



CONNECTICUT  
LEGAL  
RIGHTS  
PROJECT, INC.

TESTIMONY OF KATHLEEN FLAHERTY, ESQ.  
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JUDICIARY COMMITTEE PUBLIC HEARING  
MARCH 22, 2021

**In support of SB 972**, AN ACT CONCERNING THE COST OF  
TELECOMMUNICATIONS SERVICES IN CORRECTIONAL FACILITIES.

**In support of SB 1029**, AN ACT CONCERNING CAUSES OF ACTION  
AGAINST LICENSED NURSING HOME FACILITIES FOR FAILURE TO  
MEET STANDARDS OF CARE RELATED TO COVID-19 and **in opposition to**  
**HB 5125**, AN ACT CONCERNING THE PROVISION OF IMMUNITY FROM  
CIVIL LIABILITY FOR ENTITIES THAT HAVE OPERATED PURSUANT TO  
HEALTH AND SAFETY GUIDELINES DURING THE COVID-19  
PANDEMIC.

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**In support of SB 1058**, AN ACT CONCERNING COMPASSIONATE PAROLE  
RELEASE BY THE BOARD OF PARDONS AND PAROLES AND  
CONCERNING STAFF OF THE DEPARTMENT OF CORRECTION.

**In support of SB 1059**, AN ACT CONCERNING THE CORRECTION  
ACCOUNTABILITY COMMISSION, 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.

Senator Winfield, Representative Stafstrom, Senator Kissel, Representative  
Fishbein and distinguished members of the Judiciary Committee:

Good afternoon. My name is Kathy Flaherty and I'm the Executive Director of Connecticut Legal Rights Project (CLRP), a statewide non-profit agency that provides legal services to low income adults with serious mental health conditions. CLRP was established in 1990 pursuant to a Consent Order which mandated that the state provide funding for CLRP to protect the civil rights of DMHAS clients who are hospitalized, as well as those clients who are living in the community.

Thank you to the committee for raising these four bills. People who are incarcerated remain members of their community even as they are separated from the community during the time they are serving their sentence (or detained pre-trial.) **SB 972** recognizes how important it is to maintain connections to loved ones and provides the mechanism to do so. I encourage the committee to support the bill.

When COVID-19 first struck the state, providing civil immunity to hospitals and long term care facilities made sense – everyone was trying to do the best they could with a novel coronavirus. Now we know what works to control the spread of infection and continued immunity is inappropriate; **SB 1029** is an appropriate recognition of that. The standard of “gross negligence or willful misconduct” set in **HB 5125** is too high and I urge you to reject that bill; negligence is more appropriate at this stage in the pandemic.

It has been disappointing to see that Connecticut has not taken more steps toward decarceration in order to control the spread of COVID-19 in its jails and prisons. **SB 1058** recognizes that the standards of granting compassionate release should be modified. When people who work inside of institutions observe abuse and say nothing, and fail to intervene, they perpetuate a system that harms the people inside those institutions. The people who do take steps to intervene or to report should not experience retaliation. I encourage the committee to support this bill.

CLRP is in strong support of **SB 1059**, known as the PROTECT Act. We are particularly concerned with the impact of solitary confinement on people already known to be living with mental health conditions when they enter a correctional facility and the way in which solitary confinement inflicts trauma and distress. We support the call to end the practice of solitary confinement. We appreciate that the Department of Correction has already announced that Northern will be closed. It

needs to be clear that DOC not be permitted to re-create the harmful conditions of solitary confinement in other facilities.

Thank you for your consideration of this testimony.