



General Assembly

**Substitute Bill No. 459**

February Session, 2022



**AN ACT CONCERNING THE CORRECTION ADVISORY COMMITTEE,  
THE USE OF ISOLATED CONFINEMENT AND TRANSPARENCY FOR  
CONDITIONS OF INCARCERATION.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 18-81jj of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 [(a) For the purposes of this section, "ombudsman services" includes  
4 (1) the receipt of complaints by the ombudsman from persons eighteen  
5 years of age or younger in the custody of the Commissioner of  
6 Correction regarding decisions, actions, omissions, policies, procedures,  
7 rules or regulations of the Department of Correction, (2) investigating  
8 such complaints, rendering a decision on the merits of each complaint  
9 and communicating the decision to the complainant, (3) recommending  
10 to the commissioner a resolution of any complaint found to have merit,  
11 (4) recommending policy revisions to the department, and (5)  
12 publishing a quarterly report of all ombudsman services activities.

13 (b) The Commissioner of Correction shall hire a person to provide  
14 ombudsman services and shall annually report the name of such person  
15 to the joint standing committee of the General Assembly having  
16 cognizance of matters relating to the Department of Correction in  
17 accordance with the provisions of section 11-4a. In addition to the

18 executive assistant positions authorized under subdivision (10) of  
19 section 5-198, the commissioner may hire an executive assistant to carry  
20 out the duties of this section.

21 (c) Prior to any person eighteen years of age or younger in the custody  
22 of the Commissioner of Correction obtaining ombudsman services, such  
23 person shall have reasonably pursued a resolution of the complaint  
24 through any existing internal grievance or appellate procedures of the  
25 Department of Correction.

26 (d) All oral and written communications, and records relating to such  
27 communications between a person eighteen years of age or younger in  
28 the custody of the Commissioner of Correction and the ombudsman or  
29 a member of the ombudsman's staff, including, but not limited to, the  
30 identity of a complainant, the details of a complaint and the  
31 investigative findings and conclusions of the ombudsman shall be  
32 confidential and shall not be disclosed without the consent of the  
33 person, except that the ombudsman may disclose without the consent  
34 of the person (1) such communications or records as may be necessary  
35 for the ombudsman to conduct an investigation and support any  
36 recommendations the ombudsman may make, or (2) the formal  
37 disposition of a person's complaint when requested in writing by a court  
38 that is hearing such person's application for a writ of habeas corpus that  
39 was filed subsequent to an adverse finding by the ombudsman on such  
40 person's complaint.

41 (e) Notwithstanding the provisions of subsection (d) of this section,  
42 whenever in the course of providing ombudsman services, the  
43 ombudsman or a member of the ombudsman's staff becomes aware of  
44 the commission or planned commission of a criminal act or a threat to  
45 the health and safety of any person or the security of a correctional  
46 facility, the ombudsman shall notify the Commissioner of Correction or  
47 a facility administrator of such act or threat and the nature and target of  
48 the act or threat.

49 (f) If the Commissioner of Correction has a reasonable belief that a

50 person eighteen years of age or younger in the custody of the  
51 commissioner has made or provided to the ombudsman an oral or  
52 written communication concerning a safety or security threat within the  
53 Department of Correction or directed against an employee of the  
54 department, the ombudsman shall provide to the commissioner all oral  
55 or written communications relevant to such threat.]

56 (a) There is established the Correction Advisory Committee that shall  
57 consist of nine members. Such members shall be appointed as follows:

58 (1) One who is directly impacted, appointed by the Senate  
59 chairperson of the joint standing committee of the General Assembly  
60 having cognizance of matters relating to the Department of Correction;

61 (2) One who has expertise in law, specifically the rights of  
62 incarcerated persons, appointed by the House chairperson of the joint  
63 standing committee of the General Assembly having cognizance of  
64 matters relating to the Department of Correction;

65 (3) One who has a demonstrated interest in advancing the rights and  
66 welfare of incarcerated persons, appointed by the president pro tempore  
67 of the Senate;

68 (4) One who has a demonstrated interest in advancing the rights and  
69 welfare of incarcerated persons, appointed by the speaker of the House  
70 of Representatives;

71 (5) One who has expertise in the provision of mental health care to  
72 incarcerated persons or formerly incarcerated persons, appointed by the  
73 minority leader of the Senate;

74 (6) One who has expertise in the provision of medical care to  
75 incarcerated persons or formerly incarcerated persons, appointed by the  
76 minority leader of the House of Representatives; and

77 (7) Three who are appointed by the Governor, one of whom has  
78 expertise in corrections and two of whom are directly impacted.

