

# OFFICE OF FISCAL ANALYSIS

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<http://www.cga.ct.gov/ofa>

sSB-1059

AN ACT CONCERNING THE OFFICE OF THE CORRECTION OMBUDS, THE USE OF ISOLATED CONFINEMENT, SECLUSION AND RESTRAINTS, SOCIAL CONTACTS FOR INCARCERATED PERSONS AND TRAINING AND WORKERS' COMPENSATION BENEFITS FOR CORRECTION OFFICERS.

## **OFA Fiscal Note**

### **State Impact:**

Agency Affected	Fund-Effect	FY 22 \$	FY 23 \$
Correction, Dept.	GF - Cost	8.2-10.4 million	8.3-10.6 million
State Comptroller - Fringe Benefits <sup>1</sup>	GF - Cost	0.9-1.8 million	0.9-1.8 million
Department of Emergency Services and Public Protection; Correction, Dept.; Judicial Dept.	Technical Services Revolving Fund - Revenue Loss	7.8 million	7.8 million
Governmental Accountability, Off.	GF - Cost	Up to 1.0 million	Up to 1.1 million
State Comptroller - Fringe Benefits	GF - Cost	Up to 419,745	Up to 432,337
Correction, Dept.	GF - Potential Cost	See Below	See Below

Note: GF=General Fund

**Municipal Impact:** None

### **Explanation**

The bill makes various changes regarding the laws that govern the Department of Correction (DOC) and results in the impact listed below.

<sup>1</sup>The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 41.3% of payroll in FY 22 and FY 23.

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4/26/21

**Section 1** expands the correction ombuds program to include all inmates in DOC custody and relocates the program to the Office of Governmental Accountability (OGA) resulting in a cost to the OGA. To meet the requirements of the bill the OGA will have to hire up to 12 ombudsmen and one administrative assistant resulting in a cost of up to \$1.5 million in FY 22 and FY 23 (costs include salary, other expenses, and fringe benefits).

The current ombuds program is only for juvenile inmates (less than 35 inmates are under 18) and the bill expands this to the entire DOC population, which is 8,965 inmates as of 4/23/21.

**Section 2-3** require increased supervision of isolated inmates, decreases the use of restraints, and allows inmates to receive at least 8 hours of out of cell time per day resulting in a cost to DOC. To meet the requirements of these sections DOC will have to hire between 44-88 additional correction officers for a cost of \$3.1-\$6.1 million in FY 22 and \$3.2-\$6.3 million in FY 23 (costs include salary, other expenses, and fringe benefits).<sup>2</sup>

**Section 2** also requires a physician and therapist to conduct a physical examination and mental health evaluation before holding an inmate in isolated confinement resulting in a potential cost to DOC. Physicians and therapists typically work first-shift, Monday-Friday at DOC facilities and are on-call all other times. To the extent this section results in more medical staff being on-call in order to perform evaluations there is a potential cost to the state.

**Section 3** requires the DOC to provide writing and postage materials to inmates free of charge resulting in a cost of approximately \$400,000 per year<sup>3</sup>. The annual cost will depend on the number of inmates in DOC custody and how many letters inmate choose to write.

**Section 3** requires the DOC to let inmates make at least two free 60-

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<sup>2</sup> The cost assumes each DOC facility will add one to two additional correctional officer posts for the first and second shifts.

<sup>3</sup> Cost includes paper, postage, envelopes, and writing instruments.

minute phone calls per week and results in a cost and a revenue loss to the state. Currently, inmates pay for each call and a portion of that money compensates the vendor for providing the service and the remainder goes to the state to fund various programs. It will cost DOC approximately \$5.7 million per year to allow inmates to make two free 60-minute calls per week. The exact cost will depend on the number of inmates in DOC custody, the number of calls made, and the length of the calls.

The bill results in an approximate \$7.8 million revenue loss to the state in FY 22 and FY 23. This money goes to DOC for expanding inmate educational services and reentry program initiatives, and the remainder pays for criminal justice information system (in DESPP) and for probation staffing in the Judicial Department.

**Sections 4-8** result in a potential cost to the DOC to the extent that correction officers apply for Workers' Compensation benefits and meet the conditions of the bill. For reference, there are approximately 3,400 current DOC correction officers, and this bill expands Workers' Compensation benefits to all correction officers suffering from post-traumatic stress injuries (PTSI).

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation and the number of inmate telephone calls.