SENATOR WINFIELD (10TH): Good morning welcome to the Judiciary Committee Public Hearing for Monday March 22, 2021 I’d like to begin -- any comments from my Co-Chair or Ranking Member before we start.

REP. STAFSTROM (129TH): Morning everyone sounds like we're in for a very long day today so let's hope we can keep on schedule here and be judicious in our questioning and hear from the public.

SENATOR WINFIELD (10TH): Thank you Representative Fishbein.

REP. FISHBEIN (90TH): Thank you good morning all and I’ll say a lot less than my Chairman Stafstrom so, have a good day.

SENATOR WINFIELD (10TH): Sounds good to me. All right we're gonna begin with the first person on our list which I see him in the room it's Commissioner Angel Quiros, Good morning Commissioner you may begin, you have your three minutes.

ANGEL QUIROS: Good morning Representative Stafstrom, Fishbein, Senator Winfield, Senator Kissel and the Members of the Judicial Committee. I
am Angel Quiros, the Commissioner of Corrections. I'm here to testify on Senate Bill 1059. I've also submitted written testimony on this Bill and three other Bills before you today.

It is vital for this Committee to understand the environment I have faced since I was confirmed by the General Assembly last month. I have already announced the closure of Northern Correctional Institution effected this July 1st, and I'm working to close two additional facilities before the end of the next biennium. Having you spent the last 32 years serving the Department of Correction, I'm keenly aware that the plea from the community of advocacy to close Northern have been voiced for years past. But I made the bold decision as a new Commissioner to close that facility.

I'm here before you asking for the opportunity to prove to our staff that we can safely and humanely manage these and challenging populations at other location. Simultaneously to the daunting task of closing three Correctional Facility, all of the correctional bargaining units are currently in contract negotiations with their agreement expiring this July 1st.

I'm also anticipating preparing for a significant number of additional retirements before July 1st of 2022 due to the major changes to the pension structure. I'm in the midst of training all Correctional Officers in the use of force. Use of force charges that we saw last year police accountability blog, as well as the last minute addition of the duty to intervene when excessive or illegal use of force is witnessed. I'm also moving ahead on my own initiatives to make the changes and out of cell time, length of the restricted housing status, and the use of restraints.

I'm also overhauling the Correctional Officer training to include successful returning citizens to address staff, enhancing de-escalation techniques,
and emphasizing the importance to assist incarcerated individuals to support successful transition into the community.

Finally, I am continuing to address the need for our additional health service staff to provide medical and mental healthcare to those under my custody. I'm doing all these things while moving forward with the COVID vaccination testing efforts and eventually resume contact visits and large scale programming in our facilities.

These are all major endeavors and changes I must deal with while maintaining safety and security for the public, my staff and the incarcerated population, some of the proposals, some of Senate Bill 1059, are already been addressed by me and my staff, just maybe not to the extent or to the speed desire by the proponents.

Re- establishing a Correctional Ombudsman Office, which assisted in my career is worthy of discussion. But this Bill is so perceptive, expensive, and costly in the minds of a very dynamic correction environment that I cannot envision any Commissioners being able to agree to and successfully execute them without major negative consequence. Give me the time to execute change to carefully consider policy, allow me the opportunity to lead the agency to shift a culture, hold me accountable. And close the -- I am committed to work with the Committee and the General Assembly on additional improvements, which can be accomplished safely within this challenging climate. That is the end of my testimony.

SENATOR WINFIELD (10TH): Thank you, Commissioner. Representative Fishbein.

REP. FISHBEIN (90TH): Thank you Mr. Chairman. Good morning, Commissioner, how are you?

ANGEL QUIROS: Good morning.
REP. FISHBEIN (90TH): Commissioner, I can't find your written testimony. And I understand that you're opposed to 1059. And I understand the reasons. But what is -- I would expect that you had submitted something with regard to Senate Bill 972. Did you? The telecommunications services--

ANGEL QUIROS: Yes.

REP. FISHBEIN (90TH): Okay. And I don't believe that was addressed in your opening remarks. And, you know, generally in a nutshell, what is your position on SB 972?

ANGEL QUIROS: I stated before, I'm not in opposition of Senate Bill 972, which allows for phone calls to be free for the individuals, but I'm currently on -- under contract, the Department of Correction is currently under contract that DAS administers in the negotiations not done by my agency. But I support the reduction of the cost and if the state can find a way to make it free for the individuals in my custody, I will support that.

REP. FISHBEIN (90TH): And what is, to your knowledge the status of that contract? I thought that it was a two year contract and I think the last time we talked about this it was about two years ago. So is that contract up for renewal and is being negotiated? What's the status?

ANGEL QUIROS: It was some negotiations done in 2020 with DAS, and the cost of the phone calls went down four cents. The governor and his budget allocated, I believe was like $1 million towards the CSSD budget for the salaries of the probation officers in this country this current contract by senate for one more year so we'll be back out to RFPs sometime in 2022.

REP. FISHBEIN (90TH): Okay and do you know -- is DAS actively negotiating the continuation of that contract?
ANGEL QUIROS: DAS continue to negotiate and I think they finalize it and that's where it resulted in the four cents drop on the call -- for calls to the individual in my custody. That will go for another year and in 2022 the whole contract will be going out for bid on RFP.

REP. FISHBEIN (90TH): Okay and you mentioned that revenue from this goes to pay for certain services. I think you mentioned probation so am I to understand that when there's a cost for providing the service and there's a cost charged to the end user that comes back to the state? Is that basically the framework of the way it works presently?

ANGEL QUIROS: So there's a -- the Department of Correction at the end of the -- each year will get $350,000 from the services generated -- from the revenues generated from telephone calls. That $350,000 will go back into the any programming piece. CSSD does have 30 to 40 Probation Officers that those revenues pay for the salaries, and then there was the technology project that's also funded with the revenues from these costs.

REP. FISHBEIN (90TH): So when you say funded from these calls, is it an enterprise fund? And what I mean by that sir is that it's all inclusive that if these calls are free, -- free when I say that there's no money coming back to the state as contemplated I think, by this Legislation will those positions and those programs go away?

ANGEL QUIROS: Yes. The state will be forced to look at other options and how to fund those salaries they will have to look at other options and how to find the technology upgrade, and then they will have to look -- because it is free from Department of Correction they will still be an expense with the vendor.
REP. FISHBEIN (90TH): Okay and I’m just trying to get to the -- my understanding is that the monies that come back from these calls they don't go directly to the lines that fund, they go to the general fund and then from there monies appropriated in the budget is a revenue portion in the budget, and there's an expenditure in the budget but it's not just like one account and by being clear here?

ANGEL QUIROS: I have -- there is a statute that dictates where this money goes.

REP. FISHBEIN (90TH): Okay and you have to know what that statute is. Sir?

ANGEL QUIROS: I will be able to get it for you and I’ll email it to you.

REP. FISHBEIN (90TH): Okay that would be helpful thank you. Okay I think that's enough information on that that's all I had thank you Mr. Chairman.

ANGEL QUIROS: Thank you thank.

SENATOR WINFIELD (10TH): Thank you Representative. Representative Callahan.

REP. CALLAHAN (108TH): Thank you Mr. Chairman. Good morning Commissioner.

ANGEL QUIROS: Good morning.

REP. CALLAHAN (108TH): When it when it comes to -- I guess we're going to be using the term kickbacks, that all the states around the country who have these telecommunications contracts get a certain percentage of kickback that goes into -- as Representative Fishbein was just saying, different funds. Do you know what the percentage of kickback Connecticut gets is?

ANGEL QUIROS: I would say the final amount is close to $12 million.
REP. CALLAHAN (108TH): Do you know what percentages is that sir?

ANGEL QUIROS: I can get you the percentage.

REP. CALLAHAN (108TH): Okay, and also I'll have other -- I don't want to belabor the Committee's time too much, because I have questions for some of the other speakers. But on 1059 when it comes to solitary confinement, I think it's a tough practice, but being the Commissioner of Correction, are there inmates sometimes that are so dangerous, that they're a danger to staff and their bunkmates to the point where they need to be kept by themselves?

ANGEL QUIROS: The simple answer is yes. But as a Commissioner, I also recognize that if I want to be at the table of criminal justice reform, I am reviewing -- currently reviewing those policies that are in place with these restrictive programs, as far as the use of restraints, the out of cell time, the length of the program to make some changes to maintain that safety with the individuals under my custody.

I don't want to make changes that I'm going to end up in a year or two here in front of this Committee, and the Committee question me, why are your sauce on the individuals in your custody, so high? And so, I want to do it safely, and right, but recognizing that last time, we change these restrictive progress on status, it was in 2013. So it's been almost eight years.

So I have an obligation to review these programs, and continue to make changes so that -- and this is a small percentage, it's not -- right now, I think is like under 3% of the individuals that are -- that are causing these problems. In 2009 when I was awarded at Northern, I had 220 AS offenders went through the program. When we made a change in 2014. This morning, as phase one, I had, like, 32
offenders. So, we've come a long way. But there's still room for improvement, though.

REP. CALLAHAN (108TH): I thank you for coming in this morning, Commissioner. Thank you, Mr. Chairman.

ANGEL QUIROS: Thank you.

SENATOR WINFIELD (10TH): Thank you, Representative. Are their comments or questions from other members of the Committee? Comments or questions from other members of the Committee? Commissioner, let me just get a little bit of clarity on your position on 1059. It seemed to me that you were in opposition to the Bill. There were at least some parts of the Bill that your opposition wasn't included in at least in whole. And you mentioned that when you came into the system that there was an Ombudsperson that was in effect at that time. But it wasn't clear to me. I think you weren't in opposition, at least to the concept of an Ombudsman. But it wasn't totally clear to me. So if you could clarify if there are parts of this Bill that you think are actually good, or parts of the Bill that maybe we could do, that would be useful.

ANGEL QUIROS: [inaudible] Senator Winfield, as I indicated back in 1989, when we started, there was a Correction Ombudsman assigned to the Department of Correction. In 2009, because of a budget issue, that item was eliminated and the Ombudsman was removed. So I am not against, I can work with an Ombudsman, I can support an Ombudsman being part of the Department of Correction, overseeing the agency investigating and reporting. I don't have a problem with that. The part that concern me is the civilian panel, and the nine members within the panels. That's a little concerning to me for the simple reason that if you're going to have a panel oversee the Department of Correction, and this should be some experience and some knowledge of what it takes
to be -- to run an agency as a Commissioner. So that's a little concerning. So but I can work with the Ombudsman. I think there's language there that I can work with the Committee to get us something where both sides will be happy.

The -- there is a section too, when it comes to Workers Comp for our workers with PTSI. However, you're just adding Correctional Officers, I will want to encourage that we add all Correctional Staff because it's not just Correctional Officers that will respond to an incident and witness of some trauma. You got nurses are part of the response team. You got supervisors as part of the response team, you may have a teacher that's near the area. Any hazardous duty employee who's around the area will be responsible to respond to the incident. So I would encourage more language to go there.

On the isolation piece of there will be -- we'll have to have conversation, eight hours out of a cell. These facilities -- the newest facility that was constructed, I just closed, that was Northern. These facilities were constructed in the 60s, 70s. And some in the 90s. The room in the housing unit is not conducive to allow 100 people to be in that -- you know, anywhere from 75 to 100 people to be in that recreation area. And now with COVID-19 it's even more concerning because of social distancing.

I mean, so typically, in the cell facilities, we do bunk tier and top tier, that's half of the population. And even when doing one tier, it's kind of crowded. So the way this Bill is written, will require me to ask for additional resources, in order to make it safe for the individuals in my custody and to prevent -- I think we can work on the out of cell time I was talking about, and I met with the solitary confinement group recently. And, you know, there's two facilities, one is Cheshire that I'm working with the Deputy Commissioner of Operation to increase the out of cell time. And the other one
is, there's a housing unit at Osborn CI, we're looking to increase the out of cell time.

The eight hours that it mandate here in this Bill can easily be done in dorm setting environments where meaning that a lot more, but in your county jails and in your cell facilities, you know, it'd be difficult to meet eight hours. I'll probably be going into probably 11,12, one o'clock in the morning to try to meet these recreation time out of cell, just to do it safely with a group of individuals in my custody. I can't put 100 people in a crowded room. I can't, so you know, I have to get creative on how to do it. And it will require more resources and more -- but again, I still can work with the out of cell time in this draft. I'll just go real quick, Senator Winfield, and see what other--

SENATOR WINFIELD (10TH): Commissioner, I was just seeking whatever you felt could answer that question. I wasn't seeking anything in particular. Let me just say this, and then I'll recognize Representative Howard, whose hand I see. I appreciate your efforts. You and I have had many conversations. I'm sure we're gonna have even more over the next couple of weeks. And I don't think you were saying it, but I just want to be clear that the need for additional resources to do good policy is an important thing and not a reason not to do a good policy.

But I will say, while I've had a -- I think better working relationship with you and some of your predecessors, I'm a little wary about the notion that more time is the answer. Because of what has been represented to me in the past by prior Commissioners of Correction, particularly on this issue. I will also say that we passed a Bill not too long ago about the Ombudsperson as it relates to our youth. And we still haven't made the progress we were supposed to make on that. And so I have to be honest that I'm a little wary of it. But if we
move forward, I hope and do not move forward with this Bill in a way that I'm hoping we do, I hope that what you represent to us turns out to be the case. And with that, I'll turn it over to Representative Howard for a comment or question.

REP. HOWARD (43RD): Thank you Mr. Chairman, I apologize for speaking after you it's one thing just sort of jumped out at me as I was scrolling through this Bill, and good morning Commissioner. I'm just looking, on 1059 line 464 if I read from that it says that, in order to -- a person has to be a Captain or above. Those staff member the rank lower than a Captain may subject an incarcerated person to the use of physical restraint. Is that even reasonable in the Correctional facility? Are you going to be coming back to us and saying hey everybody needs to be Captain or better now we got to start paying these salaries.

ANGEL QUIROS: Great point on Representative Howard. You're right I don't have a Captain on -- captains on first shift second shift third shift, but they're Monday to Friday. So on the weekend. I have lieutenants that are acting in the capacity of a captain, but I don't have captains working on the weekends, and may even go further -- even goes further than to extend it, it reaches all the way out to my office at the Commissioner's level for approval. So the way it's written -- it's not practical but I think that a language can be put in, because I am looking at how we used the restraints. So yeah the answer is no, not on the weekends.

REP. HOWARD (43RD): So, essentially if you had a major fight on a cafeteria or something on a weekend nobody's going to go in handcuffs until Monday? And somehow your CO is going to get control of that that way? I don't understand how that would happen.

ANGEL QUIROS: Yes, so the way I'm reading and interpreting there's some emergency situation which allows for the restraints to be placed and this --
in the situation you're describing, on the weekends. First of all, the majority of the individual that responds to any emergency situation is probably one lieutenant. The Captain will go into the main control in operations of the whole incidents out of main control. But the majority of staff responding are Correctional Officers and those are the ones that are applying armed or restraints.

And it's never that you indicated, that Correctional Officer will be able to provide a restraint. What it speaks about, if you're going to put -- if an individual still acting out still boisterous about threatening, that's being said, if you're gonna keep that person in restraints for more than four hours that the Captain is the one that authorized that. If he's going to continue that, then it goes all the way up to the Commissioner giving approval for that. So me, as a Commissioner where it's written, if they can't get a hold of the Warden, the Deputy Commissioner, I may be getting calls on third shift on Monday Tuesday Wednesday Thursday.

REP. HOWARD (43RD): I hope you answer your phone all the time. So let me say this to you Commissioner, from what I’m hearing from you and I’m going to say this to my colleagues as well. You understand what we're trying to -- or what this Bill is trying to accomplish, right? So -- but I think that what I don't want to see is a lack of convergence between the goal and the practical application. And what I mean by that is if I’m understanding you, you're saying the goal of this Legislation is a goal that you share but knowing what you do, knowing what you know about how our Correctional Facilities operate, there needs to be some changes to achieve that goal in a way that's practical. Am I accurately depicting your position?

ANGEL QUIROS: Correct 100%.

REP. HOWARD (43RD): Thank you sir. Thank you Mr. Chairman. Again, I apologize. I just buzzed in
through that quick. I just saw that one thing I wanted to bring up thank you.

SENATOR WINFIELD (10TH): Thank you representative Howard. It’s not a problem you want to get all the questions that are needed answered. Comment or question from other members of the Committee. Comment or questions? Seeing none, Commissioner, thank you very much for joining us this morning you and I will have a conversation or two or 20 in the next couple of weeks. Have a great day hope you enjoy it

ANGEL QUIROS: Thank you.


SARAH EAGAN: Yes.

SENATOR WINFIELD (10TH): All right you have your three minutes you may begin.

SARAH EAGAN: Great thank you. Good morning to the Committee and to the Chairs. My name is Sarah Eagan. I run the state's office of the Child Advocate the OCA is an independent agency, state agency charged with reviewing investigating and making recommendations regarding how publicly funded state and local systems meet the needs of vulnerable children. I wanted to offer testimony on two Bills 972 and 1059 and wanted to testify in the context of OCA's existing obligation to investigate conditions of confinement for all incarcerated youth every two years that was a find that was an obligation this legislature put in place in 2016.
I'm actually going to start with Bill 1059 which OCA strongly supports because it includes a much needed and comprehensive approach to increasing transparency and accountability for the Correctional system, sharing critical information with the legislature addressing the persistent concerns but isolation and restraint of individuals in the state's custody. Transparency is a necessary foundation for change and it is imperative for making progress in addressing conditions of confinement for incarcerated people. In some ways that section about the Ombuds office may be the most critical part of that Bill. So I echo Commissioner Quiros' support for that.

Since 2016 as I said the OCA has been investigating conditions of confinement. We have released multiple reports including follow up report in November 2020 which focused on conditions for youth in the adult prison system. And by youth, I mean youth ages age 15 to 21. Our investigations include site visits interviews with key OC staff, administrators and youth and review of data regarding cell confinement, program availability and utilization, visitation and mental health service delivery.

We meet regularly with staff and leadership of the DOC and we thank them for their continued cooperation with DOC statutorily mandated investigation activities. Our most recent investigation, only a few months --unfortunately a few months old found that significant concerns persist for incarcerated youth aged 15 to 21 and that progress for youth is hampered due to continued resource program design and facility limitations of the adult prison custody model and its application to kids.

Just want to run through a couple quick findings. So first of all there's usually less than 50 minors in DOC custody at any given time, usually about 200 to 220 18 to 21 year-olds at MYI in any given time.
They're usually less than three girls in DOC custody at any given time. Most concerningly [sic] is that black youth continue to make up a majority of all incarcerated youth aged 15 to 21 at MYI and at York. They are 60% of all incarcerated youth and in MYI.

We find that more than half of the boys at MYI have lived-in families that have been investigated multiple times by DCF for concerns of child abuse and neglect, and that approximately one-third of boys' families had been investigated by DCF 10 or more times. All of the minor girls at York lived in families that had some or extensive history with DCF due to concerns with child abuse and neglect.

We continue to find that the majority of children at MYI -- boys at MYI, do not participate in -- participate in either zero or one program during the duration of their confinement, that remains an unchanged finding in our audits. We find that the majority of youth are not identified by the DOC classification system as in need of mental health treatment. For education, we find that the rate of full day school participation for most boys remains -- hovers around 50% and that most of the boys--

REP. STAFSTROM (129TH): Your three minutes are up, if you could summarize.

SARAH EAGAN: Yes. In summary I would say that our findings about isolation, which we would call cell confinement, continued to be very concerning both for kids and older youth on restrictive housing but also frankly for the entire population and general population. This continues to be a significant focus of our conversations with administration from the DOC. I know they're working on it and they unveiled an Action Plan to the JJPOC in December of 2020 to deal with these findings. I think they're committed to them, I agree with Commissioner Quiros that a -- infrastructure and resources for the DOC to implement these changes in a timely way remains a concern. Thank you.
SENATOR WINFIELD (10TH): Thank you for your testimony. Sorry I didn't mean to cut you off there. Comments or questions from members of the Committee. Comments or questions? I do not see any. Thank you very much for joining us again, and providing us with the information. You always keep us updated about what we need to know particularly as it relates to our young people and assist them. Thank you very much. Hope you enjoy the day it looks pretty sunny outside see you next time.

SARAH EAGAN: Thank you very much. Appreciate the time.

SENATOR WINFIELD (10TH): I see that Carleton Giles has joined us. So Mr. Giles, you have your three minutes, and I'll fix this watch.

CARLETON GILES: Thank you sir. good morning Senator Winfield, Representative Stafstrom, Senator Kissel, Representative Fishbein and Honorable Members of the Joint Committee on Judiciary. I'm Carleton Giles, and joining me today is Rich Sparaco who will not speak after me but was listed to share with me.

I'm the Chairperson of the Board of Pardons and Paroles. I'm here today to provide testimony in support of Section 1 of raised Bill 1058 and that concerning compassionate parole release by the Board of Pardons and Paroles, and concerning staff of the Department of Correction. With the addition of the Board’s proposed substitute language.

The Board takes no position on Section 2 of this Bill. Section 1 of the Bill expands the scope of the Board’s authority to compassionately parole incarcerated individuals. This section contains language jointly developed by the Board and the Office of the Chief public Defender.
It one, allows the Board to compassionate parole otherwise ineligible individuals due to extraordinary circumstances, such as a global pandemic, or other national emergency and two, provides the Board with more leeway to grow individuals incapacitated, debilitated or made infirm by illness, advanced age or mental incapacity. The section changes the existing and restrictive release standard for compassionate parole to one based on risk. Although the Board support section 1 changes which are attached to this testimony unnecessarily to properly implement compassionate parole and clear up any ambiguity.

The Board’s proposed changes create a statutory scheme similar to what currently exists for medical parole under 54 131A through G of the Connecticut General Statutes. In doing so, they authorize the chair person to quickly convene an emergency panel to hear urgent cases and provide the Board with the authority to impose standard and special conditions on those compassionately paroled.

In addition, our proposed language provides long overdue clarity as to the nature of the Board’s nature of, and Board’s authority over compassionate parole by clarifying that a panel of three Board members is the decision making authority for compassionate parole, as opposed to the entire Board amending existing parole statutes to appropriately reference compassionate parole as a distinct release mechanism where those statutes apply and making other technical and conforming changes.

Our proposed language also changes the wording of sub-section A of Section 1, Section 4 of our proposal from a significantly reduced risk as danger to society to present substantially reduced risk of danger to society. The former seems to suggest that the Board would be releasing individuals who continue to pose a danger to society as opposed to those individuals whose condition has significantly reduced any danger such individuals might pose to
society. The latter language aligns better with protecting the public.

Finally please note that without further changes to Section 1, the Board will not be able to establish conditions for compassionate parole as this Bill eliminates the Board's existing authority to do so. The Board's proposed changes resolve this problem. Therefore, the board respectfully recommends the Committee's Joint Favorable Substitute Report with the substitute language we have proposed we're happy to provide any additional information the Committee might require. Thank you.

SENATOR WINFIELD (10TH): Thank you Mr. Giles. Representative Fishbein.

REP. FISHBEIN (90TH): Thank you Mr. Chairman, Good morning Mr. Giles.

CARLETON GILES: Good morning, sir.

REP. FISHBEIN (90TH): Thank you for your proposed changes, it does advance and avail some of my concerns. How many members are there of the Board of Pardons and Paroles?

CARLETON GILES: They're supposed to be 15 currently I'm dealing with 11.

REP. FISHBEIN (90TH): Okay. And those appointments are all supposed to be made by the Governor, so you have four that are unfilled by the Governor?

CARLETON GILES: That is correct.

REP. FISHBEIN (90TH): Okay. And the three person panel that you foresee here making these decisions how would those individuals be selected from your Board?

CARLETON GILES: Yeah so this just comports with everything else we do. They are chosen by the Chair
to do all of the release mechanisms. So Parole Panels and pardon Panels. So with no particular specificity.

REP. FISHBEIN (90TH): Okay. So it would be discretionary upon you to assign whom you ever felt was appropriate to make those very important decision?

CARLETON GILES: That's right, which conforms with statute.

REP. FISHBEIN (90TH): Yes. No, understood. Components of statutes with regard to other things, right? This is certainly a much heightened situation where you potentially have somebody who has created a heinous crime and potentially we're releasing him from custody?

CARLETON GILES: Yeah, we still do so Representative Fishbein, with all the usual things in place. You know, we have victim input, we get information from DOC about the medical condition and so forth, and of course with the concern for public safety as well.

REP. FISHBEIN (90TH): Yes but this added element here is, in this particular situation of pandemic so I would have to believe that an individual was being considered here, absent of declaration of a public health emergency would not be eligible, right? Is that to be presumed from the need for this language?

CARLETON GILES: We're using distinct language, and what we're trying to do here is address this whole national emergency piece or the pandemic piece.

REP. FISHBEIN (90TH): Understood that's the -- that's what this language does. This adds in that variable, in the case of a pandemic this is the additional procedure.

CARLETON GILES: That's correct.
REP. FISHBEIN (90TH): Everything having to do with the individual has remained constant throughout that procedure. The only variable that's changed is the declaration by the government?

CARLETON GILES: Yes sir.

REP. FISHBEIN (90TH): Okay. So presently, is there a procedure? And the reason why I bring this up is, I'm involved in a case where a gentleman had been convicted, sentenced to prison, federal prison for a term of a decade. He was serving in Pennsylvania, and when the pandemic started he was able to petition to get early release and he was successful in that. Do we not have that procedure presently in Connecticut by some way shape or form where one can -- let's say go back -- go to court and file some sort of Motion? Do we have that procedure?

CARLETON GILES: Yes that would be a judicial procedure, yes.

REP. FISHBEIN (90TH): Okay, so why would this procedure be necessary?

CARLETON GILES: The Board has always had this authority to do so and this is simply trying to clarify language to continue to do so under the Board's authority.

REP. FISHBEIN (90TH): But it adds the pandemic. My understanding was that the pandemic was not part of the Board's authority previously?

CARLETON GILES: That's correct, we felt and we experienced that the language that was currently existing, just seemed so narrow that it didn't permit us to do what we thought we may be able to do. And that's why we're giving this really wider language.

REP. FISHBEIN (90TH): Whereas one can -- to my knowledge, one can presently petition, the federal
court, let's say if they're in a different situation, they could petition the state court and say that, you know, they're being incarcerated jeopardizes their health, wellbeing, safety, during a pandemic, and the court could give them relief because--

CARLETON GILES: I'm sorry, sir, I'm not familiar with that process, Representative.

REP. FISHBEIN (90TH): Okay, that's what I'm asking because I had heard that process exists, that one has the ability -- I've been able to confirm it. So I didn't know if you knew it, sir.

CARLETON GILES: No, sir.

REP. FISHBEIN (90TH): Okay, well, certainly, you know, incarceration should not a death sentence, you know, and I'm certainly compassionate, and sympathetic with regard to the situation. I just don't know that we get to a happy place here. But thank you, sir, for your testimony and answering the questions.

CARLETON GILES: Thank you, sir.

SENATOR WINFIELD (10TH): Thank you, Representative Fishbein. Any comments or questions from members of the Committee? Comments or questions? I do not see any. Thank you, Mr. Giles for joining us and testifying on this piece of policy. It's beautiful day. I hope you get to enjoy it.

CARLETON GILES: Thank you, Senator. Thank you all.


CARLETON GILES: Mr. Sparaco just signed up in case I couldn't make, so he's not going to testify.
SENATOR WINFIELD (10TH): That sounds good. Thank you. Heather Panciera, Shannon Leslie, Heather Panciera, are you in? Shannon Leslie, who will be followed by Kathy Flaherty and Jeannia Fu. Is Shannon Leslie in?

SHANNON LESLIE: Yes, I'm here.

SENATOR WINFIELD (10TH): All right, do you have your three minutes you may begin.

SHANNON LESLIE: Thank you. Hello, Members of the Judiciary Committee, I appreciate the opportunity to talk to you all today. My name is Shannon Leslie, and I'm a resident of New Haven, Connecticut, and I'm speaking in strong support of Senate Bill 1059 and Senate Bill 972. Both of these Bills are very important steps to a more just future for our state. I'm a graduate student at Yale University studying the role of proteins in neurological diseases.

And I chose this field because I wanted to make discoveries that would help improve the mental health and wellbeing of our communities. And that makes it particularly upsetting that in the state of Connecticut, we're actively worsening the mental health of many residents in our state. It is well known that solitary confinement and social isolation are extremely detrimental on an individual's mental health.

The United Nations recognizes this treatment for what it is, torture. There are Individuals are suffering this torture every day in our state. Many of my colleagues specifically study the effect of stress on the brain, and isolation and restraint are some of the quintiles central forms of stress that they use in their studies. It is unconscionable that we are inflicting this treatment upon our fellow residents. And this must stop. As a society we invest in research to find better treatments for neurological and psychiatric illnesses, yet our
state is actively contributing to mental illness through solitary confinement, extreme isolation and abusive restraints.

While I do not have firsthand experience with incarceration, I'm here today because this is a cruelty that all Connecticut residents should be concerned about. It's a human rights issue. And the laws and policies of our states have enabled it, so we must do better. Senate Bill 1059 and Senate Bill 972 not only ban this torturous isolation, but they help individuals facing incarceration maintain social bonds. This improves the lives of individuals, their families and their communities.

As state legislators, it's your job to make policies that uplift our communities and respect the humanity of all those who reside in our state. Today, you will hear from many brave and brilliant people who have witnessed the cruelty of this cruelty of our state's incarceration system and chosen to share their stories in the hopes of building a better future, such as the organizers of Stop Solitary Connecticut who have inspired and taught me so much. I urge you to listen to their voices and follow their guidance. Both Senate Bill 1059 and Senate Bill 972 are important Bills that affirm the humanity of all Connecticut residents and I strongly support them. Thank you for your time.

SENATOR WINFIELD (10TH): Thank you very much for your testimony. Representative Fishbein, you have the floor.

REP. FISHBEIN (90TH): Mr. Chairman, Morning Shannon, how are you?

SHANNON LESLIE: Doing well, How about yourself?

REP. FISHBEIN (90TH): Good. You know, I don't know to what extent standard solitary confinement is used in our state but you know, I was interested -- you know you mentioned that every day individuals in
Connecticut are being negatively impacted how many people do you know are in solitary confinement today in our prisons?

SHANNON LESLIE: I don't have the numbers but I can get back to you, and I know other organizers on this call have more detailed information about the exact numbers. But the stories I've heard is not always even called solitary confinement there'll be extreme isolation where there's prolonged periods alone and yourself which also is isolated from social interaction which is extremely detrimental.

REP. FISHBEIN (90TH): But I don't necessarily disagree that over a long term that that could be but I'm just trying to get to the -- you know how much this is actually used, and I mean do you know like within the last month how many people in Connecticut were put in solitary confinement? Because I mean, we say every day it's happening, that's an extreme and you know I'm just trying to get to where that comes from.

SHANNON LESLIE: Yeah, that comes from stories that I've heard from people who were formerly incarcerated, who have reported about what they experienced and I think we'll be sharing their stories later today

REP. FISHBEIN (90TH): Okay so just to be clear, I mean--

SHANNON LESLIE: I don't know. I don't have numbers.

REP. FISHBEIN (90TH): You don't know if solitary confinement was utilized at all, last week in any of our prisons or last month or -- I'm just trying to get to where your representation comes from.

SHANNON LESLIE: Yeah from stories of people who were recently incarcerated and have talked about the time that they know people that they were with and
how much time they were spent isolated so firsthand accounts. I don't have exact numbers or individual counts from specific locations.

REP. FISHBEIN (90TH): Okay, I think I understand where you're coming from. Thank you. Thank you Mr. Chairman.

SENATOR WINFIELD (10TH): Thank you Representative. Are there comments or questions from other members of the Committee? Comments or questions? Representative Callahan.

REP. CALLAHAN (108TH): Thank you Mr. Chairman. Thank you for coming in Shannon I see you're here to testify against -- in favor, I'm sorry, 972 regarding the phone calls?

SHANNON LESLIE: Yes.

REP. CALLAHAN (108TH): What would you propose the fee be? Would you go along with 972 that the phone calls be free of charge?

SHANNON LESLIE: I would agree with the free of charge. I think that maintaining social bonds is extremely helpful in terms of mental health and wellbeing of an individual

REP. CALLAHAN (108TH): Are you aware -- I would agree that Connecticut's costed over $4 for 15 minutes, is the second most expensive in Connecticut. But I also want to make you aware, and the Committee aware that these -- some of the funds that come back to the state go to fund probation programs like the technical violation unit and their probation transitions unit which I -- are programs that have helped close jails and keep people from recidivating and out of -- probation received about $3.2 million to fund these positions and if this goes away they -- looks like in appropriations, there's only about a million there they've had about a $2.2 million dollar shortfall.
So these programs would go away they could very well go away. On the technical violation unit, and Connecticut has one of the lowest technical violations and this isn't really directed to you, it's more -- you brought this out. When you've got a technical violation unit that is working with people who would otherwise face a violation of probation and driving them to treatment programs and giving individualized attention that keeps people out of jail and keeps people from recidivating in the future, a no-charge program could possibly make all these things go away.

The probation transitions program as Probation Officers going to the jails and meeting with inmates to make sure they transition back into the community and lower the recidivism rates and having them not returning to incarceration. So there are some benefits and a no-fee phone call program could make all these things go away, and I just wanted to make sure you and the Committee know that.

SHANNON LESLIE: I guess I would argue that the cost of an individual's mental health and maintaining social bonds is something that's really important and it doesn't necessarily need to be a neither or either. It can be support for both programs.

REP. CALLAHAN (108TH): Thank you ma'am.

SHANNON LESLIE: Thank you.

SENATOR WINFIELD (10TH): Thank you Representative Callahan, and I think that's part of the reason why some of us are supporting re-investing the savings and closings and the programs that are -- that's taken up in other Bills. Comment or questions from other members of the Committee? Comments or questions? Seeing none, Ms. Leslie, thank you very much for joining us. I hope you get to enjoy the rest of the day that we have going on today. Next, we have on the list. Kathy Flaherty, Jeannia Fu,
Senator Looney, and Joseph Gaylin. Is Kathy Flaherty here?

KATHY FLAHERTY: Good morning, Senator Winfield, and Members of the Judiciary Committee. My name is Kathy Flaherty. I'm the Executive Director of Connecticut Legal Rights Project, we provide legal representation to people who are eligible for mental health services from the Department of Mental Health and Addiction Services. I submitted testimony on Five Bills, but I'm only going to focus on three today. 972 1058 and 1059. And I thank the Committee for raising all of these Bills. When it comes to telecommunication.

If there's one thing we learned during the pandemic, it is the importance of maintaining connection to community and reducing isolation, because of the positive impact it has on someone's mental health to be able to do that. Incarcerated people are people, they have the same basic needs that all of us have to maintain connection to the loved ones in their life. Just hearing the questions raised by the other Representative, it is a both hand. You don't have to necessarily cut another program that you have funded solely by the people who are probably least able to afford to pay for it.

The state can make decisions regarding revenue, just regarding appropriations, that work for everybody. So just because you're not bringing in money from this one source does not mean you can't find that money elsewhere, if it is a program that the state values which it should. 1058, Compassionate Release, we did eliminate the death penalty in Connecticut. And yet many people have died from COVID in prisons and jails because we did not de-carcerate. There's a recent article in the New England Journal of Medicine from earlier this month. That said de-carceration is a public health measure.

Mass incarceration itself threatens public safety, we need to have a mix of making sure people are
vaccinated. But also de-carcerating people who we don't need to keep locked up, especially in the middle of a public health emergency. The Protect Act, so grateful to the advocates at Stop Solitary Connecticut who have been fighting for this for so many years.

When Connecticut's facilities draw the attention of the special United Nations Rapporteur on torture, that's not a good sign, and it's a very good sign that the Commissioner is Planning on closing Northern, and everyone in Northern is in solitary confinement all of the time. So that's at least some of the people who are experiencing that every single day as we exist now, and we just need to make sure that we don't allow DOC to replicate those same conditions of confinement in other facilities. People with mental illness are overrepresented in the population that subject to solitary confinement, no matter what name you put on it, they have difficulty conforming their behavior to DOC expectations because of their disability.

And their disability related behavior becomes a basis for discipline. And solitary confinement does harm. It increases mental illness. Most people who go into -- and I'll wrap up now. Most people who go into corrections, rejoin society, and if we are damaging them while they are inside, that is not good. So I urge you to support those three Bills. Thank you.

SENATOR WINFIELD (10TH): Thank you very much. Comment or question from Members of the Committee? Comment or questions? Kathy, I don't see any, thank you again for joining us and offering your testimony. I hope you enjoy the rest of the day.

KATHY FLAHERTY: Thank you so much. Take care.

SENATOR WINFIELD (10TH): All right. We have Jeannia Fu, Martin Looney, and Joseph Gaylin.
JEANNIA FU: Hi.

SENATOR WINFIELD (10TH): Hello, good morning. Jeannia, we can't see you.

JEANNIA FU: Sorry, I'm just gonna turn it on.

SENATOR WINFIELD (10TH): Thank you. You have three minutes.

JEANNIA FU: So I am a volunteer with Connecticut Bail Fund and I will be reading a statement from my family, Matthew Abraham, who is incarcerated in Cheshire Correctional and has been incarcerated there for 20 years since he was 18 years old. Dear legislators. My name is Matthew Abraham and I would like to share my testimony with you in support of Bill SB 972. On June 19, 2017 I called my mother from Cheshire Correction. Before she picked up thoughts from our previous conversation from the night before emerged. My grandmother had had a stroke she was in the hospital, her progress unknown.

When my mother pressed one to connect our call I immediately heard my family in the background crying. The plug on my grandmother's respirator had been pulled when my grandmother, Marty Lou McFadden who clearly [background noise 00:57:27] a collective cry emerged from my relatives. My heart broke as I began to cry. But then the automated Securus recording interrupted you have one minute left. I knew that this was not an entire 15 minute phone call my mother's account ran out of money I hung up, went to my cell and began to grieve for my grandmother, unable to have a few more moments of mourning with my family. A couple of days later I called my mother's phone and still she had no money on her account but I was afforded a free 30-second phone call. When the call connected it was my nephew he told me very quickly that my mom said she loved me and she would talk to me soon. The call ended I never got a chance to speak to my mother.
ever again just 10 days after her mother passed. Linda Lou Abraham, my mother died on June 29th 2017.

I tell you this not to suggest that Securus is responsible for my family no longer being here physically but to tell you that when moments of familial bonding and familial support were most needed, I couldn't receive any of it, because of Securus his insatiable appetite to feed on the most vulnerable people who happen to have incarcerated family members. A free phone call would have provided my family and I the opportunity to grieve together if only for 15 minutes when we lost our grandmother. A free phone call could have provided me with one last phone conversation with my mother before she left her physical form.

So I ask this Committee to seriously consider Senate Bill 972 if we are serious about changing Connecticut, if we are seriously considering new ways of thinking about the experience of incarceration, this Bill is one small step in the right direction we need to think seriously about how companies such as Securus profits from the pain, misery and despair of our communities. We have to remove the dollar signs from our eyes and begin to see the humanity of those who have been hit most by the prison industrial complex. Thank you.

Matthew also wants to convey his support as well for Bill 978 which would make him, after 20 years of incarceration finally eligible for parole and able to return home to his family and community and lastly, I just want to say that I believe Matthew's testimony and the other testimonies you will hear today show very clearly the burden of incarceration on those facing the violence of this system inside and their families and loved ones who face this violence too, especially women of color who along with bearing the--

REP. STAFSTROM (129TH): Excuse me ma'am, you three minute mark is used. Please wrap up.
JEANNIA FU: Also still have to take care and support their families and loved ones in communities every single day, Thank you.

REP. STAFSTROM (129TH): Thank you very much for being with us and sharing that testimony. Questions or comments from the Committee? If not have a great day. Senator Looney don't believe is with us yet. Joseph Gaylin? Joseph Gaylin? Mark Nemec? Allie Perry.

ALLIE PERRY: Yes. Good morning Representative Stafstrom, and Senator Winfield and Members of the judiciary. I'm the Reverend Allie Perry and I'm from New Haven and a member of Stop Solitary Connecticut. I'm testifying in support of Senate Bill 1059 and urge you to vote favorably for it. There are many compelling reasons to do so but for me as a person of faith the most imperative of moral and religious. By whatever name it's called restrictive housing, administrative segregation, isolated confinement is a human rights abuse it degrades and dehumanizes those who are subjected to it, defiling their inherent dignity.

If you believe, as I do that all persons are created in the image of God, then caging people for 22-plus hours a day in a cell the size of a parking space should shock or consciences. Prolonged isolation is barbaric and cruel a form of state-sanctioned and taxpayer-subsidized torture. Bible exhorts us to remember those who are in prison as though you were in prison with them. Those who have been tortured as though you yourself were being tortured. This means that those of us on the outside are to identify with those on the inside as if they were our flesh and blood and they are our siblings our parents our children our kin. Almost all of whom will return to our communities. We cannot have people returning home more damaged than when they entered the system. We must respect and protect their dignity as human beings. We cannot be
torturing them. There are proven alternatives to isolation.

Stop Solitary CT has detailed some of these in a recent report that you will all be getting copies of. These are humane alternatives that promote pro-social programming and increase safety and security, not just for those incarcerated but for staff as well. Since implementing such alternatives Colorado for one example, reports an 80% reduction in violence. And correctional staff that are initially skeptical, are now conference.

And right here in Connecticut we have the trill unit at Cheshire as another compelling example. If we know that humane alternatives work why is Connecticut not using them across the system? To fail to do so, I submit, is a form of correctional malpractice and opens the DOC up to lawsuits for abusing the constitutional rights of individuals in its care. The movement to end prolonged isolation is growing across this country. New Jersey, as you probably know has already passed Legislation to reduce the practice and this past Thursday, the New York legislature passed the Halt Humane Alternatives to Long Term Confinement Bill, making them now--

REP. STAFSTROM (129TH): If you can wrap up, you're through the three minute mark. Can you just wrap up?

ALLIE PERRY: I'll just say it's time for Connecticut to become a leader pass the Senate Bill, set the degree so that civilization and society can be judged by entering its prisons. Senate Bill 1059 offers Connecticut the opportunity to be more humane and more civilized. So I urge your support thank you.

REP. STAFSTROM (129TH): Thank you. Representative Fishbein has a question.
REP. FISHBEIN (90TH): Yes, thank you Mr. Chairman. Good morning, I just -- do you have any knowledge as to the amount of utilization that the state of Connecticut partakes in with regard to solitary confinement?

ALLIE PERRY: Yeah so I can say a couple things about that. Northern, although it's going to close currently still has about 60 as of March 1st, people there. They're all in solitary. Anybody ever in there was only ever in solitary. But it's used across the system and part of the problem and why it's hard to answer your question is the data collection. 2017 there was Legislation passed that called for Connecticut to collect data and report it on the uses of solitary confinement. Who's held, for how long, for what reasons? But that data is very, very difficult.

Sub-solitary has a report with issues, as we've tried to make our way through that. But it's very difficult and it's very limited. So -- and the part of 1059 calls for data collection so we can have more accurate and more transparent information that's easier to see. But the fact of the matter is it's used across the board and sometimes there are lockdowns. In New Haven it's used in the New Haven Correctional facility. So it's used across the board -- to answer your question is difficult because of the data and it would be important to get more data and be more transparent about that.

REP. FISHBEIN (90TH): So when there's a -- let's say an uprising in cafeteria or something like that. There's a fight, fight starts to escalate becomes you know pseudo riot. I can see individuals, you know protagonists, aggressors that perhaps started the incident, what would you have if solitary confinement was just banned outright what tools would the administration of the facility be able to employ to curtail that activity?
ALLIE PERRY: So as you can see from reading the Bill, the tool of having separation and segregation is still there. It's just that there's more specifications about how it can be used under what conditions and how it's regulated. So it's not that you wouldn't have cells that would be in a place where people could be held in the instance of an out -- as you say something the cafeteria or violence or the like. What we know from humane alternatives, if there -- there are prison systems that have cells that they call de-escalation cells.

And the other part of this, that's important and relates to the Bill, is the training of staff to help them with de-escalation. But yes, there are -- the Bill is very clear that there can be times and there would definitely need to be a way to address if somebody needs to be segregated from the general population because of an outbreak of one sort or another.

REP. FISHBEIN (90TH): The scenario that I gave you, would that fall within the -- if this Bill is to pass without following that permission to utilize programs such as solitary?

ALLIE PERRY: Well, yes, I believe so. And again, there's a clear process for making that determination. And I think we're really talking about segregation, and separation, the term for me of isolation, and confinement is when it becomes prolonged. And as we know, from the United Nations, that's anything more than 15 days is torture.

But this Bill provides for 72 hours to do that separation, segregation, and then if it needs to be extended as a process for doing that. But the point is, if there's an outbreak and there's violence, yes, it's really important to intervene. And that's why you have staff trained to do that. And you have places where people can be held to de-escalate that.
REP. FISHBEIN (90TH): Now, the recording -- the reporting aspects that you say are presently in place, you know, I take it that one would record when they utilized a certain method. And the basis will say, the probable cause that led to the utilization of that method. What is wrong with the data? Is it the data that's being collected or the data, you know, how it's being communicated? What's the problem with the current data collection process?

ALLIE PERRY: So I myself haven't done a deep dive into that. But our report, which I can get to you does, that was done by Joe Gaylin, and I'm sure you will hear from him later. But I -- and one of the problems is in order to even get the data, we've had to go through freedom of information. So it was not easily accessible. And then the way it's collected has made it very hard to really understand what's going on. But I can get you a copy of that report. Happy to.

REP. FISHBEIN (90TH): Yes, thank you. Thank you, Mr. Chairman.

REP. STAFSTROM (129TH): Representative Palm.

REP. PALM (36TH): Thank you, Mr. Chairman. Good morning. Miss Perry. Can you please tell us what a pastoral psychotherapist does? I looked for your testimony -- written testimony and didn't see it.

ALLIE PERRY: I haven't submitted it yet.

REP. PALM (36TH): Can you just tell us what your work entails, please?

ALLIE PERRY: Yeah. So, basically I'm a therapist that people know when they come to me, I also am a Minister. And I see people for a variety of conditions and situations they're dealing with. Often that includes trauma, it may be mental health issues, depression, anxiety, life changes, and the
like. So I see people who are suffering in one way or another and work with them. And often that suffering is because people have gotten separated from their own sense of agency, their own sense of value. And so the work is really helping people to gain a sense of agency, sense of possibility, a sense of hope. And so I consider myself from the perspective of working with people like that. I find myself thinking about what it would--is like for people in prison who are completely separated from hope and a sense of agency and choices over their life.

REP. PALM (36TH): And would you say that having an impact sense of agency also involves a sense of hopefulness about your own future or your own worth?

ALLIE PERRY: Absolutely, absolutely. I mean, the idea and stories that I've heard that this Committee will hear in this hearing proceedings about the kind of degradation of people's worth, treated as less than human is devastating. It's devastating. Some people--it amazes me, there are people who come through that and can survive. But it is absolutely devastating.

REP. PALM (36TH): Well, I think, and you know, we talked a lot during the pandemic about the suffering or the deprivation that we've experienced by being isolated from one another, which of course can't begin to compare with people who are incarcerated who are put in solitary feel, but it gives us a tiny, tiny inkling. So I just want to thank you very much for your work. And also thank you for injecting little dust [inaudible] into the process. Some literary references, thank you.

ALLIE PERRY: You're welcome. Thank you.

REP. PALM (36TH): That's it. Mr. Chair. Thank you.
REP. STAFSTROM (129TH): Further questions or comments from the Committee? If not, thanks for being with us.

ALLIE PERRY: Thank you very much, and thank you for your work.

REP. STAFSTROM (129TH): Next up will be Amanda Brenner.

AMANDA BRENNER: Senator Winfield, Representative Stafstrom, distinguished Members of the Joint Committee on Judiciary. My name is Amanda Brenner. I am an [inaudible] at the Council of Social Work and the Public Policy intern at the Connecticut State Office of the National Alliance on Mental illness. I'm here today in support of Senate Bill 1059. I've submitted extensive written testimony, but today I will summarize a few points specifically on solitary confinement.

The disproportionate use of solitary confinement for incarcerated people with mental illness as well as the egregious impacts of solitary confinement on the mental health of incarcerated people who are previously unaffected by mental health concerns cause extreme suffering and have adverse long term consequences.

NAMI opposes the use of solitary confinement and equivalent forms of administrative segregation. Eliminating solitary confinement is a priority for this organization on the state and federal level. As past law, reducing the use of solitary confinement as a disciplinary tool has been passed with bipartisan support in Connecticut, we hope at the current General Assembly will be equally enthusiastic about limiting the use of solitary confinement to a maximum of 16 hours.

Conditions of silence fluorescent lights, limited exercise and an absence of social interaction had been noted by physicians for the last 100 years to
reduce depression, anxiety in first episode psychosis and those who were previously free of mental health concerns.

In 1983, Dr. S. Grassian had determined that the collective symptoms of those in solitary confinement are so easily replicable and identifiable, such as disturbances in thought difficulties, in executive function and psychosis that they could constitute their own psychiatric syndrome, and avoidable illness resulting from torture of solitude. And make no mistake, human rights experts say this is indeed torture.

In 2020 the UN released the statement that solitary confinement, in Connecticut specifically, was a form of torture. In some states, it is reported that more than half of all inmates’ facilities utilizing the most extreme forms of solitary confinement, and social isolation are diagnosed with severe mental illness.

Solitary confinement for juveniles and adults living with serious mental illness serves no appropriate purpose in terms of discipline, protection of individual or others, or the individual's overall functioning and general prison settings and ability to follow prison rules. Instead, solitary confinement of persons with mental illnesses causes extreme suffering has adverse long term consequences for cognitive and adaptive functioning, disrupts treatment and exacerbates illness. Reform is inevitable, let us then be written in history as leader in writing historic wrongs. Thank you for your time and attention.

REP. STAFSTROM (129TH): Thank you. Questions or comments from the Committee? If not, thanks for being with us.

AMANDA BRENNER: Thank you,
JOSEPH GAYLIN: Good morning, Senator Winfield, Representative Stafstrom, and Esteemed Members of the Judiciary Committee. My name is Joseph Gaylin, I'm a resident of New Haven and Steering Committee Member of Stop Solitary CT. I'm testifying on behalf of the organization in support of Senate Bill 1059. As we speak about isolation in the Department of Correction, let us not mince words.

Solitary confinement is torture. It makes prisons and our communities less safe and disproportionately impacts black and brown people. Solitary confinement is often euphemistically referred to as Administrative Detention, Administrative Segregation, Chronic Discipline, Punitive Segregation, Special Needs Security Risk Group, and Transfer Detention. Senate Bill 1059 cuts through this needless complexity and gets to the root of the problem. It focuses on isolation by limiting time in cells, this Legislation will positively transform the state's criminal legal system.

At Stop Solitary we often get a very simple question, how many people in solitary confinement in the state of Connecticut? Our current estimate is that in a given year well over 100 people are subjected to conditions that tend to torture. Hundreds of people are subjected to formal restrictive status and well over 1000 people may well be subjected to isolated confinement. However, this estimate is likely inaccurate and likely undercounts the number of people subjected to isolation in a given year.

The inaccuracy stems from the fact that the state does not adequately track the use of isolation. In other words, we do not have an accurate way of understanding the extent to which torture is employed against Connecticut residents. And looking into the use of isolation in the Connecticut
Department of Correction, we encountered numerous problems.

One, the data on isolation was not easily accessible. No information was publicly available online and we had to wait months to receive a report previously submitted from the Department of Correction to the Criminal Justice Policy and Planning Division. Two, the data was largely disaggregated and was simply a point in time count, which ultimately failed to show how many people were isolated each year. Three, the data only attract restrictive status rather than time in cell which failed to capture the extent of isolation in general population.

Senate Bill 1059 will avoid the pitfalls of current data collection practices that focus only on formal restrictive status. Indeed, current data invites misleading statements. For example, the former Commissioner asserted in 2020 that only 29 individuals from restrictive housing status, when in fact he later clarifies he was referring to the number of people in just one of the Department of Corrections seven restrictive statuses.

By focusing on time and sell rather than restrictive status, Senate Bill 1059 will dramatically improve data collection, which is a necessary tool to end solitary confinement. Data is a tool to improve lives. Solitary is a weapon that only harms and dehumanizes Connecticut residents. Thank you for your time and attention to this issue.

REP. STAFSTROM (129TH): Thank you. Questions or comments from the Committee? If not, thanks for being with us. Next up will be Ann Massaro.

ANN MASSARO: Good morning. Chairs Winfield and Stafstrom, Vice-Chairs Kaiser and Blumenthal. Ranking members Kissel and Fishbein and Members of the Judiciary Committee. My name is Ann Massaro, and I live in North Haven, Connecticut. I would
like to express my strong support for Senate Bill 1059 to begin, I want to say first that solitary confinement is torture and my humanity will not allow me to stay silent and not act to eradicate this in the state where I live. It disproportionately impacts black and brown people as does incarceration itself.

Second, I want to speak to the part of Senate Bill 1059 that protects the social bonds of incarcerated people with family as defined by the person themselves what family is. Friends and members of the community. Psychologists have repeatedly demonstrated, and the research is widely available, the importance of relationships throughout our lives. Experts have continued -- experts have continually proven that human relationships impact one's mental, emotional, physical and psychological health. Loneliness social isolation and trauma are linked to ill health, depression and early risk of death. Incarceration itself is isolating and dehumanizing. So to deny incarcerated people access to maintain relationships with loved ones, further exacerbates hopelessness depression anger and isolation.

The Punishment quotes, of being incarcerated being in a locked facility away from everyone you love and loves you is bad enough. Denying social bonds is cruel and unusual punishment. These policies dehumanize, shame, and break and incarcerated person's spirit. We're asking in our Bill that people get a minimum free number of -- free letters, phone calls and 16 minute contact or social visits per week. We're also asking that visitors cannot get excluded because they are outside the incarcerated person's immediate family or as a result of their criminal history.

At a time when people most need love and support of family community this contact is drastically limited or denied. Basically denying an incarcerated persons human -- the person's humanity and right to
their relationships. In this light I also want to express my support for Senate Bill 972 offering free phone calls. I strongly support Senate Bill 1059 and--

REP. STAFSTROM (129TH): Ma'am, we're at the three minute mark.

ANN MASSARO: Okay. Now, I'll just asked you to vote favorably for the Bill out of Judiciary Committee. Thank you so much for your time.

REP. STAFSTROM (129TH): Thank you ma'am. Questions or comments from the Committee? Seeing none, appreciate you being with us. Next up will be Michael Massaro. Is Michael Massaro with us?

MICHAEL MASSARO: Good morning, can you hear me?

REP. STAFSTROM (129TH): We can hear you we can't see you sir.

MICHAEL MASSARO: just a second. I'm sorry.

REP. STAFSTROM (129TH): All right there you go.

MICHAEL MASSARO: I'm sorry. Chairman Winfield and Stafstrom and Vice-Chairs Kaiser and Blumenthal and Ranking Members Kissel and Fishbein, and Members of the Judiciary Committee. My name is Michael Massaro I'm a resident of North Haven and own a business in Hamden, Connecticut and I support Senate Bill 1069.

To me and many other states solitary confinement and extreme isolation by whatever you call it is torture. My humanity will not allow me to support solitary confinement. I don't want my tax dollars being spent on torturing other human beings. If you think it cannot happen to you or one of your loved ones I'm here to tell you that you're wrong.

My daughter was incarcerated and spent time in solitary confinement after three years of being on
the outside she was -- found her voice to speak of the horror. Prison conditions generally are inhumane, and extreme Isolation is the worst of any harm -- most harmful. I strongly recommend Senate Bill 1059 and urge for a favorable vote to get the Bill out of the jurisdiction Committee. Thank you, Michael Massaro.

REP. STAFSTROM (129TH): Thank you sir. Questions or comments from the Committee? If not appreciate being with us and sharing your testimony.

MICHAEL MASSARO: Thank you.

REP. STAFSTROM (129TH): Next up will be Robert Gillis.

ROBERT GILLIS: Good morning.

REP. STAFSTROM (129TH): Good morning, sir.

ROBERT GILLIS: Good. My name is Robert Gillis. I'm a resident of New Haven and a member of the Steering Committee of stop Solitary, Connecticut. I'm retired after 36 years of service to the Department of Correction, and my experience leads me to speak in support of Senate Bill 1059.

The Bill has many facets to it. The primary element is the reduction of isolated housing in our correctional facilities. In order to achieve this objective, Legislation must be passed. But it is executed effectively only through the will determination and motivation by the administration and staff of the agency. What we're talking about here, is launching a major shift in the organizational culture. We call it the Department of Correction.

In fact, since its creation in the 1960s, those aspirations have morphed to the extent that we should call it the Department of Containment and Control. There has been and will be much said today
about the damage caused by the various types of isolation called solitary confinement. I know how bad solitary confinement is, and I don't have to dwell on it. I'm focusing instead on the language in the Bill which references staff training, and wellness, especially in the dynamics needed to provide alternatives to isolated in-cell confinement.

First, staff members have to have the confidence that their world will not come crashing down merely because this Bill limits the maximum in-cell time to 16 hours per day in normal circumstances. Other states have eliminated solitary confinement at minimal consequence to the safety of staff. I point to Colorado with a level of violent behavior, has shown a reduction of approximately 80%. Because of the decrease in isolation.

Incarcerated persons need to be treated with dignity and respect in order to reduce the frustrations and anger now caused by periods of sensory deprivation in-cell restraints, staff abuse and the absence of contact with others. Second, trending initiatives have been developed and other systems which seek to modify the behaviors of staff members that are known to be detrimental to the safe and secure management of incarcerated individuals. There are certainly applicable here.

Florida, and our own state, the true unity Cheshire has been remarkably successful, because of the practices brought about by changes in the environment of incarceration. That initiative rested the use of policies and motivational skills, not yet extended to other locations. This shows that it can't happen here. But there must be a statutory requirement that isolation status be curtailed, and that training methods be established to ensure successful implementation. Absence of a legislative requirement, any improvement in this direction will be discretionary and arbitrary and
subject to change at the whim of administrators. Thank you.

REP. STAFSTROM (129TH): Thank you, sir. Appreciate your testimony. Questions or comments? If not, we will move on to David Cloud.

DAVID CLOUD: Well, good morning, everybody. My name is David Cloud. I'm the Research Director at AMEND, we are a program-based at the University of California, San Francisco, and we apply a health and human rights perspective to addressing a range of problems in the US prisons system. In that capacity and in my previous role, working in this field, I have more than a decade of experience of studying the effects of solitary confinement on the health of incarcerated people, but also working hand-in-hand with a range of stakeholders to addressing this issue.

I'm testifying today in support of 1059 which I see as an absolutely critical piece of Legislation for addressing a range of issues at the intersections of human rights, public health and public safety. So as many others have said today, solitary confinement is indeed a brutal and inhumane practice that causes severe and lasting psychological damage, trauma and physical harm. From a public health perspective you can see it in individuals both psychiatrically and in their behavior but also at a bigger level when we're talking about things like violence. And the harms of solitary go beyond prisons and they continue to affect people after they leave prison.