79 (b) For purposes of subsection (a) of this section, "directly impacted"  
80 means (1) a person who was previously incarcerated within a facility  
81 operated by the department and is no longer under probation or any  
82 supervision by the department, or (2) a family member of a person  
83 described in subdivision (1) of this subsection or of a person who is in  
84 the custody of the Commissioner of Correction.

85 (c) All appointments to the committee, including vacancy  
86 appointments which shall be filled by the appointing authority having  
87 the power to make the original appointment, shall be made as follows:

88 (1) Not later than thirty days after the effective date of this section or  
89 after any vacancy, each appointing authority or any such authority  
90 filling a vacancy shall submit a letter designating such authority's  
91 appointment or appointments to the joint standing committee of the  
92 General Assembly having cognizance of matters relating to the  
93 Department of Correction. Such joint standing committee shall post  
94 such letters on its Internet web site. The Senate and House chairpersons  
95 of such joint standing committee shall schedule a public hearing of such  
96 proposed appointments to be conducted not later than forty days after  
97 the effective date of this section, or ten days after the submission of a  
98 letter in the case of a vacancy.

99 (2) After such hearing, each appointing authority shall confirm or  
100 withdraw such authority's appointment or appointments. Any  
101 appointing authority who withdraws an appointment shall, not later  
102 than ten days after such withdrawal, submit a new letter to such joint  
103 standing committee of the General Assembly designating a different  
104 appointment or appointments, which shall initiate the hearing and  
105 approval or withdrawal process pursuant to subdivision (1) of this  
106 subsection and this subdivision for such appointment or appointments.

107 (d) The chairpersons of the Correction Advisory Committee shall be  
108 the members appointed pursuant to subdivisions (1) and (2) of  
109 subsection (a) of this section. Such chairpersons shall schedule the first  
110 meeting of said committee, which shall be held not later than sixty days

111 after the effective date of this section.

112 (e) Each committee member shall serve a four-year term, except that  
113 each initial term shall run for four years from February 1, 2023. Each  
114 committee member may serve up to two terms. In the event of a vacancy  
115 appointment, the member appointed to fill the vacancy shall serve the  
116 remainder of the original member's four-year term and may be  
117 reappointed for up to two more terms.

118 (f) Each member shall serve without compensation but shall, within  
119 available appropriations, be reimbursed for necessary expenses that  
120 such member may incur through service on the Correction Advisory  
121 Committee.

122 (g) Each member shall, not later than ten days after the first meeting  
123 of the Correction Advisory Committee in which such member  
124 participates, take an oath of office to diligently and honestly administer  
125 the affairs of said committee. The oath shall be administered by a  
126 chairperson of said committee.

127 (h) A majority of the members appointed to the Correction Advisory  
128 Committee shall constitute a quorum, which shall be necessary for the  
129 committee to conduct business. A majority vote of the members present  
130 shall be required for action of the committee.

131 (i) The state of Connecticut shall protect and hold harmless any  
132 committee member from financial loss and expense, including legal fees  
133 and costs, if any, arising out of any claim, demand or suit for damages  
134 resulting from acts or omissions committed in the discharge of the  
135 member's official duties pursuant to this section which may constitute  
136 negligence but which acts are not wanton, malicious or grossly  
137 negligent as determined by a court of competent jurisdiction.

138 (j) The Correction Advisory Committee shall perform the following  
139 functions:

140 (1) Submit a list of candidates for Correction Ombuds for the

141 Governor's consideration, pursuant to subsection (k) of this section;

142 (2) Review the actions of the Correction Ombuds pursuant to section  
143 2 of this act;

144 (3) Meet not less than quarterly to bring matters to the Correction  
145 Ombuds' attention and to consult on the Correction Ombuds' services,  
146 findings and recommendations; and

147 (4) Convene semiannual public hearings to discuss the Correction  
148 Ombuds' services, findings and recommendations.

