



General Assembly

January Session, 2011

**Raised Bill No. 6642**

LCO No. 5131

\* \_\_\_\_\_HB06642JUD\_\_041511\_\_\_\_\_\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT CONCERNING THE RECOMMENDATIONS OF THE  
NATIONAL PRISON RAPE ELIMINATION COMMISSION.***

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

1 Section 1. (NEW) (Effective October 1, 2011) (a) Any agency of the  
2 state or any political subdivision of the state that incarcerates or  
3 detains adult or juvenile offenders, including persons detained for  
4 immigration violations, shall, within available appropriations, adopt  
5 and comply with the applicable standards recommended by the  
6 National Prison Rape Elimination Commission for the prevention,  
7 detection and monitoring of, and response to, sexual abuse in adult  
8 prisons and jails, community correction facilities, juvenile facilities and  
9 lockups.

10 (b) Such standards include, but are not limited to:

11 (1) Zero tolerance of sexual abuse;

12 (2) Contracting with other entities for the confinement of inmates,  
13 detainees or residents;

14 (3) Inmate, detainee or resident supervision;

- 15 (4) Heightened protection for vulnerable detainees;
- 16 (5) Limits to cross-gender viewing and searches;
- 17 (6) Accommodating inmates, detainees or residents with special  
18 needs;
- 19 (7) Hiring and promotion decisions;
- 20 (8) Assessment and use of monitoring technology;
- 21 (9) Evidence protocol and forensic medical examinations;
- 22 (10) Agreements with outside public entities and community service  
23 providers;
- 24 (11) Agreements with outside law enforcement agencies;
- 25 (12) Agreements with the prosecuting authority;
- 26 (13) Employee training;
- 27 (14) Volunteer and contractor training;
- 28 (15) Inmate or resident education;
- 29 (16) Detainee, attorney, contractor and inmate worker notification of  
30 agency's zero-tolerance policy;
- 31 (17) Specialized training: Investigations;
- 32 (18) Specialized training: Medical and mental health care;
- 33 (19) Screening for risk of victimization and abusiveness;
- 34 (20) Use of screening information;
- 35 (21) Obtaining information about residents;
- 36 (22) Placement of residents in housing, bed, program, education and

- 37 work assignments;
- 38 (23) Inmate, detainee or resident reporting;
- 39 (24) Exhaustion of administrative remedies;
- 40 (25) Inmate or resident access to outside confidential support  
41 services or legal representation;
- 42 (26) Third-party reporting;
- 43 (27) Staff and facility or agency head reporting duties;
- 44 (28) Reporting to other confinement facilities;
- 45 (29) Staff first responder duties;
- 46 (30) Coordinated response;
- 47 (31) Agency protection against retaliation;
- 48 (32) Duty to investigate;
- 49 (33) Criminal and administrative agency investigations;
- 50 (34) Evidence standard for administrative investigations;
- 51 (35) Disciplinary sanctions for staff;
- 52 (36) Disciplinary sanctions for inmates;
- 53 (37) Referrals for prosecution for detainee-on-detainee sexual abuse;
- 54 (38) Interventions for residents who engage in sexual abuse;
- 55 (39) Medical and mental health screenings: History of sexual abuse;
- 56 (40) Access to emergency medical and mental health services;
- 57 (41) Ongoing medical and mental health care for sexual abuse  
58 victims and abusers;

- 59 (42) Sexual abuse incident reviews;
- 60 (43) Data collection;
- 61 (44) Data review for corrective action;
- 62 (45) Data storage, publication, and destruction; and
- 63 (46) Audits of standards.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	New section

**JUD**      *Joint Favorable*