So a recent study that I worked on actually linked exposure to solitary confinement with mortality post-release from suicide, overdose and homicide. As others have stated, solitary confinement is desperately enforced upon many of our society's most marginalized groups of people, people with serious mental illness, people who've fallen through the cracks of our social safety nets, and people who I think the general public will be shocked how they're
treated, given their life, circumstances and histories of trauma. And solitary confinement through its isolation and enforced idleness deprives people of the things we know, that are most critical for people to rehabilitate and rebuild their lives. Most importantly, the ability to stay in contact with family and loved ones, but also things like educational programming, vocational training, and things like that that may be available in the general population, but not in solitary confinement settings.

And if all this wasn't bad enough, in our work, we also focus on how solitary confinement and requiring officers and others to be engaged in it is not only dehumanizing for them, but also creates a range of public health hazards as an occupational health matter. I also just want to emphasize here, not just on all the harms, but in my experience, we know that reform is not always easy, but it is definitely possible and it works. Several people have alluded to the experience in Colorado.

In my organization, we're working in states such as North Dakota and Oregon as well, and coming up with a range of tools to help these states dramatically cut their use of isolation. North Dakota is definitely a success story, where they have sustained a 70% reduction since 2016. So there are countless examples out -- not only countless, but there are a lot of examples out there that I think Connecticut can look to, to learn how to cut down on this dehumanizing practice.

And, you know that the evidence speaks for itself, there's been reductions and violence in these places, but also just remarkable transformations in the health of people who've endured long periods of isolation, regaining their health, their dignity, both of their emotional and their physical health,

REP. STAFSTROM (129TH): Sir, you're through the three-minute mark.
DAVID CLOUD: Okay, and I'll just close out with that. And just really point out that the data piece is quite critical, and that Legislation is important to sustain any reforms. Thank you so much for your time.

REP. STAFSTROM (129TH): Thank you. Questions from Committee? If not, thanks for being with us. Next up will be Eric Eggan.

ERIC EGGAN: Good morning. I hope you can hear me.

REP. STAFSTROM (129TH): We can.

ERIC EGGAN: Good morning, Members of the Committee. Thank you for giving me the opportunity to offer public comment this morning. My name is Eric Eggan. I'm a resident of a 55 year old plus. Condominium community in New Town. I'm also the Secretary of the Executive Board of the Association, and our association, which is just basically homeowners is called the New Town Woods Homeowners Association.

I'm here to speak in support of House Bill 5125, or any Legislation that would provide a shield against COVID-19 liability for associations like ours. I have submitted written testimony in the form of a letter on behalf of our Association. But I want to underscore three important points, all of which are detailed in my written testimony, but which may affect your deliberations.

The first point is that our Condominium Association is unable to acquire insurance coverage to protect us, the association from COVID-19 liability claims. Coverage is unavailable from any insurance company at any cost. In spite of the fact that we have taken all reasonable steps to protect our residents from infection during the pandemic, our limited Association assets are very much at risk.
And I would note that we are not unique in this situation. All condo associations, frankly throughout the country, but certainly here in Connecticut face this issue. The second point I want to make is that even our directors' and officers' liability coverage, coverage that generally applies to Board Members and Committee Members does not cover volunteer Board Members from COVID liability.

While your Bill, 5125 doesn't appear to extend to individual leaders of organizations like ours, we urge you to extend the good faith immunity to individual decision makers within those associations. Imagine volunteering to serve on a Condo Board, which by the way, is no fun at all. While knowing that you're not covered by any insurance policy.

Your individual assets are at risk. And that's the position that we're in. One more point. As we offer our support for this Bill, we recognize the imposition of liability in a matter like this, very unlikely causation, very difficult to prove. But even the defense of a claim would be very expensive to our organization.

Finally, in closing, I note we are not suggesting that there should be absolute immunity. We believe the immunity ought to only extend to businesses that have complied in good faith with public health guidelines established by the State of Connecticut. We also submit that the immunity should not extend to intentional misconduct.

REP. STAFSTROM (129TH): Thank you. Are there questions or comments from the Committee? Representative Fishbein.

REP. FISHBEIN (90TH): Thank you, Mr. Chairman. Good morning, Mr. Eggan.

MR. ERIC EGGAN: Good morning.
REP. FISHBEIN (90TH): So, interesting aspect to this Bill, and have you had -- has the Condo Association had problems with -- not claims, so to speak, but areas -- common areas that have had to be cleansed and to make representations as to those that would have opportunity to use those common areas and their ability or lack thereof from contracting COVID I know there's a lot there. Do you understand what I'm getting?

ERIC EGGAN: I do. I do. Just a couple of points as I answer. We closed our clubhouse -- we have a community clubhouse, we closed that on March 15 of last year. It's been closed and remains closed. We're thinking about reopening but we're not quite ready. We also closed our swimming pool period. We did not open it up this year at all because of COVID concerns.

We have a number of -- we are a combined community. We have townhomes and we also have apartment style, what we call mid-rise buildings. And those buildings we have accelerated the cleaning schedule and talk to our cleaning people about giving us enhanced cleaning of the common areas. Elevators, entrance and exit areas. The common areas have kind of a lobby, and we've taken extra steps to clean them. Yes.

REP. FISHBEIN (90TH): Yeah, and when you mentioned the cleaning company, I've had a few cleaning companies contact me, and I guess that the concern is a representation as to an area of being sanitized, and that they can't meet. They'll do their best, you know, but they're not chemists. They're not laboratories, and they can't make representations that are sanitized. And you know, what I'm hearing is, you know, they're just going to get out of the business, which is, you know, disheartening. So you do use an offsite, third party vendor for those services?
ERIC EGGAN: Yes. And to your point, I think they have a very valid concern. They could come in and kill every COVID germ in the entire common area. But five minutes after they leave someone could come in just in routine entrance and egress and, and re-contaminate. That's just the way this this disease works.

REP. FISHBEIN (90TH): Yeah, understood. Well, I thank you for coming here today testifying in support of this Bill. So welcome.

ERIC EGGAN: You're welcome. It was my pleasure. Thank you to the Committee.

REP. FISHBEIN (90TH): Thank you, Mr. Chairman.

REP. STAFSTROM (129TH): Further questions or comments? Seeing none, thanks for being with us.

ERIC EGGAN: Thank you.

REP. STAFSTROM (129TH): Jeff Grant. Adam Yagaloff.

ADAM YAGALOFF: Good morning. Good morning. My name is Adam Yagaloff, I'm an attorney at the Center for Children's Advocacy here in Hartford. I'm testifying in supportive raise Bill 972 an Act concerning the cost of telecommunication services. I'd like to make a few quick points. I did submit written testimony.

The first is that our office works with a lot of young people who are incarcerated in Connecticut Correctional facilities. And one of the things that we try to maximize, and one of the things that we try to reduce is the recidivism. As you all know, the amount of times that someone is re-arrested after they enter the community. And studies show that recidivism is reduced when reentry planning is -- begins, the second someone is incarcerated. So that means that from the second that they're
incarcerated, that they have family contact, and that they're able to plan for their reentry.

And what we found in studies that we've done in the interviews with youth at Manson Youth Institution and other Correctional facilities, is that the high cost of phone calls is hurting young people's ability to effectively plan for their reentry. Some of the things that they need to plan for, for example, are their enrollment back in school. Thinking about and planning for where they're going to live after they're released.

Collecting documents needed for employment and school enrollment and identification. Preparing for their medication management and other mental health services. And the phone calls that they have with their family and their loved ones are necessary to start the reentry planning process from the beginning that they're incarcerated. And I'd like to say two quick things. The high cost of phone calls is disproportionately affecting youth of color in Connecticut.

In our interviews with youth at Manson Youth Institution and other Correctional facilities, we found that some youth are only able to talk to their families, five minutes a month, even less. And so their ability to plan for their reentry is very much reduced when they're not able to have these phone calls. And as we all know, the ability to visit in-person is also something that's different from community to community. Whereas some communities are able to visit the correctional facilities, a lot of communities are not.

And so we think this Bill goes a long way to making the reentry planning process even for all communities across the state. And then the last thing I'll say is that Connecticut -- studies show that Connecticut ranks 49th in the nation for our cost of a 15 minute prison phone call. And our neighbors, our neighboring states have done a lot to
address this. New York City has made phone calls free for all inmates. Massachusetts, Vermont and New Hampshire have significantly reduced phone call rates. Newark, New York, New Jersey and Rhode Island have taken steps to prohibit kickbacks, which is part of what this Bill does.

So we think that this Bill, not only helps communities of color in this state, but it also helps -- it also helps -- it also [inaudible] other communities are doing to reduce recidivism.

REP. STAFSTROM (129TH): Thank you, sir. Questions or comments from the Committee? Representative Fishbein?

REP. FISHBEIN (90TH): Thank you, Mr. Chairman. Sir, I just want to focus on 972 for a little bit, understanding that, you know, I have a cell phone, right, I've got to pay the Bill. There's a third party vendor who renders that service. You know, this Bill, the way I read it at least has telephonic email, video services, that is of no cost. Is that the way you read it? Also?

ADAM YAGALOFF: Wherever it is, is that it's no cost to the inmates? That's correct.

REP. FISHBEIN (90TH): Okay. So even though Department of Corrections has to get that service from somewhere, that, you know, when I pay my cell phone Bill, department corrections is gonna have to pay their service Bill, that there's no cost to the user, correct?

ADAM YAGALOFF: Yes, sir.

REP. FISHBEIN (90TH): And are you supportive of that end here? Because certainly one could say, okay, no kickbacks. You know, what it costs us is what we're going to charge you. I'm trying to figure out where you are on this.
ADAM YAGALOFF: Sure. I would say that we are supportive of any Bill that reduces phone call costs for inmates in Connecticut, at the same time, the cost of recidivism, the cost of people reoffending. And the cost of having reentry programs that are not effective, are costly to all people in this state, I would suggest. And so if a person, especially a young person within the Connecticut correctional facilities is not able to access family planning, because of the high cost of phone calls. It's our position that those phone calls should be free for that person. Not only for them, but for the overall wellbeing of the state to reduce recidivism.

REP. FISHBEIN (90TH): Okay, so that would be -- are you saying that you have been supportive of an objective analysis whereas if somebody's indigent, let's say they're homeless prior to being incarcerated you know they have no money in the bank that kind of stuff that that person should be given free calls but the millionaire who is incarcerated you know tax evasion, something like that they should not get free phone calls? Trying to figure out where you are on this.

ADAM YAGALOFF: I would suggest that -- I don't think that's a good process and that's why I think it's important to make phone calls free for all people within the Connecticut correctional facilities. I would also suggest at least speaking for youth, I would suggest that 90% of the youth currently incarcerated in Connecticut are antigen and that they're not able to access these phone calls because of their family income.

REP. FISHBEIN (90TH): Right, so let's take that dynamic you know because it's certainly an interesting aspect. Would you be in favor of -- if the individual is a youth having the calls free but if they're not when we say youth you know just for the purposes of our discussion we're gonna we'll say 18 and younger would that be appropriate and then
for adults 18 and higher would be there would be a cost?

ADAM YAGALOFF: I would say -- I would support, there is a Bill currently through the JPOC that supported for youth under -- I believe under 18. I would suggest that youth in Connecticut should be looked at as under 24. But I would say that this Bill needs to go further than that. This Bill needs to address recidivism for all people in Connecticut. I'm speaking for youth, but I think that recidivism affects all communities and it affects all ages and so I would suggest that the cost of phone calls, I believe it's -- I think there was a number thrown out, I believe that number is high earlier in the meeting.

I think that our state should be able to support that. So I support making phone calls free for all you in -- for everybody in Connecticut. I think sir you will -- you will make up savings by successful reentry planning and therefore you will have less recidivism and less people in your jails and I think that the data will show that.

REP. FISHBEIN (90TH): Okay, thank you I understand your perspective. Thank you Mr. Chairman.

REP. STAFSTROM (129TH): Further questions or comments from the Committee. If not thanks for being with us.

ADAM YAGALOFF: Thank you


ELEANOR ROBERTS: I'm here. Eleanor Roberts.

REP. STAFSTROM (129TH): Go ahead ma'am.

ELEANOR ROBERTS: Hi, so my testimony I'd like to play a recording from Robert Picarrillo who's
currently incarcerated and would like to speak in support of SB 972. Please bear with the audio quality and sharp beeping sounds during the call this is the reality of prison phone calls. [Audio played] Thank you. This is again, testimony from Robert Picarrillo, who's currently incarcerated in support of Senate Bill 972.

REP. STAFSTROM (129TH): Ma'am, could you just spell the last name for the record, please?

ELEANOR ROBERTS: Yes. P-I-C-A-R-R-I-L-L-O

REP. STAFSTROM (129TH): Thank you. Are there questions or comments from the Committee? If not, I'll just know, you know, we do oftentimes allow folks to read testimony from others. I certainly understand what you're trying to accomplish here. I just worry with the audio quality that we're not going to get an accurate transcript of it. So I'm sure we'll do the best we can but certainly, if there's written testimony, it's preferable that that be submitted as well. So that we do have an accurate record of it. Thank you for being with us, man. Next up will be Ann Perrot.

ANN PERROT: Yes, Ann Perrot.

REP. STAFSTROM (129TH): Thank you, ma'am. Go ahead.

ANNE PERROT: Yes, good morning. Honorable Chairs Winfield and Stafstrom. Vice-chairs Kassel and Blumenthal. Ranking Members Kissel and Fishbein, and Members of the Judiciary Committee. My name is Reverend Anne Perrot. I'm a resident of Waterford and I have worked in Osborne Cybulski and Corrigan prisons, and prisons in Massachusetts. I strongly support Senate Bill 1059.

Solitary confinement, particularly over prolonged periods of time, causes rage, paranoia, hallucinations, and even suicide. Consider being
placed in a seven foot by 10 foot cage for 23 hours a day, a lot of time for one hour a day in a cage where all one can do is paced back and forth. Having your sleep continually interrupted by inmates shouting and banging and other cells. Suffering the total deprivation of physical and social stimuli. When this is imposed for any length of time, it results in the loss of reality as you focus inward, and retreat from the real world.

Many inmates subject to solitary experience delusional behavior, and exhibit pathological effects. This is torture. In 2016, the National Institute of Justice reported that there was little evidence, solitary confinement reduces overall levels of violence or meaningful -- meaningfully improves staff safety in prisons and jails. Safety inside prisons for inmates and staff is vitally important. However, relying on solitary promotes violence among inmates and between inmates and staff.

There are alternatives to solitary, which can reduce such violence. One is rehabilitation diversion units. North Carolina provide a transition program for inmates who otherwise would have been placed in solitary. The program to accelerate clinical effectiveness or PACE, in New York City provides mental health support to inmates before they commit infractions.

And the TRUTH program already described by Allie Perry, is non-punitive options, provide humane ways to deal with difficult situations inside prison. They work better than solitary and inhumane program of torture that has been proven not to work. I strongly support Senate Bill 1059. And I urge all of you to support it as well. Thank you for your time.

REP. STAFSTROM (129TH): Thank you. Questions or comments from the Committee? If not, thanks for being with us. Nancy, Alisberg is next.
NANCY ALIS BERG: Yes, this is Nancy.

REP. STAFSTROM (129TH): Ma'am, we can hear you but we can't see you.

NANCY ALISBERG: There we go.

REP. STAFSTROM (129TH): All right.

NANCY ALISBERG: Good morning, members of the Judiciary Committee. My name is Nancy Alisberg, and I would like to express my strong support for raised Bill 1059, also known as the Protect Act. I'm a former member of the Stop Solitary Committee, Stop Solitary, Connecticut Steering Committee, the former Managing Attorney of the State Office of Protection and Advocacy for persons with disabilities, and the now retired Legal Director of Disability Rights Connecticut.

I want to make clear that I am fully aware that the Department of Correction has announced its intention to close Northern. While I commend this decision DOC has not stated that it will not duplicate elsewhere within the DOC system, the conditions in which the prisoners at Northern are held. So there -- any suggestion that the Protect Act is no longer required is without merit.

In 2003, I sued DOC on behalf of OPA and its constituents who were prisoners kept in solitary confinement at Northern which is -- and solitary confinement at Northern is still utilized every day. As counsel, I directly observed the torture that my clients were subjected to in the conditions of their confinement. I had the opportunity to spend time in the prison where I walked the tears, met with my clients while they were in their cells, and had firsthand experience of what it is like to be in an environment -- in an environment as oppressive as Northern.
And the language of the UN Special Rapporteur on torture is bears repeating. DOC appears to routinely resort to repressive measures such as prolonged or indefinite isolation, excessive use of in-cell restraints, and needlessly intrusive strip searches. This appears to be a state sanctioned policy and the purposefully inflicting severe pain or suffering physical or mental, which may amount to torture.

When my case against DOC, settled in 2006, we entered into terms that were designed to improve the conditions at Northern. However, over time after the expiration of the settlement it became clear that DOC returned to its practices of the past. Prisoners with mental illness once again were housed in solitary confinement and in fact some of the conditions had worsened.

Prisoners were subjected to in-cell restraints through behavior that they could not control as a result of their underlying mental illness and because of how the dehumanizing conditions of their solitary confinement affected them. Therefore, in February 2021 DOC, CT filed another case against DOC.

What this history makes clear is that despite what the Commissioner said, DOC cannot be trusted to eliminate solitary confinement without a statutory mandate, and I'd like to just wrap up by saying I'm also a member of the Connecticut Cross Disability Lifespan Alliance and I urge you to review the testimony of Mary Ann Langdon who speaks to what happens to people with mental illness when they are subjected to the solitary confinement conditions at DOC.

REP. STAFSTROM (129TH): Thank you ma'am. Questions or comments from the Committee? If not, we appreciate you being with us. Molly Franco.
MOLLY FRANCO: Hi. Senator Winfield, Representative Stafstrom and Distinguished Members of the Judiciary Committee. My name is Molly Franco. I am currently a Masters of Social Work candidate at the University of Connecticut as well as the current Co-Chair of the Graduate Student Organization at the School of Social Work.

I'm speaking today in strong support of Senate Bill 972, an Act concerning the cost of telecommunication services in correctional facilities. As you already know, Connecticut has some of the highest telecommunications costs in the country. In fiscal year 2017 to 2018 communities paid more than $13.3 million to speak to their loved ones. In this time, the state pocketed about 7.7 million in corporate kickbacks while the remaining 5.6 million has gone to Securus.

I would like to emphasize that this is not just a criminal justice issue it is a public health issue, a mental health issue, a family issue, and so much more. In a published 2015 report by the Ella Baker Center, one in three families reported going into debt to pay for phone calls or visitation. Unfortunately, many families sever ties with their incarcerated loved ones because it is more financially beneficial to do so.

Although phone calls may appear inexpensive on the surface, in order to make just two 15-minute phone calls a day a family spends about $68 a week this is $3,545 a year. Imagine telling a child that they only have 30 seconds to tell their parent about their day, how they're doing at school how their soccer game was and how they love and miss them. It is a haunting reality and one that no child should ever have to face.

When we lock people up we disrupt the entire family system, not just emotionally but also financially. Reducing the cost of prison phone calls will mitigate these compounding costs and enhance family
I would also like to remind the members of the Judiciary, Connecticut facilities incarcerate both sentenced and pretrial detainees. Research in recent years has suggested that these costs have negatively impacted outcomes for pretrial detainees. In a briefing published by the Prison Policy Initiative, it was reported that three out of four people held in jails under local authority have not even been convicted, much less sentenced. Despite their innocence, many remain confined due to the inability to afford bail.

This kind of pretrial detention can jeopardize their job, their housing, custodial rights, mental health and much more. So it is no surprise that phone calls will be vital in maintaining some sense of normalcy in one's life. Additionally pretrial custody can have negative impact on trial outcomes. The cost of phone calls severely limits an individual's ability to prepare for their defense. Many public defenders testify using their own resources to pay for their clients telecommunications costs, adding additional strain to a fundamentally broken system.

Those in pretrial attainment are a large but often hidden population, targeted by these telecommunication contracts and they should not be left out as a place for phone justice. For so long the prison communications industry has occupied a blind spot in their efforts of reforming the criminal justice space. Eliminating telecommunication charges will not only ensure that Connecticut is moving in a progressive direction but evidence suggests doing so would also improve outcomes for justice involved individuals and have long term positive outcomes on public safety and communities across the state. Thank you for the opportunity to speak today.

REP. STAFSTROM (129TH): thank you are there questions or comments from the Committee? If not, appreciate you being with us.
MOLLY FRANCO: Thank you

REP. STAFSTROM (129TH): Mary Lee Duff. Is Mary Lee Duff with us?

MARY LEE DUFF: Yes.

REP. STAFSTROM (129TH): Good, ma'am, we can hear you. But we can't see you. Turn your camera on for us. There we go.

MARY LEE DUFF: Sorry.

REP. STAFSTROM (129TH): All right, go ahead, ma'am.

MARY LEE DUFF: Can you see me now?

REP. STAFSTROM (129TH): We can. Yep.

MARY LEE DUFF: Okay. I'm Mary Lee Duff from Guilford where I'm a member of the Peace Affirmation and Justice Committee at the first Congregational Church. We have a long history of working with formerly incarcerated people upon their release and reentry. We meet them a drop-off with duffel bags filled with immediate necessities, including bus passes.

We have a relationship with a house for Women in Hartford, and are working on a new project to establish one in New Haven. I am here today in support of the Protect Act, Senate Bill 1059. We call them Correctional Institutions, but they are not correctional. Women and men, upon release from incarceration need tools to become productive members of the community.

They need self-respect, motivation, encouragement to envision a new life and hope. Solitary strips them of all that and only adds to the challenges they will face. Successful reentry does not only benefit them, it benefits the community at large.
For hundreds of years in our country, people called slaves were treated inhumanely. This was tolerated because it was taken for granted. Now we look back with horror and shame. The inhumanity of solitary confinement should not be a new chapter in our history. The theologian Dietrich Bonhoeffer said, silence in the face of evil is itself evil. We will not be silent until solitary confinement is no longer practiced in Connecticut. Pass the Protect act.

REP. STAFSTROM (129TH): Thank you, ma'am. Questions or comments from the Committee? Seeing none appreciate you being with us. Senator Winfield passing it back to you.


OLIVIA RINKES: Thank you. Thank you, Olivia Rinkes, I'm from North Stonington. I'm here to testify in favor of Senate Bills 972, an Act concerning the costs of telecommunications service in Correctional Facilities and Senate Bill 1059. An act concerning the Correction Accountability Commission, the Office of the Correction Omnibus, the use of isolated confinement, seclusion, and restraints, social contracts for incarcerated persons, and training and workers compensation benefits for correction officers.

To begin with according to the 13th amendment of the US Constitution, a private company earning profit off of the internment and or bodies of prisoners is unconstitutional. Therefore, the use of for profit business services should immediately cease. In addition to that it can only really be described as immoral. To isolate prisoners from relatives or friends you cannot afford the cost of remaining in contact.
Social isolation has a hugely detrimental effect on a person's psyche and an individual in the prison system is already at risk for new or worsening mental health conditions. Therefore, I am testifying in favor of Senate Bill 972. The justice system is unquestionably over reliant on punitive reactionary measures, rather than rehabilitative services that might give a convicted person more opportunities later on to resolve any mental or behavioral issues that perpetuate the poverty crime cycle.

In that respect, I asked the state to pass Senate Bill 1059 as a step towards a more rehabilitative and humanizing criminal justice system. With the suggestion that Section 4 be removed. State workers already receive Workers Compensation benefits, and the funds that would potentially be used to train correction officers about the negative effects of social isolation and punitive physical punishments on a person's psyche could be put to better use providing services for recently released individuals and in-person mental health services with more of a focus on addressing and coping with mental illnesses, rather than continuously punishing them using dehumanizing and possibly detrimental methods.

Thank you again for the opportunity to testify.

SENATOR WINFIELD (10TH): Thank you Ms. Rinkes. Sorry for messing your name up. Is there comments or questions from Members of the Committee? Comment or questions? Do not see any. So thank you for joining us and offering your testimony. Appreciate it. Have a great day. Michele Mudrick, followed by Mary Morgan Wolff, and then Jeanne Reid. Michele Mudrick.

MICHELE MUDRICK: Yes, I'm here.

SENATOR WINFIELD (10TH): Ma'am, we can't see you.

MICHELE MUDRICK: I know, I can't I apologize. I can't figure out how to put on the video. Okay,
starting my video, I just got a link from you guys. There it is, thank you for sending that. It took a second to get Thank you. I apologize.

Good afternoon. Senator Winfield and Representative Stafstrom, and Distinguished Members of Judiciary Committee. I'm Michele Mudrick, I'm the legislative advocate for the Southern Wheeling Conference of the United Church of Christ. And I'm writing today -- in testifying today in support of Senate Bill 1059 and Senate Bill 972. I'm writing on behalf of the 614 congregations in more than 120,000 people in our state's churches.

In fact, the United Church of Christ, the UCC is the largest Protestant denomination in Connecticut. Nationally, the UCC has more than 5700 congregations with nearly 1 million members. I'm in support of ending the torture of solitary confinement in Connecticut, and in favor of humane and effective means to keep prisons and the people who live and work there, safe.

Unfortunately, decades of misguided policies and a profound lack of oversight have led prisons to rely on highly punitive and ineffective measures like solitary confinement. Many correctional systems are recognizing that using isolation and other forms of violence is cruel, short-sighted, and counterproductive. Instead, more systems are turning to alternatives including pro-social programming, mental health treatment, violence prevention and restorative justice to understand why disputes happen in the first place, by prioritizing treatment instead of isolation for individuals who commit disciplinary infractions, prisons in jail systems have reported decreased violence.

Colorado abolished solitary confinement a couple years ago, and as a result has seen 85% reduction in violence in its prisons. In 2019, New Jersey passed Legislation to end it, and New York recently passed
the humane alternatives to long term confinement Bill. I encourage Connecticut to do the same. And I want to talk now to read testimony in support of SB 972. And I'll be reading testimony from Juan Maldonado who is incarcerated right now. His number is 236268. This is from Juan. I am an inmate incarcerated in Connecticut State Prison, Cheshire Correctional for the last 26 years, since 1994. Ever since my incarceration, I've already spent so much in this long time away on phone Bills to listen to my two boys. Unfortunately, the only person that was able to afford them was my brother Jose, a state police officer who lost his life to COVID-19.

Over the last year, I already have spent over $1,000 in phone calls, the Bills for free phone calls, to be able to provide free phone calls for inmates is just the right thing to do. I've been incarcerated for a long, long time. And I've seen too many people lose their lives in prison and not be able to connect to their loved ones. I believe the people of Connecticut are people with compassion, and people that have mercy, the rights -- the situation right now is that due to COVID-19, not only have we lost our loved ones, but I cannot even afford one phone call to talk to my boys. Not only that, but most of the incarcerated population is black and brown from low income neighborhoods that cannot even afford one call [crosstalk] The reason for the Bill to pass, is that we know that there are people in Connecticut who actually care for others. Thank you very much.

SENATOR WINFIELD (10TH): That was it. I was trying to find out how long you had, I was going to give you a little bit of time. I just want to say to members, the people who are testifying that if we don't know, in advance that someone's not signed up, you're going to be -- you're still gonna have three minutes. We did a little bit [inaudible] obviously. But I just need to make sure that people don't take advantage of that, because that would set up a whole
system of [inaudible] but thank you, thank you for the testimony.

MICHELE MUDRICK: Thank you.

SENATOR WINFIELD (10TH): Yes. Are there questions or comments from Members of the Committee? Questions, or comments? If not, thank you very much for offering your testimony and sharing your testimony that you shared as well. Thank you. Enjoy your day.

MICHELE MUDRICK: Thank you for your work.


MARY MORGAN WOLFF: Good afternoon. Senator Winfield, Representative Stafstrom, and Esteemed Members of the Judiciary Committee. My name is Mary Morgan Wolff. I'm a resident of Wallingford. I retired from the Department of Correction in 2002. After having worked 27 years, in positions ranging from Counselor, to Counselor Supervisor, to Deputy Warden, to Warden, and in six different facilities, four of which used isolated solitary confinement. That usually meant prolonged isolation, often to include the use of hard restraints, limited social interaction, loss of visits, mail and phone calls, and only one hour out of cell per day.

When I would tour certain segregation units, I felt the dehumanization of human beings, mostly black and brown. I knew that something just wasn't right there. The noise, the banging on the cell doors, the yelling. Trauma was present, even in me, and in some of my staff. Back in the 80s and 90s, rehabilitation was a dirty word. Punishment was in. To cite just one event in my history, I offer the following.
When I was the warden at Webster CI, a former minimum security facility in Cheshire, my incarcerated gardener, who had only two months left on his sentence escaped by literally running down route 10. He was quickly apprehended, but directly transported to Northern. Why? For punishment, and as an example to others. Honestly, I don't know if any changes have been made in that regard. Although Northern will close by the end of the year, I sincerely hope that the specific practices of Northern are not transferred to other facilities. As early as 1985, we know the UN define solitary confinement as torture in the 90s, it repeatedly condemned solitary confinement.

And just one year ago, in February, the UN again, voiced alarm at the department's use of it. Now is the time to promote the use of safe, alternative rehabilitative confinement options by adopting the standards set forth in Senate Bill 1059. Now is the time, and you have the power to legislate against the use of unintended torture on incarcerated human beings? Thank you.

SENATOR WINFIELD (10TH): Thank you, Ms. Wolff. Is their comments or questions from Members of the Committee? Are there comments or questions? I do not see any. I want to thank you very much for joining us today and offering your testimony -- sorry, we do have one. Representative Palm.

REP. PALM (36TH): I apologize, Mr. Chair, I was fumbling for the thing. Good afternoon, Ms. Wolff. I just wanted to ask you to elaborate a little bit when you said the trauma rebounded back on you. Would you mind? If that's not too personal to talk about what you meant by that?

MARY LEE WOLFF: Well, it's a bit personal. It's very personal.

REP. PALM (36TH): Okay, well, I'm not trying to put you on the spot. I guess my point is that people
who work in the corrections system also are invested in the job that they have to do and if solitary is making their lives more difficult as well, I think this Committee should know that.

MARY LEE WOLFF: Okay. I have -- I have been in therapy, and in therapy, I come to realize that a portion of my time in the department of correction felt like PTSD. And I'm dealing with that.

REP. PALM (36TH): Thank you, man. I had no intention of making you uncomfortable. I appreciate very much your candor and the retention. And I wish you well, thank you.

MARY LEE WOLFF: Thank you very much.

SENATOR WINFIELD (10TH): Thank you, Representative. Comment or question from other Members of the Committee? Seeing none, thank you very much for joining us, for offering your testimony, for helping us to understand the impact on, not only those on the inside, but those who work on the inside as well. Appreciate it. Enjoy the rest of your day.

MARY LEE WOLFF: Thank you.

SENATOR WINFIELD (10TH): Next we have Jeanne Reed, Luke Noel, and then Unison Kelner. Is Jeanne Reed in?

JEANNE REED: Can you hear me?

SENATOR WINFIELD (10TH): I can't hear you. I can't see you though.

SENATOR WINFIELD (10TH): I don't know that, I can make this thing work. I do have a camera here. I see the light on me, but I never use it.

SENATOR WINFIELD (10TH): Okay. You can proceed.
JEANNE REED: Okay. Well, my name is Jeanne Reed. I'm here to speak in favor of Senate Bill 1059. I'm a resident of Somers. I feel very out of my league with the experience of the other testifier this is the first time I've ever testified in a situation like this. And I -- the first time I've ever even been on zoom. Are you still able to hear me?

SENATOR WINFIELD (10TH): I can hear you Jeanne.

JEANNE Reed: Okay, thank you. So, anyway, I just wanted to say that I just learned about the situation and abuse through solitary confinement within Connecticut. I felt that Connecticut was an enlightened state. And since learning about the abuses and what the United Nations had to say about the way Connecticut uses solitary confinement, I am devastated.

And then further listening to the testimony today, and especially regarding us being 49 in the cost of our phone calls to inmate. I am just horrified. I live here in Somers. It’s sickening to me to think that within two miles of where I live in my comfortable life, people are suffering, being tortured. This is torture. I don't that's about all I can say. Yeah. And I hope that you support Senate Bill 1059. Thank you.

SENATOR WINFIELD (10TH): Thank you. I just want to say to you that you may not have used it before, but you use them effectively. Representative Palm, do you have a common question? Your hand is up. Oh, that's from before. Okay. Are there Comments or questions from Members of the Committee? Comments or questions? I do not see any. I want to thank you very much for figuring zoom out and offering us your testimony today. I hope you enjoy the rest of day.

JEANNE REID: Thank you.

SENATOR WINFIELD (10TH): Okay, next we'll hear from Luke Noel, Unison Kelner. I have Sarah Eagan, I
think she testified earlier. So Luke Noel, are you here? Unison Kelner?

UNISON KELNER: I'm here.

SENATOR WINFIELD (10TH): You're Unison Kelner?

UNISON KELNER: Yes.

SENATOR WINFIELD (10TH): Okay, you may proceed then.

UNISON KELNER: All right. Hello, everybody. Good afternoon. My name is Unison. I'm here to testify in favor of Bill 1059. I live in New Haven and I work as a library assistant in the Yale University Library System. I'm here as a concerned citizen. I'm here because I'm concerned about our carceral system producing mental illness. The use of isolation within Connecticut's carceral system serves to severely dis-regulate the service -- the nervous systems have inmates for extended periods of time, leaving them traumatized.

As someone who understands and lives with Post Traumatic Stress Disorder, I know that the process of treating and healing trauma is costly. It's painful, and it is lifelong. As human beings, a social species, our nervous systems are all wired to seek connection as a means of survival. It is a fundamental physiological need, like food, and like shelter.

When bodies do not have their needs met, they lose integrity, they turn on themselves and they begin to fall apart. Isolation is a major risk factor for several psychiatric disorders. And perhaps from our own experiences of quarantining during COVID restrictions. And witnessing the mental health repercussions of this form of isolation, we can all begin to feel the reality of that destabilization and that isolation causes, and hopefully we can begin to empathize with the experience.
This Bill codifies into law some basic requirements for making the carceral system somewhat more humane through reducing the amount of time inmates are held in solitary. And it moves to protect social bonds, which establish — and establishes some oversight. So I support it with my whole heart. And I hope that all of you support it as well. Thank you for your time.

SENATOR WINFIELD (10TH): Thank you, for taking your time and for your testimony. Are there comments or questions from Members of the Committee? Comment or question? I do not see any. Thank you, Kelner for your time. I hope you enjoy the rest of your day. I see Luke Noel in the list, are you there?

LUKE NOEL: Yes, sorry, I think I was in the waiting room. Good afternoon. As my testimony, I'd like to play a recording from Bobby who's currently incarcerated. And speaking in support of SB 972. I'd like to thank the Committee for the opportunity to share the voices of people who are currently incarcerated. And I'm really hoping you'll be able to hear Bobby's important testimony.

Okay. Yes, my name is Bobby inmate No 151634 I have been here going on six years. My daughter [inaudible] she is taking care of my daughter, she's at school, she can't [inaudible] my daughter to keep contact with [inaudible] visitation and video consultation and the [inaudible] we have going on which is hard to do. But the phone calls would be very, very useful for people that are incarcerated because it's been a part of being here [because of the pandemic] even outside of that, people just struggling to try to help meet our needs of what it is [inaudible] being able to have family and family with their kids, grandparents, mothers and fathers. I think that this would be very, very much helpful and much needed for us going forward to be able to have three calls [to help light the burden of our people] [inaudible] discuss it now.
So, I'm gonna end with that and I hope that everything that I said will be taken into consideration that will be used as [inaudible] in pushing forward the change of all the situation so that we will be able to have three calls and be able to help our families so that they can make more. I appreciate the time, thank you very much. Thank you.

SENATOR WINFIELD (10TH): Thank you for presenting that testimony. I see Representative Fishbein for a comment or a question.

REP. FISHBEIN (90TH): Yes, sir. Thank you, Mr. Chairman. Just so that I understand. Am I able to ask questions of the individual I just heard from?

SENATOR WINFIELD (10TH): Representative Fishbein, you can ask questions that the individual is [inaudible].

REP. FISHBEIN (90TH): Sir, your audio is breaking up. I didn't hear what you said.

SENATOR WINFIELD (10TH): All right, are you able to hear me?

REP. FISHBEIN (90TH): That's a little better. You seem to break up at the end of what you were saying.

SENATOR WINFIELD (10TH): What I was saying was you can ask questions of the person on the recording. That individual obviously is recorded and currently incarcerated wanted to provide testimony but couldn't for obvious reasons. So, it's important. You can ask the individual who is sitting there if you have any questions, but not the individual that's in the recording.

REP. FISHBEIN (90TH): Okay, thank you. I'm glad that -- Okay, now that I know where we are. Hi
Luke, do you have personal knowledge -- like have been incarcerated and again--

LUKE NOEL: I have not.

REP. FISHBEIN (90TH): Okay.

LUKE NOEL: I work at Worth Rises, which deals actually with issues on prison found justice.

REP. FISHBEIN (90TH): Okay, understood. I just -- okay. I understand your perspective. Thank you. Thank you Mr. Chairman.

SENATOR WINFIELD (10TH): Thank you, Representative Fishbein. Comments or question from other Members of the Committee? Comment or questions? Seeing none, thank you very much. It's been a while. Hope you enjoy the rest of your day.

LUKE NOEL: Thank you.

SENATOR WINFIELD (10TH): Next, I have Rory Whelan, followed by Brian Moran and joy Avallone. Rory Whelan, you have three minutes.

RORY WHELAN: Yes, sir. Thank you Members of the Committee. Thank you. I am Rory Whelan. I'm the Regional Vice President of Government Affairs for the National Association of Mutual Insurance Companies. And today, I'm going to comment on two Civil Liability Bills. The first is House Bill 5125. This Bill appropriately recognizes that businesses, schools, nonprofits, other institutions and professionals who have done the right thing by adhering to public health guidelines during this pandemic.

That they should not be subjected to costly and frivolous lawsuits. I want to thank representative Fishbein for sponsoring this important Legislation that many other states have adopted. I think it's very important that Connecticut is -- if they enact
this law will lead where Washington has lagged. The Congress has endeavored to enact similar nationwide Legislation for more than a year without any success and I think -- and as I mentioned, West Virginia is poised to be the 36th state that has adopted civil Liability protections for businesses and other entities.

As I said, we've done the right thing who have a great effort and great expense changed their policies and their modus operandi in order to comport with very fluid public health guidelines. These folks have kept services -- critical services and goods flowing at a time when much of our society came to a standstill. And they should not be burdened with frivolous lawsuits that -- that are wasteful in terms of wasting resources that can otherwise go into helping those who really need the help to get out of this pandemic.

So, approval of this Bill would memorializing statute that Connecticut will support business investment and job creation by granting legal protections to responsible businesses and other entities.

I would also like to comment sort of the mirror image at least with respect to nursing homes, raided Bill 1029 in essence this Bill would negate Governor Lamont executive order of last year. Executive Order 7U which provides immunity from sue for civil liability for any injury or death alleged to have been sustained because of these dwellings--

SENATOR WINFIELD (10TH): Mr. Whelan, your time is up, if you could summarize.

RORY WHELAN: Thank you Senator. Again this Bill is drafted so broadly that anyone can bring a suit for any claim, regardless of whether you were in that nursing home or even contracted COVID. You can simply say that your cousin was in the nursing home and she contracted COVID and it caused you emotional
distress and you could bring a lawsuit. The Bill is really drafted so broadly it would invite; you know the frivolous lawsuits from the community of "we don't get paid till you get paid."

SENATOR WINFIELD (10TH): Thank you Mr. Whelan. There's a comment or a question from chairman Stafstrom.

REP. STAFSTROM (129TH): Thank you Mr. Chair. Mr. Whelan, I'm not familiar with your organization. Are you an insurer in the state are you represent the insurance companies?

MR. RORY WHELAN: We represent the property and casualty insurance companies, yes.

REP. STAFSTROM (129TH): Okay. Do you have knowledge of how many COVID liability lawsuits have been filed in Connecticut?

RORY WHELAN: I do not know the number.

REP. STAFSTROM (129TH): Okay.

RORY WHELAN: I would point out though that COVID is going to be with us for a long time and in my written testimony I did note the communicable disease experts who've said that they're not quite sure about the lasting impact this will have -- respiratory, et cetera. So these lawsuits may -- we may be dealing with for many, many years to come. In addition -- additionally we all know that there are variants whether it's going to be this year or in the future. So -- especially with regard to 1029, the door is going to be open for a very long time for these lawsuits

REP. STAFSTROM (129TH): But you don't know you -- you don't know whether there's been any lawsuits yet filed in Connecticut where either an employee or someone who visited a business says, gee I caught
COVID there and I am seeking monetary damages as a result thereof?

RORY WHELAN: I'm not aware, though.

REP. STAFSTROM (129TH): You're not aware of any if those cases have been filed yet. Connecticut?

RORY WHELAN: specifically, I couldn't tell you a case name. No.

REP. STAFSTROM (129TH): Okay. And you mentioned kind of the ongoing concern. Is -- I assume you're familiar with the language of the Bill before us.

RORY WHELAN: Which one, sir?

REP. STAFSTROM (129TH): 5125.

RORY WHELAN: Yes.

REP. STAFSTROM (129TH): Okay. As, as I read this language, this only covers any sort of suit arising during the public health or civil preparedness emergencies, which I believe are set to expire, unless I guess the legislature decides otherwise. But it's set to expire as of April 20th. Would -- does your organization support a lengthy, I guess, extension of the public health emergency in the state in order for this potential protection to, I guess, protect a business entity for any future variance?

RORY WHELAN: Well, I think that is the purview of the legislature and the Governor. I would not second guess, the state in terms of when it decides that the public health emergency is over. As I mentioned, the -- you know, variants are still very much up in the air. So, you know, I would leave that to the experts. And you good folks.
REP. STAFSTROM (129TH): Then I guess, on your point about, I guess, frivolous lawsuits, what—what's your definition of a frivolous lawsuit?

RORY WHELAN: Again, what—which Bill are we talking about or both?

REP. STAFSTROM (129TH): 5125 right now. I'm just—I'm referring to your testimony. You used the term frivolous lawsuit a couple times. And I'm, I'm wondering what you meant by that.

RORY WHELAN: I mean, the claim that the person got COVID from a business who otherwise was comporting with public health guidelines. But nonetheless, they say, I believe that I got it from your store or your school. And I'm filing a lawsuit, despite the fact that that entity took all the precautions that the public health or federal and state guidelines asked them to do. That, to me is frivolous.

REP. STAFSTROM (129TH): But I guess, on that, how are we to determine whether a business has—-I think the term used in the Bill is substantially complied with the public health guidelines? Isn't that up to a court to decide whether a business has substantially complied with public health guidelines?

RORY WHELAN: No, I think we can all, based on our daily experiences, understand, or know, when a business has the plastic shields, when they have markers on the aisle that ask people to stay six feet apart? I think we can all recognize that. And I don't think you need to involve lawyers and judges and—-and resources that especially for small businesses are in very short supply right now, to defend against something like that.

REP. STAFSTROM (129TH): Okay. But if the public health guidelines say, you know, tables in a restaurant need to be six feet apart, right. And my claim is I walked into a restaurant, I got COVID at
that restaurant, but the tables at that restaurant, were only spaced four feet apart. And that's my claim. Is that a frivolous lawsuit to bring?

RORY WHELAN: Well, again, I think if the restaurant is doing the right thing, by keeping six feet apart, then that is frivolous.

REP. STAFSTROM (129TH): But I guess my point is, isn't it to a court doesn't a court need to determine still, whether a business has substantially complied with the public health guidelines are not?

RORY WHELAN: And how would a court do that? And are we are we going to bring every -- allow every little case like that? Four feet versus six feet?

REP. STAFSTROM (129TH): Well, I guess that -- I guess that's the question. I'm asking about this Legislation and what it's attempting to do and how--

RORY WHELAN: If the restaurant simply said, these are our guidelines, and this is what we adhere to, then there should be a lawsuit period.

SENATOR WINFIELD (10TH): Chairman before you respond, I would just remind everyone that when people are talking if you speak before they finish asking a question sometimes it's hard to hear. Chairman Stafstrom, proceed.

REP. STAFSTROM (129TH): Thank you Mr. Chairman. But I guess what I'm trying to -- I get the intent of this Bill I really in a way do, I just -- I'm not sure how, without invoking the court's jurisdiction to determine whether somebody met their standard of care which is whether they reasonably complied with the public health guidelines how you make that determination outside of the context of the rules of evidence, court proceeding and the dispute resolution process we as a society have set up through our courts.
And I guess that's the crux of my question, not to belabor this, but when you say it will prevent frivolous lawsuits, I'm trying to figure out how that's the case because as I read this, the court still has to determine whether the business substantially complied with the applicable health and safety operation guidelines contained in the executive orders issued by the governor and others. And I'm just trying to figure out whether I'm missing something whether there is another way to determine how a business has substantially complied outside of that question of fact being presented to the court finder effect.

RORY WHELAN: Well, I think it's more the ability to -- if you -- if it goes to a judge to assert that these were our standards and we followed them and thus the suit would be thrown out. Now, if that's the case people will you know they'll start bringing those lawsuits.

REP. STAFSTROM (129TH): Okay so just so we're clear, we're not -- you'll agree with me then that this Bill as it's currently written is not an immunity provision. If anything, it gives rise to an affirmative defense for a defendant to say, I substantially complied with the public health regulations therefore I'm not liable.

RORY WHELAN: Sir, I'm not an attorney so I would defer to answer on that.

REP. STAFSTROM (129TH): Okay. Thank you Mr. Chair.

SENIOR WINFIELD (10TH): Thank you. Representative Blumenthal.

REP. BLUMENTHAL (147TH): Thank you Mr. Chair and I guess Chairman Stafstrom, asked some of the questions that I would have similar concerns and Mr. Whelan, if some of these -- if some of these
questions are more technical about how a lawsuit works so if you don't feel that comfortable answering them just let me know.

RORY WHELAN: I appreciate that.

REP. BLUMENTHAL (147TH): So I think you know it makes sense to a lot of us that there'll be some sort of defense oriented around the guidance in place at the time to lawsuits related to COVID-19. The concern I have is providing a civil immunity because I don't quite understand how that would work in practice. So, first of all are you -- what is your understanding of how in -- like what the procedure would be for a case being dismissed under this statute?

RORY WHELAN: Yes, again I appreciate that I'm not equipped to answer those sort of legal questions.

REP. BLUMENTHAL (147TH): Okay so it seemed like your testimony in response to Representative Stafstrom, that you anticipated that all the entity that was defending the case would have to do with just say that they complied with the guidelines is that a fair characterization of what you testified to?

RORY WHELAN: That's my understanding.

REP. BLUMENTHAL (147TH): How would we know if the entity were telling the truth?

RORY WHELAN: You know again going back to the other Bill and the executive order, I would imagine in the same way that the Governor issued that executive order that these cases would be adjudicated in much the same way.

REP. BLUMENTHAL (147TH): Okay those -- are you aware of how they've been adjudicated?

RORY WHELAN: I am not
REP. BLUMENTHAL (147TH): Okay so would it surprise you to find out that they haven't been adjudicated because no personal injury lawsuits of this type have been brought in the state of Connecticut?

RORY WHELAN: Again, this -- the pandemic is not over. And we don't know what the future is going to bring.

REP. BLUMENTHAL (147TH): That's fair. Would you agree that potential tort liability provides a powerful incentive to take protective measures against COVID-19?

RORY WHELAN: Well, again, we're not talking about gross negligence. We're talking about businesses who have done the right thing and have followed all the protocols, protocols that have been very fluid, and sometimes contradictory.

REP. BLUMENTHAL (147TH): And fair-- but would you agree that the prospect of potentially being liable in court has been one of the incentives that's motivated businesses to do the right thing during COVID-19?


REP. BLUMENTHAL (147TH): So, it's a powerful incentive for businesses to do the right thing, always, fair to say?

RORY WHELAN: You know, I think the more powerful incentive is to be a good upstanding business and get more clients get more customers provide better services. And I think the incentive is to succeed.

REP. BLUMENTHAL (147TH): I agree with that, too. You know, I think there's a financial incentive as well through the tort system. And it would be fair
to say that the businesses you represent, the insurance companies you represent, you know, do you take into account potential policy holders practices in inciting how to underwrite policies? Or do you Institute any sort of guidelines or measures to ensure they follow good practices?

RORY WHELAN: Representative, I'm not an underwriter. I don't -- I can't say I'm an expert in that process.

REP. BLUMENTHAL (147TH): But could you say, based on your position that insurance companies take measures to ensure that their insurance are being safe and are thus less likely to be sued successfully?

RORY WHELAN: Well, I think certainly the when underwriting they do take in consideration, historical data.

REP. BLUMENTHAL (147TH): Okay. And would you agree that many if not all, insurance companies also take measures to do or to enact policies that insurance should follow so that they are not likely to be sued?

RORY WHELAN: I can't say that I'm aware of requiring policies for businesses.

REP. BLUMENTHAL (147TH): I guess what I'm saying is--

RORY WHELAN: That we would require that your restaurant have tables, six feet apart during a pandemic, I don't believe that there's any policy like that.

REP. BLUMENTHAL (147TH): I'll put it this way, just more generally, not COVID-19 directly related, but, you know, insurance companies tell their insureds what to do so as to be safer, right. Insurance companies are a positive influence on their
insurance on businesses throughout the country, because they don't want their businesses to get sued. And the insurance companies don't want to pay out settlements for judgments--

RORY WHELAN: To what extent -- I couldn't opine.

REP. BLUMENTHAL (147TH): Right, but just as a general matter, it's true, right?

RORY WHELAN: Again, I really couldn't opine on that.

REP. BLUMENTHAL (147TH): Okay. And on the other Bill, the Senate Bill 1029, the Cause of Action Bill, is your primary concern, your understanding that anyone could sue rather than just someone who is directly injured by a nursing home's alleged negligence?

RORY WHELAN: No, I just I just raised that as an example of how broadly drafted the Bill was or is.

REP. BLUMENTHAL (147TH): Okay. You know, I actually was interested, because -- that you mentioned that so I've looked at the Bill again, it appears to me, I'm just reading from it. Now. It says Section B, which is the Cause of Action portion. It says "Notwithstanding any provision of the general statutes, any person may bring a civil action in Superior Court for judicial district where such person resides for any loss, damage, injury or death arising from exposure." My understanding of that language and maybe it does need to be revised, I don't know is that that person who was injured would be able to bring the lawsuit. You have a different understanding. I take it.

RORY WHELAN: Yes.

REP. BLUMENTHAL (147TH): Okay. All right. Thank you sir for answers and your testimony and for appearing with us today. Thank you Mr. Chair.
RORY WHELAN: Thank you.

SENATOR WINFIELD (10TH): Thank you representative. Representative Fishbein.

REP. FISHBEIN (90TH): Thank you Mr. Chairman. Sir, I believe you indicated before you're not an attorney, correct?

RORY WHELAN: Correct.

REP. FISHBEIN (90TH): And do you -- you know there's many people that are not attorneys that have some knowledge as to the procedural civil process procedure in our courts. Do you have a knowledge as to how our courts operate?

RORY WHELAN: I do know.

REP. FISHBEIN (90TH): Okay so when we look at 5125, and I know you're in support of the Bill and I thank you for your support. Does any portion of this Bill say that one cannot bring a lawsuit?

RORY WHELAN: No.

REP. FISHBEIN (90TH): So, I know you were asked questions by Chairman Stafstrom about that issue, you know, the way I read this language is that, it's an affirmative defense. An action is brought, there is some level of whether it be discovery some procedure by which one shows that they followed the guidance of the government's public health, all of that stuff and they can be alleviated of liability. Do you read this any way differently?

RORY WHELAN: Right, right.

REP. FISHBEIN (90TH): Which would be our court process. So in fact even if they apply -- they did what they were supposed to do in the last line, lines 24 through 26 it says that "Even if they did
comply that there may be liability if there was gross negligence or willful misconduct by that entity."

RORY WHELAN: Right and perhaps I didn't articulate well enough that with regard to frivolous lawsuits if the -- say the restaurant or the store owner has an affirmative defense it will dissuade further lawsuits.

REP. FISHBEIN (90TH): It would also help the economy because, you know, there's a level of fear out there that if somebody engages in business, you know, I brought up, I don't know if you were here before with the sanitizing situation with the cleaning companies. If they're fearful that, you know, they're going to be held to an expectation of sanitizing a particular place and that may create liability issues and you're not interested in being in the cleaning business anymore and that negatively impacts upon economic development and the economy of the state. Also you were asked about cases that have presently been brought under the auspices of 5125, with the other -- you know, is your experience in what you do -- the government is protractive or reactive - proactive or reactive for the most part?

RORY WHELAN: In my experience reactive. No.

REP. FISHBEIN (90TH): Okay, and here if there are no cases this would be in an example of government being proactive in the face of a pandemic?

RORY WHELAN: Correct.

REP. FISHBEIN (90TH): Do you have any knowledge as to statute of limitation that would be in place, let's say if somebody claimed that last week they came to a business and they contracted COVID there and made a claim as a third party, when would that ability, if you know to bring that lawsuit when would that exhaust?
RORY WHELAN: I don't know the statute of limitations in Connecticut.

Okay no problem thank you Mr. Whelan for your testimony here today, and thank you Mr. Chair.

RORY WHELAN: Thank you.

SENATOR WINFIELD (10TH): Thank you thank you Representative. Are there comments or questions from other Committee members? Comments or questions. I do not see any. I want to thank you for joining us today and offering your testimony enjoy the rest of your day. Next we have Brian Moran, Joe Avallone and Deborah Paul. Is Brian Moran in?

BRIAN MORAN: He's here.

SENATOR WINFIELD (10TH): You have three minutes.

BRIAN MORAN: Great. Thank you Co-chair Winfield, Co-chair Stafstrom, and Members of Committee. My name is Brian Moran I'm Director of Government Affairs for the New England Convenience Store and Energy Marketers Association. In Connecticut there are home to almost 1700 convenience stores employing over 25,000 people.

NECSEMA is supporting House Bill 5125. On behalf of our members wanted to thank all the 15 co-sponsors for this forward-thinking legislation and its overall recognition of the importance of the central businesses I've submitted written testimony I just want to highlight a couple of key points. One is, you know, our members from the beginning of the pandemic chose to remain open. Wasn't an option we wanted to be open for our customers and our communities and neighborhoods and continue to serve them?

I personally followed the five New England Governors in our jurisdiction every day during the height of the pandemic and provided critical feedback to all
of our members on the braking health and safety
protocols and requirements for minimizing
transmission, not only to our employees but
importantly to our customers as well. We care and
we did the right thing. And in this Legislation, I
think gets our back, supports our back for that
effort and responsibility to minimize the
transmission.

As it's been discussed as well, this Bill does not
reward or provide a blanket protection for people
who ignored those safety protocols and didn't --
chose not to follow them at their own peril. In
some of my research on this, I found that nationally
there are 2000 employment related litigation cases
nationally and 38 in Connecticut. The need for this
type of protection is real. The rise of COVID
transmission that we've seen historically throughout
the pandemic has not been attributed to business
compliance, it's been attributed to personal
socialization.

So, we've done our part and I think that's the key
piece in all of this. And I think what we're
getting at is being able to have a deterrent or a
safe harbor for our businesses from lawsuits that
are misplaced where causation for COVID isn't
present and it's an -- and people perhaps seeing the
profit here and that's -- I think some of the key
points for us and we certainly appreciate the
support on behalf of all of our members if you have
any questions, I'd be happy to entertain them.

SENATOR WINFIELD (10TH): Thank you. Chairman
Stafstrom.

REP. STAFSTROM (129TH): Thank you Mr. Chair, just
real quick, Mr. Moran thanks for being with us.
Can you give me that stat in Connecticut one more
time? It was 38 employment-related COVID
transmission cases that have been filed?
BRIAN MORAN: Yes, in my written testimony there's a link, I don't know if you're able to see that but I -- when I wrote the testimony last week, Connecticut had 35 cases that were COVID-related employment. I don't know, I don't want to portend that is 38 cases COVID-related illnesses but they're COVID-related litigation that's being tracked by some of the larger national law firms.

REP. STAFSTROM (129TH): Okay thank you.

BRIAN MORAN: Thank you for the question.

SENATOR WINFIELD (10TH): Thank you. Representative Blumenthal.

REP. BLUMENTHAL (147TH): Thank you Mr. Chair and thank you Mr. Moran for being here with us today. I may have missed if someone else asked you but are you attorney?

BRIAN MORAN: No, I'm not sir.

REP. BLUMENTHAL (147TH): Okay so, I will not subject you on procedural matters. So actually, I looked at the link in your testimony, it's helpful thank you. And I looked at the breakdown of cases and they seem to all be employment-related is that fair to say?

BRIAN MORAN: Yeah, I believe that's the heading for the link.

REP. BLUMENTHAL (147TH): Okay so it looks like -- you know the breakdown I'm seeing is -- you know a good deal relate to employment discrimination, some more relate to remote work or leave conflicts. Some more are oriented around retaliation or whistleblower claims and there's one wrongful discharge claim in Connecticut related to COVID-19. And I guess my question is -- I mean these seem like serious matters where you would want people to achieve justice if they were discriminated against
in the context of COVID-19. If there was some sort of have remote worker leave conflict that are violated employment law or there was a retaliation or whistleblower claim a wrongful discharge related to COVID-19? Why shouldn't these cases be brought?

BRIAN MORAN: I think they -- this Legislation doesn't prevent that. I think it's an important -- I think probably the most critical piece in all of this is the causation standard, is highly problematic. And it can, you know, how do you know when you truly became infected, and had, you know, a health issue associated with it. And -- and I think what's also important is to keep in mind that there are other Bills out there that are trying to preempt that as well, and basically do the opposite of what this Legislation would do.

Where it's proposing to make COVID an occupational disease that would be covered under Workman's Comp. So, I think what we're trying to identify is, you know, we put ourselves out there, our workers, our customers, and we chose to stay open. And we wanted -- it was unquestionably the right thing to do is to follow those breaking, changing, evolving health safety protocols that were issued almost daily. And, you know, put up the shields, protect your point of sale, discontinue certain products, as well. And that was absolutely necessary.

And I think what we're looking for here is for the legislature to have our back after our performance and high rates of compliance, you know, I would see across all the regional governors' press conferences and giving updates, they weren't pointing to business as being the cause of the rise of transmission. It was personal socialization. And so, we're looking for you to have our back to make the bar a little bit higher for somebody to suit -- to provide suit, and give us some protection, because we have to defend ourselves.
REP. BLUMENTHAL (147TH): Thanks, and you kind of -- you identified a key element, I think that we should be thinking about in terms of these Bills, you identify the causation standard. You know, it -- would you agree, it's pretty hard to prove that you got COVID-19 -- sorry, I'll backtrack. If you're a customer, and you just went into a store for five minutes, 10 minutes, especially with convenience store, you have to drive to get there. Go outside, you know, the home? Would you agree it would be pretty hard to prove that you got COVID-19 in a store like that?

BRIAN MORAN: Sure, I think it would be a universal difficulty, you know, unless you could, you knew someone have COVID, and you're directly interacted with them. And they weren't wearing a mask. You know, those are the types of circumstances that this Bill wouldn't protect. So, you know, I think, you know, the causation standard is key. And, you know, it's a deep concern for us.

REP. BLUMENTHAL (147TH): Yeah. So, you would agree, I think that the causation standard, or the difficulty of actually proving you got COVID in any particular business, again, if you were a customer, that's a pretty high protection for businesses, right, it'd be pretty hard to prove that for a plaintiff.