149 (k) Not later than eighty days after the effective date of this section or  
150 not later than sixty days after any vacancy in the position of Correction  
151 Ombuds, the Correction Advisory Committee shall solicit applications  
152 for such position and meet to consider and interview the most qualified  
153 candidates who are residents of this state for such position. Said  
154 committee shall select not fewer than three and not more than five of the  
155 most outstanding candidates, publish the names of such selected  
156 candidates on said committee's Internet web site and hold a public  
157 hearing allowing testimony from members of the public concerning the  
158 selected candidates. Said committee shall submit to the Governor a list  
159 of selected candidates. Such list shall rank the candidates in the order of  
160 committee preference.

161 (l) Not later than thirty days after receiving the list submitted under  
162 subsection (k) of this section, the Governor, with the approval of the  
163 General Assembly, shall appoint a person qualified by training and  
164 experience as the Correction Ombuds. If at any time any of the  
165 candidates withdraw from consideration prior to confirmation by the  
166 General Assembly, the designation shall be made from the remaining  
167 candidates on the list submitted to the Governor. If, not later than thirty  
168 days after receiving the list, the Governor fails to designate a candidate  
169 from the list, the candidate ranked first shall receive the designation and  
170 be referred to the General Assembly for confirmation. If the General  
171 Assembly is not in session, the designated candidate shall serve as

172 acting Correction Ombuds and be entitled to the compensation,  
173 privileges and powers of the Correction Ombuds until the General  
174 Assembly meets to take action on said appointment.

175 (m) The person appointed as Correction Ombuds shall serve for an  
176 initial term of two years and may serve until a successor is appointed  
177 and confirmed in accordance with this section. Such person may be  
178 reappointed for succeeding terms.

179 (n) Upon any vacancy in the position of Correction Ombuds and until  
180 such time as a candidate has been confirmed by the General Assembly  
181 or, if the General Assembly is not in session, has been designated by the  
182 Governor, the Associate Correction Ombuds, as designated by the  
183 Correction Advisory Committee, shall serve as the acting Correction  
184 Ombuds and be entitled to the compensation, privileges and powers of  
185 the Correction Ombuds until the General Assembly meets to take action  
186 on said appointment.

187 Sec. 2. (NEW) (*Effective July 1, 2022*) (a) (1) There is, within the Office  
188 of Governmental Accountability established under section 1-300 of the  
189 general statutes, as amended by this act, the Office of the Correction  
190 Ombuds for the provision of ombuds services. The Correction Ombuds  
191 appointed pursuant to section 18-81jj of the general statutes, as amended  
192 by this act, shall be the head of said office.

193 (2) For purposes of this section, "ombuds services" includes:

194 (A) Evaluating the delivery of services to incarcerated persons by the  
195 Department of Correction;

196 (B) Reviewing periodically the procedures established by the  
197 department to carry out the provisions of title 18 of the general statutes  
198 and evaluating whether such procedures conflict with the rights of  
199 incarcerated persons;

200 (C) Receiving communications from persons in the custody of the  
201 Commissioner of Correction regarding decisions, actions, omissions,

202 policies, procedures, rules or regulations of the department;

203 (D) Conducting site visits of correctional facilities administered by  
204 the department;

205 (E) Reviewing the operation of correctional facilities and  
206 nonemergency procedures employed at such facilities. Nonemergency  
207 procedures include, but are not limited to, the department's use of force  
208 procedures;

209 (F) Recommending procedure and policy revisions to the  
210 department;

211 (G) Taking all possible actions, including, but not limited to,  
212 conducting programs of public education, undertaking legislative  
213 advocacy and making proposals for systemic reform and formal legal  
214 action in order to secure and ensure the rights of persons in the custody  
215 of the commissioner. The Correction Ombuds shall exhaust all other  
216 means to reach a resolution before initiating litigation; and

217 (H) Publishing on an Internet web site operated by the Office of the  
218 Correction Ombuds a semiannual summary of all ombuds services and  
219 activities during the six-month period before such publication.

220 (b) Notwithstanding any provision of the general statutes, the  
221 Correction Ombuds shall act independently of any department in the  
222 performance of the office's duties.

223 (c) The Correction Ombuds may, within available funds, appoint  
224 such staff as may be deemed necessary. The duties of the staff may  
225 include the duties and powers of the Correction Ombuds if performed  
226 under the direction of the Correction Ombuds.

227 (d) The General Assembly shall annually appropriate such sums as  
228 necessary for the payment of the salaries of the staff and for the payment  
229 of office expenses and other actual expenses incurred by the Correction  
230 Ombuds in the performance of the Correction Ombuds' duties. Any



231 legal or court fees obtained by the state in actions brought by the  
232 Correction Ombuds shall be deposited in the General Fund.

