for purposes of
407 training department staff for more than twenty-four cumulative hours
408 during any thirty-day period.

409 (h) Not later than January 1, 2024, the department shall report, in
410 accordance with the provisions of section 11-4a, to the joint standing
411 committee of the General Assembly having cognizance of matters
412 relating to the Department of Correction and the Criminal Justice Policy
413 and Planning Division established under section 4-68m concerning
414 measures taken by the department to address the following:

415 (1) The frequency, cause and duration of lockdowns;

416 (2) The presence of persons with serious mental illness or
417 developmental and intellectual disabilities in isolated confinement or on
418 restrictive housing status;

419 (3) Efforts to increase the time an incarcerated person spends outside
420 of such person's cell;

421 (4) The provision of therapeutic and other pro-social programming
422 for persons on restrictive housing status;

423 (5) The use of in-cell restraints; and

424 (6) Fostering cooperation and engagement with the Correction
425 Ombuds pursuant to section 2 of this act and the Correction Advisory
426 Committee established pursuant to section 18-81jj, as amended by this
427 act.

428 [(c) (i) The [Department of Correction] department shall [at least]
429 annually on or before January first submit to the Criminal Justice Policy
430 and Planning Division established under section 4-68m a report
431 containing, [as aggregated] in a disaggregated and anonymized format,
432 the following data, which shall be broken down by facility and the age,
433 race and sex of incarcerated persons included in the data:

434 (1) The number of [inmates on restrictive housing status] incarcerated
435 persons in isolated confinement in this state's correctional facilities, as
436 of the first day of each of the twelve months preceding the date of the
437 submission of the report [. The department shall report and
438 disaggregate such data based on an inmate's age, gender identity,
439 ethnicity, mental health score as calculated by the department, if any,
440 and the form and phase of housing in which such inmate is held on
441 restrictive housing status] and the total number of persons subjected to
442 isolated confinement during the twelve months preceding the date of
443 submission of the report;

444 (2) The number of [inmates on administrative segregation status who
445 have spent the following cumulative durations of time on
446 administrative segregation status] incarcerated persons who were in
447 isolated confinement for more than fifteen cumulative days in the
448 previous calendar year as categorized by the following periods of time:

449 [(A) One to fifteen days;]

- 450 ~~[(B)]~~ (A) Sixteen to thirty days;
- 451 ~~[(C)]~~ (B) Thirty-one to [one hundred eighty] sixty days;
- 452 ~~[(D)]~~ One hundred eighty-one to three hundred sixty-five days;
- 453 ~~(E)~~ Three hundred sixty-six to seven hundred thirty days;
- 454 ~~(F)~~ Seven hundred thirty-one to one thousand ninety-five days;
- 455 ~~(G)~~ One thousand ninety-six to one thousand four hundred sixty
- 456 days;
- 457 ~~(H)~~ One thousand four hundred sixty-one to one thousand eight
- 458 hundred twenty-five days;
- 459 ~~(I)~~ One thousand eight hundred twenty-six to two thousand one
- 460 hundred ninety days;
- 461 ~~(J)~~ Two thousand one hundred ninety-one to two thousand five
- 462 hundred fifty-five days;
- 463 ~~(K)~~ Two thousand five hundred fifty-six to two thousand nine
- 464 hundred twenty days;
- 465 ~~(L)~~ Two thousand nine hundred twenty-one to three thousand two
- 466 hundred eighty-five days;
- 467 ~~(M)~~ Three thousand two hundred eighty-six to three thousand six
- 468 hundred fifty days; and]
- 469 (C) Sixty-one to ninety days; and
- 470 ~~[(N)]~~ (D) More than [three thousand six hundred fifty] ninety days;
- 471 (3) [For each correctional facility, the] The number of [inmates who,
- 472 during the twelve months preceding the date of the submission of the
- 473 report, spent more than fifteen days, cumulative, on administrative
- 474 segregation status. The department shall report and disaggregate such
- 475 data based on an inmate's age, gender identity, ethnicity, mental health

476 score as calculated by the department, if any, and the form and phase of
477 restricted housing in which such inmate is held; and] incidents broken
478 down by month during the previous calendar year in the department's
479 facilities categorized as:

480 (A) Suicides;

481 (B) Attempted suicides;

482 (C) Self-harm;

483 (D) Assaults by incarcerated persons on staff members; and

484 (E) Assaults and fights between incarcerated persons;

485 (4) [Actions taken by the department during the twelve months
486 preceding the date of the submission of the report to minimize reliance
487 on administrative segregation status and to mitigate the harmful effects
488 of administrative segregation status on inmates, staff and the public]
489 Monthly reports showing, the total number of incarcerated persons who
490 against whom the department has used force, including use of the
491 following:

492 (A) Chemical agent devices;

493 (B) Full stationary restraints;

494 (C) Deadly physical force;

495 (D) In-cell restraints;

496 (E) Less than lethal munitions;

497 (F) Lethal munitions;

498 (G) Medical restraints;

499 (H) Physical force;

500 (I) Therapeutic restraints;

501 (J) Cell extraction; and

502 (K) Canines;

503 (5) Grievances filed by incarcerated persons, broken down by month,
504 including the number of grievances filed, dismissed, affirmed or
505 otherwise resolved;

506 (6) Programs offered to incarcerated persons, including the program
507 title and a brief description of the program, the number of spots
508 available in such program and the number of persons enrolled in such
509 program as of the first of each month;

510 (7) Internal department work assignments held by incarcerated
511 persons, including the work assignment title, the daily wage paid and
512 the number of such persons in each position as of the first of each month;
513 and

514 (8) External jobs held by incarcerated persons working for outside
515 employers, including the job title, hourly wage paid, the number of such
516 persons in each position as of the first of each month and the name of
517 the employer.