BRIAN MORAN: Correct, however, and I think what our concern is, is that we're going to be put in that position of having to defend ourselves, and it's those costs, that this Legislation helps, at least make it a higher bar, and give people a little more time to really evaluate whether that's the best course of action to take. And, you know, it's having to defend ourselves without regard to merit of the circumstances, as you would be suggesting.

REP. BLUMENTHAL (147TH): Okay, and would you agree that in terms of the -- kind of the matters that I was mentioning earlier, from the data that you
presented, you know, employment discrimination, remote worker leave, retaliation, whistleblower claims, wrongful discharge claims. Do you believe that as a general matter, you know, those sorts of claims deserve to be adjudicated?

BRIAN MORAN: Well, I think it's, -- I think we're not saying that this Bill wouldn't allow anybody to adjudicate anything. They can do that. It's just a question of merit and whether there is an opportunity for a central business to be able to have some sort of affirmative defense.

Okay well I appreciate your answers. I mean the way I think about this, you know, I happen to be an attorney to me the idea -- you know that there would be an onslaught of personal injury cases from customers would be quite far-fetched because I just don't understand how any lawyer would take that case in the mainstream because it'd be almost impossible to prove in most cases unless there's really egregious [inaudible] conduct.

But I'm concerned about the immunity issue from an employment perspective because as you said you know your business is stayed open and your employees were out there exposed to risk and you know, I think that if a business isn't taking measures to protect their employees, you know it's the employees who are out there at risk. You know they need to have their rights vindicated too. so, I think that's a concern that's kind of bothering me about this Bill and I appreciate your answers and you're being here with us today

BRIAN MORAN: Thank you for the question.

SENATOR WINFIELD (10TH): Further questions or comments from the Committee? If not, thanks for being with us.

BRIAN MORAN: Thank you.
JOY AVALLONE: Good afternoon everybody. Chairman Winfield, Chairman Stafstrom, Vice-Chairs, Ranking Members and Members of the Judiciary Committee. I'm Joy Avallone, General Counsel for the Insurance Association of Connecticut, a state-based trade association for Connecticut's insurance industry. I want to thank you for the opportunity to obviously come before you today. I should note that we submitted testimony on two Bills but that my testimony today will focus on House Bill 5125.

You know, we feel very strongly that the Civil Immunity proposed under House Bill 5215 is smart public policy it will benefit entities conducting businesses for profit as well as those not for profit, public agencies, workers and the overall economy. Immunity will also incentivize compliance with safety guidelines, probably one of the strongest incentives in fact. At least 35 states but I believe looking at testimony from other individuals that may actually be as high as 40 states have already recognized the value of such Legislation and have provided similar liability protections for responsible entities and we urge Connecticut to follow their lead.

Immunity under this Bill is reasonable and appropriate because it's limited to those entities that substantially complied with the applicable health and safe operation guidelines contained not only in the EOs issued by the Governor but also the guidance of the department of public health these entities may still be held liable for losses, damages and injuries caused by gross negligence or willful misconduct and in fact as -- I think a number of people have already mentioned, you know, claims are able to be brought under this Bill. This simply provides an affirmative defense.
It's also important to note that health and safety guidelines have been continuously changing since the onset of the pandemic and compliance has been challenging and costly for many entities covered by this Bill have rose to the challenge. And in doing so have contributed to the battle against COVID-19 by providing critical and essential services and goods. These entities should really be commended for their work and afforded protection from opportunistic lawsuits allowing responsible entities to operate free from fear of frivolous COVID-19 related lawsuits will have both short term and long term positive economic impact.

Businesses that remain shut down on account of the pandemic will be encouraged to reopen while those currently operating at limited capacity will be encouraged to return to pre-pandemic operation. The reopening and expanded operation of businesses will provide employment opportunities for those who have been unable to work and will ensure access to critical goods and services as we move forward. This will not only stimulate the economy during the current stage of the pandemic but it will also enable a swifter economic recovery once the pandemic subsides. And for those reasons we urge you to strongly support this Bill. I am happy to answer any questions you may have.

SENATOR WINFIELD (10TH): Representative Fishbein.

REP. FISHBEIN (90TH): Thank you Mr. Chairman. Good afternoon Joy, nice to see you. Joy, my concern is that, how does your industry dealing with the uncertainty? You know I would think that, you know, if I was insuring a business and that business was open to liability for what underlies 5125 at least. Would I be raising premiums on business? I mean how is your industry dealing with this?

JOY AVALONNE: So, I can't say with certainty what each company is doing obviously. As a general premise, the greater the liability and the risk you
know the more costly premiums are. Because obviously they have to, they have to correlate. We have seen in cases of the auto industry; you know some companies were able to refund some premiums because there were certainty that there wouldn't be claims resulting from the clear reduction in driving.

Companies haven't gone that far with respect to the PNC companies with the business liability, to my knowledge anyway. Because there's uncertainty as to how many claims are going to be filed. Just in the testimony that we've heard today there are variations regarding the number of claims have been filed really on a nationwide level and also on a state level. In reviewing, again testimony from other individuals there was actually stats that said a complaint -- a COVID complaint tracker had documented just about 9000 pandemic related lawsuits nationwide and over 100 of those were in Connecticut with a statute of limitations and I think it's two or three years in Connecticut -- you could correct me because I know that you're more familiar with that than me.

You know obviously there's uncertainty as to how many claims are going to be raised going forward. And this Bill would help to provide some certainty, at least with regard to having an affirmative defense for the businesses that have been able to comply with all of the safety guidelines.

REP. FISHBEIN (90TH): Yeah, I thank you for that. You know I guess the concern is if you know, the Department of Public Health -- I mean early on we'll remember, you know, they talked about doorknobs and things like that. The COVID was transferable by doorknobs that you had to you know sanitize doorknobs and then like three months later CDC came out and said non-transferable by solid objects and that kind of stuff. But you know, I guess the concern is if somebody brought a lawsuit that said you know after the CDC guidance, I touched the
doorknob and I got COVID you know how is one to defend against that? There's -- you know there was no guidance and you can't sue the Governor. It was a sovereign immunity issue. So I mean, those are -- those are all the concerns do you see any way to get through those concerns without a Bill like this?

JOY AVALLONE: Well, I can't say with certainty what any other -- you know what any other recommendations would be. I don't know that this would stop all frivolous lawsuits. I don't think that it would have that impact but I do think it would help, you know pretty much the court, the court systems, insurers, insureds. You know society as a whole really that sounds pretty drastic but it really would help to minimize, you know frivolous and meritless claims from going forward which would give business owners, workers you know some solace in operating and continuing to operate going forward.

REP. FISHBEIN (90TH): I thank you for that. Thank you for coming to testify here today. Thank you Mr. Chairman.

JOY AVALLONE: Thank you.

SENATOR WINFIELD (10TH): Representative Blumenthal.

REP. BLUMENTHAL (147TH): Thank you Mr. Chair and thanks Joy for being with us today, unfortunately I know you're an attorney, so a couple of questions for you and thanks for your testimony so far. So, based on your testimony you understand this Bill to be creating an affirmative defense not an immunity. Is that fair to say?

JOY AVALLONE: Yeah, I think the title states that its immunity but I think that a proper designation would probably be akin to affirmative defense.

REP. BLUMENTHAL (147TH): Okay and is it -- is your industry seeking -- that's what your industry is seeking, affirmative defense correct?
JOY AVALLONE: We think that it's reasonable for businesses who comply, you know, with these ongoing regulations and guidance to be afforded some protection from, again you know, we keep saying frivolous lawsuits. I don't think it's going to stop lawsuits from being filed but I think that it does provide, you know, some security and knowing that not everyone and anyone is going to go out there and file a claim thinking that you know something may stick to the wall if it's brought.

REP. BLUMENTHAL (147TH): Thanks. And so, I guess procedurally if it's an affirmative defense then the defendant entity would have the burden of pleading and persuading the finder of fact that the entity substantially complied with the COVID-19 guidelines at the time?

JOY AVALLONE: That sounds right to me but I'm not gonna represent myself as an expert in civil litigation. But that does sound reasonable, yeah.

REP. BLUMENTHAL (147TH): All right well thank you for being with us and answering our questions as always.

JOY AVALLONE: Thanks.


JOY AVALLONE: Great. Thank you.

SENATOR WINFIELD (10TH): Deborah Pauls.

DEBORAH PAULS: Hello.

SENATOR WINFIELD (10TH): Go ahead ma'am.

DEBORAH PAULS: Hi, Dear Chairman Winfield, Stafstrom, Vice-Chair Kaiser, Blumenthal and Ranking
Members of the Judiciary Committee. I am Deborah Pauls, and I have lived and worked in Stamford for 43 years. Professionally I'm a social worker and I have a psychotherapy practice in Stamford. As I approach retirement I am choosing to put more of my time into supporting changes in our communities, and in our state that will make a difference for individuals with mental health issues.

As a therapist there is only so much one can do to undo the harms and traumas that people suffer in the years prior to coming into therapy. Early childhood stressors and traumas have often brought people into my office, unfortunately many others have landed in prison. Come to see that the individual with mental health problems is often not treated in a therapist office, clinic or hospital, but rather their mental health problems have resulted in incarceration. Their problems only worsen, if as a prisoner they are subjected to more violence and particularly the torture of -- torturous practice of solitary confinement.

Certainly, in this past year, all of us have suffered due to the pandemic. We miss being able to hug a friend, have close contact with a family member, and look into their eyes. Perhaps we have suffered with depression or fought off anxiety as a result. What we have experienced is only a taste of what solitary confinement can do to an individual already recovering -- already removed from caring, friendly relationships. Those of us who have -- who have had to quarantine and or our isolate have been able to stay in touch with others. We have made calls and we've seen our family and friends through video calls.

We have -- we have had friends bring our favorite meals to us and we have had the comforts of home and entertainment on the TV channel of our choice. Those weeks were for us in isolation, we've only had the slightest glimpse, of what solitary confinement does to a person. And we have only had to
quarantine perhaps for 14 days. A snapshot in time tells us that on December 1 of 2018, a majority of prisoners incarcerated in administrative segregation, a form of solitary had been isolated for between 181 to 730 days. According to the DOC's data. Please take this in, 181 to 730 days.

This is six to 18 months of isolation. There is a reason that this is defined as torture under International Law. Solitary confinement does not aid in the rehabilitation of a prisoner, it produces a frightened, anxious, angry, depressed person who possibly dissociates or swings from depression to mania. He or she returns to the general population in a mental state that is likely to produce a repeat of the very behavior for which he or she was sent into isolation. The guards and other staff are now expected to maintain a safe and calm environment with these traumatized people. When they are finally released, we can't expect this person return--

SENATOR WINFIELD (10TH): Ma'am, we are at the three-minute mark. Please summarize.

DEBORAH PAULS: Okay. This practice does not either make sense financially. It appeals -- it costs twice as much to house a person in solitary confinement compared to the general prison population. So, we're spending twice as much money to torture a person as we have. And we have made our communities even less safe. So, I said that this in writing, and there's a documentation so I asked you to vote for the Protect Act. Thank you for your time.

SENATOR WINFIELD (10TH): Thank you, ma'am. Questions or comments from the Committee? Seeing none, I appreciate you being with us.

DEBORAH PAULS: Okay, thank you.

SENATOR WINFIELD (10TH): Kevin Budge will be next.
KEVIN BUDGE: Thank you, Mr. Chairman, Members of the Judiciary Committee. My name is Kevin Budge. I'm a longtime resident of Middletown, and I'm a partner at Wigan and Dana in New Haven, where I defend hospitals and physicians and other health care providers from claims of medical negligence. I'm testifying today on behalf of Wigan and Dana's long standing client leading age Connecticut in opposition to Senate Bill 1029, AN ACT CONCERNING CAUSES OF ACTION AGAINST LICENSED NURSING HOMES AND FACILITIES FOR FAILURE TO MEET THE STANDARDS OF CARE RELATED TO COVID-19.

I'd also like to incorporate by reference the written testimony that's already been submitted by my partner Erica Amarantee. And by LeadingAge's President Mag Morelli in opposition to this Bill. First, this Bill is unnecessary. There already exists long-standing well-established causes of action of negligence that may be asserted against healthcare facilities, including nursing homes that I've been through years of well-developed common law. These were recognized by the governor's executive orders 7U and 7V.

Second on its face, the proposed Bill is problematic. It's overly broad. It's inconsistent with existing well established statutory laws as well as in conflict with years of well-established common law. It inappropriately seeks to establish standard of care by compliance with unprecedented fluid, constantly changing guidance -- guidance from the state DPH and from the CDC, that over the past year was changed and evolving rapidly, week to week, day to day.

In fact, over the past year there have been at least 52 pieces of guidance or revised guidance from the DPH and CDC, which does not even include the 12 pieces of guidance from CMS. Which guidance is that the Bills purports to establish as the standard of care and from which time In addition, what if a
particular guidance conflicts with other federal guidance, like CMS was one to follow one and not the other? I'm sure you can see the inherent danger of the confusion and conflict that this guidance might create both in the state and federal level. Standard of care in Connecticut is not dictated by defined guidance or policy. It is guided by longstanding principles of case law and existing statutes. It has been vetted; it has been tested.

The standard needs to be determined by expert testimony from a similarly situated healthcare provider, not by conflicting and changing guidance. This is even more important in these unprecedented times in this past year. And lastly, on its face, the Bill does not state that is intended to be applied retroactively. If there is this intent for it to be applied retroactively, we have additional arguments that we would be happy to bring forth. However, at a minimum, if the Bill is intended to be applied retroactively, it would certainly be subjected to constitutional challenges.

Moreover, if applied retroactively, it would purport to overrule the Executive Order entered by the Governor, that the legislature under statute had had the opportunity to intervene and had not. Members of the Committee, what this Bill purports to do is the equivalent of putting a traffic light at a stop sign. It is unnecessary, will create great confusion will create inconsistency with existing statutory and common law. And it will undoubtedly lead to years of litigation attempting to interpret its meaning rather than accomplish its purpose. For these reasons, and for those expressed in the aforementioned written submissions LeadingAge strongly opposes raised Bill 1029. Thank you for the opportunity to be heard.

SENATOR WINFIELD (10TH): Thank you, sir. Just for the record sir. You do not work for LeadingAge, you said you work for a law firm? That's correct. Mr.
Chairman, I think it was just a mistake in the way that was entered into the list today.

SENATOR WINFIELD (10TH): Are you a registered lobbyist for that testifying for them?

KEVIN BUDGE: I am not.

SENATOR WINFIELD (10TH): Okay. All right. Questions from the Committee? Seeing none, thanks for being with us.

KEVIN BUDGE: Thank you.

SENATOR WINFIELD (10TH): Brian Sullivan.

BRIAN SULLIVAN: Yes, sir. Senator Winfield, Representative Stafstrom, Ranking Members Kissel and Fishbein and Distinguished Members of the Judiciary Committee. My name is Brian Sullivan, and I'm a leader with the ACLU Smart Justice Campaign of Connecticut. I'm testifying today in support of Senate Bill 972, AN ACT CONCERNING THE COST OF TELECOMMUNICATIONS SERVICES IN CORRECTIONAL FACILITIES.

I'm the father of four and someone who has spent more than 30 years in prison. When I was originally sentenced, I didn't have a lot of hope that I would ever come home. I developed a program inside called CHAMPS, which stands for Creating Healthy Attitudes in Men from Prison to Society. It is designed to help people understand the why behind our choices and bad decisions and to connect individuals directly with the resources available to help reduce the recidivism rate in our state.

A critical step in this program is developing a plan for an area and network. Where do I plan to live and who's in my corner for support? I tried the best I could to surround myself with positive people, because positive energy is contagious. But the reality is that prison can be a challenging
environment, not just to survive, but to maintain hope and believe that the decision to change the direction of my life was going to result in an opportunity to gain my freedom and be in society once again. For people who are incarcerated. Being able to maintain family and community bonds is crucial to mental health, physical health, community health and overall community safety.

This may seem obvious, but these societal benefits should not be borne by the most vulnerable people in our communities. Yet Connecticut is not just expecting the loved ones of incarcerated people to bear the exorbitant cost of maintaining relationships, but has also profited off that separation.

Senate Bill 972 seeks to correct this injustice. The hidden cost of incarceration to the families of a person who was locked up includes commissary costs associated with visitation legal, and the cost of housing a person. A short prison phone call, and Connecticut costs an outrageous amount of money close to $4 for 15 minutes. This rate makes Connecticut dead last in the entire country for the affordability of a prison phone call.

Even though these families and communities are footing the Bill, our entire state reaps the benefits of these societal connections. Good communication throughout incarceration makes people less likely to recidivate. But that should not be from the transfer of money from the families of incarcerated people to the state of Connecticut and a private telecom company.

It really should be Connecticut paying itself as an investment in the health of its communities. I am sure this Committee is well aware of the numbers when it comes to what the cost is to families of incarcerated individuals. But I want to compare the revenue the state makes to what is spent individually each year on incarceration.
According to Worth Rises, family spend 13.2%. [call dropped] just talking to my family and friends, I went many years without being able to speak to them because the cost was too high. Having been a facilitator for every program in the Department of Corrections, I can tell you firsthand that communication with outside family and friends is the number one thing that promotes good behavior inside and prevents recidivism upon release.

Helping keep the bond together through communication of loved ones while they transition from home to prison and back home is key and is successful for a successful reentry back into society. I urged the members of this Committee to support this Bill. I thank you for your time and I welcome any questions you may have.

SENATOR WINFIELD (10TH): Thank you sir. Representative Callahan.

REP. CALLAHAN (108TH): Thank you Mr. Chairman and thank you Brian for coming in today. As you see, Bill 972 is proposing phone calls free of charge. I do agree, Connecticut, I believe now, is his number two most expensive for a 15-minute phone call in the United States. I think Maine is the only one that takes that dubious honor over us. Would you be -- would you agree that the phone call should be free or would a reduced rate satisfy most prisoners? And I said I do agree that they are too expensive.

BRIAN SULLIVAN: All right so let's look at it -- something you said earlier you were talking about the 3 million that goes towards programs. All right, so let's look at it. We know 95% of people incarcerated will be released. So, if we just look at this year alone and say 100 people are coming home and the rate is $50,000 a year to house them, if those people have communication and are able to build on a successful reentry, the state would have
saved just $5 million on 100 people and we know a lot more are going to be released.

So, I support free phone -- again, I think the misconception here also is that individuals incarcerated just can make 50,000 phone calls a day. No that's not how that works. I was locked up for 31 years, I was limited -- you get three phone calls a day that's it. We're not out of the cell enough time to make a whole bunch of phone calls. So I support free phone calls.

REP. CALLAHAN (108TH): Thank you sir.

BRIAN SULLIVAN: Thank you.

SENATOR WINFIELD (10TH): Further questions or comments? If not, next up will be Gus Marks-Hamilton, followed by Mark, NEMEC.

GUS MARK-HAMILTON: Thank you and good day Representative Stafstrom, Senator Winfield, Ranking Members Kissel and Fishbein, and Distinguished Members of the Judiciary Committee. My name is Gus Marks-Hamilton, and I'm the interim Campaign Manager for the ACLU of Connecticut Smart Justice Campaign. I support several of the Bills before this Committee today including senate Bills 972 and 1059, although I will be directing my remarks in support of senate Bill 1058, AN ACT CONCERNING COMPASSIONATE PAROLE RELEASED BY THE BOARD OF PAROARDS AND PAROLES AND CONCERNING STAFF THE DEPARTMENT OF CORRECTION.

Even before COVID-19 pandemic began to spread inside the Connecticut Department of Corrections, Connecticut's prisons and jails were not healthy places the DOC had already been dealing with epidemic levels of Hepatitis C and HIV AIDS for years as well as other infectious diseases like MRSA. The inability persuaded people to access quality medical care whether due to budget cuts or unfilled staff vacancies or the end of the
relationship with UConn health has also been widely publicized.

But when COVID-19 hit, Connecticut's jails and prisons went to an entirely new level of unhealthiness. Over the course of this pandemic 19 people have died after becoming infected with COVID-19 while in DOC custody. 4249 incarcerated people have been infected. At one point the DOC had a higher infection rate than any municipality in Connecticut. During this time Connecticut has had options to move people from incarceration into supervised release in the community.

One such method of discretionary release was compassionate release, which is a mechanism to release people with grave illnesses, diseases or disabilities who do not pose a safety risk back into their communities. But health crises do not affect whether the Board of Pardons and Parole can grant compassionate release. No matter the public health context the BLPP must apply the same standards. This is likely why in the face of the greatest pandemic seen in the century the BLPP granted 25 compassionate releases in 2020 and denied 20% of the people who applied.

Several of the people who died from contracting COVID-19 in DOC custody had medical conditions that should have warranted community release. If compassionate release is about respecting the lives of people incarcerated by placing them into healthier surroundings a pandemic is exactly when compassionate release should be easier to obtain as the Executive Director of the BLPP noted the compassionate release statutory criteria was not drafted to handle a virus such as this. Senate Bill 1058 seeks to remedy that.

Senate Bill 1058 provides that BLPP shall consider different criteria for considering compassionate releases during disasters, emergency declarations and other public health emergencies. These criteria
still require a finding that community risk will be low if the person is released but they take important context into account by limiting the risk of serious illness or death for people who are particularly susceptible to the then existing emergency.

This Bill respects the lives of people who are incarcerated it also recognizes that incarcerated people are dependent upon the state for their health. The ACLU of Connecticut supports Senate Bill 1058 as a necessary step to ensuring that no one dies in DOC custody during a public health crisis again. We urge the members of this Committee to support this Bill thank you for listening to my testimony, I'll be happy to address any questions

REP. STAFSTROM (129TH): Thank you Mr. Mark-Hamilton. You know, I want to kind of go a little off script here and ask you whether you -- whether the ACLU has taken a look at 5125 or not? Because as I read this Bill it would prohibit anyone who died in custody -- well at Department of Corrections well during the course of the COVID pandemic to seek any sort of compensation from the office of the Claims Commissioner or others. And I'm wondering whether your organization shares that concern?

GUS MARKS-HAMILTON: I'm sorry Representative Stafstrom, I'm not prepared to answer that right now but I'd be -- would be happy to get back to you about that.

REP. STAFSTROM (129TH): Okay thanks. Further questions or comments from the Committee? Seeing none, appreciate you being with us.

GUS MARKS-HAMILTON: Thank you.

REP. STAFSTROM (129TH): Next up will be Mark Nemec.

MARK NEMEC: Thank you, Co-chairs Stafstrom and Winfield. Ranking members Fishbein and Kissel and
Distinguished Members of the Judiciary Committee. As president of Fairfield University and Secretary of the Connecticut Conference of Independent Colleges I am honored to join you in strong support of House Bill 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.

Fairfield University has worked diligently to implement the robust public health guidance that the state of Connecticut has issued to safely support the re-opening of higher education institutions over the past year. Beyond the Re-Opening Higher Education Report issued on May 6th by Governor Lamont, fourteen additional memorandums have been issued by the Department of Public Health for higher education along with DECD’s various sector rules for operations.

To comply with initial guidance as well as subsequent requests from state and local public health officials, Fairfield will have spent over $10 million in response to the pandemic including but not limited to providing robust testing of students, purchasing necessary cleaning supplies and other apparatus, conducting our own contact tracing, increasing oversight of our students, housing and feeding students consistent with guidelines, quarantining students for significant periods and responding quickly to all requests for supplementary public health interventions.

Additionally, our students, faculty, and staff have volunteered in various ways ranging from engineering PPE equipment to administering vaccines at clinics throughout the state. I reflect upon all of this and in addition to being humbled as president of Fairfield University by the dedication of our community to the public good.

As a political scientist focused on American Public Policy and institutions, I would suggest we as
university have become a vital cog in the state’s COVID response apparatus. Acknowledging that universities are taking on this essential role as well as recognizing the unusual potential for exposure on a college and university campus, the Governor’s Reopen CT Higher Education Committee recommended the state offer an appropriate, limited, safe harbor from liability for those institutions that comply with the state guidance.

The Bill before you today aligns with this recommendation and is intended to allow for a temporary, targeted safe harbor for private entities, such as private, non-profit colleges, without shielding an institution from gross negligence or willful misconduct. Some may argue that any institution that follows public health standards will prevail in litigation, and thus a safe harbor is not needed.

However, the direct and indirect cost of successfully defending lawsuits will nonetheless be very high at a particularly fraught moment when time and resources across the sector have never been more strained. Moreover, insurance for pandemic risks is limited or unavailable, creating significant financial exposure. Institutions of higher learning are already coping with a sudden increase in expenses as well as significant lost revenues. The lack of safe harbor only heightens the uncertainty and exacerbates the strain which detracts from our core mission of educating young men and women of purpose. For the reasons outlined above, we ask for the Committee’s strong support of this Bill.

REP. STAFSTROM (129TH): Thank you. Thank you, President Nemec. From my Alma Mater full disclosure. So, it's always good to see you. President Nemec, we've had a chance to discuss this Bill on and off, I think over the last few weeks, a month or so. You know, I guess I would consider myself kind of in that camp of still questioning the
need for this, given the other barriers that someone needs to establish, you know, causation and reasonableness and the like.

But one of the things about a college that I think is different than maybe the convenience store we talked about earlier, or others, is both the residential nature of it. And that we as a state asked colleges and universities to take on the responsibility for providing testing in many respects, that we certainly didn't demand of other businesses. So, you know, I guess, I could make an argument for why colleges and universities need some sort of limited protection for being required to engage in something that is not part of their core business, right.

Testing of students is not part of your core mission. It's not like a hospital or pharmacy who makes money doing those types of things. I'm wondering if you could just -- because I know we've talked about this quite a bit, if you could just elaborate for the Committee a little bit. Kind of what was required of a university like Fairfield with respect to testing and whether and to what extent the university had to kind of gear up to engage in that type of activity?

MARK NEMEC: Thank you, Steve. And I would say that I don't want to pretend to speak for the whole of the sector. But I will say thanks to our Connecticut conference for Independent Colleges, the Private and Independent Schools, nonprofits, and especially here in Connecticut have been pretty much in sync about how we've responded, those of us who are in a residential setting.

And I think it's a subtle, but important point is that, you know, there's a group of citizens 18 to 22-year-olds who returned to our campuses, and by returning to our campuses, they were thus tested, tested on a regular basis. For example, we are testing every student every week. If we had not
returned those students to our campuses, they probably would not have been tested. And I think that's one of those important unsettled points is we essentially have become an instrument of the public health response. And we did so willingly. We did so in part because it allowed us to return our students to our campuses and to our high flex learning environments.

Well, we've also responded, I would say, quite quickly and quite nimbly. So for example, at Thanksgiving time, there was a response -- there was a request that was put to us to make sure that every student who was returning home got tested. It was not something in the original plan. It was not something that anyone had really discussed until early November. And yet we all responded quite quickly and ensured that every student who was returning home was tested before they returned. So this idea of us, you know, testing, yes, we test so we can ensure the safety of our campuses, but we also test to ensure the safety of those broader communities and do so very much in coordination and in sync with the public health officials who we've you know, worked so closely with on this reopening.

REP. STAFSTROM (129TH): Thank you. Further questions or comments from the Committee? Seeing none, appreciate you being with us today. Go stags.

MARK NEMEC: Go stags.

REP. STAFSTROM (129TH): Next up will be Joanna Fisco.

JOANNA FISCO: Hello>

REP. STAFSTROM (129TH): There you ma'am, go ahead.

JOANNA FISCO: Dear Chairs Winfield and Stafstrom. Vice-Chairs Kasser and Blumenthal. Ranking Members Kissel and Fishbein, and Members of the Judiciary Committee. My name is Joanna Fisco. I'm a resident
of New Haven and I would like to express my strong support for Senate Bill 1059. My background and basis for the support comes from my former position in DOC as a Registered Nurse. My prior work experiences were all hospital based and emergency care, working in an inner-city hospital emergency department, healthcare delivered to patients of low socioeconomic status, patients battling addiction homelessness as well as severe mental illness. These populations are frequently found in correctional settings as well.

What I found was that there was a very clear difference in the way hospital-based patients were treated versus inmates in the facility with the overall tone being a severe lack of respect and regard for their dignity. It didn't take long for me to note that the staff, both nursing and custody were clearly suffering from burnout which in turn was affecting how they cared for humans. This was a part that was frequently forgotten. Inmates are humans these were men who were fathers, brothers and sons with families at home hoping that their basic needs are being met until they can reunite again, and unfortunately this wasn't always the case.

With hopeful passing of this Bill extension on policies for telephone communication with families will increase to allow for that human contact that they need. Correctional environment can be severely draining and mentally taxing due to constant pressures. Pressures to provide safety and pressures to have total control. These pressures now causing staff to display forms of toxic dominance and power which can result in use of extreme measures such as solitary confinement a severely overused yet grossly unhelpful method. Navigating toxic work culture on one's own can be difficult which is why attention needs to be paid to the mental health of staff.

I personally found the environment to be morally distressing, ethically as a nurse my position in
healthcare is to provide unbiased care, help to all but it felt as though proper health care took a backseat to punitive practices that unfortunately took precedence. Focus on caring for the staff's mental health can in turn produce better work performance which will enhance the lives of these inmates. Emphasis needs to be placed on restructuring and implementing better de-escalation skills for staff and acting time and attention on interpersonal communication can literally save lives knowing how to talk and effectively listen to people can prevent instances of excessive force and use of physical and chemical restraints.

Efforts of de-escalation fall in custody nursing as well as mental health staff. With continued high levels of stress, it seems as though the first line of action which is simple communication goes out the window. We need to retrain our staff and enforce the intentions of health and rehabilitation. I strongly support the passing of Senate Bill 1059. I thank you for your time and attention.

REP. STAFSTROM (129TH): Thank you. Are there questions or comments from the Committee? Seeing none. Appreciate being with us. Next up will be Lisa Winjum.

LISA WINJUM: Hi, Chairman Stafstrom, Members of the Judiciary Committee. My name is Lisa Windham and I'm the Executive Director of the State Office of the National Alliance on Mental Illness here in Connecticut. NAMI is the nation's largest mental health organization dedicated to building better lives for all people affected by mental health conditions. NAMI, Connecticut and as nine local affiliates provide support groups and educational program with people with mental health conditions and their loved ones and advocates for policies to improve the lives of people affected by mental health conditions.
NAMI opposes the use of solitary confinement and equivalent forms of administrative segregation. Eliminating solitary confinement is a priority for NAMI at both the state and federal level. States that have adopted proactive efforts to eliminate solitary confinement have documented highly positive results that include reduced psychiatric symptoms, less violence and considerable cost savings. It's been routinely documented that solitary confinement is used extensively in correctional settings for people with severe psychiatric symptoms.

A 2018 National report documented that about 10% of all people held in segregated settings are diagnosed with serious mental illness. And isolating people, especially for long periods of time, causes severe psychological distress, even for people without a preexisting mental illness. Rates of serious mental illness among those held in Supermax facilities, the most extreme form of segregation or even higher. In some states, it is reported that up to 30% of those in facilities, utilizing the most extreme forms of solitary confinement and isolation are diagnosed with serious mental illnesses.

The unfortunate and very difficult truth is that solitary confinement and other forms of administrative segregation are often used to control and manage inmates with serious mental health conditions. For inmates with a pre-existing mental illness being put into solitary confinement can cause extreme suffering, worsen symptoms, and is similar to torture. Solitary confinement has long term adverse consequences for cognitive and adaptive functioning, disrupts treatment, causes or worsen symptoms such as depression, anxiety and hallucinations, and impedes rehabilitation, recovery and community reintegration.

Rather than using isolation strategies that can cause long term damage, NAMI urges federal, state and other correctional authorities to provide mental health care alternatives to solitary confinement,
and significantly reduce the use of extreme isolation, limiting the use of solitary confinement and eliminating its use for high-risk populations, including people with mental illness. And people with intellectual and developmental disabilities would result in fewer psychiatric symptoms, lower rates of violence, improved reentry and transitions back into the community, and significant cost savings to correctional systems. I urge you to vote favorably on Senate Bill 1059.

REP. STAFSTROM (129TH): Thank you, ma'am. Are there questions or comments from the Committee? Seeing none, appreciate being with us.

LISA WINJUM: Thank you.

REP. STAFSTROM (129TH): Next up will be Diane Lewis.

DIANE LEWIS: Good morning.

REP. STAFSTROM (129TH): Good morning ma'am.

DIANE LEWIS: Can you hear me?

REP. STAFSTROM (129TH): Yep, go ahead.

DIANE LEWIS: Good morning Chairman Winfield, Vice Chairman and Judiciary Committee Members. My name is Diane Lewis, and I am the Communications Director at the Voices of Women of Color. I'd like to thank you today for allowing me to speak to you. I am also a mother of a formerly incarcerated son. I'm a grandmother raising her grandson. And I'm also a Case Manager with a reentry program in Hartford, and I'm a lifelong Hartford resident.

I am here today in support of SB 972, AN ACT CONCERNING COST OF TELECOMMUNICATION SERVICES AND CORRECTIONAL FACILITIES. When my son was 17 years old, he caught a case that landed him in adult prison. For the first time, the sentence was 13
years suspended after eight with parole violations, he ended up doing the entire sentence. The only thing I knew about prison at the time was that what I saw on TV, so I was terrified about what was going to happen to my young son in there. I found out years later, after he was released, that he needed to speak to me because he was also scared.

At the time, I wasn't thinking about the financial impact that him being in prison was going to have on me and my family. I was a young mother, who was concerned about my 17-year-olds wellbeing and nothing else. He and I agree that he would call every day, and I will visit him twice a week. It wasn't long before the utilities were being cut off. The gas was being cut off; I was late on the rent.

The lights one month, the gas the next month. But I made sacrifices like a mother does. I didn't really have to eat lunch every day. And I could borrow a few dollars until payday to cover a few phone calls until I got paid again. But no matter what hardships I was experiencing, I knew he had it rougher and I had to pay the phone Bill, there was no alternative. I know parents that send their children off to college for the first time. Some people send their children off to the military, and oh, how proud they must be. But they're also worried, did their child eat? Are they sleeping well? All the questions any parent will have, when separated from their child, the greatest love they will ever know. If you can relate to that feeling then you can relate to me, a mother's love and concern does not change or disappear based on where your child is, or based on what the prosecutor alleges he did.

But when I had to starve or lose my utilities, just to be able to speak to my son, it was just to tell him, I love him. That's what the phone calls were about for me. It was to show my son that I love him no matter what. It was to assure my son that I
would be standing with him this entire bed. It was to congratulate him. When he got his high school diploma, it was to assure him and motivate him that he could do better until he came home to his family. How do you ever put a price on that?

My son has been home a year and still adjusting to the world. But I'm 100 -- 1,000% sure that the support he received from his family while he was incarcerated is a huge part of why he is doing so well right now. The Bill will not only keep money in the households of our most vulnerable population, it will keep families together. And that benefits the entire community. I urge you, I urge you as a mother, as a grandmother, to please support this Bill, and keep families together. Thank you for your time. And I will be glad to answer any questions that you may have.

REP. STAFSTROM (129TH): Thank you, ma'am. Appreciate it. Representative Porter.

REP. PORTER (94TH): Thank you, Mr. Chair, and thank you, madam Diane, I got ahead of myself. No questions for you. I just wanted to thank you for coming before this Committee and sharing your lived-experience and what this Bill would mean, through the eyes of what you've been through with your son. I did want to congratulate your son on for the great job that he's doing since he's been home. So thank you for being with us today. And thank you, Mr. Chair.

DIANE LEWIS: Thank you, and I want to say I really -- I've been hearing questions about, you know, what if they get if the payments got reduced? No, it's no we can that's not acceptable. And the reason why it's not acceptable. It's because you're asking low-income families to keep making sacrifices that they can't afford. I work every day. And if my son was in prison right now, do you know what I would have to do to pay for a phone call? My first rent goes, my first check goes to the rent.
There's nothing we can't -- there's nothing to negotiate. I have no -- that's it, my work, -- the check I get from work. And that's it. So, there's no wiggle room, we -- low-income people cannot -- we don't have anything to say that this is just what it is. So please, I urge you, Representative Porter and other Members of the Committee to please support this Bill so that families can get there. Thank you so much.

REP. PORTER (94TH): You're welcome. And thank you again and there's a mom who has been through what you've been through I've had it; my son has been incarcerated as well as would have to pay those phone Bill accepting the call. So I am in absolute support of this Bill. And again, I thank you for your time today.

DIANE LEWIS: I appreciate it.

REP. PORTER (94TH): You're welcome.

REP. STAFSTROM (129TH): Thank you both. All right, next up, we will have Daryl McGraw followed by Venezia Michalsen, and I'm going to turn the gavel over to the Vice-Chairman for a few minutes. Representative Blumenthal, go ahead. Mr. McGraw, you have your three minutes.

DARYL MCGRAW: Thank you. Thank you. It's Darryl McGraw. Just so we get correct. So people know who I am, Daryl McGraw. How are you Chair Stafstrom, Chair Winfield? Ranking Members, Representative Fishbein and Representatives Kissel. It's hard to come after Diane Lewis, you know, having been raised by a single mom, there's several Bills that I am in favor of 105, 972.

But today I'm going to be talking about 1059. You know, once again, name is Daryl McGraw, I'm a formerly incarcerated person, and I spent 10 years of my life in and out of the Department of
Corrections. So when I hear like, people like the lady just spoke before Diane Lewis, I think about my mom and, and then what she had to do to make sure that phone stayed on. And I know for many years, you know, we talk about trauma, and how she had to keep that phone number to sitting just in case I got in trouble again, you know, but today we're going to talk about -- I'm here to talk about to discuss Connecticut use of solitary confinement, and that, that the Judiciary Committee be in support of 1059.

And the use of this so we can get rid of the use of solitary confinement. Recently, I'm not sure if you, if you hadn't, I will be submitting written testimony, and a white paper titled the Connecticut -- Connecticut at the crossroads. And I encourage you all to take an opportunity to read it. You know, COVID-19 has shown us how to do business, all of us in Connecticut, in a different way.

As we are here testifying today, over zoom when it usually -- we're usually in the lobby, and we're across the country. We've learned how to do business a different way. The Connecticut Department of Corrections should not be exempt from doing business a different way. We cannot continue the use of solitary confinement. You know, I'm also a Westerner survivor of -- I'm a formerly incarcerated person, which means I'm a survivor of solitary confinement.

I am in my office, I'm on zoom, I'm very fortunate to be here. But I'm not fortunate to forget the memories of being strip-searched and put in a cold cell in my underwear. I'm not fortunate to have been able to be able to forget what it was like to be in those cells. And to be -- and sometimes to be chained up while I eat my chow. You know, what I'm very happy to talk about is the fact that you guys are given us an opportunity to speak from a lived experience perspective. And I asked once again, that you always bring people with lived experience to the table. I've had he fortunate
opportunity to work with some experts from the University Network of Human Rights. I currently work with Andrew Clark at the Institute of Municipal Policy, and Regional Policy.

We also had some undergraduates from Brown University and University of Connecticut, and the University of Pennsylvania and a couple other universities, Stamford and Wesley. All of us looking at our current criminal justice system in Connecticut. And one of the things -- several things that have been mentioned today, I don't have to go over like from what many people have said, I just want to mention that once again, that we need to be reconsidering how we do business in Connecticut, and especially in reference to solitary confinement, but overall, and if we can't do that, one of the things that I would challenge us to look at--

REP. BLUMENTHAL (147TH): Excuse me, sir, I'm sorry to interrupt but your three minutes elapsed. So if you could please summarize and conclude your statement/

DARLY MCGRAW: In summary, one of the things I would say sorry, those of you that know, I can talk forever, so I apologize for going over. But in summary, I am in support of 1059. And if we continue to -- we plan on continuing to do business like this, and we need to change the name of the Department of Corrections because corrections is not happening there with the current methods that we're using right now. Sorry.

REP. BLUMENTHAL (147TH): Thank you, sir. For your testimony. Do we have questions or comments from the Committee? I see representative Callahan has raised his hand. Representative Callahan, you have the floor.
REP. CALLAHAN (108TH): Thank you, Representative Blumenthal. Mr. McGraw. Good to see you. Thank you for coming in.

DARYL McGRAW: Good to see you. How are you?

REP. CALLAHAN (108TH): Good. I've seen you speak many times and you do bring a lot of credibility to what you say I've seen the work you do with formerly incarcerated individuals. And I've seen the success of what you've accomplished in your life, which is more than impressive. So, it's good to see you in a different venue today. And I thank you for coming in.

DARYL McGRAW: Thank you Representative Callahan, I appreciate it. I look forward to doing business with you soon. All of you.

REP. BLUMENTHAL (147TH): Thank you, Representative Callahan. Representative O'Dea's hand is raised. Representative O'Dea, you have the floor.

REP. O’DEA (125TH): Thank you very much, Mr. Chair. And Mr. McGraw, thank you so much for your testimony. I've been quiet today I have to admit, I have a lot less knowledge of the system -- the incarceration system than a lot of my colleagues. And so, my only question I have for you is, what was the -- what do you believe -- so solitary confinement doesn't work, at least in its present form. At least so far, I've heard here today? What was the most effective way or is the most effective way you think, to handle those inmates that are at risk of harming others and themselves? As opposed to solitary confinement? How can they be protected against those?

DARYL McGRAW: There's several ways, there's several ways that I do encourage you to read the -- and I appreciate the question, I do encourage you to read the white paper that we said that's going to be submitted with my testimony, and reference it
because other countries do things a lot differently. So Connecticut, at the crossroads, I encourage you to read that. But one of the things is that we should be evaluating people's mental health -- these, these situations don't just happen right away, we should be evaluating people's mental health, as it should be implemented in our Department of Corrections from day one.

So, when people come in, we should be able to identifying trauma issues that they're experiencing. So mental health doesn't just happen. So these things could be prevented if we start to do crack assessments upon entry, instead of waiting until something arises. And then we're being reactive instead of proactive. So, there's many different ways that we should be addressing these issues, and putting people -- like challenging, actually putting people in certain situations that may create other situations, and then the need for solitary confinement isn't the answer, because that only exacerbates the issue even further.

So, I think that we need to be addressing trauma from the beginning, and looking at how other states address these issues as well. And I'd be open to talk further with you and other representatives and senators, in reference to this matter. There are other ways to solve this. This isn't -- and just to say just to add, the data doesn't show that this -- actually it shows that it's not effective, it only creates more problems.

REP. O’DEA (125TH): Thank you, sir, very much for your testimony. Thank you, Mr. Chairman.

DARYL MCGRAW: Thank you.

REP. BLUMENTHAL (147TH): Thank you, Representative O'Dea, are there any other questions or comments from the Committee? Seeing none, just wanted to thank you, Mr. McGraw, for being with us today and
sharing your story, your perspective and your expertise.

DARYL MCGRAW: Thank you for your time. Thank you so much.

REP. BLUMENTHAL (147TH): Next, we have Venezia Michalsen. Professor Michalsen, you're up next.

VENEZIA MICHALESEN: Yes, thank you. Thank you all so much for having me. Today, I am a Professor of Justice Studies at Montclair State University and also a Resident of Hamden, Connecticut, and I'm speaking in support of Senate Bill 972. Now, as you imagine, I probably have a lot to say about what the research says about limiting communication between incarcerated people and their families and making phone calls impossible to afford.

However, today I'm going to use my time to tell the story of a man named Joe. There was an interview that was done on recorded by the Connecticut Bail Fund, but the audio is not so great, which is, you know, a little QED. He's incarcerated in the Carl Robinson Correctional Facility in Enfield. He's been there for four years already. He has four children on the outside. Two of them are autistic children, his family pays $300 a month so that he can communicate with his children every day. One of those autistic children does not speak is nonverbal, and they make it work.

But he said that it's really really hard. Now one of his autistic children, sticks to the mom until the dad calls, until Joe calls. And some of the things that were sort of really impactful about the phone call for me was that autistic children need routine. And so, if he doesn't call, then his child really struggles and honestly said that his brother sometimes has to call to act like him if he doesn't have money on his account, or else the child will have a meltdown and will really struggle. And then
when he does call the limited communication that his child has his so-called echo allelic.

So, he'll say I love you and the child to say I love you say are you okay? And the child is Hey, are you okay? He repeats he said the really important thing to that dope said was, it's not a choice for him to call his family, and he has to call his family. Now, let me tell you, I've been waiting on zoom for a really long time with my own autistic child, I have a nine-year-old son who is autistic.

And you know what we went over to some train tracks to watch trains. And I've been watching, you know, the phone was in my pocket. And I was, you know, pulling it out occasionally to see people in their beautiful outfits with their gorgeous backgrounds and their, you know, beautifully set up statements. And I was worried that I was going to have to go on with my haircut, you see, you know, we got home just in time, but, you know, my kid needed his routine. And my kid had limitations in his communication, his frustration, you know, they didn't have white bread at the deli, and he, you know, freaked out a little bit about that, and I'm on the outside. And I don't have to worry about whether or not I can afford to talk to my child, and whether or not I can afford to give my child the routine that he so desperately needs.

So, the idea that a parent's on the inside, worried every day about his own special needs children, his own autistic children sickens me already. To add to that, that the state and a corporation profit off of this family and thousands of other families means that our state has to do better, let alone that facilitating contact between incarcerated people and their families mean that everybody does better, right. Recidivism rates are lower children do better. They have better outcomes. And all of us do better when we treat people with humanity. We must -- we must make phone calls free this year. It's time. Thank you.
REP. BLUMENTHAL (147TH): Thank you, Professor Michelson, and you were pretty much right on time. So thank you for that. So any questions or comments from the Committee for Professor Michaelson? Seeing none, I thank you for being with us today for sharing your testimony and sharing your story with us. Next we have Tiheba Bain, followed by Belinda Heller. Tiheba Bain, you have the floor.

TIHEBA BAIN: Thank you. Good afternoon honorable Chairs and Member of the Judiciary Committee. My name is Tiheba Bain, and I'm the Founder and Executive Director of Women Against Mass Incarceration. Today, I'll offer testimony in support of Senate Bill 972, AN ACT CONCERNING THE COST OF TELECOM SERVICES IN CORRECTIONAL FACILITIES.

And serving time in both state and federal prison, I'm compelled to support this Bill from the position of a direct experience. The cost of telephone calls not only impacted my budget, but also the ability to connect with my family. Now, you've heard a lot of testimony about people telling their stories. So, I just want to bring up one point that I don't think was heard too often here today.

That we have 15 minutes, and within those 15 minutes allow it is constantly interrupted by automated prompts, stating this call is from a correctional facility which removes an extract from the already less time, that little time that we already have, which is degrading and intrusive and embarrassing to all involved. I noticed one girl in prison that used to actually have to time her telephone calls to keep her child from hearing that one statement saying this is a call from a federal or state facility.

And because she told her daughter she was in -- she was in college. And sometimes it's, you know, the negative effect and the psychological impact of not being able to speak to your family, especially
during a crisis can be mentally challenging and sometimes irreversible. When my -- when I was in prison, my grandmother passed away, I didn't have access to her. And I did only -- I only had 15 minutes to talk and something -- and if it wasn't for her sending me money, I wouldn't have had that money.

So, when she passed away, I didn't have the money in my commissary to actually make call home and speak to my children. The daunting cost of communication from prison in connecting with families should not be a monetary strain on already financially strained families. Prison pay for labor is not designed to support incarcerated person with all their needs, and phone calls. And we talk about the phone -- talk about money, the DOC get a proportion of what -- of the money that's being spent.

So, I don't believe the DOC budget should -- the people should not pay for the DOC budget. The DOC should account for all and pay for all salaries within the DOC. Nothing should come out of payment from what we paid to call our families or for our families to put on our books to have us call them. That's just wrong. In 2019 when we first started this campaign, Securus spent over $40,000 lobbying against connecting families with Legislation. Later Securus withdrew its opposition and committed to supporting Connecticut and safely efficiently implementing Legislation to alleviate the costs of connecting families.

REP. BLUMENTHAL (147TH): Excuse me. I'm sorry, Tiheba you've reached the end of your three minutes. If you could just summarize and conclude.

TIHEBA BAIN: Summarize. Senate Bill 972 is a crucial element for our vulnerable population living behind the bars, and to help them connect with their families without any further harm. Senate Bill 972 should be the impetus to eliminate the cost of all
prison calls. And on behalf of WAMI, we urge you to vote in support of Senate Bill 972. Thank you.

REP. BLUMENTHAL (147TH): Thank you Tiheba, and I'm sorry for mispronouncing your name earlier. Any questions or comments from the Committee? Seeing none, thank you Tiheba for sharing your story and your experience with us. Next up is Belinda Heller, followed by Belinda Jacobs and Joe Richardson. So, Belinda Heller, you have the floor whenever you're ready. If you could unmute yourself. Can you unmute yourself Miss Heller?

BELINDA HELLER: Okay, can you hear me now? Okay. Can you hear me now? Okay, can you hear me now?

REP. BLUMENTHAL (147TH): Yes, we can hear you.

BELINDA HELLER: Okay, I'm sorry about that. My name is Belinda Heller Coleville. I am with the Connecticut [inaudible] I’m with a support group system. I support this Bill, SB 972. I am the only payer, I'm a housewife and I'm a mother to our special need son, who needs to be in [inaudible] contact with my husband, who is currently incarcerated.

It's very [inaudible] with a very, very much so it's so important to us to be able to connect with my husband and the father to his son for the communication with our son who is special needs with behavior issues. It's very expensive for me, especially when I'm the only person in the household that has to keep up with the household Bill and have to keep up my son's medication, his diapers and all that. You know what the income [inaudible] very tight and, you know, I just hope and pray that you guys will support this Bill and to pass it. So you give people like us peace of mind so we can move forward. I thank you so much for your time.

REP. BLUMENTHAL (147TH): Same to you very much Ms. Heller. Are there any questions or comments from
the Committee? Seeing none, thank you very much for being with us and sharing your testimony. Next up is Belinda Jacobs, followed by Jewu Richardson and Inez Rivera. So, Belinda Jacobs, whenever you're ready, you can unmute. Okay, I think that may have been a double. Alright, so, Jewu Richardson you're up, followed by Inez Rivera, and Fabienne Moore.

JEWU RICHARDSON: Good afternoon, everybody. I just want to thank the Judicial Committee, and other officials that are on this call. I want to start by saying my name is Jewu Richardson and I support Senate Bill 972. Today I want to talk about some of my personal experience being incarcerated and having to rely on a prison phone calls to stay in contact with my loved ones.

There was a time when I was incarcerated, it was close to my daughter's seventh birthday. There was no money on the phone and none of the accounts I couldn't reach out to her. So, in my mind, I said I need to talk to my daughter because for seven years straight, we've been talking we've been, we celebrated her birthday together. So, I didn't want a birthday to go by, without her hearing my voice at the very minimum. And me being able to let her know that I love her and I care for her, and I'm supportive of her, even though I was in a position that I was in. I'd searched, I searched, tried to get phone calls through people, I was unsuccessful in getting a phone call.

And that brought a fear to me. And the fear that came to me was, my daughter was gonna get used to not hearing from me on her birthday. Not just the fact that I wasn't able to call but for her to get used to that. And I told this story, because this is a representative of what's happening in DOC it's 10,000, approximately 10,000 people incarcerated across the state. These are 10,000 mothers, 10,000 fathers, 10,000 grandmothers, 10,000 uncles, and grandfathers that are incarcerated across the state
that are dealing with the same dynamic that I'm dealing with.

Telephone is the most accessible way for people to connect with your loved ones. You know this, -- not only are these just connecting with your loved ones, this is a connection to their support system. It is connection to everything they have that's going to promote them to be successful when they get out. With limiting that it's almost like the DOC is saying, Hey, we're not invested in the success of people when we get out. You know, this is an easy medium, to have to promote people being successful, by making the phone calls free. For years, people have been exploited by DOC.

They've been exploited. But these high Securus costs, exploited by the commissary, high costs in commentary, and the low pay that people are getting paid to do labor behind the walls. It's a known fact across the state, this has been happening. I just want to say, reiterate again, that I support Senate Bill 972, and I stand in solidarity with everybody behind the walls and everybody else that supports this Bill. Thank you.

REP. BLUMENTHAL (147TH): Thank you, Mr. Richardson. Any questions or comments from the Committee? I'm seeing Representative Gilchrest has her hand raised. Representative Gilchrest you have the floor.

REP. GILCHREST (18TH): Thank you, Mr. Chair. Thank you, Mr. Richardson for your testimony. As a parent, I could feel the pain of struggling to try and get that phone call on your daughter's seventh birthday. So I just wanted to thank you for your testimony. It was really impactful. Thank you.

JEWU RICHARDSON: Thank you.

REP. BLUMENTHAL (147TH): Thank you, Representative. Are there any other questions or comments from the
Committee? Seeing none, thank you very much, Mr. Richardson for being with us and sharing your story. Next up, we have Representative Josh Elliott.

REP. ELLIOT (88TH): Thank you. Thank you to Co-Chairs Senator Winfield and Steve Stafstrom, and you of course Vice-Chair Blumenthal and Ranking Members Fishbein and Kissel. I'm here testifying on Senate Bill 972. So, I don't use a lot of your time, ultimately, we all agree, I think, or most of us agree that the state should not be taking kickbacks from companies that are hyper-targeting fees toward folk who are incarcerated to provide verb services really, that the state should be providing.

The vast majority of the cost of this Bill is that very specific issue, a very small sliver of the cost to provide these telephone calls is what Securus actually takes in. If we had parity with Illinois, who is less than one cent a minute, the cost would be less than a million dollars a year. So, while down the line, the cost is going to be, let's say in the realm of eight to $12 million a year. The fact is that we should never have borne these costs in the first place.

And if you agree that the state should not be taking kickbacks, then you agree that the state should be essentially chipping in that amount to pay for those correctional officers to pay for those judicial officers, those probation officers and you're with us. So, what I want to use my time for very specifically is to thank the Chairs of this Committee for working on this the last couple of years, for being patient with us the last couple of years.

I know that we are very passionate about this issue, and we make your lives a total nightmare. I understand that and recognize that and is not just for the sake of aggravating you it is very honestly for the sake of being a leader in the county where we have been historically the most expensive, and we
can now be leaders and be providing these telephone calls for free. So I thank you so much for your time. And thank you so much for your patience. And I hope that if and when this Bill comes out of your Committee, you continue to advocate through the process and through the appropriations process so that we can reach finality this year. So thank you for your time.

REP. BLUMENTHAL (147TH): Thank you, Josh. Good to see you. And thanks for your leadership on this Bill. I see the Co-Chair of the Committee Steve Stafstrom has his hand raised.

REP. STAFSTROM (129TH): Thank you, Mr. Vice Chairman, I just want to state for the record that I have never personally called you a nightmare, Representative Elliot. But no, I do. I do want to -- do want to thank you for your advocacy on this. Certainly, I know this has been a labor of love for you. And I don't think -- I don't think a week goes by that I don't get a text message from you saying what the status is? When's the Public Hearing? Where's the Bill language, something so certainly I appreciate all of your -- for originally flagging this issue for this Committee and for the level we've followed through.

REP. ELLIOT (88TH): Thank you.

REP. BLUMENTHAL (147TH): All right. Thank you, Mr. Co-Chair. Any other questions or comments from the Committee? Seeing none. Thank you, Representative Elliot. Good to see you.

REP. ELLIOT (88TH): You as well. Thank you so much.

REP. BLUMENTHAL (147TH): Next we have Belinda Jacobs, followed by Sarah Pimenta and Austin Bryniarski. So, Belinda Jacobs You have the floor, whenever you're ready to unmute.
BELINDA JACOBS: Hello, thank you. Representative Blumenthal. Again, my name is Belinda Jacobs and I'm calling on behalf of my loved one who was incarcerated for almost four years. I actually support the Bill because I am one of the many family members who have paid thousands and thousands of dollars for calls. And some days warranted more calls than others, I know, they had a limited amount of calls that they could make per day, but sometimes he was burning all six calls to me, for, you know, whatever reason or another, whether it was.

To make complaints, or whether it was, you know, something that had to do with his case, or whatever the case was. I have spent quite a bit of money and it, it becomes very tough at times, you know, I have to say, I was truly blessed that I was able to keep the phone lines open for him, as well as other family members that I have who are currently incarcerated, and I've been paying for calls, but it becomes very costly.

And when I look back at the amount of money that I've paid, you know, for phone calls, and the and these phone calls are very important for them only because, you know, that's their only means of communication to the world, that's their only line of communication to keep in touch to know what's going on with their loved one. You know, because it was so tough for his family to keep money on the phone, he had to find out about his grandmother, who was gravely ill and eventually passed away through me because I was the only one who was able to keep money on the phone, so that he can stay in touch with the world.

So, you know, everyone's not as fortunate as I was, or am to be able to do that for their loved one. So, I think this Bill is very important. That, you know, these lines of communication are open for them. So that they can keep in touch and know what's going on, you know, with their mothers, their immediate loved ones or whomever it is they need --
mother children, whomever it is, they need to keep in touch with, I think it's very important that they're able to do that, because that's what helps to keep their sanity. The one thing I can honestly say is, he always said to me that if it wasn't for him being able to talk to me, he probably would have gone insane, the whole time he was there.

So, had I been one of those members who couldn't keep money on my line so that he could call, who knows where he would be mentally now, who knows where he would have been in his sentence, thank God, he was able to come home, you know, with a pretty much sound mind, but had he not had that available to him, he wouldn't have been able to come home in the state that he was in.

So, to know that there are others out there who don't have or who are not as blessed as he was, who will be you know, like, I have a cousin now who's inside, who's not that blessed. And he doesn't call me as often, but he calls me when he's at the point of break -- at his breaking point. Because I'm his only line of communication, because there's other family members can't do it. And you know, again, thank God, he has me. So, if, if they don't have that, what do they have?

REP. BLUMENTHAL (147TH): Yeah, Ms. Jacobs. Your three minutes are up. So please just summarize the remainder of your testimony.

BELINDA JACOBS: Yes. So, Case in point, as I said, all of that to say is it's very important that they're able to keep in touch with their loved ones. You know, and I think it's important for the family to be able to have those means to be able to, to keep the lines open for communication with their loved ones inside.

REP. BLUMENTHAL (147TH): Thank you very much. Miss Jacobs. Are there any questions or comments from the Committee? Seeing none, Thank you, Miss
Jacobs for being here and for sharing your experiences with us. We appreciate it. Next up is Sarah Pimenta, followed by Austin Bryniarski and James Jeter. Sarah Pimente, you have the floor whenever you're ready.

SARAH PIMENTE: Hi, I'm Sarah Pimente and I'm a volunteer with the Connecticut Bail Fund and today I will be playing a recorded statement from Lewis Matej Jr. who is incarcerated at MacDougal correctional currently.

REP. BLUMENTHAL (147TH): Sarah, I don't think it's coming through if you could put it closer to your microphone maybe.

SARAH PIMENTE: Okay, one second. My name is Lewis Mateo Jr, I've been incarcerated since December 26 2002 I was 19. Since [inaudible] determination I have worked to make the most of these years at times [inaudible] off the burden and fortunately I have a supportive family but it's difficult being a 37-year-old man [inaudible] pockets whenever I check in.