233 (e) In the course of investigations, the Correction Ombuds shall rely  
234 on a variety of sources to corroborate matters raised by incarcerated  
235 persons or others. Where such matters turn on validation of particular  
236 incidents, the Correction Ombuds shall endeavor to rely on  
237 communications from incarcerated persons who have reasonably  
238 pursued a resolution of the complaint through any existing internal  
239 grievance procedures of the Department of Correction. In all events, the  
240 Correction Ombuds shall make good faith efforts to provide an  
241 opportunity to the Commissioner of Correction to investigate and to  
242 respond to such concerns prior to making such matters public.

243 (f) All oral and written communications, and records relating to such  
244 communications between a person in the custody of the Commissioner  
245 of Correction and the Correction Ombuds or a member of the Office of  
246 the Correction Ombuds staff, including, but not limited to, the identity  
247 of a complainant, the details of the communications and the Correction  
248 Ombuds' findings shall be confidential and shall not be disclosed  
249 without the consent of such person, except that the Correction Ombuds  
250 may disclose without the consent of such person general findings or  
251 policy recommendations based on such communications, provided no  
252 individually identifiable information is disclosed. The Correction  
253 Ombuds shall disclose sufficient information to the Commissioner of  
254 Correction or the commissioner's designee as is necessary to respond to  
255 the Correction Ombuds' inquiries or to carry out recommendations, but  
256 such information may not be further disclosed outside of the  
257 Department of Correction.

258 (g) Notwithstanding the provisions of subsection (f) of this section,  
259 whenever in the course of carrying out the Correction Ombuds' duties,  
260 the Correction Ombuds or a member of the Office of the Correction  
261 Ombuds staff becomes aware of the commission or planned commission  
262 of a criminal act or threat that the Correction Ombuds reasonably  
263 believes is likely to result in death or substantial bodily harm, the

264 Correction Ombuds shall notify the Commissioner of Correction or an  
265 administrator of any correctional facility housing the perpetrator or  
266 potential perpetrator of such act or threat and the nature and target of  
267 the act or threat.

268 (h) Notwithstanding any provision of the general statutes concerning  
269 the confidentiality of records and information, the Correction Ombuds  
270 shall have access to, including the right to inspect and copy, any records  
271 necessary to carry out the responsibilities of the Correction Ombuds, as  
272 provided in this section. The provisions of this subsection shall not be  
273 construed to compel access to any record protected by the attorney-  
274 client privilege or attorney-work product doctrine or any record related  
275 to a pending internal investigation, external criminal investigation or  
276 emergency procedures. For purposes of this subsection, "emergency  
277 procedures" are procedures the Department of Correction uses to  
278 manage control of tools, keys and armories and concerning department  
279 emergency plans, emergency response units, facility security levels and  
280 standards and radio communications.

281 (i) In the performance of the responsibilities provided for in this  
282 section, the Correction Ombuds may communicate privately with any  
283 person in the custody of the commissioner. Such communications shall  
284 be confidential except as provided in subsections (e) and (f) of this  
285 section.

286 (j) The Correction Ombuds may apply for and accept grants, gifts and  
287 requests of funds from other states, federal and interstate agencies, for  
288 the purpose of carrying out the Correction Ombuds' responsibilities.  
289 There is established within the General Fund a Correction Ombuds  
290 account which shall be a separate nonlapsing account. Any funds  
291 received under this subsection shall, upon deposit in the General Fund,  
292 be credited to said account and may be used by the Correction Ombuds  
293 in the performance of the Correction Ombuds' duties.

294 (k) The name, address and other personally identifiable information  
295 of a person who makes a complaint to the Correction Ombuds,

296 information obtained or generated by the Office of the Correction  
297 Ombuds in the course of an investigation and all confidential records  
298 obtained by the Correction Ombuds or the office shall be confidential  
299 and shall not be subject to disclosure under the Freedom of Information  
300 Act, as defined in section 1-200 of the general statutes, or otherwise  
301 except as provided in subsections (f) and (g) of this section.

302 (l) No state or municipal agency shall discharge, or in any manner  
303 discriminate or retaliate against, any employee who in good faith makes  
304 a complaint to the Correction Ombuds or cooperates with the Office of  
305 the Correction Ombuds in an investigation.