518 [(d) The department shall not hold any person under eighteen years
519 of age on administrative segregation status.]

520 (e) Not later than January 1, 2019, the Commissioner of Correction
521 shall study and submit a report, in accordance with the provisions of
522 section 11-4a, to the joint standing committee of the General Assembly
523 having cognizance of matters relating to the judiciary regarding the use
524 and oversight of all forms and phases of housing for inmates on
525 restrictive housing status.]

526 [(f)] (j) The provisions of [subsections (a) to (d), inclusive, of] this
527 section do not apply to any [inmate] incarcerated person described in
528 subsection (a) of section 18-10b.

529 [(g) Within available appropriations, the Department of Correction

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530 shall provide training to employees of the department who interact with
531 inmates concerning the following:

- 532 (1) The recognition of symptoms of mental illness;
- 533 (2) The potential risks and side effects of psychiatric medications;
- 534 (3) De-escalation techniques for safely managing individuals with
535 mental illness;
- 536 (4) Consequences of untreated mental illness;
- 537 (5) The long and short-term psychological effects of being on
538 administrative segregation status; and
- 539 (6) De-escalation and communication techniques to divert inmates
540 from situations that may lead to the inmate being placed on
541 administrative segregation status.

542 (h) Within available appropriations, the Department of Correction
543 shall take measures to promote the wellness of employees of the
544 department who interact with inmates. These measures may include,
545 but need not be limited to:

- 546 (1) Employee assistance programs;
- 547 (2) Peer support programs; and
- 548 (3) Stress management training.]

549 (k) The department shall publish on its Internet web site the formula
550 for calculating an incarcerated person's mental health score and any
551 report pursuant to subsection (i) of this section. Sec. 4. Section 1-300 of
552 the general statutes is repealed and the following is substituted in lieu
553 thereof (*Effective July 1, 2022*):

554 (a) There is established the Office of Governmental Accountability.
555 The executive administrator of the office shall serve as the
556 administrative head of the office, who shall be appointed in accordance

Commented [BA2]: 18-00-0096-bK;,,,,;

557 with the provisions of section 1-301, as amended by this act.

558 (b) The Office of Governmental Accountability shall provide
559 personnel, payroll, affirmative action and administrative and business
560 office functions and information technology associated with such
561 functions for the following: The Judicial Review Council established
562 under section 51-51k, Judicial Selection Commission established under
563 section 51-44a, Board of Firearms Permit Examiners established under
564 section 29-32b, Office of the Child Advocate established under section
565 46a-13k, Office of the Victim Advocate established under section 46a-
566 13b, [and] State Contracting Standards Board established under section
567 4e-2 and Office of the Correction Ombuds, established under section 2
568 of this act. The personnel, payroll, affirmative action and administrative
569 and business office functions of said offices, commission, council and
570 boards shall be merged and consolidated within the Office of
571 Governmental Accountability.

572 (c) The executive administrator may employ necessary staff to carry
573 out the administrative functions of the Office of Governmental
574 Accountability, within available appropriations. Such necessary staff of
575 the Office of Governmental Accountability shall be in classified service.

576 (d) Nothing in this section shall be construed to affect or limit the
577 independent decision-making authority of the Judicial Review Council,
578 Judicial Selection Commission, Board of Firearms Permit Examiners,
579 Office of the Child Advocate, Office of the Victim Advocate or [the] State
580 Contracting Standards Board or Office of the Correction Ombuds. Such
581 decision-making authority includes, but is not limited to, decisions
582 concerning budgetary issues and concerning the employment of
583 necessary staff to carry out the statutory duties of each such office,
584 commission, council or board.

Commented [RA3]: 01-00-0300--K;;;

585 Sec. 5. Subsection (a) of section 1-301 of the general statutes is
586 repealed and the following is substituted in lieu thereof (*Effective from*
587 *passage*):

588 (a) (1) There shall be a Governmental Accountability Commission,

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589 within the Office of Governmental Accountability established under
590 section 1-300, as amended by this act, that shall consist of six members
591 as follows: (A) The executive director of the Judicial Review Council
592 established under section 51-51k, or the executive director's designee;
593 (B) the chairperson of the Judicial Selection Commission established
594 under section 51-44a, or the chairperson's designee; (C) the chairperson
595 of the Board of Firearms Permit Examiners established under section 29-
596 32b, or the chairperson's designee; (D) the Child Advocate appointed
597 under section 46a-13k, or the advocate's designee; (E) the Victim
598 Advocate appointed under section 46a-13b, or the advocate's designee;
599 [and] (F) the chairperson of the State Contracting Standards Board
600 established under section 4e-2, or the chairperson's designee; and (G)
601 the Correction Ombuds appointed under section 18-81jj, as amended by
602 this act, or the Correction Ombuds' designee, provided no person
603 serving as a designee under this subsection may be a state employee.
604 The Governmental Accountability Commission shall select a
605 chairperson who shall preside at meetings of the commission. Said
606 commission shall meet for the purpose of making recommendations to
607 the Governor for candidates for the executive administrator of the Office
608 of Governmental Accountability pursuant to the provisions of
609 subsection (b) of this section, or for the purpose of terminating the
610 employment of the executive administrator.

611 (2) The commission established under subdivision (1) of this
612 subsection shall not be construed to be a board or commission within
613 the meaning of section 4-9a.

Commented [BA4]: 01--00--0301---K;(a);(a);;;

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	18-81jj
Sec. 2	<i>July 1, 2022</i>	New section
Sec. 3	<i>July 1, 2022</i>	18-96b
Sec. 4	<i>July 1, 2022</i>	1-300
Sec. 5	<i>from passage</i>	1-301(a)