My experience makes me a staunch supporter Senate Bill 972 for far too long the state and Securus have profited off of Connecticut's most destitute and desperate citizens. This collusion must end, you're concerned about losing an $8 million annual kickback by taking advantage of your most vulnerable citizens. Where is the justice in that? Perhaps you forgotten that you represent us as well. We know that fostering strong family connections creates a stable foundation for more motivated successful returning citizens. Is $8 million to steep a sacrifice for closing the revolving door and creating peace of mind?

The majority of incarcerated citizens who have returned to the community. Our relationship with my family motivates me daily to prove I am now someone that [you count on] due to the burdensome
[inaudible] many men have relegated to memories and hope. Hope is a funny thing if you're incarcerated. [inaudible] front of us until we learn to ignore it. SB 978 has been the proverbial carrot for many of us. I come from a community where it's heavily over policed and an environment rife with abuse and inequity but I make no excuses for my [inaudible] vice. Like I said before I've been incarcerated since I was 19 over the past few years restorative justice has slowly become more politically powered [inaudible] in the state where minor changes have been sparsely made, the necessary overhaul has merely been rather than whispered into the wind.

If we truly undo the political culture created by Connecticut's [inaudible] law, actions must be taken. Every year SB 978 is discussed and [inaudible] There are not enough apologies to make up for the pain many of us have caused but it's the stomach retribution answer? I've learned that I have a duty to live for those I have hurt, therefore my life must be extraordinary. How long will I be defined by the worst mistake I made and judged [inaudible] Many of us work tirelessly to be the men our community's needs all we need is the opportunity to prove our worth so as you vote on whether or not to change these policies that exacerbate the racial and socio economic divide in the state, I have to say that you remember that you represent all of Connecticut citizens and residents are you bold enough to do what's right history right? History is watching.

REP. BLUMENTHAL (147TH): Thank you for sharing that testimony. I see Representative Palm's hand is raised. Representative palm go ahead whenever you're ready.

REP. PALM (36TH): Thank you Chair, Ms. Pimente, I'm sorry I didn't catch the gentleman's name are you in touch with the person whose voice we just heard?
SARAH PIMENTE: Excuse me, sorry can you repeat that question again?

REP. PALM (36TH): One second, we're trying to fix the audio. Can you hear me now?

SARAH PIMENTE: what was that?

REP. PALM (36TH): Yeah can you hear me now?

SARAH PIMENTE: Yes.

REP. PALM (36TH): I'm saying I didn't catch the gentleman's name can you give us his name again please

SARAH PIMENTE: Luis Mateo Jr, in McDougal Correctional.

REP. PALM (36TH): And are you in regular touch with him?

SARAH PIMENTE: We've been working on some organizing.

REP. BLUMENTHAL (147TH): I'm sorry ma'am to drop in, but if you're going to be testifying too, could you just identify yourself for the record?

JEANNIA: I'm sorry, Jeannia. Hi.

REP. PALM (36TH): So my question is can either of you get a message to him?

SARAH PIMENTE: Yes.

JEANNIA: Yes.

REP. PALM (36TH): Could you please tell him that a member of this Judiciary body very much appreciated his articulate heart and mind and compliment him on
how beautifully written his testimony was and that I found it very moving

SARAH PIMENTE: We will do that representative Palm. Thank you.

REP. BLUMENTHAL (147TH): All right thank you both. Further questions or comments from the Committee? Seeing none thank you Sarah for being with us today. Next we have Austin Bryniarski followed by James Jeter and Alison Barlow.

AUSTIN BRYNIASKI: Hi, can you hear me all right?

REP. BLUMENTHAL (147TH): You're good go ahead.

AUSTIN BRYNIASKI: My name is Austin Bryniarski, I'm a volunteer with the Connecticut Bail Fund as well and I offer testimony from Michael White in support of raised Bill 972 in support of this Bill, and I'm gonna play it's no longer than a minute and a half. This is Michael white 301236, I am a 36-year-old man serving a 25-year long sentence and the pain of which I have completed I come from a community plagued by poverty, just like many inmates we have in Connecticut.

None of the 13 prisons to house inmates are located in a reasonable housing [inaudible] telecommunication is the only way in which many of us can communicate with family and loved ones. The [inaudible] family structure, that many of us prisoners lose contact with family, or go years without talking to family members, and we essentially become strangers to members of our own family. My family is well below the national poverty line and depends on a fixed account [inaudible] monthly rent, utilities and groceries are paid.

No other industry is allowed to, [inaudible] prisoners family. The government would have been [inaudible] to make the companies accountable.
I'm asking for the legislators to hold these phone companies accountable and make changes to a broken system unless [inaudible] is not broken and is not functioning the way it was designed to. And just for the record, Mr. White is incarcerated at Cheshire correctional.

REP. BLUMENTHAL (147TH): Thank you, Austin. Are there any questions or comments from the Committee? Seeing none, thank you very much for being with us today and sharing Mr. White's testimony. Next, we have James Jeter, followed by Alison Barlow, and Brian Highsmith. Mr. Jeter, you have the floor.

JAMES JETER: All right. The Committee Chairs, Senator Winfield, Representative Stafstrom, and Members of the Judiciary Committee. My name is James Jeter. I'm the Co-Director of the Full Citizens Coalition to Unlock the Vote. I rise in strong support of Senate Bill 972.

A Bill that would eliminate the cost of prison communication, and help connect Connecticut families with incarcerated loved ones. I have gaps in me that I don't know how to address and they affect every aspect of my life. As much as I love my family, I try but I don't know how to get close. And I don't know how to reach out. So, my inability to go beyond the mechanisms that allow me to survive growing up in prison, remind me that there are these invisible chains on me sort of like when a dog is constantly choked by the attempt to obtain what lies right beyond the restrictions of the chain, and after so many futile attempts that always appear to self-inflict pain, want the chance to remove, it never goes beyond the limit of the pain from the choking has left him.

And I often feel like that at times in my progression. I say that about myself. And still, I have to consider myself one of the lucky ones. One of the blessed like, my mother, whom I was barely on speaking terms with at 17. When I went to prison
was there every day of my nearly 20-year period of incarceration. She could afford to accept my phone calls. And all those calls reinforced to me that I had worth before prison, maintain my worth while incarcerated and return with my worth. And yet still I have these gaps. And I bring this up because I know you've been hearing this -- about this particular Bill from many women who are currently incarcerated, and people who have had the experience and, you know, to be honest, I don't envy this Committee in this session.

I'm gonna champion you, because before, you have come several Bills that I believe can truly take Connecticut and push them into a pioneering light, a state that has tackled and began to tackle, dismantling the dredges of chattel of slavery that resonate in our carceral system. Even though we've done great work in reducing our population by 50%, the population that remains is still overwhelming black and brown, and we're the minority of the state. And when it comes to these phone calls, the hard part is that the money that comes out of these poor and disenfranchised communities is rolled over to the general fund.

And it raises the question that how do you fill that gap? Well, that's a question that in our history, because out of this same population we've answered, when we went to war, we said find another way. And we have to be able to stand in today and say that and stand in that same truth. Because this is not an issue of crime and punishment, nor of any consequences. This is the issue of oppression and profiteering. That's a stable in our history. We have a chance right now to like not waiting on nation to catch up but to lead our nation in these areas. Thank you.

REP. BLUMENTHAL (147TH): Thank you, Mr. Jeter, and thank you for being with us today. Questions or comments from the Committee? Seeing none, I just want to say a special thank you to Mr. Jeter, for
being here today for sharing your story and your testimony. You're really powerful advocate and we should all be thankful, not only for your, your sharing today but also for all the work you do in the community.

JAMES JETER: Thank you. Next up, we have Allison Barlow, followed by Kevin Paulin. Allison whenever you're ready, you have the floor. Allison Barlow

There you are. Whenever you're ready, you can start your statement.

ALISON BARLOW: Good morning. My name is Alison Barlow. I represent the Connecticut Bail Fund. And the people. Forgive me for my emotions, because I'm a recently -- I just recently got home. I had a 35-year sentence, and for that 35 years, I did 23 years, nine months. I'm a little emotional, because I know, Lewis Matej and I know Michael White. I've been crying with him both. I'm here to stay in for the Senate Bill 972. And the Senate Bill 978. Regarding the 972 Bill, I stand for that. Excuse me. I stand for that because, you know, I realize the strain that I put on my family for all the years that I've been away, and now that I'm home, I tried to stay in contact with my friends that I left behind.

But for me personally, it had a big effect on me and my daughter, when I went to jail, my daughter was -- she was two-and-a-half years old. She's 26 now. We have a hard time we have a hard time getting along. Because of the disconnect just from being away not being able to see or not being able to help raise her. Not being able to speak to her on the phone as much as I'd like to. As the times went on, I contributed to telephone Bills from inside, and oftentimes only making 75 cents a day, or 70 cents an hour. I did my best. But we still had that disconnect it is rough, you know. I'm out here now I overturned my conviction.
I'm home on post-conviction bail. I'm on house arrest, I'm on a bracelet, I do have a job but my hours got cut. I only work Monday through Wednesday. I'm off today trying to find another job. But you know with brothers like Lewis, John Brewer, Tyson Hunter, Paul Comey, I try to stay in touch with these individuals. I love these brothers, and for that, I would love to continue to stay in touch with them. And that's why I support Bill 972. As for Bill 978, you know, a lot of people had to deal with pride.

And they don't want to go to a counselor or a therapist, and seek help. But maybe I unwittingly, self-diagnosed myself, but I realized that, you know, I went to jail at 23 years old. And now I'm 47. I've come to learn and grow and read and study a lot of materials. And I know the difference now between not knowing how to make proper decisions. Not -- you know, I never realized that, you know, my mental capacity wasn't fully developed. But I just ask for the support of these Bills. I'm sorry for my not being prepared. I don't know how to partake in these types of hearings. But I hope you hear me; I hope you hear us all. I appreciate your time and your concern. Thank you.

REP. BLUMENTHAL (147TH): Thank you, Mr. Barlow. And certainly, don't apologize, we appreciate your passion and sharing what is a very personal experience and story. Are there any questions or comments from the Committee? Representative Palm, I see your hand is raised. You have the floor.

REP. PALM (36TH): Thank you Mr. Chair. Mr. Barlow, I just want to thank you for your testimony and respectfully say that you are exactly the kind of person we need to hear from and that your testimony was exactly what we need to hear. So I agree with Representative Blumenthal, nothing to apologize for and I wish you all the best of luck, sir.
ALISON BARLOW: Thank you.

REP. BLUMENTHAL (147TH): Thank you, Mr. Barlow. Are there further comments or questions from the Committee? Seeing none, thank you again, Mr. Barlow for being with us and sharing your testimony with us.

ALISON BARLOW: Thank you, sir. Have a good day.

REP. BLUMENTHAL (147TH): You too. Next, we have Kevin Paulin and then Brian Highsmith, whenever we get him back, followed by D. Muhammad McKnight. So, Kevin whenever you're ready, please go ahead with your statement.

KEVIN PAULIN: Thank you greetings to all. Much appreciate it for an opportunity. My name is Kevin Paulin. I am a resident of East Haven, Connecticut. I'm also a homeowner, a business owner, and an Executive Director of Winning Ways which is a nonprofit here in New in New Haven, whose mission is to foster the rehabilitation of formerly incarcerated individuals while strengthening our community.

I am here to support with great vigor the Senate Bill 1059, I too have lived experience being that I did four years of prison in the state of New Jersey. And during that time, My Mima sent me a letter that changed my life. And in that letter, she eloquently put that I have an opportunity to turn poison into medicine. And I've been fortunate enough to do that. One of those poisons, or better known as traumas, was actually spending time in solitary confinement in the state of New Jersey. And though it was in the state of New Jersey, these practices of breaking us, the spirit of a fellow man or woman is common practice.

During this time, I got news that my brother and [inaudible] Daniel Joseph was killed in Irvington, New Jersey, and my family called down to the prison
to let someone know to tell me and protocol was then initiated, where I was removed -- while I was shackled, removed for my cell, and put into administrative segregation without any reason. It wasn't until I was placed into the cell and unshackled was I told that my brother was murdered. I went into a great, great depression and later through counseling found out also suffered from anxiety.

And this was literally the lowest part of my life. Several days later in solitude, being emotionally unstable, and a case manager came to me and asked if I was contemplating suicide. I certainly was experiencing SI. However, I did not want to admit that because I didn't want to spend more time in solitary. So, I certainly denied it, and was let -- given the opportunity to go back into General Pop. But the trauma and the pain was still there.

I was broken. It wasn't until I picked up the practice of Buddhism and started going to therapy was when I really start healing. And I'm one of the fortunate ones to actually -- to actually come out of this trauma, and able to turn it into medicine. But many, many, many aren't able to do that. And many succumb to the trauma, unable to transition back into society. And it's certainly a great great barrier when we ask people who are now leaving these institutions with a broken spirit and low self-esteem, to then ask them to have enough self-worth to do all the things that we ask people to come home to, to be successful.

So, prison and corrections should be to rehabilitate and empower people, but instead it's set up to break the spirits of brothers and sisters. And then we wonder why recidivism rates continue to go up and why gun violence is so prevalent in our society. So today, again, I just want to support this Act, Senate Bill 1059, and really give us all the opportunity to treat each other better than we have for centuries. We need to break these chains of
solitary confinement and inhumane practices. And remember that just because someone made the wrong decisions, we shouldn't take their quality of life and their quality of being a human away.

REP. BLUMENTHAL (147TH): Thank you, sir. We're, we're at the three-minute mark, if you could just wrap up.

KEVIN PAULIN: And to wrap up. Thank you, sir, and to wrap up, again, I just want to impose that we all take the opportunity to support this Act of Senate Bill 1059. And let's start treating people the way that they should be treated. Thank you.

REP. BLUMENTHAL (147TH): Thank you. Questions comments from the Committee? Seeing none, appreciate being with us. Is Brian Highsmith with us?

BRIAN HIGHSMITH: Yes. Hi, I'm here.

REP. BLUMENTHAL (147TH): Okay, go ahead, sir.

BRIAN HIGHSMITH: Can you hear me okay?

REP. BLUMENTHAL (147TH): Yep.

BRIAN HIGHSMITH: Great. Hi, my name is Brian Highsmith, and I'm a PhD student at Harvard University and social policy and an affiliated senior researcher at Yale Law School here in Connecticut. And my research focuses on the unaffordable financial obligations that are imposed on poor families as a result of their contact with the criminal system. Previously, as a staff attorney at the National Consumer Law Center, I worked on litigation that challenge the excessive cost of Securus phone calls in Massachusetts county jails.

And also, I've written several reports about the economic harms that result from prison phone charges. So, before my brief remarks, I'd like to
play a short recording from Barnes, who's currently incarcerated and would like to speak in support of Senate Bill 972. And I'll ask that you bear in -- bear with the audio quality here.

What I would like to say is that my family really struggling, my mother is struggling with paying [inaudible] the call, 15 minutes plan. I started to work out there is very low, she really can't afford to be putting money on the phone like that for me to call her. There's an [inaudible] going on inside you right now. Because of COVID pandemic so, you know, it would be very, very helpful if Securus somehow try to lower to calls. I really like that to happen. It's a hard time right now, with all this.

So, as you've just heard, calls are a lifeline for vulnerable families. And I'd also like to note that they're an issue of economic justice for consumers. Charging loved ones to stay connected during incarceration creates unnecessary financial hardship for vulnerable Connecticut families, preventing them from having more regular contact with their loved ones, and making it harder to get back on their feet.

And this is all part of a broader trend that I've written about. And increasingly, people who have contact with our legal system are left with unaffordable debts that create hardship for these families that have contact with the punishment system. They undermine their ability to acquire savings and also to invest in local -- in the local economy. And of course, they work to keep poor people poor.

For a typical family that's receiving 115-minute bedtime phone call a night, those costs can add up to around $150 a month in prison phone charges. And for low-income family. That's a grocery budget. It's an overdue car repair. It's money that could be invested, reinvested in Connecticut communities.
And it will be if this Legislation passes. Senate Bill 972 would keep families connected by ending an oppressive system that traps vulnerable families in cycles of poverty and makes it harder for people who have contact with the punishment system to get back on their feet. The nation is watching and Connecticut families can't wait. Thank you.

SENATOR WINFIELD (10TH): Representative Blumenthal. Thank you, Mr. Chair. Good to see you, Brian. How's it going?

BRIAN HIGHSMITH: Good. Good to see?

REP. BLUMENTHAL (147TH): So you mentioned that you dealt with this issue in Massachusetts, I was just wondering if you could tell us how Massachusetts handled resolving this issue. And or any other places around the country that you're aware of.

BRIAN HIGHSMITH: Yeah. So as others here can share. This is an issue -- Connecticut is is last in the country in affordability. But this is not unique to -- so in some ways, this is uniquely a Connecticut problem. But you know, Securus has contracts around the country. This is a very typical arrangement. And we have the same in Massachusetts. So we worked to challenge the cost of calls there. And there's -- in a federal class action lawsuit that's ongoing. And there's also Legislation Massachusetts that would end charges as well there.

REP. BLUMENTHAL (147TH): So, would it be fair to say that the state may also be subject to legal action if we don't somehow correct this issue?

BRIAN HIGHSMITH: So there has been a number of lawsuits around the country challenging phone calls, and so that could be a fair assessment.

REP. BLUMENTHAL (147TH): And I was also wondering if you could tell us a bit more about the other
issue that you talked about your research, which is points at which folks with contact with the criminal justice system are used as funding sources, or assessed unreasonable fines or fees or other payments?

BRIAN HIGHSMITH: Definitely. So I'd be happy to submit to the record, a report that I wrote about this, and the main conclusion of that report was that at every single step along the way in the process, from the moment of arrest all the way through and actually after release, families who are impacted by this system, of course, including not only the people who are arrested and subject to charges or experiencing incarceration, but also entire communities are subject to fines, fees, commercial bail system, the cost of making phone calls commissary of financial transactions, including debit release cards.

So just really families that -- we have moved towards this system of extracting wealth from already vulnerable families and using that to fund these, not only our systems of justice -- extensively of justice, but also going back to general revenue. So, it's this very concerning trend. And this is one of the best examples of this and would be a real opportunity to lead as a state in setting an example for the country.

REP. BLUMENTHAL (147TH): Oh, thank you very much, Brian, for your testimony. I would love to see the report. So if you want to send that to the Committee, or to me, please do.

BRIAN HIGHSMITH: Happy to thank you.

REP. BLUMENTHAL (147TH): And thank thanks very much for being with us. Thank you, Mr. Chair.

BRIAN HIGHSMITH: And thank you for your work on this.
REP. BLUMENTHAL (147TH): Further questions or comments from the Committee? If not, thanks for being with us. Next up will be Daee Muhammed McKnight. Go ahead sir, you have three minutes.

DAEE MUHAMMED MCKNIGHT: Yes sir, let me open by saying in the Name of God, the minister, the merciful. I greet all of you on the Judiciary Committee and all of the participants, citizens in the greeting words of peace be unto you. Let me quickly say that I'm here in support of Senate Bill 1059. And I want to take you through an exercise in written reference to ending solitary confinement. The exercise is called Can you guess what country I'm in? 1988, I was in a certain institution in a certain country in a certain state.

And unfortunately, I was 21 years old, my brain wasn't fully developed. And I came from a traumatic background from Bridgeport, Connecticut. And I committed a violent act in this certain institution in a certain country in certain state. And I was taken to a place within this institution. And I was put on four-point restraints for 48 hours. And if you don't know what four-point restraints are. Four-point restraints are your hands are handcuffed to a bed and your feet are handcuffed to a bed. And by the great benevolence of a captain he walked by. And he said that's beyond the allowed time of 16 hours.

And they took me off of the four-point restraints. I stayed in isolation without reading a book for 60 days, I wasn't allowed a book I was only allowed to shower Monday, Wednesday and Friday. And I was allowed -- no Rec at that time until I left punitive. And I went to administrative isolation for a year straight, 12 months where I only got to shower on Monday, Wednesday and Friday. And I went to Rec for an hour a day outside handcuff in a dog kennel cage for an hour where I walked around the dog cage, not a figurative cage, but a literal dog cage.
I stayed that way for a year. And maybe once a month, mental health unit representatives would walk by the cell very quickly and look in it but keep walking and never asked me how was I? Or was I okay? Now if you can guess what country this is, you are the winner of $100,000 Grand Prize. In case you haven't guessed. I was in America, in the United States of America. I was born as an American citizen here. And I was in a state called Connecticut called Somers prison.

And those acts seem to be rather something that you would think came from a foreign movie with people were being tortured, but it happened here in the good state of Connecticut. Fortunately, I have been out of prison for 15 years. And I have been directly involved in reentry for about 12 years, helping facilitate successful reentry for people. But I am one of the fortunate ones. I am an exception to the rule. And my therapeutic intervention came from spirituality. People from my community that don't have that, they usually self-medicate with alcohol and drug.

REP. STAFSTROM (129TH): Thank you sir. We're at the three-minute mark, so if you could just wrap up please.

DAEE MUHAMMED MCKNIGHT: In summary, very briefly, like I said, I have experienced from the inside and I also have experience from the outside facilitating family reentry for last 12 years. In summary, I am in support of the humanity of supporting Senate Bill 1059. Thank you all for your time.

REP. STAFSTROM (129TH): Thank you, sir. And thanks for your work with family reentry, and for sharing your story with us further questions or comments? If not, appreciate it. Next up will be Cynthia DeRoma.

CYNTHIA DEROMA: Alright, can you see and hear me?
REP. STAFSTROM (129TH): Yep.

CYNTHIA DEROMA: Okay, so my name is Cynthia de Roma. I'm a resident of Somers, Connecticut home to several correctional facilities, including where Mr. McKnight was, and I would like to express my support for Senate Bill 1059. I've been privileged to have never had to deal with incarceration of mine or my family's life.

However, as a Connecticut citizen, I don't want to be complicit with a system that is not only inhumane, but also fails to accomplish its purported goals. How can prison rehabilitate a person if he or she leaves it not only worse off but also an even bigger threat, and a burden to public safety? As mentioned in testimonials and personal narratives like Albert Woodfox, this powerful memoir, solitary, widespread use of extreme isolation is a form of torture that puts undue strain on incarcerated people and officers alike.

And these burdens fall disproportionately on people with a history of mental illness. Therefore, Senate Bill 1059 is a step in the right direction. And that is why I strongly support it and urge you to favorably vote the Bill out of the Judiciary Committee. Thank you very much.

REP. STAFSTROM (129TH): Thank you, ma'am. Questions or comments from the Committee? If not appreciate it. Next up will be Cindy Prizio.

CINDY PRIZIO: Hi, everything good. You can see me.

REP. STAFSTROM (129TH): We can't see it now, ma'am. We could before but now we can't.

CINDY PRIZIO: Okay, wait a minute, I'm gonna have just switched then I've learned how to do this. Let me call up my testimony. Sorry. I thought I had it. Do you want to go to the next person, Representative Stafstrom?
Yep, looks like Melinda Tuhus, is ready. So, we're gonna go to her. Ms. Tuhus. Melinda.

MELINDA TUHUS: Can you hear me now?

REP. STAFSTROM (129TH): Yep, go ahead.

MELINDA TUHUS: Okay, thank you, to all the distinguished members of the Judiciary Committee. My name is Melinda Tuhus, and I live in Hamden. I've been a journalist for the past 40 years, where I focus mainly on two issues, the environment and criminal justice. I'm mostly retired now and spend my time advocating for climate justice and social justice.

I'm speaking in strong support of Senate Bill 1059, which would treat incarcerated persons in Connecticut like human beings, and also support correction officers who have a very stressful job. My only experience with solitary confinement in the criminal justice system was 10 years ago, when I participated with hundreds of others.

In a Nonviolent Civil Disobedience Action at the White House. I was searched very thoroughly and handcuffed with my hands behind my back before being put into the back of a police van, where I sat alone until joined by fellow arrestees. That took 10 minutes or so but seemed like much longer. When we got to the police station, we were put in cells in groups of at least four, where we talked and sang for eight hours until our release, I knew I would not be abused, and I'd be getting out within 24 hours when I would rejoin my comrades.

This experience was so far, from what people experience in solitary confinement in prison, that I hesitate to mention it. But the very fact that these were my circumstances, and I still felt panicked and distressed for those 10 minutes, drove home that the situation of incarcerated men and
women is horrendously worse. It's scary having no control over your person. And being at the mercy of individuals who maybe don't care very much about your well-being. I can't imagine how much worse my short jail stint would have been had, I've been alone in a cell. And I can only imagine how much worse it would have been if I were someone who had no financial resources or social emotional support system, especially if I were black or brown, and basically someone whom society has already dealt a bad hand.

Humans are social animals, and we need human contact. Senate Bill 1059 would require that inmates be in their cells no more than 16 hours a day except for emergency situations. So, it's not, you know, eliminating solitary confinement and that it could never be used. It would also add the painful dehumanizing practice of in-cell restraints and would provide for regular communication with an independent inmate loved ones.

It would also help create oversight within the prison system and the provision of mental health services to correction officers. Our entire criminal injustice system needs to be overhauled and humanized. But passing this Bill is an important step toward that goal. According to the United Nations, solitary confinement of more than 15 days constitutes torture, and lifelong harm can result when someone is held even half that time.

REP. STAFSTROM (129TH): Thank you ma'am we're past the three-minute mark. So I just need you to wrap up please.

MELINDA TUHUS: I shall right now. We should not be torturing people in our custody. I strongly urge you to pass this Bill out of Committee. And I also wanted to mention that I do support Senate Bill 972, for the reasons many others have mentioned. Thanks for the opportunity to testify.
REP. STAFSTROM (129TH): Thank you, ma'am. Appreciate being with us. Seeing no questions or comments, it looks like Cindy Prizio is back with us. We're gonna go back to her.

CINDY PRIZIO: Okay, let's try it. Thank you, Representative Stafstrom. Good afternoon. I'm testifying in support of Senate Bill 1059 with qualifications. My name is Cindy Prizio. I am the Executive Director of One Standard of Justice, a statewide civil rights advocacy organization working with men and women arrested or convicted of sexual offenses and their families. I come from a justice involved family.

I too am going to quote Albert Woodfox, who was a 2020 Harriet Beecher Stowe Prize winner for his book Solitary. He says solitary confinement is used as a punishment for the specific purpose of breaking a prisoner. Nothing relieves the pressure of being locked in a cell 23 hours a day. The only way you can survive in these cells is by adapting to the painfulness. Connecticut prison should not be invested in sustaining or creating mentally, physically, emotionally unwell people. Too many justice involved, people become dependents of the state rather than productive citizens.

Not only because of the 500, plus barriers to reintegration, but because of their inhumane treatment while in custody. Best are the very policies that maintain vital pro-social connections to the community, like kindness and respect, physical touch, being able to regularly see and speak with family and friends. To see your children when you're in prison and continue to see them in the community. Can you imagine the harm done to the people that are denied seeing their children once they're released from prison? And the harm and confusion we're doing to their little ones.

Fact 95% of people incarcerated will return to their communities. All Connecticut citizens should want
these men and women to return in the best physical and emotional shape possible for public safety. Don't we want to be creating good neighbors OSJ unequivocally supports the Protect Act. I believe when you treat people like people, the results will dramatically be changed. Example, true unit.

OSJ is most interested in replacing corrections with a more civilized model of what justice means and how to achieve it. We believe in a restorative model, one which elevates humanity and dignity. Incarceration is not real accountability, nor does it change behavior. Connecticut corrections is a rogue system that has been built entirely on punishment rather than rehabilitation. There's inadequate transparency, and the all too frequent cover up when things go wrong. Just like transparency and accountability and policing, this organization advocates for the same for our most vulnerable citizens inside Connecticut prisons.

REP. STAFSTROM (129TH): Cindy, we're up the three-minute mark, so I just need you to wrap up for me.

CINDY PRIZIO: Can I wrap up, okay, I just have a couple sentences. Trauma is the common denominator for people on both sides of this coin. I speak today for Robbie Talbott, who cannot speak for himself as he was killed two years ago one segregation at Whalley prison. As a mom of a person once incarcerated, it could have been my son. And in closing, I quote Maya Angelou. "I did then what I knew how to do now that I know better I do better." And isn't it time for Connecticut to do much better? We know this stuff. Thank you so much.

REP. STAFSTROM (129TH): We do have a question for you. Representative O'Dea.

REP. O’DEA (125TH): No question. Just a thank you for your testimony, Cindy. As always appreciate it. And of course you can reach out and happy to talk about this further. Thank you Mr. Chairman.
CINDY PRIZIO: Well, Representative O'Dea, I just want to tell you in my written testimony, it goes much deeper into our rationale. But I want to say we also unequivocally support free phone calls in 972 and 1058 which speaks to compassionate release based on risk level. We're totally robustly for that. And as the people who went before me I want to thank them they spoke so eloquently.

REP. O’DEA (125TH): Thank you, Cindy, very much. Thank you, Mr. Chairman.

REP. STAFSTROM (129TH): Thank you both. Next up will be Alana Rosenberg.

ALANA ROSENBERG: Hi there. Can you see me?


ALANA ROSENBERG: Chairs Winfield and Stafstrom. Vice-Chairs Kasser and Blumenthal. Ranking Members Kissel and Fishbein, and Members of the Judiciary Committee. My name is Alana Rosenberg, and I'm a resident of Woodbridge, Connecticut. I'm here to urge you to pass Senate Bill 1059 out of Committee, I was thrust into the world of mass incarceration in 2011, when I began studying the link between incarceration and health at the Yale School of Public Health.

The studies I have worked on involve longitudinal in-depth interviews with people touched by the criminal legal system in New Haven. It was through my role as a researcher, an interviewer that I began to glimpse this underworld of our society in which we fail to find a way to help people suffering from poverty, substance abuse, trauma, lack of opportunity and mental health issues. Many of those we fail to help are black and brown people that have endured historic systemic racism.
Instead of how, we wait until a crime is charged, and we lock the person up out of sight, out of mind. It sounds so terrible and extreme that you might not believe it. I wouldn't have either back in 2011, before I began seeing it with my own eyes. Many of my colleagues today have talked about solitary as torture. And it surely is. Imagine those folks who needed help but were instead locked up and when exhibit difficulties adjusting to their rights being stripped away, they are further penalized and their very humanity is taken away.

This is what solitary is, and as Barbara Fair states, it is designed to break people, we may have sense that this process occurs only to a small minority of incarcerated people that pose an unsolvable problem to the DOC, but this isn't true. of the 300 low-income New Haven residents within incarceration experience that we enrolled in our study, nearly half had been placed in solitary confinement and if you count the full array of types of segregation included in the Protect Act, the percentage surely a majority of those who have been incarcerated. This is a pervasive, inhumane treatment that we as citizens have condoned with our silence, we must stop being complicit in torture of our fellow residents.

Incarcerated people are people, and they deserve dignity. Likewise, shame on us that we put state employees in the position of administering this cruel treatment of other human beings. Correctional staff should be given the tools necessary to undertake their jobs humanely and should not be asked to treat any other human being as less bam. People develop coping strategies that normalize the traumatic, especially if that trauma happens on a regular basis. The mental health of correctional staff suffers because of this practice and it needs to stop. We need to take better care of our employees and our incarcerated people.
The Protect Act includes attention to the mental wellness of correctional staff, and every other place in society, there's recourse for mistreatment, we have protections in the workplace and health care and as consumers against wrongdoing. This is not the case in prison. Incarcerated people suffering from unfair treatment within correctional institutions have written to me with their very real problems and complaints with no recourse. No recourse to corrective action. What does that do to a person to know that a state-sanctioned body, the DOC can get wet, get away with whatever it wants? It is high time we had a Correctional Accountability Commission as would be mandated by the Protect Act without it and the protections in Senate Bill 1059 for incarcerated people, the wounds that people have endured at our hands will continue to fester.

We will continue to damage people and our communities and detract from our collective goal of achieving a Justice Society. I think Dostoevsky was quoted already today, but I'll quote him again. "The degree of civilization in a society can be judged by entering its prisons." As our elected officials, I urge and compel you to pass Senate Bill 1059 to raise the humanity of our prisons and to dust our society. The fate of so many of our most vulnerable citizens is in your hands. I thank you for your time.

REP. STAFSTROM (129TH): Thank you. Questions or comments from the Committee? If not, thanks for being with us. I will turn it back over to Senator Winfield.

SENATOR WINFIELD (10TH): Thank you Chairman Stafstrom. Valerie Horsley. Followed by Colleen Lord and Bradley Pellissier. Is Valerie Horsley in?

VALERIE HORSLEY: Yep Can you hear me okay?

SENATOR WINFIELD (10TH): I can hear and see you. You have three minutes.
VALERIE HORSLEY: Okay, great. Dear members of the Judiciary Committee. Thank you so much for your service to Connecticut. My name is Valerie Horsley. I'm a resident in Hamden, Connecticut. And I'm here to testify to support Senate Bill 1059, the Protect Act, as well as Senate Bill 972. In 2017, I visited the solitary box in the Capitol building. And I was really surprised at the limited size of the cell and the emptiness that I felt in the few minutes after I entered the box. I couldn't believe that we would put men and women in such a solitary confinement in our own state.

In my own work, I'm a scientist and I use animal models to study how tissues repair. And I have strict regulations that are governed by the Institutional Review Board that ensures that we do not house animals alone. We are not allowed to, unless we specifically ask why and put paperwork through the Committee to ensure that we're not causing distress that impacts the mental or physical health of the animals that we use. So, I'm surprised that we're still allowed to do this to human beings in our own society.

Humans are social beings just like most other mammals, and it's no surprise that solitary confinement causes Post Traumatic Stress Disorder, as a 2018 study confirmed, and as advocates have been saying, for decades. Solitary confinement is not humane. We don't really allow it on animals, and we shouldn't allow it on human beings no matter what punishment we are trying to give. In terms of the phone calls, how can we, in our society use money from incarcerated family members for programs? We should be encouraging people to connect with their family members.

And we should not allow them to go further into debt, because they want to talk to their family. We ask all of our children to stand up and say the Pledge of Allegiance every day as they go to school.
And one of the lines and that pledge of allegiance is liberty and justice for all. Justice means that we will help individuals build relationships so they can excel in this world. And we cannot allow trauma of men and women that have been incarcerated anymore. Please, help Connecticut put relationships first by supporting Senate Bill 1059 and Senate Bill 972. Thank you.

SENATOR WINFIELD (10TH): Thank you. Is there a comment or a question from Members of the Committee? Representative Porter.

REP. PORTER (94TH): All right, thank you, Mr. Chair. And thank you, Valerie, for being with us today and for your testimony on. A question in regard to the work that you do in the laboratory with animals. Is any kind of fine or, you know, what happens if animals are not treated according to the instructions that you're given?

VALERIE HORSLEY: So, if we get written up, and it's funded by a federal grant, we can be reported to the federal government, and we can have our grants taken away or our research privileges taken away. And so, every three years, we have to apply for our protocol and make sure that we're doing things in humane way. And this is something that we take very seriously because we want to be ethical. And we want our research to not be induced by stress. And so we want -- we should be doing the same thing for human beings in our world.

REP. PORTER (94TH): I totally agree. Absolutely. And like I said, thank you for sharing that perspective because I've always said that if we treated animals the way we treated people that are incarcerated, we'd be in jail. So thank you for that validation. Thank you, Mr. Chair.

SENATOR WINFIELD (10TH): Thank you, Representative Porter. Comment a question from other Members of the Committee? Comment or question. I don't see
any. Valerie thank you for joining us. Enjoy the rest of the afternoon. Next we have Colleen Lord, followed by Bradley Pellissier, followed by Timothy Fair and Bianca Tylek. Is Colleen Lord in?

COLLEEN LORD: Thank you. Chairs Winfield and Stafstrom. Vice-Chairs Kassel and Blumenthal. Ranking Members Kissel and Fishbein and Members of the Judiciary Committee. My name is Colleen Lord. I'm a resident of West Haven and I'd like to express my strong support for Senate Bill 1059.

I'm Robbie Talbot's mother. Yesterday, March two years since DOC staff caused his homicide in New Haven, Connecticut. Certain provisions in Senate Bill 1059 would have prevented his extremely painful death. And my support of the Bill, too late for my son is in hopes of ending torture and seeing humane treatment of those who are incarcerated, whether for serious crimes, mistakenly convicted or like my son, solely because of the lack of available mental health treatment programs in Connecticut.

Robbie Bear was a poet. Some time ago, he wrote, "I want to die from life and natural causes and avoid death because it hurts." He was born in trauma, with the cord around his neck cutting off his oxygen which likely contributed to it that caused his serious mental illness he was diagnosed with as a young child, and he died in trauma in excruciating pain, abuse and neglect, as his last guess what? Words being, can't breathe.

Incredibly, there's still no internal investigation of my son's homicide after two years. But the video is very clear on what was done to him. Excessive chemical agent, six times what is allowed, abusive restraints, unwarranted and unmonitored solitary confinement in a box filled with chemical agents so strong, the 90 minutes later, when he was found dead in early rigor mortis, EMT workers were still being affected and coughing from the toxic fumes?
Proven false statements to the state police by DOC staff remain unaddressed. So Connecticut needs a Correction Accountability Commission as provided for this Bill. I tell these details to dispel some myths and illustrate that abusive restraints, excessive chemical agent torture and solitary confinement is imposed upon non-threatening nonviolent, vulnerable and compliant individuals simply for punitive reasons. Robbie was completely nonviolent and never hurt a person in his life in jail for breach of peace.

Seconds before the assault on my son DOC stuff are seen laughing and pointing at my son, who is slow in the shower while awaiting a psychiatric evaluation that he never received, being sent to solitary instead against DOC regulations. Despite my son's compliance, he was chained to a metal cut in a solitary cell in five-point restraints and left to die.

DOC staff needs training in the many aspects of mental illness as provided for an Senate Bill 1059. DOC staff needs mental health evaluations for themselves and treatment if needed, so they do not abuse those in their care, as provided for in Senate Bill 1059. And above all, Connecticut needs a Correction Accountability Commission. In Robbie's memory, I support SB 1059. And I asked you to favorably vote the Bill out of Judiciary Committee. Thank you very much for your consideration.

SENATOR WINFIELD (10TH): Thank you, Miss Lord. Are there comments or questions? Comments, or questions? I don't see any. I want to thank you for what I know to be your continued advocacy. Thank you for joining us today and providing what I know to be tough testimony. Thank you.

COLLEEN LORD: Thank you very much.

SENATOR WINFIELD (10TH): Well, let's hear from Bradley Pellissier, followed by Timothy Fair, Bianca
Tylek, and then Traci Bernardi. Is Bradley Pellissier here? Is Timothy Fair here? Bianca Tylek?

TIMOTHY FAIR: Hello.

SENATOR WINFIELD (10TH): Timothy Fair.

TIMOTHY FAIR: Yeah, I don't see myself.

SENATOR WINFIELD (10TH): We can't see you either.

TIMOTHY FAIR: I'm not sure how to fix that.

SENATOR WINFIELD (10TH): We'll work on it.

TIMOTHY FAIR: You want me to wait, you can go to someone else? I have no way of getting to starting the video here. I got it. I got.

SENATOR WINFIELD (10TH): There you go, there you go.

TIMOTHY FAIR: Thank you, sir. So Chairman Winfield, Stafstrom, Vice-Chairs Kasser and Blumenthal. Ranking Members, Kissel and Fishbein and other Judiciary Members. My name is Timothy Fair. I'm a resident of Hartford, Connecticut. I would like to express my strong support for Senate Bill 1059. I've also submitted written testimony and also support the Bill regarding phone calls, prison phone calls 972.

I want to begin by saying that while functioning somewhat "normally" like a society I've yet to realize the exact measure from my sustained trauma after nearly 40 years of incarceration. 27 years consecutively, which began in 1980. I was incarcerated, released in 2007. I personally witnessed the consequences, not benefits of persons being in solitary confinement, or in-cell time for 22 hours a day, as I was subject to myself, in what is defined as some time segregation, administrative, punitive, although I've never been in Northern is
much more than it gets to be called the hole of segregation.

These are all very detrimental to the mental, psychological and emotional wellbeing of anybody who has suffered under those consequences. Our country has outlawed the practice of waterboarding, even our enemies of combat. Yet confinement, solitary confinement is just another form of this inhumane practice. Yet you treat fellow citizens worse than hostile enemies of the United States. It is beyond absurdity to me to remotely imagine a person's, regardless of their constitutional -- attitude to endure pain and suffering under duress. One cannot elude the psychological, emotional experience the damage of isolation. 23-hour lockdown in a cage or cell, however you want to define it.

Being fed through a slot, in a door and a steel door as a as an animal, a trough for like cattle. Most of these men and women, as myself were returning or at some point are going to return to our communities, broken in spirit as the program that is designed to execute in the results absolutely come unaccomplished that you're going to be broken. I have no hope, and you return to society with the demand that you become a productive member of the community that. That's a dehumanizing, upon eventual release and reasonable expectations. What am I supposed to -- do people really expect that we're gonna have an attitude of appreciation for just having survived physical years of torture and abuse, secluded from daylight in some practices? This is categorically, nothing productive about -- solitary confinement does not secure or, nor enhance secure public safety.

And, you know, while dogs were fed daily, my brother had a dog. Let me just give you a little story. My brother that he had for years. He walked this dog; he fed this dog. One day this dog so a little bit of light in the door, this dog ran away, never was seen again. What do you imagine people who are chained
down physically 22 hours a day, all day in a cell? Sometimes no daylight, no air. How are they supposed to get back in the society and function as a normal person to be productive? And with that, I thank you for your time and your work on this matter.

SENATOR WINFIELD (10TH): Thank you very much for your testimony. Is there a comment or question from Members of the Committee? Comment or question? I do not see any. I want to thank you for joining us. It's good to see you.

TIMOTHY FAIR: And it was a pleasure, sir.

SENATOR WINFIELD (10TH): Hope you enjoy the rest of the day.

TIMOTHY FAIR: Thank you, sir. You as well.

SENATOR WINFIELD (10TH): Tracy Bernardi, Kevnesha Boyd, Carl Testa. Is Traci Bernardi in?

TRACI BERNADI: I'm right here.

SENATOR WINFIELD (10TH): All right, you have your three minutes.

TRACI BERNADI: Okay. Good afternoon, Senator Winfield, and everyone else for the sake of time. My name is Tracy Bernardi, and I'm an ACLU smart justice leader. I am the co-founder of Once Incarcerated Once In. During my 23 years in prison, I served seven long years in solitary confinement. And I can tell you without a doubt that solitary confinement in Connecticut still exists, not just in Northern, even though Northern is getting shut down. But solitary confinement with any other name is still solitary confinement. Whether you call it restrictive housing, whether you call it closed custody. Whatever aliases they assign it, a rose as a rose by any other name.
Cruel and unusual punishment is cruel, unusual punishment. 23 hours locked alone in the cell. The most abuse happens in the darkest places. Solitary confinement, it drives the human spirit, allowing prisons a separate and isolated and private place to punish people. It only permits abuse within the correctional system. The Department of Corrections like the police has to have accountability for the way that people treat the people that the state entrust their lives to. Guards live under a cloak of secrecy that enables them to deny inmates their human rights and their dignity. I know this because I spent over seven years in solitary confinement. I went to jail at the age of 19 sentenced to 30 years of incarceration.

I entered solitary at age 26. I didn't see the light of day until age 32. I spent seven summers seven winters seven springs, seven falls, all alone. With no one. I nearly went crazy. I eventually hung myself. That's how bad it got. What would you do if I was your daughter? What would you do if your daughter was me? Would you allow that? Would you let them cage your child, your sister, your mother, your brother, your family member, endlessly like and animal? Feed them through a slot in a door. Let them take three showers a week if they're lucky. And in my case, they didn't have doors up at the time on the shower. So, I had to take all my showers in handcuffs.

What would you do if I was your daughter or your friend? We need to ensure that people in Connecticut prisons and jails are not being abused and re-abused and traumatized and retraumatize even people with 30-year sentences like me, we come home. And you know, for the last year I have been homeschooling my seven-year-old stepson, I run two meetings a week with formerly incarcerated people. I'm necessary in this world.

SENATOR WINFIELD (10TH): Traci.
TRACI BERNARDI: Yes.

SENATOR WINFIELD (10TH): Your time is up if you could summarize.

TRACI BERNARDI: Okay, I'm just so excited about being able to help pass Senate Bill 1059 because you know, society will be safer when we come home, better and not worse than we went in. That solitary confinement has me with severe post-traumatic stress. Don't continue to do this to people figure out alternative ways and have a lot of oversight. Thank you so much for everyone

SENATOR WINFIELD (10TH): Thank you I'd see a comment or a question from Representative Fishbein.

REP. FISHBEIN (90TH): Thank you Mr. Chairman. Hi Tracy, how are you?

TRACI BERNARDI: Hi, nervous again

REP. FISHBEIN (90TH): Nothing to be nervous about we're just sitting around talking about this stuff, very important stuff. So just relax. You know I'm just trying to -- because you know what you present is concerning. I just want to -- you know double back. So you got you got sentenced to 30 years and where were we supposed to serve that?

TRACI BERNARDI: I was supposed to serve that in your correctional institution but I got re-designated as a security risk group member. It's easy to get re-designated and when I got re-designated, I had to give them two years in solitary confinement discipline-free and I was unable to do it because I was mentally unstable from being in the room all the time from having the sentence, I had living with the guilt I was living with, and inadequate mental health treatment.

Every time I would try to harm myself. After I was medically cleared I would get a ticket so those
tickets would set me back and I would have to start the two years over.

REP. FISHBEIN (90TH): Okay so you were reclassified as a what? You were going really fast there.

TRACI BERNARDI: They re-designated me as a gang member as a result of a bunch of drama that was going on in the facility.

REP. FISHBEIN (90TH): Okay we also had some suicidal ideation going on right?

TRACI BERNARDI: Actual acting out of, Yeah I hung myself and I was actually -- an inmate was walking by myself to go to the phone she saw me and call the guard and I was cut down. But you know, I'm grateful that I'm alive but that's where you get driven to when you're in a room alone for 23 hours a day.

REP. FISHBEIN (90TH): Okay, well at least at the point that that unfortunate event occurred because certainly when somebody gets to the point that they undertake those acts it's not a good thing but how - - if you were in solitary and perhaps -- you know an aspect of this is subjective you know what one person thinks is solitary is not necessarily solitary. How is another inmate be able to you know essentially save your life?

TRACI BERNARDI: Because when everyone in solitary in the women's prison they are actual tiers and they're rooms a bunch of rooms and the phone is on the tier. So each person gets his limited amount of phone calls during the week and the guard will pop them out of the room to go make the phone call and we were all very close in our tier so even though it was risking getting in trouble we would all look in each other's window and smile like and try not to get caught by the guard on the way to the phone so that's the girl was checking on me and she saw and started screaming and barking but normally there's
tours if no one's out on the tear there's they do 15 minute tours if they feel like it they're supposed to. But I mean and don't get me wrong because some guards were good people and are decent people but the oversight is to make sure that all guards are decent people.

REP. FISHEIN (90TH): Okay and then how long did you end up serving actual time?

TRACI BERNARDI: 23 years. I served from 19 to age 42 and then I did parole and then when I was done with all that I was 43.

REP. FISHEIN (90TH): So, a portion of your incarceration was the seven years in solitary now was it all like, you know, seven years in a row or was it, you know, you're out in the general population and then solitary? How did that work?

TRACI BERNARDI: Okay, so these seven years that I'm talking about is separate from all of my stints in solitary confinement this seven years is from 2001 until -- from March of 2001 until the summer of 2007. So, the other times I've been in Seg. they stopped a while ago but they used to always put you in solitary -- if you cut your arms which I was a cutter at the time if you cut your arms, if you try to hurt yourself, they would send you to mental health but then you would get a class A self-mutilation ticket and you know, I thought while I was in there and other inmates thought while we were in there to try to keep them from doing that, and they eventually stopped doing that.

But like, I literally lost good time, which was -- you were able to earn because of self-harm. Instead of being -- having the proper mental health treatment. And you know, but they're over capacitared they never, you know, they have two or three social workers and one psychologists for the whole compound of over 500 women. So of course, you know, it's just me entry and Medicaid.
REP. FISHBEIN (90TH): Okay, and I would expect that whatever you're using to cut yourself, was some sort of contraband, something that you weren't supposed to have?

TRACI BERNARDI: In the beginning, they used to sell -- I mean, I'm embarrassed to say, but in the beginning, they used to sell disposable razors. And because of me, and one of my codefendants, who also was a cutter, they literally stopped selling them, and then we would resort to anything. There was times where, you know, you can break a pair of glasses, you know, I'm not going to give people ideas, but there were days -- there's plenty of things that you can still figure out how to improvise and use when your mind says cut yourself.

REP. FISHBEIN (90TH): Sure. No, I'M well aware. So, you know, if one is attempting to self-harm themselves, using an implement that they're not supposed to, do you think that there should be a level of concern by the administration of the facility that that individual may you was one of those implement to hurt someone else? You know, a guard another inmate is that a legitimate answer.

TRACI BERNARDI: I don't think so. Because I think that most people that self-harm are not -- they're self-harming because they don't want to hurt anyone else. Because they, you know, I don't think that that's a concern and I don't think that you know a concern. I do think that it's a concern that if you wanted to tell staff you need to talk to someone because you feel like you're reaching the point of suicide and you say to the guard can I please talk to someone you have to tell them that you're suicidal if you don't say I'm suicidal you can't see anyone and once you tell them when you're in solitary confinement and when you tell them that you're suicidal they put you on the max-side in a single cell whether you have -- because in some parts of Seg.
You get a cellmate and they'll put you in a single cell in handcuffs and shackles until they call the medical team -- mental health unit. But in order to teach us the lesson in case we're just playing around and wasting their time sometimes they'll leave us in that cell in those handcuffs and on the floor. It's an empty mattress they don't give us sheets or anything they take away our sneakers are bras anything we can hurt ourselves with and they handcuff us and they leave us in that room. It's called J2.

For anybody that was at York CI, they can tell you about it and verify what I'm saying. And sometimes they would wait until second shift. Like it could be morning and you could tell them and they would be like sick of you because you always want to talk to somebody, but you're in 23-hour lockdown you know. And you need to talk to somebody. So, you do say I'm going to hurt myself just so you can see somebody and then you're in that room being punished more and it's more trauma and then we're going to come home to your society. Like me I'm lucky I have a lot, a lot of support but what about those people that are put through that system where there is no accountability and the things that happen to them horrible and they don't have all the support I have? You know what happens to them? Because they might come home and be triggered by something and recommit a new crime.

People don't realize society is so much safer when you treat us like human beings while we're incarcerated. I'm not saying give us candy and goodies and all that but I'm saying treat us like human beings don't cages like animals and don't hold our families hostage. Let them not have to pay so much for phone calls. My mother paid so much money for phone calls for 23 years there's so many injustices. God let us live through these things so that we can come home and tell you and make you
aware because then once you know you can't unknow you know you have to do something about it

REP. FISHBEIN (90TH): I thank you for that and you know, just so that you know, I haven't been a proponent of doing something about the phone call so I do.

TRACI BERNARDI: Thank you.

REP. FISHBEIN (90TH): Well, I thank you for coming here to testify and you know seems that you're doing -- you're doing well and good luck. Thank you

TRACI BERNARDI: Thank you so much for having me thank you everyone.

SENATOR WINFIELD (10TH): Thank you Representative. Are the comment or question from other Members of the Committee? Comment or question? If not, Traci, it's good to see you again. I know you said you're nervous but you don't seem like the first time I heard you say that you seem like you have really adjusted well to this testifying thing.

TRACI BERNARDI: Well, I'm getting seasoned, five years doing it, so five years home five years telling everything that I know to help make all the changes I can.

SENATOR WINFIELD (10TH): Well thank you for doing that and keep up the good work.

TRACI BERNARDI: Thank you so much.

SENATOR WINFIELD (10TH): Enjoy the rest of your afternoon. I see that Bianca Tylek is in. So Bianca you have three minutes.

BIANCA TYLEK: Great thank you so much. Hello thank you so much Chairs Stafstrom and Winfield for having us testify and for being here. With that I want to jump in, I'm gonna -- you know I think that families
have been making the case today for why we need to support Senate Bill 972 so we're I'm testifying as the Executive Director at Worth Rises having passed Bills like 972 and other jurisdiction but in support of 972 and I think families have made the case that with my three minutes I want to spend a little bit more time on the logistics of the specific Bill and also answering some questions that I heard come up from Representatives and Senators sort of throughout this hearing. So, I want to say specifically that Senate Bill 972 would save directly impacted families in Connecticut, families that are facing the incarceration of a loved one.

At least $12 million a year, but probably closer to $15 million when you also consider all the additional fees that are often not discussed. I want to note that there was a Representative who asked what the percentage of the kickback was, that the state was getting. The state is getting 68% commission back off of the cost of calls that amounts to roughly $7 million a year. To understand how that money is actually distributed 350,000 of that goes to the department of corrections as the Commissioner mentioned earlier today. 2.2 million of that goes to CJJs, and 4.4 million of that goes to the Judicial Department.

It's important to know that actually the Judicial Department filed testimony, generally supporting the intent of the Bill, Senate Bill 972 earlier did note that they would need $2.2 million to support Probation Officers. I want to be very clear, they asked for $2.2 million, which is half of what the Judicial Department actually gets off of phone calls to support specifically 28 probation jobs. I want to also note -- there was somebody who asked about the contract. The original contract would date -- actually was supposed to end, at the end of this month, it's been extended for one year. Rates have been slightly negotiated.
Those new rates would take Connecticut from being 50th in the country for the affordability of prison phone calls to 45th. This is not a meaningful negotiation, actually, it is pretty abysmal. The edits that we would specifically ask for the Bill is one, for it to go into effect much sooner. The Bill was noted as going into effect, or currently has language that goes into effect 2022, which is a very, very long time from now, October I should say, of 2022. We think that should be October of 2021. And also supporting Senator Looney's testimony, that it should also have a floor minimum of how much time people should get, and we recommend that be 90 minutes.

And finally, I just want to also say that the coalition behind the Bill to make phone calls free, which we know has been moving out for a few years, has grown really dramatically this last year, to also include child advocates, victims, rights advocates, and even industry, AT&T and Verizon, filed testimony in support of this Bill. And lastly, I just want to say that we also stand in support of Senate Bill 1059. And I will use my time that way, and happy to answer all of the question, because if there's questions regarding the contract, or questions regarding how this looks, other places, you know, that sort of definitely things we can answer.

SENATOR WINFIELD (10TH): Thank you. There's a comment or a question from representative Callahan.

REP. CALLAHAN (108TH): Thank you, Mr. Chairman. And thank you, Bianca. I'm that state Representative who asked the question.

BIANCA TYLEK: I know. Hi, Representative Callahan. I wanted to make sure I got to your question.

REP. CALLAHAN (108TH): Thank you. I appreciate you coming in informed, and I will just say that it was about 3.2 million that judicial gets, they have
a shortfall of about 2.2. Because an appropriation was going to give them a million of that 3.2. And the reason I brought up those points is because there's a lot of -- not that I'm saying I agree with this, this outrageous fee that's been charged to inmates, and we were second worst in the country, as I mentioned earlier, behind Maine. And it's just there's some good work being done with the money, as long as -- I think that Judicial can get that money from appropriations in another way.

Because Connecticut does have one of the lowest recidivism rates. And I don't want to see us going backwards, it's the reason I bring this up because several jails have been closed in Connecticut, and we're continuing to close jails. And that's because there's community supervision programs like probation and parole, who are handling that. So as long as there's a balance there -- and I wasn't advocating for these outrageous fees, just so you understand.

BIANCA TYLEK: Totally understand that I wanted to like obviously, specifically answer that question. And now I just do want to just add, to clarify, actually, what I also want to -- actually in 2019, I have the numbers right in front of me right now. Judicial collected 4.4 million. The reason that I mentioned that figure, the 2.2 that they're asking, and you're right, it's addition to the 1 million that the Governor's budget currently has put into the bucket, due to the 3.2.

The reason I wanted to note that though, is because what they're asking for is 3.2 million and not the 4.4 that they usually got. So, the reason I think that's important, is because we don't want this fiscal note to be inflated. There isn't a fiscal note yet there needs to be, obviously we do know, we are hoping just as you said Representative Callahan, that that money does come from appropriations and can fill in that gap.
But let's not try to fill in a $4.4 million gap when Judicial is telling us they only need 3.2 million. And so, it's those kinds of like discrepancies that we do want to address. And the one other thing regarding the fiscal note, I'll just note on that, which is that we have done the estimate, having done this in multiple other jurisdictions, New York City, San Francisco and San Diego, that the actual fiscal note for providing phone calls is $1.3 million. It is not the $5 million this company is making off of our families every year. And so this total fiscal note should really be closer to seven or eight and not the 14 or 15 that it claimed last time.

REP. CALLAHAN (108TH): Good. Thank you for your testimony. And thank you, Mr. Chairman.

SENATOR WINFIELD (10TH): Thank you, Representative Callahan. Are there Comments or questions from other Members of the Committee? Comment or questions? I don't see any. Bianca, I want to thank you for coming today, offering your testimony, answering some questions, and for your efforts to pass this Legislation or Legislation like it like in past years. Thank you again, enjoy the rest of the day.

BIANCA TYLEK: Thank you so much senator take care.

SENATOR WINFIELD (10TH): All right. Next we have Kevnesha Boyd., Carl Testa and Gordon Lyde. Is Kevnesha Boyd in? Boyd in

KEVNESHA BOYD: yes sir. Can you hear and see me okay?

SENATOR WINFIELD (10TH): I can hear you see you. You have your three minutes.

KEVNESHA BOYD: Thank you. Good afternoon. Dear Chairs Winfield, Stafstrom, Vice-Chairs Kasser, Blumenthal, Ranking Members Kisel and Fishbein, and Members of the Judiciary Committee. Thank you for
the opportunity to speak with you tonight my name is Kevnesha Boyd, I live in Hamden and I'm a Board Member of Stop Solitary, CT. I would like to express my strong support for Senate Bill 1059. I have been negatively impacted by the dehumanization of incarcerated people as a former mental health counselor for Department of Corrections.

The job was causing me to lose my sanity, integrity and morals as a result of the witness abuse and lack of external oversight. The poor standards of care conflicted with my professional ethics as a licensed professional counselor. In 2017 two years into my career with DOC, I began to seek therapy to address symptoms of trauma I was experiencing as a result of the toxic work environment.

In March 2019, Robbie Talbot, who I got to know as his assigned mental health counselor in DOC was found chained dead in isolated confinement in a cell. You heard from Robbie's mother, Colleen Lord. Earlier today. Robbie needed a clinical intervention not excessive punishment. I was forced to resign after his death because I could no longer suffer while working for a department that was choosing to provide poor standards of care causing me to fear being sued for medical malpractice.

As a healthcare staff, I have ethical obligations to do no harm which requires a humanitarian mindset. According to a study conducted by the correctional supervisor council correctional staff are exposed to the highest level of trauma, exceeding the national average. In addition correctional officers died 15 years younger than any other Connecticut resident. Correctional staff have limited resources for rehabilitation, lending themselves as the primary tools for rehabilitation. The mental health and physical wellness of staff is the route to building safer and more therapeutic institutions.

