

OFFICE OF LEGISLATIVE RESEARCH  
PUBLIC ACT SUMMARY



**PA 11-159—HB 6642**

*Judiciary Committee*

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

**SUMMARY:** Within available appropriations, this act requires state and municipal agencies that incarcerate or detain adult offenders, including immigration detainees, to adopt and comply with the applicable standards recommended by the National Prison Rape Elimination Commission for preventing, detecting, monitoring, and responding to sexual abuse. The agencies covered are prisons, jails, community correction facilities, and lockups.

EFFECTIVE DATE: October 1, 2012

**STANDARDS**

At a minimum, the act requires the agencies to adopt and comply with the commission's standards on:

1. zero tolerance of sexual abuse and notifying detainees, attorneys, contractors, and inmate workers of this policy;
2. contracting with other entities for the confinement of inmates or detainees;
3. supervising inmates or detainees and assessing and using monitoring technology;
4. heightened protection for vulnerable detainees;
5. limiting cross-gender viewing and searches;
6. accommodating inmates or detainees with special needs;
7. hiring and promotion decisions;
8. adopting evidence protocols and requiring forensic medical examinations;
9. reaching agreements with outside public entities, community service providers, outside law enforcement agencies, and prosecutors;
10. training employees, volunteers, and contractors;
11. educating inmates;
12. specialized training on investigations and medical and mental health care;
13. screening for risk of victimization and abusiveness, screening medical and mental health for the history of sexual abuse, and using screening information;
14. establishing reporting procedures for inmates, detainees, and third parties;
15. exhausting administrative remedies;
16. giving inmates access to outside confidential support services or legal representation;
17. establishing reporting duties of staff and facility or agency heads and requiring reporting to other facilities;
18. establishing first responder duties;

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19. coordinating responses;
20. protecting inmates and other detainees from retaliation;
21. establishing the duty to investigate incidents, providing for criminal and administrative investigation, and setting the evidence standard for administrative investigations;
22. establishing disciplinary sanctions for staff and inmates;
23. referring detainee-on-detainee sexual abuse for prosecution;
24. providing access to emergency medical and mental health services and ongoing medical and mental health care for sexual abuse victims and abusers;
25. reviewing sexual abuse incidents;
26. collecting and reviewing data for corrective action and providing for data storage, publication, and destruction; and
27. auditing the standards.

### BACKGROUND

#### *National Prison Rape Elimination Commission*

Congress created this commission to study the causes and consequences of sexual abuse in prison and develop standards to eliminate prison rape. The commission submitted its report in June 2009. The report included detailed standards to reduce sexual abuse of offenders in adult prisons and jails, juvenile detention facilities, facilities housing immigration detainees, lock-ups, and community corrections facilities.

OLR Tracking: CR:RP:JL:ts