

# Judiciary Committee JOINT FAVORABLE REPORT

**Bill No.:** SB-1110

AN ACT CONCERNING INMATE CLAIMS THAT ARE FILED WITH THE OFFICE  
**Title:** OF THE CLAIMS COMMISSIONER

**Vote Date:** 4/8/2019

**Vote Action:** Joint Favorable Substitute

**PH Date:** 4/3/2019

**File No.:**

***Disclaimer:** The following JOINT FAVORABLE Report is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose.*

## **SPONSORS OF BILL:**

Judiciary Committee

## **REASONS FOR BILL:**

This bill provides for the fair and equitable adjudication of a claim filed by or on behalf of an inmate for death or permanent injuries suffered while incarcerated at an institution or facility of the Department of Correction.

## **SUBSTITUTE LANGUAGE:**

The substitute language removes the new language in the proposed bill, which was placed in Section 4-165(b) of the Connecticut General Statutes, and places it in a new section. The substitute language further clarifies that the Commissioner of Correction shall ensure that such documentary materials are provided to the inmate, or their legal representatives not later than sixty days after the date of receipt of the written request. The substitute language also clarifies that the Commissioner of Correction shall adopt regulations in accordance with Chapter 54 related to 1) a process for resolving any dispute concerning the production of documentary materials under this section, and (2) a delineation of the fees, if any, that the Department of Correction may impose when complying with a request for documentary materials.

## **RESPONSE FROM PUBLIC OFFICIALS (SUPPORT):**

### **Senator Joan V. Hartley (15<sup>th</sup> District):**

This bill arises as part of the sordid history between the Department of Correction and its utilization of the University of Connecticut Medical Center. This bill would allow, in the event that an inmate or their legal representation filed a claim with Claims Commissioner when there was fatal injury or an injury resulting in a permanent disability while incarcerated, all relevant medical files be provided to such inmate or legal representation.

## **RESPONSE FROM PUBLIC (SUPPORT):**

### **Amber Diaz (Stamford, CT):**

Sister died in under twenty-four hours of being held in York Correctional Institute for unknown reasons. When attempts were made to obtain medical and documentary records, the family was either denied access or had to wait months. As a result, the family had to sue through the Claims Commissioner in an attempt to even gain access. Almost a year later, the family still does not have information on the death.

### **David McGuire, Executive Director, ACLU-CT:**

This bill supports the right of any person, including people who are incarcerated, to be able to fairly and adequately defend themselves and pursue justice in the judicial system. Without the medical information and documentary evidence that this bill provides, it is extremely difficult for an inmate to build a good case.

### **Keshanna Staten (Waterbury, CT):**

Son was incarcerated and died during the final year of his sentence. It took over three years for the Department of Correction to release information surrounding the son's death, and that information was only released after repeated denials. The provided medical information shows the son's clear deterioration from Lupus despite repeated medical requests and visits. This bill would ensure those records are provided without hassle.

**Reported by: Robert J. Anderson**

**April 12, 2019**