The foundation of my support is established in establishing oversight and accountability. Lack of
surveillance, public view, and oversight makes correctional institutions more susceptible to abuse and neglect. A rigid chain of command like the one that exists does not support a safe and secure procedure to report misconduct in or grievances from incarcerated people. Through external oversight and accountability incarcerated people will be safer, correctional staff will be safer all fostering a healthier environment. We must humanize the DOC system, the practices and most importantly we must humanize the people. I urge you to vote for Senate Bill 1059 and in doing so, protect the lives of incarcerated people as well as DOC staff and their families across the state. Thank you for your time and consideration.

SENATOR WINFIELD (10TH): Thank you. Are there comments or questions from Members of the Committee? Representative Callahan your head still up but do you have a question this time?

REP. CALLAHAN (108TH): It must still be up. I'll get rid of it Mr. Chairman.

SENATOR WINFIELD (10TH): Okay Representative Palm.

REP. PALM (36TH): Thank you Mr. Chair. Hello Kevnesha. I'm curious about the procedure for filing a grievance. We heard earlier from another former DOC staff member who had a similar reaction to some of the procedures that she was required to uphold and she also mentioned trauma. So, I'm very interested in your experience, can you please tell me if you try to file a grievance about something that you might have witnessed?

KEVNESHA BOYD: Yes, thank you for the question of Representative Palm, I do appreciate it. So, I want to -- I'll talk about both sides. I'll talk about the procedure for reporting misconduct, possibly from a staff member and also the grievance procedure from incarcerated people. So, I worked for New Haven correctional which is the local county jail
for four years from 2015 to 2019. So, the grievance procedure for incarcerated people consists of filling out a form and there's a lot of times where forms are not made available either intentionally or unintentionally.

Incarcerated people are then asked to put this form into the non-secure mailbox that mailbox is basically collected from any staff member. There is no real accountability or operational system to ensure that the grievances are upheld. So I, unfortunately have witnessed grievances disappear, become shredded and a lot of unethical practices. My personal experiences with my attempts to report staff misconduct, what I mentioned to, in my oral testimony is, there is a very rigid chain of command that aligns with the military model that department of corrections uses.

With that military model comes a very strict and toxic blue wall of silence, for the lack of terms, and with that blue wall of silence comes a real sense of losing your identity and really kind conforming to a group of people that oftentimes neglect the basic needs. And so that rigidness causes a feeling of who can I trust to report this misconduct? Who can I trust to fully facilitate or bring this misconduct to a higher chain of command? And from a personal standpoint those reports go nowhere, they go nowhere.

I personally have tried to report staff misconduct that was resulting in incarcerated people being confined, unwarranted. It was really resulting in a lot of incarcerated people mental health decompensating. So, on multiple occasions staff misconduct doesn't go anywhere because a part of the administrative directive with grievances and misconduct does a big part that says, discretion. That is a big open window, so who assesses discretion? And that leaves a lot of opportunity again for medical negligence, negligence collectively, I'll just say.
REP. PALM (36TH): Do you agree that the prison system is a paramilitary kind of a system?

KEVNESHA BOYD: It is, it is. It’s not my opinion I believe that the current department of corrections staff or even past department of corrections staff can confirm that the rankings are military based. Captain Lieutenant, the uniforms, the keys, the boots. Even when an incarcerated person may be exhibiting a mental health crisis there's a procedure called a cell-distraction. That includes military gear, yielded guards, masks, boots, the marching, and the yelling. It is very military-based and that really ensues a toxic work environment. It doesn't feel safe for staff or incarcerated people.

REP. PALM (36TH): I don't know of course what -- where in that in that chain of command your job classification falls, but I'm just wondering, have you compared notes with people who ranked higher than you did and did they experience a similar response to lack of accountability? Were their complaints similarly squashed or magically disappeared?

KEVNESHA BOYD: I can't speak to higher rank. So as a mental health counselor of the healthcare staff and correctional staff have different rankings and very different operational systems that ultimately do cause a lot of conflict because if healthcare that's a medical model, department of corrections again does not operate on a medical model or any type of therapeutic model other than the military safety and security model.

So, I can't speak to in comparison to my experiences as a healthcare worker, compared to a Lieutenant or captain but I will generally say -- I'll specifically say for the healthcare workers we often felt a conflict in terms of who can we go to advocate for our legal ethics because again, worst
case scenario an incarcerated person pursues a lawsuit the department of corrections staff will be protected. I would still have a licensing board to answer to if the lawsuit were pursued where I wouldn't be protected by those same models because I've taken separate oath to do no harm, and to follow a very humanitarian type of policy.

REP. PALM (36TH): So it kind of sounds as though the people who run the front line of doing the care, also are at the most risk for the negative evaluations. Is that -- am I hearing you correctly on that?

KEVNESHA BOYD: Yes, you are.

REP. PALM (36TH): Okay, how would you like to see the grievance procedures strengthened?

KEVNESHA BOYD: I would like to see the grievance procedure strengthen on both sides in terms of some security. In terms of an external body, where staff and incarcerated people can say, I've gone through the chain of command, and my needs are still not being met. So, from a healthcare standpoint, that would mean a great deal to say, my ethics are being compromised, right, I can safely go to this external body, where I don't have to necessarily be worried about my report being disclosed to other people, which then would cause an extreme level of being ostracized. And that doesn't feel good when you're in a small facility, and your coworkers are your allies.

REP. PALM (36TH): And my last question. It sounds to me as though you went into this line of work with a -- to do some good, and yet you had a different kind of expectation, would you just say, quickly, yes or no. That sounds like that happened to you, right?

KEVNESHA BOYD: That's why that is very, that is very accurate. My goal was to heal from the inner
city, both my parents were incarcerated. I put myself into a lot of debt. I got my master's degree, specifically in forensic psychology, because I wanted to work in a prison. And when I got there, I was not able to do that, because my own mental health was compromised.

REP. PALM (36TH): Well, I admire so much the work that you did, and I think it's a terrible loss to the Correction system that it wasn't the fit that you hoped. So thank you for your work. And I'm sorry that you've had that experience. Thanks for being here today.

KEVNESHA BOYD: Thank you, Representative Palmer.

SENATOR WINFIELD (10TH): Thank you, Representative. Representative Porter.

REP. PORTER (94TH): Thank you, Mr. Chair. And I have no questions Kevnesha, I just wanted to thank you for coming forward and sharing your lived experience and what it is you saw and how it impacted you, as the work to give some kind of definition or depth to what inmates are going through or people that are currently incarcerated. So I just wanted to commend you on that. And thank you for being with us and for sharing. Your story was very powerful. Thank you, and thank you, Mr. Chair.

SENATOR WINFIELD (10TH): Thank you, Representative Porter. Comment or question from Members of the Committee? Comment or question? I don't see any. Thank you, Kevnesha for joining us and providing us with your testimony. I hope you can enjoy the rest of the day.

KEVNESHA BOYD: Thank you. Have a good evening.

SENATOR WINFIELD (10TH): You as well. Next we have Carl Testa, followed by Gordon Lyde and Floyd Hartfield. Carl Testa.
CARL TESTA: Hello, members of the Judiciary Committee. My name is Carl Testa. I'm a resident of New Haven, Connecticut. And I would like to express my support for Senate Bill 1059. Well, I have no direct experience with incarceration. I have been moved today, listening to the testimonies of people with direct experience within the system as formerly incarcerated individuals, those currently incarcerated, former corrections officers and family and friends of those impacted.

I fundamentally believe that all of our fates are intertwined and interconnected. Neuroscience tells us that our need to connect socially with other human beings is as fundamental to our basic needs as food, water and shelter. Extended deprivation of social connection is damaging to our bodies which encompasses both our physical and our emotional well-being. Use of use of solitary confinement has been determined to be torture by the United Nations. For these reasons, it is imperative that we make sure we end solitary confinement in Connecticut.

The United Nations Special Rapporteur has noted that Connecticut's use of solitary confinement triggers and exacerbates psychological suffering, particularly in inmates who may have experienced previous trauma, or have mental health conditions or psychosocial disabilities. This use of solitary confinement is not in the interest of the public because it increases inmate's trauma reduces their ability to heal. It makes it more difficult for them to rejoin society in the future.

And it has been noted numerous times today, the mental health of corrections officers is also put at risk by having to enact this policy. Senate Bill 1059 will end extreme isolation and abusive restraints, protects social bonds, promote the wellness of correctional officers, ensure data collection on the amount of time spent in a cell, and ensure oversight and accountability. We all
have a responsibility to make sure we are enacting policies that are humane and promote healing and reentry. I strongly support Senate Bill 1059 and urge you to favorably vote the Bill out of Judiciary Committee.

SENATOR WINFIELD (10TH): Thank you. Comment or question from Members of the Committee. Comment or Question? I do not see any, I want to thank you for joining us and sticking around and offering your testimony. Hope you enjoy the rest of the day. Next, we have Gordon Lyde, followed by Floyd Hartfield. And then Diane Keith. Is Gordon Lyde in? Floyd Hartfield? I see Mr. Hartfield on the list.

FLOYD HARTFIELD: Yes, Hartfield is here. Floyd Hartfield is here.

SENATOR WINFIELD (10TH): All right. You have your three minutes.

FLOYD HARTFIELD: Yes. Good afternoon, everybody, to the Senators, the Representatives. I'm here to testify with the Act, Protect Act of Senate Bill 1059. I am a Minister at Philips metropolitan CME church, and I go out -- prior to the pandemic, we would go to prisons and talk to the people that were incarcerated. Right now, we're still writing letters to people that are incarcerated. And although I have no personal experience, but I do hear what was going on in there, with guys, or people that were in solitary, and was very inhumane for me, for they were dehumanizing these people, putting him in restraints for 23 hours.

Locking them up with one hour of daylight. Meals, maybe every other day, you know, it's just -- for me, and I have to deal with the back end of it. My first and foremost is the person that's incarcerated. It's their wellbeing. Secondly, the communities that they come into our communities that I go into. And if they're not prepared from being
incarcerated, that's where it starts. And I don't see them being prepared for society. So, when they come out, they're damaged. And they're severely damaged, and some are broken. If you take 150, 50, are damaged, and broken. And I just want to address this and show my support for what has been transpiring and how unethical it is and how unfair it is. And we're just going to keep having a revolving door if we don't address the issues that are inside. Because mental health issues are very serious. And that's what's been going on. And I just want to share my support and in the Bill, as I said the Senate Bill 1059. Thank you all for your time.

SENATOR WINFIELD (10TH): Thank you Mr. Hartfield. Comment or questions from Members of the Committee? Comment or questions? I do not see any. I want to thank you, Mr. Hartfield for joining us today and offering your testimony. I hope you enjoy the rest of the day. Next, we'll hear from Diane Keith, followed by Randall States and Chris Herb. Diane Keith, I see you on the list?

DIANE KEITH: I am. Thank you very much. My name is Diane Keefe. I live in Norwalk, Connecticut, I want to thank the Members of the Committee for listening to all this testimony. I'm going to read to you a decision made by the Wilton Quaker meeting, which is one of many Quaker meetings in Connecticut. As Quakers we have a strong belief in the possibility of positive transformation within each person. Our long history of involvement in correctional facilities throughout the country with the alternatives to violence project gives us direct experience of such transformation.

We believe that the way people -- the way we treat people affects their ability to connect with that of God within. Criminologists have demonstrated that solitary confinement is not an effective tool for rehabilitation. The use of solitary confinement creates permanent psychological injury in
incarcerated people and could impact their capacity to make positive changes. A group of Quakers from many meetings in Connecticut recently published an Op-ed in the Connecticut mirror opposed to solitary confinement, referring to our recognition that centuries ago, our religious practices were considered a model for what became penitentiaries. Now with knowledge from modern psychiatry and direct experience volunteering in prisons.

We are aware of the damage done by prolonged social isolation. I'm testifying in support of Senate Bill 1059. For that reason, I'm going to step away from my written testimony at this point because there's another interesting juxtaposition here, which you probably haven't heard this perspective before on Senate Bill 972. But since I was listening to other people testify, I recognized that it was the state benefiting from institutionalized racism.

I was formerly a Wall Streeter. I ran the Pac's world high yield fund for seven years after founding in 1999. And I had a long career on the trading floor and the high yield sector before that. And private prison companies were one of the issuers, one of the groups of issuers in the high yield bond market and the scuttlebutt on the trading floor was -- this sector was called forced lodging. Okay, that is that is not funny. And while I was a Portfolio Manager at PAX worldwide

DIANE KEEFE: And we of course rejected it. Even though if it was just listed it had an innocuous telecommunications name on it. We were not gonna be making you usurious profits over monopoly control of contracts with state governments to sell to people who in general come from the lowest socio-economic position in society and taking usurious profits from them, is just a really unethical business practice. So, I just wanted to share that that I clearly support 972 as well, and be happy to answer any questions. Thank you.
SENATOR WINFIELD (10TH): Thank you, Ms. Keefe. Are there Comments or questions from Members of the Committee? Comments or questions? I see none. I want to thank you for joining us this afternoon and offering your testimony. I hope you can enjoy the rest of the afternoon.

DIANNE KEEFE: Thank you. Have a good day.

SENATOR WINFIELD (10TH): You too. Natalie, from Randall States, followed by Chris Herb, followed by Judy Meikle. Go ahead, you have three minutes.

RANDALL STATES: Good afternoon, and thank you for your attention and your time. My name is Randall states. I'm a resident of New Haven, a civil engineer by profession. And I'm here to support Senate Bill 105 the Protect. Solitary confinement is wrong. It's obviously harmful to the incarcerated and ineffective to society. Solitary confinement should be illegal in Connecticut. And the use of solitary has been discontinued in other states and is illegal in many countries.

As a civil engineer and trained to make observation, analyze what works, identify in efficiencies, I'm professionally bound to protect the public and provide services for public welfare. Solitary confinement causes harm. The harm is obvious to the prison -- imprisoned and their families, the depth and long-lasting effects of that harm may not be as obvious but it's clear. No one looks back at their time in solitary and thinks, yeah, that was tough at the time. But overall, I think I learned from that. No, just doesn't happen. Solitary confinement creates more anger creates more damage and more fear. As an engineer, I model systems to understand what happens on a small scale, then scale that up to look at larger effects.

On a small scale, if my daughter got into a fight, or flagrantly violated school rules, like a locker in the tool, shed, the basement, the bathroom for a
day, a week or month. That's not gonna help. She will not learn from it. Of course, not she'll come out angry, depressed, more likely to get into another fight, create more havoc. Following our current system of using solitary confinement, if she reacted like that, she should be locked up again, for a longer time, maybe handcuffed, shackled. Think that's going to correct her behavior. Scale that up to include thousands of men and women over months and years of solitary confinement.

This is wrong. Solitary confinement does not create better citizens, does not reduce recidivism. Solitary does not teach or enhance job skills for future employment. It does not teach people to read, write or communicate better. It serves no corrective function. Solitary is meant to cause harm; we have to do better. Stop solitary now. Pass Senate Bill 1059 the protect Act and thank you for your time.

SENATOR WINFIELD (10TH): Thank you very much. Comment, or question from Members of the Committee. Comment or question? I do not see any. I want to thank you very much for joining us today and offering your testimony. I hope you enjoy the rest of the afternoon. Next, we have Chris Herb five followed by Judy Meikle followed by Ramon Garcia. Is Chris Herb in?

CHRIS HERB: Yes. Hello.

SENATOR WINFIELD (10TH): You have three minutes.

CHRIS HERB: Thank you. My name is Chris herb. I'm the President of the Connecticut energy market Association. We represent 600 family-owned home heating oil and propane companies and our motor fuels Members own, operate and distribute gasoline to over a thousand convenience stores throughout the state. We're submitting this testimony in support of House Bill 5125 is local family-owned businesses designated as essential.
We work throughout COVID-19 to ensure that homes and businesses can stay warm, and that first responders and the public can fill up when needed. Despite economic challenges, our businesses remained open to provide critical fuel HVAC services, groceries, cleaning supplies, PPP over the counter medications and other products to our customers. Our Members modified their business operations to protect their employees and customers from contracting COVID-19. Unfortunately, the precautions that family owned-businesses took may not protect them from political lawsuits, alleging that customers or employees that may have been infected with COVID-19 got it from working or doing business with us.

They cannot afford to face the unfounded lawsuits that will potentially cost them tens of thousands of dollars compromising their ability to continue their operations. Essential businesses like the ones I represent have acted as good Samaritans and should not need to worry about being sued for providing critical services during the critical time. The hard-working people who worked for our heating oil and propane Members made life saving repairs to heating equipment that was failing, and made fuel deliveries without missing a beat.

Employers incurred great expense to purchase personal protective equipment and implement COVID-19 mitigation plans to keep their employees and customers as safe as possible. Our motor fuels Members and employees faced hundreds of people every day to make sure that they had groceries and gasoline. Without these services, it would have been impossible for nurses, doctors, EMTs and other first responders to get to work. If the local gas station closed during the shutdown, it would have had a devastating effect on the communities that you represent.

Now we are faced with the potential for litigation if someone gets sick or dies from COVID. As taxpayers and employers who went to great lengths to
provide essential services as safely as possible, we need to be protected from lawsuits that could do economic harm. While we strongly support House Bill 5125, we ask that the language of the Bill be modified to expand protections that the Bill seeks to provide beyond the premises of the entity, licensed HVAC professionals and fuel delivery drivers spend very little time in our offices, the vast majority work at your constituents' homes and businesses in your districts, which necessitated the Bill be expanded to cover work situations that are off campus.

These essential businesses that answered the call to serve their communities. When Connecticut needed us the most needed reliable -- need reasonable liability protections. The Bill does not cover negligent businesses, but it does protect the family businesses that were there for your constituents at their time of need. Please support 5125 with the suggested changes that I've had. And just for instance, it was a little bit of a moving target--

SENATOR WINFIELD (10TH): Mr. Herb, your time is up and I see there's a question. So, let's see about the questions. Representative Stafstrom.

REP. STAFSTROM (129TH): Thank you, Mr. Chair. Just real briefly, sir, have any of your member businesses in Connecticut and sued by a customer saying they contracted COVID? Well, on your -- on that business's premises?

CHRIS HERB: I'm not aware of any filed lawsuits. I'm aware of threats of being sued.

REP. STAFSTROM (129TH): Okay, but those threats were not followed through with an actual attorney taking the case and filing a complaint?

CHRIS HERB: They may have been I'm not I'm not aware of it at this moment. But they may have.
REP. STAFSTROM (129TH): Okay, so -- so is the -- sorry, so is the answer. Yes, you're aware of lawsuits that have been filed or no, you're not?

CHRIS HERB: No, I'm not.

REP. STAFSTROM (129TH): Okay. All right. Thank you.

SENATOR WINFIELD (10TH): Thank you, Representative Stafstrom. Representative Fishbein

REP. FISHBEIN (90TH): Thank you, Mr. Chairman. Afternoon, sir. You were mentioning another aspect that you wanted to bring to our attention of this Bill, if you could. What did you want to tell us?

CHRIS HERB: Yeah, I was just I thought I had a little extra time. So, thank you. I just wanted to bring up for instance, some of the guidance that our small family-owned businesses. When I tell you I represent fuel marketers, we don't represent Exxon Mobil or Shell, we represent literally-family-owned convenience stores that sell gasoline or the heating oil dealer, or propane dealer and guidance that was initially provided by the CDC, and by the State of Connecticut was a bit of a moving target. And I'll just give you a really simple one.

For instance, if originally, we were told if we had masks that we should donate them to hospitals, and to first responders, which our Members did, we literally sent PPE that would have been used with our employees, to hospitals and other first responders to protect them when that when the shortage was there. So, if we were to be sued now, after doing something that we were being instructed to do, and later on being told you had to wear a mask, you could see how that could be problematic. In a court of law, I'm not a lawyer, but I could see being twisted up and being questioned to say, well, if you reasonably had this and you didn't provide it
to your employees to protect them with a mask, why did you give it away? And shouldn’t you be held liable for not doing everything in your power? That's the sort of thing that we're concerned about?

REP. FISHBEIN (90TH) (90TH): Yeah, no, I appreciate that. That's perhaps why it's more prudent to make those decisions, you know, through the legislative processes, as opposed to by Executive Order, without the public being able to hear. So, I appreciate that.

SENATOR WINFIELD (10TH): Thank you, Representative. Comment or question from other Members of the Committee? Comments, or questions? Seeing none, Mr. Herb it's, so good to see you again. Thank you for joining us, hope you can enjoy the rest of the day.

CHRIS HERB: Thank you, Senator.

SENATOR WINFIELD (10TH): Next, we have Judy Meikle, followed by Ramon Garcia and Nicole Paquette. Is Judy Meikle in?

JUDY MEIKLE: I'm here.

SENATOR WINFIELD (10TH): Oh, yes, you have three minutes.

JUDY MEIKLE: Thank you. Good afternoon chairs, Winfield and Stafstrom, and honorable Members of the judiciary Committee. My name is Judy Meikle, I'm a resident of New Haven, I'm also a member of the Religious Society of Friends, where I've spent many years doing prison ministry, visiting men in prison worshiping with men in prison corresponding with men in prison. And I'm here to express my strong support for Senate Bill 1059.

This Legislation ends extreme isolation for all incarcerated people in Connecticut. I know this is the right thing to do because I've listened to and heard the testimony of people who have survived such
isolation. Not everyone survives as we've heard today. In order to convince the world of the devastating harms of isolation, survivors and their family Members relive their trauma through telling their stories. I've seen people trembling from fear and anxiety, knees almost buckling, sweat pouring down their faces at the impact of recalling their experiences, and I believed their lived experience to be torture. Solitary confinement isolates people for the majority of the day and deprives them of resources and meaningful human contact.

It causes dire mental health problems, with people engaging in serious self-harming behaviors, and -- and increased rates of suicide. And the harms of solitary confinement falls disproportionately on black and brown people. As a Quaker, I have trained as a facilitator with a program called The Alternatives to Violence project. And this program was developed by a number of different constituencies, but those included people inside in-- Correctional facilities started back in the 80s. And this project is -- through that project, I have witnessed positive transformations when we treat people with respect and connect with their humanity. I know prisons to be engines of violence.

And I know that the process of isolation of extreme isolation boosts that machine exacerbating mental health issues and diminishing people's ability to successfully rejoin their communities. I know that the violence inside prison also impacts correctional staff. And, -- and that isolation is counterproductive for everyone. We've heard from so many people today, that what we need is a change in culture. Senate Bill 1059 has transformative potential, and in the use of extreme isolation in Connecticut, and ensuring a focus on minimum standards. It addresses oversight of facilities and working conditions for Correctional staff, and will improve wellness for both incarcerated people and staff. For me--yes,
SENATOR WINFIELD (10TH): Time is up Ms. Meikle.

JUDY MEIKLE: Yes.

SENATOR WINFIELD (10TH): You’d have expired, if you could summarize.

JUDY MEIKLE: Okay. We need to -- we need formerly incarcerated advocates for panic attacks and depression caused by isolation and then inflict further pain on themselves as they share their testimony in the struggle to change hearts and minds. I pray their struggle will not be in vain. In solidarity, I strongly support Senate Bill 1059 and urge you to favorably vote the Bill out of the Judiciary Committee. Thank you.

SENATOR WINFIELD (10TH): Thank you. Comment or question from Members of the Committee? Comment or questions? I do not see any, it's good to see you again. Thank you for your consistent work on these matters. And I hope you can enjoy the rest of the afternoon.

JUDY MEIKLE: Thank you.

SENATOR WINFIELD (10TH): Next we have Ramon Garcia and Nicole Paquette and Tasha Blanco. Ramon Garcia, Nicole Paquette. I believe that saw Nicole Paquette.

NICOLE PAQUETTE: I'm here.

SENATOR WINFIELD (10TH): there you are. You have your three minutes.

NICOLE PAQUETTE: Thank you. Good afternoon, Senator Winfield, Representative Stafstrom, Senator Kissel, Representative Fishbein and Distinguished Members of the Judiciary Committee. My name is Nicole Paquette. I'm a licensed funeral director and the legislative Co-Chair of the Connecticut Funeral Directors Association CFDA, which represents approximately 220 funeral homes throughout the state. Thank you for
raising House Bill 125 an Act concerning the provision of temporary immunity from liability to entities that have safely operated during the COVID-19 pandemic, which seeks to protect certain entities from civil liability resulting from one's exposure to COVID-19 CFDA submits this testimony in support of the proposed Bill.

Providing temporary immunity from civil liabilities for certain entities including funeral homes is sensible and logical. The pandemic outbreak was caused by a new Coronavirus that very easily spread from person to person. The risk of exposure warrants inherent responsibilities and prudent measures to be taken by a minimum of parties and contingent upon all parties in a shared environment to uphold uncompromised compliance, one, and two, entity to provide promote and sustain a safe environment.

One void of gross negligence and willful misconduct, and two one to navigate such entities' environment and conduct oneself in a safe manner. Our funeral home member firms have and continue to safely operate to serve the communities in Connecticut through times of crisis and public health emergencies. Funeral Directors and embalmers are cognizant of public health and their importance, the responsibilities for their dedicated employees, the care of the decedents and the families and friends who mourn them. Despite upgraded cleaning of our facilities, best practices and mitigating and mandated measures.

This invisible foe by nature thrives upon easy transmission with a brief time of exposure. It is not a crime to laugh, sing speak, cough, sneeze yawn, or breathe, a necessary bodily function. These natural actions are scientifically accepted to produce respiratory droplets. By such means an infection can transmit via airborne exposure, either from a symptomatic or an unsuspecting asymptomatic person. Resulting loss damage, injury or death can and has already taken a devastating toll. Many of us
look to the vaccinations available to finally eradicate our common viral enemy. However, there are still unknown days ahead and House Bill 5125 will provide a steady beneficial hand to a funeral home.

SENATOR WINFIELD (10TH): Ms. Paquette. Your time is expired, if you can summarize.

NICOLE PAQUETTE: Sure. House Bill 5125 will provide a steady and beneficial hand that will allow funeral home establishments to remain operational and continue to serve their communities during COVID-19. We thank you for raising the Bill and we ask you to continue with support. Thank you.

SENATOR WINFIELD (10TH): Thank you. Comment or question for Members of the Committee? Comment or question? I do not see any. I want to thank you very much for joining us this afternoon and providing us with your testimony. Have a great day.

NICOLE PAQUETTE: Thank you.

SENATOR WINFIELD (10TH): We have next Tasha Blanco, followed by Michael Diamond, Pamela Hovland and Jovaan Lumpkin. Is Tasha Blanco in?

TASHA BLANCO: I'm here. Can folks hear me?

SENATOR WINFIELD (10TH): We can hear and see you. You have your three. Well, we could see you. You may want to restart.

TAHSA BLANCO: I'm coming back. Hello everybody. My name is Tasha Blanco, and I am the current Co-Director of Connecticut Bail Fund. Our mission is to reduce the direct harms caused by criminalization, incarceration and deportation while building power among the people and the families in our community who are most impacted by these systems. I'm here in support of Bill 972 to provide free calls and communication for those on the inside and their families.
As someone who has had my own experience in the necessity and keeping my husband connected to his children for five years and navigating the inflated costs of prisons in the form of payment of phone calls, commissary, balancing my mortgage, other Bills and putting food on the table. I believe charging these high call rates for phone calls is unacceptable for our families, communities and our loved ones incarcerated in Connecticut. We are at a critical point of where it is necessary for this change.

I have a recording I would like to play from Andre Pierce at Cheshire Correctional Facility, a loved one on the inside speaking about the importance of being connected to family. He talks about building a bridge for those imprisoned as to their loved ones. Can I can pull that up now. Having devastating impact on my family, please take my advice to pass the Senate Bill 972.

SENATOR WINFIELD (10TH): Ma'am -- Was that the end of the recording?

TASHA BLANCO: No, there seems to be some trouble with it. Give me one second. And if I do not get it to play, I think that you hear the eloquent words of Andre speaking to being separated from his families and the importance of this Bill. And it's a critical time for us to make a change here in Connecticut to keep our families connected. I can resubmit this, it seems like there's just a problem with communication all of a sudden, which is unfortunate. But as you hear from my testimony, and also Andre's testimony, it's very important for us to make a change and create free calls for our loved ones who are on the inside. So that was my segue. Thank you.

SENATOR WINFIELD (10TH): Thank you. Questions or comments from the Committee? If not, appreciate your advocacy and taking the time with us today. Next up will be Michael Diamond.
MICHAEL DIAMOND: I'm here. Thank you all. My name is Michael. Thank you, Mr. Chairman and the Committee Members. My name is Michael Diamond, I am one of the managing partners of Affineco. We're a janitorial firm here in Connecticut. We have roughly about a thousand employees in Connecticut. And I was past President of my Industry Association, which is International group. So, I'm familiar with our industry quite extensively from around the country and a number of contractors in the state of Connecticut as well.

I'm here in support of Bill 5125. I believe that, you know we need immunity. As we go in and service locations, there is no way of telling where COVID is coming from. And our industry plays an essential role in helping the economy reopen by bringing and making environments clean again to have people come back. Part of the challenges our industry faces with -- as it addresses COVID, and especially around immunity is we've been in most of our contracts. Certainly, we sanitize, and we clean bathroom surfaces, as well as break areas.

But a lot of the other areas in the buildings that we take care of, were simply cleaning for dirt. And there's a difference between cleaning for dirt versus clean for sanitizing and killing germs. So, the scope of works in the majority of our contracts do not include sanitizing. On top of that we now have customers that have asked us to come in whether they be schools, we service office buildings, public transit sites, they've asked us to come in and do extra standardization.

And we're doing that but we could clean or sanitize a building today and an hour later an occupant can come in and spread the germs again. So, we have no way of knowing how the disease is spreading. And if our work is responsible for preventing it fully because of the way it spreads and where -- how it can reoccur very simply. The cost of sanitizing also
the margins are very low. And what my fear is, is that as our -- as my competitors and peers work to service a building the margins, you know to get sued for $100,000 over someone's medical issues when the profit margins on $1,000 or $2,000 job are very low, I think a lot of companies will opt not to perform those services. And that will prevent companies and buildings from being ready to reopen the economy in Connecticut as we come back to work.

But other aspects I would say is, we're not in control of the protocols within the buildings, as customers apply mass requirements or enforce mask requirements, as well as hand washing and other things. It's not within our control. So, we really can't be sure how they're taking care of the facility after we sanitize it or claim it. Our insurances also, our general liability insurance have gotten so expensive that many contractors have increased their deductibles to high limits. And if we're burdened with having to cover the cost of any lawsuits, we're going to end up maxing out and possibly going out of business with some of the contractors and there's so many lower income families that depend on our industry for jobs that if our business is close, there'll be a meaningful impact to the jobs in the state.

REP. STAFSTROM (129TH): Thank you, sir.

MICHAEL DIAMOND: I'm sorry I didn't hear you.

REP. STAFSTROM (129TH): Go ahead.

MICHAEL DIAMOND: Lastly, our clients, the property managers, and the building managers of the world have similar issues with their insurance. And so, they're burdening us with the legal language to take the burden on it. And if this changes in terms of having them having to add scope of work, to have us cover their life -- their immunity issues or liability issues, it's just going to create a huge
change in the cost of real estate for communities and helping partners coming back and reopen.

REP. STAFSTROM (129TH): Let me ask you on that point, because I think this is actually one of my fears with this Bill. Right. Is that it -- In some respects it provides a false sense of security in my mind. You know, I keep hearing folks say, well, we're going to be immune from sue. I don't know if you're a lawyer have a law degree or if your general counsel's looked at this language. But you know, I practice in actuary. I do civil litigation, defense work for a living, right.

This Bill doesn't prevent a lawsuit from being filed. In fact, it puts the burden or the onus on a defendant in the lawsuit to prove as an affirmative defense that they have substantially complied with CDC guidelines -- will actually not even CDC guidelines, it doesn't say CDC guidelines, and it says Public Health guidelines. So that's kind of my fear. So, if -- I don't know if you have a response to that or not, but it seems to me that as somebody's going in cleaning a building, you know, through this language, if you are sued, and you have to defend the lawsuit, you then have to show as the defendant in that lawsuit that you have substantially complied or your employees have substantially complied with those public health guidelines. And it sounds like, particularly in an instance where you weren't hired to sanitize, it's going to be problematic to try to try to make that show in. Is that how you read this or you read it someone with some different way?

MICHAEL DIAMOND: I think the challenge is twofold. I think -- you know, right now, some of the buildings we service used to have a thousand occupants, there's 20 people coming to work every day, meaning the customers we service after. They need confidence to come back to work, and they need cleaning companies like ours to be able to service that. And our companies-- our company, or many others are not
going to want to do the work if we risked being -- having -- even if we could win a lawsuit by showing that we've followed all the right protocols for our employees and for the people that we service. It's going to cost us a boatload of money to defend ourselves just to win. So--

REP. STAFSTROM (129TH): Right, I but what I'm saying is, is I think under -- you still need to make that showing under this Bill. And I think the other thing -- to your point about folks coming back, and this is this is where I'm failing to see the need for this Legislation as drafted is if -- the way this is currently written is as soon as the Governor's Public Health Emergency Declaration expires, whatever that may be. I think right now it's scheduled for April -- mid-April. Right.

I think the Legislature may be coming in later this week to try to extend it. But if that doesn't get extended, the Governor's Public Health declaration ends mid-April. Folks bring their employees back into, -- you know, an office building here in downtown Bridgeport on -- in May. Right. Somebody claims they got sick after they went back to work in May because the building wasn't properly cleaned. This Bill doesn't cover that situation. This Bill only causes activity that occurred during the Public Health Declaration. So as soon as that declaration ends, the Bill becomes moot in summer.

So, there are obviously a lot of cases that occurred in the past 12 months, I'm assuming this Bill would give protection for people saying that those facilities were -- had immunity for the work that was done last year sometime.

REP. STAFSTROM (129TH): And I understand that point, I just want to -- I just want to be clear, because I don't want -- I don't want folks to get the false sense under this language that they are either not going to get sued at all, or that this provides some protection on a going forward basis
after the Public Health Declaration, because that's-

MICHAEL DIAMOND: I understand why you understand the Bill that covers the temporary period when the state has been either shut down.


REP. BLUMENTHAL (147TH): Excuse me. Thank you, Mr. Chair. And thanks, Mr. Diamond for being with us here today. Just a couple of brief questions. I heard you mentioned earlier that insurance companies had either been not underwriting the risk of lawsuits related to COVID-19, or charging you more. Could you clarify what exactly is going on? At least in your experience with -- with liability insurance in relation to COVID-19?

MICHAEL DIAMOND: They are incurring loss. What's happened is the expenses have gotten so big that companies like mine have taken on high deductible plans. And so, in turn, the burden and the risk falls back to our company, for -- in our case, the first $10,000 of each case.

REP. BLUMENTHAL (147TH): So, are they charging significantly more for premiums just generally based on the perceived threat of lawsuits related to COVID-19? Is that what they've informed you?

MICHAEL DIAMOND: I'm not aware of anything due to COVID, I could just tell you, and the insurance industry over the past 10 years has gotten harder and harder to get written. And it's gotten more and more expensive. So, companies like mine have taken on more of the risk to offset the increased cost.

REP. BLUMENTHAL (147TH): Okay, so that increased cost is a general matter not directly related to COVID-19, as far as you know?
MICHAEL DIAMOND: As far as I know, but there's nothing that tells me that if they have to pay out a huge amount of money because of liability claims, we're not going to get hit for huge increases in 22 or 23.

REP. BLUMENTHAL (147TH): Okay, and are you specifically aware of any personal injury cases related to COVID-19 in Connecticut?

MICHAEL DIAMOND: I'm not aware of any cases in Connecticut specifically. I will tell you that I'm involved with a national lobbying group that's worked with the federal government about similar Legislation about immunity. And I've been told, and I can get more information. I don't know how I would send it to you. But if you're interested that there's been some 800-plus lawsuits filed around the country over liability issues.

REP. BLUMENTHAL (147TH): Okay, well, my understanding is that over -- that there are no cases in Connecticut and that over the whole country, that number has been very, very small in terms of cases directly related to COVID-19 in the personal injury arena that most have been kind of COVID-19 adjacent related to employment matters or contract matters or other similar things. But any of that I appreciate you coming here to testify and answering my questions. Thanks very much. And thanks for Mr. Chair.

MICHAEL DIAMOND: Thank you.

REP. STAFSTROM (129TH): Representative Fishbein.

REP. FISHEIN (90TH): Thank you, Mr. Chairman. Good afternoon SIR. I just wanted deal with that prospective application of this, I believe the chairman was asking you about -- you know, looking at section B lines 21 through 23. You know, I read it to be that compliance was substantially with regard to the Executive Orders of the Governor and
the guidance of the Department of Public Health. So, if the Executive Orders went away, then it wouldn't be perspective, right. That's the way I read this.

MICHAEL DIAMOND: Okay, I think you probably better interpret it than I am.

REP. FISHBEIN (90TH): Are you a lawyer, sir?

MICHAEL DIAMOND: No, I'm not.

REP. FISHBEIN (90TH): Okay. Okay. I just so, okay, I understand I understand where you're coming from. Okay. Thank you, Mr. Chairman.

MICHAEL DIAMOND: I would add as you talk about perspective, it's a challenge because there's -- what if other infectious disease or variant becomes an issue in the future. So, you know, there may be -- at least with COVID, there may be some future consideration for this based on different variants.

REP FISHBEIN (90TH): Thank you.

REP. STAFSTROM (129TH): Thank you, sir. Seeing no further questions, appreciate you being with us.

MICHAEL DIAMOND: Thank you.

REP. STAFSTROM (129TH): Next up will be Pamela Hovland. Javaan Lumpkin. Abby Steckel, Imani Pennant

IMANI PENNANT: Imani Pennant.

REP. STAFSTROM (129TH): Sorry about that sir go ahead

IMANI PENNANT: Good afternoon Senator Winfield, Representative Stafstrom and Members of the Judiciary Committee my name is Imani Sharif Pennant. As a member of KATAL Center for Equity, Health and Justice I strongly support passage of Senate Bill 1059 the Protect Act. The Protect Act is monumental
and changing the very fabric of how the inside of prisons operate, the immense ripple effects of passing a substantial Bill like Senate Bill 1059 when due will show positive and productive byproducts in our communities. Right now, the insides of prisons are built to break the incarcerated individuals in every way especially psychologically.

It's a place to build to take our faith and leave you uninspired. Prisons work in dehumanizing our natural way of interacting with people to the point you can't even function in a normal society. Most people going into prison end up worse than before they went in because of the trauma and mental health repercussions. One year ago, today in fact I was sitting in solitary confinement in the Connecticut Department of Corrections.

I was placed in solitary confinement because I wrote a letter to the Warden of McDougall-Walker Correctional Institution, trying to address concerns about the inhuman conditions we were subjected. To. We were experiencing things like black mold in our showers, the shortening of our Rec. being fed expired food and many other things. For the letter to the warden I ended up getting signatures for every last incarcerated individual in my tier which totaled up to over 115 signatures.

A few days later after sending the letter I was placed in the box, the reasoning being I was inciting a "riot" quote unquote. All I asked was to be treated like a human and the immediate response was unjustified and inhumane punishment. The Correctional Officers that placed me in the box didn't even want to do it in the first place yet we're forced to.

This is another reason why I support the Protect Act as much as I do because staff Members alike are adversely affected by the punitive system. Staff Members of the DOC are incentivized to treat their
fellow human beings as animals and are told to go against their natural inclinations of compassion and care. The long-term effects of working a job like this corrodes the mental health state of and wellbeing of those employed. So, this is not just an issue concerning the humanity of people who are incarcerated but an issue concerning the humanity of everyone in the DOC.

At the onset of the legislative session, we actually all began our cut shut invest campaign which we see to cut the number of people incarcerated in jails and prisons. Cut the number of people on probation and parole and in turn shut down prisons and ultimately invest in the communities most harmed by systematic racism and mass incarceration and then use those funds to use to go towards housing, healthcare, education, jobs and more. At KATAL we support the Protec Act and we support Stops Solitary, CTs ongoing rigorous efforts to that northern CI, not only be closed but demolished.

We have to put an end to the harmful and tortures practices of northern CI and ensure that those practices are not recycled in other parts of our Correctional System. I humbly, and graciously thank you guys for your time today for giving me an opportunity to speak with you guys. Thank you.

REP. STAFSTROM (129TH): Thank you. Representative Palm.

REP. PALM (36TH): Thank you Mr. Chair. Mr. Pennant, hello thank you very much for being with us. Did you hear the testimony of Kavnesha Boyd by any chance?

IMANI PENNANT: I think I just missed it.

REP. PALM (36TH): Okay she was a former Corrections Officer who told us about the disappearance of petitions for redressing grievances and I was wondering if -- do you feel as though -- you said that your incarceration or you're being put into
solitary was a direct result of the grievance that you were trying to bring forth -- I think you said it was a petition of means, is that right?

IMANI PENNANT: 100%.

REP. PALM (36TH): And were you told that that's why you were being put there they didn't say it's because you did something else that you didn't do they were actually telling you that's why?

IMANI PENNANT: There was -- there was nothing else that I did do, ma'am. And the ticket that I received was inciting a riot. The only other ticket you can receive from that is getting signatures from everyone else and then that'd be taken as you know inciting a riot.

REP. PALM (36TH): That's outrageous. Do you do you have any suggestions of how the grievance procedure could be improved. I don't know if you have ideas for it but it seems as though when -- people make a good faith effort to bring to light some problems that are happening in corrections didn't go away.

IMANI PENNANT: Definitely I would have to get back to you on that probably speak to one away I don't want to take up too much time but it's a pretty tall hill to climb up when you try to send letters out and it's being intercepted so it's pretty tough to address something like that especially when a lot of the things are being addressed in house and aren't making it out

REP. PALM (36TH): And just tell me again, so one more time, how long were you in solitary as results of this petition.

IMANI PENNANT: I was there for almost a month up until my release.

REP. PALM (36TH): One month?
IMANI PENNANT: Yeah.

REP. PALM (36TH): And during that time how often were you went out at all? One hour, is that it?

IMANI PENNANT: Well, I was 27th of March 2020 so this was on the cusp of the whole entire COVID situation so I wasn't allowed to come out even for regular solitary confinement time which is like an hour a day. So, I was let out once every three days just to shower.

REP. PALM (36TH): Okay thank you thank you very much for being here and I’m sorry that you went through that more sorry than you know and I appreciate very much your candor.

IMANI PENNANT: I appreciate you guys.

REP. STAFSTROM (129TH): Thank you. Thank you both next up will be Reena Kapoor.

REENA KAPOOR: Hi, thank you very much my name is Reena Kapoor, and I’m testifying today in support of Senate Bill 1059. I’m a forensic psychiatrist and Associate Professor at the Yale school of Medicine. I’ve spent my career providing mental health care to people involved with the criminal legal system including in the Connecticut DOC. My scholarly work focuses in part, on studying the psychological effects of solitary confinement, and over the past 10 years I have advised the US Department of Justice, the National Institute of Justice other state legislatures federal courts state prison systems and advocacy groups about mental health treatment in prisons and the use of solitary confinement.

I’m happy to be able to be here and speak with you today. A lot of what I had planned to say and what's in my written testimony has already been said much more eloquently and persuasively than I could have, by people who have lived through the experience of
being in solitary confinement, so I think I'm going to use my time just to address some of the questions that the Committee Members raised earlier, or issues that I haven't heard addressed already today. The first question was about how many people are in solitary confinement in Connecticut? And I agree with what was said about the lack of transparency and so it's difficult to know, but I can give you one data point that the outstanding students at Yale Law School and the Correctional Leaders Association put out a report in the beginning part of 2020, before the pandemic, where they had surveyed state prison systems and just asked them on the day, you're filling out this survey, how many people are in solitary confinement defined as greater than 22 hours a day in their cell for more than 15 days? And Connecticut's answer was 106. And about half of those had been in solitary confinement for six months or more.

I'd also note that they asked kind of about people who didn't quite meet that threshold, either, because they were only spending 19 to 21 hours a day in their cell or had been there for less than 15 days. And that number was 297. So, my best estimate about how many people are going to be affected by Senate Bill 1059 is several hundred. I also wanted to highlight some things about self-injury in solitary confinement. Half of the suicides in prisons occur in solitary confinement cells, even though less than 5% of the population is there on any given day. There's a seven times higher risk of suicide for people in isolation, and that doesn't go away once they've been released. And there's a higher risk of death even after they've returned to the community in that first year. If by virtue of having been placed in solitary confinement.

REP. STAFSTROM (129TH):  Ma'am your three minutes are up, you need to wrap up.

REENA KAPOOR:  Okay, I'll just stop there.
REP. STAFSTROM (129TH): Thank you very much. Questions or comments from the Committee? Seeing none appreciate you being with us.

REENA KAPOOR: Thank you.

REP. STAFSTROM (129TH): Next up will be Richard Scarso.

RICHARD SCARSO: Yes.

REP. STAFSTROM (129TH): Go ahead, sir. We can see you.

RICHARD SCARSO: So, this is Richard Scarso, I live in Waterbury, Connecticut. I'm giving testimony today regarding Senate Bill 978. And I like to read a letter that was sent to Senator Winfield from Edward [Falvey] inmate No. 84588, who was incarcerated in Cheshire. Regarding the 970, he says, my name is Edward Falvey. I'm currently incarcerated at Cheshire Correctional Institution. I am serving an indeterminate sentence of 15 -- 15 to life for crime that occurred in June of 1978. I have written to you in the past concerning the maximum term of life in my indeterminate sentence. For your convenience, I'm enclosing a copy of the last correspondence on that of matter.

I am also writing to you about the raised Bill 978. Once again, the legislature in this raised Bill No. 978 appears to be exclusive to persons such as myself, because of my crime occurred during this state's indeterminate sentencing era. As a reminder, my crime occurred while I was 18 years old. The raised Bill number 978 offers a lot of new protections for the class of people whose crimes occurred before they turned 25 years of age. While I appreciate and applaud raised Bill number 978. I once again feel that myself and others similarly situated, crimes occurred before we turn 25 years of age, but prior to the state's to definite sentencing law, becoming effective July 1 of '81 are being
excluded, denied all the protections this raised Bill will give them give to persons who were under age 25 at the age when their crimes were occurred.

I don't know if -- it's the intent of raised Bill 978 to offer protections to one group of people whose crimes occurred while they were under the age of 25. Yet also denied these very same protections to another group of people whose crimes also occurred while they were under the age of 25. But prior to this state's definite sentencing scheme being enacted on July 1st 81. If this is the intent of raise Bill 978. It definitely lacks equity and fundamental fairness for persons such as myself and others similarly situated. Although I see language that may offer me the same protections, it clearly offers those under this definite sentencing scheme. Will you please let me know if I am offered the same protections under Bill 978--?

REP. STAFSTROM (129TH): Thank you sir.

RICHARDO: Yes.

REP. STAFSTROM (129TH): We're past the three-minute mark.

RICHARD SCARSO: Yes, I just like to summarize that Mr. Falvey committed his crime when he was 18. He was sentenced to 15 years to life, you know, with parole, but he's been incarcerated now over 40 years, for a 15 to life sentence. Thank you.

REP. STAFSTROM (129TH): I got a question for you from Representative Fishbein.

RICHARD SCARSO: Yes.

REP. FISHBEIN (90TH): Thank you, sir. Good afternoon.

RICHARD SCARSO: Thank you.
REP. FISHBEIN (90TH): Sir. You've been referencing Bill 978. Yes. And I don't see a Bill 978 on our agenda here today. Is it -- if you could just focus me where I'm supposed to be -- the only -- the Bill 972 No, it was my understanding that in this session, raised Bill 978 was being worked on? Maybe it's my mistake, but it's--

REP. FISHBEIN (90TH): I think, sir, you know, I appreciate you for coming here today. And you know, giving us your perspective. 978 had a Public Hearing on March 10.

RICHARD SCARSO: Ah.

REP. FISHBEIN (90TH): So, I appreciate you know, it's -- got it all together now.

REP. STAFSTROM (129TH): Thank you. Thank you, Representative Fishbein. I missed the reference. I appreciate you catching that. Sir. Unfortunately, the testimony you just gave we have to kind of disregard for today because that that Bill is not on our agenda. But I would encourage you to make sure you resubmit the written testimony with respect to the Bill number and we can -- we can work to still add that to the record from when we heard that. But for today,

RICHARD SCARSO: For the 10th?

REP. STAFSTROM (129TH): Yeah. I thank you representative Fishbein for catching that. We will move on to Abby Steckel.

ABBY STECKEL: Thank you. Hello, Members of the Judiciary Committee. My name is Abby Steckel and I'm a resident of New Haven, I support Senate Bill 1059. I'll be using my time today to read anonymous testimony that was shared with Stop Solitary Connecticut by someone who is currently incarcerated. So, here's what they wrote. "I've been chained up shackled, handcuffed, and tethered for 72
hours at a time. On different occasions, I've been tied down in four-point restraints to a bed for 16, 18, 24, 26 hours.

There is no individual therapy going on just mostly emergency self-harm cases. One phone call a week $25 spending limit per week commissary, one hour of Rec. This is what starts the proverbial tumbling down the rabbit hole. It's just you alone with your thoughts. You have some who are too mentally ill to behave. These guys smear shit on themselves and the cell get mazed chained up etc. Another kind of inmate is a fearful one that falls into two categories, (a) being they've been here so long, they come to regard their oppressive captivity as a sanctuary. They self-sabotage themselves by catching frivolous tickets to basically hit reset on a 10-month program. (b) Being inmates who are particularly scared of other inmates and or staff and participate in the self-sabotaging behavior, only to isolate themselves from general population, all of which is well known to staff.

But with inadequate mental health staff and higher-ups basically saying no harm, no foul. All of these men described suffer the same psychological damage induced by solitary confinement. There is no correct way to be held captive, and humans were never meant to be caged. This punishment is a breaking one. Thank you for your time. I'm calling on you to end solitary confinement by passing Senate Bill 1059."

REP. STAFSTROM (129TH): Thank you. Seeing no questions from the Committee. We appreciate you being with us. Next up will be Hannah Ji. Who I don't believe is with us? So, Willa Ferrer.

WILLA FERRER: Hi everybody. My name is Willa Ferrer. I'm a resident of New Haven who supports Senate Bill 1059. Like Abby, I'll be using my time today to read anonymous testimony that was shared with Southbury Connecticut by someone who's currently incarcerated. At first being in Northern
was me judging my fellow inmates not knowing the torment that was really going on. Thinking this prison was made for belligerent mentally insane, suicidal inmates. Even though I have some disorders, my mental health, I seek help on the outside.

I was confident without knowing it's about to be a hardship for myself. And my mental capability wasn't safe. Months in I started to see realize wearing cuffs to the back. A tethered chain, which is in use attaching to animals and leg irons everywhere inmates go, is starting to affect my mental. I see us inmates being provoked talked to like less than a human being. As a black man, I look at solitary as a BLM Movement.

A couple inmates have been brutally beaten by officers here inmates are human no matter what they're convicted of. When I was forcefully placed in phase three of administrative segregation, they didn't place me for no reason. A few days later, I got -- I get a refusing program ticket stating I didn't want to go to the next phase. They regressed me all the way back to phase one. After being positive for a whole seven months. They placed me back on full restraints from a false allegation.

So, I had a reactive mindset and all the suicidal thoughts. I tried explaining but there wasn't trying to communicate. I swallowed pills and covered my window. I just wanted to die. I was tired of mentally suffering at Northern having the light of getting out of Northern blocked off right at the end of the tunnel for no reason. I ended up getting sprayed with chemical agent in place on in cell restraints, which is cuffed hands, tethered chain and leg irons, for hours in an unclean, unsanitary cold cell.

With other inmates' feces still linger around, and the smell of urine, even old dried-up food. The trap where we cuff up and where food is placed is beyond filthy. The day I was let off that status and placed
back in myself, I wasn't allowed to shower to get germs and chemical agent off my body, which led my body to burn for two days. Then the hot shower didn't help. It felt like my body was on fire for two weeks. I wanted to commit suicide again. I talked to the walls all day.

I feel hopeless, worthless and helpless. I'm going home feeling less than a man the hardship everybody on and I was judging finally sunk as well. I feel guilty for thinking I was better not knowing the true story of solitary confinement. Every inmate placed in solitary confinement will mentally fall victim to it. Thank you for your time, we need to stop solitary confinement by passing Senate Bill 1059."

REP. STAFSTROM (129TH): Thank you, ma'am. I'm seeing no questions from the Committee. Appreciate you being with us. Next up will be Alison Brown.

ALISON BROWN: Thank you. For my testimony, I'd like to play a recorded message from an individual named Valentine, who is currently incarcerated and would like to speak in support of Senate Bill 972. Please let me know if you can't hear the audio,

REP. STAFSTROM (129TH): Ma'am I need you to just spell the--

ALISON BROWN: Pardon, sorry.

REP. STAFSTROM (129TH): Could you spell last name of the individuals this -- again, for the record, the problem we have is we have to keep a transcript of who's testifying before the Committee and try to document it for the public record. So, if folks are playing recordings or reading anonymous testimony, it does make it difficult for us to get an accurate transcript and to get an accurate record of who has testified before the Bill. So, if folks are not testifying for themselves, they're reading something and need folks to say very slowly and clearly the
name of the individual and to spell it as well so that we can try the best we can to get an accurate record. So, if you could just not to call you up for that, but I've been meaning to kind of make that warning for everyone. So, if you could just start over with the name of the individual and then play the recording.

ALISON BROWN: So the name is Valentine spelled like the day V-A-L-E-N-T-I-N-E, and they're testifying in support of Senate Bill 972.

REP. STAFSTROM (129TH): What was the first name?

ALISON BROWN: Not provided.

REP. STAFSTROM (129TH): Okay. All right. Go ahead.

ALISON BROWN: So, I'm talking to you guys, I'm Alison Brown. It's been hard [inaudible] so the Bill will really help as far as being [inaudible] all my kids. My girlfriend has to get three, four accounts [inaudible] for hearing me. So, I think this Bill will definitely help -- you know, [inaudible 00:58:42] everyone else out there. Because it seems we don't have no chance here for [inaudible 00:58:52 - 00:58:56].

Because everybody's getting virtual these days, especially right now. Yeah, so just to briefly summarize what was heard in case the audio was a little bit hard to hear, the individual was calling because their partner has to pay for four separate Securus accounts to speak to them, they're unable to speak to their children during a pandemic. So just to underline how important Senate Bill 972 would be, to connect parents to their children. Thank you for your time.

REP. STAFSTROM (129TH): Thank you. Seeing no questions. Next up will be Andre Lama.

ANDREW LAMA: Hi, am I on screen?
REP. STAFSTROM (129TH): Yeah, I go ahead sir.

ANDREW LAMA: My name is Andrew Lama. I'm the Program Director at Ameelio. We're a New Haven based nonprofit founded out of Yale University with a West Hartford based team. We're a Connecticut-based organization that focuses on free communications for incarcerated people and their families. And that does not mean solely advocacy, but also the technical side as well.

And so in our role, we approach the Connecticut Department of Corrections as well as other departments of corrections, with an offer to provide free video conferencing services to the DOC at no cost to families and at no cost to the state. We're here today just to speak in support of Senate Bill 972, and to speak on the state of video communications and advanced communications in the state of Connecticut, Connecticut, since Thanksgiving, has implemented a limited free video program for incarcerated people in certain facilities.

And that is to be applauded. It shows in part how easy it is to develop and promote free communications for incarcerated people. It should not -- it should be noted by the Committee and everybody here today that this video call that's been going on for a few hours now is free. There might be an institutional fee that the state of Connecticut has to pay to make this video call happen. But video and telephonic communications these days is actually very cheap. And we're launching similar programs in other states, two states as of May 2021.

We're providing free video calls for all incarcerated people to these two states for free at no cost to the state and at no cost to the people. Now, this is possible because, like I said, technology has gotten cheaper by the year to support
free video calls. And because the state has taken responsibility to actually store these recordings. The storage of these recordings and the state willingness to store recordings of video, audio and phone calls is one of the largest contributors to the cost. And the only reason for why for-profit providers are the only providers in the space.

So, in short, I would summarize that Ameelio is the only nonprofit provider of prison Communications of the technology of prison communications. We're interested in supporting our home-state of Connecticut. We’ve approached the state in the past, we ran into some set some difficulties with the Department of Administrative services that claimed that due to an RFP that there would be a conflict to having a conversation with us. We found out in other states that this conflict is kind of a phantom, it doesn't exist.

And that's in large part because we're offering a free service at no cost to the state or to families. And so, we're interested in rekindling that conversation with DAS, rekindling that conversation with the DOC and promoting free family contact in the state of Connecticut. Thank you for your time and I'm willing to answer any questions.

REP. STAFSTROM (129TH): Thank you sir. Questions or comments from the Committee? Seeing none, appreciate you being with us.

ANDREW LAMA: Thank you Have a great one.

REP. STAFSTROM (129TH): Sana Shah.

SANA SHAH: Dear Senator Winfield, Representative Stafstrom, Senator Kissel, Representative Fishbein, and Esteemed Members of the Judiciary Committee. My name is Sana Shah and I'm testifying today on behalf of Connecticut Voices for Children. For the purposes of time, I'm reading a truncated version of our submitted testimony. Connecticut Voices for Children
is testifying in support of Senate Bill 972, an Act concerning the cost of telecommunication services in correctional facilities.

Every year, Connecticut families spend over 12 million to talk to incarcerated loved ones. And even prior to this pandemic, nearly one in three went into debt trying to stay connected. This presents a major economic barrier to families and black and brown women carry 87% of this burden. Today, the state's income and wealth divides are greater than ever. But so much of a child's wellbeing is rooted in family economic security. There is an interdependent relationship between economic justice and criminal justice.

And without addressing these economic barriers, further justice reforms would be limited in their effectiveness. Incarceration already places emotional and economic pressure on families, and more than half the state's prison population are parents. The physical separation between children and their parents during incarceration can disrupt attachments, and harm children's health and wellbeing.

Additionally, due to the COVID 19 pandemic, prisons have decreased visitation, making it even more difficult for children to have the secure parent bond necessary for them to flourish. As a result, families are now especially relied on phone calls to keep them connected with their incarcerated loved ones. But Connecticut has the most expensive prison phone call rate in the country. It costs as much as $5 every time a child wants to hear their parents' voice for just 15 minutes. Research shows that children facing parental incarceration also do better at home and school when they can maintain relationships with their parents in prison.

Economic stability from not going into debt due to the high cost of phone calls will increase child prosperity, and future economic outcomes. Finally,
family contacts or phone calls also helps incarcerated individuals transition back to their communities. Connecticut Voices for children also support Senate Bill 1050, which will make it easier to release individuals who have preexisting health conditions into community supervision and Senate Bill 1059.

Known as the Protect Act, Connecticut voices for children urges the Committee on Judiciary to pass Senate Bill 972, Senate Bill 1058, and Senate Bill 1059. These policy changes support parent's ability to connect with their children and loved ones. Decrease recidivism, mitigate the risk of serious illness or death or track the safety of incarcerated individuals and their communities and promote the humane treatment of people who are incarcerated. Thank you for your time and consideration.

REP. STAFSTROM (129TH): Thank you. Well done on the three minutes. Karimah Mickens

KARIMAH MICKENS: Good afternoon, Senator Winfield, Senator [sic] Stafstrom, and all the Members of the Judiciary Committee. My name is Karimah Mickens [Webber] and I reside in Hamden and I'm here to express my strong support for Senate Bill 972 and Senate Bill 1059. Every year Connecticut families spend over 12 million to talk to incarcerated loved ones. Nearly one in three went into debt trying to stay connected. And women largely black and brown women carried 87% of that burden. Black and Brown women -- black and brown people continue to suffer at the hands of systemic racism, the state should not profit off of people's pain.