306 (m) Not later than December 1, 2023, and annually thereafter, the  
307 Correction Ombuds shall submit a report, in accordance with section 11-  
308 4a of the general statutes, to the joint standing committee of the General  
309 Assembly having cognizance of matters relating to the Department of  
310 Correction regarding the conditions of confinement in the state's  
311 correctional facilities and halfway houses. Such report shall detail the  
312 Correction Ombuds' findings and recommendations.

313 Sec. 3. Section 18-96b of the general statutes is repealed and the  
314 following is substituted in lieu thereof (*Effective July 1, 2022*):

315 (a) As used in this section:

316 (1) "Administrative segregation status" means the Department of  
317 Correction's practice of placing an [inmate] incarcerated person on  
318 restrictive housing status following a determination that such [inmate]  
319 incarcerated person can no longer be safely managed within the general  
320 [inmate] population of the correctional facility; [and]

321 (2) "Commissioner" means the Commissioner of Correction;

322 (3) "De-escalation" means attempting to defuse a crisis without the  
323 use of force;

324 (4) "Department" means the Department of Correction;

325 (5) "Grievance" means a formal complaint filed by any incarcerated  
326 person with the internal grievance system or the department;

327 (6) "Incarcerated person" means a person confined and in the custody  
328 and care of the commissioner, including persons in pretrial,  
329 presentencing or post-conviction confinement;

330 (7) "Isolated confinement" means any form of confinement of an  
331 incarcerated person within a cell, except during a facility-wide  
332 emergency, lockdown or for the purpose of providing medical or mental  
333 health treatment, with less than the following time out of cell:

334 (A) For all incarcerated persons, four hours per day, on and after July  
335 1, 2022;

336 (B) For all incarcerated persons in the general population, four and a  
337 half hours per day, on and after October 1, 2022; and

338 (C) For all incarcerated persons in general population, five hours per  
339 day, on and after April 1, 2023;

340 (8) "Lockdown" means the enforced detainment of all incarcerated  
341 persons within such persons' cells imposed upon an entire correctional  
342 facility or part of such facility, other than for the purpose of  
343 administrative meetings;

344 (9) "Medical professional" means (A) a physician licensed under  
345 chapter 370; (B) a physician assistant licensed under chapter 370; or (C)  
346 an advanced practice registered nurse, registered nurse or practical  
347 nurse licensed under chapter 378;

348 [(2)] (10) "Restrictive housing status" means [the designation] any  
349 classification of an [inmate] incarcerated person by the Department of  
350 Correction that [provides for] requires closely regulated management  
351 and separation of such [inmate from other inmates.] incarcerated person  
352 from other incarcerated persons, including, but not limited to,  
353 administrative segregation status, punitive segregation status, transfer

354 detention status, administrative detention status, security risk group  
355 status, chronic discipline status, special needs status and protective  
356 custody status;

357 (11) "Therapist" means any (A) physician licensed pursuant to  
358 chapter 370 who specializes in psychiatry; (B) psychologist licensed  
359 pursuant to chapter 383; (C) an advanced practice registered nurse  
360 licensed pursuant to chapter 387; (D) clinical social worker or master  
361 social worker licensed pursuant to chapter 383b; or (E) professional  
362 counselor licensed pursuant to chapter 383c; and

363 (12) "Use of force" means the use of physical force or deadly physical  
364 force, as defined in section 53a-3, by a department employee to compel  
365 compliance by an incarcerated person. Use of force includes, but is not  
366 limited to, the use of restraints, chemical agents, canines or munitions  
367 or forcible extraction from a cell, other than in response to a psychiatric  
368 emergency.

369 [(b) The Department of Correction shall publish on its Internet web  
370 site the formula for calculating an inmate's mental health score and a  
371 description of any form and phase of housing employed at any of its  
372 correctional facilities for inmates on restrictive housing status.]

373 (b) The department shall not hold any person under eighteen years  
374 of age in isolated confinement.

375 (c) Any use of isolated confinement shall maintain the least restrictive  
376 environment necessary for the safety of incarcerated persons and staff,  
377 and the security of the facility.