The telephone is a lifeline for prison families. Restricting communications in and out of correctional facilities can lead to strained relationships, a fracturing of networks, poor mental health outcomes, and a greater likelihood of recidivism for people who are incarcerated. Research has shown that the regular communication between
incarcerated people and their families improve physical and mental health and prison. It can help prevent the children of incarcerated people from falling into depression and poor school performance. Maintaining family bonds while in person also reduces the chance of recidivism and helps former incarcerated people make an easier transition back into society.

I'll be honest, I struggled preparing this testimony because for me, it's very painful. I know what it's like to be on the outside young person trying to support my family members maintain relationships, recognizing mental health was on the line connection to their children to their support system. Being able to provide direction hope, connection to life outside, and encouraging preparation for reentering. We can all agree investing in our children is investing in our future, investing in families' benefits our community.

Every year we spend millions of dollars on programs that serve as at-risk youth, underserved youth and youth with incarcerated parents. Programs for inmates to prepare them for successful reentry. And yet, we are inflicting a state-imposed barrier to providing children access to their parents, parents who can provide them the very connection and guidance they need -- they need. It's a penalty, a financial burden imposed on families, spouses and children after the court's judgment has been rendered. It's further damage to the family that was not adjudicated by the judge. The state acting as a court of its own.

I personally think it's shameful to profit off the most marginalized among us. Families disproportionately bracket -- black and brown, struggling. If COVID didn't show us anything, it reminded us that human connections are vital. Connecticut is a wonderful state and we're always looking for ways to improve the lives of our citizens to make it more equitable. People over
profit, right. Let's make it more accessible for inmates to communicate with their families. I ask that you please act now to protect Connecticut families by passing Senate Bill 972 and removing the financial burden of connecting with incarcerated loved ones now forever. Thank you.

REP. STAFSTROM (129TH): Thank you, ma'am. Represent Porter.

REP. PORTER (94TH): Thank you, Mr. Chair, no questions. Just wanted to thank my good friend Karimah for being with us today. You're pushing on your own testimony, his thoughts support for this Bill. Thank you, Mr. Chair.

KARIMAH MICKENS: Thank you Representative.

REP. PORTER (94TH): You're welcome.

REP. STAFSTROM (129TH): Thank you Representative. Thank you both. Next up will be Nancy Peters.

NANCY PETERS: Senator Winfield, Senator [sic] Stafstrom, and Distinguished Members of the Judiciary Committee. My name is Nancy Peters. I live in New London, Connecticut. As a member of the KATAL Center for Equity, Health and Justice, I strongly support passage of Senate Bill 1059. The Protect Act, when people are able to get their basic life needs met in society, including for housing, education, a livable income and dignity, they're unlikely to risk taking actions that might lead to their incarceration.

We know that the majority of those locked up in Connecticut prisons and jails are poor, black and brown people, the very same people whose basic needs are disproportionately not being met in our society. And we know that a significant number of incarcerated people suffer from mental illness and substance use disorders. What they desperately need is appropriate medical care, treatment and skills
they can use to make it on the outside. But instead they get torturous solitary confinement shackles and restraints, they get an environment in which they have no recourse to justice when they're mistreated. They get substandard medical care and virtually no treatment. And once released from prison, they emerge with greatly compromised physical and mental health and a badly damaged self-sense of self. And now as ex-felons, they must try to survive in a society that discriminates against them at every turn.

Among other important reasons, the Protect Act is greatly needed because it would restrict the use of isolation restraints and shackles on incarcerated people, practices that cause needless suffering and permanent psychological damage, while doing nothing to increase public safety. And could tell whenever we come together to plan an action, we start by stating the values that are motivating us. I'm here today urging you to vote for this Bill. Because I believe that as human beings, every incarcerated person deserves to be treated with respect dignity and fairness.

And if I know there are people whose basic human rights are being violated in my name, it's my obligation to petition you, my elected officials for changes. I'm so grateful for all the impacted individuals who are testifying today. May their so authentic voices move you to do what's right in pass this Bill? I hear you and applaud you, my heart and gratitude, especially go out to Traci Bernardi for presenting such strong testimony and for her courage coming here.

Despite knowing that she might be subject to questions that could re-traumatize her as I'm afraid might have happened today, but I don't have the right to sit back and do nothing, telling myself it's not my concern, as I'm not directly impacted. The fact that neither I nor my loved ones have been
incarcerated has everything to do with my white middle class privilege.

In fact, I am profoundly impacted by in justices that are happening to other people in my name, most of my incarcerated neighbors get out of their cages at some point. And if they have been hurt, traumatized and scarred by their treatment, insight, how does that impact all of society? How does that impact me and -- I'll finish, at a deeper level, as my Zen Buddhist practice teaches. Those abused, others are not separate from myself, they are me, and our humanity is intimately intertwined. And for these reasons please do support this Bill today. Thank you.

REP. STAFSTROM (129TH): Questions or comments? Seeing none, appreciate you being with us, ma'am.

NANCY PETERS: Thank you.

REP. STAFSTROM (129TH): Next up will be Sofia, Frauenhofer.

SOFIA FRAUENHOFER: Yep, Frauenhofer. that's me. So, Hi, everybody. I'm Sofia Frauenhofer, and I'm a college student. I live in Torrington right now. I've lived here basically my whole life. And you know, Connecticut is my home. And I really care about what happens here and the health and safety of every person in Connecticut. And that includes our incarcerated people. And, you know, I can't I can't speak to what that experience is like, but I can speak to my own experiences with health and safety, mental health, particularly.

And I've dealt with mental health issues for much of my life. And I've got to say, this past year has not been great for it. Because I'm like, a lot of my stuff that better as I went away to college, but coming back, and being isolated from all the people who I've met and have loved has just been immensely difficult. And it's brought back a lot of self-
destructive behaviors that Yeah, I thought I've recovered from years ago, like self-harm and disordered eating and stuff like that. And so, the thing is, like, this is coming from somebody who's had it relatively easy throughout the pandemic, like, I'm in a stable home environment.

I have friends who live nearby and the friends who I don't have nearby I can easily call or text you know, yeah. And so, the thought of like, being in solitary confinement, I feel like that would just be disastrous for my mental health or anyone's mental health. And I know that I'm not alone in feeling that way that a lot of us have had a lot of struggles over the past year, mentally because of the isolation of the pandemic.

So, and like it's not hypothetical, the thought of being in solitary confinement, that extreme isolation. There's real people in our state dealing with that right now, and studies have shown that about 50% of incidents of self-harm that occur among incarcerated people occur among those who have been in solitary confinement, and that even seven days of solitary can have irreparable harm on their mental health, and can make them more violent.

And so out of concern for the mental health of these people in our state, and their loved ones, the people around them, the people they work with, I strongly, strongly urge you to support Senate Bill 1059 to end solitary confinement in Connecticut, and Senate Bill 972, to widen access to free phone calls. And I thank you so much for your time, and I hope you have a lovely rest of your day.

REP. STAFSTROM (129TH): Thank you. Seeing no questions, appreciate being with us. Next up will be Christina Quaranta.

CHRISTINA QURANTA: Senator Winfield, Representative Stafstrom, other Distinguished Members of the Judiciary Committee. My name is Christina Quaranta,
and I'm the Executive Director of the Connecticut Justice Alliance. I'm writing this testimony to communicate my strong support for Senate Bill 1059, otherwise known as the Protect Act. See, CTJA is a statewide youth adult partnership that works to end the criminalization of youth through work in public policy and advocacy.

We strongly support the Protect Act, an act that promotes responsible oversight, treatment and effective correctional transparency. We also strongly urge the legislature to ensure that funds that are saved from the closure of Northern Correctional Institute, around $46.9 million are invested back into the communities of color and into improving reentry and internal support services for folks who are incarcerated or have been released. The oversight and accountability portion of this Bill is sorely needed to ensure that there's an independent service and ombudsperson that's responsible for responding to people who are incarcerated and hearing their concerns.

A body that is able to fully investigate the DOC and advocate for people who are incarcerated would be an improvement to the criminal legal system. The Office of the child advocate testified this morning and clearly outlined in verbal and written testimony all the findings of their November 2020 report that detailed their investigation into man Manson Youth Institution and your Correctional Institution. The data inside of that report is important to the Protect Act because youth that are incarcerated inside of MYI and why CI are continually subjected to solitary confinement. Some of the Office of the Child Advocate findings included black youth picking up a majority of the incarcerated population at MYI and York.

They discuss education, isolation and restrictive housing concerns chemical agent use on young people, among other things. One should be careful not to get stuck on the word solitary and how the DOC defines
it. Being locked in a cell for 22 to 23 and a half hours per day is isolation and punishment, it's not an intervention. MYI is a prison that's located in Cheshire where young men ages 15 to 21 years old, are incarcerated. Currently, there are 33 young men incarcerated there and about 85 to 90% are either black or Hispanic.

York Correctional has one young woman at this time. And because she is the only one under 18. She's in de facto solitary. Stated above and is talked about in the Child Advocate report, Manson Youth also utilize is confined to quarters which looks like 18 to 23 hours a day in your cell that can last from one to 30 days. And many of the youth there have been on that status multiple times and that's regardless of any type of disability or special education needs.

In summary, the Department of Correction continues to use frequent and prolonged cell confinement isolation as a behavior management tool. We strongly support the end of that there are other methods that need to be used and implore that solitary confinement must end I submitted written testimony with statistics and other items. If you're interested. We support the Protect Act. Thank you.

REP. STAFSTROM (129TH): Thank you very much. Comments or questions from the Committee? If not, always good seeing you. Thanks for being with us.

CHRISTINA QUARANTA: Good seeing you too. Thanks.

REP. STAFSTROM (129TH): Iliana Pujos.

ILIANA PUJOL: Hello. Dear Chairs, Winfield, Stafstrom, and Members of the Judiciary Committee. My name is Iliana Pujos, I am the Policy Director of the Connecticut Justice Alliance. And I'm reading this testimony in strong communication -- in communication for my strong support for Senate Bill 972. The Alliance is a youth adult partnership model
working to end the criminalization of youth we include justice staff, Justice Advisors, and steering Committee members, which include lawyers, researchers, clinicians and etc.

I strongly support Senate Bill 972 for many Reasons Personally, I know what it's like to see someone struggling to maintain phone call costs for individuals that are incarcerated, and it impacts more than just the inmate. 15 minute phone calls an average of about $4.87, which means only 115 minute phone call each day is almost $35 a week. During a time like this now, especially with the current pandemic, that cost can be really hard to maintain. Many families were impacted and are still being impacted by the loss of employment and are barely able to make -- you know, the standard minimum wage to afford Bills.

With the current pandemic, the Department of Corrections should be encouraging an increase in communication between inmates and their family. And this means the calls become more frequent, which means the Bill adds up to be more expensive, with people already struggling to maintain daily costs during this time, their loved ones, unfortunately, have somehow become a financial burden, which is a predicament that anybody really wants to be in many inmates experiencing a long time of isolation during this pandemic.

So these conversations with their loved ones, especially for those who have children and others that depend on their communication is really important. Outside from it being the most humane thing to do the shift of cost, of course, state function onto families, primarily, women of color from low income Committee -- communities, misrepresents state priorities and is not effective, substantial or ethical. We need to eliminate these inequities that are unintentionally impacting low income communities and most of all, our loved ones. Eliminating the cost of telecommunication in
correction facilities would be a great step towards exercising policies that encourage family engagement restorative practices.

The removal of this barrier will give those that are currently incarcerated the basic level of human interaction that everybody needs, especially during these times, I ask that you put yourself in the shoes of an inmate and imagine what it's like to meet to talk to someone to maintain sanity, yet not wanting to overwhelm them by becoming a financial burden. So I'd like to thank you for allowing me to testify today and I'm open to answering any further questions. I've also submitted written testimony. And thank you.

REP. STAFSTROM (129TH): Thank you ma'am, we appreciate it. I'm seeing no questions. Next up will be Sydney Closs.

SYDNEY CLOSS: Can you see me?

REP. STAFSTROM (129TH): No, we can hear you but we can't see you.

SYDNEY CLOSS: Sorry about this. I'm not sure what's happening.

REP. STAFSTROM (129TH): We'll give you a minute to get your camera working. We'll go to the next person which is Anastasios Savvaides.

ANASTASIOS SAVVAIDES: Good afternoon. Thank you, Chairman Stafstrom and rest of the Committee. My name is Anty Savvaides, I'm a trial lawyer in Stamford, Connecticut. I'm the current President-elect of CTLA. Testifying today in opposition to Committee Bill 5125, or any Legislation that would establish immunity for businesses. It seems to appear in this Bill in the form of an affirmative defense. If you got -- as you guys have pointed out earlier today, providing immunity from negligence for businesses, so long as the business operates in
substantial compliance with the appropriate health and safety guidelines regarding COVID-19.

I think it's a misguided attempt to fix a problem that doesn't really exist. That's a sentiment that I get from listening today. Many of the individuals that have supported this Bill, who testified earlier, kept saying the same things that they don't want to face lawsuits or liability if they operate as safely as possible. Well, if that's true, and that's what they're doing, and that's how they conduct their business, then they have nothing to worry about and they won't be held responsible. Current law simply requires businesses to act in a reasonably safe way, as it similarly requires individuals to conduct themselves in a reasonably safe manner. It appears the Bill as drafted does really nothing more than shift the burden of proof on the issue from the plaintiff to the defendant in order to obtain the benefit of the immunity, the so called immunity.

I can't imagine that's what the businesses intended when drafting this Bill. There is no onslaught of litigation against businesses for COVID-19 violations in Connecticut, as has been pointed out, there won't be for many reasons, especially now with vaccinations moving along. From a legal perspective, it's very difficult to prove where or how someone had contracted COVID-19 the great majority of cases, the symptoms from a positive case are very mild or non-existent with no ascertainable long term effects. For most of those cases, litigation isn't even really an option.

Immunity from accountability for unreasonable, negligent behavior is never an answer. Providing businesses immunity won't promote reasonable safeguards. All it will do is create a disincentive for companies to act in a reasonably safe way and further jeopardize the health and safety of the public. Continued recovery from the pandemic will require the public to have the confidence that
businesses are operating safely. Establishing any form of immunity for businesses will do the opposite of that, instead of instilling public confidence, it's gonna introduce additional anxiety to the already highly anxious public. The power to hold the business accountable for harm caused by a failure to take reasonable care is one of the most powerful incentives we have to ensure that businesses continue to operate safely.

When businesses and workplaces are not properly protected. Patients, workers, customers, clients, the community at large, we're all at risk from protecting workers, consumers and preventing the needless deaths in nursing homes. It's clear that companies responsible for the health and safety of others must have every incentive to act accordingly and responsibly, the pandemic can't be an excuse for failing to take whatever the reasonable steps are to protect individuals. And only thing providing -- the only thing providing this form of immunity will do is protect the businesses that don't care enough to do what is reasonable. What's safe and what's right. I'm not sure that's the policy we want to promote. Thank you for considering my question.

REP. STAFSTROM (129TH): Representative O'Dea, how are you, sir?

REP. O’DEA (125TH): Very good. Thank you, Mr. Chairman. Attorney Savvaides, good to see you.

ANASTASIOS SAVVAIDDES: Good to see you too Representative O'Dea.

REP. O’DEA (125TH): Quick question, you were -- you were getting into public policy, it would be a bad public policy for us. Is there anything else you wanted to add to that? You've provided written testimony? Correct.

ANASTASIOS SAVVAIDDES: CTLA. Did I did not individually? No.
REP. O’DEA (125TH): Okay. Well, I would just say if you want to provide some written testimony, in addition to what you've just said, that would be great. If you just submitted what you've articulated here now would be helpful, just so that we could share it with others.

ANASTASIOS SAVVAIDES: I'd be happy to do that.

REP. O’DEA (125TH): And I greatly appreciate your testimony appearing here today. Thank you, Mr. Chairman.

ANASTASIOS SAVVAIDES: Thank you.

REP. STAFSTROM (129TH): Thank you, Representative O’Dea. Further questions or comments from the Committee? Seeing none, I want to appreciate you being -- you know, let me just -- let me just ask real quick because we've asked a couple people this. Are you aware of any cases in Connecticut, any cases that have been filed in Connecticut where someone has -- is seeking personal injury or wrongful death, damages as a result of visiting a business in the state and claiming they caught COVID at that business?

ANASTASIOS SAVVAIDES: I'm not aware of any, to reiterate what's already been said. And I honestly don't think that's a case that I would take and talking to other lawyers that handle these kinds of cases. I think they're very difficult to prove, for many reasons. Probably take longer than the time we have here today. But yeah, I don't see this as an issue.

REP. STAFSTROM (129TH): Okay, thank you, sir.

ANASTASIOS SAVVAIDES: Thank you.
REP. STAFSTROM (129TH): All right, it looks like Sydney Closs got her video up. So, we're going to go back to her.

REP. STAFSTROM (129TH): All right, thank you. Um, Good afternoon. My name is Sydney Closs, and I'm a resident of New Haven who supports Senate Bill 1059. I will be using my time today to read excerpts from the testimony of Darnell Walker. D-A-R-N-E-L Walker, W-A-L-K-E-R. A supporter of this Bill who cannot be here today because he was incarcerated. My name is Darnell Walker. I'm from New Britain and I strongly support the Protect Act. I am currently incarcerated.

I've experienced prolonged isolation firsthand at Northern Correctional Institution, where the conduct of the staff is nothing less than White Supremacy, to the point that even non-white staff just follow suit and fear to confront their colleagues. I've been shortchanged, and on in-cell restraints for up to 17 days, to the point that I didn't even feel like a human at times. At times, my human rights were so deeply violated. It felt as though I was living in a whole another world or country because the physical and mental pain I've suffered inside was none of the world in which I know to be the United States of America would approve of. The building was one of a torture chamber of the mentally ill.

The same ill intent follow the chronic discipline programming. Most prisoners obtain these mental illnesses once in these programs because not only they're locked up all day, put in in-cell restraints for the simplest things, but they're also told not to talk on the tiers. With caused a heat and rebellious attitude towards others. Paranoia is a cause is another cause of the effect. The lack of transparency and accountability for misconduct of the staff don't make things any better. It only worsens the hate and rebelliousness and the mentally ill. Ending abusive restraint is essential to
protecting incarcerated people. I support this provision, and it must be included in this Bill. Thank you so much for your time. Thank you, ma'am.

REP. STAFSTROM (129TH): Seeing no questions. I appreciate you being with us. Is Hannah Ji with us?

HANNAH JI: Hello, Members of the Judiciary Committee. My name is Hannah and I'm a resident of New Haven who strongly supports Senate Bill 1059. Today, I'll be using my time to read anonymous testimony that was shared with stop solitary Connecticut by someone who is currently incarcerated.

I spent years incarcerated at Northern Correctional Institution. Because of the facilities restrictive practices, I was stripped almost entirely of all my meaningful community relationships, and denied at least half a dozen basic human rights. For example, the high cost of phone privileges mixed with immediate family-only visiting policy effectively ended my relationships with my son's mother, and strained my relationship with my son. The neighborhoods I and my friends come from are underserved with the higher percentage of people living below poverty.

After Bills, groceries, kids needs etc. There's just not enough money left to afford any regular phone conversations with me, which has resulted in months sometimes years of no communication with close relatives. Mix this with restrictive visiting, I'm lucky enough to have a mother in my corner. But no, that's not the case for numerous reasons for others. For everyone incarcerated a support system looks different. It could be a girlfriend, an aunt, an uncle, a cousin or a friend, none of which will qualify as immediate family.

So when you take the high price of phone privileges and add the restrictive visiting policy, it can result in complete isolation from society for
someone in which there's no option of immediate family support. Another thing I experienced at Northern was a form of punishment known as in-cell restraints. When I went on this punitive placement prisoners are forced to eat, sleep and use facilities all while cuffed, shackled and tether-chained with your hands around your waist.

If you do figure out a method in which you can defecate and wipe while in this position, the toilet in the cell can only be flushed manually from outside of the cell. I found myself on in-cell restraints for blocking my window, a behavior they say interfered with my safety and security. Now I'm not saying that blocking my window is correct, but to be placed in a dry cell and chained up for 72 hours after it was clear that neither I nor my cellmate were in any danger seems a little excessive. Thank you for listening.

REP. STAFSTROM (129TH): Thank you, ma'am. I'm seeing no questions. We appreciate you being with us. Thomas Piezzo, Brynne Coulam.

BRYNNE COULAM: HI.

REP. STAFSTROM (129TH): There you go ma'am.

BRYNNE COULAM: Thank you. My name is Brynne Coulam, and I'm a resident of New Haven who supports Senate Bill 105. I will be using my time today to read excerpts from the testimony of William McKinney a supporter of this Bill, who cannot be here today because he is incarcerated. And William's name is W-I-L-L-I-A-M, M-C-K-I-N-N-E-Y. "My name is William McKinney. I'm from New Haven and I strongly support the Protect Act. Senate Bill 1015.

I'm currently incarcerated. I have experienced prolonged isolation at northern Correctional Institution and here at Osborne Correctional Institution. When I was at NCI I was installed over 20 times placed in cells covered with blood, feces,
urine and semen. I was always chained up for 72 hours even if "I behaved." I was beaten by staff while I was in chains and mazed. They wouldn't allow me to wash off the chemical agent so it so I'd stay with it on my skin. It would burn me for hours sometimes days. I was short chained multiple times and forced to eat my food like this. It was humiliating. Most of the time, they would leave me naked chained up in the freezing cell. I had no meaningful social interaction, no contact with my family or friends for years. This created social anxiety and interpersonal issues that I still suffer from to this day. I cannot keep a girlfriend or friends.

I have very poor social skills have a hard time keeping a job. I can't be in crowded rooms or events with a lot of people. I can't stand in line with people behind me and loud noise it startle me greatly. It caused a feeling within me of impending doom. I thought at any moment I was going to be attacked. Locking a human being in a cage all day causes long term suffering and permanent damage I found myself isolating inside my apartment it was like I was still in prison.

We need to end this isolation because people eventually come home and enter the community. DOC is ruining people's lives forever following these practices I strongly recommend you pass this Bill isolating people creates a public health issue. Imagine going from extreme isolation to total freedom, it's sensory overload I freaked out when I entered a grocery store seeing all the colors people moving fast around me I perceived everyone as a threat. I was extremely paranoid and afraid all the time. It gave me mental health issues for life. Please pass this Bill for all our sakes

REP. STAFSTROM (129TH): Thank you ma'am. Appreciate you being with us. Naa Opoku, Shenira Billups, Molly Shapiro.
MOLLY SHAPIRO: Hi, I’m Molly Shapiro. Hello.

REP. STAFSTROM (129TH): Go ahead, we can hear you.

MOLLYY SHAPIRO: Okay, thank you my name is Molly Shapiro and I’m a resident of new haven who supports Senate Bill 1059 I’ll be using my time today to read excerpts from the testimony of Carlos Baez a supporter of this Bill who cannot be here today because he's incarcerated. That is spelled C-A-R-L-O-S, Baez B-A-E-Z. "My name is Carlos Baez, I’m from Waterbury and I strongly support the Protect Act I am currently incarcerated I’ve experienced prolonged isolation firsthand at Cheshire Correctional where I was in a cell for 30 days all by myself in my request to be placed with another inmate went ignored.

I witnessed other prisoners in in-cell restraints and the site was a hurtful thing to see. It’s like they were animals I also personally suffered from being four-pointed with soft restraints which was very torturing. Ending abuse of restraints is essential to protect incarcerated people I support this provision and it must be included in the Bill. Thank you.

REP. STAFSTROM (129TH): Thank you ma'am. Questions or comments? Seeing none appreciate being with us. Marilyn Kegley, Stephanie Roberge. I guess now early evening, Stephanie Roberge, how are you?

STEPHANIE ROBERGE: I’m good thank you very much representative Stafstrom, Senator Winfield and Members of the Committee. I’m the President of Connecticut Trial Lawyers Association, I practice in new haven and I’m here to oppose Bill 5125 you just heard literally a few minutes ago from the President-elect of CTLA Anty Savvaides, and I of course share his testimony. Immunity for businesses is not necessary, the law already protects businesses who have complied with the Governor's order and the health and safety guidelines set forth
by the department of public health and as long as these businesses have acted responsibly and continue to act responsibly there is really no need for this Legislation.

One of the biggest hurdles to pursuing a civil lawsuit is to be able to prove causation in addition to fault or being able to establish that businesses may not have complied with the standard of care. One of the most important elements is also causation and that is one of the primary hurdles to pursuing these types of cases as we all know it's very difficult to determine where individuals may have contracted COVID and as a result of that myself and many of my colleagues and attorneys who engage in this practice have found it very difficult and really there have been essentially no cases brought for people acquiring COVID.

What would happen however it is would promote non-compliance with these guidelines and essentially breed non-compliance even the language of the Bill talks about substantial compliance with the governor's order and the guidelines from the Department of Public Health. Clearly, these guidelines were not meant to be followed substantially, but they were meant to be followed. And by granting immunity for substantial compliance, really, you know, makes it sort of a gray area. And this is a bad time to, to engage, and to, to walk down to take steps in that regard, you see a light at the end of the tunnel here with vaccines. We're getting close to the end of this pandemic.

And we want everyone, including businesses to act responsibly, do their best to adhere to the guidelines, and ensure best practices so that we can get out of this. So for all the reasons in our written testimony, as well as what you've heard earlier, from my colleague, we oppose this Bill, Bill 5125.
REP. STAFSTROM (129TH): Thank you, Attorney Roberge. I just I just want to ask a little bit, because I mean, I was -- we've heard -- we've had some folks come before us to testify on this Bill. I think -- I think you're only the second or third attorney or practitioner, we've actually had testify on it. And I just -- I guess, you know, we've kind of talked about this in a little bit, nut of an academic way, which -- which is kind of the nature of this Committee, understandably, but just for a second, you touched on something that I think is really critical to this, and that is the reasonableness prong of proving some sort of wrongful death or personal injury type case. And from your read of this Bill. How, if at all, does this Bill change what is the existing reasonableness determination that a court needs to make?

STEPHANIE ROBERGE: Well, in negligence cases, which is what a liability case, which is what I believe the majority of these cases is geared towards, in these types of cases is the standard of care or what a reasonably prudent party would do under same or similar circumstances. Applying this to the Governor's Order, or to even the guidelines from the Department of Public Health is only one component essentially, of the -- of what an overall looking at each case on its -- on its facts of what would be determined to be reasonable under those circumstances.

So the way that this is -- seems to be drafted, is that substantial compliance with the -- it's only looking at one component of what is reasonable behavior under the business practices and how businesses or any particular business has promoted, following and acted in their actions of action -- acting reasonably under the circumstances of the pandemic?

REP. STAFSTROM (129TH): So is it fair to say the reasonableness of inquiry, right, that that needs to be undertaken in one of these cases under
negligence, who is more expansive, or would look at a wider variety of cases than just whether somebody has substantially complied, whatever that term may or may not mean, but it's broader than substantial compliance, just with some directive from a state agency?

STEPHANIE ROBERGE: Exactly right. And, under current law, the standard of care looks at all of -- looks at a whole host of things, these guidelines being one element of all of those things and making a determination as to whether a particular entity under a particular set of facts has acted reasonably.


STEPHANIE ROBERGE: Yes, that's correct.

REP. STAFSTROM (129TH): The business is negligent under Connecticut statutes, correct?

STEPHANIE ROBERGE: That's correct.

REP. STAFSTROM (129TH): So I guess one of my concerns, I think, as well intentioned as this Legislation may be, I fear one of the unintended consequences is you're taking -- you're taking a statute you're trying to plug it in to one part of one element of a common law cause of action and how a court is going to try to take this entire body common law, interject this one piece to it in the context of certain types of claims, but not every claim, because it's just for a period of time. Do you have concern that that is going to create confusion in the courts? Potentially false safe harbors where feeling of security for businesses when they really don't have it? And also, kind of
just general confusion in in how these cases are adjudicated, if these cases have brought it all?

STEPHANIE ROBERGE: Yes, I would agree. I think that -- look, immunity in any sense -- my organization myself, just immunity generally, we're against. But this particular Bill and the way that it's drafted and as it's limiting to, and basically zeroing in on the Executive Order and the guidelines from the Department of -- Department of Public Health, I think will result in the concerns that you are raising Representative. In addition, even the language of substantial compliance, what does substantial mean? That also is going to raise issues, not only for potential litigation, but also what does that mean, potentially moving forward for businesses? And it will also cloud the guidelines about how businesses then decide to act moving forward. So this will cause a lot of uncertainty. And I do not believe that it's -- putting aside that we're against -- you know, I'm against immunity and immunity for businesses, because I think it's important,

REP. STAFSTROM (129TH): I just -- I don't wanna belabor this. But I guess my question -- and we keep saying the word immunity. And I know that's in the title of the Bill. I'm still trying to figure out where there's actual blanket immunity. In this Bill, it seems to me that a court has to adjudicate whether a business has substantially complied or not. And so in that respect, this is a -- at best, it's an affirmative defense. But it's certainly not a blanket immunity that says, you can't bring the case at all.

STEPHANIE ROBERGE: You're absolutely right. There cases will still be brought. And -- but then it'll be based on this Bill, the language of the Bill. It's based upon whether a business entity can prove that they've met the guidelines or the Executive Order. So yes, I agree with that -- that -- that doesn't prevent cases from being brought active at
the courthouse door, they will actually -- cases, you know, may still be brought. What I'm saying is none have been brought thus far as that I'm aware of in Connecticut. I don't anticipate there being you know, any cases or any that require this type of, of Legislation. Anyway.

REP. STAFSTROM (129TH): Well, I thank -- I thank you for being with us. As I said, I certainly understand what the proponents of the Bill are coming from and, you know, no-- no one wants to be unfairly held liable for something when they when they've tried to do the best, particularly in a in a state of emergency like this. But I thank you for highlighting. I think some of the concerns that I have that, you know, what, what may seem useful on the surface, when you -- when you drill down to some of the details could create several unintended consequences even for the businesses we're trying to protect. So thank you for -- thank you for being here.

STEPHANIE ROBERGE: Thank you.

REP. STAFSTROM (129TH): Seeing no further questions or comments from the Committee. We'll move on to Aileen Keays, Steve Rosentel. Aileen Keays. No? Steve Rosentel

STEVE ROSENTEL: I'm here.

REP. STAFSTROM (129TH): Okay, sir, go ahead.

STEVE ROSENTEL: Thank you very much. I appreciate the opportunity to express my views. I'm here -- I am Steve Rosentel, the President of Leahy's Fuels, a residential and commercial heating fuel supplier in Danbury, Connecticut now celebrating 104 years in business. I'm here in support of Committee Bill 5125. The Act concerning provision of immunity from civil liability for entities that have operated pursuant to health and safety guidelines during the COVID-19 pandemic.
For several reasons, the first reason is that it will actually promote public safety. Over the past year on a few occasions, one of my service techs has been exposed from a family member to COVID and became symptomatic and subsequently tested positive when they have been already in a customer's home doing service work on heating and cooling equipment. Each time that that has happened, I would call the customer we would notify them of the fact that we've been in their home, and that subsequently one of our employees has tested positive and each time, we've been told that they were following protocols, they had their master kept their distance. So we've done everything that we possibly can.

So to the best of my knowledge, no one has actually contracted COVID from any of my employees. And we have not been sued at this point in time, but we have a risk of a lawsuit. And the difference between this claim and any other claim of a risk of a lawsuit is the fact that this is an uninsured risk for our business. Our insurance policy has specifically sent us a notification that they will not cover a COVID claim. So the issue is the defense costs. It's I'm not worried about losing a lawsuit. I'm worried about how many lawsuits would be filed potentially, given the fact that we have 13,000 customers.

Now we've been going in and out of homes for a full year. The defense of these lawsuits can be extremely expensive. And the insurance companies oftentimes settle them because it's cheaper to pay off the claim that it is they go through the process of the entire lawsuit. I think this particular statute will make it more difficult and less likely for frivolous lawsuits to be brought against different companies and not only mine.

But you know people in our industry, but this applies to many different industries. On a personal note, I'm also a resident of Newtown Woods
condominium Association. Our clubhouse and pool have been closed for over a year. A major factor making the decision by the Board was a lack of insurance protection because their insurance also does not cover to protect against the COVID claim. So their volunteer Board Members potentially risking that all the HOA's assets but their own personal assets. Many of the residents are widows and widowers living alone suffering from isolation that comes from not seeing their families but also their neighbors.

Many would be seen at the clubhouse a few times a week. This Bill would expedite the opening of those facilities while still using masking following the protocols. Small businesses could be put out of business because of the lack of insurance and the fact that there will be law firms who are already gearing up and advertising to promote the filing of these lawsuits. Previous testimony, there was this - - some people may not be aware of lawsuits have been filed. I don't know what the number is. But numbers nationwide, were quoted earlier today at 9000 and 100, and Connecticut.

REP. STAFSTROM (129TH): Excuse, we're at the three minute mark, so I just need you to summarize.

STEVE ROSENTEL: Okay. The other point I wanted to make is that this protects the rights of the victim. It just changes the standard to gross negligence. So it's not an immunity Bill. It does hold people accountable who would not following the protocols.

REP. STAFSTROM (129TH): Thank you, sir. I got a question for representative Callahan.

REP. CALLAHAN (108TH): Thank you, Mr. Chairman. And thank you, Mr. Rosenthal, for coming in. I did work next door to you there for about 30 years at the courthouse. Your input from small businesses and large businesses like yourself and how COVID is affected -- affected, how you you're able to be
insured. It's definitely it's helpful when you come in. So I appreciate you coming in today. Thank you.

STEVE ROSENTEL: Thank you.

REP. STAFSTROM (129TH): Thank you. Further questions or comments? If not, next up will be Aileen Keays, and I'm gonna to turn this back over to Senator Winfield, who's back now.

AILEEN KEAYS: Thank you, Representative. Good afternoon honored Members of the Judiciary Committee, Co-chair Senator Winfield and Representative Stafstrom. My name is Aileen Keays and I am the Project Manager for the Connecticut Children with Incarcerated Parents Initiative at Central Connecticut State University. CTCIP works to improve the quality of supports for children with incarcerated parents or CIP to research policy and practice development, personnel development, community engagement education. I'm here to express support for Senate Bill 972.

When an individual is incarcerated, many forget to consider the impact that that separation has on individual's loved ones, these ramifications damage children's and families health and financial standing even beyond the term of incarceration. In the US. It's estimated that one in 14 kids have had a parent who they have lived with go to prison or jail, and approximately half of those kids are under the age of 10. In Connecticut, it's estimated that a child experiences parental arrest more than 62,000 times a year. More than half of the state's prison population are parents with 80% of the women being moms who were the primary caretakers of their children. In terms of impact, a study conducted by our initiative at the New Britain courthouse showed that a child loses many important supports when a parent becomes incarcerated.

This includes financial support help with personal problems, assistance with schoolwork,
transportation, childcare, and so on. Other studies have shown that the absence or unavailability of a parent is emotionally equivalent to life threatening for children. A recent study conducted by Christian attorneys demonstrates that with demographics, socio economic status and familial characteristics are controlled for parental incarceration is independently associated with learning disabilities behavior or conduct problems, developmental delays and speech or language problems.

The author stated that children's health disadvantages are an overlooked and unintended consequence of mass incarceration. Interestingly, results from another study show that when families are able to maintain regular contact during incarceration, those families are less likely to experience negative health impacts associated with incarceration.

Finally, families have lost a contributing member of the family financially and have added expenses associated with that parents’ incarceration due to childcare expenses, providing money for needed commissary items, including toiletries and prison uniform, and the costs associated with visiting and phone calls. Parents love to care for CIP report difficulties in meeting basic household needs due to the family member’s incarceration, on average, a family's income declines by 22% when the father is incarcerated, and even a year after the father's return, that family's income remains 15% lower than it was before incarceration occurred.

Family contact with phone calls and prison visits have been shown to help an individual transition back into the community. Maintaining or mending positive relationships during incarceration reduces the likelihood that incarcerated individuals will reoffend suggesting improved public safety, reduced victimization and a reduction in costs associated with future criminal justice system involvement for the state. It is for these reasons that it's clear
to us that encouraging a strong connection with loved ones during incarceration is in the best interest of the state. And we therefore support Senate Bill 972. Thank you.

SENATOR WINFIELD (10TH): Thank you Ms. Keays. Are there questions or comments, questions or comments from Members of the Committee? Did I see anything, any? Thank you for joining us. It's good to see you. Hope you enjoy the rest of your evening. Next we'll hear from Nanee Sajeev, Rahisha Bivens, and Andrew Giering. Is Nanee in?

NANEE SAJEEV: Yes.

You have three minutes.

NANEE SAJEEV: Hi, my name is Nanee Sajeev, and I’m a resident of Trumbull Connecticut. I’m enormously concerned about the devastating impacts of mass incarceration especially on victims of sexual violence. I’m wholly in support of Senate Bill 1059 and Senate Bill 972 because it will pave the way for a safer future prisons are centers of racialized and sexualized violence one way this is manifested is through the abuse to prison pipeline which primarily impacts young black women instead of treating young people who are suffering from sexual violence some survivors especially young black girls are criminalized for the ways that they experienced trauma prisons do not make us safer instead they exacerbate inequalities compound traumas and destabilized communities COVID-19 has worsened this by increasing the control and surveillance of incarcerated survivors while continuing to weaken their sense of agency, autonomy in community expensive phone calls ensure that survivors cannot reach their loved ones for support this leads to heightened isolation and more incidents of abuse by the time business with incarcerated people are allowed again system evolves survivors will experience several levels of compounded trauma in almost complete isolation furthermore it is practice
for incarcerated survivors of sexual violence to be placed in solitary confinement after reporting.

This is ostensibly done to protect survivors however as others before me have said solitary confinement is absolutely a traumatizing practice in itself how do we even begin to measure its impact on survivors of sexual violence. How can we justify that if we care about survivors of sexual violence then we must care for all survivors of sexual violence including those who are incarcerated and subject to solitary confinement Senate Bill 1059 and 972 will be a powerful change to Connecticut’s carceral systems. Both Bills protect social bonds for incarcerated people survivors who can communicate with the outside world will be able to create safer communities from when they leave prison this will not only lead to lower recidivism rates but also move towards patterns of healing instead of harming violence I also want to specifically highlight the importance of Senate Bill 1015's Correction Accountability Commission.

I don't expect nor want the department of corrections to completely undertake the massive responsibility of safety for incarcerated people that is a responsibility that all of us must hold that many people across the state wants to take on this commission will facilitate transparency and partnerships that will create safer communities in and out of prisons this includes providing services for incarcerated survivors of sexual violence together we can ensure devastating cycles of violence like the abuse to prison pipeline I strongly support Senate Bill 1059 and Senate Bill 972 and urge you to favorably vote the Bill out of the Judiciary Committee thank you for your time and consideration.

SENATOR WINFIELD (10TH): Thank you. Comments or questions from Members of the Committee? Comment or question I do not see any I want to thank you for joining us today and offering your testimony and
enjoy the rest of your evening. Next we'll hear from Rahisha Bivens, followed by Andrew Giering and Nicholas Frattini. Is Rahisha Bivens in?

RAHISHA BIVENS: Hi, yes can you see me.

SENATOR WINFIELD (10TH): I see you. You have your three minutes.

RAHISHA BIVENS: All right all right. Good evening Senator Winfield and Esteemed Members of the Judiciary Committee my name is Rahisha Bivens and I am a resident of New Haven. I’m a Board member and organizer with Stop Solitary Connecticut and I’m a licensed clinical social worker and justice advocate. The most important title that I carry is that I’m a sister of my beloved brother Joshua who was formerly incarcerated and I am here today to urge you to support Senate Bill 1059 otherwise known as the Protect Act.

I got involved in advocating for the rights of incarcerated people and in particular the end of solitary confinement when my brother Joshua who had Schizophrenia before he was incarcerated, was incarcerated at Garner correctional facility where he languished in a cell 21 hours out the day in pretrial detention. Imagine my surprise as someone who practice social work when I learned that the department of Corrections idea of care and treatment was having him in his cell with not much to do for the majority of the day.

The nightmare continued when I learned that he wouldn't be able to receive contact visits and be able to hug or touched me and my mother for almost two years just because of his bonds. And the nightmare continued even worse when I went to support him at every court date and watch as he became morbidly obese before my eyes. My mother refused to go to court because she didn't want to see her son who was in college and had a full time job before incarceration, deteriorate.
The nightmare still continued when he called me two and a half years into his incarceration and told me that he now had diabetes on top of schizophrenia, anxiety, post-traumatic stress disorder, and was going to need insulin several times out the day. I knew in that moment that I had to be unrelenting and have this nightmare in. Fortunately, through my advocacy, I was able to finally get my brother into a treatment setting. And today, he has zero to no mental health symptoms, because he's actually getting care and treatment.

Fortunately -- unfortunately, there are thousands of people incarcerated in the state of Connecticut who are not as lucky. And we know through research that irreparable psychological harm can be caused in as little as seven days. There are up to 80% of people incarcerated in Connecticut prisons that have existing mental health issues and are not getting care and treatment. I urge you to support the Protect Act and Senate Bill 1059. So that people actually have a chance to rehabilitate and enter society as whole human beings. Thank you very much.

SENATOR WINFIELD (10TH): Thank you. Comments, questions from Members of the Committee? Comments or questions? I don't see any, but Rahisha, I know the work that you've done. And I just want to say, I'm glad your brother's in a better setting and getting the help that he needs. And you really have been a true advocate on his behalf on the behalf of many people in our state. So thank you.

RAHISHA BIVENS: Thank you very much.

SENATOR WINFIELD (10TH): Yes, enjoy the rest of your evening.

RAHISHA BIVENS: You too.
SENATOR WINFIELD (10TH): Next, we have Andrew Giering, Nicholas Frattini, and then Katherine Bradley. Is Andrew Allen.

ANDREW GIERING: I'm here. Good evening. Can you hear me?

SENATOR WINFIELD (10TH): I can hear and see you. You got your three minutes.

ANDREW GIERING: Thank you. Good evening. Co-Chair Senator Winfield and Representative Stafstrom. Vice-Chair senator Kasser and Representative Blumenthal. Ranking Members, Senator Kissel and Representative Fishbein, and Members of the Judiciary Committee. My name is Andrew Giering. I'm a resident of New Haven, and an Attorney with the Connecticut Federal Defender Office.

Many of my clients have experienced administrative segregation and other forms of confinement in DOC facilities. I speak from that experience, but in my personal capacity, in solidarity with Ms. Bivens and the brave organizers at Stop Solitary. I'm here today to ask you to vote out of Committee Senate Bill 1059, the Protect Act, I ask you to give utmost credence to what you heard today from the mental health experts, legal experts, and especially the directly impacted people who have taken the time to testify today in favor of abolishing solitary confinement in Connecticut.

On mental health. I think the statistic that about half of prison suicides take place in solitary confinement says at all, and these findings are nothing new. I'd like to refer you to a Supreme Court case from 1890 called Henry Medley. The citation is 134 U.S. 160. In that case, the Supreme Court observed that even after a short period of solitary confinement, many prisoners commit suicide or become violently insane. And even those few who would stand the ordeal are not reformed, but are so mentally damaged that they cannot be of any
subsequent service to the community, most of those are the courts words.

Today, somehow solitary confinement is still legal. But thankfully, it is on the way out with courts increasingly holding that solitary confinement can constitute a cruel and unusual punishment, in violation of the Eighth Amendment to the Constitution. You have heard today how cruel the practice can be. And also that unfortunately, it is not that unusual practice in Connecticut's prisons. I would just like to very briefly add just one point about the men and women on whom this punishment is inflicted.

We all know the number of defendant serving prison sentences in DOC facilities has been declining for many years. But at the same time, there has been no such decline in the pretrial population. In other words, an increasingly high percentage of the people living in Connecticut prisons have not been convicted of any crime, but are just there waiting for their day in court. Many of them have been waiting for a very long time as there have been no criminal trials in state or federal court in Connecticut since the onset of the pandemic.

I bring this up to suggest that it is contrary to the presumption of innocence to use such extreme punishment as solitary confinement against people who are as a matter of law, innocent. To lock up like animals, people who have not pled guilty or seen a jury the merely see an accused of a crime, who supposedly were not punishing yet, but are only being detained in theory for the public safety, or perhaps in practice, because they're poor and cannot afford cash bail. Respectfully, I asked that the Committee stand on the right side of history by passing favorably on raised Bill 1059. Thank you very much for your time and your service.

SENATOR WINFIELD (10TH): Thank you. Comment or question from Members of the Committee? Comment or
question. I don't see me. It's good to see you again Mr. Giering. And I hope you enjoy the rest of the evening. Thank you for testifying.

ANDREW GIERING: Thank Senator, always good to see you.

SENATOR WINFIELD (10TH): Right next we Nicholas Frattini, Catherine Bradley, and then Jan Cambopiano. I think I did that justice. Nicholas Frattini.

NICHOLAS FRATTINI: Yep. Here.

SENATOR WINFIELD (10TH): You have your three minutes.

NICHOLAS FRATTINI: All right. Thank you very much. Hello. And yeah, thanks for listening to me. My name is Nicholas Frattini, and I'm a graduate student in physics at Yale, a resident of New Haven, Connecticut, and I'm here to support the Protect Act, Senate Bill 1059, as well as Senate Bill 972. Both Bills will help incarcerated individuals maintain social connections, which is absolutely vital to their mental health. As you've heard, so far for many today. Well, I've not myself been directly affected, nor am I an expert, I am a concerned citizen.

We have an ethical obligation to end solitary confinement for all people. It is torture as defined by the United Nations. Solitary confinement and instances of prolonged isolation are designed to break a person. And it is routine practice right here in our state of Connecticut, to leave incarcerated individuals in solitary confinement for majority of the day. Again, as you've heard from those affected, it is torture, and it should stop. Additionally, these practices of prolonged isolation do not work for our community.
I'm an engineer by trade, and every engineer’s job is to design an efficient system that generates the desired outcome safely for all those individuals involved. I ask, what is the desired outcome here? The current outcome is that those who survived solitary confinement come out with long term health effects and are more likely to engage in self-harm. In a study of over 200,000 incarcerations from the American Journal of Public Health. Only 7.3% of the admission of the -- of those included some solitary confinement, but 53% of the acts of self-harm that they recorded, and fatal self-harm occurred from within this group who were solitarily confined.

This is not an outcome that we want. And I repeat, it does not work for our communities. Finally, an important part of engineering is testing and quality control to make sure that you meet the desired safety requirements. Without testing and quality control, unsafe products come to market, which is why it is required in the first place. In prisons, we're talking about the lives and the wellbeing of real people. You as legislators have the opportunity to enforce some measure of safety requirement here by passing Senate Bill 1059 which requires an ombuds person to ensure concerns are heard. With that I thank you for your time and again, voice my strong support to Protect Act, Senate Bill 1059 and also and also Senate Bill972. Thank you.

SENATOR WINFIELD (10TH): Thank you, Mr. Frattini. Is there a comment or question from Members of the Committee? Comment or question? I do not see any. I want to thank you for joining us and providing us with your testimony. I hope you can enjoy the rest of your evening.

NICHOLAS FRATTINI: Thank you, Senator.

SENATOR WINFIELD (10TH): Next, we'll hear from Katherine Bradley, followed by Jan Combopiano and then Rachel Brown. Is Catherine and Bradley.
CATHERINE BRADLEY: Yes, I am.

SENATOR WINFIELD (10TH): All right, you have your three minutes.

CATHERINE BRADLEY: Great. Thank you. Good evening to the Members of the Judiciary Committee. My name is Katherine Bradley. I am a resident of Richfield, and I would like to express my strong support for the Protect Act, Senate Bill 1059. I'm currently pursuing my Master's in social work at Fordham University, and I chose the social work profession out of a desire to support the mental health of all people. But it is very difficult for me and mental health professionals across the state to do that work when the state's policies are actively harming people's mental wellbeing.

One of the ways in which the state in dangerous mental health and perpetuate psychological trauma is through the use of solitary confinement in its prison system. Solitary confinement and isolation in Connecticut prisons cause deep harm to all incarcerated people who are subject to these cruel and punitive forms of punishment. Many incarcerated people are already suffering from mental illness or the effects of trauma before entering the prison system as we have heard through several testimonies today. Once in the system, just the state of Connecticut offers support to treat mental illness, heal trauma, teach healthy conflict resolution skills, and reduce recidivism? No. Instead, the Department of Corrections regularly puts people in solitary confinement or other restrictive status, isolating them for indefinite amounts of time, often for arbitrary reasons.

A UN Human Rights experts specifically referring to the Connecticut Department of Corrections, says the current isolation practices, quote "may well amount to torture." I think that statement is a condemning portrayal of our state and should anger those such as myself who care about the state and want to make
it better. I believe that all of us have a collective responsibility to promote health and wellness for all people from birth until end of life. Solitary confinement does not do that. Instead, it traumatizes, triggers new or preexisting mental illnesses and fosters anger and resentment. And after release, it sends formerly incarcerated people to social and mental health services with needs that are oftentimes greater than they were pre-incarceration.

As a future social worker, I am well aware that many of those service providers that I make some data work for are already overwhelmed and under-resourced. That strain only grows, the longer the state upholds practices of violence, trauma and torture. So in conclusion, I strongly support the Protect Act, Senate Bill 1059. And I urge you to vote favorably. This Bill out of the Judiciary Committee, thank you for your time.

SENATOR WINFIELD (10TH): Thank you, Ms. Bradley, comment or question from Members of the Committee? Comment or question? I don't see -- I don't see any. I wanna thank you very much for joining us, waiting around and spending a part of your evening with us to testify. Have a great evening.

CATHERINE BRADLEY: You too. Thank you.

SENATOR WINFIELD (10TH): Thank you. Next is Jan Combopiano, Rachel brown and then Jeneva Stewart. Is Ms. Combopiano in? Are you in? What about Rachel Brown?

RACHEL BROWN: I'm here.

SENATOR WINFIELD (10TH): All right, you have three minutes you may begin.

RACHEL BROWN: Awesome. My name is Rachel Brown, and I'm a resident of New Haven who supports Senate Bill 1059. I'll be using my time today to read excerpts
from the testimony of Joseph Stewart, J-O-S-E-P-H - S-T-E-W-A-R-T, S-T-E-W-A-R-T in support of this Bill who cannot be here today because he's incarcerated. My name is Joseph Stewart. I'm from New Haven, Connecticut, and I'm currently incarcerated in New Haven Correctional Centers.

I'm writing this testimony for the matter of abusive restraints. In 2015, while incarcerated at Osborn prison, my back's slipped a disc due to an injury I already had. I had to go to the hospital where I was treated, and then released back to the Osborn prison hospital bed for two days. I was in a lot of pain. After two days, I was asked by the CEOs to leave. I told the officers I was in a lot of pain and couldn't use the restroom properly.

The CEOs told me that they didn't care about my back pain, and said if I didn't get up, that they are going to cuff me behind my back and drag me on my belly. I was very scared and had to walk, sometimes falling and crawling to get to the next cell to avoid more injury while in cuffs. I also noticed they had no camera to record the situation. My point is that a lot of physical harm can be done when CEOs rough handle injured inmates. And sometimes this could lead to death. If we include the Protect Act in this Bill, we may save some lives. So I support this Bill strongly. Thank you.

SENATOR WINFIELD (10TH): Thank you. Questions or comments from Members of the Committee? Questions or comments? Thank you very much for joining us this evening. Hope you enjoy the rest of your evening. We'll try Jan Combopiano again. Jeneva Stewart Ivana Bozic. Is Jan Combopiano in? I see you.

JAN COMBOPIANO: How do I move in here?

We got you, we got you. You have your three minutes you may begin.
JAN COMBOPIANO: Thank you so much. Thank you for saying my name correctly. I want to thank the Judiciary Committee for having this hearing and for allowing me to share a testimony from two currently incarcerated people who wrote in support of Senate Bill 972. The first is from Oshane. O-S-H-A-N-E I'm sorry, I do not have her last name. "We've not been able to contact our families in the outside world during the pandemic. They said they offered us two free phone calls. But these calls are never enough to contact all your loved ones to make sure they're all right. And to make sure they know you're all right. So with that, you catch your charge and it's a burden on them.

People are going through the pandemic just as much as having Bills to pay having to think whether you're going to use a portion of your stimulus to check on us, or on things that are needed on the outside, it all boils down to an excessive amount of money, and only giving two free phone calls wanting to pacify us. It's not right. My mother lives in Jamaica, my father lives in Canada and my grandmother in another state right now. My father has a rate that's more like calling International. And my mother also has to pay. Right now she's struggling. And my father isn't doing much better in Canada because of the pandemic.

My grandmother doesn't work. She's 77 and collect Social Security, it comes down to whether she wants to send me a couple of dollars to buy toiletries and stuff like that, or whether she wants to make sure I'm okay. And letting me know what's going on out there. It's like a pick and choose. And altogether, I know it's hundreds being spent monthly between the three of them. Then next is from Shawnee. S-H- A-U-N-I-E. My experience is that both my mother and father live in North Carolina. And I'm only allowed to call them on the weekend, Saturday or Sundays, when they have free phone calls. Because they're both on fixed incomes and can't afford it. And plus,
they're long distance. They're not in Connecticut, they're way down in North Carolina.

But I'm being on fixed incomes and I pop he's retired that the house, they have a mortgage, they have other responsibilities. If it was an emergency, I couldn't call them and would have to wait until the following weekend, or would have to tell somebody in my place that if something happened to me, please call my parents for me. But they would have to wait until the following weekend, because it was too expensive to call. These calls and the security system right now.

Even if I call two minutes or 20 minutes, it's a $5 phone call. And not only that it deals with two different phone companies in two different states. And that all adds up to my parents. If it wasn't for letters for the mail system for which we get envelopes with more indigene. But even that's hard, because if we aren't indigent for 90 straight days without having money in our account for commissary, we can't get it. We can't have contact. Thank you.

SENATOR WINFIELD (10TH): Thank you. That was pretty much on his schedule. Comments or questions from Members of the Committee? Comments or questions? I don't see any I want to thank you very much for joining us and sharing the testimony of those individuals. Appreciated very much enjoy the rest of your evening.

JAN COMBOPIANO: Thank you.

SENATOR WINFIELD (10TH): Thank you. Next we have Jeneva Stewart. Ivana Bozic, and then Eliza Kravitz. is Jeneva Stewart in Ivana Bozic.

IVANA BOZIC: Thank you. Can I start?

SENATOR WINFIELD (10TH): Yeah, you may start now.
IVANA BOZIC: Okay. Hi, I want to thank you all for your patience and listening to all this testimony today. My name is Ivana Bozic, I'm a resident of New Haven and I would like to express my strong support for Senate Bill 1059. I'm a student at Yale studying Cognitive Science. And my research and reading on social neuroscience has made one thing very clear to me. Social isolation is traumatizing, having the potential to cause lasting brain damage.

So today, I want to share some of the science behind why solitaries is so damaging. The human brain requires social contact. When we look at brains of different species, the number one predictor of brain size is the number of social connections that an individual has. So in other words, the reason that we have brains so big is because we have social needs as human beings, our brains were literally designed for social interaction. And the social areas of the brain that aren't in use literally atrophy, they decay, and sometimes they can't be regenerated.

The stress of socialized isolation shrinks the hippocampus that's the region responsible for learning memory and spatial navigation. One Professor of Psychiatry at the University of Chicago said that solitary confinement was nothing less than death penalty by social deprivation. Now calling this the death penalty might sound extreme at first, but we've heard people testify but the strong causal link between solitary and suicide, and researchers have found this link even in people who didn't have mental health problems before.

And the ones that do make it out of solitary alive, they have decreased life expectancy from PTSD worsened immune systems risk of cardiac arrest. Earlier Tracy Bernardi shared her experiences in solitary. And Representative Fishbein, you told her that experiences were subjective, someone's experience of solitary isn't the same as everyone else's. But actually, the data is pretty clear that
her perception was not an outlier. Solitary is torture. And that's the norm in the ways that people perceive their experiences, and this is a bipartisan thing.

We can look at respected Republican Senator John McCain, he spent two years in solitary confinement when he was a prisoner of war. And even he said that it was torture. He said, it's an awful thing, solitary crushes your spirit. And we can endure resistance more effectively than any other form of mistreatment. And that's coming from a man who was beaten regularly, denied medical treatment for two broken arms and his legs. Chronic dysentery, he was even tortured to the point of having an arm broken again. And he said solitary was the worst torture he'd ever experienced.

So how many more people have to die before we do something? But that's not a rhetorical question. I really genuinely want any, anyone who doesn't want to pass this Bill to sit there and reflect on how many more people have to die until we do something about this. How many more mothers like Colleen Lord have to come to us in tears before we stop torturing people? If you don't vote to pass Senate Bill 1059, you will have vote on your hands. Thank you.

SENATOR WINFIELD (10TH): Well, that was a good wrap up. Comment or question from Members of the Committee? Comments, or questions? My do not see any. Oh, wait, got it. No, just -- Representative Palm.

REP. PLAM (36TH): Thank you, Mr. Chair, for your patients with my hand raising malfunction. Ms. Bozic, I just want to thank you very much for bringing the neuroscience into this. We've heard a lot of really emotional testimony, heartfelt, and real testimony from folks who have experienced this, but it's also really interesting to think about the hippocampus and the changes in the brain structure. So just wanted to thank you for bringing that
perspective. And tell us one more time, please. Are you a student or Professor?

IVANA BOZIC: I'm a student. I'm a senior.

REP. PLAM (36TH): And you're studying?

IVANA BOZIC: Cognitive science.

REP. PLAM (36TH): Thank you.

IVANA BOZIC: Thank you.

SENATOR WINFIELD (10TH): Thank you, Representative. Representative O'Dea.

REP. O’DEA (125TH): Oh, sorry about that. I pulled over to ask a question. I'm driving at this point in time. But I want to thank you for your testimony, ma'am. And thank you, Mr. Chairman for recognizing me. Sorry, I'm late. But can you can you get us -- I don't -- I'm honestly am embarrassed. I don't know the answer to this. How many people have died in solitary confinement in Connecticut or even countrywide if you have that stat, I agree with you. We need to do something I just don't know what we need to do. And I don't have that number. So to the extent you can get us that information would be greatly appreciated.

IVANA BOZIC: I actually don't know the exact number but I'll find it and email it to you.

REP. O’DEA (125TH): Thank you. Thank you, Mr. Chairman.

SENATOR WINFIELD (10TH): Thank you representative. Comment or question from other Members of the Committee? Comment or question. I don't see any Ms. Bozic, thank you very much for joining us this evening and providing your testimony and please feel free to email the Committee. Have a -- enjoy the rest of your evening. Next, we'll hear from Eliza
Kravitz, followed by Bradley Pellissier. And then Jessalyn Berg. Is Eliza Kravitz Ready to go?

ELIZA KRAVITZ: Yes. Hi, good evening. Thank you guys so much for having me. My name is Eliza Kravitz. I'm a student and undergrad at Yale University, a resident of New Haven and I support Senate Bill 1059. I'll be using my time today to read excerpts from the testimony of Jason good. That's J-A-S-O-N, G-O-O-D-E. A supporter of this Bill who can't be here today because he's incarcerated.

My name is Jason Goode. And I'm currently confined at the Northern Correction Institution in Somers, Connecticut. Originally, I'm from Waterbury, Connecticut. For the purpose that you all are gathered here today. I very much agree with and support the proposed Protect Act, Senate Bill 1059. I've been housed at Northern this time on Administrative Segregation since October 2016 continuously. Continuously until recently without mental health treatment, and this egregious omission towards someone with issues of mental health impairment prior to his imprisonment.

The Connecticut DOC, including its Northern Correctional Institution has policy sees practices and procedures that discriminate -- penalize rather, prisoners who are diagnosed with mental disabilities, causing such persons to miss their earliest release date from custody, whether it be parole or one's estimated release date from accrued good time credits.

This is what long term segregation does. Effectively helps destroy the social bonds of family not to mention enabling one with mental impairments to remain in jail longer. And after a several year bout of long term isolation, with all its accompanying torturous and missed earlier release dates to the community, would anyone with a mind of absolute reason believe that the soon to be released solitary
confinement prisoner would be in ameliorated one? This is not a hard game show Jeopardy type question. For this and all other reasons, those with the power to do so should pass the Protect Act, Senate Bill 1059, into law. Thank you.

SENATOR WINFIELD (10TH): Thank you, comment and questions from Members of the Committee? Comment or questions? I don't see anyone. Thank you very much for joining us and offering your testimony. Hope you enjoy the rest of your evening.

ELIZA KRAVITZ: Thank you.

Next, we'll hear from Bradley Pellessier, by Jessalyn burns and then Wilkins Guadalupe. Mr. Pellessier, are you here? I see that you're in Bradley Pellessier.

BRADLEY PELLESSIER: Hello.

SENATOR WINFIELD (10TH): There we are. Could you turn your camera on? Is it possible? There you are Oh, you're going again. All right. You have your three minutes, sir.

BRADLEY PELLESIER: Thank you for taking the time to let me to testify before the Committee. My name is Brad Miller, I'm a resident of Somers, Connecticut, and a former investigator for the former State Office of Protection and Advocacy for Persons with Disabilities, and in that role, I have seen firsthand a number of the difficulties faced by people with a number of physical and psychiatric disabilities.

We've been through the corrections. And I would like to speak in support of this Bill which will end the use of seclusion, which is created great harm in many people's lives. We as a society have advanced medicine in psychiatry, and psychology in technology in many ways, but we're still using methods and corrections that date back centuries. Not because
these are necessarily good ideas just because they've worked, it's tradition, not to make people better but to control the immediate situation. I would suggest that the practice is similar to a doctor today who continue to use bloodletting to treat an illness.

We would see him as engaging in malpractice. Using centuries old techniques to try and really [inaudible 02:32:03] people and bring them back in the Connecticut society is at least as egregious. Frankly, the legislature owes it not only to people in the Department of Corrections, but the citizens of Connecticut as a whole to return people to society, at least not worse off than they went into the department. And hopefully better off. Thank you for your time.

SENATOR WINFIELD (10TH): Thank you. Comments or questions from Members of the Committee? Comments or question? I do not see any. Thank you for sticking around and making sure that you are able to testify and providing your perspective. Hope you have a great evening. Next is Jessalyn Burns, followed by Wilkins Guadalupe and then Natalie Troy. Is Jessalyn Burns around? Wilkins Guadalupe?

WILKINS GUADALUPE: I'm here.

SENATOR WINFIELD (10TH): Okay, you have three minutes.

WILKINS GUADALUPE: I'm calling to testify in support our 1059. Dear Senator Winfield and Stafstrom. I can't say why but, I'm nervous, so. My name is Wilkins Guadalupe, I'm a disabled person up incarcerating. I have mental health problem. I got skin systemic failure. I went to jail in 2010 and 2010. I had a couple accident because I was a drug addict one time too with a mental health problem. And I have brain injury. So I had an incident I had a fight. I wanted to save for seven days. I left I was saying miserable.
I started reacting crazy and I didn't understand myself. Then I had an accident with this guy that opposite of me. He was gay and I wasn't. And that day, it was October 30, 2010. The same year I just came in. And the seals pepper sprayed me that day so much that I couldn't breathe. I was handcuff put my face in the water my head backward. And some pepper spray wasn't enough to come off my eyes. I couldn't see. I was handcuffed. He poked. He told me to take two step back and go in my knees.

And next thing I told him I couldn't pull in my knees because I was handcuffed. And he like -- he tried push, like put me down. And I fell face first to the floor. Had a black eye in the freaking two floors. And I've been paranoid since that. So I started not eating properly. In general, I couldn't eat and stay focused. I couldn't tell my mind what's going on. Because they had me IPM and I was naked with where the green tank -- where the green tank, they hold us. It was cold.

And I did not like you. I was feeling like I was there for a month. But I was so miserable in there. My appetite started freezing, scared and nervous. You know, I couldn't stay there. I couldn't wait to go home. I couldn't tell my mom to come see me because I was scared to come and harm my family and do something to them. Then I started being there working out because I couldn't cry. Because when I cry, I have to sweat myself out so much that that's the only way I could cry I needed to be a man and I put a pin in my pocket just to wonder why I'm holding a pen in my pocket thinking I'm not at home because I feel like I'll come home.

I'm not home because I still think I'm in there suffering the same pain that I've been going through this paranoia, the schizophrenia. I'd still take my meds that drugged me so much that I was so medicated I couldn't understand myself. I was so desperate to leave. I have fights to handcuff me so tight my hand
was so tight. I had a lady, a captain and they're watching me naked and woman the same one. And I felt that disgusting. I couldn't understand why she would be looking at me. I'm there handcuffed and bend over.

SENATOR WINFIELD (10TH): Mr. Guadalupe if you could summarize your time has expired.

WILKINS GUADALUPE: Okay, I was saying -- I'm nervous, you know, and I'm just saying that it was messed up, how they treat us in it. It was so much things that happen in there. I could wipe the whole story, but he just was difficult to wipe it down and let y'all know everything because I feel like they're gonna come after us. I just supporting the 1059 because I'm still nervous until now.

SENATOR WINFIELD (10TH): Mr. Guadalupe, thank you for your testimony. And I know you're nervous, but we hear you. And let me check to see if there are any comments or questions or comments or questions from Members of the Committee? Comments or questions? I don't see any comments or questions, I want to thank you. Obviously, this was a lot for you to come and testify before us. But I want you to know that you are being heard and that it really does matter. So thank you for braving it out anyway. And I hope you enjoy the rest of your evening.

WILKIN GUADALUPE: Thank you. Appreciate your moment. And I wanted out, I got so much things to say. But I couldn't write it down t because I still think about it. Now I don't want to think about it. I'll try and block it off my mind. That's why I didn't want to go into detail too much because it was too awful for me.

SENATOR WINFIELD (10TH): You did it. You did a great job. You should know that. Thank you very much.

WILKIN GUADALUPE Thank you.
SENATOR WINFIELD (10TH): Have a great evening.

WILKIN GUADALUPE: You too.

SENATOR WINFIELD (10TH): Next we have Natalie Troy followed by Kai Cedeo and Marcelina Padilla. Natalie Troy?

NATALIE TROY: Hi, yeah, I'm here. Thank you so much for all of your patience. And sitting through all of this testimony today. My name is Natalie Troy and I am a resident of New Haven who supports Senate Bill 1059. I will be using my time today to read excerpts from the testimony of Julian Bennett. That spelled J-U-L-I-A-N. In support of this Bill who cannot be here today because he is incarcerated.

My name is Julian Bennett. I am from Hartford, Connecticut and I 100% strongly support the Protect Act Senate Bill 1059. I am currently at Northern CI on administrative segregation status, which is in all actuality, solitary confinement status. Never once in my life have I tried to kill myself until I came to Northern CI as administrative segregation. I've been placed on in-cell restraints over roughly 50 times into cells that were freezing cold. The conditions of said cells were repugnant we're chained up like a slave overnight, I've been forced to stay in cells that had feces, urine, dried up food particles and little insects all over.

I remember a time when I was on in-cell restraints. The CEO banged on the door and said Bennett Chow. I explained to the CEO that someone else has dried up poop and urine has been sitting inside of the trap and then I'm not taking any food to eat from out of that safety trap until it gets cleaned. The CEO then stated Okay, I guess you don't eat then. I went on for three days without eating or drinking while on in-cell restraints.
I recall numerous times and supervisors and CEOs entered myself while I was on in-cell restraints to do a quote, "restraint check" without a camera being present and staff would beat me and spray me with mace and claim I was resisting. Sometimes I can't tell what's worse the physical abuse or the psychological abuse. Here at Northern CI it's administrative segregation status they use psychological tactics such as learned helplessness, sensory deprivation and drug therapy. Since a child I've been diagnosed with PTSD, anxiety, depression and impulsive disorder. Being in this kind of environment does not fit my institutional needs and in fact worsens my mental disorders to the point where sometimes I don't feel as though I am human anymore.

The Protect Act gives me hope that people will never have to endure what me and others have had to while being in solitary confinement, physically or mentally. I am a little content knowing that there are people on the outside who see that we are not animals and are actually trying to protect us with the protect Act. The DOC is always quick to penalize us inmates if we are, or if they feel as though we are in the wrong. But if DOC is in the wrong, they never own up, nor do they get penalized. I strongly and sincerely support to Protect Act because it seeks to create an office of corrections ombuds if you have the power to fix a problem that is so obviously staring you in the face then the power is meant to fix. If not, then you've officially become part of the problem you so openly condone to.

SENATOR WINFIELD (10TH): Thank you, Representative Rebimbas.

REP. REBIMBAS (70TH): Thank you Mr. Chair and thank you for sharing your testimony on behalf of Mr. Bennett. Quick question for you. Do you know how long ago Mr. Bennett was placed on I believe you had in your testimony said 50 -- 50 times in constraints. Do you know when that took place?
NATALIE TROY: I do not know. But you should ask [Madelaine Batt] from the Lowenstein clinic at the Yale Law School.

REP. REBIMBAS (70TH): Okay, I'll be more than happy to. It's just to get a time references as to - - this is something that just occurred and is occurring, or something that's taken place, you know, few years ago. Do you know what the charges are that put Mr. Bennett in prison? I

NATALIE TROY: I don't. I was just sent the testimony, but she, I'm sure has all that information.

REP. REBIMBAS (70TH): Okay. Have you ever spoken to Mr. Bennett, then?

NATALIE TROY: I have not.

REP. REBIMBAS (70TH): Okay. Thank you for your testimony. Thank you, Mr. Chairman.

SENATOR WINFIELD (10TH): Thank you, Representative Rebimbas. Comments or question from Members of the Committee? Comments of questions? I do not see any. I want to thank you very much for coming in. Sharing that testimony with us have a great evening. Kai Cedeo, Marcelina Padilla, Ann Froines. Is Kai Cedeo in?

KAI CEDEO: Yes, good evening.

SENATOR WINFIELD (10TH): You have three minutes.

KAI CEDEO: Thank you. My name is Kai Cedeo. I'm a member of the Yale University prison project, which works closely with Stop Solitary, Connecticut, and I'm a resident of New Haven speaking today in support of Senate Bill 1059 the Protect Act.
I'll be using my time to read excerpts from testimony -- from the testimony of Carlton Wallace. That's Carlton C-A-R-L-T-O-N W-A-L-L-A-C-E a supporter of this Bill who cannot be here today because he's incarcerated. Solitary confinement is like a prison system within a prison system, a double prison. Past Commissioners of the OSI along with their prison administrators imagine that they were preventing and stabilizing potential violence in ongoing violence in Connecticut's correctional facilities. What they were really doing was sweeping everything under the rug until the whole fabric was ruined the repair.

I speak in respect to how those who are incarcerated in solitary confinement have very high mortality rates compared to the non-solitary confinement prisoners in Connecticut and other states of America. Suicide, homicide, and drug overdoses are the three main killers of isolations captives. In other words, we make our own departure from solitary confinement in prison to make a negative impact on society as well as ourselves. Even when we transition into the general population of Connecticut DOC, we find it hard to get back to our old selves, which have many flaws, very shortcomings, but still a lot better than our newfound selves, the versions of us that personify self-destruction and self-degradation.

Out of everything that has been emphasized about northern CI and solitary confinement, there was one main thing that is in my cognitive opinion under-emphasized. That is the racial implications of this primitive system of Connecticut's Department of Corrections. Most administrative segregations -- most of rather administrative segregations inmates are black and Latino. While every once in a while someone White will be admitted into the program. Northern CI -- in northern CI, there has been many cases of CEO brutality, deliberate indifference to mental health and medical needs, sexual abuse and
other forms of cruel and unusual punishment to so many black prisoners.

Even with the grievance system, as well as the DOC disciplinary process, there's a systemic capacity for institutional denials and marked compromises. When we submitted grievance forms with legitimate requests and arguments we're mostly denied. While the AS administration treats me like the rat and a skinner's box, I keep going round and round with the same detrimental behaviors. All they can do is bombard me with tickets and sanctions not doing enough to treat me with the right tools of treatment. Thank you.

SENATOR WINFIELD (10TH): Thank you, Mr. Cedeo. Common questions from Members of the Committee? Comment or question? I do not see any I want to thank you very much for joining us this afternoon -- evening and sharing that testimony with us. I hope you have a great afternoon -- evening. Next we will hear from Marcelina Padilla, Ann Froine and Jorge Guzman. Is Marcelina Padilla, Ann Froine and Jorge Guzman. Is Marcelina Padilla in? Ann Froines?

ANN FROINES: Good evening.

SENATOR WINFIELD (10TH): Good evening,

ANN FROINES: Good evening Senator Winfield and all the Members of the Judiciary Committee. My name is Ann Friones and I'm a resident of Hamden. I would like to express my strong support as a concerned citizen for Senate Bill 1059, also known as the Protect Act, and in particular great accountability in the Connecticut prison system.

The need for independent and independent oversight council was eloquently documented in earlier testimony of Kavnesha Boyd. There have -- too often there have been serious mistakes and abuses of power in the correctional system resulting in deaths, brutality and unwarranted punishments such as long term solitary confinement, and the racial
disparities in the impact of this treatment are dramatic and unjust. I believe the practices inside prisons should accord with commonly held values of humane treatment and respect for dignity of the incarcerated and their families.

We voters in the state of Connecticut who pay taxes for the operations of the department of corrections have a right and an obligation to know whether the treatment of incarcerated persons is serving well our communities. I recognize that a correctional institution is a difficult place to carry out best practices, those who are incarcerated may be miserable or angry those who are employed, not all, but some may be resentful and over time indifferent to stated rules and best practices the department of corrections officers have a union and supervisors to appeal to when they have a grievance.

But to whom can incarcerated persons appeal when there are serious problems and abuses when abuses fester daily life and performance governance inside a prison can become unmanageable staff Members have resigned because of stress affecting their health. It is for these reasons that an independent ombuds office or accountability commission which includes representatives of the formerly incarcerated needs to be established the office can investigate concerns and make recommendations to the department of corrections. In conclusion to have transparency of DOC practices makes it accountable to the wider community that expects it to work for rehabilitation and reintegration of incarcerated individuals rehabilitation can be successful in a prison climate free of abuse of power and I believe Connecticut can be a leader in a move toward greater accountability in prisons therefore I urge you to vote favorably on this Bill 1059. Thank you very much for your time

SENATOR WINFIELD (10TH): Thank you Ms. Froines. Comment or question from Members of the Committee? Comment or questions? I do not see any. I wanna thank you very much for joining us this evening and
offering your testimony I hope you have a great evening.

ANN FROINES: Thank you, and you too.

SENATOR WINFIELD (10TH): All right next will be Jorge Guzman, Richard Kilbourne and Iffy Chikezie. Mr. Guzman, you have three minutes.

JORGE GUZMAN: Thank you. Good evening Senator Winfield, Representative Stafstrom, Members of the - of the Committee I’m here in support of Senate Bill 1059. My name is Jorge Guzman I’m a resident of Norwalk and I’m a member of One Standard of Justice, a statewide civil rights advocacy group OSJ works with men and women arrested or convicted with sexual offense and their families. I also identify as a person who once incarcerated.

I was sentenced to prison as a young man. I was set -- when I was sentenced my lawyer told me that I would go to a level three facility which was organized as -- categorized as a medium risk person, meaning I get more physical activities less time locked up. Instead I was sent by DOC to a level four facility. Minimum to high risk I was locked down 22 hours a day, recreation would often be canceled and staff -- if staff didn't want to go outside because it was too hot.

So the hour we would have gotten outside our cell was still often taken away there was nothing else except to sleep or sit on our bunks or watch TV. Because if you couldn't really work out or do anything else. In a tiny cell meant for one person that I was share with another person. If there was a lockdown somewhere other than our block the whole prison would be locked down, so we will lose more time the food is horrible everything is soy-based and full of carbs. I became pre diabetic because of the lack of exercise and proper food.
People who make small mistakes are sent to jail and can end up with poor health and with more issues. When returning to our community they may rely on government assistance and may have developed mental health issues especially PTSD. Trying to readjust to life on the outside is hard to do with or without family support. There is a huge gap between comfort and basic needs. That humanity and dignity is lacking in our prison system, making us feel less than.

I am here in support of Senate Bill 1059. And particularly the support and implementation of an ombudsman office, and allowing all people out of their cells, eight- plus hours a day, to eliminate solitary confinement by using more humane alternatives. To achieve transparency and accountability for all staff overseeing people inside and -- inside prisons, and provide a fair grievance system where people inside and their families will actually be heard. I too, have seen many scary things and traumatize me. Prisons could be a possible -- could be the most violent place on earth. Thank you for this Bill.

SENATOR WINFIELD (10TH): Thank you, Mr. Guzman. Comment or question from Members of the Committee? Comments or question. I don't see any I want to thank you very much for joining us this evening and offering your testimony. I'll be enjoying the rest of the evening.

JORGE GUZMAN: Thank you.

SENATOR WINFIELD (10TH): Richard Kilbourne, followed by Ify Chikezie and then Bandy Lee. Richard Kilbourne? Ify Chikezie?

RICHARD KILBOURNE: All right. I'm here Kilbourne.

SENATOR WINFIELD (10TH): Oh, there you are.
RICHARD KILBOURNE: Thank you very much Senator Winfield, Members of the Judiciary Committee and I feel very privileged to be here to deliver a message by proxy. It's on behalf -- primarily of Senate Bill 972 which referred much touching and agonizing and heartfelt testimony today. It's on behalf of my stepson, Michael, Braham, who couldn't deliver it himself because he's currently incarcerated in the Cheshire Correctional Facility. But this -- what I'm reading now is his testimony, his statement, Michael, Bram, B-R-A-H-A-M, and he's 231451.

And these are his words. "My name is Michael Braham. I support Senate Bill 972, because the way Securus operates in Connecticut harms the state and its residents. Michael says, I have a daughter who was six months old when I became incarcerated. And because her mother couldn't afford Securus prices, I have rarely spoken to her throughout my incarceration. As a result, my daughter and I are essentially strangers.

Now she's in her mid-20s. Now, ironically, the pandemic has made this less so. Because since it began Securus has given prisoners to free calls weekly. I use those calls to speak to my daughters, or my daughter rather and to her son. It's unbelievable when I think about it, but I've spoken to my daughter more in the past year than I've had in the 24 years before that, because of successful reentry of prisoners depends on their having strong family ties, phone call costs, should not prevent families from staying in contact with their incarcerated loved ones.

And on a related note, I support Senate Bill 978 because I'm statutorily ineligible for parole. I'm also statutorily barred from earning both good time and risk reduction earn credit. This means that no matter what I do to rehabilitate myself, while incarcerated, I have no way of attaining early release. This is unfair, because others do have that opportunity to earn parole.
So if I just made -- that's the end of Michael's statement, just briefly if I can -- I know I'm pushing the time here. But you know, certainly the Bill to provide free phone calls, and to eliminate solitary confinement are steps in taking Connecticut out of the dark ages. But this Bill, Senate Bill 978, is, I think, equally important in that it would eliminate the possibility to anybody convicted of a crime when they're under the age of 25. Would be able to receive a sentence of life without parole, and this would bring us out of the dark ages. But US Supreme Court -- Yes. Sir Senator,

SENATOR WINFIELD (10TH): You have expired your time. So I'm going to ask if there are any comments or questions for Members of the Committee. Any comments or question? And I want to say to you, we're trying to be fair to everybody. So when I try to give extra time, but I do recognize the importance of the Bill that you're referring to and have noted have noted your testimony in support of it. So thank you very much for joining us today. Thank you for testifying on behalf of your stepson on and hope you enjoy the rest of your day.

RICHARD KILBOURNE: we just don't want to be head behind South Dakota, which just last week, the Senate, State Senate passed a Bill that would make it -- that revoked all, or eliminated all sentences of life imprisonment and for anybody under 25. And we don't think of South Dakota as being a -- most of us as particularly-- Sorry.

SENATOR WINFIELD (10TH): Mr. Kilbourne. Thank you. I appreciate it. And I understand the passion behind it. And I agree with you, I've push this Bill, our version of it for a couple of years now. So--

RICHARD KILBOURNE: I know you have, Senator. Appreciated.
SENATOR WINFIELD (10TH): And I think I actually have had a conversation with Michael.

RICHARD KILBOURNE: I know it speaks very highly of you and in our conversations, also, so I'm aware of that I'm aware of the work that you've done, and I do appreciate it. Thank you.

SENATOR WINFIELD (10TH): Thank you for your advocacy on his behalf and on behalf of people in the state of Connecticut. And good evening.

RICHARD KILBOURNE: You too, thank you.

SENATOR WINFIELD (10TH): Next we'll hear from Ify Chikezie. Followed by Bandy Lee and then Sydney Brian. Ify Chikezie in?

IFY CHIKEZIE: Hi, yes, I'm right here.

SENATOR WINFIELD (10TH): There you are. You have three minutes.

IFY CHIKEZIE: Great. Thank you. Good evening, Esteemed Members of the Committee. My name is Ify Chikezie and I am a student with the Lowenstein International Human Rights Law Clinic at Yale Law School. Our clinic has been investigating solitary confinement in Connecticut for more than a decade. And we urge you to pass Senate Bill 1059 for the following three reasons.

First, Senate Bill 1059 will end several ongoing severe human rights abuses in Connecticut prisons. Prolonged isolation, the use of solitary confinement for punitive purposes and the use of restraints for punitive purposes all violate international human rights norms. The Lowenstein clinic has found and we've heard from many people here today that Connecticut routinely engages in these practices.

In response to the question about how recent extreme isolation and punitive restraints are. Our clinic
team is in communication with individuals on the inside and the testimony you're hearing today reflect current conditions and recent events. Just last year, the United States -- the United Nations Special Rapporteur on torture, Nils Melzer concluded that right here in Connecticut, the DOC use of extreme isolation can lead to, and I quote, "severe and often irreparable psychological and physical consequences" Connecticut's practices constitute at a minimum, cruel, inhuman and degrading treatment. And as the special Rapporteur affirmed, "May well amount to torture."

There's a publicly available letter from the clinic that includes information they're lying about their statements, and also the complaint of a recently filed lawsuit against DOC by Disability Rights Connecticut includes recent, specific incidents that are representative of the abuses taking place in Connecticut prisons and jails that many have been discussing here today. In addition, Juan Mendez, one of the former United Nations Special Rapporteur on torture submitted written testimony just this morning in support of Senate Bill 1059.

And I encourage you to review for more in depth review of the serious human rights concerns regarding extreme isolation. Second, Senate Bill 1059 addresses practices that courts have increasingly found to constitute cruel and unusual punishment in violation of the Eighth Amendment to the Constitution. For the sake of time, I won't belabor this point as federal public defender Mr. Andrew Giering spoke to this earlier. I'll just note that the loss of dignity and humanity which the Constitution is meant to protect has led many federal judges to conclude that solitary confinement itself may be considered a cruel and unusual punishment.

And Justice Sotomayor of the Supreme Court has said that this practice raises quote, "clear constitutional problems." Finally, Senate Bill 1059,
open space for the implementation of alternative practices that do not isolate and torture individuals. States across the country are taking steps to eliminate prolonged isolation and instead use alternative practices. Like several other stuff mentioned today. And I believe individuals who will speak after me some individual speaking after me we will be speaking about this a little bit more. By employing alternatives correctional systems have experienced reduced assaults, reduced suicidality, and self-harm and reduced recidivism. By implementing Senate Bill 1059 Connecticut will and practices that international and federal bodies have recognized to be abusive.

The state can instead pursue alternatives to isolation that are less harmful and more effective. So we emphasize that the choice between solitary confinement safety is a false choice. And Connecticut has options. We urge Connecticut to make the choice and annoyingly torturous practice and to join the growing movement and solitary by passing Senate Bill 1059. And thank you all so much for the opportunity to testify today.

SENATOR WINFIELD (10TH): Thank you very much. Ms. Chikezie.

IFY CHEKIZIE: It is a better pronunciation of what I did, yes.

SENATOR WINFIELD (10TH): Any comment or question for Members of the Committee? Comment or question? I do not see any. I want to thank you very much for joining us and offering your testimony. I'm sorry about butchering your name. I hope you forgive me.

IFY CHEKIZIE: Thanks.

SENATOR WINFIELD (10TH): Next, we'll hear from Bandy Lee, followed by Sidney Bryant and Margaret Nelson. Is Brandy Lee in?
BANDY LEE: Yes. Can you hear me?

SENATOR WINFIELD (10TH): I do hear you and see you have your three minutes.

BANDY LEE: Okay, thank you very much. My name is Bandy Lee. I'm a forensic psychiatrist, prison psychiatrist, and was assistant Clinical Professor of Psychiatry at Yale School of Medicine for 17 years. I would like to express my strong support for Senate Bill 1059, or the Protect Act. Since 1997, I have researched prison programs that are viable alternatives to solitary confinement for managing and preventing violent behavior.

Since 2011, I have testified or served as expert consultant for several states, including New York, Connecticut, Massachusetts, Alabama, and California, on prison programming and on the harmfulness of solitary confinement for both individual mental health and societal safety. I consulted with governments in Ireland, France and Israel on prison reform and violence prevention programs.

In 2013, I co-drafted the report to the New York City Board of corrections on solitary confinement, which led to several reforms at Rikers Island Correctional Facility. I've also consulted with the World Health Organization, violence and injury prevention department since 2002, and published the textbook. Violence. Since 2017. I'm President of the World Mental Health Coalition which is dedicated to promoting societal safety. I would first like to emphasize that solitary confinement is probably one of the worst forms of torture.

Everything about the human makeup, including the overblown frontal brain, which is the social center, the formation of the brain itself through social interaction, and the shaping of brain structure well into a person's 20s and 30s. Not to mention continually changing connections after that depend on social input, which is critical to neurological
and mental health. Just as oxygen is critical to survival, but often overlooked until it is taken away.

The critical need for social input to survival is often overlooked. The effects of prolonged isolation are profoundly damaging on a person, and like the deprivation of oxygen, the damage can be permanent, even if the individual survives. One study showed that loneliness and social isolation heighten mortality by 29%. Yet vulnerable individuals, such as those suffering from mental illness are disproportionately more likely to be subject to solitary confinement.

According to the Bureau of Justice 25 to 35% of people who spent 30 days or longer in solitary confinement, the previous year showed serious psychological distress. This increases the probability of self-mutilation and suicide. Common acts of self-harm include ingestion of poisonous substances or objects leading to metabolic disturbance. Hanging or laceration.

At Rikers Island, individuals with experience in solitary confinement were more than seven times as likely as those in the general population to engage in self-harm in. California's prisons, and individual health in isolation was up to 33 times more likely to commit suicide than someone in the prison systems general population. While the United Nations Committee against Torture declares that more than 15 days in solitary confinement is torture, most American citizens in isolation spend more than five years under these conditions, this may be even decades--

SENATOR WINFIELD (10TH): Ms. Lee your time has elapsed if you could summarize.

BRANDY LEE: Those without prior history of mental illness are also more likely to develop symptoms such as anxiety, depression, psychotic symptoms, and
self-harm, or psychiatric syndrome that consists of hypersensitivity to external stimuli, hallucinations, panic attacks, cognitive deficits and numerous other physical and psychological problems, including the loss of ability to be around people. Finally, violent behavior generally worsens as a result of isolation through mental health consequences, obsessions, rage or disorientation and erratic behavior. So recent research shown recently-

SENATOR WINFIELD (10TH): Ms. Lee, I'm going to have to cut you off because I asked you to summarize and you're going a little longer. So sorry about that. Is there a comment or question from Members of the Committee? Comment or question? Thank you, Mr. Lee, for joining us. I wish I could give you more time, but then I would have to give everybody more time.

BRANDY LEE: Yes, absolutely. Thank you.

SENATOR WINFIELD (10TH): We wanna make sure everybody has a chance to testify. So thank you very much for joining us this evening. I appreciate waiting around and offering a testimony thank you very much. Next, we will hear from Sydney Bryant, followed by Margaret Nelson and Annabel Lugo. Is Sydney Bryant around?

SYDNEY BRYANT: Yes, Hi. Hello respect the chairs. Thank you, Senator Winfield. Hello respected chairs Vice- Chairs and Members of the Judiciary Committee.

My name is Sydney Bryant, I’m a student with the Yale undergraduate prison project and resident of New Haven in support of state Bill 1059, I’ll be using my time today to read anonymous testimony that was shared to Stop Solitary Connecticut by someone who is currently incarcerated "I was transferred to Northern CI on administrative segregation pending when arriving at northern I was brought into the facility with 10 to 20 guards they proceeded to do a five point strip search for five guards pinning
every part of my body to a wall with Lieutenant or Captain with a can of mace inches away from my face saying if I move or resist any time during a procedure I’ll be sprayed and restrained after bending over and spreading I was placed in a medical cell naked and cold.

A couple of minutes after being placed in the cell I cried the most debilitating cry I’ve ever cried. Because the circumstance that I could vaguely relate to this event is when a slave coming from Africa into the new world being violated and peered out by the people auctioning his humanity away. In the days I’ve been here it began to become socially awkward, depressed anti-social and I started to frequently stutter in most conversations for the past week every time it gets dark it seems as if the walls are closing in my heart picks up and seems all my problems come rushing to me at once with no rational solution or remedy I’m starting to feel there's no way out.

It’s certain inmates that have been in and out of here for years the longest I’m aware of is 17 years. But looking at these individuals he knows that they can't make eye contact they either zone out or fall asleep standing up and have weird twitches. I honestly don't see being shackled to the phone or being walked chained like a dog to the showers or being in a cell 23 to 24 hours a day with no programming is going to help anyone become better citizen or inmate.

The only outcome that I see coming from any length of solitary confinement is, the best scenario coming home and being on disability for life, or worse scenario coming home and killing themselves like Kalief Browder with reoffending somewhere between the two. Seeing as we are in the historically progressive state of Connecticut I feel it is in the best interest of the people that legislators pass a law banning all forms of solitary confinement.
I’m not perfect and I’ve made many mistakes but the psychological torture is cruel and unusual punishment if the goal of the department of corrections is to destroy an individual offender from the inside out then they have surely succeeded and that is the end of their testimony.

SENATOR WINFIELD (10TH): Thank you very much for sharing that testimony. Is a comment or question from Members of the Committee? Comment or question? I do not see any I want to thank you for hanging in there with us and offering the testimony hope you enjoy the rest of the evening.

SYDNEY BRYANT: Thank you, Senator.

SENATOR WINFIELD (10TH): Next we have Margaret Nelson, followed by Annabella Lugo, and then Barbara Fair. Is Margaret Nelson around? What about Annabella Lugo?

ANNABELLA LUGO: Yes, I'm here.

SENATOR WINFIELD (10TH): There you are. You have three minutes.

ANNABELLA LUGO: Good evening. My name is Annabella Lugo, and I’m a member of the Yale Undergraduate Prison Project, as well as a resident of New Haven who supports state Bill 1059. I will be using my time today to read excerpts from the testimony of Joe Baltas, J-O-E B-A-L-T-A-S, a supporter of this Bill who cannot be here today because he is incarcerated.

I, Joe Baltas have repeatedly suffered the abuses and torments of Connecticut Corrections for years. I came to prison at 18, and soon after the DOC began placing me in isolation for the most frivolous reasons you could think of, such as not walking fast enough. I have been subjected to all of the weapons in the DOC's arsenal, inclusive of physical assaults, lots of disciplinary reports, in-cell
restraints for days on end, and use of mace for no other purpose than abuse, and so on and so on. But the worst torment I have ever experienced were the tortures of long-term isolations and abuses in post at Northern CI by way of their administrative segregation status or AS, where Correction's daily objective is to completely break the prisoners confined there.

The sole purpose of this facility and this segregation statuses are to demean and destroy the people sent there, them who are nine times out of 10 only there because the administration is upset with them, not for engaging in violence or posing a threat of any kind. There are currently five young Black and Spanish men and AS because they refused to lock their cells until they saw a supervisor regarding a problem with their food and rack. Afterward, they locked up without issue. Subsequently, they were removed from their cells and sent to AS for so-called, "Rioting."

I was placed in AS on false plenary charges. I had a hearing in one but I was placed in AS anyway, with a complete disregard for the process. Connecticut DOC has done nothing but weaponized isolated confinement against its prisoners, to no effect by damaging people. Everyone who has gone through AS or is currently there suffers and has become a disciplinary problem. What other impact could it have when you sit in a dark, empty cell all day, every day, with no property and nothing to do? When you are kept awake all night by cries, screams, or people banging their head on a wall.

I cannot count the times where I've seen people break and begin to harm themselves in vicious ways while Corrections would stand by and watch and cheer on the self-harm, because it gives them an excuse to run into a cell, hurt someone, and put them in chains. All AS and isolation ends in is people getting worse, hurting others, hurting themselves, or killing themselves. What is the point in a system
that only accomplishes that, nothing but harm? I wholly support a Bill to end solitary confinement. I call upon the legislator and demand that they act to end the cycle of abuse and torture and pain.

SENATOR WINFIELD (10TH): Thank you for reading that testimony. Is there a comment or question from members of the Committee? Comment or question? I do not see any. I wanna thank you, again, for joining us and offering the testimony. I hope you enjoy the rest of your evening.

ANNABELLA LUGO: Thank you.


BARBARA FAIR: Hi, Senator Winfield, Representative Stafstrom, Senator Kissel and Representative Fishbein, and other distinguished Members of the Judiciary. My name is Barbara Fair, I'm a West Haven voter, a member of Stop Solitary, and a licensed clinical social worker for over 30 years, and I'm a mom of the formerly incarcerated.

I first have to say this has been a really, really hard day for me but I'm gonna try to get through parts of testimony my son had exhibited the first time we tried to get rid of solitary. My name is Kisha O'Tucker, I'm a survivor of solitary confinement and maximum security prison. I've lived in New Haven. I've been in solitary, the longest time, six months. My first time in solitary was when I was 17. I wasn't convicted of anything, I was pre-trial. I had a threatening and breach of peace charge, and I just wasn't able to cope with being in prison. I got tickets for disobeying a direct order, but most of those tickets were simple, minor violations.

I was in MYI, Manson Youth. I was there for three months and another kind of isolation. Each time you
come out you're handcuffed, even going to and from
the shower, I was there for about three to four
months. MYI, for the people who don't know, that's
where we keep our young people, so this doesn't only
happen to adults, it happens to young people also.
While I was there, they accused me of assaulting a
Correctional officer, and that's how I landed in
Northern, a maximum security prison. What happened,
I was going to the shower-- to the cell, and a
Correctional officer handcuffed me. He yanked me
back to the cell and pulled on the handcuffs and we
both fell, and he wrote up the ticket as an assault.

And so I ended up in the worst place I've ever been
in. When you first enter, you're handcuffed and
shackled. They take the handcuffs and the shackles
off, they strip you down, and handcuff and shackle
you again. They walk you down this long hallway. I
couldn't even walk the whole way, it was so long.
The shackles were cutting into my skin and a
Correctional officer had to carry me into the cell.
I didn't have anything, no books, no writing
material. The first night, was looking out and I
witnessed what they call, 'The goon squad.' It was
like 6-8 seals with helmets on and shields. I
watched them go into someone's cell, drag the person
out, they were unconscious on the ground.

I saw a nurse come in and she was standing over the
person, shaking her head like she didn't know what
to do. They carried him out of the stretcher, and I
didn't know if he ever woke up. And that was my
first night. You can't see any of the inmates, you
can't talk to them, but I remember in the cell next
to me, I heard this voice and was like, "Where's
this coming from? Well, it's coming from the sink."
He said, "Talk to the sink." And that's how I
communicated with people in next cell. It was crazy.

SENATOR WINFIELD (10TH): Barbara, can I ask you a
question? 'Cause your time is up. How much more do
you have to go?
BARBARA FAIR: Already? Oh, my god. I'll just end it with, I remember suffering from anxiety and depression. And I'll just kinda leave it there because that's something he continues to experience. And he talked about being a survivor, but decades later, after this dehumanizing experience, I can tell you he still struggles with anxiety and depression.

SENATOR WINFIELD (10TH): Yeah. I know that. Rep. Palm has a comment or a question.

REP. PALM (36TH): Thank you, Mr. Chair. Hi, Barbara. Based on your very considerable experience and your long time of advocacy, I'm assuming you're testifying in favor of 1059, yes?

BARBARA FAIR: Oh, sorry. Yes.

REP. PALM (36TH): That's okay. And do you feel this Bill is adequate? You know, it doesn't completely eliminate solitary.

BARBARA FAIR: And I realize that, and I see it as putting us on the pathway to actually ending it. I don't see it actually ending it. And I am concerned when, you know, there's the question of will we actually eliminate solitary confinement, and in my opinion, we should eventually, that should be our end goal. No need to be tortured.

REP. PALM (36TH): You know that public policy is often incremental and sometimes we just move along in steps, but it does seem like a leap from what your son's experience was. Yes?

BARBARA FAIR: Yes.

REP. PALM (36TH): Okay. Thank you, Barbara. Thank you, Mr. Chair, that's it.

BARBARA FAIR: Okay.
SENATOR WINFIELD (10TH): Thank you, Representative Palm. Comments or questions or questions from other Members of the Committee? Comments or a question? I don't see any, but Barbara, you know, I almost feel like I'm a broken record. I wanna thank you for coming, not only just this, but on a host of things that you've been working on for a long time, a very long time, and just thank you for staying in the fight. As someone who's been involved for a long time as well, I know that a lot of the faces disappear over the years, and yet you persist, and that says a lot about what this struggle means to you, and about you as a person. So I just wanna thank you for continuing that work. And I know we'll see you again.

BARBARA FAIR: Thank you, Gary. This work won't ever be over for me. Once again, it harms my son in this way, this can never end for me.

SENATOR WINFIELD (10TH): Yeah, I believe that, to my core. Enjoy the rest of the evening.

BARBARA FAIR: Thank you.


My name is Kyle Lamar Paschal Barros. Prior to my hostage-ship incarceration, I had residing at Torrington, Connecticut, and I wholeheartedly support the Protect Act, SB 1059, and all of its proposed provisions. I support it because it creates humane conditions which the Executive Branch refuses
to provide. I asked for a moment of your time and consideration to share truths realized by my personal experiences. At the beginning of my exile to the custody of Connecticut DOC, I was nine-day short of 18. I have no shame in letting it be known that I suffer multiple mental disabilities.

So I entered CDOC's care triple cursed. One, an alleged criminal, two, an underdeveloped brain, and three, mentally disabled. I couldn't, nor at this time still can't adjust to, "Healthy prison life." Hindset and intellect has enlightened me to see it as because of this triple curse. Despite the doctors employed by CDOC, the department either failed to notice or deliberately ignore these factors. I was treated as a developmentally matured, non-disabled male, and subjected to prolonged solitary confinement, which does not exist solely at Northern.

It was, to use a fisherman term, catch and release, back and forth, in and out, each day becoming longer, and the more dysregulated I became. Depression, frequent stays on install restraints, suicide attempts, and facility hospitalization, no calls, no visits, infrequent mail. I became so dysregulated I drew portraits and had full-blown conversations with them. CDOC heavily medicated me and I was practically mindless. Eventually, the medications changed but the damage is done. The reality is this, there are a lot of mentally ill inmates subjected to solitary, most are expected to someday reenter society.

The Protection Act must be passed. When will those, the people who I could not only ask, "What is going wrong," but also take the steps needed to stop things from going wrong? You have that power and the corrective means are before you. Thank you for your time and consideration.

SENATOR WINFIELD (10TH): Thank you for your reading of the testimony. Are there Comments or questions
from Members of the Committee? Comment or a question? I don't see any. I wanna thank you very much for joining us this evening, hope you enjoy the rest of the evening. Next is, Fernecia Smith, followed by Jovaan Lumpkin, then Gemini Rorie. Fernecia Smith, you have three minutes.

FERNECIA SMITH: Senate Chairs, Senator Winfield and Representative Stafstrom-- Stafstrom, sorry, and Members of the Judiciary Committee. My name is Fernecia Smith, and I'm a justice advisor at the Connecticut Justice Alliance, CTJA. And I'm writing this testimony to communicate my strong support for SB 1059. The CTJA is a statewide youth, adult partnership working to end the criminalization of youth.

The use of solitary confinement does more harm than good, especially to the mental state. Humans are not designed to function properly in solitude. We are social beings who survive by having constant interaction with other human beings. The conditions within these prisons are already made good, so to then place individuals all alone in a cell with no other interactions for days on end, is like adding fuel to the fire. What you get is someone who will be more damaged than they were before the confinement, thus making it much more difficult for them to reintegrate back into society after this. That is the purpose of sending them to prison in the first place, correct? To give them time away from society to grow as a person and to be better when they return.

So let's take the year 2020, for example. Many, if not all of us, experienced our own little version of solitary confinement within the start of the pandemic. We were stuck in the home for weeks, months for some, with little to no human interaction depending on one's living situation. The difference is that not all of us were in solitary, and we will definitely not completely confined, because we had access to virtual means of communication. Even
virtual communication was enough to help peoples' sanity. I say this because our pandemic version of confinement was not even close to what incarcerated individuals experience in solitary confinement yet statistics show that it still had a major impact on the mental health and well-being of many people.

I urge you to think about this comparison. The previous year has also reinforced need for urgency when addressing issues that have been going on for far too long. Think about the mental state of the people who have suffered in solitary confinement, those who are suffering from solitary confinement as we speak, and those who will suffer from solitary confinement if we do not act on this in an urgent manner. Is that something you want to be responsible for allowing to continue? I strongly encourage this Committee to vote in favor of SB 1059. Thank you for your time.

SENATOR WINFIELD (10TH): Thank you, Fernecia. Comment or a question from Members of the Committee? Comment or question? I don't see any. Fernecia, how long have you been with the Justice Alliance?

FERNECIA SMITH: I actually just started in December of 2020. So I'm new to this.

SENATOR WINFIELD (10TH): Okay. You’re new, but you're doing great. And I wanna thank you for that comparison. I often talk to people about a time when they were sick for an extended period of time and stuck in a room, and then I ask them to remember how at the end of that period they felt like they really needed to get out of that room, and they might be, to their perspective, losing their mind. And then I say, "Well take away the television, the nice carpet, the bedding, and all of that," and you still don't really understand the situation. So I really appreciate the way you've characterized that.

FERNECIA SMITH: Thank you.
SENATOR WINFIELD (10TH): Thank you for joining us this evening, have a great rest of the evening.

FERNECIA SMITH: Thank you. You as well.

SENATOR WINFIELD (10TH): All right. Next is, Jovaan Lumpkin, followed by Gemini Rorie, and then Kevin Keenan.

JOVAAN LUMPKIN: Hi, Senator Winfield, can you hear me?

SENATOR WINFIELD (10TH): I can hear you. You have your three minutes.

JOVAAN LUMPKIN: All right, thank you. Good evening to you, and the rest of the Committee. My name is Jovaan Lumpkin, I'm a Hartford Connecticut resident, and formerly an incarcerated person, I am in support of Senate Bill 972, an act for the telecommunication services to Department of Correction. I'm in support of this Bill because I think that, not only would it alleviate burdens placed on family members of incarcerated people, but it will also create a safer environment inside of the prison.

When I was incarcerated, I was fortunately blessed with a strong support system, and I was able to use the phone often, but there were other inmates that were not, and I noticed that there was issues regarding that. I was assaulted by another inmate that was jealous of the fact that I could use the phone and I was-- my jaw was broken and, subsequently. I was placed in solitary confinement for two days before I had medical treatment, and then I was sent to the UConn Medical Center to have reconstructive surgery on my face.

So I just wanted to testify to the fact that inmates that can use the phone and can have stronger family ties, I think that research would agree that we have a higher chance at re-entry, at a successful
reentry. Also, we have better behavior and aside and we could focus on rehabilitation, and inmates without strong family ties and access to the phone are on their worst behavior because they don't have that support from the outside. So I would just like to say that, I think that this Bill would do wonders for families, as well as currently incarcerated people in creating a safer environment for Correctional Officers and other inmates as well. And just to know, I am also-- as a person, I end all solitary confinement multiple times. I'm also in support of Senate Bill 1059, also known as the Protect Bill.

SENATOR WINFIELD (10TH): Thank you very much for your testimony. Let me check, are there comments or questions from Members of the Committee? Comments or questions? I don't see any but I wanna thank you for coming and sharing your perspective. And we know it's your story, so we appreciate that. It's not always easy to share your story, so thank you so much, we really appreciate it. And hope you enjoy the rest of your evening.

JOVAAN LUMPKIN: Thank you for hearing me, and you too-- and you as well.

SENATOR WINFIELD (10TH): Next we have Gemini Rorie, Kevin Keenan, and Alli Morat Gali. Is Gemini Rorie in?

GEMINI RORIE: Yeah, I'm right here.

SENATOR WINFIELD (10TH): Yeah. You have three minutes.

GEMINI RORIE: Thank you. Hi, my name is Gemini Rorie, I am a justice advisor with the Connecticut Alliance-- Connecticut Justice Alliance, CTJA, and I am writing this testimony to communicate my strong support for Bill, SB 1059. The CTJA is a statewide youth-adult partnership working to end criminalization of youth. Okay.
There are many conditions in our prison systems that concern me, but when mentioning solitary confinement, I find it is completely inhumane. People in solitary confinement or isolation are not given access to education, or vocational training, they are basically sitting idle in their cells. Solitary, as many are aware, can cause a pacific psychiatric syndrome, categorized by hooliganisms, panic attacks, over paranoia, diminished impulse control, and hypersensitivity to external stimuli, and difficulties with thinking, concentration, and memory.

Some people lose the ability to maintain a state of alertness, while others develop crippling obsessions. This all equals to torture, and in no way can this tactic rehabilitate any persons, because solitary confinement requires people to learn and live in a world without people. I believe we can use other tactics with discipline and deterring. We should be looking for other ways to keep prisoners safe, including new ways that may have not been invented yet.

Some of these new ways can be getting to the root of the problem that incarcerated people have with one another, getting proper mental health treatment for individuals, as well. I know many people in today's society that went to prison on a costly mistake, and when they were put in solitary confinement they never were the same and still are recovering from those conditions. Thank you for the opportunity and for listening to my testimony today.

SENATOR WINFIELD (10TH): Thank you, Mr. Rorie. Comment or question from Members of the Committee. Comment or question? I don't see any. I wanna thank you very much for joining us. I see you have an audience there with you, and-- there you go. And I'm gonna let you get back to them, and enjoy the rest of your evening. Bye.
GEMINI RORIE: Thank you.

SENATOR WINFIELD (10TH): Yeah. Thank you. We have next, Kevin Keenan, followed by, Ali Murat Gali and, Ben Howell. Is Kevin Keenan in and ready to go?

KEVIN KEENAN: Yes, I am. Senator Winfield.

SENATOR WINFIELD (10TH): Go ahead.

KEVIN KEENAN: Thanks so much. And thank you Rep. Stafstrom, and the Members of Committee for being here this late and really hearing from all these good folks. I'm Kevin Keanan, I'm a vice president of the Vera Institute of Justice. We're a national criminal justice research and reform organization, headquartered in New York City. Submitted some written testimony, but I know that can be hard to find. If the Members or anyone listening would like that, please email me and I'll send it to you directly, I'm at, kkenan@vera.org.

And before getting into substance, you've heard so much tonight, I just wanna speak as a Connecticut native. I grew up in Fairfield, to the law school in Hartford and New Haven, family still there, and I just have immense pride seeing all of you, our Representatives and the people of Connecticut, and hearing from the voices of people who are incarcerated. It's actually a beautiful thing to see you speaking from your cars, and baby high-chairs in the background, and to hear these voices that we don't hear from, ordinarily.

So, just to highlight a couple of points, we've actually worked for 10 years, hands-on, with jurisdictions around the country to end solitary confinement. And we've learned a lot from that. We've learned, for example, that when solitary confinement is not comprehensively restricted, it is abused. It's usually not intentional, but there's just some characteristics that developed, use of solitary becomes a default, the length of
confinement just protract when someone is in there, and re-entry planning is impeded in significant ways.

We've learned conversely, that when solitary confinement is restricted, the results are positive. And it's early days still, but we've got really great results from Colorado, Maine, Washington State, and numerous other jurisdictions that have scaled back. I would say we've also seen some of the unintended consequences. And I wanna speak for a moment about why this Bill is such an important contribution to the national conversation.

These provisions that you have in there about restraints, and communications, and accurate data, and oversight, and even Officer wellness, those are actually truly visionary in anticipating what are some of the challenges of eliminating solitary confinement and getting ahead of those, and my written testimony speaks to that as well.

Finally, I wanna talk about a program you may know, the True Unit, and the Worth Unit that Vera partnered with Connecticut on to create. It's a transformational approach to treatment of young adults, based on a trip to Germany that you're then Governor and Secretary of Corrections took. And a lot of things are been said about that as covering [Inaudible] but fundamental to that we started by ending solitary confinement in those units. It was fundamental to seeing people as human beings and building on a basis of trust. I'll conclude there, and thank you so much for your time.

SENATOR WINFIELD (10TH): Thank you very much, Mr. Kenan. Comment or questions from Members of the Committee, comment or question. I don't see any, but I like to thank you for joining us this evening, and thank you for reminding us how we got the True Unit, which we celebrate so much. I think it's important to all of our knowledge, but also to this discussion. Thank you, and hope you enjoy the rest
of your evening. All right, next, we'll hear from All Murat Gali, Ben Howell, and then Denise Paley. Is Mr. Gali in?

ALI MURAT GALI: Yeah, I'm here.

SENATOR WINFIELD (10TH): You have your three minutes.

ALI MURAT GALI: Thank you. Good evening, you all. My name is Ali Murat Gali, and I'm a resident of New Haven who supports SB 1059. I will be using my time today to read excerpts from the testimony of Kezin Mendez, as supporter of this Bill who cannot be here today because he's incarcerated. I'm a victim and witness of Northern CI's abuse by [Inaudible] or administrative segregation.

I respectfully ask with sincerity that legislators strongly support the Bill to end solitary, and ask that anyone who can lend a helping hand to support to the Bill to stop solitary, because it destroys individuals like myself, and leave people with serious mental health issues, such as antisocial disorder, anxiety, bipolar disorder, anger and aggression problems, without the proper treatment or help.

While I was in AS, I was tortured by COs and lieutenants daily and weekly, and today I live with mental health illness caused at the hands of Correctional Officers sworn to serve and protect. I've been assaulted by COs and lieutenants, chained up in a cell for days, fed out of a bag with nothing to eat but other than my hands, my food was cold and sometimes tampered with by the officers, no shoes on my feet, doo doo on the walls, doors, floor, and blood as well from the person who was in the cell chained up before me, beaten by officers and left to heal for days, sometimes without medical attention.

I, Kezin Mendez was that prisoner, yes, me. Someone's son, brother, father, and uncle was a
victim of abuse by individuals sworn to protect me from any harm. I've had my genitals grabbed by an Officer and twisted after another Officer punched me in my stomach, while a lieutenant looked on smiling. Northern CI is a dumpsite for DOCs, "I don't wanna deal with prisoners." And if you're a mental health, the doctor will take you off your mental health medication in order to keep you at Northern facility, knowing that the prisoner should not be there due to his mental health issues.

I have scars from Northern physically, but my biggest scars hurt me mentally, and I can't get rid of them because they're in my head, and I live with them every day, and fight them every day just trying to live a normal day of my regular prison life. And for those reasons alone, I Kezin Mendez call for a Bill to stop solitary. It's not healthy for any human being. Thank you for your time.

SENATOR WINFIELD (10TH): Thank you. Comment or question from Members of the Committee? Comment or question? Mr. Gali, I don't see any comment or question. I wanna thank you for joining us and waiting to offer that testimony, it's very much appreciated and I hope you enjoy the rest of your evening. Next, we will hear from Ben Howell, followed by Denise Paley and then Lee Colt. Mr. Howell, are you in?

BEN HOWELL: I am here.

SENATOR WINFIELD (10TH): All right, you have three minutes.

BEN HOWELL: Okay, thank you. Good evening, Senator Winfield, Representative Stafstrom, and the Members of the Joint Judiciary Committee. My name is Dr. Benjamin Howell, I'm a resident of New Haven and, actually, recently moved to Senator Winfield's District this past weekend. I am a primary care physician at Cornell Scott, and a researcher in the
Yale School of Medicine, and a faculty in the Safe Center for Health and justice.

My research is on the long-term health impacts of mass incarceration. This testimony represents my views and not those of my employers. I am testifying in support of Senate Bill 1059. The use of extreme isolation causes irreparable physical and psychological harm on incarcerated individuals. This is true, whether it's called solitary confinement, administrative segregation, restrictive housing, or any other name, or whether used for disciplinary or administrative reasons.

Connecticut should abolish this practice across all its correctional facilities. In testimony today, you've heard the stories and experiences of individuals who have been harmed by extreme isolation in Connecticut's prisons and jails, their stories are consistent with what we know about the effects of extreme isolation in the medical and public health research.

Exposure to extreme isolation is physically unhealthy and psychologically traumatizing. It can cause severe psychological distress and psychosis, as well as increased hostility, increased self-harm, and suicidal behaviors. The harms of extreme isolation persist after release. After exposure to solitary, there's increased risk of death in the time after release, especially due to non-natural causes.

There's twice the risk of dying by suicide in the year after release, and increased risk by dying by homicide and drug overdose. People who are exposed to solitary confinement are more likely to experience Post Traumatic Stress Disorder. Exposure to solitary confinement has also been associated with worse cardiovascular disease, with likely increase in heart attacks and strokes. The harms of extreme isolation [Inaudible] compound the structural racial violence and mass incarceration on
Black and Brown individuals who are more likely to be incarcerated, but also more likely to be placed in extreme isolation.

They also compound the harms of incarceration to people with serious mental illness, who are also more likely to be incarcerated, more likely to be placed in extreme isolation, and more likely to suffer the harms of extreme isolation. Connecticut has an opportunity to continue its place as a leading state on issues with criminal justice reform. SB 1059 gets us closer to a more just and equitable society. These steps will continue to move Connecticut past the mass incarceration which harm and dehumanize too many Connecticut residents. Thank you for your time and attention.

SENATOR WINFIELD (10TH): Thank you, Dr. Howell. Comment or question from Members of the Committee? Comment or question? I don't see any, Dr. Howell, thank you for joining us and offering your testimony. I appreciate it. And Welcome to the District. Hope you enjoy the rest of your evening.

BEN HOWELL: Thank you very much. Good night.

SENATOR WINFIELD (10TH): Next, we'll hear from Denise Paley, followed by Lee Colt, and Leighton Johnson. Denise Paley.

DENIS PALEY: Thank you. Hello, Members of the Judiciary Committee. My name is Denise Paley, I'm a board member of NAMI shoreline. And this is my son, his name is Ellis Tebear. He is currently in pretrial commitment--confinement, excuse me, MYI. So thank you for allowing me to speak in support of Bills 1059, specifically addressing the use of isolated environment, and 972. In preparation for my testimony, I looked on the DOC website, and I found the following statement under the heading, "Agency vision."
It says, "Re-victimization is reduced by providing offenders the tools and resources to make positive changes for a successful transition back into the community." So my child suffers from serious mental illness, between Garner and MYI, he's been subjected multiple times to 24-hour isolation for one week or more while enduring a sea of psychosis. It's under the pretense of ensuring his protection, when he's had no bedding, sometimes no control of lighting in a cell, no shower, no option to exercise, with his meals in his cell next to his toilet. They have isolated him with nothing other than his psychologically tormenting thoughts.

Now, in MYI, he's recently been granted permission to participate in a vocational class, and this is great for getting him out of his cell. It gives some meaning to his day, and I would suggest having meaning in your life is probably healthy for a person's interactions with whichever community they're in. However, on a typical day, even when Ellis does get to go to class, he spends fewer than four hours out of his cell. This is between his class, meals, showering, everything. He spends 20 and a half hours a day in his cell. He doesn't get any time outdoors, except for fresh air, unless it's to enter from one building into another. And it seems that 24-hour lockdowns are pretty frequent.

I believe this practice is in direct opposition of the agency's vision of providing offenders the tools and resources to make positive changes for successful transition back into the community. How do you do that if you spend most of your time locked in isolation? And what are we doing as a society, anyway? Prison is punishment, having your freedom revoked, remaining separate from society, stigmatized with marginal opportunity upon release, that's punishment.

The use of isolated confinement, seclusion, and restraints? What we're doing here in Connecticut is just primitive. Regarding Bill 972, it's my
understanding that Connecticut is the most expensive state in the country for prison phone calls, a 15-minute call costs nearly $5. And then these calls have zero privacy.

SENATOR WINFIELD (10TH): Ms. Paley, your three minutes have elapsed, so if you could summarize?

DENIS PALEY: Okay. So, in my opinion, the charge for the phone calls is an abuse of authority, and it does nothing to further the much-needed connection to loved ones for people living in incarceration. So please, thank you for listening and support Bills 1059, and 972. Thank you.

SENATOR WINFIELD (10TH): Thank you. Comment or questions from Members of the Committee, comment or questions? May I ask you a question, are you-- How much do you get to communicate with your son?

DENIS PALEY: I can communicate with him pretty regularly, he can call me.

SENATOR WINFIELD (10TH): And his experience, how has it changed his ability to communicate with you? Has it? In terms of how the conversations happen, and the tenor of the conversation, has that impact on those?

DENIS PALEY: Well, everything is recorded, so we kinda keep that in mind. It makes him very nervous to speak freely.

SENATOR WINFIELD (10TH): To be clear, I'm asking, do you perceive a change beyond those things? Obviously, those things change, the way you can hold a conversation. But it's just that you know your son as well as anybody would, do you perceive a change because of his experience?

DENIS PALEY: Yeah. I mean, I could go on about how this is not good for his mental health, the way he is. Yeah, I think it's detrimental to his mental
SENATOR WINFIELD (10TH): Oh.

DENIS PALEY: So, if that tells you anything at all. He did not know that there was a psychologist there.

SENATOR WINFIELD (10TH): I would say that everything that you and the others who've testified today come to tell us about the actual experience of people tell us something. So, I appreciate it. And I don't wanna pry too deeply into your background, but I was just wondering what that experience was. Thank you for your testimony.