378 (d) If holding an incarcerated person in isolated confinement, the  
379 department shall:

380 (1) Not later than twenty-four hours after initiating the process of  
381 holding such person in isolated confinement, ensure that a medical  
382 professional conducts a physical examination and a therapist conducts  
383 a mental health evaluation of such person;

384 (2) Ensure regular monitoring to ensure such person's safety and  
385 well-being, including a daily check-in from a therapist;

386 (3) Continue de-escalation efforts when applicable and appropriate  
387 to the situation; and

388 (4) Provide to such person access to the following:

389 (A) Reading materials, paper, and a writing implement;

390 (B) Not less than three showers per week; and

391 (C) Not less than two hours out of cell per day, including at least one  
392 hour for recreational purposes.

393 (e) Placement of an incarcerated person in isolated confinement shall  
394 be subject to the following:

395 (1) The department may place a person in isolated confinement only  
396 after consideration of less restrictive measures;

397 (2) No person may be placed in isolated confinement for longer than  
398 necessary and no more than fifteen consecutive days or thirty total days  
399 within any sixty-day period, after which period, such person shall be  
400 released from isolated confinement; and

401 (3) No person may be placed in isolated confinement based on the  
402 same incident that was previously used as the basis for such placement.

403 (f) No person may be held in isolated confinement for protective  
404 custody, except that isolated confinement may be used while the  
405 department is determining whether protective custody status is  
406 appropriate. The department shall limit the time period for such  
407 determination to not more than five business days.

408 (g) The department shall not impose a lockdown upon an entire  
409 correctional facility or part of a correctional facility for purposes of  
410 training department staff for more than twenty-four cumulative hours

411 during any thirty-day period.

412 (h) Not later than January 1, 2024, the department shall report, in  
413 accordance with the provisions of section 11-4a, to the joint standing  
414 committee of the General Assembly having cognizance of matters  
415 relating to the Department of Correction and the Criminal Justice Policy  
416 and Planning Division established under section 4-68m concerning  
417 measures taken by the department to address the following:

418 (1) The frequency, cause and duration of lockdowns;

419 (2) The presence of persons with serious mental illness or  
420 developmental and intellectual disabilities in isolated confinement or on  
421 restrictive housing status;

422 (3) Efforts to increase the time an incarcerated person spends outside  
423 of such person's cell;

424 (4) The provision of therapeutic and other pro-social programming  
425 for persons on restrictive housing status;

426 (5) The use of in-cell restraints; and

427 (6) Fostering cooperation and engagement with the Correction  
428 Ombuds pursuant to section 2 of this act and the Correction Advisory  
429 Committee established pursuant to section 18-81jj, as amended by this  
430 act.

431 [(c)] (i) The [Department of Correction] department shall [at least]  
432 annually on or before January first submit to the Criminal Justice Policy  
433 and Planning Division established under section 4-68m a report  
434 containing, [as aggregated] in a disaggregated and anonymized format,  
435 the following data, which shall be broken down by facility and the age,  
436 race and sex of incarcerated persons included in the data:

437 (1) The number of [inmates on restrictive housing status] incarcerated  
438 persons in isolated confinement in this state's correctional facilities, as

439 of the first day of each of the twelve months preceding the date of the  
440 submission of the report [. The department shall report and  
441 disaggregate such data based on an inmate's age, gender identity,  
442 ethnicity, mental health score as calculated by the department, if any,  
443 and the form and phase of housing in which such inmate is held on  
444 restrictive housing status] and the total number of persons subjected to  
445 isolated confinement during the twelve months preceding the date of  
446 submission of the report;

447 (2) The number of [inmates on administrative segregation status who  
448 have spent the following cumulative durations of time on  
449 administrative segregation status] incarcerated persons who were in  
450 isolated confinement for more than fifteen cumulative days in the  
451 previous calendar year as categorized by the following periods of time:

452 [(A) One to fifteen days;]

453 [(B)] (A) Sixteen to thirty days;

454 [(C)] (B) Thirty-one to [one hundred eighty] sixty days;

455 [(D) One hundred eighty-one to three hundred sixty-five days;

456 (E) Three hundred sixty-six to seven hundred thirty days;

457 (F) Seven hundred thirty-one to one thousand ninety-five days;

458 (G) One thousand ninety-six to one thousand four hundred sixty  
459 days;

460 (H) One thousand four hundred sixty-one to one thousand eight  
461 hundred twenty-five days;

462 (I) One thousand eight hundred twenty-six to two thousand one  
463 hundred ninety days;