DENISE PALEY: Since you asked, my greatest fear right now more so than him being incarcerated, and the trauma from incarceration and risk to his well being and all that, physically, it is that it is so psychologically detrimental to his mental health, that we will lose him forever. Because there does not seem to be any opportunity for recovery in prison. And it doesn't--between access to care and the way everything is set up. I mean I wouldn't wish--nobody belongs in a cell for over 20 hours a day. I mean, everyone's experiencing COVID right now, everybody knows what it feels like to be completely isolated. It's hard to imagine. But I feel like I can pretty closely imagine what that's like to him. And no one deserves this. There's not a soul out there that deserves this.

SENATOR WINFIELD (10TH): Thank you for that. I appreciate your testimony. And I appreciate you sharing your very personal experience with us. I don't see any further comments or questions. So I'll bid you good evening. And thank you again for coming to testify before us.
DENISE PALEY: Thank you for listening.


LEE COLT: Yes Sir. Hello?

SENATOR WINFIELD (10TH): Yep.

LEE COLT: Sorry about that. Can you hear me?

SENATOR WINFIELD (10TH): I hear you though--

LEE COLT: My name is Lee Colt and I'm a resident of Rockville. I strongly support the Protect Act, Senate Bill 1059. I was just released from Northern Correctional 16 days ago. I was incarcerated in 2016 for two robberies as a result of my struggle with heroin addiction. In January of 2020, I was transferred to Carl Robinson in Enfield then the COVID-19 outbreak begun.

Multiple attempts were made by inmates to get more protocols put in place to keep the staff and inmate population safe, such as mask mandates for staff, access to bleach and soap and other antiviral measures. None of these were being done. I told the warden and deputy warden when they toured the unit that not enough was being done to protect us and that a mask mandate should be in effect for everyone. 24 hours later, I was sent to Northern Correctional for impeding order which is tantamount to inciting a riot, and placed in the Administrative Segregation Program, which is a solitary confinement setting of 23 hours in the cell. For all intents and purposes, it's really 24.

But I was charged with impeding order because deputy warden Kenny alleged that I threatened to take over the dorm and escape from their facility. It's never happened. I was placed in solitary confinement for pointing out the staff's refusal to enforce proper
and accepted pandemic protocols. I spent 11 months in the AS program despite the original charge later being thrown out on appeal.

I was a Level 23 offender with no DOC related history of violence in a Level 5 facility on the same tier with special circumstances which is just reclassified as death row. To explain what it's like to spend 11 months in solitary confinement reserved for CT DOCs worst offenders for asking staff to wear masks is like trying to explain a dream to someone. No matter how hard you try if you weren't there, it's never going to make sense, which in this case is an apt description because Northern Correctional can best be explained as a nightmare.

I read the provisions of Senate Bill 1059 and I feel strongly that when this Bill passes, it will make it very difficult or unlikely for this sort of thing to happen to anyone else in the future. And our Ombudsman Program will be able to assist inmates in fighting unjustified charges because the Grievance Program is by design very confusing and convoluted with tight timeframe restrictions. Although NCI is closing the AS, SRG program still exists and will be transferred to another facility. The solitary problem is simply being transferred from Somers to Suffield. The underlying issues will still be there if this Bill is not passed. More needs to be done to address mental health concerns in the correction system. If you weren't mentally ill when you arrive, you will be by the time you finish your sentence.

The system is designed to break people. When they break there's no effective system in place to put them back together. Most people don't think about prison conditions until it hits home. This can happen to anyone. I'm somebody's son, brother and father. Thousands of sons, brothers, fathers, daughters, sisters and mothers are languishing in various forms of CT correctional institutions as we speak. The population of the--the inmate population is not truly 9200 if you have to count every family
member and friend who suffers as a result. That means hundreds of thousands of people--

DEB BLANCHARD: Mr. Colt, your time has elapsed. If you could summarize.

LEE COLT: I support the 972 Bill for the communications but I appreciate it. Thank you for giving me time

SENATOR WINFIELD (10TH): Thanks you. I appreciate you coming and testifying before us this evening. Is there a comment or a question from Members of the Committee? Comment or question. Mr. Colt thank you very much. We know that you just recently got out and most people aren't here before us that quickly. So thank you for your advocacy on behalf of the Bills that you're supporting today.

LEE COLT: Thank you. I appreciate your time.

SENATOR WINFIELD (10TH): Next, we'll hear from Leighton Johnson followed by Tabari Hashim followed by Jasmine Godwin. Leighton Johnson.

LEIGHTON JOHNSON: Thank you Senator Winfield, Stafstrom and Members of the Judiciary Committee. My name is Leighton Johnson. I'm a resident of New Haven and standard Committee member of Stop Solitary CT. And I express my strong support on Senate Bill 1059 also 1058 and 972. I spent close to five years in solitary confinement in Northern and an innumerable amount of time and other forms of prolonged isolation in general population during my 10 and a half year sentence.

I have experienced being locked in my cell for 22, 23 even 24 hours a day. Sometimes due to a lockdown I have experienced being locked in a cell for weeks and only able to shower maybe once or two times in that span of time. I have been thrown in cells for disobeying a direct order and being fully chained up and left in the cell for three days. I have been
thrown in sag and left in there for 21 days pending transport, 14 days pending investigation. I've experienced-- have a conversations with someone for months on the door or through the ventilation system only for them to go silent one day because they cannot take it anymore and they committed suicide by hanging themselves.

I've witnessed a mental deterioration of people who are considered close associates who resorted to self-mutilation and head banging. I've seen what happens to a person's mind and behavior when they resort to taking debilitating medication that's supposed to help but adversely causes more harm. I've witnessed the look in my daughter's eyes when she asked me when can she hug me again, because it had been years since we had human contact. I've seen the pain of flipping on my mom that she tried to match for halfhearted smile since these long trips up to see me only to be turned away for half an hour behind a glass was torturing her heart. I can go on and on about the harm but I only have three minutes.

So I'm just gonna give you a glimpse into my world. I went to prison at the age of 23. I was already a product of society that tells me from birth that I don't matter because of the zip code I grew up in, which is 1456 the South Bronx. I grew up in poverty, surrounded by violence and despair and dysfunction in my neighborhood. Opportunity is scarce not the same opportunity that more affluent neighborhoods are given. I ended up in the streets gangs, ultimately prison. And I was already inflicted with anxiety and insomnia and drug and alcohol having some depression and anger. I suffered panic attacks and episodes of paranoia.

What I'm not trying to do is say that I'm innocent of my problems, that I want some pity for my pre-trauma that I dealt with. But I want to know just give some context to the experiences. I'd do it prior to my incarceration. And then on top of that experience inside I came home at 34 diagnosed with
PTSD. I could speak to what physicians say about—what the harm that is, I don't think it's no need for that. The most—for the most part of the general population, extreme isolation is rampant. Incarcerated individuals spend most of their time in cell. And that's an extended form of torture akin to--

DEB BLANCHARD: Mr. Johnson, Summarize.

LEIGHTON JOHNSON: Okay, I don't believe that that's conducive to civil environment inside or outside. It's not productive or safe for the prisoners or the staff and it's for people to return from corrections uncorrected. I'm urging you to favorably vote Senate Bill 1059, out of the Judiciary and unlock humanity.

SENATOR WINFIELD (10TH): Thank you. Comments or questions from Members of the Committee? Representative Porter.

REP. PORTER (94TH): Thank you Mr. Chair and hello Leighton. I didn't have any questions. Just wanted to thank you for being here with us tonight. And to really thank you for coming home and advocating the way you do. You really do this out of strength. And I think that that is admirable that you haven't forgotten about the brothers and sisters that are still locked up and still experiencing a lot of what you've gone through. So just want to say thank you for that tonight. And thank you Mr. Chair.

SENATOR WINFIELD (10TH): Thank you Representative Porter. Comment or question from other Members of the Committee. I don't see any Leighton. I wanted to thank you for coming to testify and for the continued work you do and to let you know that your testimony really does have meaning. My zip code during my formative years 10472. I understand the issues with those zip codes. So, thank you very much. Really appreciate it and appreciate your continued work
LEIGHTON JOHNSON: Thank you so much Sir.

SENATOR WINFIELD (10TH): Next we'll hear from Tabari Hashim and I will turn it back over to Chairman Stafstrom.

TABARI HASHIM: Yes, good evening. My name is Tabari Hashim. I'm a member of Emerge, CT. I'm from New Haven. And I like to speak on support of Bill 1059. Solitary confinement is nothing but poison for the mind and soul. I was trapped for 365 days in solitary confinement. The trauma and mental decay due to solitary confinement cannot be ignored. Mistakes and errors are part of life. The practice of oppression, the practice of torture, the practice of isolation from family also friends is inhumane. I'm remember counting down and praying for opportunity to see my mom and my son again. When I was allowed visits I was behind the glass in the other room fully chained to my feet. I hope nobody listened to me go through this heartache.

Can you imagine feeling degraded, fighting back tears and smiling at the same time? I'm wanting to be positive for my mother because I knew she was feeling helpless. I knew she was feeling the trauma. And I knew she was feeling confused, seeing her son fully chained like a slave. I still don't get the reason behind solitary confinement. You can't practice tactics that make me less than human and try to make me a better human. I don't want to see nobody living in the bathroom. And I don't want to see nobody trapped living in the bathroom. I strongly support 1059.

I strongly support a better system that can provide clarity, transparency, honesty, and really seeing how we can help each other not divide and conquer, you know, oppress each other. When they take us out, when they do take us out to go outside, the COs, sergeants, lieutenants, all of them, they make little funny jokes. Santa's going for dog walks.
So we leave one box that goes to another box. And we fully chained to our feet. Only difference from the box that were trapped in, and the box that we go outside, I suppose it is that was standing up we're not sitting down. To me this is a system. This is stuff that really needs to be correct. It really need to be look into. It really needs to be studied because I don't get it.

I don't get how lock me up in a room that's literally the size of a bathroom to help me come out better as a man. If anything that's going not only decay my mind and wear and tear on my body, that's going make me continue to be upset, continue to be violent, continue to be a threat not only to myself and my family but to the inmates around me. So hopefully we can all do the right thing. And we can all do the benefits being, a positive thing and vote for 1059.

REP. STAFSTROM (129TH): Thank you sir. Questions or comments from the Committee? If not I want to thank you for sticking with us all day and for sharing your story with us.

TABARI HASHIM: Well, thank you. Thank you for your time.

REP. STAFSTROM (129TH): Next up will be Jasmine Godwin. Jasmine Godwin with us? If not, Robin Miller-Godwin, Taylor Biniarz

TAYLOR BINIARZ: That's me, Biniarz. Yeah, you got it the second time.

REP. STAFSTROM (129TH): All right. You'd be amazed how many ways people pronounce the word Stafstrom, so --

TAYLOR BINIARZ: I know it. Good afternoon Co-Chairs Senator Winfield, Representative Stafstrom and the other Members of the Judiciary Committee. I'm here just as myself because it is right. What does a
phone call mean? Whether it's a voicemail from my grandma that's so important to me I found a way to upload it to iTunes from a not to Apple phone at the time, so that I could always listen to it and never lose it, or it's me calling her on the first day that it snows which is her favorite holiday besides Christmas.

My dad when he goes to work calling me to chit chat even though we live together. My best friend and I watching shows on FaceTime. We take these for granted which is why I'm here. Before but especially now during this pandemic we have all fallen back on trusted phone calls, FaceTimes, texting and Zooms to see our family and friends.

Those in prison are forced into isolation in general but even more so due to this. Their families in 2016 spent around 14 million, with a bit under 15,000 people in prison which comes out to roughly $933 per prisoner's family. That is ludicrous given that our phones that we have are unlimited and have apps and calls and texting and video chats at virtually any time. But this is the most basic of phone calls and they are paying a similar rate to someone who owns one smartphone, just including the service Bill.

We all know that the rich do not suffer the same consequences as the working and poor class. And we know that people who are working in poor class especially people of color get locked up more than those who are well off even when they are convicted of the same crime. So we are asking people who are often making minimum wage or less to pay hundreds of dollars per year just to talk to someone in their family. That's isolation not just on the side of the prisoner but on the family as well.

Prison is already extremely isolating not to mention during this pandemic when visiting isn't allowed. In workplaces, bullying and harassment definitions include social isolation. It's a form of elder abuse or domestic abuse. Solitary confinement is a form of
physical and mental torture. But this is another form of isolation as well.

I often as a teenager felt isolated even in my home. And I dealt with depression, anxiety, suicidal ideation, self-harm, and even attacks. I grew up in a place of privilege in several ways so I cannot even imagine what prisoners who are often—disproportionately people of color face when put into solitary confinement. I urge you to pass Senate Bills 972 and 1057. Because we are all human beings. And we cannot forget that. When we forget that we lose our souls. Thank you to the Committee.

REP. STAFSTROM (129TH): Thank you ma'am. I appreciate you sticking with us. Next up will be Tracy Blanford.

TRACY BLANFORD: Hello, good evening to the Committee. Thank you for continuing this long for the day. Again my name is Tracy Blanford. And I'm a resident of New Haven. I'm here today to express my strong and full support for Senate Bill 1059, the Protect Act. And I want you to know that I'm a mastered prepared nurse. And I've worked throughout my career with people who have mental health and behavioral health challenges, people who act in ways that might have caused harm to themselves, others or property.

And I've also worked at the interface of the judicial and the mental health systems. As people both entered into the Department of Corrections and returned to New Haven after release. I preface my comments with my background just to ensure you that I know a little bit about these systems and how they both work and don't work.

So the Protect Act or Bill 1059 is a necessary reform with specific goals to enhance public safety, inmate safety and to reduce harm to correctional officers. It would end isolated confinement practices and all the things that they are named.
And we’ve heard all those terminologies used throughout the day today. We know already that these practices degrade and damage the mental health and the physical well-being of any person. And prolonged isolation for incarcerated people constitutes torture.

So it's just a matter of time before these practices stop, they've stopped in many places and in those places are more forward thinking states. And it's important for us to ask the question, "What can truly lead to improve public safety and secure and humane supervision of offenders while providing opportunities that support the successful offender community reintegration?"

So this question comes directly from the DOC mission statement and it's important to know solitary practices and isolation will end in Connecticut. It's just a matter of what group of legislators are willing to consider using learned humane best practices and bring reforms to our state. And I want to ask the question, "Will you be a part of that group or not?"

In addition, we need clear and enforceable standards for the use of any isolated or restrictive measures, utilizing these best practices, systemic data collection so that we can understand the amount of abuse that's occurring. It's been clear throughout the day that those questions are unanswered, and transparency and accountability within the DOC. Please support the movement of this Bill out of the Judiciary Committee. It is imperative that these changes take place now. Thank you very much for listening to my testimony.

REP. STAFSTROM (129TH): Thank you. Questions or comments? Seeing none appreciate you sticking with us. Carlos Moreno. Is Mr. Moreno with us? If not, I see Debra Martinez.
DEBRA MARTINEZ: Good evening Senator Winfield, Representative Stafstrom, the Members of the Judiciary Committee. My name is Debra Martinez, and I am Isschar Howard's sister. I'm here today in support of Senate Bill 1059. My brother is amazing, so amazing that the Connecticut Department of Corrections handpicked him to represent them on national television in a 60 minute segment. This is a huge jump from being the Isschar Howard who they housed in solitary confinement for five and a half years. When asked about solitary he says, "When you're in a place like that, what's the illogical becomes logical.

Fighting the SAG team a group of corrections officers padded up, fighting the SAG team becomes on the dance floor. Popping the fire sprinkler becomes popping crystal. Wearing chains and handcuffs is rocking platinum. We twisted our reality and before I knew it years had passed and I found myself lost. That's solitary confinement."

During COVID my brother was put in a commissary housing unit at Cheshire. Cells just a foot or so bigger than a bathtub, no room to move around. During one of his calls to me I could hear the anxiety and panic and his voice talking about how small the cell was. How it looked like 100 year old dungeon and felt like he was locked in a tube. He kept saying, "There's no button Debbie, what if something happens to me? No one will know." I realized he was suffering from a flashback because that button in his cell he was referring to, that was that Northern 20 years ago. That's what solitary confinement does to you. Or when he was in eight cell under the stairs in the corner. They called it the hidden cell because cameras couldn't see it.

One officer who delivered his tray would spit in his food daily right in front of him. For the longest time he would refuse the food until he just couldn't anymore. So he would slide the spit over so he can eat the rest of the rice. That's what solitary
confinement does to staff. It becomes a place where the environment creates justification to treat people like garbage. When did it become okay for us to determine who was worthy of human dignity?

Scott Erfe, a DA recently retired from the Connecticut DOC said in that same segment, "Their punishment is their incarceration. It is not our job as correctional professionals to punish somebody even more while they're incarcerated." My brother was transferred to Northern from Manson Youth at age 19, not on a murder charge. He was sent to solitary confinement for breaking a phone and kicking a window. Handcuffed, tethered and shackled daily. The Connecticut Department of Corrections discharged 19-year-old Isschar Howard directly from solitary confinement and he returned charged with murder six months later. That's what solitary confinement creates.

Please don't fool yourself into thinking it creates positive change. We've created positive change in Isschar with connection. Things worth looking forward to like hugs, phone calls and family. Dr. Heinz who created the program at Northern asked if Isschar wants to do a video. Isschar asked him why he would create something like Northern. He replied with, "Sometimes things get used for the purpose they're not created for." Thank you for your time. And I appreciate how hard this Committee works and how late you stay.

REP. STAFSTROM (129TH): Thank you ma'am. And thank you for being with us. I've had the opportunity to meet your brother inside the tree unit before and so please make sure to extend my best as well. Represent Porter.

REP. PORTER (94TH): Thank you Mr. Chair. Deb, I will just say the same thing that Representative Stafstrom just said. I wanted to thank you first of all, for your continued advocacy. I mean, you are a champion for all people. For really just
specifically for those who don't have a voice right now. And just make sure you tell Iss I said we're thinking of him, we're praying for him and everything that we do, he is definitely one of those who are on our minds and our hearts. Thank you, Mr. Chair.

REP. STAFSTROM (129TH): Thank you. Next, I think we have Robin Miller-Goblin with us.

ROBIN MILLER-GODWIN: Yes, thank you. I'm sorry I missed my call. I'm speaking tonight on behalf of my sorority, Delta Sigma Theta Sorority, New Haven Alumnae Chapter as a member but also as a family member of a currently incarcerated young man in support of Senate Bill 972. It is by the grace of God that our family is able to provide him with constant phone calls but I know the financial undertaking it causes his immediate family, his mother and his brothers.

So those of us outside of the family spend tons of dollars to keep him connected with family and during COVID-19 he was put in solitary confinement because he became positive with COVID. He has asthma, he had no contact with us, his mother or anyone. So I believe that having opportunities to have phone calls at no cost to the family, and to keep them connected especially when their health is at risk is paramount. So I speak in support of Senate Bill 972. I thank you for calling me this afternoon Representative.

REP. STAFSTROM (129TH): Thank you ma'am. Thanks for being with us and for sharing your story. Next up, we have Michael Mushlin.

MICHAEL MUSHLIN: Thank you very much Representatives Stafstrom and Members of the Committee. Thank you for holding this important hearing. I think that the record of this hearing should be Sir--should be shared with the people of the United States of America. You have done an
incredible service by opening your forum to so many powerful witnesses who have spoken so eloquently on such a critical subject. I'm a professor of law at the Elizabeth Haub School of Law at Pace University. I'm a member of the American Bar Association Task Force on the legal status of prisoners that drafted standards on the treatment of prisoners which was adopted by the American Bar Association, and which banned extreme isolation.

I'm the author of a four volume treatise on the rights of prisoners. I'm past chair of the Correctional Association of New York, 177-year-old organization chartered by the New York legislature with responsibility to visit prisons and report to the legislature. And I chair the Corrections Committee of the New York City Bar Association. I am a strong supporter of Senate Bill 1059.

I applaud you for considering this Bill. I've been in this field for 40 years. And in the time I've been in this field, the two issues that seem the most important to me, if we're going to make our prisons work for the citizens of your state, as well as for the staff of the prisons and the people incarcerated in your prisons. The two issues are ending solitary confinement, and establishing oversight of prisons.

This Bill does both. In the few moments I have, I'd like to briefly address both solitary and oversight. Solitary is torture. I first confronted it four decades ago when I was a trial lawyer in a case in upstate New York dealing with a prison that had solitary confinement and Clinton Prison. Solitary harms people immeasurably, it degrades the people who inflict it, and it shames those of us whose name we've just used.

And Charles Dickens visited the United States in the 1840s and he reported back when he saw solitary, that it is immeasurably worse than any torture of the body. But he said the slumbering humanity
doesn't arouse to it because it's not inflicted on the body. But we now know and you've seen today, that solitary is as bad as physical torture. We can no longer ignore. Justice Sotomayor in an opinion that she issued last year said, "Our eyes are now open." Public officials have an obligation to end what she said comes perilously close and you've heard today to being a penal tomb.

A judge in Connecticut last year said the fact that people commit inhumane crimes does not give the state the right to treat them in humanely. Unless solitary is ended, as this Bill would do it, prisons cannot be humane. And one of the point I want to make to this offering is they cannot be safe with solitary, ending it isn't easy. I don't pretend it is, but it can be done. And it must be done. And I urge you to pass this Bill.

DEB BLANCHARD: Thank you sir.

MICHAEL MUSHLIN: The second thing that I would say is this Bill's advice for oversight. Without oversight any reforms envisioned for Connecticut's use of solitary confinement no matter how well intended or less likely to be implemented.

DEB BLANCHARD: Thank you, sir.

MICHAEL MUSHLIN: Thank you very much.

REP. STAFSTROM (129TH): We appreciate you joining us today and sharing your expertise with us. Questions or comments from the Committee? Seeing none, have a have a great evening.

MICHAEL MUSHLIN: Thank you very much.

REP. STAFSTROM (129TH): Next up will be Kebra Smith-Bolden.

KEBRA SMITH-BOLDEN: Hi our dear Chairs Winfield and Stafstrom, Vice-Chair Kasser Blumenthal, Ranking
Members Kissel, Fishbein and other Members of the Judiciay Committee. My name is Kebra Smith-Bolden. I'm currently a resident of Hamden, Connecticut. I'm a mother, RN, business owner of several New Haven based businesses. I employ over 30 inner city residents. And I would like to express my strong support for Senate Bill 1059. This Bill is important to me for several reasons.

First, that I am a lifelong New Haven, Connecticut resident. I was a teenager in the 90s and I personally saw the effect that the war on drugs, which was really a war on people had on my community. In the ninth grade, I remember learning of the gun related murder of a young man I attended preschool with. I was attending Hillhouse High School, and the day he was murdered they made an announcement informing the entire school of his murder, canceled classes for the remainder of the day, and offered us grief counselors if needed.

I felt supported and that I can heal beyond this moment. However, by my senior year in high school, we had lost hundreds of classmates to murder, prison or addiction. They stopped canceling classes, they stopped sending counselors and we were no longer offered time to process. We were just left as traumatized, devastated children with little to no hope for the future due to conditions that surrounded us. And we were made to normalize those circumstances as part of being black and from New Haven.

As a child, I was unable to fully understand what was happening to my community. But as an adult, I have been able to understand how systemic racism, the oppression and purposeful destruction on my community and disenfranchisement of my people is directly related to mass incarceration as a continuation of slavery due to the 13th amendment. This clause states that people can't be made neither slave nor violent, involuntary servants, except as a punishment for crime. And how else do you ensure
slavery and obtain for free labor off the backs of black people? Well, by criminalizing blackness, removing resources or opportunities, creating disparities in all areas of life and then saturating those very same communities with drugs and guns.

So the majority of my brothers and sisters that are currently locked up in prison are due to the policies and Legislation that has been put in place to lead them there. Have you ever heard of the school to prison pipeline? So to then get members of my community in prison and treat them like animals and claim it is because this is who they are. No, this is what our Constitution, our government, racism and white supremacy created, and it all needs to be torn down starting with solitary confinement. Prolonged isolation exacerbates trauma, can lead to the development of lifelong mental health issues, including PTSD, and it's completely and undeniably inhumane. How do I know firsthand? I was a nurse at Northern Correctional Facility. I accepted a position as a nurse because I thought it was the ideal job. I was a mother of four, which included triplets so I thought I'd have great benefits and financial stability.

But I also thought I can be a ray of light and hope and care for incarcerated individuals with respect and with cultural understanding. But I learned very early on that this would not be possible. In training I was told essentially that these were not people, these were criminals and should be treated as such at all times. That kindness would be seen only as a weakness and to be cold and uncaring. Then actually working with incarcerated men. I wasn't allowed--

REP. STAFSTROM (129TH): Ma'am, you know, I just-- were at three minute mark and I got a couple of questions for you. So you got a final concluding thought, that's fine, but I do want to get to the questions.
KEBRA SMITH-BOLDEN: Okay. I just wanted to talk about my experience as a nurse, it was terrible there. But I just believe that in 2020, while we can come up with alternatives to incarceration that does not include throwing people in cages. But we can start by ending solitary confinement this year. And I strongly support this Legislation.

REP. STAFSTROM (129TH): Thank you. Representative Gilchrest followed by Representative Porter.

REP. GILCHREST (18TH): Thank you Mr. Chair and thank you Ms. Smith-Bolden. Your testimony was incredibly impactful. I too was a teenager in the 90s but had a completely different experience than you. And I appreciate you being here to share what that experience was like and how it connects to the Legislation we're working on today. My question is, could you tell us more about your experience as a nurse?

KEBRA SMITH-BOLDEN: Sure, to finish my statement. I was told very early that it wouldn't be possible to help people that these were criminals, they should be treated as such as all time, that kindness will only be seen as a weakness to be cold and uncaring. And once I was actually working with incarcerated men at Northern, I wasn't allowed to provide even the most basic of care from a band aid to aspirin. As I walked from cell to cell medicating inmates, I was--I'm sorry I'm getting emotional about this.

I was chastised by my guard escort for smiling, saying hello, or asking an inmate how he was doing that day. I saw the effects of prolonged isolation and lack of human interaction with my own eyes. And the final straw for me was a young man with obvious mental health issues understandably acquired. He was being released after 20 years of incarceration, 18 of which had been in Northern, which meant 23 hours of lockdown per day.
And he was being released without any transitional services or assistance because he has served his full sentence. They were giving this man $20 and a bus ticket and sending him on his way, also known as setting him up for complete failure. I could not be a part of a system that dehumanizes and tortures people and then sends them back into the world even more broken than when they arrived. So it was rough.

REP. GILCHREST (18TH): Thank you for that. And I'm sorry. But I really appreciate you being here to share that. Thank you Mr. Chair.

KEBRA SMITH-BOLDEN: Thank you.

REP. STAFSTROM (129TH): Thank you. Representative Porter.

REP. PORTER (94TH): Thank you Mr. Chair. And thank you Kebrax for being with us tonight. You spoke truth to power. And my hope is that or is that you have that power, or really listening to, not just you but everybody that has come before us today. There's been some pretty powerful testimonies given. And I think the one thing that I will say on my own accord is that there is no denying that this is inhumane and it is torture, and that it needs to end. So thank you for making time in your busy day to be with us and to share your story and your lived experience with us.

KEBRA SMITH-BOLDEN: Yes, and thank you all. Thank you and thank you for all for your time and attention and staying with us so late tonight.

REP. PORTER (94TH): Thank you, Mr. Chair.

REP. STAFSTROM (129TH): Thank you, ma'am. Appreciate you being with us and enjoy the rest of your night. Next up will be Heather Berchem

HEATHER BERCHEM: Thank you. Good evening, Senator Winfield, Representative Stafstrom and Members of the Judiciary Committee. My name is Heather Berchem.
I’m a partner and Chair of long term care practice group at the law firm of North Carolina, which represents the Connecticut’s Association of Healthcare facilities. I thank you for the opportunity to testify tonight regarding raised Bill 1029.

We oppose this Bill for several reasons which are more fully outlined in my written testimony. First, a long standing and well developed right to sue for negligence already exists in common law and therefore this Bill is unnecessary to protect the rights of individuals to bring claims arising from COVID-19. Second, the Bill as written is vague and ambiguous both in its scope and applicability, including whether it is intended to apply retroactively, its interplay with existing statutory procedural requirements for negligence actions, and the scope of guidance intended to be covered.

Finally, the proposed Bill attempts to apply what amounts to a negligence per se standard for violations of DPH and CDC guidance by elevating such guidance to a standard of care, which is an appropriate guidance issued by DPH. And the CDC and indeed, any agency is just that guidance is not intended to have and does not have the force or clarity of a statute or regulation enacted after a rigorous process.

It is often worded as recommendations rather than directives and is frequently broadly worded to allow flexibility in its application. This is particularly true the guidance issued by DPH MSCC. During COVID-19. Guidance was being developed under unprecedented circumstances and in very short timeframes to address a global public health emergency about which little was understood. Agency personnel themselves referred to their attempts to develop guidance is trying to build the plane while they were flying it.

Much of the guidance was intended to apply to a broad range of healthcare providers with varying
access to PPE testing supplies, resident populations and even across multiple states. Often the guidance conflicted with other agency guidance was unclear or was simply unable to be applied to real world situations which were unfolding in nursing homes. Just looking at the CDC guidance as an example, the CDC itself states that it issued more than 180 guidance documents to advise healthcare providers regarding COVID-19. When revised guidance documents do not have any redline or summary showing what changes were made and no archive of earlier versions of the guidance are maintained on the website. The CDC itself acknowledged issues with the COVID-19 guidance.

On March 10 2021, the CDC published a summary of a comprehensive review, they did have coordinating guidance. The CDC Principal Deputy Director stated in that summary quote, "As I conducted my review, I found it difficult to tell whether a new document represented a major or very minor update to an existing guidance, and B decipher the core recommendations in long documents." She also noted that the guidance often lacked directive language instead using terms such as consider and if feasible, and expressed concern that some guidance was not even primarily authored by seasoned staff. For all these reasons, we oppose raised Bill 1029. Thank you for your time. I know it's been a long day for you all. I'd be happy to answer any questions.

REP. STAFSTROM (129TH): Thank you and well done on the three minutes. So, questions or comments from the Committee? Seeing none appreciate you sticking with us.

HEATHER BERCHEM: Thank you so much.


MATHEW MATHEW: Yeah, I mean.
REP. STAFSTROM (129TH): Okay, go ahead, sir.

MATHEW MATHEW: Respected Chairs Winfield and Stafstrom and other Members of the Judiciary Committee. My name is Mathew Mathew. I'm a resident of Danbury, Connecticut and I would like to express my strong support and advocacy for the Protect Act 1059. As a 16-year-old high school student at Danbury High School made seem uncommon to have a teenager speak within a political atmosphere. But though is unconventional, I recognize the importance of using my voice as a youth member to fight for the social justice and public health equity desperately needed in our communities.

At this point, we're living in a nation with the highest incarceration rate of any country in the world, disproportionately affecting people of color, and our government continues to fail to realize the inhumane actions our system accepts. My social awareness of the unacceptable impacts of solitary confinement comes from my personal experience with social distancing.

Like so many of us COVID-19 has brought unprecedented times impacting our social communication, but with the pandemic's impact of challenging most of our mental health status is allowed many people to advocate for a major Dialogue concerning the stigma with mental health. This led me to truly recognize experience countless incarcerated individuals face. My social distance learning environment is temporarily it is unimaginable to be in the position of an incarcerated person who has to go through this issue daily. With or without a pandemic, incarcerated individuals can face being locked in itself for 23 hours a day without any type of social interaction.

The neurological impacts of this form of punishment also are glaring. For instance, as prison facilities continue to normalize the practice of solitary confinement, this increases the risk for
incarcerated individuals to decrease the size of their hippocampus, which is the brain regions that control spatial awareness and increase the inevitable, which is basically the brain -- part of the brain which functions fear and anxiety. The mental health effects of solitary confinement, including anxiety, and depression, and the impacts of solitary confinement can also cause greater violence among incarcerated people.

So though we tend to believe that we're serving a term, which will allow a person to have the opportunity for individual improvement, how can we truly believe this theory when we regulate practices that foster the opposite result? The Protect Act will effectively address these issues in the overall crisis. And one of the Bill's most prominent features is that it prohibits all isolated confinement for more than 72 consecutive hours or 72 cumulative hours in 14 days.

Do I do not have personal experience for solitary confinement, it is imperative that everyone rally together to protect all individuals. And while I understand that this law will become debated across this Judiciary Committee, I hope that we all recognize that this -- that this issue is extremely personal, and it's affecting many people. And this should neither be politicized, no partisan. And the fact of the matter is that change needs to happen and it is our duty as citizens and taxpayers of this state to make change. I urge you to vote for the Protect Act. Thank you.

REP. STAFSTROM (129TH): Thank you, sir. And very well done. Congratulations. I don't know if this is your first time speaking before a legislative Committee or city council at the age of 16. But you -- you may -- you may have a future in this if they say so. Questions or comments from the Committee? Seeing none. I appreciate you being with us. Amber Kelly.
AMBER KELLY: Yes, I'm here. Hello, Representative Stafstrom, and other distinguished Members of the Judiciary Committee. My name is Amber Kelly, and I'm a resident of New Haven, as well as Associate Professor of social work with Quinnipiac University. My scholarship and intervention development focus on trauma informed programming with survivors of violence, including those surviving incarceration in the United States. I'd like to state for the record that I'm in strong support of Senate Bill 972, Senate Bill 1058, and Senate Bill 1059.

I believe each of these Bills works to support safer communities for assault by humanizing those incarcerated in our state. And I have submitted further written testimony for each of these Bills. Today, in lieu of my further verbal testimony, I'm sharing the testimony one of our Connecticut residents currently incarcerated at Robinson Correctional Institution. He wanted to testify in support of SB 972, but was unable to in person due to our current constraints for testimony from our incarcerated residents. This is his testimony.

My name is Joshua RoBillard 415115. I'm in support of the free phone calls in Connecticut. Since I've been down and I've been down 15 months, it's been a lot of strain on my relationships with my wife and children. There are times I can't call home, there are times when I have to choose whether I want to call or eat food or get commissary soap. It's been a struggle. I'm definitely for the Bill. Over the years, it's been thousands and thousands of dollars. In the last 15 months, it's been at least 1500 between my wife, my kids, and my grandson. I'm out of control, actually. And I have my mortgage, my car insurance things for my kids, it affects not just me, but then on the outside as well.

The phone definitely helps, it helps with them on the outside, it's tough to get a letter out nowadays, it puts stress on me, and it puts stress
on them. It helps a lot when we can afford the phone calls and get the phone calls. And it helps a lot we can talk about the future, the past and how it's changed. There's a lot of changes in life and with the money that's there when your 15 minutes is up and your kids are upset. It affects them. They like to hear my voice over the cost of phone calls. It's hard. It makes them upset. My grandson will say call me back call me in a couple of days, but then the phones don't work and it affects them affects me. It's a tough situation. It makes him upset. You don't love me, you don't call me you're not there when I need you to be there. And I can't call you. It's a struggle.

It's been humbling today to hear from the formerly incarcerated folks, and incarcerated folks and their families who had enough faith in this process to reopen wounds. We can all collectively -- I feel grateful for the risk that they're taking in the bullet or ability they have trusted in us. And in this process with some of the horror stories we've heard, and some ways today's stood as a truth and reconciliation moment by our state around the isolation that has come with telecom barriers, the long term PTSD impacts of solitary confinement, and the lack of increased compassionate release options for those incarcerated here. I hope that this truth and reconciliation, moment ends and action by this Committee pushing these Bills forward. And that's pushing for safer and more connected communities for us all. Thank you.

REP. STAFSTROM (129TH): Thank you. Questions or comments from the Committee? Seeing none, appreciate you being with us? I'm Erica Abraham.

ERICA ABRAHAM: Hello.

REP. STAFSTROM (129TH): How you doing, ma'am? We can hear you.
ERICA ABRAHAM: Hi, I'm Erica Abraham, um, I just wanted to speak on the Bill for the phones. I have a family member that's currently incarcerated. And due to the -- you know, phone calls, it's hard to, you know, sometimes keep in touch with them, or with him with us. And especially with me, you know, being in a financial situation that I'm in now, it's even harder, you know, I have three kids, and one is autistic.

So it's kind of hard to, you know, keep money in my pocket, being a single mom to put, you know, money on the phone. And, you know, I know, they give the free calls, which I really appreciate. But it's really, you know, not enough when you're trying to keep a contact with numerous family members, you know, my loved one's been incarcerated for almost 21 years now, you know, his daughter just turned one when he went in. And he has a granddaughter now, and it's like, she's a young mom, she's in college. And it's just a lot that you want to connect with. And you can't because of the limited calls.

And I feel like moving forward, it should be considered. Even with having to deal with certain situations, like we had to tell my family member about our grandmother passing and over the phone, and the phone call hung up. And 10 days later, you know, we had to tell him about my mom, which is his mom. And he had to deal with that. And I just feel like if they were able to have longer calls, or you know, free calls to where it won't be such a burden on the family. And I'm sorry--.

REP. STAFSTROM (129TH): Okay, ma'am.

ERICA ABRAHAM: I just Yeah, I just like really wish that Bill could considered passing.

REP. STAFSTROM (129TH): Thanks. Thank you, ma'am for sticking out with us all day and for your advocacy. Representative Rebimbas.
REP. REBIMBAS (70TH): Thank you, Mr. Chairman. Madam, thank you so much for your testimony. And my apologies, what was the relationship of the individual that's incarcerated to you?

ERICA ABRAHAM: He's my brother.

REP. REBIMBAS (70TH): Your brother, if -- I'm just trying to understand a little bit clearer as to the modes of communication options. So you had mentioned that there are free calls, do you know how many free calls he -- he is allowed, and to whom?

ERICA ABRAHAM: I believe he's -- because it's me that he calls and his daughter that he calls. And I believe he has two calls, I believe. And that's on the weekend.

REP. REBIMBAS (70TH): So two calls on the weekends in approximately how long are they?

ERICA ABRAHAM: Fifteen minutes.

REP. REBIMBAS (70TH): Okay. And does -- do you know, whether or not he has any other abilities? Is there -- does he have internet availability or text messaging or anything?

ERICA ABRAHAM: No, he has none of that.

REP. REBIMBAS (70TH): Okay. And does he ever have the ability also to mail and do you guys send letters or any or keeps me in that regard?

ERICA ABRAHAM: I mean, yeah, we -- we mail, he writes us and you know, we write back but, you know, a call is so much better, you know, to hear their voice and you know if you're having a bad day, you know, they can call you and you can try to, you know, calm them down, especially what he went through there, you know, losing my grandmother. And then 10 days later, my mom, like that was hard for him. And it hurt me that, you know, he had to deal
with that alone. And because you know, the call when -- the call, you know, because the time was up, and I just, you know, wanted to be there for him. And I couldn't.

REP. REBIMBAS (70TH): No, of course, I'm sure I'm sure having him behind bars like that, too, is probably a loss to you guys just in a different way.

ERICA ABRAHAM: Yeah. Yes, it is.

REP. REBIMBAS (70TH): And just kind of a follow up. So I know that some facilities had gotten Chromebooks. Do you know whether or not we're your brother's out if he has that? I guess the asset that the Chromebook.

ERICA ABRAHAM: No, no, he doesn't have no Chromebook.

REP. REBIMBAS (70TH): Okay. And, only if you're comfortable. Do you mind sharing what he is in prison for?

ERICA ABRAHAM: He's in prison for manslaughter.

REP. REBIMBAS (70TH): Okay. All right. Well, thank you so much, obviously, for sticking with us all day and testifying on behalf of your brother.

ERICA ABRAHAM: Thank you.

REP. STAFSTROM (129TH): Thank you. Further questions or comments? Seeing none, thanks again for being with us. Next up, is Juicy Reid-Stith, I don't believe is with us and then Steve Carbone.

STEVE CARBONE: Steve Carbone? I'm here.

REP. STAFSTROM (129TH): Go ahead, sir. Thank you, Chairman Winfield, Chairman, Stafstrom, and Members of the Committee. My name is Steve Carbone. I'm a retired Correctional Officer. And now I'm staff at
Council for AFCSME which represents 4200 state Correctional employees. I am testifying on behalf of correction locals 387 391 and 1565. From Council 4. We have significant problems with Senate Bill 1059. We believe that this Bill would push staff and inmate safety at risk. We know the intent is well meaning, this Bill does not reflect the reality that inmates and staff face.

This Bill reduces the already limited tools available to staff in controlling inmate behaviors. With fewer than 9000 inmates in state custody down from a high of over 20,000. Those who are incarcerated are the more serious and challenging offenders to supervise. Keep in mind that the victims of inmate violence are overwhelmingly other inmates. These are vast changes to policies in handling inmates and working conditions.

It is ill advised to make even more changes considering the strains on the correction system. In addition to the fact that facilities are currently in the process of being closed. In a wave of anticipated retirements will occur during the next 15 months. The legislature imposed a new duty to intervene on staff in the July police accountability Bill. We have seen this Bill before us for only six days. It's moving too far too fast, and it should be a part of your consideration. Corrections employees have tried to cooperate with new changes.

Union leaders have urged Members to abide by new rules and standards even when they don't like them. Leaders stress responsibility and duty. Change is inevitable, but it is particularly difficult in a correctional environment where change can lead to instability. Passing this Bill would require increasing the number of staff on duty, from doctors to captains to correction officers. Connecticut correctional officers are largely unarmed. Our control of facilities is vital to preserving safety, the safety of the public, the staff and inmates.
The inmates themselves are often -- our most often the victims of violence and taking away tools we currently have available to us will undoubtedly lead to an increase in violent assaults on inmates and staff within the system. We urge caution. The Correctional Accountability Commission is a great concern. It seems inadvisable to have incarcerated people serving. -- serving on this body. This Bill appears to give subpoena power to such inmates. This is a security risk. We appreciate that this Bill does give some thought to the staff. We agree with sections providing PTSD, workers compensation presumption for employees--

REP. STAFSTROM (129TH): We're at -- we're at the three minute mark, so I just need you to summarize.

STEVE CARBONE: I appreciate it. I appreciate your time here tonight. But we rise in opposition of most of this Bill 1059. Thank you.

REP. STAFSTROM (129TH): Questions or comments from the Committee? Questions or comments? Seeing none, thanks very much.

STEVE CARBONE: Thank you for your time.

REP. STAFSTROM (129TH): Next up will be Amber Vlangas.

AMBER VLANGAS: Hi, can you hear me now?

REP. STAFSTROM (129TH): Yes, we can go ahead, ma'am.

AMBER VLANGAS: Okay. Great. Good evening, Representative Stafstrom and esteemed Members of the joint Judiciary Committee. My name is Amber Vlangas, and I am the Executive Director of the Restorative Action Alliance, a regional advocacy group made up of anti carceral crime survivors, individuals who have been impacted by the criminal legal system, and restorative justice advocates and practitioners.
I'm here today to express my personal support and the support of the restorative Action Alliance for both Senate Bill 1059 and Senate Bill 972. Both of these Bills are built upon one simple concept, a demand that we affirm and recognize the dignity and humanity of both incarcerated people and their families. At our RAA we believe that every person has value, should have the opportunity to experience safety, rehabilitation and be restored to their communities. This is not a possibility. If we as a state are stripping people of their sense of safety, autonomy, and community through torturous and exploitative practices. I don't want to spend the rest of my time reading a written testimony, I want to share with you some of my personal experiences. I am the spouse of a person who spent his entire period of incarceration and admin separation.

I've seen and experienced the consequences that occur when residents of our prisons and jails are not treated as human. My husband's a military veteran and had a diagnosis of PTSD. When he was incarcerated, he spent about a year a short period of time behind bars. Though he's been home for several years and has received excellent care since that time, he remains deeply affected by the experience, which caused his mental health to deteriorate even more. I and other Members of my family often support him through episodes of anxiety, depression, and hypersensitivity, that are direct results of the isolation and mistreatment that he experienced behind bars.

It's important to understand that incarcerated people are Members of our community, and they will return home when we damage them. Not only is it inhumane, we are also damaging ourselves. For this reason, we urge you to pass the Protect Act. I want to talk a little bit about phone calls, which I personally know a lot about as the person who supported the cost of the calls when my husband was
incarcerated to keep them connected with my four children, most notably my five year old son.

Our Bill was over $700 per month in order to keep our children connected to their father. And I often had to choose between whether I had heat at my home, or whether I kept them connected. I relied on the generosity of friends and community Members to help us get through that. For that reason. I urge the passage of Senate Bill 0972. I'm happy to take any questions.

REP. STAFSTROM (129TH): Thank -- Thank you, ma'am. If there's no question -- represent Gilchrest.

REP. GILCHREST (18TH): Thank you, Mr. Chair. Thank you, Ms. Vlangas for your testimony. I'm just wondering if you're comfortable if you could share how you think your husband's incarceration and the phone calls or the lack thereof, has impacted his relationship with your children.

AMBER VLANGAS: So I have to say I spent exorbitant amounts of money through the generosity of family, friends, and coworkers of his and so we were able to keep them connected. They have good relationships. He did miss my daughter's high school graduation and was unable to call her after her graduation so that has left a big dent in their relationship.

So it affected relationships all the way around. The other thing I want to talk about In terms of that relationship is, I often find myself running interference. Having my children understand some of the anxiety, some of the depression, some of the hypersensitivity. And having to explain why that is. So having to explain to my children, what happened to their father when he was behind bars and why our country allows that to happen, should not be a thing. And it puts me in a situation that is very stressful, and our whole family and a very stressful situation.
REP. GILCHREST (18TH): Well, thank you for talking about such personal things, and for being here tonight.
Thank you, Mr. Chair.

REP. STAFSTROM (129TH): Thank you, representative. And thank you, ma'am. Obviously, we've heard -- we've heard a lot of compelling testimony today. But you know, we have a little ways to go. But certainly, one of the things that will stick with me for a while leaving here today is the thought of having to choose between being able to talk being able to have a dad, communicate with his kids and afford heat. And I just -- I can't imagine in this country and in this state that that is a decision anyone should have to make. But thank you for putting such a punctuation point out. Next up will be Karen Colt.

KAREN COLT: Hi, can you hear me okay?

REP. STAFSTROM (129TH): Yes, go ahead ma'am.

KAREN COLT: Ladies and gentlemen of the Judicial Committee, thank you for the opportunity to speak today in support of SB 1059. My name is Karen Colt, I'm a longtime resident of Vernon. I'm a mental health provider of over 20 years and the mother of a recently incarcerated individual. You heard from my son Lee Colt, about an hour ago. My son Lee committed to robberies within two weeks in December of 2015. While he was addicted to opioids and was homeless, No one was injured and he netted about $73 in October of 2016. He was sentenced to a total of almost five years and remanded to McDougal as a level four. In January of 2020, he was moved to a level two dormitory style facility at Carl Robinson, in preparation to transition to halfway house last fall and be released this spring. When COVID hit, he followed the news closely. No one knew how contagious or deadly this virus could be. And on 4/2 of 2020 the warden and two deputy wardens came to the unit, "To listen to inmate concerns."
My son asked when and how they were going to address the safety of incarcerated people and COs since the COs were not using any PPE. 24 hours later, he and dozens of others in the facility were scooped up and taken to Northern Correction for, "impeding an order and presenting a safety risk." We received no order that he impeded and he posed no risk. He was put in an administrative segregation as a level five dangerous inmate. He was able to get the ticket overturned at hearing, yet he remained -- he remained in isolated confinement despite his having no prior incidents, and no history of violence during the entire time he had served. He exhausted all avenues of redress available to him.

It was verbalized to him by a hearing officer that he was wasting his time in the hearing. The order had come from above and despite the fact that the video did not support the allegation, there were signed witness statements refuting the allegation. It was his word against the warden. There was no recourse to present his case to an independent person whose job did not depend on giving the right response to DOC. He spent the next 11 months in administrative segregation.

If the goal was to separate Lee from those who respected his views. It could have been accomplished by transferring to a different facility at the same level two or three. During the course of his incarceration, he did not share the level of torture that he had been exposed to, either by direct experience or by witnessing in order to despair his father and I many sleepless nights.

It's incomprehensible to me that in the United States of America, men can be placed in extended solitary confinement for asking an authority figure difficult questions. No violence, no threats, just a request for viable safety plan. Isn't Nelson Mandela or Alexander Solzhenitsyn? He had no power or control over the group.
REP. STAFSTROM (129TH): Thank you, ma'am. We're at little past three minute mark, I just need you to summarize.

KAREN COLT: Just in summary, I support this Bill and I commend the crafters of this Bill in creating a level of accountability for decisions that would limit any one individual's ability to expose -- to impose extended solitary confinement, purely as a punitive measure and not connected to any demonstrable safety risk. I appreciate your time. And thank you all for staying so late to hear so many people's stories and experiences. It means a lot to all of us. And I know it means a lot to the folks that are still locked up.

REP. STAFSTROM (129TH): Thank you, ma'am. And thanks for sticking it out with us. I'm seeing no questions or comments from Committee. I think we have Germano Kimbro up next.

GERMANO KIMBRO: Thank you, Representative Chair and distinguished Committee. My name is Germano Kimbrough. I'm a resident in Connecticut. And I do have written testimony that I will submit but I think that we've heard of very articulate, eloquent descriptions of the problem. And it's been overwhelmingly emotional and triggering, and the vicarious trauma that I've experienced at this moment.

Hopefully, I can just get through and highlight a couple points that I've heard it during the course of the day. But first, I like to say that we have a problem in our correctional system. And that one thing for sure is that we cannot fix a problem in the mindset in which it was created. We cannot fix a problem in the mindset in which it was created. And his problem was created in a particular type of mindset that still persist if we do not do something radical.
I heard someone talk about the changes in policy happen in increments. And I think that this is, you know, an opportunity to do some things that need to be done radically, I thought that we could have built on the progress that Governor Malloy and Scott simple, have moved forward with the brain development in the truth unit. And we can continue on that work. I'm a big proponent of the Oversight and Accountability because I think for far too long our system has been closed, it doesn't make sense to us as taxpayers and citizens of the state of Connecticut.

I was incarcerated at the age of 16 and I was in isolation for making a little calendar on the wall for two weeks. I don't know if I ever got over that experience. But I spent the next 20 years in and out of the system. Almost so supportive, the retraining of officers, I remember there was one time that I was addicted to heroin, and I came in and I was in detox. And instead of the officer understanding that, you know, I was going through withdrawal, I was stripped, be in handcuffs kicked in the face in the head, thrown in the cell and charged with assault.

And so for these reasons, I think that officers need to be retrained, I also think that needs to be overcome, there needs to be oversight and accountability. You know, for the Department of Corrections, we could have not went from where I was at 16 years old to where we're at now. There had been some accountability. We didn't just get your overnight. I've been out of incarceration for over 30 years. I've obtained a full pardon, and have a degree and I'm actually a state worker for the Department of mental health and addiction services.

You know, I was thinking about Nancy Wolffe, giving her statement, and she talked about, you know, rehabilitation to actually be laughable in the 80s during the time that I was actually incarcerated. You know, during that time, I took a GED test and
got an associate's degree and applied to Trinity College. During this time where rehabilitation was laughable, right.

Sometimes I didn't even have books, I had to pay attention in class and take good notes. Even being in minimum security and being home on successful furlough. I was humiliated I was taken to Trinity College, in handcuffs. And I wrote to the pardon Board and asked for six months off my sentence to be reduced so that I could attend college after being accepted today and merely unexperienced. I never got to reply and is one of the reasons that I worked with Bill Dyson to help reform and revise the department system. And that's another system that still needs some work.

We've come a long way with that system, but I never heard anything back from the pardon and board. Today Chairman John is doing a great job. I want to kind of stay focused on solutions, and so I think that, you know, at some point, we need to come out of the box and look at dismantling system. You know, Nazi Germany was looked at one of the most brutal prison systems in the world. If they can revise and reform this system to one that is more humane. I don't see that -- why we can't do that here in the great state of America.

REP. STAFSTROM (129TH): Thank you. Thank you, sir. Questions or comments from Committee? If not, I wanna thank you for being with us. And thank you for your work -- previous work on the pardon system. I think a number of us would agree with your statement that there's a lot to go -- a lot of work to do. But that's, -- that’s for another hearing, I suppose. But maybe we'll call on your expertise then as well.

GERMANO KIMBRO: Thank you for your time. And thank you for all of you -- for your work that you put in tonight. Appreciate it.
MARY SANDERS: Good evening. Got me off guard. I guess there were a couple other names before mine. Forgive me as I read it from my computer. Good evening Committee Chairs and Members of the Judiciary Committee. My name is Mary Sanders and I'm part of the Stop Solitary Connecticut group. Born and raised in New Britain and a Hartford resident for close to 30 years. I'm here to testify in favor of Senate Bill 1059.

The Protect Act and other related Bills pertaining to treatment of Connecticut inmates. I was happy to hear that Northern will be closing but it's critical that practices used there to punish inmates are not replicated elsewhere. My background is one of social services adult education and employment programs. I most recently served 18 years as the Executive Director of the Spanish Speaking Center of New Britain. Even as the Director, I was the person who ran the career programs and provided direct service to people from shelters and those recently released from Department of Corrections. I know I would understand them and not give up on them.

I heard stories from many who had been locked up for years, a good number of them having spent plenty of time in solitary confinement, or had received severe forms of punishment in their histories. For those who suffered -- for those who suffered under these circumstances, it was much more difficult to gain their trust, assess their skills and job readiness and to convince an employer to give them a chance.

While I had a placement rate of 80 to 85% for people with no history of incarceration that dropped to 50 to 60% for those with the record. And for those who had experienced long stints of isolation, no contact with other inmates let alone family shackled to their beds, many with unaddressed substance abuse or
psychiatric needs, I was rarely able to prepare them for the workplace.

So, I might make it after a year or two of counseling, intensive case management, other interventions, but many of them would return to the streets and eventually to the system that had broken their spirits. It had all been about punishment, and little about correction and rehab. And I don't only speak from a professional perspective, I had my own juvenile record and was taken away from my family and Community for 14 months as a teenager. It was about punishment not rehab and for petty things like skipping school, trespassing, fighting, but I was the poor kid from the projects, and nobody figured it out too much anyway.

So, when I got out still a minor, still a delinquent, and now estranged from my family, I continued to rebel and get into bigger trouble. Luckily, once I had children, I met folks who gave me hope and helped me get back on track, and eventually went to college and became an Executive Director of a nonprofit. My younger sister wasn't as fortunate.

After being in and out of York for years with no real rehab. Her addictions continued. And although she was later clean for many years, she eventually died from AIDS, eight years younger than me. Again, it was all about punishment and not rehabilitation. I married into a large family and three of my nephews were in and out of the system. It's difficult for them to talk about their experiences, but I know how much their parents suffered when learning that their child was an isolation and could not have a visit or a phone call.

Many former inmates I meet talk constantly about being violated for the most minor things and losing the little hope they had of seeing or calling family. They talk about being shackled, maced, physically assaulted by staff, which only
exasperated the trauma of being locked up and made it much more harder to reintegrate upon release. Many of -- most inmates will eventually really be released no. So instead of these inhumane practices being used, how about more counseling, rehab, substance abuse, treatment, vocational training, whatever it takes to make a person whole and not to further them?

I'm wrapping up please create a Department of Corrections rehabilitation, not one of punishment, please support the Protect Act, Bill 1059. And please support SB 972. And let's stop these predatory phone carriers who break the bank for families only trying to let their loved ones know that they still matter. Thank you for your time.

REP. STAFSTROM (129TH): Thank you. Questions or comments from the Committee? If not, I want to thank you for being with us tonight. Next up will be John Lugo. John Lugo with u? Let's try Judy Mattey. Judy Mattey.

JUDY MATTEY: Good evening and blessings to all. My name is Judy Mattey, and I am currently a resident of Waukee, Connecticut, and I am the mother of imitate Luis Jr. Mattey, his Connecticut inmate number for the record as follows is 287207. He has been incarcerated for a period of 19 years in multiple prisons such as Northern, Walker and McDougal. I would like to share -- "I'm very thankful to the Committee who granted those permission to give testimony to support Senate Bill 972 and Senate Bill 978.

Earlier today, when I heard my son's voice as he spoke, all I could do was weep and relive those heartfelt moments. In the absence of my son and all these years. I personally would like to take time to thank you all, for granting me the opportunity to express my concern on behalf of my family. And my goal today is to plead with you as a mother, as a Connecticut resident, as a Connecticut retiree, and
as a Christian woman to seriously consider approval of these two Bills, Senate Bill 972 and Senate Bill 978.

These Bills can help to reunite broken families as my family and to ease their financial burdens. It is vital for inmates to be able to communicate with family members on a daily basis for their mental wellbeing in the mental wellbeing of all Connecticut families. As the effects of our loved ones being away in prison isn't enough. We have to endure Securus high rates and that has been one of the causes of emotional restraint on my family and many Connecticut families as well, as you are very heard from who have given their testimony here today.

Let's make Connecticut a better place. And let's take part in keeping everyone safe. In conclusion, thank you for your time and attention. I solely support Senate Bill 982 and 87. I am hopeful if this Bill is passed that my son will be eligible for parole one day, granting him an opportunity to be part of society and reunited with loved ones once again. Thank you for your time.

REP. STAFSTROM (129TH): Thank you. Represent Palm.

REP. PALM (36TH): Thank you Mr. Chair. Ms. Mattey, I just wanted to tell you, thank you for your -- for your very moving testimony and I'm so sorry for what you've been through. The next time you talk to your son, please tell him to be proud of you because you did a great job and we were listening. Thank you.

JUDY MATTEY: Thank you for your time.

REP. STAFSTROM (129TH): Thank you and thank you ma'am for being with us and sharing your son's story. Let's try John Lugo again, is john Lugo with us? If not, then we'll try Taylor Campbell.

TAYLOR CAMPBELL: Hello, can you hear me?
REP. STAFSTROM (129TH): We can, go ahead, sir.

TAYLOR CAMPBELL: Excellent. Thank you, everyone. Good evening. My name is Taylor Campbell. And as my testimony I'd like to play a recording from Reed, who declined to share his last name, but is currently incarcerated, and would like to express support for Senate Bill 972. So please bear with me with the beeping and the rough audio quality. This is the reality of prison phone calls.

Hi, my name is Reed, inmate No. [inaudible] I'd like to support Senate Bill, 972 for free phone calls. Being in a family with most people having [inaudible] disabilities. [inaudible] speaking to certain family members are my sisters and brothers, until we're actually able to get a couple phone calls pre-COVID communications between yourself and family and friends [inaudible] I've been here 10 years now [inaudible] being able to speak with my family. When my mom passed away I was able have a counselor to get a phone call. [inaudible] pretty much in my own. The people we talk to [inaudible] I haven't been able to talk to him for five years, since 2016 [inaudible]. Thank you.

REP. STAFSTROM (129TH): Thank you, sir. Appreciate you sharing with us. I will try John Lugo one more time. John Lugo. JOHN Lugo. If not, Madam Administrator, Madam Clerk.

DEB BLANCHARD: No one else has signed up to testify that it's available in the waiting room this time.

REP. STAFSTROM (129TH): All right, well, I want to declare this Public Hearing closed. I want to thank all the members of the public who stuck with us on a -- certainly a long and heartfelt day. I want to thank the Members who hung with us till the end. And I want to especially thank our staff. You know, these are these are long days for the members of the public they're, you know, long days for the Members of the Committee, but they are the longest of days
for our staff who was up last night on a Sunday night compiling the list and back out of getting all the technicals together this morning and stuck with us. So certainly they -- they deserve our thanks as we close this out.

With that, we will be back in action Wednesday with a -- another public hearing. And we will see everybody then. Have a good evening.