464 (J) Two thousand one hundred ninety-one to two thousand five  
465 hundred fifty-five days;



466 (K) Two thousand five hundred fifty-six to two thousand nine  
467 hundred twenty days;

468 (L) Two thousand nine hundred twenty-one to three thousand two  
469 hundred eighty-five days;

470 (M) Three thousand two hundred eighty-six to three thousand six  
471 hundred fifty days; and]

472 (C) Sixty-one to ninety days; and

473 [(N)] (D) More than [three thousand six hundred fifty] ninety days;

474 (3) [For each correctional facility, the] The number of [inmates who,  
475 during the twelve months preceding the date of the submission of the  
476 report, spent more than fifteen days, cumulative, on administrative  
477 segregation status. The department shall report and disaggregate such  
478 data based on an inmate's age, gender identity, ethnicity, mental health  
479 score as calculated by the department, if any, and the form and phase of  
480 restricted housing in which such inmate is held; and] incidents broken

481 down by month during the previous calendar year in the department's  
482 facilities categorized as:

483 (A) Suicides by incarcerated persons;

484 (B) Attempted suicides by incarcerated persons;

485 (C) Self-harm by incarcerated persons;

486 (D) Assaults by incarcerated persons on staff members; and

487 (E) Assaults and fights between incarcerated persons;

488 (4) [Actions taken by the department during the twelve months  
489 preceding the date of the submission of the report to minimize reliance  
490 on administrative segregation status and to mitigate the harmful effects  
491 of administrative segregation status on inmates, staff and the public.]  
492 Monthly reports showing the total number of incarcerated persons

493 against whom the department has used force, including use of the  
494 following:

495 (A) Chemical agent devices;

496 (B) Full stationary restraints;

497 (C) Deadly physical force;

498 (D) In-cell restraints;

499 (E) Less than lethal munitions;

500 (F) Lethal munitions;

501 (G) Medical restraints;

502 (H) Physical force;

503 (I) Therapeutic restraints;

504 (J) Cell extraction; and

505 (K) Canines;

506 (5) Grievances filed by incarcerated persons, broken down by month,  
507 including the number of grievances filed, dismissed, affirmed or  
508 otherwise resolved;

509 (6) Programs offered to incarcerated persons, including the program  
510 title and a brief description of the program, the number of spots  
511 available in each program and the number of persons enrolled in each  
512 program as of the first of each month;

513 (7) Internal department work assignments held by incarcerated  
514 persons, including the work assignment title, the daily wage paid and  
515 the number of such persons in each position as of the first of each month;  
516 and

517     (8) External jobs held by incarcerated persons working for outside  
518 employers, including the job title, hourly wage paid, the number of such  
519 persons in each position as of the first of each month and the name of  
520 each employer.

521     [(d) The department shall not hold any person under eighteen years  
522 of age on administrative segregation status.

523     (e) Not later than January 1, 2019, the Commissioner of Correction  
524 shall study and submit a report, in accordance with the provisions of  
525 section 11-4a, to the joint standing committee of the General Assembly  
526 having cognizance of matters relating to the judiciary regarding the use  
527 and oversight of all forms and phases of housing for inmates on  
528 restrictive housing status.]

529     [(f)] (j) The provisions of [subsections (a) to (d), inclusive, of] this  
530 section do not apply to any [inmate] incarcerated person described in  
531 subsection (a) of section 18-10b.

532     [(g) Within available appropriations, the Department of Correction  
533 shall provide training to employees of the department who interact with  
534 inmates concerning the following:

535         (1) The recognition of symptoms of mental illness;

536         (2) The potential risks and side effects of psychiatric medications;

537         (3) De-escalation techniques for safely managing individuals with  
538 mental illness;

539         (4) Consequences of untreated mental illness;

540         (5) The long and short-term psychological effects of being on  
541 administrative segregation status; and

542         (6) De-escalation and communication techniques to divert inmates  
543 from situations that may lead to the inmate being placed on  
544 administrative segregation status.

545 (h) Within available appropriations, the Department of Correction  
546 shall take measures to promote the wellness of employees of the  
547 department who interact with inmates. These measures may include,  
548 but need not be limited to:

549 (1) Employee assistance programs;

550 (2) Peer support programs; and

551 (3) Stress management training.]

552 (k) The department shall publish on its Internet web site the formula  
553 for calculating an incarcerated person's mental health score and any  
554 report pursuant to subsection (i) of this section.

555 Sec. 4. Section 1-300 of the general statutes is repealed and the  
556 following is substituted in lieu thereof (*Effective July 1, 2022*):

557 (a) There is established the Office of Governmental Accountability.  
558 The executive administrator of the office shall serve as the  
559 administrative head of the office, who shall be appointed in accordance  
560 with the provisions of section 1-301, as amended by this act.

561 (b) The Office of Governmental Accountability shall provide  
562 personnel, payroll, affirmative action and administrative and business  
563 office functions and information technology associated with such  
564 functions for the following: The Judicial Review Council established  
565 under section 51-51k, Judicial Selection Commission established under  
566 section 51-44a, Board of Firearms Permit Examiners established under  
567 section 29-32b, Office of the Child Advocate established under section  
568 46a-13k, Office of the Victim Advocate established under section 46a-  
569 13b, [and] State Contracting Standards Board established under section  
570 4e-2 and Office of the Correction Ombuds, established under section 2  
571 of this act. The personnel, payroll, affirmative action and administrative  
572 and business office functions of said offices, commission, council and  
573 boards shall be merged and consolidated within the Office of  
574 Governmental Accountability.

575 (c) The executive administrator may employ necessary staff to carry  
576 out the administrative functions of the Office of Governmental  
577 Accountability, within available appropriations. Such necessary staff of  
578 the Office of Governmental Accountability shall be in classified service.

579 (d) Nothing in this section shall be construed to affect or limit the  
580 independent decision-making authority of the Judicial Review Council,  
581 Judicial Selection Commission, Board of Firearms Permit Examiners,  
582 Office of the Child Advocate, Office of the Victim Advocate, [or the]  
583 State Contracting Standards Board or Office of the Correction Ombuds.  
584 Such decision-making authority includes, but is not limited to, decisions  
585 concerning budgetary issues and concerning the employment of  
586 necessary staff to carry out the statutory duties of each such office,  
587 commission, council or board.

588 Sec. 5. Subsection (a) of section 1-301 of the general statutes is  
589 repealed and the following is substituted in lieu thereof (*Effective from*  
590 *passage*):

591 (a) (1) There shall be a Governmental Accountability Commission,  
592 within the Office of Governmental Accountability established under  
593 section 1-300, as amended by this act, that shall consist of [six] seven  
594 members as follows: (A) The executive director of the Judicial Review  
595 Council established under section 51-51k, or the executive director's  
596 designee; (B) the chairperson of the Judicial Selection Commission  
597 established under section 51-44a, or the chairperson's designee; (C) the  
598 chairperson of the Board of Firearms Permit Examiners established  
599 under section 29-32b, or the chairperson's designee; (D) the Child  
600 Advocate appointed under section 46a-13k, or the advocate's designee;  
601 (E) the Victim Advocate appointed under section 46a-13b, or the  
602 advocate's designee; [and] (F) the chairperson of the State Contracting  
603 Standards Board established under section 4e-2, or the chairperson's  
604 designee; and (G) the Correction Ombuds appointed under section 18-  
605 81jj, as amended by this act, or the Correction Ombuds' designee,  
606 provided no person serving as a designee under this subsection may be  
607 a state employee. The Governmental Accountability Commission shall

608 select a chairperson who shall preside at meetings of the commission.  
609 Said commission shall meet for the purpose of making  
610 recommendations to the Governor for candidates for the executive  
611 administrator of the Office of Governmental Accountability pursuant to  
612 the provisions of subsection (b) of this section, or for the purpose of  
613 terminating the employment of the executive administrator.

614 (2) The commission established under subdivision (1) of this  
615 subsection shall not be construed to be a board or commission within  
616 the meaning of section 4-9a.

|   |                     |             |
|---|---------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: |                     |             |
| Section 1   | <i>from passage</i> | 18-81jj     |
| Sec. 2  | <i>July 1, 2022</i> | New section |
| Sec. 3  | <i>July 1, 2022</i> | 18-96b      |
| Sec. 4  | <i>July 1, 2022</i> | 1-300       |
| Sec. 5  | <i>from passage</i> | 1-301(a)    |

**Statement of Legislative Commissioners:**

In Section 2(a)(1), language was added clarifying who was the head of the office and in Section 5(a)(1), "six" was changed to "[six] seven" for accuracy.

**JUD**      *Joint Favorable Subst.*